

Historical amendments of the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) from 1969 to 2015

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Central Coast Basin Plan Amendment History 1969 - 2015 (most recent first)

07/14/2017

RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
07/30/15	2015-0004	04/05/16	2016-0018	07/12/16 §3929.14	10/06/16	Amending the Water Quality Control Plan for the Central Coastal Basin to Adopt Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in streams of the Pajaro River Basin .	Ch.4- IX. T.
11/13/14	2014-0054	Not Req'd	Not Req'd	Not Req'd	Not Req'd	2014 Triennial Review of the Basin Plan	--
01/30/14	2014-0009	07/02/14	2014-0033	10/29/14 §3929.13	08/31/15	Amending the Water Quality Control Plan for the Central Coastal Basin to Adopt Total Maximum Daily Loads for Toxicity and Pesticides in the Santa Maria Watershed in Santa Barbara, San Luis Obispo, and Ventura Counties, California.	Ch.4- IX. R.

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RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
05/30/13	2013-0013 Minor edits 3/9/16	02/04/14	2014-0009	05/22/14 \$3929.12	03/08/16	Amending the Water Quality Control Plan for the Central Coastal Basin to Adopt Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in the Lower Santa Maria River and Oso Flaco Lake Watersheds	Ch.4- IX. R

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RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
03/14/13	2013-0008	02/04/14	2014-0008	05/07/14 §3929.10	10/13/15	Amending the Water Quality Control Plan for the Central Coastal Basin to Adopt Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in the Lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed	Ch.4- IX. Q.
05/30/13	2013-0005	01/21/14	2014-0003	06/03/14 §3929.11	Not Req'd	Amending the Water Quality Control Plan regarding Onsite Wastewater System Implementation Program. (Rescinds R3-2008-0005, R3-2009-0012, R3-2011-0004)	Ch.4, Ch.5
03/15/12	2012-0002	10/16/12	2012-0055	02/21/13 §3929.9	04/24/13	Amending The Water Quality Control Plan for the Central Coast Basin to (1) Adopt Total Maximum Daily Loads for Fecal Indicator Bacteria in the Santa Maria River Watershed and (2) Add the Santa Maria River Watershed (including Oso Flaco Creek Watershed) to the Domestic Animal Waste Discharge Prohibition	Ch.4- IX. P. Ch.5- IV.B

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RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
05/05/11	2011-0004 Attachment	Returned to RB.	Returned to RB.	Returned to RB.	Returned to RB.	Amending the Water Quality Control Plan regarding the Onsite Wastewater System Implementation Program (Rescinded by R3-2013-0005).	No BP amendment . Ch.4-. VIII.D
03/20/09	2009-0012 Attachment	Returned to RB.	Returned to RB.	Returned to RB.	Returned to RB.	Amending the Water Quality Control Plan regarding the Onsite Wastewater System Implementation Program (Rescinded by R3-2013-0005).	No BP amendment . Ch.4-. VIII.D
05/09/08	2008-0005	Returned to RB.	Returned to RB.	Returned to RB.	Returned to RB.	Amending the Water Quality Control Plan revising Onsite Wastewater System Criteria (Rescinded by R3-2013-0005).	No BP amendment . Ch.4-. VIII.D
09/02/10	2010-0017	09/19/11	2011-0040	12/20/11 S3929.8	01/31/12	Amending The Water Quality Control Plan for The Central Coast Basin to (1) Adopt Total Maximum Daily Loads For Fecal Coliform in Lower Salinas River Watershed , (2) Add the Lower Salinas River Watershed to the Domestic Animal Waste Discharge Prohibition; and (3) Add the Lower Salinas River Watershed to the Human Fecal Material Discharge Prohibition	Ch.4-IX. O

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RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
05/08/09	2009-0025	08/03/10	2010-0038	10/29/10 §3929.5	01/24/11	Amending the Water Quality Control Plan for the Central Coast Basin to (1) Add the Aptos Creek Watershed to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and (2) Adopt Total Maximum Daily Loads for Pathogens in Aptos Creek, Valencia Creek, and Trout Gulch	Ch4-IX.L, Ch5-IV.B
05/08/09	2009-0024 Amended	07/06/10	2010-0031	09/15/10 §3929.4	11/17/10	Amending the Water Quality Control Plan for the Central Coast Basin to (1) Remove the Shellfish Harvesting Beneficial Use for Soquel Lagoon , (2) Add the Soquel Lagoon Watershed to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and (3) Adopt Total Maximum Daily Loads for Pathogens in Soquel Lagoon, Soquel Creek, and Noble Gulch	Ch2-Tbl2-1, Ch4-IX.K, Ch5-IV.B
05/08/09	2009-0023	03/01/11	2011-0010	06/08/11 §3929.6	07/20/11	Amending the Water Quality Control Plan for the Central Coast Basin to (1) Remove the Shellfish Harvesting Beneficial Use for San Lorenzo River Estuary, (2) Add the San Lorenzo River Watershed to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and (3) Adopt Total Maximum Daily Loads for Pathogens in San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek	Ch2-Tbl2-1, Ch4-IX.J, Ch5-IV.B

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RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
03/20/09	2009-0009	4/19/11	2011-0019	09/08/11 \$3929.7	01/17/12	Amending the Water Quality Control Plan for the Central Coast Basin to (1) Add the Corralitos/Salsipuedes Creek Watershed to the Domestic Animal Waste Discharge Prohibition and the Human Fecal Material Discharge Prohibition, and (2) Add the Total Maximum Daily Loads for Fecal Coliform in Corralitos and Salsipuedes Creeks	Ch4-IX. N, Ch5-IV.B
03/20/09	2009-0008	04/20/10	2010-0015	07/12/10 \$3929.3	08/03/10	Amending The Water Quality Control Plan for the Central Coast Basin to (1) Add Total Maximum Daily Loads for Fecal Coliform in the Pajaro River Watershed (Including Pajaro River, San Benito River, Llagas Creek, Tequisquita Slough, San Juan Creek, Carnadero/Uvas Creek, Bird Creek, Pescadero Creek, Tres Pinos Creek, Furlong (Jones) Creek, Santa Ana Creek, and Pacheco Creek); (2) Add a Domestic Animal Waste Discharge Prohibition; and (3) Add a Human Fecal Material Discharge Prohibition	Ch4-IX.M, Ch5-IV.B
03/20/08	2008-0003	Returned to RB.	Returned to RB. See R3-2009-0025	Returned to RB.	Returned to RB.	Amending the Water Quality Control Plan for the Central Coast Basin to Adopt Total Maximum Daily Loads for Pathogens in Aptos Creek , Valencia Creek, and Trout Gulch.	Returned to RB.
03/20/08	2008-0002	Returned to RB.	Returned to RB. See R3-2009-0024	Returned to RB.	Returned to RB.	Amending The Water Quality Control Plan for the Central Coast Basin to (1) Remove the Shellfish Harvesting Beneficial Use for Soquel Lagoon and (2) Adpot the Total Maximum Daily Loads for Pathogens in Soquel Lagoon, Soquel Creek, and Noble Gulch, Santa Cruz, California.	Returned to RB.

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03/20/08	2008-0001	Returned to RB.	Returned to RB. See R3-2009-0023	Returned to RB.	Returned to RB.	Amending The Water Quality Control Plan for the Central Coast Basin to (1) Remove the Shellfish Harvesting Beneficial Use for San Lorenzo River Estuary, (2) Modify the San Lorenzo River Subbasin and Aptos-Soquel Subbasin Prohibition, and (3) Adopt the Total Maximum Daily Loads for Pathogens in San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek.	Returned to RB.
03/24/06	2006-0025	09/21/06	2006-0067 Attachmen †	11/20/06 §3929.1	07/19/07 03/28/07	Amending the Water Quality Control Plan for the Central Coast Basin to include Watsonville Slough Total Maximum Daily Load and Implementation Plan for Pathogens , Watsonville Slough Watershed Livestock Waste Discharge Prohibition, and removal of the Shellfish Harvesting Beneficial Use from Watsonville Slough and tributaries	Ch2-Tbl2-1, Ch4-VIII.E.6, Ch4-IX.I
12/02/05	2005-0132 CEQA	09/21/06	2006-0068 Attachmen †	11/27/06 §3929.2	05/03/07	Amending the Water Quality Control Plan for the Central Coast Basin to include Pajaro River Total Maximum Daily Loads and Implementation Plan for Sediment including Llagas Creek, Rider Creek, and San Benito River and a Land Disturbance Prohibition	Ch4-VIII.E.1, Ch4-IX.H
09/09/05	2005-0106	06/21/06	2006-0045 Attachmen †	08/04/06 §3929	01/10/07	Amending the Water Quality Control Plan for the Central Coast Basin to Include the San Luis Obispo Creek Total Maximum Daily Load and Implementation Plan for Nitrate-Nitrogen	Ch4-IX.G, (repeated section letter)

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RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
09/09/05	2005-0013 Staff Rpt	05/15/06	2006-0029 Attachmen †	08/31/06 §3920	Not Req'd	Amending the Water Quality Control Plan to Repeal Basin Plan Resolution No. 73-05 and Section 5(f) of Basin Plan Resolution No. 84-04	Ch5-VI.C, Appendix A-16 and A-17
12/03/04	2004-0142	05/19/05	2005-0037 Attachmen †	07/25/05 §3928	09/23/05	Amending the Water Quality Control Plan for the Central Coast Basin to include San Luis Obispo Creek Total Maximum Daily Load and Implementation Plan for Pathogens	Ch4-IX.G
05/16/03	2002-0117 revised	09/16/03	2003-0060 Attachmen † 1 Attachmen † 2	11/19/03 §3924	01/20/04	Amending the Water Quality Control Plan for the Central Coast Basin to include a Total Maximum Daily Load and Implementation Plan for Pathogens for Morro Bay and Chorro and Los Osos Creeks	Ch4-IX.E
05/16/03	2002-0107 amended	Returned to RB	Returned to RB	Returned to RB	Returned to RB	Amending the Water Quality Control Plan for the Central Coast Basin to include Las Tablas Creek and Lake Nacimiento Total Maximum Daily Loads for Mercury and Implementation Plan (Note: In 2004 EPA proposed to add this site to the Superfund list. Approval by SWRCB delayed until Superfund status is determined.)	Proposed Ch.4,Sec IX. C, but no BP Amend.

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11/01/02	2002-0107	Returned to RB	Returned to RB	Returned to RB	Returned to RB	Amending the Water Quality Control Plan for the Central Coast Basin to include Las Tablas Creek and Lake Nacimiento Total Maximum Daily Loads for Mercury and Implementation Plan	Proposed Ch.4,Sec IX. C, but no BP Amend.
05/16/03	2002-0063 revised	09/16/03	2003-0061 Attachmen †	12/18/03 §3927	02/19/04	Amending the Water Quality Control Plan for the Central Coast Basin to include San Lorenzo River Total Maximum Daily Load and Implementation Plan for Sediment including Carbonera Creek, Lompico Creek, and Shingle Mill Creek	Ch4-IX.B
05/16/03	2002-0051 revised	09/16/03	2003-0062 Attachmen †	12/03/03 §3925	01/20/04	Amending the Water Quality Control Plan for the Central Coast Basin to include Morro Bay Total Maximum Daily Load and Implementation Plan for Sediment including Chorro Creek, Los Osos Creek, and the Morro Bay Estuary	Ch4-IX.A
12/24/02	2002-0094	09/16/03	2003-0063 Attachmen †	12/22/03 §3926	Not Req'd	Amending the Water Quality Control Plan (Basin Plan) for the Central Coast Region to include a Revised and Updated Monitoring and Assessment Chapter (Chapter 6) and Requesting Approval from the State Water Resources Control Board	Ch.6

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12/13/02	2002-0093 Admin rec Bd Mtg	Returned to RB	Returned to RB	Returned to RB	Returned to RB	Adopting Revised State Water Resources Control Board Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source Plans, Policies, and Management Practices in an Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan) Requesting Approval from the State Water Resources Control Board	Returned to RB in anticip. of State NPS Plan. Ch.4
09/15/00	00-003	None.	None.	None	01/14/03	Adopting Amendments to the Water Quality Control Plan and Requesting Approval from the State Water Resources Control Board to: Adopt a Total Maximum Daily Load for Nitrate in the San Lorenzo River Watershed.	No BP Amend. Proposed add to end Ch.4
06/02/00	00-001	11/15/01	2001-125	02/13/02 §3923	08/22/03	Adopting Amendments to the Water Quality Control Plan and Requesting Approval from the State Water Resources Control Board to Remove the Nitrate Objective for the San Lorenzo River	Ch3-II.A.3
04/14/95	95-04 Staff Rpt	08/17/95	95-53	10/25/95 §3922	05/30/00	Adopting Amendments to the Water Quality Control Plan and Requesting Approval from the State Water Resources Control Board to Rescind On-Site System Prohibition and Add Wastewater Management Plan for the San Lorenzo River Watershed, Santa Cruz County	Ch4-VI.B.1, Ch4-VIII.D.3.i

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09/08/94	94-06, Cal Poly Rpt - Basis for 29 new BU designations.	11/17/94	94-115	03/03/95 §3921	05/30/00	Adopting Amendments to the Water Quality Control Plan and Requesting Approval From the State Water Resources Control Board <i>(All changes up to this point are reflected in the 1994 edition of the Basin Plan.)</i>	Ch.2, BU defns indicated by X. Added BUs for Channel Islands. Added BUs EST,FRSH, POW, SHELL
02/11/94	94-01, Cal Poly Bd Mtg Presentation	05/18/94	94-44	09/07/94 §3920	05/30/00	Adopting Amendments to the Water Quality Control Plan and Requesting Approval From the State Water Resources Control Board <i>(SB disapproved Table 2-1 footnote re ben uses for unlisted streams with exception for constructed ag drains.)</i>	Ch 2-6. BU defns
09/14/90	90-05	01/24/91	91-09	Not Req'd	09/10/91	Adopting Monterey Bay Desalinization Discharge Waiver Amendment to the Water Quality Control Plan and Requesting Approval From the State Water Resources Control Board <i>(All changes up to this point are reflected in the 1989 edition of the Basin Plan.)</i>	Ch.5 Desal disch waiver Monterey

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11/17/89	89-04, report, comments	08/16/90	90-87	Not Req'd		Adopting Amendments to Water Quality Control Plan and Requesting Approval from the State Water Resources Control Board (Chapters Renamed: Ch.3 WQO, Ch.4 Implem., Ch.5 Plans & Policies, Ch.6 Surveillance & Monitoring.)	All Chapters. Appx 23.
04/14/89	89-03, CEQA, Meeting Mins	08/17/89	89-75	Not Req'd	08/15/89 comments	Incorporation of "Sources of Drinking Water" Policy into the Water Quality Control Plan (Basin Plan) (See 05/19/88 rs1988-63 and 02/01/06 rs1988-63 amended)	Ch.2. Add MUN if not in 2-1
09/04/87	Bd Mtg Agenda Item 18	????	????	Not Req'd	Not Req'd	Rescission of Basin Plan Prohibition of Discharges in the Communities of Las Lomas/Hall, Moss Landing, Boronda, Scotts Valley (Pasatiempo Pines), and Fruitland. (Resolution Nos. 76-03, 76-08, 83-01, 83-09, and 84-03.) Should also apply to 79-07 (Las Lomas) and 79-08 (Moss Landing).	Ch.5 Prohibitions rescinded.
04/11/86	86-04	04/16/87	87-26	Not Req'd	????	Concerning Amendment of Water Quality Control Plan Central Coastal Basin (Lompoc Terrace Objectives) (Partial Remand by SB)	Ch.4 WQO groundw Lompoc
10/12/84	84-05	04/16/87	87-26	Not Req'd	????	Concerning Revisions and Amendment of Water Quality Control Plan, Central Coastal Basin, (Lompoc Basin Objectives and Management)	Ch.4 WQO groundw Lompoc

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02/14/86	86-03 Srept0585 Srept0386	04/16/87	87-25	Not Req'd	????	Concerning Revisions and Amendment of Water Quality Control Plan, Central Coastal Basin, (Santa Maria Ground Water Basin Objectives) (Sh. Term objectives not approved by SB)	Ch.4 WQO groundw S. Maria
02/14/86	86-01	04/16/87	87-36	Not Req'd	06/27/88	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin, (Revision of Warm/Cold Water Beneficial Uses; Radioactivity Objective for all Waters; Phenols, Phthalate Esters and Polychlorinated Biphenyls Objective and Exceptions) (Partial Remand by SB)	Ch.2, BU, Ch.4 WQO radio. Phenols etc remanded.
03/08/85	85-04	12/19/85	85-88 OCC Memo	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin (concerning beneficial uses of certain waters)	Ch.2 BU. Add SHELL Moss L
09/21/84	84-10	12/20/84	84-83	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin, (Establishment of Prohibition Areas and Management Areas for Individual Sewage Disposal Systems in the San Lorenzo Valley of Santa Cruz County) (Remanded by SB)	Remand Ch.5
07/13/84	84-07	????	????	Not Req'd	Not Req'd	Acceptance of Santa Barbara County Board of Supervisor's Resolution No. 84-283 "A Resolution Imposing a Moratorium on Use of Individual Sewage Disposal Systems in a Portion of Mission Canyon	Ch.5. Prohib removal Mission C

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02/24/84	84-03	05/17/84	84-36	Not Req'd	????	Revision and Amendment of Water Quality Control Plan by the Addition of a Prohibition of Waste Discharge from Individual and Community Sewage Disposal Systems Within the Fruitland Area, Monterey County <i>(Rescinded by RB on 09-04-87)</i>	Ch.5. Prohib Fruitland
01/20/84	84-02 Staff rpt	02/21/85	85-11	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coastal Basin, (Nutrient Objectives for the Pajaro River and Llagas Creek) <i>(Remanded by SB)</i>	Remand. Ch.4 site-sp. nutr objs
01/20/84	84-01	07/19/84	84-52	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin (regarding beneficial use designations for Elkhorn Slough) <i>(Partial Remand by SB)</i>	Ch.2 BU Moss L, Elkhorn. SHELL
11/18/83	83-16	01/19/84	84-12	Not Req'd	????	Revision and Amendment of Water Quality Control Plan by the Addition of a Prohibition of Waste Discharge from Individual and Community Sewage Disposal Systems Within the Los Alamos Area, Santa Barbara County <i>(1988 Triennial Review says to delete this prohib.)</i>	Ch.5, Prohib Los Alamos.
09/16/83	83-14 CEQA	01/19/84	84-11	Not Req'd	04/17/84	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin, (Revision and Amendment of Table 2-1, "Existing and Anticipated Uses of Inland Surface Waters")	Ch.2 BU. REC-1

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09/16/83	83-13 Prohibition Report '84	01/19/84	84-13 report	Not Req'd	????	Revision and Amendment of Water Quality Control Plan by the Addition of a Prohibition of Waste Discharge from Individual Sewage Disposal Systems Within the Los Osos/Baywood Park Area, San Luis Obispo County	Ch.5, Prohib Los Osos
09/16/83	83-12 CEQA	12/15/83	83-94	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin	Ch.5 onsite septic
07/15/83	83-09	10/20/83	83-79	Not Req'd	????	Revision and Amendment of the Water Quality Control Plan by the Addition of a Prohibition of Waste Discharge from Individual Sewage Disposal Systems Within the Pasatiempo Area, Santa Cruz County. <i>(Rescinded by RB on 09-04-87)</i>	Ch.5, Prohib Pasateimpo, Lockwood Lane
04/15/83	BP Appendix A-23	08/18/88	88-94	Not Req'd	????	Review of Staff Procedures Regarding Waiver of Regulation of Specific Types of Waste Discharges Waiver Policies in Appendix A-23 added by R3-89-04	Waiver policies
04/15/83	83-07	07/21/83	83-48	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coastal Basin	Ch.5, Mun ww man. Salinas, Carmel, Monterey

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02/25/83	83-04	05/24/83	83-34	Not Req'd	????	Revision and Amendment of the Water Quality Control Plan by the Addition of a Prohibition of Waste Discharge from Individual Sewage Disposal Systems Within the Mission Canyon Area, Santa Barbara County (Implicitly Rescinded by R3-84-07)	Ch.5, Prohib. Mission Canyon.
02/25/83	83-03	05/24/83	83-33	Not Req'd	08/04/83	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coastal Basin (Water Quality Objectives for Endrin and Radioactivity)	Ch.4 WQO radioactivity, endrin
01/14/83	83-01	03/17/83	83-16	Not Req'd	Not Req'd	Revision and Amendment of the Water Quality Control Plan by the Addition of a Prohibition of Waste Discharge from Individual Sewage Disposal Systems Within the Boronda County Water District and Virginia Acres Area, Monterey County (Rescinded by RB on 09-04-87)	Ch.5, Prohib. Boronda
12/10/82	82-09	06/1/83	83-41	Not Req'd	Not Req'd	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin (Remanded by SB)	Remand. Ch.5, Impl. Plan onsite septic
11/05/82	82-10	01/20/83	83-6	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coastal Basin, (Prohibition of Individual Sewage Disposal Systems in the San Lorenzo Valley of Santa Cruz County and a Corresponding Request to Amend Clean Water Grant Project Priority List) (Rescinded by R3-95-04)	Ch.5, WQ man. plan S. Lorenzo

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07/09/82	82-08	12/16/82	82-64	Not Req'd	08/04/83	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coastal Basin	Ch 2 & 4. BU & SO4 in Salinas & S. Lorenzo
07/09/82	82-07	10/21/82	82-44	Not Req'd	08/04/83	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coastal Basin	Ch.4 WQO and tables
07/09/82	82-06	12/16/82	82-65	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coastal Basin	Ch.5. Disch req for municipal
07/09/82	82-04	12/16/82	82-63	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin (Mushroom Farm Operations)	Mushroom farm policy
11/09/79	79-12	05/15/80	80-29	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin	Caltrans practices
11/09/79	79-09	01/24/80	80-6	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin	Erosion/se diment control
09/14/79	79-08	????	????	Not Req'd	????	Concerning Revision and Amendment of Water Quality Control Plan Central Coast Basin	Ch.5 Disch prohib Moss L
09/14/79	79-07	????	????	Not Req'd	????	Concerning Revision and Amendment of Water Quality Control Plan Central Coast Basin	Ch.5 Disch prohib, Las Lomas

Blue = add to next BP edition. Green = 2016 Basin Plan. Yellow = 2011 Basin Plan.

Central Coast Basin Plan Amendment History 1969 - 2015 (most recent first)

07/14/2017

RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
06/09/79	79-05	08/16/79	79-69	Not Req'd	????	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coast Basin	USFS & BLM water quality
03/17/78	78-02	05/18/78	78-27	Not Req'd	????	Revision and Amendment of Water Quality Control Plan by the Addition of a Prohibition of Waste Discharge from Individual Sewage Disposal Systems Within the Nipomo Area, San Luis Obispo County <i>(Partial Remand by SB for zone # 1B)</i>	Ch.5, Prohib Nipomo
06/10/77	77-04	08/18/77	77-73	Not Req'd	12/10/81 (via 1983 Itr R3 to EPA)	Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coastal Basin <i>(Partial Remand by SB)</i>	Ch.4 WQO N+P deleted, prohib ww treat syst.
01/14/77	77-01	03/17/77	77-17	Not Req'd	12/10/81 (via 1983 Itr R3 to EPA)	Concerning Amendment of the Water Quality Control Plan, Central Coastal Basin <i>(Partial Remand by SB)</i>	Ch.4 WQO fec coliform, Biostim not apprvd.
12/10/76	76-08 amended	04/21/77	77-37	Not Req'd	????	Concerning Revision and Amendment of Water Quality Control Plan Central Coast Region <i>(Rescinded by RB on 09-04-87)</i>	Ch.5 Prohib, Moss Landing

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Central Coast Basin Plan Amendment History 1969 - 2015 (most recent first)

07/14/2017

RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
07/09/76	76-08	09/16/76	76-105	Not Req'd	????	Concerning Revision and Amendment of Water Quality Control Plan Central Coast Region <i>(Remanded by SB).</i>	Remand. Ch.5 Prohib, Moss Landing
06/11/76	76-05	08/19/76	76-101	Not Req'd	01/09/80 per EPA adopted dates doc.	Concerning Revision and Amendment of Water Quality Control Plan, Central Coastal Basin	Ch.2, BUs. WILD add to Tbl2-2
05/13/76	76-03	08/19/76	76-99	Not Req'd	????	Concerning Revision and Amendment of Water Quality Control Plan Central Coast Basin <i>(Rescinded by RB on 09-04-87)</i>	Ch.5, Time Sch., Las Lomas
02/06/76	76-01	04/15/76	76-27	Not Req'd	????	Concerning Revision and Amendment of Water Quality Control Plan Central Coastal Basin	Ch.5, Prohib Las Lomas
03/14/75	75-2	03/20/75	75-21	Not Req'd	09/26/75 10/05/75 10/24/75	Concerning Revisions and Amendment of Water Quality Control Plan, Central Coastal Basin No. 3 (first amendment of the 1974 BP) 10/24/75 EPA Approval had 3 conditions.	Ch.4,5, 7 April 1975 Basin Plan
09/13/74	????				1974 comments	<i>Adoption of the May 1974 Basin Plan (WQCP Report) as described in Res. 75-2. Basin Plan Hearings were held on 07/24/74 and 07/25/74. The Basin contractor was Brown and Caldwell; Project Manager was Richard C. Bain.</i>	May 1974 Basin Plan

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Central Coast Basin Plan Amendment History 1969 - 2015 (most recent first)

07/14/2017

RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
01/11/74	74-1	03/07/74	74-23	Not Req'd	????	Concerning Revision and Amendment of Water Quality Control Plan (Interim) Central Coastal, Basin 3	Ch.6, Prohib Monterey Bay
12/08/72	72-4	????	????	Not Req'd	????	Concerning Revision and Amendment of Water Quality Control Plan (Interim), Central Coastal, Basin 3	Appx A, Ch 5-7
06/10/71	71-3	06/30/71	71-20	Not Req'd	????	Adopting an Interim Water Quality Control Plan for Central Coastal Basin	1971 Interim Basin Plan
01/23/70	70-2	????	????	Not Req'd	Not Req'd	Water Quality Control Plan to Regulate Discharges from Waste Disposal Systems within Nacimiento Reservoir Watershed, San Luis Obispo County	Inland Waters Policy
10/17/69	????	????	????	Not Req'd	Not Req'd	Water Quality Control Policy for Santa Ynez River Basin. October 17, 1969. (cited in '75 Basin Plan)	Inland Waters Policy
06/13/69	69-5	????	????	Not Req'd	Not Req'd	Water Quality Control Policy for Salinas River Basin and Underlying Ground Waters, San Luis Obispo and Monterey Counties. June 13, 1969.	Inland Waters Policy
12/13/68	68-6	????	????	Not Req'd	Not Req'd	Adopting Water Quality Control Policy for San Lorenzo River Basin and Underlying Ground Waters, Santa Cruz County. December 13, 1968.	Inland Waters Policy
06/21/68	68-3	????	????	Not Req'd	Not Req'd	Adopting Water Quality Control Policy for Pajaro River Basin, Southern Santa Clara, San Benito, Santa Cruz, and Northern Monterey Counties	Inland Waters Policy

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Central Coast Basin Plan Amendment History 1969 - 2015 (most recent first)

07/14/2017

RB3 Approval Date	RB3 Resolution No.	SB Approval Date	SB Resolution No.	OAL Approval Date	USEPA Approval Date	Name of Basin Plan Amendment	Section of BP Amended
04/14/67	67-2	????	????	Not Req'd	Not Req'd	Adopting Water Quality Control Policy for Pacific Ocean Coastal Waters, (Point Piedras Blancas to Pescadero Point) Northern San Luis Obispo, Monterey, Santa Cruz, and San Mateo Counties	Coastal Waters Policy
03/10/67	67-1	????	????	Not Req'd	Not Req'd	Adopting Water Quality Control Policy for Pacific Ocean Coastal Waters (Point Arguello to Point Piedras Blancas), Northern Santa Barbara and San Luis Counties.	Coastal Waters Policy
09/15/66	66-6	????	????	Not Req'd	Not Req'd	Adopting Water Quality Criteria and Statement of Policy for Saline Waters, South Coastal Portion Santa Barbara County (Point Arguello to Rincon Point)	Coastal Waters Policy

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Appendix 1. Basin Plan amendment resolutions adopted by the Central Coast Water Board

CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

RESOLUTION NO. R3-2015-0004

**AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL
BASIN TO ADOPT TOTAL MAXIMUM DAILY LOADS FOR NITROGEN COMPOUNDS AND
ORTHOPHOSPHATE IN STREAMS OF THE PAJARO RIVER BASIN**

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) on March 14, 1975. The Basin Plan designates beneficial uses and water quality objectives, implementation programs for achieving water quality objectives addressing point source and nonpoint source discharges, prohibitions, and incorporates statewide plans and policies. The Basin Plan is periodically reviewed and revised. The Central Coast Water Board has determined that the Basin Plan requires further revision and amendment.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to incorporate Total Maximum Daily Loads (TMDLs) and an implementation plan for nitrogen compounds (nitrate and un-ionized ammonia) and orthophosphate for streams in the Pajaro River basin, which includes the waterbodies Pajaro River, Llagas Creek, San Juan Creek, Furlong Creek, Watsonville Slough, and other tributary surface waterbodies as identified in Table IX T-1 of the attached Basin Plan amendment.
3. Pursuant to California Water Code section 106.3(a), it is the policy of the State of California that every human being has a right to safe, clean, affordable, and accessible water adequate for human consumption. California Water Code section 106.3(b) requires the Central Coast Water Board to consider how state actions impact the human right to water and creates a state policy that directs the Central Coast Water Board and other state agencies to explicitly consider the human right to water when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and grant criteria affect the human right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This order promotes that policy by establishing nitrate total maximum daily loads for streams in the Pajaro River basin which are designated for protection of human health including municipal and domestic water supply.
4. The geographic scope of these TMDLs encompasses approximately 1,300 square miles of the Pajaro River basin, including parts of Santa Clara, Santa Cruz, San Benito, and Monterey counties. The river basin includes the Pajaro and San Benito rivers, Watsonville Slough, Corralitos, Llagas, Pacheco, San Juan, and Uvas creeks, and all associated tributaries. Agriculture (including irrigated cropland and grazing lands) is the current dominant land use in the Pajaro River basin, with increasing transition to urban use. Urbanized areas account for approximately four percent of the Pajaro River basin's land use. Grassland, chaparral, and oak woodland make up substantial parts of the upland reaches of the watershed.
5. Multiple waterbodies within the Pajaro River basin are listed on California's Clean Water Act Section 303(d) list for water quality impairments due to nitrate, un-ionized ammonia, nutrients,

low dissolved oxygen, and chlorophyll *a* (an algal biomass indicator). Due to the Clean Water Act 303(d) listings, the Central Coast Water Board is required to adopt a TMDL and an associated implementation plan (40 CFR [Code of Federal Regulations] 130.6(c)(1) and 130.7; California Water Code section 13242).

6. Available data indicate: (1) stream water quality violations of the Basin Plan's drinking water standard for nitrate; (2) stream water quality violations of the Basin Plan's un-ionized ammonia general toxicity objective for inland surface waters; and (3) stream water quality violations of the Basin Plan's narrative general objective for biostimulatory substances in inland surface waters and estuaries. In addition, some stream reaches are not meeting non-regulatory recommended guidelines for nitrate in agricultural supply water (AGR) for sensitive crop types, indicating that potential or future designated agricultural supply beneficial uses in these surface waters may be impacted detrimentally.
7. Available data indicate that discharges of nutrients (specifically, nitrogen compounds and orthophosphate) are occurring at levels in surface waters which are impairing a wide range of beneficial uses, including impairments of municipal and domestic drinking water supply beneficial uses, impairments of aquatic habitat beneficial uses, impairments of groundwater recharge beneficial uses, and degradation locally of designated agricultural water supply beneficial uses (irrigation supply for sensitive crops).
8. The Central Coast Water Board's goal for establishing TMDLs in the Pajaro River basin is to rectify the impairment due to un-ionized ammonia, nitrate, and orthophosphate, thereby providing support for the designated beneficial uses of municipal and domestic water supply (MUN), cold and warm fresh water habitat (COLD and WARM), groundwater recharge (GWR), agricultural water supply (AGR), and to support water quality standards attainment with regard to the Basin Plan's general toxicity water quality objective for un-ionized ammonia, and the Basin Plan's water quality objective for biostimulatory substances.
9. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into Chapter Four, Section IX (Total Maximum Daily Loads).
10. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program (NPS Policy). These TMDLs are consistent with the NPS policy. The NPS Policy requires the Regional Water Quality Control Boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Division 7). Consistent with the NPS Policy and the Porter-Cologne Act, Regional Water Quality Control Boards regulate nonpoint source discharges with waste discharge requirements, waivers of waste discharge requirements, and/or Basin Plan prohibitions.
11. On May 20, 2004, the State Water Board adopted the Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List (State Water Board Resolution No. 2004-0063), hereafter referred to as the California 303(d) Listing Policy. These TMDLs are consistent with the California 303(d) Listing Policy. The California 303(d) Listing Policy describes the process by which the State Water Board and the Regional Water Quality Control Boards will comply with the listing requirements of the federal Clean Water Act (CWA). The objective of the California 303(d) Listing Policy is to establish a standardized approach for developing California's CWA section 303(d) list and to provide guidance for interpreting data and information to make decisions regarding water quality standards attainment.

12. On June 16, 2005, the State Water Board adopted the Water Quality Control Policy for Addressing Impaired Waters: Regulatory Structure and Options (State Water Board Resolution 2005-0050), hereafter referred to as the Impaired Waters Policy. These TMDLs are consistent with the Impaired Water Policy. The Impaired Waters Policy provides policy and procedures for adopting TMDLs and addressing impaired waters in California. The Impaired Waters Policy states that the Regional Water Quality Control Boards have independent discretion, broad flexibility, numerous options, and some legal constraints that apply when determining how to address impaired waters.
13. The Pajaro River, Carnadero Creek, Furlong Creek, Llagas Creek (below Chesbro Reservoir), San Juan Creek (San Benito County), Beach Road Ditch, and McGowan Ditch are listed on California's 2008-2010 Clean Water Act 303(d) list as impaired due to nitrate. These waterbodies are currently not supporting the municipal and domestic drinking water supply (MUN) beneficial use designated by the Basin Plan.
14. The Pajaro River Estuary and Llagas Creek are not listed on California's 2008-2010 Clean Water Act 303(d) list for un-ionized ammonia impairments, however, newer data indicate these waterbodies are impaired by un-ionized ammonia on the basis of non-attainment of the Basin Plan water quality objective for un-ionized ammonia and on the basis of the listing criteria and methodologies identified in the California 303(d) Listing Policy.
15. The Pajaro River and Llagas Creek (below Chesbro Reservoir) are listed on California's 2008-2010 Clean Water Act 303(d) list as impaired due to nutrients on the basis of non-attainment of the Basin Plan's biostimulatory substances water quality objective. In addition, although not listed on California's 2008-2010 Clean Water Act 303(d) list for nutrients causing biostimulation, available data indicate the following waterbodies are in violation of the Basin Plan's biostimulatory substances objective: Beach Road Ditch, Carnadero Creek, Corralitos Creek, Furlong Creek, Harkins Slough, Llagas Creek, Pajaro River, San Juan Creek, Struve Slough, Tequisquita Slough, Watsonville Slough.
16. A reach of Llagas Creek upstream of Luchessa Avenue at Southside Drive and downstream of Holsclaw Road below Leavesly Road does not meet non-regulatory recommended guidelines for nitrate in agricultural supply water for sensitive crop types, indicating that potential or future designated agricultural supply beneficial uses may be detrimentally impacted.
17. The Pajaro River and Llagas Creek are listed on California's 2008-2010 Clean Water Act 303(d) list as impaired due to nitrate on the basis of non-attainment of the Basin Plan's water quality objective for municipal and domestic drinking water supply (MUN); these waterbodies are also not supporting their designated groundwater recharge (GWR) beneficial use based on the Basin Plan's drinking water objective and specific lines of evidence consistent with the California 303(d) Listing Policy. The stream reaches that do not support designated GWR beneficial uses are: Pajaro River upstream of Watsonville and downstream of Chittenden Gap at Chittenden Road, and lower Llagas Creek upstream of Southside Drive and downstream of Leavesly Road.
18. Low dissolved oxygen is a nutrient-response indicator and represents a primary biological response to excessive nutrient loading in waterbodies which exhibit biostimulatory conditions. The Pajaro River, Carnadero, Llagas, Pacheco, and San Juan creeks, Millers Canal, Beach Road Ditch, and Harkins, Tequisquita, and Watsonville sloughs are on the 2008-2010 Clean Water Act 303(d) list of impaired waters for low dissolved oxygen impairment and are expressing biostimulatory conditions. Reductions in nutrient loading described in the staff report are anticipated to be beneficial in attainment of water quality standards for dissolved

oxygen and restoring the waterbodies to a desired condition. Nutrient concentrations by themselves constitute indirect indicators of biostimulatory conditions and there is an interrelationship between high nutrient loads, excessive algal growth, and the subsequent impacts of excessive algae on dissolved oxygen and aquatic habitat. Further, numeric targets identified for dissolved oxygen in the TMDL report will be used as indicator metrics to assess primary biological response to future nutrient water column concentration reductions and compliance with the Basin Plan's biostimulatory substances objective.

19. Chlorophyll *a* is a nutrient-response indicator and represents a primary biological response to excessive nutrient loading in waterbodies which exhibit biostimulatory conditions. Harkins Slough and Millers Canal are on the 2008-2010 Clean Water Act 303(d) list of impaired waters for chlorophyll *a* impairment and are expressing biostimulatory conditions. Reductions in nutrient loading described in the staff report are anticipated to be beneficial in attainment of water quality standards for chlorophyll *a* and restoring the waterbodies to a desired condition. Further, numeric targets identified for chlorophyll *a* in the TMDL report will be used as an indicator metric to assess primary biological response to future nutrient water column concentration reductions and compliance with the Basin Plan's biostimulatory substances objective.
20. The U.S. Environmental Protection Agency's (USEPA) published TMDL guidance (Guidance for Water Quality-Based Decisions: The TMDL Process – Chapter 1, Policies and Principles, USEPA 404/4-91-001, April 1991) explicitly states that implementation of TMDLs and water quality-based controls should not be delayed due to lack of information and uncertainties about pollution problems, particularly with respect to nonpoint sources. More information about the spatial extent and nature of water quality impairments can be collected during TMDL implementation. At this time, there is sufficient information to develop and implement total maximum daily loads for nitrogen compounds and orthophosphate in streams of the Pajaro River basin.
21. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for un-ionized ammonia, nitrate, and orthophosphate in streams of the Pajaro River Basin are set at levels necessary to attain and maintain the applicable numeric water quality objectives, taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality consistent with 40 CFR 130.7 (c) (1). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target and attaining that concentration-based water quality objective will result in protection of the beneficial uses.
22. Upon establishment of TMDLs by the state or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6(c)(1) and 130.7 and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.

23. The TMDLs and Implementation Program are based on sound scientific knowledge, methods, and practices in accordance with Health and Safety Code section 57004. Health and Safety Code section 57004 requires external scientific peer review for certain water quality control policies. Scientific portions of these TMDLs are drawn exclusively from the Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in the lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed (Resolution No. R3-2013-0008), which received independent scientific peer review in the spring of 2012. As a result, the scientific methodologies used in development of these TMDLs have already undergone external, scientific peer review. As a result, the Central Coast Water Board has fulfilled the requirements of Health and Safety Code section 57004, and the proposed amendment does not require further peer review.
24. Central Coast Water Board staff will conduct a review of implementation activities when monitoring and reporting data are submitted as required by the 2012 Conditional Waiver of Waste Discharge Requirements for Irrigated Lands (Agricultural Order) and existing or future NPDES storm water permits, or when other monitoring data and/or reporting data are submitted outside the requirements of existing permits and orders. Central Coast Water Board staff will pursue modification of Agricultural Order conditions, NPDES storm water permit conditions, or other regulatory means, as necessary, to address remaining impairments resulting from nitrogen compounds or orthophosphate during the TMDL implementation phase.
25. Central Coast Water Board staff implemented a process to inform interested persons about the TMDLs. Central Coast Water Board staff's efforts to inform the public and solicit comment included public meetings with interested persons and a public notice and written comment period. Public notice of the proposed Basin Plan amendment provided the public a 45-day public comment period preceding the Central Coast Water Board hearing. Notice of public hearing was given by advertising in a newspaper of general circulation within the Region and by emailing a copy of the notice to all persons requesting such notice and applicable government agencies. Relevant documents and notices were also made available on the Central Coast Water Board website. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.
26. Adoption of these TMDLs and Basin Plan amendment will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and Basin Plan amendment comply with all requirements of both State and federal anti-degradation requirements (State Board Resolution 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12).
27. The Central Coast Water Board recognizes that certain limited resource farmers (as defined by the U.S. Department of Agriculture) may have difficulty achieving compliance with these TMDLs. The Central Coast Water Board will prioritize assistance for these farmers, including, but not limited to, technical assistance, grant opportunities, and necessary flexibility to achieve compliance (e.g., adjusted monitoring, reporting, or time schedules).
28. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782). Central Coast Water Board staff has prepared "substitute environmental documents" for this project that contain the required environmental documentation as set forth in the State Water Board's CEQA regulations (23 Cal. Code Regs. § 3777). The substitute environmental documents include the TMDL staff

report and several of its attachments, including: (1) this Resolution and the Basin Plan amendment Language (Attachment 1 of the staff report); (2) *Total Maximum Daily Loads Report for Nitrogen Compounds and Orthophosphate in Streams of the Pajaro River Basin, Santa Cruz, Santa Clara, San Benito, and Monterey counties, California* (Attachment 2 of the staff report); (3) the CEQA Substitute Document with environmental checklist (Attachment 3 of the staff report); and (4) the comments and responses to comments (Attachment 5 of the staff report). The staff report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4 of the staff report). The project itself is the establishment of TMDLs for nitrogen compounds and orthophosphate in streams of the Pajaro River basin. The Central Coast Water Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and numerous findings related to impacts and mitigation measures.

29. A CEQA scoping meeting was conducted on December 17, 2013, in the City of Watsonville; a notice of the CEQA scoping meeting was sent to interested persons prior to the scoping meeting on November 21, 2013. The notice included the background of the project, the project purpose, a meeting schedule, and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary were available on the website or by requesting hard copies via telephone.
30. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites. The staff report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3), provides the environmental analysis required by Public Resources Code section 21159 and is hereby incorporated as findings in this Resolution.
31. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.
32. Consistent with the Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts,

and the reasonably foreseeable alternative means of compliance, that would avoid or reduce the identified impacts.

33. The staff report, the draft Basin Plan amendment, and the Environmental Checklist and associated analysis provide the necessary information pursuant to state law to conclude that the proposed TMDLs, Implementation Plan, and the associated reasonably foreseeable methods of compliance will not have a significant adverse effect on the environment with the exception of potentially significant impacts associated with Biological Resources CEQA Checklist Category IV(a), potentially significant impacts to habitat of fish or wildlife species associated with Mandatory Findings of Significance CEQA Checklist Category XVIII.(a), and potential adverse impacts resulting from construction noise associated with TMDL implementation activities CEQA Checklist Category XIII. This determination is based on best available information in an effort to fully inform the interested public and the decision makers of potential environmental impacts. "Significant effects" on the environment are defined as "a substantial, or potentially substantial, adverse change within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance" (14 Cal. Code Regs. § 1538). Wide-scale water conservation measures and changing water management practices potentially could result in lower flows to surface waters resulting in potentially substantial adverse changes to aquatic habitat. Reduction in polluted runoff may offset potentially substantial adverse impacts resulting from potential reduced flows. In addition, reduction in tailwater discharge could result in increased groundwater levels that would result in more baseflow to surface waterbodies. Further, maintaining surface flows and circulation may in fact be part of a viable strategy to reduce biostimulatory impacts, since biostimulatory impacts are only partly attributable to elevated nutrients; biostimulatory impacts may be mitigated by increased flow, aeration, and shading of the waterbody. Potential mitigation measures to prevent reduced flows or to reduce the impact of reduced flows include phasing in management practices that could result in reduced flows; and use of riparian buffers and other vegetated treatment systems that will effectively treat the water to remove pollutants, but not necessarily reduce flows. Given the uncertainty associated with evaluating the available information, it is possible that any potentially substantial adverse changes on aquatic habitat associated with the Basin Plan amendment will be less than significant. When the entities and responsible parties responsible for implementing these TMDLs determine how they will proceed, the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. Feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a)(2)). Legal considerations may make some of the mitigation measures that could be implemented infeasible.
34. Pursuant to CEQA Guidelines section 15093, the Central Coast Water Board hereby finds that the project's benefits override and outweigh its potential significant adverse impacts, for the reasons more fully set forth in the staff report and attachments thereto. Specific environmental benefits justify the adoption of these TMDLs despite the project's potential significant adverse short-term environmental impacts. The Central Coast Water Board has the authority and responsibility to regulate discharges of waste associated with the sources of pollution causing impairment to water quality. Many of those discharges have caused significant widespread degradation and/or pollution of waters of the state as described in the *Total Maximum Daily Loads Report for Nitrogen Compounds and Orthophosphate in Streams of the Pajaro River Basin, Santa Cruz, Santa Clara, San Benito, and Monterey counties, California* and associated reference materials. These TMDLs would result in actions to restore the quality of the waters of the state and protect the beneficial uses, including aquatic habitat. While some impacts could occur due to reduced flows, earth-moving, or from implementing other actions to comply with the TMDLs, the benefits, which include contributing

to the present and future restoration of beneficial water uses, and reducing or eliminating pollution, nuisance and contamination, warrant approval of the TMDLs, despite each and every unavoidable impact.

35. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will reduce potential impacts to no impact, or keep the impact at less-than-significant levels.
36. The CEQA Substitute Document Report (staff report Attachment 3) identifies mitigation approaches that should be considered at the project level.
37. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating TMDLs for nitrogen compounds and orthophosphate in streams of the Pajaro River basin. The TMDLs and Implementation Program for the TMDLs will become effective upon approval by the California Office of Administrative Law. The TMDLs must also be approved by USEPA.
38. The Basin Plan amendment may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Wildlife under the California Fish and Game Code section 711.4.
39. The proposed Basin Plan amendment meet the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding 22, federal regulations require that TMDLs be incorporated into the Water Quality Management Plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the Water Quality Management Plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative planning actions. Moreover, these TMDLs are a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under the California Water Code, section 13242. The necessity of developing TMDLs is established in the TMDL staff report, the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the nitrogen compounds and orthophosphate impairments in streams of the Pajaro River basin.
40. Consistent with Water Code section 13141, the Basin Plan amendment includes an estimate of the total cost of implementation of the agricultural related portions of these TMDLs and identifies potential sources of financing.
41. On July 30, 2015, in San Luis Obispo, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.


THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the Basin Plan amendment in Attachment A. to Resolution No. R3-2015-0004.
2. The Central Coast Water Board Executive Officer is directed to forward copies of the Basin Plan amendment to the State Water Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the

California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.

4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during the approval process, Central Coast Water Board staff, State Water Board staff, the State Water Board, or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the Basin Plan amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Kenneth A. Harris Jr., Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the Central Coast Regional Water Quality Control Board on July 30, 2015.



cn=Kenneth A. Harris Jr.,
o=Executive Officer, ou,
email=Ken.Harris@waterboards.ca.gov, c=US
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Kenneth A. Harris Jr.
Executive Officer

Attachment: Attachment A to Resolution No. R3-2015-0004: Amendment to the Water Quality Control Plan for the Central Coastal Basin to Incorporate Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in Streams of the Pajaro River Basin

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

RESOLUTION NO. R3-2014-0009

**AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL
BASIN TO ADOPT TOTAL MAXIMUM DAILY LOADS FOR TOXICITY AND PESTICIDES IN
THE SANTA MARIA WATERSHED IN SANTA BARBARA, SAN LUIS OBISPO, AND
VENTURA COUNTIES, CALIFORNIA**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the second edition of the *Water Quality Control Plan for the Central Coastal Basin* (Basin Plan), on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, sets forth implementation plans to achieve water quality objectives addressing point source and nonpoint source discharges, establishes prohibitions, and incorporates statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to incorporate Total Maximum Daily Loads (TMDLs) and an implementation plan for toxicity and pesticides in the Santa Maria watershed in Santa Barbara, San Luis Obispo and Ventura counties.
3. The geographic scope of this TMDL encompasses the Santa Maria River watershed, which corresponds to Santa Maria Hydrologic Unit 312 in the Basin Plan and is composed of the Cuyama, Sisquoc, and Guadalupe hydrologic areas. The impairments addressed in the TMDL are within the Guadalupe Hydrologic Area (312.10), which is referred to as the Santa Maria valley. The Santa Maria valley is transected by the Santa Maria River, which receives flow from the Cuyama River upstream to the northeast, with flows regulated by the Twitchell Dam. The Santa Maria River also receives flow from the Sisquoc River to the southeast and various smaller tributaries in the lower watershed before discharging through the Santa Maria River Estuary and into the Pacific Ocean. Oso Flaco Lake is a separate, small subwatershed in the northwest corner of the Santa Maria valley with flows originating from Oso Flaco Creek and Little Oso Flaco Creek.
4. Multiple waterbodies within the Santa Maria River watershed are listed on the Clean Water Act section 303(d) list for water quality impairments due to unknown toxicity, sediment toxicity, and the presence of the pesticides chlorpyrifos, diazinon, DDTs, dieldrin, and toxaphene. Additionally, multiple impairments not identified on the current Clean Water Act section 303(d) list were identified during development of the TMDL; the additional impairments are due to the presence of pyrethroid pesticides, chlorpyrifos, diazinon, malathion, chlordane, and DDT. Current Clean Water Act section 303(d) listings and the additional impairments, all of which are addressed in the TMDL, are summarized in the table below. Due to the Clean Water Act section 303(d) listings, the Central Coast Water Board is required to adopt TMDLs and an associated implementation plan (40 CFR 130.6(c)(1), 130.7, California Water Code section 13242).

Waterbody	Clean Water Act Section 303(d) Listed Pollutant	Additional Impairments ²
Blosser Channel	Unknown Toxicity	Chlorpyrifos, Diazinon, pyrethroids, DDT
Bradley Canyon Creek	Unknown Toxicity	--
Bradley Channel	Chlorpyrifos, Sediment Toxicity, Unknown Toxicity	Diazinon, Pyrethroids, DDT
Greene Valley Creek	Chlorpyrifos, Unknown Toxicity	--
Little Oso Flaco Creek	Sediment Toxicity, Unknown Toxicity	--
Main Street Canal	Chlorpyrifos, Diazinon Unknown Toxicity	Pyrethroids, DDT
Orcutt Creek	Chlorpyrifos, DDT, Diazinon, Dieldrin, Sediment Toxicity, Unknown Toxicity	Pyrethroids
Oso Flaco Creek	Sediment Toxicity, Unknown Toxicity	Malathion, DDT
Oso Flaco Lake	Dieldrin	Chlordane, DDT
Santa Maria River	Chlorpyrifos, DDT, Dieldrin, Endrin, Sediment Toxicity, Toxaphene, Unknown Toxicity	Diazinon, Pyrethroids

¹ State Water Resource Control Board Waterbody ID

² Additional impairments are exceedances of water quality objectives in waterbodies identified during TMDL development and subsequent to the current 303(d) list.

5. Waters described as additional impairments in Finding 4 are impaired due to the pollutants described in Finding 4. However, the additional impairments are not waters listed as impaired on the Clean Water Act section 303(d) list until established as such as described in the *Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List* (State Water Board Resolution No. 2004-0063).
6. The Central Coast Water Board's goal for establishing TMDLs as described in the Basin Plan is to protect and restore beneficial uses of surface waters, which rely on established water quality objectives. There are two general narrative water quality objectives that pertain to the pesticide TMDL. One is the general objective for toxicity and the other is the general objective for pesticides. They are described as follows:

General Objective for Toxicity: All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life. Compliance with the objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, toxicity bioassays of appropriate duration, or other appropriate methods.

General Objective for Pesticides: No individual pesticide or combination of pesticides shall reach concentrations that adversely affect beneficial uses. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life.
7. The Central Coast Water Board proposes to amend Chapter Four, section IX (Total Maximum Daily Loads) of the Basin Plan.
8. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). The NPS Policy requires the regional water quality control boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Div. 7). Consistent

with the NPS Policy and the Porter-Cologne Act, regional water quality control boards regulate nonpoint source discharges with waste discharge requirements, waivers of waste discharge requirements, and/or Basin Plan prohibitions.

9. On May 20, 2004, the State Water Board adopted the *Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List* (State Water Board Resolution No. 2004-0063), hereafter referred to as the *California 303(d) Listing Policy*. The *California 303(d) Listing Policy* describes the process by which the State Water Board and the regional water quality control boards will comply with the listing requirements of the federal Clean Water Act (CWA). The objective of the *California 303(d) Listing Policy* is to establish a standardized approach for developing California's CWA section 303(d) list and to provide guidance for interpreting data and information to make decisions regarding water quality standards attainment.
10. On June 16, 2005, the State Water Board adopted the *Water Quality Control Policy for Addressing Impaired Waters: Regulatory Structure and Options* (State Water Board Resolution 2005-0050), hereafter referred to as the *Impaired Waters Policy*. The *Impaired Waters Policy* provides policy and procedures for adopting Total Maximum Daily Loads and addressing impaired waters in California. The *Impaired Waters Policy* states that the regional water quality control boards have independent discretion, broad flexibility, numerous options, and some legal constraints that apply when determining how to address impaired waters.
11. The U.S. Environmental Protection Agency's (USEPA) published TMDL guidance (*Guidance for Water Quality-Based Decisions: The TMDL Process – Chapter 1, Policies and Principles*, USEPA 404/4-91-001, April 1991) explicitly states that implementation of TMDLs and water quality-based controls should not be delayed because of lack of information and uncertainties about pollution problems, particularly with respect to nonpoint sources. More information about the spatial extent and nature of water quality impairments can be collected during TMDL implementation.
12. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as “the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background” (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for unknown toxicity; sediment toxicity; the pesticides chlorpyrifos, diazinon, DDTs, dieldrin, and toxaphene; and pyrethroid pesticides in the Santa Maria watershed are set at levels necessary to attain and maintain the applicable narrative water quality objectives, taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration or toxicity, if appropriate (40 CFR 130.2(i)).
13. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the state water quality management plan (40 CFR 130.6(c)(1) and 130.7 and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the state water quality management plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
14. The TMDLs are based on sound scientific knowledge, methods, and practices. Health and Safety Code section 57004 requires external scientific peer review for certain water quality control policies. Central Coast Water Board staff submitted the Final Project Report for the

TMDLs to three external scientific reviewers in September 2012. Water Board staff received comments from the reviewers. Central Coast Water Board staff either modified the Final Project Report in accordance with the comments, provided a written response that explained the basis for not incorporating the comments, or made no modifications because the commenter suggested none was needed.

15. Central Coast Water Board staff will conduct a review of implementation activities when monitoring and reporting data are submitted as required by the Agricultural Order and existing or future NPDES storm water permits, or when other monitoring data and/or reporting data are submitted outside the requirements of existing permits and orders. Central Coast Water Board staff will pursue modification of Agricultural Order conditions, NPDES storm water permit conditions, or other regulatory means, as necessary, to address remaining impairments resulting from pesticides during the TMDL implementation phase.
16. The Central Coast Water Board implemented a process to inform interested persons about the TMDLs. Central Coast Water Board efforts to inform the public and solicit comment included public meetings with interested persons and a public notice and a written comment period. Public notice of the proposed Basin Plan amendment provided the public a 60-day public comment period preceding the Central Coast Water Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by emailing a copy of the notice to all persons requesting such notice and applicable government agencies. Relevant documents and notices were also made available on the Central Coast Water Board website. The Central Coast Water Board responded to oral and written comments received from the public. All public comments were considered.
17. Adoption of these TMDLs and Basin Plan amendments will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and Basin Plan amendments comply with all State and federal anti-degradation requirements (State Board Resolution 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40CFR 131.12).
18. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has prepared "substitute environmental documents" for this project that contain the required environmental documentation as set forth in the State Water Board's CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents include the TMDL Staff Report and its attachments, including 1) this resolution and the Basin Plan amendment language (Attachment 1 of the Staff Report), 2) *Final Project Report for Total Maximum Daily Loads For Toxicity and Pesticides in the Santa Maria Watershed in Santa Barbara, San Luis Obispo and Ventura Counties, California* (Attachment 2 of the Staff Report), 3) the CEQA Checklist and Analysis (Attachment 3 of the Staff Report), and 4) the comments and responses to comments (Attachment 6 of the Staff Report). The Staff Report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4) and the Scientific Peer Review Comment (Attachment 5). The project itself is the establishment of TMDLs for toxicity and pesticides in the Santa Maria watershed. The Central Coast Water Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and findings related to impacts and mitigation measures.

19. A CEQA scoping meeting was conducted on November 9, 2012, at the Central Coast Water Board office; a notice of the CEQA scoping meeting was sent to interested persons on October 29, 2012. The notice included a background of the project, the project purpose, a meeting schedule, and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary were available at the website or by requesting hard copies via telephone.
20. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites. The Staff Report and its attachments prepared for this Basin Plan amendment, in particular the CEQA Checklist and Analysis (Attachment 3 of the Staff Report), provides the environmental analysis required by Public Resources Code section 21159 and are hereby incorporated as findings in this Resolution.
21. In preparing the substitute environmental documents, the Central Coast Water Board considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.
22. Consistent with the Central Coast Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, that would avoid or reduce the identified impacts.
23. The substitute environmental documents, including the the CEQA Checklist and Analysis (Attachment 3 to the Staff Report) provide the necessary information pursuant to state law to conclude that the proposed TMDL, implementation plan, and the associated reasonably foreseeable methods of compliance could potentially have a significant adverse effect on the environment. Potentially significant adverse impacts include impacts to agricultural resources, air quality, biological resources, hydrology, landuse planning, and noise. This determination is based on best available information in an effort to fully inform the interested public and the decision makers of potential environmental impacts. Significant effects on the environment are defined as *"a substantial, or potentially substantial, adverse change within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance"* (14 Cal. Code Regs. § 1538). The Central Coast Water Board may not specify the manner of compliance (California Water code § 13360) so it has insufficient information to evaluate the extent to which dischargers might choose, for example, to use water

conservation to comply. Water conservation, and therefore reduction in toxic runoff, may offset impacts due to the reduced flows that could occur. In addition, reduction in water use could result in increased groundwater levels that would also result in more clean water to surface water. Given the uncertainty associated with evaluating the available information, it is possible that any adverse changes on aquatic habitat associated with the basin plan amendment will be less than substantial. When the agencies and responsible parties responsible for implementing these TMDLs determine how they will proceed, the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals so as to minimize adverse environmental impacts. Feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a)(2)).

24. The substitute environmental documents, including the CEQA Checklist and Analysis (Attachment 3 to the Staff Report), identify mitigation approaches that should be considered at the project level.
25. Pursuant to CEQA Guidelines section 15093 (14 Cal. Code. Regs. § 15093), the Central Coast Water Board hereby finds that the project's benefits override and outweigh its potential significant adverse impacts, for the reasons more fully set forth in the Staff Report and attachments thereto, including the CEQA Checklist and Analysis. Specific economic, social, and environmental benefits justify the adoption of this TMDL despite the project's potential significant adverse environmental impacts. The Central Coast Water Board has the authority and responsibility to regulate discharges of waste associated with the sources of pollution causing impairment to water quality. Many of those discharges have caused significant widespread degradation and/or pollution of waters of the state as described in the Final Project Report for Total Maximum Daily Loads for Toxicity and Pesticides in the Santa Maria Watershed in Santa Barbara, San Luis Obispo and Ventura Counties, California and associated reference materials. This TMDL would result in actions to restore the quality of the waters of the state and protect their beneficial uses. While some impacts could occur due to reduced flows, earth-moving, or from implementing other actions to comply with the TMDL as described in the CEQA Checklist and Analysis, the benefits, which include contributing to the present and future restoration of beneficial water uses, and reducing or eliminating pollution and contamination, warrant approval of the TMDL, despite each and every unavoidable impact. Upon review of the environmental information generated for this TMDL, including the CEQA Checklist and Analysis (Attachment 3 of the Staff Report) and in view of the entire record supporting the need for the TMDL, the Central Coast Water Board determines that specific economic, legal, social, technological, environmental, and other benefits of this TMDL outweigh the unavoidable adverse environmental effects, and that such adverse environmental effects are acceptable under the circumstances.
26. The Central Coast Water Board will request that the State Water Board approve the basin plan amendments incorporating TMDLs for toxicity and pesticides in the Santa Maria watershed. The TMDLs and implementation program for the TMDLs will become effective upon approval by the California Office of Administrative Law. The TMDLs must also be approved by the USEPA.
27. The amendments to the basin plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Wildlife under the California Fish and Game Code section 711.4.
28. Based on relevant future information, data, and research, the Central Coast Water Board has the discretion to conduct a water quality standards review which may potentially include one or more of the following: (1) The Central Coast Water Board may designate critical low-flow conditions below which numerical water quality criteria do not apply, as consistent with federal regulations and policy; (2) The Central Coast Water Board may authorize lowering of water quality to some

degree if and where appropriate, if the Central Coast Water Board finds water quality lowering to be necessary to accommodate important economic or social development. In authorizing water quality lowering the Central Coast Water Board shall make any such authorizations consistent with the provisions and requirements of federal and state anti-degradation policies; and (3) The Central Coast Water Board may authorize revision of water quality standards, if appropriate and consistent with federal and state regulations, to remove a designated beneficial use, establishing subcategories of uses, establishing site specific water quality objectives, or other modification of the water quality standard. When a standards action is deemed appropriate, the Central Coast Water Board shall follow all applicable requirements, including but not limited to those set forth in part 131 of Title 40 of the Code of Federal Regulations and Article 3 of Division 7, Chapter 4 of the California Water Code.

29. The proposed amendments meet the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding 21, federal regulations require that TMDLs be incorporated into the state's water quality management plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of California's water quality management plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under the California Water Code, section 13242. The necessity of developing TMDLs is established in the TMDL staff report (including attachments), the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the pesticide and toxicity impairments of the Lower Santa Maria River and Oso Flaco Lake Watersheds.
30. Consistent with Water Code section 13141, the amendment includes an estimate of the total cost of implementation of the agricultural related portions of this TMDL and identifies potential sources of financing.
31. On January 30, 2014, in Watsonville, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during the approval process, Central Coast Water Board staff, State Water Board staff, the State Water Board, or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Kenneth A. Harris Jr., Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region on January 30, 2014.



Kenneth A. Harris Jr.
Executive Officer

RESOLUTION NO. R3-2014-0009

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1. TOTAL MAXIMUM DAILY LOADS FOR TOXICITY AND PESTICIDES IN THE SANTA MARIA WATERSHED INCLUDING BLOSSER CHANNEL, BRADLEY CANYON CREEK, BRADLEY CHANNEL, GREENE VALLEY CREEK, LITTLE OSO FLACO CREEK, MAIN STREET CANAL, ORCUTT CREEK, OSO FLACO CREEK, OSO FLACO LAKE, AND SANTA MARIA RIVER.

Add the following to Chapter 4 after IX. Q.:

IX. R. TOTAL MAXIMUM DAILY LOADS FOR TOXICITY AND PESTICIDES IN THE SANTA MARIA WATERSHED (INCLUDING BLOSSER CHANNEL, BRADLEY CANYON CREEK, BRADLEY CHANNEL, GREENE VALLEY CREEK, LITTLE OSO FLACO CREEK, MAIN STREET CANAL, ORCUTT CREEK, OSO FLACO CREEK, OSO FLACO LAKE, AND SANTA MARIA RIVER).

The Regional Water Quality Control Board adopted these TMDLs on January 30, 2014. These TMDLs were approved by:

The State Water Resources Control Board on: _____ (date).

The California Office of Administrative Law on: _____ (date).

The U.S. Environmental Protection Agency on: _____ (date).

Problem Statement

Surface waters in the Santa Maria River watershed are polluted with pesticides that are toxic to aquatic life. This is in violation of the Basin Plan general narrative objectives for toxicity and pesticides. Aquatic life-related beneficial uses are not being protected, including but not limited to the following: cold fresh water habitat, warm fresh water habitat, estuarine habitat, wildlife habitat, rare threatened or endangered species-migration, spawning, reproduction and/or early development, commercial and sport fishing, and shellfish harvesting.

There are three classes of pesticides and several pesticide active ingredients causing impairment in Santa Maria River watershed, including organophosphate (chlorpyrifos, diazinon, and malathion), synthetic pyrethroids (bifenthrin, cyfluthrin, cypermethrin, esfenvalerate, lambda-cyhalothrin, and permethrin), and organochlorine (DDTs, dieldrin, and toxaphene). Additionally, surface waters in the project area are on the Clean Water Act section 303(d) list as impaired for unknown water column toxicity and sediment toxicity to invertebrate test organisms. Organophosphate and pyrethroids concentrations in the surface waters and sediments are at levels associated with toxicity. Surface waters are impaired for organochlorine pesticides due to the levels in fish tissue that exceeded fish consumption criteria.

The following impairments are addressed with these TMDLs:

Blosser Channel: unknown toxicity, chlorpyrifos, diazinon, pyrethroids, DDT
 Bradley Canyon Creek: unknown toxicity
 Bradley Channel: chlorpyrifos, sediment toxicity, unknown toxicity, diazinon, pyrethroids, DDT
 Greene Valley Creek: chlorpyrifos, unknown toxicity
 Little Oso Flaco Creek: sediment toxicity, unknown toxicity
 Main Street Canal: chlorpyrifos, diazinon, unknown toxicity, pyrethroids, DDT
 Orcutt Creek: chlorpyrifos, DDT, diazinon, dieldrin, sediment toxicity, unknown toxicity, pyrethroids
 Oso Flaco Creek: sediment toxicity, unknown toxicity, malathion, DDT
 Oso Flaco Lake: dieldrin, chlordane, DDT
 Santa Maria River: chlorpyrifos, DDT, dieldrin, endrin, sediment toxicity, toxaphene,
 unknown toxicity, diazinon, pyrethroids

Numeric Targets

The following numeric targets are used to ascertain if water quality objectives are achieved and if beneficial uses are protected.

Water Column Numeric Targets

Table 1 Water Column Numeric Targets

Chemical	Concentration µg/L (ppb)	Target Type
Chlorpyrifos	0.025	CMC ¹
Chlorpyrifos	0.015	CCC ²
Diazinon	0.16	CMC
Diazinon	0.10	CCC
Malathion	0.17	CMC
Malathion	0.028	CCC
Bifenthrin	0.004	CMC
Bifenthrin	0.0006	CCC
Cyfluthrin	0.0003	CMC
Cyfluthrin	0.00005	CCC
Lambda-Cyhalothrin	0.001	CMC
Lambda-Cyhalothrin	0.0005	CCC
Chlordane	0.00057	Human Health Consumption
DDD, 4,4- (p,p-DDD)	0.00083	Human Health Consumption
DDE, 4,4- (p,p-DDE)	0.00059	Human Health Consumption
DDT, 4,4-(p,p-DDT)	0.00059	Human Health Consumption
Dieldrin	0.00014	Human Health Consumption
Toxaphene	0.00073	Human Health Consumption

¹ CMC – Criterion Maximum Concentration (Acute: 1- hour average). Not to be exceeded more than once in a three-year period². CCC - Criterion Continuous Concentration (Chronic: 4-day (96-hour) average). Not to be exceeded more than once in a three-year period.

Additive Toxicity Numeric Target for Organophosphate Pesticides

The organophosphate pesticides chlorpyrifos and diazinon have additive toxicity in the water column. Since the TMDL is linked to toxicity and concentrations, additive toxicity must be considered in the TMDL as a numeric target.

The numeric target for additive toxicity for organophosphate pesticides is:

$$\frac{C(\text{diazinon})}{NT(\text{diazinon})} + \frac{C(\text{chlorpyrifos})}{NT(\text{chlorpyrifos})} = S; \text{ where } S \leq 1$$

Where:

C = the concentration of a pesticide measured in the receiving water.

NT = the numeric target for each pesticide present.

S = the sum; a sum exceeding one (1.0) indicates that beneficial uses may be adversely affected.

The additive toxicity numeric target formula shall be applied when both diazinon and chlorpyrifos are present in the water column.

Sediment Numeric Targets

Table 2 Sediment Numeric Targets

Chemical Group	Chemical	Concentration µg/kg o.c. (ppb)	Target Type
Organochlorine	Chlordane	1.7	Human Health-Based
Organochlorine	DDD, 4,4-(p,p-DDD)	9.1	Human Health-Based
Organochlorine	DDE, 4,4-(p,p-DDE)	5.5	Human Health-Based
Organochlorine	DDT, 4,4-(p,p-DDT)	6.5	Human Health-Based
Organochlorine	Total DDT	10	Human Health-Based
Organochlorine	Dieldrin	0.14	Human Health-Based
Organochlorine	Endrin	550	Human Health-Based
Organochlorine	Toxaphene	20	Human Health-Based

Additive Toxicity Numeric Target for Pyrethroid Pesticides

The pyrethroid pesticides have additive toxicity in aquatic sediments. Since the TMDL is linked to toxicity and concentrations, additive toxicity must be considered in the TMDL as a numeric target.

The numeric target for additive toxicity for pyrethroid pesticides is:

$$\frac{C(\text{Pyrethroid 1})}{NLC(\text{Pyrethroid 1})} + \frac{C(\text{Pyrethroid 2})}{NLC(\text{Pyrethroid 2})} = S; \text{ where } S \leq 1$$

Where:

C = the concentration of a pesticide measured in sediment.

NLC = the numeric LC50 for each pesticide present (Table 3).

S = the sum; a sum exceeding one (1.0) indicates that beneficial uses may be adversely affected.

The additive toxicity numeric target formula shall be applied when pyrethroid pesticides are present in the sediment.

Table 3 Pyrethroid Sediment LC50s

Chemical	LC50 ng/g ppb)	LC50 µg/g OC*(ppm)
Bifenthrin	12.9	0.52
Cyfluthrin	13.7	1.08
Cypermethrin	14.87	0.38
Esfenvalerate	41.8	1.54
Lambda-Cyhalothrin	5.6	0.45
Permethrin	200.7	10.83

*Median lethal concentration (LC50) for amphipods (*Hyalella azteca*) organic carbon normalized concentrations (ug/g OC)

Fish Tissue Numeric Targets

Table 4 Fish Tissue Numeric Targets

Chemical Group	Chemical	Concentration ng/g (ppb)	Target Type
Organochlorine	Chlordanes	5.6	Fish Contaminant Goal
Organochlorine	DDTs	21	Fish Contaminant Goal
Organochlorine	Dieldrin	0.46	Fish Contaminant Goal
Organochlorine	Toxaphene	6.1	Fish Contaminant Goal

Aquatic Toxicity Numeric Target:

The aquatic toxicity numeric target is the evaluation of the Basin Plan general objective for toxicity using standard aquatic toxicity tests to determine toxicity in the water column and sediment. The toxic determination is based on a comparison of the test organism's response to the sample and a control. The general objective for toxicity is:

All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life. Compliance with the objective will be determined by use of indicator organisms, analyses of species diversity,

population density, growth anomalies, toxicity bioassays of appropriate duration, or other appropriate methods.

The following standard aquatic toxicity tests will be used to determine compliance with the aquatic toxicity numeric target:

Table 5 Standard Aquatic Toxicity Tests

Parameter	Test	Biological Endpoint Assessed
Water Column Toxicity	Water Flea – <i>Ceriodaphnia</i> (6-8 day chronic)	Survival and reproduction
Sediment Toxicity	<i>Hyalella azteca</i> (10-day chronic)	Survival

Source Analysis

Toxicity in the water column and the sediment toxicity are associated with currently applied organophosphate and pyrethroid pesticides. Organophosphate, pyrethroid, and organochlorine pesticides are all man-made pesticides with human activities as sources of pollution. Therefore, there are no natural sources of these pesticides.

Organophosphate pesticides

Impairments from organophosphate pesticides are the result of applications of these pesticides to agricultural crops. For chlorpyrifos, the specific use causing impairments is pre-plant granular applications to cole crops (broccoli, cauliflower, cabbage). Diazinon is primarily applied on lettuce and cole crops, and malathion is applied on a wide range of crops, including broccoli, celery, lettuce and strawberries.

Synthetic Pyrethroid Pesticides

Impairments from pyrethroid pesticides are resulting from agricultural and urban pesticide applications. Pyrethroids are commonly applied urban pesticides and the highest levels of pollution are in drainages with urban stormwater runoff. Pyrethroids are used by both residential consumers and by professional commercial and residential pest control applicators.

Table 6 Source of Pyrethroid Pesticide Pollution

Chemical	Sources
Bifenthrin	Urban structural and consumer home applications and agricultural applications to strawberries
Cypermethrin	Urban structural and consumer home applications and agricultural applications to cole crops and lettuce.
Cyfluthrin	Urban structural and consumer home applications
Esfenvalerate	Irrigated agricultural applications to broccoli and cauliflower
Lambda-Cyhalothrin	Urban structural and consumer home applications and agricultural applications to lettuce and broccoli
Permethrin	Urban structural and consumer home applications along with

irrigated agricultural applications to lettuce and celery

Organochlorine Pesticides

The organochlorine pesticides included in the TMDL are no longer applied in the watershed but are persistent in the environment. Historic use was widespread in the Santa Maria River watershed and included urban, agricultural, and vector mosquito control uses.

The breakdown products of DDT (DDD, DDE) are broadly present in the Santa Maria River watershed surface waters. Sediments from urban lands and irrigated agricultural lands are sources of DDTs to surface waters. Additionally, contaminated stream and channel sediments are stores of DDT and are sources of DDT to downstream fisheries, such as Oso Flaco Lake, the Santa Maria Estuary, and the coastal confluences. Data from 2008-2009 suggest sediment discharged to Oso Flaco Lake contains DDT in excess of numeric targets.

In addition to DDTs, there are organochlorine pesticide impairments in the watershed for chlordane, dieldrin, endrin and toxaphene. These chemicals were historically broadly used in the watershed and continue to persist in sediment delivered to surface waters throughout the watershed. More recent data showed fewer laboratory detections of dieldrin and toxaphene relative to vintage data prompting Clean Water Act section 303(d) listings. More data will be obtained during the TMDL implementation phase to better understand remaining impairments and source areas. Data from 2007 suggest sediment discharged to Oso Flaco Lake contains chlordane in excess of numeric targets. Additional monitoring of organochlorine pesticides in and to Oso Flaco Lake will be obtained during the TMDL implementation phase.

TMDLs

Organophosphate pesticide TMDLS

TMDLs for chlorpyrifos, diazinon, and malathion are water column concentrations as shown in Table 7.

Table 7 Organophosphate Pesticide Water Column TMDLs

Waterbodies assigned TMDLs ¹	TMDL					
	Chlorpyrifos		Diazinon		Malathion	
	CMC ³ µg/L (ppb)	CCC ⁴ µg/L (ppb)	CMC µg/L (ppb)	CCC µg/L (ppb)	CMC µg/L (ppb)	CCC µg/L (ppb)
Blosser Channel	0.025	0.015	0.16	0.10	0.17 ²	0.028 ²
Bradley Canyon Creek	0.025	0.015	0.16	0.10	0.17 ²	0.028 ²
Bradley Channel	0.025	0.015	0.16	0.10	0.17 ²	0.028 ²
Greene Valley Creek	0.025	0.015	0.16 ²	0.10 ²	0.17 ²	0.028 ²

Waterbodies assigned TMDLs ¹	TMDL					
	Chlorpyrifos		Diazinon		Malathion	
	CMC ³ µg/L (ppb)	CCC ⁴ µg/L (ppb)	CMC µg/L (ppb)	CCC µg/L (ppb)	CMC µg/L (ppb)	CCC µg/L (ppb)
Main Street Canal	0.025	0.015	0.16	0.10	0.17 ²	0.028 ²
Orcutt Creek	0.025	0.015	0.16	0.10	0.17 ²	0.028 ²
Oso Flaco Creek	0.025 ²	0.015 ²	0.16 ²	0.10 ²	0.17	0.028
Santa Maria River	0.025	0.015	0.16	0.10	0.17 ²	0.028 ²
Little Oso Flaco Creek	0.025	0.015	0.16	0.10	0.17	0.028

¹ All reaches of all surface waters in the Santa Maria River watershed, including those listed.

² Waterbody is currently achieving the TMDL

³ CMC – Criterion Maximum Concentration (Acute: 1- hour average). Not to be exceeded more than once in a three-year period.

⁴ CCC – Criterion Continuous Concentration (Chronic: 4-day (96-hour) average). Not to be exceeded more than once in a three-year period.

Additive Toxicity TMDL for Organophosphate Pesticides

The additive toxicity TMDL for organophosphate pesticides is based on the additive toxicity targets for organophosphate pesticides.

$$\frac{C(\text{diazinon})}{NT(\text{diazinon})} + \frac{C(\text{chlorpyrifos})}{NT(\text{chlorpyrifos})} = S; \text{ where } S \leq 1$$

Where:

C = the concentration of a pesticide measured in the receiving water.

NT = the numeric target for each pesticide present.

S = the sum; a sum exceeding one (1.0) indicates that beneficial uses may be adversely affected.

The additive toxicity numeric target formula shall be applied when both diazinon and chlorpyrifos are present in the water column and it applies to all surface waters in the Santa Maria River watershed.

Additive Toxicity TMDL for Pyrethroid Pesticide

The additive toxicity TMDL for pyrethroids pesticides is based on the additive toxicity numeric targets for pyrethroid pesticides.

$$\frac{C(\text{Pyrethroid 1})}{NLC(\text{Pyrethroid 1})} + \frac{C(\text{Pyrethroid 2})}{NLC(\text{Pyrethroid 2})} = S; \text{ where } S \leq 1$$

Where:

C = the concentration of a pesticide measured in sediment.

NLC = the numeric LC50 for each pesticide present (Table 3).

S = the sum; a sum exceeding one (1.0) indicates that beneficial uses may be adversely affected.

The additive toxicity numeric shall be applied to all surface waters in the Santa Maria River watershed.

Aquatic Toxicity TMDLs

The TMDLs for water column and sediment toxicity is the aquatic toxicity numeric target as found in Table 5.

Organochlorine pesticide TMDLs

The TMDLs for organochlorine pesticides are sediment and fish tissue concentrations outlined in the following tables. To account for short-term variations, concentrations should be averaged over a three year period.

Table 8 DDT Sediment Chemistry TMDLs

Waterbodies Assigned TMDLs ¹	TMDL			
	DDD, 4,4-(p,p-DDD) o.c. ²	DDE, 4,4-(p,p-DDE) o.c. ²	DDT, 4,4-(p,p-DDT) o.c. ²	Total DDT o.c. ²
	µg/kg	µg/kg	µg/kg	µg/kg
Blosser Channel	9.1	5.5	6.5	10
Bradley Channel	9.1	5.5	6.5	10
Greene Valley Creek	9.1	5.5	6.5	10
Little Oso Flaco Creek	9.1	5.5	6.5	10
Main Street Canal	9.1	5.5	6.5	10
Orcutt Creek	9.1	5.5	6.5	10
Oso Flaco Creek	9.1	5.5	6.5	10
Oso Flaco Lake	9.1	5.5	6.5	10
Santa Maria River	9.1	5.5	6.5	10

¹ All reaches of all surface waters in the Santa Maria River watershed, including those listed.

² o.c.: organic carbon normalized concentrations.

Table 9 Additional Organochlorine Pesticide Sediment Chemistry TMDLs

Waterbodies Assigned TMDLs ¹	TMDL			
	Chlordane o.c. ²	Dieldrin o.c. ²	Endrin o.c. ²	Toxaphene o.c. ²
	µg/kg	µg/kg	µg/kg	µg/kg
Oso Flaco Lake	1.7	0.14	550 ³	20 ³
Santa Maria River	1.7	0.14	550	20
Orcutt Creek	1.7 ³	0.14	550 ³	20 ³

¹ All reaches of all surface waters in the Santa Maria River watershed, including those listed.

² o.c.: organic carbon normalized concentrations.

³ Waterbody is currently achieving the TMDL.

Table 10 Fish Tissue TMDLs for Organochlorine Pesticides

Waterbodies Assigned TMDLs	Fish Tissue TMDL			
	Chlordane	DDTs	Dieldrin	Toxaphene
	ng/g* (ppb)	ng/g* (ppb)	ng/g* (ppb)	ng/g* (ppb)

Oso Flaco Lake	5.6	21	--	--
Oso Flaco Creek	5.6	21		
Santa Maria River	5.6	21	0.46	6.1
Orcutt Creek	5.6	21	0.46	6.1

*ng/g: i.e. nanograms of pollutant per grams of fish tissue (e.g. a fillet)

Allocations and Responsible Parties

The allocations and parties responsible for the allocations are listed in the following table.

Table 11 Load Allocations

Waste Load Allocations		
Responsible Party	Source	Allocation
City of Santa Maria – NPDES No. CAS000004	Urban Stormwater	3, 4 & 5
County of Santa Barbara – NPDES No. CAS000004	Urban Stormwater	3, 4 & 5
City of Guadalupe	Urban Stormwater	3, 4 & 5
Load Allocations		
Responsible Party	Source	Allocation
Owners/operators of irrigated agricultural lands in the Santa Maria Watershed	Discharges from irrigated lands	1, 2, 3, 4 & 5
San Luis Obispo County Public Works	Roadside drainages	5
Santa Barbara County Public Works	Roadside drainage	5
Santa Barbara County Flood Control District	Flood Control Channels and drainages	5
<u>Allocation-1</u> : Organophosphate Pesticide TMDLs (refer to Table 7)		
<u>Allocation-2</u> : Additive Toxicity TMDL for Organophosphate Pesticides		
<u>Allocation-3</u> : Additive Toxicity TMDL for Pyrethroid Pesticides		
<u>Allocation-4</u> : Aquatic Toxicity TMDLs (refer to Table 5)		
<u>Allocation-5</u> : Organochlorine Pesticide TMDLs (refer to Tables 8, 9, and 10)		

Controllable Water Quality Conditions

In accordance with the *Water Quality Control Plan for the Central Coastal Basin* (Basin Plan), controllable water quality shall be managed to conform or to achieve the water quality objectives and load allocations contained in this TMDL. The Basin Plan defines controllable water quality conditions as follows: “*Controllable water quality conditions are those actions or circumstances resulting from man’s activities that may influence the quality of the waters of the State and that may be reasonably controlled.*” - Chapter 3. Water Quality Objectives, page III-2.

Antidegradation Requirements

State and federal antidegradation policies require, in part, that where surface waters are of higher quality than necessary to protect beneficial uses, the high quality of those waters must be maintained unless otherwise provided by the policies. The federal antidegradation policy, 40 C.F.R. 131.12(a) states, in part. *“Where the quality of waters exceed levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water, that quality shall be maintained and protected unless the State finds, after full satisfaction of the intergovernmental coordination and public participation provisions of the State’s continuing planning process, that allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located...”* Practically speaking, this means that, for example, for stream reaches or waterbodies that have an concentration-based TMDL of 0.025 µg/L chlorpyrifos and where current or future water quality in the stream reach is in fact well under TMDL of 0.025 µg/L chlorpyrifos, the TMDL does not give license for controllable chlorpyrifos sources to degrade water quality all the way up to the maximum TMDL, i.e., 0.025 µg/L chlorpyrifos.

Margin of Safety

A margin of safety is incorporated in these TMDLs implicitly through conservative assumptions. The desired water quality is achieved through allocations and targets equal to desired water quality; hence an implicit conservative approach. If, during the TMDL implementation phase, staff develops numeric targets and TMDLs that better reflect the desired water quality, the allocations will be set equal to these modified targets and TMDLs.

Implementation

DISCHARGES FROM IRRIGATED AGRICULTURAL LANDS:

Implementing parties will comply with the Conditional Waiver of Waste Discharge Requirements for Irrigated Lands (Order R3-2012-0011) and the Monitoring and Reporting Programs in accordance with Orders R3-2012-0011-01, R3-2012-0011-02, and R3-2012-0011-03 to meet load allocations and achieve the TMDL.

Current requirements in the Agricultural Order that will achieve the load allocations include:

1. Implement, and update as necessary, management practices to reduce pesticide loading.
2. Develop and update and implement Farm Plans. The Farm Plans need to incorporate measures designed to achieve load allocations assigned in this TMDL.
3. Implement monitoring and reporting requirements described in the Agricultural Order.

The TMDL implementation plan also utilizes an interagency approach among the California Department of Pesticide Regulation (DPR), the State Water Resources Control Board, and the Central Coast Water Board to address impairments. The approach is described in the California Pesticide Management Plan for Water Quality (California Pesticide Plan), which is an implementation plan of the Management Agency Agreement (MAA) between DPR and the Water Boards. The agricultural commissioners of Santa Barbara and San Luis Obispo counties are also responsible for implementing the California Pesticide Plan.

The Department of Pesticide Regulation, the county agricultural commissioners, and USEPA are taking regulatory steps to address pesticide impairments. In accordance with the MAA, DPR has approved urban pesticide regulations to address pyrethroid pesticide water quality pollution. Also as part of the MAA, the Central Coast Water Board, DPR, and the commissioners are coordinating on county chlorpyrifos use permits. USEPA has recently implemented label restrictions and requirements on agricultural uses of diazinon and pyrethroids to address water quality problems.

The current regulatory programs in the watershed do not specifically address water quality impairments from organochlorine pesticides and the TMDL recommends that stakeholders develop a community-based watershed organochlorine pesticide implementation plan to meet TMDL goals.

Monitoring

Owners and operators of irrigated agricultural lands will perform monitoring and reporting in accordance with Monitoring and Reporting Program Orders R3-2012-0011-01, R3-2012-0011-02, and R3-2012-0011-03, as applicable to the operation.

Determination of Compliance with Load Allocations

Demonstration of compliance with the load allocations is consistent with compliance with the Agricultural Order. Load allocations will be achieved through a combination of implementation of management practices and strategies to reduce pesticide loading, and water quality monitoring. Flexibility to allow owners and operators from irrigated lands to demonstrate compliance with load allocations is a consideration; additionally, staff is aware that not all implementing parties are necessarily contributing to or causing surface water impairments.

To allow for flexibility, Central Coast Water Board staff will assess compliance with load allocations using one or a combination of the following:

- A. Attaining the load allocations in receiving waters.
- B. Implementing management practices that are capable of achieving load allocations identified in this TMDL.
- C. Providing sufficient evidence to demonstrate that they are and will continue to be in compliance with the load allocations; such evidence could include documentation submitted by the owner or operator to the Executive Officer that the owner or operator is not causing waste to be discharged to impaired waterbodies resulting or contributing to violations of the load allocations.

STORM DRAIN DISCHARGES FROM MS4s:

The Central Coast Water Board will require municipal separate storm sewer systems (MS4) entities to develop, submit, and implement a Wasteload Allocation Attainment Program (WAAP). WAAP development, submittal and implementation will be required in the Phase II municipal stormwater permit. The WAAP will be required to include descriptions of the actions that will be taken by the MS4 entity to attain the TMDL waste load allocations, and specifically address:

1. Development of an implementation and assessment strategy.
2. Source identification and prioritization.
3. Best management practice identification, prioritization, implementation scheduling, analysis, and effectiveness assessment.
4. Monitoring and reporting. Monitoring program goals will be required to include:
 - a. assessment of stormwater discharge and/or receiving water quality,
 - b. assessment of best management practice effectiveness, and
 - c. demonstration of progress towards achieving interim goals and waste load allocations.
5. Coordination with stakeholders.
6. Other pertinent factors.

The WAAP will be allowed to include participation in statewide efforts, by organizations such as California Stormwater Quality Association (CASQA), that coordinate with DPR and other organizations taking actions to protect water quality from the use of pesticides in the urban environment, though sole reliance on such statewide efforts may not be adequate.

Monitoring

MS4 entities with operations and storm water conveyance systems in the TMDL project areas will be required to develop and submit monitoring programs as part of their WAAP. The goals of the monitoring programs are described in the requirements of the WAAP.

The MS4s should develop and submit creative and meaningful monitoring programs. Monitoring strategies may be able to use a phased approach, for example, whereby outfall or receiving water monitoring is phased-in after best management practices have been implemented and assessed for effectiveness. Pilot projects where best management practices are implemented in well-defined areas covering a fraction of the MS4 that facilitate accurate assessment of how well the best management practices control pollution sources may be acceptable, with the intent of successful practices then being implemented in other or larger parts of the MS4 jurisdiction.

Determination of Compliance with Waste Load Allocations

Waste load allocations will be achieved through implementation of management practices and strategies to reduce pesticide loading, and wasteload allocation attainment will be demonstrated through water quality monitoring. Implementation can be conducted by MS4s specifically and/or through statewide programs addressing urban pesticide water pollution.

To allow for flexibility, Water Board staff will assess compliance with waste load allocations using one or a combination of the following:

- A. Attaining the waste load allocations in the receiving water.
- B. Demonstrating compliance by measuring pesticide concentrations and toxicity in stormwater outfalls.
- C. Implementation and assessment of pollutant loading reduction projects (BMPs) capable of achieving interim and final waste load allocations identified in this TMDL in combination with water quality monitoring for a balanced approach to determining program effectiveness.
- D. Any other effluent limitations and conditions that are consistent with the assumptions and requirements of the waste load allocations.

Timelines

The target date to achieve the pesticide TMDLs for the organophosphates (chlorpyrifos, diazinon) is October 2016. This estimate is based on apparent decreased use, current implementation of management practices to mitigate loadings, and existing regulatory efforts to reduce loading.

The target date to achieve the TMDL for malathion is ten years after approval of the TMDL by the Office of Administrative Law. This estimate is based on the increase in current usage and current limited regulatory oversight.

The target date to achieve the TMDLs for pyrethroids is 15 years after approval of the TMDL by the Office of Administrative Law. This estimate is based on the widespread availability of pyrethroids, including consumer usage, and current limited regulatory oversight.

The target date to achieve the TMDLs for organochlorine pesticides (DDT, DDD, DDE, chlordane, eldrin, toxaphene, dieldrin) is 30 years after approval of the TMDL by the Office of Administrative

Law. This estimate is based on their persistence in the environment, widespread legacy usage and bioaccumulation in the food web

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress toward achieving their allocations, dependent upon staff availability and priorities. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric targets.

From: [Harlan, Larry@Waterboards](mailto:Harlan.Larry@Waterboards)
To: Saiz, Steve@Waterboards
Subject: BPA Changes-Santa Maria R/OF Lake Nutrient TMDL
Date: Wednesday, March 09, 2016 4:58:13 PM
Attachments: [NonSubChangesMemo.doc](#)

Hi SGS,

I've attached the non-substantive changes memo that is going through internal review here. The changes are contained on page 2 in strikeout and underline and I think it is slightly different than what I discussed with you earlier today. I know we corrected the NPDES permit number, but we also need to delete "Storm Water Permit" in the table. Just a heads-up.

Thanks,

Larry M. Harlan
Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401
Phone: 805-594-6195
Email: Larry.Harlan@waterboards.ca.gov
Web: <http://www.waterboards.ca.gov/centralcoast/>

Larry

Central Coast Regional Water Quality Control Board

TO: Karen Larsen, Deputy Director
Division of Water Quality
State Water Resources Control Board

FROM: Lisa Horowitz McCann
Interim Executive Officer
**REGIONAL WATER QUALITY CONTROL BOARD CENTRAL COAST
REGION**

DATE: **March 9, 2016**

SUBJECT: MINOR, NON-SUBSTANTIVE CHANGES TO THE BASIN PLAN AMENDMENT
ADOPTED UNDER CENTRAL COAST WATER BOARD RESOLUTION NO. R3-
2013-0013

The Central Coast Water Board adopted an amendment to the Water Quality Control Plan for the Central Coastal Region (Basin Plan) on 30 May 2013 under Resolution No. R3-2013-0013 that establishes Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in the Lower Santa Maria River Watershed and Tributaries to Oso Flaco Lake. The State Water Board approved the amendment on 4 February 2014, the Office of Administrative Law approved the amendment on 22 May 2014, and U.S. EPA approved the amendment on 8 March 2016.

Central Coast Water Board Resolution No. R3-2013-0013 grants the Executive Officer the authority to make minor, non-substantive changes to the language of the adopted Basin Plan amendment. U.S. EPA staff determined that minor, non-substantive corrections to the amendment language is needed to correct a typographical error.

I am hereby making minor, non-substantive changes to Basin Plan amendment language included with Resolution No. R3-2013-0013. Attached are changes to the Basin Plan amendment as indicated in strikethrough and underline.

If you have any questions about this matter please contact me at (805) 549-3132 or Jennifer Epp at (805) 594-6181.

Attachment

cc: Central Coast Water Board Members
Ms. Jessica Jahr, State Water Board, Jessica.Jahr@waterboards.ca.gov
Mr. Rik Rasmussen, State Water Board, Rik.Rasmussen@waterboards.ca.gov
Ms. Jennifer Epp, Central Coast Water Board, Jennifer.Epp@waterboards.ca.gov
Mr. Larry Harlan, Central Coast Water Board, Larry.Harlan@waterboards.ca.gov

Table IX R-2. Interim Allocations

INTERIM WASTE LOAD ALLOCATIONS (WLAs)			
Waterbody the Responsible Party is Discharging to	Party Responsible for Allocation (Source)	First Interim WLA	Second Interim WLA
All waterbodies the responsible party is assigned wasteload allocations (WLAs) in Table IX R-1	City of Santa Maria (Storm drain discharges to MS4s) Storm Water Permit NPDES No. CA00049984 <u>CAS000004</u>	Achieve MUN standard-based and Unionized Ammonia objective-based allocations: Allocation-3 Allocation-4 12 years after effective date of TMDL	Achieve Wet Season (Nov. 1 to Apr. 30) Biostimulatory target-based TMDL allocations: Allocation-1 Allocation-2 20 years after effective date of TMDL
	City of Guadalupe (Storm drain discharges to MS4s) (NPDES Permit Pending)		
	County of San Luis Obispo (Storm drain discharges to MS4s) (NPDES No. CAS000004)		
	County of Santa Barbara (Storm drain discharges to MS4s) (NPDES No. CAS000004)		
INTERIM LOAD ALLOCATIONS (LAs)			
Waterbody	Party Responsible for Allocation (Source)	First Interim LA	Second Interim LA
All waterbodies the responsible party is assigned load allocations (LAs) in Table IX R-1	Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)	Achieve MUN standard-based and Unionized Ammonia objective-based allocations: Allocation-3 Allocation-4 12 years after effective date of TMDL	Achieve Wet Season (Nov. 1 to Apr. 30) or Year-round Biostimulatory target-based TMDL allocations: Allocation-1 Allocation-2 Allocation-5 Allocation-6 20 years after effective date of TMDL

* Responsible parties shall meet allocations in all receiving surface waterbodies of the responsible parties' discharges.

The parties responsible for the allocation to controllable sources are not responsible for the allocation to natural sources.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

RESOLUTION NO. R3-2013-0013

**AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL
BASIN TO ADOPT TOTAL MAXIMUM DAILY LOADS FOR NITROGEN COMPOUNDS AND
ORTHOPHOSPHATE IN THE LOWER SANTA MARIA RIVER WATERSHED AND
TRIBUTARIES TO OSO FLACO LAKE**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the second edition of the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, sets forth implementation plans to achieve water quality objectives addressing point source and nonpoint source discharges, establishes prohibitions, and incorporates statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to incorporate Total Maximum Daily Loads (TMDLs) and an implementation plan for nitrogen compounds (nitrate and unionized ammonia) and orthophosphate in the Lower Santa Maria River watershed and tributaries to Oso Flaco Lake (including Blosser Channel, Bradley Canyon Creek, Bradley Channel, Greene Valley Creek, Main Street Canal, North Main Street Channel, Orcutt Creek, Oso Flaco Creek, Little Oso Flaco Creek, Oso Flaco Lake, Santa Maria River, and Santa Maria River Estuary).
3. The geographic scope of this TMDL encompasses approximately 237 square miles of the lower Santa Maria River watershed and includes tributaries to Oso Flaco Lake. The TMDL Project Area corresponds with the Guadalupe Hydrologic Area (312.10) as contained in the Basin Plan. The Santa Maria River receives flow from the Cuyama River upstream to the northeast, with flows regulated by the Twitchell Dam. The Santa Maria River also receives flow from the Sisquoc River to the southeast and various smaller tributaries in the lower watershed before discharging through the Santa Maria River Estuary and into the Pacific Ocean. Oso Flaco Lake is the receiving water for approximately 16 square miles with flows originating from Oso Flaco Creek and Little Oso Flaco Creek.
4. Multiple waterbodies within the TMDL Project Area are listed on California's Clean Water Act Section 303(d) list for water quality impairments due to unionized ammonia, nitrate, ammonia, and low dissolved oxygen. Due to the Clean Water Act 303(d) listings, the Central Coast Water Board is required to adopt TMDLs and associated implementation plans (40 CFR 130.6(c)(1), 130.7, California Water Code section 13242).
5. Available data indicate 1) widespread violations of the Basin Plan's drinking water standard for nitrate, 2) widespread violations of the Basin Plan's unionized ammonia

general toxicity objective for inland surface waters, and 3) widespread violations of the Basin's Plan's narrative general objective for biostimulatory substances in inland surface waters and estuaries. In addition, some surface waterbodies are locally not meeting non-regulatory recommended guidelines for nitrate in agricultural supply water (AGR) for sensitive crop types, indicating that potential or future designated agricultural supply beneficial uses may locally be detrimentally impacted.

6. Available data indicate that discharges of nutrients (specifically, nitrogen compounds and orthophosphate) are occurring at levels in surface waters which are impairing a wide spectrum of beneficial uses, including impairments of municipal and domestic drinking water supply beneficial uses; impairments of aquatic habitat beneficial uses; impairments of groundwater recharge beneficial uses; and degradation locally of designated agricultural water supply beneficial uses (including irrigation supply for sensitive crops).
7. The Central Coast Water Board's goal for establishing TMDLs in the lower Santa Maria River watershed and tributaries to Oso Flaco Lake is to rectify the impairments due to unionized ammonia, nitrate, and orthophosphate, thereby providing support for the designated beneficial uses of municipal and domestic water supply (MUN), cold and warm fresh water habitat (COLD and WARM), groundwater recharge (GWR), agricultural water supply (AGR), contact and non-contact water recreation (REC-1 and REC-2), and to support water quality standards attainment with regard to the Basin Plan's general water quality objective for unionized ammonia and the Basin Plan's water quality objective for biostimulatory substances.
8. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into the following sections (listed in order of Basin Plan contents):
 - a. Chapter Four, section IX (Total Maximum Daily Loads)
9. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). The NPS Policy requires the regional water quality control boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the Porter-Cologne Water Quality Control Act (Water Code Div. 7). Consistent with the NPS Policy and the Porter-Cologne Act, regional water quality control boards regulate nonpoint source discharges with waste discharge requirements, waivers of waste discharge requirements, and/or prohibitions.
10. On May 20, 2004, the State Water Board adopted the *Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List* (State Water Board Resolution No. 2004-0063), hereafter referred to as the *California 303(d) Listing Policy*. The *California 303(d) Listing Policy* describes the process by which the State Water Board and the regional water quality control boards will comply with the listing requirements of the federal Clean Water Act (CWA). The objective of the *California 303(d) Listing Policy* is to establish a standardized approach for developing California's CWA section 303(d) list and to provide guidance for interpreting data and information to make decisions regarding water quality standards attainment.
11. On June 16, 2005, the State Water Board adopted the *Water Quality Control Policy for Addressing Impaired Waters: Regulatory Structure and Options* (State Water Board Resolution 2005-0050), hereafter referred to as the *Impaired Waters Policy*. The *Impaired Waters Policy* provides policy and procedures for adopting Total Maximum Daily

Loads and addressing impaired waters in California. The *Impaired Waters Policy* states that the regional water quality control boards have independent discretion, broad flexibility, numerous options, and some legal constraints that apply when determining how to address impaired waters.

12. Blosser Channel, Bradley Canyon Creek, Bradley Channel, Greene Valley Creek, Main Street Canal, Orcutt Creek, and Oso Flaco Creek are listed on California's 2008-2010 Clean Water Act 303(d) list as impaired due to unionized ammonia. These waterbodies do not meet the Basin Plan toxicity objectives for inland surface waters, enclosed bays, and estuaries.
13. Blosser Channel, Bradley Canyon Creek, Bradley Channel, Greene Valley Creek, Main Street Canal, North Main Street Channel, Orcutt Creek, Oso Flaco Creek, Little Oso Flaco Creek, and Santa Maria River are listed on California's 2008-2010 Clean Water Act section 303(d) list as impaired due to nitrate. These water bodies do not support the following beneficial use designated in the Basin Plan: municipal and domestic drinking water supply (MUN).
14. Orcutt Creek, Oso Flaco Creek, and Santa Maria River do not meet non-regulatory recommended guidelines for nitrate in agricultural supply water for sensitive crop types, indicating that potential or future designated agricultural supply (AGR) beneficial uses may be detrimentally impacted. These waterbodies also do not support their designated groundwater recharge (GWR) beneficial use based on the Basin Plan's drinking water nitrate objective and situation specific lines of evidence consistent with the *California 303(d) Listing Policy*.
15. Oso Flaco Lake is listed on California's 2008-2010 Clean Water Act 303(d) list as impaired due to nitrate on the basis of non-attainment of the Basin Plan's biostimulatory substances water quality objective. Oso Flaco Lake is currently not supporting the following beneficial uses designated by the Basin Plan: aquatic habitat (WARM, SPWN).
16. Nipomo Creek is listed on California's 2008-2010 Clean Water Act 303(d) list as impaired due to nitrate. Available data indicate that Nipomo Creek is not impaired for nitrate on the basis of non-attainment of the Basin Plan's municipal drinking water objective (MUN) or the biostimulatory substances water quality objective. Nipomo Creek is not impaired for nitrate.
17. Bradley Canyon Creek, Greene Valley Creek, Orcutt Creek, Oso Flaco Creek, Little Oso Flaco Creek, Santa Maria River (downstream of Highway 1), and the Santa Maria River Estuary are not listed on California's 2008-2010 Clean Water Act 303(d) list for nutrients causing biostimulation. However, available data indicate these waters are in violation of the Basin Plan's biostimulatory substances objective and are impaired due to excessive levels of nitrate and orthophosphate. These waterbodies do not meet the Basin Plan's biostimulatory substances objective for inland surface waters, enclosed bays, and estuaries.
18. Low dissolved oxygen is a nutrient-response indicator and represents a primary biological response to excessive nutrient loading in waterbodies which exhibit biostimulatory conditions. Bradley Canyon Creek and Greene Valley Creek are on the 2008-2010 Clean Water Act section 303(d) list of impaired waters for low dissolved oxygen impairment and

are expressing biostimulatory conditions. In addition, although not listed on the 2008-2010 Clean Water Act 303(d) list for low dissolved oxygen, available data indicate that Orcutt Creek, Oso Flaco Lake, and Santa Maria River Estuary are impaired due to low dissolved oxygen on the basis of the listing criteria and methodologies identified in the *California 303(d) Listing Policy*. Dissolved oxygen (DO) impairments are not directly addressed in the TMDL in terms of setting waste load or load allocation for DO; however, reductions in nutrient loading are anticipated to be beneficial in attainment of water quality standards for DO and restoring the waterbodies to a desired condition. Further, numeric targets identified for DO in the TMDL will be used as indicator metrics to assess primary biological response to future nutrient water column concentration reductions and compliance with the Basin Plan's biostimulatory substances objective.

19. Microcystins (algal toxins) are a nutrient-response indicator and represents a primary biological response to excessive nutrient loading in waterbodies which exhibit biostimulatory conditions. Currently, there are no identified impairments in the TMDL Project Area on the basis of algal toxins. However, the numeric target identified for microcystins in this TMDL will be used as an indicator metric to assess primary biological response to future nutrient water column concentration reductions and to ensure compliance with Basin Plan general objectives for biostimulatory substances and toxicity, as well as protection of the REC-1 beneficial use.
20. The U.S. Environmental Protection Agency's (USEPA) published TMDL guidance (*Guidance for Water Quality-Based Decisions: The TMDL Process – Chapter 1, Policies and Principles*, USEPA 404/4-91-001, April 1991) explicitly states that implementation of TMDLs and water quality-based controls should not be delayed because of lack of information and uncertainties about pollution problems, particularly with respect to nonpoint sources. More information about the spatial extent and nature of water quality impairments can be collected during TMDL implementation.
21. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for unionized ammonia, nitrate, and orthophosphate in the lower Santa Maria River and Oso Flaco Lake watersheds are set at levels necessary to attain and maintain the applicable numeric and narrative water quality objectives, taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target and attaining that concentration-based water quality objective will result in protection of the beneficial uses.
22. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6(c)(1) and 130.7 and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans

serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.

23. Health and Safety Code section 57004 requires external scientific peer review for certain water quality control policies. Scientific portions of this TMDL are drawn exclusively from the Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in the lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed. As a result, the scientific portions of this TMDL have already undergone external, scientific peer review. Remaining portions of the TMDL, such as the implementation strategy, are not scientifically based, and therefore, not subject to the peer review requirements of section 57004. As a result, the Central Coast Water Board has fulfilled the requirements of Health and Safety Code section 57004, and the proposed amendment does not require further peer review.
24. Central Coast Water Board staff will conduct a review of implementation activities when monitoring and reporting data are submitted as required by the Agricultural Order and existing or future NPDES storm water permits, or when other monitoring data and/or reporting data are submitted outside the requirements of existing permits and orders. Central Coast Water Board staff will pursue modification of Agricultural Order conditions, NPDES storm water permit conditions, or other regulatory means, as necessary, to address remaining impairments resulting from nitrogen compounds or orthophosphate during the TMDL implementation phase.
25. Central Coast Water Board staff implemented a process to inform interested persons about the TMDLs. Central Coast Water Board staff's efforts to inform the public and solicit comment included public meetings with interested persons and a public notice and written comment period. Public notice of the proposed Basin Plan amendment provided the public a 45-day public comment period preceding the Central Coast Water Board hearing. Notice of public hearing was given by advertising in a newspaper of general circulation within the Region and by emailing a copy of the notice to all persons requesting such notice and applicable government agencies. Relevant documents and notices were also made available on the Central Coast Water Board website. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.
26. Adoption of these TMDLs and Basin Plan amendments will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and basin plan amendments comply with all requirements of both State and federal anti-degradation requirements (State Board Resolution 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40CFR 131.12).
27. The Central Coast Water Board recognizes that certain limited resource farmers (as defined by the U.S. Dept. of Agriculture) may have difficulty achieving compliance with this TMDL. The Central Coast Water Board will prioritize assistance for these farmers, including but not limited to technical assistance, grant opportunities, and necessary flexibility to achieve compliance (e.g., adjusted monitoring, reporting, or time schedules).
28. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA)

(Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has prepared “substitute environmental documents” for this project that contain the required environmental documentation as set forth in the State Water Board’s CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents include the TMDL Staff Report and several of its attachments, including 1) this Resolution and the Basin Plan Amendment Language (Attachment 1 of the Staff Report); 2) *Final Project Report for Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate for the Lower Santa Maria River and Tributaries to Oso Flaco Lake, Santa Barbara and San Luis Obispo Counties, California* (Attachment 2 of the Staff Report); 3) the CEQA Substitute Document with environmental checklist (Attachment 3 of the Staff Report); and 4) the comments and responses to comments (Attachment 6 of the Staff Report). The Staff Report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4) and the Scientific Peer Review Comment (Attachment 5). The project itself is the establishment of TMDLs for nitrogen compounds and orthophosphate in the Lower Santa Maria River and Oso Flaco Lake Watersheds. The Water Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and numerous findings related to impacts and mitigation measures.

29. CEQA scoping meetings were conducted on December 12, 2006, February 26, 2007, and October 16, 2008, at the Central Coast Water Board, 895 Aerovista Place, Suite 101, San Luis Obispo; a notice of the CEQA scoping meeting was sent to interested persons prior to each scoping meeting on December 1, 2006, January 29, 2007, and August 28, 2008, respectively. The notice included a background of the project, the project purpose, a meeting schedule, and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary were available at the website or by requesting hard copies via telephone.
30. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites. The Staff Report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3), provides the environmental analysis required by Public Resources Code section 21159 and is hereby incorporated as findings in this Resolution.
31. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences

of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.

32. Consistent with the Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, that would avoid or reduce the identified impacts.
33. The Staff Report, the draft Basin Plan amendment, and the Environmental Checklist and associated analysis provide the necessary information pursuant to state law to conclude that the proposed TMDL, Implementation Plan, and the associated reasonably foreseeable methods of compliance will not have a significant adverse effect on the environment with the exception of potentially significant impacts associated with Biological Resources – CEQA Checklist Category IV(a) and potentially significant impacts to habitat of fish or wildlife species associated with Mandatory Findings of Significance – CEQA Checklist Category XVIII.(a). This determination is based on best available information in an effort to fully inform the interested public and the decision makers of potential environmental impacts. “Significant effects” on the environment are defined as *“a substantial, or potentially substantial, adverse change within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance”* (14 Cal. Code Regs. § 1538). California Water Code section 13360 precludes the Central Coast Water Board from dictating the manner in which responsible agencies comply with any of the Central Coast Water Board's regulations or orders. Wide-scale water conservation measure and changing water management practices potentially could result in lower flows to surface waters resulting in potentially substantial adverse changes to aquatic habitat. The Central Coast Water Board may not specify the manner of compliance so it has insufficient information to evaluate the extent to which dischargers would choose to use water conservation to comply and to evaluate potential physical changes to the environment that could result. Reduction in toxic runoff may offset impacts due to the reduced flows that could occur. In addition, reduction in water use could result in increased groundwater levels that would also result in more clean water to surface water. Given the uncertainty associated with evaluating the available information, it is possible that any adverse changes on aquatic habitat associated with the basin plan amendment will be less than substantial. When the agencies and responsible parties responsible for implementing these TMDLs determine how they will proceed then the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. These feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a)(2)).
34. Pursuant to CEQA Guidelines section 15093 (Cal. Code. Regs., tit. 14., § 15093), the Central Coast Water Board hereby finds that the project's benefits override and outweigh its potential significant adverse impacts, for the reasons more fully set forth in the Staff

Report and attachments thereto. Specific economic, social, and environmental benefits justify the adoption of this TMDL despite the project's potential significant adverse environmental impacts. The Central Coast Water Board has the authority and responsibility to regulate discharges of waste associated with the sources of pollution causing impairment to water quality. Many of those discharges have caused significant widespread degradation and/or pollution of waters of the state as described in the *Final Project Report for Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in the Lower Santa Maria River Watershed and Tributaries to Oso Flaco Lake* and associated reference materials. This TMDL would result in actions to restore the quality of the waters of the state and protect the beneficial uses, including aquatic habitat. While some impacts could occur due to reduced flows, earth-moving, or from implementing other actions to comply with the TMDL, the benefits, which include contributing to the present and future restoration of beneficial water uses, and reducing or eliminating pollution, nuisance and contamination, warrant approval of the TMDL, despite each and every unavoidable impact. Upon review of the environmental information generated for this TMDL, including the CEQA Substitute Document with environmental checklist (Attachment 3 of the Staff Report) and in view of the entire record supporting the need for the TMDL, the Central Coast Water Board determines that specific economic, legal, social, technological, environmental, and other benefits of this TMDL outweigh the unavoidable adverse environmental effects, and that such adverse environmental effects are acceptable under the circumstances.

35. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will foreseeably reduce impacts to no impact, or keep the impact at less-than-significant levels.
36. The CEQA Substitute Document Report (Staff Report Attachment 3) identifies mitigation approaches that should be considered at the project level.
37. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating TMDLs for nitrogen compounds and orthophosphate in the Lower Santa Maria River watershed and tributaries to Oso Flaco Lake. The TMDLs and Implementation Program for the TMDLs will become effective upon approval by the California Office of Administrative Law. The TMDLs must also be approved by the USEPA.
38. The amendments to the Basin Plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Game under the California Fish and Game Code section 711.4.
39. Based on relevant future information, data, and research, the Central Coast Water Board has the discretion to conduct a water quality standards review which may potentially include one or more of the following: (1) The Water Board may designate critical low-flow conditions below which numerical water quality criteria do not apply, as consistent with federal regulations and policy; (2) The Water Board may authorize lowering of water quality to some degree if and where appropriate, if the Water Board finds water quality lowering to be necessary to accommodate important economic or social development. In authorizing water quality lowering the Water Board shall make any such authorizations consistent with the provisions and requirements of federal and state anti-degradation policies; (3) The Water Board may authorize revision of water quality standards, if appropriate and consistent with federal and state regulations, to remove a designated

beneficial use, establishing subcategories of uses, establishing site specific water quality objectives, or other modification of the water quality standard. When a standards action is deemed appropriate, the Water Board shall follow all applicable requirements, including but not limited to those set forth in part 131 of Title 40 of the Code of Federal Regulations and Article 3 of Division 7, Chapter 4 of the California Water Code.


40. The proposed amendments meet the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding 22, federal regulations require that TMDLs be incorporated into the Water Quality Management Plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the Water Quality Management Plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under the California Water Code, section 13242. The necessity of developing TMDLs is established in the TMDL staff report, the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the nitrogen compounds and orthophosphate impairments of the Lower Santa Maria River and Oso Flaco Lake Watersheds.
41. Consistent with Water Code section 13141, the amendment includes an estimate of the total cost of implementation of the agricultural related portions of this TMDL and identifies potential sources of financing.
42. On May 30, 2013, in San Luis Obispo, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during the approval process, Central Coast Water Board staff, State Water Board staff, the State Water Board or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Kenneth A, Harris Jr., Interim Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region on May 30, 2013.



Kenneth A. Harris Jr.
Interim Executive Officer

RESOLUTION NO. R3-2013-0013

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1. TOTAL MAXIMUM DAILY LOADS FOR NITROGEN COMPOUNDS AND ORTHOPHOSPHATE IN THE LOWER SANTA MARIA RIVER WATERSHED AND TRIBUTARIES TO OSO FLACO LAKE (INCLUDING BLOSSER CHANNEL, BRADLEY CHANNEL, BRADLEY CANYON CREEK, GREENE VALLEY CREEK, MAIN STREET CANAL, NORTH MAIN STREET CHANNEL, NIPOMO CREEK, ORCUTT CREEK, OSO FLACO CREEK, LITTLE OSO FLACO CREEK, AND SANTA MARIA RIVER).

Add the following to Chapter 4 after IX. R.:

IX. R. TOTAL MAXIMUM DAILY LOADS FOR NITROGEN COMPOUNDS AND ORTHOPHOSPHATE IN LOWER SANTA MARIA RIVER WATERSHED AND TRIBUTARIES TO OSO FLACO LAKE (INCLUDING BLOSSER CHANNEL, BRADLEY CHANNEL, BRADLEY CANYON CREEK, GREENE VALLEY CREEK, MAIN STREET CANAL, NORTH MAIN STREET CHANNEL, ORCUTT CREEK, OSO FLACO CREEK, LITTLE OSO FLACO CREEK, AND SANTA MARIA RIVER)

The Regional Water Quality Control Board adopted these TMDLs on May 30, 2013. These TMDLs were approved by:

The State Water Resources Control Board on: _____ (date).

The California Office of Administrative Law on: _____ (date).

The U.S. Environmental Protection Agency on: _____ (date).

Problem Statement

Discharges of nitrogen compounds and orthophosphate are occurring at levels in surface waters which are impairing a spectrum of beneficial uses and, therefore, constitute a serious water quality problem. The municipal and domestic drinking water supply (MUN, GWR) beneficial uses and aquatic habitat beneficial uses are currently not protected. Additionally, some waterbodies do not meet non-regulatory recommended guidelines for nitrate in agricultural supply water for sensitive crops indicating that potential or future designated agricultural supply beneficial uses may be detrimentally impacted. A total of 36 waterbody/pollutant combinations are addressed in this TMDL. The pollutants addressed in this TMDL are nitrate, un-ionized ammonia, and orthophosphate—orthophosphate is included as a pollutant contributing to biostimulatory impairments of surface waters. Reducing these pollutants will also address Clean Water Act section 303(d)-listed dissolved oxygen impairments in the TMDL project area.

As a result of these conditions, water quality standards are not being attained. By developing TMDLs for the aforementioned pollutants, the water quality standards violations being addressed in this TMDL include:

- Violations of drinking water standard for nitrate

- Violations of the Basin Plan general toxicity objective for inland surface waters and estuaries (violations of un-ionized ammonia objective)
- Violations of the Basin Plan narrative general objective for biostimulatory substances in inland surface waters and estuaries (as expressed by excessive nutrients, chlorophyll a, algal biomass, and low dissolved oxygen)

The TMDLs protect and restore the municipal and domestic water supply beneficial use (MUN) and aquatic habitat beneficial uses currently being degraded by violations of the toxicity objective and the biostimulatory substances objective, including the following beneficial uses: wildlife habitat (WILD), cold fresh water habitat (COLD), warm fresh water habitat (WARM), migration of aquatic organisms (MIGR), spawning, reproduction, and/or early development (SPWN), preservation of biological habitats of special significance (BIOL), and rare, threatened, or endangered species (RARE). In addition, current or potential future beneficial uses of the agricultural water supply beneficial use (AGR) are not being supported. Nitrate can create problems not only for water supplies and aquatic habitat, but also potentially for nitrogen sensitive crops (grapes, avocado, citrus) by detrimentally impacting crop yield or quality.

For waterbodies that are not expressing biostimulatory impairments, the most stringent relevant water quality objective for nitrate (and therefore the one that is protective of the full range of all nitrate-impaired designated beneficial uses) is the numeric Basin Plan objective for nitrate in municipal and domestic water supply. Reducing nitrate pollution and ultimately achieving the nitrate drinking water quality standard in these waterbodies will therefore restore and be protective of the full range of MUN, GWR and/or AGR designated beneficial uses of the surface waters which are being currently impaired by excess nitrate.

All waterbodies are required to attain the Basin Plan general toxicity objective for unionized ammonia in inland surface waters and estuaries.

For waterbodies that are expressing biostimulatory impairments, the most stringent relevant water quality objective for nitrate-nutrients (and therefore the one that is protective of the full range of all nutrient-impaired designated beneficial uses) is the Basin Plan narrative general objective for biostimulatory substances in inland surface waters and estuaries. These waterbodies must achieve concentration-based TMDLs for nitrate and orthophosphate as identified herein. Reducing nutrient pollution and ultimately achieving the TMDLs for nutrients in these waterbodies will therefore restore and be protective of the full range of Aquatic Habitat, MUN, GWR, and/or AGR designated beneficial uses of the surface waters which are being currently impaired by excess nutrients.

The following impairments are addressed with this TMDL project:

- Blosser Channel: unionized ammonia, nitrate.
- Bradley Canyon Creek: unionized ammonia, nitrate, low dissolved oxygen, biostimulatory substances.
- Bradley Channel: unionized ammonia, nitrate.
- Greene Valley Creek: unionized ammonia, nitrate, low dissolved oxygen, biostimulatory substances.
- Little Oso Flaco Creek: nitrate, biostimulatory substances.
- Main Street Canal: unionized ammonia, nitrate.
- Nipomo Creek: nitrate (Clean Water Act section 303(d) listed but not impaired).
- North Main Street Channel: nitrate.

- Orcutt Creek: unionized ammonia, nitrate, low dissolved oxygen, biostimulatory substances.
- Oso Flaco Creek: unionized ammonia, nitrate, biostimulatory substances.
- Santa Maria River: nitrate (all reaches), biostimulatory substances (downstream of Hwy 1).
- Santa Maria River Estuary: low dissolved oxygen, biostimulatory substances.

Numeric Targets

Numeric targets are water quality targets developed and used to ascertain when and where water quality objectives are achieved, and hence, when beneficial uses are protected.

➤ Target for Nitrate (MUN-GWR standards)

For impaired stream reaches that are required to support drinking water (MUN) and groundwater recharge (GWR) beneficial uses, the nitrate numeric target is 10 mg/L (nitrate as N) for this TMDL, which therefore is equal to the Basin Plan's numeric nitrate water quality objective protective of drinking water beneficial uses.

➤ Target for Unionized Ammonia (toxicity)

For unionized ammonia (a nitrogen compound), the numeric target is 0.025 mg/L (as N) for this TMDL, which therefore is equal to the Basin Plan's unionized ammonia numeric water quality objective protective against toxicity in surface waters.

➤ Targets for Biostimulatory Substances (nitrate and orthophosphate)

The Basin Plan contains the following narrative water quality objectives for biostimulatory substances:

"Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses."

To implement this narrative objective, staff developed scientifically peer-reviewed numeric targets, based on established methodologies and approaches. The numeric targets for biostimulatory substances are presented in Table 1.

Table 1. Numeric targets for biostimulatory substances.

<u>Stream Reaches</u>	<u>Nitrate (mg/L-N)</u>	<u>Orthophosphate (mg/L-P)</u>
<u>Lower Santa Maria River from Highway 1 to Santa Maria River Estuary, Santa Maria River Estuary, Orcutt Creek, Greene Valley Creek, Bradley Canyon Creek</u>	<u>4.3</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>	<u>0.19</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>
	<u>8.0</u> <u>Wet Season Samples</u> <u>(Nov 1-Apr 30)</u>	<u>0.3</u> <u>Wet Season Samples</u> <u>(Nov 1-Apr 30)</u>
<u>Oso Flaco Creek, Little Oso Flaco Creek</u>	<u>5.7</u> <u>Year Round Samples</u>	<u>0.08</u> <u>Year Round Samples</u>

➤ Targets for Nutrient-Response Indicators (dissolved oxygen, chlorophyll a, and microcystins)

Dissolved oxygen, chlorophyll a, and microcystin numeric targets are identified to ensure that streams do not show evidence of biostimulatory conditions, and to provide primary indicator metrics to assess biological response to future nutrient water column concentration reductions.

For water bodies designated as cold fresh water habitat (COLD) and spawning (SPWN) beneficial uses the dissolved oxygen numeric targets is the same as Basin Plan numeric water quality objective which states that dissolved oxygen concentrations shall not be reduced below 7.0 mg/L at any time.

For water bodies designated as warm fresh water habitat (WARM) beneficial use and for waters not mentioned by a specific beneficial use the dissolved oxygen numeric targets is the same as Basin Plan numeric water quality objective which states that dissolved oxygen concentrations shall not be reduced below 5.0 mg/L at any time.

Additionally, for all inland surface waters, enclosed bays and estuaries, the dissolved oxygen numeric target is the same as the Basin Plan numeric water quality objective which states that median dissolved oxygen should not fall below 85% saturation as a result of controllable water quality conditions.

For water bodies designated as cold fresh water habitat (COLD) and spawning (SPWN) or warm fresh water habitat (WARM) beneficial uses the numeric water quality target indicative of excessive dissolved oxygen saturation conditions dissolved oxygen is 13 mg/L (i.e., water column dissolved oxygen concentrations not to exceed 13 mg/L.)

The numeric water quality target for chlorophyll a is 15 micrograms per liter (µg/L) for all water bodies (i.e., water column chlorophyll a concentrations not to exceed 15 µg/L).

The numeric water quality target for microcystin is 0.8 µg/L for all waterbodies (i.e., water column microcystin concentrations not to exceed 0.8 µg/L includes LA, LR, RR, and YR).

Source Analysis

Discharges of unionized ammonia, nitrate, and orthophosphate originating from irrigated agriculture, urban lands, grazing lands, and natural sources are contributing loads to receiving waters. Irrigated agriculture is the overwhelming majority of controllable water column loads in the TMDL project area and this source category is not currently meeting its proposed load allocation. Urban storm water is a relatively minor source of nitrogen compounds and orthophosphate. Grazing lands are currently meeting proposed load allocations. This source analysis is consistent with source analyses reported by other scientists in previous nutrient-water quality studies in the lower Santa Maria and Oso Flaco Lake watersheds, which provides for a qualitative weight-of-evidence approach.

TMDLs

The following TMDLs will result in resolving impairments described in the Problem Statement.

The unionized ammonia TMDLs for all waters and reaches of the Santa Maria River and Oso Flaco Lake Watersheds, including Blosser Channel, Bradley Channel, Bradley Canyon Creek, Greene Valley Creek, Main Street Canal, North Main Street Channel, Nipomo Creek, Orcutt Creek, Oso Flaco Creek, Little Oso Flaco Creek, Santa Maria River, and the Santa Maria River Estuary is:

- Unionized ammonia concentration shall not exceed 0.025 mg/L-N in receiving waters.

The nitrate TMDL for all waters and reaches of the Santa Maria River and Oso Flaco Lake Watersheds required to support the MUN beneficial use, including, Blosser Channel, Bradley Channel, Nipomo Creek, Main Street Canal, North Main Street Channel, and Santa Maria River (upstream of Highway 1) is:

- Nitrate concentration shall not exceed 10 mg/L-N in receiving waters.

The nitrate and orthophosphate TMDLs for lower Santa Maria River (from Highway 1 to Pacific Ocean), the Santa Maria River Estuary, and all reaches and tributaries of Orcutt Creek, Greene Valley Creek, and Bradley Canyon Creek are:

- For dry season (May 1 to October 31): Nitrate concentration shall not exceed 4.3 mg/L-N in receiving waters; orthophosphate concentration shall not exceed 0.19 mg/L-P in receiving waters, and
- For wet season (November 1 to April 30): Nitrate concentration shall not exceed 8.0 mg/L-N in receiving water; orthophosphate concentration shall not exceed 0.3 mg/L-P in receiving water.

The nitrate and orthophosphate TMDLs for all reaches and tributaries of Oso Flaco Creek and Little Oso Flaco Creek are:

- For all seasons: Nitrate shall not exceed 5.7 mg/L-N in receiving waters; orthophosphate shall not exceed 0.08 mg/L-P in receiving waters.

The TMDLs are considered achieved when water quality conditions meet all regulatory and policy requirements necessary for removing the impaired waters from Clean Water Act section 303(d) list of impaired waters.

Final Allocations and Interim Allocations

Owners and operators of irrigated lands, municipal storm water entities, natural sources, and owners/operators of livestock and domestic animals are assigned unionized ammonia, nitrate, and orthophosphate allocations equal to the TMDL and numeric targets.

The final allocations to responsible parties are shown in Table IX R-1. The final allocations are equal to the TMDLs and should be achieved 30 years after the TMDL effective date. Unlike the load-based TMDL method, the concentration-based allocations do not add up to the TMDL because concentrations of individual pollution sources are not additive.

Recognizing that achievement of the more stringent final dry-season biostimulatory allocations embedded in Table IX R-1 may require a significant amount of time to achieve, interim allocations are identified. Interim allocations will be used as benchmarks in assessing progress towards the final allocations. Interim allocations are shown in Table IX R-2.

Controllable Water Quality Conditions

In accordance with the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), controllable water quality shall be managed to conform or to achieve the water quality objectives and load allocations contained in this TMDL. The Basin Plan defines controllable water quality conditions as follows: “Controllable water quality conditions are those actions or circumstances resulting from man’s activities that may influence the quality of the waters of the State and that may be reasonably controlled.” - Chapter 3. Water Quality Objectives, page III-2.

Compliance with Antidegradation Requirements

State and federal antidegradation policies require, in part, that where surface waters are of higher quality than necessary to protect beneficial uses, the high quality of those waters must be maintained unless otherwise provided by the policies. The federal antidegradation policy, 40 C.F.R. 131.12(a) states, in part. “Where the quality of waters exceed levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water, that quality shall be maintained and protected unless the State finds, after full satisfaction of the intergovernmental coordination and public participation provisions of the State’s continuing planning process, that allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located...”

Compliance with anti-degradation requirements may be determined on the basis of trends in declining water quality in applicable waterbodies, consistent with the methodologies and criteria provided in Section 3.10 of the California 303(d) Listing Policy (adopted, Sept. 20, 2004, SWRCB Resolution No. 2004-0063). Section 3.10 of the California 303(d) Listing Policy explicitly addresses the anti-degradation component of water quality standards as defined in 40 CFR 130.2(j), and provides for identifying trends of declining water quality as a metric for assessing compliance with anti-degradation requirements.

Section 3.10 of the California 303(d) Listing Policy states that pollutant-specific water quality objectives need not be exceeded to be considered non-compliance with anti-degradation requirements “if the water segment exhibits concentrations of pollutants or water body conditions for any listing factor that shows a trend of declining water quality standards attainment”.

Practically speaking, this means that, for example, stream reaches or waterbodies that have a concentration-based TMDL allocation of 10 mg/L nitrate as N, and if current water quality or future water quality assessments in the stream reach indicate nitrate in fact well under 10 mg/L nitrate as N, the allocation does not give license for controllable nitrogen sources to degrade the water resource all the way up to the maximum allocation = 10 mg/L nitrate as N.

Table IX R-1. Final Allocations and Responsible Parties

FINAL WASTE LOAD ALLOCATIONS (WLAs)				
<u>Waterbody the Responsible Party is Discharging to</u> ^{1, 2}	<u>Party Responsible for Allocation & NPDES/WDR number</u>	<u>Receiving Water Nitrate as N WLA (mg/L)</u>	<u>Receiving Water Orthophosphate as P WLA (mg/L)</u>	<u>Receiving Water Unionized Ammonia as N WLA (mg/L)</u>
<u>Santa Maria River (upstream from Highway 1), Blosser Channel, Bradley Channel, Main Street Canal, North Main Street Channel</u>	<u>City of Santa Maria (Storm drain discharges to MS4s)</u> <u>NPDES No. CAS000004</u> <u>City of Guadalupe (Storm drain discharges to MS4s)</u> <u>(NPDES Permit Pending)</u>	<u>Allocation-4 (see descriptions of allocations at bottom of this table)</u>	<u>Not Applicable</u>	<u>Allocation-3</u>
<u>Santa Maria River (downstream from Highway 1)</u>	<u>City of Guadalupe (Storm drain discharges to MS4s)</u> <u>(NPDES Permit Pending)</u>	<u>Allocation-1</u>	<u>Allocation-2</u>	<u>Allocation-3</u>
<u>Nipomo Creek</u>	<u>County of San Luis Obispo (Storm drain discharges to MS4s)</u> <u>(NPDES No. CAS000004)</u>	<u>Allocation-4</u>	<u>Not Applicable</u>	<u>Allocation-3</u>
<u>Orcutt Creek</u>	<u>County of Santa Barbara (Storm drain discharges to MS4s)</u> <u>(NPDES No. CAS000004)</u>	<u>Allocation-1</u>	<u>Allocation-2</u>	<u>Allocation-3</u>

FINAL LOAD ALLOCATIONS (LAs)				
Waterbody the Responsible Party is Discharging to ^{1, 2}	Party Responsible for Allocation	Receiving Water Nitrate as N WLA (mg/L)	Receiving Water Orthophosphate as P WLA (mg/L)	Receiving Water Unionized Ammonia as N WLA (mg/L)
<u>Santa Maria River (Upstream from Highway 1), Blosser Channel, Bradley Channel, Main Street Canal, North Main Street Channel, Nipomo Creek</u>	<u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u>	<u>Allocation-4</u>	<u>Not Applicable</u>	<u>Allocation-3</u>
	<u>Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)</u>			
	<u>No responsible party (Natural sources)</u>			
<u>Santa Maria River (downstream from Highway 1), Santa Maria River Estuary, Bradley Canyon Creek, Orcutt Creek, Greene Valley Creek</u>	<u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u>	<u>Allocation-1</u>	<u>Allocation-2</u>	<u>Allocation-3</u>
	<u>Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)</u>			
	<u>No responsible party (Natural sources)</u>			
<u>Oso Flaco Creek Little Oso Flaco Creek</u>	<u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u>	<u>Allocation-5</u>	<u>Allocation-6</u>	<u>Allocation-3</u>
	<u>Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)</u>			
	<u>No responsible party (Natural sources)</u>			

Description of allocations:

<u>Allocation</u> ^A	<u>Compound</u>	<u>Concentration (mg/L)</u> ^B
<u>Allocation 1</u>	<u>Nitrate as N</u>	<u>Dry Season (May 1-Oct. 31): 4.3</u> <u>Wet Season (Nov. 1-Apr. 30): 8.0</u>
<u>Allocation 2</u>	<u>Orthophosphate as P</u>	<u>Dry Season (May 1-Oct. 31): 0.19</u> <u>Wet Season (Nov. 1-Apr. 30): 0.3</u>
<u>Allocation 3</u>	<u>Unionized Ammonia as N</u>	<u>Year-round: 0.025</u>
<u>Allocation 4</u>	<u>Nitrate as N</u>	<u>Year-round: 10</u>
<u>Allocation 5</u>	<u>Nitrate as N</u>	<u>Year-round: 5.7</u>
<u>Allocation 6</u>	<u>Orthophosphate as P</u>	<u>Year-round: 0.08</u>

^A Federal and State anti-degradation requirements apply to all waste load and load allocations.

^B Achievement of final waste load and load allocations to be determined on the basis of the number of measured exceedances and/or other criteria set forth in Section 4 of the *Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List* (Listing Policy - State Water Resources Control Board, Resolution No. 2004-0063, adopted September 2004). or as consistent with any relevant revisions of the Listing Policy promulgated in the future.

¹ Responsible parties shall meet allocations in all receiving surface waterbodies of the responsible parties' discharges.

² All reaches and tributaries unless otherwise noted.

Table IX R-2. Interim Allocations

INTERIM WASTE LOAD ALLOCATIONS (WLAs)			
<u>Waterbody the Responsible Party is Discharging to</u>	<u>Party Responsible for Allocation (Source)</u>	<u>First Interim WLA</u>	<u>Second Interim WLA</u>
<u>All waterbodies the responsible party is assigned wasteload allocations (WLAs) in Table IX R-1</u>	<u>City of Santa Maria (Storm drain discharges to MS4s)</u> <u>Storm Water Permit NPDES No. CA00049981</u>	<u>Achieve MUN standard-based and Unionized Ammonia objective-based allocations:</u> <u>Allocation-3</u> <u>Allocation-4</u> <u>12 years after effective date of TMDL</u>	<u>Achieve Wet Season (Nov. 1 to Apr. 30) Biostimulatory target-based TMDL allocations:</u> <u>Allocation-1</u> <u>Allocation-2</u> <u>20 years after effective date of TMDL</u>
	<u>City of Guadalupe (Storm drain discharges to MS4s)</u> <u>(NPDES Permit Pending)</u>		
	<u>County of San Luis Obispo (Storm drain discharges to MS4s)</u> <u>(NPDES No. CAS000004)</u>		
	<u>County of Santa Barbara (Storm drain discharges to MS4s)</u> <u>(NPDES No. CAS000004)</u>		
INTERIM LOAD ALLOCATIONS (LAs)			
<u>Waterbody</u>	<u>Party Responsible for Allocation (Source)</u>	<u>First Interim LA</u>	<u>Second Interim LA</u>
<u>All waterbodies the responsible party is assigned load allocations (LAs) in Table IX R-1</u>	<u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u>	<u>Achieve MUN standard-based and Unionized Ammonia objective-based allocations:</u> <u>Allocation-3</u> <u>Allocation-4</u> <u>12 years after effective date of TMDL</u>	<u>Achieve Wet Season (Nov. 1 to Apr. 30) or Year-round Biostimulatory target-based TMDL allocations:</u> <u>Allocation-1</u> <u>Allocation-2</u> <u>Allocation-5</u> <u>Allocation-6</u> <u>20 years after effective date of TMDL</u>

* Responsible parties shall meet allocations in all receiving surface waterbodies of the responsible parties' discharges.

The parties responsible for the allocation to controllable sources are not responsible for the allocation to natural sources.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative model assumptions and statistical analysis. In addition, an explicit margin of safety is incorporated by reserving 20% of the load, calculated on a concentration basis, from wet season allocations.

Implementation

DISCHARGES FROM IRRIGATED AGRICULTURAL LANDS:

Implementing parties will comply with the Conditional Waiver of Waste Discharge Requirements for Irrigated Lands (Order R3-2012-0011) and the Monitoring and Reporting Programs in accordance with Orders R3-2012-0011-01, R3-2012-0011-02, and R3-2012-0011-03 to meet load allocations and achieve the TMDL.

Current requirements in the Agricultural Order that will achieve the load allocations include:

- A. Implement, and update as necessary, management practices to reduce nutrient loading.
- B. Maintain existing, naturally occurring, riparian vegetative cover in aquatic habitat areas.
- C. Develop/update and implement Farm Plans.
- D. Properly destroy abandoned groundwater wells.
- E. Develop, and initiate implementation of an Irrigation and Nutrient Management Plan (INMP) or alternative certified by a Professional Soil Scientist, Professional Agronomist, or Crop Advisor certified by the American Society of Agronomy, or similarly qualified professional.

Monitoring

Owners and operators of irrigated agricultural lands will perform monitoring and reporting in accordance with Monitoring and Reporting Program Orders R3-2012-0011-01, R3-2012-0011-02, and R3-2012-0011-03, as applicable to the operation.

Determination of Compliance with Load Allocations

Load allocations will be achieved through a combination of implementation of management practices and strategies to reduce nitrogen compound and orthophosphate loading, and water quality monitoring. Flexibility to allow owners/operators of irrigated lands to demonstrate compliance with load allocations is a consideration; additionally, staff is aware that not all implementing parties are necessarily contributing to or causing a surface water impairment. However, it is important to recognize that degrading shallow groundwater with nutrients may also degrade surface water quality via baseflow loading contributions to the creek.

To allow for flexibility, Water Board staff will assess compliance with load allocations using one or a combination of the following:

- A. attaining the load allocations in the receiving water;
- B. attaining receiving water TMDL numeric targets for nutrient-response indicators (i.e., dissolved oxygen water quality objectives, chlorophyll a targets and microcystin targets) may constitute a demonstration of attainment of the nitrate, nitrogen and orthophosphate-based seasonal biostimulatory load allocations. Note that implementing

parties are strongly encouraged to maximize overhead riparian canopy, where and if appropriate, using riparian vegetation, because doing so could result in achieving nutrient-response indicator targets before allocations are achieved (resulting in a less stringent allocation);

- C. demonstrating quantifiable receiving water mass load reductions.
- D. owners/operators of irrigated lands may be deemed in compliance with load allocations by implementing management practices that are capable of achieving interim and final load allocations identified in the TMDL;
- E. owners/operators of irrigated lands may provide sufficient evidence to demonstrate that they are and will continue to be in compliance with the load allocations; such evidence could include documentation submitted by the owner/operator to the Executive Officer that the owner/operator is not causing waste to be discharged to impaired waterbodies resulting or contributing to violations of the load allocations.

STORM DRAIN DISCHARGES TO MS4s:

The Central Coast Water Board will require the MS4 entities to develop and submit for Executive Officer approval a Wasteload Allocation Attainment Program (WAAP). The WAAP shall be submitted within one year of approval of the TMDL by the Office of Administrative Law, or within one year of a storm water permit renewal, whichever occurs first. The WAAP shall include descriptions of the actions that will be taken by the MS4 entity to attain the TMDL wasteload allocations, and specifically address:

- 1. Development of an implementation and assessment strategy;
- 2. Source identification and prioritization;
- 3. Best management practice identification, prioritization, implementation schedule, analysis, and effectiveness assessment;
- 4. Monitoring and reporting program development and implementation. Monitoring program goals shall include: 1) assessment of storm water discharge and receiving water discharge quality 2) assessment of best management effectiveness, and 3) demonstration of progress towards achieving interim targets and wasteload allocations;
- 5. Coordination with stakeholders; and
- 6. Other pertinent factors.

Determination of Compliance with Waste Load Allocations

Waste load allocations will be achieved through a combination of implementation of management practices and strategies to reduce nitrogen compound and orthophosphate loading. Water quality monitoring will be included as well.

To be consistent with waste load allocations, Water Board staff will evaluate compliance with waste load allocations using one or a combination of the following:

- A. attaining the waste load allocations in the receiving water;

- B. attaining receiving water TMDL numeric targets for nutrient-response indicators (i.e., dissolved oxygen water quality objectives, chlorophyll a targets and microcystin targets) may constitute a demonstration of the attainment of the nitrate, nitrogen and orthophosphate-based seasonal biostimulatory waste load allocations. Note that implementing parties are strongly encouraged to maximize overhead riparian canopy using riparian vegetation, as appropriate, because doing so could result in achieving nutrient-response indicator targets before allocations are achieved (resulting in a less stringent allocation);
- C. demonstrating reduction of nutrient concentrations in storm water outfalls. Optionally, where storm water is conveyed through managed flood protection facilities that also serve to treat and improve water quality (e.g., treatment wetlands, bioreactors, etc.), compliance may be demonstrated by measuring storm water quality before entering the receiving water body.

In order to achieve attainment of waste load allocations, Water Board staff may additionally consider:

- D. load reductions demonstrations on mass basis at storm drain outfalls and/or downstream of treatment systems;
- E. implementation and assessment of pollutant loading reduction projects (BMPs), capable of achieving interim and final waste load allocations identified in this TMDL in combination with water quality monitoring for a balanced approach to determining program effectiveness;
- F. any other effluent limitations and conditions which are consistent with the assumptions and requirements of the waste load allocations.

Monitoring

The City of Santa Maria, City of Guadalupe, County of San Luis Obispo (Nipomo), and County of Santa Barbara (Orcutt) are required to develop and submit monitoring programs as part of their WAAP. The goals of the monitoring programs are described in the requirements of the WAAP.

Staff encourages the City of Santa Maria, City of Guadalupe, County of San Luis Obispo (Nipomo), County of Santa Barbara (Orcutt) to develop and submit creative and meaningful monitoring programs. Monitoring strategies can use a phased approach, for example, whereby outfall or receiving water monitoring is phased in after best management practices have been implemented and assessed for effectiveness. Pilot projects where best management practices are implemented in well-defined areas covering a fraction of the MS4 that facilitates accurate assessment of how well the best management practices control pollution sources, is acceptable, with the intent of successful practices then being implemented in other or larger parts of the MS4.

DOMESTIC ANIMAL/LIVESTOCK DISCHARGES:

The water quality data available for stream reaches that exclusively drain grazing lands, or lands where grazed animals and farm animals can be expected to occur, indicate the nitrogen compounds and orthophosphate proposed water quality targets, and thus load allocations, are being met in these reaches. Based on available data, this source category is meeting their load allocation. As such, no new regulatory requirements are deemed necessary or are being proposed.

It is important to note that the TMDL project area is subject to the Domestic Animal Waste Discharge Prohibition and are subject to compliance with an approved indicator bacteria TMDL load allocation. Implementation efforts by responsible parties to comply with this prohibition and with indicator bacteria load allocations will, as a practical matter, also reduce the risk of nitrogen and phosphorus loading to surface waters from domestic animal waste. It should be noted that available information does not conclusively demonstrate that all domestic animal operations are currently meeting load allocations; there are potentially unpermitted confined animal facilities, equestrian facilities, or grazing animal operations that do not meet load allocations. More information will be obtained, if merited, during the implementation phase of the TMDL to further assess the level of nutrient contribution from these source categories, and to identify any actions if necessary to reduce loading.

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress toward achieving their allocations, dependent upon staff availability and priorities. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric targets.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of nitrogen compounds and orthophosphate are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric target and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural conditions or background sources alone were the cause of exceedances of the Basin Plan water quality objectives.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving this TMDL is 30 years after the date of approval by the Office of Administrative Law.

Optional Special Studies and Reconsideration of the TMDL

Additional monitoring and voluntary optional special studies would be useful to evaluate the uncertainties and assumptions made in the development of this TMDL. The results of special studies may be used to reevaluate waste load allocations and load allocations in this TMDL. Implementing parties may submit work plans for optional special studies (if implementing parties choose to conduct special studies) for approval by the Executive Officer. Special studies completed and final reports shall be submitted for Executive Officer approval. Additionally, eutrophication is an active area of research; consequently ongoing eutrophication and biostimulation scientific research may further inform the Water Board regarding waste load or load allocations that are protective against biostimulatory impairments, implementation timelines, and/or downstream impacts. At this time, staff maintains there is sufficient information to begin to implement the TMDL and make progress towards attainment of water

quality standards and the proposed allocations. However, in recognition of the uncertainties regarding nutrient pollution and biostimulatory impairments, staff proposes that the Water Board reconsider the waste load and load allocations, if merited by optional special studies and new research, ten years after the effective date of the TMDL, which is upon approval by the Office of Administrative Law (OAL). A time schedule for optional studies and Central Coast Water Board reconsideration of the TMDL is presented in Table IX R-3.

Further, the Central Coast Water Board may also reconsider these TMDLs, the nutrient water quality criteria, or other TMDL elements on the basis of potential future promulgation of a statewide nutrient policy for inland surface waters in the State of California.

Table IX R-3. Time schedule for optional studies and Water Board reconsideration of waste load allocations and load allocations

<u>Proposed Actions</u>	<u>Description</u>	<u>Time Schedule-Milestones</u>
<u>Optional studies work plans</u>	<u>Implementing parties shall submit work plans for optional special studies (if implementing parties choose to conduct special studies) for approval by Executive Officer</u>	<u>By five years after the effective date of the TMDL</u>
<u>Final optional studies</u>	<u>Optional studies completed and final report submitted for Executive Officer approval.</u>	<u>By eight years after the effective date of the TMDL</u>
<u>Reconsideration of TMDL</u>	<u>If merited by optional special studies or information from ongoing research into eutrophication issues, the Water Board will reconsider the Wasteload and Load allocations and/or implementation timelines adopted pursuant to this TMDL.</u>	<u>By ten years after the effective date of the TMDL</u>

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

RESOLUTION NO. R3-2013-0008

**AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL
BASIN TO ADOPT TOTAL MAXIMUM DAILY LOADS FOR NITROGEN COMPOUNDS AND
ORTHOPHOSPHATE IN THE LOWER SALINAS RIVER AND RECLAMATION CANAL
BASIN AND THE MORO COJO SLOUGH SUBWATERSHED**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the second edition of the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, sets forth implementation plans to achieve water quality objectives addressing point source and nonpoint source discharges, establishes prohibitions, and incorporates statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to incorporate Total Maximum Daily Loads (TMDLs) and an implementation plan for nitrogen compounds (nitrate and unionized ammonia) and orthophosphate in the Lower Salinas River and Reclamation Canal Basin and the Moro Cojo Slough Subwatershed, which include the waterbodies Alisal Creek, Alisal Slough, Blanco Drain, Chualar Creek, Esperanza Creek, Espinosa Slough, Gabilan Creek, Merrit Ditch, Moro Cojo Slough, Natividad Creek, Old Salinas River, Quail Creek, the Reclamation Canal, the Lower Salinas River (downstream of Gonzalez), Santa Rita Creek, and Tembladero Slough.
3. The geographic scope of this TMDL encompasses approximately 405 square miles of the lower Salinas Valley in northern Monterey County and includes the lowermost Salinas River, Moro Cojo Slough, Tembladero Slough, the Reclamation Canal, and associated upstream tributaries; hereafter collectively referred to as the "TMDL Project Area." Agriculture (including irrigated cropland and grazing lands) is the current dominant land use in the TMDL Project Area, with increasing transition to urban use. The City of Salinas and other urbanized areas account for approximately eight percent of the TMDL Project Area's land use. Grassland, chaparral, and oak woodland make up substantial parts of the upland reaches of the watershed.
4. Multiple waterbodies within the TMDL Project Area are listed on California's Clean Water Act Section 303(d) list for water quality impairments due to nitrate, unionized ammonia, nutrients, low dissolved oxygen, and chlorophyll-*a* (an algal biomass indicator). Due to the Clean Water Act 303(d) listings, the Central Coast Water Board is required to adopt a TMDL and an associated implementation plan (40 CFR 130.6(c)(1), 130.7, California Water Code section 13242).
5. Available data indicate 1) widespread violations of the Basin Plan's drinking water standard for nitrate, 2) widespread violations of the Basin Plan's unionized ammonia general toxicity objective for inland surface waters, and 3) widespread violations of the Basin Plan's narrative general objective for biostimulatory substances in inland surface waters and estuaries. In

addition, some surface waterbodies are locally not meeting non-regulatory recommended guidelines for nitrate in agricultural supply water (AGR) for sensitive crop types, indicating that potential or future designated agricultural supply beneficial uses may locally be detrimentally impacted.

6. Available data indicate that discharges of nutrients (specifically, nitrogen compounds and orthophosphate) are occurring at levels in surface waters which are impairing a wide spectrum of beneficial uses, including impairments of municipal and domestic drinking water supply beneficial uses, impairments of aquatic habitat beneficial uses, impairments of groundwater recharge beneficial uses, and degradation locally of designated agricultural water supply beneficial uses (including irrigation supply for sensitive crops and livestock watering).
7. The Central Coast Water Board's goal for establishing TMDLs in the TMDL Project Area is to rectify the impairment due to unionized ammonia, nitrate, and orthophosphate, thereby providing support for the designated beneficial uses of municipal and domestic water supply (MUN), cold and warm fresh water habitat (COLD and WARM), groundwater recharge (GWR), agricultural water supply (AGR), and to support water quality standards attainment with regard to the Basin Plan's general toxicity water quality objective for unionized ammonia, and the Basin Plan's water quality objective for biostimulatory substances.
8. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into Chapter Four Section IX (Total Maximum Daily Loads).
9. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). The NPS Policy requires the Regional Water Quality Control Boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Wat. Code Div. 7). Consistent with the NPS Policy and the Porter-Cologne Act, Regional Water Quality Control Boards regulate nonpoint source discharges with waste discharge requirements, waivers of waste discharge requirements, and/or Basin Plan prohibitions.
10. On May 20, 2004, the State Water Board adopted the *Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List* (State Water Board Resolution No. 2004-0063), hereafter referred to as the *California 303(d) Listing Policy*. The *California 303(d) Listing Policy* describes the process by which the State Water Board and the Regional Water Quality Control Boards will comply with the listing requirements of the federal Clean Water Act (CWA). The objective of the *California 303(d) Listing Policy* is to establish a standardized approach for developing California's CWA section 303(d) list and to provide guidance for interpreting data and information to make decisions regarding water quality standards attainment.
11. On June 16, 2005, the State Water Board adopted the *Water Quality Control Policy for Addressing Impaired Waters: Regulatory Structure and Options* (State Water Board Resolution 2005-0050), hereafter referred to as the *Impaired Waters Policy*. The *Impaired Waters Policy* provides policy and procedures for adopting TMDLs and addressing impaired waters in California. The *Impaired Waters Policy* states that the Regional Water Quality Control Boards have independent discretion, broad flexibility, numerous options, and some legal constraints that apply when determining how to address impaired waters.
12. Chualar Creek, Espinosa Slough, Meritt Ditch, Moro Cojo Slough, Natividad Creek, the Reclamation Canal, Quail Creek, and Santa Rita Creek are listed on California's 2008-2010

Clean Water Act 303(d) list as impaired due to unionized ammonia. Consequently, these waterbodies do not meet the Basin Plan toxicity objectives for inland surface waters, enclosed bays, and estuaries. In addition, although not listed on California's 2008-2010 Clean Water Act 303(d) list for unionized ammonia, available data indicate that Alisal Creek and Alisal Slough are impaired due to unionized ammonia on the basis of the listing criteria and methodologies identified in the *California 303(d) Listing Policy*.

13. Alisal Creek, Alisal Slough, Chualar Creek, Esperanza Creek, Gabilan Creek, Merrit Ditch, Natividad Creek, the Old Salinas River, Quail Creek, the Lower Salinas River (below Gonzalez), and Santa Rita Creek [are listed on California's 2008-2010 Clean Water Act 303(d) list as impaired due to nitrate. These water bodies are currently not supporting the following beneficial use designated by the Basin Plan: municipal and domestic drinking water supply (MUN).
14. Blanco Drain, Espinosa Slough, the Reclamation Canal, and Tembladero Slough are listed on California's 2008-2010 Clean Water Act 303(d) list as impaired due to nitrate on the basis of non-attainment of the Basin Plan's biostimulatory substances water quality objective. These water bodies are currently not supporting the following beneficial uses designated by the Basin Plan: aquatic habitat (WARM, COLD, SPWN).
15. The Salinas River Lagoon (North) and Tembladero Slough are listed on California's 2008-2010 Clean Water Act 303(d) list as impaired due to nutrients on the basis of non-attainment of the Basin Plan's biostimulatory substances water quality objective. In addition, although not listed on California's 2008-2010 Clean Water Act 303(d) list for nutrients causing biostimulation, available data indicate the following waterbodies are in violation of the Basin Plan's biostimulatory substances objective: Alisal Creek, Alisal Slough, Blanco Drain, Espinosa Slough, Merrit Ditch, Moro Cojo Slough, Natividad Creek, the Old Salinas River, the Reclamation Canal, the Lower Salinas River (below Gonzalez), and Santa Rita Creek.
16. The lower Salinas River (downstream of Spreckels) and Gabilan Creek (downstream of Crazy Horse Road) do not meet non-regulatory recommended guidelines for nitrate in agricultural supply water for sensitive crop types, indicating that potential or future designated agricultural supply beneficial uses may be detrimentally impacted.
17. Alisal Creek and Gabilan Creek (downstream of Crazy Horse Road) are listed on California's 2008-2010 Clean Water Act 303(d) list as impaired due to nitrate on the basis of non-attainment of the Basin Plan's water quality objective for municipal and domestic drinking water supply (MUN); these waterbodies are also not supporting their designated groundwater recharge (GWR) beneficial use based on the Basin Plan's drinking water objective and specific lines of evidence consistent with the *California 303(d) Listing Policy*.
18. Low dissolved oxygen is a nutrient-response indicator and represents a primary biological response to excessive nutrient loading in waterbodies which exhibit biostimulatory conditions. Alisal Slough, Blanco Drain, Merrit Ditch, Moro Coho Slough, Natividad Creek, the Old Salinas River, Quail Creek, the Reclamation Canal, and Santa Rita are on the 2008-2010 Clean Water Act 303(d) list of impaired waters for low dissolved oxygen impairment and are expressing biostimulatory conditions. In addition, although not listed on California's 2008-2010 Clean Water Act 303(d) list for low dissolved oxygen, available data indicates that Tembladero Slough is impaired due to low dissolved oxygen on the basis of the listing criteria and methodologies identified in the *California 303(d) Listing Policy*. Reductions in nutrient loading described in the Staff Report are anticipated to be beneficial in attainment of water quality standards for DO and restoring the waterbodies to a desired condition. Nutrient concentrations by themselves constitute indirect indicators of biostimulatory conditions and

there is an interrelationship between high nutrient loads, excessive algal growth, and the subsequent impacts of excessive algae on dissolved oxygen and aquatic habitat. Further, numeric targets identified for DO in the TMDL will be used as indicator metrics to assess primary biological response to future nutrient water column concentration reductions and compliance with the Basin Plan's biostimulatory substances objective.

19. Chlorophyll-*a* is a nutrient-response indicator and represents a primary biological response to excessive nutrient loading in waterbodies which exhibit biostimulatory conditions. Alisal Creek, the Old Salinas River, and Tembladero Slough are on the 2008-2010 Clean Water Act 303(d) list of impaired waters for chlorophyll-*a* impairment and are expressing biostimulatory conditions. Reductions in nutrient loading described in the Staff Report are anticipated to be beneficial in attainment of water quality standards for chlorophyll-*a* and restoring the waterbodies to a desired condition. Further, numeric targets identified for chlorophyll-*a* in the TMDL will be used as an indicator metric to assess primary biological response to future nutrient water column concentration reductions and compliance with the Basin Plan's biostimulatory substances objective.
20. Microcystins (algal toxins) are a nutrient-response indicator and represents a primary biological response to excessive nutrient loading in waterbodies which exhibit biostimulatory conditions. Reductions in nutrient loading described in the Staff Report are anticipated to be beneficial in attainment of water quality standards for microcystins and restoring the waterbodies to a desired condition. The numeric target identified for microcystins in this TMDL will be used as an indicator metric to assess primary biological response to future nutrient water column concentration reductions and to ensure compliance with the Basin Plan's biostimulatory substances objective and designated REC-1 beneficial uses. The Old Salinas River is not listed on California's 303(d) list for microcystins, however, available data indicate this waterbody is impaired by microcystins on the basis of public health action levels and listing criteria and methodologies identified in the *California 303(d) Listing Policy*.
21. The U.S. Environmental Protection Agency's (USEPA) published TMDL guidance (*Guidance for Water Quality-Based Decisions: The TMDL Process – Chapter 1, Policies and Principles*, USEPA 404/4-91-001, April 1991) explicitly states that implementation of TMDLs and water quality-based controls should not be delayed because of lack of information and uncertainties about pollution problems, particularly with respect to nonpoint sources. More information about the spatial extent and nature of water quality impairments can be collected during TMDL implementation.
22. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for unionized ammonia, nitrate, and orthophosphate in the Lower Salinas River and Reclamation Canal Basin and the Moro Cojo Slough Subwatershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives, taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target and attaining that concentration-based water quality objective will result in protection of the beneficial uses.

23. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6(c)(1) and 130.7 and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
24. The TMDLs and Implementation Program are based on sound scientific knowledge, methods, and practices in accordance with Health and Safety Code section 57004. Central Coast Water Board staff submitted the Project Report for the TMDLs to two external scientific reviewers in March 2012. Central Coast Water Board staff received comments from the reviewers. Central Coast Water Board staff either modified the Project Report in accordance with the comments, provided a written response that explained the basis for not incorporating the comments, or made no modifications because the commenter suggested none was needed.
25. Central Coast Water Board staff will conduct a review of implementation activities when monitoring and reporting data are submitted as required by the Agricultural Order and existing or future NPDES storm water permits, or when other monitoring data and/or reporting data are submitted outside the requirements of existing permits and orders. Central Coast Water Board staff will pursue modification of Agricultural Order conditions, NPDES storm water permit conditions, or other regulatory means, as necessary, to address remaining impairments resulting from nitrogen compounds or orthophosphate during the TMDL implementation phase.
26. Central Coast Water Board staff implemented a process to inform interested persons about the TMDLs. Central Coast Water Board staff's efforts to inform the public and solicit comment included public meetings with interested persons and a public notice and written comment period. Public notice of the proposed Basin Plan amendment provided the public a 50-day public comment period preceding the Central Coast Water Board hearing. Notice of public hearing was given by advertising in a newspaper of general circulation within the Region and by emailing a copy of the notice to all persons requesting such notice and applicable government agencies. Relevant documents and notices were also made available on the Central Coast Water Board website. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.
27. Adoption of these TMDLs and Basin Plan amendments will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and basin plan amendments comply with all requirements of both State and federal anti-degradation requirements (State Board Resolution 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40CFR 131.12).
28. The Central Coast Water Board recognizes that certain limited resource farmers (as defined by the U.S. Dept. of Agriculture) may have difficulty achieving compliance with this TMDL. The Central Coast Water Board will prioritize assistance for these farmers, including but not limited to technical assistance, grant opportunities, and necessary flexibility to achieve compliance (e.g., adjusted monitoring, reporting, or time schedules).
29. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has

prepared “substitute environmental documents” for this project that contain the required environmental documentation as set forth in the State Water Board’s CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents include the TMDL Staff Report and several of its attachments, including 1) this Resolution and the Basin Plan Amendment Language (Attachment 1 of the Staff Report); 2) *Final Project Report for Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate for the Lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed, Monterey County, California* (Attachment 2 of the Staff Report); 3) the CEQA Substitute Document with environmental checklist (Attachment 3 of the Staff Report); and 4) the comments and responses to comments (Attachment 6 of the Staff Report). The Staff Report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4) and the Scientific Peer Review Comment (Attachment 5). The project itself is the establishment of TMDLs for nitrogen compounds and orthophosphate in the Lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed. The Central Coast Water Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and numerous findings related to impacts and mitigation measures.

30. A CEQA scoping meeting was conducted on October 3, 2011, in the City of Salinas; a notice of the CEQA scoping meeting was sent to interested persons prior to the scoping meeting on September 7, 2011. The notice included a background of the project, the project purpose, a meeting schedule, and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary were available at the website or by requesting hard copies via telephone.
31. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites. The Staff Report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3), provides the environmental analysis required by Public Resources Code section 21159 and is hereby incorporated as findings in this Resolution.
32. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.

33. Consistent with the Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, that would avoid or reduce the identified impacts.
34. The Staff Report, the draft Basin Plan Amendment, and the Environmental Checklist and associated analysis provide the necessary information pursuant to state law to conclude that the proposed TMDL, Implementation Plan, and the associated reasonably foreseeable methods of compliance will not have a significant adverse effect on the environment with the exception of potentially significant impacts associated with Biological Resources – CEQA Checklist Category IV(a). and potentially significant impacts to habitat of fish or wildlife species associated with Mandatory Findings of Significance – CEQA Checklist Category XVIII.(a). This determination is based on best available information in an effort to fully inform the interested public and the decision makers of potential environmental impacts. “Significant effects” on the environment are defined as *“a substantial, or potentially substantial, adverse change within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance”* (14 Cal. Code Regs. § 1538). Wide scale water conservation measures and changing water management practices potentially could result in lower flows to surface waters resulting in potentially substantial adverse changes to aquatic habitat. Reduction in polluted runoff may offset potentially substantial adverse impacts resulting from potential reduced flows. In addition, reduction in tailwater discharge could result in increased groundwater levels that would result in more baseflow to surface waterbodies. Further, maintaining surface flows and circulation may in fact be part of a viable strategy to reduce biostimulatory impacts, since biostimulatory impacts are only partly attributable to elevated nutrients; biostimulatory impacts may be mitigated by increased flow, aeration, and shading of the waterbody. Potential mitigation measures to prevent reduced flows or to reduce the impact of reduced flows include phasing in management practices that could result in reduced flows; and use of riparian buffers and other vegetated treatment systems that will effectively treat the water to remove pollutants, but not necessarily reduce flows. Given the uncertainty associated with evaluating the available information, it is possible that any potentially substantial adverse changes on aquatic habitat associated with the basin plan amendment will be less than significant. When the entities and responsible parties responsible for implementing these TMDLs determine how they will proceed the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. Feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a)(2).). Legal considerations may make some of the mitigation measures that could be implemented infeasible. The Central Coast Water Board may not specify the manner of compliance with its orders and as a result implementation of potential mitigation measures are not under the control or discretion of the Central Coast Water Board.
35. Pursuant to CEQA Guidelines section 15093 (Cal. Code. Regs., tit. 14., § 15093), the Central Coast Water Board hereby finds that the project's benefits override and outweigh its potential significant adverse impacts, for the reasons more fully set forth in the Staff Report and attachments thereto. Specific economic, social, and environmental benefits justify the adoption of this TMDL despite the project's potential significant adverse environmental impacts. The Central Coast Water Board has the authority and responsibility to regulate discharges of waste associated with the sources of pollution causing impairment to water quality. Many of those discharges have caused significant widespread degradation and/or pollution of waters of the state as described in the *Final Project Report for Total Maximum*

Daily Loads for Nitrogen Compounds and Orthophosphate for the Lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed, Monterey County, California and associated reference materials. This TMDL would result in actions to restore the quality of the waters of the state and protect the beneficial uses, including aquatic habitat. While some impacts could occur due to reduced flows, earth-moving, or from implementing other actions to comply with the TMDL, the benefits, which include contributing to the present and future restoration of beneficial water uses, and reducing or eliminating pollution, nuisance and contamination, warrant approval of the TMDL, despite each and every unavoidable impact. Upon review of the environmental information generated for this TMDL, including the CEQA Substitute Document with environmental checklist (Attachment 3 of the Staff Report) and in view of the entire record supporting the need for the TMDL, the Central Coast Water Board determines that specific economic, legal, social, technological, environmental, and other benefits of this TMDL outweigh the unavoidable adverse environmental effects, and that such adverse environmental effects are acceptable under the circumstances.

36. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will foreseeably reduce impacts to no impact, or keep the impact at less-than-significant levels.
37. The CEQA Substitute Document Report (Staff Report Attachment 3) identifies mitigation approaches that should be considered at the project level.
38. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating TMDLs for nitrogen compounds and orthophosphate in the Lower Salinas River and Reclamation Canal Basin and the Moro Cojo Slough Subwatershed. The TMDLs and Implementation Program for the TMDLs will become effective upon approval by the California Office of Administrative Law. The TMDLs must also be approved by USEPA.
39. The amendments to the Basin Plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Wildlife under the California Fish and Game Code section 711.4.
40. Based on relevant future information, data, and research, the Central Coast Water Board has the discretion to conduct a water quality standards review which may potentially include one or more of the following: (1) The Water Board may designate critical low-flow conditions below which numerical water quality criteria do not apply, as consistent with federal regulations and policy; (2) The Water Board may authorize lowering of water quality to some degree if and where appropriate, if the Water Board finds water quality lowering to be necessary to accommodate important economic or social development. In authorizing water quality lowering the Water Board shall make any such authorizations consistent with the provisions and requirements of federal and state anti-degradation policies; (3) The Water Board may authorize revision of water quality standards, if appropriate and consistent with federal and state regulations, to remove a designated beneficial use, establishing subcategories of uses, establishing site specific water quality objectives, or other modification of the water quality standard. When a standards action is deemed appropriate, the Water Board shall follow all applicable requirements, including but not limited to those set forth in part 131 of Title 40 of the Code of Federal Regulations and Article 3 of Division 7, Chapter 4 of the California Water Code.
41. The proposed amendments meet the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding 23, federal regulations require that TMDLs be incorporated into the Water Quality Management Plan.


The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the Water Quality Management Plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under the California Water Code, section 13242. The necessity of developing TMDLs is established in the TMDL staff report, the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the nitrogen compounds and orthophosphate impairments of the Lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed.

42. Consistent with Water Code section 13141, the amendment includes an estimate of the total cost of implementation of the agricultural related portions of this TMDL and identifies potential sources of financing.
43. On January 31 and March 14, 2013, in San Luis Obispo, California, the Central Coast Water Board held public hearings and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during the approval process, Central Coast Water Board staff, State Water Board staff, the State Water Board, or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Kenneth A. Harris Jr., Interim Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region on March 14, 2013.


Digitally signed by Kenneth A Harris Jr
DN: cn=Kenneth A Harris Jr,
o=CCRWQCB, ou=Interim Executive
Officer,
email=kharris@waterboards.ca.gov,
c=US
Date: 2013.04.11 17:35:38 -07'00'

Kenneth A. Harris Jr.
Interim Executive Officer

RESOLUTION NO. R3-2013-0008

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1. TOTAL MAXIMUM DAILY LOADS FOR NITROGEN COMPOUNDS AND ORTHOPHOSPHATE IN THE LOWER SALINAS RIVER AND RECLAMATION CANAL BASIN, AND THE MORO COJO SLOUGH SUBWATERSHED (INCLUDING ALISAL CREEK, ALISAL SLOUGH, BLANCO DRAIN, CHUALAR CREEK, ESPERANZA CREEK, ESPINOSA SLOUGH, GABILAN CREEK, MERRIT DITCH, MORO COJO SLOUGH, NATIVIDAD CREEK, THE OLD SALINAS RIVER, QUAIL CREEK, THE RECLAMATION CANAL, THE LOWER SALINAS RIVER (DOWNSTREAM OF GONZALEZ), SALINAS RIVER LAGOON (NORTH), SANTA RITA CREEK, AND TEMBLADERO SLOUGH).

Add the following to Chapter 4 after IX. P.:

IX. Q. TOTAL MAXIMUM DAILY LOADS FOR NITROGEN COMPOUNDS AND ORTHOPHOSPHATE IN THE LOWER SALINAS RIVER AND RECLAMATION CANAL BASIN, AND THE MORO COJO SLOUGH SUBWATERSHED (INCLUDING ALISAL CREEK, ALISAL SLOUGH, BLANCO DRAIN, CHUALAR CREEK, ESPERANZA CREEK, ESPINOSA SLOUGH, GABILAN CREEK, MERRIT DITCH, MORO COJO SLOUGH, NATIVIDAD CREEK, THE OLD SALINAS RIVER, QUAIL CREEK, THE RECLAMATION CANAL, THE LOWER SALINAS RIVER (DOWNSTREAM OF GONZALEZ), SALINAS RIVER LAGOON (NORTH), SANTA RITA CREEK, AND TEMBLADERO SLOUGH).

The Regional Water Quality Control Board adopted these TMDLs on March 14, 2013.
These TMDLs were approved by:

The State Water Resources Control Board on: _____ (date).

The California Office of Administrative Law on: _____ (date).

The U.S. Environmental Protection Agency on: _____ (date)

Problem Statement

Discharges of nitrogen compounds and orthophosphate are occurring at levels in surface waters which are impairing a spectrum of beneficial uses and, therefore, constitute a serious water quality problem. The municipal and domestic drinking water supply (MUN, GWR) beneficial uses and the range of aquatic habitat beneficial uses are not protected. Additionally, locally some waterbodies do not meet non-regulatory recommended guidelines for nitrate in agricultural supply water for sensitive crops indicating that potential or future designated agricultural supply beneficial uses may be detrimentally impacted. Further, recreational beneficial use (REC-1) of the Old Salinas River is not being supported on the basis of excessive amounts of algal toxins (microcystins) in surface water. A total of 35 waterbody/pollutant combinations are impaired due to exceedances of water quality objectives. The pollutants addressed in this TMDL are nitrate, unionized ammonia, and orthophosphate – orthophosphate is included as a pollutant contributing to biostimulatory impairments of surface waters. Reducing these pollutants will also address several Clean Water Act section 303(d)-listed dissolved oxygen and chlorophyll a impairments in the TMDL project area.

As a result of these conditions, water quality standards are not being attained. By developing TMDLs for the aforementioned pollutants, the water quality standards violations being addressed in this TMDL include:

- Violations of drinking water standard for nitrate
- Violations of the Basin Plan general toxicity objective for inland surface waters and estuaries (violations of unionized ammonia objective)
- Violations of the Basin Plan narrative general objective for biostimulatory substances in inland surface waters and estuaries (as expressed by excessive nutrients, chlorophyll a, algal biomass, microcystins, and low dissolved oxygen)

The TMDLs protect and restore the municipal and domestic water supply beneficial use (MUN) and aquatic habitat beneficial uses currently being degraded by violations of the toxicity objective and the biostimulatory substances objective; the aquatic habitat beneficial uses current being degraded include the following: wildlife habitat (WILD), cold fresh water habitat (COLD), warm fresh water habitat (WARM), migration of aquatic organisms (MIGR), spawning, reproduction, and/or early development (SPWN), preservation of biological habitats of special significance (BIOL), and rare, threatened, or endangered species (RARE). In addition, current or potential future beneficial uses of the agricultural water supply beneficial use (AGR) are not being supported. Nitrate can create problems not only for water supplies and aquatic habitat, but also potentially for nitrogen sensitive crops (grapes, avocado, citrus) by detrimentally impacting crop yield or quality.

For waterbodies that are not expressing biostimulatory impairments, the most stringent relevant water quality objective for nitrate (and therefore the one that is protective of the full range of all nitrate-impaired designated beneficial uses) is the numeric Basin Plan objective for nitrate in municipal and domestic water supply. Reducing nitrate pollution and ultimately achieving the nitrate drinking water quality standard in these waterbodies will therefore restore and be protective of the full range of MUN, GWR and/or AGR designated beneficial uses of the surface waters which are being currently impaired by excess nitrate.

All waterbodies are required to attain the Basin Plan general toxicity objective for unionized ammonia in inland surface waters and estuaries.

For waterbodies that are expressing biostimulatory impairments, the most stringent relevant water quality objective for nitrate-nutrients (and therefore the one that is protective of the full range of all nutrient-impaired designated beneficial uses) is the Basin Plan narrative general objective for biostimulatory substances in inland surface waters and estuaries. These waterbodies must achieve concentration-based TMDLs for nitrate and orthophosphate as identified herein. Reducing nutrient pollution and ultimately achieving the TMDLs for nutrients in these waterbodies will therefore restore and be protective of the full range of aquatic habitat, MUN, GWR, and/or AGR designated beneficial uses of the surface waters which are being currently impaired by excess nutrients.

The following impairments are addressed with this TMDL:

- Alisal Creek: nitrate, unionized ammonia, chlorophyll a
- Alisal Slough: nitrate, unionized ammonia, low dissolved oxygen
- Blanco Drain: nitrate, low dissolved oxygen
- Chualar Creek: nitrate, unionized ammonia
- Esperanza Creek: nitrate
- Espinosa Slough: nitrate, unionized ammonia
- Gabilan Creek: nitrate, unionized ammonia
- Lower Salinas River: nitrate
- Merrit Ditch: nitrate, unionized ammonia, low dissolved oxygen

- Moro Cojo Slough: unionized ammonia, low dissolved oxygen
- Natividad Creek: nitrate, unionized ammonia, low dissolved oxygen
- Old Salinas River: nitrate, low dissolved oxygen, chlorophyll a, microcystin
- Quail Creek: nitrate, unionized ammonia, low dissolved oxygen
- Reclamation Canal: nitrate, unionized ammonia, low dissolved oxygen
- Salinas River Lagoon (north): nitrate
- Santa Rita Creek: nitrate, unionized ammonia, low dissolved oxygen
- Tembladero Slough: nitrate, nutrients, chlorophyll a

Numeric Targets

Numeric targets are water quality targets developed and used to ascertain when and where water quality objectives are achieved, and hence, when beneficial uses are protected.

➤ Target for Nitrate (MUN-GWR standards)

For impaired stream reaches that are required to support drinking water (MUN) and groundwater recharge (GWR) beneficial uses, the nitrate numeric target is 10 mg/L (nitrate as N) for this TMDL, which therefore is equal to the Basin Plan's numeric nitrate water quality objective protective of drinking water beneficial uses.

➤ Target for Unionized Ammonia (toxicity)

For unionized ammonia (a nitrogen compound), the numeric target is 0.025 mg/L (as N) for this TMDL, which therefore is equal to the Basin Plan's unionized ammonia numeric water quality objective protective against toxicity in surface waters.

➤ Targets for Biostimulatory Substances (nitrate and orthophosphate)

The Basin Plan contains the following narrative water quality objectives for biostimulatory substances:

“Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.”

To implement this narrative objective, staff developed scientifically peer reviewed numeric targets, based on established methodologies and approaches. The numeric targets for biostimulatory substances are presented in Table 1.

Table 1. Numeric targets for biostimulatory substances.

<u>Stream Reaches</u>	<u>Nitrate-N (mg/L)</u>	<u>Orthophosphate-P (mg/L)</u>
<u>Lower Salinas River – downstream of Spreckels to and including Salinas River Lagoon (north)</u>	<u>1.4</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>	<u>0.07</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>
	<u>8.0</u> <u>Maximum</u> <u>Wet Season Samples</u> <u>(Nov 1-Apr 30)</u>	<u>0.3</u> <u>Maximum</u> <u>Wet Season Samples</u> <u>(Nov 1-Apr 30)</u>
<u>Tembladero Slough all reaches</u>	<u>6.4</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>	<u>0.13</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>
<u>Blanco Drain all reaches</u>	<u>6.4</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>	<u>0.13</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>
<u>Merritt Ditch downstream of Merritt Lake</u>	<u>6.4</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>	<u>0.13</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>
<u>Reclamation Canal downstream of Hartnell Rd. to confluence w/Tembladero Slough</u>	<u>8.0</u> <u>Maximum</u> <u>Wet Season Samples</u>	<u>0.3</u> <u>Maximum</u> <u>Wet Season Samples</u>

<u>Stream Reaches</u>	<u>Nitrate-N (mg/L)</u>	<u>Orthophosphate-P (mg/L)</u>
<u>Alisal Slough all reaches</u>	<u>(Nov 1-Apr 30)</u>	<u>(Nov 1-Apr 30)</u>
<u>Espinosa Slough from Espinosa lake to confluence with Reclamation Canal</u>		
<u>Santa Rita Creek all reaches</u>		
<u>Gabilan Creek all reaches</u>	<u>2.0</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>	<u>0.07</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>
<u>Natividad Creek all reaches</u>		
<u>Alisal Creek upstream of Hartnell Rd.</u>	<u>8.0</u> <u>Maximum</u> <u>Wet Season Samples</u> <u>(Nov 1-Apr 30)</u>	<u>0.3</u> <u>Maximum</u> <u>Wet Season Samples</u> <u>(Nov 1-Apr 30)</u>
<u>Old Salinas River from slide gate infow @ Salinas River Lagoon to Old Salinas River at Potrero Rd.</u>	<u>3.1</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>	<u>0.07</u> <u>Maximum</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>
	<u>8.0</u> <u>Maximum</u> <u>Wet Season Samples</u> <u>(Nov 1-Apr 30)</u>	<u>0.3</u> <u>Maximum</u> <u>Wet Season Samples</u> <u>(Nov 1-Apr 30)</u>
<u>Stream Reaches</u>	<u>Total Nitrogen (mg/L)</u>	<u>Orthophosphate-P (mg/L)</u>
<u>Moro Cojo Slough, all reaches</u>	<u>1.7</u> <u>Maximum</u> <u>(total nitrogen)</u> <u>Dry Season Samples</u> <u>(May 1-Oct 31)</u>	<u>0.13</u> <u>Maximum</u> <u>Dry Season</u> <u>(May 1-Oct 31)</u>
	<u>8.0</u> <u>Maximum</u> <u>(total nitrogen)</u> <u>Wet Season Samples</u> <u>(Nov 1-Apr 30)</u>	<u>0.3</u> <u>Maximum</u> <u>Wet Season Samples</u> <u>(Nov 1-Apr 30)</u>

➤ Targets for Nutrient-Response Indicators (dissolved oxygen and chlorophyll a and microcystins)

Dissolved oxygen and chlorophyll a numeric targets are identified to ensure that streams do not show evidence of biostimulatory conditions, and to provide primary indicator metrics to assess biological response to future nutrient water column concentration reductions.

For water bodies designated as cold fresh water habitat (COLD) and spawning (SPWN) beneficial uses the dissolved oxygen numeric targets is the same as Basin Plan numeric water quality objective which states that dissolved oxygen concentrations shall not be reduced below 7.0 mg/L at any time.

For water bodies designated as warm fresh water habitat (WARM) beneficial use the dissolved oxygen numeric targets is the same as Basin Plan numeric water quality objective which states that dissolved oxygen concentrations shall not be reduced below 5.0 mg/L at any time.

Additionally, for all inland surface waters, enclosed bays and estuaries, the dissolved oxygen numeric target is the same as Basin Plan numeric water quality objective which states that the

median dissolved oxygen should not fall below 85% saturation as a result of controllable water quality conditions.

For water bodies designated as cold fresh water habitat (COLD) and spawning (SPWN) or warm fresh water habitat (WARM) beneficial uses the numeric water quality target indicative of excessive dissolved oxygen saturation conditions dissolved oxygen is 13 mg/L (i.e., water column dissolved oxygen concentrations not to exceed 13 mg/L).

The numeric water quality target for chlorophyll a is 15 micrograms per liter ($\mu\text{g/L}$) for all water bodies (i.e., water column chlorophyll a concentrations not to exceed 15 $\mu\text{g/L}$).

The numeric water quality target for microcystins is 0.8 micrograms per liter ($\mu\text{g/L}$) for all waterbodies (i.e., microcystin not to exceed 0.8 $\mu\text{g/L}$ (includes microcystins congeners LA, LR, RR and YR)).

Source Analysis

Discharges of unionized ammonia, nitrate, and orthophosphate originating from irrigated agriculture, urban lands, grazing lands, and natural sources are contributing loads to receiving waters. Irrigated agriculture is the overwhelming majority of controllable water column loads in the TMDL project area and this source category is not currently meeting its proposed load allocation. Urban storm water is a relatively minor source of nitrogen compounds and orthophosphate, but can be locally significant. Grazing lands are currently meeting proposed load allocations. The source analysis for this TMDL project is consistent with source analyses reported by other scientists in previous nutrient-water quality studies in the lower Salinas Valley, which provides for a qualitative weight-of-evidence approach.

TMDLs

The following TMDLs will result in attainment of water quality standards and will rectify impairments described in the Problem Statement.

The unionized ammonia TMDL for all waterbodies and reaches of the TMDL project area including Alisal Creek, Alisal Slough, Chualar Creek, Espinosa Slough, Merrit Ditch, Moro Cojo Slough, Natividad Creek, the Reclamation Canal, Quail Creek, Gabilan Creek and Santa Rita Creek is:

- Unionized ammonia concentration shall not exceed 0.025 mg/L-N in receiving waters.

The nitrate TMDL for all waters and reaches of the TMDL project area required to support MUN beneficial uses, including, Alisal Creek, Alisal Slough, Chualar Creek, Esperanza Creek, Gabilan Creek, Merrit Ditch, Natividad Creek, the Old Salinas River, Quail Creek, the Lower Salinas River (downstream of Gonzalez to Spreckels), Santa Rita Creek is:

- Nitrate concentration shall not exceed 10 mg/L-N in receiving waters.

The nitrate and orthophosphate TMDLs for the lower Salinas River (from downstream of Spreckels to the Salinas River Lagoon) and the Salinas River Lagoon (north) are:

- For dry season (May 1 to October 31): Nitrate-N concentration shall not exceed 1.4 mg/L in receiving waters; orthophosphate-P concentration shall not exceed 0.07 mg/L in receiving waters, and
- For wet season (November 1 to April 30): Nitrate-N concentration shall not exceed 8.0 mg/L in receiving water; orthophosphate-P concentration shall not exceed 0.3 mg/L in receiving water.

The nitrate and orthophosphate TMDLs for Espinosa Slough (all reaches from Espinosa Lake to confluence with Reclamation Canal), for the Reclamation Canal (all reaches downstream of Hartnell Rd to confluence with Tembladero Slough), for Merrit Ditch (all reaches downstream of Merrit Lake), and for all reaches of Alisal Slough, Santa Rita Creek, Blanco Drain and Tembladero Slough are:

- For dry season (May 1 to October 31): Nitrate-N concentration shall not exceed 6.4 mg/L in receiving waters; orthophosphate-P concentration shall not exceed 0.13 mg/L in receiving waters, and
- For wet season (November 1 to April 30): Nitrate-N concentration shall not exceed 8.0 mg/L in receiving water; orthophosphate-P concentration shall not exceed 0.3 mg/L in receiving water.

The nitrate and orthophosphate TMDLs for Gabilan Creek (all reaches downstream of Crazy Horse Road to confluence with Reclamation Canal), and for all reaches of Alisal Creek, and Natividad Creek are:

- For dry season (May 1 to October 31): Nitrate-N concentration shall not exceed 2.0 mg/L in receiving waters; orthophosphate-P concentration shall not exceed 0.07 mg/L in receiving waters, and
- For wet season (November 1 to April 30): Nitrate-N concentration shall not exceed 8.0 mg/L in receiving water; orthophosphate-P concentration shall not exceed 0.3 mg/L in receiving water.

The nitrate and orthophosphate TMDLs for all reaches of the Old Salinas River are:

- For dry season (May 1 to October 31): Nitrate-N concentration shall not exceed 3.1 mg/L in receiving waters; orthophosphate-P concentration shall not exceed 0.07 mg/L in receiving waters, and
- For wet season (November 1 to April 30): Nitrate-N concentration shall not exceed 8.0 mg/L in receiving water; orthophosphate-P concentration shall not exceed 0.3 mg/L in receiving water.

The total nitrogen and orthophosphate TMDLs for all reaches of the Moro Cojo Slough are:

- For dry season (May 1 to October 31): total Nitrogen-N concentration shall not exceed 1.7 mg/L in receiving waters; orthophosphate-P concentration shall not exceed 0.13 mg/L in receiving waters, and
- For wet season (November 1 to April 30): total Nitrogen-N concentration shall not exceed 8.0 mg/L in receiving water; orthophosphate-P concentration shall not exceed 0.3 mg/L in receiving water.

The TMDLs are considered achieved when water quality conditions meet all regulatory and policy requirements necessary for removing the impaired waters from Clean Water Act section 303(d) list of impaired waters.

Final Allocations and Interim Allocations

Owners and operators of irrigated lands, municipal storm water entities, natural sources, and owners/operators of livestock and domestic animals are assigned unionized ammonia, nitrate, and orthophosphate allocations equal to the TMDL and numeric targets.

The final allocations to responsible parties are shown in Table IX P-1. The final allocations are equal to the TMDLs and should be achieved 30-years after the TMDL effective date. Unlike the load-based TMDL method, the concentration-based allocations do not add up to the TMDL because concentrations of individual pollution sources are not additive. Since the TMDLs are concentration-based, the allocations are not additive.

Recognizing that achievement of the more stringent final dry season biostimulatory allocations embedded in Table IX Q-1 may require a significant amount of time to achieve, interim allocations are identified. Interim allocations will be used as benchmarks in assessing progress towards the final allocations. Interim allocations are shown in Table IX P-2.

Controllable Water Quality Conditions

In accordance with the Water Quality Control Plan for the Central Coast Basin (Basin Plan) Controllable water quality shall be managed to conform or to achieve the water quality objectives and load allocations contained in this TMDL. The Basin Plan defines controllable water quality conditions as follows: "Controllable water quality conditions are those actions or circumstances resulting from man's activities that may influence the quality of the waters of the State and that may be reasonably controlled." - Water Quality Control Plan for the Central Coast Basin, Chapter 3. Water Quality Objectives, page III-2.

Compliance with Anti-degradation Requirements

State and federal anti-degradation policies require, in part, that where surface waters are of higher quality than necessary to protect beneficial uses, the high quality of those waters must be maintained unless otherwise provided by the policies. The federal anti-degradation policy, 40 C.F.R. 131.12(a) states, in part. "Where the quality of waters exceed levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water, that quality shall be maintained and protected unless the State finds, after full satisfaction of the intergovernmental coordination and public participation provisions of the State's continuing planning process, that allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located..."

Compliance with anti-degradation requirements may be determined on the basis of trends in declining water quality in applicable waterbodies, consistent with the methodologies and criteria provided in Section 3.10 of the California 303(d) Listing Policy (adopted, Sept. 20, 2004, SWRCB Resolution No. 2004-0063). Section 3.10 of the California 303(d) Listing Policy explicitly addresses the anti-degradation component of water quality standards as defined in 40 CFR 130.2(j), and provides for identifying trends of declining water quality as a metric for assessing compliance with anti-degradation requirements.

Section 3.10 of the California 303(d) Listing Policy states that pollutant-specific water quality objectives need not be exceeded to be considered non-compliance with anti-degradation requirements "if the water segment exhibits concentrations of pollutants or water body conditions for any listing factor that shows a trend of declining water quality standards attainment".

Practically speaking, this means that, for example, stream reaches or waterbodies that have an concentration-based TMDL allocation of 10 mg/L nitrate-N, and if current water quality or future water quality assessments in the stream reach indicate nitrate-N in fact well under 10 mg/L nitrate-N, the allocation does not give license for controllable nitrogen sources to degrade the water resource all the way up to the maximum allocation = 10 mg/L nitrate-N.

➤ Table IX Q-1. Final Allocations and Responsible Parties

FINAL WASTE LOAD ALLOCATIONS (WLAs)					
<u>Waterbody the responsible party is discharging to</u>	<u>Party Responsible for Allocation & NPDES/WDR number</u>	<u>Receiving Water Nitrate as N WLA (mg/L)</u>	<u>Receiving Water Orthophosphate as P WLA (mg/L)</u>	<u>Receiving Water Total Nitrogen as N WLA (mg/L)</u>	<u>Receiving Water Unionized Ammonia as N WLA (mg/L)</u>
Salinas River downstream of Spreckels, CA ¹	<p>City of Salinas (Storm drain discharges to MS4s) Storm Water Permit NPDES No. CA00049981</p> <p>County of Monterey (Storm drain discharges to MS4s) Storm Water General Permit NPDES No. CAS000004</p>	Allocation-1 <i>(see descriptions of allocations at bottom of this table)</i>	Allocation-2	Not Applicable	Allocation-5
Santa Rita Creek ² , Reclamation Canal ³	<p>City of Salinas (Storm drain discharges to MS4s) Storm Water Permit NPDES No. CA00049981</p> <p>County of Monterey (Storm drain discharges to MS4s) Storm Water General Permit NPDES No. CAS000004</p>	Allocation-3	Allocation-4	Not Applicable	Allocation-5
Gabilan Creek ⁴	<p>City of Salinas (Storm drain discharges to MS4s) Storm Water Permit NPDES No. CA00049981</p> <p>County of Monterey (Storm drain discharges to MS4s) Storm Water General Permit NPDES No. CAS000004</p>	Allocation-6	Allocation-2	Not Applicable	Allocation-5

FINAL WASTE LOAD ALLOCATIONS (WLAs)					
<u>Waterbody the responsible party is discharging to</u>	<u>Party Responsible for Allocation & NPDES/WDR number</u>	<u>Receiving Water Nitrate as N WLA (mg/L)</u>	<u>Receiving Water Orthophosphate as P WLA (mg/L)</u>	<u>Receiving Water Total Nitrogen as N WLA (mg/L)</u>	<u>Receiving Water Unionized Ammonia as N WLA (mg/L)</u>
Natividad Creek ⁵ Alisal Creek ⁶	<p>City of Salinas (Storm drain discharges to MS4s) Storm Water Permit NPDES No. CA00049981</p> <p>County of Monterey (Storm drain discharges to MS4s) Storm Water General Permit NPDES No. CAS000004</p>	Allocation-6	Allocation-2	Not Applicable	Allocation-5

FINAL LOAD ALLOCATIONS (LAs)					
<u>Waterbody the responsible party is discharging to</u>	<u>Party Responsible for Allocation (Source)</u>	<u>Receiving Water Nitrate as N LA (mg/L)</u>	<u>Receiving Water Orthophosphate as P LA (mg/L)</u>	<u>Receiving Water Total Nitrogen as N LA (mg/L)</u>	<u>Receiving Water Unionized Ammonia as N LA (mg/L)</u>
Salinas River downstream of Spreckels, CA ¹	Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)	Allocation-1 (see descriptions of allocations at bottom of this table.)	Allocation-2	Not Applicable	Allocation-5
	Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)				
	No responsible party (Natural sources)				
Salinas River upstream of Spreckels, CA ¹⁷	Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)	Allocation-9	Not Applicable	Not Applicable	Allocation-5
	Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)				
	No responsible party (Natural sources)				

FINAL LOAD ALLOCATIONS (LAs)					
<u>Waterbody the responsible party is discharging to</u>	<u>Party Responsible for Allocation (Source)</u>	<u>Receiving Water Nitrate as N LA (mg/L)</u>	<u>Receiving Water Orthophosphate as P LA (mg/L)</u>	<u>Receiving Water Total Nitrogen as N LA (mg/L)</u>	<u>Receiving Water Unionized Ammonia as N LA (mg/L)</u>
Merrit Ditch ⁷ , Reclamation Canal ³ , Alisal Slough ⁸ , Santa Rita Creek ² , Espinosa Slough ¹⁶	<u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u>	<u>Allocation-3</u>	<u>Allocation-4</u>	<u>Not Applicable</u>	<u>Allocation-5</u>
	<u>Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)</u>				
	<u>No responsible party (Natural sources)</u>				
Tembladero Slough ⁹ , Blanco Drain ¹⁰	<u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u>	<u>Allocation-3</u>	<u>Allocation-4</u>	<u>Not Applicable</u>	<u>Allocation-5</u>
	<u>Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)</u>				
	<u>No responsible party (Natural sources)</u>				
Gabilan Creek ⁴	<u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u>	<u>Allocation-6</u>	<u>Allocation-2</u>	<u>Not Applicable</u>	<u>Allocation-5</u>
	<u>Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)</u>				
	<u>No responsible party (Natural sources)</u>				
Natividad Creek ⁵ Alisal Creek ⁶	<u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u>	<u>Allocation-6</u>	<u>Allocation-2</u>	<u>Not Applicable</u>	<u>Allocation-5</u>

FINAL LOAD ALLOCATIONS (LAs)					
<u>Waterbody the responsible party is discharging to</u>	<u>Party Responsible for Allocation (Source)</u>	<u>Receiving Water Nitrate as N LA (mg/L)</u>	<u>Receiving Water Orthophosphate as P LA (mg/L)</u>	<u>Receiving Water Total Nitrogen as N LA (mg/L)</u>	<u>Receiving Water Unionized Ammonia as N LA (mg/L)</u>
	<p><u>Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)</u></p> <p><u>No responsible party (Natural sources)</u></p>				
<u>Old Salinas River¹¹</u>	<p><u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u></p> <p><u>Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)</u></p> <p><u>No responsible party (Natural sources)</u></p>	<u>Allocation-7</u>	<u>Allocation-2</u>	<u>Not Applicable</u>	<u>Allocation-5</u>
<u>Moro Cojo Slough¹²</u>	<p><u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u></p> <p><u>Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)</u></p> <p><u>No responsible party (Natural sources)</u></p>	<u>Not applicable (biostimulation will be assessed on the basis of total nitrogen)</u>	<u>Allocation-4</u>	<u>Allocation-8</u>	<u>Allocation-5</u>
<u>Chualar Creek¹³, Quail Creek¹⁴</u>	<p><u>Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)</u></p> <p><u>Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)</u></p> <p><u>No responsible party (Natural sources)</u></p>	<u>Allocation-9</u>	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Allocation-5</u>

FINAL LOAD ALLOCATIONS (LAs)					
<u>Waterbody the responsible party is discharging to</u>	<u>Party Responsible for Allocation (Source)</u>	<u>Receiving Water Nitrate as N LA (mg/L)</u>	<u>Receiving Water Orthophosphate as P LA (mg/L)</u>	<u>Receiving Water Total Nitrogen as N LA (mg/L)</u>	<u>Receiving Water Unionized Ammonia as N LA (mg/L)</u>
Esperanza Creek ¹⁵	Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)	Allocation-9	Not Applicable	Not Applicable	Allocation-5
	Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)				
	No responsible party (Natural sources)				

Description of allocations.

<u>Allocation^A</u>	<u>Compound</u>	<u>Concentration (mg/L)^B</u>
<u>Allocation 1</u>	<u>Nitrate as N</u>	<u>Dry Season (May 1-Oct. 31): 1.4</u> <u>Wet Season (Nov. 1-Apr. 30): 8.0</u>
<u>Allocation 2</u>	<u>Orthophosphate as P</u>	<u>Dry Season (May 1-Oct. 31): 0.07</u> <u>Wet Season (Nov. 1-Apr. 30): 0.3</u>
<u>Allocation 3</u>	<u>Nitrate as N</u>	<u>Dry Season (May 1-Oct. 31): 6.4</u> <u>Wet Season (Nov. 1-Apr. 30): 8.0</u>
<u>Allocation 4</u>	<u>Orthophosphate as P</u>	<u>Dry Season (May 1-Oct. 31): 0.13</u> <u>Wet Season (Nov. 1-Apr. 30): 0.3</u>
<u>Allocation 5</u>	<u>Unionized Ammonia as N</u>	<u>Year-round: 0.025</u>
<u>Allocation 6</u>	<u>Nitrate as N</u>	<u>Dry Season (May 1-Oct. 31): 2.0</u> <u>Wet Season (Nov. 1-Apr. 30): 8.0</u>
<u>Allocation 7</u>	<u>Nitrate as N</u>	<u>Dry Season (May 1-Oct. 31): 3.1</u> <u>Wet Season (Nov. 1-Apr. 30): 8.0</u>
<u>Allocation 8</u>	<u>Total Nitrogen as N</u>	<u>Dry Season (May 1-Oct. 31): 1.7</u> <u>Wet Season (Nov. 1-Apr. 30): 8.0</u>
<u>Allocation 9</u>	<u>Nitrate as N</u>	<u>Year-round: 10</u>

^A Federal and State anti-degradation requirements apply to all waste load and load allocations.

^B Achievement of final waste load and load allocations to be determined on the basis of the number of measured exceedances and/or other criteria set forth in Section 4 of the *Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List* (Listing Policy - State Water Resources Control Board, Resolution No. 2004-0063, adopted September 2004). or as consistent with any relevant revisions of the Listing Policy promulgated in the future.

* Responsible parties shall meet allocations in all receiving surface waterbodies receiving the responsible parties' discharges.

¹ Salinas River: all reaches from downstream of Spreckels (downstream of monitoring site 309SSP) to the confluence with the Pacific Ocean including Salinas River Lagoon (North)

- ² Santa Rita Creek: all reaches and tributaries, from the confluence with the Reclamation Canal to the uppermost reach of the waterbody.
- ³ Reclamation Canal: all reaches and tributaries, which includes from confluence with Tembladero Slough, to upstream confluence with Alisal Creek.
- ⁴ Gabilan Creek: all reaches and tributaries downstream of Crazy Horse Rd.
- ⁵ Natividad Creek: all reaches and tributaries, from the confluence with Carr Lake to the uppermost reach of the waterbody.
- ⁶ Alisal Creek: all reaches and tributaries from the confluence with the Reclamation Canal to the uppermost reach of the waterbody.
- ⁷ Merrit Ditch: all reaches and tributaries from the confluence with the Reclamation Canal to the uppermost reach of the waterbody.
- ⁸ Alisal Slough: all reaches and tributaries of the waterbody.
- ⁹ Tembladero Slough: all reaches and tributaries from the confluence with the Salinas Reclamation Canal downstream to its confluence with the Old Salinas River.
- ¹⁰ Blanco Drain: all reaches and tributaries of the waterbody.
- ¹¹ Old Salinas River: all reaches and tributaries from the slide gate at the head of the Old Salinas River adjacent to Mulligan Hill, downstream to Potrero Road.
- ¹² Moro Cojo Slough: all reaches and tributaries, from the confluence with Moss Landing Harbor to the uppermost reach of the waterbody.
- ¹³ Chualar Creek: all reaches and tributaries, from the confluence with the Salinas River to the uppermost reach of the waterbody.
- ¹⁴ Quail Creek: all reaches and tributaries, from the confluence with the Salinas River to the uppermost reach of the waterbody.
- ¹⁵ Esperanza Creek: all reaches and tributaries, from the confluence with the Salinas River to the uppermost reach of the waterbody.
- ¹⁶ Espinosa Slough all reaches and tributaries, from the confluence with the Reclamation Canal to the uppermost reach of the waterbody.
- ¹⁷ Salinas River: all reaches from upstream of Spreckels (upstream of monitoring site 309SSP) to Gonzalez, CA

Table IX Q-2. Interim Allocations

INTERIM WASTE LOAD ALLOCATIONS (WLAs)			
Waterbody	Party Responsible for Allocation (Source)	First Interim WLA	Second Interim WLA
All waterbodies given waste load allocations (WLAs) as identified in Final Waste Load Allocations Table	<p>City of Salinas (Storm drain discharges to MS4s) Storm Water Permit NPDES No. CA00049981</p> <p>County of Monterey (Storm drain discharges to MS4s) Storm Water General Permit NPDES No. CAS000004</p>	<p>Achieve MUN standard-based and Unionized Ammonia objective-based allocations:</p> <p>Allocation-5 Allocation-9</p> <p>12 years after effective date of TMDL</p>	<p>Achieve Wet Season (Nov. 1 to Apr. 30) Biostimulatory target-based TMDL allocations:</p> <p>Wet Season Allocation/Waterbody combinations as identified in Final Waste Load Allocations Table</p> <p>20 years after effective date of TMDL</p>

INTERIM LOAD ALLOCATIONS (LAs)			
<u>Waterbody</u>	<u>Party Responsible for Allocation (Source)</u>	<u>First Interim LA</u>	<u>Second Interim LA</u>
All waterbodies given load allocations (LAs) as identified in Final Load Allocations Table Error! Reference source not found.	Owners/operators of irrigated agricultural lands (Discharges from irrigated lands)	Achieve MUN standard-based and Unionized Ammonia objective-based allocations: Allocation-5 Allocation-9 12 years after effective date of TMDL	Achieve Wet Season (Nov. 1 to Apr. 30) Biostimulatory target-based TMDL allocations: Wet Season Allocation/Waterbody combinations as identified in Final Load Allocations Table Error! Reference source not found. 20 years after effective date of TMDL

* Responsible parties shall meet allocations in all receiving surface waterbodies of the responsible parties' discharges.

The parties responsible for the allocation to controllable sources are not responsible for the allocation to natural sources.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative model assumptions and statistical analysis. In addition, an explicit margin of safety is incorporated by reserving 20% of the load, calculated on a concentration basis, from wet season allocations.

Implementation

DISCHARGES FROM IRRIGATED AGRICULTURAL LANDS:

Implementing parties must comply with the Conditional Waiver of Waste Discharge Requirements for Irrigated Lands (Order R3-2012-0011) and the Monitoring and Reporting Programs in accordance with Orders R3-2012-0011-01, R3-2012-0011-02, and R3-2012-0011-03., or its renewals or replacements to meet load allocations and achieve the TMDL. The requirements in these orders, and their renewals or replacements in the future, will implement the TMDLs and rectify the impairments addressed in this TMDL.

Current requirements in the Agricultural Order that will achieve the load allocations include:

- a. Implement, and update as necessary, management practices to reduce nutrient loading.
- b. Maintain existing, naturally occurring, riparian vegetative cover in aquatic habitat areas.
- c. Develop/update and implement Farm Plans.
- d. Properly destroy abandoned groundwater wells.
- e. Develop, and initiate implementation of an Irrigation and Nutrient Management Plan (INMP) or alternative certified by a Professional Soil Scientist, Professional Agronomist, or Crop Advisor certified by the American Society of Agronomy, or similarly qualified professional.

Monitoring

Owners and operators of irrigated agricultural lands must perform monitoring and reporting in accordance with Monitoring and Reporting Program Orders R3-2012-0011-01, R3-2012-0011-02, and R3-2012-0011-03, as applicable to the operation.

Determination of Compliance with Load Allocations

Load allocations will be achieved through a combination of implementation of management practices and strategies to reduce nitrogen compound and orthophosphate loading, and water quality monitoring. Flexibility to allow owners/operators from irrigated lands to demonstrate compliance with load allocations is a consideration; additionally, staff is aware that not all implementing parties are necessarily contributing to or causing a surface water impairment. However, it is important to recognize that impacting shallow groundwater with nutrient pollution may also impact surface water quality via baseflow loading contributions to the creek.

To allow for flexibility, Water Board staff will assess compliance with load allocations using one or a combination of the following:

- A. attaining the load allocations in the receiving water;
- B. attaining receiving water TMDL numeric targets for nutrient-response indicators (i.e., dissolved oxygen water quality objectives, chlorophyll a targets and microcystin targets) and mitigation of downstream nutrient impacts to receiving waterbodies may constitute a demonstration of attainment of the nitrate, nitrogen and orthophosphate-based seasonal biostimulatory load allocations. Note that implementing parties are strongly encouraged to maximize overhead riparian canopy, where and if appropriate, using riparian vegetation, because doing so could result in achieving nutrient-response indicator targets before allocations are achieved (resulting in a less stringent allocation);
- C. demonstrating quantifiable receiving water mass load reductions;
- D. owners/operators of irrigated lands may be deemed in compliance with load allocations by implementing management practices that are capable of achieving interim and final load allocations identified in this TMDL;
- E. owners/operators of irrigated lands may provide sufficient evidence to demonstrate that they are and will continue to be in compliance with the load allocations; such evidence could include documentation submitted by the owner/operator to the Executive Officer that the owner/operator is not causing waste to be discharged to impaired waterbodies resulting or contributing to violations of the load allocations.

STORM DRAIN DISCHARGES TO MS4s:

The Central Coast Water Board will require the MS4 entities to develop and submit for Executive Officer approval a Wasteload Allocation Attainment Program (WAAP). The WAAP shall be submitted within one year of approval of the TMDL by the Office of Administrative Law, or within one year of a stormwater permit renewal, whichever occurs first. The WAAP shall include descriptions of the actions that will be taken by the MS4 entity to attain the TMDL waste load allocations, and specifically address:

- 1. Development of an implementation and assessment strategy;
- 2. Source identification and prioritization;
- 3. Best management practice identification, prioritization, implementation schedule, analysis, and effectiveness assessment;
- 4. Monitoring and reporting program development and implementation. Monitoring program goals shall include: 1) assessment of stormwater discharge and receiving water discharge quality 2) assessment of best management effectiveness, and 3) demonstration and progress towards achieving interim goals and waste load allocations.
- 5. Coordination with stakeholders; and
- 6. Other pertinent factors.

Determination of Compliance with Waste Load Allocations

Waste load allocations will be achieved through a combination of implementation of management practices and strategies to reduce nitrogen compound and orthophosphate loading, and water quality monitoring.

To allow for flexibility, Water Board staff will assess compliance with waste load allocations using one or a combination of the following:

- A. attaining the waste load allocations in the receiving water;
- B. attaining receiving water TMDL numeric targets for nutrient-response indicators (i.e., dissolved oxygen water quality objectives, chlorophyll a targets and microcystin targets) and mitigation of downstream nutrient impacts to receiving waterbodies may constitute a demonstration of the attainment of the nitrate, nitrogen and orthophosphate-based seasonal biostimulatory waste load allocations. Note that implementing parties are strongly encouraged to maximize overhead riparian canopy using riparian vegetation, as appropriate, because doing so could result in achieving nutrient-response indicator targets before allocations are achieved (resulting in a less stringent allocation);
- C. demonstrate compliance by measuring concentrations in stormwater outfalls;
- D. demonstrate compliance by demonstrating load reductions on mass basis at stormdrain outfalls;
- E. MS4s may be deemed in compliance with waste load allocations through implementation and assessment of pollutant loading reduction projects (BMPs), capable of achieving interim and final waste load allocations identified in this TMDL in combination with water quality monitoring for a balanced approach to determining program effectiveness;
- F. Any other effluent limitations and conditions which are consistent with the assumptions and requirements of the waste load allocations.

Monitoring

Municipal separate storm sewer systems (MS4) entities with operations and storm water conveyance systems in the TMDL project areas - specifically the City of Salinas, and County of Monterey - are required to develop and submit monitoring programs as part of their WAAP. The goals of the monitoring programs are described in the requirements of the WAAP.

Staff encourages the City of Salinas and County of Monterey to develop and submit creative and meaningful monitoring programs. Monitoring strategies can use a phased approach, for example, whereby outfall or receiving water monitoring is phased in after best management practices have been implemented and assessed for effectiveness. Pilot projects where best management practices are implemented in well-defined areas covering a fraction of the MS4 that facilitates accurate assessment of how well the best management practices control pollution sources, is acceptable, with the intent of successful practices then being implemented in other or larger parts of the MS4.

DOMESTIC ANIMAL/LIVESTOCK DISCHARGES:

The water quality data available from stream reaches that exclusively drain grazing lands, or lands where grazed animals and farm animals can be expected to occur, indicate the nitrogen compounds and orthophosphate proposed water quality targets, and thus load allocations, are being met in these reaches. Based on available data, this source category is meeting their load allocation. As such, no new regulatory requirements are deemed necessary or are being proposed.

It is important to note that the TMDL project area is subject to the Domestic Animal Waste Discharge Prohibition and are subject to compliance with an approved indicator bacteria TMDL load allocation. Implementation efforts by responsible parties to comply with this prohibition and with indicator bacteria load allocations will, as a practical matter, also reduce the risk of nitrogen and phosphorus

loading to surface waters from domestic animal waste. It should be noted that available information does not conclusively demonstrate that all domestic animal operations are currently meeting load allocations; there are potentially unpermitted confined animal facilities, equestrian facilities, or grazing animal operations that do not meet load allocations. More information will be obtained, if merited, during the implementation phase of the TMDL to further assess the level of nutrient contribution from these source categories, and to identify any actions if necessary to reduce loading.

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress toward achieving their allocations, dependent upon staff availability and priorities. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric goal.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of nitrogen compounds and orthophosphate are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric goal and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural conditions or background sources alone were the cause of exceedances of the Basin Plan water quality objectives.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving this TMDL is 30 years after the date of approval by the Office of Administrative Law.

Optional Special Studies and Reconsideration of the TMDL

Additional monitoring and voluntary optional special studies would be useful to evaluate the uncertainties and assumptions made in the development of this TMDL. The results of special studies may be used to reevaluate waste load allocations and load allocations in this TMDL. Implementing parties may submit work plans for optional special studies (if implementing parties choose to conduct special studies) for approval by the Executive Officer. Special studies completed and final reports shall be submitted for Executive Officer approval. Additionally, eutrophication is an active area of research; consequently ongoing scientific research on eutrophication and biostimulation may further inform the Water Board regarding waste load or load allocations that are protective against biostimulatory impairments, implementation timelines, and/or downstream impacts. At this time, staff maintains there is sufficient information to begin to implement the TMDL and make progress towards attainment of water quality standards and the proposed allocations. However, in recognition of the uncertainties regarding nutrient pollution and biostimulatory impairments, staff proposes that the Water Board reconsider the waste load and load allocations, if merited by optional special studies and new research, ten years after the effective date of the TMDL, which is upon approval by the Office of Administrative Law (OAL). A time schedule for optional studies and Central Coast Water Board reconsideration of the TMDL is presented in Table IX Q-3.

Further, the Central Coast Water Board may also reconsider these TMDLs, the nutrient water quality criteria, or other TMDL elements on the basis of potential future promulgation of a statewide nutrient policy for inland surface waters in the State of California.

Table IX Q-3. Time schedule for optional studies and Water Board reconsideration of waste load allocations and load allocations

<u>Proposed Actions</u>	<u>Description</u>	<u>Time Schedule-Milestones</u>
<u>Optional studies work plans</u>	<u>Implementing parties shall submit work plans for optional special studies (if implementing parties choose to conduct special studies) for approval by Executive Officer</u>	<u>By five years after the effective date of the TMDL</u>
<u>Final optional studies</u>	<u>Optional studies completed and final report submitted for Executive Officer approval.</u>	<u>By eight years after the effective date of the TMDL</u>
<u>Reconsideration of TMDL</u>	<u>If merited by optional special studies or information from ongoing research into eutrophication issues, the Water Board will reconsider the Wasteload and Load allocations and/or implementation timelines adopted pursuant to this TMDL.</u>	<u>By ten years after the effective date of the TMDL</u>

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401**

RESOLUTION NO. R3-2013-0005

**AMENDING THE WATER QUALITY CONTROL PLAN REGARDING THE ONSITE
WASTEWATER SYSTEM IMPLEMENTATION PROGRAM**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the *Water Quality Control Plan for the Central Coastal Basin* (Basin Plan) on March 14, 1975. The Basin Plan designates beneficial uses and water quality objectives, implementation programs for achieving water quality objectives addressing point source and nonpoint source discharges, prohibitions, and incorporates statewide plans and policies. The Basin Plan is periodically reviewed and revised. The Central Coast Water Board has determined that the Basin Plan requires further revision and amendment.
2. The Basin Plan contains an implementation program setting forth criteria regarding siting and design of onsite wastewater systems. The Central Coast Water Board updated its policy regarding siting and design of onsite wastewater systems on September 16, 1983, by adopting Resolution No. 83-12. The text and requirements specified in Resolution No. 83-12 are included in the Basin Plan as provisions of Chapters 4 and 5.
3. On May 9, 2008, the Central Coast Water Board adopted Resolution No. R3-2008-0005, revising the Basin Plan onsite wastewater system criteria. On March 20, 2009, the Central Coast Water Board adopted Resolution No. R3-2009-0012, revising the Basin Plan onsite implementation program. On May 5, 2011, the Central Coast Water Board adopted Resolution No. R3-2011-0004, revising the Basin Plan onsite implementation program with additional clarifying language and renumbered sections.
4. The State Water Resources Control Board (State Water Board), on June 19, 2012, adopted the *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy). The OWTS Policy includes a conditional waiver of the requirements to submit a report of waste discharge, obtain waste discharge requirements, and pay fees for discharges from onsite wastewater systems covered by the OWTS Policy. The OWTS Policy was approved by the California Office of Administrative Law on November 13, 2012, and became effective on May 13, 2013.
5. This Resolution No. R3-2013-0005 revises onsite wastewater sections of the Basin Plan; incorporates by reference the *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* into the Basin Plan; and rescinds Resolution No. R3-2008-0005, Resolution No. R3-2009-0012, and Resolution No. R3-2011-0004.

6. Area of Applicability - The effect of this amendment will be throughout the Central Coast Region, where onsite systems are used to treat and dispose of wastewater.
7. CEQA - The Central Coast Water Board's discretionary decisions are typically subject to the requirements of CEQA. The Secretary for Natural Resources has certified the basin planning process as an exempt regulatory program, and therefore the Water Boards are exempt from the specific CEQA requirement to prepare an environmental impact report or negative declaration when the Water Board is complying with the procedures identified in the certified regulatory program (Cal. Code Regs., tit. 23, §§3720-3781) [Pub. Res. Code §21080.5; Cal. Code Regs., tit. 14, §15251(g)].
8. A Substitute Environmental Document (SED) was prepared by the State Water Board for the OWTS Policy in accordance with the Water Board's certified regulatory program (Cal. Code Regs., tit. 23 §§3777-3781). The State Water Board approved the OWTS Policy and the SED on June 19, 2012. The proposed amendment removes existing Basin Plan provisions regulating onsite systems and incorporates the OWTS Policy. No substantive changes or modifications to the previously approved OWTS Policy are proposed, no substantial changes with respect to circumstances under which the project will be undertaken have occurred and no new information triggers the need for supplemental or subsequent CEQA analysis.
9. This amendment is completely within the scope of the OWTS Policy as analyzed by the State Water Board in the SED. As such, the recommended actions do not require further environmental review pursuant to the certified regulatory program or CEQA (Pub. Res. Code §21166; Cal. Code Regs. tit. 14, §§15161, 15163).
10. The subject amendment to the Basin Plan will result in no potential for adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Wildlife under the California Fish and Game Code.
11. The State Water Board, in adopting the OWTS Policy, considered a wide range of factors affecting water quality and the availability of treatment measures to protect beneficial uses and public health, consistent with the goals and requirements set forth in State Water Board Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality of Waters in California. The State Water Board analyzed the potential environmental impacts of reasonably foreseeable methods of compliance with the OWTS Policy, concluding that alternatives to the OWTS Policy do not accomplish the objectives of adopting consistent standards that will ensure public health and protection of beneficial uses of the state's waters while establishing an effective implementation process that considers cost and technological capabilities.
12. The State Water Board found that the OWTS Policy sets standards that could allow potentially significant direct water quality impacts from pathogen or nitrogen contamination, as well as cumulative water quality and public health impacts. The State Water Board also found that available mitigation measures would not meet the goals of the OWTS Policy, and that specific overriding economic, legal, social technological or other benefits outweigh any adverse environmental impacts resulting from new or continuing discharges in compliance with the OWTS Policy. With respect to local agency management programs, the State Water Board rejected mitigation measures that would remove too much local agency flexibility, render too many sites unsuitable for new and replaced OWTS, and/or impose significant costs without corresponding environmental benefit. The State Water Board

concluded that effective implementation of protections to allow continued use of OWTS for wastewater disposal in areas not suitable for centralized treatment systems is an important public benefit, and the protections afforded by the OWTS Policy provide the best treatment to ensure the highest water quality consistent with the maximum benefit to the people of the state. The State Water Board concluded that the OWTS Policy establishes a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements and sets the level of performance and protection expected from OWTS.

13. The OWTS Policy requires local agencies implementing management programs to monitor and assess water quality to ensure that beneficial uses are protected. The assessments must evaluate the impact of OWTS discharges and assess the extent to which groundwater and local surface water quality may be adversely impacted. Local agencies must report the results to the applicable Regional Water Board, and identify any changes in the local agency management program that will be undertaken to address impacts from OWTS. The Regional Water Board may also require modifications to an approved local agency management program as appropriate.
14. Consistent with the State Water Board's findings and the requirements of the OWTS Policy, this amendment is consistent with maximum benefit to the people of the State; will not unreasonably affect present and anticipated beneficial uses; will not result in water quality less than that prescribed in applicable state policies, including the OWTS Policy; and requires OWTS dischargers to use the best practicable treatment or control of the discharge necessary to avoid a pollution or nuisance and to maintain the highest water quality consistent with the maximum benefit to the people of the State.
15. Public Notice - Interested persons and the public have been informed of the Central Coast Water Board's intent to revise the Basin Plan implementation program for onsite wastewater systems. Efforts to inform the public and solicit public comment include a public notice of the amendments providing the public with a comment period in excess of 45 days in advance of the Central Coast Water Board hearing. Notice of public hearing was given by posting on the Water Board website, by mailing a copy of the notice to all persons requesting such notice and applicable government agencies, and by publishing notice in newspapers throughout the Central Coast region. The public also had the opportunity to comment on the OWTS Policy during the State Water Board adoption process.
16. On May 30-31, 2013, the Central Coast Water Board held a public hearing and considered all the evidence and comments concerning this matter. Notice of this hearing was given to all interested persons in accordance with CCR, Title 14, §15072.
17. The Basin Plan amendment must be submitted for review and approval by the State Water Board and the California Office of Administrative Law (OAL). The Basin Plan amendment will become effective upon approval by OAL. This Resolution will become effective upon adoption.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to California Water Code §13240, the Central Coast Water Board, after considering the record, including oral testimony at the hearing, hereby adopts the Basin Plan amendment set forth in Attachments A and B to this Resolution adopting the State OWTS Policy into the Basin Plan.

2. Pursuant to California Water Code §13240, the Central Coast Water Board, after considering the record, including oral testimony at the hearing, hereby rescinds Resolution No. R3-2008-0005, Resolution No. R3-2009-0012, and Resolution No. R3-2011-0004 previously adopted by this Board.
3. The Central Coast Water Board's Executive Officer is directed to forward copies of the Basin Plan amendment to the State Water Board in accordance with the requirements of California Water Code §13245.
4. The Central Coast Water Board requests the State Water Board approve the Basin Plan amendments in accordance with requirements of California Water Code §13246, and forward it to OAL for approval. The State Water Board, on behalf of the Central Coast Water Board, shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL.
5. If during the approval process the State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Central Coast Water Board Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

I, Kenneth A. Harris Jr., Interim Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region on May 30, 2013.



Interim Executive Officer

- Attachments: A. Revised Basin Plan Chapters 4 and 5 (onsite sections only)
B. Revisions to Basin Plan Chapters 4 and 5 (onsite sections only)

CHAPTER 4. IMPLEMENTATION PLAN

(onsite wastewater section only)

VIII.D. INDIVIDUAL, ALTERNATIVE, AND COMMUNITY ONSITE WASTEWATER SYSTEMS

VIII.D.1. ONSITE WASTEWATER SYSTEM REQUIREMENTS

Requirements for siting, design, operation, maintenance, and management of onsite wastewater systems are specified in the State Water Resources Control Board's *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy). The OWTS Policy sets forth a tiered implementation program with requirements based upon levels (tiers) of potential threat to water quality. The OWTS Policy includes a conditional waiver of waste discharge requirements for onsite systems that comply with the policy.

The OWTS Policy, including future revisions, is incorporated into this Basin Plan and shall be implemented according to the policy's provisions.

VIII.D.2. DISCHARGE PROHIBITIONS

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, discharges of waste are prohibited in the following areas:

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Appendix A-27.
2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed shall be managed as follows:

Discharges shall be allowed, providing the County of Santa Cruz, as lead agency, implements the *Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service*, February 1995, and *San Lorenzo Nitrate Management Plan, Phase II Final Report*, February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Regional Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.

In fulfilling the responsibilities identified above, the County of Santa Cruz shall submit annual reports beginning on January 15, 1996. The report shall state the status and progress of the Wastewater Management Plan in the San Lorenzo River Watershed. The County of Santa Cruz annual report shall document the results of:

- a. Existing disposal system performance evaluations,
- b. Disposal system improvements,
- c. Inspection and maintenance of onsite systems,
- d. Community disposal system improvements,
- e. New development and expansion of existing system protocol and standards,
- f. Water quality monitoring and evaluation,
- g. Program administration management, and
- h. Program information management.

The report shall also document progress on each element of the Nitrate Management Plan, including:

- a. Parcel size limit,
- b. Wastewater Management Plan implementation,
- c. Boulder Creek Country Club Wastewater Treatment Plant Upgrade,
- d. Shallow leachfield installation,
- e. Enhanced wastewater treatment for sandy soils,
- f. Enhanced wastewater treatment for large onsite disposal systems,
- g. Inclusion of nitrogen reduction in Waste Discharge Permits,
- h. Livestock and stable management,
- i. Protection of groundwater recharge areas,
- j. Protection of riparian corridors and erosion control,
- k. Nitrate control for new uses,
- l. Scotts Valley nitrate discharge reduction, and
- m. Monitoring for nitrate in surface and ground water.

The County of Santa Cruz shall submit for approval by May 13, 2016, a Local Agency Management Program to be implemented in lieu of the Wastewater Management Plan for the San Lorenzo River Watershed, referenced above. Beginning in 2017 annual reports shall be consistent with the requirements specified in the OWTS Policy and the Regional Board approved Local Agency Management Program in lieu of reporting requirements stated above.

3. Discharges of waste from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/Baywood Park area, and more particularly described as: Groundwater Prohibition Zone. (Prohibition Boundary Map included as

Attachment "A" of Resolution No. 83-13 which can be found in Appendix A-30.)

Failure to comply with any of the compliance dates established by Resolution 83-13 will prompt a Regional Board hearing at the earliest possible date to consider adoption of an immediate prohibition of discharge from additional individual and community sewage disposal systems.

VIII.D.3. SUBSURFACE DISPOSAL EXEMPTIONS

The Regional Board or Executive Officer may grant exemptions to prohibitions of waste discharges from new or existing onsite systems within the specific prohibition areas cited above. Such exemptions may be granted only after presentation by the discharger of sufficient justification, including geologic and hydrologic evidence that the continued operation of such systems in a particular area will not individually or collectively or directly or indirectly result in pollution or nuisance or affect water quality adversely.

Requests for exemptions will not be considered until the local agency has reviewed the system and submitted the proposal for Regional Board review. Dischargers requesting exemptions must submit a Report of Waste Discharge. Exemptions will be subject to filing fees as established by the State Water Code.

Further information concerning individual, alternative, or community onsite sewage disposal systems can be found in Chapter 5 in the Management Principles and Control Actions sections. State Water Resources Control Board plans and policies, discharge prohibitions, and Regional Board policies also apply depending on individual circumstances.

CHAPTER 5. PLANS AND POLICIES

(new onsite wastewater section only)

I.M. ONSITE WASTEWATER POLICY

The *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy), Resolution No. 2012-0032, was adopted by the State Water Resources Control Board on June 19, 2012. This Policy implements California Water Code, Chapter

4.5, Division 7, §13290-13291.7 by establishing statewide regulations and standards for permitting onsite wastewater systems. The OWTS Policy specifies criteria for existing and new onsite systems and establishes a conditional waiver of waste discharge requirements for onsite systems that comply with the policy.

CHAPTER 4. IMPLEMENTATION PLAN

(onsite wastewater section only)

VIII.D. INDIVIDUAL, ALTERNATIVE, AND COMMUNITY ONSITE WASTEWATER DISPOSAL SYSTEMS

VIII.D.1. ONSITE WASTEWATER SYSTEM REQUIREMENTS

Requirements for siting, design, operation, maintenance, and management of onsite wastewater systems are specified in the State Water Resources Control Board's Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy). The OWTS Policy sets forth a tiered implementation program with requirements based upon levels (tiers) of potential threat to water quality. The OWTS Policy includes a conditional waiver of waste discharge requirements for onsite systems that comply with the policy.

The OWTS Policy, including future revisions, is incorporated into this Basin Plan and shall be implemented according to the policy's provisions.

~~On-site sewage disposal systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On-site systems can be a viable long term waste disposal method with proper siting, design, construction, and management. In establishing on-site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.~~

~~If on-site sewage treatment facilities are not carefully managed, problems can occur, including:~~

- ~~• odors or nuisance;~~
- ~~• surfacing effluent;~~
- ~~• disease transmission; and,~~
- ~~• pollution of surface and ground waters.~~

~~Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.~~

~~On-site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro-intestinal disorders.~~

~~Pollution of surface or ground waters can result from the discharge of on-site system wastes. Typical problem waste constituents are total dissolved solids, phosphates, nitrates, heavy metals, bacteria, and viruses. Discharge of these wastes will, in some cases, destroy beneficial surface and ground water uses.~~

~~Subsurface disposal systems may be used to dispose of wastewater from: (1) individual residences; (2) multi-unit residences; (3) institutions or places of commerce; (4) industrial sanitary sources; and, (5) small communities. All individual and multi-unit residential developments are subject to criteria in this section of the Basin Plan. Commercial, institutional, and industrial developments with a discharge flow rate less than 2500 gallons per day generally are not regulated by waste discharge requirements;~~

therefore, they must comply with these criteria. Community systems must also comply with criteria relating to this subject within the Basin Plan. Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems for more than 5 units or more than 5 parcels; or, (2) commercial, institutional or industrial systems to treat sanitary wastewater equal to or greater than 2500 gallons per day (average daily flow). Systems of this type and size may be subject to waste discharge requirements.

Alternatives to conventional on-site system designs have been used when site constraints prevent the use of conventional systems. Examples of alternative systems include mound and evapotranspiration systems. Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes. Alternative and community systems can pose serious water quality problems if improperly managed. Failures have been common in the past and are usually attributed to the following:

- Systems are inadequately or improperly sited, designed, or constructed.
- Long-term use is not considered.
- Inadequate operation and maintenance.

VIII.D.1. CORRECTIVE ACTIONS FOR EXISTING SYSTEMS

Individual disposal systems can be regulated with relative ease when they are proposed for a particular site. For new systems, regulations generally provide for good design and construction practices. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas.

Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, ground water degradation is possible, particularly increases in nitrate concentrations.

Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and ground waters to determine whether problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank maintenance procedures are encouraged to lessen the probability that a few major failures might force sewerage of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could help prevent failure. Improvements of this kind should be enforced by a local septic tank maintenance district or local governing jurisdiction.

A septic tank subjected to greater hydraulic load can fail due to washout of solids into percolation areas and plugging of the infiltrative surface. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Dishwashers, garbage grinders, and washing machines could be eliminated. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water use costs may also be structured to encourage more frugal use of water.

VIII.D.2. LOCAL GOVERNING JURISDICTION ACTIONS

VIII.D.2.a. DISCLOSURE AND COMPLIANCE OF EXISTING WASTEWATER DISPOSAL SYSTEM

Local governing jurisdictions should provide programs to assure conformance with this Basin Plan and local regulations. Inspection programs should assure site suitability tests are performed as necessary, and that tests are in accordance with standard procedures. Inspection should also assure proper system installation. Proper design and construction should be certified by the inspector. Concerned homeowners can be a tremendous asset in assuring proper construction. When a septic system permit is issued by the local agency, a handout specifying proper construction techniques should be made available to the general public. Systems must be inspected by the local agency before covering (backfilling).

Local agencies can use either staff inspectors or individuals under contract with the local government. Either way, a standard detailed checklist should be completed by the inspector to certify compliance.

Site suitability determinations should specify: (1) whether approval is for the entire lot or for specific locations of the lot; (2) if further tests are necessary; and, (3) if alternatives are necessary or available.

Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.

Home owners should be aware of the nature and requirements of their wastewater disposal system. Plans should be available in city or county offices showing placement of soil absorption systems. Since this is only feasible for new construction, local agencies should require septic system as-built plans as a condition of new construction final inspection. Plans would be kept on file for future use of property owners.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite

period, or a developed parcel may be subject to significant user charges from a future sewer system. Local agencies should have prohibition area terms entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. But system expansion may not be possible if land is not set aside for this purpose. For these reasons, dedicated system expansion areas are also appropriate.

To protect this set aside area from encroachment, the local agency should require restrictions on future use of the area as a condition of land division or building permit approval. For new subdivisions, Covenants, Conditions, and Restrictions (CC&R's) might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading CC&R's.

All on-site system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions should mount a continuing public education program to provide home owners with on-site system operation and maintenance guidelines. Basin Plan information should be available at local agency health and building departments.

Local agencies should conduct an on-site system inspection program, particularly in areas where system failures are common or where systems with poor soils are approved. An agency inspector should periodically check each septic tank for pumping need and each system for proper operation. Homeowners should be alerted where

evidence of system failure exists. Where nuisance or a potential public health hazard exists, a followup procedure should insure the situation is corrected. On-site systems should be constructed in a location that facilitates system inspection.

Another approach is periodically to mail homeowners a brochure reminding them how to maintain and inspect their on-site system. Homeowners should be notified that they should periodically check their septic tank for pumping need. Homeowners should also be notified of other problems indicative of system failure. Some examples include wet spots in drainfield area, lush grass growths, slowly draining wastewater, and sewage odors.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems should be done under permit from the local agency. To the extent practicable, the local agency should require failing systems to be brought into compliance with Basin Plan recommendations. This could be a condition of granting a permit for repairs.

Land use changes on properties used for commerce, small institutions, or industries should not be approved by the local agency until the existing on-site system meets criteria of this Basin Plan and local ordinances. A land use permit or business license could be used to alert the local agency of land use changes.

VIII.D.2.b. ON-SITE WASTEWATER MANAGEMENT PLANS

On-site wastewater management should be implemented in urbanizing areas to investigate long term cumulative impacts resulting from continued use of individual, alternative, and community on-site disposal systems. A wastewater disposal study should be conducted to determine the best Wastewater Management Plan that would provide site or basin specific wastewater re-use. This study should identify basin specific criteria to prevent water quality degradation

and public health hazards and provide an evaluation of the effects of existing and proposed developments and changes in land use. These plans should be a comprehensive planning tool to specify on-site disposal system limitations to prevent ground or surface water degradation. Wastewater management plans should:

- Contain a ground/surface water monitoring program.
- Identify sites suitable for conventional septic systems.
- Project on-site disposal system demand.
- Determine sites and methods to best meet demand.
- Project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water.
- Recommend establishment of septic tank maintenance districts, as needed.
- Identify alternate means of disposing of sewage in the event of irreversible degradation from on-site disposal systems.

For areas where watershed wide plans are not developed, conditions could be placed on new divisions of land or community systems to provide monitoring data or geologic information to contribute to the development of a Wastewater Management Plan.

Wastewater disposal alternatives should identify costs to each homeowner. A cost-effectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan.

On-site wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be an appropriate means of implementing on-site Wastewater Management Plans.

On-site Wastewater Management Plans shall be approved by the Regional Board.

VIII.D.2.c. SEPTIC TANK MAINTENANCE DISTRICTS

It may be appropriate for unsewered community on-site systems to be maintained by local sewage disposal maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, a Community Services District, or a County Service Area.

Septic tank maintenance districts should be responsible for operation and maintenance in conformance with this Water Quality Control Plan. Administrators should insure proper construction, installation, operation, and maintenance of on-site disposal systems. Maintenance districts should establish septic tank surveillance, maintenance and pumping programs, where appropriate; provide repairs to plumbing or leachfields; and encourage water conservation measures.

VIII.D.3. CRITERIA FOR NEW SYSTEMS

On-site sewage disposal system problems can be minimized with proper site location, design, installation, operation, and maintenance. The following section recommends criteria for all new individual subsurface disposal systems and community sewage disposal systems. Local governing jurisdictions should incorporate these guidelines into their local ordinances. These recommendations will be used by the Regional Board for Regional Board regulated systems and exemptions.

Recommendations are arranged in sequence under the following categories: site suitability; system design; construction; individual system maintenance; community system design; and local agencies.

Mandatory criteria are listed in the "Individual, Alternative, and Community Systems

Prohibitions" section.

VIII.D.3.a. SITE SUITABILITY

Prior to permit approval, site investigation should determine on-site system suitability:

1. At least one soil boring or excavation per on-site system should be performed to determine soil suitability, depth to ground water, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. Impervious material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content 60 percent or greater. The soil boring or excavation should extend at least 10 feet below the drainfield¹ bottom at each proposed location.
2. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drainfield bottom.
3. For leachfields, at least three percolation test locations should be used to determine system acceptability. Tests should be performed at proposed subsurface disposal system sites and depths.
4. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment, or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields should be set back far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, of the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback should be at least 100 feet measured from the top of the cut.

- 5. ~~Natural ground slope of the disposal area should not exceed 20 percent.~~
- 6. ~~For new land divisions, lot sizes less than one acre should not be permitted.~~

VIII.D.3.b. SYSTEM DESIGN

~~On site systems should be designed according to the following recommendations:-~~

- 1. ~~Septic tanks should be designed to remove nearly 100 percent of settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.~~
- 2. ~~Tank design must allow access for inspection and cleaning. The septic tank must be accessible for pumping.~~
- 3. ~~If curtain drains discharge diverted ground water to subsurface soils, the upslope separation from a leachfield or pit should be 20 feet and the down slope separation should be 50 feet.~~
- 4. ~~Leachfield application rate should not exceed the following:~~

Percolation Rate min./in	Loading Rate g.p.d./sq.ft.
1 - 20	0.8
21 - 30	0.6
31 - 60	0.25
61 - 120	0.10

- 5. ~~Seepage pit application rate should not exceed 0.3 gpd/sq. ft.~~
 - 6. ~~Drainfield¹ design should be based only upon usable permeable soil layers.~~
- ~~1 "Drainfield" refers to either a leachfield or seepage pit~~
- 7. ~~The minimum design flow rate should be 375 gallons per day per dwelling unit.~~

- 8. ~~In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.~~
- 9. ~~Distance between drainfield trenches should be at least two times the effective trench depth.¹~~

~~1 "Effective trench depth" means depth below the bottom of the trench pipe.~~

- 10. ~~Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.~~
- 11. ~~Dual disposal fields (200 percent of original calculated disposal area) are recommended.~~
- 12. ~~For commercial systems, small institutions, or sanitary industrial systems, design should be based on daily peak flow.~~
- 13. ~~For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.~~
- 14. ~~Commercial systems, institutional systems, or domestic industrial systems should reserve an expansion area (i.e. dual drainfields must be installed and area for replacement of drainfield must be provided) to be set aside and protected from all uses except future drainfield repair and replacement.~~
- 15. ~~Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.~~

VIII.D.3.c. DESIGN FOR ENGINEERED SYSTEMS

- ~~1. Mound systems should be installed in accordance with criteria contained in Guidelines for Mound Systems by the State Water Resources Control Board.~~
- ~~2. Evapotranspiration systems should be installed in accordance with criteria contained in Guidelines for Evapotranspiration Systems by the State Water Resources Control Board. Exceptions are:
 - ~~a. For evapotranspiration systems, each month of the highest precipitation year and lowest evaporation year within the previous ten years of record should be used for design.~~
 - ~~b. Systems shall be designed by a registered civil engineer competent in sanitary engineering.~~~~

VIII.D.3.d. CONSTRUCTION

~~Water quality problems resulting from improper construction can be reduced by following these practices:~~

- ~~1. Subsurface disposal systems should have a slightly sloped finished grade to promote surface runoff.~~
- ~~2. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.~~
- ~~3. In clayey soils, work should be done only when soil moisture content is low to avoid smeared infiltrative surfaces.~~
- ~~4. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.~~
- ~~5. Bottom of trenches or beds should be level throughout to prevent localized overloading.~~

- ~~6. Two inches of coarse sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields. Fine sand should not be used as it may lead to system failure.~~
- ~~7. Surface runoff should be diverted around open trenches/ pits to limit siltation of bottom area.~~
- ~~8. Prior to backfilling, the distribution system should be tested to check the hydraulic loading pattern.~~
- ~~9. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes should be placed with extreme care outside the leaching area to insure settling does not occur.~~
- ~~10. Risers to the ground surface and manholes should be installed over the septic tank inspection ports and access ports.~~
- ~~11. Drainfield should include an inspection pipe to check water level.~~

~~Additional construction precautions are discussed within the Environmental Protection Agency's Design Manual: On Site Wastewater Treatment and Disposal Systems.~~

VIII.D.3.e. INDIVIDUAL SYSTEM MAINTENANCE

~~Individual septic tanks should be maintained as follows:~~

- ~~1. Septic tanks should be inspected every two to five years to determine the need for pumping. If garbage grinders or dishwashers discharge into the septic tank, inspection should occur at least every two years.~~
- ~~2. Septic tanks should be pumped whenever: (1) the scum layer is within~~

~~three inches of the outlet device; or (2) the sludge level is within eight inches of the bottom of the outlet device.~~

- ~~3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level.~~
- ~~4. Disposal of septage (solid residue pumped from septic tanks) should be accomplished in a manner acceptable to the Executive Officer. In some areas, disposal may be to either a Class I or Class II solid waste site; in others, septage may be discharged to a municipal wastewater treatment facility.~~

~~VIII.D.3.f. COMMUNITY SYSTEM DESIGN~~

~~Community systems should be designed and maintained to accommodate the following items:~~

- ~~1. Capacities should accommodate build-out population.~~
- ~~2. Design should be based upon peak daily flow estimates.~~
- ~~3. Design should consider contributions from infiltration throughout the collection system.~~
- ~~4. Septic tanks should be pumped when sludge and scum levels are greater than 1/3 of the depth of the first compartment.~~
- ~~5. Operation and maintenance should be in accordance with accepted sanitary practice.~~
- ~~6. Maintenance manuals should be provided to system users and maintenance personnel.~~
- ~~7. Discharge should not exceed 40 grams per day total nitrogen, on the average, per acre of total development overlying ground water recharge areas, unless local governing jurisdictions adopt Wastewater Management Plans subsequently~~

~~approved by the Regional Board.~~

~~VIII.D.3.g. LOCAL AGENCIES~~

~~Recommendations for local governing jurisdictions:~~

- ~~1. Adopt a standard percolation test procedure.~~

~~The California State Water Resources Control Board Guidelines for Evapotranspiration Systems provides a percolation test method recommended for use to standardize test results. A twelve-inch diameter percolation test hole may be used.~~

- ~~2. Percolation tests should be continued until a stabilized rate is obtained.~~
- ~~3. Percolation test holes should be drilled with a hand auger. A hole could be hand augered or dug with hand tools at the bottom of a larger excavation made by a backhoe.~~
- ~~4. Percolation tests should be performed at a depth corresponding to the bottom of the subsurface disposal area.~~
- ~~5. Seepage pits should be utilized only after careful consideration of site suitability. Soil borings or excavations should be inspected either by permitting agency or individual under contract to the permitting agency.~~
- ~~6. Approve permit applications after checking plans for erosion control measures.~~
- ~~7. Inspect systems prior to covering to assure proper construction.~~
- ~~8. Require replacements or repairs to failing systems to be in conformance with Basin Plan recommendations, to the extent practicable.~~

9. ~~For new land divisions, protect on-site disposal systems and expansion areas from encroachment by provisions in covenants, conditions, and restrictions.~~
10. ~~Inform property buyers of the existence, location, operation, and maintenance of on-site disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g. Basin Plan prohibitions) through the County Record.~~
11. ~~Conduct public education programs to provide property owners with operation and maintenance guidelines.~~
12. ~~Alternative system owners shall be provided an informational maintenance or replacement document by the appropriate governing jurisdiction. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.~~
13. ~~Where appropriate, septic tank systems should be maintained by local septic tank maintenance districts.~~
14. ~~Wastewater Management Plans should be prepared and implemented for urbanizing and high density areas, including applicable portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highland, Prunedale, El Toro, Shandon, Templeton, Santa Margarita/Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, upper Santa Ynez Valley, and Los Olivos/Ballard.~~
15. ~~Ordinances should be updated to reflect Basin Plan criteria.~~

VIII.D.3.h. ADDITIONAL CONSIDERATIONS

1. ~~Water conservation and solids reduction practices are recommended. Garbage~~

~~grinders should not be used in homes with septic tanks.~~

2. ~~Metering and water use costs should be used to encourage water conservation.~~
3. ~~Grease and oil should not be introduced into the system. Bleach, solvents, fungicides, and any other toxic material should not be poured into the system.~~
4. ~~Reverse osmosis unit blow-down should not be discharged to on-site wastewater treatment systems overlying usable ground water. Off-site (factory regeneration) practices are recommended for water softeners.~~
5. ~~If on-site water softener regeneration is necessary, minimum salt use in water softeners is recommended. This can be accomplished by minimizing regeneration time or limiting the number of regeneration cycles.~~

VIII.D.3.i. INDIVIDUAL, ALTERNATIVE AND COMMUNITY SYSTEMS PROHIBITIONS

Discharges from new soil absorption systems installed after September 16, 1983 in sites with any of the following conditions are prohibited:

1. ~~Soils or formations contain continuous channels, cracks, or fractures.~~
2. ~~For seepage pits, soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.~~
3. ~~Distances between trench bottom and usable ground water, including perched ground water, less than separation specified by appropriate percolation rate:~~

Percolation Rate, min/in	Distance, ft
<1	501

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1-4	201
5-29	8
>30	5

4. For seepage pits, distances between pit bottom and usable ground water, including perched ground water, less than separation specified by appropriate soil type:-

Soil	Distance, ft.
Gravels ²	501
Gravels with few fines ³	201
Other	10

5. Distances between trench/pit bottom and bedrock or other impervious layer less than ten feet.

6. For leachfields, where percolation rates are slower than 120 min/in, unless parcel size is at least two acres.

7. For leachfields, where soil percolation rates are slower than 60 min./in. unless the effluent application rate is 0.1 gpd/ft² or less.

8. Areas subject to inundation from a ten-year flood.

9. Natural ground slope of the disposal area exceeds 30 percent.

10. Setback distances less than:

	Minimum Setback Distance, ft
Domestic water supply wells in unconfined aquifer	100
Watercourse ⁴ where geologic conditions permit water migration	100
Reservoir ⁵ spillway elevation	200
Springs, natural or any part of man-made spring	100

1. Unless a set-back distance of at least 250 feet to any domestic water supply well or surface water is assured.-

2. Gravels - Soils with over 95 percent by weight coarser than a No. 200 sieve and over half of the coarse fraction larger than a No. 4 sieve.

3. Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

4. Watercourse - (1) A natural or artificial channel for passage of water. (2) A running stream of water. (3) A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into some stream or body of water.

5. Reservoir - A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control, or drinking.

11. While new septic tank systems should generally be limited to new divisions of land having a minimum parcel size of one acre, where soil and other physical constraints are particularly favorable, parcel size shall not be less than one-half acre.-

12. Within a reservoir¹ watershed where the density for each land division is less than 2.5 acres for areas without approved Wastewater Management Plans.-

13. For individual systems on new land divisions, and commercial, institutional, and sanitary industrial systems without an area set aside for dual leachfields (100 percent replacement area).-

14. Commercial, institutional, or sanitary industrial systems not basing design on daily peak flow estimate.-

1. Reservoir - A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control, or drinking.

15. Any site unable to maintain subsurface disposal.-

~~16. Any subdivision unless the subdivider clearly demonstrates the use of the system will be in the best public interest, that beneficial water uses will not be adversely affected, and compliance with all Basin Plan prohibitions is demonstrated.~~

~~17. Lot sizes, dwelling densities or site conditions causing detrimental impacts to water quality.~~

~~18. Any area where continued use of on-site systems constitutes a public health hazard, an existing or threatened condition of water pollution, or nuisance.~~

~~**Discharges from community subsurface disposal systems (serving more than five parcels or more than five dwelling units) are prohibited unless:**~~

~~1. Seepage pits have at least 15 vertical feet between pit bottom and highest usable ground water, including perched ground water.~~

~~2. Sewerage facilities are operated by a public agency. (If a demonstration is made to the Regional Board that an existing public agency is unavailable and formation of a new public agency is unreasonable, a private entity with adequate financial, legal, and institutional resources to assume responsibility for waste discharges may be acceptable).~~

~~3. Dual disposal systems are installed (200 percent of total of original calculated disposal area).~~

~~4. An expansion area is included for replacement of the original system (300 percent total).~~

~~5. Community systems provide duplicate individual equipment components for components subject to failure.~~

~~6. Discharge does not exceed 40 grams per day of total nitrogen, on the average, per 1/2 acre of total development overlying ground water recharge areas excepting where a local governing jurisdiction has adopted a Wastewater Management Plan subsequently approved by the Regional Board.~~

VIII.D.2. DISCHARGE PROHIBITIONS

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, discharges of waste are prohibited in the following areas:

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Appendix A-27.

2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed shall be managed as follows:

Discharges shall be allowed, providing the County of Santa Cruz, as lead agency, implements the *Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service*, February 1995 and *San Lorenzo Nitrate Management Plan, Phase II Final Report*, February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Regional Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.

In fulfilling the responsibilities identified above, the County of Santa Cruz shall

submit annual reports beginning on January 15, 1996. The report shall state the status and progress of the Wastewater Management Plan in the San Lorenzo River Watershed. The County of Santa Cruz annual report shall document the results of:

- a. Existing disposal system performance evaluations,
- b. Disposal system improvements,
- c. Inspection and maintenance of on-site systems,
- d. Community disposal system improvements,
- e. New development and expansion of existing system protocol and standards,
- f. Water quality monitoring and evaluation,
- g. Program administration management, and
- h. Program information management.

The report shall also document progress on each element of the Nitrate Management Plan, including:

- a. Parcel size limit,
- b. Wastewater Management Plan implementation,
- c. Boulder Creek Country Club Wastewater Treatment Plant Upgrade,
- d. Shallow leachfield installation,
- e. Enhanced wastewater treatment for sandy soils,
- f. Enhanced wastewater treatment for large on-site disposal systems,
- g. Inclusion of nitrogen reduction in Waste Discharge Permits,
- h. Livestock and stable management,
- i. Protection of groundwater recharge areas,
- j. Protection of riparian corridors and erosion control,
- k. Nitrate control for new uses,
- l. Scotts Valley nitrate discharge reduction, and
- m. Monitoring for nitrate in surface and ground water.

The County of Santa Cruz shall submit for approval by May 13, 2016, a Local Agency Management Program to be implemented in lieu of the Wastewater Management Plan for the San Lorenzo River Watershed, referenced above. Beginning in 2017 annual reports shall be consistent with the requirements specified in the OWTS Policy and the Regional Board approved Local Agency Management Program in lieu of reporting requirements stated above.

3. Discharges of waste from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/Baywood Park area, and more particularly described as: Groundwater Prohibition Zone, depicted in the (Prohibition Boundary Map included as Attachment "A" of Resolution No. 83-13 which can be found in Appendix A-30.)

Failure to comply with any of the compliance dates established by Resolution 83-13 will prompt a Regional Board hearing at the earliest possible date to consider adoption of an immediate prohibition of discharge from additional individual and community sewage disposal systems.

VIII.D.3.j. SUBSURFACE DISPOSAL EXEMPTIONS

The Regional Board or Executive Officer may grant exemptions to prohibitions of waste discharges from ~~for: (1) engineered new on-site disposal systems for sites unsuitable for standard systems; and (2) new or existing on-site systems within the specific prohibition areas cited above.~~ Such exemptions may be granted only after presentation by the discharger of sufficient justification, including geologic and hydrologic evidence that the continued operation of such system(s) in a particular area will not individually or collectively, directly or indirectly, result in

pollution or nuisance, or affect water quality adversely.

~~Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause: (1) damage to public or private property; (2) ground or surface water degradation; (3) nuisance condition; or, (4) a public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available.~~

Requests for exemptions will not be considered until the local entity agency has reviewed the system and submitted the proposal for Regional Board review. Dischargers requesting exemptions must submit a Report of Waste Discharge. Exemptions will be subject to filing fees as established by the State Water Code.

~~Engineered systems shall be designed only by registered engineers competent in sanitary engineering. Engineers should be responsible for proper system operation.~~

~~Engineers should be responsible for educating system users of proper operation and maintenance. Maintenance schedules should be established. Engineered systems should be inspected by designer during installation to insure conformance with approved plans.~~

~~Some engineered systems may be considered experimental by the Regional Board. Experimental systems will be handled with caution. A trial period of at least one year should be established whereby proper system operation must be demonstrated. Under such an approach, experimental systems are granted a one year conditional approval.~~

Further information concerning individual, alternative, or community on-site sewage disposal systems can be found in Chapter 5 in the Management Principles and Control Actions sections. State Water Resources Control Board Plans and Policies, Discharge Prohibitions, and Regional Board Policies may also apply depending on individual circumstances.

CHAPTER 5. PLANS AND POLICIES

(new onsite wastewater section only)

I.M. ONSITE WASTEWATER POLICY

The Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy), Resolution No. 2012-0032, was adopted by the State Water Resources Control Board on June 19, 2012. This Policy implements California Water Code, Chapter

4.5, Division 7, §13290-13291.7 by establishing statewide regulations and standards for permitting onsite wastewater systems. The OWTS Policy specifies criteria for existing and new onsite systems and establishes a conditional waiver of waste discharge requirements for onsite systems that comply with the policy.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, Ca 93401-7906**

RESOLUTION NO. R3-2012-0002

AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST BASIN TO (1) ADOPT TOTAL MAXIMUM DAILY LOADS FOR FECAL INDICATOR BACTERIA IN THE SANTA MARIA RIVER WATERSHED AND (2) ADD THE SANTA MARIA RIVER WATERSHED (INCLUDING OSO FLACO CREEK SUBWATERSHED) TO THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the second edition of the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, sets forth implementation plans to achieve water quality objectives addressing point source and nonpoint source discharges, describes prohibitions, and incorporates statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to: (a) incorporate Total Maximum Daily Loads (TMDLs) and an implementation plan for fecal indicator bacteria in the Santa Maria River Watershed including Alamo Creek, Blosser Channel, Bradley Canyon Creek, Bradley Channel, Cuyama River, La Brea Creek, Little Oso Flaco Creek, Main Street Canal, Nipomo Creek, Orcutt Creek, Oso Flaco Creek, Oso Flaco Lake, Santa Maria River Estuary, and the Santa Maria River and (b) add the Santa Maria River Watershed (including Oso Flaco Creek subwatershed) to the Domestic Animal Waste Discharge Prohibition.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into the following sections (listed in order of Basin Plan contents):
 - a. Chapter Four, section IX (Total Maximum Daily Loads)
 - b. Chapter Five, section IV.B. (Discharge Prohibitions)
4. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). The NPS Policy requires the Water Boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the Porter-Cologne Water Quality Control Act. The NPS Policy allows Water Boards to regulate nonpoint source discharges with waste discharge requirements, waivers of waste discharge requirements, or Basin Plan prohibitions.
5. Alamo Creek, Blosser Channel, Bradley Canyon Creek, Bradley Channel, Cuyama River (above Twitchell Reservoir), Little Oso Flaco Creek, Main Street Canal, Nipomo Creek, Orcutt Creek, Oso Flaco Creek, Santa Maria River Estuary, and Santa Maria River are listed on 2008-2010 Clean Water Act 303(d) list as impaired due to fecal coliform. Additionally, Main Street Canal, Nipomo Creek, Orcutt Creek, Oso Flaco Creek, Santa Maria River Estuary, and Santa Maria River are impaired due to *E. coli*. These waterbodies do not meet the USEPA

- recommended criteria for *E. coli*. This Resolution establishes TMDLs and associated allocations for these listed waterbodies.
6. The Santa Maria River Estuary is listed on 2008-2010 Clean Water Act 303(d) list as impaired due to total coliform. This waterbody does not meet the Basin Plan water quality objectives for total coliform. This Resolution establishes TMDLs and associated allocations for this listed waterbody.
 7. La Brea Creek and Oso Flaco Lake are not on the 2008-2010 Clean Water Act 303(d) list of impaired waters for fecal coliform or *E. coli*. La Brea Creek does not meet the Basin Plan water quality objectives for fecal coliform and Oso Flaco Lake does not meet the Basin Plan water quality objective for fecal coliform and the USEPA water quality criteria for *E. coli*. La Brea Creek and Oso Flaco Lake are impaired due to exceedances of these water quality objectives and criteria. Therefore, this Resolution establishes TMDLs and associated allocations for these impaired waterbodies.
 8. The Central Coast Water Board's goal for establishing TMDLs in the Santa Maria River Watershed is to rectify the impairment due to fecal coliform and *E. coli*, thereby providing support for the designated beneficial uses of contact and non-contact water recreation. The Central Coast Water Board's goal for establishing TMDLs in the Santa Maria River Estuary is to rectify the impairment due to total coliform, thereby providing support for the designated beneficial use of shellfishing.
 9. The Santa Maria River is the receiving water for approximately 1.2 million acres. The Santa Maria River receives flow from the Cuyama River upstream to the northeast, with flows regulated by the Twitchell Dam. The Santa Maria River also receives flow from the Sisquoc River to the southeast. It also receives flow from various smaller tributaries in the lower watershed before discharging through the Santa Maria River Estuary and into the Pacific Ocean.
 10. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for fecal indicator bacteria in the Santa Maria River Watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives, taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target and attaining that concentration-based water quality objective will result in protection of the beneficial uses.
 11. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6(c)(1) and 130.7 and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.

12. The Central Coast Water Board may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted pursuant to California Water Code section 13243 (prohibitions). This Basin Plan amendment establishes the Domestic Animal Waste Discharge Prohibition (Prohibition) for discharges in the Santa Maria River Watershed. The implementation plan for the TMDLs for the Santa Maria River Watershed requires compliance with the Prohibition for discharges in the Santa Maria River Watershed. Supporting documentation for adding the Santa Maria River Watershed to the above-named prohibition is provided in *Final Project Report for Total Maximum Daily Loads for Fecal Indicator Bacteria in the Santa Maria River Watershed*. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Santa Maria River Watershed (including Oso Flaco Creek subwatershed) to the Domestic Animal Waste Discharge Prohibition.
13. Central Coast Water Board staff submitted the Project Report for the TMDLs to an external scientific reviewer in June 2008. Water Board staff received comments from the reviewer. Central Coast Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendments. The TMDLs and Implementation Program are based on sound scientific knowledge, methods, and practices in accordance with Health and Safety Code section 57004.
14. Central Coast Water Board staff implemented a process to inform interested persons and the public about the TMDLs and Prohibition. Central Coast Water Board staff's efforts to inform the public and solicit comment included public meetings with interested parties and a public notice and comment period. Public notice of the amendment to the Basin Plan provided the public a 45-day public comment period preceding the Central Coast Water Board hearing. Notice of public hearing was given by advertising in a newspaper of general circulation within the Region and by emailing a copy of the notice to all persons requesting such notice and applicable government agencies. Relevant documents and notices were also made available on the Central Coast Water Board website. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.
15. Adoption of these TMDLs and Basin Plan amendments will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and basin plan amendments comply with all requirements of both State and federal anti-degradation requirements (State Board Resolution 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40CFR 131.12).
16. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has prepared "substitute environmental documents" for this project that contain the required environmental documentation as set forth in the State Water Board's CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents include the TMDL Staff Report and several of its attachments, including 1) this Resolution and the Basin Plan Amendment Language (Attachment 1 of the Staff Report); 2) *Final Project Report for Total Maximum Daily Loads for Fecal Indicator Bacteria for the Santa Maria River Watershed, San Luis Obispo, Santa Barbara and Ventura Counties, California* (Attachment 2 of the Staff Report); 3) the CEQA Substitute Document with environmental checklist (Attachment 3 of the Staff Report); and 4) the comments and responses to comments (Attachment 6 of the Staff Report). The Staff Report also includes the Notice of Public Hearing/Notice of Filing

(Attachment 4) and the Scientific Peer Review Comment (Attachment 5). The project itself is the establishment of TMDLs for fecal indicator bacteria in the Santa Maria River Watershed. The Water Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and numerous findings related to impacts and mitigation measures.

17. CEQA scoping meetings were conducted on December 12, 2006, and October 16, 2008, at the Central Coast Water Board, 895 Aerovista Place, Suite 101, San Luis Obispo; a notice of the CEQA scoping meeting was sent to interested persons prior to each scoping meeting on December 1, 2006, and August 29, 2008, respectively. The notice included a background of the project, the project purpose, a meeting schedule, and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary were available at the website or by requesting hard copies via telephone.
18. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites. The Staff Report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3), provides the environmental analysis required by Public Resources Code section 21159 and is hereby incorporated as findings in this Resolution.
19. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.
20. Consistent with the Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, that would avoid or reduce the identified impacts.
21. These proposed amendments will have a less-than-significant adverse effect on the environment. California Water Code section 13360 precludes the Central Coast Water Board from dictating the manner in which responsible agencies comply with any of the Central Coast Water Board's regulations or orders. When the agencies responsible for implementing these

TMDLs determine how they will proceed, the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. These feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a)(2)).

22. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will foreseeably reduce impacts to no impact, or keep the impact at less-than-significant levels.
23. The CEQA Substitute Document Report (Staff Report Attachment 3) identifies mitigation approaches that should be considered at the project level.
24. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating: (a) the TMDLs for fecal indicator bacteria in the Santa Maria River Watershed, and (b) adding the Santa Maria River Watershed (including Oso Flaco Creek subwatershed) to the Domestic Animal Waste Discharge Prohibition. The TMDLs and Implementation Program for the TMDLs and Prohibition will become effective upon approval by the California Office of Administrative Law. The TMDLs must also be approved by the United States Environmental Protection Agency.
25. The amendments to the Basin Plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Game under the California Fish and Game Code section 711.4.
26. The proposed amendments meet the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding 13, federal regulations require that TMDLs be incorporated into the Water Quality Management Plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the Water Quality Management Plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under the California Water Code, section 13242. The necessity of developing TMDLs is established in the TMDL staff report, the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the fecal indicator bacteria impairments of the Santa Maria River Watershed. The necessity of adding the Prohibition as an implementation mechanism to achieve the TMDL is established in the administrative record documenting the fecal indicator bacteria sources, the load allocations that responsible parties must meet to reduce or eliminate fecal indicator bacteria loading, and implementation strategies that comply with the *Policy For Implementation and Enforcement of the Nonpoint Source Pollution Control Program*.
27. Consistent with Water Code section 13141, the amendment includes an estimate of the total cost of implementation of the agricultural related portions of this TMDL and identifies potential sources of financing.
28. On March 15, 2012, in San Luis Obispo, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at

the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."

2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during the approval process, Central Coast Water Board staff, State Water Board staff, the State Water Board or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region on March 15, 2012.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2012-0002

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1. TOTAL MAXIMUM DAILY LOADS FOR FECAL INDICATOR BACTERIA IN THE SANTA MARIA RIVER WATERSHED (INCLUDING ALAMO CREEK, BLOSSER CHANNEL, BRADLEY CHANNEL, BRADLEY CANYON CREEK, CUYAMA RIVER, LA BREA CREEK, LITTLE OSO FLACO CREEK, MAIN STREET CANAL, NIPOMO CREEK, ORCUTT CREEK, OSO FLACO CREEK, OSO FLACO LAKE, SANTA MARIA RIVER ESTUARY, AND SANTA MARIA RIVER).

Add the following to Chapter 4 after IX. O.:

IX. P. TOTAL MAXIMUM DAILY LOADS FOR FECAL INDICATOR BACTERIA IN SANTA MARIA RIVER WATERSHED (INCLUDING ALAMO CREEK, BLOSSER CHANNEL, BRADLEY CHANNEL, BRADLEY CANYON CREEK, CUYAMA RIVER, LA BREA CREEK, LITTLE OSO FLACO CREEK, MAIN STREET CANAL, NIPOMO CREEK, ORCUTT CREEK, OSO FLACO CREEK, OSO FLACO LAKE, SANTA MARIA RIVER ESTUARY, AND SANTA MARIA RIVER)

The Regional Water Quality Control Board adopted these TMDLs on March 15, 2012.
These TMDLs were approved by:

The State Water Resources Control Board on: _____ (date).

The California Office of Administrative Law on: _____ (date).

The U.S. Environmental Protection Agency on: _____ (date)

Problem Statement

The beneficial use of water contact recreation (REC-1) is not protected in the impaired reaches of the Santa Maria River Watershed, including Alamo Creek, Blosser Channel, Bradley Channel, Bradley Canyon Creek, Cuyama River (upstream of Twitchell reservoir to Highway 33), La Brea Creek, Little Oso Flaco Creek, Main Street Canal, Nipomo Creek, Orcutt Creek, Oso Flaco Creek, Oso Flaco Lake, Santa Maria River Estuary, and Santa Maria River because fecal coliform bacteria concentrations exceed existing Basin Plan numeric water quality objectives and in some instances also exceed USEPA criteria for *E. coli* protecting this beneficial use. All reaches in these waterbodies are impaired, with the exception of Cuyama River which is impaired from Twitchell Dam upstream to Highway 33.

The Ocean Plan and Basin Plan also contain Shellfish Harvesting (SHELL) water quality objectives. The beneficial use of shellfishing is not protected in the Santa Maria River Estuary because total coliform concentrations exceed existing Basin Plan and Ocean Plan numeric water quality objectives.

Numeric Target

The numeric targets used to develop the TMDLs and allocations for REC-1 are:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Based on a statistically sufficient number of samples (generally not less than five samples equally spaced over a 30-day period), the geometric mean of *E. coli* densities shall not exceed 126 per 100mL, and no sample shall exceed a one-sided confidence limit (C.L.) calculated using the following as guidance: lightly used for contact recreation (90% C.L.) = 409 per 100mL.

The numeric target used to develop the TMDLs and allocations for SHELL is:

At all areas where shellfish may be harvested for human consumption, the median total coliform concentration throughout the water column for any 30-day period shall not exceed 70/100 mL, nor shall more than ten percent of the samples collected during any 30-day period exceed 230/100mL for a five-tube decimal dilution test or 330/100 mL when a three-tube decimal dilution test is used.

The numeric targets are equal to the water quality objective protecting the water contact recreation and the shellfishing beneficial use as described in Chapter 3 of this Basin Plan as well as USEPA recommended criteria. If these water quality objectives or criteria protecting water contact recreation and/or shellfishing are amended, the numeric targets for this TMDL will be equal to the amended water quality objectives and criteria.

Source Analysis

Natural uncontrollable sources of fecal coliform in the listed waterbodies are present and likely contributing to impairment at varying degrees by season and location.

Alamo Creek: 1) domestic animals/livestock discharges.

Blosser Channel: 1) discharges from Municipal Separate Storm Sewer Systems (MS4s), 2) sanitary sewer collection system leaks.

Bradley Channel: 1) discharges from MS4s, 2) sanitary sewer collection system leaks.

Bradley Canyon Creek: 1) domestic animals/livestock discharges.

Cuyama River (upstream of Twitchell reservoir to Highway 33): 1) domestic animals/livestock discharges.

La Brea Creek: 1) domestic animals/livestock discharges.

Little Oso Flaco Creek: 1) domestic animals/livestock discharges.

Main Street Canal: 1) discharges from MS4s, 2) sanitary sewer collection system leaks.

Nipomo Creek: 1) domestic animals/livestock discharges, 2) discharges from MS4s.

Orcutt Creek: 1) domestic animals/livestock discharges, 2) discharges from MS4s, 3) sanitary sewer collection system leaks.

Oso Flaco Creek: 1) domestic animals/livestock discharges.

Oso Flaco Lake: 1) domestic animals/livestock discharges.

Santa Maria River Estuary: 1) domestic animals/livestock discharges, 2) discharges from MS4s, 3) sanitary sewer collection system leaks.

Santa Maria River: 1) domestic animals/livestock discharges, 2) discharges from MS4s, 3) sanitary sewer collection system leaks.

TMDLs and Allocations

The TMDLs for all waters and reaches of the Santa Maria River Watershed, including Alamo Creek, Blosser Channel, Bradley Channel, Bradley Canyon Creek, Cuyama River, La Brea Creek, Little Oso Flaco Creek, Main Street Canal, Nipomo Creek, Orcutt Creek, Oso Flaco Creek, Oso Flaco Lake, Santa Maria River Estuary and Santa Maria River are concentration-based TMDLs applicable to each day of all seasons, are applicable to all reaches, and are set equal to the following:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Based on a statistically sufficient number of samples (generally not less than 5 samples equally spaced over a 30-day period), the geometric mean of *E. coli* densities shall not exceed 126 per 100mL, and no sample shall exceed a one-sided confidence limit (C.L.) calculated using the following as guidance: lightly used for contact recreation (90% C.L.) = 409 per 100mL.

And for the Santa Maria River Estuary only:

At all areas where shellfish may be harvested for human consumption, the median total coliform concentration throughout the water column for any 30-day period shall not exceed 70/100mL, nor shall more than ten percent of the samples collected during any 30-day period exceed 230/100mL for a five-tube decimal dilution test or 330/100 mL when a three-tube decimal dilution test is used.

The TMDLs are equal to the water quality objective or criteria protecting the water contact recreation beneficial use, as described in Chapter 3 of this Basin Plan as well as USEPA recommended criteria. If these water quality objectives or criteria protecting water contact recreation are amended, the TMDLs for the waterbodies subject to the TMDLs will be equal to the amended water quality objectives and criteria.

For the Santa Maria River Estuary only, the TMDLs are also equal to the water quality objective protecting the shellfishing beneficial use, as described in Chapter 3 of this Basin Plan. If this water quality objective protecting shellfishing is amended, the TMDLs for the waterbodies subject to the TMDLs will be equal to the amended water quality objective.

The allocations to responsible parties are shown in Table IX P-1.

Table IX P-1. Allocations and Responsible Parties

“Controllable water quality conditions are those actions or circumstances resulting from man’s activities that may influence the quality of the waters of the State and that may be reasonably controlled” (Water Quality Control Plan: Central Coast Region, page III-2). The allocations identified below are subject to these conditions.

WASTE LOAD ALLOCATIONS		
<u>Waterbody the Responsible Party is Discharging to*</u>	<u>Party Responsible for Allocation (Source)</u>	<u>Receiving Water Allocations*</u>
<u>Santa Maria River, Main Street Canal, Blosser Channel, Bradley Channel,</u>	<u>City of Santa Maria - NPDES No. CAS000004 (Urban Stormwater)</u>	<u>Allocation 1 & 3</u>
<u>Main Street Canal</u>	<u>Santa Maria Fairpark – NPDES No. Pending (Urban Stormwater)</u>	<u>Allocation 1 & 3</u>
<u>Nipomo Creek</u>	<u>County of San Luis Obispo - NPDES No. CAS000004 (Urban Stormwater)</u>	<u>Allocation 1 & 3</u>
<u>Orcutt Creek</u>	<u>County of Santa Barbara - NPDES No. CAS000004 (Urban Stormwater)</u>	<u>Allocation 1 & 3</u>
<u>Santa Maria River</u>	<u>City of Guadalupe – NPDES No. Pending (Urban Stormwater)</u>	<u>Allocation 1 & 3</u>
<u>Blosser Channel, Bradley Channel, Main Street and Santa Maria River</u>	<u>City of Santa Maria -Statewide General WDR for Sanitary Sewer Systems WQO No. 2006-0003 (Wastewater Collection System)</u>	<u>Allocation 2</u>
<u>Orcutt Creek</u>	<u>Laguna County Sanitation District - Statewide General WDR for Sanitary Sewer Systems WQO No. 2006-0003 (Wastewater Collection System)</u>	<u>Allocation 2</u>
<u>Santa Maria River</u>	<u>City of Guadalupe - Statewide General WDR for Sanitary Sewer Systems WQO No. 2006-0003 (Wastewater Collection System)</u>	<u>Allocation 2</u>

LOAD ALLOCATIONS		
<u>Waterbody the Responsible Party is Discharging to*</u>	<u>Responsible Party and Source</u>	<u>Receiving Water Allocations*</u>
<u>Santa Maria River Estuary</u>	<u>Owners/Operators of land used for/containing domestic animals/livestock (Domestic animals)</u>	<u>Allocation 4</u>
<u>All impaired waterbodies</u>	<u>Owners/Operators of land used for/containing domestic animals/livestock (Domestic animals)</u>	<u>Allocation 1 & 3</u>
<u>All impaired waterbodies</u>	<u>No responsible party (Natural and Background Sources)</u>	<u>Allocation 1 & 3</u>

Allocation-1 = Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN/100mL, nor shall more than ten percent of total samples during any 30-day period exceed 400MPN/100 mL.

Allocation-2 = Fecal coliform nor *E. coli* concentration shall not exceed zero; no fecal coliform nor *E. coli* bacteria load originating from human sources of fecal material is allowed.

Allocation-3 = Based on a statistically sufficient number of samples (generally not less than five samples equally spaced over a 30-day period), the geometric mean of *E. coli* densities shall not exceed: 126 per 100mL, and no sample shall exceed a one-sided confidence limit (C.L.) calculated using the following as guidance: lightly used for contact recreation (90% C.L.) = 409 per 100mL.

Allocation-4 = Total coliform concentration, the median throughout the water column for any 30-day period shall not exceed 70MPN/100 mL, nor shall more than ten percent of the samples collected during any 30-day period exceed 230MPN/100 mL for a five-tube decimal dilution test or 330MPN/100 mL when a three-tube decimal dilution test is used.

* Responsible parties shall meet allocations in all receiving surface waterbodies of the responsible parties' discharges.

The parties responsible for the allocation to controllable sources are not responsible for the allocation to natural sources.

The TMDLs are considered achieved when water quality conditions meet all regulatory and policy requirements necessary for removing the impaired waters from Clean Water Act section 303(d) list of impaired waters.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation

STORM DRAIN DISCHARGES TO MS4s:

The Central Coast Water Board will require the MS4 entities to develop and submit for Executive Officer approval a Wasteload Allocation Attainment Program (WAAP). The WAAP shall be submitted within one year of approval of the TMDL by the Office of Administrative Law, or within one year of a stormwater permit renewal, whichever occurs first. The WAAP shall include descriptions of the actions that will be taken by the MS4 entity to attain the TMDL wasteload allocations, and specifically address:

1. Development of an implementation and assessment strategy;
2. Source identification and prioritization;
3. Best management practice identification, prioritization, implementation schedule, analysis, and effectiveness assessment;
4. Monitoring and reporting program development and implementation. Monitoring program goals shall include: 1) assessment of stormwater discharge and receiving water discharge quality 2) assessment of best management effectiveness, and 3) demonstration and progress towards achieving interim targets and wasteload allocations.

Demonstration of achieving wasteload allocations, interim targets, and progress shall be accomplished quantitatively through a combination of the following:

- a. Assessing discharge water quality.
- b. Assessing receiving water quality.
- c. Assessing mass load reduction.

- d. Best management practices capable of achieving interim targets and wasteload allocations in combination with water quality monitoring for a balanced approach to determine effectiveness.
 - e. Any other effluent limitations and conditions which are consistent with the assumptions and requirements of the wasteload allocations.
5. Coordination with stakeholders; and
 6. Other pertinent factors.

Monitoring

The City of Santa Maria, City of Guadalupe, County of San Luis Obispo (Nipomo), County of Santa Barbara (Orcutt) and the Santa Maria Fairpark are required to develop and submit monitoring programs as part of their WAAP. The goals of the monitoring programs are described in the requirements of the WAAP.

Staff encourages the City of Santa Maria, City of Guadalupe, County of San Luis Obispo (Nipomo), County of Santa Barbara (Orcutt) and the Santa Maria Fairpark to develop and submit creative and meaningful monitoring programs. Monitoring strategies can use a phased approach, for example, whereby outfall or receiving water monitoring is phased in after best management practices have been implemented and assessed for effectiveness. Pilot projects where best management practices are implemented in well-defined areas covering a fraction of the MS4 that facilitates accurate assessment of how well the best management practices control pollution sources, is acceptable, with the intent of successful practices then being implemented in other or larger parts of the MS4.

Interim Targets

The target date to achieve the TMDLs is 15 years from the date of TMDL approval by the Office of Administrative Law. Implementing parties must demonstrate progress towards achieving their allocations. Interim targets are a tool to gauge progress during the 15-year implementation phase. Implementing parties may develop and propose interim targets as part of their WAAP as demonstration of progress. If implementing parties choose not to develop and propose interim targets, the following interim targets are expected as demonstration of progress towards achieving wasteload allocations:

- 20% progress towards achieving wasteload allocations at the end of the fifth year following TMDL approval by OAL.
- 50% progress towards achieving wasteload allocations at the end of the 10th year following TMDL approval by OAL.
- 100% progress towards achieving wasteload allocations at the end of the 15th year following TMDL approval by OAL.

Interim targets are goals and not wasteload allocations.

DOMESTIC ANIMAL/LIVESTOCK DISCHARGES:

After approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify livestock owners/operators who are not in compliance with the Domestic Animal Waste Discharge Prohibition of the requirement to comply with the Domestic Animal Waste Discharge Prohibition. Pursuant to California Water Code section 13261, 13267 or other applicable authority, the Executive Officer will require livestock owners/operators to submit for approval one the following to the Water Board:

- 1) Sufficient evidence to demonstrate that the livestock owner/operator is and will continue to be in compliance with the Domestic Animal Waste Discharge Prohibition. Such evidence could include documentation (e.g., photo documentation) submitted by the livestock owner/operator that the livestock owner/operator is not causing waste to be discharged to a

- water of the state resulting in violations of the Domestic Animal Waste Discharge Prohibition, or
- 2) A Nonpoint Source Pollution Control Implementation Program (Plan) for compliance with the Domestic Animal Waste Discharge Prohibition. Such a Plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from domestic animals. The Plan must also describe how implementing the identified management practices are likely to progressively achieve the load allocations, with the ultimate goal of achieving the load allocations during the implementation phase of the TMDL. The Plan must include monitoring and reporting to the Central Coast Water Board, demonstrating effectiveness of implemented best management practices and progress toward achieving load allocations, and a self-assessment of this progress. The Plan may be developed by an individual discharger or by a coalition of dischargers in cooperation with a third-party representative, organization, or government agency acting as the agents of livestock owners/operators, or
 - 3) A Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

Monitoring

Livestock owners/operators who are not in compliance may be required to implement and report water quality monitoring as part of their Plan for compliance with the Domestic Animal Waste Discharge Prohibition (as described above). Monitoring requirements can be developed individually, i.e., on an operation by operation basis, or by a coalition of dischargers in cooperation with a third-party representative, organization, or government agency acting as the agents of the livestock owners/operators.

Interim Targets

The target date to achieve the TMDLs is 15 years from the date of TMDL approval by the Office of Administrative Law. Livestock owners/operators not in compliance with the Domestic Animal Waste Discharge Prohibition must demonstrate progress towards compliance with the Domestic Animal Waste Discharge Prohibition, as described in their Plan. Interim targets are a tool to gauge progress during the implementation phase. Livestock owner/operators may develop and propose interim targets as part of their Plan as demonstration of progress. If livestock owners/operators choose not to develop and propose interim targets, the following interim targets are expected as demonstration of progress towards compliance with the Domestic Animal Waste Discharge Prohibition:

- 20% progress towards achieving load allocations at the end of the fifth year following TMDL approval by OAL.
- 50% progress towards achieving load allocations at the end of the 10th year following TMDL approval by OAL.
- 100% progress towards achieving load allocations at the end of the 15th year following TMDL approval by OAL.

Interim targets are goals and not wasteload allocations.

SANITARY SEWER COLLECTION SYSTEM LEAKS:

Entities with jurisdiction over sewer collection systems will demonstrate compliance with these TMDL load allocations through waste discharge requirements.

The City of Santa Maria, Laguna County Sanitation District, and the City of Guadalupe must implement their Collection System Management Plans as required by the Statewide General waste discharge requirements for collection agencies. Implementation of their waste discharge requirements ensures that a maintenance and management plan is in place and will reduce or eliminate the number and frequency of sanitary sewer overflows in the project area. Information

regarding sanitary sewer overflows must be provided to the Central Coast Water Board. Wastewater collection agencies will show compliance with the TMDL through complying with the existing statewide general waste discharge requirements.

Implementing parties will monitor and report as required in their waste discharge requirements.

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress toward achieving their allocations, dependent upon staff availability and priorities. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric target.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of pathogens are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric target and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural or background sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal coliform or the USEPA recommended criteria for *E. coli*.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving this TMDL numeric target is 15 years after the date of approval by the Office of Administrative Law.

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan, Chapter Five, as follows:

Amend Chapter 5, section IV.B. as follows:

Add the following watershed to the end of the bulleted list of applicable areas of the Domestic Animal Waste Discharge Prohibition:

- Santa Maria River Watershed (including Oso Flaco Creek subwatershed)

CHAPTER 4. IMPLEMENTATION PLAN

VIII.D. INDIVIDUAL, ALTERNATIVE AND COMMUNITY ONSITE WASTEWATER SYSTEMS

Onsite wastewater systems may be used to treat and dispose of wastewater from: (1) individual residences; (2) multi-unit residences; (3) institutions or places of commerce; (4) industrial sanitary sources; and (5) small communities. All individual and multi-unit residential, commercial, institutional and industrial developments with a discharge flow rate less than 2,500 gallons per day and community systems not regulated by waste discharge requirements must comply with these criteria. Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems serving more than 5 units or more than 5 parcels; or (2) commercial, institutional or industrial systems treating sanitary wastewater equal to or greater than 2,500 gallons per day (average daily flow).

Conventional onsite wastewater systems consist of septic tanks and leachfield or seepage pits and are typically designed to treat and dispose of domestic wastewater. Alternatives to conventional onsite system designs are used when site constraints prevent the use of conventional systems. Examples of alternative systems include (but are not limited to) enhanced treatment systems, mound or evapotranspiration disposal systems, or at-grade disposal systems.

Conventional, alternative and community systems can pose serious water quality problems if improperly designed, installed, and/or managed. Failures have occurred in the past and are usually attributed to the following:

- Systems are inadequately or improperly sited, designed, or constructed.
- Long term use is not considered.
- Inadequate operation and maintenance.

The following definitions are used throughout this section of the Water Quality Control Plan.

Alternative onsite system consists of additional (beyond conventional) treatment and/or disposal features engineered to overcome site constraints. A conventional onsite system that requires a pump to reach the leach area is not considered "alternative".

Application area shall be calculated no greater than the trench bottom and side walls below the bottom of the leach pipe, minus the first foot on each side. In seepage pits the application area refers to the total gravel depth in a seepage pit, minus any impervious, bedrock or clay lenses encountered in the sidewalls.

At-grade disposal systems consist of distribution pipe and bed at the native ground surface level and cover provided by filled material. At-grade disposal systems are similar to mound systems without the sand layer.

Certified professional is a person who demonstrates special qualifications (through education, experience, exam, etc.) needed to successfully perform the task at hand.

Conventional onsite system consists of a septic tank and leachfield or seepage pit.

Detrimental Water Quality Impact is any significant increase in waste concentrations or impairment of beneficial uses of a water body.

Discharger is the owner and/or operator of an onsite wastewater system.

Drainfield is used interchangeably with leachfield, leach area or disposal area.

Effective trench depth means depth below the bottom of the leach trench distribution piping minus the first foot.

Engineered systems are treatment and disposal systems that require special design features to overcome site limitations (topography, soil conditions, shallow groundwater or setback variances).

Existing onsite system is any onsite system approved and/or installed prior to adoption of these criteria on March 20, 2009 (OAL approval date).

Failed or failing onsite system is any system that displays symptoms of inadequate dispersion, treatment or assimilation of wastewater. These may include, but are not limited to, surfacing effluent, lush growth above the leach area, sluggish house drains, impacts to surface or groundwater from the onsite discharge, odors, frequent pumping, or backflow into tank when pumped. Standard pumping frequency is recommended every five years unless system-specific characteristics support an alternative frequency.

Fill is material deposited to raise the existing or excavated ground level.

Inflow and infiltration refers to non-wastewater (stormwater, groundwater, streams, seawater) entering the wastewater system through cracks, roof drains or other openings.

Low permeability material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content (% passing 200 sieve) of 60 percent or greater.

Local governing jurisdiction shall refer to the local governing jurisdiction, typically city or county, vested with legislative authority for onsite wastewater system permitting.

Monitoring shall refer to any sort of quality or performance assessment, including visual inspections.

New onsite system is an onsite wastewater system placed on property that has not previously been developed, or expansion of an existing onsite system to accommodate an increase in wastewater generation, after adoption of these criteria (March 20, 2009 OAL approval date). Repair or replacement of an existing onsite system does not constitute a new onsite system.

Onsite disposal area shall include the direct application area (trench, pit, bed) and surrounding 100' radius from any point in the application area that may be influenced by discharge from the disposal system.

Reservoir - A pond, lake, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of drinking supply water.

Septage is material removed from a septic tank; usually the accumulated scum, sludge and liquid within the tank.

Sidewall is the side portion of the leach area below the bottom of the distribution piping, or total gravel depth beneath the first hole in the central pipe of a seepage pit.

Threatened condition is one that if left uncorrected may cause or contribute to water quality or public health impacts.

Watercourse - A natural or man-made channel for passage of water. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) usually discharging into some stream or body of water.

VIII.D.31. ONSITE SYSTEM IMPLEMENTATION PROGRAM

California Water Code §13260(a) requires that any person discharging waste or proposing to discharge waste that could affect the quality of the waters of the State, shall file with the appropriate Regional Board a report of waste discharge, unless the Regional Board waives such requirement.

California Water Code §13263 requires the Regional Board to prescribe waste discharge requirements, or waive waste discharge requirements, for the discharge. The waste discharge requirements must implement relevant water quality control plans and the Water Code.

California Water Code §13269 authorizes the Central Coast Water Board to waive the submittal of reports of waste discharge and waste discharge requirements for specific types of discharges where such a waiver is consistent with applicable state

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and regional water quality control plans and is in the public interest.

California Water Code §13269 requires that waivers shall be conditional and may be terminated at any time by the Central Coast Water Board. Waivers may be granted for discharges of waste to land, but may not be granted for discharges of waste subject to the NPDES requirements of the federal Clean Water Act. The waiver must also include monitoring unless the Regional Board determines that the discharges do not pose a significant threat to water quality.

On April 15, 1983, the Central Coast Water Board adopted a waiver of waste discharge requirements for onsite systems that was incorporated into the Basin Plan. (1983 Waiver). That 1983 Waiver waived the requirements to submit a report of waste discharge and obtain waste discharge requirements for individual sewage disposal systems and for sanitary waste disposal from certain small community, institutional, commercial, and industrial facilities if the systems met certain specified conditions. In summary, the systems were required to meet standard criteria of the governing local jurisdiction that is implementing the Basin Plan requirements pursuant to a memorandum of understanding with the Water Board or was an individual project that complies with the Basin Plan. On January 1, 2003, the 1983 Waivers terminated by operation of law due to an amendment to Water Code §13269. Since termination of the 1983 Waiver, the Central Coast Water Board has been developing revised Basin Plan criteria and a renewed conditional waiver of waste discharge requirements. Onsite wastewater systems have continued to be permitted by local governing jurisdictions consistent with the 1983 Waiver and the Basin Plan criteria and some have been subject to individual waste discharge requirements or waivers issued by the Central Coast Water Board.

This section of the Basin Plan Amendment sets forth a revised Implementation Program for onsite wastewater systems to ensure protection of waters of the state, including criteria and as a conditional waivers of waste discharge requirements and reports of waste discharge requirements for existing and new onsite wastewater systems. Onsite

wastewater systems covered by these renewed conditional waivers are: individual residences, multi-unit residences, institutions or places of commerce, industrial sanitary sources, and small community systems not regulated by waste discharge requirements.

The Central Coast Water Board finds that the this Conditional Waivers set forth in this Implementation Program comply with Water Code §13269, are in the public interest, and are This Conditional Waiver contains conditions and is consistent with the Basin Plan because:

1. Waivers granted for discharges that do not pose a significant threat to water quality enable staff resources to be used effectively and avoid unnecessary expenditures of limited resources.
2. It was adopted in compliance with Water Code Sections §13242 and §13269 and other applicable law.
3. It requires compliance with the Basin Plan.
4. It includes conditions that are intended to reduce and prevent pollution and nuisance and protect the beneficial uses of the waters of the State.
5. Dischargers may not discharge any waste not specifically regulated by this Conditional Waiver except in compliance with the Water Code.
6. Dischargers who violate the conditions of this Conditional Waiver are subject to enforcement pursuant to Water Code section §13350 and other applicable law.
7. The discharges from onsite wastewater systems all discharge the same type of waste.
8. It provides a method for coordinating regulation with local governing jurisdictions that routinely permit and oversee onsite wastewater systems, thereby reducing overlapping regulation.

It is appropriate to regulate onsite wastewater systems by way of a Conditional Waiver rather than with individual waste discharge requirements

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because there are over 100,000 discharges of the listed categories. Issuing individual waste discharge requirements to each of those would use significant staff resources and is not necessary in most circumstances because such systems are regulated by local governing jurisdictions. The conditions imposed in this Conditional Waiver will be protective of waters of the state. This Conditional Waiver will simplify and streamline the regulatory process without compromising the protection of water quality.

Although a discharge may qualify for waiver enrollment, the Central Coast Water Board retains the right to regulate that discharge through other programs or Central Coast Water Board actions (such as enforcement orders, individual waste discharge requirements, general orders). The Central Coast Water Board may terminate a discharger's enrollment in a waiver at any time and require the discharge to obtain waste discharge requirements or terminate the discharge. Dischargers not eligible for the Conditional Waiver must apply for waste discharge requirements or waiver of waste discharge requirements in accordance with Water Code §13260.

Local governing jurisdictions also regulate onsite systems. The Central Coast Water Board and local governing jurisdictions typically coordinate the regulation of onsite systems. Appropriately developed and implemented memoranda of understanding between the Central Coast Water Board and local governing jurisdiction (e.g., counties and cities) provide practical and enforceable tools to compel compliance with the Basin Plan criteria for onsite systems and ensure water quality protection.

~~The Central Coast Water Board's Executive Officer is authorized to may approve and execute, on behalf of the Central Coast Water Board, individual memoranda of understanding with local governing jurisdiction in the Region based substantially on the requirements specified in Chapter 4, Section VIII.D of the Basin Plan (sections pertaining to onsite wastewater systems). Individual memoranda of understanding shall commit the local governing jurisdiction to amending its municipal code and onsite wastewater system program, if necessary, in~~

order to be substantially equivalent to the Basin Plan. If and when statewide criteria are adopted pursuant to California Water Code §13291, this Basin Plan section and the memoranda of understanding will be reviewed to determine if they need to be modified. Individual memoranda of understanding shall incorporate additional measures to be taken by the local governing jurisdiction to identify and address areas of degraded groundwater or surface water quality, where onsite wastewater systems are a potential source of pollution.

~~This Implementation Program sets forth two types of conditional waivers for the regulation of onsite wastewater systems: (1) a conditional waiver of the requirement to submit reports of waste discharge and to obtain waste discharge requirements for existing onsite systems regulated under the 1983 Waivers, (2) a conditional waiver of the requirement to obtain waste discharge requirements, but not the requirement to submit reports of waste discharges, for those systems regulated directly by the Central Coast Water Board, and (3) a conditional waiver of the requirements to submit reports of waste discharge and obtain waste discharge requirements for those systems that are regulated by local governing jurisdictions that comply with the conditions of this section. Section VIII.D.3.a conditionally waives waste discharge requirements, but not reports of waste discharges, for those systems regulated directly by the Central Coast Water Board. Section VIII.D.3.b conditionally waives waste discharge requirements and reports of waste discharge for those systems that are regulated by local governing jurisdictions that comply with the conditions of this section.~~

In compliance with Water Code §13269, the conditional waivers set forth in this Basin Plan shall expire five years after (OAL approval date) and may be renewed.

VIII.D.1.a. CONDITIONAL WAIVER FOR EXISTING ONSITE WASTEWATER SYSTEMS

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~~The Central Coast Water Board waives the requirement to submit reports of waste discharge associated fee and obtain waste discharge requirements to the Central Coast Water Board and to receive enrollment notification for those onsite wastewater systems that existed as of (OAL approval date) that meet all the eligibility criteria and comply with the conditions set forth below regulated by a local governing jurisdiction, provided the following conditions are met.~~

~~As set forth in this Implementation Program, the Water Board expects that local governing jurisdictions will continue to directly regulate most existing onsite wastewater systems. The Water Board will continue to take direct action as appropriate to protect water quality, including enforcement actions and requiring submittal of reports of waste discharge requirements, and/or issuance of individual waste discharge requirements or conditional waivers.~~

ELIGIBILITY CRITERIA

1. The onsite wastewater system existed as of [OAL approval date].
2. The onsite wastewater system is installed at an individual residence, multi-unit residence, institution or place of commerce, industrial sanitary source, or small community not regulated by waste discharge requirements.
3. The onsite wastewater system was required to meet the standard criteria of the local governing jurisdiction that was implementing the Basin Plan criteria or the onsite wastewater system complied with the Basin Plan consistent with the 1983 Waiver. The onsite wastewater system is managed and maintained in a manner consistent with the Water Board or Water Board Executive Officer approved onsite management plan implemented by the local governing jurisdiction.
4. The local governing jurisdiction takes the following actions:
 - a. Ensures site suitability tests are performed prior to repairs and replacements, and that

tests are performed in accordance with standard procedures.

- b. Ensures proper system siting (VIII.D.3.a.), design (VIII.D.3.b.), construction (VIII.D.3.d.), and installation for repairs and replacements; and
- c. Adequately informs property owners regarding proper installation (of repairs and replacement), operation and ongoing maintenance of their onsite wastewater systems.

CONDITIONS

Dischargers to existing systems shall comply with the following conditions.

1. Properly operate and maintain the onsite system to prevent failure.
2. Notify the local governing jurisdiction of system failures.
3. Seek appropriate permits regarding repairs and replacements of failing systems.
4. Ensure that repairs and replacements comply with the Criteria for New Systems (Section VIII.D.>>) to the greatest extent practicable.
5. Manage and maintain the onsite wastewater system in a manner consistent with the Water Board or Water Board Executive Officer approved onsite management plan implemented by the local governing jurisdiction.

RECOMMENDATIONS

The Water Board expects that:

1. Local governing jurisdictions may can use staff inspectors or individuals under contract with the local government. A standard detailed checklist should shall be completed by the inspector to verify the onsite wastewater system was constructed in conformance with the Basin Plan and local governing jurisdiction requirements.

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2. Property owners should be made aware of the nature and requirements of their onsite wastewater system.
3. Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. Local governing jurisdictions should ensure the terms of the enforcement action are entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the enforcement action would appear in the preliminary title report.
4. All onsite wastewater system owners ~~should need to~~ be aware of proper operation and maintenance procedures. Local governing jurisdictions ~~should~~ shall mount a continuing public education program to provide home owners with onsite wastewater system operation and maintenance guidelines. Basin Plan information should be available at local governing jurisdiction health and building departments.

VIII.D.1.b3.a. CONDITIONS FOR WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR NEW ONSITE WASTEWATER SYSTEMS REGULATED DIRECTLY BY THE CENTRAL COAST WATER BOARD

The Central Coast Water Board waives the requirement to obtain waste discharge requirements, but not the requirement to submit reports of waste discharge, for new onsite wastewater systems (installed after [OAL approval date]) directly regulated by the Water Board that meet the eligibility criteria and comply with the conditions set forth below. Waste discharge requirements [California Water Code §13263(a)] are conditionally waived as follows:

The Central Coast Water Board's Executive Officer is authorized to enroll applicants in the onsite wastewater system conditional waiver that meet the eligibility criteria and comply with the following

conditions provided the following conditions are met.

ELIGIBILITY CRITERIA

For an onsite wastewater system to be eligible for a conditional waiver of waste discharge requirements:

1. The onsite wastewater system is installed at an individual residence, multi-unit residence, institution or place of commerce, industrial sanitary source, or small community not regulated by waste discharge requirements.
2. The discharger receives enrollment notification from the Executive Officer.

CONDITIONS

1. The onsite wastewater system is sited (VIII.D.3.a.), designed (VIII.D.3.b.), constructed (VIII.D.3.d.) managed and maintained (VIII.D.3.e.) in a manner consistent with criteria specified in the Basin Plan, Chapter 4, Section VIII.D.
2. The applicant submits a report of waste discharge to the Central Coast Water Board that provides documentation of consistency with each Basin Plan criterion.
3. The applicant submits with the report of waste discharge a fee corresponding to the lowest applicable fee for waste discharge requirements (threat and complexity rating of III-C) identified in the State Water Board's fee schedule set forth in Title 23 California Code of Regulations.
4. The applicant enrolled in the Conditional Waiver complies with conditions specified in an approved onsite management plan implemented by the local governing jurisdiction, if available,

The Central Coast Water Board or its Executive Officer may terminate the discharger's enrollment in the Conditional Waiver at any time. Dischargers not eligible for the Conditional Waiver must apply for waste discharge requirements or waiver of

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waste discharge requirements in accordance with Water Code requirements.

Coast Water Board regarding onsite wastewater system management.

VIII.D.1.c3.b. ~~CONDITIONS FOR~~ ~~WAIVER OF WASTE DISCHARGE~~ ~~REQUIREMENTS FOR NEW ONSITE~~ ~~WASTEWATER SYSTEMS REGULATED~~ ~~BY LOCAL GOVERNING~~ ~~JURISDICTIONS~~

CONDITIONS

The Central Coast Water Board waives the requirements to submit a report of waste discharge and associated Water Board fee, and to obtain waste discharge requirements or receive enrollment notification for new systems (installed after [OAL approval date]) that meet the eligibility criteria and comply with the conditions set forth below are waived for onsite wastewater systems regulated by a local governing jurisdiction, provided the following conditions are met.

1. The onsite wastewater system is permitted by a local governing jurisdiction that implements the criteria for new systems (Section VIII.D.3.)
2. The onsite wastewater system is permitted by a local governing jurisdiction that implements an onsite wastewater management plan approved by the Central Coast Water Board or its Executive Officer.
3. The local governing jurisdiction has entered into a memorandum of understanding with the Central Coast Water Board regarding onsite wastewater system management.
4. The onsite wastewater system meets the criteria in Basin Plan Chapter 4, Section VIII.D. for site suitability (VIII.D.3.a.), design (VIII.D.3.b.), alternatives (VIII.D.3.c.), construction (VIII.D.3.d.), maintenance (VIII.D.3.e.), and use considerations (VIII.D.3.f.)
5. The onsite wastewater system is sited, designed, managed and maintained in a manner consistent with the Water Board or Water Board Executive Officer approved onsite management plan implemented by the local governing jurisdiction.
6. The applicant submits any required application and fee to the local governing jurisdiction.

ELIGIBILITY CRITERIA

For an onsite wastewater system to be eligible for a conditional waiver of the requirements to submit a report of waste discharge and obtain waste discharge requirements: For New Discharges (systems installed after March 20, 2009):

1. The onsite wastewater system is installed at an individual residence, multi-unit residence, institution or place of commerce, industrial sanitary source, or small community not regulated by waste discharge requirements.
2. The local governing jurisdiction has adopted or updated local ordinances that incorporate the Criteria for New Systems set forth in Section VIII.D.3. of the Basin Plan. Local ordinances shall be updated to reflect Basin Plan criteria.
3. The local governing jurisdiction implements an onsite wastewater management plan approved by the Water Board or its Executive Officer (VIII.D.2.b.) to ensure conformance with the Basin Plan criteria set forth in Section VIII.D.3. and local regulations, and has entered into a memorandum of understanding with the Central

PROHIBITIONS

1. Local governing jurisdiction approval and discharger installation of new alternative systems are prohibited subsequent to final approval of these criteria on (OAL approval date) unless consistent with either a locally implemented onsite wastewater management plan approved by the Central Coast Water Board, or the Water Board has adopted waste discharge requirements or issued a conditional waiver of waste discharge requirements for the system.

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VIII.D.24. LOCAL GOVERNING JURISDICTION ACTIONS

VIII.D.24.a. DISCLOSURE AND COMPLIANCE OF EXISTING ONSITE WASTEWATER SYSTEMS

The Water Board, on March 20, 2009, adopted a Basin Plan Implementation Program establishing a conditional waiver for onsite wastewater systems that meet specified eligibility criteria and the conditions (Basin Plan Section VIII.D.13.a, b and c). For an onsite wastewater system to be eligible for a conditional waiver of Report of Waste Discharge and Waste Discharge Requirements, local governing jurisdictions must develop and implement programs to ensure conformance with this Basin Plan (as found in the following sections) and local regulations and enter into memorandum of understanding with the Central Coast Water Board. Such programs shall include (but are not limited to) procedures to:

- Ensure site suitability tests are performed as necessary, and that tests are performed in accordance with standard procedures;
- Ensure proper system siting, design, construction and installation; and
- Adequately inform property owners regarding proper installation, operation and ongoing maintenance of their onsite wastewater systems.

Local governing jurisdictions may ~~can~~ use staff inspectors or individuals under contract with the local government. A standard detailed checklist should ~~shall~~ be completed by the inspector to verify the onsite wastewater system was constructed in conformance with the Basin Plan and local governing jurisdiction requirements.

Property owners should be aware of the nature and requirements of their onsite wastewater system. Plans should be available in city or county offices

showing placement of soil absorption systems. Local governing jurisdictions should require onsite wastewater system as-built plans as a condition of new construction final inspection.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. Local governing jurisdictions should ensure the terms of the enforcement action are entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition enforcement action would appear in the preliminary title report.

All onsite wastewater system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions shall ~~should~~ mount a continuing public education program to provide homeowners with onsite wastewater system operation and maintenance guidelines. Basin Plan information should be available at local governing jurisdiction health and building departments.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. Dedicated system expansion areas are also appropriate. To protect this set-aside area from encroachment, the local governing jurisdiction shall require restrictions on future use of the area as a condition of land division or building permit approval. For new subdivisions, Covenants, Conditions and Restrictions (CC&R's) or additional map sheets recorded with the Parcel or Tract Final Map might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading the CC&R's or Final Map.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems shall be done under permit from the local governing jurisdiction. The local governing jurisdiction shall require failing systems to be brought into compliance with the Basin Plan or repair criteria consistent with locally implemented onsite

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management plan (approved by the Central Coast Water Board ~~or its Executive Officer~~).

Land use changes should not be approved by the local governing jurisdiction until the existing onsite system meets criteria of this Basin Plan and local ordinances.

Within the following sections, criteria are specified for RECOMMENDATIONS, REQUIREMENTS and PROHIBITIONS.

RECOMMENDATIONS

1. Inform property buyers of the existence, location, operation, and maintenance of onsite disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g., Basin Plan prohibitions) through the County Record.
2. Conduct public education programs to provide property owners with operation and maintenance guidelines.
3. It may be appropriate for onsite systems to be maintained by local onsite maintenance districts.
4. Standard soil testing procedures should be adopted.
5. Onsite Wastewater Management Plans shall should be prepared and implemented for urbanizing and high density areas served by onsite wastewater systems.

REQUIREMENTS

6. Local governing jurisdictions shall require replacements or repairs to failing systems to be in substantial conformance (to the greatest extent practicable) with the Basin Plan criteria for site suitability (VIII.D.3.a.), design (VIII.D.3.b.), alternatives (VIII.D.3.c.), construction (VIII.D.3.d.), maintenance (VIII.D.3.e.), and use considerations (VIII.D.3.f.) ~~recommendations, requirements and prohibitions~~ or the local onsite wastewater management plan.

7. Local governing jurisdictions shall ensure that alternative onsite system owners are provided an informational maintenance or replacement document by the system designer or installer. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.
8. Local ordinances shall be updated to reflect Basin Plan criteria for management plans (VIII.D.2.b.), site suitability (VIII.D.3.a.), design (VIII.D.3.b.), alternatives (VIII.D.3.c.), construction (VIII.D.3.d.), maintenance (VIII.D.3.e.), and use considerations (VIII.D.3.f.)

PROHIBITIONS

9. New alternative systems are prohibited unless consistent with a locally implemented onsite wastewater management plan approved by the Central Coast Water Board ~~or its Executive Officer~~ or waste discharge requirements issued or waived by the Water Board.

**VIII.D.24.b. ONSITE WASTEWATER
MANAGEMENT PLANS**

As set forth in Section VIII.D.1, the Water Board, on March 20, 2009, adopted a Basin Plan Implementation Program that sets forth a conditional waiver of the requirements to submit a report of waste discharge and obtain waste discharge requirements for certain onsite wastewater systems (Basin Plan Section VIII.D.3). For an onsite wastewater system to be eligible for a conditional waiver, where the local governing jurisdiction must adopt, develop and implement an onsite wastewater management plan that complies with this section is approved by the Water Board. This section sets forth the purpose and content of the onsite wastewater management plan that must be included prior to Water Board approval. Approval of onsite system wastewater management plans shall be based upon (but not limited to) the inclusion of the elements set forth below guidance provided in the. A guidance document, titled "Central Coast Water Board Checklist for Developing & Reviewing

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Onsite Wastewater Management Plans” is provided to assist local governing jurisdictions in developing the plan (included as Attachment 2 of March 20, 2009 Staff Report).

1. For a conditional waiver to apply to onsite wastewater systems, onsite wastewater management plans shall be implemented in urbanizing areas to investigate and mitigate reduce or prevent long-term cumulative impacts resulting from continued use of individual, alternative, and community onsite wastewater systems. Onsite wastewater management plans should be a comprehensive planning tool to specify onsite disposal system limitations to prevent ground or surface water degradation.
2. Onsite wastewater management plans shall include (but not be limited to) the following elements:
 - Survey and evaluation of information regarding effectiveness of existing onsite systems.
 - Water quality (groundwater and surface water) monitoring evaluation program.
 - Projections of onsite disposal system demand and determination of methods to best meet demand.
 - Recommendations and requirements for existing onsite wastewater system inspection, monitoring, maintenance and repairs including procedures to ensure that replacements or repairs to failing systems are done under permit from the local governing jurisdiction and in substantial conformance (to the greatest extent practicable) with Basin Plan criteria for site suitability (VIII.D.3.a.), design (VIII.D.3.b.), alternatives (VIII.D.3.c.), construction (VIII.D.3.d.), maintenance (VIII.D.3.e.), and use considerations (VIII.D.3.f.) or the local onsite wastewater management plan.
 - Recommendations and requirements for new onsite wastewater systems reflecting Basin Plan conditions and criteria (VIII.D.3).

- Alternative means of disposing of sewage in the event of disposal system failure and/or irreversible degradation from onsite disposal.
- Procedures to assure that land use changes are not approved by the local governing jurisdiction until existing onsite wastewater systems meet criteria of this Basin Plan and local ordinances.
- Education and outreach program including procedures to inform property buyers of the existence, location, operation, and maintenance of onsite disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g., Basin Plan prohibitions) through the County Record. The education and outreach program shall also include procedures to ensure that alternative onsite system owners are provided an informational maintenance or replacement document by the system designer or installer. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.
- Enforcement options.
- Septage management.
- Program administration, staffing, records keeping, installation and repairs tracking, and financing.
- Consideration of the appropriateness of onsite maintenance districts.
- Adoption of standard soil testing procedures.
- Adoption or update of local ordinances to reflect Basin Plan criteria for management plans (VIII.D.2.b.), site suitability (VIII.D.3.a.), design (VIII.D.3.b.), alternatives (VIII.D.3.c.), construction (VIII.D.3.d.), maintenance (VIII.D.3.e.), and use considerations (VIII.D.3.f.)
- Procedures to assure that onsite wastewater system as-built plans are required as a

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condition of new construction final inspection, and procedures to assure that plans are available in city or county offices showing placement of soil absorption systems.

Consideration of use of onsite wastewater disposal zones, as discussed in Section §6950-6981 of the Health and Safety Code, may be an appropriate means of implementing onsite wastewater management plans.

VIII.D.24.c. ONSITE WASTEWATER SYSTEM MAINTENANCE DISTRICTS

It may be appropriate for community onsite systems to be maintained by local onsite wastewater system maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, Community Services Districts, or County Service Areas

Onsite wastewater system maintenance districts are responsible for onsite system operation and maintenance in conformance with this Water Quality Control Plan. Such districts should ensure proper construction, installation, operation, and maintenance of onsite wastewater systems. Maintenance districts should establish onsite system surveillance, maintenance and pumping programs, provide repairs to plumbing or leachfields, and encourage water conservation measures.

VIII.D.32. CRITERIA FOR NEW SYSTEMS

Onsite wastewater system problems can be minimized with proper site location, design, installation, operation and maintenance. The following section includes criteria for all new onsite wastewater disposal systems. Unless local governing jurisdictions should incorporate these criteria and guidelines into their local ordinances, systems will not be eligible for waivers set forth in VIII.D.1.c. These criteria will be used by the Central Coast Water Board for Water Board regulated systems and exemptions.

Local governing jurisdictions may authorize alternative onsite systems if the agency acts consistent with locally implemented onsite wastewater management plans approved by the Central Coast Water Board or its Executive Officer and with the Basin Plan criteria specified in VIII.D.3.c.

For any onsite system, limited disposal options are available for septage (solids periodically removed from septic tanks). As a component of a wastewater management plan, long-term septage disposal plans shall be considered and developed by local governing jurisdictions.

Onsite wastewater system criteria are arranged in sequence under the following categories: site suitability, onsite system design, design for alternative and engineered systems, construction, onsite system maintenance, use considerations, onsite wastewater system prohibition areas, and subsurface disposal exemptions ~~community system design, and local governing jurisdictions.~~ Within each category, criteria are specified for RECOMMENDATIONS, REQUIREMENTS and PROHIBITIONS.

VIII.D.32.a. SITE SUITABILITY

RECOMMENDATIONS

1. For new land divisions, onsite disposal systems and expansion areas should be protected from encroachment by provisions in covenants, conditions, and restrictions (CC&Rs), recorded in Final Maps or similar mechanisms.
2. Percolation test holes (at least three per system) should be drilled with a hand auger. A hole could be hand augered or dug with hand tools at the bottom of a larger excavation made by a backhoe.
3. Natural ground slope of the disposal area should not exceed 20 percent.
4. An excavation should be made to detect mottling or presence of underground channels,

fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drain field bottom.

REQUIREMENTS

5. At least one soil boring or excavation per onsite system shall be performed to determine soil suitability, depth to groundwater, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. The soil boring or excavation should extend at least 10 feet below the drain field bottom at each proposed location and be performed during or shortly after the wet season to characterize the most limiting conditions.
6. For leachfields, at least three percolation test locations shall be used to determine system acceptability.
7. Percolation tests shall be continued until a stabilized rate is obtained.
8. Percolation tests shall be performed at a depth corresponding to the bottom of the subsurface disposal area.
9. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields shall be set back far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, from the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback shall be at least 100 feet measured from the top of the cut.
10. Prior to permit approval, site investigation shall determine onsite system suitability (consistency with recommendations, requirements and prohibitions specified in this section). Seepage pits should be utilized only after careful consideration of site suitability.

11. Distances between trench bottom and highest seasonal usable groundwater, including perched groundwater, shall not be less than the separation specified by appropriate percolation rate:

Percolation Rate (minutes/inch)*	Distance (feet)
1-4	20
5-29	8
>30	5

*Onsite disposal in soils with percolation rates faster than one minute per inch are prohibited without additional (alternative) treatment.

12. Onsite disposal systems on slopes greater than 20 percent shall be designed by a certified professional.

PROHIBITIONS

13. For new land divisions (including lot splits) served by onsite systems, lot sizes less than one acre are prohibited unless authorized under an onsite management plan approved by the Central Coast Water Board or its Executive Officer. For the purpose of this prohibition, secondary units are considered "de-facto" lot splits and shall not be constructed on lots less than two acres in size unless consistent with onsite management plans.
14. Onsite wastewater disposal shall not be located in areas subject to inundation from a 25-year flood.
15. Onsite disposal systems shall not be installed where natural ground slope of the disposal area exceeds 30 percent.
16. Leachfields are prohibited in soils where percolation rates are slower than 120 min/in unless parcel size is at least two acres. Disposal systems designed to accommodate slow percolation rates (such as evapotranspiration systems) shall be evaluated as alternative systems.

- 17. Onsite discharge is prohibited on any site unable to maintain subsurface disposal.
- 18. Onsite discharge is prohibited where lot sizes, dwelling densities or site conditions cause detrimental impacts to water quality.
- 19. Onsite discharge is prohibited within a water supply reservoir watershed where parcel size is less than one acre, unless consistent with an onsite wastewater management plan approved by the Central Coast Water Board ~~or its Executive Officer.~~
- 20. Onsite discharge is prohibited in any area where continued use of onsite systems constitutes a public health hazard, an existing or threatened condition of water pollution, or nuisance.
- 21. Onsite discharge is prohibited where soils or formations with channels, cracks, fractures, or percolation rates allow inadequately treated waste to surface or degrade water quality.*

* Unless a setback distance of at least 250 feet to any domestic water supply well or surface water is ensured.

- 22. Seepage pits are prohibited in soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.
- 23. For seepage pits, distances between pit bottom and usable groundwater, including perched groundwater, shall not be less than separation specified by appropriate soil type:

<u>Soil Type</u>	<u>Distance (feet)</u>
Gravels	additional (alternative) treatment required
Gravels with few fines*	20
Other	10

* Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

- 24. Onsite discharge in soils with percolation rates faster than one minute per inch is prohibited without additional treatment consistent with an onsite management plan implemented by the

local governing jurisdiction and approved by the Central Coast Water Board ~~or its Executive Officer.~~

- 25. Onsite discharge is prohibited in fill unless specifically engineered as a disposal area.

VIII.D.32.b. ONSITE SYSTEM DESIGN

RECOMMENDATIONS

- 1. Dual disposal fields (200 percent of original calculated disposal area) should be installed.
- 2. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.
- 3. Distance between drainfield trenches should be at least two times the effective trench depth. Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.
- 4. Application area used in design calculations should be no greater than defined in section VIII.D. ~~the area calculated using trench bottom and sidewalls minus the first foot below the distribution pipe.~~^{UPC}
- 5. Seepage pit application rate should not exceed 0.3 gallons per day (gpd) per square foot.

REQUIREMENTS

- 6. Onsite wastewater treatment tanks shall be water-tight, and designed to remove settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.
- 7. The minimum design flow rate shall be 375 gallons per day for a 3-bedroom house, and 75 gpd should be added for each additional bedroom.
- 8. Drainfield design shall be based only upon usable permeable soil layers.

**Water Quality Control Plan, Central Coast Basin
Revisions to Chapter 4
(onsite wastewater sections only)**

**Res. No. R3-2011-0004 amendment, additions
& deletions shown (Res. No. R3-2008-0005 &
No. R3-2009-0012 incorporated in text)**

9. Leachfield loading application rate shall not exceed the following:

<u>Percolation Rate (minutes/inch)</u>	<u>Loading Rate (gpd/sq.ft.)</u>
1 - 20	0.8
21 - 30	0.6
31 - 60	0.25
61 - 120	0.10

Minimum Setback
Distance (feet)

Domestic water supply wells 100

Watercourse 100

Drinking water supply reservoir
spillway elevation 200

Springs, natural or any part
of a man-made spring 100

10. If curtain drains divert groundwater to subsurface soils, the upslope separation from a leachfield or pit shall be at least 20 feet and the down slope separation shall be at least 50 feet.

11. Onsite system design shall allow access for inspection and cleaning. Septic tanks must be accessible for pumping.

12. For commercial, institutional, industrial and community systems, design shall be based on daily peak flow.

13. Dual disposal systems shall be installed (200 percent of original calculated disposal area) for community systems.

14. All onsite disposal systems shall reserve an expansion area (additional 100% disposal capacity) to be set aside and protected from all uses except future drainfield repair and replacement.^{UPC} Community systems shall install dual drainfields (200% disposal capacity) and reserve replacement area (3rd 100% disposal capacity).

15. Community systems shall provide duplicate individual equipment components for components subject to failure (such as pumps).

16. Distances between trench/pit bottom and bedrock or other low permeability material shall be at least ten feet.

17. Where site conditions permit migration of wastewater to water, setback distances from disposal trench/pit shall be at least:

18. Community systems shall be designed with adequate capacity to accommodate the build-out population.

19. Community wastewater treatment and disposal facilities shall be operated by a public agency. If a demonstration is made to the Central Coast Water Board that an existing public agency is unavailable and formation of a new public agency is unreasonable, a private entity with adequate financial, legal, and institutional resources to assume responsibility for waste discharges may be acceptable.

PROHIBITIONS

20. Onsite discharge to leachfields is prohibited where soil percolation rates are slower than 60 minutes per inch unless the system is designed for an effluent application rate of 0.1 gpd per square foot of application area, or less.

21. Discharge shall not exceed 40 grams per day of total nitrogen, on the average, per acre served by onsite system overlying groundwater recharge areas, except where a local governing jurisdiction has adopted a Wastewater Management Plan approved by the Central Coast Water Board or its Executive Officer.

22. Community system seepage pits are prohibited unless additional (alternative) treatment is provided consistent with an onsite management plan implemented by the local governing jurisdiction and approved by the Central Coast Water Board Executive Officer. Such seepage pits shall have at least 15 vertical feet between

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pit bottom and highest usable groundwater, including perched groundwater.

management plan approved by the Central Coast Water Board or its Executive Officer.

23. Inflow and infiltration shall be precluded from the system unless design specifically accommodates such excess flows.
24. Onsite wastewater systems are prohibited in any subdivision unless the subdivider clearly demonstrates the installation, operation and maintenance of the onsite system will be properly functional and in compliance with all Basin Plan criteria for new onsite systems (VIII.D.3.)
25. Curtain drains that discharge to ground surface or surface water are prohibited within 50 feet down slope of onsite system disposal areas.

VIII.D.32.c. DESIGN FOR ALTERNATIVE AND ENGINEERED SYSTEMS

RECOMMENDATIONS

1. Mound systems, evapotranspiration systems, and other alternative onsite systems should be designed and installed in accordance with guidelines available from the State Water Resources Control Board.

REQUIREMENTS

2. Alternative onsite wastewater systems shall be designed by a certified professional competent in alternative onsite wastewater system design.
3. Alternative and engineered onsite wastewater systems shall be located, designed, installed, operated, maintained, and monitored in accordance with a locally implemented onsite management plan approved by the Central Coast Water Board or its Executive Officer.

PROHIBITIONS

4. Alternative and engineered onsite wastewater systems are prohibited, except where consistent with a locally implemented onsite

VIII.D.32.d. CONSTRUCTION

RECOMMENDATIONS

1. Construction activities should follow recommendations and precautions described in the Environmental Protection Agency's Design Manual: Onsite Wastewater Treatment and Disposal Systems.
2. Onsite wastewater systems should have a slightly sloped finished grade to promote surface runoff.
3. Surface runoff should be diverted around open trenches/pits to limit siltation of trench bottom area.
4. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.
5. In clayey soils, work should be done only when soil moisture content is low enough to avoid smearing of infiltrative surfaces.
6. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.
7. Bottom of trench or bed distribution piping should be level throughout to prevent localized overloading.
8. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes should be placed with extreme care outside the leaching area to ensure settling does not occur.
9. Risers to the ground surface and manholes should be installed over the septic tank inspection ports, access ports and distribution boxes.

**Water Quality Control Plan, Central Coast Basin
Revisions to Chapter 4
(onsite wastewater sections only)**

**Res. No. R3-2011-0004 amendment, additions
& deletions shown (Res. No. R3-2008-0005 &
No. R3-2009-0012 incorporated in text)**

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10. Drainfields should include inspection pipes to check water level.
11. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.

REQUIREMENTS

12. Prior to backfilling, the distribution system shall be tested to check the hydraulic loading pattern.
13. Disposal systems shall be inspected by the permitting agency prior to covering to ensure proper construction. Designers and/or installers of engineered onsite wastewater systems shall provide a letter to the permitting authority stating that the onsite system was installed in conformance with the approved plans.

**VIII.D.32.e. ONSITE SYSTEM
MAINTENANCE**

RECOMMENDATIONS

1. Septic tanks should be inspected every two to five years to determine the need for pumping.
2. Septic tanks should be pumped whenever: (1) the scum layer is within three inches of the outlet device, (2) the sludge level is within eight inches of the bottom of the outlet device, or (3) every five years; whichever is sooner.
3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level or every six months, whichever is sooner.

REQUIREMENTS

4. Onsite wastewater systems shall be maintained in accordance with approved onsite

management plans. Where onsite management plans have not been approved by the Central Coast Water Board or its Executive Officer, onsite systems shall be maintained as described in requirements 5 and 6 below in the following specifications.

5. Disposal of septage (solid residue pumped from septic tanks) shall be accomplished in a manner acceptable to the Central Coast Water Board Executive Officer.
6. Records of maintenance, pumping, septage disposal, etc. shall be maintained by the onsite system owner and available upon request.

VIII.D.32.f. USE CONSIDERATIONS

RECOMMENDATIONS

1. Water conservation and solids reduction practices should be implemented by all onsite system users. Garbage grinders should not be used in homes with septic tanks. Where grinders are used, septic tank capacity and inspection/pumping frequency should be increased.
2. Metering and water use costs should be used to encourage water conservation in areas served by onsite systems.
3. Bleach, solvents, fungicides and any other toxic material, grease and oil should not be discharged into onsite wastewater systems.
4. Self-regenerating water softeners should not be used where discharge is to onsite systems. If water softening is necessary, use of canister-type softeners will protect the treatment and disposal systems and underlying groundwater from unnecessary accumulation of salts.

PROHIBITIONS

5. Self-regenerating water softener brine discharge to onsite wastewater systems is prohibited unless consistent with an onsite wastewater management salts minimization

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plan approved by the Central Coast Water Board ~~Executive Officer~~ and implemented by the local governing jurisdiction.

VIII.D.32.g. ONSITE WASTEWATER SYSTEM PROHIBITION AREAS

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, discharges are prohibited in the following areas:

PROHIBITIONS

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Basin Plan Appendix A-27.
2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed shall be managed as follows: Discharges shall be allowed providing the County of Santa Cruz, as lead agency, implements the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service, February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Central Coast Water Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.
3. Discharges from individual and community sewage disposal systems are prohibited, effective November 1, 1988, in the Los Osos/Baywood Park area depicted in the Prohibition Boundary Map included as Attachment A of Resolution No. 83-13, which can be found in Basin Plan Appendix A-30.

VIII.D.32.h. SUBSURFACE DISPOSAL EXEMPTIONS

The Central Coast Water Board ~~or Executive Officer~~ may grant exemption to prohibitions for: (1) engineered new onsite wastewater systems for sites unsuitable for standard systems; and (2) new or existing onsite systems within the specific prohibition areas cited above in section VIII.D.3.g. To obtain an exemptions, the discharger must submit a report of waste discharge to the Water Board and the local governing jurisdiction that provides ~~Such exemptions may be granted only after presentation of sufficient justification, including geologic and hydrologic evidence that the continued operation of such system(s) in a particular area will not individually or collectively, directly or indirectly, result in pollution or nuisance, or affect water quality adversely.~~

Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause: (1) damage to public or private property; (2) ground or surface water degradation; (3) nuisance condition; or, (4) a public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available.

Requests for exemptions will not be considered until the local entity governing jurisdiction has reviewed the system and submitted the proposal for Central Coast Water Board review. Dischargers requesting exemptions must submit a Report of Waste Discharge, supplementing the local governing jurisdiction's submittal. Exemptions will be subject to filing fees as established by the State Water Code.

Discharges from onsite wastewater systems regulated by waste discharge requirements or a conditional waiver of such requirements may be exempt from the requirements of this chapter. The waste discharge requirements or conditional waiver will act in lieu of exemption, and separate exemption is not required.

**Water Quality Control Plan, Central Coast Basin
Revisions to Chapter 4
(onsite wastewater sections only)**

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No. R3-2009-0012 incorporated in text)**

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Further information concerning individual, alternative, or community onsite wastewater ~~sewage disposal~~ systems can be found in Chapter 5 in the Management Principles and Control Actions sections. State Water Resources Control Board Plans and Policies, Discharge Prohibitions, and Central Coast Water Board Policies may also apply depending on individual circumstances.

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**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401**

RESOLUTION No. R3-2011-0004

**AMENDING THE WATER QUALITY CONTROL PLAN REGARDING THE ONSITE
WASTEWATER SYSTEM IMPLEMENTATION PROGRAM**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the second edition of the Water Quality Control Plan, Central Coast Basin (Basin Plan) on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, implementation programs for achieving water quality objectives addressing point source and nonpoint source discharges, adopts prohibitions, and incorporates statewide plans and policies.
2. The Basin Plan contains an implementation program setting forth criteria regarding siting and design of onsite wastewater systems. The Central Coast Water Board updated its policy regarding siting and design of onsite wastewater systems on September 16, 1983, by adopting Resolution No. 83-12. The text and requirements specified in Resolution No. 83-12 are included in the Basin Plan as provisions of Chapters 4 and 5.
3. On May 9, 2008, the Central Coast Water Board adopted Resolution No. R3-2008-0005, revising the Basin Plan onsite wastewater system criteria. On March 20, 2009, the Central Coast Water Board adopted Resolution No. R3-2009-0012, revising the Basin Plan onsite implementation program and adopting minor revisions to the onsite wastewater criteria set forth in Resolution No. R3-2008-0005. This Resolution, No. R3-2011-0004, revises the Basin Plan amendments (Resolution No. R3-2008-0005 and Resolution No. R3-2009-0012) with clarifying language and reorganized and renumbered sections. The text and requirements specified in Resolution No. R3-2011-0004, as amended with these revisions, will be incorporated into the Basin Plan after review and approval by the State Water Resources Control Board and the Office of Administrative Law.
4. Section VIII.D.1. of the Basin Plan, as amended by this Resolution, specifies the criteria, conditions, recommendations, and prohibitions of discharges that onsite wastewater systems must meet to be eligible for waivers described in the implementation program. These discharges will not have a significant effect on the quality of waters of the State provided the conditions of the Basin Plan criteria and implementation program are met.
5. Area of Applicability - The effect of this amendment will be throughout the Central Coast Region, where onsite systems are used to treat and dispose of wastewater.

6. Onsite wastewater systems have been used as a form of wastewater treatment and disposal for many decades. Currently, the number of individual residential and small community onsite wastewater systems in the Central Coast Region exceeds 100,000. In most instances, the discharge from onsite wastewater systems does not adversely affect the beneficial uses of groundwater or surface water quality due to favorable site conditions, adequate system design, and ongoing management practices.
7. When improperly sited, improperly designed, or improperly managed, discharges from onsite wastewater systems may cause or contribute to degradation of water quality. The Basin Plan Implementation Program includes criteria to ensure long-term water quality protection in areas where onsite wastewater systems are used. Onsite wastewater systems located, designed, installed and managed in accordance with the Basin Plan criteria are not expected to cause or contribute to water quality impacts.
8. California Water Code (Water Code) Section 13260(a) requires that any person discharging waste or proposing to discharge waste within any region that could affect the quality of the waters of the State, other than into a community sewer system, shall file with the appropriate Regional Board a report of waste discharge containing such information and data as may be required by the Central Coast Water Board, unless the Central Coast Water Board waives such requirement.
9. California Water Code §13263 requires the Central Coast Water Board to prescribe waste discharge requirements, or waive waste discharge requirements, for the discharge. The waste discharge requirements must implement relevant water quality control plans and the Water Code.
10. California Water Code §13269 authorizes the Central Coast Water Board to waive the submittal of reports of waste discharge and waste discharge requirements for specific types of discharges where such a waiver is consistent with applicable state and regional water quality control plans and is in the public interest.
11. California Water Code §13269 requires that waivers shall be conditional and may be terminated at any time by the Central Coast Water Board. Waivers may be granted for discharges of waste to land, but may not be granted for discharges of waste subject to the NPDES requirements of the federal Clean Water Act. The waiver must also include monitoring unless the Regional Board determines that the discharges do not pose a significant threat to water quality.
12. The Basin Plan amendment waives the requirement that certain individual onsite wastewater system dischargers submit a report of waste discharge and obtain waste discharge requirements from the Central Coast Water Board, if the discharge is regulated by a local agency that has an MOU with the Water Board, that develops an onsite management plan, and regulates onsite systems consistent with the conditions of the Basin Plan and complies with the criteria set forth in the Implementation Program for Onsite Wastewater Systems in the Basin Plan. The Basin Plan amendment does not require local agencies to enter into an MOU or develop onsite management plans. Where there is no MOU and onsite management plan, individuals seeking approval for new onsite systems will be required to submit

reports of waste discharge and seek waste discharge requirements or a waiver from the Water Board.

13. The Central Coast Water Board hereby amends the Basin Plan by inserting amendments into Chapter 4 of the Basin Plan. To implement the onsite wastewater system criteria set forth in the Basin Plan, Resolution No. R3-2009-0012 amended the Basin Plan Implementation Program that provides for a conditional waiver of waste discharge requirements. This proposed amendment, Resolution No. R3-2011-0004, is a revision of the Implementation Program for onsite wastewater systems implemented by the Central Coast Water Board throughout the Region. The Implementation Program provides that onsite wastewater systems will be regulated under the California Water Code in one of three ways – (1) through issuance of waste discharge requirements by the Central Coast Water Board, (2) by a conditional waiver of waste discharge requirements for those systems that comply with the Basin Plan criteria and are regulated directly by the Central Coast Water Board, or (3) by a conditional waiver of waste discharge requirements and reports of waste discharge for those systems regulated by local governing agencies where the system complies with the Basin Plan criteria and the agency has entered into a memorandum of understanding (MOU) with the Central Coast Water Board and developed an onsite wastewater management plan.
14. The waiver of waste discharge requirements set forth in the Basin Plan amendment is consistent with the Basin Plan and is in the public interest, if conditioned upon a local agency entering into an individual MOU, developing an onsite management plan, and complying with the Basin Plan criteria. By entering into an MOU, a local agency commits to ensuring that its onsite wastewater system permitting program is substantially equivalent to the Basin Plan and any statewide standards adopted pursuant to California Water Code §13291. The adoption of this Basin Plan amendment and conditional waiver is also in the public interest because: (1) it was adopted in compliance with Water Code Sections 13260, 13263, and 13269 and other applicable law; (2) it requires compliance with the Basin Plan criteria that are developed to be protective of waters of the state; (3) it includes conditions that are intended to reduce and prevent pollution and nuisance and protect the beneficial uses of the waters of the State; (4) it contains more specific and more stringent conditions for protection of water quality compared to the existing Basin Plan criteria; and (5) given the magnitude of the number of persons who operate onsite systems, it provides for an efficient and effective use of limited Central Coast Water Board resources.
15. This Basin Plan amendment and conditional waiver do not impose monitoring and reporting requirements for each discharge. The types of discharges subject to this conditional waiver are not expected to pose a significant threat to water quality if the Basin Plan criteria are properly implemented. The Water Board's Executive Officer may impose monitoring and reporting requirements as authorized pursuant to Water Code section 13267 on any discharger subject to this conditional waiver.
16. At this time, it is appropriate to adopt a Basin Plan amendment conditionally waiving waste discharge requirements for onsite wastewater systems that fit within the Basin Plan criteria because: 1) the discharges have the same or similar waste from the same or similar operations and use the same or similar treatment methods and management practices; and 2) the discharges will be regulated by local agencies in

compliance with the Basin Plan criteria.

17. In addition, it is appropriate to regulate onsite wastewater systems with a conditional waiver rather than individual or general waste discharge requirements in order to simplify and streamline the regulatory process. There are more than 100,000 individual onsite wastewater systems in the Central Coast Region and it would not be practicable for the Water Board to issue individual waste discharge requirements. The issuance of general waste discharge requirements for the individual systems would result in duplicate regulation for most and duplicate fees. These systems have historically been and continue to be regulated by local permitting agencies applying Basin Plan criteria.
18. Anti-Degradation – State Water Board Resolution No. 68-16 *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (Resolution No. 68-16) requires Regional Water Boards, in regulating the discharge of waste, to maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in a Regional Water Board's policies (e.g., quality that exceeds applicable water quality standards). Resolution No. 68-16 also states, in part:

Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in best practicable treatment and control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.

The Basin Plan implementation program revised by this Resolution is consistent with the provisions of the State Water Board Resolution No. 68-16. Dischargers that could be subject to the conditional waiver established in the implementation program will be required to comply with the Basin Plan criteria that are expected to prevent degradation of waters of the state, prevent pollution or nuisance, and implement best practicable treatment or control. The Basin Plan implementation program will prevent systems that do not meet the criteria.

19. Issuance of a waiver does not override other more stringent local, state, or federal regulations prescribed by other agencies.
20. Although a discharge may qualify for waiver enrollment, the Central Coast Water Board retains the right to regulate that discharge through other programs or Central Coast Water Board actions (such as enforcement orders, individual waste discharge requirements, general orders, etc.). The Central Coast Water Board may terminate a waiver at any time and require the discharger to obtain waste discharge requirements or terminate the discharge. Pursuant to Water Code section 13263(g) no discharge of waste into the waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, shall create a vested right to continue the discharge. All discharges of waste into waters of the state are privileges, not rights.

21. CEQA – The Central Coast Water Board is the lead agency with respect to the California Environmental Quality Act (CEQA). The Secretary of Resources has certified the basin planning process as exempt from the CEQA requirement to prepare an environmental impact report or negative declaration. [PRC 21080.5; Cal. Code Regs., tit. 14, §15251(g)]. The State Water Resources Control Board (State Water Board) has adopted regulations to implement certified regulatory programs that require the regional boards to prepare substitute environmental documents, including a written report and an accompanying CEQA Environmental Checklist. (Cal. Code Regs., tit. 23, §3775 et seq.) The staff of the Central Coast Water Board prepared substitute environmental documents for Resolution No. R3-2008-0005 and Resolution No. R3-2009-0012. Consistent with CEQA Guidelines section 15162, the Central Coast Water Board is not required to prepare a subsequent or supplemental CEQA document because the revisions proposed in this action do not constitute substantial changes from the previously approved projects, do not involve new information, and would not result in any new or more significant environmental effects than those reviewed in the previous CEQA substitute environmental documents. [Cal. Code Regs. tit. 14, § 15162, subd. (a).] This action today revises previously adopted Basin Plan amendments by reorganizing and clarifying, without making significant substantive changes. A detailed explanation of the revisions is contained in the Staff Report for this matter dated May 5, 2011. The substitute environmental documents for this Basin Plan amendment have been made available to the public. The Central Coast Water Board finds that the proposed amendments to the Basin Plan will not have a significant effect on the environment.
22. Public Notice - Interested persons and the public have been informed of the Central Coast Water Board's intent to revise the Basin Plan Implementation Program for onsite wastewater systems. Efforts to inform the public and solicit public comment include a public notice of the amendments providing the public with a comment period in excess of 45 days in advance of the Central Coast Water Board hearing. Notice of public hearing was given by posting on the Water Board website, by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. The Central Coast Water Board has provided responses to timely written comments received from interested persons. The public had the opportunity to comment on proposed amendments in 2008 and 2009, as set forth in Finding 3, above. The administrative record, including comments and responses to comments on those items are included in the record for this action today.
23. On May 5, 2011, the Central Coast Water Board held a public hearing and considered all the evidence and comments concerning this matter. Notice of this hearing was given to all interested persons in accordance with CCR, Title 14, §15072.
24. The Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board (State Board) and the State Office of Administrative Law (OAL). The Basin Plan amendment will become effective upon approval by OAL. The subject Resolution will become effective immediately.
25. This amendment to the Basin Plan will result in no potential for adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.

THEREFORE, BE IT RESOLVED that:

1. Pursuant to California Water Code §13240, the Water Board, after considering the record, including oral testimony at the hearing, hereby adopts the Basin Plan amendment set forth in Attachment A to this Resolution adopting an implementation program that conditionally waives waste discharge requirements and submittal of reports of waste discharge for onsite wastewater systems.
2. The Central Coast Water Board's Executive Officer is directed to forward copies of the Basin Plan amendment to the State Water Board in accordance with the requirements of California Water Code §13245.
3. The Central Coast Water Board requests the State Water Board approve the Basin Plan amendments in accordance with requirements of California Water Code §13245 and §13246, and forward it to OAL for approval. The State Water Board, on behalf of the Central Coast Water Board, shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL.
4. If, during its approval process, the State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Central Coast Water Board Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

I, Roger W. Briggs, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on May 5, 2011.


Executive Officer

Attachment: A. Revised Basin Plan Chapter 4 (onsite sections only)

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, Ca 93401-7906**

RESOLUTION NO. R3-2010-0017

AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST BASIN TO (1) ADOPT TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN LOWER SALINAS RIVER WATERSHED, (2) ADD THE LOWER SALINAS RIVER WATERSHED TO THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION; AND (3) ADD THE LOWER SALINAS RIVER WATERSHED TO THE HUMAN FECAL MATERIAL DISCHARGE PROHIBITION

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the second edition of the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, sets forth implementation to achieve water quality objectives addressing point source and nonpoint source discharges, describes prohibitions, and incorporates statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to: (a) incorporate Total Maximum Daily Loads (TMDLs) and an Implementation Plan for Fecal Coliform in Lower Salinas River Watershed including Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek, Natividad Creek, Salinas River Lagoon (North), Santa Rita Creek, Quail Creek, Chualar Creek, and Towne Creek; (b) add the Lower Salinas River Watershed to the Domestic Animal Waste Discharge Prohibition; and (c) add the Lower Salinas River Watershed to the Human Fecal Material Discharge Prohibition.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into the following sections (listed in order of Basin Plan contents):
 - a. Chapter Four, section IX (Total Maximum Daily Loads)
 - b. Chapter Five, section IV.B. (Discharge Prohibitions)
4. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). The NPS Policy requires the Water Boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the Porter-Cologne Water Quality Control Act. The NPS Policy allows Regional Water Boards to regulate nonpoint source discharges with waste discharge requirements, waivers of waste discharge requirements, or Basin Plan prohibitions.
5. The Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, and Gabilan Creek are listed on Clean Water Act 303(d) list as impaired due to pathogens. The Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, and Gabilan Creek do not meet the Basin Plan water quality objectives for fecal coliform. This Resolution establishes TMDLs and associated allocations for these listed water bodies.

Item No. 12
March 18, 2010 Meeting
TMDLs for Fecal Coliform in the
Lower Salinas River Watershed
Attachment 1

6. The Salinas River Lagoon (North), Santa Rita Creek, Natividad Creek, Chualar Creek, Quail Creek and Towne Creek are located in the Lower Salinas River Watershed, are not on the Clean Water Act 303(d) list of impaired waters for pathogens, and do not meet the Basin Plan water quality objectives for fecal coliform and/or USEPA water quality criteria for *E. coli*. The Salinas River Lagoon (North), Santa Rita Creek, Natividad Creek, Chualar Creek, Quail Creek and Towne Creek are impaired due to pathogens. Therefore, this Resolution establishes TMDLs and associated allocations for these impaired water bodies.
7. The Central Coast Water Board's goal for establishing TMDLs in the Lower Salinas River Watershed is to rectify the impairment due to fecal coliform, thereby providing support for the designated beneficial uses of contact and non-contact water recreation.
8. The Salinas River is the receiving water for approximately 4,600 square miles of land. Depending upon seasonal flow conditions, the Salinas River may flow directly into Monterey Bay, or can flow into Moss Landing Harbor via the Old Salinas River. The Lower Salinas River watershed is the lower segment of the Salinas River, comprising approximately 350 square miles, from Gonzales Road near the city of Gonzales to Monterey Bay. Chualar Creek and El Toro Creek flow to the Lower Salinas River and Old Salinas River. Alisal Creek, Gabilan Creek, Towne Creek, Santa Rita Creek, and Salinas Reclamation Canal flow to Tembladero Slough and Old Salinas River.
9. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for pathogens in the Lower Salinas River Watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target and attaining that concentration-based water quality objective will result in protection of the beneficial uses.
10. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6(c)(1) and 130.7; and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
11. The Central Coast Water Board may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted pursuant to California Water Code section 13243 (prohibitions). This Basin Plan amendment establishes the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the Lower Salinas River Watershed (Prohibitions). The Implementation Plan for the TMDLs for the Lower Salinas River Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the Lower Salinas River Watershed. Supporting documentation for adding the Lower Salinas River Watershed to the above-named prohibitions is provided in the Final

Project Reports for Total Maximum Daily Loads for Fecal Coliform in the Lower Salinas River Watershed, including Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek, Natividad Creek, Salinas River Lagoon (North), Santa Rita Creek, Quail Creek, Chualar Creek, and Towne Creek. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Lower Salinas River Watershed to the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions

12. Pursuant to California Water Code section 13241, the Central Coast Water Board must consider several factors in developing this Basin Plan amendment, which are evaluated as set forth in the substitute environmental documents for this project. Based on the information provided in the substitute environmental documents, the Central Coast Water Board concludes the following:
 - a. The Prohibitions and the TMDLs will protect present and probable future beneficial uses and prevent nuisance.
 - b. Environmental characteristics of the waterbodies will be protected.
 - c. Improved water quality conditions can reasonably be achieved through the coordinated management of all controllable factors that affect water quality in the area, as provided in the Implementation Plan, including the Prohibitions.
 - d. Economic considerations, including reasonably foreseeable means of compliance and the reasonably foreseeable costs of those means of compliance, have been considered.
 - e. Consideration of the need for developing housing within the region is not relevant to this action.
 - f. Consideration of the need to develop and use recycled water is not relevant to this action.
13. Central Coast Water Board staff also submitted the Project Report for the TMDLs to an external scientific review panel in March 2008. Water Board staff received comments from the panel. Central Coast Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendments. The TMDLs and Implementation Program are based on sound scientific knowledge, methods, and practices in accordance with Health & Safety Code section 57004.
14. Central Coast Water Board staff implemented a process to inform interested persons and the public about the TMDLs and Prohibitions. Central Coast Water Board staff's efforts to inform the public and solicit comment included a public meeting with interested parties and a public notice and comment period. Public notice of the amendment to the Basin Plan provided the public a 45-day public comment period preceding the Central Coast Water Board hearing. Notice of public hearing was given by advertising in a newspaper of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Relevant documents and notices were also made available on the Central Coast Water Board website. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.
15. Adoption of these TMDLs and Basin Plan amendments will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and basin plan amendments comply with all requirements of both State and Federal anti-degradation requirements (State Board Resolution 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California, and 40CFR 131.12

16. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has prepared "substitute environmental documents" for this project that contain the required environmental documentation as set forth in the State Water Board's CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents include the TMDL Staff Report and several of its attachments, including 1) this Resolution and the Basin Plan Amendment Language (Attachment 1 of the Staff Report); 2) "Total Maximum Daily Load for Fecal Coliform for the Lower Salinas River Watershed, Monterey County, California" (Attachment 2 of the Staff Report); 3) the CEQA Substitute Document with environmental checklist (Attachment 3 of the Staff Report); and 4) the comments and responses to comments (Attachment 6 of the Staff Report). The Staff Report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4) and the Scientific Peer Review Comment (Attachment 5). The project itself is the establishment of TMDLs for fecal coliform in the Lower Salinas River Watershed. The Water Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and numerous findings related to impacts and mitigation measures.
17. A CEQA Scoping meeting was conducted on June 20, 2007, at the Salinas Agricultural Commissioner's Office, 1428 Abbot Street, Salinas. A notice of the CEQA Scoping meeting was sent to interested persons on May 23, 2007. The notice included a background of the project, the project purpose, a meeting schedule, and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary were available at the website or by requesting hard copies via telephone.
18. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment, or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites. The Staff Report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3), provides the environmental analysis required by Public Resources Code section 21159 and is hereby incorporated as findings in this Resolution.
19. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To

the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.

20. Consistent with the Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, which would avoid or reduce the identified impacts.
21. These proposed amendments will have a less-than-significant adverse effect on the environment. California Water Code section 13360 precludes the Regional Water Board from dictating the manner in which responsible agencies comply with any of the Regional Water Board's regulations or orders. When the agencies responsible for implementing these TMDLs determine how they will proceed, the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. These feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a)(2)).
22. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will foreseeably reduce impacts to no impact, or keep the impact at less-than-significant levels.
23. The CEQA Substitute Document Report (Staff Report Attachment 3) identifies mitigation approaches that should be considered at the project level.
24. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating: (a) the TMDLs for fecal coliform in the Lower Salinas River Watershed, and (b) the Domestic Animal Waste Discharge Prohibition and the Human Fecal Material Discharge Prohibition applicable to the Lower Salinas River Watershed. The TMDLs and Implementation Program for the TMDLs, and Prohibitions, will become effective upon approval by the California Office of Administrative Law. The TMDLs must also be approved by the United States Environmental Protection Agency.
25. The amendments to the Basin Plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Game under the California Fish and Game Code section 711.4.
26. The proposed amendments meet the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding 13, federal regulations require that TMDLs be incorporated into the Water Quality Management Plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the Water Quality Management Plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under the California Water Code, section 13242. The necessity of developing TMDLs is established in the TMDL staff report, the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the Lower Salinas River Watershed. The necessity of adding the Prohibitions as implementation mechanisms to achieve the TMDL is established in the administrative record documenting the pathogen sources, the load allocations that responsible parties must meet to reduce or eliminate pathogen loading, and implementation strategies that comply with the NPS Policy.

27. On March 18, 2010, in Watsonville, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13241, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during the approval process, Central Coast Water Board staff, State Water Board staff, the State Water Board or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on March 18, 2010.

Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2010-0017

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1. TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN LOWER SALINAS RIVER WATERSHED (INCLUDING LOWER SALINAS RIVER, OLD SALINAS RIVER, TEMBLADERO SLOUGH, SALINAS RECLAMATION CANAL, ALISAL CREEK, GABILAN CREEK, NATIVIDAD CREEK, SALINAS RIVER LAGOON (NORTH), SANTA RITA CREEK, QUAIL CREEK, CHUALAR CREEK, AND TOWNE CREEK).

Add the following to Chapter 4 after IX. L.:

IX. M. TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN LOWER SALINAS RIVER WATERSHED (INCLUDING LOWER SALINAS RIVER, OLD SALINAS RIVER, TEMBLADERO SLOUGH, SALINAS RECLAMATION CANAL, ALISAL CREEK, GABILAN CREEK, NATIVIDAD CREEK, SALINAS RIVER LAGOON (NORTH), SANTA RITA CREEK, QUAIL CREEK, CHUALAR CREEK, AND TOWNE CREEK)

The Regional Water Quality Control Board adopted these TMDLs on March 18, 2010. These TMDLs were approved by:

The State Water Resources Control Board on: _____ (date).

The California Office of Administrative Law on: _____ (date).

The U.S. Environmental Protection Agency on: _____ (date).

Problem Statement

The beneficial use of water contact recreation is not protected in the impaired reaches of the Lower Salinas River Watershed, including Lower Salinas River (from the Chualar River Road, downstream to the Salinas River Lagoon (North)), Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek, Natividad Creek, Salinas River Lagoon (North), Santa Rita Creek, Quail Creek, Chualar Creek, and Towne Creek because fecal indicator bacteria concentrations exceed existing Basin Plan numeric water quality objectives and/or USEPA guidelines protecting this beneficial use. All reaches in these waterbodies are impaired.

The Ocean Plan and Basin Plan also contain Shellfish Harvesting (SHELL) and Non-contact Water Recreation (REC-2) water quality objectives. Waterbodies with SHELL beneficial use impaired by bacteria will be addressed in a separate TMDL project and/or standards action.

Numeric Target

The numeric targets used to develop the TMDLs and allocations are as follows:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

The numeric target is equal to the water quality objective protecting the water contact recreation beneficial use (REC-1), as described in Chapter 3 of this Basin Plan. If this water quality objective protecting REC-1 is amended, the numeric target for this TMDL will be equal to the amended water quality objective.

Source Analysis

Salinas Reclamation Canal, Lower: 1) discharges from Municipal Separate Storm Sewer Systems (MS4s), 2) domestic animals/livestock discharges in areas that do not drain to MS4s, 3) illegal dumping, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) sanitary sewer collection system leaks.

Reclamation Canal, Upper/Alisal Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping, 3) homeless person/encampment discharges in areas that do not drain to MS4s, 4) discharges from MS4s.

Old Salinas River: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping, 3) discharges from MS4s.

Tembladero Slough: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) discharges from MS4s, 3) illegal dumping, 4) sanitary sewer collection system leaks.

Santa Rita Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) discharges from MS4s, 3) illegal dumping, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) sanitary sewer collection system leaks.

Salinas River Lagoon (North): 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping 3) discharges from MS4s.

Lower Salinas River: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) discharges from MS4s, 3) illegal dumping.

Gabilan Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) discharges from MS4s, 3) illegal dumping, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) sanitary sewer collection system leaks.

Natividad Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) discharges from MS4s, 3) illegal dumping, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) sanitary sewer collection system leaks.

Quail Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping.

Chualar Creek: 1) Domestic animals/livestock discharges 1) in areas that do not drain to MS4s, 2) illegal dumping.

Towne Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping.

Natural uncontrollable sources of fecal coliform in the listed waterbodies are present and likely contributing to impairment at varying degrees by season and location.

TMDLs and Allocations

The TMDLs for all impaired waters of the Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek, Natividad Creek, Salinas River Lagoon (North), Santa Rita Creek, Quail Creek, Chualar Creek, and Towne Creek are set equal to the loading capacity of the waterbodies. They are concentration based TMDLs applicable to each day of all seasons and are set equal to the following:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

The TMDLs are equal to the water quality objective protecting the water contact recreation beneficial use (REC-1), as described in Chapter 3 of this Basin Pln. If this water quality objective protecting REC-1 is amended, the TMDLs for the water bodies subject to the TMDLs will be equal to the amended water quality objective.

The allocations to responsible parties are shown in Table IX M-1.

Table IX M-1. Allocations and Responsible Parties

<u>WASTE LOAD ALLOCATIONS</u>		
<u>Waterbody</u>	<u>Party Responsible for Allocation (Source) NPDES/WDR number</u>	<u>Receiving Water Fecal Coliform (MPN/100mL)</u>
<u>Gabilan Creek¹, Santa Rita Creek³, Salinas Reclamation Canal⁴, Natividad Creek⁵, Lower Salinas River⁶</u>	<u>City of Salinas</u> <u>(Storm drain discharges to MS4s)</u> <u>Storm Water Permit</u> <u>NPDES No. CA00049981</u>	<u>Allocation-1</u>
<u>Gabilan Creek¹, Alisal Creek², Santa Rita Creek³, Salinas Reclamation Canal⁴, Natividad Creek⁵, Lower Salinas River⁶, Tembladero Slough⁷, Old Salinas River⁹, Salinas River Lagoon¹⁰</u>	<u>County of Monterey</u> <u>(Storm drain discharges to MS4s)</u> <u>Storm Water General Permit</u> <u>NPDES No. CAS000004</u>	<u>Allocation-1</u>
<u>Gabilan Creek¹, Santa Rita Creek³, Salinas Reclamation Canal⁴, Natividad Creek⁵</u>	<u>City of Salinas</u> <u>(Sanitary sewer collection system spills and leaks)</u> <u>Statewide General WDR for Sanitary Sewer Systems</u> <u>WQO No. 2006-0003</u>	<u>Allocation-2</u>
<u>Tembladero Slough⁷</u>	<u>Castroville Community Services District</u> <u>(Sanitary sewer collection system spills and leaks)</u> <u>Statewide General WDR for Sanitary Sewer Systems</u> <u>WQO No. 2006-0003</u>	<u>Allocation-2</u>

WASTE LOAD ALLOCATIONS		
<u>Waterbody</u>	<u>Party Responsible for Allocation (Source)</u> <u>NPDES/WDR number</u>	<u>Receiving Water Fecal Coliform (MPN/100mL)</u>
LOAD ALLOCATIONS		
<u>Waterbody</u>	<u>Responsible Party (Source)</u>	<u>Receiving Water Fecal Coliform (MPN/100mL)</u>
<u>All twelve impaired water bodies^a</u>	<u>Owners/operators of land used for/containing domestic animals/livestock</u> <u>(Domestic animals/livestock waste not draining to MS4s)</u>	<u>Allocation-1</u>
<u>Salinas Reclamation Canal, Alisal Creek, Santa Rita Creek, Gabilan Creek, Natividad Creek</u>	<u>Owners and/or Operators of Land that have Homeless Persons/Encampments</u> <u>(Discharges From Homeless Persons/Encampments Not Regulated by a Permit for Storm Water Discharges)</u>	<u>Allocation-2</u>
<u>All twelve impaired water bodies^a</u>	<u>Owners/operators of land used for/containing illegal dumping</u> <u>(Discharges from illegal dumping Not Regulated by a Permit for Storm Water Discharges)</u>	<u>Allocation-1</u>
<u>All twelve impaired water bodies^a</u>	<u>No responsible party</u> <u>(Natural sources)</u>	<u>Allocation-1</u>
<u>Wasteload/Load Allocation 1 (Equal to the TMDL):Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN/100mL, nor shall more than ten percent of total samples during any 30-day period exceed 400 MPN/100 mL.</u>		
<u>Wasteload/Load Allocation 2: Allocation of zero; no fecal coliform bacteria load originating from human sources of fecal material is allowed.</u>		

^a All twelve impaired water bodies: Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek , Natividad Creek, Salinas River Lagoon (north), Chualar Creek, Santa Rita Creek, Quail Creek, Towne Creek.

¹ Gabilan Creek: all reaches and its tributaries, which includes from the confluence with Carr Lake to the uppermost reaches of the waterbody, including but not limited to Towne Creek¹², Mudd Creek, and un-named creeks tributary to these.

² Alisal Creek : all reaches and its tributaries, which includes from the confluence with the Salinas Reclamation Canal to the uppermost reach of the waterbody.

³Santa Rita Creek: all reaches and its tributaries, which includes from the confluence with the Salinas Reclamation Canal to the uppermost reach of the waterbody.

⁴Salinas Reclamation Canal: all reaches and tributaries, which includes from confluence with Tembladero Slough, to upstream confluence with Carr Lake and Alisal Creek.

⁵Natividad Creek: all reaches and its tributaries, which includes from the confluence with Carr Lake to the uppermost reach of the waterbody.

⁶Lower Salinas River: all reaches and tributaries from Salinas River at Chualar River Road downstream to its confluence with the Salinas River Lagoon at Monte Road.

⁷Tembladero Slough: which includes all reaches and tributaries from the confluence with the Salinas Reclamation Canal downstream to its confluence with the Old Salinas River.

⁸Quail Creek: which includes all reaches and its tributaries, from the confluence with the Salinas River to the uppermost reach of the waterbody.

⁹Old Salinas River: all reaches and tributaries from the slide gate at the head of the Old Salinas River adjacent to Mulligan Hill, downstream to Potrero Road.

¹⁰Salinas River Lagoon (North): From Monte Road downstream to its confluence with Monterey Bay.

¹¹Chualar Creek: which includes all reaches and its tributaries, from the confluence with the Salinas River to the uppermost reach of the waterbody.

¹²Towne Creek: all reaches and tributaries.

The parties responsible for the allocation to controllable sources are not responsible for the allocation to natural sources.

The TMDLs are considered achieved when the allocations assigned to all individual responsible parties are met or when the numeric targets are consistently met in the impaired reaches of the Lower Salinas River Watershed.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation

STORM DRAIN DISCHARGES TO MS4S:

The Central Coast Water Board will address fecal indicator bacteria (FIB), i.e., fecal coliform and/or other indicators of pathogens, discharged from the City of Salinas's and the County of Monterey's municipal separate storm sewer systems (MS4s) by regulating the MS4 entities under the provisions of an individual municipal stormwater permit, or the State Water Resource Control Board's General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit). As enrollees under the an individual municipal stormwater permit or the General Permit, they must develop and implement a Storm Water Management Plan (SWMP) that controls urban runoff discharges into and from their MS4s. To address the MS4 TMDL wasteload allocations, the Central Coast Water Board will require the enrollees to specifically target FIB in urban runoff through incorporation of a Wasteload Allocation Attainment Program in their SWMPs.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to include descriptions of the actions that will be taken by the MS4 entity to attain the TMDL wasteload allocations, and specifically address:

1. Development of an implementation and assessment strategy;
2. Source identification and prioritization;
3. Best management practice identification, prioritization, implementation schedule, analysis, and effectiveness assessment;
4. Monitoring program development and implementation;
5. Reporting; including evaluation whether current best management practices are progressing towards achieving the wasteload allocations within thirteen years of the date that the TMDLs are approved by the Office of Administrative Law;
6. Coordination with stakeholders; and
7. Other pertinent factors.

The Wasteload Allocation Attainment Program will be required by the Central Coast Water Board to address each of these TMDLs that occur within the MS4 entities' jurisdictions.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to be submitted at one of the following milestones, whichever occurs first:

1. Within one year of approval of the TMDLs by the Office of Administrative Law;

2. When required by any other Water Board-issued storm water requirements (e.g., when the Phase II Municipal Storm Water Permit is renewed).

For MS4 entities that are enrolled under an individual municipal stormwater permit or the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMPs when they are submitted. For an MS4 that is not enrolled under the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMP when the SWMP is approved by the Central Coast Water Board.

The Executive Officer, pursuant to delegated authority, or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

DOMESTIC ANIMAL/LIVESTOCK DISCHARGES:

Owners and/or operators of lands containing domestic animals (including pets, farm animals, and livestock) in the Lower Salinas River watershed must comply with the Domestic Animal Waste Discharge Prohibition; compliance with the Domestic Animal Waste Discharge Prohibition is intended to result in compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing domestic animals of the requirement to comply with the Domestic Animal Waste Discharge Prohibition. In the notification, the Executive Officer will describe the options that owners/operators of lands containing domestic animals have for demonstrating compliance with the Domestic Animal Waste Discharge Prohibition. Within six months of notification by the Executive Officer pursuant to California Water Code section 13261 or 13267, owners/operators of lands containing domestic animals will be required to submit one the following to the Water Board:

- 1) Sufficient evidence to demonstrate that the owner/operator of lands containing domestic animals is and will continue to be in compliance with the Domestic Animal Waste Discharge Prohibition; Such evidence could include documentation submitted by the owner/operator to the Executive Officer that the owner/operator is not causing waste to be discharged to the Creek resulting in violations of the Prohibition, or
- 2) A plan for compliance with the Domestic Animal Waste Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from domestic animals. The plan must also describe how implementing the identified management practices are likely to progressively achieve the load allocations to domestic animals, with the ultimate goal achieving the load allocations no later than thirteen years after Office of Administrative Law approval of these TMDLs. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progressive progress toward achieving load allocations for discharges from domestic animals, and a self-assessment of this progress. The plan may be developed by an individual discharger or by or for a coalition of dischargers in cooperation with a third-party representative, organization, or government agency acting as the agents of owners/operators of lands containing domestic animals, or
- 3) A Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

HOMELESS PERSONS/ENCAMPMENT DISCHARGES

Owners of land that contain homeless persons and/or homeless encampments in the Lower Salinas River watershed must comply with the Human Fecal Material Discharge Prohibition.

Owners of land with homeless persons must demonstrate to the satisfaction of the Executive Officer or the Water Board that they are in compliance with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners of lands containing homeless persons of the requirement to comply with the Human Fecal Material Discharge Prohibition. In his notification, the Executive Officer will also describe owners' options for demonstrating compliance with the Human Fecal Material Discharge Prohibition; pursuant to California Water Code 13267 and within six months of the notification by the Executive Officer, owners will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator is and will continue to be in compliance with the Human Fecal Material Discharge Prohibition; clear evidence could be documentation submitted by the owner to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Human Fecal Material Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from homeless persons. The Plan must also describe how implementing the identified management practices is likely to progressively achieve the load allocation for homeless persons, with the ultimate goal achieving the load allocation no later than three years from the date of the Executive Officer's notification to the owner requiring compliance. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progress towards achieving load allocations for discharges from homeless persons, and self-assessment of this progress, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

SANITARY SEWER COLLECTION SYSTEM LEAKS:

Entities with jurisdiction over sewer collection systems can demonstrate compliance with these TMDL load allocations through waste discharge requirements and/or NPDES permits.

The City of Salinas, the Castroville Community Services District, and the California Utilities Service Wastewater Treatment Plant must continue to implement their Collection System Management Plans as required by waste discharge requirements.

In addition, the City of Salinas, the Castroville Community Services District, and the California Utilities Service Wastewater Treatment Plant (herein referred to as sanitary collection system jurisdictions) are required to improve maintenance of their sewage collection systems, including identification, correction, and prevention of sewage leaks in portions of the collection systems that run through, or adjacent to, impaired surface waters or their tributaries within the Lower Salinas River Watershed.

To this end, within six months following approval of these TMDLs by the Office of Administrative Law, the Executive Officer will issue letters to sanitary collection system jurisdictions pursuant to Section 13267 of the California Water Code requiring: 1) submittal within one year of approval of

these TMDLs by the Office of Administrative Law a technical report that describes how and when the sanitary collection system jurisdictions will conduct improved collection system maintenance in portions of the collection system most likely to affect impaired surface water bodies, with the end result being compliance with its TMDL allocation, 2) stream monitoring for fecal coliform or another fecal indicator bacteria and reporting of these monitoring activities, and 3) annual reporting of self-assessment as to whether the sanitary collection system jurisdictions are in compliance with the TMDL allocation.

ILLEGAL DUMPING:

Owners of lands where illegal dumping occurs are ultimately responsible for achieving the allocation for pathogen loading resulting from illegal dumping. However, the County of Monterey and the City of Salinas currently have programs and ordinances to address illegal dumping, and have been proactive in their effort to control these discharges. Illegal dumping is a violation of California Law and Monterey County Code (California Penal Code 374.3(A) and Monterey County Code, Chapter 10.41.040(A), respectively). The County of Monterey Health Department responds to illegal dumping complaints, prepares reports of investigation for the District Attorney's Office, engages in public outreach and education, and participates in programs that focus on minimizing illegal dumping. The County of Monterey and the City of Salinas actively prosecute individuals who are caught illegally dumping. The City of Salinas has devoted resources to watershed cleanup efforts to remove litter from City creeks. Both the City and the County have reportedly established telephone hotlines for citizens to report illegal dumping and they provide financial rewards for reporting parties.

The Executive Officer anticipates that existing programs and ordinances will achieve the allocation; therefore, no new regulatory mechanisms are warranted. Compliance with the allocation may be demonstrated through effective and proactive implementation and enforcement of existing regulatory authorities. The Executive Officer will assess progress and make changes if necessary during TMDL implementation tracking to achieve allocations for pathogen loading from illegal dumping.

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress toward achieving their allocations. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric target.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of pathogens are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric target and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural, or background sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal indicator bacteria.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving this TMDL numeric target is 13 years after the date of approval by the Office of Administrative Law.

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan, Chapter Five, as follows:

Amend Chapter Five, section IV.B. as follows:

Add the following watershed to the end of the bulleted list of applicable areas of the Domestic Animal Waste Discharge Prohibition:

- Lower Salinas River Watershed (the watershed area of the Salinas River from Gonzales Road downstream to its confluence with Moss Landing Harbor)

AMENDMENT NO. 3. Revise the September 8, 1994 Basin Plan, Chapter Five, as follows:

Amend Chapter Five, section IV.B. as follows:

Add the following watershed to the end of the bulleted list of applicable areas of the Human Fecal Material Discharge Prohibition:

- Lower Salinas River Watershed (the watershed area of the Salinas River from Gonzales Road downstream to its confluence with Moss Landing Harbor)

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, Ca 93401-7906**

RESOLUTION NO. R3-2010-0017

**AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST BASIN
TO (1) ADOPT TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN LOWER
SALINAS RIVER WATERSHED, (2) ADD THE LOWER SALINAS RIVER WATERSHED TO
THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION; AND (3) ADD THE LOWER
SALINAS RIVER WATERSHED TO THE HUMAN FECAL MATERIAL DISCHARGE
PROHIBITION**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the second edition of the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, sets forth implementation to achieve water quality objectives addressing point source and nonpoint source discharges, describes prohibitions, and incorporates statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to: (a) incorporate Total Maximum Daily Loads (TMDLs) and an Implementation Plan for Fecal Coliform in Lower Salinas River Watershed including Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek, Natividad Creek, Salinas River Lagoon (North), Santa Rita Creek, Quail Creek, Chualar Creek, and Towne Creek; (b) add the Lower Salinas River Watershed to the Domestic Animal Waste Discharge Prohibition; and (c) add the Lower Salinas River Watershed to the Human Fecal Material Discharge Prohibition.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into the following sections (listed in order of Basin Plan contents):
 - a. Chapter Four, section IX (Total Maximum Daily Loads)
 - b. Chapter Five, section IV.B. (Discharge Prohibitions)
4. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). The NPS Policy requires the Water Boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the Porter-Cologne Water Quality Control Act. The NPS Policy allows Regional Water Boards to regulate nonpoint source discharges with waste discharge requirements, waivers of waste discharge requirements, or Basin Plan prohibitions.
5. The Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, and Gabilan Creek are listed on Clean Water Act 303(d) list as impaired due to pathogens. The Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, and Gabilan Creek do not meet the Basin Plan water quality objectives for fecal coliform. This Resolution establishes TMDLs and associated allocations for these listed water bodies.

6. The Salinas River Lagoon (North), Santa Rita Creek, Natividad Creek, Chualar Creek, Quail Creek and Towne Creek are located in the Lower Salinas River Watershed, are not on the Clean Water Act 303(d) list of impaired waters for pathogens, and do not meet the Basin Plan water quality objectives for fecal coliform and/or USEPA water quality criteria for *E. coli*. The Salinas River Lagoon (North), Santa Rita Creek, Natividad Creek, Chualar Creek, Quail Creek and Towne Creek are impaired due to pathogens. Therefore, this Resolution establishes TMDLs and associated allocations for these impaired water bodies.
7. The Central Coast Water Board's goal for establishing TMDLs in the Lower Salinas River Watershed is to rectify the impairment due to fecal coliform, thereby providing support for the designated beneficial uses of contact and non-contact water recreation.
8. The Salinas River is the receiving water for approximately 4,600 square miles of land. Depending upon seasonal flow conditions, the Salinas River may flow directly into Monterey Bay, or can flow into Moss Landing Harbor via the Old Salinas River. The Lower Salinas River watershed is the lower segment of the Salinas River, comprising approximately 350 square miles, from Gonzales Road near the city of Gonzales to Monterey Bay. Chualar Creek and El Toro Creek flow to the Lower Salinas River and Old Salinas River. Alisal Creek, Gabilan Creek, Towne Creek, Santa Rita Creek, and Salinas Reclamation Canal flow to Tembladero Slough and Old Salinas River.
9. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for pathogens in the Lower Salinas River Watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target and attaining that concentration-based water quality objective will result in protection of the beneficial uses.
10. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6(c)(1) and 130.7; and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
11. The Central Coast Water Board may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted pursuant to California Water Code section 13243 (prohibitions). This Basin Plan amendment establishes the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the Lower Salinas River Watershed (Prohibitions). The Implementation Plan for the TMDLs for the Lower Salinas River Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the Lower Salinas River Watershed. Supporting documentation for adding the Lower Salinas River Watershed to the above-named prohibitions is provided in the Final

Project Reports for Total Maximum Daily Loads for Fecal Coliform in the Lower Salinas River Watershed, including Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek, Natividad Creek, Salinas River Lagoon (North), Santa Rita Creek, Quail Creek, Chualar Creek, and Towne Creek. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Lower Salinas River Watershed to the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions

12. Pursuant to California Water Code section 13241, the Central Coast Water Board must consider several factors in developing this Basin Plan amendment, which are evaluated as set forth in the substitute environmental documents for this project. Based on the information provided in the substitute environmental documents, the Central Coast Water Board concludes the following:
 - a. The Prohibitions and the TMDLs will protect present and probable future beneficial uses and prevent nuisance.
 - b. Environmental characteristics of the waterbodies will be protected.
 - c. Improved water quality conditions can reasonably be achieved through the coordinated management of all controllable factors that affect water quality in the area, as provided in the Implementation Plan, including the Prohibitions.
 - d. Economic considerations, including reasonably foreseeable means of compliance and the reasonably foreseeable costs of those means of compliance, have been considered.
 - e. Consideration of the need for developing housing within the region is not relevant to this action.
 - f. Consideration of the need to develop and use recycled water is not relevant to this action.
13. Central Coast Water Board staff also submitted the Project Report for the TMDLs to an external scientific review panel in March 2008. Water Board staff received comments from the panel. Central Coast Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendments. The TMDLs and Implementation Program are based on sound scientific knowledge, methods, and practices in accordance with Health & Safety Code section 57004.
14. Central Coast Water Board staff implemented a process to inform interested persons and the public about the TMDLs and Prohibitions. Central Coast Water Board staff's efforts to inform the public and solicit comment included a public meeting with interested parties and a public notice and comment period. Public notice of the amendment to the Basin Plan provided the public a 45-day public comment period preceding the Central Coast Water Board hearing. Notice of public hearing was given by advertising in a newspaper of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Relevant documents and notices were also made available on the Central Coast Water Board website. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.
15. Adoption of these TMDLs and Basin Plan amendments will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and basin plan amendments comply with all requirements of both State and Federal anti-degradation requirements (State Board Resolution 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California, and 40CFR 131.12

16. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has prepared "substitute environmental documents" for this project that contain the required environmental documentation as set forth in the State Water Board's CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents include the TMDL Staff Report and several of its attachments, including 1) this Resolution and the Basin Plan Amendment Language (Attachment 1 of the Staff Report); 2) "Total Maximum Daily Load for Fecal Coliform for the Lower Salinas River Watershed, Monterey County, California" (Attachment 2 of the Staff Report); 3) the CEQA Substitute Document with environmental checklist (Attachment 3 of the Staff Report); and 4) the comments and responses to comments (Attachment 6 of the Staff Report). The Staff Report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4) and the Scientific Peer Review Comment (Attachment 5). The project itself is the establishment of TMDLs for fecal coliform in the Lower Salinas River Watershed. The Water Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and numerous findings related to impacts and mitigation measures.
17. A CEQA Scoping meeting was conducted on June 20, 2007, at the Salinas Agricultural Commissioner's Office, 1428 Abbot Street, Salinas. A notice of the CEQA Scoping meeting was sent to interested persons on May 23, 2007. The notice included a background of the project, the project purpose, a meeting schedule, and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary were available at the website or by requesting hard copies via telephone.
18. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment, or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites. The Staff Report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3), provides the environmental analysis required by Public Resources Code section 21159 and is hereby incorporated as findings in this Resolution.
19. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To

the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.

20. Consistent with the Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, which would avoid or reduce the identified impacts.
21. These proposed amendments will have a less-than-significant adverse effect on the environment. California Water Code section 13360 precludes the Regional Water Board from dictating the manner in which responsible agencies comply with any of the Regional Water Board's regulations or orders. When the agencies responsible for implementing these TMDLs determine how they will proceed, the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. These feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a)(2)).
22. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will foreseeably reduce impacts to no impact, or keep the impact at less-than-significant levels.
23. The CEQA Substitute Document Report (Staff Report Attachment 3) identifies mitigation approaches that should be considered at the project level.
24. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating: (a) the TMDLs for fecal coliform in the Lower Salinas River Watershed, and (b) the Domestic Animal Waste Discharge Prohibition and the Human Fecal Material Discharge Prohibition applicable to the Lower Salinas River Watershed. The TMDLs and Implementation Program for the TMDLs, and Prohibitions, will become effective upon approval by the California Office of Administrative Law. The TMDLs must also be approved by the United States Environmental Protection Agency.
25. The amendments to the Basin Plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Game under the California Fish and Game Code section 711.4.
26. The proposed amendments meet the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding 13, federal regulations require that TMDLs be incorporated into the Water Quality Management Plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the Water Quality Management Plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under the California Water Code, section 13242. The necessity of developing TMDLs is established in the TMDL staff report, the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the Lower Salinas River Watershed. The necessity of adding the Prohibitions as implementation mechanisms to achieve the TMDL is established in the administrative record documenting the pathogen sources, the load allocations that responsible parties must meet to reduce or eliminate pathogen loading, and implementation strategies that comply with the NPS Policy.

27. Consistent with Water Code section 13141, the amendment includes an estimate of the total cost of implementation of the agricultural related portions of this TMDL and identifies potential sources of financing.
28. On September 2, 2010, in Watsonville, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

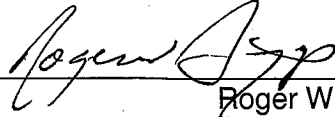
THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13241, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during the approval process, Central Coast Water Board staff, State Water Board staff, the State Water Board or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

Resolution No. RB3-2010-0017
Attachment 1 to Staff Report

September 2, 2010

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on September 2, 2010.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2010-0017

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1. TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN LOWER SALINAS RIVER WATERSHED (INCLUDING LOWER SALINAS RIVER, OLD SALINAS RIVER, TEMBLADERO SLOUGH, SALINAS RECLAMATION CANAL, ALISAL CREEK, GABILAN CREEK, NATIVIDAD CREEK, SALINAS RIVER LAGOON (NORTH), SANTA RITA CREEK, QUAIL CREEK, CHUALAR CREEK, AND TOWNE CREEK).

Add the following to Chapter 4 after IX. M.:

IX. O. TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN LOWER SALINAS RIVER WATERSHED (INCLUDING LOWER SALINAS RIVER, OLD SALINAS RIVER, TEMBLADERO SLOUGH, SALINAS RECLAMATION CANAL, ALISAL CREEK, GABILAN CREEK, NATIVIDAD CREEK, SALINAS RIVER LAGOON (NORTH), SANTA RITA CREEK, QUAIL CREEK, CHUALAR CREEK, AND TOWNE CREEK)

The Regional Water Quality Control Board adopted these TMDLs on September 2, 2010. These TMDLs were approved by:

The State Water Resources Control Board on: _____ (date).

The California Office of Administrative Law on: _____ (date).

The U.S. Environmental Protection Agency on: _____ (date)

Problem Statement

The beneficial use of water contact recreation is not protected in the impaired reaches of the Lower Salinas River Watershed, including Lower Salinas River (from the Chualar River Road, downstream to the Salinas River Lagoon (North)), Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek, Natividad Creek, Salinas River Lagoon (North), Santa Rita Creek, Quail Creek, Chualar Creek, and Towne Creek because fecal indicator bacteria concentrations exceed existing Basin Plan numeric water quality objectives and/or USEPA guidelines protecting this beneficial use. All reaches in these waterbodies are impaired.

The Ocean Plan and Basin Plan also contain Shellfish Harvesting (SHELL) and Non-contact Water Recreation (REC-2) water quality objectives. Waterbodies with SHELL beneficial use impaired by bacteria will be addressed in a separate TMDL project and/or standards action.

Numeric Target

The numeric targets used to develop the TMDLs and allocations are as follows:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

The numeric target is equal to the water quality objective protecting the water contact recreation beneficial use (REC-1), as described in Chapter 3 of this Basin Plan. If this water quality objective protecting REC-1 is amended, the numeric target for this TMDL will be equal to the amended water quality objective.

Source Analysis

Salinas Reclamation Canal, Lower: 1) discharges from Municipal Separate Storm Sewer Systems (MS4s), 2) domestic animals/livestock discharges in areas that do not drain to MS4s, 3) illegal dumping, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) sanitary sewer collection system leaks.

Reclamation Canal, Upper/Alisal Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping, 3) homeless person/encampment discharges in areas that do not drain to MS4s, 4) discharges from MS4s.

Old Salinas River: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping, 3) discharges from MS4s.

Tembladero Slough: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) discharges from MS4s, 3) illegal dumping, 4) sanitary sewer collection system leaks.

Santa Rita Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) discharges from MS4s, 3) illegal dumping, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) sanitary sewer collection system leaks.

Salinas River Lagoon (North): 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping 3) discharges from MS4s.

Lower Salinas River: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) discharges from MS4s, 3) illegal dumping.

Gabilan Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) discharges from MS4s, 3) illegal dumping, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) sanitary sewer collection system leaks.

Natividad Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) discharges from MS4s, 3) illegal dumping, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) sanitary sewer collection system leaks.

Quail Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping.

Chualar Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping.

Towne Creek: 1) Domestic animals/livestock discharges in areas that do not drain to MS4s, 2) illegal dumping.

Natural uncontrollable sources of fecal coliform in the listed waterbodies are present and likely contributing to impairment at varying degrees by season and location.

TMDLs and Allocations

The TMDLs for all impaired waters of the Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek, Natividad Creek, Salinas River Lagoon (North), Santa Rita Creek, Quail Creek, Chualar Creek, and Towne Creek are set equal to the loading capacity of the waterbodies. They are concentration based TMDLs applicable to each day of all seasons and are set equal to the following:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

The TMDLs are equal to the water quality objective protecting the water contact recreation beneficial use (REC-1), as described in Chapter 3 of this Basin Plan. If this water quality objective protecting REC-1 is amended, the TMDLs for the water bodies subject to the TMDLs will be equal to the amended water quality objective.

The allocations to responsible parties are shown in Table IX M-1.

Table IX M-1. Allocations and Responsible Parties

<u>WASTE LOAD ALLOCATIONS</u>		
<u>Waterbody</u>	<u>Party Responsible for Allocation (Source) NPDES/WDR number</u>	<u>Receiving Water Fecal Coliform (MPN/100mL)</u>
Gabilan Creek ¹ , Santa Rita Creek ³ , Salinas Reclamation Canal ⁴ , Natividad Creek ⁵ , Lower Salinas River ⁶	City of Salinas (Storm drain discharges to MS4s) Storm Water Permit NPDES No. CA00049981	Allocation-1
Gabilan Creek ¹ , Alisal Creek ² , Santa Rita Creek ³ , Salinas Reclamation Canal ⁴ , Natividad Creek ⁵ , Lower Salinas River ⁶ , Tembladero Slough ⁷ , Old Salinas River ⁹ , Salinas River Lagoon ¹⁰	County of Monterey (Storm drain discharges to MS4s) Storm Water General Permit NPDES No. CAS000004	Allocation-1
Gabilan Creek ¹ , Santa Rita Creek ³ , Salinas Reclamation Canal ⁴ , Natividad Creek ⁵	City of Salinas (Sanitary sewer collection system spills and leaks) Statewide General WDR for Sanitary Sewer Systems WQO No. 2006-0003	Allocation-2
Tembladero Slough ⁷	Castroville Community Services District (Sanitary sewer collection system spills and leaks) Statewide General WDR for Sanitary Sewer Systems WQO No. 2006-0003	Allocation-2

WASTE LOAD ALLOCATIONS		
Waterbody	Party Responsible for Allocation (Source) NPDES/WDR number	Receiving Water Fecal Coliform (MPN/100mL)
LOAD ALLOCATIONS		
Waterbody	Responsible Party (Source)	Receiving Water Fecal Coliform (MPN/100mL)
All twelve impaired water bodies ^a	Owners/operators of land used for/containing domestic animals/livestock (Domestic animals/livestock waste not draining to MS4s)	Allocation-1
Salinas Reclamation Canal, Alisal Creek, Santa Rita Creek, Gabilan Creek, Natividad Creek	Owners and/or Operators of Land that have Homeless Persons/Encampments (Discharges From Homeless Persons/Encampments Not Regulated by a Permit for Storm Water Discharges)	Allocation-2
All twelve impaired water bodies ^a	Owners/operators of land used for/containing illegal dumping (Discharges from illegal dumping Not Regulated by a Permit for Storm Water Discharges)	Allocation-1
All twelve impaired water bodies ^a	No responsible party (Natural sources)	Allocation-1
<p>Wasteload/Load Allocation 1 (Equal to the TMDL):Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN/100mL, nor shall more than ten percent of total samples during any 30-day period exceed 400 MPN/100 mL.</p> <p>Wasteload/Load Allocation 2: Allocation of zero; no fecal coliform bacteria load originating from human sources of fecal material is allowed.</p>		

^a All twelve impaired water bodies: Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek , Natividad Creek, Salinas River Lagoon (north), Chualar Creek, Santa Rita Creek, Quail Creek, Towne Creek.

¹ Gabilan Creek: all reaches and its tributaries, which includes from the confluence with Carr Lake to the uppermost reaches of the waterbody, including but not limited to Towne Creek¹², Mudd Creek, and un-named creeks tributary to these.

² Alisal Creek : all reaches and its tributaries, which includes from the confluence with the Salinas Reclamation Canal to the uppermost reach of the waterbody.

³ Santa Rita Creek: all reaches and its tributaries, which includes from the confluence with the Salinas Reclamation Canal to the uppermost reach of the waterbody.

⁴ Salinas Reclamation Canal: all reaches and tributaries, which includes from confluence with Tembladero Slough, to upstream confluence with Carr Lake and Alisal Creek.

⁵ Natividad Creek: all reaches and its tributaries, which includes from the confluence with Carr Lake to the uppermost reach of the waterbody.

⁶ Lower Salinas River: all reaches and tributaries from Salinas River at Chualar River Road downstream to its confluence with the Salinas River Lagoon at Monte Road.

⁷ Tembladero Slough: which includes all reaches and tributaries from the confluence with the Salinas Reclamation Canal downstream to its confluence with the Old Salinas River.

⁸ Quail Creek: which includes all reaches and its tributaries, from the confluence with the Salinas River to the uppermost reach of the waterbody.

⁹ Old Salinas River: all reaches and tributaries from the slide gate at the head of the Old Salinas River adjacent to Mulligan Hill, downstream to Potrero Road.

¹⁰ Salinas River Lagoon (North): From Monte Road downstream to its confluence with Monterey Bay.

¹¹Chualar Creek: which includes all reaches and its tributaries, from the confluence with the Salinas River to the uppermost reach of the waterbody.

¹²Towne Creek: all reaches and tributaries.

The parties responsible for the allocation to controllable sources are not responsible for the allocation to natural sources.

The TMDLs are considered achieved when the allocations assigned to all individual responsible parties are met or when the numeric targets are consistently met in the impaired reaches of the Lower Salinas River Watershed.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation

STORM DRAIN DISCHARGES TO MS4S:

The Central Coast Water Board will address fecal indicator bacteria (FIB), i.e., fecal coliform and/or other indicators of pathogens, discharged from the City of Salinas's and the County of Monterey's municipal separate storm sewer systems (MS4s) by regulating the MS4 entities under the provisions of an individual municipal stormwater permit, or the State Water Resource Control Board's General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit). As enrollees under the an individual municipal stormwater permit or the General Permit, they must develop and implement a Storm Water Management Plan (SWMP) that controls urban runoff discharges into and from their MS4s. To address the MS4 TMDL wasteload allocations, the Central Coast Water Board will require the enrollees to specifically target FIB in urban runoff through incorporation of a Wasteload Allocation Attainment Program in their SWMPs.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to include descriptions of the actions that will be taken by the MS4 entity to attain the TMDL wasteload allocations, and specifically address:

1. Development of an implementation and assessment strategy;
2. Source identification and prioritization;
3. Best management practice identification, prioritization, implementation schedule, analysis, and effectiveness assessment;
4. Monitoring program development and implementation;
5. Reporting; including evaluation whether current best management practices are progressing towards achieving the wasteload allocations within thirteen years of the date that the TMDLs are approved by the Office of Administrative Law;
6. Coordination with stakeholders; and
7. Other pertinent factors.

The Wasteload Allocation Attainment Program will be required by the Central Coast Water Board to address each of these TMDLs that occur within the MS4 entities' jurisdictions.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to be submitted at one of the following milestones, whichever occurs first:

1. Within one year of approval of the TMDLs by the Office of Administrative Law;

2. When required by any other Water Board-issued storm water requirements (e.g., when the Phase II Municipal Storm Water Permit is renewed).

For MS4 entities that are enrolled under an individual municipal stormwater permit or the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMPs when they are submitted. For an MS4 that is not enrolled under the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMP when the SWMP is approved by the Central Coast Water Board.

The Executive Officer, pursuant to delegated authority, or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

DOMESTIC ANIMAL/LIVESTOCK DISCHARGES:

Owners and/or operators of lands containing domestic animals (including pets, farm animals, and livestock) in the Lower Salinas River watershed must comply with the Domestic Animal Waste Discharge Prohibition; compliance with the Domestic Animal Waste Discharge Prohibition is intended to result in compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing domestic animals of the requirement to comply with the Domestic Animal Waste Discharge Prohibition. In the notification, the Executive Officer will describe the options that owners/operators of lands containing domestic animals have for demonstrating compliance with the Domestic Animal Waste Discharge Prohibition. Within six months of notification by the Executive Officer pursuant to California Water Code section 13261 or 13267, owners/operators of lands containing domestic animals will be required to submit one the following to the Water Board:

- 1) Sufficient evidence to demonstrate that the owner/operator of lands containing domestic animals is and will continue to be in compliance with the Domestic Animal Waste Discharge Prohibition; Such evidence could include documentation submitted by the owner/operator to the Executive Officer that the owner/operator is not causing waste to be discharged to the Creek resulting in violations of the Prohibition, or
- 2) A plan for compliance with the Domestic Animal Waste Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from domestic animals. The plan must also describe how implementing the identified management practices are likely to progressively achieve the load allocations to domestic animals, with the ultimate goal achieving the load allocations no later than thirteen years after Office of Administrative Law approval of these TMDLs. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progressive progress toward achieving load allocations for discharges from domestic animals, and a self-assessment of this progress. The plan may be developed by an individual discharger or by or for a coalition of dischargers in cooperation with a third-party representative, organization, or government agency acting as the agents of owners/operators of lands containing domestic animals, or
- 3) A Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

The estimated total median cost of TMDL implementation in the Lower Salinas River watershed to owners and operators of lands containing domestic animals is \$143,900. This estimated total median cost represents the collective total cost to implement the TMDL by all responsible parties over the 13 year timeline to achieve the TMDL. Sources of financing are described in the Basin Plan, Chapter 4, in section IX. M.

HOMELESS PERSONS/ENCAMPMENT DISCHARGES

Owners of land that contain homeless persons and/or homeless encampments in the Lower Salinas River watershed must comply with the Human Fecal Material Discharge Prohibition.

Owners of land with homeless persons must demonstrate to the satisfaction of the Executive Officer or the Water Board that they are in compliance with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with the load allocation for these TMDLs.

The Executive Officer will notify owners of lands containing homeless persons of the requirement to comply with the Human Fecal Material Discharge Prohibition. In his notification, the Executive Officer will also describe owners' options for demonstrating compliance with the Human Fecal Material Discharge Prohibition; pursuant to California Water Code 13267 and within six months of the notification by the Executive Officer, owners will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator is and will continue to be in compliance with the Human Fecal Material Discharge Prohibition; clear evidence could be documentation submitted by the owner to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Human Fecal Material Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from homeless persons. The Plan must also describe how implementing the identified management practices is likely to progressively achieve the load allocation for homeless persons, with the ultimate goal achieving the load allocation no later than three years from the date of the Executive Officer's notification to the owner requiring compliance. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progress towards achieving load allocations for discharges from homeless persons, and self-assessment of this progress, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

In accordance with the Porter-Cologne Water Quality Control Act §13350 (c), responsible parties are shielded from civil liability in certain cases. Pursuant to Porter-Cologne Water Quality Control Act §13350(c)(4) and §13350(c)(5) there is no civil liability for the responsible party if the discharge is an intentional act of a third party, the effects of which could not have been prevented or avoided by the exercise of due care or foresight; or, any other circumstance or event which causes the discharge despite the exercise of every reasonable precaution to prevent or mitigate the discharge.

SANITARY SEWER COLLECTION SYSTEM LEAKS:

Entities with jurisdiction over sewer collection systems can demonstrate compliance with these TMDL load allocations through waste discharge requirements and/or NPDES permits.

The City of Salinas, the Castroville Community Services District, and the California Utilities Service Wastewater Treatment Plant must continue to implement their Collection System Management Plans as required by waste discharge requirements.

In addition, the City of Salinas, the Castroville Community Services District, and the California Utilities Service Wastewater Treatment Plant (herein referred to as sanitary collection system jurisdictions) are required to improve maintenance of their sewage collection systems, including identification, correction, and prevention of sewage leaks in portions of the collection systems that run through, or adjacent to, impaired surface waters or their tributaries within the Lower Salinas River Watershed.

To this end, within six months following approval of these TMDLs by the Office of Administrative Law, the Executive Officer will issue letters to sanitary collection system jurisdictions pursuant to Section 13267 of the California Water Code requiring: 1) submittal within one year of approval of these TMDLs by the Office of Administrative Law a technical report that describes how and when the sanitary collection system jurisdictions will conduct improved collection system maintenance in portions of the collection system most likely to affect impaired surface water bodies, with the end result being compliance with its TMDL allocation, 2) stream monitoring for fecal coliform or another fecal indicator bacteria and reporting of these monitoring activities, and 3) annual reporting of self-assessment as to whether the sanitary collection system jurisdictions are in compliance with the TMDL allocation.

ILLEGAL DUMPING:

Owners of lands where illegal dumping occurs are ultimately responsible for achieving the allocation for pathogen loading resulting from illegal dumping. However, the County of Monterey and the City of Salinas currently have programs and ordinances to address illegal dumping, and have been proactive in their effort to control these discharges. Illegal dumping is a violation of California Law and Monterey County Code (California Penal Code 374.3(A) and Monterey County Code, Chapter 10.41.040(A), respectively). The County of Monterey Health Department responds to illegal dumping complaints, prepares reports of investigation for the District Attorney's Office, engages in public outreach and education, and participates in programs that focus on minimizing illegal dumping. The County of Monterey and the City of Salinas actively prosecute individuals who are caught illegally dumping. The City of Salinas has devoted resources to watershed cleanup efforts to remove litter from City creeks. Both the City and the County have reportedly established telephone hotlines for citizens to report illegal dumping and they provide financial rewards for reporting parties.

The Executive Officer anticipates that existing programs and ordinances will achieve the allocation; therefore, no new regulatory mechanisms are warranted. Compliance with the allocation may be demonstrated through effective and proactive implementation and enforcement of existing regulatory authorities. The Executive Officer will assess progress and make changes if necessary during TMDL implementation tracking to achieve allocations for pathogen loading from illegal dumping.

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress toward achieving their allocations. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric target.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of pathogens are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric target and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural, or background sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal indicator bacteria.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving this TMDL numeric target is 13 years after the date of approval by the Office of Administrative Law.

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan, Chapter Five, as follows:

Amend Chapter 5, section IV.B. as follows:

Add the following watershed to the end of the bulleted list of applicable areas of the Domestic Animal Waste Discharge Prohibition:

- Lower Salinas River Watershed (the watershed area of the Salinas River from Gonzales Road downstream to its confluence with Moss Landing Harbor)

AMENDMENT NO. 3. Revise the September 8, 1994 Basin Plan, Chapter Five, as follows:

Amend Chapter 5, section IV.B. as follows:

Add the following watershed to the end of the bulleted list of applicable areas of the Human Fecal Material Discharge Prohibition:

- Lower Salinas River Watershed (the watershed area of the Salinas River from Gonzales Road downstream to its confluence with Moss Landing Harbor)

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California**

RESOLUTION NO. R3-2009-0025

**Amending the Water Quality Control Plan for the Central Coast Basin to
(1) Add the Aptos Creek Watershed to the Human Fecal Material Discharge Prohibition
and the Domestic Animal Waste Discharge Prohibition, and (2) Adopt Total Maximum
Daily Loads for Pathogens in Aptos Creek, Valencia Creek, and Trout Gulch**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, prohibitions, implementation plans for point source and nonpoint source pollution discharges, and statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to (a) add the Aptos Creek Watershed as a named area subject to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and (b) incorporate Total Maximum Daily Loads (TMDLs) and an Implementation Plan for pathogens in Aptos Creek, Valencia Creek, and Trout Gulch.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting an amendment into the following sections:
 - a. Chapter Four, Section IX (Total Maximum Daily Loads), and
 - b. Chapter Five, section IV.B (Discharge Prohibitions)
4. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). This policy requires the regional water boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the California Water Code. This policy requires regional water boards to regulate nonpoint source pollution discharges with waste discharge requirements, waivers of waste discharge requirements, or Basin Plan prohibitions, or combinations thereof.
5. Aptos Creek and Valencia Creek are listed on Clean Water Act 303(d) list as impaired due to pathogens. Aptos and Valencia Creeks do not meet the Basin Plan water quality objectives for fecal coliform. This Resolution establishes TMDLs and associated allocations for these listed water bodies.
6. Trout Gulch is located in the Aptos Creek Watershed, is not on the Clean Water Act 303(d) list of impaired waters for pathogens, and does not meet Basin Plan water quality objectives for fecal coliform. The Central Coast Water Board finds that Trout Gulch is impaired for fecal coliform. Therefore, this Resolution establishes TMDLs and associated allocations for Trout Gulch.

7. The Central Coast Water Board's goal for establishing TMDLs in the Aptos Creek Watershed is to rectify the fecal coliform impairment, thereby maintaining the water for the beneficial uses of contact and non-contact water recreation.
8. The mouth of Aptos Creek is the receiving water for approximately 13,190 acres of land. Water from the Creek flows into northern Monterey Bay. Trout Gulch flows into Valencia Creek and Valencia Creek flows into Aptos Creek.
9. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the CWA, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for pathogens in the Aptos Creek Watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target.
10. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6(c)(1) and 130.7; and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
11. The Central Coast Water Board may, pursuant to California Water Code section 13243, specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (i.e., prohibitions). The Implementation Plan for the TMDLs for the Aptos Creek Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition (proposed Amendment No. 1 contained herein) for discharges in the Aptos Creek Watershed. Supporting documentation for adding the Aptos Creek Watershed to the above-named prohibitions is provided in the Final Project Reports for Total Maximum Daily Loads for Pathogens in Aptos Creek, Valencia Creek and Trout Gulch. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Aptos Creek Watershed to the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions.
12. Pursuant to California Water Code section 13241, the Central Coast Water Board considered several factors in developing this Basin Plan amendment. The Central Coast Water Board concluded that the TMDLs and prohibitions established by this Basin Plan amendment will ensure the reasonable protection of beneficial uses of waters of the state and prevent nuisance. As set forth in these substitute environmental documents, the Central Coast Water Board considered
 - a. The past, present and probable future beneficial uses of water in the Watershed.
 - b. Environmental characteristics of the Watershed.

- c. Water quality conditions that can reasonably be achieved through the coordinated management of all controllable factors that affect water quality in the area, as provided in the Implementation Plan.
 - d. Economic considerations, including reasonably foreseeable means of compliance and the reasonably foreseeable costs of those means of compliance
 - e. The need for developing housing within the region, which is not relevant.
 - f. The need to develop and use recycled water, which is not relevant.
13. Central Coast Water Board staff submitted the Project Report for the TMDLs to an external scientific review panel in July 2007. Staff received comments from the scientific review panel. Central Coast Water Board staff edited the Project Report or provided a written response that explained the basis for failing to incorporate the comments, or the comments did not result in any changes to the proposed Basin Plan Amendment. The prohibitions, TMDLs and Implementation Plan are based on sound scientific knowledge, methods, and practices in accordance with Health & Safety Code section 57004.
 14. Central Coast Water Board staff implemented a process to inform interested persons and the public about adding the Aptos Creek Watershed to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition and adoption of the TMDLs. Central Coast Water Board staff's efforts to inform the public and solicit comment included a public meeting with interested parties and a public notice and comment period. Public notification of the amendment to the Basin Plan provided the public a 45 day public comment period preceding the Central Coast Water Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Relevant documents and notices were also made available on the Central Coast Water Board website. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.
 15. Adoption of these TMDLs and Basin Plan amendments will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and basin plan amendment comply with all requirements of both State and Federal anti-degradation requirements (State Board Resolution 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California", and 40CFR 131.12).
 16. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has prepared "substitute environmental documents" for this project that contain the required environmental documentation as set forth in the State Water Resources Control Board's (State Board) CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents include the TMDL Staff Report and several of its Attachments, including: 1) this Resolution and the Basin Plan Amendment Language (Attachment 1 of the Staff Report); 2) "Total Maximum Daily Loads for Pathogens in Aptos Creek, Valencia Creek, and Trout Gulch, Santa Cruz County, California" (Attachment 2 of the Staff Report); 3) the CEQA Substitute Document with environmental checklist (Attachment 3 of the Staff Report); and 4) the comments and responses to comments (Attachment6 of the Staff Report). The Staff Report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4) and the Scientific Peer Review comment (Attachment 5). The project itself is the establishment of TMDLs for fecal coliform in the Aptos Creek Watershed. The Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and

setting various milestones in achieving the water quality standards. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and numerous findings related to impacts and mitigation measures

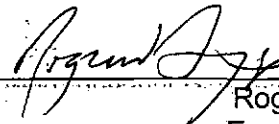
17. A CEQA Scoping meeting was conducted on June 26, 2006 at the Capitola City Hall Community Room, 420 Capitola Avenue, Capitola, Santa Cruz County. A notice of the CEQA Scoping meeting was sent to interested persons on May 30, 2006, including to the City of Capitola and the County of Santa Cruz. The notice included a background of the project, the project purpose, a meeting schedule and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary were available at the website or by requesting hard copies via telephone.
18. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment, or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites. The Staff Report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3), provides the environmental analysis required by Public Resources Code section 21159 and is hereby incorporated as findings in this Resolution.
19. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.
20. Consistent with the Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, which would avoid or reduce the identified impacts.
21. The proposed amendment will have a less than significant adverse effect on the environment. California Water Code section 13360 precludes the Regional Board from dictating the manner in which responsible agencies comply with any of the Regional Board's regulations or orders. When the agencies responsible for implementing these TMDLs determine how they will proceed, the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. These feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a)(2)).

22. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will foreseeably reduce impacts to no impact, or keep the impact at less than significant levels.
23. The substitute documents for these TMDLs, and in particular the CEQA Substitute Document and Environmental Checklist (Attachment 3 of the Staff Report) identify mitigation approaches that should be considered at the project level.
24. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating a) Aptos Creek Watershed as subject to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and b) TMDLs for pathogens in the Aptos Creek Watershed. The TMDLs and associated Implementation Plan for the TMDLs will become effective upon approval by the California Office of Administrative Law. The TMDLs must also be approved by the United States Environmental Protection Agency.
25. The amendments to the Basin Plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Game under the California Fish and Game Code section 711.4.
26. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding-10, federal regulations require that TMDLs be incorporated into the water quality management plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the water quality management plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative, planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under California Water Code section 13242. The necessity of developing TMDLs is established in the TMDL staff report, the section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the Aptos Creek Watershed.
27. On March 21, 2008 in Salinas, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.
28. On March 21, 2008, the Central Coast Water Board adopted resolution no. R3-2008-0003 and forwarded the record to the State Water Board for adoption.
29. On November 6, 2008, the Central Coast Water Board's Executive Officer withdrew the Total Maximum Daily Loads for Pathogens in Aptos Creek, Valencia Creek, and Trout Gulch from consideration for adoption by the State Water Board. The Executive Officer withdrew the TMDLs for consideration due to State Board staff's recommendation to clarify language in the TMDLs and corresponding amendments before submittal to the State Water Board for approval; this Resolution includes the recommended clarifications.
30. On May 8, 2009, in San Luis Obispo, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13241, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during the approval process, Central Coast Water Board staff, State Water Board staff, the State Water Board or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The substitute environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on May 8, 2009.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2009-0025**ATTACHMENT - PROPOSED BASIN PLAN AMENDMENT**

Revise the September 8, 1994 Basin Plan, as follows:

AMENDMENT NO. 1. Revise the September 8, 1994 Basin Plan, Chapter Five, as follows:

Amend Chapter Five, section IV.B. as follows:

Add the following watershed to the end of the bulleted list of applicable areas of the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition:

- Aptos Creek Watershed

AMENDMENT NO. 2. ADOPT THE APTOS CREEK, VALENCIA CREEK, AND TROUT GULCH TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS

Add the following to Chapter 4 after IX. K.:

IX. L. TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN APTOS CREEK, VALENCIA CREEK, AND TROUT GULCH

The Regional Water Quality Control Board adopted these TMDLs on May 8, 2009.

These TMDLs were approved by:

The State Water Resources Control Board on _____ (Insert date)

The California Office of Administrative Law on _____ (Insert date)

The U.S. Environmental Protection Agency on _____ (Insert date)

Problem Statement

The beneficial use of water contact recreation is not being attained in Aptos Creek, Valencia Creek and Trout Gulch because fecal coliform concentrations exceed existing Basin Plan numeric water quality objectives protecting this beneficial use. Staff concluded Aptos Creek was impaired below the confluence with Valencia Creek. The entire reach of Trout Gulch was considered impaired. Staff also considered Valencia Creek impaired from its confluence with Aptos Creek, upstream to both the east and west forks. The east fork was impaired upstream to the intersection of McKay and Cox Roads. The west fork was impaired upstream to its intersection with Valencia Road.

Numeric Targets

The numeric targets used to develop the TMDLs and allocations are as follows:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Source Analysis

The relative order of controllable sources, in descending order, contributing pathogens to Aptos Creek, Valencia Creek, and Trout Gulch are: (1) storm drain discharges to municipally owned and operated separate storm sewer systems (MS4s) required to be covered by an NPDES permit, (2) pet waste in areas that do not drain to MS4s, (3) County of Santa Cruz Sanitation District sanitary sewer collection system spills and leaks, (4) private sewer laterals connected to municipal sanitary sewer collection systems, and (5) farm animals and livestock discharges.

TMDLs and Allocations

The TMDLs for all impaired waters of Aptos Creek, Valencia Creek, and Trout Gulch are concentration based TMDLs applicable to each day of all seasons and are equal to the following:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

The allocations to responsible parties are shown in Table IX-L-1.

Table IX – L - 1. Allocations and Responsible Parties

WASTE LOAD ALLOCATIONS		Receiving Water Fecal Coliform (MPN/100mL)
Waterbody	Responsible Party (Source) NPDES/Order number	
Aptos Creek ¹ Trout Gulch ² Valencia Creek ³	Santa Cruz County (Storm drain discharges to MS4s required to be covered by an NPDES permit) Storm Water General Permit NPDES No. CAS000004	Allocation 1 ^a
Aptos Creek ¹ Trout Gulch ² Valencia Creek ³	Santa Cruz County Sanitation District (Sanitary sewer collection system spills and leaks) Order No. R3-2005-0043	Allocation 2 ^b
LOAD ALLOCATIONS		Receiving Water Fecal Coliform (MPN/100mL)
Waterbody	Responsible Party (Source)	
Aptos Creek ¹ Trout Gulch ² Valencia Creek ³	Owners/Operators of land used for/containing pets (Pet waste not draining to MS4s)	Allocation 1 ^a
Aptos Creek ¹ Trout Gulch ² Valencia Creek ³	Owners/Operators of land used for/containing farm animals and livestock (Farm Animals and Livestock discharges)	Allocation 1 ^a
Aptos Creek ¹ Trout Gulch ² Valencia Creek ³	Natural sources	Allocation 1 ^a

¹ Aptos Creek from the Pacific Ocean to the confluence of Aptos and Valencia Creeks

² All reaches of Trout Gulch

³ Valencia Creek from the confluence with Aptos Creek upstream to the west fork, where it intersects with Valencia Road, and to the east fork at the intersection of McKay and Cox Roads.

^a Allocation 1: Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN/100mL, nor shall more than ten percent of total samples during any 30-day period exceed 400 MPN/100 mL.

^b Allocation 2: Allocation of zero; no loading allowed from this source.

The parties responsible for the allocations to controllable sources are not responsible for the allocation to natural sources.

The TMDLs are considered achieved when the allocations assigned to all individual responsible parties are met, or when the numeric targets are consistently met in Aptos Creek, Valencia Creek, and Trout Gulch.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation Plan

STORM DRAIN DISCHARGES

The Central Coast Water Board will address fecal indicator bacteria (FIB), e.g. fecal coliform and/or other indicators of pathogens, discharged from the County of Santa Cruz' municipal separate storm sewer system (MS4) by regulating the MS4 under the provisions of the State Water Resource Control Board's General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit) (NPDES No. CAS000004). As an enrollee under the General Permit, the MS4 must develop and implement a Storm Water Management Plan (SWMP) that controls urban runoff discharges into and from its MS4. To address the MS4s TMDL wasteload allocations, the Central Coast Water Board will require the MS4 to specifically target FIB in urban runoff through incorporation of a Wasteload Allocation Attainment Program in its SWMP.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to include descriptions of the actions that will be taken by the MS4 to attain the TMDL wasteload allocations, and specifically address:

1. Development of an implementation and assessment strategy;
2. Source identification and prioritization;
3. Best management practice identification, prioritization, implementation schedule, analysis, and effectiveness assessment;
4. Monitoring program development and implementation;
5. Reporting; including evaluation whether current best management practices are progressing towards achieving the wasteload allocations within thirteen years of the date that the TMDLs are approved by the Office of Administrative Law;
6. Coordination with stakeholders; and
7. Other pertinent factors.

The Wasteload Allocation Attainment Program will be required by the Central Coast Water Board to address each of these TMDLs that occur within the MS4 entities' jurisdictions.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to be submitted at one of the following milestones, whichever occurs first:

1. Within one year of approval of the TMDLs by the Office of Administrative Law;
2. When required by any other Water Board-issued storm water requirements (e.g., when the Phase II Municipal Storm Water Permit is renewed).

For an MS4 that is enrolled under the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMPs when they are submitted. For an MS4 that is not enrolled under the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMP when the SWMP is approved by the Central Coast Water Board.

The Executive Officer or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California

Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

SANITARY SEWER COLLECTION SYSTEM SPILLS AND LEAKS

Entities with jurisdiction over sewer collection systems can demonstrate compliance with these TMDL load allocations through waste discharge requirements and/or NPDES permits.

The Santa Cruz County Sanitation District (SCCSD) must continue to implement its Collection System Management Plan, as required by Waste Discharge Requirements (WDRs) (Order No. R3-2005-0043).

In addition, the SCCSD is required to improve maintenance of their sewage collection system, including identification, correction, and prevention of sewage leaks in portions of the collection systems that run through, or adjacent to, impaired surface waters within the Aptos Creek Watershed.

To this end, within six months following adoption of these TMDLs by the Office of Administrative Law, the Executive Officer will issue a letter pursuant to Section 13267 of the California Water Code requiring: 1) submittal within one year of a technical report that describes how and when the SCCSD will conduct improved collection system maintenance in portions of the collection system most likely to affect impaired surface water bodies, with the end result being compliance with its TMDL allocation, 2) stream monitoring for fecal coliform or another fecal indicator bacteria and reporting of these monitoring activities, and 3) annual reporting of self-assessment as to whether the SCCSD is in compliance with the TMDL allocation.

PRIVATE SEWER LATERAL DISCHARGES

The Central Coast Water Board has identified leaks from private laterals located in the County of Santa Cruz as a source of fecal indicator bacteria in municipal separate storm sewer systems (MS4s). Therefore, enrollees for the County of Santa Cruz' General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems will address fecal indicator bacteria from private lateral leaks in the Wasteload Allocation Attainment Program (as described in the above Storm Drain Discharges section).

PET WASTE, FARM ANIMALS AND LIVESTOCK DISCHARGES

Owners and/or operators of lands containing domestic animals (including pets, farm animals, and livestock) in the Aptos Creek Watershed must comply with the Domestic Animal Waste Discharge Prohibition; compliance with the Domestic Animal Waste Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing domestic animals of the requirement to comply with the Domestic Animal Waste Discharge Prohibition. In his notification, the Executive Officer will also describe the options owner's/operator's of lands containing domestic animals have for demonstrating compliance with the Domestic Animal Waste Discharge Prohibition; pursuant to California Water Code section 13267 and within six months of the notification by the Executive Officer, owners/operators of lands containing domestic animals will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator of lands containing domestic animals is and will continue to be in compliance with the Domestic Animal Waste Discharge Prohibition; clear evidence could be documentation submitted by the owner/operator to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Domestic Animal Waste Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from domestic animals. The plan must also describe how implementing the identified management practices are likely to progressively achieve the load allocations to domestic animals, with the ultimate goal achieving the load allocations no later than thirteen years after Office of Administrative Law approval of these TMDLs. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progressive progress toward achieving load allocations for discharges from domestic animals, and a self-assessment of this progress. The plan may be developed by an individual discharger or by or for a coalition of dischargers in cooperation with a third-party representative, organization, or government agency acting as the agents of owners/operators of lands containing domestic animals, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress toward achieving their allocations. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric target.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of pathogens are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric target and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural, or background sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal indicator bacteria.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving this TMDL numeric target is 13 years after the date of approval by the Office of Administrative Law.



California Regional Water Quality Control Board

Central Coast Region



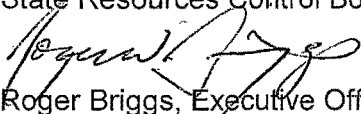
Linda S. Adams
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Arnold Schwarzenegger
Governor

MEMORANDUM

TO: Darrin Polhemus
Deputy Director, Division of Water Quality
State Resources Control Board

FROM: 
Roger Briggs, Executive Officer

DATE: June 23, 2010

SUBJECT: SOQUEL LAGOON BASIN PLAN AMENDMENT/TMDL

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) adopted an amendment to the Water Quality Control Plan for the Central Coast Region (Basin Plan) on May 8, 2009, in Resolution No. R3-2009-0024. The Basin Plan amendment establishes Total Maximum Daily Loads for Fecal Coliform in the Soquel Lagoon Watershed located in Santa Cruz County, adds a prohibition on domestic animal waste discharge and a prohibition on human fecal material discharge in the Soquel Lagoon Watershed waters, and removes the shellfish harvesting beneficial use for Soquel Lagoon.

Central Coast Water Board Resolution No. R3-2009-0024 grants the Executive Officer the authority to make minor, non-substantive changes to the language of the adopted Basin Plan amendment.

The State Water Resources Control Board intends to consider approval of the Basin Plan amendment at a meeting scheduled for July 6, 2010. It has come to my attention that there are needed wording clarifications requiring corrections to the Basin Plan amendment. The corrections are not substantive; they add consistency, and therefore clarity, to the language of the Basin Plan amendment.

I am hereby making the following minor, non-substantive changes to Attachment-1 (Resolution No. R3-2009-0024) that clarify existing language:

1. Page 10, bullet 1, under the section "Source Analysis," striking the word "from" and replacing with the word "of." The corrected bullet reads:

Storm drain discharges...(including but not limited to discharges of fecal material from domestic animals and humans).

2. Page 12, under "STORM DRAIN DISCHARGES," striking the word "Resource" and replacing it with the word "Resources." The corrected wording reads:

"The Central Coast Water Board will address fecal indicator bacteria...State Water Resources Control Board's..."

3. Page 12, bullet-2, under the section "STORM DRAIN DISCHARGES," adding the following underlined language (the corrected language is consistent with existing language in the section "PRIVATE LATERALS TO THE SANITARY SEWER COLLECTION SYSTEM" on page 13):

"Source identification and prioritization (including leaks to storm sewers from private laterals),"

4. Page 13, third paragraph under the section titled "SANITARY SEWER COLLECTION SYSTEM SPILLS AND LEAKS," striking the word "adoption" and replacing with the word "approval." The corrected wording reads:

"To this end, within six months following approval of these TMDLs by the Office of Administrative Law, the Executive Officer..."

5. Page 14, the first paragraph under the section titled "DOMESTIC ANIMALS NOT REGULATED BY WQ ORDER NO. 2003-0005-DWQ [STORM WATER GENERAL PERMIT," striking the wording "Soquel Creek Watershed and Noble Gulch Watershed" and replacing with the wording "Soquel Lagoon Watershed." The corrected language is consistent with the existing language on page 9, first bullet under the section titled "AMENDMENT NO.2..." The corrected wording reads:

"Owners and/or operators of lands containing domestic animals...in the Soquel Lagoon Watershed must comply with the Domestic Animal Waste Discharge Prohibition..."

If you have any questions about this request, please contact Kim Sanders at (805) 542-4771 or Harvey Packard at (805) 542-4639.

cc:

Central Coast Water Board Members
Steven Blum, OCC
Frances McChesney, OCC
Rik Rasmussen, DWQD
Paul Hann, DWQ
Michael Buckman, DWQ

RESOLUTION NO. R3-2009-0024

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1.

Amend Chapter 2, Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Soquel Lagoon						X	X	X	X		X	X		X	X				X			X

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan, Chapter Five, as follows:

Amend Chapter Five, section IV.B. as follows:

Add the following watershed to the end of the bulleted list of applicable areas of the Human Fecal Material Discharge Prohibition and the Domesticated Animal Waste Discharge Prohibition.

- Soquel Lagoon Watershed

AMENDMENT NO. 3. ADOPT THE TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SOQUEL LAGOON, SOQUEL CREEK, AND NOBLE GULCH

Add the following to Chapter 4 after IX. J.:

IX. K. TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SOQUEL LAGOON, SOQUEL CREEK, AND NOBLE GULCH

The Regional Water Quality Control Board adopted these TMDLs on May 8, 2009. These TMDLs were approved by:

The State Water Resources Control Board on: _____ (insert date).

The California Office of Administrative Law on: _____ (insert date).

The U.S. Environmental Protection Agency on: _____ (insert date).

Problem Statement

The beneficial use of water contact recreation is not protected in the impaired reaches of Soquel Lagoon, Soquel Creek, and Noble Gulch because fecal coliform concentrations exceed water quality objectives protecting this beneficial use. The impaired reaches are:

- 1) Soquel Lagoon and Soquel Creek: beginning from the mouth of Soquel Lagoon, upstream and along Soquel Creek to the bridge at Porter Street.
- 2) All reaches of Noble Gulch.

Numeric Targets

The numeric targets used to develop the TMDLs and allocations are as follows:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Source Analysis

The controllable sources of fecal coliform contributing to impairment in Soquel Lagoon, Soquel Creek, and Noble Gulch are, in decreasing order of contribution:

1. Storm drain discharges to municipally owned and operated separate storm sewer systems (MS4s) required to be covered by an NPDES permit (including but not limited to discharges ~~from~~ fecal material from domestic animals and humans).
2. Sanitary sewer collection system spills and leaks (including but not limited to discharges from private laterals connected to municipal sanitary sewer collection systems).
3. Domestic animal waste discharges in areas that do not drain to MS4s (including but not limited to farm animals, livestock and pets).
4. Homeless person/encampment discharges in areas that do not drain to MS4s.

Total Maximum Daily Load (TMDL)

The TMDLs for the impaired reaches of the following water bodies are concentration based TMDLs applicable for each day for all seasons and are equal to the following:

Soquel Lagoon, Soquel Creek, and Noble Gulch:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Allocations and Responsible Parties

The allocations to responsible parties are shown in Table IX K-1.

Table IX K-1. Allocations to Responsible Parties

Waste Load Allocations		
Waterbody Subject to Allocation	Responsible Party (Source) NPDES/ORDER Number	Receiving Water Fecal Coliform (MPN/100mL)
Soquel Lagoon ¹	City of Capitola (Storm drain discharges to MS4s required to be covered by and NPDES permit) Storm Water General Permit NPDES No. CAS000004	Allocation-1 ^a
Soquel Creek ² Noble Gulch ³	County of Santa Cruz and City of Capitola (Storm drain discharges to MS4s required to be covered by and NPDES permit) Storm Water General Permit NPDES No. CAS000004	Allocation-1 ^a
Soquel Lagoon ¹ Soquel Creek ² Noble Gulch ³	Santa Cruz County Sanitation District (Sanitary sewer collection system spills and leaks) Order No. R3-2005-0043	Allocation-2 ^b
Load Allocations		
Waterbody Subject to Allocation	Responsible Party (Source)	Receiving Water Fecal Coliform (MPN/100mL)
Soquel Lagoon ¹ Soquel Creek ² Noble Gulch ³	Owners and operators of land used for/containing pets (Pet waste not draining to MS4s)	Allocation-1 ^a
Noble Gulch ³	Owners and operators of land used for/containing farm animals and livestock (Farm Animals and Livestock discharges)	Allocation-1 ^a
Soquel Lagoon ¹ Soquel Creek ² Noble Gulch ³	Owners/operators of land that include homeless persons/encampments (Homeless person/encampment discharges not draining to MS4s)	Allocation-2 ^b
Soquel Lagoon ¹ Soquel Creek ² Noble Gulch ³	No responsible party (Natural sources)	Allocation-1 ^a

¹ All waters of the Soquel Lagoon

² Beginning and including the downstream most reach of Soquel Creek, up to and including Soquel Creek at the bridge crossing at Porter Street.

³ All reaches of Noble Gulch.

^a Allocation-1: Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

^b Allocation 2: Allocation of zero; no loading allowed from this source.

The parties responsible for the allocations to controllable sources are not responsible for the allocation to natural sources.

The TMDLs are considered achieved when the numeric target is consistently met in the impaired waters of Soquel Lagoon, Soquel Creek, and Noble Gulch.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation Plan

STORM DRAIN DISCHARGES:

The Central Coast Water Board will address fecal indicator bacteria (FIB), e.g., fecal coliform and/or other indicators of pathogens, discharged from the County of Santa Cruz and the City of Capitola by regulating the MS4 entities under the provisions of the State Water ~~Resource~~ Resources Control Board's General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit) (NPDES No. CAS000004). As enrollees under the General Permit, the MS4 entities must develop and implement Storm Water Management Plans (SWMPs) that control urban runoff discharges into and from their MS4s. To address the MS4 entities' TMDL wasteload allocations, the Central Coast Water Board will require the MS4 entities to specifically target FIB in urban runoff through incorporation of Wasteload Allocation Attainment Programs in their SWMPs.

The Central Coast Water Board will require the Wasteload Allocation Attainment Programs to include descriptions of the actions that will be taken by the MS4 entities to attain the TMDL wasteload allocations, and specifically address:

1. Development of an implementation and assessment strategy;
2. Source identification and prioritization (including leaks to storm sewers from private laterals);
3. Best management practice identification, prioritization, implementation schedule, analysis, and effectiveness assessment;
4. Monitoring program development and implementation;
5. Reporting; including evaluation whether current best management practices are progressing towards achieving the wasteload allocations within thirteen years of the date that the TMDLs are approved by the Office of Administrative Law;
6. Coordination with stakeholders; and
7. Other pertinent factors.

The Wasteload Allocation Attainment Program will be required by the Central Coast Water Board to address each of these TMDLs that occur within the MS4 entities' jurisdictions.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to be submitted at one of the following milestones, whichever occurs first:

1. Within one year of approval of the TMDLs by the Office of Administrative Law;
2. When required by any other Water Board-issued storm water requirements (e.g., when the Phase II Municipal Storm Water Permit is renewed).

For those MS4 entities that are enrolled under the General Permit at the time of Wasteload Allocation Attainment Plan submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMPs when they are submitted. For those MS4 entities that are not enrolled under the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMPs when the SWMPs are approved by the Central Coast Water Board.

The Executive Officer or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

SANITARY SEWER COLLECTION SYSTEM SPILLS AND LEAKS:

Entities with jurisdiction over sewer collection systems can demonstrate compliance with these TMDL load allocations through Waste Discharge Requirements and/or NPDES permits.

The Santa Cruz County Sanitation District (SCCSD) must continue to implement their Collection System Management Plan, as required by Waste Discharge Requirements (WDRs) (Order No. R3-2005-0043).

In addition, the SCCSD is required to improve maintenance of their sewage collection system, including identification, correction, and prevention of sewage leaks in portions of the collection systems that run through, or adjacent to, impaired surface waters within the Soquel Creek Watershed.

To this end, within six months following ~~adoption~~approval of these TMDLs by the Office of Administrative Law, the Executive Officer will issue a letter pursuant to Section 13267 of the California Water Code requiring: 1) submittal within one year of, a technical report that describes how and when the SCCSD will conduct improved collection system maintenance in portions of the collection system most likely to affect impaired surface water bodies, with the end result being compliance with its TMDL allocation, 2) stream monitoring for fecal coliform or another fecal indicator bacteria and reporting of these monitoring activities, and 3) annual reporting of self-assessment as to whether the SCCSD is in compliance with the TMDL allocation.

PRIVATE LATERALS TO THE SANITARY SEWER COLLECTION SYSTEM:

The Central Coast Water Board has identified leaks from private laterals located in the City of Capitola and County of Santa Cruz as a source of fecal indicator bacteria in municipal separate storm sewer systems (MS4s). Therefore, enrollees for the City of Capitola and County of Santa Cruz General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer

Systems will address fecal indicator bacteria from private lateral leaks in the Wasteload Allocation Attainment Program (as described in the Storm Drain Discharges section).

DOMESTIC ANIMALS NOT REGULATED BY WQ ORDER NO. 2003-0005-DWQ [STORM WATER GENERAL PERMIT]:

Owners and/or operators of lands containing domestic animals (including pets, farm animals, and livestock) in the ~~Soquel Creek Watershed and Noble Gulch Watershed~~ Soquel Lagoon Watershed must comply with the Domestic Animal Waste Discharge Prohibition; compliance with the Domestic Animal Waste Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing domestic animals of the requirement to comply with the Domestic Animal Waste Discharge Prohibition. In his notification, the Executive Officer will also describe the options owners/operators of lands containing domestic animals have for demonstrating compliance with the Domestic Animal Waste Discharge Prohibition; pursuant to California Water Code section 13267 and within six months of the notification by the Executive Officer, owners/operators of lands containing domestic animals will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator of lands containing domestic animals is and will continue to be in compliance with the Domestic Animal Waste Discharge Prohibition; clear evidence could be documentation submitted by the owner/operator to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Domestic Animal Waste Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from domestic animals. The plan must also describe how implementing the identified management practices are likely to progressively achieve the load allocations to domestic animals, with the ultimate goal achieving the load allocations no later than thirteen years after Office of Administrative Law approval of these TMDLs. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progressive progress towards achieving load allocations for discharges from domestic animals, and a self-assessment of this progress. The plan may be developed by an individual discharger or by or for a coalition of dischargers in cooperation with a third-party representative, organization, or government agency acting as the agents of owners/operators of lands containing domestic animals, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

HOMELESS PERSON/ENCAMPMENT DISCHARGES NOT REGULATED BY WQ ORDER NO. 2003-0005-DWQ [STORM WATER GENERAL PERMIT]:

Owners of land that contain homeless persons and/or homeless encampments in the Soquel Lagoon Watershed must comply with the Human Fecal Material Discharge Prohibition.

Owners of land with homeless persons must demonstrate to the satisfaction of the Executive Officer or the Water Board that they are in compliance with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners of land containing homeless persons of the requirement to comply with the Human Fecal Material Discharge Prohibition. In his notification, the Executive Officer will also describe owner's options for demonstrating compliance with the Human Fecal Material Discharge Prohibition; pursuant to California Water Code 13267 and within six months of the notification by the Executive Officer, owners will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner is and will continue to be in compliance with the Human Fecal Material Discharge Prohibition; clear evidence could be documentation submitted by the owner to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Human Fecal Material Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from homeless persons. The Plan must also describe how implementing the identified management practices are likely to progressively achieve the load allocation for homeless persons, with the ultimate goal achieving the load allocation no later than three years from the date of the Executive Officer's notification to the owner requiring compliance. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progressive progress towards achieving load allocations for discharges from homeless persons, and self-assessment of this progress, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress towards achieving their allocations. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric target.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of pathogens are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric target and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural, or background sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal indicator bacteria.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving the allocations and numeric target required under these TMDLs is 13 years after the date of approval by the Office of Administrative Law.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California**

RESOLUTION NO. R3-2009-0024

- Amending The Water Quality Control Plan for the Central Coast Basin to**
(1) Remove the Shellfish Harvesting Beneficial Use for Soquel Lagoon,
(2) Add the Soquel Lagoon Watershed to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and
(3) Adopt Total Maximum Daily Loads for Pathogens in Soquel Lagoon, Soquel Creek, and Noble Gulch

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the Water Quality Control Plan for the Central Coast Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, prohibitions, implementation plans for point source and nonpoint source discharges, statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to (a) remove the shellfish harvesting beneficial use (SHELL) for Soquel Lagoon; (b) add the Soquel Lagoon Watershed as a named area subject to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition; and (c) incorporate Total Maximum Daily Loads (TMDLs) and Implementation Plan for pathogens in Soquel Lagoon, Soquel Creek, and Noble Gulch.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into the following sections:
 - a. Chapter Two, Table 2-1: "Identified Uses of Inland Surface Waters"
 - b. Chapter Four, section IX (Total Maximum Daily Loads), and
 - c. Chapter Five, section IV.B. (Discharge Prohibitions).
4. The Central Coast Water Board has determined that the shellfish harvesting beneficial use designation should be removed from the Soquel Lagoon.
5. The proposed removal of the shellfish harvesting beneficial use is based on the results of a Use Attainability Analysis (UAA) for shell fishing in the Soquel Lagoon. Central Coast Water Board staff (staff) developed the UAA in 2004 and 2005 to determine the historic, actual, and potential shell fishing activities in Soquel Lagoon. The UAA is necessary to conform to Title 40 of the Code of Federal Regulations (CFR), §131.10(j) because the action involves a designated use specified in section 101(a) (2) of the Clean Water Act. The proposed amendment and the UAA only addresses the fishable goal (protection and propagation of fish, shellfish, and wildlife) as it pertains to shellfish harvesting and does not address other fishable goals or the swimmable goal included in the water contact recreation designation contained in section 101(a)(2) of the Clean Water Act. The fishable goal of the Clean Water Act is also

protected under other beneficial uses (including cold freshwater habitat) designated in the Basin Plan for the Soquel Lagoon.

6. Factors for allowing a state to remove a designated use are listed in 40 CFR section 131.10(g). As determined in the UAA, three factors preclude attainment of the SHELL beneficial use in Soquel Lagoon. These factors are as follows:
 - a. Natural, ephemeral, intermittent, or low flow conditions or water levels prevent the attainment of the beneficial use.
 - b. Diversions, and other types of hydrologic modifications preclude the attainment of the beneficial use, and it is not feasible to restore the water body to its original condition or to operate such modifications in a way that would result in the attainment of the use.
 - c. Physical conditions related to the natural features of the water body, including lack of a proper substrate, preclude attainment of aquatic life protection uses.
7. Pursuant to section 13241 of the California Water Code, the Central Coast Water Board considered several factors in recommending the removal of the shellfish harvesting beneficial use in the Soquel Lagoon. The Central Coast Water Board concluded that shellfish harvesting is not a past, present, or probable future beneficial use of Soquel Lagoon. Additionally, the Central Coast Water Board concluded the following:
 - a. The removed shellfish harvesting beneficial use, adopted TMDLs, and prohibitions will protect past, present, or probable future beneficial uses.
 - b. Environmental characteristics of the waterbodies will not be affected by the removal of the shellfish harvesting beneficial use.
 - c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area will not be affected by the removal of the shellfish harvesting beneficial use.
 - d. Removal of the shellfish harvesting beneficial use does not impose any costs other than the Central Coast Water Board's costs of preparing the amendment.
 - d. The need for developing housing within the region is not relevant.
 - e. The need to develop and use recycled water is not relevant.
8. The Central Coast Water Board's goal in removing the shellfish harvesting beneficial use from the Soquel Lagoon is to assign water quality objectives for indicators of pathogenic organisms that accurately reflect the existing and potential uses of Soquel Lagoon, i.e., those for water-contact and non-contact recreation. For this purpose, "existing uses" mean those uses actually attained on or after November 28, 1975 (40 CFR §131.3(e)).
9. On May 20, 2004, the State Water Resources Control Board (State Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). This policy requires the regional water quality control boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the California Water Code. This policy requires the regional water quality control boards to regulate nonpoint source discharges with waste discharge requirements, waivers of waste discharge requirements, Basin Plan prohibitions, or a combination thereof.
10. Soquel Lagoon is listed on the Clean Water Act 303(d) list as impaired due to pathogens. The Soquel Lagoon does not meet the Basin Plan water quality objectives for fecal coliform. This Resolution establishes TMDLs and associated allocations for this listed water body.
11. Soquel Creek and Noble Gulch are located in the Soquel Lagoon Watershed and are not listed on the Clean Water Act section 303(d) list of impaired waters for pathogens, and do not meet the Basin Plan water quality objective for fecal coliform. The Central Coast Water Board

finds that Soquel Creek and Noble Gulch are impaired for fecal coliform. Therefore, this Resolution establishes TMDLs and associated allocations for Soquel Creek and Noble Gulch.

12. The Central Coast Water Board's goal for establishing TMDLs in Soquel Lagoon, Soquel Creek, and Noble Gulch is to rectify the fecal coliform impairment, thereby maintaining the water for the beneficial uses of contact and non-contact water recreation.
13. The Soquel Lagoon drains a watershed area of approximately 27,188 acres. Soquel Creek is a tributary to Soquel Lagoon, and Noble Gulch is a tributary to Soquel Creek. Soquel Lagoon drains into northern Monterey Bay.
14. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the Soquel Lagoon Watershed TMDLs are set at levels necessary to attain and maintain the applicable numeric water quality objectives, taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target.
15. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1) and 130.7 and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
16. The Central Coast Water Board may, pursuant to California Water Code section 13243, specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (i.e., prohibitions). The Implementation Plan for the TMDLs for the Soquel Lagoon Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition (proposed Amendment No. 2 contained herein) for discharges in the Soquel Lagoon Watershed. Supporting documentation for adding the Soquel Lagoon Watershed to the above-named prohibitions is provided in the Final Project Reports for Total Maximum Daily Loads for Pathogens in Soquel Lagoon, Soquel Creek, and Noble Gulch. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Soquel Lagoon Watershed to the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions.
17. Central Coast Water Board staff submitted a Use Attainability Analysis to an external scientific review panel in March 2006 as required by Health & Safety Code section 57004. Central Coast Water Board staff also submitted the Project Report for the TMDLs to an external scientific review panel in July 2007. Staff received comments from the scientific review panel. Water Board staff edited the Project Report or provided a written response that explained the basis for failing to incorporate the comments, or the comments did not result in any changes to the proposed Basin Plan Amendments. The scientific portions of the proposed removal of

the SHELL beneficial use, the prohibitions, the TMDLs and implementation plan, are based on sound scientific knowledge, methods, and practices in accordance with Health & Safety Code section 57004.

18. Central Coast Water Board staff implemented a process to inform interested persons and the public about the removal of the SHELL beneficial use designation for Soquel Lagoon, adding the Soquel Lagoon Watershed to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and adoption of the TMDLs. Central Coast Water Board staff's efforts to inform the public and solicit comment included a public meeting with interested parties and a public notice and comment period. Public notification of the amendment to the Basin Plan provided the public a 45-day public comment period preceding the Central Coast Water Board hearing. Notice of the public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Relevant documents and notices were also made available on the Central Coast Water Board website. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.
19. The removal of the shellfish harvesting beneficial use from Soquel Lagoon and adoption of these TMDLs and Basin Plan amendments will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and basin plan amendment comply with all requirements of both State and Federal anti-degradation requirements (State Board Resolution 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California, and 40CFR 131.12).
20. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has prepared "substitute environmental documents" for this project that contain the required environmental documentation as set forth in the State Water Resources Control Board's (State Board) CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents include the TMDL Staff Report and several of its Attachments, including: 1) this Resolution and the Basin Plan Amendment Language (Attachment 1 of the Staff Report); 2) "Total Maximum Daily Loads for Pathogens in Soquel Lagoon, Soquel Creek, and Noble Gulch, Santa Cruz County, California" (Attachment 2 of the Staff Report), 3) the CEQA Substitute Document with environmental checklist (Attachment 3 of the Staff Report), and 4) the comments and responses to comments (Attachment 6 of the Staff Report). The Staff Report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4) and the Scientific Peer Review Comment (Attachment 5). The project itself is the establishment of TMDLs for fecal coliform in the Soquel Lagoon Watershed. The Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and numerous findings related to impacts and mitigation measures.
21. A CEQA Scoping meeting was conducted on June 26, 2006 at the Capitola City Hall Community Room, 420 Capitola Avenue, Capitola, Santa Cruz County. A notice of the CEQA Scoping meeting was sent to interested persons on May 30, 2006, including to the City of Capitola and the County of Santa Cruz. The notice included a background of the project, the project purpose, a meeting schedule and directions for obtaining more detailed information

through the Central Coast Water Board website; the notice and project summary were available at the website or by requesting hard copies via telephone.

22. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment, or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites. The Staff Report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3), provides the environmental analysis required by Public Resources Code section 21159 and is hereby incorporated as findings in this Resolution.
23. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.
24. Consistent with the Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, which would avoid or reduce the identified impacts.
25. The proposed amendment will have a less than significant adverse effect on the environment. California Water Code section 13360 precludes the Regional Board from dictating the manner in which responsible agencies comply with any of the Regional Board's regulations or orders. When the agencies responsible for implementing these TMDLs determine how they will proceed, the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. These feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a) (2)).
26. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will foreseeably reduce impacts to no impact, or keep the impact at less than significant levels.
27. The substitute documents for these TMDLs, and in particular the CEQA Substitute Document and Environmental Checklist (Attachment 3 of the Staff Report), identify mitigation approaches that should be considered at the project level.

28. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating: a) the removal the SHELL beneficial use for Soquel Lagoon, b) Soquel Lagoon Watershed as subject to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and c) TMDLs for pathogens in the Soquel Lagoon Watershed.. The TMDLs and associated Implementation Plan for the TMDLs will become effective upon approval by the California Office of Administrative Law. Removal of the shellfish harvesting beneficial use will become effective upon approval by USEPA.
29. The amendments to the Basin Plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Game under the California Fish and Game Code section 711.4.
30. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding-15, federal regulations require that TMDLs be incorporated into the Water Quality Management Plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the Water Quality Management Plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative, planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under California Water Code section 13242. The necessity of developing a TMDL is established in the TMDL staff report, the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the Soquel Lagoon, Soquel Creek, and Noble Gulch.
31. On March 21, 2008, in Salinas, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.
32. On March 21, 2008, the Central Coast Water Board adopted resolution no. R3-2008-0002 and forwarded the record to the State Water Board for adoption.
33. On November 6, 2008, the Central Coast Water Board's Executive Officer withdrew the Total Maximum Daily Loads for Pathogens in Soquel Lagoon, Soquel Creek, and Trout Gulch from consideration for adoption by the State Water Board. The Executive Officer withdrew the TMDLs for consideration due to State Board staff's recommendation to clarify language in the TMDLs and corresponding amendments before submittal to the State Water Resources Control Board for approval; this Resolution includes the recommended clarifications.
34. On May 8, 2009, in San Luis Obispo, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13241, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendments in "Attachment-Proposed Basin Plan Amendments".
2. The Executive Officer is directed to forward copies of the Basin Plan amendments to the State Board in accordance with the requirements of section 13245 of the California Water Code.

3. The Central Coast Water Board requests that the State Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during the approval process, Central Coast Water Board staff, State Board staff, the State Board or Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendments are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The substitute environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on May 8, 2009.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2009-0024

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1.

Amend Chapter 2, Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL	
Soquel Lagoon						X	X	X	X		X	X		X	X				X				X

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan, Chapter Five, as follows:

Amend Chapter Five, section IV.B. as follows:

Add the following watershed to the end of the bulleted list of applicable areas of the Human Fecal Material Discharge Prohibition and the Domesticated Animal Waste Discharge Prohibition.

- Soquel Lagoon Watershed

AMENDMENT NO. 3. ADOPT THE TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SOQUEL LAGOON, SOQUEL CREEK, AND NOBLE GULCH

Add the following to Chapter 4 after IX. J.:

IX. K. TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SOQUEL LAGOON, SOQUEL CREEK, AND NOBLE GULCH

The Regional Water Quality Control Board adopted these TMDLs on May 8, 2009. These TMDLs were approved by:

The State Water Resources Control-Board on: _____ (insert date).

The California Office of Administrative Law on: _____ (insert date).

The U.S. Environmental Protection Agency on: _____ (insert date).

Problem Statement

The beneficial use of water contact recreation is not protected in the impaired reaches of Soquel Lagoon, Soquel Creek, and Noble Gulch because fecal coliform concentrations exceed water quality objectives protecting this beneficial use. The impaired reaches are:

- 1) Soquel Lagoon and Soquel Creek: beginning from the mouth of Soquel Lagoon, upstream and along Soquel Creek to the bridge at Porter Street.
- 2) All reaches of Noble Gulch.

Numeric Targets

The numeric targets used to develop the TMDLs and allocations are as follows:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Source Analysis

The controllable sources of fecal coliform contributing to impairment in Soquel Lagoon, Soquel Creek, and Noble Gulch are, in decreasing order of contribution:

1. Storm drain discharges to municipally owned and operated separate storm sewer systems (MS4s) required to be covered by an NPDES permit (including but not limited to discharges from fecal material from domestic animals and humans).
2. Sanitary sewer collection system spills and leaks (including but not limited to discharges from private laterals connected to municipal sanitary sewer collection systems).
3. Domestic animal waste discharges in areas that do not drain to MS4s (including but not limited to farm animals, livestock and pets).
4. Homeless person/encampment discharges in areas that do not drain to MS4s.

Total Maximum Daily Load (TMDL)

The TMDLs for the impaired reaches of the following water bodies are concentration based TMDLs applicable for each day for all seasons and are equal to the following:

Soquel Lagoon, Soquel Creek, and Noble Gulch:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Allocations and Responsible Parties

The allocations to responsible parties are shown in Table IX K-1.

Table IX K-1. Allocations to Responsible Parties

Waste Load Allocations		
Waterbody Subject to Allocation	Responsible Party (Source) NPDES/ORDER Number	Receiving Water Fecal Coliform (MPN/100mL)
<u>Soquel Lagoon</u> ¹	<u>City of Capitola</u> (Storm drain discharges to MS4s required to be covered by and NPDES permit) Storm Water General Permit NPDES No. CAS000004	<u>Allocation-1^a</u>
<u>Soquel Creek</u> ² <u>Noble Gulch</u> ³	<u>County of Santa Cruz and City of Capitola</u> (Storm drain discharges to MS4s required to be covered by and NPDES permit) Storm Water General Permit NPDES No. CAS000004	<u>Allocation-1^a</u>
<u>Soquel Lagoon</u> ¹ <u>Soquel Creek</u> ² <u>Noble Gulch</u> ³	<u>Santa Cruz County Sanitation District</u> (Sanitary sewer collection system spills and leaks) Order No. R3-2005-0043	<u>Allocation-2^b</u>
Load Allocations		
Waterbody Subject to Allocation	Responsible Party (Source)	Receiving Water Fecal Coliform (MPN/100mL)
<u>Soquel Lagoon</u> ¹ <u>Soquel Creek</u> ² <u>Noble Gulch</u> ³	<u>Owners and operators of land used for/containing pets</u> (Pet waste not draining to MS4s)	<u>Allocation-1^a</u>
<u>Noble Gulch</u> ³	<u>Owners and operators of land used for/containing farm animals and livestock</u> (Farm Animals and Livestock discharges)	<u>Allocation-1^a</u>
<u>Soquel Lagoon</u> ¹ <u>Soquel Creek</u> ² <u>Noble Gulch</u> ³	<u>Owners/operators of land that include homeless persons/encampments</u> (Homeless person/encampment discharges not draining to MS4s)	<u>Allocation-2^b</u>
<u>Soquel Lagoon</u> ¹ <u>Soquel Creek</u> ² <u>Noble Gulch</u> ³	<u>No responsible party</u> (Natural sources)	<u>Allocation-1^a</u>

¹ All waters of the Soquel Lagoon.

² Beginning and including the downstream most reach of Soquel Creek, up to and including Soquel Creek at the bridge crossing at Porter Street.

³ All reaches of Noble Gulch.

^a Allocation-1: Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

^b Allocation 2: Allocation of zero; no loading allowed from this source.

The parties responsible for the allocations to controllable sources are not responsible for the allocation to natural sources.

The TMDLs are considered achieved when the numeric target is consistently met in the impaired waters of Soquel Lagoon, Soquel Creek, and Noble Gulch.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation Plan

STORM DRAIN DISCHARGES:

The Central Coast Water Board will address fecal indicator bacteria (FIB), e.g., fecal coliform and/or other indicators of pathogens, discharged from the County of Santa Cruz and the City of Capitola by regulating the MS4 entities under the provisions of the State Water Resource Control Board's General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit) (NPDES No. CAS000004). As enrollees under the General Permit, the MS4 entities must develop and implement Storm Water Management Plans (SWMPs) that control urban runoff discharges into and from their MS4s. To address the MS4 entities' TMDL wasteload allocations, the Central Coast Water Board will require the MS4 entities to specifically target FIB in urban runoff through incorporation of Wasteload Allocation Attainment Programs in their SWMPs.

The Central Coast Water Board will require the Wasteload Allocation Attainment Programs to include descriptions of the actions that will be taken by the MS4 entities to attain the TMDL wasteload allocations, and specifically address:

1. Development of an implementation and assessment strategy;
2. Source identification and prioritization;
3. Best management practice identification, prioritization, implementation schedule, analysis, and effectiveness assessment;
4. Monitoring program development and implementation;
5. Reporting; including evaluation whether current best management practices are progressing towards achieving the wasteload allocations within thirteen years of the date that the TMDLs are approved by the Office of Administrative Law;
6. Coordination with stakeholders; and
7. Other pertinent factors.

The Wasteload Allocation Attainment Program will be required by the Central Coast Water Board to address each of these TMDLs that occur within the MS4 entities' jurisdictions.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to be submitted at one of the following milestones, whichever occurs first:

1. Within one year of approval of the TMDLs by the Office of Administrative Law;
2. When required by any other Water Board-issued storm water requirements (e.g., when the Phase II Municipal Storm Water Permit is renewed).

For those MS4 entities that are enrolled under the General Permit at the time of Wasteload Allocation Attainment Plan submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMPs when they are submitted. For those MS4 entities that are not enrolled under the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMPs when the SWMPs are approved by the Central Coast Water Board.

The Executive Officer or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

SANITARY SEWER COLLECTION SYSTEM SPILLS AND LEAKS:

Entities with jurisdiction over sewer collection systems can demonstrate compliance with these TMDL load allocations through Waste Discharge Requirements and/or NPDES permits.

The Santa Cruz County Sanitation District (SCCSD) must continue to implement their Collection System Management Plan, as required by Waste Discharge Requirements (WDRs) (Order No. R3-2005-0043).

In addition, the SCCSD is required to improve maintenance of their sewage collection system, including identification, correction, and prevention of sewage leaks in portions of the collection systems that run through, or adjacent to, impaired surface waters within the Soquel Creek Watershed.

To this end, within six months following adoption of these TMDLs by the Office of Administrative Law, the Executive Officer will issue a letter pursuant to Section 13267 of the California Water Code requiring: 1) submittal within one year of, a technical report that describes how and when the SCCSD will conduct improved collection system maintenance in portions of the collection system most likely to affect impaired surface water bodies, with the end result being compliance with its TMDL allocation, 2) stream monitoring for fecal coliform or another fecal indicator bacteria and reporting of these monitoring activities, and 3) annual reporting of self-assessment as to whether the SCCSD is in compliance with the TMDL allocation.

PRIVATE LATERALS TO THE SANITARY SEWER COLLECTION SYSTEM:

The Central Coast Water Board has identified leaks from private laterals located in the City of Capitola and County of Santa Cruz as a source of fecal indicator bacteria in municipal separate storm sewer systems (MS4s). Therefore, enrollees for the City of Capitola and County of Santa Cruz General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer

Systems will address fecal indicator bacteria from private lateral leaks in the Wasteload Allocation Attainment Program (as described in the Storm Drain Discharges section).

DOMESTIC ANIMALS NOT REGULATED BY WQ ORDER NO. 2003-0005-DWQ [STORM WATER GENERAL PERMIT]:

Owners and/or operators of lands containing domestic animals (including pets, farm animals, and livestock) in the Soquel Creek Watershed and Noble Gulch Watershed must comply with the Domestic Animal Waste Discharge Prohibition; compliance with the Domestic Animal Waste Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing domestic animals of the requirement to comply with the Domestic Animal Waste Discharge Prohibition. In his notification, the Executive Officer will also describe the options owners/operators of lands containing domestic animals have for demonstrating compliance with the Domestic Animal Waste Discharge Prohibition; pursuant to California Water Code section 13267 and within six months of the notification by the Executive Officer, owners/operators of lands containing domestic animals will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator of lands containing domestic animals is and will continue to be in compliance with the Domestic Animal Waste Discharge Prohibition; clear evidence could be documentation submitted by the owner/operator to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Domestic Animal Waste Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from domestic animals. The plan must also describe how implementing the identified management practices are likely to progressively achieve the load allocations to domestic animals, with the ultimate goal achieving the load allocations no later than thirteen years after Office of Administrative Law approval of these TMDLs. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progressive progress towards achieving load allocations for discharges from domestic animals; and a self-assessment of this progress. The plan may be developed by an individual discharger or by or for a coalition of dischargers in cooperation with a third-party representative, organization, or government agency acting as the agents of owners/operators of lands containing domestic animals, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

HOMELESS PERSON/ENCAMPMENT DISCHARGES NOT REGULATED BY WQ ORDER NO. 2003-0005-DWQ [STORM WATER GENERAL PERMIT]:

Owners of land that contain homeless persons and/or homeless encampments in the Soquel Lagoon Watershed must comply with the Human Fecal Material Discharge Prohibition.

Owners of land with homeless persons must demonstrate to the satisfaction of the Executive Officer or the Water Board that they are in compliance with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners of land containing homeless persons of the requirement to comply with the Human Fecal Material Discharge Prohibition. In his notification, the Executive Officer will also describe owner's options for demonstrating compliance with the Human Fecal Material Discharge Prohibition; pursuant to California Water Code 13267 and within six months of the notification by the Executive Officer, owners will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner is and will continue to be in compliance with the Human Fecal Material Discharge Prohibition; clear evidence could be documentation submitted by the owner to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Human Fecal Material Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from homeless persons. The Plan must also describe how implementing the identified management practices are likely to progressively achieve the load allocation for homeless persons, with the ultimate goal achieving the load allocation no later than three years from the date of the Executive Officer's notification to the owner requiring compliance. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progressive progress towards achieving load allocations for discharges from homeless persons, and self-assessment of this progress, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress towards achieving their allocations. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric target.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of pathogens are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric target and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural, or background sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal indicator bacteria.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving the allocations and numeric target required under these TMDLs is 13 years after the date of approval by the Office of Administrative Law.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California**

RESOLUTION NO. R3-2009-0023

**Amending The Water Quality Control Plan for The Central Coast Basin to
(1) Remove The Shellfish Harvesting Beneficial Use for San Lorenzo River Estuary,
(2) Add the San Lorenzo River Watershed to the Human Fecal Material Discharge
Prohibition and the Domestic Animal Waste Discharge Prohibition, and (3) Adopt Total
Maximum Daily Loads For Pathogens in San Lorenzo River Estuary, San Lorenzo River,
Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, sets forth programs of implementation to achieve water quality objectives addressing point source and nonpoint source discharges, adopts prohibitions, and incorporates statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to (a) remove the shellfish harvesting (SHELL) beneficial use for San Lorenzo River Estuary (also known as San Lorenzo River Lagoon), (b) add the San Lorenzo River Watershed as a named area subject to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and (c) incorporate Total Maximum Daily Loads (TMDLs) and Implementation Plan for pathogens in San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into the following sections (listed in order of Basin Plan contents):
 - a. Chapter Two, Table 2-1: "Identified Uses of Inland Surface Waters"
 - b. Chapter Four, section IX (Total Maximum Daily Loads), and
 - c. Chapter Five, section IV.B. (Discharge Prohibitions).
4. The Central Coast Water Board has determined that the SHELL beneficial use designation should be removed from the San Lorenzo River Estuary.
5. The federal regulations at 40 CFR 131.10(g) allow the Central Coast Water Board to remove a designated use, which is not an "existing" use, if the state can demonstrate that achieving the use is not feasible based on the factors set forth in 40 CFR 131.10(g). Shellfish harvesting is not an "existing use" as that term is defined in 40 CFR 131.3 because shellfish harvesting use has not been attained in the water body on or after November 28, 1975. The proposed removal of the SHELL beneficial use is based on the results of a Use Attainability Analysis (UAA) in the San Lorenzo River Estuary. Central Coast Water Board staff (staff) developed the UAA in 2004 and 2005 to determine the historic, actual, and potential shell fishing activities in the San Lorenzo River Estuary. The UAA is necessary to conform to Title 40 of the Code of Federal Regulations (CFR), §131.10(j) because the action involves a

- designated use specified in Clean Water Act section 101(a) (2). The proposed amendment and the UAA only addresses the fishable goal ("protection and propagation of fish, shellfish, and wildlife") as it pertains to shellfish harvesting and does not address other fishable goals or the swimmable goal included in the water contact recreation designation contained in section 101(a)(2) of the Clean Water Act. The fishable goal of the Clean Water Act is also protected under other beneficial uses (including cold fresh water habitat) designated in the Basin Plan for the San Lorenzo River Estuary.
6. Factors for allowing a state to remove a designated use are listed in 40 CFR section 131.10(g). As determined in the UAA, three factors preclude attainment of the SHELL beneficial use in San Lorenzo River Estuary. These factors are as follows:
 - a. Natural, ephemeral, intermittent, or low flow conditions or water levels prevent the attainment of the beneficial use.
 - b. Diversions and other types of hydrologic modifications preclude the attainment of the beneficial use, and it is not feasible to restore the water body to its original condition or to operate such modifications in a way that would result in the attainment of the use.
 - c. Physical conditions related to the natural features of the water body, including lack of a proper substrate, preclude attainment of aquatic life protection uses.
 7. Pursuant to California Water Code section 13241, the Central Coast Water Board considered several factors in developing this Basin Plan amendment. The Central Coast Water Board concluded that the TMDLs and prohibitions established by this Basin Plan amendment will ensure the reasonable protection of beneficial uses of waters of the state and prevent nuisance. As set forth in these substitute environmental documents, the Central Coast Water Board considered
 - a. The past, present and probable future beneficial uses of water in the Watershed.
 - b. Environmental characteristics of the Watershed.
 - c. Water quality conditions that can reasonably be achieved through the coordinated management of all controllable factors that affect water quality in the area, as provided in the Implementation Plan.
 - d. Economic considerations, including reasonably foreseeable means of compliance and the reasonably foreseeable costs of those means of compliance.
 - e. The need for developing housing within the region, which is not relevant.
 - f. The need to develop and use recycled water, which is not relevant.
 8. The Central Coast Water Board's goal in removing the SHELL beneficial use from the San Lorenzo River Estuary is to assign pathogen indicator organism water quality objectives that accurately reflect the existing and potential uses of the San Lorenzo River Estuary, i.e., those for water-contact and non-contact recreation. For this purpose, "existing uses" mean those uses actually attained on or after November 28, 1975 (40 CFR §131.3(e)).
 9. On May 20, 2004, the State Water Resources Control Board (State Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). This policy requires regional water quality control boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the California Water Code (codified in Division 7 of the California Water Code). This policy requires regional water quality control boards to regulate nonpoint source pollution discharges with waste discharge requirements, waivers of waste discharge requirements, Basin Plan prohibitions, or combinations thereof.
 10. The San Lorenzo River Estuary, San Lorenzo River, Carbonera Creek, and Lompico Creek are listed on the Clean Water Act 303(d) list as impaired due to pathogens. San Lorenzo River Estuary, San Lorenzo River, Carbonera Creek, and Lompico Creek do not meet the

Basin Plan water quality objectives for fecal coliform. This Resolution establishes TMDLs and associated allocations for these listed water bodies.

11. Branciforte Creek and Camp Evers Creek are located in the San Lorenzo River Watershed, are not on the Clean Water Act 303(d) list of impaired waters for pathogens, and do not meet Basin Plan water quality objectives for fecal coliform. The Central Coast Water Board finds that Branciforte Creek and Camp Evers Creek are impaired for fecal coliform. Therefore, this Resolution establishes TMDLs and associated allocations for Branciforte Creek and Camp Evers Creek.
12. The Central Coast Water Board's goal for establishing TMDLs in the San Lorenzo River Watershed is to rectify the fecal coliform impairment, thereby maintaining the water for the beneficial uses of contact and non-contact water recreation.
13. San Lorenzo River Estuary (also known as the San Lorenzo River Lagoon) is the receiving water for approximately 87,800 acres of land and flows into northern Monterey Bay. Camp Evers Creek flows into Carbonera Creek. Carbonera Creek flows into Branciforte Creek, and Branciforte Creek flows into San Lorenzo River Estuary. Lompico Creek flows into San Lorenzo River, and San Lorenzo River flows into San Lorenzo River Estuary.
14. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the San Lorenzo River Watershed TMDLs are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target.
15. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6(c)(1) and 130.7; and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
16. The Central Coast Water Board may, pursuant to California Water Code section 13243, specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (i.e., prohibitions). The Implementation Plan for the TMDLs for the San Lorenzo River Watershed requires compliance with the human fecal material discharge prohibition and the domestic animal waste discharge prohibition (proposed Amendment No. 2 contained herein) for discharges in the San Lorenzo River Watershed. Supporting documentation for adding the San Lorenzo River Watershed to the above-named prohibitions is provided in the Final Project Report for Total Maximum Daily Load for Pathogens in San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding

- the San Lorenzo River Watershed to the human fecal material discharge and the domestic animal waste discharge prohibitions.
17. Central Coast Water Board staff submitted a Use Attainability Analysis to an external scientific review panel in March 2006 as required by Health & Safety Code section 57004. Central Coast Water Board staff also submitted the Project Report for the TMDLs to an external scientific review panel in July 2007. The staff received comments from the panel. Water Board staff edited the Project Report or provided a written response that explained the basis for failing to incorporate the comments, or the comments did not result in any changes to the proposed Basin Plan Amendments. The scientific portions of the proposed removal of the SHELL beneficial use, the prohibitions, the TMDLs and Implementation Plan are based on sound scientific knowledge, methods, and practices in accordance with section Health & Safety Code section 57004.
 18. Central Coast Water Board staff implemented a process to inform interested persons and the public about the removal of the SHELL beneficial use designation for the San Lorenzo River Estuary, adding the San Lorenzo River Watershed to the human fecal material discharge prohibition and the domestic animal waste discharge prohibition, and adoption the TMDLs. Central Coast Water Board staff's efforts to inform the public and solicit comment included a public meeting with interested parties and a public notice and comment period. Public notification of the amendment to the Basin Plan provided the public a 45-day public comment period preceding the Central Coast Water Board hearing. Notice of the public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Relevant documents and notices were also made available on the Central Coast Water Board website. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.
 19. The removal of the shellfish harvesting beneficial use from the San Lorenzo River Estuary and adoption of these TMDLs and Basin Plan amendments will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and basin plan amendments comply with all requirements of both State and Federal anti-degradation requirements (State Board Resolution 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California, and 40CFR 131.12).
 20. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has prepared "substitute environmental documents" for this project that contain the required environmental documentation as set forth in the State Water Resources Control Board's (State Board) CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents include the TMDL Staff Report and several of its Attachments, including 1) this Resolution and the Basin Plan Amendment Language (Attachment 1 of the Staff Report); 2) "Total Maximum Daily Loads for Pathogens In San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, And Lompico Creek, Santa Cruz County, California" (Attachment 2 of the Staff Report); 3) the CEQA Substitute Document with environmental checklist (Attachment 3 of the Staff Report); and 4) the comments and responses to comments (Attachment 6 of the Staff Report). The Staff Report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4) and the Scientific Peer Review Comment (Attachment 5). The project itself is the establishment of TMDLs for fecal coliform in the San Lorenzo River Watershed. The Board exercises discretion in

assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and numerous findings related to impacts and mitigation measures.

21. A CEQA Scoping meeting was conducted on June 26, 2006, at the Capitola City Hall Community Room, 420 Capitola Avenue, Capitola, Santa Cruz County. A notice of the CEQA Scoping meeting was sent to interested persons on May 30, 2006, including to the City of Capitola and the County of Santa Cruz. The notice included a background of the project, the project purpose, a meeting schedule and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary were available at the website or by requesting hard copies via telephone.
22. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment, or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites. The Staff Report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3), provides the environmental analysis required by Public Resources Code section 21159 and is hereby incorporated as findings in this Resolution.
23. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.
24. Consistent with the Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, which would avoid or reduce the identified impacts.
25. The proposed amendment will have a less than significant adverse effect on the environment. California Water Code section 13360 precludes the Regional Board from dictating the manner in which responsible agencies comply with any of the Regional Board's regulations or orders. When the agencies responsible for implementing these TMDLs determine how they will proceed, the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. These

feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a)(2)).

26. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will foreseeably reduce impacts to no impact, or keep the impact at less than significant levels.
27. The substitute documents for these TMDLs, and in particular the CEQA Substitute Document and Environmental Checklist (Attachment 3 of the Staff Report), identify mitigation approaches that should be considered at the project level.
28. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating: a) the removal of the SHELL beneficial use for San Lorenzo River Estuary, b) San Lorenzo River Watershed as subject to the Domestic Animal Waste Discharge Prohibition and the Human Fecal Material Discharge Prohibition, and c) TMDLs for pathogens for the San Lorenzo River Watershed. The TMDLs and associated Implementation Plan and prohibitions will become effective upon approval by the California Office of Administrative Law. The removal of the SHELL beneficial use will become effective upon approval by USEPA.
29. The amendments to the Basin Plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Game under the California Fish and Game Code section 711.4.
30. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding 15, federal regulations require that TMDLs be incorporated into the Water Quality Management Plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the Water Quality Management Plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under the California Water Code, section 13242. The necessity of developing TMDLs is established in the TMDL staff report, the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the San Lorenzo River Watershed.
31. On March 21, 2008, in Salinas, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.
32. On March 21, 2008, the Central Coast Water Board adopted resolution no. R3-2008-0001 and forwarded the record to the State Water Board for adoption.
33. On November 6, 2008, the Central Coast Water Board's Executive Officer withdrew the Total Maximum Daily Loads for Pathogens in San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, And Lompico Creek from consideration for adoption by the State Water Board. The Executive Officer withdrew the TMDLs for consideration due to State Board staff's recommendation to clarify language in the TMDLs and prohibitions before submittal to the State Water Board for approval; this Resolution includes the recommended clarifications.
34. On May 8, 2009, in San Luis Obispo, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13241, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during the approval process, Central Coast Water Board staff, State Board staff, the State Board or Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The substitute environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on May 8, 2009.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2009-0023

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1.

Amend Chapter 2, Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL	
San Lorenzo River Estuary						X	X	X	X		X	X	X	X	X				X				X

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan, Chapter Five, as follows:

Amend Chapter Five, section IV.B. as follows:

Add the following watershed to the end of the bulleted list of applicable areas of the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition:

- San Lorenzo River Watershed

AMENDMENT NO. 3. ADOPT THE TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SAN LORENZO RIVER ESTUARY, SAN LORENZO RIVER, BRANCIFORTE CREEK, CAMP EVERS CREEK, CARBONERA CREEK, AND LOMPICO CREEK

Add the following to Chapter 4 after IX. I.:

IX. J. TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SAN LORENZO ESTUARY, SAN LORENZO RIVER, BRANCIFORTE CREEK, CAMP EVERS CREEK, CARBONERA CREEK, AND LOMPICO CREEK

The Regional Water Quality Control Board adopted these TMDLs on May 8, 2009.

These TMDLs were approved by:

The State Water Resources Control Board on: _____ (insert date)

The California Office of Administrative Law on: _____ (insert date)

The U.S. Environmental Protection Agency on: _____ (insert date):

Problem Statement

The beneficial use of water contact recreation is not protected in the impaired reaches of the San Lorenzo River Estuary (also known as San Lorenzo River Lagoon), San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek because fecal coliform concentrations exceed existing Basin Plan numeric water quality objectives protecting this beneficial use. All reaches in these waterbodies are impaired with the exception of Carbonera Creek, where the impairment extends from the mouth of Carbonera Creek upstream to its intersection with Bethany Road.

Numeric Targets

The numeric targets used to develop the TMDLs and allocations are as follows:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Source Analysis

San Lorenzo River Estuary

The relative order of controllable sources, in descending order, is:

1) City of Santa Cruz sanitary sewer collection system spills and leaks (including private laterals connected to municipal sanitary sewer collection systems), 2) storm drain discharges to municipally owned and operated separate storm sewer systems (MS4s) required to be covered by an NPDES permit, 3) pet waste in areas that do not drain to MS4s, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) onsite wastewater disposal system discharges, and 6) farm animal and livestock discharges.

San Lorenzo River, and Lompico Creek

The relative order of controllable sources, in descending order, is:

1) Onsite wastewater disposal system discharges, 2) storm drain discharges to MS4s required to be covered by an NPDES permit, 3) City of Santa Cruz sanitary sewer collection system spills and leaks (including private laterals connected to municipal sanitary sewer collection systems) within the City limits of Santa Cruz [does not include Lompico Creek], 4) pet waste in areas that do not drain to MS4s, 5) homeless person/encampment discharges in areas that do not drain to MS4s, and 6) farm animal and livestock discharges.

Branciforte Creek

The relative order of controllable sources, in descending order, is:

1) Storm drain discharges to MS4s required to be covered by an NPDES permit, 2) pet waste in areas that do not drain to MS4s, 3) City of Santa Cruz sanitary sewer collection system spills and leaks (including private laterals connected to municipal sanitary sewer collection systems) within the City limits of Santa Cruz, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) onsite wastewater disposal system discharges, and 6) farm animal and livestock discharges.

Carbonera and Camp Evers Creeks:

The relative order of controllable sources, in descending order, is:

1) Storm drain discharges to MS4s required to be covered by an NPDES permit, 2) pet waste in areas that do not drain to MS4s, 3) homeless person/encampment discharges in areas that do not drain to MS4s, 4) onsite wastewater disposal system discharges (only for Carbonera Creek) 5) farm animal and livestock discharges, and 6) City of Santa Cruz sanitary sewer collection system spills and leaks (including private laterals connected to municipal sanitary sewer collection systems; only for Carbonera Creek).

TMDLs and Allocations

The TMDLs are for the impaired reaches of the following water bodies, and are applicable for each day for all seasons:

San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek. TMDLs:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

The allocations to responsible parties are shown in Table IX J-1.

Table IX J-1. Allocations and Responsible Parties

WASTE LOAD ALLOCATIONS		
Waterbody Assigned Allocation	Responsible Party (Source) NPDES/Order number	Receiving Water Fecal Coliform (MPN/100mL)
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, and Carbonera Creek</u>	<u>City of Santa Cruz</u> (Storm drain discharges to MS4s required to be covered by an NPDES permit) NPDES No. CAS000004	<u>Allocation-1^a</u>
<u>Camp Evers Creek and Carbonera Creek</u>	<u>City of Scotts Valley</u> (Storm drain discharges to MS4s required to be covered by an NPDES permit) NPDES No. CAS000004	<u>Allocation-1^a</u>
<u>San Lorenzo River, Branciforte Creek, Lompico Creek, and Carbonera Creek</u>	<u>Santa Cruz County</u> (Storm drain discharges to MS4s required to be covered by an NPDES permit) NPDES No. CAS000004	<u>Allocation-1^a</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, and Carbonera Creek</u>	<u>City of Santa Cruz</u> (Sanitary sewer collection system spills and leaks) NPDES No. CA 0048194, Order R3-2005-003	<u>Allocation-2^b</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Carbonera Creek, and Lompico Creek</u>	<u>Owners of onsite wastewater disposal systems residing in the County of Santa Cruz</u> (Onsite wastewater disposal system discharges)	<u>Allocation-2^b</u>
LOAD ALLOCATIONS		
Waterbody	Responsible Party (Source)	Receiving Water Fecal Coliform (MPN/100mL)
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Carbonera Creek, and Lompico Creek</u>	<u>Owners of onsite wastewater disposal systems residing in the County of Santa Cruz</u> (Onsite wastewater disposal system discharges)	<u>Allocation-2^b</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek</u>	<u>Owners/operators of land used for/containing pets</u> (Pet waste not draining to MS4s)	<u>Allocation-1^a</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Carbonera Creek, Camp Evers Creek, and Lompico Creek</u>	<u>Owners/operators of land used for/containing farm animals and livestock</u> (Farm Animals and Livestock discharges)	<u>Allocation-1^a</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Lompico Creek, Camp Evers Creek, and Carbonera Creek</u>	<u>Owners and/or operators of land that include homeless persons/encampments</u> (Discharges from homeless persons/encampments not regulated by a permit for storm water discharges)	<u>Allocation-2^b</u>

<p><u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Lompico Creek, Camp Evers Creek, and Carbonera Creek</u></p>	<p><u>No responsible party</u> <u>(Natural sources)</u></p>	<p><u>Allocation-1^a</u></p>
<p>¹ <u>All reaches of the following water bodies are assigned allocations, excepting Carbonera Creek, where the allocations are assigned from the mouth to the intersection with Bethany Road.</u></p>		
<p>^a <u>Allocation-1 = Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN/100mL; nor shall more than ten percent of total samples during any 30-day period exceed 400 MPN/100 mL.</u></p>		
<p>^b <u>Allocation-2= Allocation of zero; no loading allowed from this source.</u></p>		

The parties responsible for the allocation to controllable sources are not responsible for the allocation to natural sources.

The TMDLs are considered achieved when the allocations assigned to all individual responsible parties are met or when the numeric targets are consistently met in the San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation Plan

SANITARY SEWER COLLECTION SYSTEM-LEAKS

Entities with jurisdiction over sewer collection systems can demonstrate compliance with these TMDL load allocations through Waste Discharge Requirements and/or NPDES permits.

The City of Santa Cruz and City of Scotts Valley must continue to implement their sewer Collection System Management Plans as required by their respective NPDES permits and Waste Discharge Requirements (WDR) (City of Santa Cruz NPDES No. CA 0048194 and WDR Order R3-2005-003; City of Scotts Valley NPDES No. CA 0048828, WDR Order R3 2002-0016).

In addition, the City of Santa Cruz is required to improve maintenance of their sewage collection system, including identification, correction, and prevention of sewage spills and leaks in portions of the collection systems that run through or adjacent to, impaired surface waters within the San Lorenzo River Estuary or San Lorenzo River. To this end, within six months following adoption of these TMDLs by the Office of Administrative Law, the Executive Officer will issue a letter pursuant to Section 13267 of the California Water Code requiring: 1) submittal within one year of, a technical report that describes how and when the City of Santa Cruz will conduct improved collection system maintenance in portions of the collection system most likely to affect impaired surface water bodies, with the end result being compliance with its TMDL allocation, 2) stream monitoring for fecal coliform or another fecal indicator bacteria and reporting of these monitoring activities, and 3) annual reporting of self-assessment as to whether the City of Santa Cruz is in compliance with the TMDL allocation.

PRIVATE LATERALS TO THE SANITARY SEWER COLLECTION SYSTEMS

The Central Coast Water Board has identified leaks from private laterals located in the City of Santa Cruz as a source of fecal indicator bacteria in municipal separate storm sewer systems (MS4s). Therefore, enrollees for the City of Santa Cruz' General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems will address fecal indicator bacteria from private lateral leaks in the Wasteload Allocation Attainment Program (as described in the following section).

STORM DRAIN DISCHARGES TO MUNICIPALLY OWNED AND OPERATED SEPARATE STORM SEWER SYSTEMS

The Central Coast Water Board will address fecal indicator bacteria (FIB), e.g., fecal coliform and/or other indicators of pathogens, discharged from the County of Santa Cruz and the Cities of Santa Cruz and Scotts Valley municipal separate storm sewer systems (MS4 entities) by regulating the MS4 entities under the provisions of the State Water Resource Control Board's General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit) (NPDES No. CAS000004). As enrollees under the General Permit, the MS4 entities must develop and implement Storm Water Management Plans (SWMPs) that control urban runoff discharges into and from their MS4s. To address the MS4 entities' TMDL wasteload allocations, the Central Coast Water Board will require the MS4 entities to specifically target FIB in urban runoff through incorporation of Wasteload Allocation Attainment Programs in their SWMPs.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to include descriptions of the actions that will be taken by the MS4 entities to attain the TMDL wasteload allocations, and specifically address:

1. Development of an implementation and assessment strategy;
2. Source identification and prioritization;
3. Best management practice identification, prioritization, implementation schedule, analysis, and effectiveness assessment;
4. Monitoring program development and implementation;
5. Reporting, including evaluation whether current best management practices are progressing towards achieving the wasteload allocations within thirteen years of the date that the TMDLs are approved by the Office of Administrative Law.
6. Coordination with stakeholders; and
7. Other pertinent factors.

The Wasteload Allocation Attainment Program will be required by the Central Coast Water Board to address each of these TMDLs that occur within the MS4 entities' jurisdictions.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to be submitted at one of the following milestones, whichever occurs first:

1. Within one year of approval of the TMDLs by the Office of Administrative Law;
2. When required by any other Water Board-issued storm water requirements (e.g., when the Phase II Municipal Storm Water Permit is renewed).

For those MS4 entities that are enrolled under the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMPs when they are submitted. For those MS4 entities that are not enrolled under the General Permit at the time of Wasteload Allocation Attainment Program submittal, the

Wasteload Allocation Attainment Program must be incorporated into the SWMPs when the SWMPs are approved by the Central Coast Water Board.

The Executive Officer or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

PET WASTE, FARM ANIMALS AND LIVESTOCK DISCHARGES

Owners and/or operators of lands containing domestic animals (including pets, farm animals, and livestock) in the San Lorenzo River Watershed must comply with the Domestic Animal Waste Discharge Prohibition; compliance with the Domestic Animal Waste Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing domestic animals of the requirement to comply with the Domestic Animal Waste Discharge Prohibition. In his notification, the Executive Officer will also describe the options owners/operators of lands containing domestic animals have for demonstrating compliance with the Domestic Animal Waste Discharge Prohibition; pursuant to California Water Code section 13267 and within six months of the notification by the Executive Officer, owners/operators of lands containing domestic animals will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator of lands containing domestic animals is and will continue to be in compliance with the Domestic Animal Waste Discharge Prohibition; clear evidence could be documentation submitted by the owner/operator to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Domestic Animal Waste Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from domestic animals. The plan must also describe how implementing the identified management practices are likely to progressively achieve the load allocations to domestic animals, with the ultimate goal achieving the load allocations no later than thirteen years after Office of Administrative Law approval of the TMDL. - The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progressive progress towards achieving load allocations for discharges from domestic animals, and a self-assessment of this progress. The plan may be developed by an individual discharger or by or for a coalition of dischargers in cooperation with a third-party representative, organization, or government agency acting as the agents of owners/operators of lands containing domestic animals, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

ONSITE WASTEWATER DISPOSAL SYSTEM DISCHARGES

Owners of onsite wastewater disposal systems in the San Lorenzo River Watershed must comply with the Human Fecal Material Discharge Prohibition.

Owners of onsite wastewater disposal systems must demonstrate to the satisfaction of the Executive Officer or the Water Board that they are in compliance with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance

with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will either 1) determine that the County of Santa Cruz, or similar, is making adequate progress towards implementing an approved Santa Cruz County Onsite Wastewater Management Plan (or another Implementation Program to address onsite wastewater disposal systems) as it pertains to controlling the waste loads from onsite wastewater disposal systems in the San Lorenzo River Watershed, or 2) notify owners of onsite wastewater disposal systems (owners) in the area described above of the requirement to comply with the Human Fecal Material Discharge Prohibition. In his notification, the Executive Officer will also describe owners' options for demonstrating compliance with the Human Fecal Material Discharge Prohibition; pursuant to California Water Code 13267 and within six months of the notification by the Executive Officer, owners will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner is and will continue to be in compliance with the Human Fecal Material Discharge Prohibition; clear evidence could be verification by the County of Santa Cruz, or similar, that the owners onsite wastewater disposal system is in compliance with the Human Fecal Material Discharge Prohibition, or
- 2) A schedule for compliance with the Human Fecal Material Discharge Prohibition. The compliance schedule must include a monitoring and reporting program and milestone dates demonstrating progress towards compliance with the Human Fecal Material Discharge Prohibition, with the ultimate milestone being compliance with the Human Fecal Material Discharge Prohibition no later than three years from the date of the Executive Officer's notification to the owner requiring compliance, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements; WDRs), or
- 4) Clear evidence of current or scheduled compliance with the Human Fecal Material Discharge Prohibition (as described in number 1 and number 2 above, respectively) through the submittal of the required information by County of Santa Cruz, acting as the voluntary agents of owners of onsite wastewater disposal systems. Note that an owner of an onsite wastewater disposal system cannot demonstrate compliance with the Human Fecal Material Discharge Prohibition through this option if: 1) the County of Santa Cruz is not their voluntary agent, 2) if the owner of the onsite wastewater disposal system does not choose the County of Santa Cruz as their agent, or 3) the Executive Officer or Water Board does not approve the evidence submitted by the County of Santa Cruz on behalf of the owners of onsite wastewater disposal systems.

HOMELESS PERSONS/ENCAMPMENT DISCHARGES NOT REGULATED BY A PERMIT FOR STORM WATER DISCHARGES

Owners of land that contain homeless persons and/or homeless encampments in the San Lorenzo River Watershed must comply with the Human Fecal Material Discharge Prohibition.

Owners of land with homeless persons must demonstrate to the satisfaction of the Executive Officer or the Water Board that they are in compliance with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners of land containing homeless persons of the requirement to comply with the Human Fecal Material Discharge Prohibition. In his notification, the Executive Officer will also describe owners' options for demonstrating compliance with the Human Fecal Material Discharge

Prohibition; pursuant to California Water Code 13267 and within six months of the notification by the Executive Officer, owners will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner is and will continue to be in compliance with the Human Fecal Material Discharge Prohibition; clear evidence could be documentation submitted by the owner to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Human Fecal Material Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from homeless persons. The Plan must also describe how implementing the identified management practices are likely to progressively achieve the load allocation for homeless persons, with the ultimate goal achieving the load allocation no later than three years from the date of the Executive Officer's notification to the owner requiring compliance. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progressive progress towards achieving load allocations for discharges from homeless persons, and self-assessment of this progress, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements).

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress towards achieving their allocations. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric target.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of pathogens are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric target and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural, or background sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal indicator bacteria.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving the TMDL numeric target is 13 years after the date of approval by the Office of Administrative Law.

CHAPTER 4. IMPLEMENTATION PLAN

VIII.D. INDIVIDUAL, ALTERNATIVE AND COMMUNITY ONSITE WASTEWATER SYSTEMS

~~On-site sewage disposal wastewater systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On-site systems can be a viable long-term waste disposal method with proper siting, design, construction, and management. In establishing on-site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.~~

~~If on-site sewage treatment facilities are not carefully managed, problems can occur, including:~~

- ~~• odors or nuisance;~~
- ~~• surfacing effluent;~~
- ~~• disease transmission; and,~~
- ~~• pollution of surface and groundwaters.~~

~~Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.~~

~~On-site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro-intestinal disorders.~~

~~Pollution of surface or groundwaters can result from the discharge of on-site system wastes. Typical~~

~~problem waste constituents are total dissolved solids, phosphates, nitrates, heavy metals, bacteria, and viruses.~~

~~Subsurface disposal~~ Onsite wastewater systems may be used to treat and dispose of wastewater from: (1) individual residences; (2) multi-unit residences; (3) institutions or places of commerce; (4) industrial sanitary sources; and, (5) small communities. All individual and multi-unit residential, ~~developments are subject to criteria in this section of the Basin Plan.~~ commercial, institutional and industrial developments with a discharge flow rate less than 2,500 gallons per day and community systems not regulated by waste discharge requirements must comply with these criteria. ~~Community systems must also comply with criteria relating to this subject within the Basin Plan.~~ Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems for servicing more than 5 units or more than 5 parcels; or, (2) commercial, institutional or industrial systems ~~to treat~~ treating sanitary wastewater equal to or greater than 2,500 gallons per day (average daily flow). Community systems of this type and size may be subject to waste discharge requirements.

Conventional onsite wastewater systems consist of septic tanks and leachfield or seepage pits and are typically designed to treat and dispose of domestic wastewater.^{EPA} Alternatives to conventional onsite system designs ~~have been~~ are used when site constraints prevent the use of conventional systems. Examples of alternative systems include (but are not limited to) enhanced treatment systems, mound and or evapotranspiration disposal systems, or at-grade disposal systems. Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes.

Conventional, alternative and community systems can pose serious water quality problems if improperly designed, installed, and/or managed. Failures have occurred in the past and are usually attributed to the following:

- Systems are inadequately or improperly sited, designed, or constructed.

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- Long term use is not considered.
- Inadequate operation and maintenance.

The following definitions are used throughout this section of the Water Quality Control Plan.

Alternative onsite system consists of additional (beyond conventional) treatment and/or disposal features engineered to overcome site constraints. A conventional onsite system that requires a pump to reach the leach area is not considered "alternative".^{EPA}

Application area shall be calculated no greater than the trench bottom and side walls below the bottom of the leach pipe, minus the first foot on each side. In seepage pits the application area refers to the total gravel depth in a seepage pit, minus any impervious, bedrock or clay lenses encountered in the sidewalls.^{UPC}

At-grade disposal systems consist of distribution pipe and bed at the native ground surface level and cover provided by filled material. At-grade disposal systems are similar to mound systems without the sand layer.^{UCD}

Conventional onsite system consists of a septic tank and leachfield or seepage pit.^{EPA}

Detrimental Water Quality Impact is any significant increase in waste concentrations or impairment of beneficial uses of a water body.

Drainfield is used interchangeably with leachfield, leach area or disposal area.

Effective trench depth means depth below the bottom of the leach trench distribution piping minus the first foot.

Engineered systems are treatment and disposal systems that require special design features to overcome site limitations (topography, soil conditions, shallow groundwater or setback variances).^{EPA}

Existing onsite system is any onsite system approved and/or installed prior to adoption of these criteria on March 20, 2009.

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Failed or failing onsite system is any system that displays symptoms of inadequate dispersion, treatment or assimilation of wastewater. These may include, but are not limited to, surfacing effluent, lush growth above the leach area, sluggish house drains, impacts to surface or groundwater from the onsite discharge, odors, frequent pumping, or backflow into tank when pumped.^{EPA}

Fill is material deposited to raise the existing or excavated ground level.

Inflow and infiltration refers to non-wastewater (stormwater, groundwater, streams, seawater) entering the wastewater system through cracks, roof drains or other openings.

Impervious Low permeability material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content (% passing 200 sieve) of 60 percent or greater.

Local governing jurisdiction shall refer to the local governing jurisdiction, typically city or county, vested with legislative authority for onsite wastewater system permitting.

Monitoring shall refer to any sort of quality or performance assessment, including visual inspections.

New onsite system is an onsite wastewater system placed on property that has not previously been developed, or expansion of an existing onsite system to accommodate an increase in wastewater generation, after adoption of these criteria (March 20, 2009). Repair or replacement of an existing onsite system does not constitute a new onsite system.

Onsite disposal area shall include the direct application area (trench, pit, bed) and surrounding 100' radius from any point in the application area that may be influenced by discharge from the disposal system.

Reservoir - A pond, lake, ~~lake~~, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of drinking supply water ~~recreation, power, flood control, or drinking~~.

Septage is material removed from a septic tank; usually the accumulated scum, sludge and liquid within the tank.

Sidewall is the side portion of the leach area below the bottom of the distribution piping, or total gravel depth beneath the first hole in the central pipe of a seepage pit.^{UPC}

Threatened condition is one that if left uncorrected may cause or contribute to water quality or public health impacts.

Watercourse - A natural or man-made artificial channel for passage of water. A running stream of water. A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) usually discharging into some stream or body of water.

~~VIII.D.1. CORRECTIVE ACTIONS FOR EXISTING SYSTEMS~~

~~Individual disposal systems can be regulated with relative ease when they are proposed for a particular site. For new systems, regulations generally provide for good design and construction practices. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas. Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, groundwater degradation is possible, particularly increases in nitrate concentrations.~~

~~Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and groundwaters to determine whether problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank~~

~~maintenance procedures are encouraged to lessen the probability that a few major failures might force sewerage of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could help prevent failure. Improvements of this kind should be enforced by a local septic tank maintenance district or local governing jurisdiction.~~

~~A septic tank subjected to greater hydraulic load can fail due to washout of solids into percolation areas and plugging of the infiltrative surface. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Dishwashers, garbage grinders, and washing machines could be eliminated. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water use costs may also be structured to encourage more frugal use of water.~~

VIII.D.1. LOCAL GOVERNING JURISDICTION ACTIONS

VIII.D.1.a. DISCLOSURE AND COMPLIANCE OF EXISTING ONSITE WASTEWATER SYSTEMS

The Water Board, on March 20, 2009, adopted a Basin Plan Implementation Program establishing a conditional waiver for onsite wastewater systems that meet the conditions (Basin Plan Section VIII.D.3). For an onsite wastewater system to be eligible for a conditional waiver. It is incumbent upon Local governing jurisdictions must to should provide develop and implement programs to ensure conformance with this Basin Plan and local regulations. Such programs shall include (but are not be limited to) inspection programs-procedures to:

- ~~• should~~ Ensure site suitability tests are performed as necessary, and that tests are performed in accordance with standard procedures;

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- ~~Inspections should also~~ Ensure proper system siting, design, construction and installation; and
- Adequately inform ~~home~~ property owners regarding proper installation, operation and ongoing maintenance of their onsite wastewater systems.

~~Proper design and construction should be certified by the inspector. Concerned homeowners can be a tremendous asset in assuring proper construction. When a septic system permit is issued by the local agency, a handout specifying proper construction techniques should be made available to the general public. Systems must be inspected by the local agency before covering (backfilling).~~

~~Local governing jurisdictions agencies can use staff inspectors or individuals under contract with the local government. Either way A standard detailed checklist should shall be completed by the inspector to verify the onsite wastewater system was constructed in conformance with the Basin Plan and local governing jurisdiction requirements.~~

~~Site suitability determinations should specify: (1) whether approval is for the entire lot or for specific locations of the lot; (2) if further tests are necessary; and (3) if alternatives are necessary or available.~~

~~Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.~~

~~Property owners should be aware of the nature and requirements of their onsite wastewater disposal system. Plans should be available in city or county offices showing placement of soil absorption systems. Since this is only feasible for new construction, Local governing jurisdictions agencies should require onsite wastewater system as-built plans as a condition of new construction final inspection. Plans would be kept on file for future use of property owners.~~

~~Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite period, or a developed parcel may be subject to significant user charges from a future sewer system. Local governing jurisdictions agencies should have ensure the terms of the enforcement action prohibition area are entered into~~

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the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

All onsite wastewater system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions shall mount a continuing public education program to provide homeowners with onsite wastewater system operation and maintenance guidelines. Basin Plan information should be available at local governing jurisdiction health and building departments.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. ~~But system expansion may not be possible if land is not set aside for this purpose. For these reasons,~~ Dedicated system expansion areas are also appropriate. To protect this set-aside area from encroachment, the local governing jurisdiction ~~should~~ shall require restrictions on future use of the area as a condition of land division or building permit approval. For new subdivisions, Covenants, Conditions and Restrictions (CC&R's) or additional map sheets recorded with the Parcel or Tract Final Map might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading the CC&R's or Final Map.

~~Local agencies should conduct an on-site system inspection program, particularly in areas where system failures are common or where systems with poor soils are approved. An agency inspector should periodically check each septic tank for pumping need and each system for proper operation. Homeowners should be alerted where evidence of system failure exists. Where nuisance or a potential public health hazard exists, a followup procedure should insure the situation is corrected. On-site systems should be constructed in a location that facilitates system inspection.~~

~~Another approach is periodically to mail homeowners a brochure reminding them how to maintain and inspect their on-site system. Homeowners should be notified that they should periodically check their septic tank for pumping need. Homeowners should also be notified of other problems indicative of system failure. Some~~

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~~examples include wet spots in drainfield area, lush grass growths, slowly draining wastewater, and sewage odors.~~

Many existing systems do not comply with current or proposed standards. Repairs to failing systems ~~should~~ shall be done under permit from the local governing jurisdiction. ~~To the extent practicable~~ The local governing jurisdiction ~~should~~ shall require failing systems to be brought into compliance with ~~the Basin Plan recommendations, requirements and prohibitions;~~ or repair criteria consistent with locally implemented onsite management plan (approved by the Central Coast Water Board or its Executive Officer). ~~This could be a condition of granting a permit for repairs.~~

~~Land use changes on properties with commercial, institutional or industrial uses should not be approved by the local governing jurisdiction until the existing onsite system meets criteria of this Basin Plan and local ordinances. A land use permit or business license could be used to alert the local agency of land use changes.~~

Within the following sections, criteria are specified for RECOMMENDATIONS, REQUIREMENTS and PROHIBITIONS.

RECOMMENDATIONS

1. Inform property buyers of the existence, location, operation, and maintenance of onsite disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g., Basin Plan prohibitions) through the County Record.
2. Conduct public education programs to provide property owners with operation and maintenance guidelines.
3. It may be appropriate for onsite systems to be maintained by local onsite maintenance districts.
4. Standard soil percolation testing procedures should be adopted. ~~Approve permit applications after checking plans for erosion control measures. Inspect systems prior to covering to assure proper construction.~~

REQUIREMENTS

5. Onsite Wastewater Management Plans ~~should~~ shall be prepared and implemented for urbanizing and high density areas served by

onsite wastewater systems. ~~Areas that should be addressed immediately include (but are not limited to): portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highland, Prunedale, El Toro, Shandon, Templeton, Santa Margarita, Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, upper Santa Ynez Valley, and Los Olivos/Ballard.~~

6. Local governing jurisdictions ~~should~~ shall require replacements or repairs to failing systems to be in substantial conformance (to the greatest extent practicable) with Basin Plan recommendations, requirements and prohibitions or the local onsite wastewater management plan.
7. Local governing jurisdictions shall ensure that alternative onsite system owners are provided an informational maintenance or replacement document by the system designer or installer. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.
8. Local ordinances shall be updated to reflect Basin Plan criteria.

PROHIBITIONS

9. Alternative systems are prohibited unless consistent with a locally implemented onsite wastewater management plan approved by the Central Coast Water Board Executive Officer or waste discharge requirements issued or waived by the Water Board.^{UPC, EPA}

VIII.D.2 1.b. ONSITE WASTEWATER MANAGEMENT PLANS

The Water Board, on March 20, 2009, adopted a Basin Plan Implementation Program that sets forth a conditional waiver for onsite wastewater systems (Basin Plan Section VIII.D.3). For an onsite wastewater system to be eligible for a conditional waiver, the local governing jurisdiction must adopt and implement an onsite wastewater management plan that complies with this section.

Onsite wastewater management plans ~~should~~ shall be implemented in urbanizing areas to investigate and mitigate long-term cumulative impacts resulting

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from continued use of individual, alternative, and community onsite wastewater systems.^{EPA} A wastewater disposal study should be conducted to determine the best Wastewater Management Plan that would provide site or basin specific wastewater re-use. This study should identify basin specific criteria to prevent water quality degradation and public health hazards and provide an evaluation of the effects of existing and proposed developments and changes in land use. Onsite wastewater management plans should be a comprehensive planning tool to specify onsite disposal system limitations to prevent ground or surface water degradation. Onsite wastewater management plans should shall include (but not be limited to) the following elements:

- Survey and evaluation of existing onsite systems.
- Contain a Water quality (groundwater and surface water) monitoring program.^{EPA}
- ~~Identify sites suitable for conventional septic systems.~~
- Projections of onsite disposal system demand and determination of sites and methods to best meet demand.
- Project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water.
- Recommend establishment of septic tank maintenance districts, as needed.
- Recommendations and requirements for existing onsite wastewater system inspection, monitoring, maintenance and repairs.^{EPA}
- Recommendations and requirements for new onsite wastewater systems.^{EPA}
- Identify Alternative means of disposing of sewage in the event of disposal system failure and/or irreversible degradation from onsite disposal systems.
- Education and outreach program.^{EPA}
- Enforcement options.^{EPA}

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- Septage management.^{EPA}
- Program administration, staffing, records keeping, installation and repairs tracking, and financing.^{EPA}

~~For areas where watershed-wide plans are not developed, conditions could be placed on new divisions of land or community systems to provide monitoring data or geologic information to contribute to the development of a Wastewater Management Plan.~~

~~Wastewater disposal alternatives should identify costs to each homeowner. A cost-effectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan.~~

Onsite wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be an appropriate means of implementing onsite wastewater management plans.

Onsite wastewater management plans shall be approved by the Central Coast Water Board or its Executive Officer. Approval of onsite wastewater management plans shall be based upon guidance provided in the Central Coast Water Board Checklist for Developing & Reviewing Onsite Wastewater Management Plans (included as Attachment 2 of March 20, 2009 Staff Report).

**VIII.D.2 1.c. SEPTIC-TANK ONSITE
WASTEWATER SYSTEM
MAINTENANCE DISTRICTS**

It may be appropriate for community onsite systems to be maintained by local ~~sewage disposal onsite wastewater system~~ maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, Community Services Districts, or County Service Areas

~~Septic tank~~ Onsite wastewater system maintenance districts are responsible for onsite system operation and maintenance in conformance with this Water Quality Control Plan. ~~Administrators~~ Such districts should ensure proper construction, installation, operation, and maintenance of onsite wastewater systems. Maintenance districts should establish

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~~septic tank onsite system~~ surveillance, maintenance and pumping programs, ~~where appropriate~~; provide repairs to plumbing or leachfields, and encourage water conservation measures.

VIII.D.2. CRITERIA FOR NEW SYSTEMS

Onsite wastewater system problems can be minimized with proper site location, design, installation, operation and maintenance. The following section ~~recommends~~ includes criteria for all new ~~individual subsurface onsite wastewater disposal systems and community sewage disposal systems~~. Local governing jurisdictions should incorporate these criteria and guidelines into their local ordinances. These ~~recommendations~~ criteria will be used by the Central Coast Water Board for Water Board regulated systems and exemptions.

Local governing jurisdictions ~~agencies~~ may authorize alternative onsite systems if the agency acts consistent with locally implemented onsite wastewater management plans approved by the Central Coast Water Board or its Executive Officer and with the Basin Plan criteria.^{UPC, EPA}

For any onsite system, limited disposal options are available for septage (solids periodically removed from septic tanks). As a component of a wastewater management plan, long-term septage disposal plans shall be considered and developed by local onsite governing jurisdictions ~~system management districts~~.^{EPA}

Onsite wastewater system criteria are arranged in sequence under the following categories: site suitability, system design, construction, ~~individual system~~ maintenance, community system design, and local governing jurisdictions agencies. Mandatory criteria are listed in the "Individual, Alternative, and Community Systems Prohibitions" section. Within each category, criteria are specified for RECOMMENDATIONS, REQUIREMENTS and PROHIBITIONS.

VIII.D.2.a. SITE SUITABILITY

~~Prior to permit approval, site investigation should determine on-site suitability:~~

RECOMMENDATIONS

1. For new land divisions, onsite disposal systems and expansion areas should be protected from encroachment by provisions in covenants, conditions, and restrictions (CC&Rs), recorded in Final Maps or similar mechanisms.
2. Percolation test holes (at least ~~one~~ three per system) should be drilled with a hand auger. A hole could be hand augered or dug with hand tools at the bottom of a larger excavation made by a backhoe.
3. Natural ground slope of the disposal area should not exceed 20 percent.
4. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drain field bottom.

REQUIREMENTS

5. At least one soil boring or excavation per onsite system shall be performed to determine soil suitability, depth to groundwater, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. The soil boring or excavation should extend at least 10 feet below the drain field bottom at each proposed location and be performed during or shortly after the wet season to characterize the most limiting conditions.
6. For leachfields, at least three percolation test locations ~~should~~ shall be used to determine system acceptability.
7. Percolation tests shall be continued until a stabilized rate is obtained.
8. Percolation tests ~~should~~ shall be performed at a ~~proposed subsurface disposal system sites~~ and depth corresponding to the bottom of the subsurface disposal area.
9. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields ~~should~~ shall be set back far enough to prevent this projected line from intersecting

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the cut within 100 feet, measured horizontally, from the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback shall be at least 100 feet measured from the top of the cut.

10. Prior to permit approval, site investigation shall determine onsite system suitability (consistency with recommendations, requirements and prohibitions specified in this section). Seepage pits should be utilized only after careful consideration of site suitability. ~~Soil borings or excavations should be inspected either by permitting agency or individual under contract to the permitting agency~~
11. Distances between trench bottom and highest seasonal usable groundwater, including perched groundwater, shall not be less than the separation specified by appropriate percolation rate:

Percolation Rate (minutes/inch)	Distance (feet)
<1	50 ¹
1-4	20 ¹
5-29	8
>30	5

¹Unless a set-back distance of at least 250 feet to any domestic well or subsurface water is assured.

Onsite disposal in soils with percolation rates faster than one minute per inch are prohibited without additional treatment.

12. ~~Natural ground slope of the disposal area should not exceed 20 percent. Onsite disposal systems on slopes greater than 20% shall be designed by a certified professional.~~

PROHIBITIONS

13. For new land divisions (including lot splits) served by onsite systems, lot sizes less than one acre ~~should not be permitted~~ are prohibited unless authorized under an onsite management plan approved by the Central Coast Water Board or its Executive Officer. While new septic tank systems should generally be limited to new divisions of land having a minimum parcel size of one acre, where soil and other physical constraints are particularly favorable, parcel size shall not be less than one half acre. For the purpose of this prohibition, secondary

units are considered "de-facto" lot splits and shall not be constructed on lots less than two acres in size unless consistent with onsite management plans. ^{LO 1994}

14. Onsite wastewater disposal shall not be located in areas subject to inundation from a ~~40~~ 25-year flood.
15. Onsite disposal systems shall not be installed where natural ground slope of the disposal area exceeds 30 percent. ^{EPA}
16. Leachfields are prohibited in soils where percolation rates are slower than 120 min/in unless parcel size is at least two acres. Disposal systems designed to accommodate slow percolation rates (such as evapotranspiration systems) shall be evaluated as alternative systems.
17. Onsite discharge is prohibited on any site unable to maintain subsurface disposal.
18. Onsite discharge is prohibited where lot sizes, dwelling densities or site conditions cause detrimental impacts to water quality.
19. Onsite discharge is prohibited within a water supply reservoir watershed where parcel size is less than ~~2.5~~ one acre, unless consistent with an onsite wastewater management plan approved by the Central Coast Water Board Executive Officer.
20. Onsite discharge is prohibited in any area where continued use of onsite systems constitutes a public health hazard, an existing or threatened condition of water pollution, or nuisance.
21. Onsite discharge is prohibited where soils or formations with channels, cracks, fractures, or percolation rates allow inadequately treated waste to surface or degrade water quality.*
* Unless a setback distance of at least 250 feet to any domestic water supply well or surface water is ensured.
22. Seepage pits are prohibited in soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.
23. For seepage pits, distances between pit bottom and usable groundwater, including perched

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groundwater, shall not be less than separation specified by appropriate soil type:

Soil Type	Distance (feet)
Gravels ²	50 ⁺ additional treatment required
Gravels with few fines*	20 ⁺
Other	10

¹—Unless a setback distance of at least 250 feet to any domestic water supply well or surface water is ensured.

²—Gravels - Soils with over 95 percent by weight coarser than a No. 200 sieve and over half of the coarse fraction larger than a No. 4 sieve.

* Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

24. Onsite discharge in soils with percolation rates faster than one minute per inch is prohibited without additional treatment consistent with an onsite management plan implemented by the local governing jurisdiction and approved by the Central Coast Water Board Executive Officer.

25. Onsite discharge is prohibited in fill unless specifically engineered as a disposal area.

VIII.D.2.b. ONSITE SYSTEM DESIGN

RECOMMENDATIONS

1. Dual disposal fields (200 percent of original calculated disposal area) ~~are recommended~~ should be installed.^{EPA}
2. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.
3. Distance between drainfield trenches should be at least two times the effective trench depth. Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.
4. Application area should be no greater than the area calculated using trench bottom and sidewalls minus the first foot below the distribution pipe.^{UPC} ~~In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.~~
5. Seepage pit application rate should not exceed 0.3 gallons per day (gpd) per square foot.

REQUIREMENTS

6. Onsite wastewater treatment tanks shall be water-tight, and designed to remove ~~nearly 100 percent of~~ settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.^{EPA}
7. The minimum design flow rate ~~should~~ shall be 375 gallons per day for a 3-bedroom house, and 75 gpd should be added for each additional bedroom.
8. Drainfield design ~~should~~ shall be based only upon usable permeable soil layers.
9. Leachfield loading application rate ~~should~~ shall not exceed the following:

Percolation Rate (minutes/inch)	Loading Rate (gpd/sq.ft.)
1 - 20	0.8
21 - 30	0.6
31 - 60	0.25
61 - 120	0.10

10. If curtain drains divert groundwater to subsurface soils, the upslope separation from a leachfield or pit ~~should~~ shall be at least 20 feet and the down slope separation shall be at least 50 feet.
11. Onsite system ~~tank~~ design ~~must~~ shall allow access for inspection and cleaning. Septic tanks must be accessible for pumping.
12. For commercial, institutional, industrial and community systems, design ~~should~~ shall be based on daily peak flow.
13. Dual disposal systems shall be installed (200 percent of original calculated disposal area) for community systems.
14. ~~Dual disposal fields (200 percent of original calculated disposal area) are recommended. Commercial systems, institutional systems, or domestic industrial systems should~~ All onsite disposal systems shall reserve an expansion area (additional 100% disposal capacity) to be set aside and protected from all uses except future drainfield repair and replacement.^{UPC} ~~Community systems shall install dual drainfields (200% disposal capacity) and reserve replacement area (3rd 100% disposal capacity).~~

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- 15. Community systems shall provide duplicate individual equipment components for components subject to failure (such as pumps).
- 16. Distances between trench/pit bottom and bedrock or other low permeability material impermeable layer shall be at least ten feet.
- 17. Where site conditions permit migration of wastewater to water, setback distances from disposal trench/pit shall be at least:

	<u>Minimum Setback Distance (feet)</u>
Domestic water supply wells in unconfined aquifer	100
Watercourse (where geologic conditions permit water migration)	100
<u>Drinking water supply</u> reservoir spillway elevation	200
Springs, natural or any part of a man-made spring	100

- 18. Community systems shall be designed with adequate capacity to accommodate the build-out population.
- 19. Community wastewater treatment and disposal facilities shall be operated by a public agency. If a demonstration is made to the Central Coast Water Board that an existing public agency is unavailable and formation of a new public agency is unreasonable, a private entity with adequate financial, legal, and institutional resources to assume responsibility for waste discharges may be acceptable.

PROHIBITIONS

- 20. Onsite discharge to leachfields is prohibited where soil percolation rates are slower than 60 minutes per inch unless the system is designed for an effluent application rate of 0.1 gpd per square foot of application area, or less.
- 21. Discharge ~~should~~ shall not exceed 40 grams per day of total nitrogen, on the average, per acre served by onsite system overlying groundwater recharge areas, except where a local governing jurisdiction has adopted a

Wastewater Management Plan ~~subsequently~~ approved by the Central Coast Water Board Executive Officer.

- 22. Community system seepage pits are prohibited unless additional treatment is provided consistent with an onsite management plan implemented by the local governing jurisdiction and approved by the Central Coast Water Board Executive Officer. Such seepage pits shall have at least 15 vertical feet between pit bottom and highest usable groundwater, including perched groundwater.
- 23. Inflow and infiltration shall be precluded from the system unless design specifically accommodates such excess flows.
- 24. Onsite wastewater systems are prohibited in any subdivision unless the subdivider clearly demonstrates the installation, operation and maintenance of the onsite system will be properly functional and in compliance with all Basin Plan criteria.
- 25. Curtain drains that discharge to ground surface or surface water are prohibited within 50 feet down slope of onsite system disposal areas.

VIII.D.2.c. DESIGN FOR ALTERNATIVE AND ENGINEERED SYSTEMS

RECOMMENDATIONS

- 1. Mound systems, evapotranspiration systems, and other alternative onsite systems should be designed and installed in accordance with guidelines available from the State Water Resources Control Board. ~~For evapotranspiration systems, each month of the highest precipitation year and lowest evaporation year within the previous ten years of record should be used for design.~~

REQUIREMENTS

- 2. Alternative onsite wastewater systems shall be designed by a ~~registered civil engineer~~ certified professional competent in ~~sanitary engineering~~ alternative onsite wastewater system design.^{EPA}
- 3. Alternative and engineered onsite wastewater systems shall be located, designed, installed, operated, maintained, and monitored in accordance with a locally implemented onsite

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management plan approved by the Central Coast Water Board Executive Officer.^{UPC, EPA}

should be placed with extreme care outside the leaching area to ensure settling does not occur.

PROHIBITIONS

4. Alternative and engineered onsite wastewater systems are prohibited, except where consistent with a locally implemented onsite management plan approved by the Central Coast Water Board Executive Officer.^{UPC, EPA}

10. Risers to the ground surface and manholes should be installed over the septic tank inspection ports, access ports and distribution boxes.

11. Drainfields should include inspection pipes to check water level.

12. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.

VIII.D.2.d. CONSTRUCTION

RECOMMENDATIONS

1. Construction activities should follow recommendations and precautions described in the Environmental Protection Agency's Design Manual: Onsite Wastewater Treatment and Disposal Systems.^{EPA}
2. ~~Subsurface disposal~~ Onsite wastewater systems should have a slightly sloped finished grade to promote surface runoff.
3. Surface runoff should be diverted around open trenches/pits to limit siltation of trench bottom area.
4. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.
5. In clayey soils, work should be done only when soil moisture content is low enough to avoid smearing of infiltrative surfaces.
6. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.
7. Bottom of trench or bed ~~leach~~ distribution piping should be level throughout to prevent localized overloading.
8. ~~Two inches of coarse sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields. Fine sand should not be used as it may lead to system failure.~~
9. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes

REQUIREMENTS

13. Prior to backfilling, the distribution system ~~should~~ shall be tested to check the hydraulic loading pattern.
14. Disposal systems ~~should~~ shall be inspected by the permitting agency prior to covering to ensure proper construction. Designers and/or installers of engineered onsite wastewater systems shall provide a letter to the permitting authority stating that the onsite system was installed in conformance with the approved plans.

**VIII.D.2.e. ONSITE SYSTEM
MAINTENANCE**

RECOMMENDATIONS

1. Septic tanks should be inspected every two to five years to determine the need for pumping.
2. Septic tanks should be pumped whenever: (1) the scum layer is within three inches of the outlet device, (2) the sludge level is within eight inches of the bottom of the outlet device, or (3) every 5 years; whichever is sooner.^{EPA}
3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level or every six months, whichever is sooner.

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4. Onsite wastewater systems shall be maintained in accordance with approved onsite management plans. Where onsite management plans have not been approved by the Central Coast Water Board Executive Officer, onsite systems shall be maintained as described in the following specifications.^{EPA}
5. Disposal of septage (solid residue pumped from septic tanks) shall be accomplished in a manner acceptable to the Central Coast Water Board Executive Officer.
6. Records of maintenance, pumping, septage disposal, etc. shall be maintained by the onsite system owner and available upon request.^{EPA}

VIII.D.2.f. USE CONSIDERATIONS

RECOMMENDATIONS

1. Water conservation and solids reduction practices should be implemented by all onsite system users. Garbage grinders should not be used in homes with septic tanks. Where grinders are used, septic tank capacity and inspection/pumping frequency should be increased.^{EPA}
2. Metering and water use costs should be used to encourage water conservation in areas served by onsite systems.
3. Bleach, solvents, fungicides and any other toxic material, grease and oil should not be discharged into onsite wastewater systems.
4. Self-regenerating water softeners should not be used where discharge is to onsite systems. If water softening is necessary, use of canister-type softeners will protect the treatment and disposal systems and underlying groundwater from unnecessary accumulation of salts.

PROHIBITIONS

5. Self-regenerating water softener brine discharge to onsite wastewater systems is prohibited unless consistent with a salts minimization plan approved by the Water Board Executive Officer and implemented by the local governing jurisdiction.

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**VIII.D.2.g. ONSITE WASTEWATER
SYSTEM PROHIBITION AREAS**

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, discharges are prohibited in the following areas:

PROHIBITIONS

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Basin Plan Appendix A-27.
2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed shall be managed as follows: Discharges shall be allowed providing the County of Santa Cruz, as lead agency, implements the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service., February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Central Coast Water Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.
3. Discharges from individual and community sewage disposal systems are prohibited, effective November 1, 1988, in the Los Osos/Baywood Park area depicted in the Prohibition Boundary Map included as Attachment A of Resolution No. 83-13, which can be found in Basin Plan Appendix A-30.

**VIII.D.2.h. SUBSURFACE DISPOSAL
EXEMPTIONS**

The Central Coast Water Board or Executive Officer may grant exemption to prohibitions for: (1) engineered new onsite disposal wastewater systems for sites unsuitable for standard systems; and (2) new or existing onsite systems within the

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specific prohibition areas cited above. Such exemptions may be granted only after presentation by the discharger of sufficient justification, including geologic and hydrologic evidence that the continued operation of such system(s) in a particular area will not individually or collectively, directly or indirectly, result in pollution or nuisance, or affect water quality adversely.

Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause: (1) damage to public or private property; (2) ground or surface water degradation; (3) nuisance condition; or, (4) a public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available.

Requests for exemptions will not be considered until the local entity has reviewed the system and submitted the proposal for Central Coast Water Board review. Dischargers requesting exemptions must submit a Report of Waste Discharge. Exemptions will be subject to filing fees as established by the State Water Code.

Discharges from onsite wastewater systems regulated by waste discharge requirements or waiver of such requirements may be exempt from the requirements of this chapter. The waste discharge requirements order or waiver will act in lieu of exemption, and separate exemption is not required.

Further information concerning individual, alternative, or community onsite sewage disposal systems can be found in Chapter 5 in the Management Principals and Control Actions sections. State Water Resources Control Board Plans and Policies, Discharge Prohibitions, and Central Coast Water Board Policies may also apply depending on individual circumstances.

**VIII.D.3. ONSITE SYSTEM
IMPLEMENTATION PROGRAM**

California Water Code § 13260(a) requires that any person discharging waste or proposing to discharge waste that could affect the quality of the waters of the State, shall file with the appropriate Regional

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Board a report of waste discharge, unless the Regional Board waives such requirement.

California Water Code §13263 requires the Regional Board to prescribe waste discharge requirements, or waive waste discharge requirements, for the discharge. The waste discharge requirements must implement relevant water quality control plans and the Water Code.

California Water Code §13269 authorizes the Central Coast Water Board to waive the submittal of reports of waste discharge and waste discharge requirements for specific types of discharges where such a waiver is consistent with applicable state and regional water quality control plans and is in the public interest.

California Water Code §13269 requires that waivers shall be conditional and may be terminated at any time by the Central Coast Water Board. Waivers may be granted for discharges of waste to land, but may not be granted for discharges of waste subject to the NPDES requirements of the federal Clean Water Act. The waiver must also include monitoring unless the Regional Board determines that the discharges do not pose a significant threat to water quality.

This Basin Plan Amendment sets forth an Implementation Program to ensure protection of waters of the state as a conditional waiver of waste discharge requirements and reports of waste discharge requirements. This Conditional Waiver contains conditions and is consistent with the Basin Plan.

The Central Coast Water Board finds that this Conditional Waiver is in the public interest and consistent with the Basin Plan because:

1. Waivers granted for discharges that do not pose a significant threat to water quality enable staff resources to be used effectively and avoid unnecessary expenditures of limited resources.
2. It was adopted in compliance with Water Code Sections 13242 and 13269 and other applicable law;
3. It requires compliance with the Basin Plan;
4. It includes conditions that are intended to reduce and prevent pollution and nuisance and

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protect the beneficial uses of the waters of the State.

5. Dischargers may not discharge any waste not specifically regulated by this Conditional Waiver except in compliance with the Water Code.
6. Dischargers who violate the conditions of this Conditional Waiver are subject to enforcement pursuant to Water Code section 13350 and other applicable law.
7. The discharges from onsite wastewater systems all discharge the same type of waste.
8. It provides a method for coordinating regulation with local governing jurisdictions, that routinely permit and oversee onsite wastewater systems, thereby reducing overlapping regulation.

It is appropriate to regulate onsite wastewater systems by way of a Conditional Waiver rather than with individual waste discharge requirements because there are over a hundred thousand discharges of the listed categories. Issuing individual waste discharge requirements to each of those would use significant staff resources and is not necessary in most circumstances because such systems are regulated by local governing jurisdictions. The conditions imposed in this Conditional Waiver will be protective of waters of the state. This Conditional Waiver will simplify and streamline the regulatory process without compromising the protection of water quality.

Although a discharge may qualify for waiver enrollment, the Central Coast Water Board retains the right to regulate that discharge through other programs or Central Coast Water Board actions (such as enforcement orders, individual waste discharge requirements, general orders). The Central Coast Water Board may terminate a waiver at any time and require the discharge to obtain waste discharge requirements or terminate the discharge.

Appropriately developed and implemented memoranda of understanding between the Central Coast Water Board and local governing jurisdiction (e.g., counties and cities) provide practical and enforceable tools to compel compliance with the Basin Plan criteria for onsite systems and ensure water quality protection.

The Central Coast Water Board's Executive Officer is authorized to approve and execute, on behalf of the Central Coast Water Board, individual memoranda of understanding with local governing jurisdiction in the Region based substantially on the requirements specified in Chapter 4, Section VIII.D of the Basin Plan (sections pertaining to onsite wastewater systems). Individual memoranda of understanding shall commit the local governing jurisdiction to amending its municipal code and onsite wastewater system program, if necessary, in order to be substantially equivalent to the Basin Plan. If and when statewide criteria are adopted pursuant to California Water Code §13291, the memoranda of understanding will be reviewed to determine if they need to be modified. Individual memoranda of understanding shall incorporate additional measures to be taken by the local governing jurisdiction to identify and address areas of degraded groundwater or surface water quality, where onsite wastewater systems are a potential source of pollution.

This Implementation Program sets forth two types of conditional waivers for the regulation of onsite wastewater systems. Section VIII.D.3.a. conditionally waives waste discharge requirements, but not reports of waste discharges, for those systems regulated directly by the Central Coast Water Board. Section VIII.D.3.b conditionally waives waste discharge requirements and reports of waste discharge for those systems that are regulated by local governing jurisdictions that comply with the conditions of this section.

**VIII.D.3.a.CONDITIONS FOR WAIVER OF
WASTE DISCHARGE REQUIREMENTS
FOR SYSTEMS REGULATED DIRECTLY
BY THE CENTRAL COAST WATER
BOARD**

Waste discharge requirements [California Water Code §13263(a)] are conditionally waived as follows:

The Central Coast Water Board's Executive Officer is authorized to enroll applicants in the onsite wastewater system conditional waiver, provided the following conditions are met.

1. The onsite wastewater system is sited, designed, managed and maintained in a

**Water Quality Control Plan, Central Coast Basin
Revisions to Chapter 4
(onsite wastewater sections only)**

manner consistent with criteria specified in the Basin Plan, Chapter 4, Section VIII.D.

2. The applicant submits a report of waste discharge to the Central Coast Water Board for approval that provides documentation of consistency with each Basin Plan criterion.
3. The applicant submits with the report of waste discharge a fee corresponding to the lowest applicable fee for waste discharge requirements (threat and complexity rating of III-C) identified in the State Water Board's fee schedule set forth in Title 23 California Code of Regulations.
4. The applicant enrolled in the Conditional Waiver complies with conditions specified in a Water Board Executive Officer-approved onsite management plan implemented by the local governing jurisdiction, if available,

The Central Coast Water Board or its Executive Officer may terminate the discharger's enrollment in the Conditional Waiver at any time.

**VIII.D.3.b. CONDITIONS FOR WAIVER
OF WASTE DISCHARGE
REQUIREMENTS AND REPORTS OF
WASTE DISCHARGE FOR SYSTEMS
REGULATED BY LOCAL GOVERNING
JURISDICTIONS**

The requirement to submit a report of waste discharge, associated fee, and waste discharge requirements to the Central Coast Water Board and to receive enrollment notification are waived for

**Resolution No. R3-2008-0005 and
Resolution No. R3-2009-0012 changes**

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onsite wastewater systems regulated by a local governing jurisdiction, provided the following conditions are met.

For New Discharges (systems installed after March 20, 2009):

1. The onsite wastewater system is permitted by a local governing jurisdiction that implements an onsite management plan approved by the Central Coast Water Board or its Executive Officer.
2. The local governing jurisdiction has entered into a memorandum of understanding with the Central Coast Water Board regarding onsite wastewater system management.
3. The onsite wastewater system meets the criteria in Basin Plan Chapter 4, Section VIII.D.
4. The onsite wastewater system is sited, designed, managed and maintained in a manner consistent with the Water Board or Water Board Executive Officer-approved onsite management plan implemented by the local governing jurisdiction.

For Existing Discharges (systems installed before March 20, 2009):

5. The onsite wastewater system is managed and maintained in a manner consistent with the Water Board or Water Board Executive Officer-approved onsite management plan implemented by the local governing jurisdiction.

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401**

RESOLUTION No. R3-2009-0012

**AMENDING THE WATER QUALITY CONTROL PLAN
REGARDING ONSITE WASTEWATER SYSTEM IMPLEMENTATION
PROGRAM**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the second edition of the Water Quality Control Plan, Central Coastal Basin (Basin Plan) on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, implementation programs for achieving water quality objectives addressing point source and nonpoint source discharges, adopts prohibitions, and incorporates statewide plans and policies.
2. The Basin Plan contains an Implementation Program setting forth criteria regarding siting and design of onsite wastewater systems. The Central Coast Water Board updated its policy regarding siting and design of onsite wastewater systems on September 16, 1983, by adopting Resolution No. 83-12. The text and requirements specified in Resolution No. 83-12 are included in the Basin Plan as provisions of Chapters 4 and 5.
3. On May 9, 2008, the Central Coast Water Board adopted Resolution No. R3-2008-0005, revising the Basin Plan onsite wastewater system criteria. In this Resolution No. R3-2009-0012, the Central Coast Water Board is adopting minor revisions to the onsite wastewater criteria set forth in Resolution No. R3-2008-0005. The text and requirements specified in Resolution No. R3-2008-0005 and Resolution No. R3-2009-0012, as amended with these revisions, will be incorporated into the Basin Plan after review and approval by the State Water Resources Control Board and the Office of Administrative Law.
4. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into Chapter 4 of the Basin Plan. To implement the onsite wastewater system criteria set forth in the Basin Plan, this Resolution No. R3-2009-0012 adopts amendments to the Basin Plan Implementation Program that provide for a conditional waiver of waste discharge requirements. The proposed amendment is a revision of the Implementation Program for onsite wastewater systems implemented by the Central Coast Water Board throughout the Region. The revisions to Chapter 4 of the Basin Plan are shown on Attachment A to this Resolution. Attachment A identifies significant additions/deletions shown with underline/strikeout. Text that is simply moved is not identified as a proposed change. The Implementation Program provides that onsite wastewater systems will be regulated under the California Water Code in one of three ways – (1) through issuance of waste discharge requirements

by the Central Coast Water Board, (2) by a conditional waiver of waste discharge requirements for those systems that comply with the Basin Plan criteria and are regulated directly by the Central Coast Water Board, or (3) by a conditional waiver of waste discharge requirements and reports of waste discharge for those systems regulated by local governing agencies where the system complies with the Basin Plan criteria and the agency has entered into a memorandum of understanding (MOU) with the Central Coast Water Board.

5. Appropriately developed and implemented MOUs between the Central Coast Water Board and local permitting agencies (e.g., counties and cities) provide practical and enforceable tools to compel compliance with the Basin Plan criteria for onsite systems and ensure water quality protection.
6. Onsite wastewater systems have been used as a form of wastewater treatment and disposal for many decades. Currently, the number of individual residential and small community onsite wastewater systems in the Central Coast Region exceeds 100,000. In many instances, the discharge from onsite wastewater systems does not adversely affect the beneficial uses of groundwater or surface water quality due to favorable site conditions, adequate system design, and ongoing management practices.
7. When improperly sited, improperly designed, or improperly managed, discharges from onsite wastewater systems may cause or contribute to degradation of water quality. The Basin Plan Implementation Program includes criteria to ensure long-term water quality protection in areas where onsite wastewater systems are used. Onsite wastewater systems located, designed, installed and managed in accordance with the Basin Plan criteria are not expected to cause or contribute to water quality impacts.
8. Section VIII.D.3. of the Basin Plan, as amended by this Resolution, identifies the types and conditions of discharges for which waivers are granted by this Resolution. These discharges will not have a significant effect on the quality of waters of the State provided the conditions of this waiver are met.
9. Area of Applicability - The effect of this amendment will be throughout the Central Coast Region, where onsite systems are used for treatment and disposal of wastewater.
10. California Water Code (Water Code) Section 13260(a) requires that any person discharging waste or proposing to discharge waste within any region that could affect the quality of the waters of the State, other than into a community sewer system, shall file with the appropriate Regional Board a report of waste discharge containing such information and data as may be required by the Central Coast Water Board, unless the Central Coast Water Board waives such requirement.
11. California Water Code §13263 requires the Central Coast Water Board to prescribe waste discharge requirements, or waive waste discharge requirements, for the discharge. The waste discharge requirements must implement relevant water quality control plans and the Water Code.

12. California Water Code §13269 authorizes the Central Coast Water Board to waive the submittal of reports of waste discharge and waste discharge requirements for specific types of discharges where such a waiver is consistent with applicable state and regional water quality control plans and is in the public interest.
13. California Water Code §13269 requires that waivers shall be conditional and may be terminated at any time by the Central Coast Water Board. Waivers may be granted for discharges of waste to land, but may not be granted for discharges of waste subject to the NPDES requirements of the federal Clean Water Act. The waiver must also include monitoring unless the Regional Board determines that the discharges do not pose a significant threat to water quality.
14. This Resolution waives the requirement that certain individual onsite wastewater system dischargers submit a report of waste discharge and obtain waste discharge requirements from the Central Coast Water Board, if the discharge is regulated by a local agency that has an MOU with the Water Board that meets the conditions of the Basin Plan and complies with the criteria set forth in the Implementation Program for Onsite Wastewater Systems in the Basin Plan.
15. Such a waiver is consistent with the Basin Plan and is in the public interest, if conditioned upon a local agency entering into an individual MOU and compliance with the criteria. By entering into an MOU, a local agency commits to ensuring that its onsite wastewater system permitting program is substantially equivalent to the Basin Plan and any statewide standards adopted pursuant to California Water Code §13291. The adoption of this Basin Plan amendment and conditional waiver is also in the public interest because: (1) it was adopted in compliance with Water Code Sections 13260, 13263, and 13269 and other applicable law; (2) it requires compliance with the Basin Plan criteria that are developed to be protective of waters of the state; (3) it includes conditions that are intended to reduce and prevent pollution and nuisance and protect the beneficial uses of the waters of the State; (4) it contains more specific and more stringent conditions for protection of water quality compared to the existing Basin Plan criteria; and (5) given the magnitude of the number of persons who operate onsite systems, it provides for an efficient and effective use of limited Central Coast Water Board resources.
16. This Basin Plan amendment and conditional waiver do not impose monitoring and reporting requirements for each discharge. The types of discharges subject to this conditional waiver are not expected to pose a significant threat to water quality if the Basin Plan criteria are properly implemented. The Water Board's Executive Officer may impose monitoring and reporting requirements as authorized pursuant to Water Code section 13267 on any discharger subject to this conditional waiver.
17. At this time, it is appropriate to adopt a Basin Plan amendment conditionally waiving waste discharge requirements for onsite wastewater systems that fit within the Basin Plan criteria because: 1) the discharges have the same or similar waste from the same or similar operations and use the same or similar treatment methods and management practices; and 2) the discharges will be regulated by local agencies in compliance with the Basin Plan criteria.
18. In addition, it is appropriate to regulate onsite wastewater systems with a conditional waiver rather than individual waste discharge requirements in order to simplify and

streamline the regulatory process. There are more than 100,000 individual onsite wastewater systems in the Central Coast Region and it would not be practicable for the Water Board to issue individual waste discharge requirements. These systems are already being regulated by local permitting agencies applying Basin Plan criteria.

19. The Central Coast Water Board will evaluate local permitting agencies at least once every five years to ensure their onsite wastewater system approval practices consistently implement Basin Plan criteria for onsite wastewater systems and ensure water quality protection.
20. Anti-Degradation – State Water Board Resolution No. 68-16 *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (Resolution No. 68-16) requires Regional Water Boards, in regulating the discharge of waste, to maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in a Regional Water Board's policies (e.g., quality that exceeds applicable water quality standards). Resolution No. 68-16 also states, in part:

Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in best practicable treatment and control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.

This Resolution is consistent with the provisions of the State Water Board Resolution No. 68-16. Dischargers that could be subject to this conditional waiver will be required to comply with the Basin Plan criteria that are expected to prevent degradation of waters of the state, prevent pollution or nuisance, and implement best practicable treatment or control. The Basin Plan Implementation Program prohibits systems that do not meet the criteria.

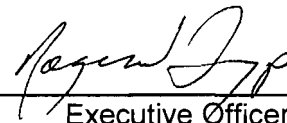
21. Waivers granted for discharges that do not pose a significant threat to water quality, and where such waivers are in the public interest, enable staff resources to be used more effectively and avoid unnecessary expenditures of limited resources.
22. Central Coast Water Board staff will develop and implement a waiver tracking and compliance program.
23. Issuance of a waiver does not override other more stringent local, state, or federal regulations prescribed by other agencies.
24. Although a discharge may qualify for waiver enrollment, the Central Coast Water Board retains the right to regulate that discharge through other programs or Central Coast Water Board actions (such as enforcement orders, individual waste discharge requirements, general orders, etc.) The Central Coast Water Board may terminate a waiver at any time and require the discharger to obtain waste discharge requirements or terminate the discharge.

25. CEQA – The Central Coast Water Board is the lead agency with respect to the California Environmental Quality Act (CEQA). The action proposed in this Resolution is an amendment to the Basin Plan. The Secretary of Resources has certified the basin planning process as exempt from the CEQA requirement to prepare an environmental impact report or negative declaration. (PRC 21080.5; Cal. Code Regs., tit. 14, §15251(g)). The State Water Resources Control Board (State Water Board) has adopted regulations to implement certified regulatory programs that require the regional boards to prepare substitute environmental documents, including a written report and an accompanying CEQA Environmental Checklist. (Cal. Code Regs., tit. 23, §3775 et seq.) The staff of the Central Coast Water Board has prepared substitute environmental documents. The Central Coast Water Board concurs with the analysis contained in the Substitute Environmental Document, including the Environmental Checklist, the staff report, and the responses to comments and finds that the analysis complies with the requirements of CEQA and the State Water Board's regulations with respect to certified regulatory programs. The Central Coast Water Board finds that, as described in the staff report and the CEQA Checklist, the proposed amendments to the Basin Plan will not have a significant effect on the environment.
26. Central Coast Water Board staff followed appropriate procedures to satisfy the environmental documentation requirements of the California Environmental Quality Act [in accordance with §15307 and §15308 of the California Code of Regulations (CCR)].
27. Public Notice - Interested persons and the public have been informed of the Central Coast Water Board's intent to revise the Basin Plan Implementation Program for onsite wastewater systems. Efforts to inform the public and solicit public comment include a public meeting/workshop and meetings with interested persons. Public notice of the amendments provided the public with a public comment period in excess of 45 days in advance of the Central Coast Water Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the region, by posting on the Water Board website, and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Central Coast Water Board staff responded to oral and written comments received from interested persons.
28. On March 20, 2009, the Central Coast Water Board held a public hearing and considered all the evidence and comments concerning this matter. Notice of this hearing was given to all interested parties in accordance with CCR, Title 14, §15072.
29. The Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board (State Board) and the State Office of Administrative Law (OAL). The Basin Plan amendment will become effective upon approval by OAL. The subject Resolution will become effective immediately.
30. This amendment to the Basin Plan will result in no potential for adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.

THEREFORE, BE IT RESOLVED that:

1. Pursuant to California Water Code §13240, the Water Board, after considering the record, including oral testimony at the hearing, hereby adopts the Basin Plan amendments shown in Attachments A to this Resolution that waive waste discharge requirements and reports of waste discharge as set forth in the Resolution.
2. The Central Coast Water Board's Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of California Water Code §13245.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of California Water Code §13245 and §13246, and forward it to OAL for approval. The Central Coast Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL.
4. The Central Coast Water Board Executive Officer is authorized to sign a Certificate of Fee Exemption (included as Attachment B to this Resolution).
5. If, during its approval process, the State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Central Coast Water Board Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

I, Roger W. Briggs, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on March 20, 2009.



Executive Officer

4-22-09

Date

Attachments: A - Revised Basin Plan Chapter 4 (onsite sections only)
B - Certificate of Fee Exemption
C - Report for Basin Plan Amendment (with Environmental Checklist)

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**STATE OF CALIFORNIA
CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

RESOLUTION NO. R3-2009-0009

**AMENDING THE WATER QUALITY CONTROL PLAN FOR
THE CENTRAL COAST BASIN TO
(1) ADD THE CORRALITOS/SALSIPUEDES CREEK WATERSHED TO
THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION AND
THE HUMAN FECAL MATERIAL DISCHARGE PROHIBITION, AND
(2) ADD THE TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM
IN CORRALITOS AND SALSIPUEDES CREEKS**

WHEREAS, the Central Coast Regional Water Quality Control Board, hereby finds that:

1. The Regional Water Quality Control Board, Central Coast Region, (Central Coast Water Board), adopted the second edition of the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, sets forth implementation to achieve water quality objectives addressing point source and nonpoint source discharges, describes prohibitions, and incorporates statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to: (a) incorporate the Total Maximum Daily Loads and Implementation Program for fecal coliform in Corralitos and Salsipuedes Creeks, and (b) add the Corralitos Creek Watershed (including its subwatershed, Salsipuedes Creek Watershed) as a named area subject to the Domestic Animal Waste Discharge Prohibition and the Human Fecal Material Discharge Prohibition.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into the following sections:
 - a. Chapter Four, Section IX (Total Maximum Daily Loads)
 - b. Chapter Five, Section IV.B. (Discharge Prohibitions)
4. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). The NPS Policy requires the Water Boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the Porter-Cologne Water Quality Control Act. The NPS Policy allows Regional Water Boards to regulate nonpoint source discharges with Waste Discharge Requirements, Waivers of Waste Discharge Requirements, or Basin Plan Prohibitions.
5. Corralitos Creek is listed on Clean Water Act 303(d) list as impaired due to fecal coliform. Therefore, this resolution established TMDLs and associated allocations for this listed waterbody.
6. Corralitos Creek is tributary to Salsipuedes Creek. Salsipuedes Creek is not listed as impaired on the Clean Water Act 303(d) list of impaired waters and is not meeting the Basin Plan water

quality objectives for fecal indicator bacteria. The Central Coast Water Board finds that this water body is impaired due to non-attainment of Basin Plan water quality objectives for fecal coliform. Therefore, this Resolution establishes TMDLs and associated allocations for this waterbody.

7. The Corralitos/Salsipuedes Creek watershed is approximately 53 square miles of land. Corralitos Creek is tributary to Salsipuedes Creek, an approximately 6.5 mile long waterbody. The two waterbodies have a confluence approximately 2.25 miles upstream of the Pajaro River. Salsipuedes Creek has a confluence with the Pajaro River, which drains into Monterey Bay.
8. The Central Coast Water Board's goal for establishing TMDLs in the Corralitos/Salsipuedes Creek watershed is to rectify the impairment due to fecal coliform, thereby providing support for the designated beneficial uses of contact and non-contact water recreation.
9. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for fecal coliform in the Corralitos/Salsipuedes Creek watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge or uncertainty concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target.
10. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1) and 130.7; and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
11. The Central Coast Water Board may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted pursuant to California Water Code section 13243. The implementation plan for the TMDLs for the Corralitos/Salsipuedes Creeks Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition (Prohibitions) for discharges in the Corralitos/Salsipuedes Creeks Watershed. Supporting documentation for adding the Corralitos/Salsipuedes Creeks Watershed to the above-named prohibitions is provided in the Final Project Report: Total Maximum Daily Loads for Fecal Coliform in Corralitos and Salsipuedes Creeks. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Corralitos/Salsipuedes Creeks Watershed to the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions.
12. Pursuant to California Water Code section 13241, the Central Coast Water Board considered several factors in developing these Basin Plan amendments. The Central Coast Water Board concludes the following.
 - a. The TMDLs and Basin Plan Amendment will protect present and probable future beneficial uses.

- b. Environmental characteristics of the waterbodies will be protected.
 - c. Improved water quality conditions can reasonably be achieved through the coordinated management of all controllable factors that affect water quality in the area, as provided in the Implementation Plan, including the addition of the watershed to the Prohibitions.
 - d. Costs to achieve compliance with the TMDLs are reasonable relative to the benefit of improved water quality.
 - e. The need for developing housing within the region is not relevant.
 - f. The need to develop and use recycled water is not relevant.
13. Central Coast Water Board staff submitted the Project Report for the TMDLs and Basin Plan Amendment to an external scientific review panel in April 2008. Central Coast Water Board staff edited the Project Report or provided a written response that explained the basis for failing to incorporate the comments, or the comments did not result in any changes to the proposed Basin Plan Amendments. The TMDLs and Implementation Program are based on sound scientific knowledge, methods, and practices in accordance with Health & Safety Code section 57004.
14. Central Coast Water Board staff implemented a process to inform interested persons and the public about the TMDLs and Basin Plan Amendment. Central Coast Water Board staff's efforts to inform the public and solicit comment included a scoping meeting, meetings with interested persons, and a public notice and comment period. Public notice of the amendments provided the public a 45-day public comment period in advance of the Central Coast Water Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to appropriate government agencies and all persons requesting such notice. Relevant documents and notices were also made available on the Central Coast Water Board website. The Central Coast Water Board responded to all oral and written comments received from the public. All public comments were considered.
15. Adoption of these TMDLs and Basin Plan amendment will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and Basin Plan amendment comply with all requirements of both State and Federal anti-degradation requirements (State Board Resolution 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California, and 40CFR 131.12).
16. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Quality Control Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has prepared "substitute environmental documents" for this project that contain the required environmental documentation under the State Water Resources Control Board's (State Board) CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents consist of the TMDL Staff Report and Attachments, including: this Resolution with the Basin Plan Amendment Language (Attachment 1), Final Project Report entitled "Total Maximum Daily Loads for Fecal Coliform in the Corralitos/Salsipuedes Creeks Watershed" (Attachment 2), the CEQA Substitute Document Report containing the Environmental Checklist and Alternatives Analysis (Attachment 3), the comments and responses to comments (Attachment 6). The Staff Report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4) and the Scientific Peer Review Comment (Attachment 5). The project itself is the establishment of TMDLs for fecal coliform in the Corralitos/Salsipuedes Creeks Watershed. The Water Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA Substitute Document Report (Staff Report Attachment 3)

and other portions of the substitute environmental documents contain significant analysis and numerous findings related to environmental impacts and mitigation measures.

17. A CEQA Scoping meeting was conducted on June 26, 2006 at the Capitola City Hall Community Room, 420 Capitola Avenue, Capitola, CA 95010. A notice of the CEQA Scoping meeting was sent to interested persons on May 30, 2006, including to the City of Watsonville and the County of Santa Cruz. The notice included a background of the project, the project purpose, a meeting schedule and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary was available at the website or by requesting hard copies via telephone.
18. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment, or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts, Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas, and specific sites. The Staff Report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3) provides the environmental analysis required by Public Resources Code section 21159 and is, hereby incorporated as findings in this Resolution.
19. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.
20. Consistent with the Regional Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, which would avoid or reduce the identified impacts.
21. The proposed amendments will have a less than significant adverse effect on the environment. California Water Code section 13360 precludes the Regional Board from dictating the manner in which responsible agencies comply with any of the Regional Board's regulations or orders. When the agencies responsible for implementing these TMDLs determine how they will proceed, the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. These feasible alternatives and mitigation measures are described in more detail in the substitute environmental document (14 Cal. Code Regs. § 15091(a)(2)).

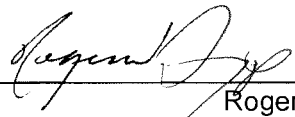
22. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will foreseeably reduce impacts to no impact, or keep the impact at less than significant levels.
23. The CEQA Substitute Document Report (Staff Report Attachment 3) identifies mitigation approaches that should be considered at the project level.
24. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating the TMDLs for fecal coliform in the Corralitos/Salsipuedes Creek watershed, and adding the Corralitos/Salsipuedes Creek watershed to the Domestic Animal Waste Discharge Prohibition and the Human Fecal Material Discharge Prohibition. The TMDLs and Implementation Program for the TMDLs will become effective upon approval by The California Office of Administrative Law. The TMDLs must also be approved by the United States Environmental Protection Agency.
25. The amendments to the Basin Plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Game under the California Fish and Game Code section 711.4.
26. The proposed amendments meet the "Necessity" standard of the Administrative Procedure Act, Government Code, section 11353, subdivision (b). As specified in Finding-10, federal regulations require that TMDLs be incorporated into the water quality management plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the water quality management plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative, planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under California Water Code section 13242. The necessity of developing TMDLs is established in the staff report, the section 303(d) list, and the data contained in the administrative record documenting the fecal coliform impairments of the Corralitos/Salsipuedes Creeks Watershed. The necessity of adding the watershed to the Prohibitions is established in the administrative record documenting the pathogen sources, the load allocations that responsible parties must meet to reduce or eliminate pathogen loading, and implementation strategies that comply with the NPS Policy.
27. On March 20, 2009 in Watsonville, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13241, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA for approval.

4. The Executive Officer is authorized to transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during its approval process, Central Coast Water Board staff, State Water Board staff, the State Water Board or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendments are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on March 20, 2009.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2009-0009

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan, as follows:

AMENDMENT NO. 1. ADD THE CORRALITOS/SALSIPUEDES CREEK WATERSHED TO THE HUMAN FECAL MATERIAL DISCHARGE PROHIBITION AND THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION.

Amend Chapter V, section IV.B., by adding the following watershed to the end of the bulleted list of applicable areas of the Domestic Animal Waste Discharge Prohibition, and the Human Fecal Material Discharge Prohibition.

- Corralitos/Salsipuedes Creek watershed

AMENDMENT NO. 2. ADD THE TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN CORRALITOS AND SALSIPUEDES CREEKS

Add the following to Chapter IV, after IX.M:

IX. N. TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN CORRALITOS AND SALSIPUEDES CREEKS

The Regional Water Quality Control Board adopted these TMDLs on March 20, 2009.

These TMDLs were approved by:

<u>The State Water Resources Control Board on</u>	<u>(Insert date).</u>
<u>The California Office of Administrative Law on</u>	<u>(Insert date).</u>
<u>The U.S. Environmental Protection Agency on</u>	<u>(Insert date).</u>

Problem Statement

The Central Coast Water Board concludes that the beneficial use of water contact recreation is not being protected in Corralitos and Salsipuedes Creeks because fecal coliform concentrations exceed existing Basin Plan numeric water quality objectives designed to protect this beneficial use. The impaired reaches are: (1) All reaches of Corralitos Creek downstream of Browns Valley Bridge, and (2) All reaches of Salsipuedes Creek.

Numeric Target

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Source Analysis

The relative order of controllable sources contributing fecal coliform to Corralitos and Salsipuedes Creeks, in decreasing order of contribution, are: (1) storm drain discharges to municipally owned and operated storm sewer systems required to be covered by an NPDES permit (MS4s), (2) homeless person/encampment discharges (not regulated by a permit for storm water discharges), (3) pet waste (not regulated by a permit for storm water discharges), (4) farm animal and livestock discharges, (5) onsite wastewater system discharges, (6) sanitary sewer collection system spills and leaks, and (7) private sewer laterals connected to municipal sanitary sewer collection systems. Natural, uncontrollable sources also contribute fecal coliform in the Corralitos/Salsipuedes Creek watershed.

TMDLs and Allocations

The TMDLs for all impaired waters of Corralitos and Salsipuedes Creeks are concentration-based TMDLs applicable to each day of all seasons equal to the following:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

The allocations to responsible parties are shown in Table IX.N-1.

Table IX – N-1. Allocations and Responsible Parties

<u>Waterbody Assigned Allocation</u>	<u>Responsible Party (Source Organism or Source Category)</u>	<u>Receiving Water Fecal Coliform Allocation</u>
<u>WASTE LOAD ALLOCATIONS</u>		
<u>Corralitos¹ and Salsipuedes Creeks²</u>	Santa Cruz County and City of Watsonville (Storm Drain Discharges to Ms4s Required to be Covered by an Npdes Permit)	<u>Wasteload Allocation 1</u>
<u>Corralitos¹ and Salsipuedes Creeks²</u>	Freedom County Sanitation District (Corralitos Creek only) and Salsipuedes Sanitary District (Salsipuedes Creek only) (Sanitary Sewer Collection System Spills and Leaks Required to be Covered by WDR Order No. R3-2003-0041)	<u>Wasteload Allocation 2</u>
<u>Corralitos¹ and Salsipuedes Creeks²</u>	Owners of Private Sewer Laterals (Private Sewer Laterals Connected to Municipal Sanitary Sewer Collection System)	<u>Wasteload Allocation 2</u>
<u>LOAD ALLOCATIONS</u>		
<u>Corralitos¹ and Salsipuedes Creeks²</u>	Owners and/or Operators of Land that have Homeless Persons/Encampments (Discharges From Homeless Persons/Encampments Not Regulated by a Permit for Storm Water Discharges)	<u>Load Allocation 2</u>
<u>Corralitos¹ and Salsipuedes Creeks²</u>	Owners/Operators of Land Used for/Containing Pets (Pet Waste Not Regulated by a Permit for Storm Water Discharges)	<u>Load Allocation 1</u>
<u>Corralitos¹ and Salsipuedes Creeks²</u>	Owners of Land Used for/Containing Farm Animals/Livestock (Farm Animals and Livestock Waste Discharges)	<u>Load Allocation 1</u>
<u>Salsipuedes Creek (upstream of confluence with Corralitos Creek)</u>	Owners of Onsite Wastewater Systems Whose Systems are Within the Specified Area ³ (Onsite Wastewater System Discharges)	<u>Load Allocation 2</u>
<u>Corralitos¹ and Salsipuedes Creeks²</u>	Natural Sources	<u>Load Allocation 1</u>
<p><u>Wasteload/Load Allocation 1: Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN/100mL, nor shall more than ten percent of total samples during any 30-day period exceed 400 MPN/100 mL.</u></p> <p><u>Wasteload/Load Allocation 2: Allocation of zero; no fecal coliform bacteria load originating from human sources of fecal material is allowed.</u></p>		

¹ All reaches of Corralitos Creek downstream of Browns Valley Bridge

² All reaches of Salsipuedes Creek

³ The specified area is within the boundaries of State Highway 152 to the southeast, Foothill Road to the northeast (excluding assessor parcel numbers 05155107 and 05155106), Salsipuedes Creek to the northwest, and up to, but not including The County Fairgrounds to the southwest.

The parties responsible for the allocations to controllable sources are not responsible for the allocation to natural sources.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation Program

STORM DRAIN DISCHARGES

The Central Coast Water Board will address fecal indicator bacteria (FIB), e.g., fecal coliform and/or other indicators of pathogens, discharged from the County of Santa Cruz's and City of Watsonville's municipal separate storm sewer system by regulating the County of Santa Cruz and City of Watsonville under the provisions of the State Water Resource Control Board's General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit) (NPDES No. CAS000004). The proposed enrollment date for the County of Santa Cruz and City of Watsonville under the General Permit as a small municipal separate storm sewer system (MS4) is March 2009. As enrollees, the County of Santa Cruz and City of Watsonville must develop and implement a Storm Water Management Plan (SWMP) that controls urban runoff discharges into and from its MS4. To address the County of Santa Cruz's and City of Watsonville's TMDL waste load allocation, the Central Coast Water Board will require the County of Santa Cruz and City of Watsonville to specifically target FIB in urban runoff through incorporation of a Wasteload Allocation Attainment Program in its SWMP.

The Central Coast Water Board will require that the Wasteload Allocation Attainment Programs describe the actions that will be taken by the County of Santa Cruz and City of Watsonville to attain the TMDL wasteload allocations, and specifically address:

1. Development of an implementation and assessment strategy;
2. Source identification and prioritization;
3. Best management practice identification, prioritization, implementation, analysis, and effectiveness assessment;
4. Monitoring program development and implementation;
5. Reporting; including evaluation whether current best management practices are progressing towards achieving the wasteload allocations by thirteen years after the TMDLs are approved by the Office of Administrative Law.
6. Coordination with stakeholders; and
7. Other pertinent factors.

The Wasteload Allocation Attainment Program will be required by the Central Coast Water Board to address each of these TMDLs that occur within the County of Santa Cruz's and City of Watsonville's jurisdiction.

The Central Coast Water Board will require that the Wasteload Allocation Attainment Program be submitted at one of the following milestones, whichever occurs first:

1. Within one year of approval of the TMDLs by the Office of Administrative Law;
2. When required by any other Water Board-issued storm water requirements (e.g., when the Phase II Municipal Storm Water Permit is renewed).

For an MS4 that is enrolled under the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the

SWMP when the Wasteload Allocation Attainment Program is submitted. For an MS4 entity that is not enrolled under the General Permit at the time of the Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMP when the SWMP is approved by the Central Coast Water Board.

The Executive Officer or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

HOMELESS PERSON/ENCAMPMENT DISCHARGES NOT REGULATED BY A PERMIT FOR STORM WATER DISCHARGES

Owners of land that contain homeless persons and/or homeless encampments in the Corralitos/Salsipuedes Creeks watershed must comply with the Human Fecal Material Discharge Prohibition.

Owners of land with homeless persons must demonstrate to the satisfaction of the Executive Officer or the Water Board that they are in compliance with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners of lands containing homeless persons of the requirement to comply with the Human Fecal Material Discharge Prohibition. In his notification, the Executive Officer will also describe owner's options for demonstrating compliance with the Human Fecal Material Discharge Prohibition; pursuant to California Water Code 13267 and within six months of the notification by the Executive Officer, owners will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator is and will continue to be in compliance with the Human Fecal Material Discharge Prohibition; clear evidence could be documentation submitted by the owner to the Executive Officer validating current and continued compliance with the Prohibition, or A plan for compliance with the Human Fecal Material Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from homeless persons. The Plan must also describe how implementing the identified management practices is likely to progressively achieve the load allocation for homeless persons, with the ultimate goal achieving the load allocation no later than three years from the date of the Executive Officer's notification to the owner requiring compliance. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progress towards achieving load allocations for discharges from homeless persons, and self-assessment of this progress, or
- 2) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements; WDRs).

DOMESTIC ANIMAL DISCHARGES NOT REGULATED BY A PERMIT FOR STORM WATER DISCHARGES

Owners and/or operators of lands containing domestic animals in the Corralitos/Salsipuedes Creeks watershed must comply with the Domestic Animal Waste Discharge Prohibition; compliance with the

Domestic Animal Waste Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing domestic animals of the requirement to comply with the Domestic Animal Waste Discharge Prohibition. In his notification, the Executive Officer will also describe the owner's/operator's of lands containing domestic animals options for demonstrating compliance with the Domestic Animal Waste Discharge Prohibition; pursuant to California Water Code section 13267 and within six months of the notification by the Executive Officer, owners/operators of lands containing domestic animals will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator of lands containing domestic animals is and will continue to be in compliance with the Domestic Animal Waste Discharge Prohibition; clear evidence could be documentation submitted by the owner/operator to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Domestic Animal Waste Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from domestic animals. The plan must also describe how implementing the identified management practices is likely to progressively achieve the load allocations to domestic animals, with the ultimate goal achieving the load allocations no later than thirteen years after Office of Administrative Law approval of these TMDLs. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progress toward achieving load allocations for discharges from domestic animals, and a self-assessment of this progress. The plan may be developed by an individual discharger or by or for a coalition of dischargers in cooperation with a third-party representative, organization, or government agency acting as the agents of owners/operators of lands containing domestic animals, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements; WDRs or National Pollutant Discharge Elimination System (NPDES permit).

ONSITE WASTEWATER SYSTEM DISCHARGES

Owners of onsite wastewater systems within the following described area must comply with the Human Fecal Material Discharge Prohibition. The subject area is within the boundaries of State Highway 152 to the southeast, Foothill Road to the northeast (excluding assessor parcel numbers 05155107 and 05155106), Salsipuedes Creek to the northwest, and up to but not including The County Fairgrounds to the southwest.

Owners of onsite wastewater systems must demonstrate to the satisfaction of the Executive Officer or the Water Board that they are in compliance with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will either 1) determine that the County of Santa Cruz is making adequate progress towards implementing an approved Santa Cruz County Onsite Wastewater Management Plan as it pertains to controlling the waste loads from onsite wastewater systems in Corralitos and Salsipuedes Creeks, or 2) notify owners of onsite wastewater systems (owners) in the area described above of the requirement to comply with the Human Fecal Material Discharge Prohibition. In his notification, the Executive Officer will also describe owner's options for demonstrating compliance with the Human Fecal Material Discharge Prohibition; pursuant to California Water Code 13267 and within six

months of the notification by the Executive Officer, owners will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner is and will continue to be in compliance with the Human Fecal Material Discharge Prohibition; clear evidence could be certification by the County of Santa Cruz, or similar, that the owners onsite wastewater system is in compliance with the Human Fecal Material Discharge Prohibition, or
- 2) A schedule for compliance with the Human Fecal Material Discharge Prohibition. The compliance schedule must include a monitoring and reporting program and milestone dates demonstrating progress towards compliance with the Human Fecal Material Discharge Prohibition, with the ultimate milestone being compliance with the Human Fecal Material Discharge Prohibition no later than three years from the date of the Executive Officer's notification to the owner requiring compliance, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements; WDRs).
- 4) Clear evidence of current or scheduled compliance with the Human Fecal Material Discharge Prohibition (as described in number-1 and number-2 above, respectively) through the submittal of the required information, e.g. by the County of Santa Cruz, acting as the voluntary agents of owners/operators of onsite wastewater systems. Note that an owner of an onsite wastewater system cannot demonstrate compliance with the Human Fecal Material Discharge Prohibition through this option if: 1) the County of Santa Cruz is not their voluntary agent, or 2) if the owner/operator of the onsite wastewater system does not choose the County of Santa Cruz as their agent, or, 3) the Executive Officer or Water Board does not approve the evidence submitted by the County of Santa Cruz on behalf of the owners/operators of onsite wastewater systems.

SALSIPUEDES SANITARY DISTRICT AND FREEDOM COUNTY SANITATION DISTRICT SEWER COLLECTION SYSTEM SPILLS AND LEAKS

The Freedom County Sanitation District (FCSD) and the Salsipuedes Sanitary District (SSD) in the Corralitos/Salsipuedes Creeks watershed must comply with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with their load allocation for this TMDL.

To comply with the Human Fecal Material Discharge Prohibition, the FCSD and the SSD must continue to implement their Collection System Management Plan and Infiltration/Inflow and Spill Prevention Program (herein referred to as the Plan and Program), respectively, as required by Waste Discharge Requirements (WDRs) (Order No. R3-2003-0041).

In addition, the FCSD and SSD are required to improve maintenance of their sewage collection systems, including identification, correction, and prevention of sewage leaks in portions of the collection systems that run through or adjacent to, impaired surface waters within the Corralitos/Salsipuedes Creek Watershed.

To this end, within six months following adoption of this TMDL by the Office of Administrative Law, the Executive Officer will issue a letter pursuant to Section 13267 of the California Water Code requiring: 1) submittal within one-year, a technical report that describes how and when FCSD and SSD will conduct improved collection system maintenance in portions of the collection system most likely to affect impaired surface water bodies, with the end result being compliance with the Human Fecal Material Discharge Prohibition, and 2) stream monitoring for fecal coliform or another fecal indicator bacteria, and reporting of these monitoring activities, and 3) annual reporting of self-assessment as to whether the FCSD and SSD are in compliance with the Human Fecal Material Discharge Prohibition.

PRIVATE SEWER LATERALS CONNECTED TO MUNICIPAL SANITARY SEWER COLLECTION SYSTEMS

Individual owners and operators of private laterals to sanitary sewer collection systems are ultimately responsible for maintenance of their private laterals and are, therefore, responsible for complying with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with their load allocation for these TMDLs.

The Central Coast Water Board requires immediate cessation of spills from private laterals. Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners and/or operators of private laterals to sanitary sewer collection systems (owners/operators of private laterals), in suspected problem areas, of this requirement and of the requirement to comply with the Human Fecal Material Discharge Prohibition. In his notification, the Executive Officer will also describe the owner's/operator's of private laterals options for demonstrating compliance with the Human Fecal Material Discharge Prohibition; pursuant to California Water Code section 13267 and within six months of the notification by the Executive Officer, owners/operators of private laterals will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator of private lateral is and will continue to be in compliance with the Human Fecal Material Discharge Prohibition; clear evidence could be certification by the County of Santa Cruz or City of Watsonville that owner/operator of private lateral is in compliance with the Human Fecal Material Discharge Prohibition, or
- 2) A schedule for compliance with the Human Fecal Material Discharge Prohibition. The compliance schedule must include a monitoring and reporting program and milestone dates demonstrating progress towards compliance with the Human Fecal Material Discharge Prohibition, with the ultimate milestone being compliance with the Human Fecal Material Discharge Prohibition no later than three years (the exact timeframe at the discretion of the Executive Officer) from the date of the Executive Officer's notification to the owner/operator requiring compliance, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements; WDRs or National Pollutant Discharge Elimination System (NPDES permit)) or,
- 4) Clear evidence of current or scheduled compliance with the Human Fecal Material Discharge Prohibition (as described in number-1 and number-2 above, respectively) through the submittal of the required information by County of Santa Cruz or the City of Watsonville, acting as the voluntary agents of owners/operators of private laterals. Note that an owner/operator of a private lateral cannot demonstrate compliance with the Human Fecal Material Discharge Prohibition through this option if: 1) the County of Santa Cruz or the City of Watsonville is not their voluntary agent, or 2) if the owner/operator of the private lateral does not choose the County of Santa Cruz or the City of Watsonville as their agent, or, 3) the Executive Officer or Water Board does not approve the evidence submitted by the County of Santa Cruz or the City of Watsonville on behalf of the owners/operators of private laterals.

Tracking and Evaluation

Every three years, beginning three years after TMDLs are approved by the California Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress toward achieving their allocations. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and numeric target.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of fecal indicator bacteria are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric target and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural, or background sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal indicator bacteria.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving the TMDLs and numeric target is 13 years after the date of approval by the California Office of Administrative Law.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California**

**RESOLUTION NO. R3-2009-0008
MARCH 20, 2009**

AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST BASIN TO (1) ADD TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN THE PAJARO RIVER WATERSHED (INCLUDING PAJARO RIVER, SAN BENITO RIVER, LLAGAS CREEK, TEQUISQUITA SLOUGH, SAN JUAN CREEK, CARNADERO/UVAS CREEK, BIRD CREEK, PESCADERO CREEK, TRES PINOS CREEK, FURLONG (JONES) CREEK, SANTA ANA CREEK, AND PACHECHO CREEK); (2) ADD A DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION; AND (3) ADD A HUMAN FECAL MATERIAL DISCHARGE PROHIBITION

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) adopted the second edition of the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, sets forth programs of implementation to achieve water quality objectives addressing point source and nonpoint source discharges, adopts prohibitions, and incorporates statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to: (1) incorporate the Total Maximum Daily Loads (TMDLs) and Implementation Program for fecal coliform in the Pajaro River Watershed, including the Pajaro River, San Benito River, Llagas Creek, Tequisquita Slough, San Juan Creek, Carnadero/Uvas Creek, Bird Creek, Pescadero Creek, Tres Pinos Creek, Furlong (Jones) Creek, Santa Ana Creek, and Pachecho Creek, (2) add a Domestic Animal Waste Discharge Prohibition applicable to the Pajaro River Watershed, and (3) add a Human Fecal Material Discharge Prohibition applicable to the Pajaro River Watershed.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into the following sections:
 - a. Chapter Four, Section IX (Total Maximum Daily Loads).
 - b. Chapter Five, Section IV.B. (Discharge Prohibitions)

4. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). This Policy requires the Water Boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the California Water Code. This Policy requires Regional Water Boards to regulate nonpoint source discharges with Waste Discharge Requirements, Waivers of Waste Discharge Requirements, Basin Plan Prohibitions, or a combination thereof.
5. Pajaro River, San Benito River, Llagas Creek, and Tequisquita Slough are listed on the Clean Water Act 303(d) list as impaired due to pathogens. Therefore, this Resolution establishes TMDLs and associated allocations for these listed water bodies.
6. San Juan Creek, Carnadero/Uvas Creek, Bird Creek, Pescadero Creek, Tres Pinos Creek, Furlong (Jones) Creek, Pechecho Creek, and Santa Ana Creek are located in the Pajaro River Watershed, are currently not listed on the Clean Water Act 303(d) list of impaired waters, and are not meeting the Basin Plan water quality objectives for fecal indicator bacteria. The Central Coast Water Board finds that these water bodies are impaired due to non-attainment of Basin Plan water quality objectives for fecal coliform. Therefore, this Resolution establishes TMDLs and associated allocations for these water bodies.
7. The Central Coast Water Board's goal for establishing TMDLs in the Pajaro River Watershed is to rectify the impairment due to fecal coliform, thereby providing support for the designated beneficial uses of contact and non-contact water recreation.
8. The mouth of Pajaro River is the receiving water for approximately 1,253 square miles of land. Water from Pajaro River flows into Monterey Bay.
9. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for fecal coliform in the Pajaro River Watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge or uncertainty concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target.

10. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1) and 130.7; California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
11. The Central Coast Water Board may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted pursuant to California Water Code section 13243. This Basin Plan amendment establishes the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the Pajaro River Watershed (Prohibitions). The implementation plan for the TMDLs for the Pajaro River Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the Pajaro River Watershed. Supporting documentation supporting the establishment of these Prohibitions for the Pajaro River Watershed is provided in the Final Project Report: Total Maximum Daily Loads for Pathogens in the Pajaro River Watershed. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for establishing the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions for the Pajaro River Watershed.
12. Pursuant to California Water Code section 13241, the Central Coast Water Board considered several factors in developing this Basin Plan amendment. The Central Coast Water Board concludes the following.
 - a. The Prohibitions and the TMDLs will protect present and probable future beneficial uses.
 - b. Environmental characteristics of the waterbodies will be protected.
 - c. Improved water quality conditions can reasonably be achieved through the coordinated management of all controllable factors that affect water quality in the area, as provided in the Implementation Plan, including the Prohibitions.
 - d. Costs to achieve compliance with the TMDLs are reasonable relative to the benefit of improved water quality.
 - e. The need for developing housing within the region is not relevant.
 - f. The need to develop and use recycled water is not relevant.
13. Central Coast Water Board staff submitted the Project Report for the TMDLs and the Prohibitions to an external scientific review panel in February 2008. Central Coast Water Board staff edited the Project Report or provided a written response that explained the basis for failing to incorporate the comments, or the comments did not result in any changes to the proposed Basin Plan amendments. The TMDLs and Implementation Program are based on sound scientific knowledge, methods, and practices in accordance with Health & Safety Code section 57004.

14. Central Coast Water Board staff implemented a process to inform interested persons and the public about the TMDLs and Prohibitions. Central Coast Water Board staff's efforts to inform the public and solicit comment included, a scoping meeting, meetings with interested persons, and a public notice and comment period. Public notice of the amendments provided the public a 45-day public comment period in advance of the Central Coast Water Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to appropriate government agencies and all persons requesting such notice. Relevant documents and notices were also made available on the Central Coast Water Board website. The Central Coast Water Board responded to oral and written comments received from the public. All public comments were considered.

15. Adoption of these TMDLs and Basin Plan amendment will not result in any degradation of water quality; in fact, they are designed to improve water quality. As such, these TMDLs and Basin Plan amendment comply with all requirements of both State and Federal anti-degradation requirements (State Board Resolution 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California, and 40CFR 131.12).

16. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Quality Control Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. §15251(g); 23 Cal. Code Regs. § 3782.). Central Coast Water Board staff has prepared "substitute environmental documents" for this project that contain the required environmental documentation under the State Water Resources Control Board's (State Board) CEQA regulations (23 Cal. Code Regs. § 3777.). The substitute environmental documents consist of the TMDL Staff Report and Attachments, including: this Resolution with the Basin Plan Amendment Language (Attachment 1), Final Project Report entitled "Total Maximum Daily Loads for Fecal Coliform in the Pajaro River Watershed" (Attachment 2), the CEQA Substitute Document Report containing the Environmental Checklist and Alternatives Analysis (Attachment 3), the comments and responses to comments (Attachment 6),. The Staff Report also includes the Notice of Public Hearing/Notice of Filing (Attachment 4) and the Scientific Peer Review Comment (Attachment 5). The project itself is the establishment of TMDLs for fecal coliform in the Pajaro River Watershed. The Water Board exercises discretion in assigning waste load allocations and load allocations, determining the program of implementation, and setting various milestones in achieving the water quality standards. The CEQA Substitute Document Report (Staff Report Attachment 3) and other portions of the substitute environmental documents contain significant analysis and numerous findings related to environmental impacts and mitigation measures.

17. A CEQA Scoping meeting was conducted on June 20, 2007 at the Gilroy City Hall, Gilroy CA 95020. A notice of the CEQA Scoping meeting was sent to interested persons on May 23, 2007, including to the Cities of Gilroy, Hollister, Morgan Hill, Watsonville and the Counties of Monterey, Santa Clara, San Benito, and Santa Cruz. The notice included a background of the project, the project purpose, a meeting schedule and directions for obtaining more detailed information through the Central Coast Water Board website; the notice and project summary was available at the website or by requesting hard copies via telephone.
18. Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment, or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance, and an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts, Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas, and specific sites. The Staff Report prepared for this Basin Plan amendment, in particular the CEQA Substitute Document Report (Attachment 3) provides the environmental analysis required by Public Resources Code section 21159 and is, hereby incorporated as findings in this Resolution.
19. In preparing the substitute environmental documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends those documents to serve as a Tier 1 environmental review. This analysis is not intended to be an exhaustive analysis of every conceivable impact, but an analysis of the reasonably foreseeable consequences of the adoption of this regulation, from a programmatic perspective. Compliance obligations will be undertaken directly by public agencies that may have their own obligations under CEQA. Project level impacts may need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. To the extent applicable, this Tier 1 substitute environmental document may be used to satisfy subsequent CEQA obligations of those agencies.
20. Consistent with the Regional Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable

alternative means of compliance, which would avoid or reduce the identified impacts.

21. The proposed amendment will have a less than significant adverse effect on the environment. California Water Code section 13360 precludes the Regional Board from dictating the manner in which responsible agencies comply with any of the Regional Board's regulations or orders. When the agencies responsible for implementing these TMDLs determine how they will proceed, the agencies responsible for those parts of the project can and should incorporate such alternatives and mitigation into any subsequent projects or project approvals. These feasible alternatives and mitigation measures are described in more detail in the substitute environmental documents (14 Cal. Code Regs. § 15091(a)(2)).
22. From a program-level perspective, incorporation of the alternatives and mitigation measures outlined in the substitute environmental documents will foreseeably reduce impacts to no impact, or keep the impact at less than significant levels.
23. The CEQA Substitute Document Report (Staff Report Attachment 3) identifies mitigation approaches that should be considered at the project level.
24. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendments incorporating: (a) the TMDLs for fecal coliform in the Pajaro River Watershed, and (b) the Domestic Animal Waste Discharge Prohibition and the Human Fecal Material Discharge Prohibition applicable to the Pajaro River Watershed. The TMDLs and Implementation Program for the TMDLs, and Prohibitions, will become effective upon approval by the California Office of Administrative Law. The TMDLs must also be approved by the United States Environmental Protection Agency.
25. The amendments to the Basin Plan may have an effect on fish and wildlife. The Central Coast Water Board will, therefore, forward fee payments to the Department of Fish and Game under the California Fish and Game Code section 711.4.
26. The proposed amendments meet the "Necessity" standard of the Administrative Procedure Act, Government Code, section 11353, subdivision (b). As specified in Finding-10, federal regulations require that TMDLs be incorporated into the water quality management plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the water quality management plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative, planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under California Water Code section 13242. The necessity of developing TMDLs is established in the TMDL staff report, the section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the Pajaro River Watershed. The necessity of adding the

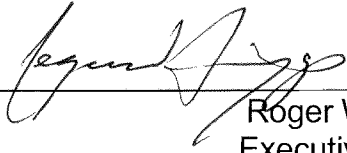
Prohibitions as implementation mechanisms to achieve the TMDL is established in the administrative record documenting the pathogen sources, the load allocations that responsible parties must meet to reduce or eliminate pathogen loading, and implementation strategies that comply with the NPS Policy.

27. On March 20, 2009, in Watsonville, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13241, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendments in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office Of Administrative Law and the USEPA for approval.
4. The Executive Officer is authorized to transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during its approval process, Central Coast Water Board staff, State Water Board staff, the State Water Board or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendments are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on March 20, 2009.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2009-0008

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan, as follows:

AMENDMENT NO. 1. ADD TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN PAJARO RIVER WATERSHED WATERS (INCLUDING PAJARO RIVER, SAN BENITO RIVER, LLAGAS CREEK, TEQUISQUITA SLOUGH, SAN JUAN CREEK, CARNADERO/UVAS CREEK, BIRD CREEK, PESCADERO CREEK, TRES PINOS CREEK, FURLONG (JONES) CREEK, SANTA ANA CREEK, AND PACHECHO CREEK)

Add the following to Chapter IV. after IX. L.:

IX. M. TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN PAJARO RIVER WATERSHED WATERS (INCLUDING PAJARO RIVER, SAN BENITO RIVER, LLAGAS CREEK, TEQUISQUITA SLOUGH, SAN JUAN CREEK, CARNADERO/UVAS CREEK, BIRD CREEK, PESCADERO CREEK, TRES PINOS CREEK, FURLONG (JONES) CREEK, SANTA ANA CREEK, AND PACHECHO CREEK)

The Regional Water Quality Control Board adopted these TMDLs on March 20, 2009. These TMDLs were approved by:

The State Water Resources Control Board on _____
The California Office of Administrative Law on _____ (date)
The U.S. Environmental Protection Agency on _____ (date)

Problem Statement

The beneficial use of water contact recreation is not being protected in Pajaro River Watershed (including the following water bodies: Pajaro River, San Benito River, Llagas Creek, Tequisquita Slough, San Juan Creek, Carnadero/Uvas Creek, Bird Creek, Pescadero Creek, Tres Pinos Creek, Furlong (Jones) Creek, Santa Ana Creek, and Pachecho Creek) because fecal coliform concentrations exceed Basin Plan numeric water quality objectives designed to protect this beneficial use.

Numeric Target

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Source Analysis

The relative order of controllable sources contributing fecal coliform in the Pajaro River Watershed, in decreasing order of contribution are: (1) storm drain discharges to municipally owned and operated storm sewer systems required to be covered by an NPDES permit (MS4s); (2) domestic animal discharges that do not discharge to MS4s; (3) spills and leaks from Sanitary Sewer Collection and Treatment Systems; and (4) private sewer laterals connected to municipal sanitary sewer collection systems. Natural, uncontrollable sources also contribute fecal coliform in the Pajaro River Watershed.

TMDLs and Allocations

The TMDLs for the impaired waters of Pajaro River, San Benito River, Llagas Creek, Tequisquita Slough, San Juan Creek, Carnadero/Uvas Creek, Bird Creek, Pescadero Creek, Tres Pinos Creek, Furlong (Jones) Creek, Santa Ana Creek, and Pachecho Creek are concentration-based TMDLs applicable to each day of all seasons equal to the following:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

The allocations to responsible parties are shown in Table IX-M1.

Table IX – M - 1. Allocations and Responsible Parties

<u>Waterbody Assigned Allocation</u>	<u>Responsible Party [NPDES and/or WDR number] (Source)</u>	<u>Receiving Water Fecal Coliform Allocation</u>
WASTE LOAD ALLOCATIONS		
<u>Pajaro River¹</u> <u>San Benito River²</u> <u>Llagas Creek³</u> <u>Tequisquita Slough⁴</u>	Santa Cruz, Santa Clara, and Monterey Counties. Cities of Hollister, Morgan Hill, Gilroy, and Watsonville [NPDES No. CAS000004] (Storm Drain Discharges To MS4s Required to be covered by an NPDES Permit)	<u>Allocation 1</u>
<u>Pajaro River¹</u> <u>San Benito River²</u> <u>Llagas Creek³</u> <u>Tequisquita Slough⁴</u>	<u>City of Hollister [WDR 87-47]</u> (Sanitary Sewer Collection and Treatment Systems Spills and Leaks) <u>City of Watsonville [WDR Order R3-2003-0040, NPDES No. CA0048216]</u> (Sanitary Sewer Collection and Treatment Systems Spills and Leaks) <u>Cities of Gilroy and Morgan Hill via South County Regional Wastewater Authority (SCRWA) [WDR Order R3-2004-0099, NPDES No. CA0049964]</u> (Sanitary Sewer Collection and Treatment Systems Spills and Leaks) <u>San Juan Bautista Wastewater Treatment Facility [WDR Order R3-2003-0087, NPDES No. CA0047902]</u> (Sanitary Sewer Collection and Treatment Systems Spills and Leaks) <u>Sunnyslope County Water District [WDR Order R3-2004-0065]</u> (Sanitary Sewer Collection and Treatment Systems Spills and Leaks) <u>Tres Pinos County Water District [WDR Order 99-101]</u> (Sanitary Sewer Collection and Treatment Systems Spills and Leaks) <u>Pajaro County Sanitation District [WDR Order R3-2003-0041]</u> (Sanitary Sewer Collection and Treatment Systems Spills and Leaks)	<u>Allocation 2</u>
<u>Pajaro River¹</u> <u>San Benito River²</u> <u>Llagas Creek³</u> <u>Tequisquita Slough⁴</u>	<u>Owners of Private Sewer Laterals</u> (Private Laterals Connected to Municipal Sanitary Sewer Collection and Treatment Systems)	<u>Allocation 2</u>
LOAD ALLOCATIONS		
<u>Waterbody</u>	<u>Responsible Party (Source)</u>	
<u>Pajaro River¹</u> <u>San Benito River²</u> <u>Llagas Creek³</u> <u>Tequisquita Slough⁴</u>	<u>Owners/Operators of Land Used for/Containing Domestic Animals</u> (Domestic Animal Discharges)	<u>Allocation 1</u>

<u>Pajaro River¹</u> <u>San Benito River²</u> <u>Llagas Creek³</u> <u>Tequisquita Slough⁴</u>	<u>Natural Sources</u>	<u>Allocation 1</u>
<p><u>Allocation 1: Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200/100mL, nor shall more than ten percent of total samples during any 30-day period exceed 400/100 mL.</u></p> <p><u>Allocation 2: Allocation of zero; no loading allowed from this source.</u></p>		

¹ The entire Pajaro River from the Pacific Ocean to San Felipe Lake outflow via the Miller’s Canal drain. Including the entire San Juan Creek tributary from the uppermost reach of the waterbody to the confluence with Pajaro River, and Carnadero/Uvas Creek tributary from Hollister Road crossing to the confluence with Pajaro River.

² San Benito River from confluence with Pajaro River to three miles above Old Hernandez Road at Arizona Crossing. Including Bird Creek tributary from the uppermost reach of the waterbody to the confluence with San Benito River, the Pescadero Creek tributary from the uppermost reach of the waterbody to the confluence with San Benito River, and Tres Pinos Creek tributary from the uppermost reach of the waterbody to the confluence with San Benito River.

³ Llagas Creek from confluence with Pajaro River to Oak Glen Avenue. Including Furlong (Jones) Creek tributary from the uppermost reach of the waterbody to confluence with Llagas Creek.

⁴ Tequisquita Slough from confluence with San Felipe Lake to the uppermost reach of the waterbody. Including Santa Ana Creek tributary from the uppermost reach of the waterbody to Tequisquita Slough, and Pechecho Creek tributary from the uppermost reach of the waterbody to San Felipe Lake.

The parties responsible for the allocations to controllable sources are not responsible for the allocation to natural sources.

The TMDLs are considered achieved when the allocations assigned to all individual responsible parties are met, or when the numeric targets are consistently met.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation Program

MUNICIPAL SEPARATE STORM SEWER SYSTEM DISCHARGES

The Central Coast Water Board will address fecal indicator bacteria (FIB), e.g. fecal coliform and/or other indicators of pathogens, discharged from the Counties of Santa Cruz, Santa Clara, and Monterey, and the Cities of Hollister, Gilroy, Morgan Hill, and Watsonville municipal separate storm sewer systems (MS4 entities) by regulating the MS4 entities under the provisions of the State Water Resource Control Board’s General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit) (NPDES No. CAS000004). As enrollees under the General

Permit, the MS4 entities must develop and implement Storm Water Management Program (SWMPs) that control urban runoff discharges into and from their MS4s. To address the MS4 entities' TMDL wasteload allocations, the Central Coast Water Board will require the MS4 entities to specifically target FIB in urban runoff through incorporation of Wasteload Allocation Attainment Program in their SWMPs.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program describe the actions that will be taken by the MS4 entities to attain the TMDL wasteload allocations, and specifically address:

1. Development of an implementation and assessment strategy;
2. Source identification and prioritization;
3. Best management practice identification, prioritization, implementation, analysis, and effectiveness assessment;
4. Monitoring program development and implementation;
5. Reporting; including evaluation whether current best management practices are progressing towards achieving the wasteload allocations by thirteen years after the TMDLs are approved by the Office of Administrative Law.
6. Coordination with stakeholders; and
7. Other pertinent factors.

The Wasteload Allocation Attainment Program will be required by the Central Coast Water Board to address each of these TMDLs that occur within the MS4 entities' jurisdictions.

The Central Coast Water Board will require the Wasteload Allocation Attainment Program to be submitted at one of the following milestones, whichever occurs first:

1. Within one year of approval of the TMDLs by the Office of Administrative Law;
2. When required by any other Water Board-issued storm water requirements (e.g., when the Phase II Municipal Storm Water Permit is renewed).

For an MS4 that is enrolled under the General Permit at the time of Wasteload Allocation Attainment Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMP when the Wasteload Allocation Attainment Program is submitted. For an MS4 entity that is not enrolled under the General Permit at the time of the Wasteload Allocation Program submittal, the Wasteload Allocation Attainment Program must be incorporated into the SWMP when the SWMP is approved by the Central Coast Water Board.

The Executive Officer or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

SANITARY SEWER COLLECTION AND TREATMENT SYSTEMS SPILLS AND LEAKS

Entities with jurisdiction over sewer collection systems in the Pajaro River Watershed must comply with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with their load allocation for this TMDL.

To comply with the Human Fecal Material Discharge Prohibition, the Hollister Domestic Wastewater Treatment Facility (WDR Order 87-47), Sunnyslope County Water District, Ridgemark Estates Subdivision, Wastewater Treatment Plant (WDR Order R3-2004-0065), Tres Pinos County Water District (WDR Order 99-101), San Juan Bautista Wastewater Treatment Facility (WDR Order R3-2003-0087, NPDES CA0047902), South County Regional Wastewater Authority (SCRWA), Cities of Gilroy and Morgan Hill, (WDR Order R3-2004-0099, NPDES CA0049964), City of Watsonville Wastewater Treatment Facility (WDR Order R3-2003-0040, NPDES CA0048216), and Pajaro County Sanitation District (WDR Order R3-2003-0041) (herein referred to as sanitary collection system jurisdictions) must continue to implement their Collection System Management Plans, as required by their Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permits.

In addition, the sanitary collection system jurisdictions identified above and in Table IX-M-1 are required to improve maintenance of their sewage collection systems, including identification, correction, and prevention of sewage leaks in portions of the collection systems that run through or adjacent to, impaired surface waters within the Pajaro River Watershed.

To this end, within six months following adoption of this TMDL by the Office of Administrative Law, the Executive Officer will issue a letter pursuant to Section 13267 of the CWC requiring: 1) submittal within one-year, a technical report that describes how and when the jurisdictions of the collection systems will conduct improved collection system maintenance in portions of the collection system most likely to affect impaired surface water bodies, with the end result being compliance with the Human Fecal Material Discharge Prohibition, and 2) stream monitoring for fecal coliform or another fecal indicator bacteria, and reporting of these monitoring activities, and 3) annual reporting of self-assessment as to whether the sanitary collection system jurisdiction is in compliance with the Human Fecal Material Discharge Prohibition.

PRIVATE SEWER LATERAL DISCHARGES

Individual owners and operators of private laterals to sanitary sewer collection systems are ultimately responsible for maintenance of their private laterals and are, therefore, responsible for complying with the Human Fecal Material Discharge Prohibition; compliance with the Human Fecal Material Discharge Prohibition implies compliance with their load allocation for these TMDLs.

The Central Coast Water Board requires immediate cessation of spills from private laterals. Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners and/or operators of private laterals to sanitary sewer

collection systems (owners/operators of private laterals), in suspected problem areas, of this requirement and of the requirement to comply with the Human Fecal Material Discharge Prohibition. In his notification, the Executive Officer will also describe the owner's/operator's of private laterals options for demonstrating compliance with the Human Fecal Material Discharge Prohibition; pursuant to California Water Code section 13267 and within six months of the notification by the Executive Officer, owners/operators of private laterals will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator of private lateral is and will continue to be in compliance with the Human Fecal Material Discharge Prohibition; clear evidence could be certification by a sanitary collection system jurisdiction that owner/operator of private lateral is in compliance with the Human Fecal Material Discharge Prohibition, or
- 2) A schedule for compliance with the Human Fecal Material Discharge Prohibition. The compliance schedule must include a monitoring and reporting program and milestone dates demonstrating progress towards compliance with the Human Fecal Material Discharge Prohibition, with the ultimate milestone being compliance with the Human Fecal Material Discharge Prohibition no later than three years (the exact timeframe at the discretion of the Executive Officer) from the date of the Executive Officer's notification to the owner/operator requiring compliance, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements; WDRs or National Pollutant Discharge Elimination System (NPDES permit)), or
- 4) Clear evidence of current or scheduled compliance with the Human Fecal Material Discharge Prohibition (as described in number-1 and number-2 above, respectively) through the submittal of the required information by a sanitary collection system jurisdiction, acting as the voluntary agents of owners/operators of private laterals. Note that an owner/operator of a private lateral cannot demonstrate compliance with the Human Fecal Material Discharge Prohibition through this option if: 1) a sanitary collection system jurisdiction is not their voluntary agent, or 2) if the owner/operator of the private lateral does not choose the sanitary collection system jurisdiction as their agent, or, 3) the Executive Officer or Water Board does not approve the evidence submitted by the sanitary collection system jurisdictions on behalf of the owners/operators of private laterals.

DOMESTIC ANIMAL DISCHARGES NOT REGULATED BY A PERMIT FOR STORM WATER DISCHARGES

Owners and/or operators of lands containing domestic animals in the Pajaro River Watershed must comply with the Domestic Animal Waste Discharge Prohibition; compliance with the Domestic Animal Waste Discharge Prohibition implies compliance with the load allocation for these TMDLs.

Within three years of approval of these TMDLs by the Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing

domestic animals of the requirement to comply with the Domestic Animal Waste Discharge Prohibition. In his notification, the Executive Officer will also describe the owner's/operator's of lands containing domestic animals options for demonstrating compliance with the Domestic Animal Waste Discharge Prohibition; pursuant to California Water Code section 13267 and within six months of the notification by the Executive Officer, owners/operators of lands containing domestic animals will be required to submit the following for approval by the Executive Officer or the Water Board:

- 1) Clear evidence that the owner/operator of lands containing domestic animals is and will continue to be in compliance with the Domestic Animal Waste Discharge Prohibition; clear evidence could be documentation submitted by the owner/operator to the Executive Officer validating current and continued compliance with the Prohibition, or
- 2) A plan for compliance with the Domestic Animal Waste Discharge Prohibition. Such a plan must include a list of specific management practices that will be implemented to control discharges containing fecal material from domestic animals. The plan must also describe how implementing the identified management practices is likely to progressively achieve the load allocations to domestic animals, with the ultimate goal achieving the load allocations no later than thirteen years after Office of Administrative Law approval of these TMDLs. The plan must include monitoring and reporting to the Central Coast Water Board, demonstrating the progressive progress toward achieving load allocations for discharges from domestic animals, and a self-assessment of this progress. The plan may be developed by an individual discharger or by or for a coalition of dischargers in cooperation with a third-party representative, organization, or government agency acting as the agents of owners/operators of lands containing domestic animals, or
- 3) Submittal of a Report of Waste Discharge pursuant to California Water Code Section 13260 (as an application for waste discharge requirements; WDRs or National Pollutant Discharge Elimination System (NPDES permit).

TRACKING AND EVALUATION

Every three years, beginning three years after TMDLs are approved by the Office of Administrative Law, the Central Coast Water Board will perform a review of implementation actions, monitoring results, and evaluations submitted by responsible parties of their progress towards achieving their allocations. The Central Coast Water Board will use annual reports, nonpoint source pollution control implementation programs, evaluations submitted by responsible parties, and other available information to determine progress toward implementing required actions and achieving the allocations and the numeric target.

Responsible parties will continue monitoring and reporting according to this plan for at least three years, at which time the Central Coast Water Board will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties

may also demonstrate that although water quality objectives are not being achieved in receiving waters, controllable sources of pathogens are not contributing to the exceedance. If this is the case, the Central Coast Water Board may re-evaluate the numeric target and allocations. For example, the Central Coast Water Board may pursue and approve a site-specific objective. The site-specific objective would be based on evidence that natural, or background sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal indicator bacteria.

Three-year reviews will continue until the water quality objectives are achieved. The compliance schedule for achieving the TMDLs and numeric target is 13 years after the date of approval by the Office of Administrative Law.

AMENDMENT NO. 2. ADD THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITON

Add the following prohibition to the Basin Plan at the top of Section IV.B, Chapter V, page V-8:

Domestic Animal Waste Discharge Prohibition:

Discharges containing fecal material from domestic animals to the waters of the State that cause or contribute to exceedance of water quality objectives in the areas listed below are prohibited. Examples of domestic animals include, but are not limited to, horses, cattle, goats, sheep, dogs, cats or any other animal(s) in the care of any person(s).

1. Pajaro River Watershed

AMENDMENT NO. 3. ADD THE HUMAN WASTE DISCHARGE PROHIBITON

Add the following prohibition to the Basin Plan at the top of Section IV.B, Chapter V, page V-8:

Human Fecal Material Discharge Prohibition:

Discharges containing fecal material from humans to the waters of the State in the areas listed below are prohibited. Exceptions to this prohibition include discharges in accordance with Waste Discharge Requirements or other provisions of the California Water Code, Division 7, as amended:

1. Pajaro River Watershed

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401**

RESOLUTION NO. R3-2008-0005

**AMENDING THE WATER QUALITY CONTROL PLAN
REVISING ONSITE WASTEWATER SYSTEM CRITERIA**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Central Coast Water Board) finds:

1. The Central Coast Water Board updated its policy regarding siting and design of onsite wastewater systems on September 16, 1983, by adopting Resolution No. 83-12.
2. The Central Coast Water Board adopted the current Water Quality Control Plan, Central Coastal Basin (Basin Plan) on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, prohibitions, and statewide plans and policies. The text and requirements specified in Resolution No. 83-12 are included in the Basin Plan as provisions of Chapters 4 and 5.
3. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board determined that the Basin Plan requires further revision and amendment to clarify and strengthen criteria for onsite wastewater systems throughout the region. The Central Coast Water Board will regulate discharges from onsite wastewater systems using waste discharge requirements (WDRs) or waiver of WDRs, in conjunction with memoranda of understanding with local jurisdictions.
4. In December 2007, Water Board staff contacted State Water Resources Control Board (State Water Board) staff to inquire if the proposed amendment to the Basin Plan required external scientific review to comply with Health and Safety Code Section 57004. Due to the limited nature of the proposed revisions (primarily incorporating language from external documents subjected to scientific review) additional external scientific review of these proposed revisions is not required.
5. Public Notice - Interested persons and the public have been informed of the Central Coast Water Board's intent to revise the Basin Plan criteria for onsite wastewater systems. Efforts to inform the public and solicit public comment include a public meeting/workshop, several individual meetings with vested stakeholders, and a number of telephone conversations with interested parties. Notice of public hearing was given by advertising in newspapers of general circulation within the Region, by posting on the Water Board website, and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Central Coast Water Board staff responded to oral and written comments received from the public.

6. Economic Considerations - The Central Coast Water Board considered costs associated with implementing the revised criteria specified in this Basin Plan amendment, Resolution No. R3-2008-0005.
7. Anti-Degradation – State Water Board Resolution No. 68-16 *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (Resolution No. 68-16) requires Regional Water Boards, in regulating the discharge of waste, to maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in a Regional Water Board's policies (e.g., quality that exceeds applicable water quality standards). Resolution No. 68-16 also states, in part:

Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in best practicable treatment and control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.

This Resolution is consistent with the provisions of the State Water Board Resolution No. 68-16. The regulation of discharges from onsite wastewater systems has been a component of the Water Board's regulatory oversight for several decades, and the clarifying and strengthening language provided in this resolution provides more regulatory oversight compared to that described in Resolution No. 83-12. Compliance with the Basin Plan criteria will result in the best practicable treatment or control of the discharges. Therefore, the Basin Plan amendment will result in improved water quality protection throughout the region and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.

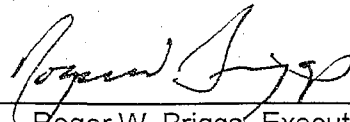
8. CEQA - The Central Coast Water Board concurs with the analysis contained in the Supplemental Environmental Documents, including the Environmental Checklist, the staff report, and the responses to comments and finds that the analysis complies with the requirements of the California Environmental Quality Act and the State Water Board's regulations, as set forth in the California Code of Regulations (CCR), Title 23, §3775 et seq. with respect to certified regulatory programs. The Central Coast Water Board finds that the proposed amendments to the Basin Plan will not have a significant effect on the environment. The project (adopting this Resolution) consists of amending an existing regulatory program implemented by a regulatory agency by making the existing program more stringent and providing greater environmental protection.
9. The proposed amendment is a revision of onsite wastewater system criteria specified in the Basin Plan (Chapters 4 and 5) and applicable throughout the Region. The revisions to Chapters 4 and 5 of the Basin Plan are shown on Attachments A and B (respectively) to this Resolution. Attachments A and B identify significant additions/deletions shown with underline/strikeout. Text that is simply moved is not identified as a proposed change.
10. Area of Applicability - The effect of this amendment will be throughout the Region, where onsite systems are used for treatment and disposal of wastewater.

11. The Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board (State Board) and the State Office of Administrative Law (OAL). The Basin Plan amendment will become effective upon approval by OAL. The subject Resolution will become effective immediately.
12. The amendment to the Basin Plan will result in no potential for adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
13. On May 9, 2008, in San Luis Obispo, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, BE IT RESOLVED that:

1. Pursuant to California Water Code §13240, the Water Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the Basin Plan amendments shown in Attachments A and B to this Resolution.
2. The Central Coast Water Board's Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of California Water Code §13245.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of California Water Code §13245 and §13246, and forward it to OAL for approval. The Central Coast Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL.
4. The Central Coast Water Board Executive Officer is authorized to sign a Certificate of Fee Exemption (included as Attachment C to this Resolution).
5. If, during its approval process, the State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Central Coast Water Board Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the Resolution adopted by the Central Coast Water Board, on May 9, 2008.



Roger W. Briggs, Executive Officer

Attachments: A - Revised Basin Plan Chapter 4 (onsite sections only)
B - Revised Basin Plan Chapter 5 (onsite sections only)
C - Certificate of Fee Exemption
D - Report for Basin Plan Amendment (including the Environmental Checklist)

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CHAPTER 4. IMPLEMENTATION PLAN

VIII.D. INDIVIDUAL, ALTERNATIVE AND COMMUNITY ONSITE WASTEWATER SYSTEMS

~~On site sewage disposal wastewater systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On site systems can be a viable long term waste disposal method with proper siting, design, construction, and management. In establishing on-site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.~~

~~If on-site sewage treatment facilities are not carefully managed, problems can occur, including:~~

- ~~• odors or nuisance;~~
- ~~• surfacing effluent;~~
- ~~• disease transmission; and,~~
- ~~• pollution of surface and groundwaters.~~

~~Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.~~

~~On site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro intestinal disorders.~~

~~Pollution of surface or groundwaters can result from the discharge of on-site system wastes. Typical problem waste constituents are total dissolved solids, phosphates, nitrates, heavy metals, bacteria, and viruses.~~

~~Subsurface disposal Onsite wastewater systems may be used to treat and dispose of wastewater from: (1) individual residences; (2) multi-unit residences; (3) institutions or places of commerce; (4) industrial sanitary sources; and, (5) small communities. All individual and multi-unit residential, developments are subject to criteria in this section of the Basin Plan. commercial, institutional and industrial developments with a discharge flow rate less than 2,500 gallons per day and community systems not regulated by waste discharge requirements must comply with these criteria. Community systems must also comply with criteria relating to this subject within the Basin Plan. Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems for serving more than 5 units or more than 5 parcels; or, (2) commercial, institutional or industrial systems to treat treating sanitary wastewater equal to or greater than 2,500 gallons per day (average daily flow). Community systems of this type and size may be subject to waste discharge requirements.~~

~~Conventional onsite wastewater systems consist of septic tanks and leachfield or seepage pits and are typically designed to treat and dispose of domestic wastewater.^{EPA} Alternatives to conventional onsite system designs have been are used when site constraints prevent the use of conventional systems. Examples of alternative systems include (but are not limited to) enhanced treatment systems, mound and or evapotranspiration disposal systems, or at-grade disposal systems. Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes.~~

~~Conventional, alternative and community systems can pose serious water quality problems if improperly designed, installed, and/or managed. Failures have occurred in the past and are usually attributed to the following:~~

- Systems are inadequately or improperly sited, designed, or constructed.
- Long term use is not considered.
- Inadequate operation and maintenance.

The following definitions are used throughout this section of the Water Quality Control Plan.

Alternative onsite system consists of additional (beyond conventional) treatment and/or disposal features engineered to overcome site constraints. A conventional onsite system that requires a pump to reach the leach area is not considered "alternative".^{EPA}

Application area shall be calculated no greater than the trench bottom and side walls below the bottom of the leach pipe, minus the first foot on each side. In seepage pits the application area refers to the total gravel depth in a seepage pit, minus any impervious, bedrock or clay lenses encountered in the sidewalls.^{UPC}

At-grade disposal systems consist of distribution pipe and bed at the native ground surface level and cover provided by filled material. At-grade disposal systems are similar to mound systems without the sand layer.^{UCD}

Conventional onsite system consists of a septic tank and leachfield or seepage pit.^{EPA}

Detrimental Water Quality Impact is any significant increase in pollutant concentrations or impairment of beneficial uses of a water body.

Drainfield is used interchangeably with leachfield, leach area or disposal area.

Effective trench depth means depth below the bottom of the leach trench distribution piping minus the first foot.

Engineered systems are treatment and disposal systems that require special design features to overcome site limitations (topography, soil conditions, shallow groundwater or setback variances).^{EPA}

Existing onsite system is any onsite system approved and/or installed prior to adoption of these criteria on May 9, 2008.

Failed or failing onsite system is any system that displays symptoms of inadequate dispersion, treatment or assimilation of wastewater. These may include, but are not limited to, surfacing effluent, lush growth above the leach area, sluggish house drains, impacts to surface or groundwater from the onsite discharge, odors, frequent pumping, or backflow into tank when pumped.^{EPA}

Fill is material deposited to raise the existing or excavated ground level.

Inflow and infiltration refers to non-wastewater (stormwater, groundwater, streams, seawater) entering the wastewater system through cracks, roof drains or other openings.

Impervious Low permeability material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content (% passing 200 sieve) of 60 percent or greater.

Local governing jurisdiction shall refer to the local governing jurisdiction, typically city or county, vested with legislative authority for onsite wastewater system permitting.

Monitoring shall refer to any sort of quality or performance assessment, including visual inspections.

New onsite system is an onsite wastewater system placed on property that has not previously been developed, or expansion of an existing onsite system to accommodate an increase in wastewater generation, after adoption of these criteria (May 9, 2008). Repair or replacement of an existing onsite system does not constitute a new onsite system.

Onsite disposal area shall include the direct application area (trench, pit, bed) and surrounding 100' radius from any point in the application area that may be influenced by discharge from the disposal system.

Reservoir - A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used

for storage, regulation, and control of drinking supply water recreation, power, flood control, or drinking.

Septage is material removed from a septic tank; usually the accumulated scum, sludge and liquid within the tank.

Sidewall is the side portion of the leach area below the bottom of the distribution piping, or total gravel depth beneath the first hole in the central pipe of a seepage pit.^{UPC}

Threatened condition is one that if left uncorrected may cause or contribute to water quality or public health impacts.

Watercourse - A natural or man-made artificial channel for passage of water. A running stream of water. A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) usually discharging into some stream or body of water.

~~VIII.D.1. CORRECTIVE ACTIONS FOR EXISTING SYSTEMS~~

~~Individual disposal systems can be regulated with relative ease when they are proposed for a particular site. For new systems, regulations generally provide for good design and construction practices. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas. Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, groundwater degradation is possible, particularly increases in nitrate concentrations.~~

~~Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and groundwaters to determine whether~~

~~problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank maintenance procedures are encouraged to lessen the probability that a few major failures might force sewerage of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could help prevent failure. Improvements of this kind should be enforced by a local septic tank maintenance district or local governing jurisdiction.~~

~~A septic tank subjected to greater hydraulic load can fail due to washout of solids into percolation areas and plugging of the infiltrative surface. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Dishwashers, garbage grinders, and washing machines could be eliminated. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water use costs may also be structured to encourage more frugal use of water.~~

~~VIII.D.1. LOCAL GOVERNING JURISDICTION ACTIONS~~

~~VIII.D.1.a. DISCLOSURE AND COMPLIANCE OF EXISTING ONSITE WASTEWATER SYSTEMS~~

~~It is incumbent upon local governing jurisdictions to should provide develop and implement programs to ensure conformance with this Basin Plan and local regulations. Such programs shall include (but are not be limited to) inspection programs-procedures to:~~

- ~~• should Ensure site suitability tests are performed as necessary, and that tests are performed in accordance with standard procedures;~~
- ~~• Inspections should also Ensure proper system siting, design, construction and installation; and~~

- Adequately inform home property owners regarding proper installation, operation and ongoing maintenance of their onsite wastewater systems.

~~Proper design and construction should be certified by the inspector. Concerned homeowners can be a tremendous asset in assuring proper construction. When a septic system permit is issued by the local agency, a handout specifying proper construction techniques should be made available to the general public. Systems must be inspected by the local agency before covering (backfilling).~~

Local agencies can use staff inspectors or individuals under contract with the local government. ~~Either way~~ A standard detailed checklist ~~should~~ shall be completed by the inspector to verify the onsite wastewater system was constructed in conformance with the Basin Plan and local governing jurisdiction requirements.

~~Site suitability determinations should specify: (1) whether approval is for the entire lot or for specific locations of the lot; (2) if further tests are necessary; and (3) if alternatives are necessary or available.~~

~~Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.~~

Property owners should be aware of the nature and requirements of their onsite wastewater disposal system. Plans should be available in city or county offices showing placement of soil absorption systems. ~~Since this is only feasible for new construction,~~ Local agencies should require onsite wastewater system as-built plans as a condition of new construction final inspection. Plans would be kept on file for future use of property owners.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. ~~For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite period, or a developed parcel may be subject to significant user charges from a future sewer system.~~ Local agencies should have ensure the terms of the enforcement action prohibition area are entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

All onsite wastewater system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions shall mount a continuing public education program to provide homeowners with onsite wastewater system operation and maintenance guidelines. Basin Plan information should be available at local governing jurisdiction health and building departments.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. ~~But system expansion may not be possible if land is not set aside for this purpose.~~ For these reasons, Dedicated system expansion areas are also appropriate. To protect this set-aside area from encroachment, the local governing jurisdiction ~~should~~ shall require restrictions on future use of the area as a condition of land division or building permit approval. For new subdivisions, Covenants, Conditions and Restrictions (CC&R's) or additional map sheets recorded with the Parcel or Tract Final Map might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading the CC&R's or Final Map.

~~Local agencies should conduct an on-site system inspection program, particularly in areas where system failures are common or where systems with poor soils are approved. An agency inspector should periodically check each septic tank for pumping need and each system for proper operation. Homeowners should be alerted where evidence of system failure exists. Where nuisance or a potential public health hazard exists, a followup procedure should insure the situation is corrected. On-site systems should be constructed in a location that facilitates system inspection.~~

~~Another approach is periodically to mail homeowners a brochure reminding them how to maintain and inspect their on-site system. Homeowners should be notified that they should periodically check their septic tank for pumping need. Homeowners should also be notified of other problems indicative of system failure. Some examples include wet spots in drainfield area, lush grass growths, slowly draining wastewater, and sewage odors.~~

Many existing systems do not comply with current or proposed standards. Repairs to failing systems should ~~shall~~ be done under permit from the local governing jurisdiction. ~~To the extent practicable~~ The local governing jurisdiction should ~~shall~~ require failing systems to be brought into compliance with Basin Plan recommendations, requirements and prohibitions; or repair criteria consistent with locally implemented onsite management plan (approved by the Central Coast Water Board Executive Officer). ~~This could be a condition of granting a permit for repairs.~~

~~Land use changes on properties with commercial, institutional or industrial uses should not be approved by the local governing jurisdiction until the existing onsite system meets criteria of this Basin Plan and local ordinances. A land use permit or business license could be used to alert the local agency of land use changes.~~

Within the following sections, criteria are specified for RECOMMENDATIONS, REQUIREMENTS and PROHIBITIONS.

RECOMMENDATIONS

1. Inform property buyers of the existence, location, operation, and maintenance of onsite disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g., Basin Plan prohibitions) through the County Record.
2. Conduct public education programs to provide property owners with operation and maintenance guidelines.
3. It may be appropriate for onsite systems to be maintained by local onsite maintenance districts.
4. Standard soil percolation testing procedures should be adopted. ~~Approve permit applications after checking plans for erosion control measures. Inspect systems prior to covering to assure proper construction.~~

REQUIREMENTS

5. Wastewater Management Plans should ~~shall~~ be prepared and implemented for urbanizing and high density areas served by onsite wastewater systems. ~~Areas that should be addressed immediately include (but are not limited to):~~

~~portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highland, Prunedale, El Toro, Shandon, Templeton, Santa Margarita, Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, upper Santa Ynez Valley, and Los Olivos/Ballard.~~

6. Local governing jurisdictions should ~~shall~~ require replacements or repairs to failing systems to be in substantial conformance (to the greatest extent practicable) with Basin Plan recommendations, requirements and prohibitions or the local onsite wastewater management plan.
7. Local governing jurisdictions shall ensure that alternative onsite system owners are provided an informational maintenance or replacement document by the system designer or installer. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.
8. Local ordinances shall be updated to reflect Basin Plan criteria.

PROHIBITIONS

9. Alternative systems are prohibited unless consistent with a locally implemented onsite wastewater management plan approved by the Central Coast Water Board Executive Officer or waste discharge requirements issued or waived by the Water Board.^{UPC, EPA}

VIII.D.2 1.b. ONSITE WASTEWATER MANAGEMENT PLANS

Onsite wastewater management plans ~~should shall~~ be implemented in urbanizing areas to investigate and mitigate long-term cumulative impacts resulting from continued use of individual, alternative, and community onsite wastewater systems.^{EPA} ~~A wastewater disposal study should be conducted to determine the best Wastewater Management Plan that would provide site or basin specific wastewater re-use. This study should identify basin specific criteria to prevent water quality degradation and public health hazards and provide an evaluation of the effects of existing and proposed developments and changes in land use. Onsite wastewater management plans should be a comprehensive~~

planning tool to specify onsite disposal system limitations to prevent ground or surface water degradation. Onsite wastewater management plans should shall include (but not be limited to) the following elements:

- Survey and evaluation of existing onsite systems.
- Contain a Water quality (ground and surface water) monitoring program.^{EPA}
- ~~Identify sites suitable for conventional septic systems.~~
- Projections of onsite disposal system demand and determination of sites and methods to best meet demand.
- Project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water.
- ~~Recommend establishment of septic tank maintenance districts, as needed.~~
- Recommendations and requirements for existing onsite wastewater system inspection, monitoring, maintenance and repairs.^{EPA}
- Recommendations and requirements for new onsite wastewater systems.^{EPA}
- ~~Identify Alternative means of disposing of sewage in the event of disposal system failure and/or irreversible degradation from onsite disposal systems.~~
- Education and outreach program.^{EPA}
- Enforcement options.^{EPA}
- Septage management.^{EPA}
- Program administration, staffing, records keeping, installation and repairs tracking, and financing.^{EPA}

~~For areas where watershed wide plans are not developed, conditions could be placed on new divisions of land or community systems to provide monitoring data or geologic information to~~

~~contribute to the development of a Wastewater Management Plan.~~

~~Wastewater disposal alternatives should identify costs to each homeowner. A cost effectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan.~~

Onsite wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be an appropriate means of implementing onsite wastewater management plans.

Onsite wastewater management plans shall be approved by the Central Coast Water Board Executive Officer.

VIII.D.2 1.c. SEPTIC TANK ONSITE WASTEWATER SYSTEM MAINTENANCE DISTRICTS

It may be appropriate for community onsite systems to be maintained by local sewage disposal onsite wastewater system maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, Community Services Districts, or County Service Areas

Septic tank Onsite wastewater system maintenance districts are responsible for onsite system operation and maintenance in conformance with this Water Quality Control Plan. Administrators should ensure proper construction, installation, operation, and maintenance of onsite wastewater systems. Maintenance districts should establish septic tank onsite system surveillance, maintenance and pumping programs, ~~where appropriate;~~ provide repairs to plumbing or leachfields, and encourage water conservation measures.

VIII.D.2. CRITERIA FOR NEW SYSTEMS

Onsite wastewater system problems can be minimized with proper site location, design, installation, operation and maintenance. The following section ~~recommends~~ includes criteria for all new individual subsurface onsite wastewater

disposal systems and community sewage disposal systems. Local governing jurisdictions should incorporate these criteria and guidelines into their local ordinances. These recommendations criteria will be used by the Central Coast Water Board for Water Board regulated systems and exemptions.

Local agencies may authorize alternative onsite systems consistent with locally implemented onsite wastewater management plans approved by the Central Coast Water Board Executive Officer.^{UPC, EPA}

For any onsite system, limited disposal options are available for septage (solids periodically removed from septic tanks). As a component of a wastewater management plan, long-term septage disposal plans shall be considered and developed by local onsite system management districts.^{EPA}

Onsite wastewater system criteria are arranged in sequence under the following categories: site suitability, system design, construction, individual system maintenance, community system design, and local agencies. Mandatory criteria are listed in the "Individual, Alternative, and Community Systems Prohibitions" section. Within each category, criteria are specified for RECOMMENDATIONS, REQUIREMENTS and PROHIBITIONS.

VIII.D.2.a. SITE SUITABILITY

~~Prior to permit approval, site investigation should determine on-site suitability:~~

RECOMMENDATIONS

1. For new land divisions, onsite disposal systems and expansion areas should be protected from encroachment by provisions in covenants, conditions, and restrictions (CC&Rs), recorded in Final Maps or similar mechanisms.
2. Percolation test holes (at least ~~one~~ three per system) should be drilled with a hand auger. A hole could be hand augered or dug with hand tools at the bottom of a larger excavation made by a backhoe.
3. Natural ground slope of the disposal area should not exceed 20 percent.

4. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drain field bottom.

REQUIREMENTS

5. At least one soil boring or excavation per onsite system shall be performed to determine soil suitability, depth to groundwater, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. The soil boring or excavation should extend at least 10 feet below the drain field bottom at each proposed location and be performed during or shortly after the wet season to characterize the most limiting conditions.
6. For leachfields, at least three percolation test locations ~~should~~ shall be used to determine system acceptability.
7. Percolation tests shall be continued until a stabilized rate is obtained.
8. Percolation tests ~~should~~ shall be performed at a proposed subsurface disposal system sites and depth corresponding to the bottom of the subsurface disposal area.
9. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields ~~should~~ shall be set back far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, from the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback shall be at least 100 feet measured from the top of the cut.
10. Prior to permit approval, site investigation shall determine onsite system suitability (consistency with recommendations, requirements and prohibitions specified in this section). Seepage pits should be utilized only after careful consideration of site suitability. ~~Soil borings or excavations should be inspected either by~~

~~permitting agency or individual under contract to the permitting agency~~

11. Distances between trench bottom and highest seasonal usable groundwater, including perched groundwater, shall not be less than the separation specified by appropriate percolation rate:

Percolation Rate (minutes/inch)	Distance (feet)
<1	50 ⁴
1-4	20 ⁴
5-29	8
>30	5

⁴Unless a set-back distance of at least 250 feet to any domestic well or subsurface water is assured.

Onsite disposal in soils with percolation rates faster than one minute per inch are prohibited without additional treatment.

12. ~~Natural ground slope of the disposal area should not exceed 20 percent. Onsite disposal systems on slopes greater than 20% shall be designed by a certified professional.~~

PROHIBITIONS

13. ~~For new land divisions (including lot splits) served by onsite systems, lot sizes less than one acre should not be permitted are prohibited unless authorized under an onsite management plan approved by the Central Coast Water Board Executive Officer. While new septic tank systems should generally be limited to new divisions of land having a minimum parcel size of one acre, where soil and other physical constraints are particularly favorable, parcel size shall not be less than one-half acre. For the purpose of this prohibition, secondary units are considered "de-facto" lot splits and shall not be constructed on lots less than two acres in size unless consistent with onsite management plans.~~ ^{LO 1994}

14. Onsite wastewater disposal shall not be located in areas subject to inundation from a 40 25-year flood.
15. Onsite disposal systems shall not be installed where natural ground slope of the disposal area exceeds 30 percent. ^{EPA}

16. Leachfields are prohibited in soils where percolation rates are slower than 120 min/in unless parcel size is at least two acres. Disposal systems designed to accommodate slow percolation rates (such as evapotranspiration systems) shall be evaluated as alternative systems.

17. Onsite discharge is prohibited on any site unable to maintain subsurface disposal.

18. Onsite discharge is prohibited where lot sizes, dwelling densities or site conditions cause detrimental impacts to water quality.

19. Onsite discharge is prohibited within a water supply reservoir watershed where parcel size is less than 2.5 one acre, unless consistent with an onsite wastewater management plan approved by the Central Coast Water Board Executive Officer.

20. Onsite discharge is prohibited in any area where continued use of onsite systems constitutes a public health hazard, an existing or threatened condition of water pollution, or nuisance.

21. Onsite discharge is prohibited where soils or formations with channels, cracks, fractures, or percolation rates allow inadequately treated waste to surface or degrade water quality.*

* Unless a setback distance of at least 250 feet to any domestic water supply well or surface water is ensured.

22. Seepage pits are prohibited in soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.

23. For seepage pits, distances between pit bottom and usable groundwater, including perched groundwater, shall not be less than separation specified by appropriate soil type:

Soil Type	Distance (feet)
Gravels ²	50 ⁴ <u>additional treatment required</u>
Gravels with few fines*	20 ⁴
Other	10

⁴Unless a setback distance of at least 250 feet to any domestic water supply well or surface water is ensured.

²Gravels — Soils with over 95 percent by weight coarser

than a No. 200 sieve and over half of the coarse fraction larger than a No. 4 sieve.

* Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

24. Onsite discharge in soils with percolation rates faster than one minute per inch is prohibited without additional treatment consistent with an onsite management plan implemented by the local governing jurisdiction and approved by the Central Coast Water Board Executive Officer.
25. Onsite discharge is prohibited in fill unless specifically engineered as a disposal area.

VIII.D.2.b. ONSITE SYSTEM DESIGN

RECOMMENDATIONS

1. Dual disposal fields (200 percent of original calculated disposal area) ~~are recommended~~ should be installed.^{EPA}
2. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.
3. Distance between drainfield trenches should be at least two times the effective trench depth. Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.
4. Application area should be no greater than the area calculated using trench bottom and sidewalls, minus the first foot below the distribution pipe.^{UPC} ~~In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.~~
5. Seepage pit application rate should not exceed 0.3 gallons per day (gpd) per square foot.

REQUIREMENTS

6. Onsite wastewater treatment tanks shall be water-tight, and designed to remove nearly 100 percent of settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.^{EPA}
7. The minimum design flow rate shall be 375 gallons per day for a 3-bedroom house, and 75 gpd should be added for each additional

bedroom.

8. Drainfield design ~~should~~ shall be based only upon usable permeable soil layers.
9. Leachfield loading application rate ~~should~~ shall not exceed the following:

Percolation Rate (minutes/inch)	Loading Rate (gpd/sq.ft.)
1 - 20	0.8
21 - 30	0.6
31 - 60	0.25
61 - 120	0.10

10. If curtain drains divert groundwater to subsurface soils, the upslope separation from a leachfield or pit ~~should~~ shall be at least 20 feet and the down slope separation shall be at least 50 feet.
11. Onsite system ~~tank~~ design ~~must~~ shall allow access for inspection and cleaning. Septic tanks must be accessible for pumping.
12. For commercial, institutional, industrial and community systems, design ~~should~~ shall be based on daily peak flow.
13. Dual disposal systems shall be installed (200 percent of original calculated disposal area) for community systems.
14. ~~Dual disposal fields (200 percent of original calculated disposal area) are recommended. Commercial systems, institutional systems, or domestic industrial systems should~~ All onsite disposal systems shall reserve an expansion area (additional 100% disposal capacity) to be set aside and protected from all uses except future drainfield repair and replacement.^{UPC} Community systems shall install dual drainfields (200% disposal capacity) and reserve replacement area (3rd 100% disposal capacity).
15. Community systems shall provide duplicate individual equipment components for components subject to failure (such as pumps).
16. Distances between trench/pit bottom and bedrock or other low permeability material impermeable layer shall be at least ten feet.

17. Where site conditions permit migration of wastewater to water, setback distances from disposal trench/pit shall be at least:

	<u>Minimum Setback Distance (feet)</u>
Domestic water supply wells in unconfined aquifer	100
Watercourse (where geologic conditions permit water migration)	100
<u>Drinking water supply</u> reservoir spillway elevation	200
Springs, natural or any part of a man-made spring	100

18. Community systems shall be designed with adequate capacity to accommodate the build-out population.
19. Community wastewater treatment and disposal facilities shall be operated by a public agency. If a demonstration is made to the Central Coast Water Board that an existing public agency is unavailable and formation of a new public agency is unreasonable, a private entity with adequate financial, legal, and institutional resources to assume responsibility for waste discharges may be acceptable.

PROHIBITIONS

20. Onsite discharge to leachfields is prohibited where soil percolation rates are slower than 60 minutes per inch unless the system is designed for an effluent application rate of 0.1 gpd per square foot of application area, or less.
21. Discharge ~~should~~ shall not exceed 40 grams per day of total nitrogen, on the average, per acre served by onsite system overlying groundwater recharge areas, except where a local governing jurisdiction has adopted a Wastewater Management Plan subsequently approved by the Central Coast Water Board Executive Officer.
22. Community system seepage pits are prohibited unless additional treatment is provided consistent with an onsite management plan

implemented by the local governing jurisdiction and approved by the Central Coast Water Board Executive Officer. Such seepage pits shall have at least 15 vertical feet between pit bottom and highest usable groundwater, including perched groundwater.

23. Inflow and infiltration shall be precluded from the system unless design specifically accommodates such excess flows.
24. Onsite wastewater systems are prohibited in any subdivision unless the subdivider clearly demonstrates the installation, operation and maintenance of the onsite system will be properly functional and in compliance with all Basin Plan criteria.
25. Curtain drains that discharge to ground surface or surface water are prohibited within 50 feet down slope of onsite system disposal areas.

VIII.D.2.c. DESIGN FOR ALTERNATIVE AND ENGINEERED SYSTEMS

RECOMMENDATIONS

1. Mound systems, evapotranspiration systems, and other alternative onsite systems should be designed and installed in accordance with guidelines available from the State Water Resources Control Board. ~~For evapotranspiration systems, each month of the highest precipitation year and lowest evaporation year within the previous ten years of record should be used for design.~~

REQUIREMENTS

2. Alternative onsite wastewater systems shall be designed by a registered ~~civil engineer~~ certified professional competent in sanitary engineering ^{EPA} alternative onsite wastewater system design.
3. Alternative and engineered onsite wastewater systems shall be located, designed, installed, operated, maintained, and monitored in accordance with a locally implemented onsite management plan approved by the Central Coast Water Board Executive Officer. ^{UPC, EPA}

PROHIBITIONS

4. Alternative and engineered onsite wastewater systems are prohibited, except where

consistent with a locally implemented onsite management plan approved by the Central Coast Water Board Executive Officer.^{UPC, EPA}

VIII.D.2.d. CONSTRUCTION

RECOMMENDATIONS

1. Construction activities should follow recommendations and precautions described in the Environmental Protection Agency's Design Manual: Onsite Wastewater Treatment and Disposal Systems.^{EPA}
2. ~~Subsurface disposal~~ Onsite wastewater systems should have a slightly sloped finished grade to promote surface runoff.
3. Surface runoff should be diverted around open trenches/pits to limit siltation of trench bottom area.
4. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.
5. In clayey soils, work should be done only when soil moisture content is low enough to avoid smearing of infiltrative surfaces.
6. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.
7. Bottom of trench or bed ~~leach~~ distribution piping should be level throughout to prevent localized overloading.
8. ~~Two inches of coarse sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields. Fine sand should not be used as it may lead to system failure.~~
9. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes should be placed with extreme care outside the leaching area to ensure settling does not occur.
10. Risers to the ground surface and manholes should be installed over the septic tank

inspection ports, access ports and distribution boxes.

11. Drainfields should include inspection pipes to check water level.
12. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.

REQUIREMENTS

13. Prior to backfilling, the distribution system ~~should~~ shall be tested to check the hydraulic loading pattern.
14. Disposal systems ~~should~~ shall be inspected by the permitting agency prior to covering to ensure proper construction. Designers and/or installers of engineered onsite wastewater systems shall provide a letter to the permitting authority stating that the onsite system was installed in conformance with the approved plans.

VIII.D.2.e. ONSITE SYSTEM MAINTENANCE

RECOMMENDATIONS

1. Septic tanks should be inspected every two to five years to determine the need for pumping.
2. Septic tanks should be pumped whenever: (1) the scum layer is within three inches of the outlet device, (2) the sludge level is within eight inches of the bottom of the outlet device, or (3) every 5 years; whichever is sooner.^{EPA}
3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level or every six months, whichever is sooner.

REQUIREMENTS

4. Onsite wastewater systems shall be maintained in accordance with approved onsite management plans. Where onsite management plans have not been approved by

the Central Coast Water Board Executive Officer, onsite systems shall be maintained as described in the following specifications.^{EPA}

5. Disposal of septage (solid residue pumped from septic tanks) shall be accomplished in a manner acceptable to the Central Coast Water Board Executive Officer.
6. Records of maintenance, pumping, septage disposal, etc. shall be maintained by the onsite system owner and available upon request.^{EPA}

VIII.D.2.f. USE CONSIDERATIONS

RECOMMENDATIONS

1. Water conservation and solids reduction practices should be implemented by all onsite system users. Garbage grinders should not be used in homes with septic tanks. Where grinders are used, septic tank capacity and inspection/pumping frequency should be increased.^{EPA}
2. Metering and water use costs should be used to encourage water conservation in areas served by onsite systems.
3. Bleach, solvents, fungicides and any other toxic material, grease and oil should not be discharged into onsite wastewater systems.
4. Self-regenerating water softeners should not be used where discharge is to onsite systems. If water softening is necessary, use of canister-type softeners will protect the treatment and disposal systems and underlying groundwater from unnecessary accumulation of salts.

PROHIBITIONS

5. Self-regenerating water softener brine discharge to onsite wastewater systems is prohibited unless consistent with a salts minimization plan approved by the Water Board Executive Officer and implemented by the local governing jurisdiction.

VIII.D.2.g. ONSITE WASTEWATER SYSTEM PROHIBITION AREAS

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, discharges are prohibited in the following areas:

PROHIBITIONS

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Basin Plan Appendix A-27.
2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed shall be managed as follows: Discharges shall be allowed providing the County of Santa Cruz, as lead agency, implements the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service; February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Central Coast Water Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.
3. Discharges from individual and community sewage disposal systems are prohibited, effective November 1, 1988, in the Los Osos/Baywood Park area depicted in the Prohibition Boundary Map included as Attachment A of Resolution No. 83-13, which can be found in Basin Plan Appendix A-30.

VIII.D.2.h. SUBSURFACE DISPOSAL EXEMPTIONS

The Central Coast Water Board or Executive Officer may grant exemption to prohibitions for: (1) engineered new onsite disposal wastewater systems for sites unsuitable for standard systems;

and (2) new or existing onsite systems within the specific prohibition areas cited above. Such exemptions may be granted only after presentation by the discharger of sufficient justification, including geologic and hydrologic evidence that the continued operation of such system(s) in a particular area will not individually or collectively, directly or indirectly, result in pollution or nuisance, or affect water quality adversely.

Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause: (1) damage to public or private property; (2) ground or surface water degradation; (3) nuisance condition; or, (4) a public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available.

Requests for exemptions will not be considered until the local entity has reviewed the system and submitted the proposal for Central Coast Water

Board review. Dischargers requesting exemptions must submit a Report of Waste Discharge. Exemptions will be subject to filing fees as established by the State Water Code.

Discharges from onsite wastewater systems regulated by waste discharge requirements or waiver of such requirements may be exempt from the requirements of this chapter. The waste discharge requirements order or waiver will act in lieu of exemption, and separate exemption is not required.

Further information concerning individual, alternative, or community onsite sewage disposal systems can be found in Chapter 5 in the Management Principals and Control Actions sections. State Water Resources Control Board Plans and Policies, Discharge Prohibitions, and Central Coast Water Board Policies may also apply depending on individual circumstances.

CHAPTER 5. PLANS AND POLICIES

III. REGIONAL WATER QUALITY CONTROL BOARD MANAGEMENT PRINCIPLES

III.F. INDIVIDUAL, ALTERNATIVE AND COMMUNITY ONSITE DISPOSAL SYSTEMS

The Regional Board intends to discourage high-density development on septic tank disposal systems and generally will require increased size of parcels with increasing slopes and slower percolation rates. Consideration of development will be based upon the percolation rates and engineering reports supplied. In any questionable situation, engineer-designed systems will be required.

Further information concerning onsite disposal systems can be found in Chapter Four.

V.D. INDIVIDUAL, ALTERNATIVE AND COMMUNITY SEWAGE ONSITE DISPOSAL SYSTEMS

Unsewered areas having high density (one acre lots or smaller) should be organized into septic tank management districts and sewerage feasibility studies should be encouraged completed in potential problem areas. Local implementation should be encouraged by Regional Board action.

V.H.3. SEPTIC TANK MANAGEMENT AGENCIES

1. Local governing jurisdictions County governments should revise septic tank ordinances to ~~conform~~ be consistent with Basin Plan recommendations and requirements, and State Board guidelines.
2. Formation of septic tank management districts within existing local agencies should be accomplished in areas where directed by Regional Board action.

VI. REGIONAL BOARD POLICIES

Formal specific policies adopted by the Regional Board are presented below according to various categories.

VI.A. SEWERAGE FACILITIES AND SEPTIC TANKS IN URBANIZING AREAS IN THE CENTRAL COAST REGION

Resolution 69-01: Adopting Policy Statement Regarding Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coast Region. This policy prohibits septic tank or community systems unless particular criteria are satisfied. Resolution 69-01 states Regional Board policy to support local jurisdictions in their efforts to prohibit subdivisions using onsite wastewater disposal, unless water quality protection is demonstrated by the implementation of specified onsite system criteria. The Resolution also states Regional Board intention to take enforcement actions, if local jurisdictions fail

to manage onsite wastewater systems in a water quality protective manner.

VI.J. INTERPRETATION OF MINIMUM PARCEL SIZE REQUIREMENTS FOR ONSITE SEWAGE SYSTEMS

Resolution No. 91-04 – Interpretation of Basin Plan's Minimum Parcel Size for Onsite Sewage Systems. This policy clarifies Regional Board minimum parcel size requirements for onsite systems contained in Chapter Four of this document. A copy of this policy is shown in the appendix.

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title/Location Name and Address of Project Proponent:

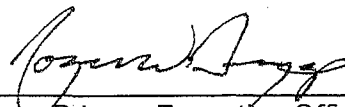
AMENDMENT OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN"
REGARDING REVISED ONSITE WASTEWATER SYSTEM CRITERIA

Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401
San Luis Obispo County
Contact: Sorrel Marks (805/549-3695 or smarks@waterboards.ca.gov)

Project Description: The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), will hold a public hearing to receive comments and consider adoption of a resolution amending the Water Quality Control Plan, Central Coast Basin (Basin Plan). The proposed amendment to the Basin Plan includes revisions to onsite wastewater system criteria specified in Chapters 4 and 5 of the Basin Plan.

Findings of Exemption: Please see the attached Environmental Checklist for description and findings.

Certification: I hereby certify that the California Regional Water Quality Control Board, Central Coast Region, has made the above findings of fact and that based upon the Environmental Checklist, written report, and record of hearing finds that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.



Roger Briggs, Executive Officer
Regional Water Quality Control Board

5-22-08

Date

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
SUBSTITUTE ENVIRONMENTAL DOCUMENT
REPORT FOR BASIN PLAN AMENDMENT
REGARDING ONSITE WASTEWATER SYSTEMS
(RESOLUTION NO. R3-2008-0005)**

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) is proposing an amendment to the *Water Quality Control Plan, Central Coast Basin* (Basin Plan). The Basin Plan serves as the cornerstone for protection of waters of the State through identification of beneficial uses of surface and ground waters, establishment of water quality objectives to protect beneficial uses, and establishment of an implementation plan to achieve those objectives.

The California Resources Agency has certified the Basin Planning process as an exempt regulatory program for the purposes of complying with the California Environmental Quality Act (CEQA) and the CEQA Guidelines [§15251, Title 14, California Code of Regulation (CCR)]. The Water Board is exempt from the requirement to prepare an environmental impact report or negative declaration. Any Regional Board exempt regulatory program must satisfy the documentation requirements of §3775(a), Title 23, CCR. This report constitutes a substitute environmental document as set forth in §3775(a), Title 23, CCR. It contains the following:

1. A description of proposed activity and proposed alternatives,
2. An environmental checklist and a description of the proposed activity,
3. An environmental evaluation, and
4. A determination with respect to significant environmental impacts.

The environmental analysis contained in this Report for Basin Plan Amendment and accompanying documents, including the Environmental Checklist, the staff report and the responses to comments complies with the requirements of the State Water Board's certified regulatory process, as set forth in CCR, Title 23, §3775 et seq. All public comments were considered.

I. DESCRIPTION OF PROPOSED ACTIVITY

The purpose of this Resolution is to update and revise the Basin Plan sections pertaining to onsite wastewater system requirements. This section describes the changes proposed and alternatives to this proposal.

Chapters IV and V of the Water Quality Control Plan, Central Coast Basin (Basin Plan) specify criteria for siting, design and ongoing management of individual and community onsite wastewater disposal systems (commonly called septic systems). The Basin Plan criteria also recommend a variety of management measures intended to ensure long-term success of properly functioning systems and prevent water quality impacts from such systems. The existing Basin Plan criteria for onsite wastewater systems were last updated in 1983. During the past 25 years, implementation of those criteria has

demonstrated revisions are needed to clarify vague language and, in some cases, strengthen language from recommendations to requirements. The proposed project (adoption of Resolution No. R3-2008-0005) will update and revise existing Basin Plan criteria for onsite wastewater systems. Most of the proposed revisions provide clarifying language to existing requirements without substantially changing such requirements. However, some revisions replace discretionary language of recommendations (should) with mandatory language of requirements (shall). By adopting the proposed resolution, language in the Basin Plan will be strengthened and clarified in a manner expected to result in improved long-term water quality protection in areas served by onsite wastewater systems. The proposed revisions are also expected to improve consistency and customer service by reducing the need for subjective interpretation of imprecise language. Updating the Basin Plan criteria for onsite wastewater systems will complete a Triennial Review list priority task, which has been backlogged for more than a decade.

Alternatives to this Project

1. Incomplete adoption of the proposed amendment

The Central Coast Water Board could amend only a portion of the existing Basin Plan criteria for onsite wastewater systems. The Basin Plan criteria could be amended with some of the proposed revisions or amended with different revisions. This alternative is not recommended as it would result in addressing only some of the needed clarifications or strengthening of the existing Basin Plan language and would not achieve the goals of effective long-term water quality protection in a clear and efficient manner. Adoption of different criteria can only be addressed relative to specified alternate criteria, such discussion is included in the response to comments included in the staff report. This alternative is not recommended.

2. Take no action

The proposed revisions to the Basin Plan criteria for onsite wastewater systems are needed to clarify vague and imprecise requirements and to strengthen requirements needed to protect water quality. Updating the onsite criteria has been prioritized on the Central Coast Water Board's Triennial Review List for many years. Failing to take action would result in ongoing confusion regarding requirements, utilization of staff time to individually clarify and interpret requirements, and inadequate long-term water quality protection in areas served by onsite wastewater systems. This alternative is not recommended.

II. APPLICABLE INFORMATION

1. Lead Agency Name and Address

Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

2. Contact Person and Phone Number: Sorrel Marks (805) 549-3595

3. Project Location: Central Coast Region

4. Project Sponsor's Name and Address

Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

5. Other Public Agencies whose Approval is Required

State Water Resources Control Board approval is required for this Basin Plan amendment. Although formal approval by local jurisdictions is not required for Basin Plan amendments, cooperative implementation by local permitting authorities (cities, counties, community services districts) is necessary to effectively protect water quality. Local jurisdictions likely to be affected by the proposed project include: Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Ventura Counties, and the cities and special districts therein.

ENVIRONMENTAL CHECKLIST

III. EVALUATION OF ENVIRONMENTAL IMPACTS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
1. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, But not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. AGRICULTURE RESOURCES -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. AIR QUALITY -- Would the project:				

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. HYDROLOGY AND WATER QUALITY --Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. LAND USE AND PLANNING -- Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

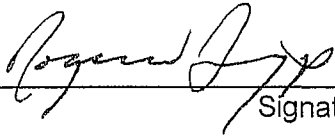
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. PUBLIC SERVICES --Would the project result in:				
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. UTILITIES AND SERVICE SYSTEMS --Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. ENVIRONMENTAL EVALUATION (of checklist questions answered Potentially Significant Impact, Less than Significant with Mitigation Incorporation, or Less than Significant Impact): Not applicable.

V. PRELIMINARY STAFF DETERMINATION

- The proposed project COULD NOT have a significant effect on the environment, and, therefore, no alternatives or mitigation measures are proposed.
- The proposed project MAY have a significant or potentially significant effect on the environment, and therefore alternatives and mitigation measures have been evaluated.

 _____ Signature	<u>5-22-08</u> Date
<u>Roger W. Briggs</u> Printed Name	<u>RWQCB 3</u> For

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California**

**RESOLUTION NO. R3-2008-0003
MARCH 20-21, 2008**

**Amending the Water Quality Control Plan for The Central Coast Basin to Adopt Total
Maximum Daily Loads for Pathogens in
Aptos Creek, Valencia Creek, and Trout Gulch**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board, adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, prohibitions, implementation plans for point source and nonpoint source pollution discharges, and statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to incorporate Total Maximum Daily Loads (TMDLs) and Implementation Plan for pathogens in Aptos Creek, Valencia Creek, and Trout Gulch. The term Aptos Creek Watershed elsewhere in this document refers only to these water bodies.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting an amendment into the following sections:
 - a. Chapter Four, Section IX (Total Maximum Daily Loads).
4. On May 20, 2004, the State Water Resources Control Board (State Water Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). This policy requires the Water Boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the California Water Code. This policy requires Regional Water Boards to regulate nonpoint source pollution discharges with Waste Discharge Requirements, Waivers of Waste Discharge Requirements, or Basin Plan Prohibitions.
5. Section 303(d) of the Clean Water Act requires states to identify and prepare a list of water bodies that do not meet water quality standards. Water bodies on the 303(d) list are referred to as listed water bodies, or impaired waters. Section 303(d) of the Clean Water Act requires states to establish TMDLs for listed waterbodies.
6. Aptos Creek and Valencia Creek are listed on Clean Water Act 303(d) list as impaired due to non-attainment of existing Basin Plan water quality objectives for pathogens. Trout Gulch is not yet listed, but this water body is also impaired, as it was not meeting the Basin Plan water quality objective for fecal coliform. TMDLs and associated allocations are being established for the Aptos Creek Watershed.

7. The Central Coast Water Board's goal for establishing TMDLs in the Aptos Creek Watershed is to rectify the impairment due to pathogens, thereby providing support for the beneficial uses of contact and non-contact water recreation.
8. The mouth of Aptos Creek is the receiving water for approximately 13,190 acres of land. Water from the Creek flows into northern Monterey Bay. Trout Gulch flows into Valencia Creek and Valencia Creek flows into Aptos Creek.
9. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the CWA, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for pathogens in the Aptos Creek Watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target.
10. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6(c)(1) and 130.7; and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
11. Pursuant to California Water Code section 13241, the Central Coast Water Board considered several factors in developing this Basin Plan amendment. The Central Coast Water Board concluded the following.
 - a. The TMDLs will protect present and probable future beneficial uses.
 - b. Environmental characteristics of the waterbody will be protected.
 - c. Improved water quality conditions can reasonably be achieved through the coordinated management of all controllable factors that affect water quality in the area, as provided in the Implementation Plan.
 - d. Costs to achieve compliance with the TMDLs are reasonable relative to the benefit of improved water quality.
 - e. The need for developing housing within the region is not relevant.
 - f. The need to develop and use recycled water is not relevant.
12. Central Coast Water Board staff submitted the Project Report for the TMDLs to an external scientific review panel in July 2007. Staff received comments from the scientific review panel. Central Coast Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendment. The TMDLs and implementation plan are based on sound scientific knowledge, methods, and practices in accordance with Health & Safety Code section 57004.
13. Central Coast Water Board staff implemented a process to inform interested persons and the public about the TMDLs. Central Coast Water Board staff's efforts to inform the public and

solicit comment included a public meeting and numerous telephone conversations with interested parties. Public notification of the amendment to the Basin Plan occurred for a 45 day period preceding the Central Coast Water Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.

14. The Central Coast Water Board considered costs of implementing measures to comply with the TMDLs. The costs will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from the amendment.
15. Anti-Degradation — The adoption of these TMDLs are consistent with the provisions of the State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12. Adoption of these TMDLs will result in improved water quality throughout the region and maintain the level of water quality necessary to protect present and potential beneficial uses.
16. The Central Coast Water Board concurs with the analysis contained in the Final Project Report, the California Environmental Quality Act "Substitute Environmental Document" for the Basin Plan Amendment, including the CEQA Checklist, the staff report and the responses to comments, and finds that these analyses comply with the requirements of the State Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board finds that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code.
17. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendment incorporating the TMDLs for pathogens in the Aptos Creek Watershed. The TMDLs and Implementation Plan for the TMDLs will become effective upon approval by the California Office of Administrative Law.
18. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is, therefore, exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
19. On March 21, 2008 in Salinas, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.
20. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding-15, federal regulations require that TMDLs be incorporated into the water quality management plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the water quality management plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative, planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under California Water Code section 13242. The necessity of developing a TMDL is established in the TMDL staff report, the section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the Aptos Creek Watershed.

21. The proposed amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code, section 11352, subdivision (b).

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13241, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendment".
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Water Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office Of Administrative Law and the USEPA.5
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during its approval process, Central Coast Water Board staff, State Board staff, the State Water Board or the California Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on March 21, 2008.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2008-0003

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENT

Revise the September 8, 1994 Basin Plan, as follows:

AMENDMENT NO. 1. ADOPT THE APTOS CREEK, VALENCIA CREEK, AND TROUT GULCH TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS

Add the following to Chapter 4 after IX. K.:

IX. L. TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN APTOS CREEK, VALENCIA CREEK, AND TROUT GULCH

The Regional Water Quality Control Board adopted these TMDLs on March 21, 2008.

These TMDLs were approved by:

The State Water Resources Control Board on _____.
The California Office of Administrative Law on _____, (Effective date)
The U.S. Environmental Protection Agency on _____, (Effective date)

Problem Statement

The beneficial use of water contact recreation is not being attained in Aptos Creek, Valencia Creek and Trout Gulch because fecal coliform concentrations exceed existing Basin Plan numeric water quality objectives protecting this beneficial use. Staff concluded Aptos Creek was impaired below the confluence with Valencia Creek. The entire reach of Trout Gulch was considered impaired. Staff also considered Valencia Creek impaired from its confluence with Aptos Creek, upstream to both the east and west forks. The east fork was impaired upstream to the intersection of McKay and Cox Roads. The west fork was impaired upstream to its intersection with Valencia Road.

Numeric Target

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Source Analysis

The relative order of controllable sources contributing pathogens to Aptos Creek, Valencia Creek and Trout Gulch (from largest to smallest source) is: (1) storm drain discharges to municipally owned and operated storm sewer systems required to be covered by an NPDES permit (MS4s), (2) pet waste in areas that do not drain to MS4s, (3) County of Santa Cruz Sanitation District sanitary sewer collection system spills and leaks, (4) private sewer laterals connected to municipal sanitary sewer collection systems, and (5) farm animals/livestock discharges.

TMDLs and Allocations

The TMDLs for all impaired waters of Aptos Creek, Valencia Creek, and Trout Gulch are concentration based TMDLs applicable to each day of all seasons and are equal to the following:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

The allocations to responsible parties are shown in Table IX-K-1.

Table IX – K - 1. Allocations and Responsible Parties

<u>WASTEWATER ALLOCATIONS</u>		<u>Receiving Water: Fecal Coliform (MPN/100ml)</u>
<u>Waterbody</u>	<u>Responsible Party (Source)</u>	
<u>Aptos Creek¹ Trout Gulch² Valencia Creek³</u>	<u>Santa Cruz County (Storm drain discharges to municipally owned and operated storm sewer systems required to be covered by an NPDES permit (MS4s))</u>	<u>Allocation 1</u>
<u>LEAKAGE ALLOCATIONS</u>		<u>Receiving Water: Fecal Coliform (MPN/100ml)</u>
<u>Waterbody</u>	<u>Responsible Party (Source)</u>	
<u>Aptos Creek¹ Trout Gulch² Valencia Creek³</u>	<u>Owners/Operators of land used for/containing pets (Pet waste in areas that do not drain to MS4s)</u>	<u>Allocation 1</u>
<u>Aptos Creek¹ Trout Gulch² Valencia Creek³</u>	<u>Santa Cruz County Sanitation District (Sanitary sewer collection system spills and leaks)</u>	<u>Allocation 1</u>
<u>Aptos Creek¹ Trout Gulch² Valencia Creek³</u>	<u>Owners of private sewer laterals (Private laterals connected to municipal sanitary sewer collection system)</u>	<u>Allocation 1</u>
<u>Aptos Creek¹ Trout Gulch² Valencia Creek³</u>	<u>Owners/Operators of land used for/containing farm animals/livestock (Farm animals and livestock discharges)</u>	<u>Allocation 1</u>
<u>Aptos Creek¹ Trout Gulch² Valencia Creek³</u>	<u>Natural sources</u>	<u>Allocation 1</u>

¹ Aptos Creek from the Pacific Ocean to the confluence of Aptos and Valencia Creeks

² All reaches of Trout Gulch

³ Valencia Creek from the confluence with Aptos Creek upstream to the west fork, where it intersects with Valencia Road, and to the east fork at the intersection of McKay and Cox Roads.

Allocation 1: Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200/100mL, nor shall more than ten percent of total samples during any 30-day period exceed 400/100 mL.

The parties responsible for the allocations to controllable sources are not responsible for the allocation to natural sources.

The TMDLs are considered achieved when the allocations assigned to all individual responsible parties are met, or when the numeric targets are consistently met in Aptos Creek, Valencia Creek, and Trout Gulch.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation

STORM DRAIN DISCHARGES

Enrollees of the State Water Resources Control Board's General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit for storm water discharges) must control discharges of pathogens to and in storm drains (currently NPDES No. S000004).

The County of Santa Cruz must control discharges of pathogens to and in storm drains when enrolled in the General Permit for stormwater discharges.

Within one year following approval by the Office of Administrative Law (OAL) of these TMDLs, or if enrolled in the General Permit for stormwater discharge, then when the next annual report is due, or to meet any other Water Board-issued storm water requirements (e.g. when the State General Permit for stormwater discharges is renewed), the County of Santa Cruz will be required to:

1. Submit for approval a management program that identifies pathogen-specific best management practices targeting pathogen sources from:
 - a. Birds, pets, rodents and wildlife, dumpster leachate, and humans.
The best management practices should include, but not be limited to: those identified in a Storm Water Management Plan (if existing or being developed), public education, participation and outreach regarding sources of pathogens in surface waters, health risks associated pathogens in surface waters, and specific actions the public can take to reduce pathogen loading into surface waters.
2. Submit for approval a fecal indicator bacteria (e.g. fecal coliform) monitoring and reporting plan. Receiving water and storm water outfall monitoring will be required.
3. Incorporate a description of implementation and monitoring activities in any existing or developing Storm Water Management Plan, and corresponding reporting, associated with a General Permit for storm water discharges.

The Executive Officer or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

COUNTY OF SANTA CRUZ SANITARY SEWER COLLECTION SYSTEM SPILLS AND LEAKS

The Santa Cruz County Sanitation District (SCCSD) must continue to implement its Collection System Management Plan, as required by Waste Discharge Requirements (WDRs) (Order No. R3-2005-0043).

Staff will continue to assess the effectiveness of the SCCSD Collection System Management Plan. Staff will utilize annual reporting associated with the SCCSD WDR, and other information, to make this assessment. If staff determines that the SCCSD is not satisfactorily implementing their Collection System Management Plan, or the Collection System Management Plan is not likely to result in the SCCSD achieving their allocation, the Executive Officer or the Central Coast Water Board may require modifications to the Collection System Management Plan (e.g. through revisions of WDRs), and/or require actions pursuant to applicable sections of the California Water Code.

Within one year following approval of these TMDLs by the California Office of Administrative Law, the Executive Officer or the Central Coast Water Board will amend the Monitoring and Reporting Program of the SCCSDs WDRs to incorporate stream monitoring for fecal coliform and reporting of such stream monitoring activities.

PRIVATE SEWER LATERAL DISCHARGES

Individual owners of private laterals to sanitary sewer collection systems are responsible for maintenance of their private laterals. However, the County of Santa Cruz has the authority to require private lateral upgrades. The County of Santa Cruz may choose to implement a program to detect and require repair of leaks from private laterals. The Central Coast Water Board would consider implementation (by the County of Santa Cruz) of such a program, as proof of compliance by owners with private laterals with the Aptos-Soquel Subbasin prohibition. If the County of Santa Cruz implements such a program, the Central Coast Water Board will request and use reporting from the County of Santa Cruz to evaluate individual private lateral owner compliance with the Aptos-Soquel Subbasin prohibition.

Within one year following approval of these TMDLs by the California Office of Administrative Law, if the County of Santa Cruz does not submit an approved program to detect and repair leaks from private laterals, or if the Central Coast Water Board or Executive Officer determines that such an existing or proposed program is insufficient, then landowners with private laterals must demonstrate compliance individually with the Aptos-Soquel Subbasin prohibition.

If landowners with private laterals must demonstrate compliance individually with the Aptos-Soquel Subbasin prohibition, then within one year following approval of the TMDLs by the California Office of Administrative Law, the Executive Officer will notify owners and/or operators of land that have private lateral connections to the sanitary sewer system of the County of Santa Cruz, of the Aptos-Soquel Subbasin prohibition and conditions for compliance with the prohibition. Compliance with the Aptos-Soquel Subbasin prohibition is described in Chapter Five, section IV.B. of the Water Quality Control Plan.

DOMESTICATED ANIMAL DISCHARGES

Owners and/or operators of land used for/containing domesticated animals (including, but not limited to: horses, cattle, goats, sheep, dogs, cats, or any other animals in the care of owners/operators) in the Aptos Subbasin must comply with the Aptos-Soquel Subbasin prohibition.

Within one year following approval of the TMDLs by the California Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing domesticated

animals of the Aptos-Soquel Subbasin prohibition and conditions for compliance with the prohibition, as described in Chapter Five, section IV.B. of the Water Quality Control Plan.

Tracking and Evaluation

Every three years beginning three years after TMDLs are approved by the California Office of Administrative Law, Central Coast Water Board staff will perform a review of implementation actions and monitoring results. Central Coast Water Board staff will use annual reports, nonpoint source pollution control implementation programs, and other available information, to review implementation progress toward achieving the allocations and the numeric target.

Central Coast Water Board staff may conclude that ongoing implementation efforts are insufficient to ultimately achieve the allocations and numeric target. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either through approval by the Executive Officer or by the Central Coast Water Board. Central Coast Water Board staff may conclude, at the time of review, that they expect implementation efforts to result in achieving the allocations and numeric target. In that case, staff will recommend that existing and anticipated implementation efforts should continue.

Responsible parties will continue monitoring according to this plan for at least three years, at which time Central Coast Water Board staff will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that controllable sources of pathogens are not contributing to exceedance of water quality objectives in receiving waters. If this is the case, staff may propose a re-evaluation of the numeric target and allocations. For example, staff may propose a site-specific objective to be approved by the Central Coast Water Board. The site-specific objective would be based on evidence that natural, or background sources alone were the cause of exceedances of the Basin Plan water quality objective for pathogen indicator organisms.

Three-year reviews will continue until the TMDLs are achieved. The target date to achieve the TMDLs is 13 years after the date of approval by the California Office of Administrative Law.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California**

**RESOLUTION NO. R3-2008-0002
MARCH 20-21, 2008**

**Amending the Water Quality Control Plan For The Central Coast Basin to
(1) Remove The Shellfish Harvesting Beneficial Use for Soquel Lagoon and (2) Adopt The
Total Maximum Daily Loads for Pathogens in Soquel Lagoon, Soquel Creek, and Noble
Gulch, Santa Cruz, California**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the Water Quality Control Plan for the Central Coast Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, prohibitions, implementation plans for point source and nonpoint source discharges, statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to (a) remove the shellfish harvesting beneficial use (SHELL) for Soquel Lagoon; and (b) incorporate Total Maximum Daily Loads (TMDLs) and Implementation Plan for pathogens in Soquel Lagoon, Soquel Creek, and Noble Gulch.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into the following sections:
 - a. Chapter Two, Table 2-1: "Identified Uses of Inland Surface Waters"
 - b. Chapter Four, section IX (Total Maximum Daily Loads).
4. The Central Coast Water Board has determined that the shellfish harvesting beneficial use designation should be removed from the Soquel Lagoon.
5. The proposed removal of the shellfish harvesting beneficial use is based on the results of a Use Attainability Analysis (UAA) for shell fishing in the Soquel Lagoon. Central Coast Water Board staff (staff) developed the UAA in 2004 and 2005 to determine the historic, actual, and potential shell fishing activities in Soquel Lagoon. The UAA is necessary to conform to Title 40 of the Code of Federal Regulations (CFR), §131.10(j) because the action involves a designated use specified in section 101(a) (2) of the Clean Water Act. The proposed amendment and the UAA only addresses the fishable goal (protection and propagation of fish, shellfish, and wildlife) as it pertains to shellfish harvesting and does not address other fishable goals or the swimmable goal included in the water contact recreation designation contained in section 101(a)(2) of the Clean Water Act. The fishable goal of the Clean Water Act is also protected under other beneficial uses (including cold freshwater habitat) designated in the Basin Plan for the Soquel Lagoon.

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6. The federal regulations at 40 CFR 131.10(g) allow the Central Coast Water Board to remove a designated use, which is not an “existing” use if the state can demonstrate that achieving the use is not feasible based on the factors set forth in 40 CFR 131.10(g). Shellfish harvesting is not an “existing use” as that term is defined in 40 CFR 131.3 because shellfish harvesting use has not been attained in the water body on or after November 28, 1975. Factors for removing a designated use are described in 40 CFR 131.10(g). Based on the results of the UAA, three factors preclude attainment of shellfish harvesting beneficial use in Soquel Lagoon. These factors are as follows:
 - a. Natural, ephemeral, intermittent, or low flow conditions or water levels prevent the attainment of the beneficial use.
 - b. Diversions, and other types of hydrologic modifications preclude the attainment of the beneficial use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use.
 - c. Physical conditions related to the natural features of the water body, including lack of a proper substrate, preclude attainment of aquatic life protection uses.
7. Pursuant to section 13241 of the California Water Code, the Central Coast Water Board considered several factors in recommending the removal of the shellfish harvesting beneficial use in the Soquel Lagoon. The Central Coast Water Board concluded that shellfish harvesting is not a past, present, or probable future beneficial use of the Soquel Lagoon. Additionally, the Central Coast Water Board concluded the following:
 - a. Environmental characteristics of the waterbodies will not be affected by the removal of the shellfish harvesting beneficial use.
 - b. Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area will not be affected by the removal of the shellfish harvesting beneficial use.
 - c. Removal of the shellfish harvesting beneficial use does not impose any costs other than the Central Coast Water Board’s costs of preparing the amendment.
 - d. The need for developing housing within the region is not relevant.
 - e. The need to develop and use recycled water is not relevant.
8. The Central Coast Water Board’s goal in removing the shellfish harvesting beneficial use from the Soquel Lagoon is to assign water quality objectives for indicators of pathogenic organisms that accurately reflect the existing and potential uses of Soquel Lagoon, i.e., those for water-contact and non-contact recreation. For this purpose, “existing uses” mean those uses actually attained on or after November 28, 1975 (40 CFR §131.3(e)).
9. On May 20, 2004, the State Water Resources Control Board (State Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). This policy requires the Regional Water Quality Control Boards to regulate all nonpoint sources of pollution using the administrative permitting authorities provided by the Porter-Cologne Water Quality Control Act. The NPS Policy requires the Regional Water Quality Control Boards to regulate nonpoint source discharges with Waste Discharge Requirements, Waivers of Waste Discharge Requirements, or Basin Plan prohibitions.
10. Clean Water Act section 303(d) requires states to identify and prepare a list of water bodies that do not meet water quality standards. Water bodies on the 303(d) list are often referred to as listed water bodies, or impaired waters. Clean Water Act section 303(d) requires states to establish TMDLs for listed waterbodies.
11. Soquel Lagoon is listed as impaired due to pathogens. The Soquel Lagoon is not attaining the Basin Plan water quality objective for fecal coliform, and is not attaining the United States Environmental Protection Agency (USEPA) recommended water quality criteria for

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Escherichia coli (*E. coli*). Soquel Creek and Noble Gulch are not listed on the Clean Water Act section 303(d) list of impaired waters, but these water bodies are also not meeting the Basin Plan water quality objective for fecal coliform or the USEPA recommended criteria for *E. coli*. TMDLs and associated allocations are being established for Soquel Lagoon, Soquel Creek and Noble Gulch.

12. The Central Coast Water Board's goal for establishing TMDLs in Soquel Lagoon, Soquel Creek, and Noble Gulch is to rectify the impairment due to pathogens, thereby providing support for the beneficial uses of contact and non-contact water recreation.
13. The Soquel Lagoon drains a watershed area of approximately 27,188 acres. Soquel Creek is a tributary to Soquel Lagoon, and Noble Gulch is a tributary to Soquel Creek. Soquel Lagoon drains into northern Monterey Bay.
14. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the TMDLs for Soquel Lagoon, Soquel Creek, and Noble Gulch are set at levels necessary to attain and maintain the applicable numeric water quality objectives, taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target.
15. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1) and 130.7 and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
16. Pursuant to the California Water Code section 13241, the Central Coast Water Board considered several factors in developing these Basin Plan amendments. The Central Coast Water Board concludes the following:
 - a. Removal of the shellfish harvesting beneficial use and adoption of the TMDLs will protect past, present, and probable future beneficial uses.
 - b. Environmental characteristics of the waterbody will be protected.
 - c. Improved water quality conditions can reasonably be achieved through the coordinated management of all controllable factors that affect water quality in the area, as provided in the Implementation Plan.
 - d. Costs to achieve compliance with the TMDLs are reasonable relative to the benefit of improved water quality.
 - e. The need for developing housing within the region is not relevant.
 - f. The need to develop and use recycled water is not relevant.
17. The Use Attainability Analysis is the scientific justification for the proposed removal of the shellfish harvesting beneficial use from the Soquel Lagoon. Central Coast Water Board staff submitted a Use Attainability Analysis to an external scientific review panel in March 2006 as required by Health & Safety Code section 57004. Central Coast Water Board staff also

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submitted the Project Report for the TMDLs to an external scientific review panel in July 2007. Staff received comments from the scientific review panel. Central Coast Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendments. The scientific portions of the proposed removal of the shellfish harvesting beneficial use, the TMDLs and implementation plan, are based on sound scientific knowledge, methods, and practices in accordance with Health & Safety Code section 57004.

18. Central Coast Water Board staff implemented a process to inform interested persons and the public about the TMDLs and the removal of the shellfish harvesting beneficial use from the Soquel Lagoon. Efforts of Central Coast Water Board staff to inform the public and solicit comment included a public meeting and telephone conversations with interested parties. Public notification of the amendment to the Basin Plan occurred for a 45-day period preceding the Central Coast Water Board hearing. Notice of the public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Central Coast Water Board staff responded to oral and written comments received from the public.
19. The Central Coast Water Board considered costs of implementing measures to comply with the removal of the shellfish harvesting beneficial use designation and achieving the TMDLs. The costs will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from the two amendments. All public comments were considered.
20. Anti-Degradation — The removal of the shellfish harvesting beneficial use from the Soquel Lagoon and the adoption of the TMDLs for Soquel Creek Lagoon, Soquel Creek, and Noble Gulch, are consistent with the provisions of State Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12. Adoption of these TMDLs will result in improved water quality throughout the region and maintain the level of water quality necessary to protect present and potential beneficial uses. As concluded in the Use Attainability Analysis, shellfish harvesting is not an existing use, so removal of the beneficial use from the Basin Plan will not result in degradation of water quality.
21. The Central Coast Water Board concurs with the Use Attainability Analysis and the analysis contained in the Final Project Report, the California Environmental Quality Act "Substitute Environmental Document" for the Basin Plan Amendments, including the CEQA Checklist, the staff report and the responses to comments, and finds that these analyses comply with the requirements of the State Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board finds that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code.
22. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendment incorporating the TMDLs for pathogens in the Soquel Lagoon, Soquel Creek, and Noble Gulch, and the removal the shellfish harvesting beneficial use for Soquel Lagoon. The TMDLs and Implementation Plan for the TMDLs will become effective upon approval by the California Office of Administrative Law. Removal of the shellfish harvesting beneficial use will become effective upon approval by USEPA.

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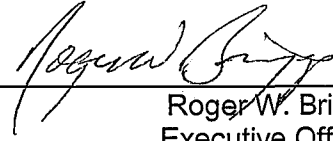
23. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is, therefore, exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
24. On March 21, 2008 in Salinas, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.
25. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding-15, federal regulations require that TMDLs be incorporated into the Water Quality Management Plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the Water Quality Management Plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative, planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under California Water Code section 13242. The necessity of developing a TMDL is established in the TMDL staff report, the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the Soquel Lagoon, Soquel Creek, and Noble Gulch.
26. The proposed amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code, section 11352, subdivision (b).

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13241, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments".
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during its approval process, Central Coast Water Board staff, State Board staff, the State Board or Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

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I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on March 21, 2008.



Roger W. Briggs
Executive Officer

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RESOLUTION NO. R3-2008-0002

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1.

Amend Chapter 2, Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL	
Soquel Lagoon						X	X	X	X		X	X		X	X				X				X

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AMENDMENT NO. 2. ADOPT THE TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SOQUEL LAGOON, SOQUEL CREEK, AND NOBLE GULCH

Add the following to Chapter 4 after IX. J.:

IX. K. TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SOQUEL LAGOON, SOQUEL CREEK, AND NOBLE GULCH

The Regional Water Quality Control Board adopted these TMDLs on March 21, 2008. These TMDLs were approved by:

The State Water Resources Control Board on _____

The California Office of Administrative Law on _____
(Effective date)

The U.S. Environmental Protection Agency on _____
(Effective date)

Problem Statement

The beneficial use of water contact recreation is not protected in the impaired reaches of Soquel Lagoon, Soquel Creek, and Noble Gulch because fecal coliform concentrations exceed water quality objectives protecting this beneficial use. The impaired reaches are:

- 1) Soquel Lagoon and Soquel Creek: beginning from the mouth of Soquel Lagoon, upstream and along Soquel Creek to the bridge at Porter Street.
- 2) All reaches of Noble Gulch.

Numeric Targets for Soquel Lagoon, Soquel Creek and Noble Gulch

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Source Analysis

The controllable sources of fecal coliform contributing to impairment in Soquel Lagoon, Soquel Creek, and Noble Gulch are, in decreasing order of contribution:

1. Storm drain discharges to municipally owned and operated storm sewer systems (MS4s) required to be covered by an NPDES permit (including but not limited to discharges from fecal material from domesticated animals and humans).
2. Sanitary sewer collection system spills and leaks (including but not limited to discharges from private laterals connected to municipal sanitary sewer collection systems).
3. Domesticated animal waste discharges in areas that do not drain to MS4s (including but not limited to farm animals, livestock and pets).
4. Homeless person/encampment discharges in areas that do not drain to MS4s.

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Total Maximum Daily Load (TMDL)

The TMDL for all impaired waters of Soquel Lagoon, Soquel Creek, and Noble Gulch is a concentration based TMDL applicable to each day of all seasons and is equal to the following:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Allocations and Responsible Parties

Allocations are assigned to the waterbody and responsible party listed in Table IX K-1.

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Table IX K-1. Allocations to Responsible Parties

<u>Waste Load Allocations</u>		
<u>Waterbody Subject to Allocation</u>	<u>Responsible Party (Source)</u>	<u>Receiving Water Fecal Coliform (MPN/100mL)</u>
<u>Soquel Lagoon</u> ¹	<u>City of Capitola</u> (Storm drain discharges)	<u>Allocation-1</u>
<u>Soquel Creek</u> ² <u>Noble Gulch</u> ³	<u>County of Santa Cruz and City of Capitola</u> (Storm drain discharges)	<u>Allocation-1</u>
<u>Load Allocations</u>		
<u>Waterbody Subject to Allocation</u>	<u>Responsible Party (Source)</u>	<u>Receiving Water Fecal Coliform (MPN/100mL)</u>
<u>Soquel Lagoon</u> ¹ <u>Soquel Creek</u> ² <u>Noble Gulch</u> ³	<u>Santa Cruz County Sanitation District</u> (Sanitary sewer collection system spills and leaks)	<u>Allocation-1</u>
<u>Soquel Lagoon</u> ¹	<u>Owners of private sewer laterals</u> (Private laterals connected to municipal sanitary sewer collection system)	<u>Allocation-1</u>
<u>Soquel Lagoon</u> ¹ <u>Soquel Creek</u> ²	<u>Owners and operators of land used for/containing pets</u> (Domesticated animals not regulated by WQ Order No. 2003-0005-DWQ [Storm Water General Permit]. Including but not limited to dogs, cats, or any other animals in the care of owners/operators)	<u>Allocation-1</u>
<u>Noble Gulch</u> ³	<u>Owners and operators of land used for/containing domesticated animals</u> (Domesticated animals not regulated by WQ Order No. 2003-0005-DWQ [Storm Water General Permit]. Including, but not limited to, farm animals, livestock, and pets)	<u>Allocation-1</u>
<u>Soquel Lagoon</u> ¹ <u>Soquel Creek</u> ² <u>Noble Gulch</u> ³	<u>Owners/operators of land that include homeless persons/encampments</u> (Homeless person/encampment discharges not regulated by WQ Order No. 2003-0005-DWQ [General permit for storm water])	<u>Allocation-1</u>
<u>Soquel Lagoon</u> ¹ <u>Soquel Creek</u> ² <u>Noble Gulch</u> ³	<u>No responsible party</u> (Natural sources)	<u>Allocation-1</u>

¹ All waters of the Soquel Lagoon

² Beginning and including the downstream most reach of Soquel Creek, up to and including Soquel Creek at the bridge crossing at Porter Street.

³ All reaches of Noble Gulch.

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Allocation-1: Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

The parties responsible for the allocations to controllable sources are not responsible for the allocation to natural sources.

The TMDL is achieved when the numeric target is consistently met in the impaired waters of Soquel Lagoon, Soquel Creek, and Noble Gulch.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation

STORM DRAIN DISCHARGES:

Enrollees of the State Water Resources Control Board's General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit for storm water discharges) must control discharges of pathogens to and in storm drains (currently NPDES No. S000004).

The County of Santa Cruz and City of Capitola must control discharges of pathogens to and in storm drains when enrolled in the General Permit for stormwater discharges.

Within one year following approval by the Office of Administrative Law (OAL) of these TMDLs, or if enrolled in the General Permit for stormwater discharge, then when the next annual report is due, or to meet any other Water Board-issued storm water requirements (e.g. when the State General Permit for stormwater discharges is renewed), the County of Santa Cruz and City of Capitola will be required to:

1. Submit for approval a management program that identifies pathogen-specific best management practices targeting pathogen sources from:
 - a. Birds, pets, rodents and wildlife, dumpster leachate, and humans.The best management practices should include, but not be limited to: those identified in a Storm Water Management Plan (if existing or being developed), public education, participation and outreach regarding sources of pathogens in surface waters, health risks associated pathogens in surface waters, and specific actions the public can take to reduce pathogen loading into surface waters.
2. Submit for approval a fecal indicator bacteria (e.g. fecal coliform) monitoring and reporting plan. Receiving water and storm water outfall monitoring will be required.
3. Incorporate a description of implementation and monitoring activities in any existing or developing Storm Water Management Plan, and corresponding reporting, associated with a General Permit for storm water discharges.

The Executive Officer or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California

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Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

SANITARY SEWER COLLECTION SYSTEM SPILLS AND LEAKS:

The Santa Cruz County Sanitation District (SCCSD) must continue to implement its Collection System Management Plan, as required by Waste Discharge Requirements (WDRs) (Order No. R3-2005-0043).

Staff will continue to assess the effectiveness of the SCCSD Collection System Management Plan. Staff will utilize annual reporting associated with the SCCSD WDR, and other information, to make this assessment. If staff determines that the SCCSD is not satisfactorily implementing their Collection System Management Plan, or the Collection System Management Plan is not likely to result in the SCCSD achieving their allocation, the Executive Officer or the Central Coast Water Board may require modifications to the Collection System Management Plan (e.g. through revisions of WDRs), and/or require actions pursuant to applicable sections of the California Water Code.

Within one year following approval of these TMDLs by the California Office of Administrative Law, the Executive Officer or the Central Coast Water Board will amend the Monitoring and Reporting Program of the SCCSDs WDRs to incorporate stream monitoring for fecal coliform and reporting of such stream monitoring activities.

PRIVATE LATERALS TO THE SANITARY SEWER COLLECTION SYSTEM:

Individual owners of private laterals to sanitary sewer collection systems are responsible for maintenance of their private laterals. However, the County of Santa Cruz has the authority to require private lateral upgrades. The County of Santa Cruz may choose to implement a program to detect and require repair of leaks from private laterals. The Central Coast Water Board would consider implementation (by the County of Santa Cruz) of such a program, as proof of compliance by owners with private laterals with the Aptos-Soquel Subbasin prohibition. If the County of Santa Cruz implements such a program, the Central Coast Water Board will request and use reporting from the County of Santa Cruz to evaluate individual private lateral owner compliance with the Aptos-Soquel Subbasin prohibition.

Within one year following approval of these TMDLs by the California Office of Administrative Law, if the County of Santa Cruz does not submit an approved program to detect and repair leaks from private laterals, or if the Central Coast Water Board or Executive Officer determines that such an existing or proposed program is insufficient, then landowners with private laterals must demonstrate compliance individually with the Aptos-Soquel Subbasin prohibition.

If landowners with private laterals must demonstrate compliance individually with the Aptos-Soquel Subbasin prohibition, then within one year following approval of the TMDLs by the California Office of Administrative Law, the Executive Officer will notify owners and/or operators of land that have private lateral connections to the sanitary sewer system of the County of Santa Cruz, of the Aptos-Soquel Subbasin prohibition and conditions for compliance with the prohibition. Compliance with the Aptos-Soquel Subbasin prohibition is described in Chapter Five, section IV.B. of the Water Quality Control Plan.

DOMESTICATED ANIMALS:

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Owners and/or operators of land used for/containing domesticated animals (including, but not limited to: horses, cattle, goats, sheep, dogs, cats, or any other animals in the care of owners/operators) in the Noble Gulch and Soquel Creek Subbasins, must comply with the Aptos-Soquel Subbasin prohibition.

Within one year following approval of the TMDLs by the California Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing domesticated animals of the Aptos-Soquel Subbasin prohibition and conditions for compliance with the prohibition, as described in Chapter Five, section IV.B. of the Water Quality Control Plan.

HOMELESS PERSON/ENCAMPMENT DISCHARGES:

Owners/operators of land that includes homeless persons/encampments in the Soquel Subbasin must comply with the Aptos-Soquel Subbasin prohibition.

Within one year following approval of the TMDLs by the California Office of Administrative Law, the Executive Officer will notify owners of lands underlying homeless persons/encampments of the Aptos-Soquel Subbasin prohibition and conditions for compliance with the prohibition, as described in Chapter Five, section IV.B. of the Water Quality Control Plan.

Tracking and Evaluation

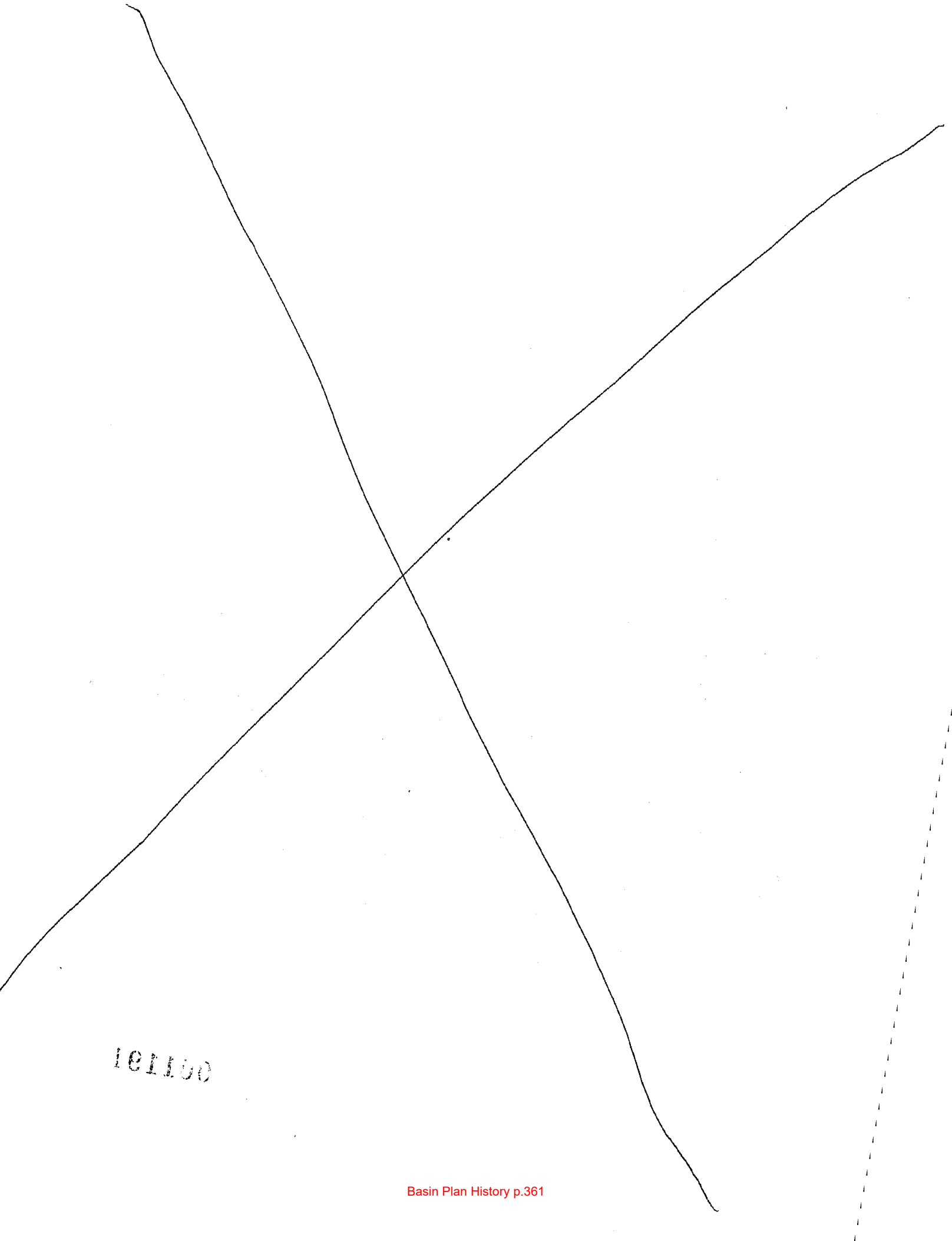
Every three years beginning three years after TMDLs are approved by the California Office of Administrative Law, Central Coast Water Board staff will perform a review of implementation actions and monitoring results. Central Coast Water Board staff will use annual reports, nonpoint source pollution control implementation programs, and other available information, to review implementation progress toward achieving the allocations and the numeric target.

Central Coast Water Board staff may conclude that ongoing implementation efforts are insufficient to ultimately achieve the allocations and numeric target. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either through approval by the Executive Officer or by the Central Coast Water Board. Central Coast Water Board staff may conclude, at the time of review, that they expect implementation efforts to result in achieving the allocations and numeric target. In that case, staff will recommend that existing and anticipated implementation efforts should continue.

Responsible parties will monitor for at least three years, at which time Central Coast Water Board staff will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that controllable sources of pathogens are not contributing to exceedance of water quality objectives in receiving waters. If this is the case, staff may propose a re-evaluation of the numeric target and allocations. For example, staff may propose a site-specific objective to be approved by the Central Coast Water Board. The site-specific objective would be based on evidence that natural or background sources alone were the cause of exceedances of the Basin Plan water quality objective for pathogen indicator organisms.

Three-year reviews will continue until the TMDLs are achieved. The target date to achieve the TMDLs is 13 years after the date of approval by the California Office of Administrative Law.

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California**

**RESOLUTION NO. R3-2008-0001
March 20-21, 2008**

**Amending The Water Quality Control Plan for The Central Coast Basin to
(1) Remove The Shellfish Harvesting Beneficial Use for San Lorenzo River Estuary, (2)
Modify San Lorenzo River Subbasin and Aptos-Soquel Subbasin Prohibition, and (3)
Adopt The Total Maximum Daily Loads For Pathogens in San Lorenzo River Estuary, San
Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico
Creek**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, prohibitions, implementation plans for point source and nonpoint source pollution discharges, and statewide plans and policies.
2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to (a) remove the shellfish harvesting (SHELL) beneficial use for San Lorenzo River Estuary (also known as San Lorenzo River Lagoon), (b) modify an existing discharge prohibition for the San Lorenzo River Subbasin and Aptos-Soquel Subbasin, and (c) incorporate Total Maximum Daily Loads (TMDLs) and Implementation Plan for pathogens in San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek. The term San Lorenzo River Watershed elsewhere in this document refers only to these waterbodies.
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into the following sections (listed in order of Basin Plan contents):
 - a. Chapter Two, Table 2-1: "Identified Uses of Inland Surface Waters"
 - b. Chapter Four, section IX (Total Maximum Daily Loads), and
 - c. Chapter Five, section IV.B. (Discharge Prohibitions Inland Waters).
4. The Central Coast Water Board has determined that the SHELL beneficial use designation should be removed from the San Lorenzo River Estuary.
5. The federal regulations at 40 CFR 131.10(g) allow the Central Coast Water Board to remove a designated use, which is not an "existing" use, if the state can demonstrate that achieving the use is not feasible based on the factors set forth in 40 CFR 131.10(g). Shellfish harvesting is not an "existing use" as that term is defined in 40 CFR 131.3 because shellfish harvesting use has not been attained in the water body on or after November 28, 1975. The proposed removal of the SHELL beneficial use is based on the results of a Use Attainability Analysis (UAA) in the San Lorenzo River Estuary. Central Coast Water Board staff (staff) developed the UAA in 2004 and 2005 to determine the historic, actual, and potential shell

fishing activities in the San Lorenzo River Estuary. The UAA is necessary to conform to Title 40 of the Code of Federal Regulations (CFR), §131.10(j) because the action involves a designated use specified in Clean Water Act section 101(a) (2). The proposed amendment and the UAA only addresses the fishable goal ("protection and propagation of fish, shellfish, and wildlife") as it pertains to shellfish harvesting and does not address other fishable goals or the swimmable goal included in the water contact recreation designation contained in section 101(a)(2) of the Clean Water Act. The fishable goal of the Clean Water Act is also protected under other beneficial uses (including cold fresh water habitat) designated in the Basin Plan for the San Lorenzo River Estuary.

6. Factors for allowing a state to remove a designated use are listed in section 40 CFR 131.10(g). Based on the UAA, three factors preclude attainment of the SHELL beneficial use in San Lorenzo River Estuary. These factors are as follows:
 - a. Natural, ephemeral, intermittent, or low flow conditions or water levels prevent the attainment of the beneficial use.
 - b. Diversions, and other types of hydrologic modifications preclude the attainment of the beneficial use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use.
 - c. Physical conditions related to the natural features of the water body, including lack of a proper substrate, preclude attainment of aquatic life protection uses.
7. Pursuant to the California Water Code section 13241, the Central Coast Water Board considered several factors in deciding to remove the SHELL beneficial use in the San Lorenzo River Estuary. The Central Coast Water Board concluded that shellfish harvesting is not a past, present, or probable future beneficial use of the San Lorenzo River Estuary. Additionally, the Central Coast Water Board concluded the following:
 - a. Environmental characteristics of the waterbodies will not be affected by the removal of the beneficial use.
 - b. Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area will not be affected by the removal of the beneficial use.
 - c. Removal of the SHELL beneficial use does not impose any costs other than the Central Coast Water Board's costs of preparing the amendment.
 - d. The need for developing housing within the region is not relevant.
 - e. The need to develop and use recycled water is not relevant.
8. The Central Coast Water Board's goal in removing the SHELL beneficial use from the San Lorenzo River Estuary is to assign pathogen indicator organism water quality objectives that accurately reflect the existing and potential uses of the San Lorenzo River Estuary, i.e., those for water-contact and non-contact recreation. For this purpose, "existing uses" mean those uses actually attained on or after November 28, 1975 (40 CFR §131.3(e)).
9. The Basin Plan contains a prohibition adopted by the Central Coast Water Board in 1975. The prohibition states, "Waste discharges to the following inland waters are prohibited:...All surface waters within the San Lorenzo River, Aptos-Soquel, and San Antonio Creek Subbasins and all water contact recreation areas except where benefits can be realized from direct discharge of reclaimed water." The original prohibition was written to control point source discharges from degrading water quality. To serve as an effective prohibition for control of nonpoint source pollution, the prohibition must be modified (modified prohibition).
10. On May 20, 2004, the State Water Resources Control Board (State Board) adopted the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy). This policy requires Regional Water Quality Control Boards to regulate all nonpoint

sources of pollution using the administrative permitting authorities provided by the California Water Code (codified in Division 7 of the California Water Code). This policy requires Regional Water Quality Control Boards to regulate nonpoint source pollution discharges with Waste Discharge Requirements, Waivers of Waste Discharge Requirements, or Basin Plan Prohibitions.

11. Clean Water Act section 303(d) requires states to identify and prepare a list of water bodies that do not meet water quality standards. Water bodies on the 303(d) list are referred to as listed water bodies, or impaired waters. Clean Water Act section 303(d) requires states to establish TMDLs for listed waterbodies.
12. The San Lorenzo River Estuary, San Lorenzo River, Carbonera Creek, and Lompico Creek are listed on the Clean Water Act 303(d) list of impaired waters as impaired due to non-attainment of existing Basin Plan water quality objectives and United States Environmental Protection Agency (USEPA) water quality criteria for pathogens. Branciforte Creek and Camp Evers Creek are not on the Clean Water Act section 303(d) list of impaired waters, but these waters are also impaired.
13. The Central Coast Water Board's goal for establishing TMDLs in the San Lorenzo River Watershed is to rectify the impairment due to pathogens, thereby providing support for the beneficial uses of contact and non-contact water recreation.
14. San Lorenzo River Estuary (also known as the San Lorenzo River Lagoon) is the receiving water for approximately 87,800 acres of land and flows into northern Monterey Bay. Camp Evers Creek flows into Carbonera Creek. Carbonera Creek flows into Branciforte Creek, and Branciforte Creek flows into San Lorenzo River Estuary. Lompico Creek flows into San Lorenzo River, and San Lorenzo River flows into San Lorenzo River Estuary.
15. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the San Lorenzo River Watershed TMDLs are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDL numeric target.
16. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6(c)(1) and 130.7; and California Water Code sections 13050(j) and 13242). The Basin Plan and applicable statewide plans serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
17. The Central Coast Water Board may prohibit certain types of waste discharge pursuant to California Water Code section 13243. The implementation plan for the TMDLs for the San Lorenzo River Watershed requires compliance with a modified prohibition (proposed Amendment No. 2 contained herein) for nonpoint source pollution discharges in the San

Lorenzo River Subbasin. Supporting documentation for modifying the San Lorenzo River Subbasin and Aptos-Soquel Subbasin prohibition is provided in the Final Project Reports for (1) Total Maximum Daily Load for Pathogens in San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek, (2) Total Maximum Daily Load for Pathogens in Aptos Creek, Valencia Creek, and Trout Gulch, and (3) Total Maximum Daily Load for Pathogens in Soquel Lagoon, Soquel Creek, and Noble Gulch. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for the proposed modified prohibition.

18. Pursuant to the California Water Code section 13241, the Central Coast Water Board considered several factors in developing these Basin Plan amendments. The Central Coast Water Board concludes the following:
 - a. The removed shellfish harvesting beneficial use, adopted TMDLs, and modified prohibition will protect past, present, or probable future beneficial uses.
 - b. Environmental characteristics of the waterbody will be protected.
 - c. Improved water quality conditions can reasonably be achieved through the coordinated management of all factors that affect water quality in the area, as provided in the Implementation Plan.
 - d. Costs to achieve compliance with the modified prohibition are reasonable relative to the benefit of improved water quality.
 - e. The need for developing housing within the region is not relevant.
 - f. The need to develop and use recycled water is not relevant.
19. Central Coast Water Board staff submitted a Use Attainability Analysis to an external scientific review panel in March 2006 as required by Health & Safety Code section 57004. Central Coast Water Board staff also submitted the proposed modified prohibition and the Project Report for the TMDLs to an external scientific review panel in July 2007. The staff received comments from the panel. Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendments. The scientific portions of the proposed removal of the SHELL beneficial use, the modified prohibition, the TMDLs and implementation plan are based on sound scientific knowledge, methods, and practices in accordance with section Health & Safety Code section 57004.
20. Central Coast Water Board staff implemented a process to inform interested persons and the public about the removal of the SHELL beneficial use designation for the San Lorenzo River Estuary, the modified prohibition, and the TMDLs. Central Coast Water Board staff's efforts to inform the public and solicit comment included a public meeting and telephone conversations with interested parties. Public notification of the amendment to the Basin Plan occurred for a 45-day period preceding the Central Coast Water Board hearing. Notice of the public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Central Coast Water Board staff responded to oral and written comments received from the public. All public comments were considered.
21. The Central Coast Water Board considered costs of implementing measures to comply with the removal of the SHELL beneficial use designation, comply with the modified prohibition and the TMDLs. The costs will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from the three amendments.
22. Anti-Degradation — The removal of the shellfish harvesting beneficial use from the San Lorenzo River Estuary, the modification of the prohibition for the San Lorenzo River Subbasin

and Aptos-Soquel Subbasin, and the adoption of these TMDLs for the San Lorenzo River Watershed are consistent with the provisions of State Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12. Modification of the existing prohibition and adoption of these TMDLs will result in improved water quality throughout the region and maintain the level of water quality necessary to protect present and potential beneficial uses. As concluded in the Use Attainability Analysis, shellfish harvesting is not an existing use, and removal of the beneficial use from the Basin Plan will not result in degradation of water quality.

23. The Central Coast Water Board concurs with the Use Attainability Analysis, rationale for modifying the prohibition, and the analysis contained in the Final Project Report, the California Environmental Quality Act "Substitute Environmental Document" for the Basin Plan Amendments (including the CEQA Checklist), the staff report, responses to comments, and finds that these analyses comply with the requirements of the State Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board finds that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code.
24. The Central Coast Water Board will request that the State Water Board approve the Basin Plan amendment incorporating the removal of the SHELL beneficial use for San Lorenzo River Estuary, the modified prohibition and the TMDLs for pathogens for the San Lorenzo River Watershed. The TMDLs, Implementation Plan and modified prohibition will become effective upon approval by the California Office of Administrative Law. The removal of the SHELL beneficial use will become effective upon approval by USEPA.
25. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is, therefore, exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
26. On March 21, 2008 in Salinas, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.
27. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b). As specified in Finding-16, federal regulations require that TMDLs be incorporated into the Water Quality Management Plan. The Central Coast Water Board's Basin Plan is the Central Coast Water Board's component of the Water Quality Management Plan, and the Basin Plan is how the Central Coast Water Board takes quasi-legislative, planning actions. Moreover, the TMDL is a program of implementation for existing water quality objectives, and is, therefore, appropriately a component of the Basin Plan under the California Water Code, section 13242. The necessity of developing a TMDL is established in the TMDL staff report, the Clean Water Act section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the San Lorenzo River Watershed.
28. The proposed amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code, section 11352, subdivision (b).

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13241, 13242, 13243, and 13244 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral

testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments".

2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Board approve the Basin Plan amendments in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward them to the California Office of Administrative Law and the USEPA.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption or transmit payment of the applicable fee as may be required to the Resources Agency.
5. If, during its approval process, Central Coast Water Board staff, State Board staff, the State Board or Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.
6. The environmental documents prepared by the Central Coast Water Board staff pursuant to Public Resources Code 21080.5 are hereby certified.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on March 21, 2008.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2008-0001

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan as follows:

AMENDMENT NO. 1.

Amend Chapter 2, Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL	
San Lorenzo River Estuary						X	X	X	X		X	X	X	X	X				X				X

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan, Chapter Five, as follows:

Amend Chapter Five, section IV.B. as follows:

Waste discharges to the following inland waters are prohibited:...(2) All surface waters within the San Lorenzo River, Aptos-Soquel, and San Antonio Creek Subbasins and all water contact recreation areas except where benefits can be realized from direct discharge of reclaimed water.

Owners and/or operators of lands used for/containing non-regulated activities and/or infrastructure that could discharge or contain a discharge of human waste (including, but not limited to homeless persons/encampments, private laterals to public sewage collection systems, or any other activity or infrastructure in the care of said owners/operators), and owners and/or operators of land used for/containing domesticated animals (including, but not limited to: horses, cattle, goats, sheep, dogs, cats, or any other animals in the care of said owners/operators), in the San Lorenzo River Subbasin and Aptos-Soquel Subbasin must comply with this prohibition. However, this prohibition does not apply to said owners and/or operators if they:

1. Submit documentation demonstrating, to the satisfaction of the Executive Officer, that there are no discharges of, or containing, fecal sources by humans and/or domesticated animals into waters of the San Lorenzo River Subbasin or Aptos-Soquel Subbasin, or
2. Submit a nonpoint source pollution control implementation program for approval by the Executive Officer that is consistent with the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program, May 20, 2004*; such a program must include management practices that control pollution discharges, monitoring and reporting to Central Coast Regional Water Quality Control Board, or
3. Comply with Waste Discharge Requirements or an NPDES permit, or a conditional waiver of waste discharge requirements that explicitly addresses compliance with the:
 - a. Total Maximum Daily Loads for Pathogens in San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek and Lompico Creek (R3-2008-0001)
 - b. Total Maximum Daily Loads for Pathogens in Soquel Lagoon, Soquel Creek, and Noble Gulch (R3-2008-0002)
 - c. Total Maximum Daily Loads for Pathogens in Aptos Creek, Valencia Creek, and Trout Gulch (R3-2008-0003).

This amendment to the prohibition takes effect three years after the Total Maximum Daily Loads are approved by the California Office of Administrative Law.

AMENDMENT NO. 3. ADOPT THE TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SAN LORENZO RIVER ESTUARY, SAN LORENZO RIVER, BRANCIFORTE CREEK, CAMP EVERS CREEK, CARBONERA CREEK, AND LOMPICO CREEK

Add the following to Chapter 4 after IX. I.:

IX. J. TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SAN LORENZO ESTUARY, SAN LORENZO RIVER, BRANCIFORTE CREEK, CAMP EVERS CREEK, CARBONERA CREEK, AND LOMPICO CREEK

The Regional Water Quality Control Board adopted these TMDLs on March 21, 2008. These TMDLs were approved by:

The State Water Resources Control Board on _____.

The California Office of Administrative Law on _____.
(Effective date)

The U.S. Environmental Protection Agency on _____.
(Effective date)

Problem Statement

The beneficial use of water contact recreation is not protected in the impaired reaches of the San Lorenzo River Estuary (also known as San Lorenzo River Lagoon), San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek because fecal coliform concentrations exceed existing Basin Plan numeric water quality objectives protecting this beneficial use. All reaches in these waterbodies are impaired with the exception of Carbonera Creek, where the impairment extends from the mouth of Carbonera Creek upstream to its intersection with Bethany Road.

Numeric Target

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 MPN per 100 mL.

Source Analysis

San Lorenzo River Estuary

The relative order of controllable sources, in descending order, are:

- 1) City of Santa Cruz sanitary sewer collection system leaks (including private laterals connected to municipal sanitary sewer collection systems),
- 2) storm drain discharges to municipally owned and operated storm sewer systems (MS4s) required to be covered by an NPDES permit,
- 3) pet waste in areas that do not drain to MS4s,
- 4) homeless person/encampment discharges in areas that do not drain to MS4s,
- 5) onsite wastewater treatment system discharges, and
- 6) domesticated animals/livestock discharges.

San Lorenzo River, and Lompico Creek

The relative order of controllable sources, in descending order, are:

1) Onsite wastewater disposal system discharges, 2) storm drain discharges to municipally owned and operated storm sewer systems (MS4s) required to be covered by an NPDES permit, 3) City of Santa Cruz sanitary sewer collection system leaks (including private laterals connected to municipal sanitary sewer collection systems) within the City limits of Santa Cruz [does not include Lompico Creek], 4) pet waste in areas that do not drain to MS4s, 5) homeless person/encampment discharges in areas that do not drain to MS4s, and 6) domesticated animals/livestock discharges.

Branciforte Creek,

The relative order of controllable sources, in descending order, are:

1) Storm drain discharges to municipally owned and operated storm sewer systems (MS4s) required to be covered by an NPDES permit, 2) pet waste in areas that do not drain to MS4s, 3) City of Santa Cruz sanitary sewer collection system leaks (including private laterals connected to municipal sanitary sewer collection systems) within the City limits of Santa Cruz, 4) homeless person/encampment discharges in areas that do not drain to MS4s, 5) onsite wastewater disposal system discharges, and 6) domesticated animals/livestock discharges.

Carbonera and Camp Evers Creek:

The relative order of controllable sources, in descending order, are:

1) Storm drain discharges to municipally owned and operated storm sewer systems (MS4s) required to be covered by an NPDES permit, 2) pet waste in areas that do not drain to MS4s, 3) homeless person/encampment discharges in areas that do not drain to MS4s, 4) onsite wastewater disposal system discharges, 5) domesticated animals/livestock discharges, and 6) City of Scotts Valley sanitary sewer collection system leaks (including private laterals connected to municipal sanitary sewer collection systems).

TMDLs and Allocations

The following TMDLs are for the impaired reaches of the following water bodies, and are applicable for each day for all seasons:

The TMDLs for pathogens in the San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek are the water quality objective for fecal coliform protecting the water contract recreation beneficial use.

The allocations to responsible parties are shown in Table IX J-1.

Table IX J-1. Allocations and Responsible Parties

WASTE LOAD ALLOCATIONS		
Waterbody Assigned Allocation	Responsible Party (Source)	Receiving Water Fecal Coliform (MPN/100mL)
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, and Carbonera Creek</u>	<u>City of Santa Cruz</u> (Storm drain discharges)	<u>Allocation-1</u>
<u>Camp Evers Creek and Carbonera Creek</u>	<u>City of Scotts Valley</u> (Storm drain discharges)	<u>Allocation-1</u>
<u>San Lorenzo River, Branciforte Creek, Lompico Creek, and Carbonera Creek</u>	<u>Santa Cruz County</u> (Storm drain discharges)	<u>Allocation-1</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, and Carbonera Creek</u>	<u>City of Santa Cruz</u> (Sanitary sewer collection system leaks)	<u>Allocation-1</u>
<u>Carbonera Creek, Camp Evers Creek</u>	<u>City of Scotts Valley</u> (Sanitary sewer collection system leaks)	<u>Allocation-1</u>
LOAD ALLOCATIONS		
Waterbody	Responsible Party (Source)	Receiving Water Fecal Coliform (MPN/100mL)
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Carbonera Creek, and Camp Evers Creek</u>	<u>Owners of private sewer laterals residing in the Cities of Santa Cruz and Scotts Valley</u> (Private laterals connected to municipal sanitary sewer collection system)	<u>Allocation-1</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Carbonera Creek, Camp Evers Creek and Lompico Creek</u>	<u>Owners of onsite wastewater treatment systems residing in the County of Santa Cruz and the City of Scotts Valley</u> (Onsite wastewater treatment system discharges)	<u>Allocation-1</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek</u>	<u>Owners/operators of land used for/containing pets</u> (Pet waste not regulated by WQ Order No. 2003-0005-DWQ [storm water general permit])	<u>Allocation-1</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Carbonera Creek, Camp Evers Creek, and Lompico Creek</u>	<u>Owners/operators of land used for/containing domesticated animals/livestock</u> (Domesticated animals/livestock)	<u>Allocation-1</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Lompico Creek, Camp Evers Creek, and Carbonera Creek</u>	<u>Owners and/or operators of land that include homeless persons/encampments</u> (Discharges from homeless persons/encampments not regulated by WQ Order No. 2003-0005-DWQ [storm water general permit])	<u>Allocation-1</u>
<u>San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Lompico Creek, Camp Evers Creek, and Carbonera Creek</u>	<u>No responsible party</u> (Natural sources)	<u>Allocation-1</u>

1 All reaches of the following water bodies are assigned allocations, excepting Carbonera Creek, where the allocations are assigned from the mouth to the intersection with Bethany Road.

Allocation-1 = Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200/100mL, nor shall more than ten percent of total samples during any 30-day period exceed 400/100 mL.

The parties responsible for the allocation to controllable sources are not responsible for the allocation to natural sources.

The TMDLs are considered achieved when the allocations assigned to all individual responsible parties are met or when the numeric targets are consistently met in the San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek.

Margin of Safety

A margin of safety is incorporated implicitly in the TMDLs through conservative assumptions.

Implementation

SANITARY SEWER COLLECTION SYSTEM LEAKS:

The City of Santa Cruz Sanitary Sewer Collection System is required to prevent spills and leaks pursuant to NPDES Permit No. CA 0048194 (current number) and WDR Order R3-2005-0003 (current number). The City of Santa Cruz must comply with this permit by improving maintenance of their sewage collection system. Improved maintenance includes identification, correction, and prevention of sewage leaks in portions of the collection systems that intersect, or could impact the water quality, of the San Lorenzo River Estuary or San Lorenzo River. The NPDES permit requires an annual technical report that describes how and when the City of Santa Cruz will conduct improved system maintenance in portions of the system most likely to affect the San Lorenzo Estuary and San Lorenzo River. Within one year following adoption of these TMDLs by the Office of Administrative Law, the Executive Officer will evaluate the results of the annual technical report submitted by the City of Santa Cruz to determine compliance with the requirement to prevent spills and leaks. The Executive Officer and/or the Central Coast Water Board will determine whether modifications to the City of Santa Cruz NPDES Permit No. CA 0048194 and/or WDR Order R3-2005-003 are necessary to address sewer collection system spills and leaks.

The City of Scotts Valley Sanitary Sewer Collection System is required to prevent spills and leaks pursuant to NPDES Permit No. CA 0048828 (current number) and WDR R3-2002-0016 (current number). The City of Scotts Valley is currently (March 21, 2008) in compliance with their existing NPDES permit and WDR and the Water Board is not requiring additional implementation measures (associated with sanitary sewer collection system leak prevention) of the City of Scotts Valley at this time (with the exception of monitoring as mentioned in the following paragraph). However, during the Central Coast Water Board's three-year implementation evaluations, should the Executive Officer determine additional maintenance needs to be performed, the Executive Officer and/or the Central Coast Water Board will determine whether modifications to the City of Santa Cruz NPDES Permit No. CA 0048828 and/or WDR Order R3-2002-0016 are necessary to address sewer collection system spills and leaks.

The Executive Officer or the Central Coast Water Board will amend the Monitoring and Reporting Program of the Cities of Santa Cruz and Scotts Valley NPDES permits to incorporate monitoring for fecal coliform and reporting results.

PRIVATE LATERALS TO THE SANITARY SEWER COLLECTION SYSTEMS:

Individual owners of private laterals to sanitary sewer collection systems are responsible for maintenance of their private laterals. However, the Cities of Santa Cruz and Scotts Valley have the authority to require private lateral upgrades. The Cities of Santa Cruz and Scotts Valley may choose to implement a program to detect and require repair of leaks from private laterals. The Central Coast Water Board would consider implementation (by the Cities of Santa Cruz and/or Scotts Valley) of such a program, as proof of compliance by owners with private laterals with the San Lorenzo River Subbasin prohibition. If the Cities of Santa Cruz and/or Scotts Valley implement such a program, the Central Coast Water Board will request and use reporting from the Cities of Santa Cruz and/or Scotts Valley to evaluate individual private lateral owner compliance with the San Lorenzo River Subbasin prohibition.

Within one year following approval of these TMDLs by the California Office of Administrative Law, if the Cities of Santa Cruz and/or Scotts Valley do not submit an approved program to detect and repair leaks from private laterals, or if the Central Coast Water Board or Executive Officer determines that such an existing or proposed program is insufficient, then landowners with private laterals must demonstrate compliance individually with the San Lorenzo Subbasin prohibition.

If landowners with private laterals must demonstrate compliance individually with the San Lorenzo River Subbasin prohibition, then within one year following approval of the TMDLs by the California Office of Administrative Law, the Executive Officer will notify owners and/or operators of land that have private lateral connections to the sanitary sewer system of the City of Santa Cruz and/or Scotts Valley, of the San Lorenzo River Subbasin prohibition and conditions for compliance with the prohibition. Compliance with the San Lorenzo River Subbasin prohibition is described in Chapter Five, section IV.B. of the Water Quality Control Plan.

STORM DRAIN DISCHARGES TO MUNICIPALLY OWNED AND OPERATED STORM SEWER SYSTEMS REQUIRED TO BE COVERED BY AN NPDES PERMIT (MS4S):

Enrollees of the State Water Resources Control Board's General Permit for the Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (General Permit for storm water discharges) must control discharges of pathogens to and in storm drains (currently NPDES No. S000004).

The Cities Santa Cruz and Scotts Valley and the County of Santa Cruz must control discharges of pathogens to and in storm drains when enrolled in the General Permit for storm water discharges.

Within one year following approval by the Office of Administrative Law (OAL) of these TMDLs, or if enrolled in the General Permit for stormwater discharge, then when the next annual report is due, or to meet any other Water Board-issued storm water requirements (e.g. when the State General Permit for stormwater discharges is renewed) the Cities Santa Cruz and Scotts Valley and the County of Santa Cruz will be required to:

1. Submit for approval a management program that identifies pathogen-specific best management practices targeting pathogen sources from:
 - a. Birds, pets, rodents and wildlife, dumpster leachate, and humans.The best management practices should include, but not be limited to: those identified in a Storm Water Management Plan (if existing or being developed), public education, participation and outreach regarding sources of pathogens in surface waters, health risks associated pathogens in surface waters, and specific actions the public can take to reduce pathogen loading into surface waters.

2. Submit for approval a fecal indicator bacteria (e.g. fecal coliform) monitoring and reporting plan. Receiving water and storm water outfall monitoring will be required.
3. Incorporate a description of implementation and monitoring activities in any existing or developing Storm Water Management Plan, and corresponding reporting, associated with a General Permit for storm water discharges.

The Executive Officer or the Central Coast Water Board will require information that demonstrates implementation of the actions described above, pursuant to applicable sections of the California Water Code and/or pursuant to authorities provided in the General Permit for storm water discharges.

PET WASTES AND DOMESTICATED ANIMAL/LIVESTOCK DISCHARGES:

Owners and/or operators of land used for/containing domesticated animals (including, but not limited to: horses, cattle, goats, sheep, dogs, cats, or any other animals in the care of owners/operators) in the San Lorenzo River Subbasin must comply with the San Lorenzo River Subbasin prohibition.

Within one year following approval of these TMDLs by the California Office of Administrative Law, the Executive Officer will notify owners and/or operators of lands used for/containing domesticated animals, of the San Lorenzo River Subbasin prohibition and conditions for compliance with the prohibition, as described in Chapter Five, section IV.B. of the Water Quality Control Plan.

ONSITE WASTEWATER DISPOSAL SYSTEM DISCHARGES:

Owners of onsite wastewater disposal systems (OSDS) are ultimately responsible for assuring their OSDSs are not degrading water quality.

Within one year of approval of these TMDLs by the California Office of Administrative Law, the Executive Officer or the Central Coast Water Board will:

Require owners of OSDS in the county areas of the San Lorenzo River Watershed to submit evidence that their OSDS are not degrading water quality. Or, in lieu of/or addition to these submittals by owners of OSDS, will determine if the County of Santa Cruz is making adequate progress towards implementing the San Lorenzo River Management Plan, or an updated plan, as it pertains to reducing pollution sources from OSDS.

Require owners of OSDS in the City of Scotts Valley to submit evidence demonstrating they are in compliance with the City of Scotts Valley's program that requires failed OSDS to connect to the sanitary sewer collection system. The Central Coast Water Board will request this information triennially until all onsite wastewater disposal systems with the potential to impact surface water have connected to the City of Scotts Valley sanitary sewer collection system. Or, in lieu of/or addition to these submittals by owners of onsite wastewater disposal systems, will consult with the City of Scotts Valley to determine if the number of remaining unconnected systems is approaching zero at a rate necessary to achieve the TMDLs by the target date (described in Tracking and Evaluation below).

HOMELESS PERSONS/ENCAMPMENT DISCHARGES

Owners/operators of land that contains homeless persons/encampments in the San Lorenzo River Subbasin must comply with the San Lorenzo River Subbasin prohibition.

Within one year following approval of these TMDLs by the California Office of Administrative Law, the Executive Officer will notify owners/operators of lands that contain homeless persons/encampments of the San Lorenzo River Subbasin prohibition and conditions for compliance with the prohibition, as described in Chapter Five, section IV.B. of the Water Quality Control Plan.

Tracking and Evaluation

Every three years beginning three years after TMDLs are approved by the Office of Administrative Law, Central Coast Water Board staff will perform a review of implementation actions and monitoring results. Central Coast Water Board staff will use annual reports, nonpoint source pollution control implementation programs, and other available information, to review implementation progress toward achieving the allocations and the numeric target.

Central Coast Water Board staff may conclude that ongoing implementation efforts are insufficient to ultimately achieve the allocations and numeric target. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either through approval by the Executive Officer or by the Central Coast Water Board. Central Coast Water Board staff may conclude, at the time of review, that they expect implementation efforts to result in achieving the allocations and numeric target. In that case, staff will recommend that existing and anticipated implementation efforts should continue.

Responsible parties will monitor for at least three years, at which time Central Coast Water Board staff will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that controllable sources of pathogens are not contributing to exceedance of water quality objectives in receiving waters. If this is the case, staff may propose a re-evaluation of the numeric target and allocations. For example, staff may propose a site-specific objective to be approved by the Central Coast Water Board. The site-specific objective would be based on evidence that natural or background sources alone were the cause of exceedances of the Basin Plan water quality objective for pathogen indicator organisms.

Three-year reviews will continue until the TMDLs are achieved. The target date to achieve the TMDLs is 13 years after the date of approval by the California Office of Administrative Law.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
San Luis Obispo, California**

**RESOLUTION NO. R3-2006-044
JULY 7, 2006
ADOPTING A TOTAL MAXIMUM DAILY LOAD
AND IMPLEMENTATION PLAN
FOR NUTRIENTS AND DISSOLVED OXYGEN
IN CHORRO CREEK**

**The California Regional Water Quality Control Board, Central Coast Region,
hereby finds:**

1. The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. Section 303(d) of the Clean Water Act requires states to identify and prepare a list of water bodies that do not meet water quality standards and establish a Total Maximum Daily Load (TMDL) for the listed water bodies. A TMDL is the loading capacity of a pollutant that a water body can assimilate while protecting beneficial uses. TMDLs can be expressed in terms of either mass per time, concentration, or other appropriate measure [40 CFR §130.2(i)].
3. Chorro Creek was identified as impaired by nutrients and included on the 1998 Clean Water Act Section 303(d) list of impaired water bodies. Chorro Creek is identified as impaired due to low dissolved oxygen on the draft 2006 Clean Water Act Section 303(d) list of impaired water bodies. Due to the 303(d) listings, the Central Coast Water Board is required to adopt a TMDL and associated Implementation Plan (40 CFR 130.6(c)(1), 130.7, Water Code section 13242).
4. The Chorro Creek watershed is located along the central coast of California in San Luis Obispo County. Chorro Creek watershed drains approximately 30,000 acres, ultimately draining to the Morro Bay Estuary. The United States Environmental Protection Agency (USEPA) has included Morro Bay Estuary as part of the National Estuary Program (NEP). USEPA elevates NEP designated waterbodies to national importance and are often the recipients of funding aimed at environmental protection.
5. The Final Project Report contains a Problem Statement, Numeric Targets, Source Analysis, Total Maximum Load, Linkage Analysis, Load Allocations, Margin of Safety, an Implementation Plan, and a Monitoring Plan. The Final Project Report addresses the nutrient and dissolved oxygen impairments.
6. The Central Coast Water Board has determined that the TMDLs for nutrients and dissolved oxygen in Chorro Creek are set at levels necessary to attain and maintain the applicable numeric water quality objectives, taking into account seasonal

variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)).

7. The Central Coast Water Board finds that the TMDL for nutrients and dissolved oxygen for Chorro Creek will be achieved through adoption of the National Pollutant Discharge Elimination System (NPDES) permit for the discharge of wastewater from the California Men's Colony (CMC), and through water quality improvements that will result from the existing Chorro Flats riparian restoration project along lower Chorro Creek. The Coastal San Luis Resource Conservation District owns, implemented, and monitors the Chorro Flats restoration project. The NPDES permit establishes effluent limits that implement the wasteload allocations described in the Final Project Report. The Chorro Flats project will increase stream shading, thereby reducing stream temperature. The Central Coast Water Board further finds that compliance with the NPDES permit, along with the water quality improvements from the riparian restoration project, will correct the impairments in Chorro Creek. Therefore, these existing actions implement the TMDL.
8. The Central Coast Water Board further finds that monitoring during the implementation phase of the TMDL is necessary to track progress toward achieving the TMDL numeric targets and allocations.
9. The CMC monitors nitrate-N, orthophosphorus, total dissolved solids, sodium, temperature, and dissolved oxygen in their effluent and in Chorro Creek pursuant to the Monitoring and Reporting Program associated with the NPDES permit regulating this discharge. Volunteer and employed monitors associated with Morro Bay National Estuary Program's Volunteer Monitoring Program (VMP) monitor stream temperature, shading, algal cover, and dissolved oxygen in Chorro Creek. The combined monitoring efforts of the CMC and VMP will provide the information necessary to determine whether and when the TMDL for Chorro Creek is achieved.
10. Central Coast Water Board staff will conduct a review of implementation activities every three years, beginning three years after TMDL approval by the Central Coast Water Board, unless funding is unavailable. Central Coast Water Board staff will utilize reports associated with the NPDES permit, Volunteer Monitoring Programs, as well as other available information, to review water quality data and implementation efforts of implementing parties and progress being made towards achieving the allocations and the numeric targets. Central Coast Water Board staff may conclude that ongoing implementation efforts are insufficient to ultimately achieve the allocations and numeric targets. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either through approval by the Executive Officer (e.g. pursuant to CWC section 13267 or section 13383) or by the Central Coast Water Board (e.g. through revisions of existing permits and/or a Basin Plan Amendment). Central Coast Water Board staff may conclude that to date, implementation efforts are likely to result in achieving the allocations and numeric targets, in which case existing implementation efforts will continue.
11. Central Coast Water Board staff (staff) mailed a public draft version of the Final Project Report for the TMDL directly to the CMC. Staff also provided a forty-five day public review and comment period before the Central Coast Water Board hearing held on July 7, 2006. Notice of public hearing was given through newspapers of

general circulation within the Chorro Creek watershed. In addition, a copy of the notice of public hearing was mailed to interested government agencies as well as persons requesting such notice.

12. The Central Coast Water Board finds that existing actions by the Central Coast Water Board and the Coastal San Luis Resource Conservation District make any further regulatory action (i.e. any 'project') unnecessary. Therefore, this action is not a "project" that requires compliance with the California Environmental Quality Act (California Public Resources Code §21000 et seq.). The Water Board is not directly undertaking an activity, funding an activity, or issuing a permit or other entitlement for use (Public Resources Code section 21065; 14 Cal. Code of Regs. §15378).
13. The TMDL and associated Implementation and Monitoring Plan do not allow degradation or a decrease in water quality, and do not approve an activity that produces or may produce a waste or increased volume or concentration of waste or an activity that discharges or proposes to discharge to existing high quality waters. This resolution therefore complies with Resolution 68-16 and 40 CFR §131.12.
14. This TMDL will become effective upon approval by the Central Coast Water Board.
15. On July 7, 2006, in San Luis Obispo, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, BE IT RESOLVED,

1. The Central Coast Water Board, after considering the entire record, including oral testimony, adopts the Total Maximum Daily Load for Nutrients and Dissolved Oxygen in Chorro Creek, as shown in the Final Project Report.
2. The Central Coast Water Board finds that the existing actions taken by the Central Coast Water Board adopting the NPDES permit for the discharge of wastewater from the CMC, and by the Coastal San Luis Resource Conservation District through the existing and implemented Chorro Flats riparian restoration project along Chorro Creek, are appropriate for implementation of the TMDL, are adequate to correct the impairments, and are expected to result in attainment of water quality objectives for nutrients and dissolved oxygen in Chorro Creek. At this time, any further regulatory action to create another program of implementation by the Central Coast Water Board would be redundant and unnecessary.
3. These findings shall remain valid as long as Chorro Creek attains nutrient and dissolved oxygen objectives no later than July 7, 2016.
4. The Central Coast Water Board may revoke these findings if it finds that the discharge modifications of the California Men's Colony wastewater treatment plant, and/or the Chorro Flats riparian restoration project along Chorro Creek, are not adequately implemented or are no longer adequate to resolve the impairments.

5. The Central Coast Water Board's Executive Officer is directed to submit the TMDL to the U.S. Environmental Protection Agency (USEPA) for review. If during its approval process the USEPA determines that minor, non-substantive corrections to the language of the TMDL are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the Resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on **July 7, 2006.**



Executive Officer

S:\TMDLs & Watershed Assessment\TMDL and Related Projects- Region 3\Chorro Creek\Nutrients\7 State Board_USEPA Approval\USEP Approval Docs\ATT-1 - CHORRO NUT&DO TMDL RESOLUTION (14June06)FINAL.doc

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

RESOLUTION NO. R3-2006-0025
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN TO INCLUDE
WATSONVILLE SLOUGH TOTAL MAXIMUM DAILY LOAD
AND IMPLEMENTATION PLAN FOR PATHOGENS,
WATSONVILLE SLOUGH WATERSHED LIVESTOCK WASTE DISCHARGE PROHIBITION,
AND REMOVAL OF THE SHELLFISH HARVESTING BENEFICIAL USE FROM
WATSONVILLE SLOUGH AND TRIBUTARIES

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region hereby finds that:

1. The California Regional Water Quality Control Board, Central Coast Region (Water Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Water Board periodically revises and amends the Basin Plan. The Water Board has determined the Basin Plan requires further revision and amendment to incorporate a Total Maximum Daily Load (TMDL) and Implementation Plan for Pathogens for Watsonville Slough.
3. The Water Board proposes to amend the Basin Plan by inserting amendments into the following section:
 - a. Chapter Two, Table 2-1: "Identified Uses of Inland Surface Waters"
 - b. Chapter Four, Sections VIII (Nonpoint Source Measures) and IX (Total Maximum Daily Loads)
 - c. Chapter Five, Section IV.E (Other Specific Prohibition Subjects)
4. Section 303(d) of the Clean Water Act (CWA) requires states to identify and prepare a list of water bodies that do not meet water quality standards and to establish TMDLs for listed waterbodies.
5. Watsonville Slough is listed on California's 303(d) list as impaired due to non-attainment of existing Basin Plan water quality objectives for pathogens.
6. Watsonville Slough is located in Santa Cruz County, California. The watershed area drains approximately 13,000 acres generally north of the Slough itself, which flows into the mouth of the Pajaro River at Monterey Bay, ultimately draining into the Pacific Ocean. Tributaries to Watsonville Slough include Struve Slough, Hanson Slough, and Harkins Slough. Gallighan Slough flows into Harkins Slough.
7. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the CWA, as well as USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Water Board has determined that the Watsonville Slough Pathogen TMDL is set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40

- CFR 130.7(c)(1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing this TMDL as units of concentration is appropriate because an existing concentration based water quality objective is used as the basis for the numeric target.
8. Upon establishment of TMDLs by the State or USEPA, the state is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1), 130.7; California Water Code (CWC) sections 13050(j), 13242). The Basin Plan, and applicable statewide plans, serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Water Board.
 9. The TMDL implementation plan requires compliance with a new livestock waste discharge prohibition within the Watsonville Slough Watershed. The Water Board may prohibit certain types of waste discharge pursuant to CWC 13243. Consistent with CWC 13244, the Water Board conducted public notice and hearing requirements for the proposed waste discharge prohibition.
 10. Pursuant to CWC section 13241, the Water Board considered several factors in developing the livestock waste discharge prohibition in Watsonville Sloughs. The Board concludes the following:
 - a. The prohibition will not affect past, present, or probable future beneficial uses of Watsonville Sloughs.
 - b. Environmental characteristics of the waterbody will not be affected.
 - c. Improved water quality conditions can reasonably be achieved through the coordinated control of all factors that affect water quality in the area, as provided in the Implementation Plan.
 - d. Costs to achieve compliance with the prohibition are reasonable relative to the benefit of improved water quality.
 - e. The need for developing housing within the region is not relevant.
 - f. The need to develop and use recycled water is not relevant.
 11. The Water Board's goal for establishing the above mentioned TMDL is to protect the contact and non-contact water recreation beneficial uses (REC-1 and REC-2, respectively) as defined in the Basin Plan.
 12. The Water Board has determined that the shellfish harvesting (SHELL) beneficial use designation as it pertains to Watsonville, Harkins, Gallighan, Struve, and Hanson Sloughs should be removed.
 13. The proposed removal of the SHELL beneficial use is based on the results of a Use Attainability Analysis (UAA) of this beneficial use in Watsonville Slough and its tributaries, performed by Water Board staff. Staff conducted this analysis in Spring 2005 to determine actual and potential SHELL use of the Sloughs. The UAA is necessary to conform to 40 Code of Federal Regulations, section 131.10(j) because the action involves a designated use specified in CWA section 101(a)(2). The proposed amendment and the UAA only address the fishable goal ("protection and propagation of fish, shellfish, and wildlife") as it pertains to shellfish harvesting and do not address other fishable goals or the swimmable goal included in the REC-1 designation contained in section 101(a)(2) of the CWA. The fishable goal of the CWA is also protected under other beneficial uses (including WARM) designated in the Basin Plan for the affected waterbodies.
 14. CWA factors for allowing a State to remove a designated use are listed in Section 131.10(g). Based on staff's UAA, three factors preclude attainment of SHELL in Watsonville Slough and its tributaries. These factors are as follows:
 - a. Natural, ephemeral, intermittent, or low flow conditions or water levels prevent the attainment of the beneficial use.

- b. Diversions, and other types of hydrologic modifications preclude the attainment of the beneficial use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use.
 - c. Physical conditions related to the natural features of the water body, including lack of a proper substrate, preclude attainment of aquatic life protection uses.
15. Pursuant to CWC section 13241, the Water Board considered several factors in deciding to remove the SHELL beneficial use in Watsonville Sloughs. Staff concluded that shellfish harvesting is not a past, present, or probable future beneficial use of Watsonville Sloughs. In removing the SHELL beneficial use, staff concluded the following:
 - a. Environmental characteristics of the waterbody will not be affected.
 - b. Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area will not be affected.
 - c. De-designation of the SHELL beneficial use does not impose any costs other than the Water Board's costs of preparing the amendment.
 - d. The need for developing housing within the region is not relevant.
 - e. The need to develop and use recycled water is not relevant.
16. The removal of the SHELL beneficial use is consistent with the Antidegradation Policy, as it will not lower the water quality of the Watsonville Slough and its tributaries relative to existing conditions. In assigning water quality objectives to the uses that exist, the Basin Plan Amendment fulfills the requirement of protecting the level of water quality necessary to protect existing and anticipated beneficial uses.
17. The Water Board's goal in de-designating the SHELL beneficial use is to assign bacterial water quality objectives that accurately reflect the existing and potential uses of Watsonville Slough and tributaries. For this purpose, "existing uses" means those uses actually attained on or after November 28, 1975 (40 CFR §131.3(e)).
18. Water Board staff submitted a TMDL report, including the proposed waste discharge prohibition and proposed removal of the SHELL beneficial use in Watsonville Slough and tributaries, to an external scientific review panel in October of 2005 as required by Health & Safety Code Section 57004. Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendment. The scientific portions of the TMDL and implementation plan, the waste discharge prohibition, and the proposed removal of the SHELL beneficial use, are based on sound scientific knowledge, methods, and practices in accordance with Section 57004.
19. Water Board staff implemented a process to inform interested persons and the public about the TMDL, the waste discharge prohibition, and removal of the SHELL beneficial use designation for Watsonville Slough and tributaries. Water Board staff's efforts to inform the public and solicit comment include public meetings, presentations to special interest groups, individual meetings with vested stakeholders, and numerous telephone conversations with interested parties. Public notification of the amendment to the Basin Plan occurred 45 days preceding the Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Water Board staff responded to oral and written comments received from the public.
20. The Water Board considered costs of implementing measures to achieve the TMDL. The costs to implement the TMDL will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from implementing the TMDL.

21. Anti-Degradation — This order is consistent with the provisions of the State Water Resources Control Board (State Board) Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12. The TMDL will result in improved water quality throughout the region and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.
22. The Water Board concurs with the analysis contained in the Final Project Report, including the Use Attainability Analysis, the California Environmental Quality Act "Substitute Document" Report for Basin Plan Amendment, including the CEQA Checklist, the staff report and the responses to comments, and finds that these analyses comply with the requirements of the State Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Water Board finds that these analyses fulfill the Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. All public comments were considered.
23. The Water Board must submit the Basin Plan amendment incorporating a TMDL for pathogens for Watsonville Slough, the livestock waste discharge prohibition, and the removal of the SHELL beneficial use for Watsonville Slough and tributaries to the State Board, the State Office of Administrative Law (OAL), and the US Environmental Protection Agency (USEPA), for approval. The TMDL and Implementation Plan will become effective upon approval by OAL. The prohibition and the de-designation of the SHELL beneficial use will become effective upon approval by USEPA.
24. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
25. On March 24, 2006 in San Luis Obispo, California, the Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

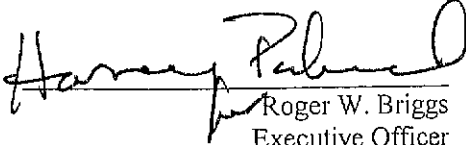
1. Pursuant to sections 13240, 13242, 13243, and 13244 of the CWC, the Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the CWC.
3. The Water Board requests that the State Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the CWC and forward it to OAL and the USEPA. The Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL and USEPA.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If, during its approval process, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Water Board of any such changes.

000725

Resolution No. R3-2006-0025
Attachment 1

March 24, 2006

I, **Roger W. Briggs, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on March 24, 2006.



Roger W. Briggs
Executive Officer

000726

March 24, 2006

RESOLUTION NO. R3-2006-0025

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

AMENDMENT NO. 1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to Chapter 4 after IX. H.:

IX. I. TOTAL MAXIMUM DAILY LOAD FOR PATHOGENS FOR WATSONVILLE SLOUGH

The Regional Water Quality Control Board adopted this TMDL on March 24, 2006.

This TMDL was approved by:

The State Water Resources Control Board on _____.

The California Office of Administrative Law on _____, (*Effective date*)

The U.S. Environmental Protection Agency on _____.

Problem Statement

The beneficial uses of water contact recreation (REC-1) and non-contact water recreation (REC-2) are not supported in Watsonville Slough or its tributaries, Struve, Hanson, Harkins and Gallighan Sloughs, because fecal coliform concentrations there exceed existing Basin Plan numeric water quality objectives protecting these beneficial uses.

Numeric Target

Fecal coliform concentration, based on a minimum of five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100mL, nor shall more than ten percent of total samples collected during any 30-day period exceed 400 MPN per 100mL.

Source Analysis

Controllable sources of fecal coliform bacteria in Watsonville Slough and its tributaries include humans, pets, livestock, and land-applied non-sterile manure in irrigated agriculture. Genetic data indicate that the major sources of fecal coliform causing exceedance of the REC-1 standard are natural avian populations. Genetic analysis of Watsonville Slough water samples from both winter and summer periods confirmed birds, cows, and dogs (with birds contributing the most and dogs the least); human fecal coliform bacteria was confirmed in Harkins and Struve Sloughs, but in lower amounts than cow, bird and dog fecal coliform.

TMDL and Allocations

The TMDL for pathogens in Watsonville Slough is a receiving water concentration equal to the numeric target for fecal coliform. The allocation to each responsible party is the receiving water fecal coliform concentration equal to the TMDL. These allocations focus on reducing or eliminating the controllable sources of fecal coliform. The table below shows the allocations with respect to responsible party and waterbody.

The allocation to background (including natural sources from birds) is also the receiving water fecal coliform concentration equal to the TMDL. The parties responsible for the allocation to controllable sources are not responsible for the allocation to natural sources.

000727

ALLOCATIONS AND RESPONSIBLE PARTIES

WASTE LOAD ALLOCATIONS		Receiving Water Fecal Coliform (MPN/100mL) ¹
Waterbody	Responsible Party	
Watsonville, Struve, Harkins Sloughs	Santa Cruz County (Urban Stormwater)	≤ 200
Watsonville, Struve, Harkins, Gallighan, Hanson Sloughs	City of Watsonville (Urban Stormwater)	≤ 200
Harkins Slough	Santa Cruz Co. Freedom Sanitation District (Sanitary Sewer Collection System)	≤ 200
Watsonville & Struve Sloughs	City of Watsonville (Sanitary Sewer Collection System)	≤ 200
Gallighan Slough	Santa Cruz County (Landfill Stormwater)	≤ 200
LOAD ALLOCATIONS		Receiving Water Fecal Coliform (MPN/100mL) ¹
Watsonville & Harkins Sloughs	Operators or owners of irrigated lands who land-apply non-sterile manure	≤ 200
Watsonville & Harkins Sloughs	Operators or owners of livestock facilities and animals	≤ 200
¹ As log mean of five (5) samples taken in a 30-day period occurring within each season.		

The TMDL is considered achieved when the allocations assigned to the controllable and natural sources are met, or when the numeric targets are consistently met in all tributaries and Watsonville Slough.

Margin of Safety

A margin of safety is incorporated in the TMDL through conservative assumptions.

Implementation and Monitoring

Landfill Stormwater Monitoring

Within six months following adoption of this TMDL by the Office of Administrative Law, the Executive Officer will require the County of Santa Cruz to include fecal coliform monitoring in the Buena Vista Landfill Waste Discharge Requirements (Order No. 94-29), per Section 13267 of the CWC.

THE FOLLOWING ACTIONS WILL REDUCE FECAL COLIFORM BACTERIA LOADING FROM HUMANS AND PETS:

Urban Stormwater

The City of Watsonville (City) and County of Santa Cruz (County) must revise their Stormwater Management Plans to indicate how and when they will conduct public participation and outreach regarding specific actions that individuals can take to reduce pathogen loading and to indicate how and when they will develop and implement an enforceable means of reducing fecal coliform loading from pet waste (e.g., an ordinance). Within six months following adoption of this TMDL by the Office of Administrative Law, the Executive Officer will (i) issue a letter pursuant to Section 13383 of the California Water Code (CWC), requiring these changes to be described in the annual report required by the Small MS4 Permit (State Board Order No. 2003-005, NPDES General Permit No.CAS000004 for Municipal Separate Storm Sewer Systems) and (ii) require appropriate modifications to the Stormwater Management Plans pursuant to Section G of the General Permit.

The City and County public participation and outreach efforts must include the following tasks:

- a. Educating the public about sources of fecal coliform and its associated health risks in surface waters.

- b. Identifying and promoting specific actions that responsible parties can implement to reduce pathogen loading from sources such as homeless encampments, agricultural field workers, and homeowners who contribute waste from domestic pets.

The City and County must monitor receiving water and stormwater outfalls that may be contributing fecal coliform to the sloughs. Within six months following adoption of this TMDL by the Office of Administrative Law, the Executive Officer will issue a letter pursuant to Section 13267 and/or 13383 of the CWC, requiring a technical report that describes a monitoring plan and schedule that includes sampling sites in receiving water and at stormwater outfalls. The City and County may submit the monitoring results in subsequent annual reports already required by the Small MS4 Permit or submit them in a separate technical report.

Sanitary Sewer Collection System

The City and County are required to improve maintenance of their sewage collection systems, including identification, correction, and prevention of sewage leaks, in portions of the collection systems that run through, or adjacent to, tributaries to Watsonville Slough (Action 1B, Table 1). Within six months following adoption of this TMDL by the Office of Administrative Law, the Executive Officer will issue a letter pursuant to Section 13267 of the CWC, requiring a technical report that describes how and when they will conduct improved system maintenance in portions of the system most likely to affect the Sloughs. One year following adoption of this TMDL by the Office of Administrative Law, Water Board staff will evaluate proposed sewer system maintenance for the City and the County of Santa Cruz Freedom Sanitation District as described in the technical report and determine whether appropriate changes to the maintenance have been made or whether any changes to the Waste Discharge Requirements (currently, Order No. R3-2003-0041, and No. R3-2003-0040, respectively) are warranted.

THE FOLLOWING ACTIONS WILL REDUCE FECAL COLIFORM BACTERIA LOADING FROM LIVESTOCK AND LAND-APPLIED NON-STERILE MANURE:

Livestock Sources

Operators or owners of livestock facilities and animals must comply with the proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition to implement their load allocations. Within one year following approval of the TMDL by the Office of Administrative Law, the Executive Officer will notify the owners and operators of livestock facilities, and the owners of animals, of the proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Nonpoint Source Pollution Control Implementation Program (Program) or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition. Alternatively, dischargers may comply by immediately ceasing all discharges in violation of the Prohibition.

Responsible parties must submit monitoring data or other evidence that demonstrates compliance with the Watsonville Slough Watershed Livestock Waste Discharge Prohibition. The Executive Officer will determine whether the information submitted demonstrates compliance.

Irrigated Land Sources

Operators or owners of irrigated lands where non-sterile manure is applied must comply with the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands to implement their load allocations. Staff expects management measures implemented pursuant to this waiver for irrigated lands will be adequate to reduce or eliminate pathogen discharges where farmers apply non-sterile manure to the land. However, compliance with the conditions in the waiver does not meet all of the requirements of the proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition. Since the Conditional Waiver does

March 24, 2006

not include any regulation or monitoring of pathogen discharges, operators or owners of irrigated lands where non-sterile manure is applied must also submit reports that demonstrate that they do not discharge pathogens, or explain how pathogen discharges are being addressed.

Within six months following approval of the TMDL by the Office of Administrative Law, the Executive Officer will notify responsible parties of the proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Nonpoint Source Pollution Control Implementation Program (Program), or other documentation submitted in compliance with the prohibition, within six months of the submittal date. Should the Program or documentation require modification, or if a responsible party fails to submit a Program or documentation, the Executive Officer may issue an administrative civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements or conditional waivers to assure compliance with the prohibition. Alternatively, dischargers may comply by immediately ceasing all discharges in violation of the Prohibition.

Tracking and Evaluation

Water Board staff will conduct a review every three years beginning three years after TMDL approval by the Office of Administrative Law. Water Board staff will use Annual Reports and any other available information to determine progress toward compliance. Water Board staff may conclude that ongoing implementation efforts are insufficient to ultimately achieve the allocations and numeric target. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either through authority of the Executive Officer (e.g. pursuant to CWC section 13267 or section 13383) or the Water Board (e.g. through revisions of existing permits and/or a Basin Plan Amendment). Water Board staff may also conclude that implementation efforts are likely to achieve compliance, and therefore existing implementation efforts should continue.

Responsible parties will continue monitoring according to this plan for at least three years, at which time Water Board staff will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that controllable sources of pathogens are not contributing to exceedance of water quality objectives in receiving waters. If this is the case, staff may consider re-evaluating the targets and allocations. For example, staff may propose a site-specific objective for Watsonville Sloughs, to be approved by the Water Board. The site-specific objective would be based on evidence that natural, or "background" sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal coliform.

Three-year reviews will continue until the TMDL is achieved. The target date to achieve the TMDL is ten years after implementation commences.

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Table 1 IMPLEMENTATION ACTIONS OF RESPONSIBLE PARTIES

Responsible Party	Source Category	Management Measure	Action
County of Santa Cruz and City of Watsonville	1A Human	Public Participation and Outreach	Educate the public, including the homeless, regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters of the Watsonville Slough Watershed. Educate the public regarding actions that individuals can take to reduce pathogen loading in the Watershed. Revise Stormwater Management Plan and submit to Water Board for approval, monitor, and report.
	1B Human	Human Source Elimination and Prevention	Maintain the sewage collection system, including identification, correction, and prevention of sewage leaks into tributaries to Watsonville Slough. Revise Sewer System Management Plan and submit to Water Board for approval, monitor, and report.
	1C Pets	Pet Waste Management	Develop and implement enforceable means (e.g., an ordinance) of reducing/eliminating fecal coliform loading from pet waste. Educate the public regarding actions that individuals can take to reduce loading in the Watershed. Revise Stormwater Management Plan and submit to Water Board for approval, monitor, and report.
Operators or owners of livestock facilities and animals	2A Livestock	Farm Animal and Livestock Facilities Management	Develop and implement strategies to reduce/eliminate fecal coliform loading from farm animal and livestock facilities (e.g., pens, corrals, barns) into surface waters of the Watsonville Slough Watershed. Submit <i>Nonpoint Source Control Implementation Program</i> to the Executive Officer of the Water Board and monitor and report, or, document and report to the Water Board that no discharge is occurring from animal facilities.
	2B Livestock	Grazing Management	Protect sensitive areas (including streambanks, sloughs, wetlands, and riparian zones) by reducing direct loadings of animal wastes from grazing areas into surface waters of the Watsonville Slough Watershed. Submit <i>Nonpoint Source Control Implementation Program</i> to the Executive Officer of the Water Board and monitor and report, or, document and report to the Water Board that no discharge is occurring from grazing activities.
Operators or owners of irrigated lands who land-apply non-sterile manure	3 Land-Applied Non-Sterile Manure on Irrigated lands	Irrigated Land Management	Develop, implement and report on measures to reduce/eliminate fecal coliform loading from land-applied non-sterile manure into surface waters of the Watsonville Slough Watershed. Document and report to the Water Board that measures are in place and monitor to demonstrate effectiveness.

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan as follows:

Add the following at the end of Chapter 4

R3-2006-0025, 3/24/06
SB-2006-0067, 9/21/06
OAL, 11/20/06

VIII.E.6. WATSONVILLE SLOUGH WATERSHED LIVESTOCK WASTE DISCHARGE PROHIBITION

1. The direct or indirect discharge of livestock animal waste from any grazing operations, non-sterile manure application, farm animal and livestock facilities including paddocks, pens, corrals, barns, sheds, or other activity of whatever nature into waters of the State within the Watsonville Slough Watershed is prohibited.

The above prohibition does not apply to any farm animal or livestock facility and/or any facility where non-sterile manure is applied if the owner or operator:

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- i. Submits a Nonpoint Source Pollution Control Implementation Program, consistent with the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program*, that is approved by the Executive Officer, or
- ii. Demonstrates to the satisfaction of the Executive Officer that its activities do not cause livestock waste to pass into waters of the state within the Watsonville Slough Watershed, or
- iii. Is regulated under Waster Discharge Requirements or an NPDES permit, or a conditional waiver of waste discharge requirements that explicitly addresses compliance with the Watsonville Slough TMDL for Pathogens.

This Livestock Waste Discharge Prohibition takes effect two years following approval by the U.S. Environmental Protection Agency.

Add the following at the end of Chapter 5, IV.E. Other Specific Prohibition Subjects:

Watsonville Slough Watershed Livestock Waste Discharge Prohibition

R3-2006-0025, 3/24/06
SB-2006-0067, 9/21/06
OAL, 11/20/06

AMENDMENT NO. 3. Revise the September 8, 1994 Basin Plan, Chapter Two, as follows:

Amend portion of Table 2-1. Identified Uses of Inland Surface Waters, pertaining to Watsonville Slough and tributaries:

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Watsonville Slough						X	X	X		X		X	X	X	X				X			X
Struve Slough						X	X	X		X		X	X	X	X				X			X
Hanson Slough						X	X	X		X		X	X	X	X				X			X
Harkins Slough						X	X	X		X		X	X	X	X				X			X
Gallighan Slough						X	X	X		X		X		X	X				X			X

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

RESOLUTION NO. R3-2005-0132

**AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST BASIN
TO INCLUDE PAJARO RIVER TOTAL MAXIMUM DAILY LOADS AND IMPLEMENTATION
PLAN FOR SEDIMENT INCLUDING LLAGAS CREEK, RIDER CREEK, AND SAN BENITO
RIVER AND A LAND DISTURBANCE PROHIBITION**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region hereby finds that:

1. The California Regional Water Quality Control Board, Central Coast Region (Water Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Water Board periodically revises and amends the Basin Plan. The Water Board has determined the Basin Plan requires further revision and amendment to incorporate Pajaro River Total Maximum Daily Loads (TMDL) and Implementation Plan for Sediment, including Llagas Creek, Rider Creek, and San Benito River and a Land Disturbance Prohibition.
3. The Water Board proposes to amend the Basin Plan by inserting amendments into Chapter Four, Section IX (Total Maximum Daily Loads) and Chapter Four, Section VIII.E.1 (Land Disturbance Prohibitions).
4. Section 303(d) of the Clean Water Act (CWA) requires states to identify and prepare a list of water bodies that do not meet water quality standards and to establish TMDLs for listed waterbodies.
5. The Pajaro River, Llagas Creek, Rider Creek, and San Benito River were identified on California's 2002 303(d) list as impaired by sedimentation/siltation.
6. The Pajaro River watershed lies within the central coast of California and includes the counties of San Benito, Santa Clara, Santa Cruz, and Monterey. Major tributaries to the Pajaro River are the San Benito River, Tres Pinos Creek, Santa Ana Creek, Pacheco Creek, Llagas Creek, Uvas Creek, and Corralitos Creek. Rider Creek is tributary to Corralitos Creek. The Pajaro River watershed encompasses approximately 1,300 square miles and drains into Monterey Bay.
7. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the CWA, as well as USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Water Board has determined that the Pajaro River TMDL for Sediment is set at levels necessary to attain and maintain the applicable narrative water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading and water quality

parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)).

8. Upon establishment of TMDLs by the State or USEPA, the state is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1), 130.7; CWC sections 13050(j), 13242). The Basin Plan, and applicable statewide plans, serves as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Water Board.
9. The TMDL implementation plan requires compliance with a new land disturbance prohibition for sediment within the Pajaro River watershed. The Water Board may prohibit certain types of waste discharge pursuant to CWC 13243. Dischargers may demonstrate compliance with the prohibition by submitting and implementing a Nonpoint Source Pollution Control Implementation Program that is consistent with the Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program or documentation that demonstrates there is no activity that may cause discharges of sediment. Consistent with CWC 13244, the Water Board conducted public notice and hearing requirements for the proposed land disturbance prohibition.
10. Pursuant to CWC section 13241, the Water Board considered, in adopting the Land Disturbance Prohibition in the Pajaro River watershed: (a) past, present, and probable future beneficial uses of water. (b) Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto. (c) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area. (d) Economic considerations. (e) The need for developing housing within the region. (f) The need to develop and use recycled water. The Water Board finds that: the prohibition will protect and enhance present and probable future beneficial uses of the Pajaro River watershed; the prohibition is a reasonable and necessary part of coordinated actions to achieve improved water quality conditions in the area; considering all cost information that the Water Board has received, costs to achieve compliance with the prohibition are reasonable relative to the benefit of improved water quality; the need for developing housing within the region is not relevant; and the need to develop and use recycled water is not relevant.
11. The Water Board's goal for establishing these TMDLs is to protect cold fresh water habitat, migration of aquatic organisms, and spawning, reproduction, and/or early development beneficial uses (COLD, MIGR, and SPWN, respectively) as defined in the Basin Plan.
12. The suspended sediment numeric targets are based on concentration and duration, which provides an exposure-based approach. This numeric target approach is new for Sediment TMDLs in California and has not been used before.
13. Water Board staff submitted a TMDL report to an external scientific review panel on April 12, 2005, as required by Health & Safety Code Section 57004. Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendment. The scientific portions of the TMDL and implementation plan are based on sound scientific knowledge, methods, and practices in accordance with Section 57004.
14. Interested persons and the public have been informed of TMDL progress from the early stages of TMDL development. Efforts to inform the public and solicit public comment included public meetings, presentations to special interest groups, several individual meetings with vested stakeholders, and a number of telephone conversations with interested parties. Public notification of

the amendment to the Basin Plan occurred 45 days preceding the Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Water Board staff responded to oral and written comments received from the public.

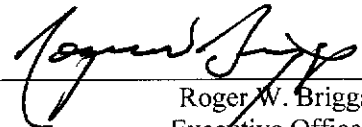
15. The Water Board considered costs of implementing measures to achieve these TMDLs. The costs to implement these TMDLs will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from implementing the TMDLs.
16. Implementation of this TMDL will require the identification of numerous landowners and operators across a diverse landscape and subsequent notification to comply with the conditional prohibition or submit nonpoint source implementation program plans. The Water Board intends to identify and notify these parties. However, the level of effort and a schedule to complete the identification and notification remains uncertain at this time, and will depend on staff availability, budget, and relationship to other water quality priorities.
17. Anti-Degradation – This order is consistent with the provisions of the State Water Resources Control Board Resolution No. 68-16, “Statement of Policy with Respect to Maintaining High Quality of Waters in California” and 40 CFR 131.12. The TMDL will result in improved water quality throughout the region and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.
18. The Water Board concurs with the analysis contained in the Final Project Report; the California Environmental Quality Act “Substitute Document” Report for Basin Plan Amendment, including the CEQA Checklist; the staff report and responses to comments; and finds that the analysis complies with the requirements of the State Water Resources Control Board’s (State Board) certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Water Board finds that the analysis fulfills the Water Board’s obligations attendant with the adoption of regulations “requiring the installation of pollution control equipment, or a performance standard or treatment requirement,” as set forth in section 21159 of the Public Resources Code. All public comments were considered.
19. The Basin Plan amendment incorporating TMDLs for sediment for the Pajaro River including, Llagas Creek, Rider Creek, and San Benito River and a Land Disturbance Prohibition must be submitted for review and approval by the State Board, the State Office of Administrative Law (OAL), and the US Environmental Protection Agency (USEPA). The Basin Plan amendment will become effective upon approval by OAL.
20. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
21. On December 2, 2005 in San Luis Obispo, California, the Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13242, 13243, and 13244 of the California Water Code, the Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment on “Attachment-Proposed Basin Plan Amendments.”

2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Water Board requests that the State Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward it to OAL and the USEPA. The Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL and USEPA.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If, during its approval process, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Water Board of any such changes.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on December 2, 2005.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2005-0132

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

AMENDMENT NO. 1. Revise the September 8, 1994 Basin Plan, Chapter 4 as follows:

Add the following to Chapter 4 after IX. G.:

IX. H. PAJARO RIVER TOTAL MAXIMUM DAILY LOADS FOR SEDIMENT INCLUDING LLAGAS CREEK, RIDER CREEK, AND SAN BENITO RIVER

The Regional Water Quality Control Board adopted this TMDL on December 2, 2005.

This TMDL was approved by:

The State Water Resources Control Board on _____.

The California Office of Administrative Law on _____. (*Effective date*)

The U.S. Environmental Protection Agency on _____. **5/3/07**

Problem Statement

Anthropogenic watershed disturbances have accelerated the natural processes of erosion and sedimentation in the Pajaro River, including Llagas Creek, Rider Creek, and San Benito River. Special studies have identified a variety of watershed conditions that have lead to excessive sedimentation. Excessive sedimentation has caused an exceedance of the narrative, general water quality objective for sediment because sediment load and rate have interfered with the beneficial uses of these waterbodies including, fish and wildlife (COLD, MIGR, and SPWN).

The narrative objective states, "the suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses."

Numeric Targets (interpretation of the narrative water quality objective)

This TMDL establishes numeric targets as indicators of the narrative, general water quality objective for sediment. This TMDL uses two types of numeric targets: suspended sediment concentration-duration and streambed characteristics. Numeric targets for suspended sediment concentration-duration are presented in Table 1. Numeric targets for streambed characteristics are presented in Table 2.

Table 1 - Numeric Targets for Suspended Sediment Concentrations

Major Subwatershed ^b	Duration (Days)	Maximum Concentration of Exposure Category Range (mg/L)	Numeric Targets ^a	
			Number of Instances Greater than Maximum Concentration.	Maximum Duration of Instances (days)
Tres Pinos	1	1808	15	22
	2	665	42	44
	6	244	36	51
	14	244	20	51
	49	90	5	108
San Benito	1	1808	9	9
	2	665	30	21
	6	244	29	35
	14	244	14	35
	49	90	2	60
Llagas	1	1808	0	0
	2	665	0	1
	6	244	9	15
	14	244	1	15
	49	90	0	28
Uvas	1	1808	1	3
	2	665	12	8
	6	244	12	15
	14	244	1	15
	49	90	0	18
Upper Pajaro	1	1808	0	1
	2	665	3	3
	6	244	2	9
	14	244	0	9
	49	90	0	33
Corralitos (includes Rider Creek)	1	1808	0	1
	2	665	0	2
	6	244	8	11
	14	244	0	11
	49	90	0	36
Mouth of Pajaro	1	1808	0	1
	2	665	0	2
	6	244	8	11
	14	244	0	11
	49	90	0	36

^a Targets based on a 15-year model run for the period from 1986 to 2000.

^b Major subwatersheds of the Pajaro River.

SB-2006-0068 required non-substantive amendments to Footnote 'c' of Table 1 to ensure consistency with Finding 6. In the amendment to Table I, Footnote c, the first sentence should read: Numeric targets are comprised of two components: a maximum number of exceedance events that may occur in any consecutive 15 years after development of the monitoring program and the maximum duration (consecutive days) in which the maximum SSC value for each range can be exceeded in 15 years."

Table 2 - Numeric Targets for Streambed Characteristics

Parameter	Numeric Target ¹
Residual Pool Volume ²	V* = Mean values ≤ 0.21 Max values ≤ 0.45
Median Diameter (D ₅₀) of Sediment Particles in Spawning Gravels	D ₅₀ = Mean values ≥ 69 mm Minimum values ≥ 37 mm
Percent of Fine Fines (< 0.85 mm) in Spawning Gravels	Percent fine fines $\leq 21\%$
Percent of Coarse Fines (< 6.0 mm) in Spawning Gravels	Percent coarse fines $\leq 30\%$

¹ Target values are for sampling reach(es) within an individual waterbody.

² Residual Pool Volume refers to the portion of a pool in a stream that is available for fish to occupy. Pool habitat is the primary habitat for steelhead in summer. Overwintering habitat requirements include deeper pools, undercut banks, side channels, and especially large, unembedded rocks, which provide shelter for fish against the high flows of winter. V* gives a direct measurement of the impact of sediment on pool volume. It is the ratio of the amount of *pool volume filled by fine, mobile sediment*, to *total pool volume*. Qualifying pools are defined by Regional Board sampling protocol (2002).

Source Analysis

Sources of sediment include the following nonpoint and point source discharge activities occurring within the respective land use source categories. Nonpoint sources include irrigated agriculture activities upon crop, fallow and orchard lands; timber harvesting activities upon forested lands; grazing activities upon pasture and range lands; urban and rural residential development, roads, farm animal and livestock boarding upon urban lands; unpaved roads in the San Benito watershed, and paved and unpaved roads in the Corralitos Creek and Rider Creek watersheds upon lands in the roads landuse category; hydromodification-related activities upon all types of land use; off-road recreational vehicle areas; sand and gravel mining; as well as natural erosion and landslides. Point sources include the small Municipal Separate Storm Sewer Systems (MS4s) of Watsonville, Hollister, Gilroy, and Morgan Hill.

TMDLs and Allocations

TMDLs and load allocations are assigned to sources for seven watersheds as represented in Table 3. These allocations are modeled load values that are necessary to meet the suspended sediment concentration-duration targets. The Regional Board will determine that the TMDL is attained when the numeric targets are achieved. When numeric targets are achieved, the Regional Board will assume that these loads are met.

Margin of Safety

The total load includes an implicit margin of safety that was derived through conservative assumptions.

Table 3 – TMDLs and Load Allocations

Major Subwatershed	Allocations ¹ (LA/WLA)	Source Category							Total Load
		Crop, Fallow, and Orchard	Forest ²	Pasture and Range	Urban Lands ³	Roads	Barren ²	Sand and Gravel Mining	
Tres Pinos	LA	477	352	41085	312		11551		53,778
	WLA				1				
San Benito	LA	1971	2083	19863	327	1180	14128	27	39,679
	WLA				100				
Llagas	LA	596	326	6978	354		144	0	9,185
	WLA				787				
Uvas	LA	946	989	12454	280		369		15,177
	WLA				139				
Upper Pajaro	LA	4114	1228	37664	356		425	3	43,951
	WLA				161				
Corralitos (including Rider Creek)	LA	3544	4536	2427	443	79	73	2	11,389 ⁴
	WLA				284				
Mouth of Pajaro	LA	3047	58	3055	383		500	35	7,268 ⁴
	WLA				191				

Notes:

¹ Annual load allocations (LA) and waste load allocations (WLA) expressed in metric tones (1 metric ton equals 1,000 kilograms). Blank cells indicate no allocations for specified source category.

² Forest includes loads from natural sources and from timber harvesting operations; Barren includes loads from natural sources only.

³ Load allocations for urban lands outside of NPDES Phase 2 urban boundaries. Waste load allocations for urban lands within NPDES Phase 2 urban boundaries.

⁴ Number rounded.

Implementation

The following actions will be taken to reduce sediment discharges from activities that occur within each of the land use source categories (headings) below. Regional Board staff intends to identify and notify the parties responsible for the activities according to the schedule below; however, if staff resources are insufficient or other water quality priorities emerge, this schedule will be modified.

Crop, Fallow, and Orchard Lands

Landowners and operators of crop, fallow, and orchard lands, where irrigated agricultural activities are conducted, will implement agricultural management measures and perform monitoring and reporting pursuant to the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated

Lands and the Monitoring and Reporting Program, Order No. R3-2004-0117. This is an existing, on-going activity.

Forest Lands

Landowners and operators of forest lands, where timber harvest activities are conducted, will implement timber harvest management measures and perform monitoring and reporting pursuant to the General Conditional Waiver of Waste Discharge Requirements for Timber Harvest Activities and the Monitoring and Reporting Program, Order No. R3-2005-0066. This is an existing, on-going activity.

Pasture and Range

Owners and operators of pasture and range lands, where grazing activities occur, must comply with the land disturbance prohibition.

Within one year following approval of the TMDLs by the Office of Administrative Law, the Executive Officer will notify the owners and operators of pasture and range lands of the prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Nonpoint Source Pollution Control Implementation Program (Program) or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition.

Urban Lands

Urban lands include the small communities of Watsonville, Hollister, Gilroy, and Morgan Hill (cities), rural properties throughout the watershed with farm animals or livestock boarding (rural properties), and roads throughout the watershed. These lands do not include unpaved roads in San Benito River watershed, and paved and unpaved roads within the Corralitos Creek and Rider Creek subwatersheds (See Roads below).

The cities must obtain a Municipal Separate Storm Sewer System (MS4) permit. Their Storm Water Management Programs must include specific actions to reduce sediment discharges pursuant to Clean Water Act Section 402(p)(3)(B) and Section D of State Board Order No. 2003-005, NPDES General Permit No. CAS000004 for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems. The cities will then describe the actions taken as part of their annual report. If necessary, the Regional Board's Executive Officer can require more stringent sediment controls. This is an existing requirement and an on-going activity.

Owners and operators of rural properties and roads must comply with the land disturbance prohibition.

Within one year following approval of the TMDLs by the Office of Administrative Law, the Executive Officer will notify the owners and operators of rural properties and roads of the prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Program or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition.

Roads

Within one year following approval of the TMDLs by the Office of Administrative Law, the Executive Officer will notify the owners and operators of unpaved roads within the San Benito River watershed and paved and unpaved roads within the Corralitos Creek and Rider Creek watersheds of the prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Program or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition.

Sand and Gravel Mining

Within six months following approval of the TMDLs by the Office of Administrative Law and pursuant to Section 13263(e) of the CWC, Regional Board staff will review existing waste discharge requirements (WDRs) for sand and gravel mining operations and revise or require activities to: 1) assess cumulative impacts, including fluvial geomorphic impacts, upon the beneficial uses of the San Benito River; 2) mitigate the impacts identified; and 3) monitor the effectiveness of mitigation activities. One year following approval of the TMDLs by the Office of Administrative Law, pursuant to Section 13267 of the CWC, the Executive Officer will require owners and operators of sand and gravel mining operations to submit a plan to assess cumulative impacts, including fluvial geomorphic impacts, upon the beneficial uses of the San Benito River. The Executive Officer will comply with the requirements of section 13267 when issuing the orders. Regional Board staff will encourage sand and gravel mining operators to conduct the cumulative impacts assessment cooperatively.

Streambank Erosion

Owners and operators of properties where hydromodification activities occur must comply with the land disturbance prohibition.

Within one year following approval of the TMDLs by the Office of Administrative Law, the Executive Officer will notify the owners and operators of properties where hydromodification activities occur of the prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Program or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition.

Monitoring

Regional Board staff will develop a monitoring program to measure in-stream numeric targets within five years following TMDL approval. The program will be consistent with other Central Coast Region sediment TMDLs, regional sediment monitoring programs, and in cooperation with implementing parties. If Regional Board staff concludes that sediment contributions from individual landowners should be monitored in addition to in-stream numeric targets, the Executive Officer will establish such monitoring requirements in compliance with section 13267.

Tracking and Evaluation

Regional Board staff will conduct a review every three years beginning three years after TMDL approval by the Office of Administrative Law. Regional Board staff will utilize required reports, as well as other available information, to review implementation efforts of responsible parties and progress being made towards achieving the allocations. Regional Board staff will also review numeric target monitoring (see above) to determine progress towards TMDL achievement in the waterbody. The numeric targets, not

actual loads or reductions in loads, will be measured, as they are a more direct indicator of beneficial use protection. Regional Board staff may conclude and articulate that ongoing implementation efforts may ultimately be insufficient to achieve the allocations and numeric targets. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either by the Executive Officer (e.g. pursuant to CWC section 13267 or section 13383) or by the Regional Board (e.g. through revisions of existing permits and/or a Basin Plan Amendment). At any particular date, Regional Board staff may conclude and articulate that implementation efforts and results are likely to result in achieving the allocations and numeric target, in which case existing and anticipated implementation efforts should continue.

Three-year reviews will continue until the TMDLs are achieved. The target date to achieve the TMDLs is forty-five years after implementation commences.

R3-2005-0132, 12/2/05
SB-2006-0069, 9/12/06
OAL, 11/27/06

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan, Chapter 4 as follows:

Add the following to the end of Chapter 4 in VIII.E.1, Land Disturbance Prohibitions:

The controllable discharge of soil, silt, or earthen material from any grazing, farm animal and livestock, hydromodification, road, or other activity of whatever nature into waters of the State within the Pajaro River watershed is prohibited.

The controllable discharge of soil, silt, or earthen material from any grazing, farm animal and livestock, hydromodification, road, or other activity of whatever nature to a location where such material could pass into waters of the State within the Pajaro River watershed is prohibited.

The above two prohibitions do not apply to any discharge regulated by National Pollutant Discharge Elimination System permits, Waste Discharge Requirements or waivers of Waste Discharge Requirements.

The above two prohibitions do not apply to any grazing, farm animal and livestock, hydromodification, or road activity if the owner or operator:

- i. Submits a Nonpoint Source Pollution Control Implementation Program, consistent with the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program, May 20, 2004*, that is approved by the Executive Officer, or
- ii. Demonstrates there is no activity that may cause soil, silt, or earthen material to pass into waters of the state within the Pajaro River watershed, as approved by the Executive Officer.

This Land Disturbance Prohibition takes effect three years following approval by the U.S. Environmental Protection Agency.

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place Suite 101
San Luis Obispo, Ca 93401-7906**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
"SUBSTITUTE DOCUMENT" REPORT FOR BASIN PLAN AMENDMENT**

(RESOLUTION NO. RB-2005-0132)

The California Regional Water Quality Control Board, Central Coast Region intends to adopt the **Pajaro River Total Maximum Daily Loads for Sediment (including Llagas Creek, Rider Creek, and San Benito River) and Land Disturbance Prohibition** into the Water Quality Control Plan (Basin Plan), Central Coast Region. All basin plan amendments are subject to the California Environmental Quality Act (CEQA). However, the State Board's water quality planning process has been certified by the Secretary for Resources as exempt from, CEQA's requirement for preparation of an environmental impact report or negative declaration and initial study (California Public Resources Code Section 21080.5, California Code of Regulation (CCR) Title 14, §15251(g)). State Board Regulations [23 CCR 3720 et seq.] describe the environmental documents required for planning actions. These documents are: a written report (Attachment B of this Basin Plan Amendment Package), a draft of the amendment (Attachment A of this Basin Plan Amendment Package), an Environmental Checklist Form [23 CCR 3776], and an alternatives analysis [23 CCR 3777].

This attachment includes the Environmental Checklist Form. Following the Environmental Checklist is an Environmental Evaluation of "Less than Significant Impacts" identified in the checklist, an alternatives analysis, and a Determination of no impact relative to this action.

ENVIRONMENTAL CHECKLIST AND A DESCRIPTION OF THE PROPOSED ACTIVITY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, But not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

f. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. HYDROLOGY AND WATER QUALITY -Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete ground water supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. LAND USE AND PLANNING Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally – important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. NOISE Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
n. RECREATION –				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

o. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
p. UTILITIES AND SERVICE SYSTEMS -Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
q. MANDATORY FINDINGS OF SIGNIFICANCE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL EVALUATION

No impacts are noted for all items in the environmental checklist. It is therefore unlikely that there will be negative environmental impacts resulting from the project.

ALTERNATIVES ANALYSIS DISCUSSION

The following section discusses the preferred alternative (i.e., this proposed Total Maximum Daily Loads (TMDLs), a No Action Alternative, and other alternatives.

a. Preferred Alternative

The Preferred Alternative is the adoption of the Pajaro River Total Maximum Daily Loads for Sediment (including Llagas Creek, Rider Creek, and San Benito River) and Land Disturbance Prohibition as a Basin Plan Amendment. In addition to the TMDLs, the Basin Plan Amendment

includes load allocations, numeric targets, and an implementation plan. The TMDL monitoring plan will be developed within a five-year period following approval of the TMDLs by the Office of Administrative Law. Sediment load is allocated to nine source categories and represents reductions ranging from 100% to 20%. Numeric targets for suspended sediment concentrations and duration and targets for streambed conditions are established as indicators of reduced loading. A 45-year period of implementation is expected to be necessary to achieve load reductions and numeric targets. Significant adverse environmental effects are not anticipated from this preferred alternative.

b. Alternative - No Action

The No Action alternative means that the Regional Board would not adopt the TMDLs, Land Disturbance Prohibition, numeric targets, TMDL implementation plan, or monitoring program. The No Action alternative does not comply with the Clean Water Act requiring the development of TMDLs for impaired waters, nor does it meet the purpose of the proposed action, which is to comply with Basin Plan water quality objectives and restore beneficial uses affected by sedimentation.

c. Alternative – Increased Regulatory Oversight

The Increased Regulatory Oversight Alternative is defined as the proposed project with an Implementation Plan of greater regulatory oversight, including the option of adopting Waste Discharge Requirements or Waiver of Waste Discharge Requirements for responsible parties within the Pajaro River watershed. This alternative would result in similar improvements to biological resources as the proposed project (Preferred Alternative), but could be unnecessarily burdensome on the regulated community and unnecessarily exhaustive of limited Regional Board staff resources.

d. Alternative – Longer Implementation Period

An implementation period longer than the proposed 45 years would not be acceptable, since it would fail to resolve water quality impacts at the earliest practicable date, thereby offering less protection of beneficial uses within the Pajaro River watershed.

e. Alternative – Shorter Implementation Period

An implementation period shorter than the proposed 45 years would not be acceptable, since the feasibility of reducing loads within a shorter time frame is unlikely, based on past experience with management practices to reduce erosion and sedimentation.

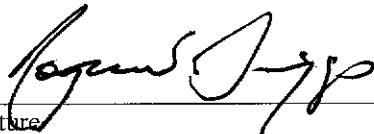
DETERMINATION

On the basis of this initial evaluation:

 X I find the proposed project COULD NOT have a significant effect on the environment.

 I find that the proposed project may have a significant adverse impact on the environment. However, there are feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report.

____ I find that the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.



Signature

12-8-05

Date

S:\TMDLs & Watershed Assessment\TMDL and Related Projects- Region 3\Pajaro River\Sediment\6 Regulatory Action\TMDL\Final RB Agenda Item\PajSed TMDL-ATTMNT C CEQA.doc

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title: Pajaro River Total Maximum Daily Loads (TMDLs) for Sediment (including Llagas Creek, Rider Creek, and San Benito River) and Land Disturbance Prohibition

Location: Pajaro River Watershed in San Benito, Santa Clara, Santa Cruz, and Monterey Counties, California

Project Proponent: Central Coast Regional Water Quality Control Board, Region 3
895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906

Project Description:

Pajaro River, Llagas Creek, Rider Creek, and San Benito River are listed as "impaired waters" under the federal Clean Water Act, Section 303(d). The Central Coast Regional Water Quality Control Board (CCRWQCB) has prepared a Pajaro River Total Maximum Daily Loads for Sediment (including Llagas Creek, Rider Creek, and San Benito River) to determine the assimilative capacity of the water bodies and to allocate sediment discharges so that they do not exceed this capacity, thus ensuring beneficial uses are protected and water quality objectives met. The Total Maximum Daily Load includes a technical report that describes sediment impacts to Beneficial Uses in these waterbodies, evaluates sources of sediment, establishes numeric targets, and calculates total loads that would protect Beneficial Uses. It includes an Implementation Plan with a Land Disturbance Prohibition and also proposes the development of a Monitoring Plan within five-years of TMDL approval. Together, these comprise the "project" in this finding.

The present rate of sediment production in the Pajaro River Watershed is accelerated due to anthropogenic disturbances associated with human settlement and resource extraction. Biological resource impacts are varied, but anadromous fisheries have experienced a well-documented decline over the past century. Known sediment impacts to fish habitat include filling of pools and spawning areas by fine sediment and excessive suspended sediment concentrations. The TMDLs seek to address sediment-related impacts to these resources through a program of erosion control, which would reduce the average annual sediment load of the watershed by approximately 65 percent. This reduction in loads is expected to produce improved conditions in streambed sediment conditions and suspended sediment concentrations as measured by numeric targets identified in the TMDL.

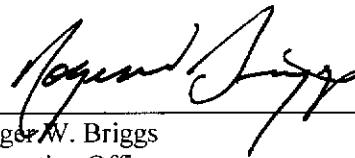
Because the sediment objectives in the Basin Plan are narrative, rather than numeric, the TMDLs establish numeric targets as indicators of water quality that are supportive of beneficial uses. The numeric targets serve to interpret the narrative water quality objectives and provide a measure with which to determine if the objectives and the TMDLs are being met. The TMDLs use two types of numeric targets; suspended sediment concentration and streambed characteristics. Numeric targets for suspended sediment concentration and duration are derived from Newcombe

and Jensen Severity of Ill Effects (SEV) model. These suspended sediment numeric targets represent water quality conditions for seven (7) major subwatersheds with the Pajaro River system. Numeric targets for streambed characteristics include residual pool volume targets, as well as size and composition of sediment within spawning gravels.

The numeric targets, not actual loads or reductions in loads, will be measured, as they are a more direct indicator of beneficial use protection. They provide a more comprehensive method in which to evaluate progress regarding load reductions and the attainment of water quality objectives and protection of beneficial uses. Relationships between individual targets and water quality improvements will be examined over time.

Certification:

I hereby certify that the California Regional Water Quality Control Board, Central Coast Region, has made the above findings of fact and that based upon the Environmental Checklist, written report and hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.



Roger W. Briggs
Executive Officer
Regional Water Quality Control Board
December 2, 2005

Attachment: Environmental Checklist: Staff Report Attachment C: California Environmental Quality Act "Functional Equivalent" Report for Basin Plan Amendment (Resolution No. R3-2005-0132)

September 9, 2005

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

**RESOLUTION NO. R3-2005-0106
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN TO INCLUDE THE
SAN LUIS OBISPO CREEK TOTAL MAXIMUM DAILY LOAD AND
IMPLEMENTATION PLAN FOR NITRATE-NITROGEN**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region hereby finds that:

The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), adopted the Water Quality Control Plan for the Central Coast Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.

2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to incorporate the San Luis Obispo Creek Total Maximum Daily Load (TMDL) for Nitrate-Nitrogen (Nitrate-N).
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into Chapter Four, Section IX (Total Maximum Daily Loads).
4. Section 303(d) of the Clean Water Act (CWA) requires states to identify and prepare a list of water bodies that do not meet water quality standards and to establish TMDLs for listed waterbodies.
5. San Luis Obispo Creek was identified on California's 1994 303(d) list as impaired by nutrients due to exceedence of the existing Basin Plan objective protecting the municipal and domestic supply (MUN) beneficial use.
6. San Luis Obispo Creek is located in San Luis Obispo County, California. The headwaters are located immediately north-east of the City of San Luis Obispo and flow southwest for approximately 17 miles towards Avila Beach, California, ultimately draining into the Pacific Ocean at Avila Bay.

7. The Final Project Report contains a Problem Statement, Numeric Targets, Source Analysis, Total Maximum Load, Linkage Analysis, Load Allocations, Margin of Safety, an Implementation Plan, and a Monitoring Plan.
8. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the CWA, as well as USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the San Luis Obispo Creek Nitrate-N TMDL is set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)).
9. Upon establishment of TMDLs by the State or US Environmental Protection Agency (USEPA), the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1), 130.7; CWC sections 13050(j), 13242). The Basin Plan, and applicable statewide plans, serves as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
10. The Central Coast Water Board's goal for establishing the above mentioned TMDL is to protect the municipal and domestic water supply beneficial use (MUN) as defined in the Basin Plan.
11. Central Coast Water Board staff submitted a TMDL Project Report to an external scientific review panel on March 16, 2005 as required by Health & Safety Code Section 57004. Central Coast Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendment. The scientific portions of the TMDL and implementation plan are based on sound scientific knowledge, methods, and practices in accordance with Section 57004.
12. Interested persons and the public have been informed of TMDL progress from the early stages of TMDL development. Efforts to inform the public and solicit public comment include public meetings, presentations to special interest groups, several individual meetings with vested stakeholders, and a number of telephone conversations with interested parties. Water Board staff provided public notification of the amendment to the Basin Plan 45 days preceding the Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Central Coast Water Board staff responded to oral and written comments received from the public.

13. The Central Coast Water Board considered costs of implementing measures to achieve the TMDL. The costs to implement the TMDL will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from implementing the TMDL.
14. Anti-Degradation – This Resolution is consistent with the provisions of the State Water Resources Control Board Resolution No. 68-16, “Statement of Policy with Respect to Maintaining High Quality of Waters in California” and 40 CFR 131.12. The TMDL will result in improved water quality and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.
15. The Central Coast Water Board concurs with the analysis contained in the Final Project Report, California Environmental Quality Act “Substitute Document” Report for Basin Plan Amendment, including the CEQA Checklist, the staff report and the responses to comments and finds that the analysis complies with the requirements of the State Water Resources Control Board’s (State Water Board) certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board finds that the analysis fulfills the Central Coast Water Board’s obligations attendant with the adoption of regulations “requiring the installation of pollution control equipment, or a performance standard or treatment requirement,” as set forth in section 21159 of the Public Resources Code. All public comments were considered.
16. The Basin Plan amendment incorporating a TMDL for nitrate-N for San Luis Obispo Creek must be submitted for review and approval by the State Water Board, the State Office of Administrative Law (OAL), and the USEPA. The Basin Plan amendment will become effective upon approval by OAL.
17. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
18. On September 9, 2005, in San Luis Obispo, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

- 1 Pursuant to sections 13240 and 13242 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment: “Attachment A: Attachment -Proposed Basin Plan Amendments.”
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Water Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the

September 9, 2005

California Water Code and forward it to OAL and the USEPA. The Central Coast Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL and USEPA.

4. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If, during its approval process, the State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

I, **Roger W. Briggs, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on September 9, 2005.



for Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2005-0106

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to Chapter 4 after IX. F.

IX. G. SAN LUIS OBISPO CREEK TOTAL MAXIMUM DAILY LOAD AND IMPLEMENTATION PLAN FOR NITRATE-NITROGEN

The Regional Water Quality Control Board adopted this TMDL on September 9, 2005.

This TMDL was approved by:

The State Water Resources Control Board on _____

The California Office of Administrative Law on _____ (Effective date)

The U.S. Environmental Protection Agency on _____ 1/10/07

Problem Statement

The municipal and domestic supply of water beneficial use (MUN) is not being supported because nitrate-N concentrations in San Luis Obispo Creek exceed the existing Basin Plan numeric objective protecting the MUN beneficial use.

Numeric Target

The numeric target used to calculate the TMDL is a nitrate-N concentration of 10 mg/L-N.

Source Analysis

Nitrate-N sources contributing to the problem identified in the Problem Statement are, in decreasing order of contribution: City of San Luis Obispo Water Reclamation Facility (WRF), croplands, background, reservoirs, and residential areas.

TMDL and Allocations

The TMDL is a receiving water nitrate-N concentration equal to the numeric target. The following allocations are necessary to achieve the TMDL.

Wasteload Allocations:

City of San Luis Obispo WRF effluent: The monthly mean nitrate-N concentration of effluent shall not exceed 10 mg/L-N.

Load Allocations:

- Croplands in Prefumo Creek Watershed: shall not cause nitrate-N concentration in receiving waters to exceed 10 mg/L-N.
- Background: Nitrate concentration of 0.1 mg/L-N.

Load and wasteload allocations to sources currently meeting water quality standards:

- The following wasteload and load allocations ensure that the receiving water will achieve compliance with water quality standards at the earliest possible date, continue to meet

water quality standards after the above wasteload and load allocations are attained, and comply with state and federal anti-degradation requirements.

- Residential Sources Wasteload Allocation:
 - Storm water discharge shall not cause an increase in receiving water nitrate-N concentration greater than the current increase in nitrate-N concentration resulting from the discharge.
- Reservoir Sources Load Allocation (Laguna Lake):
 - Reservoir discharge shall not cause an increase in receiving water nitrate-N concentration greater than the current increase in nitrate-N concentration resulting from the discharge.

Margin of Safety: Nitrate concentration of 2.2 mg/L-N.

IMPLEMENTATION

The following actions will be taken to implement the TMDL.

WRF Source:

The Central Coast Water Board will incorporate an effluent limit for nitrate-N in the City of San Luis Obispo's National Pollutant Discharge Elimination System permit (NPDES permit) for the WRF, consistent with the allocations described in the Wasteload Allocations section above. The effluent limit will be incorporated in the NPDES permit at the first permit renewal following TMDL approval by the Central Coast Water Board (expected in May 2007).

The Central Coast Water Board intends to issue a Cease and Desist Order (CDO) or Time Schedule Order to the WRF concurrently with the NPDES permit, requiring the WRF to reduce nitrate-N concentration in the effluent. The CDO will contain a time schedule establishing the time allowed to comply with the order.

The Central Coast Water Board will consider a revision of the wasteload allocation and corresponding effluent limit for the WRF if an amendment to the Basin Plan removing or revising the MUN beneficial use and corresponding numeric objective for nitrate is approved by USEPA.

Residential Source (Storm water):

- The City of San Luis Obispo, the County of San Luis Obispo, and Cal Poly State University will implement management practices consistent with and required by Small MS4 Permits regulating storm water discharge in San Luis Obispo Creek watershed, and will submit annual reports as required by such permits. If implementation actions are insufficient to achieve the TMDL, additional implementation actions will be required through approval by the Executive Officer (e.g., pursuant to CWC section 13267 or section 13383) or by the Central Coast Water Board (e.g., by requiring revisions of existing storm water management plans and/or a Basin Plan Amendment).

Reservoir Source

- Implementation measures to achieve the allocation to the reservoir source are carried out through the Residential Source (Storm water) implementation actions.

Cropland Source:

- Landowners and operators of irrigated lands in Prefumo Creek watershed will implement actions needed to achieve the allocations to croplands pursuant to the Conditional Waiver of Waste Discharge Requirements for Discharges to Irrigated Lands (Conditional Waiver). Implementation and monitoring requirements for parties engaged in agricultural activities are consistent with, and rely upon, the Conditional Waiver.
- Monitoring reports and data associated with the Conditional Waiver, as well as other information, will be used to determine whether management measures being taken are sufficient to achieve the TMDL by the year 2012. Central Coast Water Board staff will make this determination every three years as described in the Tracking and Monitoring section below. If implementation actions are insufficient to achieve the TMDL, additional implementation actions will be required through approval by the Executive Officer (e.g., pursuant to CWC section 13267 or section 13383) or by the Central Coast Water Board; the Executive Officer or the Central Coast Water Board will approve of additional actions as soon as practicable.

Monitoring

The following actions will be taken to implement monitoring requirements.

The Executive Officer (EO) or the Central Coast Water Board will amend the Monitoring and Reporting Program (M&RP) of the City's NPDES permit for the WRF to incorporate effluent and stream monitoring for nitrate-N, and to incorporate reporting of these monitoring activities. The City of San Luis Obispo will comply with the amended M&RP as soon as the EO or the Water Board issues the revised program (anticipated to occur at the next permit renewal following TMDL approval by the Central Coast Water Board [expected in May 2007]).

Implementation and monitoring requirements for parties engaged in agricultural activities are consistent with, and rely upon, the Conditional Waiver.

Tracking and Monitoring

- Central Coast Water Board staff will conduct a review of implementation activities every three years, beginning three years after TMDL approval by the Office of Administrative Law, unless funding is unavailable. Central Coast Water Board staff will utilize annual reports associated with Small MS4 permits, as well as other available information, to review water quality data and implementation efforts of implementing parties and progress being made towards achieving the allocations and the numeric target. Central Coast Water Board staff may conclude that ongoing implementation efforts may be insufficient to ultimately achieve the allocations and numeric target. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either through approval by the Executive Officer (e.g.,

pursuant to CWC section 13267 or section 13383) or by the Central Coast Water Board (e.g., through revisions of existing permits and/or a Basin Plan Amendment). Central Coast Water Board staff may conclude that to date, implementation efforts and results are likely to result in achieving the allocations and numeric target, in which case existing and anticipated implementation efforts will continue.

Three-year reviews will continue until the TMDL is achieved, unless funding is unavailable. The target date to achieve the TMDL is during or before the year 2012.

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF SEPTEMBER 9, 2005
Prepared on July 27, 2005

ITEM NUMBER: 25

SUBJECT: Resolution No. R3-2005-0013; Proposed Amendment to the Water Quality Control Plan, Central Coast Region (Basin Plan) – Repeal Basin Plan Resolution No. 73-05 and Section 5(f) of Basin Plan Resolution No. 89-04

KEY INFORMATION:

Location: Central Coast Region
Type of Waste: All Oil Field Wastes, including “Clean, Fresh-Water Drilling Mud” and “Clean Oil”

SUMMARY

Central Coast Water Board (Water Board) staff proposes amendment of its Water Quality Control Plan (Basin Plan) by adopting Resolution No. R3-2005-0013. Adoption of this resolution is a ministerial act for two reasons: a) no one can legally discharge or beneficially reuse oil field materials under the old program (pursuant to the Executive Officer’s letter dated October 22, 2002) and b) all waivers of waste discharge requirements expired on January 1, 2003 (pursuant to California Water Code Section 13269). By adopting this resolution, outdated language in the Basin Plan will be eliminated.

Also on September 9, 2005, Water Board staff proposed a general waiver to regulate waste piles (Waste Pile Waiver), and a general waiver to regulate beneficial reuse of oily waste (Reuse Waiver). The general waivers will supercede the outdated Resolutions and the new program will protect water quality.

Background

On December 14, 1973, the Water Board adopted Resolution No. 73-05, a policy regarding beneficial use of oil field waste materials in the Santa Maria Valley.

Subsequently, on November 17, 1989, the Water Board adopted Resolution No. 89-04, which expanded that policy to apply throughout the region. Resolution Nos. 73-05 and 89-04 are included as Attachments 1 and 2 of the staff report.

Resolution No. 73-05 limits oil field waste material reuse to: (a) clean, fresh-water drilling mud removed from the drilling of an oil well prior to the time that the first production string of casing is installed, and (b) clean oil, not mixed with contaminants such as salt brines or toxic materials. Provisions in Resolution No. 73-05 include:

- (1) Approval of sites suitable for disposal of different kinds of liquid waste;
- (2) A mandate that all oil field waste be disposed of at Class I or Class II facilities; and
- (3) Identification of a specific procedure under which the Executive Officer may waive Waste Discharge Requirements (WDRs) for beneficial use of fresh-water drilling mud and clean oil.

The purpose of this Basin Plan amendment is to repeal text referring to the oil field

beneficial reuse policies, repeal Resolution No. 73-05 (Appendix A-16), and repeal section 5(f) of Resolution No. 89-04 (Appendix A-17) immediately. Water Board staff will regulate discharges of petroleum-impacted soils to waste piles, treatment and/or processing areas on oil-field properties via waivers of WDRs. At the September 9, 2005 meeting, the Water Board will consider issuance of WDR waivers pertaining to the regulation of oil field wastes. The Basin Plan amendment, Resolution No. R3-2005-0013, is included as Attachment 3. In compliance with the Basin Planning process, the Basin Plan Environmental Checklist is included as Attachment 4.

Adoption of this resolution is a ministerial act that is not subject to the California Environmental Quality Act (CEQA). Adoption of this resolution is also not a "project" that requires compliance with CEQA (California Public Resources Code §21000 et seq.). The Water Board is not directly undertaking an activity, funding an activity or issuing a permit or other entitlement for use (Public Resources Code section 21065; 14 California Code of Regulations [CCR]. §15378).

Due to the Executive Officer's October 22, 2002 letter, no one can legally discharge pursuant to Resolution Nos. 73-05 and 89-04]. The Water Board is not approving any activity (14 CCR §15352). This is a clerical amendment to bring the Basin Plan into compliance with current law (see "Why Update the Basin Plan?" section below).

Water Board staff has also prepared a general waiver to regulate waste piles (Waste Pile Waiver), and a general waiver to regulate beneficial reuse of oily waste (Reuse Waiver). The Waste Pile and Reuse Waivers supercede the outdated Resolutions. Water Board staff has prepared documentation to comply with the CEQA for those two projects.

DISCUSSION

Why Update the Basin Plan?

The specific reasons that a repeal of Resolution No. 73-05 and section 5(f) of Resolution No. 89-04 is necessary are as follows:

1. An important part of the findings in Resolution No. 73-05 is based on repealed statutes, California Water Code (CWC) sections 14040 and 14041. These statutes mandate water boards to identify sites for disposal of hazardous waste. This requirement appears to be an important basis for the Water Board's determination that all oil field waste must go to Class I and Class II facilities. This regulatory mandate no longer exists. Extensive amendments to then-Sub-chapter 15 of Title 23 of the CCR provided a method for case-by-case determinations of which types of waste, including liquid wastes, had to be disposed at which class of facility. Additionally, the Toxic Pits Cleanup Act stringently regulates storage or disposal of liquid hazardous wastes in surface impoundments.
2. The requirement to dispose of all oilfield waste to Class I or Class II units is more stringent than necessary to reasonably protect water quality. Today, regulations regarding the disposal of waste to land are found in Title 23, CCR, Chapter 15 (hazardous waste) and CCR Title 27 (non-hazardous waste). These regulations provide for flexibility necessary for management, treatment and disposal of the wide range of wastes found at oil fields. For example, soils containing refined petroleum products may be treated in waste piles or land treatment units after which they may be clean enough for reuse or disposal in Class III waste management units.

3. The limited exemption only for fresh-water drilling mud and clean oil is too narrow. Other types of oil field waste may be reused without significant risk of harming water quality, such as sands containing crude oil. Repeal of this broad prohibition with such a narrow exception would allow the Water Board flexibility needed to regulate oil field waste reuse and disposal while protecting water quality.
 4. Amendments to CWC section 13269 mandated that all waivers of waste discharge requirements would expire on January 1, 2003. Thus the waiver provisions of Resolution No. 73-05 are no longer in effect. Thus, only the provision mandating disposal of all oil field waste to Class I and Class II facilities is still effective. The exception for certain drilling mud and clean oil still exists but Resolution 73-05 as a whole appears to condition reuse of those wastes on its detailed waiver procedure. That procedure is now void. In order to avoid confusion in the future, Resolution No. 73-05 should be repealed.
 5. If Resolution No. 73-05 is repealed, adequate water quality protection from discharges of oil field waste is provided under other provisions of the Basin Plan, laws and regulations. Basin Plan provisions must be implemented in WDRs or waivers of WDRs, and the Waste Pile and Reuse Waivers that Water Board staff are proposing. Some Basin Plan water quality objectives that protect ground water and fresh surface waters from oil field waste include prohibition of discharge of toxic chemicals in toxic amounts, discharge of hazardous wastes in excess of maximum contaminant levels and discharge of chemicals imparting undesirable tastes and odors. Ocean Water Quality is protected by water quality objectives in the State Water Board's Ocean Plan, which is incorporated into the Basin Plan. The Basin Plan contains other water quality protections, including a prohibition against the discharge of oil or any residual products of petroleum except in accordance with waste discharge requirements or other provisions of the Porter-Cologne Act. (Basin Plan, Chapter V., section IV.A.)
 6. As previously noted in Paragraph 1 above, the Toxic Pits Cleanup Act stringently regulates discharges of liquid hazardous wastes to surface impoundments. CCR Title 23, Chapter 15 and CCR Title 27 provide detailed regulation for storage and disposal of hazardous and non-hazardous wastes to land.
 7. In the case of reuse of oil field materials, the intent is that there not be a disposal or discharge to ground or surface waters. The Waste Pile and Reuse Waivers are drafted to ensure that reuse is carried out so that there will be no discharges in violation of water quality objectives and prohibitions.
- In conclusion, Resolution No. 73-05 should be repealed because its waiver portion has already been repealed by statute. The remaining requirement that all oil field waste be disposed at a Class I or Class II facility is too rigid and is not necessary to reasonably protect water quality. In addition, adequate protection is provided by other Basin Plan provisions as well as other laws and regulations.

Economic Effects of the Amendment

The effect of the amendment will be throughout the Central Coast Region. However, over 30 oil companies (ranging from large to small oil producers) currently operate oil production facilities in San Luis Obispo and Santa Barbara Counties. There are less significant oil field operations in southern Monterey County. These oil field operations will be most affected by repeal of Resolution

No. 73-05 and Section 5(f) of Resolution No. 89-04.

As part of its implementation of the Resolution Nos. 73-05 and 89-04, the Water Board entered into an interagency coordination agreement with the Santa Barbara County Fire Protection Division (FPD) regarding oil field decommissioning in December 1998.

For unknown reasons, a few oil field operators did not comply with the criteria used to determine if petroleum wastes were appropriate for reuse. The operators' noncompliance resulted in unauthorized discharges of petroleum wastes to land, groundwater, and surface water. In order to prevent recurrence of these incidents, the Executive Officer's letter dated October 22, 2002, withdrew any reuse approval granted in the past to oil field operations in Santa Barbara County. In addition, the Water Board's approval of Santa Barbara County FPD's oil field re-use program was postponed until further update and review of the re-use material acceptance criteria was performed and the program re-instated. Since October 2002, oil field operators have had to dispose of petroleum wastes at landfills and not beneficially reuse the petroleum materials (such as for road materials).

In September 2005, the Water Board will consider adopting general WDR waivers for soils containing crude oil at oil field properties. Dischargers will be required to submit a Report of Waste Discharge and appropriate filing fee, based on the level of complexity and threat to water quality.

In addition, in June and July 2005, Water Board staff met with Santa Barbara County FPD, Santa Barbara County Energy Division, and Division of Oil and Gas and Geothermal Resources staff. The agencies plan to develop an interagency coordination agreement for oil field waste pile and reuse program oversight management and coordination.

ENVIRONMENTAL SUMMARY

A Notice of Public Hearing has been circulated (Attachment 4). A Notice of Filing,

this staff report, and Environmental Checklist were prepared and circulated by Water Board staff to interested agencies and persons prior to consideration of the Basin Plan Amendment by the Central Coast Water Board. This will satisfy the environmental documentation requirements of the Basin Planning process and the Federal Clean Water Act.

COMMENTS

On June 3, June 22, and July 12, 2005, Water Board staff hosted three workshops to discuss the Basin Plan Amendment and Waste Pile and Reuse Waivers, all pertaining to oil field wastes.

Verbal comments during the workshops pertained solely to the Waste Pile and Reuse Waivers. Written public comments were due by July 27, 2005. No written comments were received pertaining to the Basin Plan Amendment.

On September 9, 2005, the Water Board will consider adoption of the Basin Plan Amendment, Waste Pile and Reuse Waivers, pertaining to oil field wastes.

RECOMMENDATIONS

Adopt Resolution No. R3-2005-0013, as proposed.

ATTACHMENTS

1. Resolution No. 73-05.
2. Resolution No. 89-04.
3. Draft Resolution No. R3-2005-0013, with attachments:
 - Attachment 1: Basin Plan Amendment, Section VI.C, page V-17
 - Attachment 2, Basin Plan Amendment, Resolution No. 73-05
 - Attachment 3, Basin Plan Amendment, Resolution No. 89-04
 - Attachment 4, Report for Basin Plan Amendment (including the Environmental Checklist)
4. Hearing Notice dated June 16, 2005

STATE OF CALIFORNIA
 CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
 CENTRAL COAST REGION
 895 Aerovista Place, Suite 101
 San Luis Obispo, CA 93401

RESOLUTION NO. R3-2005-0013
 AMENDING THE WATER QUALITY CONTROL PLAN
 REPEAL BASIN PLAN RESOLUTION NO. 73-05 AND SECTION 5(F) OF
 BASIN PLAN RESOLUTION NO. 89-04

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Water Board) finds:

1. The Water Board adopted a policy regarding beneficial use of oil field waste materials in the Santa Maria Valley (Resolution No. 73-05) on December 14, 1973.
2. The Water Board expanded the beneficial use of oil field waste materials policy to apply throughout the region (Resolution No. 89-04) on November 17, 1989.
3. The Water Board adopted the current Water Quality Control Plan, Central Coastal Basin (Basin Plan) on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies. Resolution Nos. 73-05 and 89-04 are included in the Basin Plan as Appendix A-16 and A-17, respectively.
4. The Water Board periodically revises and amends the Basin Plan. Water Board staff determined the Basin Plan requires further revision and amendment to repeal the reuse policy for oil field waste materials throughout the region. The Water Board will regulate oil field waste materials using waste discharge requirements (WDRs) or waiver of WDRs on oil field leases and fee-properties. The Water Board will consider regulation of oil field waste materials on oil field lease and fee properties using waivers of WDRs at the September 9, 2005 Water Board meeting in San Luis Obispo.
5. In January 2005, Water Board staff contacted State Water Resources Control Board (State Water Board) staff to inquire if repeal of Appendix A-16 and Section 5(f) of Appendix A-17 of the Basin Plan required external scientific review to comply with Health and Safety Code Section 57004. State Water Board staff indicated that external scientific review was not required for repeal of the Water Board policy for reuse of oil field wastes.
6. Interested persons and the public have been informed of the Water Board's intent to repeal Appendix A-16 and Section 5(f) of Appendix A-17 of the Basin Plan. Efforts to inform the public and solicit public comment include a public meeting/ workshop, several individual meetings with vested stakeholders, and a number of telephone conversations with interested parties. Notice of public hearing was given by advertising in newspapers

requesting such notice and applicable government agencies. Water Board staff responded to oral and written comments received from the public.

7. The Water Board considered costs of repealing Resolution No. 73-05 and Section 5(f) of Resolution No. 89-04. If repealed, the Water Board will need to adopt waivers of WDRs for the storage and re-use of petroleum waste materials. Dischargers will be required to submit a Report of Waste Discharge and appropriate filing fee, based on the level of complexity and threat to water quality. The Water Board has considered the costs of implementing the amendment to dischargers, and finds these costs to be reasonable relative to the water quality benefits derived from implementing the Basin Plan amendment.
8. Anti-Degradation – This Resolution is consistent with the provisions of the State Water Board Resolution No. 68-16, “Statement of Policy with Respect to Maintaining High Quality of Waters in California” and 40 Code of Federal Regulations (CFR) 131.12. Regulation of oil field wastes using WDRs or a WDR waiver provides more regulatory oversight compared to the re-use policy described in Resolution No. 73-05 and Section 5(f) of Resolution No. 89-04. Therefore, the Basin Plan amendment will result in improved water quality throughout the region and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.
9. The Water Board concurs with the analysis contained in the Environmental Checklist, the staff report, and the responses to comments and finds that the analysis complies with the requirements of the State Board’s regulations, as set forth in the California Code of Regulations (CCR), Title 23, section 3775 et seq. Adoption of this Resolution is a ministerial act that is not subject to the California Environmental Quality Act (CEQA). Adoption of this Resolution is also not a “project” that requires compliance with the CEQA (California Public Resources Code §21000 et seq.). The Water Board is not directly undertaking an activity, funding an activity or issuing a permit or other entitlement for use (Public Resources Code section 21065; 14 CCR. §15378). Due to the Executive Officer’s October 22, 2002 letter, no one can legally discharge pursuant to Resolution Nos. 73-05 or 89-04. The Water Board is not approving any activity (14 CCR. §15352). This is a clerical amendment to bring the Basin Plan into compliance with current law. Water Board staff has also prepared a general waiver to regulate waste piles (Waste Pile Waiver), and a general waiver to regulate beneficial reuse of oily waste (Reuse Waiver). The general waivers supercede the outdated Resolutions. Water Board staff has prepared documentation to comply with the CEQA for those two projects (Waste Pile and Reuse Waivers).
10. The proposed amendment will be to repeal Resolution No. 73-05 and section 5(f) noted in Resolution No. 89-04, which amended Resolution No. 73-05 to apply throughout the Region. References to the above-noted resolutions will be deleted in the Basin Plan’s Table of Contents and text. The strikethrough version of the Basin Plan text, which references Resolutions Nos. 73-05 and 89-04 (Section VI.C, page V-17), is included as Attachment 1. The strikethrough version of Resolution No. 73-05 is included as

Attachment 2. The strikethrough version of Resolution No. 89-04 is included as Attachment 3.

11. The effect of the amendment will be throughout the Region, but more specifically in Monterey, San Luis Obispo and Santa Barbara Counties, where active oil fields that generate petroleum waste materials are located.
12. The Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board (State Board) and the State Office of Administrative Law (OAL). The Basin Plan amendment will become effective upon approval by OAL. The subject Resolution will become effective immediately.
13. The amendment to the Basin Plan will result in no potential for adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
14. On September 9, 2005 in San Luis Obispo, California, the Water Board held a public hearing and heard and considered all public comments and evidence in the record.

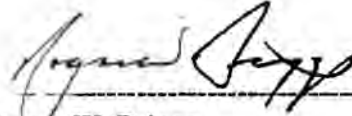
THEREFORE, BE IT RESOLVED, that:

- 1 Pursuant to CWC sections 13240, the Water Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the Basin Plan amendments attached as Attachments 1, 2, and 3.
2. The Water Board's Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of CWC Section 13245.
3. The Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of CWC sections 13245 and 13246, and forward it to OAL for approval. The Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If, during its approval process, the State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Water Board of any such changes.

Resolution No. R3-2005-0013

September 9, 2005

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the Resolution adopted by the Central Coast Water Board, on September 9, 2005.



Roger W. Briggs
Executive Officer

Attachments:

- Attachment 1: Strikethrough version of Basin Plan text (Section VLC, page V-17)**
- Attachment 2: Strikethrough version of Resolution No. 73-05.**
- Attachment 3: Strikethrough version of Resolution No. 89-04.**
- Attachment 4: Report for Basin Plan Amendment**

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Resolution No. R3-2005-0013, Attachment 1:

Resolution No. R3-2005-0013: Amending the Water Quality Control Plan, Central Coast Region (Basin Plan) – Repeal Basin Plan Resolution No. 73-05 and Section 5(f) of Basin Plan Resolution No. 89-04

1. Table of Contents will remove references to Section VI.C, page V-17 and Appendices A-16 and A-17.
2. Please note strikethrough text for Section VI.C, page V-17 as follows:

~~VI.C OIL FIELD WASTES~~

- ~~1. a. Resolution 73-05: Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County.~~
- ~~b. Resolution 89-04: Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Central Coast Region~~

~~The above policies require oil field waste materials to be deposited at an appropriate and approved Class I or Class II disposal site. Other disposal sites may be used for disposal under certain conditions. Executive Officer approval is necessary for other sites. A procedure to obtain Executive Officer approval is specified.~~

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Resolution No. R3-2005-0013, Attachment 2:
Amending the Water Quality Control Plan, Central Coast Region (Basin Plan) –
Repeal Basin Plan Resolution No. 73-05 and Section 5(f) of Basin Plan
Resolution No. 89-04

~~APPENDIX A-16~~

~~Policy Regarding beneficial Use of Oil Field Waste Materials in the Santa Maria
Oil fields, Santa Barbara County~~

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05\APPENDIX A16 - bpa.DOC

~~CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION~~

~~RESOLUTION NO. 73-5~~

~~ADOPTING POLICY REGARDING BENEFICIAL USE OF
OIL FIELD WASTE MATERIALS IN THE SANTA
MARIA VALLEY OIL FIELDS, SANTA BARBARA COUNTY~~

~~WHEREAS, Water Code Section 13224 states:~~

~~“Each Regional Board may issue policy statements relating to any water quality matter within its jurisdiction.”; and~~

~~WHEREAS, oil field waste materials, including but not limited to “drilling muds”, oily wastes and brines, generally contain toxic substances and materials which could significantly impair the quality of usable waters and generally constitute Group I wastes as defined by California Administrative Code, Title 23, Chapter 3, Subchapter 15, Article 3, Section 2520; and~~

~~WHEREAS, Group I wastes, such as oil field waste materials, may ordinarily be deposited only at a Class I or Class II 1 disposal site; and~~

~~WHEREAS, California Administrative Code, Title 23, Chapter 3, Subchapter 15, Article 5, Section 2540, provides:~~

~~“The Regional Board may waive the reporting of solid waste discharges, or approval and classification of disposal sites or types of sites, or the establishment of waste discharge requirements as provided by Section 13269 of the Water Code when an operation will not unreasonably affect water quality because of the type of waste and disposal operation, or an operation is in compliance with ordinances or regulations of other governmental agencies which adequately protect water quality. Such waivers shall be conditional and may be terminated by the Regional Board at any time.”; and~~

~~WHEREAS, Water Code Sections 14040 and 14041 state:~~

~~“Each Regional Board shall approve sites suitable for the disposal of different kinds of liquid wastes, consistent with the classifications that shall be adopted by the state board, and may adopt regulations for disposal of liquid waste at such approved sites that it deems are necessary for the protection of the quality of the waters of the state.”~~

~~“The hauler of liquid waste shall dispose of liquid waste in accordance with the regulations adopted by the Regional Board and shall dispose of only such type of waste as was designated for a particular site.”; and~~

Draft Resolution No. R3-2005-0013, Attachment 2

~~WHEREAS, under appropriate circumstances, certain clean fresh water “drilling muds” may be usable for beneficial purposes such as sealing of agricultural reservoir sites, improving tillability of certain solids, and stabilizing sandy soils without causing water quality problems or nuisance conditions; and,~~

~~WHEREAS, under appropriate circumstances, certain oily wastes may be usable for beneficial purposes such as dust control, weed abatement and road construction without causing water quality problems or nuisance conditions; and~~

~~WHEREAS, in the Santa Maria Valley oil fields, it appears possible, with appropriate care, to separate these oil field waste materials which may be appropriate for beneficial uses from those materials not suitable for beneficial uses;~~

~~NOW THEREFORE BE IT RESOLVED that the following shall constitute the policy of this Board regarding beneficial use of oil field waste materials in the Santa Maria Valley oil fields, Santa Barbara County:~~

- ~~1. Except as hereafter expressly provided, all oil field waste materials, including but not limited to “drilling muds”, oily wastes, and brines, shall be deposited at an appropriate and approved Class I or Class II 1 disposal site.~~
- ~~2. The following oil field waste materials may be deposited for an appropriate beneficial use at sites other than a Class I or Class II 1 disposal site provided that such site has been approved in advance by the Executive Officer of this Board, the amount of oil field waste material to be deposited and used at such site is reasonable, and adequate use practices for the control of oil field waste materials on such site are assured:
 - ~~(a) Clean, fresh water drilling mud removed from the drilling of an oil well prior to the time that the first production string of casing is installed.~~
 - ~~(b) Clean oil, not mixed with contaminants such as salt brines or toxic materials.~~~~
- ~~3. The Executive Officer may, upon written request, approve a site for a specified use or uses of those oil field waste materials specified in Paragraph 2 above, when the Executive Officer is reasonably assured that use of such site in the manner and for the purpose proposed will not adversely affect water quality or lead to nuisance conditions. Requests for site approval shall contain such information as may be required by the Executive Officer, and at a minimum shall contain:
 - ~~(a) A description of the site at which deposit and use of oil field waste materials will be made, and assurance that such materials will be used solely at and retained on such site~~
 - ~~(b) A description of the type of oil field waste material which will be used, the purpose or purposes for which it will be used, and the maximum quantity or quantities which will be used.~~~~

Draft Resolution No. R3-2005-0013, Attachment 2

- ~~(c) Assurance that the applicant or a competent agent, will be present at the time of each delivery of oil field waste material.~~
 - ~~(d) A proposed plan of use, specifically including cultivation practices and/or other appropriate control uses and measures, which will be taken to protect water quality and prevent nuisance.~~
 - ~~(e) Certification that the proposed use or uses of oil field waste materials comply with all city, county, or other local use and zoning requirements and that all necessary use permits will be obtained and maintained.~~
 - ~~(f) Certification that the applicant will submit such monitoring and technical reports as may be required by the Executive Officer.~~
 - ~~(g) Certification that the applicant is the owner of the site at which deposit and use of oil field waste materials will be made, or written consent of the owner of such site to the proposed use.~~
- ~~4. In the event that the Executive Officer determines that there is reasonable assurance that the use of oil field waste materials at the site proposed and in the manner proposed will not adversely affect water quality or lead to nuisance conditions, the Executive Officer may, in writing, approve such site. The approval shall be contingent upon full and exact compliance with all statements, representations and assurances contained in the request, and shall further provide that:~~
- ~~(a) Site approval may be withdrawn at any time, in the discretion of the Executive Officer, upon a determination that further use of the site for deposit or use of oil field waste materials will or may adversely affect water quality or create nuisance conditions.~~
 - ~~(b) Site approval does not relieve the landowner, or any other person, from otherwise complying with all state and local laws, rules, regulations and ordinances, and specifically does not constitute a license for use of oil field waste materials except in strict accord with the request and approval.~~
- ~~5. The Executive Officer shall remove site approval in the event of violation of any of the statements, representations, and assurances contained in the request.~~

~~I, Kenneth R. Jones, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 14, 1973.~~

Resolution No. R3-2005-0013, Attachment 3:
Amending the Water Quality Control Plan, Central Coast Region (Basin Plan) –
Repeal Basin Plan Resolution No. 73-05 and Section 5(f) of Basin Plan
Resolution No. 89-04

APPENDIX A-17

~~Policy amending “Policy Regarding beneficial Use of Oil Field Waste Materials in the
Santa Maria Oil fields, Santa Barbara County” to apply Region Wide~~

**Adopting Amendments to the Water Quality Control Plan
And Requesting Approval From the
State Water Resources Control Board**

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05\APPENDIX A17-bpa.doc

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 89-04

ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS:

The Water Quality Control Plan, Central Coastal Basin (Basin Plan) was approved by the State Water Resources Control Board (State Board) on March 20, 1975.

2. Since March 20, 1975, thirty-seven Basin Plan amendments have been approved by the Regional Water Quality Control Board (Regional Board) and the State Board.
- 3 Since 1975, several changes in water quality regulations and administrative procedures have occurred.
4. An updated Basin Plan incorporating all previously approved amendments, updated regulations, and procedures is needed.
5. Several significant new Basin Plan amendments are needed:
 - a. Revise PCB and Phthalate Ester objective for all Inland Surface Waters, Enclosed Bays, and Estuaries in the Water Quality Objectives chapter.
 - b. Update "Municipal Wastewater Management Plans" in the Implementation Plan chapter.
 - c. Update "Solid Waste Management" in the Implementation Plan Chapter.
 - d. Add "Water Quality Limited Segments" designation in the Plans and Policies chapter.
 - e. Add general toxic or hazardous materials discharge prohibition to all waters in the Plans and Policies chapter.
 - f. ~~Amend Resolution 73-05, "Adopting Policy Regarding beneficial Use of Oil Field Waste Materials in the Santa Maria Valley Oil Fields, Santa Barbara county" to apply Regionwide.~~

Draft Resolution No. R3-2005-0013, Attachment 3

- g. Add Regional Board policy for Highway Grooving Residues in the Plans and Policies chapter.
 - h. Add Regional Board Policy for Waiver of Regulation of Specific Types of Waste Dischargers in the Plans and Policies chapter.
 - i. Add Water Bodies Needing Intensive surveillance in the Surveillance and Monitoring chapter.
6. Several additional changes (as described in Attachment "A") are necessary to update the 1975 Basin Plan.
7. Several minor wording changes are necessary to improve the readability of the Basin Plan.
8. Drafts of the proposed Basin Plan have been prepared and distributed to interested persons and agencies for review and comment.
9. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent) and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of these objectives will not have a significant adverse effect on the environment.
10. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
11. On September 8, 1989, and November 17, 1989, in the Salinas City Council Chamber Rotunda, 200 Lincoln Avenue, Salinas, California, and in the Embassy Suites-Edna Room, 333 Madonna Road, San Luis Obispo, California, respectively, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to the Plan.

THEREFORE BE IT RESOLVED:

1. All amendments mentioned above and in Attachment "A", will not have a significant adverse impact on the environmental and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.
2. All amendments mentioned above and in Attachment "A" are adopted.

Resolution No. R3-2005-0013, Attachment 3

3. Any minor editorial changes to correct data or grammar and/or clarify meaning in the final copy which may not be included in Attachment "A", are also adopted.
4. Staff responses which propose specific Basin Plan changes provided in the Regional Water Quality Control Board letter dated October 12, 1989, are adopted.
5. The State Board is requested to approve the proposed updated Basin Plan with amendments in accordance with Sections 13245 and 13246 of the California Water Code.
6. Upon approval, the State Board is requested to transmit the updated Basin Plan to the U.S. Environmental Protection Agency for approval.

I, WILLIAM R. LEONARD, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on November 17, 1989.

(ORIGINAL SIGNED BY WILLIAM R. LEONARD)

Resolution No. R3-2005-0013, Attachment 4

REPORT FOR BASIN PLAN AMENDMENT

(RESOLUTION NO. R3-2005-0013)

The Central Coast Regional Water Quality Control Board (Water Board) is proposing an amendment to the Water Quality Control Plan (Basin Plan). The Basin Plan serves as the cornerstone for water quality protection through identification of beneficial uses of surface and groundwaters, establishment of water quality objectives to protect beneficial uses, and establishment of an implementation plan to achieve those objectives.

The project consists of a ministerial clerical amendment and is exempt from the California Environmental Quality Act (CEQA). The environmental analysis contained in this Report for Basin Plan Amendment and accompanying documents, including the Environmental Checklist, the staff report and the responses to comments complies with the requirements of the State Water Board's certified regulatory process, as set forth in California Code of Regulations (CCR), Title 23, section 3775 et seq. All public comments were considered.

DESCRIPTION OF PROPOSED ACTIVITY

This section describes the changes proposed and alternatives to this proposal. The purpose of this amendment is to rescind Resolution No. 73-5 and the applicable section of Resolution No. 84-04.

On December 14, 1973, the Central Coast Water Board adopted a policy regarding beneficial use of oil field waste materials in the Santa Maria Valley (Resolution No. 73-5, Basin Plan Appendix A-16). Subsequently, on November 17, 1989, the Water Board expanded that policy to apply throughout the region (Resolution No. 89-04, Basin Plan Appendix A-17).

Resolution No. 73-5 limited oil field waste material reuse to:

- (a) clean, fresh-water drilling mud removed from the drilling of an oil well prior to the time that the first production string of casing is installed, and
- (b) clean oil, not mixed with contaminants such as salt brines or toxic materials.

More than a waiver of waste discharge requirements (WDRs), provisions in Resolution No. 73-05 included (1) requiring regional boards to approve sites suitable for disposal of different kinds of liquid waste (based on former, now repealed, California Water Code [CWC] sections 14040 and 14041); (2) a mandate that all oil field waste be disposed of at Class I or Class II facilities; and (3) identification of a specific procedure under which the Executive Officer may waive waste discharge requirements for beneficial use of fresh-water drilling mud and clean oil.

Staff recommends repealing Resolution No. 73-05 and the applicable portion of Resolution No. 89-04, because staff is proposing adoption of updated general waiver of waste discharge requirements that supercede the older resolutions. The key findings of the old resolutions are out of date and conflict with newer laws and regulations. The subject Basin Plan resolutions limit the reuse of oil field waste more stringently than needed to protect water quality. Additionally, other provisions of the Basin Plan, as well as other applicable laws and regulations, provide the water quality protection provided by Resolution No. 73-05.

Resolution No. R3-2005-0013, Attachment 4

Alternatives to this proposal include:

1. Incomplete adoption of the proposed amendment.

For example, the Water Board could amend only a portion of Resolution No. 73-05, such as deleting references to the now repealed, former CWC sections 14040 and 14041. This alternative is not recommended, because adequate water quality protection from discharges of oil field waste is provided under other provisions of the Basin Plan, laws and regulations. Basin Plan provisions must be implemented in waste discharge requirements and waivers of waste discharge requirements. Some Basin Plan water quality objectives that protect ground water and fresh surface waters from oil field waste include prohibition of discharge of toxic chemicals in toxic amounts, discharge of hazardous wastes in excess of maximum contaminant levels and discharge of chemicals imparting undesirable tastes and odors. Ocean Water Quality is protected by water quality objectives in the State Water Board's Ocean Plan, which is incorporated into the Basin Plan. The Basin Plan contains other water quality protections, including a prohibition against the discharge of oil or any residual products of petroleum except in accordance with waste discharge requirements or other provisions of the Porter-Cologne Act. (Basin Plan, Chapter V., section IV.A.)

In addition, the Toxic Pits Cleanup Act stringently regulates discharges of liquid hazardous wastes to surface impoundments. CCR Title 23, Chapter 15 and Title 27 provide detailed regulation for storage and disposal of hazardous and non-hazardous wastes to land.

In the case that the Water Board would authorize the reuse of specific kinds of petroleum wastes, the intent is that there not be a disposal or discharge to ground or surface waters. Any waste discharge requirements or waiver would be drafted to assure that reuse is carried out so that there will be no discharges in violations of water quality objectives and prohibitions.

2. Take no action.

This alternative is not recommended, because Resolution No. 73-05 is sorely outdated and conflicts with newer laws and regulations, and the proposed waste discharge requirements and waiver that Water Board staff is separately recommending. Staff has prepared appropriate CEQA documents for those actions. In addition, Resolution No. 73-05 should be repealed because its waiver portion has already be repealed by statute. The remaining requirement that all oil field waste be disposed at a Class I or Class II facility is too rigid and is not necessary to reasonably protect water quality.

II. APPLICABLE INFORMATON:

1. Lead Agency Name and Address:

Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

2. Contact Person and Phone Number:

Sheila Soderberg (805) 549-3592

3. Project Location:

Central Coast Region

Resolution No. R3-2005-0013, Attachment 4

4. Project Sponsor's Name and Address:

Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

5. Other Public Agencies whose Approval is Required:

U.S. Environmental Protection Agency; U.S. Fish and Wildlife Service; U.S. Army Corps of Engineers, Interstate Oil and Gas Compact Commission; California Department of Fish & Game; California Department of Conservation, Division of Oil, Gas and Geothermal Resources Santa Maria and Coalinga Offices; California Department of Transportation; California Department of Toxic Substances Control; California Office of Health Hazard Assessment; California Air Resources Board; Santa Barbara County Planning and Development; Santa Barbara County Energy Division; Santa Barbara County Petroleum Division; Santa Barbara County Fire Protection Division; Santa Barbara County Health Department; Santa Barbara County Air Pollution Control District; San Luis Obispo County Planning and Building; San Luis Obispo County Fire Department; San Luis Obispo County Health Department; San Luis Obispo County Air Pollution Control District; Monterey County Planning and Building; Monterey County Fire Department; Monterey County Health Department; Monterey County Air Pollution Control District; Santa Clara County Planning and Building; Santa Clara County Fire Department; Santa Clara County Health Department; Santa Clara County Air Pollution Control District; San Benito County Planning and Building; San Benito County Fire Department; San Benito County Health Department; San Benito County Air Pollution Control District; City of Santa Maria Planning Department; City of Santa Maria Fire Department; City of Goleta Planning Department; City of Goleta Fire Department; Santa Barbara City Planning Department and Santa Barbara City Fire Department.

ENVIRONMENTAL CHECKLIST

II. EVALUATION OF ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
1. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, But not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Resolution No. R3-2005-0013, Attachment 4

3. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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b) Substantially deplete ground water supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. LAND USE AND PLANNING Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. MINERAL RESOURCES -- Would the project				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally -important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. NOISE Would the project result in				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

13. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. **ENVIRONMENTAL EVALUATION** (of checklist questions answered Potentially Significant Impact, Less than Significant with Mitigation Incorporation, or Less than Significant Impact): not applicable.

See Resolution No. R3-2005-0013 attached.

Signature

Date

Printed name

Title

X:\SLIC\Non-site specific Issues\HC soils reuse\Basin Plan Amendment\Final Oily BPA 09-09-05\Environmental Checklist-bpa.doc

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

**RESOLUTION NO. R3-2004-0142
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN TO INCLUDE
SAN LUIS OBISPO CREEK TOTAL MAXIMUM DAILY LOAD
AND IMPLEMENTATION PLAN FOR PATHOGENS**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region hereby finds that:

1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Regional Board periodically revises and amends the Basin Plan. The Regional Board has determined the Basin Plan requires further revision and amendment to incorporate a Total Maximum Daily Load (TMDL) and Implementation Plan for Pathogens for San Luis Obispo Creek.
3. The Regional Board proposes to amend the Basin Plan by inserting amendments into Chapter Four, Section IX (Total Maximum Daily Loads).
4. Section 303(d) of the Clean Water Act (CWA) requires states to identify and prepare a list of water bodies that do not meet water quality standards and to establish TMDLs for listed waterbodies.
5. San Luis Obispo Creek was identified on California's 1996 303(d) list as impaired by pathogens due to exceedence of existing Basin Plan objectives protecting water contact and non-contact water recreation beneficial uses.
6. San Luis Obispo Creek is located in San Luis Obispo County, California. The headwaters are located immediately north-east of the City of San Luis Obispo and flow southwest for approximately 17 miles towards Avila Beach, California, ultimately draining into the Pacific Ocean at Avila Bay.
7. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the CWA, as well as USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Regional Board has determined that the San Luis Obispo Creek Pathogen TMDL is set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing this TMDL as units of concentration is appropriate because an existing concentration based water quality objective is used as the basis for the numeric target.

8. Upon establishment of TMDLs by the State or USEPA, the state is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1), 130.7; CWC sections 13050(j), 13242). The Basin Plan, and applicable statewide plans, serves as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Regional Board.
9. The Regional Board's goal for establishing the above mentioned TMDL is to protect the contact and non-contact water recreation beneficial uses (REC-1 and REC-2, respectively) as defined in the Basin Plan.
10. Regional Board staff submitted a TMDL report to an external scientific review panel on May 25, 2004 as required by Health & Safety Code Section 57004. Regional Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendment. The scientific portions of the TMDL and implementation plan are based on sound scientific knowledge, methods, and practices in accordance with Section 57004.
11. Interested persons and the public have been informed of TMDL progress from the early stages of TMDL development. Efforts to inform the public and solicit public comment include public meetings, presentations to special interest groups, several individual meetings with vested stakeholders, and a number of telephone conversations with interested parties. Public notification of the amendment to the Basin Plan occurred 45 days preceding the Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Regional Board staff responded to oral and written comments received from the public.
12. The Regional Board considered costs of implementing measures to achieve the TMDL. The costs to implement the TMDL will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from implementing the TMDL.
13. Anti-Degradation – This order is consistent with the provisions of the State Water Resources Control Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12. The TMDL will result in improved water quality throughout the region and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.
14. The Regional Board concurs with the analysis contained in the Final Project Report, California Environmental Quality Act "Substitute Document" Report for Basin Plan Amendment, including the CEQA Checklist, the staff report and the responses to comments and find that the analysis complies with the requirements of the SWRCB's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Regional Board finds that the analysis fulfills the Regional Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. All public comments were considered.
15. The Basin Plan amendment incorporating a TMDL for pathogens for San Luis Obispo Creek must be submitted for review and approval by the State Water Resources Control Board (State Board), the State Office of Administrative Law (OAL), and the US Environmental Protection Agency (USEPA). The Basin Plan amendment will become effective upon approval by OAL.

December 3, 2004


16. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
17. On December 3, 2004 in San Luis Obispo, California, the Regional Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

Pursuant to sections 13240 and 13242 of the California Water Code, the Regional Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment on "Attachment-Proposed Basin Plan Amendments."

2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Regional Board requests that the State Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward it to OAL and the USEPA. The Regional Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL and USEPA.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If, during its approval process, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Regional Board of any such changes.

I, **Roger W. Briggs, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on December 3, 2004.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2004-0142

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to Chapter 4 after IX. F.

IX. G. TOTAL MAXIMUM DAILY LOAD FOR PATHOGENS FOR SAN LUIS OBISPO CREEK

The Regional Water Quality Control Board adopted this TMDL on December 3, 2004.

This TMDL was approved by:

The State Water Resources Control Board on _____
The California Office of Administrative Law on _____ (Effective date)
The U.S. Environmental Protection Agency on _____ **9/23/05**

Problem Statement

The beneficial uses of non-contact water recreation and water contact recreation are not being supported because fecal coliform concentration in San Luis Obispo Creek exceeds existing Basin Plan numeric objectives protecting these beneficial uses.

Numeric Target

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100mL, nor shall more than ten percent of total samples collected during any 30-day period exceed 400 MPN per 100mL.

Source Analysis

The fecal coliform sources contributing to the problems identified in the Problem Statement are, in decreasing order of contribution: urban, human, birds and bats roosting in the tunnel, livestock, and background. DNA analysis of samples drawn between sites 10.3 and 10.9 (see map in Figure-1) in San Luis Obispo Creek indicate that the following sources and corresponding frequencies are present: human (41%), avian (17%), combined sewer overflow (15%), canine (11%), rodent (5%), dog (4%), raccoon (3%), feline (3%), opossum (1%).

TMDL and Allocations

The TMDL is a receiving water concentration equal to the numeric target. The TMDL is considered achieved when the allocations assigned to individual reaches are consistently met or numeric targets are consistently met in all reaches.

Allocations are expressed as receiving water fecal coliform concentration. Table-1 shows the allocations with respect to location and responsible party. The reaches referred to in Table-1 are illustrated in Figure-1.

Locations of the sites illustrated in Figure-1 are described as follows:

- Site 10.0: located along the main stem of San Luis Obispo Creek (Creek) at the bridge crossing the Creek on Marsh Street. This location is downstream of the confluence of the main stem of the Creek with Stenner Creek.
- Site 10.3: located along the main stem of the Creek at Mission Plaza, immediately downstream of the downstream end of the tunnel.
- Site 10.9: located along the main stem of the Creek at the upstream end of the tunnel.
- STEN0.0: located at the mouth of Stenner Creek before its confluence with San Luis Obispo Creek.
- STEN1.5: located in Stenner Creek at its crossing with Highland Drive on the campus of Cal Poly.
- BRIZ1.0: located in Brizziolari Creek at its crossing with Via Carte Drive on Cal Poly campus; this site is located downstream of the bull-test animal unit.

- **Site 12.5:** located along the main stem of the Creek at Cuesta Park near the Highway 101 bridge.

Waste Load Allocations: Allocations to the City of San Luis Obispo are waste load allocations (WLAs). The WLAs will be implemented by the City's NPDES permit for the Water Reclamation Facility for control of sewer sources. The WLAs will also be implemented by the City's General Municipal Stormwater permit for the control of urban sources as well as animal sources from the tunnelized area of the Creek.

Allocations to the County of San Luis Obispo are WLAs. The WLAs will be implemented by the County's General Municipal Stormwater permit for the control of urban sources.

A portion of the total allocation to California Polytechnic State University, San Luis Obispo (Cal Poly) is a WLA. The allocation at site STEN1.5 shown in Table-1 is a WLA. The WLA will be implemented by Cal Poly's General Municipal Stormwater permit for the control of urban sources.

Load Allocations: Cal Poly is allocated a load allocation (LA) for the livestock sources along Brizzolari Creek. The LA will be implemented by Cal Poly's WDR permit for the control of animal sources (see site BRIZ1.0 in Table-1).

Allocation for Background: The allocation to Background is included in the WLAs and LA. The background allocation is a receiving water concentration of 81 MPN/100 mL. Therefore, the allocations in Table-1 include the allocation to background.

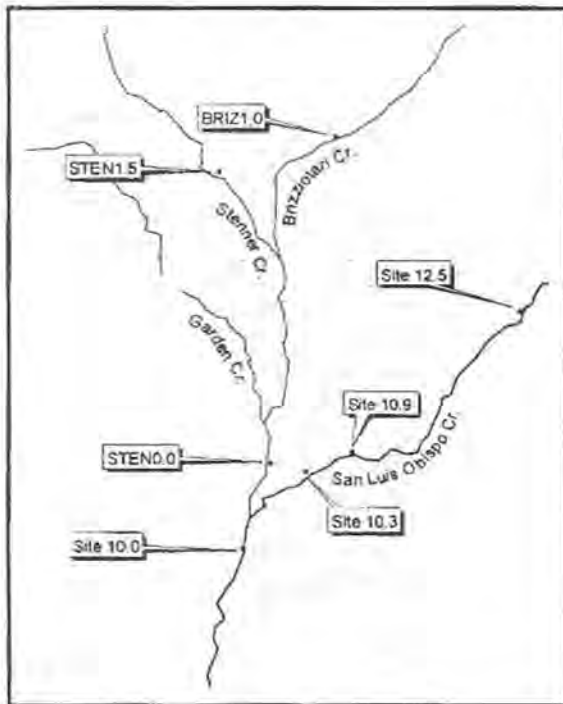


Figure-1: Allocation Sites

Table-1 ALLOCATIONS AND RESPONSIBLE PARTIES				
Allocations in San Luis Obispo Creek				Receiving Water Fecal Coliform Concentration (MPN/100mL)¹
From Site:	To Upstream Site:	Responsible Party^{2,3,4}	Allocation Type⁵	
12.5	All upstream sites	County	WLA	≤ 200
10.9	12.0	City	WLA	≤ 200
10.0	10.9	City	WLA	≤ 200
Allocations in Stenner and Brizzolari Creeks				Receiving Water Fecal Coliform Concentration (MPN/100mL)¹
From Site:	To Upstream Site:	Responsible Party^{2,3,4}	Allocation Type⁵	
STEN1.5	All upstream sites	Cal Poly	WLA	≤ 200
STEN0.0	STEN1.5	City	WLA	≤ 200
BRIZI.0	All upstream sites	Cal Poly	LA	≤ 200
Allocations for reaches not specifically noted above:				
For stream reaches not specifically noted above, the allocation for any discharge loading fecal coliform into San Luis Obispo Creek or any of its tributaries is as follows:				
<ul style="list-style-type: none"> Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100mL, nor shall more than 10% of the total samples during any 30-day period exceed 400 MPN per 100mL. 				
¹ As log mean of 5 samples taken in a 30-day period occurring within each season. ² County implies County of San Luis Obispo ³ City implies City of San Luis Obispo ⁴ Cal Poly implies California Polytechnic State University, San Luis Obispo Campus ⁵ WLA implies Waste Load Allocation, LA implies Load Allocation				

Margin of Safety

A margin of safety is incorporated in the TMDL through conservative assumptions. The conservative assumptions include: 1) assumption of zero bacterial die-off, 2) TMDL and allocation calculations are predominantly based on data collected during low-flow conditions, which, in the case of San Luis Obispo Creek, skews towards a worst-case scenario.

IMPLEMENTATION

The following actions will occur within one year of TMDL approval by the Office of Administrative Law.

HUMAN SOURCES

The City will implement actions described in Table 3, item 1F, to control human sources as currently required by the NPDES permit for the Water Reclamation Facility (WRF).

The Executive Officer (EO) or the Regional Board will amend the Monitoring and Reporting Program (M&RP) of the City's NPDES permit for the WRF to incorporate stream monitoring for fecal coliform. The EO or Regional Board will also amend the M&RP to incorporate reporting of such stream monitoring activities.

URBAN SOURCES

The City will amend its Storm Water Management Plan (SWMP) to include actions described in Table-3, items 1A, 1B, 1C, 1D, and 1E, pursuant to Section D of State Board Order No. 2003-005, NPDES General Permit No. CAS000004 for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Small MS4 Permit). The City will then describe the actions taken in Table-3 as part of its annual report

required by the Small MS4 Permit. If the City does not make these changes by submittal of the next annual report, the Executive Officer will require such changes.

The Executive Officer or the Regional Board will amend the Monitoring and Reporting Program of the City's small MS4 Permit to incorporate stream monitoring of fecal coliform and reporting of such monitoring, if additional monitoring-beyond that amended to the Monitoring and Reporting Program for the City's NPDES Permit for the WRF-is necessary.

Cal Poly will amend their SWMP to include specific actions described in Table-3, items 3A, 3B, and 3D. Cal Poly will then describe actions taken in Table-3 as part of their annual report required by the Small MS4 Permit. If Cal Poly does not make these changes by submittal of next annual report for this permit, the Executive Officer will require such changes.

The County of San Luis Obispo (County) will amend its SWMP to include specific actions described in Table-3, items 2A, 2B, 2C, and 2D, pursuant to Section D of the Small MS4 Permit. The County will then describe actions taken in Table-3 as part of its annual report required by the Small MS4 Permit. If the County does not make these changes by submittal of next annual report for this permit, the Executive Officer will require such changes.

LIVESTOCK SOURCES

Cal Poly will eliminate discharges of animal waste from seepage to surface waters from irrigated wastewater and flow to surface waters from confined animal operations, as currently required by Cal Poly's Waste Discharge Requirements.

Cal Poly has agreed to use management practices described in Table-3, item 3C, as described in its Water Quality Management Plan.

Cal Poly will conduct stream monitoring and report results as currently required by the M&RP of Cal Poly's Waste Discharge Requirements.

Additionally, the EO will amend the M&RP associated with Cal Poly's Waste Discharge Requirements to require annual reporting of specific measures that have been identified in the Water Quality Management Plan and have been and/or will be taken to reduce fecal coliform loading from livestock and urban sources.

THREE-YEAR REVIEWS

Regional Board staff will conduct a review every three years beginning three years after TMDL approval by the Office of Administrative Law. Regional Board staff will utilize Annual Reports, as well as other available information, to review water quality data and implementation efforts of responsible parties and progress being made towards achieving the allocations and the numeric target. Regional Board staff may conclude and articulate that ongoing implementation efforts may be insufficient to ultimately achieve the allocations and numeric target. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either through approval by the Executive Officer (e.g. pursuant to CWC section 13267 or section 13383) or by the Regional Board (e.g. through revisions of existing permits and/or a Basin Plan Amendment). Regional Board staff may conclude and articulate that to date, implementation efforts and results are likely to result in achieving the allocations and numeric target, in which case existing and anticipated implementation efforts should continue.

Three-year reviews will continue until the TMDL is achieved. The target date to achieve the TMDL is ten years after implementation commences.

Table-3 IMPLEMENTATION ACTIONS OF RESPONSIBLE PARTIES			
Responsible Party	Item	Best Management Practice	Discussion
City of San Luis Obispo	1A	Public Participation and Outreach	Educate the public regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters. Educate the public regarding actions that individuals can take to reduce loading.
	1B	Pet Waste Management	Develop and implement enforceable means (e.g. an ordinance) of reducing/eliminating fecal coliform loading from pet waste.
	1C	Wild Animal Waste Management	Develop and implement strategies to reduce/eliminate fecal coliform loading from wild animals inhabiting the tunnelized area of the Creek.
	1D	Illicit Discharge Detection and Elimination	Develop and implement strategies to detect and eliminate illicit discharges (whether mistaken or deliberate) of sewage to the Creek.
	1E	Pollution Prevention and Good Housekeeping	Develop and implement strategies to reduce/eliminate fecal coliform loading from streets, parking lots, sidewalks, and other urban areas potentially collecting and discharging fecal coliform to the Creek.
	1F	Human Source Elimination and Prevention	Maintain the sewage collection system, including identification of sewage leaks, the correction of sewage leaks, and prevention of sewage leaks.
County of San Luis Obispo	2A	Public Participation and Outreach	Educate the public regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters. Educate the public regarding actions that individuals can take to reduce loading.
	2B	Pet Waste Management	Develop and implement enforceable means (e.g. an ordinance) of reducing/eliminating fecal coliform loading from pet waste.
	2C	Illicit Discharge Detection and Elimination	Develop and implement strategies to detect and eliminate illicit discharges (whether mistaken or deliberate) of sewage to the Creek.
	2D	Pollution Prevention and Good Housekeeping	Develop and implement strategies to reduce/eliminate fecal coliform loading from streets, parking lots, sidewalks, and other urban areas potentially collecting and discharging fecal coliform to the Creek.
Cal Poly State University	3A	Public Participation and Outreach	Educate the public regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters. Educate the public regarding actions that individuals can take to reduce loading.
	3B	Pet Waste Management	Develop and implement enforceable means of reducing/eliminating fecal coliform loading from pet waste.
	3C	Grazing Management	Develop and implement strategies to reduce/eliminate fecal coliform loading from livestock grazing.
	3D	Pollution Prevention and Good Housekeeping	Develop and implement strategies to reduce/eliminate fecal coliform loading from streets, parking lots, sidewalks, and other urban areas potentially collecting and discharging fecal coliform to the Creek.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

CENTRAL COAST REGION

San Luis Obispo, California

**RESOLUTION NO. R3-2002-0117
REVISED MAY 16, 2003
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN
TO INCLUDE
A TOTAL MAXIMUM DAILY LOAD AND IMPLEMENTATION PLAN
FOR PATHOGENS FOR MORRO BAY AND CHORRO AND LOS OSOS CREEKS**

The California Regional Water Quality Control Board Central Coast Region hereby finds:

1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Regional Board periodically revises and amends the Basin Plan. The Regional Board has determined the Basin Plan requires further revision and amendment to incorporate a Total Maximum Daily Load (TMDL) and Implementation Plan for Pathogens for Morro Bay and Chorro and Los Osos Creeks.
3. The Regional Board proposes to amend the Basin Plan by inserting amendments into Chapter Four, Section IX (Total Maximum Daily Loads).
4. Section 303(d) of the Clean Water Act requires States to identify and to prepare a list of water bodies that do not meet water quality objectives and to establish TMDLs for the listed water bodies. A TMDL is the pollutant loading that a water body can accept while protecting the identified beneficial uses.
5. Morro Bay was identified as impaired by pathogens on the 1998 Clean Water Act Section 303(d) list of impaired water bodies. Therefore, the Regional Board is required to adopt a TMDL for this water body and incorporate the TMDL and associated Implementation Plan into the Basin Plan (40 CFR 130.6(c)(1), 130.7, Water Code section 13242).
6. Morro Bay, Chorro and Los Osos Creeks are located entirely within San Luis Obispo County.
7. The TMDL Report contains a Problem Statement, Numeric Targets, Source Analysis, Total Maximum Load, Linkage Analysis, Load Allocations, Margin of Safety, an Implementation Plan, and a Monitoring Plan.

8. The problem is as follows: Numeric water quality objectives for fecal coliform bacteria set by the Regional Board and standards set by the United States Department of Health Services Food and Drug Administration's National Shellfish Sanitation Program and implemented by California Department of Health Services (DHS) have been exceeded for shellfish harvesting and water contact recreation in Morro Bay. Elevated levels of fecal coliform bacteria in Morro Bay and Chorro and Los Osos Creeks indicate that pathogens are impairing the beneficial use of water contact recreation and shellfish harvesting (in Morro Bay only). High levels of pathogens may cause disease in humans and may also adversely affect marine animals, such as sea otters. Portions of Morro Bay have been closed by DHS for commercial shellfish harvesting since 1996, and advisories have been posted in the past to warn the public to avoid water contact activities.
9. The numeric targets are as follows: Pathogenic input to Chorro and Los Osos Creeks shall not exceed the geometric mean of 200 Most Probable Number (MPN)/100 milliliter (mL) concentration of fecal coliform bacteria based on not less than five samples in any 30-day period and no more than 10% of the samples shall exceed 400 MPN/100 mL fecal coliform bacteria in any 30-day period; at all areas of Morro Bay, the geometric mean of fecal coliform bacteria shall not exceed 14 MPN/100 mL based on monthly sampling evaluated over an annual and triennial basis and not more than 10% of the samples shall exceed 43 MPN/100 mL of fecal coliform evaluated over an annual and triennial basis. These numeric targets will be protective of the beneficial uses of both shellfishing and recreational contact (shellfishing beneficial use being more sensitive than recreational contact).
10. The sources appear to be coming mainly from birds, humans, livestock and domestic animals, in that order. There is also a small percent contribution from wild animals (non-bird wild animals). These sources were identified based on a study that used a DNA fingerprinting technique. Fecal matter most likely enters Morro Bay from Chorro and Los Osos Creeks, groundwater seeps, rangeland runoff, leaking/failing septic systems, stormwater, wastewater treatment plant failures, and direct deposition.
11. A TMDL is the loading capacity of a pollutant that a water body can accept while protecting beneficial uses. Normally, TMDLs are expressed as loads (pollutant concentration multiplied by the volumetric flow rate), but in the case of pathogens, it is more logical for the TMDL to be based only on concentration. TMDLs can be expressed in terms of either mass per time, toxicity or other appropriate measure [40 CFR §130.2(I)]. A concentration based TMDL makes more sense in this situation because the public health risks associated with recreating in, or eating shellfish from, contaminated waters scales with organism concentration, and pathogens are not readily controlled on a mass basis. Therefore, as other regional boards have done, we are establishing a concentration based TMDL for pathogens in Morro Bay.
12. The TMDL will be implemented as follows: The bacterial load to Morro Bay derives from nonpoint sources (NPS) and point sources. As such, implementation will rely on the State Plan for NPS pollution control and continued implementation of regulatory controls as appropriate on point sources, including storm water. For the point source, the implementation relies on the National Pollutant Discharge Elimination System (NPDES) permit in place for the California Men's Colony wastewater treatment plant and the City of Morro Bay/Cayucos wastewater treatment plant, Waste Discharge requirements and on the implementation and enforcement of Section 13267 of the California Water Code.

13. The TMDL will be monitored as follows: Monitoring will take place to ensure that numeric targets are met and implementation actions are taking place.
14. Regional Board Staff has conducted TMDL outreach by coordinating the TMDL with the Morro Bay Shellfish Technical Advisory Committee and presenting status reports at the Morro Bay National Estuary Program's committee meetings. In addition, public review and comment through this board hearing process provides another formal opportunity for public input for adoption of this TMDL as a Basin Plan amendment.
15. The Morro Bay National Estuary Program's Comprehensive Conservation and Management Plan for Morro Bay Estuary advocates Total Maximum Daily Loads for pathogens, as a means to protect the beneficial uses of Morro Bay, Chorro and Los Osos Creeks.
16. The Regional Board submitted the TMDL Report to an external scientific review panel. On July 24 & 25, 2002, the review panel submitted its responses to the Regional Board, which stated that in general, the TMDL Report presented a sound and scientifically justifiable program for [reducing pathogens...]. In addition, the review panel identified several specific areas of concern. The Regional Board revised the proposed Basin Plan amendment in response to the comments submitted by the review panel, or provided a written response which explained the basis for not incorporating their comments.
17. Staff considered costs of preventing pathogen discharges via implementation of Best Management Practices. The cost of implementing actions to reduce pathogens will be incurred by the implementers and offset with grants, loans, in-kind donations, and matching funds as much as possible.
18. This Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board and the State Office of Administrative Law (OAL). The Basin Plan amendment will become effective upon approval by the State Board OAL. The TMDL must further be approved by the United States Environmental Protection Agency (USEPA).
19. This amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code §11353(b).
20. The Regional Board has determined that the TMDL for pathogens for Morro Bay and Chorro and Los Osos Creeks is set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)).
21. The basin planning process has been certified as functionally equivalent to the California Environmental Quality Act requirements for preparing environmental documents (Public Resources Code, Section 21000 et seq.) and as such, the required environmental documentation has been prepared. Drafts of the Notice of Filing, staff report, environmental checklist, alternatives analysis and proposed amendment have been prepared and distributed to interested persons and agencies for review and comment in accordance with Title 23 California Code of Regulations section 3777. All public comments were considered. No significant environmental impacts will result from approval of this Basin Plan amendment.

22. The proposed amendments to the Basin Plan were developed in accordance with CWC Section 13240 et seq.
23. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies.
24. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and so is exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code
25. On December 13, 2002 in San Luis Obispo, California, the Regional Board held a public hearing and heard and considered all public comments and evidence in the record.
26. On December 13, 2002, the Regional Board adopted resolution no. R3-2002-0117.
27. On March 17, 2003, State Board returned the Administrative Record to the Regional Board with a memo stating that Regional Board adoption procedures did not comply with section 3777 of Title 23 California Code of Regulations which requires consideration of reasonable alternatives to the proposed amendment that would achieve the stated goal.
28. On May 16, 2003, in Watsonville, California, the Regional Board held a public meeting and re-heard this item to correct the omission stated above (45 days public notice were given). The Regional Board heard and considered all public comments and evidence in the record.

THEREFORE, BE IT RESOLVED,

1. The Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment shown on "Attachment-Proposed Basin Plan Amendments." The amendment will not take effect until approved by the State Board and OAL.
2. The Regional Board's Executive Officer is authorized to submit the amendment to the State Board. The State Board is requested to approve the Basin Plan Amendment in accordance with requirements of Sections 13245 and 13246 of the California Water Code, and upon approval, the State Board is requested to transmit the amendment to the OAL and USEPA for approval.
3. The environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the Regional Board shall file a Notice of Decision with the Resources Agency following USEPA approval.
4. The Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If during the approval process the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Regional Board's Executive Officer may make such changes, and shall inform the Regional Board of any such changes.

I, **ROGER W. BRIGGS, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on **May 16, 2003**.



Executive Officer

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

R3-2002-0117, 5/16/03
SB-2003-0060, 9/16/03
OAL, 11/19/03

Add the following to chapter 4 after IX. D.:

RESOLUTION NO. R3-2002-0117

IX. E. TOTAL MAXIMUM DAILY LOAD FOR PATHOGENS FOR MORRO BAY AND CHORRO AND LOS OSOS CREEKS

The Regional Water Quality Control Board adopted this TMDL on insert date.

This TMDL was approved by:

The State Water Resources Control Board on insert date.

The California Office of Administrative Law on insert date. (*Effective date*)

The U.S. Environmental Protection Agency on insert date. 1/20/04

TMDL Elements

Element													
Problem Statement	Numeric water quality objectives for fecal coliform set by the Regional Board and standards enforced by the California Department of Health Services (DHS) pursuant to the United States Department of Health Services Food and Drug Administration's National Shellfish Sanitation Program have been exceeded for shellfish harvesting and water contact recreation in Morro Bay. Elevated levels of fecal coliform in Morro Bay and Chorro and Los Osos Creeks indicate that pathogens are impairing water contact recreation and shellfish harvesting in these water bodies. High levels of pathogens may cause disease in humans and may also adversely affect marine animals. Portions of Morro Bay have been closed by DHS for commercial shellfish harvesting since 1996, and advisories have been posted to warn the public to avoid water contact activities. Morro Bay was identified as impaired for pathogens on the 1998 Clean Water Act Section 303(d) list of impaired water bodies.												
Numeric Targets	<p>Numeric targets for <u>Morro Bay</u>, based on regulations¹ that DHS follows</p> <table border="1" style="margin-left: 40px;"> <tr> <th colspan="2" style="text-align: center;">Fecal Coliform</th> </tr> <tr> <th style="text-align: center;">Geometric Mean</th> <th style="text-align: center;">Maximum</th> </tr> <tr> <td style="text-align: center;">14 MPN/100 mL^a</td> <td style="text-align: center;">43 MPN/100 mL^b</td> </tr> </table> <p>a: Based on the geometric mean of monthly sampling b: No more than 10% of total samples may exceed this number</p> <p>Numeric targets for Chorro and Los Osos Creeks and fresh water seeps² to Morro Bay, based on Basin Plan objective</p> <table border="1" style="margin-left: 40px;"> <tr> <th colspan="2" style="text-align: center;">Fecal Coliform</th> </tr> <tr> <th style="text-align: center;">Geometric Mean</th> <th style="text-align: center;">Maximum</th> </tr> <tr> <td style="text-align: center;">200 MPN/100 mL^a</td> <td style="text-align: center;">400 MPN/100 mL^b</td> </tr> </table> <p>a: Geometric mean of not less than five samples over a period of 30 days b: Not more than 10% of total samples during a period of 30 days exceed</p>	Fecal Coliform		Geometric Mean	Maximum	14 MPN/100 mL ^a	43 MPN/100 mL ^b	Fecal Coliform		Geometric Mean	Maximum	200 MPN/100 mL ^a	400 MPN/100 mL ^b
Fecal Coliform													
Geometric Mean	Maximum												
14 MPN/100 mL ^a	43 MPN/100 mL ^b												
Fecal Coliform													
Geometric Mean	Maximum												
200 MPN/100 mL ^a	400 MPN/100 mL ^b												

¹ National Shellfish Sanitation Program, Model Ordinance, Chapter IV, 0.02, D

² Seeps are defined as any surfacing ground water flowing into Morro Bay from the east shore of the Bay, south of Los Osos Creek.

Element	
Allocations and TMDL	<p>This TMDL is expressed as concentrations that are equal to the numeric targets. For Bay waters, a geometric mean of 14 MPN/100 mL must be achieved and no more than 10% of the samples may be over 43 MPN/100 mL for <u>fecal coliform</u>. For tributaries (Chorro and Los Osos Creeks and fresh water seeps) to the Bay, the geometric mean shall not exceed 200 MPN/100 mL over a 30-day period nor shall 10% of the samples exceed 400 MPN/100 mL over any 30-day period for <u>fecal coliform</u>. Point and nonpoint sources cannot exceed the concentrations specified above. Therefore, the wasteload allocations and load allocations, which include background levels, are also equal to the numeric targets.</p>
Margin of Safety	<p>A margin of safety has been established implicitly through the use of protective numeric targets.</p>
Linkage Analysis	<p>Allocations are equal to the numeric targets which equal the water quality objectives.</p>
Implementation	<p>The bacterial load to Morro Bay derives from nonpoint sources (NPS) and point sources. As such, implementation will rely on the State's Plan for NPS pollution control (CWC §13369) and continued implementation of existing regulatory controls as appropriate for point sources, including storm water pursuant to NPDES surface water discharge regulations and Waste Discharge Requirements (Porter Cologne).</p> <p>Implementation emphasizes the activities of the Morro Bay National Estuary Program, Coastal San Luis Resources Conservation District, Farm Bureau, University of California Cooperative Extension, Natural Resources Conservation Service, Public/Private Landowners, Morro Bay Harbor Department, California Department of Fish and Game, City of Morro Bay, United States Coast Guard, San Luis Obispo County, Division of Animal Services, all of whom are not currently identified as dischargers responsible for bacterial loading, to implement self-determined activities (see Table: Trackable Implementation Actions (self-determined)). Other actions, currently required because of another Regional Water Quality Control Board (Regional Board) regulatory program, will be evaluated to make sure progress is taking place (see Table: Trackable Implementation Actions identified under existing regulatory programs). Regional Board Staff will meet annually with the implementing parties identified in the list of Trackable Implementation Actions Tables to provide technical assistance and to evaluate and track progress (see Table: Morro Bay TMDL for Pathogens Implementation Schedule for details). If at the end of year three, implementing parties fail to initiate these self-determined activities and/or resulting management practices fail to reduce bacterial loads and/or the numeric targets are not being met, then Regional Board staff will conduct inspections and investigations to identify individual responsible dischargers (e.g., landowners or public agencies). Regional Board staff may rely on Section 13267 of the California Water Code and other appropriate authorities for investigation and identification of individual responsible dischargers. Regional Board staff will also rely on Section 13267 of the California Water Code to require reporting and/or monitoring to determine the level of implementation of identified activities to reduce bacteria. If necessary, the Regional Board may rely on enforcement authority, pursuant to California Water Code Section 13304, to require dischargers to clean-up and abate bacterial discharges and/or prevent the threat of discharges on a case-by case basis. Additionally, Implementation Actions (in the Table of Implementation Actions) may be identified as conditions of compliance with storm water permits and Waste Discharge Requirements.</p> <p>If at the end of the third year, self-determined actions have not been initiated, staff will develop a regulatory approach (rather than a self-determined approach) and present a revised implementation plan to the Regional Board as a Basin Plan Amendment.</p>
Monitoring	<p>Monitoring will be performed and evaluated by the DHS according to their regulations, the Morro Bay National Estuary Volunteer Program and the Regional Board to ensure that numeric targets are met and implementation actions are taking place. Should the Morro Bay National Estuary Volunteer Program be unable to sample, the Regional Board will sample to the extent practicable. Regional Board staff will review data on a triennial basis, at a minimum, and determine if progress towards fecal coliform reduction is adequate and whether changes to implementation actions are warranted (as described above).</p>

Trackable Implementation Actions (self-determined)

PROJECT NAME	ACTION	SCHEDULE	IMPLEMENTING PARTIES
Grazing Management	Implement grazing management measures that reduce bacterial levels	Ongoing - 2012	MBNEP, CSLRCD, Farm Bureau, UCCE, NRCS, Public/Private Landowners
Boat Management, Pump-outs	Upgrade pump-out facilities, provide new facilities, improve accessibility	2002-2005	MBHD
Remove unpermitted moorings	Remove illegal moorings and prevent future ones	Ongoing - 2007	CDFG, MBNEP
Remove derelict boats	Remove abandoned, derelict boats and vessels in back bay	Ongoing - 2007	CDFG, MBNEP
Manage live aboard boating situation	Continue issuing permits to live aboards, continue with inspections	Ongoing - 2012	City of Morro Bay, USCG, CDFG, MBHD
Educate Public about proper boat waste disposal	Educate public about proper waste disposal	Ongoing - 2012	MBNEP, MBHD
Pet waste management	Create an off leash dog park, provide supplies to pick-up pet waste, ordinance	Ongoing -2012	MBNEP, City of Morro Bay, San Luis Obispo County
Septic System Maintenance	Inspect and maintain all septic systems throughout the watershed	2004 - continuous	San Luis Obispo County, LOCSO
Spay/neuter pets	Educate public to promote spaying and neutering pets	Ongoing -2012	Division of animal services
Reduce the number of feral dogs/cats	Reduce the number of feral dogs/cats	Ongoing - 2012	Division of animal services, feral cat caretakers

CDFG – California Department of Fish and Game
 CSLRCD – Coastal San Luis Resources Conservation District
 MBHD – Morro Bay Harbor Department
 MBNEP – Morro Bay National Estuary Program
 NRCS – Natural Resources Conservation Service
 UCCE – University of California Cooperative Extension
 USCG – United States Coast Guard
 LOCSO – Los Osos Community Services District

Trackable Implementation Actions (under existing regulatory programs)

PROJECT NAME	ACTION	SCHEDULE	RESPONSIBLE DISCHARGERS
Phase II stormwater permit	Incorporate actions to reduce bacteria loading into Morro Bay by implementing a stormwater management plan for the City of Morro Bay and the Community of Los Osos	March 2003 - 2008	City of Morro Bay LOCSO, San Luis Obispo County
Los Osos Community Waste Water Treatment Plant	Construct and maintain a wastewater treatment plant pursuant to Waste Discharge Requirements, R3-2003-0007, Waste Discharge Identification no. 3 401078001	Ongoing - 2007	LOCSO

Implementation Schedule for Morro Bay TMDL for Pathogens

At End of Implementation Year:	IMPLEMENTATION MILESTONE	MONITORING ACTIVITY	Chorro Creek TMDL	Los Osos Creek TMDL	Morro Bay TMDL
1	<ul style="list-style-type: none"> RWQCB evaluates data collected over past year, evaluates progress on actions Meet with VMP, MBNEP, LOCSO, City of MB, County of SLO, DHS, MBHD, State Parks, CDFG, Farm Bureau to discuss progress LOCSO waste water treatment plant WDR issued Submittal of stormwater management plan and permit coverage (City of MB, LOCSO) 	Fecal coliform ↓	↓	↓	↓
2	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions 				
3	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions Regional Board evaluates the monitoring of septic system maintenance in the watershed with the County of San Luis Obispo RWQCB, MBNEP, VMP, LOCSO, City of MB, County of SLO, DHS, MBHD, State Parks, CDFG, Farm Bureau meet to determine TMDL progress. 				
4	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions 				
5	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions 				
6	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions LOCSO sewer installed RWQCB, MBNEP, VMP, LOCSO, City of MB, County of SLO, DHS, MBHD, State Parks, CDFG, Farm Bureau meet to determine TMDL progress 				
7	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions 				
8	<ul style="list-style-type: none"> RWQCB evaluates data collected and evaluates progress on actions 				
9	<ul style="list-style-type: none"> RWQCB evaluates data collected and evaluates progress on actions RWQCB, MBNEP, VMP, LOCSO, City of MB, County of SLO, DHS, MBHD, State Parks, CDFG, Farm Bureau meet to determine TMDL progress 				
10	<ul style="list-style-type: none"> RWQCB evaluates data collected and evaluates progress on actions 				
Load Reduction Achieved; Numeric Targets Achieved			REC-1 standards achieved	REC-1 standards achieved	DHS Standards, SHELL achieved

CDFG – California Department of Fish and Game
DHS – Department of Health Services
LOCSO – Los Osos Community Services District
MB – Morro Bay
MBHD – Morro Bay Harbor Department
MBNEP – Morro Bay National Estuary Program
RWQCB – Regional Water Quality Control Board
SLO – San Luis Obispo
VMP – Volunteer Monitoring Program
WDR – Waste Discharge Requirements

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

CENTRAL COAST REGION

San Luis Obispo, California

**RESOLUTION NO. R3-2002-0107
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN
TO INCLUDE
LAS TABLAS CREEK AND LAKE NACIMIENTO TOTAL MAXIMUM DAILY LOAD FOR
MERCURY AND IMPLEMENTATION PLAN**

The California Regional Water Quality Control Board Central Coast Region hereby finds:

1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Regional Board periodically revises and amends the Basin Plan. The Regional Board has determined the Basin Plan requires further revision and amendment to incorporate a Las Tablas Creek and Lake Nacimiento Total Maximum Daily Load (TMDL) for Mercury and Implementation Plan.
3. The Regional Board proposes to amend the Basin plan by inserting amendments into Chapter Four, Section IX Total Maximum Daily Loads.
4. Section 303(d) of the Clean Water Act requires States to identify and to prepare a list of water bodies that do not meet water quality objectives and then to establish load and waste load allocations, or a total maximum daily load, for each water body which will ensure attainment of water quality objectives and then to incorporate those allocations into their Basin Plans.
5. Lake Nacimiento and Las Tablas Creek were identified as impaired by metals on the 1998 Clean Water Act Section 303(d) list of impaired water bodies. Therefore, the Regional Board is required to adopt a TMDL for those water bodies and incorporate the TMDL and associated Implementation Plan into the Basin Plan. (40 CFR 130.6(c)(1), 130.7, Water Code section 13242).
6. Lake Nacimiento watershed is located partly in Monterey County and partly in San Luis Obispo County. Las Tablas Creek is located entirely within San Luis Obispo County.
7. The TMDL contains a Problem Statement, Source Analysis, Numeric Targets, Total Maximum Load, Load Allocation, an Implementation Plan, and a Monitoring Plan.
8. The Problem identified in the TMDL is summarized as follows: Mercury impairments have been identified in Lake Nacimiento and Las Tablas Creek. Reported mercury levels are considered an impact to the Freshwater Habitat (warm and cold water) and Municipal Supply beneficial uses designated for Las Tablas Creek and Lake Nacimiento. In addition, mercury-rich sediment is

associated with mercury in fish tissue at levels that pose a nuisance for fish consumers and therefore impacts the Commercial and Sport Fishing beneficial use designated for these waters. No other metals were identified as impairing beneficial uses in Lake Nacimiento or Las Tablas Creek.

9. The Source analysis in the TMDL is summarized as follows: Using a model of estimated sediment fluxes in the watershed, it was determined that approximately 88% of the total mercury loading to Lake Nacimiento is from Las Tablas Creek. Sampling data support this model in the sense that the only exceedences of appropriate objectives for water (or guidance values for sediment) occur in the Las Tablas arm of the lake and not in the main body of the lake. Las Tablas Creek delivers an estimated 46 kilograms (kg) per year of sedimentary mercury into Lake Nacimiento. The majority of this mercury loading (38 kg of the 46 kg per year) is estimated to come from two adjacent mines, the Klau Mine and Buena Vista Mine, both of which are owned by Buena Vista mines, Inc. These mines are point sources which require regulation under NPDES or Waste Discharge Requirements. Some additional mercury is coming from a County Road. Control of this mercury loading is required to achieve the beneficial uses of Las Tablas Creek and Lake Nacimiento with regard to metals.
10. The TMDL is: an annual mercury load for Las Tablas Creek of 13.54 kg/yr, a 71 percent reduction in the estimated current loading.
11. The numeric targets are as follows: The load was calculated using an estimated 1000 kilograms of sediment runoff per square mile per year from the 30.65 square mile Las Tablas creek drainage area with an average mercury concentration of 0.486 milligrams mercury per kilogram of sediment. Because the load is from mercury-rich sediment and sediment objectives in the Basin Plan are narrative, rather than numeric, this TMDL establishes a numeric sediment target (0.486 mg/kg) as an indicator of long-term conditions anticipated to be able to support the designated beneficial uses. The numeric sediment target serves to interpret the narrative water quality objectives and provides a measure with which to determine if the objectives and the TMDL are being met. This TMDL also uses a numeric water quality target for total mercury in water. The combination of total mercury in sediment and total mercury in water is considered an effective approach in lieu of directly measuring mercury-rich sediment loading to Las Tablas Creek. Furthermore, direct measurement of sediment loads may not characterize the *effect* of those loads on beneficial uses. A monitoring guidance value, mercury in largemouth bass fish tissue, is suggested as a means of evaluating progress of the TMDL to restore the listed beneficial uses for Lake Nacimiento and Las Tablas Creek. The selection of the water and sediment targets does not preclude efforts to directly measure loading, however the natural variability inherent in annual sediment loads in this region is large enough to suggest that clear trends could not readily be identified by data collection in the near term.
12. The TMDL will be achieved by implementing Regional Water Quality Control Board's regulatory authority to regulate point source discharges. The plan guides the Regional Board in its control of point source pollution by requiring specific actions of responsible dischargers in the Las Tablas Creek watershed. Specifically, the Regional Board will be requiring San Luis Obispo County to address mercury-rich sediment runoff from a particular section of unpaved roadway (Cypress Mountain Road) pursuant to authority of the California Water Code. The Regional Board will also be requiring Buena Vista Mines, Inc. (owner of the two mine properties) to operate and maintain an effective mercury runoff control system and monitor the effectiveness of that system through appropriate permit conditions and compliance.
13. The TMDL will be evaluated by monitoring the numeric targets specified in finding 10 above, as well as tracking progress in implementation of required implementation actions. Responsibility for reporting status and effectiveness of required implementation actions and monitoring of numeric targets rests with the responsible dischargers and the Regional Board (San Luis Obispo County for roadways and Buena Vista Mines, Inc. for mined areas, along with monitoring data collected by the Regional Board). The Regional Board will review reports submitted by the responsible dischargers

and, in the event required actions are not implemented or numeric targets are not achieved, Regional Board staff may identify appropriate regulatory actions to achieve the targets.

14. Public review and comment were solicited after completion of the TMDL report and during the public meeting of this Regional Board on November 1, 2002.
15. The Regional Board submitted the TMDL Report to an external scientific review panel. On June 26, 2002 and July 10, 2002, the reviewers submitted their responses to the Regional Board, which stated that in general, the TMDL and proposed Basin Plan amendment presented a sound and scientifically justifiable program for reducing mercury loading. In addition, the review panel identified several specific areas of concern. The Regional Board revised the proposed Basin Plan amendment in response to the comments submitted by the review panel, or provided a written response which explained its basis for not incorporating their comments.
16. Public Resources Code section 21159 (a)(3),(c) mandates that prior to implementation of this regulatory action, an estimate of the total cost of such a program shall be indicated in any regional water quality control plan. The TMDL and Implementation Plan, in Chapter 8.7, contains an estimate of the cost of preventing mercury loading to Las Tablas Creek via implementation of required actions. The cost of implementing the required actions in the TMDL implementation Plan will be incurred by the responsible parties.
17. This Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board and the State Office of Administrative Law (OAL). The TMDL must further be approved by the USEPA. The Basin Plan amendment will become effective upon approval by the State Board and OAL.
18. This amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code §11353(b).
19. The Regional Board has determined that the Las Tablas Creek and Lake Nacimiento TMDL for Mercury is set at levels necessary to attain and maintain the applicable numeric and narrative water quality objectives with seasonal variations and margin of safety that takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)). The TMDL also takes into account critical conditions for stream flow, loading and water quality parameters.
20. The basin planning process has been certified as functionally equivalent to the California Environmental Quality Act requirements for preparing environmental documents (Public Resources Code, Section 21000 et seq.) and as such, the required environmental documentation ~~and CEQA environmental checklist~~ hasve been prepared. Drafts of the Notice of Filing, staff report, environmental checklist, alternatives analysis and proposed amendment have been prepared and distributed to interested persons and agencies for review and comment in accordance with Title 23 California Code of Regulations section 3777. All public comments were considered. No significant environmental impacts will result from approval of this Basin Plan amendment.
21. The proposed amendments to the Basin Plan were developed in accordance with California Water Code Section 13240 et seq.
22. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies.

23. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and so is exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.

24. On November 1, 2002 in San Luis Obispo, California, the Regional Board held a public hearing and heard and considered all public comments and evidence in the record.

25. On November 1, 2002, the Regional Board adopted resolution no. R3-2002-0107.

26. On March 17, 2003, State Board returned the Administrative Record to the Regional Board with a memo stating that Regional Board adoption procedures did not comply with section 3777 of Title 23 California Code of Regulations which requires consideration of reasonable alternatives to the proposed amendment that would achieve the stated goal.

27. On May 16, 2003, in Watsonville, California, the Regional Board held a public meeting and re-heard this item to correct the omission stated above. The Regional Board heard and considered all public comments and evidence in the record.

THEREFORE, BE IT RESOLVED,

1. The Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment shown on "Attachment-Proposed Basin Plan Amendments." The amendment will not take effect until approved by the State Board and the Office of Administrative Law (OAL).
2. The Board's Executive Officer is authorized to submit the amendment to the State Water Resources Control Board. Upon approval, the State Board is requested to approve the Basin Plan Amendment in accordance with requirements of Sections 13245 and 13246 of the California Water Code, and upon approval, the State Board is requested to transmit the amendment to the OAL for approval.
3. The environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. The Regional Board shall file a CEQA Notice of Decision with the Secretary for Resources, following approval of the revised Basin Plan by the State Board and OAL. A Certificate of Fee Exemption will be included with the Notice of Decision.
4. The Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results from adoption of this Basin Plan Amendment.
5. If during approval process the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, ROGER W. BRIGGS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on ~~November 1, 2002, and re-adopted on~~ May 16, 2003.

Executive Officer

RESOLUTION NO. R3-2002- 0107

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

~~+~~ Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to chapter 4 ~~under IX..B.~~~~under IX. B.~~

IX. C. LAS TABLAS CREEK AND LAKE NACIMIENTO TOTAL MAXIMUM DAILY LOAD FOR MERCURY

This TMDL was adopted by the Regional Water Quality Control Board on ~~May~~November 16, 20023.

This TMDL was approved by:

The State Water Resources Control Board on insert date.

The California Office of Administrative Law on insert date.

The U.S. Environmental Protection Agency on insert date.

Table IX.C.1 - TMDL Elements

Element		
Problem Statement	The historic processes of mining have caused mercury impairments in Lake Nacimiento and Las Tablas Creek. Water samples from these waterbodies consistently show mercury at levels in excess of Basin Plan objectives for “freshwater habitat” (cold and warm waters) beneficial uses. In addition, fish tissue samples collected from fish in Lake Nacimiento between 1981 and 1994 exceed US Food and Drug Administration levels for human consumption. This is an impairment of narrative standards for suspended and settleable materials and indicates impact to the beneficial use of “commercial and sport fishing”.	
Numeric Targets (numeric objective or interpretation of a narrative water quality objective)	Parameter	Numeric Target
	Mercury (in water)	0.05 micrograms per Liter (µg g/L), total
	Mercury (in sediment)	0.486 milligrams per kilogram (mg/kg)
Total Load and Loading Allocations (TMDL expressed as annual load)	Source Area Category (size-sq.mi)	Projected target mercury load (kg/yr)
	General Soils (30.14)	7.67
	Roads (0.01)	0
	Mines (0.5)	4.52
	Total	13.54*
* = projected total includes 1.35 kg/yr margin of safety, total load estimated as 12.19 kg/yr+1.35 kg/yr= 13.54 kg/yr		
Implementation	The TMDL will be implemented by reducing mercury-rich sediment loading into Lake Nacimiento and Las Tablas Creek (and its tributaries). Because the sediment load of the Las Tablas Creek watershed derives primarily from point sources (mines and roads), this Implementation Plan will rely upon the control of these identifiable sources. <u>Unpaved Road Areas:</u> Loading from the unpaved segment of Cypress Mountain road between Chimney Rock Road and Klau Mine Road will be addressed through existing regulatory authority of the Regional Board. San Luis Obispo County will be asked to provide to the Regional Board a	

Element	
	<p>schedule for eliminating the loading (paving or equivalent method) from the specified road segment and progress satisfactorily along that schedule. The Regional Board will use its authority under the California Water code to implement the sediment runoff reductions from the road identified in this TMDL. Paving of the roadway (or equivalent control) will be considered compliance with the requirements of the TMDL. Costs associated with this action have been estimated to be approximately \$980,000 (one-time) pursuant to Public resources Code section 21159 (a)(3), (c).</p> <p><u>Mined Areas:</u> The Buena Vista and Klau mines are within the permitting authority of the Regional Board in the National Pollutant Discharge Elimination System (NPDES) program or through the issuance of Waste Discharge Requirements (WDRs). Upon adoption approval of this TMDL, the owner of the mines must apply for either a new NPDES permit or a WDR for the properties (NPDES if the owner seeks a discharge directly to waterways or WDR if to lands near the waters). The permit will then include specific permit conditions to limit the sediment runoff from the properties in accordance with the targets set forth in this TMDL.</p> <p>Several erosion control measures were implemented at the mines as part of US EPA’s Emergency Response Action at the site in 2000- 2001, which may be anticipated to achieve the needed 88 % reduction of mercury loading to the creek. Although these practices were implemented in 2000-2001 (RWQCB, 2001), the treatment has not been evaluated to verify that discharges have been eliminated, nor have ongoing operation and maintenance measures been planned or implemented to ensure no future discharges will occur. For these reasons, the remaining anticipated actions to reduce mercury loading from the mined areas are:</p> <ul style="list-style-type: none"> • plan and propose maintenance, monitoring, and operation of the land management practices implemented by USEPA in 2000-2001, • submit application for an appropriate permit, • comply with permit conditions, and, • implement control practices and discharge requirements. <p>Costs associated with maintaining mined-land management practices and monitoring the mined lands have been estimated to be approximately \$1500 per year pursuant to Public Resources Code section 21159 (a)(3), (c). The cost estimate includes only costs of maintaining a vegetated buffer and monitoring listed in this TMDL. It does not include any other costs that would be incurred by the responsible party under any regulatory or enforcement action</p> <p>This Implementation Plan goes into effect on the date that this Basin Plan Amendment is approved by the Office of Administrative Law.</p>
Margin of Safety	<p>A margin of safety of 10% has been included in the annual load equation presented in the section titled “Total Maximum Annual Mercury Load for Las Tablas Creek” because of:</p> <p>Uncertainty associated with the selection of an appropriate sediment target, and the relationship between sediment targets and water column or fish tissue concentrations;</p> <p>Conservative usage of only largemouth bass (no lower trophic levels) fish tissue in evaluation of potential human health exposures;</p> <p>Uncertainty associated with Regional Board Lake Nacimiento Model calculations (extrapolations of data points to unsampled areas);</p> <p>Uncertainty associated with the small area sedimentation rate incorporated into the Estimated Source Load Calculations;</p> <p>Conservative estimation of mine area size in the Estimated Source Load Calculations and uncertainty about acid mine drainage,</p> <p>The existence of other smaller mines (currently estimated to contribute less than 5 % of the total mercury load) in the drainage area; and,</p> <p>The use of an adaptive management approach in the TMDL which allows refinement of targets as additional data become available.</p>

Table IX.C.2 - Implementation Compliance Schedule

By End of Implementation Year	Implementation Action (Milestone)	Responsible Party or Discharger	Monitoring Activity (Responsible party for that monitoring)	Numeric Target <u>indicator of associated with</u> Load Allocation
1 (baseline data)	Maintain Buena Vista (BV) and Klau Mine slope/vegetated <u>buffer</u> , and sediment control measures. Submit complete application for discharge permits	Buena Vista Mines, Inc. <u>(BV Mines, Inc.)</u>		
1	Require schedule <u>for eliminating mercury-containing runoff from segment of Cypress Mountain Road between Klau Mine Road and Chimney Rock Road of County Road load elimination</u>	Regional Board	Notify San Luis Obispo County <u>(County)</u> of adoption of TMDL and track response (Regional Board).	
2	Maintain BV and Klau Mine slope/vegetation <u>buffer</u>	BV Mines, Inc.		
2	Review permit application(s) for mined areas	Regional Board	<u>The Regional Board will e</u> Establish discharge permit(s) for mines. If permit application not submitted, Regional Board staff will issue Cleanup and Abatement Order (CAO) or other	

By End of Implementation Year	Implementation Action (Milestone)	Responsible Party or Discharger	Monitoring Activity (Responsible party for that monitoring)	Numeric Target <u>indicator of associated with Load Allocation</u>
	Receive County <u>Cypress Mountain</u> Road load elimination schedule.		appropriate regulatory action (Regional Board). If Road load elimination Schedule not received, Regional Board staff will issue CAO or similar regulatory action. (Regional Board)	
3	Maintain BV and Klau Mine slope /vegetation <u>buffer</u>	BV Mines, Inc.	3 Storm Events and twice/year sampling for total mercury in water. Once per year for total mercury in sediment (<u>to establish baseline data</u>) (BV Mines, Inc.)	Water: Mercury = 0.05 $\mu\text{g/L}$ Sediment: establish baseline data
3	Review progress and data to date	Regional Board	Review data for completeness; adjust sampling program as needed (<u>Regional Board</u>)	
By End of Implementation Year	Implementation Action (Milestone)	Responsible Party or Discharger	Monitoring Activity (Responsible party for that monitoring)	Numeric Target associated with Load Allocation
4	Maintain BV and Klau Mine slope /vegetation <u>buffer</u>	BV Mines, Inc.	3 Storm Events and twice/year sampling for total mercury in water. Once per year for total mercury in sediment (<u>to confirm baseline data</u>). (BV Mines, Inc.)	Water: Mercury = 0.05 $\mu\text{g/L}$ Sediment: confirm baseline data
5	Maintain BV and Klau Mine slope /vegetation <u>buffer</u> <u>Sample Lake Nacimiento conditions</u>	BV Mines, Inc. Regional Board	3 Storm Events and twice/year sampling for total mercury in water. Once per year for total mercury in sediment (may be modified if permits renewed or re-adopted in year 5) (BV Mines, Inc.) Lake Nacimiento: Dissolved oxygen, Total mercury and methylmercury in water, total mercury in sediment and fish tissue (largemouth bass, as a guide) near where Las Tablas Creek enters lake	Water: Mercury = 0.05 $\mu\text{g/L}$ Sediment: Mercury = 0.486 mg/kg Fish Tissue Guide: < 0.37 mg/kg, or decreasing trend from existing data

By End of Implementation Year	Implementation Action (Milestone)	Responsible Party or Discharger	Monitoring Activity (Responsible party for that monitoring)	Numeric Target <u>indicator of associated with Load Allocation</u>
			(Regional Board)	
<u>5</u>		<u>Regional Board</u>	<u>Sample Lake Nacimiento near where Las Tablas Creek enters lake. Sample for: Dissolved oxygen, total mercury and methylmercury in water, total mercury in sediment and fish tissue (largemouth bass)</u> <u>(Regional Board)</u>	
5	Perform 5-year review of TMDL and Progress; <u>Review Tracked Actions</u>	Regional Board	Review tracked actions; Review data of initial program years for trends showing TMDL will be achieved; report and document any changes needed to TMDL or plans (e.g., acid mine drainage control if monitoring data indicates a quantifiable impediment to achieving TMDL) (Regional Board)	
By End of Implementation Year	Implementation Action (Milestone)	Responsible Party or Discharger	Monitoring Activity (Responsible party for that monitoring)	Numeric Target associated with Load Allocation
6	Eliminate load from 3-mile segment of Cypress Mountain Road (between Chimney Rock Road and Klau Mine Road)	SLO County	Per schedule submitted by County or by CAO or other action of Regional Board. (SLO County)	Tracking/ Reporting of completed action (including photo documentation).

By End of Implementation Year	Implementation Action (Milestone)	Responsible Party or Discharger	Monitoring Activity (Responsible party for that monitoring)	Numeric Target <u>indicator of associated with Load Allocation</u>
6 - 10	Review Monitoring Data	Regional Board	Review data from required Permit monitoring for total mercury in water (Regional Board)	Water: Mercury = 0.05 $\mu\text{g/L}$;
7 - 10	Maintain load control method for specified segment of Cypress Mountain Road	SLO County	Inspect general operation and perform necessary maintenance of load prevention method. Submit annual letter/report of inspection and any maintenance performed. (SLO County)	Tracking/Reporting of completed actions.
10	Maintain BV and Klau Mine slope/vegetation buffer Sample Lake Nacimiento conditions	BV Mines, Inc. Regional Board	Regular sampling for total mercury in water; total mercury in sediment (regularity of sampling as specified in permits – e.g., by storm event, quarterly, seasonally, or combination of these) (BV Mines, Inc.) Lake Nacimiento: Dissolved oxygen, Total mercury and methylmercury in water, total mercury in sediment and fish tissue (largemouth bass, as a guide) near where Las Tablas Creek enters lake. (Regional Board)	Water: Mercury = 0.05 $\mu\text{g/L}$; Sediment: Mercury = 0.486 mg/kg Fish Tissue Guide: < 0.37 mg/kg
<u>10</u>		<u>Regional Board</u>	<u>Sample Lake Nacimiento near where Las Tablas Creek enters lake. Sample for: Dissolved oxygen, total mercury and methylmercury in water, total mercury in sediment and fish tissue (largemouth bass) (Regional Board)</u>	
<u>11—30</u>	<u>Repeat as above with 5 and 10 year milestones and annual permit requirements</u>			

Note: Implementation begins on the date this TMDL is approved by the Office of Administrative Law.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

CENTRAL COAST REGION

San Luis Obispo, California

**RESOLUTION NO. R3-2002-0107
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN
TO INCLUDE
LAS TABLAS CREEK AND LAKE NACIMIENTO TOTAL MAXIMUM DAILY LOAD FOR
MERCURY AND IMPLEMENTATION PLAN**

The California Regional Water Quality Control Board Central Coast Region hereby finds:

1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Regional Board periodically revises and amends the Basin Plan. The Regional Board has determined the Basin Plan requires further revision and amendment to incorporate a Las Tablas Creek and Lake Nacimiento Total Maximum Daily Load (TMDL) for Mercury and Implementation Plan.
3. The Regional Board proposes to amend the Basin plan by inserting amendments into Chapter Four, Section IX Total Maximum Daily Loads.
4. Section 303(d) of the Clean Water Act requires States to identify and to prepare a list of water bodies that do not meet water quality objectives and then to establish load and waste load allocations, or a total maximum daily load, for each water body which will ensure attainment of water quality objectives and then to incorporate those allocations into their Basin Plans.
5. Lake Nacimiento and Las Tablas Creek were identified as impaired by metals on the 1998 Clean Water Act Section 303(d) list of impaired water bodies. Therefore, the Regional Board is required to adopt a TMDL for those water bodies and incorporate the TMDL and associated Implementation Plan into the Basin Plan. (40 CFR 130.6(c)(1), 130.7, Water Code section 13242).
6. Lake Nacimiento watershed is located partly in Monterey County and partly in San Luis Obispo County. Las Tablas Creek is located entirely within San Luis Obispo County.
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THEREFORE, BE IT RESOLVED,

1. The Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment shown on "Attachment-Proposed Basin Plan Amendments." The amendment will not take effect until approved by the State Board and the Office of Administrative Law (OAL).
2. The Board's Executive Officer is authorized to submit the amendment to the State Water Resources Control Board. Upon approval, the State Board is requested to approve the Basin Plan Amendment in accordance with requirements of Sections 13245 and 13246 of the California Water Code, and upon approval, the State Board is requested to transmit the amendment to the OAL for approval.
3. The environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. The Regional Board shall file a CEQA Notice of Decision with the Secretary for Resources, following approval of the revised Basin Plan by the State Board and OAL. A Certificate of Fee Exemption will be included with the Notice of Decision.
4. The Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results from adoption of this Basin Plan Amendment.
5. If during approval process the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, **ROGER W. BRIGGS, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on November 1, 2002.



Executive Officer

RESOLUTION NO. R3-2002- 0107

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to chapter 4 under IX. B.

IX. C. LAS TABLAS CREEK AND LAKE NACIMIENTO TOTAL MAXIMUM DAILY LOAD FOR MERCURY

This TMDL was adopted by the Regional Water Quality Control Board on **November 1, 2002**.

This TMDL was approved by:

The State Water Resources Control Board on insert date.

The California Office of Administrative Law on insert date.

The U.S. Environmental Protection Agency on insert date.

TMDL Elements

Element		
Problem Statement	The historic processes of mining have caused mercury impairments in Lake Nacimiento and Las Tablas Creek. Water samples from these waterbodies consistently show mercury at levels in excess of Basin Plan objectives for "freshwater habitat" (cold and warm waters) beneficial uses. In addition, fish tissue samples collected from fish in Lake Nacimiento between 1981 and 1994 exceed US Food and Drug Administration levels for human consumption. This is an impairment of narrative standards for suspended and settleable materials and indicates impact to the beneficial use of "commercial and sport fishing".	
Numeric Targets (numeric objective or interpretation of a narrative water quality objective)	Parameter	Numeric Target
	Mercury (in water)	0.05 micrograms per Liter (ug/L), total
	Mercury (in sediment)	0.486 milligrams per kilogram (mg/kg)
Total Load and Loading Allocations (TMDL expressed as annual load)	Source Area Category (size-sq.mi)	Projected target mercury load (kg/yr)
	General Soils (30.14)	7.67
	Roads (0.01)	0
	Mines (0.5)	4.52
	Total	13.54*
* = projected total includes 1.35 kg/yr margin of safety, total load estimated as 12.19 kg/yr+1.35 kg/yr= 13.54 kg/yr		
Implementation	The TMDL will be implemented by reducing mercury-rich sediment loading into Lake Nacimiento and Las Tablas Creek (and its tributaries). Because the sediment load of the Las Tablas Creek watershed derives primarily from point sources (mines and roads), this Implementation Plan will rely upon the control of these identifiable sources. <u>Unpaved Road Areas</u> : Loading from the unpaved segment of Cypress Mountain road between Chimney Rock Road and Klau Mine Road will be addressed through existing regulatory authority	

Element	
	<p>of the Regional Board. San Luis Obispo County will be asked to provide to the Regional Board a schedule for eliminating the loading (paving or equivalent method) from the specified road segment and progress satisfactorily along that schedule. The Regional Board will use its authority under the California Water code to implement the sediment runoff reductions from the road identified in this TMDL. Paving of the roadway (or equivalent control) will be considered compliance with the requirements of the TMDL. Costs associated with this action have been estimated to be approximately \$980,000 (one-time) pursuant to Public Resources Code section 21159 (a)(3), (c).</p> <p><u>Mined Areas:</u> The Buena Vista and Klau mines are within the permitting authority of the Regional Board in the National Pollutant Discharge Elimination System (NPDES) program or through the issuance of Waste Discharge Requirements (WDRs). Upon adoption of this TMDL, the owner of the mines must apply for either a new NPDES permit or a WDR for the properties (NPDES if the owner seeks a discharge directly to waterways or WDR if to lands near the waters). The permit will then include specific permit conditions to limit the sediment runoff from the properties in accordance with the targets set forth in this TMDL.</p> <p>Several erosion control measures were implemented at the mines as part of US EPA's Emergency Response Action at the site in 2000- 2001, which may be anticipated to achieve the needed 88 % reduction of mercury loading to the creek. Although these practices were implemented in 2000-2001 (RWQCB, 2001), the treatment has not been evaluated to verify that discharges have been eliminated, nor have ongoing operation and maintenance measures been planned or implemented to ensure no future discharges will occur. For these reasons, the remaining anticipated actions to reduce mercury loading from the mined areas are:</p> <ul style="list-style-type: none"> • plan and propose maintenance, monitoring, and operation of the land management practices implemented by USEPA in 2000-2001, • submit application for an appropriate permit, • comply with permit conditions, and, • implement control practices and discharge requirements. <p>Costs associated with maintaining mined-land management practices and monitoring the mined lands have been estimated to be approximately \$1500 per year pursuant to Public Resources Code section 21159 (a)(3), (c). The cost estimate includes only costs of maintaining a vegetated buffer and monitoring listed in this TMDL. It does not include any other costs that would be incurred by the responsible party under any regulatory or enforcement action</p> <p>This Implementation Plan goes into effect on the date that this Basin Plan Amendment is approved by the Office of Administrative Law.</p>
<p>Margin of Safety</p>	<p>A margin of safety of 10% has been included in the annual load equation presented in the section titled "Total Maximum Annual Mercury Load for Las Tablas Creek" because of:</p> <p>Uncertainty associated with the selection of an appropriate sediment target, and the relationship between sediment targets and water column or fish tissue concentrations;</p> <p>Conservative usage of only largemouth bass (no lower trophic levels) fish tissue in evaluation of potential human health exposures;</p> <p>Uncertainty associated with Regional Board Lake Nacimiento Model calculations (extrapolations of data points to unsampled areas);</p> <p>Uncertainty associated with the small area sedimentation rate incorporated into the Estimated Source Load Calculations;</p> <p>Conservative estimation of mine area size in the Estimated Source Load Calculations and uncertainty about acid mine drainage; and,</p> <p>The existence of other smaller mines (currently estimated to contribute less than 5 % of the total mercury load) in the drainage area.</p> <p>The use of an adaptive management approach in the TMDL which allows refinement of targets as additional data become available.</p>

Implementation Compliance Schedule

By End of Implementation Year	Implementation Action (Milestone)	Responsible Party or Discharger	Monitoring Activity (Responsible party for that monitoring)	Numeric Target associated with Load Allocation
1 (baseline data)	Maintain BV and Klau Mine slope/vegetation, and sediment control measures. Submit complete application for discharge permits	BV Mines, Inc.		
1	Require schedule of County Road load elimination	Regional Board	Notify San Luis Obispo County of adoption of TMDL and track response (Regional Board).	
2	Maintain BV and Klau Mine slope/vegetation	BV Mines, Inc.		
2	Review permit application(s) for mined areas Receive County Road load elimination schedule.	Regional Board	Establish discharge permit(s) for mines. If permit application not submitted, Regional Board staff will issue Cleanup and Abatement Order (CAO) or other appropriate regulatory action (Regional Board) If Road load elimination Schedule not received, Regional Board staff will issue CAO or similar regulatory action. (Regional Board)	
3	Maintain BV and Klau Mine slope/vegetation	BV Mines, Inc.	3 Storm Events and twice/year sampling for total mercury in water. Once per year for total mercury in sediment (BV Mines)	Water: Mercury = 0.05 ug/L Sediment: establish baseline data
3	Review progress and data to date	Regional Board	Review data for completeness; adjust sampling program as needed	

By End of Implementation Year	Implementation Action (Milestone)	Responsible Party or Discharger	Monitoring Activity (Responsible party for that monitoring)	Numeric Target associated with Load Allocation
4	Maintain BV and Klau Mine slope/vegetation	BV Mines, Inc.	3 Storm Events and twice/year sampling for total mercury in water. Once per year for total mercury in sediment. (BV Mines)	Water: Mercury = 0.05 ug/L Sediment: confirm baseline data
5	Maintain BV and Klau Mine slope/vegetation Sample Lake Nacimiento conditions	BV Mines, Inc. Regional Board	3 Storm Events and twice/year sampling for total mercury in water. Once per year for total mercury in sediment (may be modified if permits renewed or re-adopted in year 5) (BV Mines) Lake Nacimiento: Dissolved oxygen, Total mercury and methylmercury in water, total mercury in sediment and fish tissue (largemouth bass, as a guide) near where Las Tablas Creek enters lake (Regional Board)	Water: Mercury = 0.05 ug/L Sediment: Mercury = 0.486 mg/kg Fish Tissue Guide: < 0.37 mg/kg, or decreasing trend from existing data
5	Perform 5 year review of TMDL and Progress	Regional Board	Review tracked actions; review data of initial program years for trends showing TMDL will be achieved; report and document any changes needed to TMDL or plans (e.g., acid mine drainage control if monitoring data indicates a quantifiable impediment to achieving TMDL) (Regional Board)	

By End of Implementation Year	Implementation Action (Milestone)	Responsible Party or Discharger	Monitoring Activity (Responsible party for that monitoring)	Numeric Target associated with Load Allocation
6	Eliminate load from 3 mile segment of Cypress Mountain Road (between Chimney Rock Road and Klau Mine Road)	SLO County	Per schedule submitted by County or by CAO or other action of Regional Board. (SLO County)	Tracking/ Reporting of completed action (including photo documentation).
6 - 10	Review Monitoring Data	Regional Board	Review data from required Permit monitoring for total mercury in water (Regional Board)	Water: Mercury = 0.05 ug/L;
7 - 10	Maintain load control method for specified segment of Cypress Mountain Road	SLO County	Inspect general operation and perform necessary maintenance of load prevention method. Submit annual letter/report of inspection and any maintenance performed. (SLO County)	Tracking/ Reporting of completed actions.
10	Maintain BV and Klau Mine slope/vegetation Sample Lake Nacimiento conditions	BV Mines, Inc. Regional Board	Regular sampling for total mercury in water; total mercury in sediment (regularity of sampling as specified in permits – e.g., by storm event, quarterly, seasonally, or combination of these) (BV Mines) Lake Nacimiento: Dissolved oxygen, Total mercury and methylmercury in water, total mercury in sediment and fish tissue (largemouth bass, as a guide) near where Las Tablas Creek enters lake. (Regional Board)	Water: Mercury = 0.05 ug/L; Sediment: Mercury = 0.486 mg/kg Fish Tissue Guide: < 0.37 mg/kg
11 – 30	Repeat as above with 5 and 10 year milestones and annual permit requirements			

Note: Implementation begins on the date this TMDL is approved by the Office of Administrative Law.

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Suite 200
San Luis Obispo, California 93401-5427

RESOLUTION NO. R3-2002-0094

Amending the Water Quality Control Plan (Basin Plan) for the Central Coast Region to include a revised and updated Monitoring and Assessment Chapter (Chapter 6)

And requesting approval from the State Water Resources Control Board

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board) finds:

1. *WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Region (Basin Plan), on September 8, 1994;*
2. *The Regional Board periodically revises and amends the Basin Plan; and*
3. *The proposed amendment to the Basin Plan was developed in accordance with section 13240 et seq. of the California Water Code, and the Regional Board considered the appropriate factors identified therein;*
4. *The amendment will replace the existing Surveillance and Monitoring Chapter of the Basin Plan,*
5. *The Basin Plan amendment incorporating a revised and updated Monitoring and Assessment Chapter must be submitted for review and approval by the State Water Resources Control Board.*
6. *The amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code §11353(b); and*
7. *Staff has made the finding that the proposed amendment is an administrative update of editorial nature only and contains no new or altered regulatory provisions; therefore, CEQA requirements do not apply; and*
8. *Drafts of the staff report and proposed amendment have been prepared and distributed to interested persons and agencies for review and comment; and*
9. *Notice of public hearing was given by advertising in newspapers of general circulation within the Region; and*
10. *On December 13, 2002, in San Luis Obispo, California, the Regional Board held a public hearing and heard and considered all public testimony; and*
11. *The proposed amendments to the Basin Plan were developed in accordance with Water Code Section 13240 et seq.; and*

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12. *The amendment results in no potential for adverse effect, either individually or cumulatively, on wildlife;*

THEREFORE, BE IT RESOLVED, that

1. *Pursuant to sections 13240 and 13241 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment shown in "Attachment B - Proposed Basin Plan Amendment". The amendment will not take effect until approved by the State Board.*

The Regional Board's Executive Officer is authorized to submit the amendment to the State Water Resources Control Board in accordance with the requirements of section 13245 of the California Water Code.

3. *The Regional Board requests that the State Water Resources Control Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code.*
4. *The environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified following approval of the revised Basin Plan by the State Board.*
5. *The Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results in a "De Minimus" impact finding.*
6. *If during the approval process, the State Board determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.*

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region.

Adopted on 12-24-02
Date


Roger W. Briggs
Executive Officer

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Chapter 6. Surveillance and Monitoring and Assessment

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I. INTRODUCTION

The effectiveness of a water quality control program cannot be judged without the information supplied by a comprehensive and systematic surveillance and monitoring and assessment program. This chapter describes statewide and regional monitoring and assessment programs designed to provide scientific information on water quality in the Central Coast Region. The Regional Board uses information produced by these programs to satisfy requirements of both the federal Clean Water Act

(<http://www.swrcb.ca.gov/rwqcb3/>) and applicable portions of the state's Porter-Cologne Water Quality Control Act.

Historically, a wide variety of interested State, federal, and local agencies have sampled, analyzed, and tracked water quality. The State Board monitoring program coordinates existing information, gathering and supplementing it where necessary to meet data needs.

The State Board is the lead agency in California directing surveillance and monitoring of water

~~quality. A routine program of systematic sampling of the State's waters is now in existence. The activity is coordinated through and assisted by the California Department of Water Resources (DWR) and Health Services (DOHS) as well as the United States Geologic Survey (USGS) and the Environmental Protection Agency (EPA).~~

~~This chapter contains a discussion of the objectives and various elements of the State and Regional Boards' programs.~~

Monitoring information is presented for both regulatory and ambient monitoring programs at the State and Regional level. Regulatory monitoring programs address compliance issues related to discharges to waters of the State. Ambient monitoring programs address overall quality of waters of the State, generally without regard to specific dischargers.

II. PROGRAM OBJECTIVES

~~The overall~~General objectives of an adequate surveillance and of statewide and regional monitoring and assessment programs are:

- ~~To measure the achievement of water quality goals and objectives specified in this plan.~~
2. To measure specific effects of water quality changes on the established beneficial uses.
3. To measure background conditions of water quality and long-term trends in water quality.
4. To locate and identify sources of water pollution that pose an acute, accumulative, and/or chronic threat to the environment.
5. To provide information needed to correlate receiving water quality to mass emissions of pollutants by waste dischargers.
6. To provide data for determining waste discharger compliance with permit conditions.
7. To measure waste loads discharged to receiving waters and to identify the limits of their effect, and in water quality limited segments to, prepare

waste load allocations necessary to achieve water quality control.

8. To provide documentation necessary to support enforcement of permit conditions and waste discharge requirements.
9. To provide data needed to carry on the continuing planning process.
10. To measure the effects of water rights decisions on water quality and to guide the State Board in its responsibility to regulate unappropriated water for the control of quality.
11. To provide a clearinghouse for the collection and dissemination of water quality data gathered by other agencies and private parties cooperating in the program.
12. To prepare reports on water quality conditions as required by federal and State regulations and other users requesting water quality data.

III. QUALITY CONTROL AND DATA MANAGEMENT

Federal regulations and State policy require the preparation and implementation of Quality Assurance/Quality Control Plans for most monitoring carried out by the Regional Board's staff or its contractors. Regional Board monitoring activities are usually conducted under the Quality Assurance Program Plan developed for the Surface Water Ambient Monitoring Program (SWAMP).

Sample analysis Dischargers generally must be conducted by use a State-certified laboratoryies approved by the Regional Board's Executive Officer and/or Regional Board's laboratory. The ;the laboratory must have an approved Quality Assurance/Quality Control program and must be certified under the California Department of Health Services (DHS) Accreditation Program. In some instances, DHS certification may not be required, provided the laboratory has appropriate performance based standards.

~~Discharger monitoring reports are kept in the Regional Board's files; older files are microfiched.~~

~~The Board has increasingly sophisticated computer facilities for analysis of data collected in special studies. "Raw" data are periodically made available to the State Board for entry into the statewide Water Quality Information System database for use by other agencies.~~

~~The results of special studies are generally summarized in the Regional Board staff reports and are discussed at public meetings of the Regional Board. The results of complaint monitoring are provided to the person or agency submitting the complaint. Copies of the Regional Board planning documents and special studies reports are provided to public and university libraries.~~

~~III. STATE WATER RESOURCES CONTROL BOARD PROGRAM TASKS~~

IV. REGULATORY MONITORING AND ASSESSMENT

IV.A. COMPLIANCE MONITORING

~~A significant component of the State's regulatory monitoring relates specifically to discharges of pollutants from known sources. All entities holding Regional Board Discharge Orders must conduct regular sampling and analysis of waste released to surface and ground waters. Entities granted a discharge waiver may also be subject to monitoring requirements as a condition of the waiver.~~

~~The specific chemical and physical parameters to monitor, types of sampling and analyses (e.g., waste stream sampling, toxicity tests, etc.), frequency, and other specific requirements are determined on a case-by-case basis according to the nature of the discharge and potential environmental effects. Each Order or waiver issued by the Regional Board describes the specific compliance monitoring requirements for that Order or waiver holder.~~

~~Monitoring data collected by point source dischargers and nonpoint pollution control programs are used to:~~

- ~~• Determine compliance with and provide documentation to support enforcement of Order or waiver conditions;~~
- ~~• Provide information needed to relate receiving water quality to mass emission of pollutants by dischargers.~~

~~Discharger self-monitoring reports, generated as a result of an Order, are collected and reviewed by Regional Board staff for compliance. Any necessary enforcement actions are the responsibility of, and are carried out by, the Regional Board. Self-monitoring reports are normally submitted by the discharger on a regular basis (monthly, quarterly, or semi-annually) as specified by the Order conditions.~~

~~Compliance monitoring includes a control procedure whereby Regional Board personnel periodically visit each discharger on both an announced and unannounced "Facility Inspection" basis. The intent of announced visits is to work with the discharger to review his procedures in order to assure quality control. The intent of the unannounced inspections is to survey the operation, inspect the discharge area, and collect, check, or reference samples. Data from self-monitoring may also be supplemented with information obtained by Regional Board staff through special studies, such as those characterizing the variability of the discharge, pollutant levels in nearby receiving water and biota, and characterization of pollutant loads attributable to urban runoff.~~

IV.B. COMPLAINT INVESTIGATION

~~Complaint Monitoring involves investigation of complaints of citizens and public or governmental agencies on the discharge of pollutants or creation of nuisance conditions. It is the responsibility of the Regional Board to address the complaint, including preparation of reports, letters, or other follow-up actions, to document the observed conditions, and to inform the State Board, complainant, and discharger of the observed conditions.~~

IV.C. AERIAL SURVEILLANCE

Aerial surveillance is used primarily to gather photographic records of discharges, water quality conditions, and conditions at solid waste disposal sites in the Region. Aerial surveillance is particularly effective because of the overall view of a facility that is obtained and because many facilities can be observed in a short period of time.

V. AMBIENT MONITORING AND ASSESSMENT

III.AV.A. STATE-WIDE SURFACE WATER MONITORING PROGRAMS

Section 13160 of the Porter-Cologne Water Quality Control Act delegates primary responsibility for coordination and control of water quality in California to the State Board. Section 13163 of the Act states that in conducting this mission, the State Board is to coordinate water quality investigations, recognizing that other State agencies may have primary statutory responsibility for such investigations.

~~Pursuant to these mandates, the State Board developed and in April 1976 established a coordinated Primary Water Quality Monitoring Network for California~~ has established multiple water quality monitoring programs for California. Other agencies that conduct water-quality monitoring include Participants in the Coordinated Network included the California Departments of Health Services (DHS), California Department of Water Resources (DWR), and California Department of Fish and Game (DFG), California Department of Pesticide Regulation (DPR), California Department of Toxic Substances Control (DTSC), and the United States Department of the Interior, Federal Bureau of Reclamation; the U.S. United States Geological Survey (USGS); and, the United States Environmental Protection Agency (USEPA).

V.A.1. SURFACE WATER AMBIENT MONITORING PROGRAM

The Porter-Cologne Water Quality Control Act and the federal Clean Water Act (CWA) direct water quality programs to implement efforts intended to protect and restore the integrity of waters of the State. Ambient monitoring is independent of regulatory water quality programs and serves as a measure of the overall quality of water resources and the overall effectiveness of the Regional Board's prevention, regulatory, and remedial actions.

The Surface Water Ambient Monitoring Program (SWAMP) is designed as an ongoing program to assess the effectiveness of State and Regional Board regulatory water quality programs, to develop a statewide picture of the status and trends in surface water quality, and to develop site-specific information in areas that are known or suspected to have water quality problems. In particular, SWAMP is intended to meet four goals:

1. Identify specific problems preventing the State Board, the Regional Board, and the public from realizing beneficial uses in targeted watersheds.
2. Create an ambient monitoring program that addresses all hydrologic units of the state using consistent and objective monitoring, sampling and analysis methods; consistent data quality and assurance protocols; and centralized data management.
3. Document ambient water quality conditions in potentially clean and polluted areas.
4. Provide data to evaluate the effectiveness of water quality regulatory programs in protecting beneficial uses of waters of the State.

In achieving these goals, each of the State and Regional Board monitoring programs (e.g., State Mussell Watch, Toxic Substances Monitoring) are incorporated into SWAMP to ensure a coordinated approach without duplication. Fiscal Year (FY) 00-01 marked the first year of implementation of the SWAMP Program. The Central Coast Ambient Monitoring Program (CCAMP), which has been underway since 1997, represents the Central Coast Region's participation in the statewide SWAMP Program. More detailed information on the SWAMP program can be found at the State Board website (<http://www.swrcb.ca.gov>). A summary of the CCAMP program is contained in this chapter.

~~The goal of the Primary Network is to provide an overall, continuing assessment of water quality in the State. This goal is to be achieved by statewide~~

monitoring of water quality parameters that can affect beneficial uses of State waters. Among such parameters, toxic substances have received increasing attention in federal and State water pollution control activities; accordingly, Toxic Substances Monitoring and the State Mussel Watch program are included in the Primary Network.

III.A.1.V.A.2. TOXIC SUBSTANCE MONITORING PROGRAM

One alternative in monitoring for toxic substances (toxic elements and organic compounds) is to collect and analyze water samples. A major problem with this approach is that toxic discharges are likely to occur in an intermittent fashion and are thus likely to be missed with "grab" sampling of the water. Another limitation to analyzing water samples is that, generally, harmful toxicants are present in low concentrations in the water. The process of bioaccumulation acts to concentrate toxicants through the aquatic food web. Therefore, in the Toxic Substances Monitoring Program the flesh of fish and other aquatic organisms is analyzed for toxic metals and synthetic organic compounds.

The Toxic Substance Monitoring (TSM) Program was initiated in 1976 by the State Board to provide a uniform statewide approach to the detection and evaluation of toxic substances in organisms found in fresh, estuarine, and marine waters of the State. The TSM program uses resident fish and other aquatic organisms (primarily crayfish) to monitor pollutant levels through tissue analysis. Results of tissue analyses reflect exposure to contaminants over extended periods of time and therefore provide a field-based estimate for long-term exposure of people, fish, and other wildlife to pollutants in the food chain. This approach also allows for capture of potentially toxic discharges that occur on an intermittent basis that might otherwise be missed with "grab" sampling of water.

The Toxic Substances Monitoring (TSM) portion of the Primary Network has been integrated with other Primary Network Monitoring. Streams and lakes were ranked according to various criteria established to indicate their importance to the State in terms of water quality. From this process, the water bodies ranked Priority 1, or highest priority, were included in the Primary Network; routine chemical and biological water monitoring is performed by DWR and/or the USGS; and toxic substances monitoring of resident

organisms is performed by the Department of Fish and Game.

The primary objectives of the Primary Network TSM program are:

- To develop statewide baseline data and to demonstrate trends in the occurrence of toxic elements and organic substances in the aquatic biota.
- To assess impacts of accumulated toxicants upon the usability of State waters by man.
- To assess impacts of accumulated toxicants upon the aquatic biota.
- Where problem concentrations of toxicants are detected, to attempt to identify sources of toxicants and to relate concentrations found in the biota to concentrations found in the water.

TSM reports have been published periodically since 1977. The samples collected in the TSM program are benthic invertebrates and predator fish. Tissue samples are analyzed for important metals, including arsenic, cadmium, chromium, copper, lead, nickel, silver, and zinc and fish flesh is analyzed for mercury. In addition, both invertebrate and fish flesh tissue samples are analyzed for 55 synthetic organic compounds, most of which are pesticides (Table 6VI-1). TSM reports have been published annually since 1977. Both TSM and State Mussel Watch (SMW) Program publications and data can be found at the State Board website (<http://www.swrcb.ca.gov>).

TABLE 6-1. SYNTHETIC ORGANIC COMPOUNDS ANALYZED IN THE TOXIC SUBSTANCES MONITORING AND STATE MUSSEL WATCH PROGRAMS

<u>COMPOUND</u>	<u>COMPOUND</u>	<u>COMPOUND</u>
Aldrin	DDMU pp	Nitrofen (TOK)
Benefin	DDT pp	Oxychlorance
BHC α	Dialifor	Parathion, ethyl
BHC β	Diazinon	Parathion, methyl
BHC γ (lindane)	Dichlofenthion	PCB 1248
BHC δ	Dicofol (Kelthane)	PCB 1254
Carbophenothion	Dieldrin	PCB 1260
CDEC (Vege dex)	Endosulfan I (Thiodan I)	PCNB (Quintozene)
Chlorbenside	Endrin	Perthane
cis-Chlordane	EPN	Phenkapton
trans-Chlordane	Ehtion	Phorate (Thimet)
Chloroneb	Fenitrothion	Ronnel
Chlorpyrifos (Dursban)	Fonofos (Dyfonate)	Strobane
Dacthal	Heptachlor	Tetradifon (Tedion)
DDE op	Heptachlor epoxide	Toxaphene
DDE pp	Hexachlorobenzene (HCB)	2,4-D isopropyl ester
DDD op	Methoxychlor pp '	2,4-D isobutyl ester
DDMS pp	Mirex	2,4-D n-butyl ester

III.A.2.V.A.3. STATE MUSSEL WATCH PROGRAM

The State Mussel Watch (SMW) program has been integrated with the Primary Network Monitoring to provide documentation of the quality of coastal marine and estuarine waters. The SMW program fulfills the goal of providing the State with long-term trends in the quality of these waters. is a long-term marine water-quality monitoring program initiated in 1977. The SMW program uses resident and transplanted bivalves (e.g., mussels and clams) to monitor pollutant levels at coastal reference stations and selected sites in bays and estuaries to identify or confirm potential toxic substance pollution.

Mussels were chosen are used as the indicator-sentinel organisms for trace metals and synthetic organic compounds in the coastal and estuarine waters. Although the mussel populations of bays and estuaries are of a different species than those found in the open coast, their suitability as sentinels for monitoring the presence of toxic pollutants stems from several factors including: (1) their ubiquity along the California coast; (2) their ability to concentrate pollutants above ambient sea water levels and to provide a time-averaged sample; and (3) their non-motile nature which permits a localized measurement of water quality.

The primary goals of the SMW program are as follows:

1. To provide long-term monitoring of selected toxic substances in coastal waters;
2. To provide an important element in a comprehensive water quality monitoring strategy;
3. To identify on a year-to-year basis specific areas where concentrations of toxic materials are higher than naturally occurring background levels.

Tissue samples are analyzed for The trace metals analyzed for in mussel tissues including aluminum, cadmium, chromium, copper, lead, manganese, mercury, nickel, silver and zinc. and for sSynthetic organic compounds analyzed for are summarized listed in Table 6VI-1. When compared with alternative sampling designs, such as seawater and sediment sampling, SMW is a more cost effective

~~program. Reports have been published annually since 1978.~~

During the 1977 and 1978 sampling periods, the focus of the SMW program was, for the most part, on open coast monitoring of sites outside the vicinity of known pollutant point sources. Monitoring water quality in the State Board's designated Water Quality Protection Areas (formerly known as Areas of Special Biological Significance (ASBS)), to establish baseline conditions relating to the range of typical conditions in water, sediment and biota, was given prime importance in the early years of the program.

Based on identification of "hot spot" areas during 1977 and 1978, intensive sampling of these areas was implemented in 1979. Such a sampling strategy was intended to confirm previous findings, establish the magnitude of the potential problem and identify pollutant sources. The program has since evolved to include transplanting M. californianus mussels into selected California bays and estuaries at specific sites to confirm potential toxic substance pollution, i.e.g., in the vicinity of dischargers. In some cases the SMW program deploys freshwater clams or other organisms into fresh water streams and rivers to provide information about toxic substance pollution in watershed systems.

As with the TSM, statewide SMW reports are published periodically, available at the State Board website (<http://www.swrcb.ca.gov>).

III.B. LAKE SURVEILLANCE

~~This element is responsive to the requirements set forth in Section 314 of PL 92-500 and applicable federal regulations. The State is required to identify and determine the present trophic condition of all publicly owned fresh water lakes. The lakes inventory is updated on a two-year cycle to include additional data as it becomes available and to indicate changes in trophic conditions.~~

V.A.4. GROUNDWATER AMBIENT MONITORING AND ASSESSMENT

The State Board, pursuant to provisions of the 1999 Budget Act, has developed a statewide Groundwater Ambient Monitoring and Assessment (GAMA) Program, which includes the collaborative efforts of

other state and federal agencies also charged with groundwater monitoring responsibilities. The goal of GAMA is to provide information on the quality of California's groundwater and assess relative susceptibility of groundwater resources in California, especially those used as a drinking water supply. The GAMA program has two primary components: the California Aquifer Susceptibility (CAS) Assessment, which addresses public drinking water wells, and the Voluntary Domestic Well Assessment Project which addresses private domestic drinking water wells.

V.A.4.a. CALIFORNIA AQUIFER SUSCEPTIBILITY ASSESSMENT

The State Board, in coordination with the DHS, DWR, and local water districts and purveyors, is implementing the California Aquifer Susceptibility (CAS) Assessment to determine water quality and relative susceptibility of groundwater that serves as a source for public water supplies to possible contaminants. CAS employs a groundwater age dating technique (tritium-helium analysis) and low-level detection (microgram/liter range) of volatile organic compounds (VOCs) to assess aquifer susceptibility. A fundamental premise of the CAS assessment is that groundwater age can be used as a guide for assessing aquifer susceptibility, i.e., young groundwater age implies relatively rapid recharge of surface water to the aquifer, and therefore potentially rapid migration of surface contaminants to the aquifer. Low-level VOC detection is used to corroborate age-dating data and to also identify public supply wells that are already impacted by contaminants, but are still below action levels. This provides an "early warning system" for potentially significant VOC contamination.

In coordination with the USGS and Lawrence Livermore National Laboratory (LLNL), the CAS assessment is designed to sample the approximately 16,000 public supply wells statewide, beginning with more urbanized areas. Sampling began in September 2000 and will continue for the next several years over the entire state, depending on the availability of funding. General constituents sampled by the USGS and LLNL for low-level VOC analysis are available at the State Board website (<http://www.swrcb.ca.gov>). Additional constituents may be chosen based upon specific site or land-use conditions.

Groundwater quality, age-dating, and hydrogeologic data collected as part of the CAS assessment are managed utilizing the Geographical and

Environmental Information Management System (GEIMS)/GeoTracker system, an internet-accessible geographic information system (GIS) that provides access to water quality data. GeoTracker can be found at <http://geotracker.swrcb.ca.gov/>.

V.A.4.b. VOLUNTARY DOMESTIC WELL ASSESSMENT

The Voluntary Domestic Well Assessment Program consists of sampling domestic wells for various constituents that may be found in domestic well water, including nitrates, total and fecal coliform bacteria, Methyl tert-Butyl Ether (MTBE), and various minerals. This information is provided to domestic well owners and groundwater agencies. The Voluntary Domestic Well Assessment Program focuses on specific areas, as resources permit and are chosen based upon existing knowledge of water quality and land use, in coordination with local environmental agencies. The State Board incurs the costs of sampling and analysis.

V.A.5. GROUNDWATER QUALITY MONITORING ACT OF 2001

Assembly Bill 599 (AB 599), effective January 1, 2002, established the Groundwater Quality Monitoring Act of 2001 (sections 10780-10782.3 of the California Water Code). The Act requires the State Board to integrate existing monitoring programs with new program elements, as necessary, for the purpose of establishing a comprehensive groundwater monitoring program capable of assessing each groundwater basin in the state, either through direct or other statistically reliable sampling approaches. A second fundamental component of this Act is to increase the availability of water quality data and information to the public.

AB 599 requires the State Board to create an Interagency Task Force (ITF) to identify actions necessary to establish a groundwater-quality monitoring program, and to identify measures that would increase coordination among agencies that collect groundwater quality information. In addition, the State Board is also to convene a Public Advisory Committee (PAC) to the ITF. The AB 599 PAC is to consist of representatives from federal agencies, public water systems, environmental organizations, local water agencies, agriculture, groundwater

management entities, and the business community. In coordination with the ITF and the PAC, the State Board must submit to the Governor and the Legislature, on or before March 1, 2003, a report that includes a description of a comprehensive groundwater-quality monitoring program for the State.

V.B. REGIONAL MONITORING PROGRAMS

V.B.1 CENTRAL COAST AMBIENT MONITORING PROGRAM

In 1998, the Central Coast Ambient Monitoring Program (CCAMP) was formally established by the Regional Board to provide integrated and systematic information on surface water quality in the Region, in order to evaluate the effectiveness of Regional Board efforts to meet Basin Plan water quality objectives and protect beneficial uses. CCAMP's general program objectives are to:

- 1) Acquire and evaluate existing monitoring data and other information, from agencies, volunteer programs, and other sources.
- 2) Collect ambient monitoring data for the Region's watersheds, coastal confluences, and nearshore areas.
- 3) Conduct periodic detailed assessments of the Region's watersheds, groundwater basins, coastal confluences, and nearshore areas.
- 4) Utilize monitoring data and other information to maintain and update the Region's Water Quality Assessments and list of impaired waterbodies and beneficial uses.
- 5) Provide information presentations through the use of geographic information systems technology and other forms of graphic visualization.
- 6) Provide data and information dissemination services through the Internet.
- 7) Conduct periodic assessments of other programs' activities to eliminate gaps, overlaps, and duplications of effort, and utilize external information whenever possible as a component of the Ambient Monitoring Program.

- 8) Work with other monitoring programs, including volunteer programs, to develop consistent monitoring protocols and methods, quality control standards, data management procedures, and to encourage efforts consistent with regionwide monitoring goals.
- 9) Coordinate data management activities with other programs to maximize accessibility and usability of data.

The CCAMP monitoring strategy calls for dividing the Region into five watershed rotation areas and conducting synoptic, tributary-based sampling each year in one of the areas. Over a five-year period, each of the major Hydrologic Units in the Region are monitored and evaluated. In addition to the tributary-based site selection approach, additional monitoring sites are established in each rotation area to provide focused attention on watersheds and waterbodies known to have water quality impairments or other issues of interest.

The CCAMP strategy for establishing and maintaining permanent long-term monitoring sites provides a framework for trend analysis and detection of emergent water quality problems. CCAMP uses a variety of monitoring approaches to characterize water quality conditions and trends in coastal watersheds, including:

- Rapid bioassessment using benthic invertebrates
- Conventional water quality analysis
- Analysis of tissue, water, and sediment for organic chemicals and metals
- Toxicity evaluations
- Habitat assessments

To develop a broad picture of the overall health of waters in the Region, a similar baseline monitoring study design is applied in each rotation area. This provides for compatibility across the Region and allows for prioritization of problems across a relatively large spatial scale. The CCAMP strategy also allows for incorporation of watershed-specific knowledge so that questions which are narrower in focus can be addressed. For example, in watersheds where TMDL assessments are being conducted, additional information is collected as necessary to support development of the analysis. Special studies are undertaken as funding and staffing permits to further focus monitoring on questions of interest specific to individual watersheds.

Coastal Confluences monitoring is another CCAMP program component that focuses on monitoring "integrator sites" at the lower ends of rivers and creeks at their outflow to the ocean. Sampling at these sites is conducted continuously, rather than in a five-year rotation. These sites aid in long-term trend detection, regional priority setting, and understanding inputs to the nearshore environment.

CCAMP nearshore monitoring activities are varied. In the Monterey Bay area, CCAMP has worked with ocean dischargers to redesign and combine receiving water monitoring programs to form the Central Coast Long-term Environmental Assessment Network (CCLEAN). This program characterizes loading of organic pollutants, nutrients and pathogen indicators from discharges and river mouths to the ocean. It also documents associated nearshore conditions, including chemical concentrations in mussel tissue, and nearshore nutrient and toxic phytoplankton concentrations. The CCAMP program directs funding and other support to other marine monitoring activities, including sand crab, mussel, and sea otter tissue analysis for organic chemicals, polynuclear aromatic hydrocarbons, metals, toxic phytoplankton and specific pathogens. CCAMP staff are also working with the local research community to expand the network of instrumented moorings in nearshore areas, with particular focus on nitrate, chlorophyll, and toxic phytoplankton.

More information on the CCAMP program can be found at <http://www.swrcb.ca.gov/rwqcb3/>. The CCAMP program is conducted in coordination with the TSM and SMW monitoring programs, and satisfies Regional Board requirements for participation in the statewide SWAMP program.

V.C. ASSESSMENTS

III.C. V.C.1. BIENNIAL WATER QUALITY INVENTORY STATE WATER QUALITY INVENTORY (305(b)) REPORT

Pursuant to Section 305(b) of the Federal Clean Water Act (PL 92-500), the State Board is required to submit a report on the status of the State's water quality to the USEPA at least every two years. The CWA establishes a process for States to use to develop information on the quality of their water

resources (see USEPA 305(b) reporting guidelines). Specific requirements for this process are also found in Sections 106(e), 204(a), 303(d), and 314(a) of the CWA. Section 305(b) of the CWA specifies that each state must develop a program to monitor the quality of its surface waters and prepare a report describing the status of its water quality; Section 106(e) requests, but does not require, that each state also include the status of ground waters of the state in the report.

Section 305(b) of PL 92-500 requires the State to prepare and submit biennially to EPA the Water Quality Inventory. This report includes: The 305(b) process is the principal means by which the USEPA, Congress, and the public evaluate: 1) whether U.S. waters meet water quality standards; 2) progress made in maintaining and restoring water quality; and 3) the extent of remaining problems. Water quality assessment information from California's nine Regional Boards is compiled and presented in conformance with USEPAs 305(b) reporting guidelines through tabulation of a description of the general water quality of major navigable waters in of the State during the preceding years, including (b) an analysis of the extent to which significant navigable waters provide for the protection and propagation of a balanced population of shellfish, fish and wildlife, and allow recreational activities in and on the water; a summary of current designated use support, individual beneficial use support, major causes and sources impacting designated beneficial uses, and associated public health concerns. The Report also contains (e) an analysis of the extent to which elimination of the discharge of pollutants is being employed or will be needed; and (d) an estimate of the environmental impact, the economic, and social costs necessary to achieve the "no discharge" objective of PL 92-500, the economic and social benefits of such achievement and estimate of the date of such achievement. Recommendations as to the programs which must be taken to control them are provided, along with estimates of the cost, a brief description of water pollution control policies and programs designed to manage water quality.

Data collection and analyses already being carried out by the State in the permits, planning, facilities, monitoring and enforcement programs is utilized in preparing the reports on the quality of the waters of California. The first report was published in 1975 with subsequent reports in 1977 and 1979. The next biennial report is due in 1990. Assessment information used for compiling and reporting the

305(b) report is contained in the State's Geospatial Waterbody System (GeoWBS) database, structured for the purpose of producing the 305(b) Report.

IV.V.C.2. STATE WATER QUALITY ASSESSMENT REPORT

~~The State Board has been preparing "Section 305(b) Reports" since the mid 1970's. Most of these reports have been fairly general in nature, highlighting a few significant problem areas and estimating total area or stream mileage of waters statewide which were classified as "good", "medium", or "poor" quality. In 1989, the State Board began a more detailed Water Quality Assessment process to fulfill U.S. EPA reporting requirements and to provide the basis for prioritizing funding under the State's Clean Water Strategy.~~

~~The Water Quality Assessment is a computer database. It includes a table which lists water bodies of each region alphabetically by water body type (lakes, streams, ground water, etc). Initially, Regional Boards were directed to include at least all water bodies mentioned by name in their Basin Plans in the Water Quality Assessment table. Additional water bodies are to be added in future updates of the Water Quality Assessment, with the eventual goal of including all waters of the region. The 1992 Water Quality Assessment for the Central Coast Region includes approximately 400 entries.~~

~~For each water body, the Water Quality Assessment table identifies the wetland, lake, or ground water basin area or the stream mileage classified as having "good", "intermediate", "impaired", or "unknown" water quality. The table includes space for brief narrative problem descriptions. It identifies problem sources as point, nonpoint, or both. It also indicates whether the water body is included on one or more of the following federal "lists" (numbers refer to sections of the Clean Water Act):~~

~~131.11 Segments which may be affected by toxic pollutants, or segments with concentrations of toxic pollutants that warrant concern.~~

~~303(d) List of Water Quality Limited Segments where objectives or goals of the Clean Water Act are not attainable with the Best~~

~~Available Treatment/Best Control Technology.~~

~~304(M) A "mini list" of waters not meeting State adopted numeric water quality objectives due to toxic point sources and/or nonpoint sources after implementation of Best Available Treatment/Best Control Technology.~~

~~304(S) A "short list" of waters not achieving water quality standards due to point source implementation of Best Available Treatment/Best Control Technology.~~

~~304(L) A "long list" of waters not meeting water quality goals of the Clean Water Act after implementation of Best Available Treatment/Best Control Technology due to either point sources or nonpoint source discharges.~~

~~314 A list of lake priorities for restoration.~~

~~319 A list of impaired surface water bodies from nonpoint source problems due to both toxic and nontoxic pollutants.~~

~~The information used by Regional Board staff in compiling and revising the Water Quality Assessment table includes the type of monitoring data discussed in this chapter, records of past Regional Board enforcement actions, professional judgment of Regional Board scientists and engineers, and public comments.~~

~~The Water Quality Assessment database also includes the capability to print out a more detailed "Fact Sheet" for each water body in the table. Fact Sheets can include longer problem descriptions, information on threatened or impaired beneficial uses, and summaries of current and projected remedial actions by the State Board and/or the Regional Board. Due to time constraints and, in many cases, lack of information, detailed Fact Sheets have not been prepared for all water bodies in the Central Coast Region's Water Quality Assessment table. Additional Fact Sheets will be added during the ongoing Water Quality Assessment update process.~~

~~The Water Quality Assessments adopted by the nine Regional Boards were combined into a statewide Water Quality Assessment which was formally adopted by the State Board. The State Board is using the system to print out statewide "reports", statistical~~

~~tables, graphs, and charts summarizing the total numbers or percentages of water bodies affected by different types of water quality problems. The State Board also uses information in the Water Quality Assessment to prioritize proposals affecting specific water bodies.~~

The Water Quality Assessment (WQA) report is a biennial compilation of water quality information similar to the biennial Water Quality Inventory (305(b)) report; however, the WQA report contains specific information for individual water bodies of the region rather than generalized summaries for water-body types of the region. Specifically, the WQA categorizes the water quality of each water body by reporting the degree to which beneficial uses are supported (see Basin Plan Chapter 2 for beneficial uses). The levels of beneficial use support are described as: fully supporting, fully supporting but threatened, partially supporting, not supporting, and not assessed. In addition to a description of the level of beneficial use support for each water body, the WQA contains narrative assessment (comments) for selected water bodies of the Region and identifies water bodies included on the Federal 303(d) "list" (numbers refer to sections of the Clean Water Act). The 303(d) list is a list of impaired waters where objectives or goals of the Clean Water Act are not attainable through standard regulatory controls. States are required to prioritize these water bodies for Total Maximum Daily Load (TMDL) development.

As with the 305(b) report, the information used by Regional Board staff in compiling and revising the WQA includes the type of monitoring data discussed in this chapter, records of past Regional Board enforcement actions, professional judgment of Regional Board scientists and engineers, and public comment. WQA information is stored in the GeoWBS database system.

V.C.3. CLEAN WATER ACT SECTION 303(d) LIST OF IMPAIRED WATERS

Section 303(d) of the Federal Clean Water Act requires states to identify waterbodies that do not meet water quality objectives and are not supporting their beneficial uses. Each state must submit an updated list, called the 303(d) list, to the USEPA every two years. In addition to identifying the waterbodies that are not supporting beneficial uses, the list also identifies the pollutant or stressor causing

impairment, and establishes a schedule for developing a control plan to address the impairment.

To develop the list of impaired waters, Regional Board staff relies on data and information collected in the Central Coast Ambient Monitoring Program and other State monitoring programs, along with data and information available from local government or citizen organizations. Staff consider the quality, quantity, timing, and location of data and information for each specified waterbody and the pollutant or stressor potentially causing impairment in that waterbody. Typically, staff compares the levels of the pollutant or stressor to established legal water quality limits (e.g., water quality objectives or other criteria indicating acceptable water quality conditions).

If a waterbody is found to be impaired for a particular pollutant or stressor, it is placed on the list. Once a waterbody and associated stressor pollutant are placed on the list, specific and focused monitoring and assessment efforts are conducted to more fully characterize the nature of the impairment, including identification of the pollutant source(s), and to develop solutions to address the impairment.

V.C.4. CENTRAL COAST AMBIENT MONITORING PROGRAM ASSESSMENTS

Water quality data collected in the CCAMP program is compiled and analyzed to produce watershed assessment reports for the Region. Reports are generated for both surface waters and groundwaters in each watershed, following the CCAMP 5-year rotation monitoring schedule discussed above.

V.C.4.a. SURFACE WATER ASSESSMENTS

Surface water assessments are developed using data collected through the CCAMP program and other available information sources, including water quality data from the California Department of Health Services (DHS), United States Geological Survey (USGS), Department of Fish and Game (DFG), Department of Pesticide Regulation (DPR), Toxic Substance Monitoring (TSM) program, National Pollutant Discharge Elimination System (NPDES) discharge data, county data, city data, relevant water quality reports, and any other available literature. Water quality data is also combined with

hydrogeomorphic data, land use data, etc., to develop watershed scale assessments, which are, in turn, used to update the 305(b) report and support TMDL development.

V.C.4.b. GROUNDWATER ASSESSMENTS

CCAMP does not actively collect groundwater data, but uses existing sources of data and other available water quality information to develop assessments of groundwater conditions. Data and other information are compiled from the DHS, USGS, California Department of Water Resources (DWR), DPR, and city or county information sources.

Data for both surface and groundwater assessments are evaluated for pollutants of concern, water quality standards exceedances, pollutant levels that warrant attention, beneficial use impairment, spatial and temporal trends, data gaps, and other pertinent information. General evaluations of relationships between surface water and groundwater pollutants are also included in the assessments. Assessment information is then used to develop recommendations for action, to assess future research and monitoring needs, to update the 305(b) report and support TMDL development, and to support permit review activities.

Watershed assessment reports and associated water quality data are available at the CCAMP website (see <http://www.swrcb.ca.gov/rwqcb3/> and click on CCAMP).

V. REGIONAL WATER QUALITY CONTROL BOARD PROGRAM TASKS

V.A. COMPLIANCE MONITORING

This task determines permit compliance, validates self monitoring reports, checks receiving water standards compliance, and provides data for enforcement actions. Data obtained are added to the water quality supply data for regulation, enforcement,

planning, and facilities development activities. Discharger compliance monitoring and enforcement actions are the responsibility of, and will normally be carried out wholly by, the Regional Board staff. Standards Compliance Monitoring will be coordinated by the State Board and use data available from other program tasks.

The scope of the Waste Discharger Compliance Monitoring Program for the basin will be dependent on the number and complexity of Waste Discharger Requirements (NPDES and other Permits) issued by the Regional Board. Waste discharge requirements may or may not include a specific discharger self-monitoring and reporting requirement on the effluent and receiving water.

The program includes a specific procedure whereby each discharger is regularly visited by Regional Board staff on both an announced and an unannounced "Facility Inspection" basis. The intent of announced visits is to work with the discharger through personal contact and communication to review his procedures in order to assure quality control. The intent of the unannounced inspections is to survey the operation, inspect the discharge area, and collect, check, or reference samples.

V.B. SELF-MONITORING REPORT REVIEW

Discharger self monitoring reports generated as a result of permits and waste discharge requirements are collected and reviewed by the Regional Board for obvious errors or omissions and entered into the data bank for checking. Significant reports of noncompliance are made immediately upon detection. Other data desired by the Regional or State Board will be rendered on a routine basis. Self monitoring reports are normally submitted by the discharger on a monthly or quarterly basis as required by the permit conditions.

V.C. COMPLAINT INVESTIGATION

The Complaint Monitoring task involves investigation of complaints received from the general public and other agencies. It is a Regional Board responsibility which includes preparation of

reports, letters, or taking other follow up actions to document observed conditions and to inform the State Board and complainant and discharger of the observed conditions.

V.D. AERIAL SURVEILLANCE

Aerial surveillance is used primarily to obtain photographic records of discharge conditions and to identify discharge sources. Aerial surveillance is particularly effective because of the overall view of a facility that is obtained and because many facilities can be observed in a short period of time.

V.E. V.D. NONPOINT SOURCE INVESTIGATIONS, OTHER MONITORING AND ASSESSMENT ACTIVITIES

The objective in this task is Nonpoint source investigations are conducted to (a) identify the location and nature of the sources of nonpoint pollutants; (b) develop information on the quantity, strength, character, and variability of nonpoint source pollutants; (c) evaluate impacts on receiving water quality and biota; (d) provide information useful in management of nonpoint source pollution; and (e) monitor results of any control plan. Investigations will be typically undertaken on a statewide priority basis through local agency and watershed group efforts, funded by Federal Clean Water Act grants and other sources.

V.F. INTENSIVE SURVEYS

Special studies and intensive monitoring surveys are conducted to provide obtain detailed information about a specific water quality problem which, in turn, can be used to data to locate and evaluate violations of receiving water standards, and make waste load allocations. They These studies usually involve are usually localized, intermittent sampling at a higher than normal frequency. These surveys are specially designed to evaluate problems in impaired

waterbodies water quality class segments, areas of special biological significance Water Quality Protection Areas (formerly known as Areas of Special Biological Significance), or hydrologic units requiring sampling in addition to routine monitoring programs. Surveys are repeated at appropriate intervals depending on parameters involved, variability of conditions, and changes in hydrologic or effluent regimes. Results from these special studies may be used for addressing impairments identified on the 303(d) List, including Total Maximum Daily Load development, Water Quality Assessment and 305(b) Report updates, and other waterbody assessment activities.

Intensive surveys are needed for several water bodies. The data are needed for one or more of the following reasons:

- a. A water quality problem is suspected, however, little data is available to substantiate the existence or degree of a problem;
- b. A water quality screening is needed to verify the Regional Board's judgment of the water quality status, or;
- c. A water body is suspected to be water quality limited.

Table 6-2 lists each water body, the constituent needing sampling, and the reason it should be sampled. The Regional Board urgently requests the State Board to make money available for intensive surveys.

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN -
CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING INCORPORATION
OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT
SOURCE PROGRAM STRATEGY AND IMPLEMENTATION PLAN" AND
RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE INFORMATION,
FINDINGS, AND REQUIREMENTS

ADMINISTRATIVE RECORD INDEX
CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD
RESOLUTION R3-2002-0093

ADOPTED DECEMBER 13, 2002

*Note: this was not
approved by SWRCB*

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SUMMARY OF THE NECESSITY FOR THE REGULATORY PROVISIONS

REGIONAL WATER QUALITY CONTROL BOARD RESOLUTION NO. R3-2002-0093

ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN AND REQUESTING APPROVAL FROM THE STATE WATER RESOURCES CONTROL BOARD

AUTHORITY AND REFERENCE

Water Code Section 1300 declares that activities and factors that may affect the quality of the waters of the state shall be regulated to attain the highest water quality reasonable.

Water Code Section 13240 mandates each Regional Water Quality Control Board (Regional Board) to formulate water quality control plans for all areas within the region and to review the plans periodically. Section 13240 also authorizes Regional Water Boards to revise the plans. A water quality control plan or a revision of a plan becomes effective upon approval by the State Water Resources Control Board (State Board) (Water Code Section 13245).

Water Code Section 13050(j) provides that a water quality control plan consists of a designation or establishment for the waters within a specific area of all of the following:

- (1) Beneficial uses to be protected.
- (2) Water quality objectives.
- (3) A program of implementation needed for achieving water quality objectives.

Each Regional Board must establish water quality objectives in each water quality control plan that will ensure the reasonable protection of beneficial uses and the prevention of nuisance (Water Code Section 13241). Additionally, the Regional Board, in a water quality control plan, may specify certain conditions or areas where the discharge of waste, or certain types of waste will be prohibited (Water Code Section 13243).

NECESSITY FOR REGULATORY PROVISIONS

Resolution No. R3-2002-0093 supplements past regulatory actions. The following describes the reasons that these supplements are necessary.

In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to the Nonpoint Source Pollution Control Program (January 2000) in December 1999. Resolution 99-114, revising the Nonpoint Source Pollution Control Program, was adopted by the State Water Resources Control Board on December 14, 1999 pursuant to Section 319 of the Clean Water Act.

Resolution No. 99-114 directs regional boards to implement the state Nonpoint Source Pollution Control Program. The Water Quality Control Plan for the Regional Water Quality Control Board, Central Coast Region includes the state November 1988, Nonpoint Source Management Plan. This amendment updates the Basin Plan to comply with Resolution No. 99-114.

ECONOMIC AND FISCAL ANALYSIS:

**ADOPTION OF REVISED STATE WATER RESOURCES CONTROL BOARD
NONPOINT SOURCE POLLUTION CONTROL PROGRAM AND REFORMATTING
EXISTING NONPOINT SOURCE PLANS, POLICIES, AND MANAGEMENT
PRACTICES - AMENDMENT OF THE CENTRAL COAST BASIN WATER QUALITY
CONTROL PLAN (BASIN PLAN)**

No new economic impacts are expected to result from an editorial revision of Central Coast Water Quality Control Plan (Basin Plan) Chapter 4 Implementation Plan, Chapter 5 Plans and Policies, and Plans and Policies Appendix.

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF DECEMBER 13, 2002

Prepared on November 20, 2002

ITEM NUMBER: 10

SUBJECT: PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING REFERENCE OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT SOURCE POLLUTION CONTROL PROGRAM" AND RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS.

SUMMARY

The Central Coast Regional Water Quality Control Board (Regional Board) Staff is proposing an amendment to its Water Quality Control Plan - Central Coastal Basin, 1994 (Basin Plan). The Basin Plan serves as the cornerstone water quality protection policy and legal standards for the Central Coast. It identifies beneficial uses of surface and ground waters, establishes water quality objectives to protect beneficial uses, and provides an implementation plan to achieve those objectives.

The purpose of this amendment is to:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to move appropriate nonpoint source information, requirements, and prohibitions into one designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

4. Add a new section for currently adopted and future Total Maximum Daily Loads and associated Implementation Plans.

This amendment is presented to the Board for review and consideration.

DISCUSSION

In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to the Nonpoint Source Pollution Control Program (January 2000) in December 1999. Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted by the State Water Resources Control Board on December 14, 1999 pursuant to Section 319 of the Clean Water Act.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Management measures will be implemented using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.

State Board Resolution No. 99-114 directs regional boards to implement the Nonpoint Source Pollution Control Program. The Basin Plan for the Regional Water Quality Control Board, Central Coast Region includes the state November 1988, Nonpoint Source Management Plan. This amendment updates the Basin Plan to comply with Resolution No. 99-114.

This revision proposes to reference the Nonpoint Source Pollution Control Program and emphasize information and management actions for the protection and restoration of riparian areas; and restructure sections of the Basin Plan to move appropriate nonpoint source information, requirements, and prohibitions into one designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Below is a summary of all edits, additions, and changes in Chapter Four (4), Chapter Five (5), and Appendices of the Basin Plan. Chapter 4 edits, additions, and changes are shown in Attachment B. Chapter 5 edits, additions, and changes are shown in Attachment C. Appendices edits are shown in Attachment D.

Chapter 4

1. Page IV-1, edited Table of Contents.
2. Pages IV-5 and IV-6, Section V.A.7. BEST MANAGEMENT PRACTICES, moved to page IV-45, Section VIII. CONTROL OF NONPOINT SOURCE POLLUTANTS. Made minor clerical edits, then deleted Section V.A.7. BEST MANAGEMENT PRACTICES, on Pages IV-5 and IV-6 of Chapter 4.
3. Pages IV-7 and IV-8, Section V.B. NONPOINT SOURCE PROGRAM, moved to page IV-44, Section VIII. Made major edits using language from "Nonpoint Source Pollution Control Program (January 2000)", then deleted Section V.B. NONPOINT SOURCE PROGRAM, on Pages IV-7 and IV-8 of Chapter 4.
4. Pages IV-44 and IV-45, Section VIII. NONPOINT SOURCE MEASURES - Title of Section VIII. changed to CONTROL OF NONPOINT SOURCE POLLUTANTS.

Major edits to Section VIII using language from "Nonpoint Source Pollution Control Program (January 2000)".

Added section titled BEST MANAGEMENT PRACTICES, using information from Pages IV-5 and IV-6, Section V.A.7. BEST MANAGEMENT PRACTICES. Minor clerical edits made to the new Section.

5. Pages IV-45 and IV-46, Section VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS, deleted information contained in the Coastal Zone Act Reauthorization Amendment section. The Coastal Zone Act Reauthorization Amendments are addressed in the "Nonpoint Source Pollution Control Program (January 2000)".
6. Pages IV-45 and IV-46, Renamed Section VIII.A. Wetlands, Riparian Areas, and Vegetated Treatment Systems, using information from "Nonpoint Source Pollution Control Program (January 2000)", Page 152, Section G Wetlands, Riparian Areas, and Vegetated Treatment Systems. Minor clerical edits made to the new Section.

Three headings added: "Recommended Actions", "Control Actions", and "Prohibitions". Under "Recommended Actions", stated recommended actions (management measures) are found in the 2000 Nonpoint Source Pollution Control Program. Under "Control Actions", repeated three items found in Chapter V, Management Principles, Section III.A. GENERAL, three items found in Chapter V, Management Principles, Section III.C. DISCHARGE TO SURFACE WATERS, and one item found in Chapter V, Section V.G. EROSION AND SEDIMENTATION. Under "Prohibitions" repeated one item found in Chapter IV Section VIII.E. LAND DISTURBANCE ACTIVITIES and added reference, "For additional prohibitions see Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS."

7. Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, added

header "Recommended Actions". Under "Recommended Actions" added sub-headers "Erosion Study Recommendations" and "Actions By Other Authorities".

Under "Recommended Actions" repeated three items found in Chapter V, Management Principles, Section III.A. General, repeated one item found in Chapter V, Management Principles, Section III.G EROSION AND SEDIMENTATION CONTROL, and repeated one item found in Chapter V, Management Principles, Section V.G EROSION AND SEDIMENTATION. Also added headers Erosion Study Recommendations and Actions By Other Authorities.

8. Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, added header "Control Actions" and repeated three items found in Chapter V, Management Principles, Section III.C. Discharge to Surface Waters, moved items 1 through 7 from Section V.G. EROSION AND SEDIMENTATION, and moved items 3 through 7 from Section III.G. EROSION AND SEDIMENTATION CONTROL.
 9. Page IV-70, Section VIII.E.1. LAND DISTURBANCE PROHIBITIONS, made minor edits. Added reference, "For additional prohibitions see Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS."
 10. Page IV-75, after all other text, added "Section IX. TOTAL MAXIMUM DAILY LOADS" and introductory paragraph.
3. Page V-7, Section III.G. EROSION AND SEDIMENTATION CONTROL – Delete Item 1, moved Item 2 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Recommendations", moved Items 3 through 7 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Control Actions", and deleted last paragraph. Once the appropriate Items were moved to Chapter 4, made minor edits to Items 2 through 7, then deleted Section III.G. EROSION AND SEDIMENTATION CONTROL on Page V-7 of Chapter 5.
 4. Pages V-13 and 14, Section V.G. EROSION AND SEDIMENTATION –, moved Items 1 through 7 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Control Actions" and moved Item 8 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Recommendations", and deleted last paragraph of Section V.G. Page V-14. Once the appropriate Items were moved to Chapter 4, made minor edits to Items 1 through 7, then deleted Section V.G. EROSION AND SEDIMENTATION on Pages V-13 and 14 of Chapter 5.
 5. Pages V-15 and V-16, Section V.H.10. EROSION AND SEDIMENTATION CONTROL– Moved Items 1 through 8 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Recommendations" (ACTIONS BY OTHER AUTHORITIES). Once the appropriate Items were moved to Chapter 4, deleted Section V.H.10. EROSION AND SEDIMENTATION CONTROL on Pages V-15 and V-16 of Chapter 5.

Chapter 5

1. Page V-1, Section I. STATE WATER RESOURCES CONTROL BOARD PLANS AND POLICIES - Updated section to reflect "Nonpoint Source Pollution Control Program (January 2000)".
2. Page V-3, Section I.J. NONPOINT SOURCE MANAGEMENT PLAN - Updated section adding additional language to reflect "Nonpoint Source Pollution Control Program (January 2000)".

Appendices

1. Revised Plans and Policies Appendix "Table of Contents" to show deletion of Appendix A-10, Nonpoint Source Management Plan.
2. Deleted Appendix A-10, Nonpoint Source Management Plan (November 1988). This appendix references an outdated version of the

State Nonpoint Source Pollution Control Program.

ENVIRONMENTAL SUMMARY

A Notice of Public Hearing has been circulated. A Notice of Filing, Written Report, and Environmental Checklist (Attachment E) will be prepared and circulated to interested agencies and persons prior to consideration of the Basin Plan amendment. This will satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217).

COMMENTS

Deborah Johnston, Department of Fish and Game (phone call)

1. **Comment:** Section VIII.E. Land Disturbance, Control Actions, Item 3 states, The discharge of pollutants into surface waters shall be discontinued. The item specifies "surface fresh waters." Modify the item to address saline surface waters.

Response: Staff agrees. The item has been revised to read, "The discharge of pollutants into surface fresh waters shall be discontinued."

2. **Comment:** Section VIII.E. Land Disturbance, Control Actions, Item 14 states, Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion. Replace "Cover crops" with "Cover crops (using native plant species)."

Response: Staff has revised item 14 as follows, "Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion. The use of native plant species is recommended.

Regional Board Staff

3. **Comment:** Add a new section to the Basin Plan that will include currently adopted and future Total Maximum Daily Loads and associated Implementation Plans.

Response: Staff agrees. On Page IV-75, add "Section IX. TOTAL MAXIMUM DAILY LOADS" and the introductory paragraph.

4. **Comment:** Section VIII., Item 3., Use the term "Management Options" in place of "Three Tiered Approach".

Response: Staff has modified the section to read, "Continues use of Management Options (the "Three-Tiered Approach") for addressing NPS polluted problems".

RECOMMENDATION

The Regional Board should adopt the attached Resolution R3-2002-0093 (Attachment A), as proposed. Resolution R3-2002-0093 approves revision of the Basin Plan.

ATTACHMENTS

- Attachment A. Resolution R3-2002-0093
- Attachment B. Revised Basin Plan Chapter Four
- Attachment C. Revised Basin Plan Chapter Five
- Attachment D. Revised Basin Plan Appendix
- Attachment E. CEQA Checklist
- Attachment F. Notice of Public Hearing Notice of Filing a Draft Environmental Document
- Attachment G. Letter to Interested Persons
- Attachment H. Letter to Legal Notice Department

H:\WINWORD\Basin Planning\Work Plan Items to Complete\NPS Policy\NPS BP Amendment Staff Report 11-18-02.doc
Task: 401-01
File: Basin Plan, NPS Policy

ATTACHMENT A

RESOLUTION R3-2002-0093

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 AEROVISTA PLACE, SUITE 101
SAN LUIS OBISPO, CALIFORNIA 93401-7906**

**RESOLUTION R3-2002-0093
(Drafted November 18, 2002)**

**Adopting Revised State Water Resources Control Board
Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source
Plans, Policies, and Management Practices in an
Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan)
Requesting Approval from State Water Resources Control Board**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board) finds:

1. The California Regional Water Quality Control Board, Central Coast Region, adopted the *Water Quality Control Plan, Central Coastal Basin* (hereafter Basin Plan), on September 8, 1994.
2. The Regional Board periodically revises and amends the Basin Plan. The most recently finalized amendment to the Basin Plan was in April 1995.
3. The Regional Board is responsible for reviewing water quality standards and implementation plans as appropriate and for modifying and adopting standards contained in the Plans under provisions set forth in section 303(c) of the Federal Clean Water Act and Section 13240, Division 7 of the California Water Code.
4. The State Water Resources Control Board revised the State Nonpoint Source Management Plan to the "Nonpoint Source Pollution Control Program" (January 2002).
5. State Water Resources Control Board Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted on December 14, 1999, pursuant to Section 319 of the Clean Water Act.
6. The Nonpoint Source Pollution Control Program (dated January 2000) includes a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Management measures will be implemented using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.

7. The Nonpoint Source Pollution Control Program process includes: Assessing Program activities, targeting efforts, planning activities based on Program goals and objectives, coordinating the efforts of federal, State, and local agencies and stakeholders, implementing coordinated actions, tracking and monitoring the results of implemented actions, and reporting on Program results. The Program Plan is designed to be flexible and adaptable over time.
8. The Basin Plan contains existing nonpoint source information distributed throughout the document.
9. The Basin Plan requires restructuring in order to have appropriate nonpoint source information, findings, and requirements in a designated section of the Basin Plan (Section VIII. CONTROL OF NONPOINT SOURCE POLLUTANTS).
10. Section 303(d) of the Clean Water Act requires States to establish total maximum daily loads for waterbodies that do not meet water quality objectives that will insure attainment of water quality objectives, and then to incorporate those allocations into their Basin Plans.
11. Regional Board consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and threatened and endangered plants and animal species. The Department of Fish and Game has made a determination of "no jeopardy" pursuant to the California Endangered Species Act.
12. A draft notice of filing, staff report, the proposed amendment, and environmental checklist have been prepared and distributed to interested persons and agencies for review and comment in accordance with state and federal environmental regulations (23 CCR § 3775, 40 CFR 25 and 40 CFR 131).
13. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of the California Environmental Quality Act of 1977 (Public Resources Code 21000 et seq.).
14. The Regional Board finds adoption of these amendments will have no potential for adverse effect, either individually or cumulatively, on wildlife. The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment.
15. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
16. On December 13, 2002 in San Luis Obispo California, the Regional Board held a public hearing and considered all public testimony.

THEREFORE, BE IT RESOLVED:

1. Pursuant to section 13240 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment **Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source Plans, Policies, and Management Practices in an Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan)** as shown in Attachments B "Revised Chapter 4. Implementation Plan", C "Revised Chapter 5. Plans and Policies", and D "Revised Basin Plan Appendix". The amendment will not take effect until approved by the State Board, the Office of Administrative Law, and the United States Environmental Protection Agency.
2. The Regional Board's Executive Officer is authorized to submit the amendment to the State Water Resources Control Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Regional Board requests that the State Water Resources Control Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code, and that upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.
4. That the environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the State Board shall file a Notice of Decision with the State Clearinghouse.
5. That the Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results in a "*De Minimus*" impact finding.
6. That if during the approval process, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, Roger W. Briggs, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 13, 2002.

Executive Officer

December 13, 2002

Date

ATTACHMENT B

REVISED CHAPTER 4. IMPLEMENTATION PLAN

Notes for reading the proposed Basin Plan amendment:

1. New or edited text is underlined.

Example: The effectiveness of a water quality control program cannot be judged without the information supplied by

2. Removed text is crossed out.

Example: ~~The effectiveness of a water quality control program cannot be judged without the information supplied by~~

3. Moved text is highlighted.

Example: **The effectiveness of a water quality control program cannot be judged without the information supplied by**

4. Original text is unmarked.

Example: The effectiveness of a water quality control program cannot be judged without the information supplied by

CHAPTER 4. IMPLEMENTATION PLAN

A program of implementation to protect beneficial uses and to achieve water quality objectives is an integral component of this Basin Plan. The program of implementation is required to include, but is not limited to:

- A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.
- A time schedule for the actions to be taken.
- A description of surveillance to be undertaken to determine compliance with objectives.

Additional surveillance activities to determine compliance with objectives are described in Chapter Six, "Surveillance and Monitoring".

This chapter includes discussions of:

- Regional Water Quality Control Board Goals;
- General Control Actions and Related Issues;
- Waste Discharge Regulation;
- Hazardous Waste Compliance Issues; and
- Nonpoint Source Measures.

~~Detailed descriptions of waterbodies with their specific water quality problems and recommended control actions are included in the Region's Water Quality Assessment database and Fact Sheets.~~

This chapter is organized in the following manner:

- I. Regional Water Quality Control Board Goals
- II. General Control Actions and Related Issues
- III. Control Actions under State Board Authority
- IV. Control Actions to be Implemented by Other Agencies with Water Quality or Related Authority
- V. Control Actions under Regional Board Authority
 - A. ~~Waste Discharge Restrictions~~ Control of Point Source Pollutants
 1. Water Quality Certification
 2. National Pollutant Discharge Elimination System
 3. Waste Discharge Requirements
 4. Waivers

5. Prohibitions and Prohibition Exemptions
 6. Enforcement Actions
 7. ~~Best Management Practices~~
 8. Compliance Schedules
- ~~B. Nonpoint Source Program~~
- VI. Waste Discharge Program Implementation
 - A. Effluent Limits
 1. Stream Disposal
 2. Estuarine Disposal
 3. Ocean Disposal
 4. Land Disposal
 5. Reclamation and Reuse
 6. Pretreatment Programs
 7. Sludge Treatment
 - B. Municipal Wastewater Management Plans (arranged by hydrologic subarea)
 - C. Industrial Wastewater Management
 - D. Solid Waste Management
 - E. Storm Water Management
 - F. Bay Protection and Toxic Cleanup Program
 - G. Military Installations
 - H. Spills, Leaks, Investigations, and Cleanup Program
 - I. Underground Tank Storage Tank Program
 - J. Aboveground Petroleum Storage Tanks
 - K. California Code of Regulations, Title 23, Chapter 15
 1. Solid and Liquid Waste Requirements (Landfills and Surface Impoundments)
 2. Wastewater Sludge (Septage Management)
 3. Mining Activities (Nonfuel Commodities)
 4. Other Industrial Activities
 - L. Resource Conservation and Recovery Act (Subtitle D)
 - M. Solid Waste Water Quality Assessment Test
 - VII. Hazardous Waste Compliance Issues
 - A. Reportable Quantities of Hazardous Waste and Sewage Discharges
 - B. Proposition 65
 - VIII. Control of Nonpoint Source Measures Pollutants
 - A. ~~Coastal Zone Act Reauthorization Amendments~~ Wetlands, Riparian Areas, and Vegetated Treatment Systems
 - B. Urban Runoff Management
 - C. Agricultural Water and Wastewater Management
 - D. Individual, Alternative, and Community Disposal Systems
 - E. Land Disturbance Activities

Revise the September 8, 1994 Basin Plan,
Chapter 4, Page IV-3, Section V.A. Waste
Discharge Restrictions as follows:

**V.A. WASTE
DISCHARGE
RESTRICTIONS
CONTROL OF POINT
SOURCE
POLLUTANTS**

Revise the September 8, 1994 Basin Plan, Chapter 4, Pages IV-5 and IV-6, Section V.A.7. BEST MANAGEMENT PRACTICES as follows (Moved to page IV-45, Section VIII.A.):

V.A.7. BEST MANAGEMENT PRACTICES

Property owners, managers, or other dischargers may implement "Best Management Practices" to protect water quality. (Implementation and enforcement of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter). The term "Best Management Practices" is used in reference to control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations Section 103.2[m]) defines Best Management Practices as follows:

"Methods, measures, or practices selected by an agency to meet its nonpoint source control needs. Best Management Practices include, but are not limited to structural and nonstructural controls and operation and maintenance procedures. Best Management Practices can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 103.6[b][4][i]) provide that Basin Plans:

"...shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

Best Management Practices fall into two general categories:

1. Source controls which prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing stream banks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion controls, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment practices which remove pollutants from a discharge before it reaches surface or ground waters.

Examples include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized;

Best Management Practices are not officially considered "best" practices for use in California unless they have been certified by the State Board.

The use of Best Management Practices does not necessarily ensure compliance with effluent limitations or with receiving water objectives. Because nonpoint source control has been a priority only since the 1970's, the long term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly. Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.

The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.

To be effective, most Best Management Practices must be implemented on a long term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.

- The "state of the art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

□ General information on nonpoint source management practices is provided under different water quality problem categories throughout this chapter. For detailed information on the design, implementation, and effectiveness of specific Best Management Practices, the reader should consult the appropriate Best Management Practices Handbook for the project type or location.

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Revise the September 8, 1994 Basin Plan, Chapter 4, Pages IV-7 and IV-8, Section V.B., NONPOINT SOURCE PROGRAM as follows (Moved to page IV-44, Section VIII.):

V.B. NONPOINT SOURCE PROGRAM

Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.

In order to address the nonpoint source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. By amending the Clean Water Act, Congress shifted the federal emphasis from nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the federal Clean Water Act required each state to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan which outlined steps to initiate the systematic management of nonpoint sources in California. For effective management of nonpoint sources the Management Plan required:

- An explicit long term commitment by the State Board and Regional Boards;
- More effective coordination of existing State Board and Regional Board nonpoint source related programs;
- Greater use of Regional Board regulatory authority coupled with nonregulatory Regional Board programs;

Stronger links between the local, State, and federal agencies which have authority to manage nonpoint sources; and

Development of new funding sources.

The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:

1. Voluntary implementation of Best Management Practices

Property owners or managers may volunteer to implement Best Management Practices. Implementation could occur for economic reasons and/or through awareness of environmental benefits.

2. Enforcement of Best Management Practices

Although the California Porter Cologne Water Quality Control Act constrains Regional Boards from specifying the manner of compliance with water quality standards, there are two ways in which Regional Boards can use their regulatory authority to encourage implementation of Best Management Practices.

The Regional Board may encourage Best Management Practices by waiving adoption of waste discharge requirements on condition that discharges comply with Best Management Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.

The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharge requirements, and approved Management Agency Agreements, or other State or Regional Board formal action.

3. Adoption of Effluent Limitations

The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge, including discharges from nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations

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may be set at a level which, in practice, requires implementation of Best Management Practices.

Not all of the categories of nonpoint source pollution follow this three tiered approach. For example, silviculture activities or nonpoint source pollution administered by the California Department of Forestry. The State Board has worked into the Interagency Agreement with the California Department of Forestry which allows the Regional Board to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.

The Regional Board approach to addressing or regulating categories of nonpoint source pollution is discussed in various sections throughout this chapter.

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Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-44 and Page IV-45, Section VIII. NONPOINT SOURCE MEASURES as follows:

VIII. NONPOINT SOURCE PROGRAM CONTROL OF NONPOINT SOURCE MEASURES POLLUTANTS

Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as diffuse discharges of waste without a single point of origin sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is typically caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.

To address the nonpoint source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. By a Amendments to the Clean Water Act (www.swrcb.ca.gov/rwqcb3/), Congress shifted the federal emphasis from nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the federal Clean Water Act required each state to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan which that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to become the "Nonpoint Source Pollution Control Program (January 2000)" in December 1999 (www.swrcb.ca.gov/rwqcb3/). The State Water Resources Control Board adopted Resolution 99-114, revising the Nonpoint Source Pollution Control Program on December 14, 1999, pursuant to Section 319 of the

Clean Water Act. For effective management of nonpoint sources the Management Plan required:

- An explicit long-term commitment by the State Board and Regional Boards;
- More effective coordination of existing State Board and Regional Board nonpoint source related programs;
- Greater use of Regional Board regulatory authority coupled with nonregulatory Regional Board programs;
- Stronger links between the local, State, and federal agencies which have authority to manage nonpoint sources; and
- Development of new funding sources.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Implementation of management measures will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process. The program process includes:

- (1) Assessing Program activities
- (2) Targeting efforts
- (3) Planning activities based on Program goals and objectives
- (4) Coordinating the efforts of federal, State, and local agencies and stakeholders
- (5) Implementing coordinated actions
- (6) Tracking and monitoring the results of implemented actions
- (7) Reporting on Program results. The Program Plan is designed to be flexible and adaptable over time.

Specifically, the 2000 Nonpoint Source Pollution Control Program:

1. Adopts 61 management measures as goals for six nonpoint source categories (agriculture, forestry, urban areas, marinas and recreational boating, hydromodification, and wetlands/riparian areas/vegetated treatment systems)

2. Provides a fifteen-year strategy for implementing Management Measures
3. Continues use of Management Options (the "Three-Tiered Approach") for addressing NPS pollution problems:
 - a) Tier 1: Self-Determined Implementation of Management Practices (formerly referred to as "voluntary" implementation)
 - b) Tier 2: Regulatory Based Encouragement of Management Practices (e.g. Management Agency Agreements, established waivers, etc.)
 - c) Tier 3: Effluent Limitations and Enforcement Actions (e.g., Basin Plan prohibitions, Waste Discharge Requirements, etc.)
4. Provides the first of three five-year implementation plans targeting activities for specific management measures consistent with state and regional priorities in specific watersheds and also establishes mechanisms for: (a) coordination among agencies; (b) participation by the public; (c) assistance technically and financially; (d) adoption of additional management measures as goals, if needed; and: (e) monitoring and reporting of program effectiveness
5. Promotes long-term interagency coordination among State agencies of the California Environmental Protection Agency and Resources Agency as well as other local, State, and federal agencies
6. Identifies back-up authorities and enforceable policies and mechanisms for the 61 management measures adopted by the State
7. Relies on the use of existing authorities and regulatory processes (see page IV-3, Section V, Control Actions Under Regional Board Authority) to achieve implementation but allows for the adoption of the management measures as regulation after each five-year cycle if adequate progress in NPS pollution control has not been demonstrated.

The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:

1. Voluntary implementation of Best Management Practices

Property owners or managers may volunteer to implement Best Management Practices. Implementation could occur for economic reasons and/or through awareness of environmental benefits.

2. Enforcement of Best Management Practices

Although the California Porter-Cologne Water Quality Control Act constrains Regional Boards from specifying the manner of compliance with water quality standards, there are two ways in which Regional Boards can use their regulatory authorities to encourage implementation of Best Management Practices.

First, the Regional Board may encourage Best Management Practices by waiving adoption of waste discharge requirements on condition that discharges comply with Best Management Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.

The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharger requirements, and approved Management Agency Agreements, or other State or Regional Board formal action.

3. Adoption of Effluent Limitations

The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge, including discharges from nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations may be set at a level which, in practice, requires implementation of Best Management Practices.

Not all of the categories of nonpoint source pollution follow this three-tiered approach. For example, silviculture activities on non-federal lands are administered by the California Department of Forestry. The State Board has entered into a Management Agency Agreement with California Department of Forestry which allows the Regional Boards to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.

The Regional Board approach to addressing or regulating categories of nonpoint source pollution is discussed in various sections throughout this chapter: the Basin Plan and the Central Coast Region Watershed Management Initiative Chapter (www.swrcb.ca.gov/rwqcb3/).

The Nonpoint Source Pollution Control Program has State Nonpoint Source Management Plan initiated

development implements of specific program objectives to be implemented at the State and Regional level. Currently, Regional Board staff are implementing the following State Board program objectives:

A. Control of Nonpoint Source pollution (urban runoff; agriculture; land disturbance activities such as road construction/maintenance, land construction, timber harvesting, and mining; hydrologic modification; and individual disposal systems). These activities include outreach, education, public participation, technical assistance, financial assistance, interagency coordination, demonstration projects, and regulatory activities such as imposing septic tank area prohibitions.

B. Preparation of contracts for projects selected for grant funding. Regional Board staff also participate in these projects by providing technical assistance and publicizing their results.

C. Implementation of the 1990 Coastal Zone Act Reauthorization Amendments, as developed by the State Board and the California Coastal Commission. This shall be an enforceable Nonpoint Source Management Program to control land use and anthropomorphic activities impacts that have a significant affect on coastal waters. (Further discussion of the Amendments is provided later.)

D. Initiation of nonpoint source watershed pilot programs.

Using State program objectives, Regional Board staff annually developed task-specific workplans work plans to address nonpoint sources of pollution. For the Central Coastal Region, the following Nonpoint Source Program tasks activities are managed and implemented by the Nonpoint Source Program staff are documented in the Central Coast Region Watershed Management Initiative Chapter (January 2002 WMI at www.swrcb.ca.gov/rwqcb3/).

Task 1: Water Quality Assessment

Regional Board staff reviewed and updated the nonpoint source portion of the Water Quality Assessment and prepared water body fact sheets. (The Water Quality Assessment and water body fact sheets are discussed in Chapter Six.)

Task 2: Watershed Studies/Planning

Three impaired watersheds (Morro Bay Watershed, San Luis Obispo Creek Watershed, and San Lorenzo River Watershed) have been targeted for intensive activity. Major activities for San Luis Obispo Creek watershed include:

1. Develop a Demonstration "Total Maximum Daily Load" model.
2. Create a "San Luis Obispo Creek Riparian Task Force".
3. Implement a riparian corridor restoration project.
4. Identify major nonpoint pollutants and sources.
5. Develop a watershed management program.

For Morro Bay watershed, the activities include:

1. Develop a long term monitoring program to assess water quality improvements associated with the implementation of nonpoint source pollution control measures.
2. Develop funding for the long term monitoring program.
3. Implement a sediment reduction program using best management practices.
4. Participate in the Morro Bay Task Force.

For San Lorenzo River watershed, the activities include:

1. Develop a detailed assessment of Nonpoint Source impacts in the watershed.
2. Develop a wastewater management plan for on/off site wastewater disposal.
3. Develop of a nutrient objective for the river.
4. Conduct experimental on-site wastewater treatment to reduce nitrogen discharge into the environment.

Task 3: Outreach Program

Staff meets regularly with individuals and local government agencies to promote education and solutions on Nonpoint Source problems. Additionally, the use of

grant and loan resources to correct Nonpoint Source problems is emphasized during outreach activities.

Specific outreach activities include participation on the San Luis Obispo Creek Riparian Task Force, Morro Bay Task Force, and various 319(h)/205(j)/Basin Planning Technical Advisory Committees, and development of grant applications with local agencies.

Task 4: Project Tracking and Participation

Regional Board staff prepare contracts, coordinate with project proponents, track project progress, review and approve invoices, and provide technical support for Nonpoint Source grant funded projects.

Examples of additional management actions are documented in the following:

California Rangeland Water Quality Management Plan

Salinas River Watershed Management Action Plan

Water Quality Protection Program for Monterey Bay National Marine Sanctuary, Action Plan IV: Agriculture and Rural Lands

Central Coast Region Watershed Management Initiative Chapter

These documents are located on the Regional Board website at (www.swrcb.ca.gov/rwqcb3/).

BEST MANAGEMENT PRACTICES

Property owners, managers, or other dischargers may implement "Best Management Practices" to protect water quality. (Implementation and enforcement of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter). The term "Best Management Practices" is used in references to control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations Section 103.2[m]) (www.swrcb.ca.gov/rwqcb3/) defines Best Management Practices as follows:

"Methods, measures, or practices selected by an agency to meet its nonpoint source control needs. Best Management Practices include, but are not

limited to structural and nonstructural controls and operation and maintenance procedures. Best Management Practices can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 103.6[b][4][i]) (www.swrcb.ca.gov/rwqcb3/) provide that Basin Plans:

"...shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

Best Management Practices fall into two general categories:

1. Source controls which that prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing stream banks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion controls, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment controls which remove pollutants from a discharge before it reaches surface or ground waters.

Examples include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized:

- Best Management Practices are not officially considered "best" practices for use in California unless they have been certified by the State Board.
- The use of Best Management Practices does not necessarily ensure compliance with effluent

limitations or with receiving water objectives. Because nonpoint source control has been a priority only since the 1970's, the long-term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly. Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.

- The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.
- To be effective, most Best Management Practices must be implemented on a long-term long-term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.
- The "state-of-the-art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

General information on recommended nonpoint source management practices is provided under different water quality problem categories throughout this chapter for urban, agriculture, onsite wastewater disposal, and other land disturbance activities are described in the following sections (also see "Nonpoint Source Pollution Control Program (January 2000)"). For detailed information on the design, implementation, and effectiveness of specific Best Management Practices, the reader should consult the appropriate Best Management Practices Handbook for the project type or location.

Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-45 and Page IV-46, Section VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS as follows:

VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS Wetlands, Riparian Areas, and Vegetated Treatment Systems

The State has identified four Management Measures (MMs) to promote the protection and restoration of wetlands and riparian areas and the use of vegetated treatment systems as means to control nonpoint sources of pollution. Wetlands and riparian areas reduce polluted runoff by filtering out runoff-related contaminants, such as sediment, nitrogen, and phosphorus, thus maintaining the water quality benefits of these areas is important. These areas also help to attenuate flows from higher-than-average storm events. This attenuation protects downstream areas from adverse impacts, such as channel scour, erosion, and temperature and chemical fluctuations. Changes in hydrology, substrate, geochemistry, or species composition can impair the ability of wetland or riparian areas to filter out excess sediment and nutrients and therefore can result in deteriorated water quality. The following activities can cause such impairment: drainage of wetlands for cropland, overgrazing, hydromodification, highway construction, deposition of dredged material, and excavation for ports and marinas.

RECOMMENDED ACTIONS

Recommended actions (management measures) are found in the 2000 Nonpoint Source Pollution Control Program.

CONTROL ACTIONS

1. All discharges to the aquatic environment shall be considered temporary unless it is demonstrated that no undesirable change will occur in natural receiving water quality.

2. The quality of all surface waters of the basin shall be such as to permit unrestricted recreational use.
3. The discharge of pollutants into surface waters shall be discontinued.
4. Erosion from nonpoint pollution sources shall be minimized through implementation of Best Management Practices.
5. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November October 15 each year.
6. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.
7. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.

PROHIBITIONS

1. The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.
2. As specified in Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS.

In November 1990, Congress enacted Section 6217 of the Coastal Zone Act Reauthorization Amendments to help address the problem of nonpoint source pollution in coastal waters. Section 6217 requires that coastal states with federally approved coastal management programs develop Coastal Nonpoint Pollution Control Programs. The legislative history indicates that the central purpose of section 6217 is to strengthen the links between federal and State coastal zone management and water quality programs in order to enhance efforts to manage land use

activities that degrade coastal beneficial uses. The State coastal zone management agency designated under Section 306 of the Amendments and nonpoint source management agency designated under section 319 of the Clean Water Act will have a dual and co-equal role and responsibility in developing and implementing the coastal nonpoint program.

The program gives the U.S. Environmental Protection Agency (U.S. EPA) and the National Oceanic and Atmospheric Administration joint authority to approve programs developed by the State to address 6217 requirements.

The State agencies chosen to develop California's Coastal Nonpoint Pollution Control Program are the State Board and the Coastal Commission. The statute requires that the State program be "coordinated closely with State and local water quality plans and programs." This means that the State's nonpoint source programs under Sections 208 and 319 of the Clean Water Act and the coastal program must be examined to determine if they comprehensively address land use activities and anthropomorphic effects that have a significant effect on coastal waters. In addition, the State agencies are charged with developing a coordinated program that:

- identifies categories of nonpoint sources that adversely impact coastal waters;
- describes management measures to be implemented;
- identifies the land uses and critical coastal areas that will require more stringent or additional management measures;
- describes the State developed additional management measures to be implemented in critical areas;
- documents the authorities the State will use to implement both the guidance and additional management measures, including designation of a lead agency for each source category and/or subcategory; and
- sets forth a schedule to achieve full implementation of the guidance management measures within three years of program approval by U.S. EPA and National Oceanic and Atmospheric Administration, and full implementation of additional management measures within six years of program approval.

The Coastal Commission and the State Board staff have been working on a strategy to develop the required

Coastal Nonpoint Pollution Control Program plan. Recently, the State Board directed staff to review and revise the statewide Nonpoint Source Management Plan to include a strong coastal component. Revision of the Plan is intended to satisfy the requirements of Section 6217 within the existing framework of current nonpoint source activities.

On a Regional Board level, staff has been involved with the statewide program since 1991. A pilot project, "The New Coastal Nonpoint Pollution Control Program using the Morro Bay Watershed as a Model" was performed to assess the feasibility of establishing the Coastal Nonpoint Pollution Control Program in California. Regional Board staff supplied technical information and reviewed reports. Concerted planning and implementation efforts on target coastal watersheds such as Morro Bay will be major accomplishments to satisfy Coastal Nonpoint Pollution Control Program requirements. As the program goes statewide, Regional Board staff will attend technical advisory committee meetings and will work closely with staff of the State Board and other Regional Boards, as well as staff of other relevant local, State, and federal agencies to develop a workable Coastal Nonpoint Pollution Control Program.

Wastewater originating from nonpoint sources includes those from urban runoff, agricultural activities, on-site sewage disposal systems, and land disturbance activities. Management of these types of nonpoint source discharges are discussed in the following section. The Regional Board will be developing management practices for marinas and recreational boating; hydromodification facilities; and wetlands, riparian areas, and vegetated treatment systems at a future date.

Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-68 and Page IV-69, Section VIII.E.1. LAND DISTURBANCE ACTIVITIES as follows:

VIII.E. LAND DISTURBANCE ACTIVITIES

Construction, mining, and other soil disturbance activities which that may disturb or expose soil or otherwise increase susceptibility of land areas to erosion are difficult to regulate effectively. Construction projects or timber harvesting activities may often begin and end with no obvious impairment of stream quality; however, erosion or land slides landslides the following winter may be directly related to earlier land disturbance or tree cutting. Mining and quarrying activities are generally longer in duration.

Under contract with the Regional Board, the California Association of Resource Conservation Districts completed a study entitled, "Erosion and Sediment in California Central Coast Watersheds - A study of Best Management Practices" (Erosion Study), dated June, 1979. This Erosion Study, funded under Section 208 of the Clean Water Act, assesses impacts of erosion and sedimentation on water quality and beneficial uses in nondesignated planning areas (San Benito, San Luis Obispo, and Santa Barbara Counties) of the Central Coast Region. This Erosion Study and supporting documents have been used by the Regional Board in developing erosion and sedimentation control policy.

Nonpoint source pollution in the remainder of the Region is addressed by designated planning agencies through their respective Area wide Waste Treatment Management Plans. Designated agencies and the areas affected within this Region include: Association of Bay Area Governments (portions of San Mateo and Santa Clara Counties), Association of Monterey Bay Area Governments (Santa Cruz and Monterey Counties), and Ventura County Board of Supervisors (portion of Ventura County). The policy herein described is compatible with those plans and is within the scope of the Regional Board authority.

The Erosion Study and Area wide Waste Treatment Management Plans identify examples of accelerated erosion resulting from insufficient land management of soil cultivation, grazing, silviculture, construction, and off-road vehicle activities, as well as wildfires.

Adverse impacts of sediment are identified, in part, as: impairment of water supplies and ground water recharge, siltation of streams and reservoirs, impairment of navigable waters, loss of fish and wildlife habitat, degradation of recreational waters, transport of pathogens and toxic substances, increased flooding, increased soil loss, and increased costs associated with maintenance and operation of water storage and transport facilities. Recommendations based on conclusions of the Erosion Study and practices recommended in Area wide Waste Treatment Management Plans are a means to reduce unnecessary soil loss due to erosion and to minimize adverse water quality impacts resulting from sediment.

When a practice or combination of practices is found to be the most effective, practical (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals, it is designated a Best Management Practice (BMP). BMPs are determined only after problem assessment, examination of alternative practices, and appropriate public participation in the BMP development process.

RECOMMENDED ACTIONS

1. Land use practices should assure protection of beneficial water uses and aquatic environmental values.
2. There shall be no waste discharged into areas that possess unique or uncommon cultural, scenic, aesthetic, historical or scientific values. The Regional Board will define such areas.
3. Property owners are considered ultimately responsible for all activities and practices that could result in adverse affects on water quality from waste discharges and surface runoff.
4. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the State.
5. Use of soil sterilants is discouraged and should be minimized.

Erosion Study Recommendations

General recommendations based on conclusions of the Erosion Study are discussed below. These recommendations are considered to be Best Management Practices (BMPs) by the Regional Board as are the Area wide approved water quality management plans.

1. Soil conservation control measures should be used to minimize impacts that would otherwise result from soil erosion. Control measures are identified according to systems, which are then broken down into subsystems of erosion control techniques or component measures.

For example, a system for control of erosion from construction sites would identify component measures such as debris basins, access roads, hillside ditches, etc. Other conservation control systems include: conservation cropping, conservation irrigation, roadside erosion control, critical area treatment, diversions and ditches, grade stabilization, pasture and range management, runoff and sediment control ponds and basins, stream bank and channel protection, and watershed, wildlife, and recreation land improvement. These control measures are comparable to the USDA Soil-Natural Resources Conservation Services' Resource Management Subsystem approach as referenced in AMBAG's "Water Quality Management Plan for the Monterey Bay Region," dated July 1978, and in ABAG's, "Handbook of Best Management Practices," dated October 1977.

Experience has shown that no one control measure best solves an existing, or prevents a potential, pollution problem - especially in the area of soil erosion and sedimentation. As land use, the land user, and various situations change, so does the need for control measures. Before application, an on-site investigation with the land user is necessary to determine which practice or set of practices will be most effective and acceptable.

2. Erosion control should be implemented in a reasonable manner with as much implementation responsibility remaining with existing local entities and programs as is possible and consistent with water quality goals.
3. The Regional Board and local units of government should establish a clear policy for control of erosion, including consideration of off-site and cumulative impacts and the imposition of performance standards

according to the sensitivity of the area where land is to be disturbed.

4. Effective ordinances and regulatory programs should be adopted by local units of government. Effective programs would allow only land disturbance actions consistent with the waste load capacity of the watershed, require preparation of erosion and sediment control plans with specific contents and with attention to both offsite/on-site impacts, identify performance standards, be at least comparable to the model ordinance in the "Erosion and Sediment Control Handbook," dated May 1978, and have provisions for inspection follow-up, enforcement, and referral.
5. Watersheds with critical erosion and sediment problems should be identified by one or more concerned agencies such as the California Department of Fish and Game, the Regional Board, the local Environmental Health, Planning, or Engineering Departments, the local Flood Control District, or the local Resource Conservation District, and then referred to the remaining agencies by a designated local coordinating agency for determining the scope, nature, and significance of the identified problem. The designated local agency would evaluate the adequacy and appropriateness of the total assessment, including an assessment of the problem and causes, alternatives considered, recommended interim and permanent control measures, and the amount and sources of funding. The evaluation would then be submitted as an Impact Findings Report for consideration and decision by the local governing body.
6. Comprehensive and continuous training should be mandatory for building and grading inspectors, engineers, and planners involved in approving, designing, or inspecting erosion control plans and on-site control measures. The training program would preferably be conducted on an inter-county/agency basis and be administered through a USDA Natural Resources Soil Conservation Service cooperative training arrangement or ~~through seminars~~ through seminars conducted by the USDA Natural Resources Soil Conservation Service and the University of California Cooperative Extension seminars. The Soil Conservation Society of America should be requested to assist in establishing an effective training program, including public education to heighten awareness of the adverse affects of erosion and sediment on soil and water resources.

7. More intensive erosion controls should be considered within four watersheds (Lauro Reservoir and Devereaux Ranch Slough in Santa Barbara County and Pismo Lake and Morro Bay in San Luis Obispo County) with apparent critical erosion and sediment problems. Alternative practices that may be implemented to effect the necessary level of control are assigned a relative priority.

Actions By Other Authorities

1. The federal government should increase its support of erosion and sediment control programs by increasing its technical staff, increasing cost-share funds, increasing the availability of low-interest loans, and changing its income tax laws to encourage the use of Best Management Practices for erosion and sediment control.
2. The State of California should establish an erosion and sediment control program that includes incentives for the individual - such as cost-sharing, changes in State law that would reduce property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.
3. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of Best Management Practices to correct existing erosion and sediment problems and to prevent new problems from occurring.
4. Local units of government should improve land use plans to establish a clear policy, and shall adopt or improve ordinances to include definitive performance standards, for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices. ~~identified under Regional Board "Management Principles."~~
5. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with Best Management Practices for their land areas within the Coastal Zone.
6. Resource Conservation Districts, the U.S.D.A. Soil Natural Resources Conservation Service, the

California Department of Transportation, and the U.C. Cooperative Extension Service, in conjunction with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who check erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.

7. Counties and cities should work with the Regional Board to identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation.
8. Review and assessment of erosion and sediment control plans for new land developments in those counties and cities that have signed management agency agreements with the Board will be processed entirely by that county or city.

CONTROL ACTIONS

1. All discharges to the aquatic environment shall be considered temporary unless it is demonstrated that no undesirable change will occur in the natural receiving water quality.
2. The quality of all surface waters of the basin shall be such as to permit unrestricted recreational use.
3. The discharge of pollutants into surface waters shall be discontinued.
4. In implementing BMP's through local units of government, or through State and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the area wide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually to reflect recent achievements, new information and new concerns.
5. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.

6. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger are exempt from this chapter providing such exemption is in the public interest.

7. Regulation of sediment discharges from routine annual non-irrigated agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.

8. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.

9. Erosion from nonpoint pollution sources shall be minimized through implementation of Best Management Practices.

10. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to ~~November~~ October 15 each year.

11. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.

12. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.

13. Design and maintenance of erosion and sediment control structures, (e.g., debris and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practices.

14. Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from

excessive erosion. The use of native plant species is recommended.

15. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded slope length shall not be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.

Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-68 through Page IV-69, Section VIII.E.1. LAND DISTURBANCE PROHIBITIONS as follows:

VIII.E.1. LAND DISTURBANCE PROHIBITIONS PROHIBITIONS

The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from timber harvesting, construction, and other soil disturbance activities at locations above the anticipated high water line of any stream in the basin where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

Soil disturbance activities not exempted pursuant to Regional Board Management Principles in Chapter Five and Control Actions contained in this Chapter Five are prohibited:

1. In geologically unstable areas,
2. On slopes in excess of thirty percent (excluding agricultural activities), and
3. On soils rated a severe erosion hazard by soil specialists (as recognized by the Executive Officer) where water quality may be adversely impacted;

Unless,

- a. In the case of agriculture, operations comply with, a Farm Conservation or Farm Management Plan, approved by a Resource Conservation District or the ~~USDA-Soil Conservation Service~~ Natural Resources Conservation Service;
- b. In the case of construction and land development, an erosion and sediment control plan or its equivalent (e.g., EIR, local ordinance) prescribes best

management practices to minimize erosion during the activity, and the plan is certified or approved, and will be enforced by a local unit of government through persons trained in erosion control techniques; or,

- c. There is no threat to downstream beneficial uses of water, as certified by the Executive Officer of the Regional Board.

4. As specified in Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS.

IX. TOTAL MAXIMUM DAILY LOADS

The goal of setting a Total Maximum Daily Load (TMDL) is to attain state water quality standards for waterbodies identified to be impaired by a pollutant and, therefore, not meeting water quality standards. Development of a TMDL typically involves a quantitative assessment of water quality problems, contributing pollutant sources, and numeric goals that indicate if and when water quality standards are met. The TMDL value specifies the maximum amount of pollutant that can be discharged (or the amount of a pollutant that needs to be reduced) to meet water quality standards. Components of a TMDL include load allocations for nonpoint source and background pollution, waste load allocations for point source pollution, and a margin of safety that accounts for the uncertainty about the relationship between the pollutant loads and the quality of the receiving waterbody. This section includes the TMDLs calculated for the specified waterbody identified to be impaired by a pollutant, the numeric targets set for the waterbody/pollutant combination that serve as indicators of water quality standards, and allocations of pollutant loads among sources contributing the pollutant to the waterbody. Associated with each TMDL is an implementation plan and a monitoring plan. The implementation plan describes how the water quality standards will be achieved for the waterbody/pollutant combination. These implementation plans typically include actions to be taken, requirements to be imposed through regulatory authorities, and a time schedule for actions and requirements to be implemented. The monitoring plans typically include monitoring parameters, collection methods, analysis methods, and sample collection locations. Monitoring data is used to track

implementation efforts and make informed decisions
about water quality conditions and standards.

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Policy\CH4 11-12-02 Proposed BP Amendment.DOC
Task: 401-01
File: : Basin Plan, NPS Policy

ATTACHMENT C

REVISED CHAPTER 5. PLANS AND POLICIES

CHAPTER 5. PLANS AND POLICIES

In addition to the Implementation Plan, many other plans and policies direct State and Regional Board actions or clarify the Regional Board's intent. The following pages contain brief descriptions of State Board plans and policies and numerous Regional Board plans and policies. ~~Copies of the State and Regional Board policies are contained in the Appendix.~~

Nonpoint Source Pollution Control Program (January 2000)~~Nonpoint Source Management Plan~~

Ocean Plan

Discharges of Municipal Solid Waste Policy

Should any of these policies be amended by the State Board, the Regional Board will implement the amended version.

The following sections summarize the adopted policies. ~~The complete policy is available in the "Attachments" section of this document.~~

I. STATE WATER RESOURCES CONTROL BOARD PLANS AND POLICIES

The State Water Resources Control Board (State Board) has adopted a number of plans and policies for Statewide water quality management including:

State Policy for Water Quality Control (1972)

Anti-degradation Policy

Thermal Plan

Bays and Estuaries Policy

Power Plant Cooling Policy

Reclamation Policy

Shredder Waste Disposal Policy

Underground Storage Tank Pilot Program

Sources of Drinking Water Policy

Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-3 and V-4, Section I.J. NONPOINT SOURCE MANAGEMENT PLAN as follows:

I.J. NONPOINT SOURCE MANAGEMENT PLAN

Resolution R3-2002-0093: Adopting policy regarding the State Nonpoint Source Pollution Control Program (January 2000).

~~The "Nonpoint Source Management Plan", Resolution 88-123, was adopted by the State Water Resources Control Board on November 15, 1988 pursuant to Section 319 of the Clean Water Act. The Plan identifies nonpoint source control programs and milestones for their accomplishment. It emphasizes cooperation with local governments and other agencies to promote the implementation of Best Management Practices and remedial projects.~~

In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to the "Nonpoint Source Pollution Control Program (January 2000)" in December 1999 (www.swrcb.ca.gov/rwqcb3/). Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted by the State Water Resources Control Board on December 14, 1999 pursuant to Section 319 of the Clean Water Act.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Implementation of management measures will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.

Revise the September 8, 1994 Basin Plan,
Chapter 5, Page V-7, Section III.G.
EROSION AND SEDIMENTATION
CONTROL as follows:

III.G. EROSION AND SEDIMENTATION CONTROL

1. General recommendations for erosion control, numbered one through six under "Land Disturbance Activities" in the Implementation Plan, Chapter Four, are considered by the Regional Board to be Best Management Practices (BMP's), as are those BMP's identified in approved areawide Water Quality Management Plans.
2. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the State.
3. In implementing BMP's through local units of government, or through State and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the areawide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually. They receive achievements, new information, and recommendations.
4. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.
5. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger

are exempt from this chapter providing such exemption is in the public interest.

6. Regulation of sediment discharges from routine annual agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.
7. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.

"Control Actions" and "Actions by Other Authorities" in this chapter and the Implementation Plan, Chapter Four, contain further information regarding erosion and sedimentation control.

Text Moved

Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-13 and V-14, Section V.G. EROSION AND SEDIMENTATION as follows:

~~V.G. EROSION AND SEDIMENTATION~~

- ~~1. Erosion from nonpoint pollution sources shall be minimized through implementation of BMP's (identified under "Management Principles" and described under "Land Disturbance Activities" in Chapter Four's "Nonpoint Source Measures" section.~~
- ~~2. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November 15 each year.~~
- ~~3. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.~~
- ~~4. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible between significant land disturbance activities and watercourses, lakes, bays, estuaries, rivers, and other water bodies. For each activity, a minimum width of the filter strip shall be established, wherever possible as measured along the ground surface to the highest anticipated water line.~~
- ~~5. Design and maintenance of erosion and sediment control structures, (e.g., debris and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practices.~~
- ~~6. Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion.~~
- ~~7. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded slope length shall not~~

~~be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.~~

- ~~8. Use of soil sterilants is discouraged and should be minimized.~~

~~Further erosion and sedimentation information can be found in other areas of this chapter as well as the Implementation Plan, Chapter Four, under "Land Disturbance Activities."~~

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Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-15 and V-16, Section V.H.10. EROSION AND SEDIMENTATION CONTROL as follows:

~~V.H.10. EROSION AND SEDIMENTATION CONTROL~~

- ~~1. The federal government should increase its support of erosion and sediment control programs by increasing its technical staffs, increasing cost share funds, increasing the availability of low interest loans, and changing its income tax laws to encourage the use of Best Management Practices for erosion and sediment control.~~
- ~~2. The State of California should establish an erosion and sediment control program that include incentives for the individual states to share changes in State law that would reduce property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.~~
- ~~3. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of Best Management Practices to correct existing erosion and sediment problems and to prevent new problems from occurring.~~
- ~~4. Local units of government should improve land use plans to establish a clear policy, and shall adopt or improve ordinances to include definitive performance standards, for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices identified under Regional Board "Management Principles."~~
- ~~5. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with Best Management Practices for their land areas within the Coastal Zone.~~
- ~~6. Resource Conservation Districts, the U.S.D.A. Soil Conservation Service, the California Department of Transportation, and the Extension Service, in~~

~~conjunction with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who check erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.~~

- ~~7. Counties and cities should work with the Regional Board to identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation.~~
- ~~8. Review and assessment of erosion and sediment control plans for new land developments in those counties and cities that have signed management agency agreements with the Board will be processed entirely by the county or city.~~

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ATTACHMENT D

REVISED BASIN PLAN APPENDIX

Revise the September 8, 1994 Basin Plan, Plans and Policies Appendix, Page 1 as Follows:

PLANS AND POLICIES APPENDIX

<u>Number</u>	<u>Title</u>
A-1	State Policy for Water Quality Control (1972)
A-2	Statement of Policy with Respect to Maintaining High Quality of Waters in California (Anti-degradation Policy)
A-3	Water Quality Control Plan for Control of Temperature in Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan)
A-4	Water Quality Control Policy for the Enclosed Bays and Estuaries of California (Bays and Estuaries Policy)
A-5	Power Plant Cooling Policy
A-6	Reclamation Policy
A-7	Shredder Waste Disposal Policy
A-8	Underground Storage Tank Pilot Program
A-9	Sources of Drinking Water Policy
A-10	Nonpoint Source Management Plan
A-11	Water Quality Control Plan for Ocean Waters of California (1990) (Ocean Plan)
A-12	Discharges of Municipal Solid Waste Policy
A-13	Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coast Region
A-14	Acceptance of Monterey County Board of Supervisor's Ordinance Applying Development Restrictions to the Bays Hills (Bay Farms/Hillcrest)
A-15	Acceptance of Monterey County Board of Supervisors' Ordinance Applying Development Restrictions to the Area within the San Lucas County Water District
A-16	Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County
A-17	Policy Amending "Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County" to apply Region Wide

ATTACHMENT E

CEQA CHECKLIST

CALIFORNIA ENVIRONMENTAL QUALITY ACT
“FUNCTIONAL EQUIVALENT” REPORT FOR BASIN PLAN AMENDMENT

(RESOLUTION NO. R3-2002-0093)

The Central Coast Regional Water Quality Control Board (Regional Board) is proposing an amendment to its Water Quality Control Plan - Central Coastal Basin (Basin Plan). The Basin Plan serves as the cornerstone water quality protection policy for the Central Coast. It identifies beneficial uses of surface and ground waters, establishes water quality objectives to protect beneficial uses, and provides an implementation plan to achieve those objectives.

The Basin Planning process has been certified as “functionally equivalent” to the preparation of the Environmental Impact report (EIR) for the purposes of complying with the California Environmental Quality Act (CEQA) (Section 15251, Title 4, California Code of Regulation ((CCR)). Based on the certification, this Basin Plan Amendment Report is used in lieu of an EIR or a Negative Declaration.

Any Regional Board regulatory program certified as functionally equivalent, however, must satisfy the documentation requirements of Section 377 (a), Title 23, CCR. This report satisfies part (a) of that section. It contains the following:

1. A Description of Proposed Activity and Proposed Alternatives,
2. An Environmental Checklist and a Description of the Proposed Activity,
3. An Environmental Evaluation, and
4. A determination with respect to significant Environmental Impacts.

I. DESCRIPTION OF PROPOSED ACTIVITY

This section describes the changes proposed and alternatives to this proposal. The purpose of this amendment is to:

1. Incorporate the State Water Resources Control Board January 2000 Nonpoint Source Program Strategy and Implementation Plan.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Program Strategy and Implementation Plan for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Alternatives to this proposal include:

1. Require a higher level of nonpoint source protection than identified in the Nonpoint Source Program Strategy and Implementation Plan.

This alternative is not recommended because the Nonpoint Source Program Strategy and Implementation Plan as proposed already requires the highest level of nonpoint source protection feasible.

2. Require a less stringent Nonpoint Source Program Strategy and Implementation Plan.

This alternative is not recommended because it does not protect water quality and associated beneficial uses.

3. Take no action.

This alternative is not recommended because it does not protect water quality and associated beneficial uses.

4. Modify amendment

This alternative is recommended if it does not modify the Nonpoint Source Program Strategy and Implementation Plan. This alternative is recommended only if beneficial uses are protected and water quality objectives are attained.

5. Create additional amendments

The Regional Board may consider additional alternatives, but will limit its action to a logical outgrowth of the proposed amendment. Other alternatives will be subject to public notice and comment at the time those changes are proposed.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS

II. EVALUATION OF ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
1. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, But not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>3. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project</p>				
<p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Create objectionable odors affecting a substantial number of people?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>4. BIOLOGICAL RESOURCES -- Would the project:</p>				
<p>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. ENVIRONMENTAL EVALUATION (of checklist questions answered Potentially Significant Impact, Less than Significant with Mitigation Incorporation, or Less than Significant Impact)

2a and 2c Less than Significant Impact: The Environmental Evaluation associated with this amendment (Regional Board Resolution R3-2002-0093) has less than significant impacts listed for items 2a and 2c, the conversion of prime farmland to non-agricultural use and the conversion of farmland to non-agricultural use respectively. Prime agriculture areas that would be converted are likely to be land that is only marginally sustaining its agricultural value and/or use. Implementation of nonpoint source management on agricultural land would likely result in net benefit by reducing soil and fertilizer loss into the creek. Additionally, Buffer strips (protection of riparian corridor) that would replace agricultural land could possibly provide flood protection to adjacent agricultural land uses, resulting in a net benefit. If necessary, impacts can be mitigated by assessing existing "loss" of agricultural value or land areas due to erosion and sedimentation, and by designing best management practices to compensate for this loss.

IV. DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment.

I find that the proposed project may have a significant adverse impact on the environment. However, there are feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report.

I find that the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

Signature

Date

ATTACHMENT F

NOTICE OF PUBLIC HEARING NOTICE OF FILING A DRAFT ENVIRONMENTAL DOCUMENT

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Ste. 200, San Luis Obispo, CA 93401**

**NOTICE OF PUBLIC HEARING
NOTICE OF FILING A DRAFT ENVIRONMENTAL DOCUMENT**

TO CONSIDER ADOPTION OF REVISED STATE WATER RESOURCES CONTROL BOARD NONPOINT SOURCE POLLUTION CONTROL PROGRAM AND REFORMATTING EXISTING NONPOINT SOURCE PLANS, POLICIES, AND MANAGEMENT PRACTICES - AMENDMENT OF THE CENTRAL COAST BASIN WATER QUALITY CONTROL PLAN (BASIN PLAN) AND REQUESTING APPROVAL FROM STATE WATER RESOURCES CONTROL BOARD

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Central Coast Region (Regional Board), will hold a public hearing to hear comments and consider adoption of a resolution amending the Water Quality Control Plan (Basin Plan) for the Central Coast Region. The proposed amendment to the Basin Plan includes:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Copies of the proposed amendment to the Basin Plan (in the form of a draft amendment for adoption, staff report, and a functionally equivalent document which includes an Environmental Checklist) are available on the Internet at www.swrcb.ca.gov/rwqcb3/. At the website, on the first page you will see a staff report **"PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING INCORPORATION OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT SOURCE POLLUTION CONTROL PROGRAM" AND RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS."** The proposed amendments to the Basin Plan are also available by request at the office of the Regional Board. You may also request a mailed copy of these documents by contacting Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

Copies of the existing Basin Plan are located at libraries in major cities throughout the region, at the office of the Regional Board, and on the Internet at www.swrcb.ca.gov/rwqcb3/.

Actions to amend the Water Quality Control Plan for Region Three will be taken in accordance with a regulatory program exempt under Section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and with other applicable laws and regulations. At the conclusion of the meeting the Regional Board will consider approval of the proposed amendment or a revised amendment consistent with the intent of the amendment. At

the conclusion of the public hearing, the Regional Board will consider certification of the environmental document an approval of the proposed amendments.

The public comment period will occur from **August 8, 2002 through September 23, 2002**. We would appreciate any comments, preferably in writing, or other evidence sent in advance to Howard Kolb at the address listed above. Your timely submittal will allow staff to analyze your comments and the Regional Board to consider your comments before taking final action at the meeting to be held on December 6, 2002. Please note that all exhibits, charts, graphs, and other testimony presented, as evidence must be left with the Regional Board as part of the administrative record.

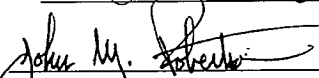
Time limits may be imposed on oral presentations at the hearing. Additional or alternative rules or regulations consistent with the general purpose of the amendment and complementary to the specific proposed rules may be developed at the hearing as a logical outgrowth of this hearing.

The public hearing is scheduled as follows:

Date: December 6, 2002
Time: 8:30 A.M.
Place: Conference Room
Regional Water Quality Control Board
895 Aerovista Place, SUITE 101
San Luis Obispo, CA 93401-5427

The location of the hearing is described on the attached map and is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact **Cyndee Jones** at **805-549-3372** at least 5 working days prior to December 6, 2002. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

For additional information on this Basin Plan review, please call Howard Kolb at 805-549-3332 or hkolb@rb3-swrcb.ca.gov.

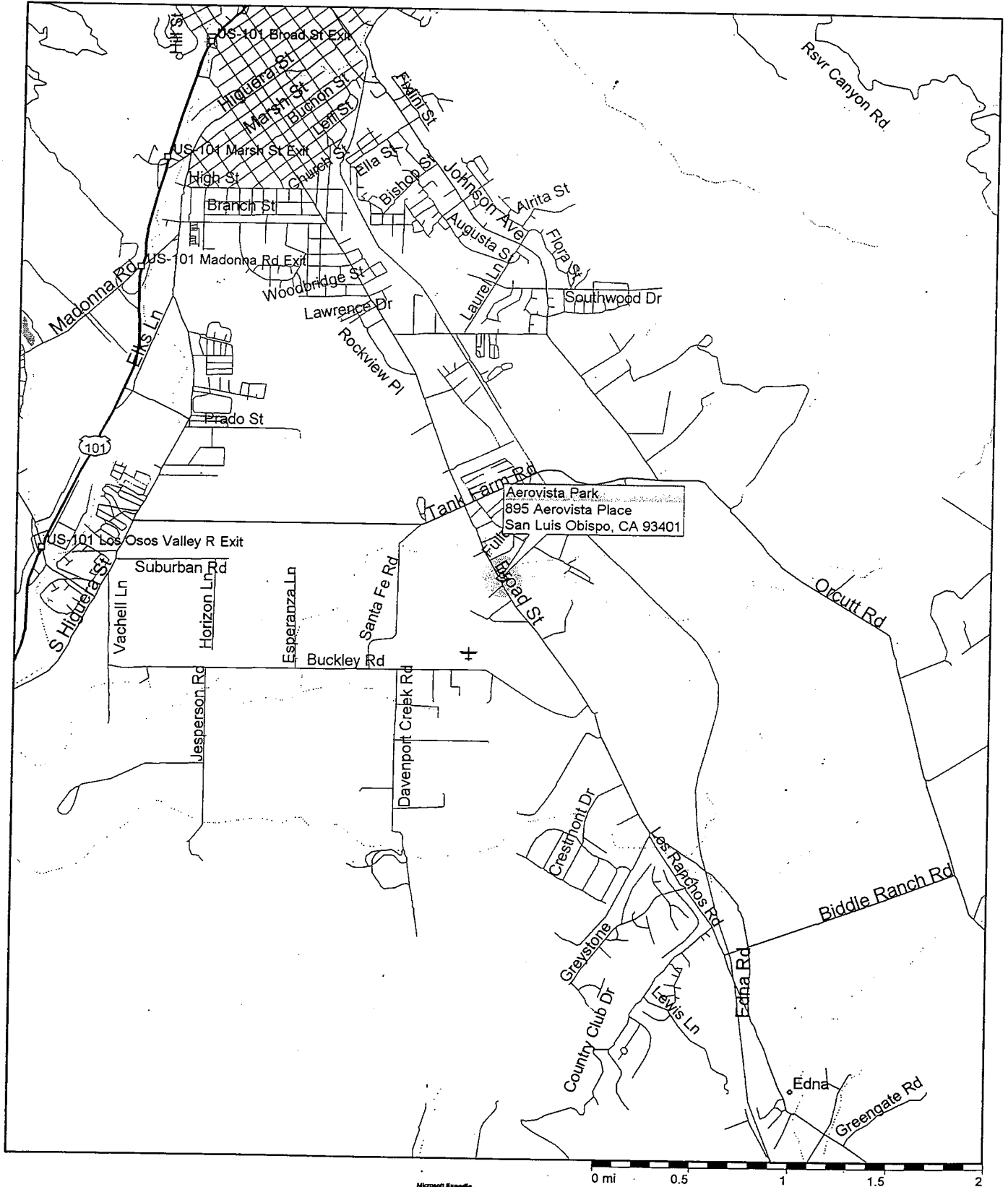
FOR 

Roger Briggs
Executive Officer

Date: 8-9-02

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Task: 401-01
File: Basin Plan, Nonpoint Source Section Revision

Central Coast Regional Water Quality Board Office Map



Microsoft Expedia
Streets98

ATTACHMENT G

NOTICE OF FILING



California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 8, 2002

TO: Interested Persons

FROM: California Regional Water Quality Control Board, Central Coast Region
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411

SUBJECT: NOTICE OF FILING SUBMITTED IN COMPLIANCE WITH §21080.5
OF THE PUBLIC RESOURCES CODE

PROPONENT: California Regional Water Quality Control Board, Central Coast Region

PROJECT TITLE: Proposed Amendment of "Water Quality Control Plan - Central Coast Region" (Basin Plan) Regarding Incorporation of the State Water Resources Control Board "Nonpoint Source Pollution Control Program" and Restructuring the Basin Plan Nonpoint Source Information, Findings, and Requirements.

CONTACT: Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

LOCATION: Central Coast Region

DESCRIPTION: The Central Coast Regional Water Quality Control Board (Regional Board) is proposing an amendment to its Water Quality Control Plan - Central Coastal Basin (Basin Plan). The Basin Plan serves as the cornerstone water quality protection policy for the Central Coast. It identifies beneficial uses of surface and ground waters, establishes water quality objectives to protect beneficial uses, and provides an implementation plan to achieve those objectives.

A draft copy of the proposed amendments is enclosed for your review. The purpose of this amendment is to:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

The Regional Board will hold a hearing to identify and prioritize water quality issues. The public hearing is scheduled as follows:

California Environmental Protection Agency



Recycled Paper

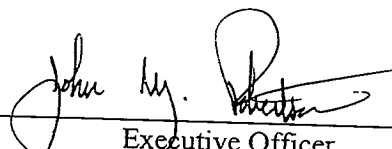
Basin Plan History p.559

August 8, 2002

Date: December 6, 2002
Time: 8:30 A.M.
Place: Conference Room
Regional Water Quality Control Board
895 Aerovista Place, SUITE 101
San Luis Obispo, CA 93401-5427

The location of the hearing is described on the attached map and is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact **Cyndee Jones** at **805-549-3372** at least 5 working days prior to December 6, 2002. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please review the proposed amendment and provide additions and/or comments by **September 23, 2002**. Comments or questions regarding this matter should be directed to Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

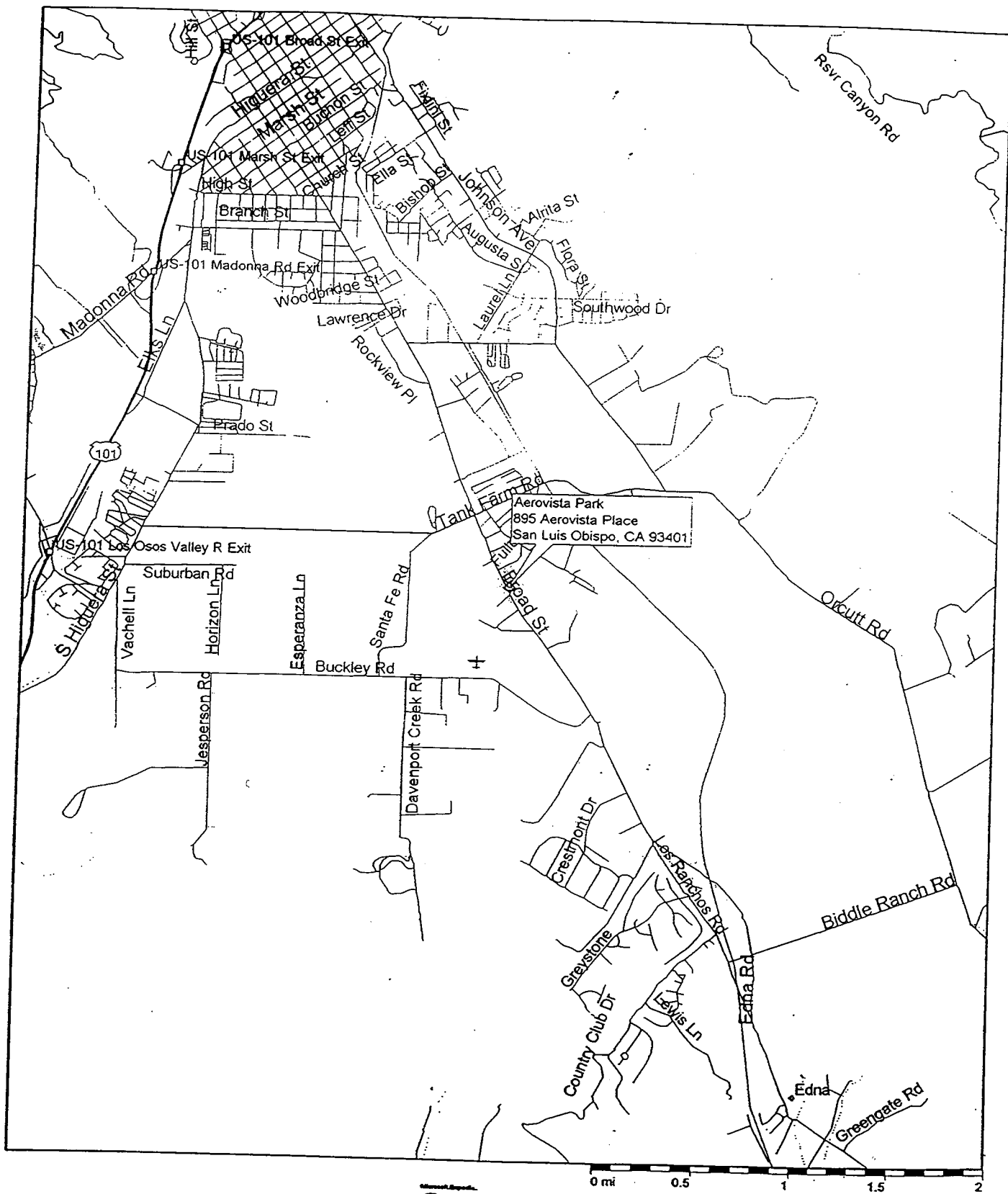


Executive Officer

August 8, 2002
Date

H:\WINWORD\Basin Planning\Work Plan Items to Complete\NPS Policy\NPS BP Amendment Notice of Filing 07-30-02.doc
Task: 401-01
File: Basin Plan, Nonpoint Source Section Revision

Central Coast Regional Water Quality Board Office Map



Microsoft MapPoint
Streets98

ATTACHMENT H

LETTER TO LEGAL NOTICE DEPARTMENT



California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5427
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

July 30, 2002

Legal Notice Department
The Tribune
P.O. Box 112
San Luis Obispo, CA. 93406

Dear Legal Notice Department:

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have any questions, please contact **Howard Kolb at 805-549-3332** or hkolb@rb3.swrcb.ca.gov.

Sincerely,

ROGER W. BRIGGS
Executive Officer

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Task: 401-01
File: Basin Plan, Nonpoint Source Section -Revision

Admin. Rec
for
R3-2002-0093

Was not approved by
State Water Bd.



State Water Resources Control Board

Division of Water Quality

1001 I Street • Sacramento, California 95814 • (916) 341-5455
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
FAX (916) 341-5463 • Internet Address: <http://www.swrcb.ca.gov>



Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our website at <http://www.swrcb.ca.gov>.

TO: Roger Briggs
Executive Officer
Central Coast Regional Board
Stan Martinson
FROM: Stan Martinson, Chief
DIVISION OF WATER QUALITY

DATE: JUL 7 2003

SUBJECT: WATER QUALITY CONTROL PLAN AMENDMENT REFERENCING THE STATE WATER RESOURCES CONTROL BOARD'S "NONPOINT SOURCE POLLUTION CONTROL PROGRAM" AND RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE (NPS) INFORMATION, FINDINGS, AND REQUIREMENTS (NPS BASIN PLAN AMENDMENT)

2003 JUL -9 AM 10:55
81 HIGUERA STE. 200
SAN LUIS OBISPO, CA 93401
CENTRAL COAST REGIONAL
WATER QUALITY CONTROL BOARD

This memorandum confirms an agreement made during a June 16, 2003 teleconference between staffs of the State Water Resources Control Board (State Board) and Central Coast Regional Water Quality Control Board (Regional Board) regarding the NPS Basin Plan Amendment. Based on our telephone conversation, Brad Hagemann of your staff requested that State Board staff return the administrative record for this amendment.

On December 13, 2002, the Central Coast Regional Board (Regional Board) adopted a Water Quality Control Plan (Basin Plan) amendment (R3-2002-093) referencing the State Board's "Nonpoint Source (NPS) Pollution Control Program" and restructuring the basin plan's nonpoint source information, findings, and requirements. Since the receipt of the Regional Board's administrative record by State Board staff on April 9, 2003, State Board staff has been working with NPS program and Regional Board staff on possible conflicts and inconsistencies between the NPS Basin Plan Amendment and the pending *Nonpoint Source Program Implementation Policy* (Policy). The Policy, required under California Water Code section 13369(a)(2)(B), is designed to assist in the consistent statewide implementation and enforcement of the State's NPS Pollution Control Program.

This action is being taken to ensure that the Regional Board's basin plan amendment will be up to date and consistent with the new Policy. We expect the State Board to adopt the Policy in September 2003. After adoption, State Board NPS and Basin Planning staff will work closely with your staff to expedite the processing of the Regional Board's NPS Basin Plan Amendment.

Roger Briggs

- 2 -

We appreciate your staff's cooperation and look forward to working with you on approving this amendment in the near future. Please call me at (916) 341-5458 (marts@swrcb.ca.gov) if you have any questions about this matter. You may also contact Ling Tseng, who is the lead staff on this matter, at (916) 341-5558 (tseul@swrcb.ca.gov), or Ken Harris, Chief of the TMDL Section, at (916) 341-5500 (harrk@swrcb.ca.gov).

cc: Brad Hagemann,
Central Coast Regional Board

Howard Kolb
Central Coast Regional Board

Sheila Vassey
Office of Chief Counsel
State Board

California Environmental Protection Agency



Recycled Paper

Basin Plan History p.566



California Regional Water Quality Control Board

Central Coast Region



Peter M. Rooney
Secretary for
Environmental
Protection

895 Aerovista Place, San Luis Obispo, California 93401-7906
Phone (805) 549-3147 • FAX (805) 543-0397

Pete Wilson
Governor

TO: Paul Lillebo, Chief
Basin Planning Unit
Division of Water Quality
State Water Resources Control Board
P.O. Box 944213
Sacramento, CA 94244-2130

FROM: Roger Briggs
Executive Officer

CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD

2003 JUL -9 AM 11:02
 81 HIGUERA STE. 200
 SAN LUIS OBISPO, CA 93401
 CENTRAL COAST REGIONAL
 WATER QUALITY CONTROL BOARD

DATE: April 7, 2003

SUBJECT: PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING INCORPORATION OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT SOURCE PROGRAM STRATEGY AND IMPLEMENTATION PLAN" AND RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS

The Central Coast Regional Board held a Public Hearing on December 13, 2002. We are forwarding documents generated as a result of this process.

Enclosed is a summary of the necessity for the regulatory provisions and an administrative record. The administrative record includes all documents generated and relied on during the preparation of this amendment. If you have any questions, please contact Howard Kolb at 805-549-3332.

H:\WINWORD\Basin Planning\Work Plan Items to Complete\NPS Policy\NPS Amendment letter to SB revised 12-23-02.doc
Task: 401-01
File: Basin Plan

SUMMARY OF THE NECESSITY FOR THE REGULATORY PROVISIONS

REGIONAL WATER QUALITY CONTROL BOARD RESOLUTION NO. R3-2002-0093

ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN AND REQUESTING APPROVAL FROM THE STATE WATER RESOURCES CONTROL BOARD

AUTHORITY AND REFERENCE

Water Code Section 1300 declares that activities and factors that may affect the quality of the waters of the state shall be regulated to attain the highest water quality reasonable.

Water Code Section 13240 mandates each Regional Water Quality Control Board (Regional Board) to formulate water quality control plans for all areas within the region and to review the plans periodically. Section 13240 also authorizes Regional Water Boards to revise the plans. A water quality control plan or a revision of a plan becomes effective upon approval by the State Water Resources Control Board (State Board) (Water Code Section 13245).

Water Code Section 13050(j) provides that a water quality control plan consists of a designation or establishment for the waters within a specifies area of all of the following:

- (1) Beneficial uses to be protected.
- (2) Water quality objectives.
- (3) A program of implementation needed for achieving water quality objectives.

Each Regional Board must establish water quality objectives in each water quality control plan that will ensure the reasonable protection of beneficial uses and the prevention of nuisance (Water Code Section 13241). Additionally, the Regional Board, in a water quality control plan, may specify certain conditions or areas where the discharge of waste, or certain types of waste will be prohibited (Water Code Section 13243).

NECESSITY FOR REGULATORY PROVISIONS

Resolution No. R3-2002-0093 supplements past regulatory actions. The following describes the reasons that these supplements are necessary.

In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to the Nonpoint Source Pollution Control Program (January 2000) in December 1999. Resolution 99-114, revising the Nonpoint Source Pollution Control Program, was adopted by the State Water Resources Control Board on December 14, 1999 pursuant to Section 319 of the Clean Water Act.

Resolution No. 99-114 directs regional boards to implement the state Nonpoint Source Pollution Control Program. The Water Quality Control Plan for the Regional Water Quality Control Board, Central Coast Region includes the state November 1988, Nonpoint Source Management Plan. This amendment updates the Basin Plan to comply with Resolution No. 99-114.

ECONOMIC AND FISCAL ANALYSIS:

**ADOPTION OF REVISED STATE WATER RESOURCES CONTROL BOARD
NONPOINT SOURCE POLLUTION CONTROL PROGRAM AND REFORMATTING
EXISTING NONPOINT SOURCE PLANS, POLICIES, AND MANAGEMENT
PRACTICES - AMENDMENT OF THE CENTRAL COAST BASIN WATER QUALITY
CONTROL PLAN (BASIN PLAN)**

No new economic impacts are expected to result from an editorial revision of Central Coast Water Quality Control Plan (Basin Plan) Chapter 4 Implementation Plan, Chapter 5 Plans and Policies, and Plans and Policies Appendix.

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN -
CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING INCORPORATION
OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT
SOURCE PROGRAM STRATEGY AND IMPLEMENTATION PLAN" AND
RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE INFORMATION,
FINDINGS, AND REQUIREMENTS

ADMINISTRATIVE RECORD INDEX
CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD
RESOLUTION R3-2002-0093

ADOPTED DECEMBER 13, 2002

CENTRAL COAST REGIONAL
WATER QUALITY CONTROL BOARD
2003 JUL -9 AM 10: 55
81 HIGUERA STE. 200
SAN LUIS OBISPO, CA 93401

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01/2000	Plan for California's Nonpoint Source Pollution Control Program	94-491
12/07/01	Staff Report – Water Quality Control Plan – Triennial Review Priority List	492-521
12/12/01	Final - Triennial Review Priority List	522-530
08/07/02	Draft Staff Report - Proposed Amendment of "Water quality Control Plan - Central Coastal Basin" (Basin Plan) Regarding reference of The State Water Resources Control Board "Nonpoint Source Pollution Control Program" and Restructuring the Basin Plan nonpoint source information, findings, and requirements"	531-534
	Attachment A - Resolution R3-2002-0093	535-538
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	Attachment D - Revised Basin Plan Appendix	565-567
	Attachment E - CEQA Checklist	568-573
	Attachment F – Notice of Public Hearing, Notice of Filing a Draft Environmental Document	574-577
	Attachment G – Attachment G not included in draft mailing , as Attachment G is the letter to Interested Persons in final item.	
	Attachment H - Letter to Legal Notice Department	578-579
08/08/02	Notice of Filing Submitted in Compliance with §21080.5 of the Public Resources Code (Includes Interested Parties List)	580-594
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11/20/02	Final Draft Staff Report - Proposed Amendment of "Water quality Control Plan - Central Coastal Basin" (Basin Plan) Regarding reference of The State Water Resources Control Board "Nonpoint Source Pollution Control Program" and Restructuring the Basin Plan nonpoint source information, findings, and requirements"	610-613
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11/27/02	Notice of Public Meeting and Address Change	663-664
12/13/02	Central Coast Regional Board Agenda	665-672
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12/13/02	Signed Resolution R3-2002-0093	702-704
12/13/02	Electronic recording of Board Meeting	705

CHAPTER 4. IMPLEMENTATION PLAN

A program of implementation to protect beneficial uses and to achieve water quality objectives is an integral component of this Basin Plan. The program of implementation is required to include, but is not limited to:

- A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.
- A time schedule for the actions to be taken.
- A description of surveillance to be undertaken to determine compliance with objectives.

Additional surveillance activities to determine compliance with objectives are described in Chapter 6, "Surveillance and Monitoring".

This chapter includes discussions of:

- Regional Water Quality Control Board Goals;
- General Control Actions and Related Issues;
- Waste Discharge Regulation;
- Hazardous Waste Compliance Issues; and
- Nonpoint Source Measures.

Detailed descriptions of waterbodies with their specific water quality problems and recommended control actions are included in the Region's Water Quality Assessment database and Fact Sheets.

This chapter is organized in the following manner:

- I. Regional Water Quality Control Board Goals
- II. General Control Actions and Related Issues
- III. Control Actions under State Board Authority
- IV. Control Actions to be Implemented by Other Agencies with Water Quality or Related Authority
- V. Control Actions under Regional Board Authority
 - A. Waste Discharge Restrictions
 1. Water Quality Certification
 2. National Pollutant Discharge Elimination System

3. Waste Discharge Requirements
4. Waivers
5. Prohibitions and Prohibition Exemptions
6. Enforcement Actions
7. Best Management Practices
8. Compliance Schedules
- B. Nonpoint Source Program
- VI. Waste Discharge Program Implementation
 - A. Effluent Limits
 1. Stream Disposal
 2. Estuarine Disposal
 3. Ocean Disposal
 4. Land Disposal
 5. Reclamation and Reuse
 6. Pretreatment Programs
 7. Sludge Treatment
 - B. Municipal Wastewater Management Plans (arranged by hydrologic subarea)
 - C. Industrial Wastewater Management
 - D. Solid Waste Management
 - E. Storm Water Management
 - F. Bay Protection and Toxic Cleanup Program
 - G. Military Installations
 - H. Spills, Leaks, Investigations, and Cleanup Program
 - I. Underground Tank Storage Tank Program
 - J. Aboveground Petroleum Storage Tanks
California Code of Regulations, Title 23, Chapter 15
 1. Solid and Liquid Waste Requirements (Landfills and Surface Impoundments)
 2. Wastewater Sludge (Septage Management)
 3. Mining Activities (Nonfuel Commodities)
 4. Other Industrial Activities
 - L. Resource Conservation and Recovery Act (Subtitle D)
 - M. Solid Waste Water Quality Assessment Test
- VII. Hazardous Waste Compliance Issues
 - A. Reportable Quantities of Hazardous Waste and Sewage Discharges
 - B. Proposition 65
- VIII. Nonpoint Source Measures
 - A. Coastal Zone Act Reauthorization Amendments
 - B. Urban Runoff Management
 - C. Agricultural Water and Wastewater Management
 - D. Individual, Alternative, and Community Disposal Systems
 - E. Land Disturbance Activities

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WATER QUALITY CONTROL BOARD

September 8, 1994

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I. REGIONAL WATER QUALITY CONTROL BOARD GOALS

To insure that the water resources of the Central Coastal Basin are preserved for future generations of Californians, the California Regional Water Quality Control Board, Central Coast Region, determined it was desirable to establish certain planning goals. These goals pertain to utilization of the basin's water resources and guidelines for control of waste discharges, as follows:

1. Protect and enhance all basin waters, surface and underground, fresh and saline, for present and anticipated beneficial uses, including aquatic environmental values.
2. The quality of all surface waters shall allow unrestricted recreational use.
3. Manage municipal and industrial wastewater disposal as part of an integrated system of fresh water supplies to achieve maximum benefit of fresh water resources for present and future beneficial uses and to achieve harmony with the natural environment.
4. Achieve maximum effective use of fresh waters through reclamation and recycling.
5. Continually improve waste treatment systems and processes to assure consistent high quality effluent based on best economically achievable technology.
6. Reduce and prevent accelerated (man-caused) erosion to the level necessary to restore and protect beneficial uses of receiving waters now significantly impaired or threatened with impairment by sediment.

II. GENERAL CONTROL ACTIONS AND RELATED ISSUES

The Regional Water Quality Control Board (Regional Board) regulates the sources of water quality related problems which could result in actual or potential impairment or degradation of beneficial uses or degradations of water quality. The Regional Board regulates both point and nonpoint source discharge activities. A point source discharge generally originates from a single identifiable source, while a nonpoint source discharge comes from diffuse sources. To regulate the point and nonpoint sources, control actions are required for effective water quality protection and management. Such control actions are set forth for implementation by the State Water Resources Control Board (State Board), by other agencies with water quality or related authority, and by the Regional Board.

III. CONTROL ACTIONS UNDER STATE WATER RESOURCES CONTROL BOARD AUTHORITY

The State Board has adopted several water quality plans and policies which complement or may supersede portions of the Water Quality Control Plan. These plans and policies may include specific control measures. See Chapter Five, "Plans and Policies" for summaries of the most significant State Board plans and policies which do affect the Central Coast Region.

IV. CONTROL ACTIONS TO BE IMPLEMENTED BY OTHER AGENCIES WITH WATER QUALITY OR RELATED AUTHORITY

Water quality Management Plans prepared under Section 208 of the federal Water Pollution Control Act (Clean Water Act) have been prepared by various public agencies. These Section 208 plans, as well as other plans adopted by federal, State, and local agencies, may affect the Regional Board's water quality management and control activities. A summary of relevant water quality management plans is included in Chapter Five, "Plans and Policies".

V. CONTROL ACTIONS UNDER REGIONAL BOARD AUTHORITY

Control measures implemented by the Regional Board must provide for the attainment of this Basin Plan's beneficial uses and water quality objectives. These uses and objectives can be found in Chapters Two and Three, respectively. In addition the control measures must be consistent with State Board and Regional Board plans, policies, agreements, prohibitions, guidance, and other restrictions and requirements contained within this document.

To prevent water quality problems, waste discharge restrictions are often used. The waste discharge restrictions can be implemented through Water Quality Certification, National Pollutant Discharge Elimination System (NPDES) permits, waste discharge requirements/permits (WDRs), discharge prohibitions, enforcement actions, and/or "Best Management Practices".

V.A. WASTE DISCHARGE RESTRICTIONS

V.A.1. WATER QUALITY CERTIFICATION

Clean Water Act Section 401 Water Quality Certification gives the State extremely broad authority to review proposed federal activities in and/or affecting the Region's waters. The Regional Board can recommend to the State Board that it grant, deny, or condition certification of federal permits or licenses that may result in a discharge to "waters of the United States".

V.A.2. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

NPDES permits are issued to regulate discharges of waste from point sources to "waters of the United States" including discharges of storm waters from urban separate storm sewer systems and certain categories of industrial activity. Waters of the United States are surface waters such as rivers, intermittent streams, dry stream beds, lakes, bays, estuaries, oceans, etc. The permits are authorized by Section 402 of the Clean Water Act and Section 13370 of the California Porter-Cologne Water Quality Control Act. The permit content and the issuance process are contained in 40 Code of Federal Regulations Part 122 and Chapter 9 of the California Code of Regulations. Regional Water Boards are authorized to take a variety of enforcement actions to obtain compliance with an NPDES permit. Enforcement actions the Regional Board may take are described below.

The U.S. Environmental Protection Agency (U.S. EPA) has approved the State's program to regulate discharges of waste water from point sources to "waters of the United States". The State, through the Regional Water Boards, issues the NPDES permits, reviews discharger self-monitoring reports,

performs independent compliance checking, and takes enforcement actions as needed.

NPDES permits are required to prescribe conditions of discharge which will ensure protection of beneficial uses of the receiving water. The Regional Board uses this Basin Plan, The Ocean Plan, and water quality control policies adopted by the State Board to develop permits for specific types of discharges or uses of waste water.

In addition to regulating discharges of waste water to surface waters, NPDES permits also require municipal sewage treatment systems to conduct pretreatment programs if their design capacity is greater than five million gallons per day. Smaller municipal treatment systems may be required to conduct pretreatment programs if there are significant industrial users of their systems. The pretreatment programs must comply with 40 Code of Federal Regulations Part 403. The pretreatment program is further described under separate heading in the "Waste Discharge Regulation" Section further in this chapter.

V.A.3. WASTE DISCHARGE REQUIREMENTS (WDRs)

The California Porter-Cologne Water Quality Control Act authorizes Regional Boards to regulate discharges to protect ground and surface water quality. Regional Boards issue WDRs in accordance with Section 13263 of the California Porter-Cologne Water Quality Control Act. Regional Boards are required to review WDRs periodically based on the complexity and threat to water quality. WDRs seek to protect the beneficial uses of ground and surface water. Regional Boards issue WDRs, review self-monitoring reports submitted by the discharger, perform independent compliance checking, and take necessary enforcement action. The California Porter-Cologne Water Quality Control Act authorizes Regional Boards to issue enforcement actions (see below) ranging from orders requiring relatively simple corrective action to monetary penalties in order to obtain compliance with WDRs.

V.A.4. WAIVERS

Regional Boards may waive issuance of WDRs pursuant to California Porter-Cologne Water Quality Control Act Section 13269 if the Regional Board determines that such waiver is in the public interest. The requirement to submit a Report of Waste Discharge can also be waived. WDRs can be waived for a specific discharge or types of discharges. A waiver of WDRs is conditional and may be terminated at any time by the Regional Board. Regional Boards may delegate their power to waive WDRs to the Regional Board Executive Officer in accordance with policies adopted by the Regional Board and approved by the State Board. The Regional Board's general policy regarding waivers is described in Chapter Five, "Plans and Policies". Regional Boards may not waive NPDES permits.

V.A.5. PROHIBITIONS AND PROHIBITION EXEMPTIONS

The Regional Board can prohibit specific types of discharges to certain areas (California Porter-Cologne Water Quality Control Act Section 13243). These discharge prohibitions may be revised, rescinded, or adopted as necessary. Discharge prohibitions are described in pertinent sections of Chapter Four, "Implementation Plan" and Chapter Five, "Plans and Policies" in the Regional Board Discharge Prohibition Section. Prohibitions can be found by referring to the Table of Contents.

V.A.6. ENFORCEMENT ACTIONS

To facilitate water quality problem remediation or Basin Plan violation remediation, the Regional Board can use different types of enforcement measures. These measures can include:

Notice of Violation

A Notice of Violation is a letter formally advising the discharger that the facility is in noncompliance and

that additional enforcement actions may be necessary, if appropriate actions are not taken.

Time Schedule

A Time Schedule (California Porter-Cologne Water Quality Control Act Section 13300) is a time schedule for specific actions a discharger shall take to correct or prevent violations of requirements. A Time Schedule is issued by the Regional Board for situations in which the Regional Board is reasonably confident that the problem will be corrected.

Cleanup or Abatement Order

A Cleanup or Abatement Order (California Porter-Cologne Water Quality Control Act Section 13304) is an order requiring a discharger to clean up a waste or abate its effects or, in the case of a threatened pollution or nuisance, take other necessary remedial action. A Cleanup or Abatement Order can be issued by the Regional Board or by the Regional Board Executive Officer. Cleanup or Abatement Orders are issued for situations when action is needed to correct a problem caused by regulated or unregulated discharges which are creating or threatening to create a condition of pollution or nuisance. A Cleanup or Abatement Order is also used by the Regional Board to establish the acceptable level of cleanup.

Cease and Desist Order

A Cease and Desist Order (California Porter-Cologne Water Quality Control Act Section 13301) is an order requiring a discharger to comply with Waste Discharge Requirements or prohibitions according to a time schedule. If the violation is threatening water quality, a Cease and Desist Order can be used to require appropriate remedial or preventative action. A Cease and Desist Order is issued by the Regional Board when violations of requirements or prohibitions are threatened, are occurring, or have occurred and probably will continue in the future. Issuance of a Cease and Desist Order requires a public hearing.

Administrative Civil Liabilities

Administrative Civil Liabilities (monetary liabilities or fines) may also be imposed administratively by the Regional Board after a public hearing.

State Attorney General Referral

State Attorney General referral is used under certain circumstances. Enforcement actions may be referred to either the General or District Attorney.

V.A.7. BEST MANAGEMENT PRACTICES

Property owners, managers, or other dischargers may implement "Best Management Practices" to protect water quality. (Implementation and enforcement of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter). The term "Best Management Practices" is used in reference to control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations Section 103.2[m]) defines Best Management Practices as follows:

"Methods, measures, or practices selected by an agency to meet its nonpoint source control needs. Best Management Practices include, but are not limited to structural and nonstructural controls and operation and maintenance procedures. Best Management Practices can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 103.6[b][4][i]) provide that Basin Plans:

"...shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

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Best Management Practices fall into two general categories:

1. Source controls which prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing stream banks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion controls, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment controls which remove pollutants from a discharge before it reaches surface or ground waters.

Examples include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized;

- Best Management Practices are not officially considered "best" practices for use in California unless they have been certified by the State Board.
- The use of Best Management Practices does not necessarily ensure compliance with effluent limitations or with receiving water objectives. Because nonpoint source control has been a priority only since the 1970's, the long-term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly. Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.
- The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.

- To be effective, most Best Management Practices must be implemented on a long term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.
- The "state-of-the-art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

General information on recommended nonpoint source management practices is provided under different water quality problem categories throughout this chapter. For detailed information on the design, implementation, and effectiveness of specific Best Management Practices, the reader should consult the appropriate Best Management Practices Handbook for the project type or location.

V.A.8. COMPLIANCE SCHEDULES

The California Porter-Cologne Water Quality Control Act (Section 13242[b]) requires a Basin Plan's implementation program for achieving water quality objectives to include a "time schedule for the actions to be taken". Regional Board prohibitions are effective upon adoption, unless specifically mentioned otherwise. The Regional Board issues discharge permits. Each includes an effective date. (Often compliance is effective upon Regional Board adoption). Waste discharge permits for construction projects generally require implementation of Best Management Practices during and immediately after construction. Long-term maintenance of permanent Best Management Practices is expected. Regional Board enforcement orders for specific problems also generally include compliance schedules.

The 1975 Basin Plans included recommendations that specific studies be carried out by specific dates on community wastewater collection and treatment facilities needs in certain areas of the Central Coast Region. These plans also recommended that some communities construct specific facilities by the given dates. Most of these schedules were not met. Because expected year-to-year changes in availability of and priorities for funding will ensure that long term schedules are unrealistic, this Basin Plan does

not include such recommendations. Priorities are set on a short term basis for studies through the State Board's use of the Clean Water Strategy ranking system various grant programs, and for facilities construction through the State Board Division of Clean Water Programs needs assessment process for loans and grants. Once funding is allocated, completion schedules are set through the contract process.

V.B. NONPOINT SOURCE PROGRAM

Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.

In order to address the nonpoint source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. By amending the Clean Water Act, Congress shifted the federal emphasis from nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the federal Clean Water Act required each state to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan which outlined steps to initiate the systematic management of nonpoint sources in California. For effective management of nonpoint sources the Management Plan required:

- An explicit long-term commitment by the State Board and Regional Boards;
- More effective coordination of existing State Board and Regional Board nonpoint source related programs;

September 8, 1994

- Greater use of Regional Board regulatory authority coupled with nonregulatory Regional Board programs;
- Stronger links between the local, State, and federal agencies which have authority to manage nonpoint sources; and
- Development of new funding sources.

The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:

1. Voluntary implementation of Best Management Practices

Property owners or managers may volunteer to implement Best Management Practices. Implementation could occur for economic reasons and/or through awareness of environmental benefits.

2. Enforcement of Best Management Practices

Although the California Porter-Cologne Water Quality Control Act constrains Regional Boards from specifying the manner of compliance with water quality standards, there are two ways in which Regional Boards can use their regulatory authorities to encourage implementation of Best Management Practices.

First, the Regional Board may encourage Best Management Practices by waiving adoption of waste discharge requirements on condition that discharges comply with Best Management Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.

The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharge requirements, and approved Management Agency Agreements, or other State or Regional Board formal action.

3. Adoption of Effluent Limitations

The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge, including discharges from

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nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations may be set at a level which, in practice, requires implementation of Best Management Practices.

Not all of the categories of nonpoint source pollution follow this three-tiered approach. For example, silviculture activities on non-federal lands are administered by the California Department of Forestry. The State Board has entered into a Management Agency Agreement with California Department of Forestry which allows the Regional Boards to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.

The Regional Board approach to addressing or regulating categories of nonpoint source pollution is discussed in various sections throughout this chapter.

VI. WASTE DISCHARGE PROGRAM IMPLEMENTATION

Water Quality Control Plans to regulate wasteloads in the Central Coastal Basin have been developed to insure protection of beneficial uses of water described in Chapter Two, as well as water quality objectives described in Chapter Three.

VI.A. EFFLUENT LIMITS

Effluent limitations for disposal of wastes are based on water quality objectives for the area of effluent disposal and applicable State and federal policies and effluent limits. Water quality objectives and policies are based on beneficial uses established for receiving waters. Decisions in treatment process selection are discussed for four general disposal modes

considered: stream disposal; estuarine disposal; ocean disposal; and land disposal. There is no discussion provided for disposal to lakes or confined sloughs since these water bodies are protected by discharge prohibitions. Separate discussions of treatment for wastewater reclamation and reuse and sludge processing and disposal are also provided.

Management Principles and Regional Board Policies contained in Chapter Five should be reviewed for further information concerning discharge to surface waters.

VI.A.1. STREAM DISPOSAL

Most streams in the Central Coastal Basin are ephemeral in character. During summer months, there is little or no flow in stream channels. In several instances, flow during the dry season is composed of irrigation runoff or, in a very few cases, wastewater treatment plant effluent. Usually, these flows infiltrate into the stream bed a short distance downstream of discharges. In such instances, the concept of receiving water assimilative capacity has little meaning. Disposal of wastewater in ephemeral streams must be accomplished in a manner that safeguards public health and prevents nuisance conditions. Where possible, discharges should be beneficial as stream flow augmentation. When recharge of a useful ground water basin occurs through stream channel recharge, impacts on ground water quality must be considered.

There are a few streams in the basin which flow on a year-round basis and support an inland fishery. Disposal of wastewater to such streams requires that essentially all oxygen demanding substances and toxicity be removed.

Principal factors governing treatment process selection for stream disposal are federal effluent limits, State public health regulations, and water quality requirements for beneficial use protection. As a minimum, secondary treatment, as defined by the Environmental Protection Agency (EPA), is required in all cases. Where rapid percolation occurs, conventional secondary treatment is currently adequate. EPA guidelines for best practicable treatment would also apply in these cases. Where water contact recreational use is to be protected, the

California Department of Health Services (DOHS) recommends coagulation, filtration, and disinfection providing a median coliform MPN of 2.2/100 ml. Detoxification is required where fishery protection is a concern. Detoxification would include effluent limits for identified toxicants, pursuant to Section 307 of the federal Water Pollution Control Act. Source control of specific toxicants may be necessary to comply with the Act.

VI.A.2. ESTUARINE DISPOSAL

Water quality objectives applying to estuaries are contained in Chapter Three.

Receiving waters considered estuaries are one of two groups: (1) shallow waters of an open bay, and (2) confined tidal estuaries or lagoons. Flushing action is usually present in a shallow open bay and natural dispersion and dilution is available on a limited scale. In confined waters, flushing action is limited or nonexistent except during high stream inflow or storms. Since these shorelines frequently are heavily developed and waters are extensively used, requirements for wastewater disposal into such areas are the most stringent of any for marine receiving waters. The "Water Quality Control Policy for Enclosed Bays and Estuaries of California," adopted by the State Water Resources Control Board, prohibits discharge of waste to most enclosed bays and estuaries in the State, unless the discharge will enhance water quality.

Water quality objectives in Chapter Three prevent discharges that could raise natural nutrient levels to an extent that nuisance algal blooms or other aquatic growths occur. Excessive eutrophication in coastal estuaries of California often is characterized by floating and stranded mats of green marine seaweeds Enteromorpha and Ulva. These algae generally grow on mud or other substrates in estuarine water and can produce nuisance conditions along shorelines. These algae have a high sulfur content and emit foul smelling hydrogen sulfide and mercaptans during decomposition. Caution should be given in determining control measures for estuaries, as many of the seasonal algal growths that occur on mud flats are natural and may not be significantly affected by waste discharges in the watershed. Where eutrophication problems are apparent, secondary treatment with denitrification,

or phosphorus removal and disinfection should be provided prior to discharge.

VI.A.3. OCEAN DISPOSAL

Water quality objectives applicable to ocean waters are contained in Chapter Three.

Federal guidelines for secondary treatment apply to ocean discharges. The State Water Resources Control Board's Water Quality Control Plan for Ocean Waters of California (Ocean Plan) establishes effluent limits achievable by alternative processes, such as advanced primary treatment. The Ocean Plan contains water quality objectives, requirements for effluent quality and management of waste discharges, and discharge prohibitions (including Areas of Special Biological Significance). Effluent quality requirements establish limitations for grease and oil, solids, turbidity, pH, and toxicity. Limits are also established for heavy metals, chlorine residual, various chlorinated pesticides, PCBs, toxaphene and radioactivity outside the zone of initial dilution.

For municipal discharges, the Clean Water Act allows waiver of secondary treatment standards on a case-by-case basis. Secondary treatment waivers are further discussed as they apply to specific discharges in the following section on Municipal Wastewater Management. If full secondary treatment is required but funding is inadequate, treatment levels should be achieved through staged construction. Ocean Plan objectives can be achieved as an interim measure. Secondary treatment must be added later if a waiver is not issued, or if receiving water monitoring indicates additional treatment is necessary to protect ocean waters. Industrial wastewater management is discussed later in this chapter.

VI.A.4. LAND DISPOSAL

To protect ground water resources, the Regional Board allows few waste discharges to land. Those that are permitted are closely regulated under existing laws and regulations to maintain and to protect ground water quality and beneficial uses.

Disposal of waste to land in the Central Coast Region is regulated by California Code of Regulations, Title 23, Chapter 15; the federal Resource Conservation and Recovery Act; the Toxic Pits Cleanup Act; the Porter-Cologne Water Quality Control Act; and State Health Department Regulations. Types of land disposal operations being regulated by the Central Coast Region include landfills, surface impoundments, septage and sludge disposal, mining operations, confined animal facilities, and some oil field exploration and production facilities.

California Code of Regulations, Title 23, Chapter 15

All land disposal operations are regulated by Chapter 15. Formerly called Subchapter 15, this is the most significant regulation used by the Regional Board in regulating hazardous and nonhazardous waste treatment, storage, and disposal. These regulations include very specific siting, construction, monitoring, and closure requirements for all existing and new waste treatment, storage, and disposal facilities. Chapter 15 requires operators to provide assurances of financial responsibility for initiating and completing corrective action for all known or reasonably foreseeable releases from waste management units. Detailed technical criteria are provided for establishing water quality protection programs, and corrective action programs are mandated for releases from waste management units.

Resource Conservation and Recovery Act

The State implements Resource Conservation and Recovery Act's Subtitle C (Hazardous Waste Regulations for Treatment, Storage, and Disposal) through the Department of Toxic Substances Control and the Regional Boards. In August 1992, the U.S. EPA formally delegated the Act program implementation authority to Department of Toxic Substances Control. As described above, regulation of hazardous waste discharges is also included in California Code of Regulations, Title 23, Chapter 15. (Chapter 15 monitoring requirements were also amended in August 1991 so as to be equivalent to Act requirements). These will be implemented through the adoption of Waste Discharge Requirements for hazardous waste sites covered by the Act. The discharge requirements will then become part of a State Resource Conservation and

Recovery Act permit issued by Department of Toxic Substances Control.

Federal regulations required by Resource Conservation and Recovery Act Subtitle D have been adopted for Municipal Solid Waste landfills (40 Code of Federal Regulations Parts 257 & 258). The California Integrated Waste Management Board is the State lead agency for Subtitle D implementation. The State Board and the California Integrated Waste Management Board received U.S. EPA State program approval. Delegation of authority for the State Board to implement Subtitle I (Underground Storage Tanks) will occur after U.S. EPA approval of the State's program application. (The Underground Storage Tank Section is discussed later in this chapter).

Toxic Pits Cleanup Act

The Toxic Pits Cleanup Act of 1984 required all impoundments containing liquid hazardous wastes or free liquids containing hazardous waste be retrofitted with a liner/leachate collection system, or dried out by July 1, 1988. Impoundments "dried out" were closed to remove all contaminants and/or to stabilize any residual contamination.

VI.A.4.a. WASTEWATER DISPOSAL

Principal factors affecting treatment process selection for land disposal are the nature of soils and ground waters in the disposal areas and, where irrigation is involved, the nature of crops. Wastewater characteristics of particular concern are total salt content, nitrate, boron, pathogenic organisms, and toxic chemicals. Where percolation alone is considered, the nature of underlying ground waters is of particular concern. Treatment processes should be tailored to insure that local ground waters are not degraded.

Nitrate removal is required in many cases where percolation is to usable ground water basins. Percolation basins operated in alternating wet and dry cycles can provide significant nitrogen removal through nitrification/denitrification processes in the soil column. Finer textured soils are more effective than coarse soils. Nitrate removal would not necessarily be required, and secondary treatment

may be adequate where recharge is for other purposes such as prevention of seawater intrusion or where soil percolation constraints do not require further treatment. Monitoring in the immediate vicinity of the disposal site is required in either case. Where the need for nitrate removal is not clear, removal could be considered at a possible future stage depending on monitoring results. Where well controlled irrigation is practiced, nitrate problems in the dry season will be controlled. Vegetative uptake will utilize soluble nitrates which would otherwise move into ground water under a percolation operation. Demineralization techniques or source control of total dissolved solids may be necessary in some inland areas where ground waters have been or may be degraded. Presence of excessive salinity, boron, or sodium could be a basis for rejection of crop irrigation with effluent.

State Health Department regulations, described in Title 22 of the California Code of Regulations, stipulate disinfection levels required for specific crops. In some cases, such as pasture for milking animals, the California Code of Regulations requires oxidation with disinfection to a median number of coliform organisms of 23 MPN/100 ml. Environmental Protection Agency guidelines for secondary treatment do not apply to land disposal cases. However, municipal treatment facilities must provide effective solids removal and some soluble organic removal for percolation bed operations and for reduction of nuisance in wastewater effluent irrigation operations. Disinfection requirements are dictated by the disposal method. Oxidation ponds may be cost-effective in some remote locations and may be equivalent to secondary treatment.

VI.A.5. RECLAMATION AND REUSE

Water shortages in California are resulting in increased demand for reclamation. Reclamation and reuse is encouraged where feasible and beneficial. Where practicable, land disposal by spray irrigation shall be accomplished by proper reclamation techniques rather than by over-irrigation. This will aid water shortages and maximize nutrient removal.

Treatment process selection for reclamation of wastewater is dependent upon the intended reuse. Where irrigation reuse or ground water recharge is intended, treatment requirements will depend on conditions described under land disposal. Clearly, the nature of the crop to be irrigated, soil percolation, and water characteristics are important considerations. Title 22 of the California Code of Regulations provides wastewater reclamation criteria to regulate specific uses of reclaimed water. Where reuse is extended to water contact recreation, secondary treatment with coagulation, filtration, and disinfection is required. Where golf course irrigation is practiced, this level of treatment minus coagulation and filtration may be adequate. More stringent measures may be necessary with increased risk of public exposure (for example, residents adjacent to fairways). However, where more complete reclamation is envisioned, such as creation of recreational lakes for fishing, swimming, and water skiing, nutrient removal may also be required to minimize algae growths and to encourage fish propagation. Comparable treatment may also be needed for industrial water supplies used for cooling and uses where algae growth in transfer channels or cooling towers is of concern. Nitrogen removal and demineralization processes may also be necessary for selected reclamation projects as discussed under land disposal.

To meet the increased demand for reclamation, existing regulations contained in the California Code of Regulations, Title 22, are being expanded. California Code of Regulations, Title 22, are hereby incorporated as applicable reclamation requirements.

Dual water systems may be feasible in some instances. Reclaimed wastewater should be investigated as an alternative water source for toilets.

Management Principles contained in Chapter Five should be reviewed for further reclamation information. This section is located after the "Recommended State Water Resources Control Board Actions" section.

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VI.A.6. PRETREATMENT PROGRAMS

State and federal regulations require certain municipalities to develop and administer pretreatment programs to control the discharge of industrial wastes to the treatment plant. All municipal plants discharging to navigable waters with design flows greater than 5.0 mgd are required to develop and implement a pretreatment program. Other municipalities may be required to develop a pretreatment program if circumstances warrant such a program. The Environmental Protection Agency has established specific industrial subcategories of industries which discharge certain quantities or concentrations of pollutants to municipal systems. Pretreatment is required to meet effluent standards established for each industrial category. The objectives of a pretreatment program are to: (1) prevent introduction of pollutants into publicly-owned treatment works which will interfere with treatment operations and/or use or disposal of municipal sludge, (2) prevent introduction of pollutants into publicly owned treatment works which will pass through treatment works or be incompatible with treatment techniques, (3) increase feasibility of recycling and reclaiming municipal and industrial wastewaters and sludges, and (4) enforce applicable EPA Categorical Standards.

A pretreatment program must include: (1) a local pretreatment ordinance, (2) a use permit system, (3) a program of monitoring and inspection to insure compliance with the ordinance and use permit, and (4) an enforcement program sufficient to obtain compliance with provisions of the ordinance or use permit. Pretreatment programs are further discussed as they apply to specific dischargers in the section on Municipal Wastewater Management.

Municipalities required to comply with federal pretreatment regulations in the Central Coast Region are:

City of Santa Cruz,
Cities of Gilroy/Morgan Hill,
City of Watsonville,
Monterey Regional Wastewater Treatment Plant,
City of Salinas Industrial Plant,

City of San Luis Obispo,
City of Santa Maria,
City of Lompoc, and
City of Santa Barbara

VI.A.7. SLUDGE TREATMENT

Sludge management is a difficult aspect of wastewater treatment. The methods used for sludge disposal or reuse tend to determine the sludge processing methods. Major goals of sludge treatment include pathogen destruction, vector attraction reduction, odor reduction, moisture removal, and contaminant removal. Treated sludge is commonly referred to as "Biosolids."

Solids removed during wastewater treatment include grit, primary sludge, and biological sludges. Grit is typically removed in a grit chamber and is usually inert and easily dewatered, so landfilling is usually the preferred management option. Primary sludges are generally solids that readily float or sink, whereas biological sludges are suspended organic materials and necessitate biological treatment (e.g., trickling filter, activated sludge, or oxidation pond) to float or sink. Polymers are widely used to increase settling and thickening efficiencies and to reduce chemical sludge handling problems. Primary and biological sludges are usually combined prior to final treatment. Anaerobic digestion and lagoon stabilization are common sludge treatment methods, but methods which can render sludge pathogen and odor free, such as lime stabilization, composting, thermophilic aerobic digestion, and heat treatment, are becoming increasingly popular. Public acceptance of beneficial sludge uses, such as spreading on farm land and reclamation of strip mines, may be improved by advanced sludge treatment technologies.

Sludge treatment methods are evolving as disposal is discouraged and beneficial reuse is encouraged. Ocean disposal of sludge is prohibited by the California Ocean Plan. Landfilling of sludge is generally allowed if the sludge is nonhazardous and meets specific moisture content requirements. Sludge may be disposed in Class I and Class II waste management units, but this practice is uncommon

due to its high cost. Disposal of sludge is becoming less attractive as landfill capacity decreases, recycling mandates (Assembly Bill 939) must be met, and society becomes aware that sludge can be a valuable resource as a soil amendment/fertilizer.

VI.B. MUNICIPAL WASTEWATER MANAGEMENT

Municipal wastewater conveyance, treatment, and disposal facilities recommended for the Central Coastal Basin are described in the following pages. Recommended plans for municipal facilities are described in geographic sequence by hydrographic units. Hydrographic units are identified in Chapter Two, Figure 2-1. Numbers in parentheses throughout the chapter refer to design capacity unless otherwise stated. Pretreatment programs and modifications to secondary treatment are discussed as part of the recommended plan where applicable. Further discussion of these topics can be found under the subheadings "Ocean Disposal" and "Pretreatment Programs" at the beginning of this chapter.

Further specific municipal management information can be found in the Management Principles section of Chapter Five. General municipal wastewater management information is also included in the State Water Resources Control Board Plans and Policies section, Discharge Prohibitions section, Control Actions section and Regional Board Policies section.

VI.B.1. BIG BASIN HYDROLOGIC UNIT

The Big Basin Hydrologic Unit includes discharges from the City of Santa Cruz and the City of Scotts Valley, in addition to unsewered areas and several small waste dischargers. Table 4-1 displays summarized Big Basin Hydrologic Unit dischargers.

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Table 4-1. Big Basin Hydrologic Unit Summarized Municipal Dischargers

Davenport County Sanitation District
California Department of Parks and Recreation - Big Basin State Park
California Department of Forestry - Ben Lomond Conservation Facility
City of Santa Cruz
City of Scotts Valley
Santa Cruz County Service Area No. 7 - Boulder Creek Golf and Country Club
Santa Cruz County Service Area No. 10 - Rolling Woods Subdivision
San Lorenzo Valley Water District - Bear Creek Estates
Big Basin Woods
Santa Cruz County Service Area No. 5 - Sand Dollar Beach and Canon del Sol
Santa Cruz County Service Area No. 20 - Trestle Beach
Individual Septic Tank Systems

The City of Santa Cruz operates a wastewater collection, primary treatment, and ocean disposal system with a capacity of 21 mgd. Sewerage service is provided to the City of Santa Cruz, Santa Cruz County Sanitation District (SCCSD), and the City of Scotts Valley. The SCCSD serves East Cliff, Capitola, Aptos, and Seacliff areas. The recommended plan for the City is to upgrade the existing treatment plant at Neary's Lagoon to secondary level treatment. A new outfall was completed in 1988. The new outfall is 12,250 feet long terminating in 100 feet of water about one mile offshore. It replaces a 2,000 foot outfall which was a source of many complaints due to its proximity to the shore water-contact recreation area.

Mitigation measures to offset environmental impacts to Neary's Lagoon and an adjacent park must be resolved before the plant can proceed. The City has implemented a pretreatment program affecting the City of Santa Cruz, and Santa Cruz County Sanitation District.

Wastewaters from sewered areas of the City of Scotts Valley are transported to Scotts Valley's secondary treatment plant. Effluent is transported through a land outfall to the City of Santa Cruz marine outfall for disposal to the Pacific Ocean. A recommended plan for Scotts Valley includes: (1) increasing wastewater treatment capacity from 0.65

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mgd to 0.95 mgd, (2) providing reclaimed water to Pasatiempo Golf Course and other green belt areas for irrigation purposes, and (3) transporting excess wastewater through the Scotts Valley land outfall to the City of Santa Cruz ocean outfall. An alternative plan is to transport raw wastewater through the Scotts Valley land outfall to the Santa Cruz wastewater treatment plant for treatment and disposal through the ocean outfall. Local water agencies (Scotts Valley Water District and San Lorenzo Valley Water District) may benefit from reclamation efforts and should be involved in reuse planning.

Davenport County Sanitation District (DCSD) was created in 1979 to provide sewer and water services to the Davenport-Newtown area located on the coast north of Santa Cruz. Davenport-Newtown area has interceptors and an aerated wastewater lagoon on property owned by Lone Star Industries. Disposal is through evaporation/ percolation and industrial reuse. DCSD is responsible for wastewater collection, treatment, and disposal.

The State Department of Parks and Recreation is responsible for Big Basin State Park facilities (.04 mgd). Discharge provides stream flow augmentation. The wastewater treatment plant includes secondary treatment with sand filtration and coagulation. This stream discharge qualifies as an acceptable wastewater reclamation project. The discharge is upstream from a popular swimming hole, so this plan emphasizes the need to enhance water quality and protect beneficial uses in Waddell Creek. The Department of Parks and Recreation must correct wastewater system deficiencies in order to protect public health and the beneficial uses of Waddell Creek and tributaries.

The recommended plan for the Ben Lomond Conservation Facility is to retain the existing septic tank, evaporation/percolation ponds, and spray field. Existing facilities are adequate so long as operation and maintenance are effective.

Wastewater management in San Lorenzo Valley (SLV) is provided by three community treatment and disposal facilities (Bear Creek Estates, Big Basin Woods, and Boulder Creek Golf and Country Club). Remaining areas are served by individually owned septic tank and soil absorption systems. Bear Creek Estates uses septic tank treatment with disposal to

a soil absorption system. This facility is the responsibility of San Lorenzo Valley Water District and Bear Creek Estates.

The recommended plan for Big Basin Woods Subdivision is to retain the existing extended aeration treatment facility with leachfield disposal, presently operating at approximately ten percent of total capacity (.35 mgd). Flow from County Service Area No. 7 has been diverted to Big Basin Woods' leachfield during equipment repair periods. Leachfield capacity is adequate to serve both Big Basin Woods and CSA No. 7. Existing facilities are adequate so long as operation and maintenance are effective. This plan will be implemented by Big Basin Sanitation Company, Big Basin Woods Subdivision, and the San Lorenzo Valley Water District.

The recommended plan for Boulder Creek Golf and Country Club is to retain the existing activated sludge treatment facility with leachfield disposal and add filtration for golf course irrigation. Existing facilities are adequate so long as operation and maintenance are effective. Operation and maintenance of the system is the responsibility of the Santa Cruz County Department of Public Works. This plan will be implemented by Santa Cruz County Service Area No. 7 through Santa Cruz County Department of Public Works and San Lorenzo Valley Water District.

Rolling Woods Subdivision, Santa Cruz County Service Area No. 10, provides treatment with a redwood bark biofilter and disposes treated effluent through percolation pits. This facility should be replaced with an interceptor that would convey wastes to the City of Santa Cruz for treatment and disposal.

Individually owned septic tank leachfield systems in the San Lorenzo Valley are being studied closely to identify problem areas and determine the suitability of these problem areas for the continued use of septic systems. Alternatives will be proposed and evaluated to reduce septic system problems and to respond to this Plan's discharge prohibition in certain areas of the valley. Specific design criteria for conventional and modified septic systems will be developed as part of on-going county studies.

Dischargers in the Aptos-Soquel area include Santa Cruz County Service Area No. 5 (Sand Dollar Beach and Canon del Sol), SCCSA No. 20 (Trestle Beach), and Monterey Bay Academy. Flows from Aptos and East Cliff are conveyed through interceptors and pumping stations for treatment at the City of Santa Cruz Wastewater Treatment Plant.

The recommended plan for SCCSA No. 5 is to retain the existing extended aeration package treatment plant and disposal to seepage pits. Wastewater treatment and disposal at Canon del Sol will be by the same methods as Sand Dollar Beach. Facilities will be adequate so long as operation and maintenance are effective. This plan will be implemented by SCCSA No. 5 through Santa Cruz County Department of Public Works.

Wastewater treatment at Trestle Beach (SCCSA No. 20) will be provided by an extended aeration package treatment plant with disposal to seepage pits. This plan will be implemented by SCCSA No. 20 through the Santa Cruz County Department of Public Works. It is recommended that CSA No. 5 and No. 20 be connected to regional collection systems when service is extended to adjacent areas.

The recommended plan for the Monterey Bay Academy is to retain the existing settling pond with disposal to a series of evaporation-percolation ponds.

VI.B.2. PAJARO RIVER HYDROLOGIC UNIT

Summarized municipal dischargers in the Pajaro River Hydrologic Unit include the City of Gilroy/ Morgan Hill, City of Hollister, City of San Juan Bautista and the City of Watsonville. Table 4-2 displays dischargers summarized for the Pajaro River Hydrologic Unit.

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Table 4-2. Pajaro River Hydrologic Unit Summarized Municipal Dischargers

Unsewered San Martin
 City of Gilroy/Morgan Hill
 San Benito County Facilities
 Sunnyslope County Water District
 Tres Pinos County Water District
 City of Hollister
 City of San Juan Bautista
 City of Watsonville

The Gilroy area includes the unsewered San Martin area and the City of Gilroy's advanced primary treatment and land disposal facilities serving the Cities of Gilroy and Morgan Hill. The Cities are currently attempting to develop facilities to resolve disposal capacity deficiencies. Primary treatment provided via two oxidation ponds with surface aeration. Effluent disposal is to a series of evaporation/percolation ponds. Wastewater reclamation facilities were constructed in 1977 to alleviate water shortages during drought conditions. When reclamation facilities are in use (seasonally), primary effluent is provided further treatment in an aeration pond. Effluent is then screened, chlorinated, and pumped through nine miles of distribution pipe to various users (for irrigation purposes). The reclamation system's economics have not been favorable. Industrial flows of 6.3 mgd are treated and disposed of in a separate series of sedimentation, oxidation, and percolation ponds.

The recommended plan for the Gilroy-Morgan Hill wastewater treatment facilities is to continue geohydrological assessments to determine impacts of continued effluent disposal by percolation at the Gilroy site. If beneficial uses of surface and ground waters are not adequately protected, other treatment and/or disposal methods must be used. Disposal will continue to be by percolation, evaporation and reclamation. Before a discharge to surface waters is considered, the City will be required to evaluate feasible land disposal options. If current percolation practices are not causing receiving water problems, feasibility of existing disposal area expansion should be considered. The Cities are also evaluating stream disposal. Currently, the Cities of Gilroy and Morgan Hill are responsible for collection, treatment, and disposal of wastewater. They are also responsible for operating the wastewater reclamation facilities. Santa Clara Valley Water District is responsible for

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administrative tasks for the reclamation system. In addition, the Cities of Gilroy and Morgan Hill have implemented a pretreatment program since 1983.

Individual on-site systems are used for sewage disposal in the San Martin area. Twenty percent of the area's wells exceed the nitrate drinking water objective. This is a significant problem since this area serves as the sole recharge area for the Santa Clara Valley. Methods of providing a water supply that is free of excessive nitrate concentration should be investigated and implemented. Nitrate loadings from various sources should be calculated for the area to determine the contribution from various sources. The need for on-site system restrictions should be determined.

Small discharges (less than 0.10 mgd) in the Hollister area include flows from San Benito County Facilities, Sunnyslope County Water District, and Tres Pinos County Water District. City of Hollister wastewater is treated at the City of Hollister Wastewater Treatment Facilities (1.2 mgd). San Juan Bautista wastewater is treated at the City of San Juan Bautista Wastewater Treatment Facilities (0.15 mgd).

The recommended plan for Tres Pinos is to retain the existing evaporation/percolation ponds. The recommended plan for San Benito County Hospital Facilities and Sunnyslope County Water District is to study the feasibility of constructing interceptors to the Hollister facilities or consolidating into a single subregional system. Existing facilities consisting of aerated pond treatment followed by land disposal to evaporation/percolation ponds may be maintained if project level studies determine this to be the more feasible method of wastewater treatment and disposal. Sunnyslope County Water District owns and operates a wastewater treatment and disposal system serving approximately 300 homes in Ridgemark Estates subdivision located approximately 2-1/2 miles south-east of Hollister. Wastewater is treated in two aerated ponds and disposed of in evaporation/percolation ponds. Effluent may be used in the future to irrigate a golf course.

The recommended plan for the City of Hollister is to retain the existing advanced primary treatment facilities and percolation ponds which started operating in 1979. The Hollister industrial system is to be maintained separately to receive seasonal

flows from the spinach and tomato processing operations. The recommended plan for the City of San Juan Bautista is development of a land disposal system. The City currently discharges secondary effluent to a drainage ditch tributary to Pajaro River.

Land disposal of wastewaters in the Hollister region must be monitored carefully to assure ground water quality is protected. Source control of salt must be stressed to reduce effluent salinity to levels acceptable for disposal to local ground waters.

Wastewaters in the Watsonville area are transported to regional treatment facilities in the City of Watsonville with a design capacity of 13.4 mgd. Collection, primary treatment, and disposal to Monterey Bay are provided for the City of Watsonville, and the local sewerage entities of Freedom County Sanitation District, Pajaro County Sanitation District and Salsipuedes Sanitary District. The City submitted an application to EPA for waiver of secondary treatment requirements and the Regional Board has approved a waiver permit. Project level studies determined ocean disposal to be the most feasible method of waste disposal. Ocean outfall improvements and a phased approach to secondary treatment are included in Watsonville's Clean Water Grant Project. If a waiver from secondary treatment is granted, the project will provide advanced primary treatment. Local sewerage entities retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge to interceptors owned and operated by Watsonville. The City is implementing a pretreatment program and the Regional Board has approved a waiver permit.

VI.B.3. CARMEL RIVER HYDROLOGIC UNIT

Summarized municipal dischargers in the Carmel River Hydrologic Unit include Carmel Sanitary District. Table 4-3 displays dischargers summarized for the Carmel River Hydrologic Unit.

Table 4-3. Carmel River Hydrologic Unit Summarized Municipal Dischargers

Carmel Sanitary District
 Carmel Valley Sanitation District
 Village Green
 White Oaks
 Carmel Valley Ranch
 Carmel Highlands Inn
 Carmel Sanitary Association

The Carmel Sanitary District operates a secondary wastewater treatment plant with ocean disposal serving Carmel-by-the-Sea, Del Monte Forest, and a few adjacent areas. The outfall system terminates within a portion of Carmel Bay that is designated an Area of Special Biological Significance (ASBS). The District is developing a reclamation project for irrigation of Monterey Peninsula Golf Courses. A high concentration of golf courses in a water short area makes reclamation particularly desirable and attractive.

Carmel Valley Sanitation District operates three facilities in Carmel Valley. These include community septic tank/subsurface disposal systems at Village Green and White Oaks and a tertiary type treatment plant with golf course reclamation at Carmel Valley Ranch. No changes are recommended unless public health or water quality problems develop. Should the need arise for specific septic system maintenance in Carmel Valley, local agencies should be considered for management responsibilities.

Comprehensive studies to determine the feasibility of establishing separate treatment plants have been completed for the Carmel Valley area. These studies conclude that on-site septic systems should remain operational until further ground water monitoring data shows sewers are necessary. Wastewater treatment and reuse on the Carmel Valley Ranch Golf Course provides an optimal way of managing waste generated in the area.

Carmel Highlands wastewaters should continue to be treated in on-site wastewater systems except at the Highlands Inn and the Carmel Highlands Sanitary Association. Both of these systems will continue to discharge treated secondary quality effluent to the Pacific Ocean.

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VI.B.4. SANTA LUCIA HYDROLOGIC UNIT

The U.S. Navy's Point Sur wastewater facilities and the State Department of Parks and Recreation Pfeiffer Big Sur State Park facilities are the only significant facilities in this hydrologic unit. Ocean discharge from the U. S. Navy is being discontinued and is being replaced with a subsurface land disposal system. The subsurface land disposal system at Pfeiffer Big Sur State Park also seems adequate. If expansion to this facility is considered or if ground or surface water degradation from this discharge is detected, other means of disposal, such as reclamation, are recommended.

VI.B.5. SALINAS RIVER HYDROLOGIC UNIT

The extensive Salinas River Hydrologic Unit includes the Monterey Peninsula and southern coastal area of Monterey Bay, the City of Salinas, agricultural and small urban centers of the Salinas Valley, and recreational developments in the upper watersheds. Major dischargers in the Salinas River Hydrologic Unit include the Monterey Regional Water Pollution Agency (MRWPCA). Table 4-4 displays dischargers summarized below for the Salinas River Hydrologic Unit.

Table 4-4. Salinas River Hydrologic Unit Summarized Municipal Dischargers

Monterey Regional Water Pollution Control Agency (MRWPCA)
 U. S. Army Fort Hunter Liggett
 California Army National Guard - Camp Roberts
 King City
 City of Paso Robles
 City of Atascadero
 San Luis Obispo County Service Area No. 7A Oak Shores
 San Luis Obispo County Service Area No. 19 Heritage Ranch Development

The recommended plan for the Monterey Peninsula-Salinas area calls for consolidation of

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Monterey Peninsula, Salinas, Castroville, and other Monterey Bay municipal wastewater flows into a regional wastewater treatment plant and outfall. Discharge is to central Monterey Bay outside the prohibition zone described in Chapter 5 "Discharge Prohibitions" under "Waters Subject to Tidal Action." Upon completion of the regional plant, wastewater treatment plants in Monterey, Salinas (2), Castroville, and Fort Ord will be taken out of service. The Monterey Regional Water Pollution Control Agency (MRWPCA) was established to manage and implement regional consolidation.

It is recommended MRWPCA implement wastewater reclamation. MRWPCA plans to provide reclaimed water to the Castroville Irrigation Project which involves irrigating food crops in the Castroville area with water reclaimed at the regional plant blended with water diverted from the Salinas River.

New major residential developments proposed within the service area of the Regional Project should connect to the regional system unless studies can show that water quality and public health concerns can be properly mitigated. Sewerage feasibility studies and aerial ground water studies should continue in this sub-basin to assure that adequate sewage treatment and disposal capabilities are maintained for both existing and proposed development.

Recommended plans for Salinas Valley communities, the U. S. Army's Fort Hunter Liggett, the California Army National Guard's Camp Roberts, and recreational areas in the upper watershed involve separate wastewater treatment and disposal facilities.

Dischargers along the Salinas River should remain as separate treatment facilities with land disposal to evaporation/percolation systems and land application (irrigation) systems where possible. Disposal should be managed to provide maximum nitrogen reduction (e.g., through crop irrigation or wet and dry cycle percolation). Facility expansions shall include means for nitrogen reduction. Shallow ground water monitoring at these facilities will determine if additional improvements are necessary. King City should consider expanding its service area to include Pine Canyon if development continues in that area.

The City of Paso Robles owns and operates a secondary treatment plant (4.9 mgd) utilizing trickling filtration followed by oxidation ponds. Disposal is by evaporation and percolation from the oxidation ponds and by discharging from the last pond to the Salinas River channel. Use of reclaimed water should be investigated and implemented, if feasible. A reduction of inorganic salt in the effluent would increase its desirability to potential users. A report, "Water Quality in the Paso Robles Area," published by the California Department of Water Resources in 1981 made water quality control recommendations, including a recommendation for more stringent control of total dissolved solids and sodium in the City's wastewater treatment plant discharge. A Regional Board Salt Balance Study is planned to further define the need and methods of salt reduction.

The City of Paso Robles also owns and operates the wastewater facility serving the California Youth Authority and Paso Robles Airport Wastewater treatment plant (0.10 mgd). Disposal is to a series of oxidation-percolation ponds located adjacent to Huerhuero Creek. Wastewater reclamation uses should be investigated. An effluent pump exists at the plant in case wastewater reclamation potential develops. The City is planning an interceptor sewer to eliminate this facility and provide all treatment and disposal at its main City facility.

The City of Atascadero (1.67 mgd) owns and operates a wastewater collection, treatment, and disposal system serving part of the City. Pond treatment is provided followed by land disposal to percolation ponds and by irrigation of a golf course. San Luis Obispo County Health Department has documented public health problems and water quality problems arising from failing on-site sewage disposal systems in areas within the City. The City was seweraged in the most significant problem areas, but additional sewerage is needed.

Dischargers in the Nacimiento Reservoir area include San Luis Obispo County Service Area No. 7A, Oak Shores Development (0.1 mgd); and, San Luis Obispo County Service Area No. 19, Heritage Ranch Development (0.40 mgd). Wastewater facilities for the Oak Shores Development consist of two aerated treatment ponds and spray disposal. Part of the collection system is located below the spillway elevation of Nacimiento Reservoir. This has been a

source of excessive infiltration in the past and the problem has been corrected. This area should be watched closely as reservoir level rises and wastewater flows increase to insure infiltration and/or exfiltration do not reoccur. Major expansion of wastewater facilities is expected in the future. As the development grows, new disposal facilities should be relocated well away from Nacimiento Lake.

Wastewater at Heritage Ranch is treated in aerated lagoons at the development. Discharge is to a holding pond, filtered, and then discharged to a drainageway located outside the Nacimiento Reservoir watershed.

Camp Roberts is a U. S. Army installation that is leased by the California National Guard as a major training site. Wastewater flows that vary from 3000 gpd in winter to nearly 1.0 mgd in summer are treated to secondary levels prior to disposal in a series of percolation/evaporation ponds located near the Salinas River. The facility was upgraded in 1980 and there are no additional recommendations.

Dischargers in the San Antonio Reservoir watershed include Monterey County's Department of Parks and Recreation and the U.S. Army's Fort Hunter Liggett. There are no recommended changes to facilities operated by the Monterey County Department of Parks and Recreation. The U.S. Army, Fort Hunter Liggett operates wastewater treatment facilities located adjacent to the San Antonio River. The recommended plan is to maintain the existing facilities with improvement of the spray disposal area.

VI.B.6. ESTERO BAY HYDROLOGIC UNIT

Municipal wastewater management plans for the Estero Bay Hydrologic Unit are described for each of these four areas: North Coast, Morro Bay, San Luis Obispo Creek, and South County Regions. Table 4-5 displays dischargers summarized below.

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Table 4-5. Estero Bay Hydrologic Unit Summarized Dischargers

Cambria Community Services District
 San Simeon Acres Community Services District
 City of Morro Bay and Cayucos Sanitary District
 California Men's Colony
 Los Osos septic tank/leachfield systems
 City of San Luis Obispo
 Avila Beach County Water District
 San Luis Obispo County Service Area No. 18-
 Country Club Estates
 City of Pismo Beach
 South San Luis Obispo County Sanitation District
 Lopez Recreation Area Wastewater Treatment Plant

Dischargers in the North San Luis Obispo Coast include Cambria Community Services District (1.0 mgd) and San Simeon Acres Community Services District (0.2 mgd).

Secondary treatment facilities at Cambria have a design capacity of 1.0 mgd and include a land outfall and spray irrigation system for effluent disposal, and an effluent holding reservoir. Excess effluent that cannot be spray-irrigated is pumped to the reservoir for later land disposal or discharged during wet weather through a sand filter bed to Van Gordon Creek. The District is evaluating land disposal improvements. Implementation of this plan is the responsibility of Cambria Community Services District.

San Simeon Acres Community Services District owns and operates a secondary treatment (activated sludge) plant with design capacity of 0.2 mgd. Wastewater visitor complex generated at Hearst Castle and within the community is treated and discharged to the Pacific Ocean through an ocean outfall. The recommended plan is to retain the treatment plant.

Dischargers in the Morro Bay area include the City of Morro Bay and Cayucos Sanitary District (2.1 mgd), California Men's Colony (CMC) (1.2 mgd), and Los Osos- Baywood septic tank leachfield systems.

The City of Morro Bay and the Cayucos Sanitary District jointly own treatment facilities with ocean outfall disposal. Wastewater is being treated by a newly constructed plant and discharged through a newly constructed ocean outfall. In order to

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maximize plant capacity and meet Ocean Plan requirements, part of the effluent receives primary treatment only and part receives secondary treatment. Primary and secondary quality effluents are blended before disposal to the Pacific Ocean in compliance with a secondary treatment waiver.

Recently renovated wastewater treatment facilities at California Men's Colony also serve the California National Guard Camp, Cuesta College, the County Educational Center, and the County Operational Facility. Secondary treatment with coagulation/filtration, and subsequent disposal to Chorro Creek (stream flow augmentation) are provided. Effluent is also used to irrigate fodder crops on nearby lands owned by California State Polytechnic University.

Development on small lots in Los Osos-Baywood has resulted in one of the most densely populated areas without public sewers on the central coast. Septic tank effluent is discharged in predominantly sandy soil over a ground water basin which is the sole source of water for the area. Some shallow wells have approached and exceeded the public health maximum nitrate concentration limit. The County of San Luis Obispo conducted a Clean Water Grant funded study of this situation. Study findings resulted in a Basin Plan Prohibition of discharges effective November 1, 1988. The County has not implemented the recommended project of sewerage the area. (A new septic system discharge prohibition now exists for the area).

Dischargers in the San Luis Obispo Creek area include the City of San Luis Obispo (5.1 mgd), Avila Beach County Water District (0.1 mgd), and San Luis Obispo County Service Area (CSA) No. 18, Country Club Estates (0.12 mgd).

The City of San Luis Obispo wastewater treatment facilities serve as a regional plant for the City and certain proximal unincorporated county areas. Trickling filters provide secondary treatment before disposal to San Luis Obispo Creek. Infiltration and inflow in the wastewater collection system causes excessive wet weather flows and intermittent discharges to San Luis Obispo Creek of partially treated wastewater. The recommended plan for San Luis Obispo is improving the collection and treatment facilities capacity to eliminate these discharges. The City's Wastewater Management Plan should be

implemented to provide treatment necessary to comply with stringent permit requirements.

The small community of Avila Beach is served by a small advanced primary trickling filter wastewater treatment facility owned and operated by the Avila Beach County Water District. Design capacity of the plant was originally 0.18 mgd, but was downgraded in 1986 to 0.1 mgd as the NPDES permit was revised to include secondary treatment standards for trickling filters. Current average flow is only 0.07 mgd. Wastewater disposal is through an ocean outfall to the Pacific Ocean. Additional treatment and/or outfall modification will be necessary as flow increases. Oceanographic studies would be required to determine appropriate modifications (e.g., lengthen the outfall and add a multiport diffuser).

Country Club Estates (CSA No. 18) is a small subdivision in South San Luis Obispo County that historically relied on septic tank systems for wastewater treatment and disposal. A septic tank system performance survey completed in January, 1981, identified significant public health hazards from numerous failing septic tank systems in the subdivision. The septic systems were replaced in 1988 by a small secondary treatment plant (0.12 mgd) with effluent disposal via golf course irrigation at the San Luis Obispo Golf and Country Club.

Dischargers in the South San Luis Obispo County Region include the City of Pismo Beach (1.2 mgd), South San Luis Obispo County Sanitation District (3.0 mgd) (serving the City of Arroyo Grande, City of Grover City, and Ocean Community Services District), and Lopez Recreation Area wastewater treatment plant (0.10 mgd). These dischargers provide secondary treatment of wastewater through three separate facilities. Pismo Beach has a land outfall to the South San Luis Obispo County Sanitation District ocean outfall. Plant reliability improvements were made in 1987. Future treatment plant enlargements should provide duplicate process units for improved operation and maintenance. A long range solids management plan must be developed and implemented.

South San Luis Obispo County Sanitation District disposes of secondary effluent through an ocean outfall to the Pacific Ocean. The District has enlarged its facilities to 3.0 mgd and changed from activated sludge to fixed film reactor. A long range

solids management plan is also needed for this plant.

The Lopez Recreation Area treatment facilities serve County facilities adjacent to Lopez Lake. Lopez Lake serves as a municipal water supply for downstream coastal communities. It is recommended land disposal of wastes be continued. Ground water quality monitoring should be used to provide warning of any potential ground water problems downstream of the disposal area. Implementation of this plan is the responsibility of the County of San Luis Obispo.

VI.B.7. CARRIZO PLAIN HYDROLOGIC UNIT

There are no municipal sewerage systems in the Carrizo Plain Hydrologic Unit; recommended practices for individual disposal systems will pertain to this area.

VI.B.8. SANTA MARIA RIVER HYDROLOGIC UNIT

The municipal wastewater management plans for the Santa Maria Valley and the Cuyama Valley are described separately for the City of Guadalupe, the City of Santa Maria, the Laguna County Sanitation District, Nipomo, and the New Cuyama wastewater treatment plant.

It is recommended that separate wastewater treatment and disposal/reclamation facilities be maintained by the City of Guadalupe (0.5 mgd), the City of Santa Maria (7.8 mgd), and the Laguna County Sanitation District (3.2 mgd). Discharge will be to land in each case.

The City of Guadalupe provides primary treatment followed by mechanically aerated lagoons. An unincorporated neighborhood known as the Gularte Tract is located adjacent to Guadalupe. A lift station and interceptor have been constructed to transport Gularte's wastewater to the City's collection system.

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The recommended plan for Guadalupe is to complete additional storage ponds and disposal facilities to insure containment of wastewaters during wet weather and accommodate planned growth and to continue effluent discharge to land. Use of reclaimed water to irrigate nearby pasture lands is encouraged and should be maximized. Implementation of this plan is the responsibility of the City of Guadalupe. The County of Santa Barbara will be responsible for wastewater collection and transport systems for Gularte Tract up to the point of discharge to interceptors owned and operated by Guadalupe.

The City of Santa Maria provides wastewater collection, treatment, and disposal services to the City of Santa Maria, Santa Maria Airport District, and part of Laguna County Sanitation District. Biological secondary treatment is provided with disposal to percolation ponds and irrigation lands. The recommended plan for Santa Maria is to retain the existing treatment and disposal facilities. Since the Santa Maria ground water basin is in a state of adverse dissolved solids balance, it is imperative that quantities of total dissolved solids, sodium, chloride, nitrogen, and nitrogen compounds be kept to a minimum by implementing a strict source control ordinance. Additional measures -- importing better quality water, drilling new wells, partial desalting, etc. - may be required in the future to provide a suitable water supply for the area. Laguna County Sanitation District retains ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into interceptors owned and operated by the City of Santa Maria.

A secondary wastewater treatment plant owned and operated by Laguna County Sanitation District treats most of the wastewater generated within the District. Wastewater is discharged to approximately 2,250 acres of private lands located adjacent to the facility. The landowners and the County have a 30-year agreement for irrigation of fodder, fiber, and seed crops. The recommended plan for Laguna is to improve plant performance and increase capacity through a staged construction plan. Enough land is available to allow expansion and continue reclamation. Recommended improvements include increasing capacity and reliability of the Orcutt Lift Station, increasing sludge drying bed area, and expanding effluent, pumping, storage, and conveyance facilities. Funding of future

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improvements and plant expansions would be through connection and user charges. Laguna County Sanitation District is responsible for implementation of the recommended plan. Impact of salts must be minimized by implementing a strict source control ordinance and discharging to areas outside the main ground water recharge area.

Failing individual on-site sewage disposal systems in the community of Nipomo resulted in a treatment facility being completed in 1987. Treatment is by aerated lagoons and disposal is by percolation beds. Sewer service is provided to downtown Nipomo and County operated systems of Nipomo Palms, Black Lake Estates and Galaxy Subdivisions. The recommended plan is to extend the sewer system to small lot areas as growth allows.

Existing facilities at the New Cuyama Wastewater Treatment Plant provide primary treatment of wastewater, with some aeration. Effluent is chlorinated before discharge to Salisbury Creek. The recommended plan for New Cuyama is to study existing facilities, determine future needs of the community, and, since water is in short supply, explore wastewater reclamation alternatives. Cuyama Community Services District is the responsible party for wastewater and water supply facilities in New Cuyama. It is recommended that exploratory wells be drilled to find a higher quality water supply. If a lower salt content water is not available, the existing water supply should be partially demineralized.

VI.B.9. SAN ANTONIO CREEK HYDROLOGIC UNIT

Los Alamos Community Services District owns and operates a wastewater treatment and disposal facility to serve the Los Alamos community. Wastewater (0.1 mgd) is treated in mechanically aerated ponds and discharged to disposal ponds and a spray reclamation area.

VI.B.10. SANTA YNEZ RIVER HYDROLOGIC UNIT

Municipal wastewater management plans for the Santa Ynez River Hydrologic Unit are described below. Table 4-6 displays dischargers discussed below.

Table 4-6. Santa Ynez River Hydrologic Unit Summarized Municipal Dischargers

City of Lompoc
Mission Hills Community Services District
Vandenberg Air Force Base
U. S. Department of Justice, Bureau of Prisons
Buellton Community Services District
City of Solvang
Cachuma County Sanitation District

Parts of Lompoc Valley ground water basin are in a state of adverse salt balance because of municipal and agricultural discharges. It is imperative that impacts of point source waste discharges to land be reduced by continuing to implement strict salt limitations, source control programs, and other salt management practices.

The City of Lompoc operates a secondary treatment facility (5.0 mgd) and discharges treated effluent to Santa Ynez River. The City also provides service to Vandenberg Village Community Services District and sewer areas of Vandenberg Air Force Base. The recommended plan for Lompoc is to control mineral concentrations in the effluent by enforcing strict limits on discharges to the sewer system and to continue to implement a pretreatment program. Implementation of this plan is the responsibility of the City of Lompoc. Vandenberg Air Force Base and Vandenberg Village Community Services District retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into the wastewater treatment plant and/ or interceptors owned and operated by the City of Lompoc.

In 1980, the Mission Hills Community Services District (0.4 mgd) was formed, assuming ownership and responsibility for water supply and sewage disposal in Mission Hills. The District expanded and

upgraded its La Purisima Plant and eliminated the Rucker Road Plant. Wastewater is treated in mechanically aerated ponds and discharged to a series of evaporation/percolation ponds and reclamation areas. Separate water reclamation requirements were adopted for Mission Belle Dairy as a primary user of reclaimed water for pasture and fodder crop irrigation.

There are isolated areas of Vandenberg Air Force Base that are not served by the Base's collection system. Separate treatment and disposal systems exist to serve these areas. Due to the isolation of these systems, it is recommended that they be retained. Efficient operation and maintenance of these systems will protect public health and water quality.

The United States Department of Justice, Bureau of Prisons, owns and operates existing facilities at the U.S. Penitentiary (0.6 mgd) which provide secondary treatment of wastewater. Treated wastewater is reclaimed for irrigation of forage crop land.

It is recommended that facilities be maintained separately at Buellton Community Services District (0.65 mgd), City of Solvang (1.0 mgd), and Cachuma County Sanitation District (0.22 mgd). Secondary treatment prior to land disposal coupled with a strict source control program will be necessary to protect local ground waters in these three areas.

The City of Solvang operates a secondary wastewater treatment facility to serve the City and Santa Ynez Community Services District with effluent disposal to evaporation/percolation ponds. Since the disposal ponds are located in a flood-prone area, it is imperative that sufficient disinfection capacity be available to disinfect effluent during wet weather. Expansion of capacity should be considered for ongoing growth in areas adjacent to present City and District boundaries. Implementation of this plan is the responsibility of both the City of Solvang and Santa Ynez Community Services District. Need for, and feasibility of providing, sewerage facilities for the Los Olivos-Ballard areas should be investigated by the County of Santa Barbara. Treatment and disposal service for this area be contracted with the City of Solvang.

The recommended plan for Cachuma County Sanitation District is to continue to treat and dispose of wastewater in percolation ponds and spray fields outside the Cachuma Reservoir watershed. Since ground waters downgradient from the spray field are used for domestic water supply, sampling of the nearest downgradient well is recommended to insure that water supply quality is not adversely affected by the discharge.

VI.B.11. SOUTH COAST HYDROLOGIC UNIT

Summarized municipal wastewater treatment and disposal agencies in the South Coast Hydrologic Unit are described separately for the Goleta Sanitary District (9.7 mgd), City of Santa Barbara (11.0 mgd), Montecito Sanitary District (1.5 mgd), Summerland Sanitary District (0.20 mgd), and, Carpinteria Sanitary District (2.0 mgd) wastewater treatment plants.

Goleta Sanitary District operates a wastewater collection system within the District and a treatment and ocean disposal system to provide service to Goleta Sanitary District, Isla Vista Sanitary District, University of California at Santa Barbara, Santa Barbara Municipal Airport, and facilities of Santa Barbara County. EPA granted the District a waiver from secondary treatment requirements. The waiver permit limits flow to 7.9 mgd provided mass emission rates do not exceed limits based on a flow of 7.3 mgd. In order to meet EPA's conditions and Ocean Plan criteria, part of the effluent receive primary treatment only and part receives secondary treatment. Primary and secondary effluent are blended before disposal to the Pacific Ocean. The District implements a pretreatment program. Isla Vista Sanitary District, University of California at Santa Barbara, Santa Barbara Municipal Airport, and Santa Barbara County retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into interceptors owned and operated by Goleta Sanitary District. A long range solids management plan is needed to assure sludge disposal needs are met.

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The recommended plan for the City of Santa Barbara is to retain El Estero Wastewater Treatment Plant, with disposal to the Pacific Ocean, along with implementation of the City of Santa Barbara wastewater reclamation project. The City could consider implementing a cost-effective composting program to reduce transportation costs. The City implements a pretreatment program and also provides service to an unincorporated community in Mission Canyon located above the City.

The recommended plan for Montecito Sanitary District is to continue secondary treatment with disposal to the Pacific Ocean.

The recommended plan for Summerland Sanitary District is to expand and upgrade existing facilities to insure reliable plant operations and to accommodate planned growth. Recommended improvements are addition of standby power, dual processes, and continuous monitoring of total chlorine residual.

The recommended plan for Carpinteria Sanitary District is to retain existing secondary treatment facilities with disposal to the Pacific Ocean.

VI.C. INDUSTRIAL WASTEWATER MANAGEMENT

In general, the alternatives available to industrial discharges are the following: (1) ocean discharge and compliance with the State Ocean Plan, the State Thermal Plan and Public Law 92-500; (2) containment of nonsaline and non-toxic wastes on land; (3) reinjection of oil and gas production brines; (4) inland surface water discharge, if other alternatives are proved infeasible; and, (5) abandonment of the treatment facility and connection to a publicly owned treatment works. In most cases, alternatives will be limited by standards of performance and pretreatment standards being developed by EPA. It should also be noted that federal guidelines will be subject to regional considerations such as important fishery resources or wildlife areas which could necessitate making regional industrial discharge requirements more stringent than national performance standards.

Specific effluent limitations are being promulgated for existing industrial waste discharges together with standards of performance and pretreatment standards of performance for new sources pursuant to sections 304(b), 306 (b), and 307(b), of the federal Water Pollution Control Act. Effluent limitations were being circulated for comment by the EPA. Waste source categories of particular interest in the basin which will be covered by those sections of the federal law include:

Meat product and rendering processing

Dairy product processing

Canned and preserved fruits and vegetables processing

Canned and preserved seafood processing

Cement Manufacturing

Feedlots

Electroplating

Beet sugar processing

Petroleum production and refining

Steam electric power plants

Leather tanning and finishing

Further information pertaining to industrial discharges can be found in the Management Principles and Control Actions Section of Chapter 5. The State Water Resources Control Board Plans and Policies Section, Discharge Prohibition Section, and Regional Board Policies Section are likely to apply (depending on site specific circumstances).

VI.D. SOLID WASTE MANAGEMENT

The protection and maintenance of water resources requires consideration and regulation of solid waste management practices. This section discusses present and future solid waste production, existing disposal practices and their effect on water quality, and proposed plans for solid waste disposal within the study area.

Land disposal is regulated by the California Code of Regulations, Title 23, Chapter 15 (Chapter 15). In the vernacular of Chapter 15, wastes are classified as either hazardous waste, designated waste, nonhazardous solid waste, or inert waste. Waste Management Units (WMUs) are classified as either Class I, II or III depending on the type of waste to be disposed of in the unit. Class I WMUs have the most restrictive siting criteria and must be constructed to provide optimum conditions for isolation of wastes from waters of the State. A double liner and a leachate collection and removal system (LCRS) is required for all Class I units. Class II WMUs also have relatively restrictive siting and construction standards and are designed to totally isolate wastes from the environment. Double liners and LCRSs are typical, but not always, required for Class II units. Class III WMUs must be sited and constructed such that no impairment of beneficial uses of surface or ground water beneath or adjacent to the site occurs. Siting and construction standards for Class III units are the least restrictive of the three, but the requirements are still considerable.

Wastes are considered hazardous if they meet the criteria defined in CCR Title 22, Section 66300. Examples of wastes that are considered hazardous include: waste solvents, waste pesticides, and waste electroplating solutions, to name a few. Hazardous wastes must be discharged only at Class I WMU.

Wastes are classified as designated if, under ambient conditions at the WMU, they may be released in concentrations in excess of applicable water quality objectives or cause degradation of waters of the State. Some examples of designated waste include, wet sewage treatment plant sludge, oil field wastes,

and some drilling muds. Designated wastes must be disposed of only at Class I WMU's, or at Class II WMU's which are approved for that particular type of waste.

Nonhazardous solid wastes consist of the more typical household and industrial wastes including: trash, rubbish, ashes, demolition and construction wastes, discarded home and industrial appliances, manure, and vegetable or animal solid or semi-solid wastes provided they do not meet the criteria mentioned above for hazardous or designated wastes. Nonhazardous solid waste may be disposed of at any classified WMU, but normally it is disposed of only at Class III WMUs to conserve the diminishing volume in the few operating Class I and Class II WMUs.

Inert waste does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives and does not contain significant quantities of decomposable waste. Some examples of inert wastes include: broken up concrete rubble and excess clean earth fill. Inert wastes do not necessarily need to be disposed of at classified waste management units (i.e., Class I, II or III), but waste discharge requirements may be issued for the discharge at the discretion of the Regional Board.

There are 28 authorized active waste disposal sites regulated by the Central Coast Regional Board. Of the 28 sites, 26 are Class III landfills, with one Class I landfill, and one Class II surface impoundment. Additional information regarding a specific waste management unit can be found in the respective County Waste Management Plan in which the unit is located.

In recent years, data indicates municipal solid waste landfills may be having a greater impact on water resources than was previously anticipated. Legislation was passed in 1984 which requires all owners of active, inactive, or former landfills to initiate a study to determine if the landfilling operation has had an impact on waters of the State. Approximately 150 sites are evaluated per year throughout the State, with approximately nine sites per year coming from the Central Coastal Region. Further studies and/or corrective actions are initiated at all sites impacting State waters.

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A recent report from the Assembly Office of Research has documented California's dwindling remaining landfill capacity. In general, remaining landfill capacity within the Central Coastal Region is higher than most areas of the State. However, the ratio of landfill closures to landfill expansions or opening of new landfills within the region for the last five years is approximately 4:1. This ratio will probably remain the same or increase with the more stringent regulatory requirements and the time consuming permitting process required for siting of new waste management units. In order to avoid a landfill capacity crisis similar to the situation on the East Coast, our solid waste handling and disposal practices should be reevaluated and a more environmentally sound management practice should be developed.

The Toxic Pits Cleanup Act of 1984 (TPCA) declares that discharges of liquid hazardous wastes or hazardous wastes containing free liquids into lined or unlined impoundments pose a serious threat to the quality of the waters of the State. Therefore, the legislature enacted TPCA as Article 9.5 (Surface Impoundments) of Chapter 6.5 (Hazardous Waste Control) of Division 20 of the California Health and Safety Code with the intent of insuring that existing surface impoundments were either made safe or were closed.

The effect of TPCA was to prohibit discharge (defined to include storage) of liquid hazardous wastes and hazardous wastes containing free liquids to surface impoundments, which did not satisfy specific construction and monitoring standards, by June 30, 1988, or December 31, 1988, depending on the location and characteristics of the impoundment. TPCA allows specific exemptions with varying application and granting deadlines. However, on and after January 1, 1989, all discharge of liquid hazardous wastes and of hazardous wastes containing free liquids to surface impoundments which had not been granted exemptions, and which did not meet specific construction and monitoring standards, was prohibited. There is a rare set of circumstances which may exempt a surface impoundment from the January 1, 1989, deadline.

TPCA is fulfilling its goal of reducing the threat of liquid hazardous wastes to the waters of the State.

VI.D.1. SOLID WASTE DISCHARGE PROHIBITIONS

Discharge is prohibited as follows:

1. Any Class I solid waste material to any location other than Class I solid waste disposal site.
2. Any Class II solid waste materials to any location other than Class I or II solid waste disposal sites.
3. Solid wastes shall not be discharged to rivers, streams, creeks, or any natural drainage ways or flood plains of the foregoing.

VI.E. STORM WATER MANAGEMENT

Storm water runoff can be a significant pollution source. The United States Environmental Protection Agency (U.S. EPA) estimates that at least 33% of all contamination in lakes and estuaries and 10% of all river contamination are caused by storm water runoff. Sources of pollution include runoff from industrial facilities, construction sites, and urban municipalities.

Federal regulations (40 Code of Federal Regulations 122.26) require certain industrial facility owners and/or operators to obtain storm water discharge permits. The specific types of facilities that need coverage is dependent upon the facility's Standard Industrial Classification Code. The program is primarily directed at manufacturing facilities, oil and gas extraction facilities, transportation maintenance facilities (trucking and mass transit), and construction sites (with greater than five acres of land disturbance). In addition, municipalities with populations greater than 100,000 must participate in a municipal storm water permitting program.

In August and September 1992, the State Water Resources Control Board (State Board) adopted the statewide General Construction Activity Storm Water

Permit and amended the statewide General Industrial Activities Storm Water Permit. The statewide permits expire five years after adoption. At that time, Regional Boards will most likely adopt Region specific General Permits.

The storm water program objectives include identification and elimination of pollutant contact with storm water by implementation of Best Management Practices. To obtain coverage under a General Permit, an applicant (i.e., those facilities required under 40 Code of Federal Regulations 122.26) must submit a Notice of Intent and the appropriate fee. The Notice of Intent is an agreement accepting the discharge specifications and monitoring requirements of the General Permit.

General Industrial Permit Requirements include the development of a Storm Water Pollution Prevention Plan and storm water runoff monitoring. The Storm Water Pollution Prevention Plan is a facility specific document which includes: a site description, facility processes, pollutant sources, storm water management system, employee education and training program, and measures proposed to eliminate non-storm water discharges. Minimum monitoring and reporting requirements include: sampling and analysis of four pollutant indicator parameters, wet and dry weather storm water conveyance system inspections, and annual reporting. The Regional Board can recommend additional monitoring parameters based on the presence of specific pollutant sources.

The Construction Permit has similar requirements regarding development of a storm water pollution prevention plan, but mainly deals with reducing pollutant sources associated with erosion and sediment transfer and chemicals used at construction sites. The monitoring requirements are less stringent and no sampling is required.

Annual monitoring reports required by the Industrial permit are due July 1 of each year. Sampling results and annual report information will be used to prioritize Regional Board staff education and enforcement efforts and to develop future group general permits. Compliance is measured through implementation of pollution prevention Best Management Practices, reduction in pollutant loadings, and accurate and timely report submittal.

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VI.F. BAY PROTECTION AND TOXIC CLEANUP PROGRAM

The State Water Resources Control Board (State Board) established the Bay Protection and Toxic Cleanup Program in response to legislation enacted in 1989 (Chapter 269; Senate Bill 475 Torres) which added Chapter 5.6, Sections 13390 through 13396, to the California Porter-Cologne Water Quality Control Act. The Bay Protection and Toxic Cleanup Program is a statewide program that is coordinated with the California Department of Fish and Game and California Environmental Protection Agency's Office of Environmental Health Hazard Assessment. The Water Code requires the State and Regional Water Quality Control Boards to do the following to attain the goals of the Bay Protection and Toxic Cleanup Program:

1. Develop and maintain a program to identify toxic hot spots, plan for their cleanup or mitigation, and amend Water Quality Control Plans/Policies to abate toxic hot spots;
2. Formulate and adopt a Water Quality Control Plan for enclosed bays and estuaries;
3. Review and, if necessary, revise Waste Discharge Requirements to conform to the Plan;
4. Develop a database of toxic hot spots;
5. Develop an ongoing monitoring and surveillance program;
6. Develop sediment quality objectives;
7. Develop criteria for assessment and priority ranking of toxic hot spots; and
8. Fund the program through fees on point and nonpoint dischargers. (California Code of Regulations, Title 17, Section 2236, authorizes the fee program).

Funds for the Bay Protection and Toxic Cleanup Program will come from user fees, as proposed by State Board staff. User fees have been drafted for the following:

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1. All NPDES and WDR dischargers to the ocean, bays, or estuaries;
2. Counties or cities which operate a storm drain system which discharges to the ocean, a bay, or estuary;
3. Dischargers of agricultural drainage to the ocean, bays, or estuaries;
4. Boat construction and repair facilities;
5. Boat marinas and recreational facilities;
6. Operators of commercial harbors and ports; and
7. Operators of dredging discharges.

The fees are based on threat to water quality, as defined by the Waste Discharge System (WDS) ranking system (threat to water quality and complexity criteria).

The Central Coast Regional Board has identified 17 potential toxic hot spots to be addressed under this program. These 17 sites are identified in the Appendix. An assessment/monitoring plan has been developed for potential toxic hot spots. Potential hot spots are ranked according to threat to beneficial uses. The assessment/monitoring plan includes the following:

1. Definition of the extent of degradation;
2. Analysis of existing point and nonpoint discharges in the area;
3. Identification of contaminant sources; and
4. Development of options for removing the threat to beneficial uses, including consideration of additional effluent limits on point and nonpoint discharges and actual cleanup.

VI.G. MILITARY INSTALLATIONS

Military installations throughout the country include some of the largest and most complex contamination problems. In 1987, President Reagan signed into law Executive Order No. 12580 directing all federal facilities to investigate and remediate areas of environmental contamination. As a result, the U.S. Department of Defense has assumed responsibility for investigation and remediation at military bases. Certain environmental restoration projects involving hazardous materials and wastes from past military activities are being addressed through what is known as the U.S. Department of Defense Program. Although U.S. Department of Defense has assumed environmental restoration responsibility, the Regional Board is an active oversight participant.

From its inception, the Regional Board has been involved with a variety of military installation activities. Since 1990, this Regional Board has been actively and extensively involved in U.S. Department of Defense Program investigations and remedial activities at numerous military facilities within its jurisdiction. Active military installations in the Region addressed by the U.S. Department of Defense Program (current as of 1993) include Fort Ord, Presidio of Monterey, Monterey Naval Post Graduate School, Fort Hunter Liggett, Camp Roberts, Estero Bay Defense Fuel Supply Point, and Vandenberg Air Force Base. Fort Ord is unique since it is a closing base and has been identified as a federal superfund site. Four formerly used defense sites in the Region undergoing U.S. Department of Defense remediation (as of 1993) include: Camp San Luis Obispo - California National Guard, Camp San Luis Obispo - San Luis Obispo County, Paso Robles Airport, and Santa Barbara Airport. Potentially additional military facilities can be added to the U.S. Department of Defense Program.

Program Background

Decades of intense military activities have generated significant quantities of hazardous waste. As a result of insufficient internal control, improper handling and disposal practices, and inadequate regulation, military installations are now considered one of the

Nation's most significant environmental polluters. Pollution problems are exacerbated by the large base size, the complex and varying missions, as well as routine personnel changes and inconsistent regulation and control. Many bases are actually small to midsize, totally contained communities providing complete services for base operations. Services vary from base to base, but range from aircraft, vehicle, or shop maintenance and repair facilities to laundry services, photo shops, gas stations, and other typical municipal services (e.g., utilities, streets, water supply, sewerage, and solid waste disposal).

Past waste disposal practices in both government and private industries were insufficient to protect public health and the environment. Environmental laws and regulation developed in the 1970s addressed many deficiencies, but federal operations, especially the military, remained inadequately addressed. The military was adamant that sovereign immunity protected them from State and local environmental regulation. Enforcement actions to force the military to comply with State and federal regulation were often protracted or disregarded. In 1976, U.S. Department of Defense developed its Installation-Restoration Program to help identify, investigate, and cleanup contamination from past operations. Due to funding and timing, Program activities were initiated at most military facilities in the early 1980s.

In 1980, the federal Comprehensive, Environmental Response, Compensation, and Liability Act (CERCLA), which is also referred to as "Superfund" was enacted to address cleanup of hazardous substance disposal and spill sites. The Superfund Amendments and Reauthorization Act was enacted in 1986 to enhance hazardous waste cleanup. The Superfund Amendments and Reauthorization Act, in part, mandated the Defense Environmental Restoration Program specifically to address cleanups at U.S. Department of Defense facilities. The Defense Environmental Restoration Program included an Inland Restoration Program as a component. To carry out required environmental restoration at its military facilities, U.S. Department of Defense established the Defense Environmental Restoration Account as the funding mechanism.

Executive Order No. 12580 was enacted in 1987 to intensify investigation and remediation of

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environmental problems. The Executive Order directed all federal agencies to ensure environmental restoration. To comply with this Executive Order, U.S. Department of Defense has assumed lead responsibility to cleanup military bases throughout the world. California has the largest number of active military bases covered by the military cleanup plan.

As a result of Executive Order No. 12580 and growing public awareness, U.S. Department of Defense is now actively pursuing environmental restoration at military facilities. U.S. Department of Defense has demonstrated its restoration sincerity by providing oversight reimbursement to the State. The Defense/State Memorandum of Agreement signed by U.S. Department of Defense and State of California officials, provides State oversight cost reimbursement to a maximum of one percent (1%) of the total cleanup cost. The Memorandum of Agreement requires preparation and administration of a cooperative agreement between the State and Corp of Engineers to verify funding and services for remedial responses. The Memorandum of Agreement lists specific sites for which the State will receive federal funding for its oversight and regulatory involvement. In California, Regional Boards and the Department of Toxic Substances Control share State regulatory responsibility and reimbursement dollars allocated to the U.S. Department of Defense Program.

To ensure proper regulatory compliance and environmental restoration, Executive Order No. 12580 requires all federal agencies to complete cleanup pursuant to "Superfund." This means cleanups at all military installations must comply with the stringent federal CERCLA requirements, whether or not the base is a listed Superfund site. The Act requires federal facilities which are placed on the Superfund National Priorities List by the U.S. Environmental Protection Agency (U.S. EPA), to conduct cleanup following the National Contingency Plan and U.S. EPA procedures and standards. In this Region, Fort Ord is the only currently listed U.S. Department of Defense Superfund National Priority List site.

In addition to following federal CERCLA requirements, Superfund National Priority List sites must be conducted pursuant to agreements called Federal Facility Agreements. These agreements are

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between the federal agency owning the base (e.g., Department of the Army at Fort Ord) and the U.S. EPA. The agreements may include certain State agencies. The Fort Ord Federal Facility Agreement includes the Regional Board and Department of Toxic Substances Control as signatories.

By federal law non-Superfund military sites must cleanup hazardous waste releases pursuant to federal Comprehensive, Environmental Response, Compensation, and Liability Act requirements and to State laws. Federal non-Superfund facilities may enter into a State compliance agreement. Such an agreement is called a Federal Facility Site Remediation Agreement. At Vandenburg Air Force Base (a non-Superfund site), a Federal Facility Site Remediation Agreement was signed by the Department of the Air Force, the Regional Board, and Department of Toxic Substances Control in June 1991. Both Federal Facility Agreements and Federal Facility Site Remediation Agreements identify roles, responsibilities, dispute resolution procedures, and schedules.

By signing an agreement (Federal Facility Agreement and Federal Facility Site Remediation Agreement), and following federal CERCLA requirements, site remediation is modified from typical State procedures. The modification eliminates the need for State and local permits and enforcement action. Generally, Waste Discharge Requirements, Cleanup of Abatement Orders, and local agency permits are not imposed. Such provisions were included to ensure compliance with stringent federal cleanup standards, while limiting permit and enforcement involvement by local or State Agencies. In some parts of the Country, local and State involvement slowed or obstructed cleanup efforts.

The federal CERCLA (Section 121) does require compliance with State and federal laws and regulations which are more stringent than the CERCLA, and which are necessary to ensure site-specific environmental and public health protection. This compliance process is referred to as "Applicable" or "Relevant and Appropriate" requirements, because it allows consideration of either "Applicable" or "Relevant and Appropriate" requirements pursuant to State or federal law and regulations. At Superfund sites, U.S. EPA has final authority to approve "Applicable" or "Relevant and Appropriate" requirements. At non-Superfund sites,

the lead State agency is responsible to ensure "Applicable" or "Relevant and Appropriate" requirements are identified.

Federal Comprehensive, Environmental Response, Compensation, and Liability Act (Superfund) Response Process

Although cleanup pursuant to the federal CERCLA is quite complex, it was developed with the intent of simplifying regulatory requirements in a uniform manner and expediting environmental cleanup and restoration. The Act, although similar, is significantly more complex than the Regional Board's typical cleanup procedures pursuant to the California Porter-Cologne Water Quality Control Act. Following is a very simplified summary of the basic "Superfund" response process.

Many initial past military installation investigations included a Preliminary Assessment/Site Inspection. The Preliminary Assessment is an assessment based on existing, readily available information. The Preliminary Assessment attempts to evaluate the magnitude of a potential hazard and identify the source and nature of hazard release. The Site Inspection includes a site visit and possibly sample collection, soil borings, and well installation. The Site Inspection is intended to better characterize the problem and determine the need for further action. Often, information from the Preliminary Assessment/Site Inspection is used to place a site on the Superfund list.

Once a site has been Superfund listed, or has been identified as requiring remedial activities, more in-depth characterization is required. The next phase of remedial activities-site characterization is called the Remedial Investigation/Feasibility Study. The Remedial Investigation is the mechanism for collecting detailed site data to define fully the nature and extent of contamination. During the Remedial Investigation, treatability studies may be conducted to evaluate available treatment technologies in support of remedy selection. The Feasibility Study focuses on developing and screening specific remedial alternatives. The Feasibility Study goal is to identify preferred cleanup alternatives. The Remedial Investigation/Feasibility Study includes risk assessment, identifies "Applicable" or "Relevant and Appropriate" requirements, and develops cleanup goals.

The next phase is the Proposed Plan, which presents the preferred cleanup alternatives and allows public input. After public comments are considered, a Record of Decision is prepared at Superfund sites. The Record of Decision establishes cleanup levels and discharge standards and is based, in part, on identified "Applicable" or "Relevant and Appropriate" requirements. When the Record of Decision is complete and acceptable, the selected remedy is administratively approved by the military department, U.S. EPA, and the State (Regional Boards and Department of Toxic Substances Control). The final cleanup levels are established and "frozen" in the Record of Decision. Agencies that signed the Federal Facility Agreements also sign the Final Record of Decision. At non-Superfund sites in California, the typical document establishing the cleanup levels and discharge standards is called the Remedial Action Plan. The Remedial Action Plan is signed by the agencies that signed the Federal Facility Site Remediation Agreement. Decision Documents are used sometimes to identify cleanup levels for individual sites at non-Superfund installations. Agencies and the public can petition U.S. EPA to change the Record of Decision levels (or the State to change the Remedial Action Plan), if substantial evidence is available demonstrating that an established cleanup level is not protective of human health and the environment.

Once the Record of Decision (or Remedial Action Plan) is signed, Remedial Design plans are prepared to implement the Record of Decision. Remedial Action, the long-term remediation, begins when Remedial Design and construction are complete. Operation and maintenance, including monitoring, evaluate long term performance and ensure that the Remedial Action is carried out as intended. Long term remediation (e.g., ground water cleanup) continues until conditions of the Record of Decision (or Remedial Action Plan) have been met. Remediation progress must be evaluated at least every five years.

The federal CERCLA includes the Removal Action process to allow remediation of small/limited areas of contamination or time critical cleanups. A Removal Action may be undertaken at any time to address problems that do not require a full scale remediation project. Removal Actions are short term activities that remove immediate threats to public health or that can be implemented in a timely manner.

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Generally, Removal Actions are limited to \$2 million and are completed in twelve months or less (e.g., removal and proper disposal of a small volume of surface soil contamination).

It is worthy to note that environmental assessment is addressed during the Remedial Investigation/Feasibility Study process. All military installations must comply with the National Environmental Policy Act by preparing an Environmental Impact Statement or Finding of No Significant Impact. An Environmental Impact Statement is similar to an Environmental Impact Report and a Finding of No Significant Impact is similar to a Negative Declaration in California. In California, National Environmental Policy Act compliance may not be sufficient to address all environmental impacts; thus, environmental assessment must also comply with the California Environmental Quality Act.

Regional Board Responsibility

The federal Clean Water Act and the California Porter-Cologne Water Quality Control Act give the Regional Board regulatory responsibility and authority to protect water quality, including waters within and beneath federal lands. The primary role of the Regional Board and its staff, relative to military installations (U.S. Department of Defense Program) is to ensure that waters of the State are adequately protected. Involvement includes review and direction of all investigation and remediation documents, site visits to guide field activities, and oversight to ensure that cleanup/remediation is carried out properly to protect beneficial uses of water resources. Identification of "Applicable" or "Relevant and Appropriate" requirements and direction on cleanup level establishment require considerable involvement by the Regional Board and its staff.

Typically, the U.S. EPA is the lead regulatory agency at Superfund sites (e.g., Fort Ord). The Regional Board and Department of Toxic Substances Control are responsible State agencies. In the past, at non-Superfund sites (all other military installations in the Region) either the Regional Board or Department of Toxic Substances Control has been the lead regulatory agency. At military installations where water quality and public health is threatened or impacted due to the release of hazardous

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substances, the Regional Board and Department of Toxic Substances Control may have overlapping jurisdiction. A Memorandum of Understanding exists between the State Water Resources Control Board, the Regional Boards, and Department of Toxic Substances Control specifying roles and responsibilities in hazardous waste cleanups where overlap may occur. In September 1993, the California Environmental Protection Agency requested the overall State "lead" become Department of Toxic Substance Control's responsibility. This transition should not impact the basic responsibilities. In general, Regional Boards have primary regulatory responsibility for water and soils directly related to water quality protection. Department of Toxic Substances Control has primary regulatory responsibility for public health protection, soil (where waters are not involved), air, and hazardous waste treatment and storage.

In this Region, the Regional Board has been the lead State agency at six of the currently active (1993) U.S. Department of Defense facilities (Vandenberg Air Force Base, Estero Bay Defense Fuel Supply Point, Camp Roberts, Fort Hunter Liggett, Monterey Naval Post-Graduate School, and Presidio of Monterey). These sites are shown in Figure 4-1. The lead may be shared with Department of Toxic Substances Control at Fort Hunter Liggett, since there are several federal Resource Conservation and Recovery Act sites requiring investigation. In California, U.S. EPA has authorized Department of Toxic Substances Control to implement Resource Conservation and Recovery Act program compliance.

Agreements have been signed only at Fort Ord and Vandenberg Air Force Base in this Region. The Federal Facility Agreements for Fort Ord identifies the Regional Board as a support agency since the U.S. EPA is the lead regulatory agency. The current Federal Facility Site Remediation Agreement identifies the Regional Board as the lead agency at Vandenberg Air Force Base. Agreements could be negotiated at other military installations, or renegotiated when they currently exist, if and when it becomes necessary to clarify roles and responsibilities. Changes are being considered in California to streamline regulatory processes associated with military installation cleanup, particularly at closing bases. The California Environmental Protection Agency has recently designated (September 1993) Department of Toxic

Substances Control as the overall State lead at military installations. This designation will impact program activities, roles, and responsibilities.

VI.H. SPILLS, LEAKS, INVESTIGATIONS AND CLEANUP PROGRAM

The Spills, Leaks, Investigations, and Cleanup program was established to allow Regional Boards to address water quality problems and potential problems resulting from discharges not covered by other State programs. Investigations and cleanups of Spills, Leaks, Investigations, and Cleanup program sites proceed as described in State Board Resolution No. 92-49 explained in the "Hazardous Waste Compliance Issues" section later in this chapter.

Spill, Leak, and Complaint Responses

Regional Board staff responds to complaints of nuisance conditions (e.g., odors from sewage treatment plants) and discharges or threatened discharges of substances which may impact ground and/or surface water quality. Complaints are followed up as soon as feasible. Proper response to a complaint includes the following:

- * Completion of a Central Coast Region spill report form.
- * Notification to other responsible agencies, or interested parties, as needed.

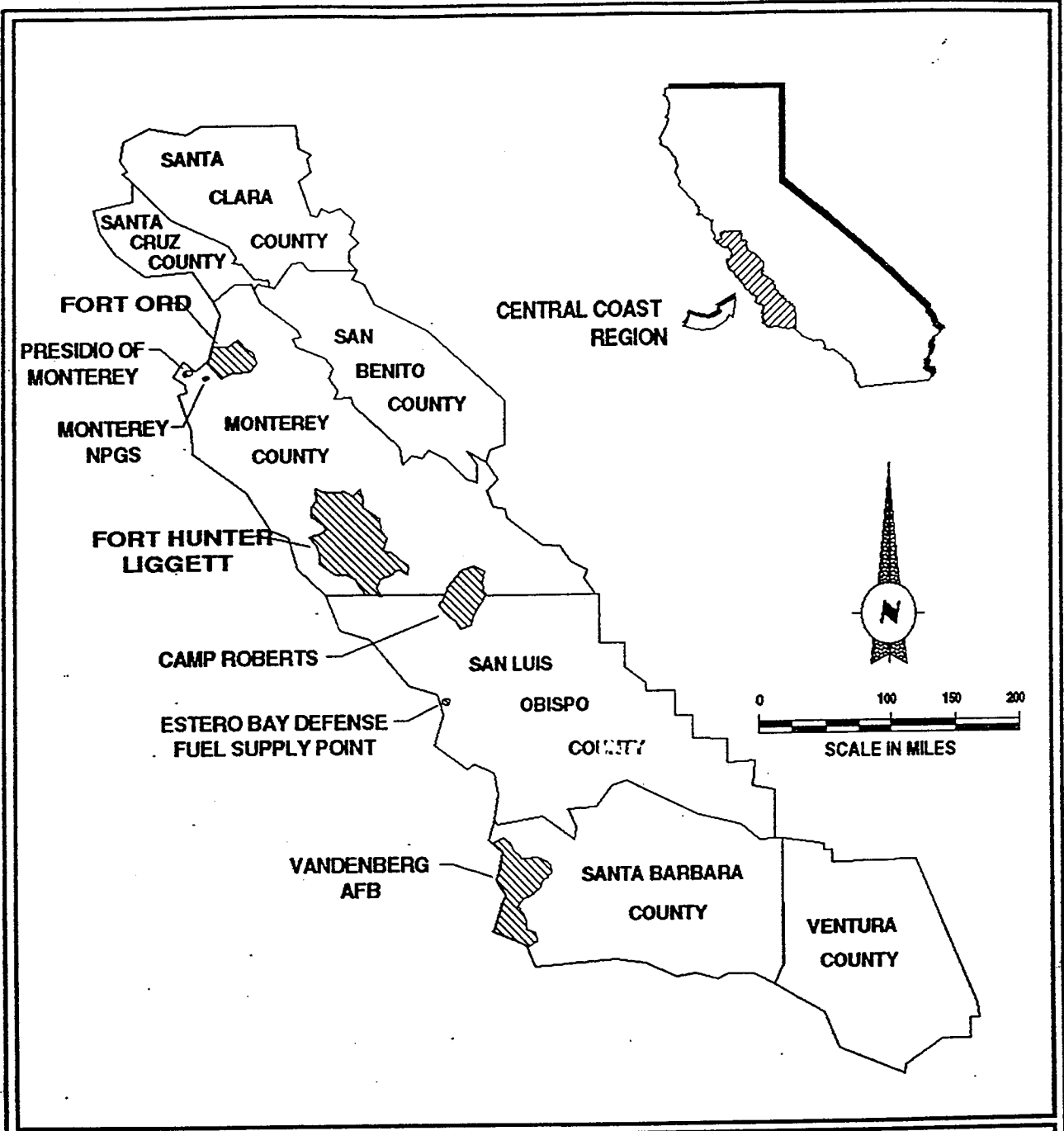


FIGURE 4-1. ACTIVE MILITARY INSTALLATIONS IN THE CENTRAL COAST REGION

- * Site inspection to determine validity of the complaint and to assess the situation, including determination of responsible party/parties.
- * Written follow-up as needed (letters, cleanup or abatement orders, and/or waste discharge requirements).
- * Except in cases where anonymity is requested, notification to complainant of findings and subsequent actions, if any.

Except for a discharge in compliance with waste discharge requirements, any person who causes or permits any reportable quantity of hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is or probably will be discharged into or on any waters of the State, shall, as soon as possible, notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan. The person shall also immediately notify the State Board or the appropriate Regional Board of the discharge (California Porter-Cologne Water Quality Control Act Section 13271).

Similarly any person who discharges any oil or petroleum product under the above stated conditions shall, as soon as possible, notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan. Immediate notification of an appropriate agency of the federal government, or of the appropriate Regional Board (in accordance with the reporting requirements set under California Porter-Cologne Water Quality Control Act Section 13267 or 13383) shall satisfy the oil spill notification requirements of this paragraph (California Porter-Cologne Water Quality Control Act Section 13272).

The Regional Board staff will assist other agencies and work cooperatively at large-scale hazardous material releases resulting from surface transportation accidents. The Regional Board staff's role is primarily to provide immediate, on-site technical assistance concerning water quality in order to minimize the potential damage to the public health and safety, and the environment. In cases of railroad incidents, Regional Board staff will work with other agencies pursuant to the Office of Emergency Services Railroad Accident Prevention

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and Immediate Deployment Plan. Specifically, Regional Board staff are required to:

- * Provide information on existing downstream beneficial uses and potential impacts from released substances.
- * Provide toxicity information about released substances.
- * Set up water sediment monitoring program.
- * Collect water samples or provide technical assistance for others to collect samples.
- * Coordinate available resources and equipment.

VI.I. UNDERGROUND STORAGE TANK PROGRAM

In 1981, citizens of Santa Clara County determined the cause of numerous birth defects to be polluted ground water. The source of pollution was traced to underground storage tanks leaking chlorinated solvents. This revelation prompted the San Francisco Bay Regional Water Quality Control Board to investigate numerous other underground storage tanks, the majority of which were found to be leaking. The Santa Clara County Fire Chiefs Association then sponsored a task force which developed, in 1982, a Model Hazardous Material Storage Permit Ordinance. The Ordinance addressed materials regulated, secondary containment, permits, inspections, and so forth.

Recognizing the problem was a statewide problem, the Legislature passed the initial State underground storage tank law in 1983, and numerous counties and cities followed with local ordinances to regulate underground storage of hazardous materials. The State law contains a sunset provision with a termination date of January 1, 1998.

Since 1985, over 21,000 leaking tank sites have been reported statewide and over 1250 have been reported within the Central Coast Region. Of the reported cases, approximately 90% are petroleum

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product cases and one-third have impacted ground water. As one might expect, Regions with the larger cities (thus more gasoline stations) have the largest number of reported leaks. The same holds true in the Central Coast Region. Santa Barbara County has almost fifty percent of the cases in this Region (up from 37% a few years ago) and San Benito County has only four percent; Monterey County has about twenty percent.

The Health and Safety Code gives both Regional Boards and local agencies authority to oversee investigation and cleanup of leaky Underground Petroleum Storage Tank sites. The California Code of Regulations, Title 23, Chapter 16, Article 11 requires local agencies to oversee leak reporting and tank closures. Two agencies within the Central Coast Region, Santa Clara and Santa Barbara Counties, also provide oversight for cleanup of leaky Tank sites under a Local Oversight Program contract with the State Board.

Unauthorized releases from underground tanks are reported to the Regional Board by local agencies or private parties. Generally, investigation and cleanup of leaky Underground Petroleum Storage Tank sites is shared between the Regional Board and local agencies. Typically the Regional Board oversees cases involving impact to surface and ground water and local agencies oversee impacts to soil. However, in some circumstances the Regional Board oversees both soil and ground water cleanup, and, in Santa Barbara and Santa Clara Counties, Local Oversight Programs oversee both soil and ground water cleanup.

Investigations and cleanup of leaky Tanks are carried out in a manner similar to investigations and cleanups in the Spills, Leaks, Investigations, and Cleanup Program mentioned earlier.

To assist responsible parties to pay for cleanups and to meet federal financial responsibility requirements, the State has established a Tank Cleanup Fund. Money for the fund is generated by a fee paid for each gallon of petroleum delivered to Tanks. Owners and operators of Tanks may draw upon the fund after paying for the initial \$10,000 in cleanup costs. The Fund will pay up to \$990,000 per cleanup.

Underground Petroleum Storage Tank regulations regarding construction, monitoring, repair, release

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reporting, and corrective action are found in the California Code of Regulations, Title 23, Division 3, Chapter 16. Regulations regarding the State's Underground Petroleum Storage Tank Cleanup fund are found in California Code of Regulations, Title 23, Division 3, Chapter 18, and regulations regarding underground testers are found in California Code of Regulations Title 23, Division 3, Chapter 17.

VI.J. ABOVEGROUND PETROLEUM STORAGE TANKS

Above ground petroleum storage tanks and associated piping leaks have been found to cause impacts to surface and ground water. Prior to 1990, above ground tank sites were regulated by the United States "Environmental Protection Agency Regulations on Oil Pollution Prevention", 40 Code of Federal Regulations Section 112, as amended. On January 1, 1990, the Above Ground Petroleum Storage Act became effective as Chapter 6.67 (commencing with Section 25270), Division 20, of the Health and Safety Code and amendment to Section 7106 of the Public Resources Code. The regulations require:

- Regional Boards to inspect above ground storage tanks used for crude oil and its fractions;
- Owners or operators of tank facilities to prepare and initiate a spill prevention control and countermeasure plan in accordance with Part 112, Subchapter D, Chapter I, Title 40 of the Code of Federal Regulations by January 1, 1991 and any required monitoring program within 180 days later;
- Tank facility owners or operators to report releases of crude oil and its fractions in excess of one barrel; and
- Owners or operators of tank facilities to submit a storage statement and appropriate filing fee every two years.

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The Above Ground Petroleum Storage Act provides for recovery of cost incurred by Regional Board staff for oversight of above ground tank site cleanups.

VI.K. CALIFORNIA CODE OF REGULATIONS, TITLE 23, CHAPTER 15

The California Code of Regulations, Title 23, Chapter 15 (Chapter 15) contains minimum, prescriptive standards for proper management of applicable wastes. Landfills, surface impoundments, septage and sludge disposal, mining operations, confined animal facilities, and some oil field exploration and production facilities are regulated according to Chapter 15. Regional Boards may impose more stringent requirements to accommodate regional and/or site-specific conditions. Factors affecting site specific considerations include: depth to ground water, permeability of underlying soils, geologic structure, importance of underlying ground water uses, waste characteristics, ability to remediate leaks, adequacy of the monitoring system, proximity of beneficial uses such as aquatic life, and others.

Dischargers may propose engineering alternatives to the construction or prescriptive standards contained in Chapter 15 if they can show the prescriptive standard is not feasible (i.e., too difficult or costly to implement, or not likely to perform adequately under the given circumstances). The proposed alternative must be able to provide equivalent management of the waste, and must not be less stringent than the prescribed standards.

Discharges to land which may be exempt from Chapter 15 are listed in the Basin Plan Waiver Policy in Chapter Five.

Wastes fall into four categories under the current classification system. These four categories are: Hazardous, Designated, Non-Hazardous, and Inert, and are defined in Article 2 of Chapter 15. Hazardous and Designated wastes can often be generated by the same source and may differ only by their concentrations of given constituents.

Wastes must be disposed of differently depending on their liquids content and the waste category into which they fall. A table containing the Summary of Waste Management Strategies for Discharge of Waste to Land is provided in the appendix.

Receiving water monitoring is required at all waste management units. Article 5 discusses the monitoring requirements for the various classes of waste management units, and describes the progressive phases of monitoring.

The routine ground water monitoring conducted during the entire compliance period of a project's life is referred to as "detection monitoring". If a release (leak) is detected during the course of detection monitoring, an "evaluation monitoring" program must be established. If the evaluation monitoring verifies the presence of a leak, a decision must be made as to whether the release represents a significant enough threat to water quality and the environment to warrant corrective action. If the leak is a significant water quality threat, a "corrective action program" must be established, including monitoring of the effectiveness of corrective action, and conducted until the problem has been successfully corrected.

Vadose zone monitoring must be conducted at all waste management units where feasible. Article 5 discusses the minimum requirements for an acceptable vadose zone monitoring program.

Special requirements for confined animal facilities are discussed in Article 6 of Chapter 15 and in Chapter 5 of this Basin Plan. These facilities are also subject to other portions of Chapter 15 as applicable.

Under Chapter 15, mining waste discharges are only subject to the requirements of Article 7, or other portions of Chapter 15 as referenced by Article 7. (Mining wastes are also subject to regulation under the Surface Mining and Reclamation Act, Public Resources Code Title 14, Division 2, Chapter 9).

Discharges of hazardous and nonhazardous waste, and the waste management units at which the wastes are discharged (e.g., landfills, surface impoundments), are regulated by the Regional Board through Waste Discharge Requirements to properly contain the wastes, and to ensure effective monitoring is undertaken to protect water resources

of the Region. These waste discharges are also concurrently regulated by other State and local agencies. Local agencies implement the State's solid waste management programs as well as local ordinances governing the siting, design, and operation of solid waste disposal facilities (usually landfills) with the concurrence of the California Integrated Waste Management Board.

The California Integrated Waste Management Board also has direct responsibility for review and approval of plans for closure and post-closure maintenance of solid waste landfills. The Department of Toxic Substance Control issues permits for all hazardous waste management, treatment, storage, and disposal facilities. The State Board, Regional Boards, California Integrated Waste Management Board, and Department of Toxic Substances Control have entered into Memorandums of Understanding to coordinate their respective roles in the concurrent regulation of these discharges.

The laws and regulations governing both hazardous and nonhazardous solid waste disposal have been revised and strengthened in recent years.

An inactive waste management unit can still pose a threat to water quality. In fact, due to the nature of some wastes and the characteristics of some disposal sites, sometimes water quality problems do not become evident until years after a site has closed. Therefore, Chapter 15 requires all waste management units have a plan for acceptable closure procedures and post-closure maintenance and monitoring.

VI.K.1. SOLID AND LIQUID WASTE REQUIREMENTS (LANDFILLS AND SURFACE IMPOUNDMENTS)

Solid wastes are usually disposed of in a landfill or Solid Waste Disposal Site. A landfill, as defined in Chapter 15, is a waste management unit at which waste is discharged in or on land for disposal. A landfill may be classified as Class I, II, or III, depending on the type of waste being accepted, but the term "landfill" typically refers to a Class III

municipal solid waste landfill which accepts only inert or non-hazardous, municipal solid waste. Class I units are for hazardous wastes, Class II units are for designated wastes, and Class III landfills are for nonhazardous wastes as defined in Chapter 15, Article 3. Landfills are an integral component of many communities in the Central Coast Region. Hazardous and/or designated solid wastes must be disposed of in Class I or II landfills or waste piles, respectively, also referred to as Resource Conservation and Recovery Act or non-Resource Conservation and Recovery Act solid waste management units.

Liquid wastes may not be disposed of to Class III waste management units. Rather, liquid wastes must be discharged to Class I or II surface impoundments, depending on the waste classification.

Discharges from solid and liquid waste management units can impact both ground and surface waters. The receiving water most likely to be at risk from a waste management unit is the ground water beneath the site. Precipitation or runoff may enter the unit and contact the waste, percolate through it, and travel to ground water, carrying constituents of the waste with it to the vadose zone or ground water beneath the unit. Solid waste may contain enough free liquids to form a leachate which can migrate to ground water. Vapors may migrate from a waste management unit into the soils and ground water below the unit. Gases forming in a closed waste management unit may pressurize the unit and force contaminants into the ground water. A liquid waste impoundment may leak its content into the soils and ground water beneath the unit. Liquids may exit a waste management unit and travel to nearby surface waters. Uncontained solid waste may also be transported to surface waters by wind.

The Regional Board regulates all the active waste management units and some of the closed units in the Region under Waste Discharge Requirements which contain pertinent Chapter 15 regulations. Some of the applicable requirements include:

1. Waste management units must be sited in locations where they will not extend over a known Holocene fault, other areas of rapid geologic change or into areas with inadequate separation from ground water.

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2. Waste management units must be constructed to minimize (Class III) or prevent (Class I and II) the possibility of leachate contacting ground water. The probability of accomplishing this goal may be improved by siting the unit in an area where the depth to ground water is very great or where natural geologic features will provide containment. A Class III waste management unit is required to have a composite clay and synthetic liner with a leachate collection and removal system, in accordance with federal Subtitle D requirements. New Class I and II units must also be lined. A discharger may propose engineered alternatives to the Chapter 15 and Subtitle D containment requirements, but the alternatives must provide equal or greater protection to the receiving waters at the site, per Article One.
3. To minimize or prevent the formation of leachate, solid waste management units shall be covered periodically (typically daily) with soil or other approved materials. The importance of effective interim cover is illustrated by recent improvements to some landfill interim covers which resulted in an apparent cessation of ground water degradation. Rainwater surface flow from offsite should be prevented from entering a waste management unit and contacting the wastes in the unit.
4. The potential receiving waters shall be monitored. A waste management unit shall have sufficient ground water monitoring wells at appropriate locations and depths to yield ground water samples from the uppermost water bearing strata with continued saturation at depth, to provide the best assurance of the earliest possible detection of a release from the waste management unit. Perched ground water zones shall also be monitored. Background monitoring should be conducted for at least one year prior to opening a new waste management unit.

Chapter 15 requires vadose zone monitoring at all new sites and at any existing site, unless it can be shown to the satisfaction of the Regional Board no vadose zone monitoring devices would work at the site, or that installation of vadose zone monitoring devices would require unreasonable dismantling or relocating of permanent structures.

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5. All operating waste management units must have an approved closure/post-closure monitoring and maintenance plan and their operators must provide the Regional Board with assurance sufficient funds are irrevocably committed to ensure the site will be properly reclaimed and maintained.
6. The operator of a waste management unit must obtain and maintain assurances of financial responsibility for known and foreseeable releases from the unit.

VI.K.2. WASTEWATER SLUDGE/SEPTAGE MANAGEMENT

Wastewater sludge (biosolids) is a by-product of wastewater treatment. Treated domestic sludge is now referred to as biosolids to encourage using this material for fertilizer and soil amendment. Raw sludge usually contains 93 to 99.5 percent water with the balance being solids present in the wastewater and added to or cultured by wastewater treatment processes. Most Publically Owned Treatment Works treat the sludge prior to ultimate use or disposal. Normally, this treatment consists of dewatering and/or digestion.

Treated and untreated sludges may contain high concentrations of heavy metals, organic pollutants, pathogens, and nitrates. Improper storage and disposal of municipal sludges on land can result in degradation of ground and surface water. Therefore, sludge handling and disposal must be regulated.

Septage and grease are usually considered liquid waste, so landfill disposal is usually restricted. Septage, the residual solids periodically pumped from septic tanks, is commonly applied to farm land as fertilizer. Grease waste is usually recycled, but grease trap pumpings are commonly rejected by grease recyclers. Grease and septage usually must be disposed in a Class I or II waste management unit.

The Regional Board will regulate disposal of sludge and septage pursuant to Chapter 15 and Department

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of Health Services standards for sludge management.

Sludge containing less than 50% solids by weight may be placed in a Class III landfill (see section on Chapter 15) if it can meet the following requirements, otherwise it must be placed in a Class II surface impoundment:

1. The landfill is equipped with a leachate collection and removal system;
2. The sludge must contain at least 20 percent solids if primary sludge, or at least 15 percent solids if secondary sludge, mixtures of primary and secondary sludges, or water treatment sludge; and
3. A minimum solids-to-liquid ratio of 5:1 by weight must be maintained to ensure that the co-disposal will not exceed the initial moisture-holding capacity of the nonhazardous solid waste. The Regional Board may require that a more stringent solids-to-liquid ratio be maintained, based on site-specific conditions.
4. Non-hazardous sludge containing greater than 50% solids by weight is generally considered solid waste.

Beneficial reuse of sludge/septage is increasing in popularity. Sludges and septage, (including composted, liquid, dewatered and dried sludges) have been successfully used as a soil amendment/fertilizer on farmland, orchards, forest lands, pasture, land reclamation projects (e.g., strip mines and landfills), parks and home gardens. As the concentrations of heavy metals has dropped in municipal sludge, and as advanced sludge treatment methods are utilized, the public's acceptance of beneficial reuse projects has improved. However, improper land application of sludge/septage can cause significant odor nuisance, attract flies, contain high levels of pathogens and heavy metals, and be aesthetically offensive due to the presence of plastics.

Currently, regulation of sludge and septage management projects is under the jurisdiction of the Regional Board. Handling and disposal of sludge/septage can be regulated under Chapter 15 of Title 23, California Code of Regulations and

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California Department of Toxic Substance Control Standards for hazardous waste management. If sludge is used beneficially, the project may be exempted from Chapter 15, but the Regional Board may issue waste discharge requirements.

The U.S. Environmental Protection Agency (U.S. EPA) has promulgated a policy of promoting those municipal sludge management practices that provide for the beneficial use of sludge and septage while maintaining or improving environmental quality and protecting public health. On February 19, 1993, the U.S. EPA published final sewage sludge regulations in 40 Code of Federal Regulations 503. The 503 regulations are intended to assure that use and disposal of sewage sludges and septage comply with federal sludge use and disposal criteria developed by the U.S. EPA. The State Board or the California Integrated Waste Management Board may develop a State sludge management program consistent with the U.S. EPA's policy and criteria for land application, surface disposal, and incineration of sludge to seek federal authorization to implement the 40 Code of Federal Regulations 503 sludge regulations.

VI.K.3. MINING ACTIVITIES (NONFUEL COMMODITIES)

The Central Coast has had a rich and varied mining history. Currently extracted products include asbestos, decomposed granite, diatomite, dimension stone, dolomite, gypsum, limestone, sand and gravel, shale, specialty sand and stone. The hundreds of inactive metal mines and prospects appear to be the worst polluters though. Mercury, used partly to amalgamate gold ore, was mined from the Little Bonanza deposit, San Luis Obispo County, as early as 1862. The Buena Vista Mine, which ceased production in 1970 or 1971, is believed to have been the last mercury producer in the Central Coast Region. Chromite deposits have been mined in San Luis Obispo County since about 1870. By 1944, and probably until the demise of production possibly 20 years ago, San Luis Obispo County produced more chromite than any other California county. Other products mined or prospected for historically include gold, silver, manganese,

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magnesium, antimony, copper, nickel, iron, barite, coal, feldspar, gemstones, biotite, molybdenum, peat, phosphate, sodium sulfate, sulfur, titanium, uranium, zircon, and possibly platinum.

The extent of environmental degradation by all mining ventures is not yet known. Active operations are regulated individually pursuant to the California Code of Regulations, Chapter 15, the Porter-Cologne Water Quality Control Act, the California Surface Mining and Reclamation Act and/or the federal Clean Water Act (including the NPDES permit program). About 25 active mines currently hold Waste Discharge Requirements and/or NPDES surface water discharge permits and a few operations have been granted waivers. Chapter 15 land disposal requirements are imposed as required.

Inactive operations with responsible parties fall under the same purview, as warranted. Inactive mines, with or without responsible parties (those without are considered abandoned) may be remediated as federal Superfund sites pursuant to federal Comprehensive, Environmental Response, Compensation, and Liability Act, or as State Board Cleanup and Abatement Account sites. Low interest loans or government or academic grants may, in rare cases, be applied to inactive mine remediation.

Mines are subject to the Resource Conservation and Recovery Act, although comprehensive regulations have not yet been written. If hazardous constituents are present, Resource Conservation and Recovery Act, Subtitle C, and California Code of Regulations Title 22 may apply to active and inactive sites.

VI.K.4. OTHER INDUSTRIAL ACTIVITIES

Cement Industry -- Concrete manufacturing operations generate two significant types of solid waste, kiln dust and "off-specification" concrete. The first, kiln dust, is classified as a designated waste under Title 22 and is typically disposed of in Class II or III landfills operated by the concrete manufacturers. The second waste, "off-spec" concrete, is generated in much greater quantities and, while classified as a hazardous waste due to its

very high pH (often ranging from 12.5 to 13.5 pH units), is frequently dumped on-site at the concrete plants and spread.

Cement batch plants generate large quantities of liquid and semi-solid wastes from rinsing of cement trucks and/or cement covered equipment. This waste, referred to as "washout" is very alkaline (pH may be as high as 12.5 in fresh cement), is high in total dissolved solids, and may contain assorted heavy metals. Washout may also contain various air-entrainment additives or other chemicals.

The Regional Board regulates cement kiln dust disposal and all ready mix cement plants where water quality could be impacted. Wastewater from cement batch plants is considered to be a designated waste, and may need to be discharged to a lined impoundment, if site-specific characteristics (e.g., soil type, depth to ground water, ground water quality, etc.) will not protect ground water from degradation. The Regional Board will consider, on a case-by-case basis, the need to line cement wastewater ponds. Solid or semi-solid wastes should be deposited in landfills or other legal points of disposal unless the discharger can demonstrate the waste will not pose a threat to water quality if deposited onsite.

Asphalt production -- Asphalt batch plants generally involve mixing heavy long chain hydrocarbons with aggregates. Occasionally other hydrocarbon sources (diesel and gasoline contaminated soil) are mixed with asphalt as a beneficial reuse. Diesel fuel and other solvents are used to clean equipment and as "lubricants" to prevent asphalt from sticking to equipment. Large quantities of these materials are generally stored on-site. Water quality can be significantly degraded if these materials reach water courses. Waste control measures are fairly straightforward at such sites. Petroleum products should be stored in tanks, and the tanks placed in lined holding areas. If spillage to soil occurs, contaminated soils should be scraped up, stored on a liner, and incorporated into asphalt as soon as possible. A berm (or other runoff control) should be placed downgradient from earthen material stockpiles.

Oil Field Exploration and Production Facilities -- Oil exploration and production is a thriving business in the Central Coast Region. Although drilling muds

are exempt from Resource Conservation and Recovery Act, Oil Exploration and Production Operations are often subject to the requirements of Chapter 15 because they represent a threat to water quality. Due to the significant Chapter 15 workload, remote oil operations may not reach the top of the regulatory priority list. The Interstate Oil and Gas Compact Commission recently recommended:

"The review team recommends State Board obtain the resources necessary to fully discharge its responsibilities...seek adequate resources from the legislature or use some other mechanism to enable Regional Boards to process applications for WDRs in a timely manner...One option is to remove or raise the statutory cap on discharger fees so that State Board may restructure its fee system to improve its equity and cure substantial resource shortcomings."

The Interstate Oil and Gas Compact Commission also commended the Central Coast Regional Board for having a road spreading policy. This policy, Resolutions No. 73-05 and 89-04, is located in the appendix.

VI.1. RESOURCE CONSERVATION RECOVERY ACT (SUBTITLE D)

Policy for Regulation of Discharges of Municipal Solid Waste

On June 17, 1993, the State Water Resources Control Board (State Board) adopted Resolution 93-62, entitled Policy For Regulations Of Discharges Of Municipal Solid Waste. A copy of this policy is available in the appendix.

The Policy implements the State Board's regulations governing the discharge of waste to land, California Code of Regulations, Title 23, Chapter 15 (23 California Code of Regulations Section 2510 et seq., "Chapter 15"), and implements those water quality related portions of the federal regulations governing

the discharge of municipal solid waste at landfills (40 Code of Federal Regulations Section 258.1 et seq., "federal municipal solid waste regulations") that are not addressed by Chapter 15. The federal municipal solid waste regulations apply to all landfills that receive waste on or after October 9, 1991; the majority of the federal provisions become effective on October 9, 1993 (federal deadline).

The Policy directs Regional Boards to revise or adopt, as appropriate prior to the Federal Deadline, the waste discharge requirements (WDRs) for each landfill subject to the federal municipal solid waste regulations. The revised WDRs must implement those regulations in the manner described in the Policy and must implement the Chapter 15 regulations as well.

Landfills are subject to Subtitle D in California beginning October 9, 1993 or October 9, 1995 depending on landfill size and whether it is within one mile of a drinking water intake.

These federal regulations apply to municipal solid waste landfills (Class III landfills, under Chapter 15). The Subtitle D regulations outline the classification of municipal landfills, siting criteria, design criteria, operation procedures, water quality monitoring parameters and standards, closure and post-closure care requirements, and financial assurance guidelines similar to Chapter 15. U.S. EPA considers Subtitle D to be minimum standards for landfill operation. States may have equal or more stringent requirements, but may not have less stringent requirements. If a state's landfill regulation program meets U.S. EPA's approval, that state may apply to become an U.S. EPA "approved state" for landfill regulation.

California received Subtitle D approval in October 1993 and will be able to consider engineering alternatives to certain provisions of Subtitle D.

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VI.M. SOLID WASTE WATER QUALITY ASSESSMENT TEST

In 1984, California Porter-Cologne Water Quality Control Act Section 13273 was adopted to require operators (and/or owners) of active and inactive solid waste disposal sites to perform a Solid Waste Assessment Test investigation. About 150 sites per year are to be analyzed statewide. The State Board has approved a statewide ranked list including 2,242 sites in 15 ranks. It has prioritized all sites on the basis of the potential threat to water quality and has established schedules for Investigation Workplan (Workplan) and Solid Waste Assessment Test report's submittals. The Central Coast Region's 15 ranks include 131 sites. Test reports are due the first day of July each year, depending on their ranking. Rank One sites were due July 1, 1987.

If monitoring information conclusively demonstrates hazardous waste is migrating, or has migrated to State waters, the site owner/operator may request a waiver of the Test reporting requirements pursuant to Water Code Section 13273(c). Waiver requests are usually requested within 120 days of the notification date. Water Code Section 13273.1 allows the site operator to request an exemption from Test reporting requirements by submitting a Solid Waste Assessment Questionnaire. Questionnaires may be submitted if a site contains less than 50,000 cubic yards of waste and is not known nor suspected of containing hazardous substances, other than household hazardous wastes. Based on this Questionnaire, the Regional Board may exempt the Operator from all or part of the Solid Waste Assessment reporting requirements.

Solid Waste Assessment Test reports are required to contain:

1. An analysis of the surface and ground water on, under, and within one mile of the solid waste disposal site to provide a reliable indication whether there is any leakage of hazardous waste.
2. A chemical characterization of the soil-pore liquid in those areas which are likely to be affected if the solid waste disposal site is leaking, as compared to geologically similar areas near the

solid waste disposal site which have been affected by leakage or waste discharge (Porter-Cologne §13273(b)).

3. A finding whether hazardous waste is leaching into surface or ground water on, under, and within one mile of the disposal site.

If hazardous waste has migrated, the Regional Board must notify the Department of Health Services and the Integrated Waste Management Board, and take appropriate remedial action (Porter-Cologne §13273(e)).

More than eighty percent of Test sites (mostly unlined) evaluated in all climates and geologic terrain in California have been found to impact ground water quality as part of the Solid Waste Assessment Test program.

From the beginning, the Test program was supported by the California General Fund. In recent years, agencies with programs with such funding have been under increasing pressure to find alternative funding or face elimination. These pressures resulted in the Test Program being understaffed and, in the summer of 1991, eliminated. At that time, almost 200 Test Reports had been accepted and reviewed by the Regional Water Boards. However, a backlog of nearly 300 additional Test Reports had been submitted and had not been reviewed. The Central Coast Region had reviewed and accepted 29 reports, however 14 were backlogged.

In 1992, the Legislature adopted Assembly Bill 3348 (Eastin) which allocated \$2,500,000 from the Integrated Waste Management Board's "Solid Waste Disposal Site Cleanup and Maintenance Account" to the State and Regional Boards to fund the review of the above backlog. This law restricted these funds to the review of Solid Waste Assessment Reports from Ranks One through Five only and required the work be in accordance with a Memorandum of Understanding between the Regional Boards and the California Integrated Waste Management Board. This Memorandum of Understanding was signed by the Executive Directors of the two agencies in January 1993.

VII. HAZARDOUS WASTE COMPLIANCE ISSUES

The Regional Board obtains information regarding hazardous waste discharge through two reporting programs. These programs are "Reportable Qualities of Hazardous Waste and Sewage Discharges" and the "Proposition 65" program. These mechanisms are discussed below:

VII.A. REPORTABLE QUANTITIES OF HAZARDOUS WASTE AND SEWAGE DISCHARGES

California Porter-Cologne Water Quality Control Act Section 13271 requires the State Board and the Department of Health Services to adopt regulations establishing reportable quantities for substances listed as hazardous wastes or hazardous materials pursuant to Section 25140 of the Health and Safety Code. Reportable quantities are those which should be reported because they may pose a risk to public health or the environment if discharged to ground or surface water.

Similarly, the State Board was required to adopt regulations establishing reportable quantities for sewage. These requirements for reporting the discharge of sewage and hazardous materials do not supersede waste discharge requirements or water quality objectives.

The regulations for reportable quantities adopted by the State Board are included in Subchapter 9.2 of the California Code of Regulations.

VII.B. PROPOSITION 65

The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) went into effect January 1, 1987. Proposition 65 is found in the Health and Safety Code, Section 25249.5, et seq.. It prohibits discharges of chemicals known to the State to cause cancer or reproductive toxicity to a potential source of drinking water, with certain exceptions. The Governor is required to publish a list of such chemicals. The list must be updated yearly. The current list is found in 22 California Code of Regulations, Section 12000.

Section 25180 of the Health and Safety Code requires designated governmental employees to disclose information to the local Board of Supervisors and local health officer regarding an illegal discharge of hazardous waste if the discharge is likely to cause substantial injury to the public. A designated employee is one who is required to sign a conflict of interest statement. Any designated employee who knowingly or intentionally fails to report information, as required by Proposition 65, is subject to fines and imprisonment (Section 25180.7). The following information should be reported:

- * Discharge type
- * How discharge was discovered
- * Location of discharge
- * Probable discharger
- * Possible contacts
- * Concentration of contaminant in soil and/or water.

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VIII. NONPOINT SOURCE MEASURES

The State Nonpoint Source Management Plan initiated development of specific program objectives to be implemented at the State and Regional level. Currently, Regional Board staff are implementing the following State Board program objectives:

- A. Control of Nonpoint Source pollution (urban runoff; agriculture; land disturbance activities such as road construction/maintenance, land construction, timber harvesting, and mining; hydrologic modification; and individual disposal systems). These activities include outreach, education, public participation, technical assistance, financial assistance, interagency coordination, demonstration projects, and regulatory activities such as imposing septic tank area prohibitions.
- B. Preparation of contracts for projects selected for grant funding. Regional Board staff also participate in these projects by providing technical assistance and publicizing their results.
- C. Implementation of the 1990 Coastal Zone Act Reauthorization Amendments, as developed by the State Board and the California Coastal Commission. This shall be an enforceable Nonpoint Source Management Program to control land use and anthropomorphic activities impacts that have a significant affect on coastal waters. (Further discussion of the Amendments is provided later.)
- D. Initiation of nonpoint source watershed pilot programs.

Using State program objectives, Regional Board staff developed task-specific workplans to address nonpoint sources of pollution. For the Central Coastal Region, the following tasks are managed and implemented by the Nonpoint Source Program staff:

Task 1: Water Quality Assessment

Regional Board staff reviewed and updated the nonpoint source portion of the Water Quality Assessment and prepared water body fact sheets. (The Water Quality Assessment and water body fact sheets are discussed in Chapter Six.)

Task 2: Watershed Studies/Planning

Three impaired watersheds (Morro Bay Watershed, San Luis Obispo Creek Watershed, and San Lorenzo River Watershed) have been targeted for intensive activity. Major activities for San Luis Obispo Creek watershed include:

1. Develop a Demonstration "Total Maximum Daily Load" model.
2. Create a "San Luis Obispo Creek Riparian Task Force".
3. Implement a riparian corridor restoration project.
4. Identify major nonpoint pollutants and sources.
5. Develop a watershed management program.

For Morro Bay watershed, the activities include:

1. Develop a long term monitoring program to assess water quality improvements associated with the implementation of nonpoint source pollution control measures.
2. Develop funding for the long term monitoring program.
3. Implement a sediment reduction program using best management practices.
4. Participate in the Morro Bay Task Force.

For San Lorenzo River watershed, the activities include:

1. Develop a detailed assessment of Nonpoint Source impacts in the watershed.
2. Develop a wastewater management plan for on/off-site wastewater disposal.

3. Develop of a nutrient objective for the river.
4. Conduct experimental on-site wastewater treatment to reduce nitrogen discharge into the environment.

Task 3: Outreach Program

Staff meets regularly with individuals and local government agencies to promote education and solutions on Nonpoint Source problems. Additionally, the use of grant and loan resources to correct Nonpoint Source problems is emphasized during outreach activities.

Specific outreach activities include participation on the San Luis Obispo Creek Riparian Task Force, Morro Bay Task Force, and various 319(h)/205(j)/Basin Planning Technical Advisory Committees, and development of grant applications with local agencies.

Task 4: Project Tracking and Participation

Regional Board staff prepare contracts, coordinate with project proponents, track project progress, review and approve invoices, and provide technical support for Nonpoint Source grant funded projects.

VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS

In November 1990, Congress enacted Section 6217 of the Coastal Zone Act Reauthorization Amendments to help address the problem of nonpoint source pollution in coastal waters. Section 6217 requires that coastal states with federally approved coastal management programs develop Coastal Nonpoint Pollution Control Programs. The legislative history indicates that the central purpose of section 6217 is to strengthen the links between federal and State coastal zone management and water quality programs in order to enhance efforts to manage land use activities that degrade coastal beneficial uses. The State coastal zone management

agency designated under Section 306 of the Amendments and nonpoint source management agency designated under section 319 of the Clean Water Act will have a dual and co-equal role and responsibility in developing and implementing the coastal nonpoint program.

The program gives the U.S. Environmental Protection Agency (U.S. EPA) and the National Oceanic and Atmospheric Administration joint authority to approve programs developed by the State to address 6217 requirements.

The State agencies chosen to develop California's Coastal Nonpoint Pollution Control Program are the State Board and the Coastal Commission. The statute requires that the State program be "coordinated closely with State and local water quality plans and programs." This means that the State's nonpoint source programs under Sections 208 and 319 of the Clean Water Act and the coastal program must be examined to determine if they comprehensively address land use activities and anthropomorphic effects that have a significant effect on coastal waters. In addition, the State agencies are charged with developing a coordinated program that:

- identifies categories of nonpoint sources that adversely impact coastal waters;
- describes management measures to be implemented;
- identifies the land uses and critical coastal areas that will require more stringent or additional management measures;
- describes the State-developed additional management measures to be implemented in critical areas;
- documents the authorities the State will use to implement both the guidance and additional management measures, including designation of a lead agency for each source category and/or subcategory; and
- sets forth a schedule to achieve full implementation of the guidance management measures within three years of program approval by U.S. EPA and National Oceanic and

Atmospheric Administration, and full implementation of additional management measures within six years of program approval.

The Coastal Commission and the State Board staff have been working on a strategy to develop the required Coastal Nonpoint Pollution Control Program plan. Recently, the State Board directed staff to review and revise the statewide Nonpoint Source Management Plan to include a strong coastal component. Revision of the Plan is intended to satisfy the requirements of Section 6217 within the existing framework of current nonpoint source activities.

On a Regional Board level, staff has been involved with the statewide program since 1991. A pilot project, "The New Coastal Nonpoint Pollution Control Program using the Morro Bay Watershed as a Model" was performed to assess the feasibility of establishing the Coastal Nonpoint Pollution Control Program in California. Regional Board staff supplied technical information and reviewed reports. Concerted planning and implementation efforts on target coastal watersheds such as Morro Bay will be major accomplishments to satisfy Coastal Nonpoint Pollution Control Program requirements. As the program goes statewide, Regional Board staff will attend technical advisory committee meetings and will work closely with staff of the State Board and other Regional Boards, as well as staff of other relevant local, State, and federal agencies to develop a workable Coastal Nonpoint Pollution Control Program.

Wastewater originating from nonpoint sources includes those from urban runoff, agricultural activities, on-site sewage disposal systems, and land disturbance activities. Management of these types of nonpoint source discharges are discussed in the following section. The Regional Board will be developing management practices for marinas and recreational boating; hydromodification facilities; and wetlands, riparian areas, and vegetated treatment systems at a future date.

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VIII.B. URBAN RUNOFF MANAGEMENT

The effect of urban runoff on receiving water quality is a problem which has only recently come to be recognized. Most of the work up to the present has centered on characterizing urban runoff: concentrations of various constituents have been measured, attempts to relate these to such factors as land use type and rainfall intensity have been made, and studies concerning the amounts of these constituents present on street surfaces have been conducted. It appears that considerable quantities of contaminants, heavy metals in particular, may enter the receiving waters through urban runoff. The federal Water Pollution Control Act Amendments of 1972 stress future "control of treatment of all point and nonpoint sources of pollution." Thus the federal government has concluded that nonpoint sources, such as urban runoff, are indeed deleterious to the aquatic environment and that measures should be taken to control such emissions.

There are four basic approaches to controlling pollution from urban runoff: (1) prevent contaminants from reaching urban land surfaces, (2) improve street cleaning and cleaning of other areas where contaminants may be present, (3) treat runoff prior to discharge to receiving waters, and (4) control land use and development. Which approach or combination of approaches is most effective or economical has not yet been studied extensively. Thus only the basic characteristics of each approach can be discussed. In addition to these direct approaches, measures to reduce the volume of runoff from urban areas are also available.

VIII.B.1. SOURCE CONTROLS

The first approach, which emphasizes source control, has many aspects. Tough effective air pollution laws can probably aid in reducing the amount of certain materials deposited on the land. An obvious example is lead in automobile exhaust emissions. Effective anti-litter ordinances and

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campaigns can aid in reducing floatable materials washed to surface waters. These materials are objectionable primarily from an aesthetics viewpoint, although water fowl can be affected by plastics. New construction techniques may reduce emissions to receiving waters. Erosion can be decreased by seeding, sodding, or matting excavated areas as quickly as practicable. Construction in certain critical areas can be limited to the dry season. Stockpiling of excavated material can be regulated to minimize erosion. Control of chlorinated hydrocarbon pesticide usage would reduce the amounts found on urban land surfaces and thus reduce the amounts washed to natural waters.

VIII.B.2. STREET CLEANING

The second approach to reducing pollution from urban runoff involves improving street cleaning techniques. Generally, street cleaning as presently practiced is intended to remove large pieces of litter which are aesthetically objectionable. The removal of fine material which may account for most of the important contaminants is minimal. It may be possible to design mechanical sweepers to remove a greater fraction of the fine material. Alternatively, vacuum-type street cleaners could produce better results.

In addition to streets, sidewalks and roofs contribute large amounts of runoff. Controlling contaminants present on these surfaces would be more difficult and would be up to individuals. Advertising campaigns would probably be unproductive and legislation would be unworkable except perhaps in specific, localized situations. Therefore, contaminant removal will probably be limited to street surfaces.

In many areas, streets are cleaned by flushing with water from a tank truck. If catch basins are present, this material may be trapped in them. If catch basins do not exist, the material will be simply washed to the storm sewers where subsequent rainfall will carry them to surface waters. Where catch basins are regularly cleaned out, they can be effective in removing materials during runoff. Where they are allowed to fill up with material, they add to the pollution loading during a storm by discharging

septic material. In any case, catch basins usually exist in older urban areas and have a rather low efficiency in removing contaminants from storm water.

VIII.B.3. TREATMENT

The third approach to reducing the effects of urban runoff on receiving water quality involves collecting and treating the runoff. Physical or physical-chemical treatment would be required; the intermittent nature of storm flows precludes biological treatment. Examples of possible treatment processes are simple sedimentation, sedimentation with chemical clarification, and dissolved air flotation. In addition to cost, a principal problem with this approach is collection. Present storm sewerage systems generally drain to open creeks and rivers or directly to tidal waters. Even if treatment facilities were located at various sites in the Basin, a massive collection system would have to be built.

The economic question of "treatment vs. transport" would have to be studied with specific regard to storm water runoff. Local sewage treatment plants abandoned in favor of regional facilities could possibly be utilized in such a program. One method of cutting down the peak flow capacity required is to provide storage volume in the collection system.

Solutions to the problem of preventing water quality degradation by urban runoff are only in the earliest stages of development and consist mostly of plausible hypothesis on how to deal with the problem. Therefore, it is not possible at this time to present a definite plan with regard to this subject. It is probable that research and study which up to now has emphasized defining and characterizing the problem, will turn to developing methods of control. The federal Water Pollution Control Act Amendments of 1972 state specifically that the EPA is authorized to conduct and assist studies "which will demonstrate a new or improved method of preventing, reducing, and eliminating the discharge into any waters of pollutants from sewers which carry storm water..." Considerable progress will be made during the next few years.

Information should be collected and studied so that a workable plan can be implemented in the future.

VIII.B.4. CONTROL OF URBANIZATION

A fourth approach is to encourage controls on urbanization which will either reduce the volume of runoff or at least not cause runoff to increase as a result of urban growth. The usual pattern is that increased urbanization leads to higher runoff coefficients, reflecting the many impervious surfaces associated with development. Roof drains to storm sewers, paved parking lots and streets, installation of storm sewers, filling of natural recharge areas, and increased efficiency in realigned and resurfaced stream channels all are characteristics of urban growth. Development near streams and on steep slopes is deleterious to water resources; it is less disruptive to develop the lower portions of a watershed than the headwater areas, both from the standpoint of the length of channel affected and the extent of channel enlargement necessary to convey storm water. Use of porous pavements and less reliance on roof connections to storm drains and more emphasis on local recharge would reduce the peak volume of runoff from storms. Areal mass emissions of urban drainage constituents should be quantified. Urban planning should be more cognizant of land constraints to permit greater natural recharge where possible and feasible and to discourage intensive development of steep land particularly in headwater areas.

VIII.C. AGRICULTURAL WATER AND WASTEWATER MANAGEMENT

Agricultural wastewaters and the effect of agricultural operations are a result of land use practices; controls should ultimately be developed from land use plans. Controls are required to

minimize adverse effects from agricultural practices. The following discussion is confined to recommended improvements in practices and to the scope of federal-state permit programs which will regulate certain agricultural activities. The discussion of practices is limited here to animal confinement and irrigation practices. Although PL 92-500 defines a confined animal operation as a point source, this plan presents it in the traditional manner of dispersed nonpoint sources. Pesticide use and limits on fertilizer applications are not specifically considered; these materials are covered by appropriate water quality objectives.

VIII.C.1. FEDERAL-STATE PERMITS GOVERNING AGRICULTURAL OPERATIONS

Dischargers of wastes are managed in part by the NPDES permit program. Any person proposing to discharge waste that could affect the quality of the waters of the State must file a report of waste discharge with the appropriate regional board. The Regional Board will prescribe discharge requirements. The requirements implement water quality control plans and take into consideration beneficial uses to be protected.

Public Law 92-500 directed the Environmental Protection Agency to set up a permit system for all dischargers. Agriculture is specifically considered and permits are required for:

1. Feed lots with 1,000 or more slaughter steers and heifers.
2. Dairies with 700 head or more, including milkers, pregnant heifers, and dry mature cows, but not calves.
3. Swine facilities with 2,500 or more swine weighing 55 pounds or more.
4. Sheep feedlots with 10,000 head or more.

5. Turkey lots with 55,000 birds, unless the facilities are covered and dry.
6. Laying hens and broilers, with continuous flow watering, and 100,000 or more birds.
7. Laying hens and broilers, with liquid manure handling systems, and 30,000 or more birds.
8. Irrigation return flow from 3,000 or more continuous acres of land when conveyed to navigable waters from one or more point sources.

The law also provides that the State may administer its own permit program if EPA determines such program is adequate to carry out the objective of the Law. On March 26, 1973, this authority was transferred from the EPA to the State of California for waters within the State. Thus, the Regional Board issues discharge requirements to the agricultural operations covered under the aforementioned guidelines. The State may require discharge permits from any discharger, regardless of size.

VIII.C.2. ANIMAL CONFINEMENT OPERATIONS

Animal confinements such as feedlots and dairy corrals present a surface runoff problem during wet winter flows. Runoff water passes through hillside operations to sometimes contribute manure loads to the surface streams. Stockpiled manure may also add to the problem. Disposing of washwater and manures from dairies in such a manner that ground waters are not degraded can be a problem. Most dairies have some associated land for waste disposal. The land is devoted to crops and pasture and its assimilative capacity will depend upon the size, crop, crop yield, and the season. During intensive growth periods, crops can utilize more nutrients than in slow growth period. Small dairies with adequate crop land in close proximity may be able to use washwaters year round as a source of nutrients. Large dairies with smaller acreage will view the slurry wastes as a disposal problem, not a resource. Thus, there theoretically exists a threshold

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size for waste disposal. Regulations to achieve this size would be impractical and unenforceable. Crop land is expensive in the basin and would be difficult to acquire. However, a combination of crop patterns and pasture land best suited for each size operation should be determined and the dairymen should be encouraged to follow such a pattern. Where acreage is not available, mutually advantageous agreements between the dairymen and a neighbor cultivator could be formed for disposal of dairy wastes.

Sumps, holding ponds, and reservoirs holding manure wastes should be protected from flood flows. No pipes, drains or ditches from the milk barn should be allowed to drain in or near a stream channel.

Specific Regional Board policies pertaining to animal confinement operations can be found under "Control Actions" in Chapter Five.

VIII.C.3. IRRIGATION OPERATIONS - NEED FOR SALT MANAGEMENT

Salts originate by dissolution of the more soluble portions of rocks and soil particles in rain water (weathering). Such salts are transported in solution, but are concentrated in soils, waters, and so-called salt sinks due to evaporation from soil and water surfaces and transpiration (use) by crops (plants). This removal of water by evaporation or transpiration leaves salts behind. Salts are concentrated by each successive evaporative loss of water. In time, accumulations of salt can go from no- problem to extreme-problem levels unless some controls are applied.

For irrigated agriculture to continue production into the foreseeable future, this problem of gradual accumulation of salts in soils and waters must be faced and kept under control at acceptable levels. Otherwise, production will decline even under the best management, and no added amount of good management will be able to continue production of the quantities of food crops needed. In most of California's water basins, the rate of export or removal of salts from the basin will need to be

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increased to more closely match or exceed the rate of salt accumulation. For each basin, not only do the rates of import and export of salts need to be in reasonably close balance, but the balance must also be maintained at a sufficiently low level of salinity to meet the quality demands of the various designated beneficial uses. This is often referred to as maintenance of a "favorable salt balance."

The rate of water quality degradation within a basin which results from inadequate salt exports is slow. It may be so slow that the need for control of salts is believed to be far into the future and of no concern to present planning. However, just as degradation may be a slow process, correction of a critical basin-wide salinity problem is also an extremely slow process. Good planning, now, to control this long-term, slow degradation of our soil and water resources seems the better course of action, rather than to wait until the problem becomes critical. Decisions made, or not made, now can be critical to control in the future.

Agriculture's need for salt management is both for on-farm management and for off-farm (basin-wide) management. The absolute need for discharge of salts by agriculture will create conflicts with other water users -even other agricultural water users.

Compromises and trade-offs will be necessary to reconcile these conflicts; however, necessary motivation for change in management at the farm level will need to be tied to dollars and the economic consequences of "no-change." If required agricultural management changes for essential pollution control result in added costs to the farmer, he has the same hard choices of any other businessman:

1. Absorb the cost with reduced profit
2. Pass on the cost in increased prices to consumers
3. Accept some form of public subsidy to off-set cost
4. Go out of business
5. Change crops grown

In coastal higher rainfall areas, irrigated agriculture could probably continue almost indefinitely, since

irrigation would be used primarily during dry summer periods to supplement winter rainfall. Rainfall would be sufficient to flush salts through soils and provide adequate recharge and outflow from the underground water basin toward the ocean for salt control. There is more cause for concern in the drier inland areas such as the Salinas River Sub-basin and in the naturally mineralized ground water areas such as the Santa Maria Valley.

VIII.C.4. IMPROVED SALT MANAGEMENT TECHNIQUES

A concept of minimal degradation should be considered in some areas, but this will need to be coupled with management of the surface and ground water supplies to minimize and correct the effects of degradation that may occur. If complete correction is not possible, improved management will delay the time when salts reach critical levels. Several options available to correct degradation through improved salt management follow.

Improved irrigation efficiency would reduce both potential and actual pollutants in the water moving from surface to ground. Improved efficiency would also reduce total quantities of salts leaching to the water table and cut down on withdrawals or diversions from the limited water supply. Present statewide efficiency of water use may average 50 to 60 percent, but individual uses will vary from an estimated low of 30 percent where water is plentiful and inexpensive to a high of 95 percent where water quantity is limited and/or the price is high.

Implementation of the Leaching Requirement reported by U. S. Salinity Laboratory, Riverside, will help improve efficiency of irrigation. Other research data by this same laboratory has been reported on the effects of low leaching fractions in reduction of salt loads leaching to water tables. The new data offers real incentives to agriculture to improve irrigation efficiency in the form of real dollars saved by the farmer. Real water saved by agriculture can then be used for dilution, recharge, or nonagricultural uses. True, the salts moving to the water table under these low leaching fractions will be more concentrated, but due to low solubilities of

certain salts, a progressive precipitation and removal from solution occurs as the salt concentration in the percolating soil solution rises. As the concentration rises, considerable portions of the low solubility salts come out of solution, e.g., the relatively insoluble lime, dolomite, and slightly soluble gypsum.

With these low leaching fractions, salt load to the underground may be reduced as much as 50 percent in some cases. Sodium salts (sodium chloride, and sulfate) are not affected, so in relation to calcium and magnesium salts these sodium salts in the percolating waters increase. The compounds which precipitate are deposited in the lower root zone or below and cause no problem to agriculture except for a few specialized situations which are correctable (lime induced chlorosis). The increased proportions of sodium salts (higher SAR) will not reduce permeabilities of subsoils since salinity remains high enough to continue normal permeabilities of subsoils. The higher sodium (SAR) reaching water tables may reduce hardness slightly, but is not expected to be a problem to users of the underground waters.

Crop production can continue into the foreseeable future in the low rainfall areas if the minimal degradation that almost inevitably will occur is offset (a) by recharge and replenishment of the underground which will furnish dilution water for the added salts and (b) by drainage or removal of degraded waters at a sufficient rate to maintain low salt levels and achieve a satisfactory balance between salts coming into the basin and salts leaving the basin.

To help in recharge and dilution, additional winter runoff can be stored in surface reservoirs for later use for either surface stream or underground water quantity/quality enhancement or maintenance, e.g., Nacimiento and Twitchell reservoirs. Possible future reservoirs may be located on the Arroyo Seco and Carmel rivers. Or winter runoff could be used directly for ground water recharge to enhance flushing and flow-through dilution of salts and pollutants.

Drainage wells which discharge to drains leading to salt sinks are a possibility in removing salty waters, but these have had only limited success in draining high water table areas. However, they might be well adapted to ground water quality maintenance. Such wells could be drilled and operated to recover the

salty top layers of water tables where salts are believed to accumulate as a layer of poorer quality water over the better quality deeper layers. Since most of the movement within water tables is thought to be horizontal and downslope, and vertical mixing is relatively slow, the possibility of recovering polluted upper layers of water tables should be explored as a quality maintenance tool or rejuvenation procedure for degraded water supplies.

Underdrains (tile systems) can aid in both water and salt management. Perched water tables intercept percolating salts, nutrients, and other pollutants and offer real possibilities as an aid in management and protection of the overall water quality of a basin. A "perched" water table is held up and separated from deeper aquifers by a relatively impermeable barrier (soil, rock, hardpan). This barrier often protects the deeper waters from pollution by preventing leakage of polluted waters from above. Perched water tables exist in portions of several basins. Salts and nutrients collected in these perched water tables may be tapped by underdrains (tile systems) and transported through the basin drainage system to disposal sites.

Basin-wide or area-wide drainage systems will be needed in order to move unusable wastewaters to acceptable temporary or permanent disposal sites (salt sinks). On-farm drainage problems will normally be solved at individual farmer expense because of the economics involved--the cost is not prohibitive and the costs of "not-solving" the problem (reduced yields, changing cropping patterns, or going out of business) are unacceptable. The off-farm part of drainage, however, is too big for individual farmers to solve, and some form of collective, organized large scale action is needed. The off-farm problems include collection of discharges, rights-of-way for conveyance, building and maintenance of a drainage system, disposal site acquisition, and management for compliance with discharge requirements.

Acceptable temporary or permanent salt disposal sites (salt sinks) must be designated and used. The Pacific Ocean is the only acceptable sink for most of the Central Coastal Basin; however, Soda Lake and certain highly mineralized ground water basins may be acceptable. To be able to remove salts as required to maintain a low salinity level in any one basin, there must be some other basin or site that will accept the salts. These acceptor areas are

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known as salt sinks. Without acceptable salt sinks, salt management becomes a long-term losing battle and a frustrating exercise in futility.

Other salt inputs to a basin can be reduced by improved management of other salt sources such as fertilizer, animal wastes, and soil amendments. Regulation may be required but an appreciable improvement can be expected by education of farmers to better understand and better utilize existing information and guidelines. A salt routing approach could be used in areas such as Pancho Rico Creek to permit discharge of highly mineralized wastewater during periods of high flow.

VIII.C.5. MUSHROOM FARM OPERATIONS

Mushroom farm operations present surface or ground water problems if not properly managed.

VIII.C.5.a. TYPICAL MUSHROOM FARM OPERATION

Compost is needed as a growing base medium to produce mushrooms. Typically compost is produced on-site from straw, horse manure, cottonseed meal, or other organic matter. During composting, the organic material breaks down into a useable protein source for mushrooms. Water, added to assist the composting process, is constantly leaching through compost piles. Once compost is ready for use, it is placed in mushroom growing trays. After mushroom harvesting, steaming and fumigation sterilize the growing house and spent compost. Spent compost is then removed to "spent compost storage areas" and marketed as a soil additive or disposed of in some other manner.

VIII.C.5.b. TYPES OF WASTES DISCHARGED

Composting operations are typically carried out on concrete composting slabs. Compost is frequently sprayed with water. Excess water typically drains into a sump. Normally, excess water is recycled by pumping it back to spray the pile. In summer very little runoff or leachate is produced from composting. During the rainy season the sump collects more runoff from the compost slab than is recycled. Discharge to drainage ways or containment sumps may result.

When mushroom beds are irrigated, excess water drains from concrete floors to drainage ways or disposal sumps. This water contains peat moss, soluble substances from beds, salt from salt pans (used to "sanitize" the footwear of persons entering the cultivating room), and whatever is on the floor, such as pesticide residues and mushroom stems, at the time the floor is washed.

Steam is used for tray sterilization and to heat and sterilize growing houses. Prior to entering boilers, water is softened and treated with an organic or inorganic corrosion and scale inhibitors. Salt is used as a water softener regenerant. Discharge of water softener regenerant and boiler blowdown to drainage ways or disposal sumps may occur.

Solid wastes consisting of pesticide bags, mushroom roots and stumps, cardboard boxes, spent compost, and general debris are generated by mushroom farms.

Some of the disinfectants, fungicides, and pesticides being sprayed on the floor, walls, and mushrooms are occasionally washed off during washdown of the facility. Generally, pesticides used in this business have a relatively short life.

VIII.C.5.c. POSSIBLE WATER QUALITY PROBLEMS

Compost leachate and irrigation/ washwater is high in biochemical oxygen demand (BOD). BOD is

generally considered high if the concentration exceeds 30 mg/l, but this can vary from situation to situation. If discharged to surface waters, these wastes may depress dissolved oxygen to a critical level, and provide a nutrient source for undesirable aquatic growth. Improper disposal may also cause impacts on ground water. Nitrates are a particular concern.

Discharges of water softener regenerant and boiler blowdown may degrade surface and ground waters if improperly disposed. These wastes are high in Total Dissolved Solids, Sodium, and Chloride concentrations. Boiler blow-down may also contain organic or inorganic corrosion and scale inhibitors which could present toxicity problems if improperly disposed. Solid wastes can be a problem if improperly disposed.

Disinfectants, fungicides, and pesticides do not appear to present water quality problems based on inspections and limited sampling. These biocides can be a problem if handled improperly. Surface water runoff entering mushroom farm operations can become contaminated if runoff contacts any of the sources described above.

VIII.C.5.d. ADDITIONAL CONCERNS

Wastes can create a nuisance. Public health can be jeopardized if vectors develop among solid wastes. Further, odors resulting from storage of wastes can become offensive and may obstruct the free use of neighboring property.

VIII.C.5.e. RECOMMENDATIONS

1. Spent irrigation/washwater and compost leachate may be reused to spray compost piles.
2. Spent irrigation/washwater, compost leachate, and contaminated surface water runoff should be collected for treatment, storage, and disposal in lined ponds, unless shown by geohydrologic analysis that ground water will

not be affected. If needed, aeration should be provided to stabilize organic substances and prevent odor problems. Dissolved oxygen of 1.0 mg/l or more is recommended for storage ponds.

3. Mushroom farm wastes, excluding water softener regenerant, may be used to irrigate farm crops during dry weather months. When salt is properly handled, the sodium and chloride content of these waters should be suitable for this purpose. The discharger must demonstrate to the Regional Board that irrigation water will not degrade beneficial water uses.
4. When irrigation is utilized, application rates and irrigation practices should be suitable to the crops irrigated.
5. Water softener regenerant and boiler blowdown should be disposed of separately from spent irrigation/washwater. Since its volume is small and concentration of pollutants is high, it is best to evaporate the liquid on a lined drying bed, or provide a documented test by a registered Engineer or laboratory that the soils permeability in the disposal area is 10^{-6} cm/sec or less. Two drying beds should be used for the purpose of holding salt/regenerant liquid and boiler blowdown waste. Discharges to beds are alternated to allow sufficient drying time.
6. Drying bed residue from any disposal pond should be disposed at a suitable solid waste disposal site.
7. As an alternative, water softener regenerant and boiler blowdown can be hauled in liquid form to a suitable disposal site, or discharged to the ocean through a suitable outfall.
8. Chemical alternatives for sanitizing footwear to replace salt pans should be investigated by farm operators.
9. If used, salt sanitation pans should be at least 4 inches deep and elevated to prevent contact between salt and water. Salt solution should remain in pans until disposed. Spent salt

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should be dumped into a sealed container and disposed at a suitable site.

10. Solid waste should be routinely collected and disposed at a suitable site.

VIII.C.5.f. PROHIBITIONS

The following activities are prohibited at mushroom farms:

1. Discharge of inadequately treated waste, including leachate, high BOD, high nutrient waste, and contaminated surface water runoff to drainage ways, surface waters, and ground waters.
2. Discharge of untreated water softener regenerant and boiler blowdown waste in a manner that pollutes any non-saline surface or ground water.
3. Discharge and/or storage of waste, including spent compost, in a manner promoting nuisance and vector development.
4. Disposal of sludges, salt residues, pesticide residues, and solid waste in a manner not accepted by the Regional Board.

VIII.C.6. RANGE MANAGEMENT

Rangeland is the most extensive land use type in California, accounting for more than 40 million acres of the State's 101 million acres. As most of the rangelands are located between forested areas and major river systems, nearly all surface waters in the State flow through rangelands. Thus, rangeland activities can greatly impact water quality. In this section, grazing activities are discussed.

VIII.C.6.a. GRAZING

Grazing activities (particularly overgrazing), by contributing excessive sediment, nutrients, and pathogens, can adversely impact water quality and impair beneficial uses. Soil erosion and sedimentation are the primary causes of lowered water quality from rangelands. When grazing removes most of the vegetative cover from pastures and rangelands, the soil surface is exposed to erosion from wind and water. With runoff, eroded soil becomes sediment which can impair stream uses and alter stream channel morphology and results in decreased recharge capacity through clogging of channel bottoms. With steep slopes, highly erodible soils and interim storm events, the sediment delivery ratio (a measure of the amount of eroded soil delivery to a waterbody) on rangeland can be very high. Streambank erosion and lakeshore erosion are other sources of sediment on rangelands. Lakeshores, streambanks, and associated riparian zones are often subjected to heavy livestock use. Trampling and grazing of vegetation contribute to lakeshore and streamside instability as well as accelerated erosion.

Sediments can contribute large amounts of nutrients to surface water. Nutrients, mainly nitrogen and phosphorous, from manure and decaying vegetation also enter surface waters, particularly during runoff periods. Very critical nutrient problems can develop where livestock congregate for water, feed, salt, and shade. Pasture fertilization can also be a source of nutrients to surface waters, as well as a source of pesticides, particularly if flood irrigation techniques are used on rangelands.

Stream zone and lakeshore areas are important for water quality protection in that they can "buffer" (intercept and store nutrients which have entered surface and ground waters from upgradient areas). These "buffer zones" are more sensitive to processes which can increase nutrient discharges such as soil compaction, soil erosion, and vegetation damage than other areas of the rangeland.

Localized contamination by pathogens that could impact human health in surface water, ground water, and soils can result from livestock in pastures and rangelands. Rangeland streams can show

increased coliform bacterial levels with fecal coliform levels tending to increase as intensity of livestock use increases. Fecal coliform serve as indicators that pathogens could exist and flourish. The extent of contamination is usually determined by livestock density, sizing, and frequency of grazing, and access to the surface waters.

GRAZING CONTROL MEASURES

Grazing activities occur on both public and private lands in the Central Coast Region. Regulation of grazing on federal lands differs from that on private lands.

Federal lands -- Grazing activities on federal lands are regulated by the responsible land management agency, such as the U. S. Bureau of Land Management or the U. S. Forest Service. Through Memorandum of Understandings and Management Agency Agreements, the Regional Board recognizes the water quality authority of the U.S. Forest Service and U.S. Bureau of Land Management in range management activities on federal lands. Both these agencies require allotment management plans to be prepared for a specific area and for an individual permittee. The Regional Board relies on the water quality expertise of these agencies to include appropriate water quality measures in the allotment management plans. Most allotment management plans include specific Best Management Practices to protect water quality and existing and potential beneficial uses.

Non-federal (private) lands -- The Range Management Advisory Committee is a statutory committee which advises the California Board of Forestry on rangeland resources. The Committee has identified water quality protection as a major rangeland issue and has assumed a lead role in developing a Water Quality Management Plan for private rangelands in California. Regional Board staff is participating in the Plan's development. Sections proposed for inclusion in the Plan are status of water quality and soil stability on State rangelands, authority, mandates, and programs for water quality and watershed protection, local water quality planning guidelines, sources of assistance, development of management measures (Best Management Practices), State agency water quality

responsibilities, and monitoring guidelines. Upon its completion, the Plan will be submitted to the State Board. On private lands whose owners request assistance, the U.S. Soil Conservation Service, in cooperation with the local Resource Conservation Districts, can provide technical and financial assistance for range and water quality improvement projects. A Memorandum of Understanding is in place between the U.S. Soil Conservation Service and the State Board for planning and technical assistance related to water quality actions and activities undertaken to resolve nonpoint source problems on private lands.

On both public and private lands, the Regional Board encourages grazing strategies that maintain adequate vegetative cover to reduce erosion and sedimentation. The Regional Board promotes dispersal of livestock away from surface waters as an effective means of reducing nutrient and pathogen loading. The Regional Board encourages use of Best Management Practices to improve water quality, protect beneficial uses, protect stream zone and lakeshore areas, and improve range and watershed conditions including:

- Implementing rest-rotation grazing strategies,
- Changing the season of use (on/off dates),
- Limiting the number of animals,
- Increasing the use of range riders to improve animal distribution and use of forage,
- Fencing to exclude grazing in sensitive areas,
- Developing non-lakeshore and non-stream zone watering sites,
- Constructing physical improvement projects such as check dams, and
- Restoring riparian habitat.

These same Best Management Practices may result in improved range and increased forage production, resulting in increased economic benefit to the rancher and land owner. The Regional Board also encourages land owners to develop appropriate site-specific Best Management Practices using the

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technical assistance of the U.S. Soil Conservation Service and the U.S. EPA.

In addition to relying on the grazing management expertise of agencies such as the U.S. Forest Service, U.S. Bureau of Land Management, or Range Management Advisory Committee, the Regional Board can directly regulate grazing activities to protect water quality. Actions available to the Regional Board include:

1. Require that a Report of Waste Discharge be filed, that allotment management plans for specific federal lands be prepared, or that a Coordinated Resource Management Plan be adopted within one year of problem documentation. Such problems indicate impairment of beneficial uses or violation or threatened violation of water quality objectives.
2. Require that all allotment management plans (utilized for federal lands) and Coastal Resource Management Plans contain Best Management Practices necessary to correct existing water quality problems or to protect water quality so as to meet all applicable beneficial uses and water quality objectives contained in Chapters Two and Three, respectively, of this Basin Plan. Corrective measures would have to be implemented within one year of submittal of the allotment management plan or Coastal Resource Management Plan, except where staged Best Management Practices are appropriate. Implementation of a staged Best Management Practice must commence within one year of submittal of the allotment management plan or Coastal Resource Management Plan.
3. Require that each allotment management plan (utilized for federal lands) or Coastal Resource Management Plan include specific objectives, actions, and monitoring and evaluation procedures. The discussion of actions must establish the seasons of use, number of livestock permitted, grazing system(s) to be used, a schedule for rehabilitation of ranges in unsatisfactory condition, a schedule for initiating range improvements, and a schedule for maintenance of range improvements must include priorities and planned completion dates. The discussion of monitoring and evaluation must propose a method and timetable for reporting of livestock forage conditions, watershed condition, and surface and ground water quality.
4. Require that all allotment management plans and Coastal Resource Management Plans be circulated to interested parties, organizations, and public agencies.
5. Consider adoption of waste discharge requirements if an allotment management plan or Coastal Resource Management Plan is not prepared or if the Executive Officer and the landowner do not agree on Best Management Practices proposed in an allotment management plan or Coastal Resource Management Plan.
6. Decide that allotment management plans and Coastal Resource Management Plans prepared to address a documented watershed or water quality problem may be accepted by the Regional Board's Executive Officer in lieu of adoption of Waste Discharge Requirements.
7. Oversee monitoring of water quality variables and beneficial uses. Provide data interpretation.
8. Encourage the U.S. Bureau of Land Management, U.S. Forest Service, Resource Conservation District, and private landowners to develop watering sites for livestock away from lakeshores, stream zones, and riparian areas.
9. Encourage private landowners to request technical and financial assistance from U.S. Soil Conservation Service, in cooperation with the local Resource Conservation Districts, in the preparation of allotment management plans and the implementation or construction of grazing and water quality improvements.
10. Continue to coordinate with the Range Management Advisory Committee in the development of a water quality management plan for private rangelands.

VIII.D. INDIVIDUAL, ALTERNATIVE, AND COMMUNITY DISPOSAL SYSTEMS

On-site sewage disposal systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On-site systems can be a viable long-term waste disposal method with proper siting, design, construction, and management. In establishing on-site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.

If on-site sewage treatment facilities are not carefully managed, problems can occur, including:

- odors or nuisance;
- surfacing effluent;
- disease transmission; and,
- pollution of surface and ground waters.

Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.

On-site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro-intestinal disorders.

Pollution of surface or ground waters can result from the discharge of on-site system wastes. Typical problem waste constituents are total dissolved

solids, phosphates, nitrates, heavy metals, bacteria, and viruses. Discharge of these wastes will, in some cases, destroy beneficial surface and ground water uses.

Subsurface disposal systems may be used to dispose of wastewater from: (1) individual residences; (2) multi-unit residences; (3) institutions or places of commerce; (4) industrial sanitary sources; and, (5) small communities. All individual and multi-unit residential developments are subject to criteria in this section of the Basin Plan. Commercial, institutional, and industrial developments with a discharge flow rate less than 2500 gallons per day generally are not regulated by waste discharge requirements; therefore, they must comply with these criteria. Community systems must also comply with criteria relating to this subject within the Basin Plan. Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems for more than 5 units or more than 5 parcels; or, (2) commercial, institutional or industrial systems to treat sanitary wastewater equal to or greater than 2500 gallons per day (average daily flow). Systems of this type and size may be subject to waste discharge requirements.

Alternatives to conventional on-site system designs have been used when site constraints prevent the use of conventional systems. Examples of alternative systems include mound and evapotranspiration systems. Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes. Alternative and community systems can pose serious water quality problems if improperly managed. Failures have been common in the past and are usually attributed to the following:

- Systems are inadequately or improperly sited, designed, or constructed.
- Long-term use is not considered.
- Inadequate operation and maintenance.

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VIII.D.1. CORRECTIVE ACTIONS FOR EXISTING SYSTEMS

Individual disposal systems can be regulated with relative ease when they are proposed for a particular site. For new systems, regulations generally provide for good design and construction practices. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas. Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, ground water degradation is possible, particularly increases in nitrate concentrations.

Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and ground waters to determine whether problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank maintenance procedures are encouraged to lessen the probability that a few major failures might force sewerage of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could help prevent failure. Improvements of this kind should be enforced by a local septic tank maintenance district or local governing jurisdiction.

A septic tank subjected to greater hydraulic load can fail due to washout of solids into percolation areas and plugging of the infiltrative surface. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Dishwashers, garbage grinders, and washing machines could be eliminated. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water use

costs may also be structured to encourage more frugal use of water.

VIII.D.2. LOCAL GOVERNING JURISDICTION ACTIONS

VIII.D.2.a. DISCLOSURE AND COMPLIANCE OF EXISTING WASTEWATER DISPOSAL SYSTEM

Local governing jurisdictions should provide programs to assure conformance with this Basin Plan and local regulations. Inspection programs should assure site suitability tests are performed as necessary, and that tests are in accordance with standard procedures. Inspection should also assure proper system installation. Proper design and construction should be certified by the inspector. Concerned homeowners can be a tremendous asset in assuring proper construction. When a septic system permit is issued by the local agency, a handout specifying proper construction techniques should be made available to the general public. Systems must be inspected by the local agency before covering (backfilling).

Local agencies can use either staff inspectors or individuals under contract with the local government. Either way, a standard detailed checklist should be completed by the inspector to certify compliance.

Site suitability determinations should specify: (1) whether approval is for the entire lot or for specific locations of the lot; (2) if further tests are necessary; and, (3) if alternatives are necessary or available.

Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.

Home owners should be aware of the nature and requirements of their wastewater disposal system. Plans should be available in city or county offices showing placement of soil absorption systems. Since this is only feasible for new construction, local agencies should require septic system as-built plans

as a condition of new construction final inspection. Plans would be kept on file for future use of property owners.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite period, or a developed parcel may be subject to significant user charges from a future sewer system. Local agencies should have prohibition area terms entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. But system expansion may not be possible if land is not set aside for this purpose. For these reasons, dedicated system expansion areas are also appropriate.

To protect this set-aside area from encroachment, the local agency should require restrictions on future use of the area as a condition of land division or building permit approval. For new subdivisions, Covenants, Conditions, and Restrictions (CC&R's) might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading CC&R's.

All on-site system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions should mount a continuing public education program to provide home owners with on-site system operation and maintenance guidelines. Basin Plan information should be available at local agency health and building departments.

Local agencies should conduct an on-site system inspection program, particularly in areas where system failures are common or where systems with poor soils are approved. An agency inspector should periodically check each septic tank for pumping need and each system for proper operation. Homeowners should be alerted where evidence of system failure

exists. Where nuisance or a potential public health hazard exists, a followup procedure should insure the situation is corrected. On-site systems should be constructed in a location that facilitates system inspection.

Another approach is periodically to mail homeowners a brochure reminding them how to maintain and inspect their on-site system. Homeowners should be notified that they should periodically check their septic tank for pumping need. Homeowners should also be notified of other problems indicative of system failure. Some examples include wet spots in drainfield area, lush grass growths, slowly draining wastewater, and sewage odors.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems should be done under permit from the local agency. To the extent practicable, the local agency should require failing systems to be brought into compliance with Basin Plan recommendations. This could be a condition of granting a permit for repairs.

Land use changes on properties used for commerce, small institutions, or industries should not be approved by the local agency until the existing on-site system meets criteria of this Basin Plan and local ordinances. A land use permit or business license could be used to alert the local agency of land use changes.

VIII.D.2.b. ON-SITE WASTEWATER MANAGEMENT PLANS

On-site wastewater management should be implemented in urbanizing areas to investigate long-term cumulative impacts resulting from continued use of individual, alternative, and community on-site disposal systems. A wastewater disposal study should be conducted to determine the best Wastewater Management Plan that would provide site or basin specific wastewater re-use. This study should identify basin specific criteria to prevent water quality degradation and public health hazards and provide an evaluation of the effects of existing and proposed developments and changes in land use. These plans should be a comprehensive planning tool to specify on-site disposal system limitations to prevent ground or surface water

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degradation. Wastewater management plans should:

- Contain a ground/surface water monitoring program.
- Identify sites suitable for conventional septic systems.
- Project on-site disposal system demand.
- Determine sites and methods to best meet demand.
- Project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water.
- Recommend establishment of septic tank maintenance districts, as needed.
- Identify alternate means of disposing of sewage in the event of irreversible degradation from on-site disposal systems.

For areas where watershed-wide plans are not developed, conditions could be placed on new divisions of land or community systems to provide monitoring data or geologic information to contribute to the development of a Wastewater Management Plan.

Wastewater disposal alternatives should identify costs to each homeowner. A cost-effectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan.

On-site wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be an appropriate means of implementing on-site Wastewater Management Plans.

On-site Wastewater Management Plans shall be approved by the Regional Board.

VIII.D.2.c. SEPTIC TANK MAINTENANCE DISTRICTS

It may be appropriate for unsewered community on-site systems to be maintained by local sewage disposal maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, a Community Services District, or a County Service Area.

Septic tank maintenance districts should be responsible for operation and maintenance in conformance with this Water Quality Control Plan. Administrators should insure proper construction, installation, operation, and maintenance of on-site disposal systems. Maintenance districts should establish septic tank surveillance, maintenance and pumping programs, where appropriate; provide repairs to plumbing or leachfields; and encourage water conservation measures.

VIII.D.3. CRITERIA FOR NEW SYSTEMS

On-site sewage disposal system problems can be minimized with proper site location, design, installation, operation, and maintenance. The following section recommends criteria for all new individual subsurface disposal systems and community sewage disposal systems. Local governing jurisdictions should incorporate these guidelines into their local ordinances. These recommendations will be used by the Regional Board for Regional Board regulated systems and exemptions.

Recommendations are arranged in sequence under the following categories: site suitability; system design; construction; individual system maintenance; community system design; and local agencies.

Mandatory criteria are listed in the "Individual, Alternative, and Community Systems Prohibitions" section.

VIII.D.3.a. SITE SUITABILITY

Prior to permit approval, site investigation should determine on-site system suitability:

1. At least one soil boring or excavation per on-site system should be performed to determine soil suitability, depth to ground water, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. Impervious material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content 60 percent or greater. The soil boring or excavation should extend at least 10 feet below the drainfield¹ bottom at each proposed location.
2. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drainfield bottom.
3. For leachfields, at least three percolation test locations should be used to determine system acceptability. Tests should be performed at proposed subsurface disposal system sites and depths.
4. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment, or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent downgradient from the sidewall at the highest perforation of the discharge pipe. The leachfields should be setback far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, of the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback should be at least 100 feet measured from the top of the cut.
5. Natural ground slope of the disposal area should not exceed 20 percent.
6. For new land divisions, lot sizes less than one acre should not be permitted.

VIII.D.3.b. SYSTEM DESIGN

On-site systems should be designed according to the following recommendations:

1. Septic tanks should be designed to remove nearly 100 percent of settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.
2. Tank design must allow access for inspection and cleaning. The septic tank must be accessible for pumping.
3. If curtain drains discharge diverted ground water to subsurface soils, the upslope separation from a leachfield or pit should be 20 feet and the downslope separation should be 50 feet.
4. Leachfield application rate should not exceed the following:

<u>Percolation Rate</u> <u>min./in</u>	<u>Loading Rate</u> <u>g.p.d./sq.ft.</u>
1 - 20	0.8
21 - 30	0.6
31 - 60	0.25
61 - 120	0.10

5. Seepage pit application rate should not exceed 0.3 gpd/sq. ft.
6. Drainfield¹ design should be based only upon usable permeable soil layers.
7. The minimum design flow rate should be 375 gallons per day per dwelling unit.
8. In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.

¹ "Drainfield" refers to either a leachfield or seepage pit.

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9. Distance between drainfield trenches should be at least two times the effective trench depth.¹
10. Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.
11. Dual disposal fields (200 percent of original calculated disposal area) are recommended.
12. For commercial systems, small institutions, or sanitary industrial systems, design should be based on daily peak flow.
13. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.
14. Commercial systems, institutional systems, or domestic industrial systems should reserve an expansion area (i.e. dual drainfields must be installed and area for replacement of drainfield must be provided) to be set aside and protected from all uses except future drainfield repair and replacement.
15. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.

VIII.D.3.c. DESIGN FOR ENGINEERED SYSTEMS

1. Mound systems should be installed in accordance with criteria contained in Guidelines for Mound Systems by the State Water Resources Control Board.
2. Evapotranspiration systems should be installed in accordance with criteria contained in Guidelines for Evapotranspiration Systems by

the State Water Resources Control Board. Exceptions are:

- a. For evapotranspiration systems, each month of the highest precipitation year and lowest evaporation year within the previous ten years of record should be used for design.
- b. Systems shall be designed by a registered civil engineer competent in sanitary engineering.

VIII.D.3.d. CONSTRUCTION

Water quality problems resulting from improper construction can be reduced by following these practices:

1. Subsurface disposal systems should have a slightly sloped finished grade to promote surface runoff.
2. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.
3. In clayey soils, work should be done only when soil moisture content is low to avoid smeared infiltrative surfaces.
4. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.
5. Bottom of trenches or beds should be level throughout to prevent localized overloading.
6. Two inches of coarse sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields. Fine sand should not be used as it may lead to system failure.
7. Surface runoff should be diverted around open trenches/ pits to limit siltation of bottom area.

¹ "Effective trench depth" means depth below the bottom of the trench pipe.

8. Prior to backfilling, the distribution system should be tested to check the hydraulic loading pattern.
9. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes should be placed with extreme care outside the leaching area to insure settling does not occur.
10. Risers to the ground surface and manholes should be installed over the septic tank inspection ports and access ports.
11. Drainfield should include an inspection pipe to check water level.

Additional construction precautions are discussed within the Environmental Protection Agency's Design Manual: On-Site Wastewater Treatment and Disposal Systems.

VIII.D.3.e. INDIVIDUAL SYSTEM MAINTENANCE

Individual septic tanks should be maintained as follows:

1. Septic tanks should be inspected every two to five years to determine the need for pumping. If garbage grinders or dishwashers discharge into the septic tank, inspection should occur at least every two years.
2. Septic tanks should be pumped whenever: (1) the scum layer is within three inches of the outlet device; or (2) the sludge level is within eight inches of the bottom of the outlet device.
3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level.
4. Disposal of septage (solid residue pumped from septic tanks) should be accomplished in a manner acceptable to the Executive Officer. In some areas, disposal may be to either a

Class I or Class II solid waste site; in others, septage may be discharged to a municipal wastewater treatment facility.

VIII.D.3.f. COMMUNITY SYSTEM DESIGN

Community systems should be designed and maintained to accommodate the following items:

1. Capacities should accommodate build-out population.
2. Design should be based upon peak daily flow estimates.
3. Design should consider contributions from infiltration throughout the collection system.
4. Septic tanks should be pumped when sludge and scum levels are greater than 1/3 of the depth of the first compartment.
5. Operation and maintenance should be in accordance with accepted sanitary practice.
6. Maintenance manuals should be provided to system users and maintenance personnel.
7. Discharge should not exceed 40 grams per day total nitrogen, on the average, per acre of total development overlying ground water recharge areas, unless local governing jurisdictions adopt Wastewater Management Plans subsequently approved by the Regional Board.

VIII.D.3.g. LOCAL AGENCIES

Recommendations for local governing jurisdictions:

1. Adopt a standard percolation test procedure.

The California State Water Resources Control Board Guidelines for Evapotranspiration Systems provides a percolation test method recommended for use to standardize test

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results. A twelve-inch diameter percolation test hole may be used.

2. Percolation tests should be continued until a stabilized rate is obtained.
3. Percolation test holes should be drilled with a hand auger. A hole could be hand augered or dug with hand tools at the bottom of a larger excavation made by a backhoe.
4. Percolation tests should be performed at a depth corresponding to the bottom of the subsurface disposal area.
5. Seepage pits should be utilized only after careful consideration of site suitability. Soil borings or excavations should be inspected either by permitting agency or individual under contract to the permitting agency.
6. Approve permit applications after checking plans for erosion control measures.
7. Inspect systems prior to covering to assure proper construction.
8. Require replacements or repairs to failing systems to be in conformance with Basin Plan recommendations, to the extent practicable.
9. For new land divisions, protect on-site disposal systems and expansion areas from encroachment by provisions in covenants, conditions, and restrictions.
10. Inform property buyers of the existence, location, operation, and maintenance of on-site disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g. Basin Plan prohibitions) through the County Record.
11. Conduct public education programs to provide property owners with operation and maintenance guidelines.
12. Alternative system owners shall be provided an informational maintenance or replacement document by the appropriate governing jurisdiction. This document shall cite homeowner procedures to ensure

maintenance, repair, or replacement of critical items within 48 hours following failure.

13. Where appropriate, septic tank systems should be maintained by local septic tank maintenance districts.
14. Wastewater Management Plans should be prepared and implemented for urbanizing and high density areas, including applicable portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highland, Prunedale, El Toro, Shandon, Templeton, Santa Margarita/Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, upper Santa Ynez Valley, and Los Olivos/Ballard.
15. Ordinances should be updated to reflect Basin Plan criteria.

VIII.D.3.h. ADDITIONAL CONSIDERATIONS

1. Water conservation and solids reduction practices are recommended. Garbage grinders should not be used in homes with septic tanks.
2. Metering and water use costs should be used to encourage water conservation.
3. Grease and oil should not be introduced into the system. Bleach, solvents, fungicides, and any other toxic material should not be poured into the system.
4. Reverse osmosis unit blow-down should not be discharged to on-site wastewater treatment systems overlying usable ground water. Off-site (factory regeneration) practices are recommended for water softeners.
5. If on-site water softener regeneration is necessary, minimum salt use in water softeners is recommended. This can be accomplished by minimizing regeneration time or limiting the number of regeneration cycles.

VIII.D.3.i. INDIVIDUAL, ALTERNATIVE AND COMMUNITY SYSTEMS PROHIBITIONS

Discharges from new soil absorption systems installed after September 16, 1983 in sites with any of the following conditions are prohibited:

1. Soils or formations contain continuous channels, cracks, or fractures.¹
2. For seepage pits, soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.
3. Distances between trench bottom and usable ground water, including perched ground water, less than separation specified by appropriate percolation rate:

<u>Percolation Rate, min/in</u>	<u>Distance, ft</u>
<1	50 ¹
1-4	20 ¹
5-29	8
>30	5

4. For seepage pits, distances between pit bottom and usable ground water, including perched ground water, less than separation specified by appropriate soil type:

<u>Soil</u>	<u>Distance,ft.</u>
Gravels ²	50 ¹
Gravels with few fines ³	20 ¹
Other	10

5. Distances between trench/pit bottom and bedrock or other impervious layer less than ten feet.
6. For leachfields, where percolation rates are slower than 120 min/in, unless parcel size is at least two acres.

7. For leachfields, where soil percolation rates are slower than 60 min./in. unless the effluent application rate is 0.1 gpd/ft² or less.
8. Areas subject to inundation from a ten-year flood.
9. Natural ground slope of the disposal area exceeds 30 percent.
10. Setback distances less than:

	<u>Minimum Setback Distance, ft</u>
Domestic water supply wells in unconfined aquifer	100
Watercourse ⁴ where geologic conditions permit water migration	100
Reservoir ⁵ spillway elevation	200
Springs, natural or any part of man-made spring	100

¹ Unless a set-back distance of at least 250 feet to any domestic water supply well or surface water is assured.

² Gravels - Soils with over 95 percent by weight coarser than a No. 200 sieve and over half of the coarse fraction larger than a No. 4 sieve.

³ Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

⁴ Watercourse - (1) A natural or artificial channel for passage of water. (2) A running stream of water. (3) A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into some stream or body of water.

⁵ Reservoir-A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control, or drinking.

11. While new septic tank systems should generally be limited to new divisions of land having a minimum parcel size of one acre, where soil and other physical constraints are particularly favorable, parcel size shall not be less than one-half acre.
12. Within a reservoir¹ watershed where the density for each land division is less than 2.5 acres for areas without approved Wastewater Management Plans.
13. For individual systems on new land divisions, and commercial, institutional, and sanitary industrial systems without an area set aside for dual leachfields (100 percent replacement area).
14. Commercial, institutional, or sanitary industrial systems not basing design on daily peak flow estimate.
15. Any site unable to maintain subsurface disposal.
16. Any subdivision unless the subdivider clearly demonstrates the use of the system will be in the best public interest, that beneficial water uses will not be adversely affected, and compliance with all Basin Plan prohibitions is demonstrated.
17. Lot sizes, dwelling densities or site conditions causing detrimental impacts to water quality.
18. Any area where continued use of on-site systems constitutes a public health hazard, an existing or threatened condition of water pollution, or nuisance.

Discharges from new community subsurface disposal systems (serving more than five parcels or more than five dwelling units) are prohibited unless:

1. Seepage pits have at least 15 vertical feet between pit bottom and highest usable ground water, including perched ground water.
2. Sewerage facilities are operated by a public agency. (If a demonstration is made to the Regional Board that an existing public agency is unavailable and formation of a new public

agency is unreasonable, a private entity with adequate financial, legal, and institutional resources to assume responsibility for waste discharges may be acceptable).

3. Dual disposal systems are installed (200 percent of total of original calculated disposal area).
4. An expansion area is included for replacement of the original system (300 percent total).
5. Community systems provide duplicate individual equipment components for components subject to failure.
6. Discharge does not exceed 40 grams per day of total nitrogen, on the average, per 1/2 acre of total development overlying ground water recharge areas excepting where a local governing jurisdiction has adopted a Wastewater Management Plan subsequently approved by the Regional Board.

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, discharges are prohibited in the following areas:

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Appendix A-27.
2. Discharges from individual sewage disposal systems within the San Lorenzo Valley north of Henry Cowell State Park shall be managed as follows:
 - a. Discharges within five major communities are prohibited where the affected area (Class I Area) is defined by the Santa Cruz County Assessor's Parcel Numbers as described in Appendix A-28.

¹ Reservoir-A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control, or drinking.

b. To preclude prohibition of discharges outside the Class I Area, the County of Santa Cruz shall act as lead agency in coordinating and establishing a program that will assure the Regional Board that:

- additional systems in these areas will be designed, sized, located, spaced, and constructed in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.
- existing systems within specific communities are systematically evaluated and redesigned, resized, relocated, and reconstructed as appropriate to protect and enhance water quality, protect and restore beneficial uses of water, and abate and prevent nuisance, pollution and contamination, where the specific communities (Class II Area) are defined by the Santa Cruz County Assessor's Parcel Numbers as described in Appendix A-29.
- systems within the Class II Area are regularly inspected and maintained in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.

3. Discharges from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/Baywood Park area depicted in the Prohibition Boundary Map included as Attachment "A" of Resolution No. 83-13 which can be found in Appendix A-30.

VIII.3.j. SUBSURFACE DISPOSAL EXEMPTIONS

The Regional Board or Executive Officer may grant exemption to prohibitions for: (1) engineered new on-site disposal systems for sites unsuitable for standard systems; and (2) new or existing on-site systems within the specific prohibition areas cited above. Such exemptions may be granted only after presentation by the discharger of sufficient

justification, including geologic and hydrologic evidence that the continued operation of such system(s) in a particular area will not individually or collectively, directly or indirectly, result in pollution or nuisance, or affect water quality adversely.

Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause: (1) damage to public or private property; (2) ground or surface water degradation; (3) nuisance condition; or, (4) a public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available.

Requests for exemptions will not be considered until the local entity has reviewed the system and submitted the proposal for Regional Board review. Dischargers requesting exemptions must submit a Report of Waste Discharge. Exemptions will be subject to filing fees as established by the State Water Code.

Engineered systems shall be designed only by registered engineers competent in sanitary engineering. Engineers should be responsible for proper system operation. Engineers should be responsible for educating system users of proper operation and maintenance. Maintenance schedules should be established. Engineered systems should be inspected by designer during installation to insure conformance with approved plans.

Some engineered systems may be considered experimental by the Regional Board. Experimental systems will be handled with caution. A trial period of at least one year should be established whereby proper system operation must be demonstrated. Under such an approach, experimental systems are granted a one year conditional approval.

Further information concerning individual, alternative, or community on-site sewage disposal systems can be found in Chapter 5 in the Management Principals and Control Actions sections. State Water Resources Control Board Plans and Policies, Discharge Prohibitions, and Regional Board Policies may also apply depending on individual circumstances.

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VIII.E. LAND DISTURBANCE ACTIVITIES

Construction, mining, and other soil disturbance activities which may disturb or expose soil or otherwise increase susceptibility of land areas to erosion are difficult to regulate effectively. Construction or timber harvesting may often begin and end with no obvious impairment of stream quality; however, erosion or land slides the following winter may be directly related to earlier land disturbance or tree cutting. Mining and quarrying activities are generally longer in duration.

Under contract with the Regional Board, the California Association of Resource Conservation Districts completed a study entitled, "Erosion and Sediment in California Central Coast Watersheds - A study of Best Management Practices" (Erosion Study), dated June, 1979. This Erosion Study, funded under Section 208 of the Clean Water Act, assesses impacts of erosion and sedimentation on water quality and beneficial uses in nondesignated planning areas (San Benito, San Luis Obispo, and Santa Barbara Counties) of the Central Coast Region. This Erosion Study and supporting documents have been used by the Regional Board in developing erosion and sedimentation control policy.

Nonpoint source pollution in the remainder of the Region is addressed by designated planning agencies through their respective Areawide Waste Treatment Management Plans. Designated agencies and the areas affected within this Region include: Association of Bay Area Governments (portions of San Mateo and Santa Clara Counties), Association of Monterey Bay Area Governments (Santa Cruz and Monterey Counties), and Ventura County Board of Supervisors (portion of Ventura County). The policy herein described is compatible with those plans and is within the scope of the Regional Board authority.

The Erosion Study and Areawide Waste Treatment Management Plans identify examples of accelerated erosion resulting from insufficient land management of soil cultivation, grazing, silvaculture, construction, and off-road vehicle activities, as well as wildfires.

Adverse impacts of sediment are identified, in part, as: impairment of water supplies and ground water recharge, siltation of streams and reservoirs, impairment of navigable waters, loss of fish and wildlife habitat, degradation of recreational waters, transport of pathogens and toxic substances, increased flooding, increased soil loss, and increased costs associated with maintenance and operation of water storage and transport facilities. Recommendations based on conclusions of the Erosion Study and practices recommended in Areawide Waste Treatment Management Plans are a means to reduce unnecessary soil loss due to erosion and to minimize adverse water quality impacts resulting from sediment.

When a practice or combination of practices is found to be the most effective, practical (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals, it is designated a Best Management Practice (BMP). BMPs are determined only after problem assessment, examination of alternative practices, and appropriate public participation in the BMP development process.

General recommendations based on conclusions of the Erosion Study are discussed below. These recommendations are considered to be Best Management Practices (BMPs) by the Regional Board as are the areawide approved water quality management plans.

1. Soil conservation control measures should be used to minimize impacts that would otherwise result from soil erosion. Control measures are identified according to systems, which are then broken down into subsystems of erosion control techniques or component measures.

For example, a system for control of erosion from construction sites would identify component measures such as debris basins, access roads, hillside ditches, etc. Other conservation control systems include: conservation cropping, conservation irrigation, roadside erosion control, critical area treatment, diversions and ditches, grade stabilization, pasture and range management, runoff and sediment control ponds and basins, streambank and channel protection, and watershed, wildlife, and recreation land

improvement. These control measures are comparable to the USDA Soil Conservation Services' Resource Management Subsystem approach as referenced in AMBAG's "Water Quality Management Plan for the Monterey Bay Region," dated July 1978, and in ABAG's, "Handbook of Best Management Practices," dated October 1977.

Experience has shown that no one control measure best solves an existing, or prevents a potential, pollution problem - especially in the area of soil erosion and sedimentation. As land use, the land user, and various situations change, so does the need for control measures. Before application, an on-site investigation with the land user is necessary to determine which practice or set of practices will be most effective and acceptable.

2. Erosion control should be implemented in a reasonable manner with as much implementation responsibility remaining with existing local entities and programs as is possible and consistent with water quality goals.
3. The Regional Board and local units of government should establish a clear policy for control of erosion, including consideration of off-site and cumulative impacts and the imposition of performance standards according to the sensitivity of the area where land is to be disturbed.
4. Effective ordinances and regulatory programs should be adopted by local units of government. Effective programs would allow only land disturbance actions consistent with the waste load capacity of the watershed, require preparation of erosion and sediment control plans with specific contents and with attention to both offsite/on-site impacts, identify performance standards, be at least comparable to the model ordinance in the "Erosion and Sediment Control Handbook," dated May 1978, and have provisions for inspection follow-up, enforcement, and referral.
5. Watersheds with critical erosion and sediment problems should be identified by one or more concerned agencies such as the California Department of Fish and Game, the Regional

Board, the local Environmental Health, Planning, or Engineering Departments, the local Flood Control District, or the local Resource Conservation District, and then referred to the remaining agencies by a designated local coordinating agency for determining the scope, nature, and significance of the identified problem. The designated local agency would evaluate the adequacy and appropriateness of the total assessment, including an assessment of the problem and causes, alternatives considered, recommended interim and permanent control measures, and the amount and sources of funding. The evaluation would then be submitted as an Impact Findings Report for consideration and decision by the local governing body.

6. Comprehensive and continuous training should be mandatory for building and grading inspectors, engineers, and planners involved in approving, designing, or inspecting erosion control plans and on-site control measures. The training program would preferably be conducted on an inter-county/agency basis and be administered through a USDA Soil Conservation Service cooperative training arrangement or through seminars conducted by the USDA Soil Conservation Service and the University of California Cooperative Extension seminars. The Soil Conservation Society of America should be requested to assist in establishing an effective training program, including public education to heighten awareness of the adverse affects of erosion and sediment on soil and water resources.
7. More intensive erosion controls should be considered within four watersheds (Lauro Reservoir and Devereaux Ranch Slough in Santa Barbara County and Pismo Lake and Morro Bay in San Luis Obispo County) with apparent critical erosion and sediment problems. Alternative practices that may be implemented to effect the necessary level of control are assigned a relative priority.

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VIII.E.1. LAND DISTURBANCE PROHIBITIONS

The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from timber harvesting, construction, and other soil disturbance activities at locations above the anticipated high water line of any stream in the basin where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

Soil disturbance activities not exempted pursuant to Regional Board Management Principles contained in Chapter Five are prohibited:

1. In geologically unstable areas,
2. On slopes in excess of thirty percent (excluding agricultural activities), and
3. On soils rated a severe erosion hazard by soil specialists (as recognized by the Executive Officer) where water quality may be adversely impacted;

Unless,

- a. In the case of agriculture, operations comply with a Farm Conservation or Farm Management Plan approved by a Resource Conservation District or the USDA Soil Conservation Service;
- b. In the case of construction and land development, an erosion and sediment control plan or its equivalent (e.g., EIR, local ordinance) prescribes best management practices to minimize erosion during the activity, and the plan is certified or approved, and will be enforced by a local unit of government through persons trained in erosion control techniques; or,

- c. There is no threat to downstream beneficial uses of water, as certified by the Executive Officer of the Regional Board.

VIII.E.2. CONSTRUCTION ACTIVITIES

Road construction is often a cause of water quality impairment; all too often roads are located near streams, estuaries, or ocean waters where side fills may be eroded by flood waters. Construction within stream beds will inevitably cause turbidity; however, the timing of such activities should be established with reference to environmental sensitivity factors such as fish migrations, spawning or hatching, and minimum stream flow conditions. Sediment loads can be reduced by proper timing, bank and channel protection, and use of settling ponds to catch silt.

Construction debris should not be left in the flood plain; revegetation of cuts and fills should be encouraged. California Department of Transportation (CALTRANS) has prepared a document entitled "Best Management Practices for Control of Water Pollution (Transportation Activities)," that sets forth procedures used by CALTRANS to address transportation activities which might impact water quality. These procedures are summarized under "Control Actions" in the Plans and Policies chapter. Past and potential impacts from CALTRANS activities may result from the above problems and may include impacts resulting from questionable maintenance practices, chemical spills, and discharges of silt and cement.

Land development projects in sensitive areas should be scheduled so as to minimize the areal extent of land exposed to erosive forces. Where water quality impairment is likely, permits should be issued by the Regional Water Quality Control Board which will insure against water quality degradation. Cooperation of local approving agencies should be obtained in order that approvals of significant subdivisions in environmentally sensitive areas, particularly the upper reaches of watersheds and lands near riparian habitats, are appropriately conditioned. For example, proposed subdivisions of

50 lots or more in such areas should be (1) covered by environmental impact reports on the development and its impact on waste loads and water quality, (2) be in conformance with regional or county master plans, and (3) include provisions for establishment of a public agency responsible for environmental monitoring and maintenance where such subdivisions are outside other appropriate public jurisdictions.

VIII.E.3. MINING ACTIVITIES

Pollution control at the hundreds of inactive mine sites riddling the Coast Ranges is in its infancy. Accurate regional inventories are being compiled, isolated mine cases are addressed individually, and several polluting mines are under direct regulation. Regional Board assistance and consultation are aiding several proactive responsible parties and focused study of inactive mine effects on four Central Coast watersheds has been funded by the Clean Water Act, Water Quality Planning Program.

About a decade ago Toxic Substances Monitoring Program data revealed elevated mercury concentrations in Lake Nacimiento, a high priority municipal and agricultural water storage reservoir in San Luis Obispo County. The Lake is fed by the Las Tablas Creek system (among others), which receives discharge water from the Buena Vista Mine, a mercury mine inactive since 1970 or 1971. An academic study (conducted by respected Cal Poly scientists -- team leader, Dr. Thomas J. Rice) of Lake Nacimiento mercury sources recently concluded up to 78% of the fluvial mercury transport to the Lake is contributed by the Las Tablas Creek system. Further, the inactive Buena Vista and Klau Mines were identified as the primary point sources of Las Tablas Creek mercury. Based on these conclusions and other independent supporting data, the Regional Board on May 14, 1993, adopted four orders requiring strict implementation of NPDES surface water discharge standards and California Code of Regulations Title 23 mine waste management and mine closure standards at the Buena Vista Mine and the adjacent Klau Mine.

The U. S. Bureau of Land Management and Forest Service are addressing several inactive mercury mines on their properties pursuant to the federal "Superfund" process. Sample analyses data generated by Regional Board staff have been instrumental in aiding these investigations.

Two sequential studies of inactive mines in four watersheds of northwest San Luis Obispo County are underway. Funded partially by the Clean Water Act Water Quality Planning Program, the studies address all inactive mines in the Las Tablas Creek, Santa Rosa Creek, San Simeon Creek (all primarily mercury mines), and Chorro Creek (primarily chromium) watersheds. The primary goals of the watershed studies are:

- identification of all inactive mines
- attribution of specific water quality problems to specific mines, and
- determinations of the best methods of abating contaminant sources and remediating already emplaced surface contamination, based on field and possibly lab experiments.

These are considered pilot studies and the Regional Board ultimately plans to conduct such studies for the complete Region and to implement the findings, resulting in abatement of inactive mines as surface and ground water contaminant sources and remediation of contaminated media.

VIII.E.4. TIMBER HARVESTING ACTIVITIES

The Regional Board has regulatory responsibility to prevent adverse water quality impacts from timber harvest activities. Impacts usually consist of temperature, turbidity, and siltation effects caused by logging and associated activities. These can have deleterious impacts on fish and water flow.

Sensitivity of all watercourses, lakes, estuaries, or ocean waters in the basin to timber harvesting operations should be identified following rigorous

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analysis of geological, pedological, hydrological, and biological data as confirmed by field inspections. Relative sensitivity could then be portrayed on a large map. The sensitivity would also reflect beneficial uses which are not directly associated with ecological systems.

Upon receiving a timber harvest plan, the Regional Board staff could locate the operation on the sensitivity map and determine the relative risk involved. This information could enable the board to better evaluate the proposed method of operation and the adequacy of proposed mitigation actions or other special considerations. The success of this process depends upon the degree of cooperation provided by the Department of Forestry. Timber harvest plans must contain sufficient detail for evaluation, and the Regional Board must be allowed an ample amount of time for review before start of timber harvesting operations.

The timber yarding and road building methods used at each operation is a function of the terrain, soils, species and other timber considerations including economics. The aforementioned are usually compatible with water quality management, but in cases where water quality may be degraded, mitigating measures to preserve the character and quality of the water course must be taken. Since the Department of Forestry is familiar with the limitations and relative degradation potential of the various harvest methods, it has the lead role in incorporating necessary mitigation measures into the permits and seeing that they are enforced.

The Department of Forestry administers provisions of the Z'berg-Nejedly Forest Practice Act of 1973. The Act provides an opportunity for Regional Boards involved with timber harvesting activities to participate on the Timber Harvest Plan permit process review team. A 1987 Clean Water Act amendment requires States to implement Water Quality Management Plans to control nonpoint sources of pollution, including silviculture. As part of that directive, the State Board has executed a Management Agency Agreement (MAA) with the Board of Forestry and Department of Forestry. It provides a better opportunity for water quality concerns to be incorporated into timber harvesting practices and regulations.

Several possibilities exist to deal with negligent or incompetent operators. The Department of Forestry can revoke the Registered Professional Foresters or Licensed Timber Operator's License. The Regional Board can also implement enforcement action. While these actions can be necessary and effective, they are after-the-fact methods rather than for deterring roles. Thus, the major emphasis must be placed on control measures rather than enforcement actions.

VIII.E.5. AGENCY ACTIVITIES

To insure that impacts on water quality from nonpoint sources of pollution are held to a minimum and that goals and management principles of the Regional Board are met, water quality management programs for implementation by land managing agencies have been developed through the areawide planning process. For nonpoint sources of pollution, this required identification of Best Management Practices (BMP's).

Within the Central Coast Region, federal and State agencies control substantial portions of land. All retain their own land management programs, but are required by regulation to cooperate and give support to State planning agencies in formulating and implementing water quality management plans. Federal law also directs federal agencies to comply with requirements formulated to meet the objectives of the federal act.

Practices and procedures in the U. S. Forest Service's, U. S. Bureau of Land Management's (BLM's) and California Department of Transportation's (CALTRANS') 208 reports described below constitute proper management for water quality protection and are considered BMP's. Further, these agencies have expressed a willingness and capability to implement practices and to revise practices which are currently inadequate. Management agency agreements have been prepared between the State Board and each of these agencies which designates the Forest Service, the BLM, and CALTRANS as management agencies responsible for implementing BMPs for water quality protection on lands under the control of each of

these respective agencies. The management agency agreement further provides for State/Regional Board working relationships with each agency and establishes a mechanism by which the State and Regional Boards will, on a continuing basis and in conjunction with each of these agencies, identify and address water quality management issues of concern to all parties.

The management agency agreements, as approved by the State Water Resources Control Board and each of the agencies, are a part of this Water Quality Control Plan by reference. Management agency agreements will be reviewed and updated periodically to reflect recent achievements, new information, and new concerns.

VIII.E.5.a. UNITED STATES FOREST SERVICE

The United States Forest Service has prepared a report entitled, "Water Quality Management Plan for the National Forest Systems Lands Within the Non-designated Planning Areas of California," dated April, 1979. The report assesses water quality problems, evaluates current practices, and sets forth procedures used by the Forest Service to address activities that might affect water quality. About 72 percent of Los Padres National Forest (which encompasses 1,964,408 gross acres) is within the Central Coast Region. Water and watershed protection were the chief reasons the forest was established. Approximately 1.5 million acre feet of water per year are used by people living adjacent to the forest for domestic and agricultural purposes. Less than five percent of the area is commercial forest land and most wood production is fuel wood sales.

A qualitative assessment of water quality problems on National Forest lands within the Central Coast Region was conducted primarily from information gathered by Forest Service and Regional Board staff. Fire management and recreation are activities with the greatest influence on water quality. Other major activities with potential impact on water quality include road construction, road maintenance, and grazing. Fire management can cause degradation from sediments, nutrients, and bacteria, but the

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major cause might well be off-road vehicles and misuse of unimproved roads by all vehicles. Road construction has been a source of problems along the Cuyama River. No significant effects from overgrazing or silvacultural practices were noted.

During preparation of the Forest Service's "Water Quality Management Plan for the National Forest Systems Lands Within the Nondesignated Planning Area of California," adopted April, 1979, Forest Service manuals, guidelines, regulations, etc., were reviewed for identification of those practices which are directly or indirectly for the purpose of protecting water quality. The report identifies and discusses ninety-eight such practices in eight activity categories (i.e., timber harvesting, road and building site construction, mining, recreation, vegetative manipulation, fire supervision and prescribed burning, watershed management, and grazing). Ninety-four of the practices are presented as BMPs, while four practices need improvement, and four practices need development. A course of action for improving inadequacies of current practices and for development of new practices is identified.

The practices/procedures contained in the Forest Service 208 plan are at a level of detail appropriate for all Forest Service operations statewide. These practices must be flexible to account for varying geographic conditions. The plan also includes a description of the "decision-making" process which leads to the actual selections of management solutions on a project-specific basis. There are several steps in this process at which Regional Boards can be involved and there is a public involvement program to identify and respond to concerns of interested public. The most critical point of involvement is Step 1, identification of issues, concerns, and opportunities. Once this step is completed, the need for and time of future involvement in subsequent steps can be identified.

VIII.E.5.b. UNITED STATES BUREAU OF LAND MANAGEMENT

The United States Department of the Interior, Bureau of Land Management (BLM), has management responsibility for approximately 320,000 acres within the Central Coast Region. Management

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activities occurring on this land have potential for significantly affecting water quality (e.g., mining, grazing, recreation, road construction, off-road vehicles, etc.). The BLM prepared and submitted to the State a report entitled, "BLM California 208 Report." The report includes: (a) a discussion of existing or potential water quality problems on BLM lands, (b) a discussion of current BLM practices and policies including a description of the BLM planning process, (c) a description of the "decision-making process" which leads to the actual selection of management solutions on a project-specific basis, and (d) general policies.

The problem assessment identifies nonpoint sources of water pollution originating on lands administered by the BLM. Problems were qualitatively assessed by BLM with information provided primarily by Regional Board staff. Most of the identified water quality problems on BLM lands within the Central Coast Region result from recreation.

There is improper grazing management on the Temblor range in east San Luis Obispo County (BLM's Bakersfield District) that is causing sedimentation of retention structures for beneficial uses.

The process for determining management practices on a site-specific basis applies to all BLM activities and is divided into three major phases; (1) consideration of site characteristics and water quality concerns, (2) definition and application of BMP's through contract clauses, leases, stipulations, etc., and (3) evaluation of BMP effectiveness and practice modification, if necessary.

VIII.E.5.c. CALIFORNIA DEPARTMENT OF TRANSPORTATION

WATER QUALITY STUDIES

In developing control measures for CALTRANS projects, three basic types of studies are conducted for water quality protection:

1. Transportation System Planning - Emphasizes broad scale water quality problems. The focus is

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on regional factors such as variations in regional surface and ground water hydrology, existing water quality, and land use. Such studies are not site-specific.

2. Project Level Planning - Emphasis is on runoff associated problems (erosion and sedimentation). Detailed hydrologic and hydraulic analyses are made where warranted. Information is used in selecting project alternatives.
3. Construction - This type is usually associated with waste discharge requirements (issued by Regional Board). The intent is to monitor and control the contractor's operations.

CONSTRUCTION CONTROL

Standard specifications for water pollution control have been prepared by CALTRANS, are set forth in CALTRANS' BMP document, and are incorporated as part of project design. Where warranted, special specifications are prepared by CALTRANS on a project-by-project basis. For every project, contractors must submit a plan for water pollution control to the CALTRANS resident engineer. During the course of any construction project, operations may be temporarily halted if inadequate provision has been made for water quality protection. Remedial work may be required.

In addition to CALTRANS specifications, federal and State permits (including waste discharge requirements) are made a part of project requirements.

OPERATION AND MAINTENANCE

1. Accidental Chemical Spills - A procedural manual has been developed by each CALTRANS district to standardize cleanup procedures. CALTRANS maintenance personnel are equipped and trained to handle such situations.
2. Erosion Control - Where slopes show evidence of erosion, remedial stabilization measures must be taken. Debris is disposed of at approved disposal site.

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VIII.E.5.d. OTHER AGENCIES PROGRAMS

Resource Conservation Districts (RCD's) and the U.S.D.A. Soil Conservation Service are organizations that assist property owners in applying effective conservation and land management practices. The program includes technical, educational, and planning services to property owners and local governments who request assistance. It has been relatively successful considering its voluntary nature and resource limitations. The Soil Conservation Service has a major role in the Rural Clean Water Program.

The U.S.D.A. Agricultural Stabilization and Conservation Service administers the cost-sharing aspects of the Agricultural Conservation Program, allocating available monies to farmers and ranchers for erosion and sedimentation control and water conservation projects.

Cities and Counties, as general purpose governments, have broad powers to adopt specific and general plans; to regulate land use, subdividing, grading, and private construction; and to construct and operate public works facilities. Local authority to regulate existing and potential discharges of sediment has been exercised to varying degrees throughout the region.

Many cities and counties within the coastal zone have developed Local Coastal Programs. These programs may include land use and grading restrictions designed to protect long-term productivity of soils and waters within the coastal zone. Regulation by the California Coastal Commission provides this protection where Local Coastal Programs are inadequate.

The State Department of Fish and Game promotes the protection and improvement of streams, lakes, and natural habitat areas for fish and wildlife. It also regulates stream alteration and compels cleanup of fouled streams.

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CHAPTER 5. PLANS AND POLICIES

In addition to the Implementation Plan, many other plans and policies direct State and Regional Board actions or clarify the Regional Board's intent. The following pages contain brief descriptions of State Board plans and policies and numerous Regional Board plans and policies. Copies of the State and Regional Board policies are contained in the Appendix.

I. STATE WATER RESOURCES CONTROL BOARD PLANS AND POLICIES

The State Water Resources Control Board (State Board) has adopted a number of plans and policies for Statewide water quality management including:

State Policy for Water Quality Control (1972)

Anti-degradation Policy

Thermal Plan

Bays and Estuaries Policy

Power Plant Cooling Policy

Reclamation Policy

Shredder Waste Disposal Policy

Underground Storage Tank Pilot Program

Sources of Drinking Water Policy

Nonpoint Source Management Plan

Ocean Plan

Discharges of Municipal Solid Waste Policy

Should any of these policies be amended by the State Board, the Regional Board will implement the amended version.

The following sections summarize the adopted policy. The complete policy is available in the "Attachments" section of this document.

I.A. STATE POLICY FOR WATER QUALITY CONTROL

The State Board has developed a set of twelve general principles to implement the provisions and intent of the Porter-Cologne Act. These principles, listed below, are contained in a document called the State Policy for Water Quality Control, adopted on July 6, 1972.

1. Water rights and quality control decisions must assure protection of fresh and marine waters for maximum beneficial use.
2. Wastewaters must be considered a part of the total available fresh water resource.
3. Management of supplies and wastewaters shall be on a regional basis for efficient utilization of the resource.
4. Efficient wastewater management requires a balanced program of source control of hazardous substances, treatment, reuse and proper disposal of effluents and residuals.
5. Substances not amenable to removal in treatment plants must be prevented from entering the system.

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6. Treatment systems must provide sufficient removals to protect beneficial uses and aquatic communities.
7. Institutional and financial programs of consolidated systems must serve each area equitably.
8. Sewerage facilities must be consolidated for long-range economic and water quality benefits.
9. Reclamation and reuse for maximum benefit shall be encouraged.
10. Systems must be designed and operated for maximum benefit from expended funds.
11. Control methods must be based on the latest information.
12. Monitoring programs must be provided.

I.B. ANTI-DEGRADATION POLICY

On October 28, 1968, the State Water Resources Control Board adopted Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California." While requiring continued maintenance of existing high quality waters, the policy provides conditions under which a change in water quality is allowable. A change must:

1. be consistent with maximum benefit to the people of the State;
2. not unreasonably affect present and anticipated beneficial uses of water; and
3. not result in water quality less than that prescribed in water quality control plans or policies.

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I.C. THERMAL PLAN

The "Water Quality Control Plan for the Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California," adopted by the State Water Resources Control Board on May 18, 1972, and amended September 18, 1975, specifies water quality objectives, effluent quality limits, and discharge prohibitions related to thermal characteristics of enclosed bay and estuary waters and waste discharges.

I.D. BAYS AND ESTUARIES POLICY

The "Water Quality Control Policy for the Enclosed Bays and Estuaries of California," Resolution No. 74-43, was adopted by the State Water Resources Control Board on May 16, 1974. Commonly referred to as the "Bays and Estuaries Policy," it was adopted specifically to provide water quality principles and guidelines for the affected waters.

Decisions by the Regional Boards are required to be consistent with the provisions designed to prevent water quality degradation and to protect beneficial uses. The policy lists principles of management that include a statement of the desirability of phasing out all discharges (exclusive of cooling waters) as soon as practicable. Quality requirements state conformability with other plans and policies. Discharge prohibitions are placed on:

1. new dischargers (other than those that would enhance the receiving waters);
2. untreated waste and waste products;
3. refuse;

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4. consequential effects of mining, construction, agriculture, and timber harvesting;
5. materials of petroleum origin;
6. radiological, chemical, or high-level radioactive waste; or
7. discharge or by-pass of untreated waste.

I.E. POWER PLANT COOLING POLICY

The "Water Quality Control Policy on the Use and Disposal of Inland Waters Used for Power Plant Cooling" indicates the State Board's position on power plant cooling, specifying that fresh inland waters should be used for cooling only when other alternatives are environmentally undesirable or economically unsound.

I.F. RECLAMATION POLICY

The "Policy with Respect to Water Reclamation in California" requires the Regional Boards to conduct reclamation surveys and specifies reclamation actions to be implemented by the State and Regional Boards as well as other agencies.

I.G. SHREDDER WASTE DISPOSAL POLICY

The "Policy on the Disposal of Shredder Waste" designates specific conditions to be enforced by the Regional Board by which mechanically destructed car bodies, old appliances, or other

similar castoffs can be disposed at certain landfills.

I.H. UNDERGROUND STORAGE TANK PILOT POLICY

The "Policy Regarding the Underground Storage Tank Pilot Program" implements a pilot program to fund oversight of remedial action at leaking underground storage tank sites, in cooperation with the California Department of Health Services. Over-sight may be deferred to the Regional Boards.

I.I. SOURCES OF DRINKING WATER POLICY

The "Sources of Drinking Water" policy specifies which ground and surface waters are considered to be suitable or potentially suitable for the beneficial use of water supply (MUN). It allows the Regional Board some discretion in making MUN determinations.

I.J. NONPOINT SOURCE MANAGEMENT PLAN

The "Nonpoint Source Management Plan", Resolution 88-123, was adopted by the State Water Resources Control Board on November 15, 1988 pursuant to Section 319 of the Clean Water Act. The Plan identifies nonpoint source control programs and milestones for their accomplishment. It emphasizes cooperation with

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local governments and other agencies to promote the implementation of Best Management Practices and remedial projects.

I.K. OCEAN PLAN

The "Water Quality Control Plan for Ocean Waters of California," Resolution No. 90-27 was adopted by the State Water Resources Control Board on March 22, 1990. This 1990 plan establishes beneficial uses and water quality objectives for waters of the Pacific Ocean adjacent to the California Coast outside of enclosed bays, estuaries, and coastal lagoons. Also, the Ocean Plan prescribes effluent quality requirements and management principles for waste discharges and specifies certain waste discharge prohibitions.

The Ocean Plan also provides that the State Water Resources Control Board shall designate Areas of Special Biological Significance (ASBS) and requires wastes to be discharged a sufficient distance from these areas to assure maintenance of natural water quality conditions.

The State Water Resources Control Board declared its intent to periodically revise the Plan to reflect water quality objectives that are necessary to protect beneficial uses of ocean waters and to be consistent with current technology.

I.L. DISCHARGES OF MUNICIPAL SOLID WASTE POLICY

The "Policy for Regulation of Discharges of Municipal Solid Waste", Resolution No. 93-62, was adopted by the State Water Resources Control Board on June 17, 1993. This policy implements State regulations of waste discharge to land (California Code of Regulations, Title 23, Chapter

15) and Federal Regulations related to municipal solid waste disposal (40 Code of Federal Regulations Sections 257 and 258). The policy directs Regional Water Quality Control Boards to revise or adopt, prior to the Federal deadline (currently October 9, 1993), Waste Discharge Requirements for all municipal solid waste landfills subject to State and federal regulations. A detailed description of this policy is provided in Chapter Four under the Resources Conservation and Recovery Act section.

II. RECOMMENDED STATE WATER RESOURCES CONTROL BOARD CONTROL ACTIONS

1. State policies for surface waters and for bays and estuaries should be further considered in light of the revised Ocean Plan of 1988.
2. State policies for water quality control should place increasing emphasis on water quality monitoring to determine compliance with water quality objectives in order to provide a firm basis for classification of receiving waters relative to Section 303(e) of Public Law 92-500.
3. Erosion and sedimentation control policies should be established based on (a) pilot studies conducted by the U. S. Soil Conservation Service which recommended best management practices for erosion problems, (b) a statewide study by the California Association of Resource Conservation Districts on institutional solutions to sedimentation problems, and (c) findings of erosion studies conducted in the Central Coast Region as part of nondesignated area 208 planning.

4. Land use planning relative to nonpoint pollution sources should be considered as a future activity, possibly as a multiagency effort; initial control efforts and means for effective control should be from local agencies.
5. Water quality control programs should continue to include emphasis on total water management in order to permit enhancement of naturally degraded surface and ground waters.
6. The State Water Resources Control Board should consider water quality effects when reviewing water rights permits.
7. Policies affecting water rights should reinforce water quality goals particularly as related to long-term ground water salinity changes. Adjudication of degraded ground water basins should be considered as a tool for implementation of water quality goals to be utilized only if other measures fail.
8. Water supply improvements to reduce influent wastewater salinity made in the interest of total water quality management should be considered for partial eligibility for Clean Water Grants. Increased costs for grant eligibility could be in lieu of costs for wastewater effluent demineralization where such measures are required.
9. Water reclamation and reuse programs for supplementing agricultural irrigation supplies should be given increased emphasis. Grant support should be available for water short areas where such water demand can be demonstrated.

III. REGIONAL WATER QUALITY CONTROL BOARD MANAGEMENT PRINCIPLES

III.A. GENERAL

1. Land use practices should assure protection of beneficial water uses and aquatic environmental values.
2. There shall be no waste discharged into areas which possess unique or uncommon cultural, scenic, aesthetic, historical or scientific values. Such areas will be defined by the Regional Board.
3. Property owners are considered ultimately responsible for all activities and practices that could result in adverse affects on water quality from waste discharges and surface runoff.

III.B. WASTEWATER RECLAMATION

1. Water quality management systems throughout the basin shall provide for eventual wastewater reclamation, but may discharge wastes to the aquatic environment (with appropriate discharge requirements) when wastewater reclamation is precluded by processing costs or lack of demand for reusable water.
2. The number of waste sources and independent treatment facilities shall be minimized and the consolidated systems

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shall maximize their capacities for wastewater reclamation, assure efficient management of, and meet potential demand for reclaimed water.

Further wastewater reclamation guidance is available in the Implementation Plan, Chapter Four.

III.C. DISCHARGE TO SURFACE WATERS

1. All discharges to the aquatic environment shall be considered temporary unless it is demonstrated that no undesirable change will occur in the natural receiving water quality.
2. The quality of all surface waters of the basin shall be such as to permit unrestricted recreational use.
3. The discharge of pollutants into surface fresh waters shall be discontinued.

III.D. MUNICIPAL AND INDUSTRIAL SEWERING ENTITIES

1. Municipal and industrial sewerage entities should implement comprehensive regulations to prohibit the discharge to the sewer system of substances listed below which may be controlled at their source:

Chlorinated hydrocarbons;

Toxic substances;

Harmful substances that may concentrate in food webs;

Excessive heat ;

Radioactive substances;

Grease, oil, and phenolic compounds;

Mercury or mercury compounds;

Excessively acidic and basic substances:

Heavy metals such as lead, copper, zinc, etc.; and

Other known deleterious substances.

2. Sewering entities should implement comprehensive industrial waste ordinances to control the quantity and quality of organic compounds, suspended and settleable substances, dissolved solids, and all other materials which may cause overloading of the municipal waste treatment facility.

III.E. GROUND WATER

1. Ground water recharge with high quality water shall be encouraged.
2. In all ground water basins known to have an adverse salt balance, total salt content of the discharge shall not exceed that which normally results from domestic use, and control of salinity shall be required by local ordinances which effectively limit municipal and industrial contributions to the sewerage system.
3. Wastewaters percolated into the ground waters shall be of such quality at the point where they enter the ground so as to assure the continued usability of all ground waters of the basin.

III.F. INDIVIDUAL, ALTERNATIVE, AND COMMUNITY SYSTEMS

The Regional Board intends to discourage high density development on septic tank disposal systems and generally will require increased size of parcels with increasing slopes and slower percolation rates. Consideration of development will be based upon the percolation rates and engineering reports supplied. In any questionable situation, engineer-designed systems will be required.

Further information concerning on-site systems can be found in Chapter Four.

III.G. EROSION AND SEDIMENTATION CONTROL

1. General recommendations for erosion control, numbered one through six under "Land Disturbance Activities" in the Implementation Plan, Chapter Four, are considered by the Regional Board to be Best Management Practices (BMP's), as are those BMP's identified in approved areawide Water Quality Management Plans.
2. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the State.
3. In implementing BMP's through local units of government, or through State and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements

between the areawide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually to reflect recent achievements, new information and new concerns.

4. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.
5. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger are exempt from this chapter providing such exemption is in the public interest.
6. Regulation of sediment discharges from routine annual agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.
7. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.

"Control Actions" and "Actions by Other Authorities" in this chapter and the Implementation Plan, Chapter Four, contain further information regarding erosion and sedimentation control.

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IV. DISCHARGE PROHIBITIONS

Due to unique cultural, scenic, aesthetic, historical, scientific, and ecological values of the Central Coastal Basin, and the necessity to protect the public health and the desire to achieve water quality objectives, the Regional Water Quality Control Board has established certain discharge prohibitions.

IV.A. ALL WATERS

Waste discharges shall not contain materials in concentrations which are hazardous to human, plant, animal, or aquatic life.

The discharge of oil or any residual products of petroleum to the waters of the State, except in accordance with waste discharge requirements or other provisions of Division 7 of the California Water Code, is prohibited.

Discharge of elevated temperature wastes into COLD intrastate waters is prohibited where it may cause the natural temperature of the receiving water to exceed limits specified in Chapter Three, Water Quality Objectives.

IV.A.1. TOXIC OR HAZARDOUS POLLUTANTS

Discharge of toxic or hazardous material that violates: 1) the toxicity objective for all waters as designated in the Ocean Plan [See Appendix A-5] and Objectives for All Inland Surface Waters, Enclosed Bays, and Estuaries [See Chapter Three], or 2) Proposition 65 limitations for

municipal/domestic water supply waters is prohibited.

Discharge to publicly owned treatment works is prohibited in concentrations that:

1. Exceeds applicable federal pretreatment standards;
2. Endangers safe and continuous operation of wastewater treatment facilities;
3. Endangers public health and safety; and
4. Causes violation of applicable water quality objectives.

IV.B. INLAND WATERS

Wastes discharged to surface waters shall be essentially free of toxic substances, grease, oil, and phenolic compounds.

Waste discharges to the following inland waters are prohibited:

1. All surface freshwater impoundments and their immediate tributaries.
2. All surface waters within the San Lorenzo River, Aptos-Soquel, and San Antonio Creek Subbasins and all water contact recreation areas except where benefits can be realized from direct discharge of reclaimed water.
3. All deadend sloughs receiving little flushing action from land drainage or natural runoff.
4. All coastal surface streams and natural drainageways that flow directly to the ocean within the Santa Cruz Coastal, Monterey Coastal, San Luis Obispo Coastal from the Monterey County line to the northern boundary of San Luis Obispo Creek drainage, and the Santa Barbara Coastal Subbasins except where discharge is

associated with an approved wastewater reclamation program.

5. The Santa Maria River downstream from the Highway One bridge.
6. The Santa Ynez River downstream from the salt water barrier.

IV.C. WATERS SUBJECT TO TIDAL ACTION

The discharge of any radiological, chemical, or biological warfare agent or high level radioactive waste into the ocean is prohibited.

Waste discharges to the following areas are prohibited.

1. In the northern extreme of Monterey Bay, inshore from an imaginary line extending from Santa Cruz Point (36°-57.0'N, 122°-01.5'W) to the mouth of the Pajaro River (36°-51.0'N, 121°-48.6'W) and in ocean waters within a three (3) mile radius of Point Pinos (36°-38.3'N, 121°-56.0'W), excepting the area described in No. 2 below.
2. In the southern extreme of Monterey Bay, inshore from an imaginary line extending from Point Pinos (36°-38.3'N, 121°-56.0'W) to the mouth of the Salinas River (36°-44.9'N, 121°-48.3'W).

Discharges to the Monterey Bay Prohibition Zone from desalinization units and circulating seawater system discharges may be permitted after each proposal satisfies California Environmental Quality Act requirements and completes the National Pollutant Discharge Elimination System process.

IV.C.1. AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE

Discharge of waste is prohibited where it will alter natural water quality conditions in Areas of Special Biological Significance. Areas of Special Biological Significance are:

1. Ano Nuevo Point and Island, San Mateo County, including ocean waters within three (3) nautical miles offshore and defined by extensions of Cascade Creek on the north and the Santa Cruz-San Mateo County line on the south.
2. Pacific Grove Marine Gardens Fish Refuge and Hopkins Marine Life Refuge, Monterey County, including Monterey Bay waters bounded by Point Alones on the east, by Point Pinos on the west, and extending offshore to the 60-foot depth contour (about 0.7 miles).
3. Carmel Bay, Monterey County, including all bay waters enclosed by an imaginary line extending between Pescadero Point and Granite Point.
4. Point Lobos Ecological Reserve, Monterey County, including ocean waters within one-quarter (0.25) mile offshore from Granite Point southerly to the southernmost boundary of Point Lobos Reserve State Park.
5. Julia Pfeiffer Burns Underwater Park, Monterey County, including ocean waters within an area extending about one (1.0) mile offshore and about two and one-half (2.5) miles south of Partington Point.
6. Salmon Creek, Monterey County, including ocean waters within one-thousand (1000) feet or more offshore, bounded on the south by an extension of the Monterey-San Luis Obispo County line, and extending northward about three (3) miles.

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7. San Miguel, Santa Rosa, and Santa Cruz Islands, Santa Barbara County, including ocean waters within about one (1) nautical mile offshore.

The discharge of municipal and industrial waste sludge and sludge digester supernatant directly to the ocean, or into a waste stream that discharges to the ocean without further treatment, is prohibited.

The bypassing of untreated waste to the ocean is prohibited.

Excepting vessel washdown waters, disposal of waste matter or untreated waste from vessel to tidal water is prohibited.

The discharge of oil or grease, from other than natural sources, which produces a visible or measurable effect to tidal waters of the basin is prohibited.

New thermal waste discharges to coastal waters, enclosed bays and estuaries having a maximum temperature greater than 4°F above the natural temperature of the receiving water are prohibited.

IV.D. GROUND WATERS

Wastes discharged to ground waters shall be free of toxic substances in excess of accepted drinking water standards; taste, odor, or color producing substances; and nitrogenous compounds in quantities which could result in a ground water nitrate concentration above 45 mg/l.

IV.E. OTHER SPECIFIC PROHIBITION SUBJECTS

Other prohibitions exist which pertain to the following topics. These prohibitions can be found under the respective heading in the Implementation Plan.

Mushroom Farms Operation Prohibitions

Individual, Alternative, and Community Sewage Disposal Systems Prohibitions

Land Disturbance Prohibitions

Solid Waste Discharge Prohibitions

IV.F. EXCEPTIONS TO BASIN PLAN REQUIREMENTS

The Regional Board may, subsequent to a public hearing, grant exceptions to any provision of this Plan where the Regional Board determines:

1. The exception will not compromise protection of waters for beneficial uses; and
2. The public interest will be served.

Regional Board exceptions will be effective upon State Board approval, unless exceptions involve surface water beneficial use designations or surface water quality objectives (i.e., federally accepted water quality standards). Such water quality standard related exceptions will also require Environmental Protection Agency approval to become effective.

V. CONTROL ACTIONS

Specific actions can be taken to control water quality. These are specified below.

V.A. WASTE DISCHARGE REQUIREMENTS

1. The Regional Water Quality Control Board will implement water quality control plan provisions through establishment of requirements and timetables for compliance with plan actions.
2. Waste discharge requirements will be established for all (operating) solid waste sites and where inactivated sites may contribute to water quality impairment.
3. Waste discharge requirements will be established for all existing oil well fields, mines, or other well fields which threaten water quality.
4. Waste discharge requirements will be established for all irrigation, feedlot, dairy, and poultry operations which are so located as to pose a clear and direct threat to water quality; such operations need not be so large as to require a permit under NPDES.

V.B. STATE CLEAN WATER GRANTS OR LOANS

1. Priorities for State Clean Water Grants or Loans will be ordered by the Regional Water Quality Control Board and provide ever increasing emphasis toward correction of basin water quality problems.
2. Water supply improvements (which encourage cost-effective water quality management) beyond normal source control measures (i.e., water supply quality enhancement by treatment or other means in lieu of effluent demineralization) will be recommended for funding.

V.C. SALT DISCHARGE

1. Emphasize control of brine disposal into public sewer systems by requiring affected dischargers to comply with normal salt increments, to adopt salt source control ordinances, and to conduct wastewater monitoring programs.
2. Minimize degradation of water during transport from points of use; minimize leakage of poor quality water during transport from salt affected areas through salt free lands to salt sinks for disposal.
3. Regulate importation of water into any basin or subbasin and regulate the reuse of waters in upstream portions of subbasins which is of poorer quality than existing or imported supplies. If such import or transport to up-slope areas for reuse is allowed, take suitable steps to mitigate short and long term adverse effects of increased salt load resulting from this recycling.

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4. Increase recharge of underground water storage basins (where recharge is possible) using surplus winter or spring runoff waters.
5. Actively support measures designed to protect and to improve quality of waters imported into areas with unfavorable or poor salt balance.
6. Regulate reclamation of new lands which would contribute large quantities of salts or pollutants to water supplies.
7. Where water supplies are limited, restrict use of reclaimed waters to existing irrigated acreage rather than develop new irrigated acreage to utilize the reclaimed water.

V.D. INDIVIDUAL, ALTERNATIVE, AND COMMUNITY SEWAGE DISPOSAL SYSTEMS

Unsewered areas having high density (one acre lots or smaller) should be organized into septic tank management districts and sewerage feasibility studies should be encouraged in potential problem areas. Local implementation should be encouraged by Regional Board action.

V.E. AGENCY COORDINATION

The Regional Water Quality Control Board will initiate coordination with the appropriate Coastal Commission, as well as other State, federal, and local agencies which possess related or overlapping planning responsibilities.

V.F. ANIMAL CONFINEMENT OPERATIONS

The California Code of Regulations, Title 23, Chapter 15, Section 2601 defines a confined animal facility as "any place where cattle, calves, sheep, swine, horses, mules, goats, fowl, or other domestic animals are corralled, penned, tethered, or otherwise enclosed or held and where feeding is by means other than grazing."

1. Animal confinement facilities plus adjacent crop land under the control of the operator shall have the capacity to retain surface drainage from manure storage areas plus any washwater during a 25-year 24-hour storm.
2. Surface drainage, including water from roofed areas, shall be prevented from running through manure storage areas.
3. Animal confinement facilities, including retention ponds shall be protected from overflow to stream channels during 20-year peak stream flows for existing facilities and 100-year peak stream flows for new facilities.
4. Retention ponds shall be lined with or underlain by soils containing at least ten percent clay and not more than ten percent gravel or artificial material of equivalent impermeability.
5. Washwater and surface drainage from manure storage areas shall be contained, applied to crop lands, or discharged to treatment systems subject to approval by the Regional Water Quality Control Board.
6. Animals in confinement shall be prevented from entering any surface waters within the confined area.

7. Lands that have received animal wastes shall be managed to minimize erosion and runoff. Dry manures applied to cultivated crop lands should be incorporated into the soil soon after application.
8. Animal wastes shall be managed to prevent nuisances in manure storage areas.
9. Manure storage areas shall be managed to minimize percolation of water into underlying soils; this may be accomplished by routing drainage to impervious storage areas, land applications, relocation of existing lots and, in the case of new locations, by selecting more impervious soils for manure storage areas.
10. Animal confinement facilities shall have adequate surface drainage to prevent continuous accumulation of surface waters in corrals and feed yards; drainage should be routed to impervious storage areas or applied to land.
11. Application of manures and washwaters to crop lands shall be at rates which are reasonable for crop, soil, climate, special local situations, management system and type of manure.
12. A monitoring program may be required by the Regional Water Quality Control Board as a condition to issuance or waiver of waste discharge requirements.

Further animal confinement information can be found in Chapter Four in the Nonpoint Source Measures section under Agricultural Water and Wastewater Management.

V.G. EROSION AND SEDIMENTATION

1. Erosion from nonpoint pollution sources shall be minimized through implementation of BMP's (identified under "Management Principles" and

described under "Land Disturbance Activities" in Chapter Four's "Nonpoint Source Measures" section.

2. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November 15 each year.
3. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.
4. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.
5. Design and maintenance of erosion and sediment control structures, (e.g., debris and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practices.
6. Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion.
7. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded slope length shall not be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.
8. Use of soil sterilants is discouraged and should be minimized.

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Further erosion and sedimentation information can be found in other areas of this chapter as well as the Implementation Plan, Chapter Four, under "Land Disturbance Activities."

V.H. ACTIONS BY OTHER AUTHORITIES

V.H.1. FEDERAL AGENCIES

1. Federal agencies directly affected by the facility plans involving consolidation with other communities should comply with applicable provisions of the Basin Plan (e.g., Fort Ord on the Monterey Peninsula is shown as part of municipal wastewater sewerage consolidation plans); agency policies favoring plan recommendations are encouraged.
2. Federal agencies otherwise affected by plan provisions should signify their compliance or concern with plan recommendations; time at public hearings will be provided for this purpose.

V.H.2. ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

The Association of Monterey Bay Area Governments (AMBAG) should coordinate with local agencies and the Regional Board relative to implementation of water quality control plans in that area.

V.H.3. SEPTIC TANK MANAGEMENT AGENCIES

1. County governments should revise septic tank ordinances to conform with basin plan recommendations and State Board guidelines.
2. Formation of septic tank management districts within existing local agencies should be accomplished in areas where directed by Regional Board action.

V.H.4. WATER MANAGEMENT AGENCIES

Conjunctive ground water-surface water management should continue to be encouraged by water management agencies, both in terms of storage and recharge operations and containment and routing of highly mineralized surface waters to prevent recharge. Examples in the Salinas Subbasin include storage of wet weather flows and recharge from a reservoir on Arroyo Seco and containment to prevent recharge of highly mineralized surface waters in streams such as Pancho Rico Creek.

V.H.5. SOLID WASTE MANAGEMENT

Preparation of solid waste management plans by all counties in the basin should be accomplished as required by the Nejedly-Z'berg-Dills Solid Waste Management and Resource Recovery Act of 1972.

V.H.6. AGRICULTURAL MANAGEMENT

Local agricultural representatives and the University of California extension service should maintain liaison with the Regional Water Quality Control Board and the State Board relative to agricultural wastewater management.

V.H.7. OFFSHORE OIL

Water quality in offshore oil lease areas should be monitored by State and federal agencies preferably by arrangements with independent oceanographic institutions.

V.H.8. SALINITY MANAGEMENT

Salt source control measures should be implemented by municipalities having excessive mineral quality in wastewaters discharged to land or inland waters; control of salinity through water supply improvements is recommended.

V.H.9. SEAWATER INTRUSION

Water Management Plans should be prepared and adopted by Monterey County for the Salinas ground water basin and the Pajaro Valley Water Management Agency for the Pajaro ground water basin. These management plans should include immediate actions these agencies can take to help alleviate seawater intrusion as well as measures to stop seawater intrusion from advancing. These agencies should remediate seawater intrusion as a long-term goal.

Local and State agencies having jurisdiction to help control seawater intrusion should assist in implementing seawater intrusion remedies.

V.H.10. EROSION AND SEDIMENTATION CONTROL

1. The federal government should increase its support of erosion and sediment control programs by increasing its technical staffs, increasing cost-share funds, increasing the availability of low-interest loans, and changing its income tax laws to encourage the use of Best Management Practices for erosion and sediment control.
2. The State of California should establish an erosion and sediment control program that includes incentives for the individual - such as cost-sharing, changes in State law that would reduce property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.
3. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of Best Management Practices to correct existing erosion and sediment problems and to prevent new problems from occurring.
4. Local units of government should improve land use plans to establish a clear policy, and shall adopt or improve ordinances to include definitive performance standards, for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices identified under Regional Board "Management Principles."

5. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with Best Management Practices for their land areas within the Coastal Zone.
6. Resource Conservation Districts, the U.S.D.A. Soil Conservation Service, the California Department of Transportation, and the Extension Service, in conjunction with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who check erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.
7. Counties and cities should work with the Regional Board to identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation.
8. Review and assessment of erosion and sediment control plans for new land developments in those counties and cities that have signed management agency agreements with the Regional Board will be processed entirely by that county or city.

VI. REGIONAL BOARD POLICIES

Formal specific policies adopted by the Regional Board are presented below according to various categories.

VI.A. SEWERAGE FACILITIES AND SEPTIC TANKS IN URBANIZING AREAS IN THE CENTRAL COAST REGION

Resolution 69-01: Adopting Policy Statement Regarding Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coast Region

This policy prohibits septic tank or community systems unless particular criteria are satisfied.

VI.B. SEPTIC TANKS

1. Resolution 86-02: Acceptance of Monterey County Board of Supervisor's Ordinance Applying Development Restrictions to the Bay Hills (Bay Farms/Hillcrest) Area.

This policy accepts Monterey County's moratorium in lieu of a Regional Board prohibition. Further, the policy requested a compliance schedule to eliminate discharge from individual sewage disposal systems and the State Water Resources Control Board is requested to rank this project Class "A" on the Clean Water Grant project priority list.

2. Resolution 87-05: Acceptance of Monterey County Board of Supervisor's Ordinance Applying Development Restrictions to the area within the San Lucas County Water District.

This policy accepts Monterey County's moratorium in lieu of a Regional Board prohibition. Further, the policy requested a compliance schedule to eliminate discharge from individual sewage disposal systems and the State Water Resources Control Board is requested to rank this project Class "A" on the Clean Water Grant project priority list.

Further information concerning on-site system development restrictions can be found in Chapter Four.

VI.C. OIL FIELD WASTES

1. a. Resolution 73-05: Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County

b. Resolution 89-04: Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Central Coast Region

The above policies require oil field waste materials to be deposited at an appropriate and approved Class I or Class II disposal site. Other disposal sites may be used for disposal under certain conditions. Executive Officer approval is necessary for other sites. A procedure to obtain Executive Officer approval is specified.

VI.D. AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS)

Resolution 76-10: Recommendation to the State Water Resources Control Board Concerning the Designation of Terrace Point in Santa Cruz County as an Area of Special Biological Significance.

This policy recommended the State Water Resources Control Board to not designate Terrace Point as an Area of Special Biological Significance. The State Board concurred with the Regional Board in Resolution 77-21.

Further information concerning ASBS areas can be found in Chapter Two.

VI.E. LEGISLATIVE MATTERS

Resolution 78-04: Supporting Approval of the Clean Water and Water Conservation Bond Law of 1978.

This policy expressed support for Proposition Two and urged California voters to support the proposition.

VI.F. PROHIBITION ZONES

Resolution 79-06: Resolution Regarding Marina County Water District's Petition to Delete the Southern Monterey Bay Discharge Prohibition Zone from the Basin Plan.

This policy considers Marina County Water District challenge to the Southern Monterey Bay prohibition zone. This policy resolves the Southern Monterey Bay prohibition zone is appropriate.

Regional Board adopted prohibition zones for tidal waters can be found under "Waters Subject to Tidal Action" under "Discharge Prohibitions" in this chapter.

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VI.G. SAN LORENZO VALLEY

Resolution 87-04: Certification of Santa Cruz County's Wastewater Management Program for the San Lorenzo River Watershed.

This policy certifies Santa Cruz County's Wastewater Management Program for the San Lorenzo Valley is adequate to satisfy the loan condition authorized by Chapter 962 of the 1986 State Statues.

VI.H. HIGHWAY GROOVING RESIDUES

Resolution 89-04: Adopting Policy Regarding Disposal of Highway Grooving Residues.

This policy specifies conditions for highway grooving residue disposal.

VI.I. WAIVER OF WASTE DISCHARGE REQUIREMENTS

Resolution 89-04: Waiver of Regulation of Specific Types of Waste Dischargers.

State law allows Regional Boards to waive waste discharge requirements (WDRs) for a specific discharge or types of discharges where it is not against the public interest (California Water Code Section 13269). These waivers are conditional and may be terminated at any time.

On April 15, 1983, the Regional Board held a public hearing regarding the types and nature of waste discharges considered for waiver. Following this hearing, the Regional Board established certain discharges which waived WDRs. The types of dischargers which may be waived are shown in the appendix.

VI.J. INTERPRETATION OF MINIMUM PARCEL SIZE REQUIREMENTS FOR ON-SITE SEWAGE SYSTEMS

This policy clarifies Regional Board minimum parcel size requirements for on-site systems contained in Chapter Four of this document.

A copy of this policy is shown in the appendix.

VI.K. APPRECIATION FOR DISCHARGER COMPLIANCE

Resolution 93-04: Appreciation for Discharger Compliance.

This policy addresses the manner in which the Regional Board will protect water quality protection and improvement at the most cost effective manner to society. A copy of the policy is shown in the appendix.

Plan for California's Nonpoint Source Pollution Control Program



State Water Resources Control Board
California Coastal Commission
January 2000

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U.S. Department of Commerce
National Oceanic and Atmospheric Administration



U.S. Environmental Protection Agency

July 17, 2000

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Edward Anton, Acting Executive Director
State Water Resources Control Board
901 P Street
Sacramento, California 95814

Dear Messrs. Douglas and Anton:

The National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) are pleased to inform you of our full approval of the *Plan for California's Nonpoint Source Pollution Control Program* (Program Plan), submitted in accordance with §6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) and §319 of the Clean Water Act (CWA §319). We commend you for developing a nonpoint source pollution control program to address both the requirements of CZARA and the CWA §319. We congratulate you on your efforts to successfully complete development of this comprehensive program, while recognizing the most challenging work awaits us.

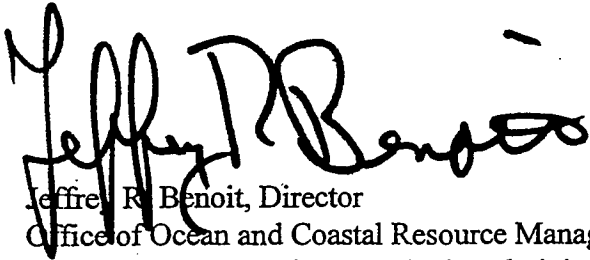
Nonpoint source pollution, caused by a wide range of activities including agriculture, mining, urban development and forestry, is the leading cause of water quality impairment in California. The restoration of California's waters will depend on a wide range of regulatory and non-regulatory actions. We fully support the Program Plan's stress on cooperation and local stewardship to resolve nonpoint source problems, but vitally important are your assurances of applicable State regulatory authorities available to protect and restore water quality degraded by nonpoint source discharges. We recognize success will ultimately rely on your ability to use these programs and authorities to foster the widespread implementation of practices that will restore and maintain the chemical, physical and biological integrity of California's waters.

NOAA and EPA find that California has satisfied all conditions of program approval pursuant to CZARA set forth in the *Findings on the California Coastal Nonpoint Program*, transmitted to the State on June 30, 1998. These conditions have been addressed in the Program Plan. Furthermore, EPA finds that the Program Plan successfully incorporates the nine key elements pursuant to CWA §319 that characterize an effective and dynamic state nonpoint source program (EPA, May 1996). Consequently, the California Nonpoint Source Pollution Control Program is now fully approved pursuant to CZARA and CWA §319. As a result, California will receive \$10.6 million this year to implement the nonpoint source program. This includes \$5.2 million of "new" funds that the Clean Water Action Plan (February 1998) has earmarked for those States that have upgraded their nonpoint source programs.

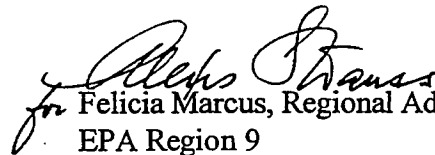
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We greatly appreciate the effort and commitment your agencies and staff have shown in completing development of your nonpoint source program. We look forward to working closely with you to implement fully the management measures by 2013, and will be working with you to monitor your progress in achieving this goal. If you have any questions regarding the enclosed decision documents, please call Jeff Benoit (NOAA) (301-713-3155), Felicia Marcus (EPA Region 9) (415-744-1001), or Alexis Strauss (EPA Region 9) (415-744-1860), or refer staff to Keelin Kuipers (NOAA) (301-713-3121, ext. 175) or Sam Ziegler (EPA Region 9) (415-744-1990).

Yours,



Jeffrey R. Benoit, Director
Office of Ocean and Coastal Resource Management
National Oceanic and Atmospheric Administration



Felicia Marcus, Regional Administrator
EPA Region 9
U.S. Environmental Protection Agency

Enclosures: NOAA/EPA Decisions on Conditions of Approval (CZARA)
EPA's Review of California's Upgraded NPS Management Program (CWA §319)

cc: Winston H. Hickox, CalEPA
Mary D. Nichols, Resources Agency
Arthur G. Baggett, Jr., SWRCB
Sara Wan, CCC
Executive Officers, RWQCB 1-9
Chairs, RWQCB 1-9

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STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 99 - 114

APPROVAL OF A RESOLUTION ADOPTING THE PLAN FOR CALIFORNIA'S NONPOINT SOURCE POLLUTION CONTROL PROGRAM (PROGRAM PLAN) AND AUTHORIZING THE EXECUTIVE DIRECTOR TO SUBMIT THE PROGRAM PLAN TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY AND NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FOR APPROVAL AND TO IMPLEMENT THE PROGRAM PLAN

WHEREAS:

1. The State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (RWQCBs) are committed to and are ultimately responsible for nonpoint source (NPS) pollution management to protect and restore water quality in California.
2. In February 1987, the federal Clean Water Act (CWA) was amended to include section 319 which required each state to address NPS pollution by: (a) assessing NPS pollution problems and causes within the state; (b) adopting management programs to control the NPS pollution; and (c) implementing the management programs.
3. In accordance with the requirements of CWA section 319, on November 15, 1988, the SWRCB adopted and, on January 4, 1990, the U. S. Environmental Protection Agency (USEPA) approved *California's Nonpoint Source Management Plan*.
4. On November 5, 1990, the Coastal Zone Act Reauthorization Amendments (CZARA) were enacted to address concerns with NPS pollution of coastal waters not adequately considered in the Coastal Zone Management Act of 1972.
5. Section 6217 of CZARA requires coastal states to develop Coastal Nonpoint Pollution Control Programs (CNPCP) that: (a) identify and adopt management measures to prevent and control NPS pollution; (b) ensure that enforceable mechanisms exist where self-determined efforts are insufficient to restore and protect water quality; (c) enhance cooperation among the states' land and water use agencies; (d) identify land uses which individually or cumulatively may cause or contribute significantly to a degradation of coastal waters; (e) identify "critical coastal areas" and identify and implement additional measures where necessary to achieve and maintain water quality in the such areas; (f) provide technical assistance to local governments and the public to implement the management measures;

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- (g) provide opportunities for public participation in CNPCP development and implementation; and (h) monitor management measure implementation. The CNPCP must be approved by USEPA and the National Oceanic and Atmospheric Administration (NOAA).
6. The lead agencies designated for upgrading the State's NPS Program to conform to the requirements of the CWA and CZARA are the SWRCB, the RWQCBs, and the California Coastal Commission (CCC).
 7. In September 1995, the SWRCB and the CCC submitted to USEPA and NOAA the State's response to the CZARA requirements. In lieu of a separate program for the coastal zone, the SWRCB and the CCC applied the CZARA requirements on a statewide basis.
 8. In July 1998, USEPA and NOAA issued their findings and conditional approval of the State's submittal. For final approval of the CNPCP, the State was required, consistent with the August 1997 Action Plan, to (a) adopt management measures; (b) identify back-up and enforceable policies and mechanisms for the management measures; and (c) demonstrate the ability for widespread implementation of the management measures.
 9. The Program Plan is the State's final submittal to satisfy the requirements specified by USEPA and NOAA for CNPCP approval and NPS Program Upgrade. The Program Plan is composed of two volumes -- *Volume I: Nonpoint Source Program Strategy and Implementation Plan for 1998-2013* (PROSIP) and *Volume II: California Management Measures for Polluted Runoff (CAMMPR)* (Attachments 1 and 2, respectively).
 10. SWRCB and CCC staffs held public workshops to receive comments on the Program Plan, and the Program Plan has been revised to incorporate pertinent comments.

THEREFORE BE IT RESOLVED THAT:

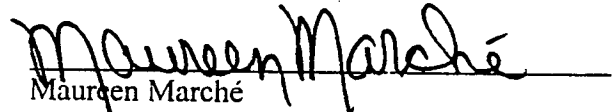
The SWRCB:

1. Adopts the Program Plan;
2. Authorizes the Executive Director to submit the Program Plan to the USEPA and NOAA for approval;
3. Authorizes the Executive Director to execute the Memorandum of Understanding between the SWRCB and CCC;
4. Directs the Executive Director in coordination with CCC to request the Secretaries of the California Environmental Protection Agency and Resources Agency to jointly transmit a memorandum directing all departments and boards within their agencies to use their respective authorities to implement the Program Plan; and

5. Directs the Executive Director in coordination with CCC to request the Secretaries of the California Environmental Protection Agency and Resources Agency to jointly transmit a memorandum asking the California Department of Transportation, Department of Food and Agriculture, and Department Health Services to use their respective authorities to implement the Program Plan;
6. Directs the Executive Director to work with the Executive Officers of each RWQCB and directors of the State agencies to implement the Program Plan; and
7. Directs staff to initiate activities described in the Program Plan.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 14, 1999.


Maureen Marché
Administrative Assistant to the Board

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



January 28, 2000

Jeffrey R. Benoit, Director
Office of Ocean and Coastal Resource Management
National Oceanic and Atmospheric Administration
1305 East-West Highway, 11th Floor
Silver Spring, MD 20910

Felicia Marcus, Regional Administrator
U.S. Environmental Protection Agency Region 9
75 Hawthorne Street
San Francisco, CA 94105

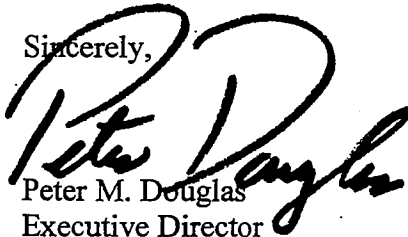
Subject: Adoption of the *Plan for California's Nonpoint Source Pollution Control Program*

Dear Mr. Benoit and Ms. Marcus:

On January 11, 2000, by a vote of 9 in favor, 0 opposed, and 1 abstention, the California Coastal Commission adopted the *Plan for California's Nonpoint Source Pollution Control Program* (Plan). The Plan provides a framework to focus, expand, and coordinate actions to prevent and control nonpoint source pollution Statewide.

By a vote of 8 in favor, 0 opposed, and 1 abstention, the Coastal Commission also directed me to enter into a Memorandum of Understanding with the State Water Resources Control Board to promote the continued close collaboration between the two State lead agencies that developed and are implementing the Plan.

Sincerely,


Peter M. Douglas
Executive Director

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Plan for California's Nonpoint Source Pollution Control Program



Volume I: Nonpoint Source Program Strategy and Implementation Plan
1998-2013

State Water Resources Control Board
California Coastal Commission
January 2000

000101

VOLUME I

**NONPOINT SOURCE PROGRAM
STRATEGY AND IMPLEMENTATION
PLAN, 1998-2013 (PROSIP)**

**State Water Resources Control Board
California Coastal Commission**

JANUARY 2000

000102

EXECUTIVE SUMMARY

The *Plan for California's Nonpoint Source Pollution Control Program* (Program Plan) is the first significant upgrade of California's Nonpoint Source (NPS) Pollution Control Program (NPS Program) since its inception in 1988. California is required to have its Program conform to the Clean Water Act (CWA) and section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA). The lead State agencies for upgrading the Program are the State Water Resources Control Board (SWRCB) (designated lead water quality agency), the nine Regional Water Quality Control Boards (RWQCBs), and the California Coastal Commission (CCC) (designated lead coastal zone management agency). The Program Plan will be submitted for approval to the U.S. Environmental Protection Agency (USEPA) and the National Oceanic and Atmospheric Administration (NOAA), the lead federal agencies that administer the CWA and the Coastal Zone Management Act (CZMA) respectively.

Finding solutions to NPS pollution poses unique challenges. Although the SWRCB and CCC have lead roles in developing and coordinating the implementation of the Program, they are not solely responsible for solving the problem. Over 20 other State agencies have authorities, programs, or responsibilities relating to the control of NPS pollution. Coordinating and focusing such a large number of entities to produce an effective NPS program in a state as large and geomorphologically diverse as California poses unique and difficult challenges. While increased use of regulatory authorities can help to address certain categories of NPS pollution (such as the relatively recent effort to issue permits for the most significant municipal storm water discharges), California will need to rely on a wide range of tools, activities, and authorities to address NPS pollution statewide. Initially, implementation will focus significant resources on management measures (MMs) identified as primary and secondary in Table 8, on retooling the Program's infrastructure, and on institutionalizing Program processes and mechanisms to make certain the State meets the commitments made in the Program Plan.

The State is committed to implementing the 61 NPS MMs by 2013 consistent with Federal Administrative Guidance (USEPA and NOAA, 1998), the Three-Tiered Approach adopted in the Nonpoint Source Management Plan, November 1988 (1988 Plan), and priorities identified in the Watershed Management Initiative (WMI) Chapters. The WMI, approved by the SWRCB in 1995, is used to help the SWRCB meet its goal to provide water resource protection, enhancement, and restoration. WMI uses an integrated planning approach to create and implement unique solutions for each watershed. Each RWQCB and the SWRCB revises its WMI Chapter annually to reflect changing priorities and conditions in the State's watersheds. Revisions currently underway will ensure that the WMI chapters and RWQCBs' actions are consistent with the Program Plan's goal of implementing all MMs by 2013.

Total Maximum Daily Loads (TMDLs) are another implementation planning tool that will enhance the State's ability to foster implementation of appropriate NPS MMs. By providing watershed-specific information, TMDLs will help target specific sources and corresponding corrective measures and will provide a framework for using more stringent approaches that may be necessary to achieve water quality goals and maintain beneficial uses.

Approximately 1,500 water body-pollutant combinations requiring TMDL development have been identified in the CWA section 303(d) list. During the Fifteen-Year Strategy, the RWQCBs are committed to the development of 500 to 800 individual TMDLs which will account for all 1,500 water body-pollutant combinations. The commitment of financial and staff resources to this effort will be influential in addressing the State's effectiveness in controlling NPS problems.

NPS pollution, also known as polluted runoff, is the leading cause of water quality impairments in California and in the Nation. NPSs, including natural sources, are the major contributors of pollution to impacted streams, lakes, wetlands, estuaries, marine waters, and ground water basins in California and are important contributors of pollution to harbors and bays (SWRCB, 1998). Unlike pollution from distinct, identifiable point sources (e.g., industrial or waste water treatment plant discharge pipes), NPS pollution comes from many diffuse sources. Rainfall, snowmelt, or irrigation water that moves over and through the ground results in NPS pollution. As the runoff moves, it picks up and carries away natural and human-made pollutants and deposits them into lakes, rivers, wetlands, ground water, and other inland and coastal waters.

The Program's roots were established in 1988 when the SWRCB adopted and the USEPA approved the original plan for the 1988 Plan (SWRCB, 1988) in response to CWA section 319. In 1990 Congress identified NPS pollution as a significant factor contributing to coastal water degradation, noting the link between coastal water quality and land use activities. In response, Congress amended the CZMA by passing CZARA. CZARA requires the lead water quality agency and coastal zone management agencies to jointly develop and submit a coastal nonpoint pollution control program (CNPCP).

In February 1994, the SWRCB initiated a comprehensive review of the Program using technical advisory committees (TACs) for ten categories of NPS pollution. Over 150 people participated in the TACs as public and private representatives for irrigated agriculture, nutrient application, pesticide application, confined animal facilities, grazing, urban runoff, on-site sewage disposal systems, boating and marinas, hydromodification and wetlands, and abandoned mines. The TACs presented their recommendations to the SWRCB in 1995 (SWRCB, 1994 a-i).

In lieu of a separate program for the coastal zone, the State decided to satisfy CZARA requirements on a statewide basis. As required by statute, in September 1995, the SWRCB and CCC submitted California's initial CZARA response to USEPA and NOAA. The response included two documents: *California's Coastal Nonpoint Pollution Control Submittal*, detailing the State's existing programs related to NPS pollution management, and the *Initiatives in Nonpoint Source Management*, based on the recommendations of the TACs.

USEPA and NOAA released draft findings and conditions for the State's September 1995 submittal in October 1996. In August 1997, the SWRCB, CCC, USEPA Region 9, and USEPA and NOAA headquarters staffs negotiated the *Action Plan* which outlined a framework and activities for the State to achieve both an approvable program consistent with CZARA and an "enhanced status" Program by addressing the nine key elements in the USEPA's *Nonpoint Source Program and Grants Guidance of 1997 and Future Years*. In July 1998, USEPA and NOAA issued their Final Findings and Conditional Approval for California's submittal. Consistent with the *Action Plan* and final administrative changes to CNPCP guidance issued in October 1998, for final approval the State must: (1) adopt MMs consistent with the *Guidance Specifying Management Measures for*

Sources of Nonpoint Pollution to Coastal Waters (USEPA, 1993); (2) identify back-up and enforceable policies and mechanisms for the MMs; (3) demonstrate the ability for widespread implementation of the MMs; and (4) address the nine key elements.

The Program Plan is the State's final submittal intended to satisfy the CWA section 319(h) requirements for "an upgraded program" and the CZARA requirements for a CNPCP. The Program Plan achieves this goal by providing a single unified, coordinated statewide approach to dealing with NPS pollution structured around 61 MMs. MMs serve as general goals for the control and prevention of polluted runoff. Site-specific management practices (MPs) are then used to achieve the goals of each management measure. Implementation of MMs will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process. The program process includes: (1) assessing Program activities; (2) targeting efforts; (3) planning activities based on Program goals and objectives; (4) coordinating the efforts of federal, State, and local agencies and stakeholders; (5) implementing coordinated actions; (6) tracking and monitoring the results of implemented actions; and (7) reporting on Program results. The Program Plan is designed to be flexible and adaptable over time.

Specifically, the Program Plan:

1. Adopts 61 MMs as goals for six NPS categories (agriculture, forestry, urban areas, marinas and recreational boating, hydromodification, and wetlands/riparian areas/vegetated treatment systems);
2. Provides a fifteen-year strategy for fully implementing the MMs;
3. Continues use of the "Three-Tiered Approach" for addressing NPS pollution problems (Tier 1: Self-Determined Implementation of Management Practices [formerly referred to as "voluntary" implementation]; Tier 2: Regulatory Based Encouragement of Management Practices; and Tier 3: Effluent Limitations and Enforcement Actions). Senate Bill 227 (California Water Code [CWC] section 13369) requires the SWRCB to develop by February 1, 2001, guidance for describing the process by which the SWRCB and RWQCBs will enforce the Program Plan;
4. Provides the first of three five-year implementation plans targeting activities for specific MMs consistent with State and regional priorities in specific watersheds and also establishes mechanisms for: (a) coordination among agencies; (b) participation by the public; (c) assistance technically and financially; (d) adoption of additional MMs as goals, if needed; and; (e) monitoring and reporting of program effectiveness;
5. Promotes long-term interagency coordination among State agencies of the California Environmental Protection Agency and Resources Agency as well as other local, State, and federal agencies;
6. Identifies back-up authorities and enforceable policies and mechanisms for the 61 MMs adopted by the State; and
7. Relies on the use of existing authorities and regulatory processes to achieve implementation but allows for the adoption of the MMs as regulation after each five-year cycle if adequate progress in NPS pollution control has not been demonstrated.

Program accountability is critical to reassure the public of the State's commitment to deal with the NPS pollution problem. The Program Plan contains actions that will result in consistent and timely evaluation and reporting of the Program's progress in effectively dealing with NPS pollution. This

includes annual, biennial, and five-year reporting cycles and the use of Internet-based interactive information tools. Also important is greater public participation through: (1) development of the five-year implementation plans; (2) tracking the implementation of and assessing effectiveness of MMs; (3) use of public reports; (4) expanded volunteer monitoring and education programs; (5) use of the Internet; and, (6) expansion of public outreach workshops.

The Program Plan also contains a Memorandum of Understanding (MOU) between the SWRCB and CCC. Although the two agencies have worked side-by-side to complete this document, the MOU commits the agencies to continue implementing the Program Plan after it is adopted by the SWRCB and CCC and approved by the federal agencies. Actions in the first five-year implementation plan require the SWRCB and CCC to review and update existing Management Agency Agreements and MOUs as appropriate and to develop others as needed. This aspect is important because the success of this Program Plan is dependent on the active participation of other government agencies with NPS responsibilities and private partners with significant influences over land use practices.

TABLE ES-1

SUMMARY OF MAJOR TASKS THAT THE NPS PROGRAM LEAD AGENCIES SEEK TO COMPLETE AS OF 2003

	Plan section
<p>A. Assess Program Activities</p> <ul style="list-style-type: none"> The State will continue use of the State's Water Quality Assessment (WQA) as the primary tool for assessing NPS pollution statewide. By August 1, 2001, the SWRCB will provide WQA data prepared pursuant to CWA sections 305(b) and 303(d) on the Internet for public reference and to help monitor and track the effectiveness of the NPS Program. The data, included on the Geographically-based Water Body System (GeoWBS) database, will identify water body size, degree to which beneficial uses are supported, affected beneficial uses, pollutants, and pollution sources. By August 1, 2001, the State with the assistance of University of California, Davis's Information Center for the Environment (UCD ICE) will complete development of a database that will enable State agencies to geographically track implementation of MMs and MPs. 	<p>II-B</p> <p>II-G</p>
<p>B. Target Efforts</p> <ul style="list-style-type: none"> On even-numbered years or as required by the USEPA, the SWRCB will prepare the CWA section 303(d) and TMDL priority lists that will assist the State in targeting priorities by water body, geographic region, pollutant, etc. By December 31, 2000, the Critical Coastal Area (CCA) Committee will develop an initial list of CCAs where targeted implementation of MMs will occur. 	<p>II-C</p>
<p>C. Plan Activities Based on Program Goals and Objectives</p> <ul style="list-style-type: none"> By July 1, 2000 and annually thereafter, the SWRCB, CCC, and RWQCBs will prepare joint annual workplans for NPS Program activities to include information on use of funding sources (including bond funds). By July 1, 2000, the CCC will update its in-house Procedural Guidance Manual to reflect newest development of NPS MMs and to provide guidance for updates and amendments to local coastal programs (LCPs) and development of new LCPs. Pursuant to the schedules listed in Appendix C, the RWQCBs will develop TMDLs. 	<p>II-D & Apx C</p>
<p>D. Coordinate Efforts of Federal, State, and Local Agencies and Stakeholders</p> <ul style="list-style-type: none"> By January 31, 2000, the SWRCB and CCC will sign an MOU designed to enhance coordination between these agencies. By July 1, 2000, the SWRCB and CCC will convene the initial meeting of the Interagency Coordinating Committee (IACC). By September 30, 2000 the CCC and SWRCB will convene the initial meeting of the CCA Committee. By July 1, 2000, the SWRCB and CCC will initiate the development of five-year implementation plans for the California Environmental Protection Agency (Cal/EPA), California Resources Agency (Cal/RA), and other agencies with a goal of completing 50 to 100 percent of these plans by December 31, 2000. By July 1, 2000, the SWRCB and CCC will begin the process to update existing Memorandums of Understanding/Management Agency Agreements (MOUs/MAAs) (e.g., agreements with the State Board of Forestry/Department of Forestry, Department of Pesticide Regulation, and Department of Food and Agriculture) and develop new MOUs/MAAs with other agencies as needed. By December 31, 2001, the SWRCB and CCC will prepare a schedule for completing any necessary remaining MOUs/MAAs. 	<p>II-E</p>

	Plan section
<p>E. Implement Coordinated Actions</p> <ul style="list-style-type: none"> • By July 1999 and each year thereafter, the SWRCB and RWQCBs will support activities using CWA section 319(h) funds to implement the CAMMPR MMs. • By February 2001, the SWRCB will develop guidance to be used by the SWRCB and RWQCBs in establishing the process by which the SWRCB and RWQCBs will enforce their authorities as outlined in this Program Plan (CWC §13369). • By July 1, 2002, the State will prepare California MM implementation guidance. Links to existing guidance for implementation of MMs and MPs will be provided on the NPS Program website(s) in the interim (examples of existing guidance used in California include Natural Resources Conservation Service (NRCS) technical guides and Storm Water Quality Task Force Manuals). • Pursuant to the schedules listed in Appendix C, the RWQCBs will begin implementation of TMDL implementation plans. 	II-F
<p>F. Track and Monitor Results of Implemented Actions</p> <ul style="list-style-type: none"> • By November 30, 2000, the SWRCB will assess and report to the Legislature on the SWRCB's and RWQCBs' current surface water quality monitoring programs for the purpose of designing a proposal for a comprehensive surface water quality monitoring program for the State (as provided for in CWC §13192). • By January 1, 2001, the SWRCB will prepare and submit to the Legislature a report that proposes the implementation of a comprehensive program to monitor the quality of State coastal watersheds, bays, estuaries, and coastal waters and their marine resources for pollutants (as provided for in CWC §13181[c]). 	II-G
<p>G. Report on Program Results</p> <ul style="list-style-type: none"> • By August 1, 2000 and annually thereafter, the SWRCB will submit to the Legislature and make available to the public, copies of and a summary of information in all SWRCB and RWQCB reports that contain information related to NPS pollution and that the SWRCB or RWQCB are required to prepare in the previous fiscal year pursuant to CWA sections 303, 305(b), and 319 and CZARA section 6217. (CWC §13369[b]) • By August 1, 2001 and August 1, 2003, the SWRCB and CCC will complete biennial reports, for evaluation by USEPA and NOAA as well as other agencies and the public, regarding the State's progress in implementing the NPS Program.* 	II-G

* The reports to be produced in 2001 and 2003 will provide details to address questions such as:

1. Have the activities identified in the five-year plans been completed and have the associated performance measures been achieved?
2. Has an MM implementation tracking system been established? Based on that system, what is the extent of MM implementation for all source categories throughout the State?
3. Has the IACC become active and successful in fostering implementation?
4. Has the SWRCB/RWQCBs published NPS enforcement guidance in 2001 as per CWC section 13369(a)(2)(B)?
5. Has the technical assistance to land owners and managers been improved through the issuance of technical guides, information sharing, "field-level" assistance and/or other activities?
6. Have other State and federal agencies and non-governmental entities become involved in implementing the NPS Program? Where necessary, have formal agreements been established to enhance the effectiveness of these partnerships?
7. Has the planning process for the next five-year plan (2003-2008) been established to achieve more specific plans that include measurable objectives and that involve a wide range of key stakeholders?
8. Have adequate efforts been made to identify funding needs and mechanisms to ensure continuing MM implementation and Program Plan success?

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VOLUME I

NONPOINT SOURCE PROGRAM STRATEGY AND IMPLEMENTATION PLAN, 1998-2013 (PROSIP)

I. NONPOINT SOURCE PROGRAM OVERVIEW

A. Vision and Goals

Since 1991, staffs of the State Water Resources Control Board (SWRCB), California Coastal Commission (CCC), and nine Regional Water Quality Control Boards (RWQCBs), in coordination with other agency staffs and the public, have conducted a comprehensive inquiry into the future direction of California's Nonpoint Source Pollution Control Program (Program). This inquiry shows clearly that Californians have invested significant resources to address nonpoint source (NPS) pollution and improve water quality; however, NPSs continue to be a major contributor of pollution to State waters.

The *Plan for California's Nonpoint Source Pollution Control Program* (Program Plan) is intended to focus and expand the State's efforts over the next 15 years to prevent and control NPS pollution. The vision of the NPS Program is to reduce and prevent NPS pollution so that the waters of California support a diversity of biological, educational, recreational, and other beneficial uses. The NPS Program addresses both surface and ground water quality. The goals of California's NPS Program are the following:

Track, Monitor, Assess, and Report Program Activities

- Improve monitoring and assessment of State water quality and the effectiveness of management practices (MPs) that are implemented to prevent and control NPS pollution.
- Ensure consistent, accurate reporting and dissemination of information related to water quality and related environmental data, sources of NPS pollutants, and pollution control and prevention activities.

Target Program Activities

- Manage NPS pollution, where feasible, at the watershed level—including pristine areas and watersheds that contain water bodies on the Clean Water Act (CWA) section 303(d) list—where local stewardship and site-specific MPs can be implemented through comprehensive watershed protection or restoration plans.
- Apply previous experiences to future decisions (e.g., through the use of pilot projects and the incorporation of "lessons learned").

Coordinate with Public and Private Partners in All Aspects of the Program

- Build the NPS Program upon a foundation of public involvement and support and encourage public participation throughout all stages of the NPS Program.
- Encourage innovative approaches to NPS pollution control and prevention through interagency, interdisciplinary, and volunteer activities.

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- Strive to make regulatory, planning, and monitoring processes and programs more effective, efficient, and user-friendly and to coordinate related programs to avoid duplication where possible.

Provide Financial and Technical Assistance and Education

- Enhance the leadership roles of the SWRCB, RWQCBs, CCC, and other agencies in providing local governments and the public with technical and financial assistance and educational programs related to NPS pollution control, land use management, and watershed management.
- Support applied research to expand NPS Program implementation (e.g., development of improved, cost-effective MPs, and environmentally friendly products).

Implement Management Measures

- Ensure the protection and restoration of State's water quality, existing and potential beneficial uses, critical coastal areas (CCAs), and pristine areas by implementing management measures (MMs) to prevent and control NPS pollution. All MMs will be implemented, where needed, by 2013.¹ MMs serve as general goals for the control and prevention of polluted runoff. Site-specific MPs are then used to achieve the goals of each MM.
- Target implementation of MMs using a combination of non-regulatory activities and enforceable policies and mechanisms with self-determined cooperation preferred over prescriptive measures.

To ensure that the NPS Program goals are met, the SWRCB, CCC, and RWQCBs have already taken the following steps: (1) developed MMs that are appropriate for implementation in California and (2) prepared an iterative Fifteen-Year Program Strategy (Strategy) and Five-Year Implementation Plan (1998-2003) (Implementation Plan).

Additional steps in California's long-term strategy and initial short-term plan that are needed are:

- Adoption of NPS MMs by the SWRCB and CCC as goals or through a rulemaking process, as necessary, to ensure that they are implemented statewide by the year 2013;
- Establish and enter into the first five-year plan all relevant information for each process element for primary and secondary MMs by July 1, 2000, with the exception of numeric program performance measures. Numeric program performance measures will be established for each primary and secondary MM in the first five-year plan by October 1, 2000. The revised five-year plan will be distributed to the public by November 1, 2000.

¹ MMs are identified in Volume II of this Program Plan: *California's Management Measures for Polluted Runoff* (CAMMPR). CAMMPR identifies MMs for five land-use categories: (1) agriculture, (2) forestry (silviculture), (3) urban areas, (4) marinas and recreational boating, and (5) hydromodification. MMs specific to wetlands, riparian areas, and vegetated treatment systems are also identified. CAMMPR has been reviewed by other agencies with authorities and programs that are critical to addressing NPS pollution. Additional workshops were held in Southern and Northern California to solicit public input.

- Publication of an MMs Guidance document that includes examples of MPs that achieve the goals of each MM;
- Building a foundation for agencies with authorities related to the NPS Program to coordinate and collaborate in problem solving, implementing MMs, monitoring, and assessing program success (e.g., review and revise existing agency agreements or develop new agency agreements; convene an interagency committee or similar working forum);
- Increased funding and enhanced education to foster implementation of MMs statewide; and
- Conducting a workshop and reporting every two years (biennially) on the status of the NPS Program.

B. History

Nonpoint Source Water Quality Issues in California

California is a geomorphologically diverse state with 1,609 miles of shoreline and more than 200,000 miles of rivers and streams; 1.6 million acres of lakes and reservoirs; 645,000 acres of estuaries, harbors, and bays; and 275,000 acres of wetlands. California also contains more than 100 million acres of land, almost half of which (44.6 percent) is owned and/or overseen by the federal government (e.g., the U.S. Forest Service [USFS] and Bureau of Land Management [BLM]).

NPS pollution, also known as polluted runoff, is the leading cause of water quality impairments in California and nationally. NPSs, including natural sources, are the major contributors of pollution to impacted streams, lakes, wetlands, estuaries, marine waters, and ground water basins in California and are important contributors of pollution to harbors and bays (SWRCB, 1998). Unlike pollution from distinct, identifiable point sources (e.g., a discharge pipe), NPS pollution comes from many diffuse sources. It is caused by rainfall, snowmelt, or irrigation water that moves over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants and deposits them into lakes, rivers, wetlands, ground water, and other inland and coastal waters.

Adverse effects of point sources of pollution (e.g., those subject to National Pollutant Discharge Elimination System [NPDES] or Waste Discharge Permits [WDRs]) and NPSs of pollution on coastal areas include closures of beaches and shellfish harvest areas due to contamination (see Table 1). In 1998, causes of California beach closings or advisories included: (1) elevated bacteria levels—1,395 events; (2) sewage spills—1,607 events; and (3) rain related events—2,222 events (rain events include combined sewer overflows, storm water runoff, storm drains, and floods) (Natural Resources Defense Council [NRDC], 1999). Data from the *National Shellfish Register* reveal that in 1995, the most recent year that data are available, shellfish harvesting was prohibited at 9,000 out of 24,000 acres (38 percent) of harvesting areas in California due to water quality concerns (National Oceanic and Atmospheric Administration [NOAA], 1997). Table 2 contains 1995 pollution source data for harvesting waters in the State of California and in the Nation.

TABLE 1. CALIFORNIA BEACH CLOSING AND ADVISORY (C/A) COMPARISONS: 1991-1998 (NRDC, 1999)

Year	Beach days affected by C/A lasting less than 6 weeks	Number of Extended C/A (lasting 6-12 weeks)	Number of Permanent C/A (lasting more than 12 weeks)
1998	at least 3,273	30	12
1997	at least 1,141	1	37
1996	at least 1,061	7	9
1995	at least 1,305	3	11
1994	at least 910	2	6
1993	at least 1,397	2	2
1992	at least 609	2	1
1991	at least 745	1	5

TABLE 2. PRINCIPAL OR CONTRIBUTING FACTORS IN HARVEST-LIMITED SHELLFISH GROWING AREAS NATIONALLY, 1995 (NOAA, 1997)

Type	% (total is > 100% as areas can be affected by a combination of sources)
Urban runoff	40
Unidentified sources upstream of coastal watersheds	39
Wildlife	38
Individual waste water treatment systems (e.g., septic tanks)	32
Waste water treatment plants	24
Agricultural runoff	17
Marinas	17
Boating	13
Industrial facilities	9
Combined sewer overflows	7
Direct discharges	4
Feedlots	3

The major sources of NPS pollution in California are related to land use activities that occur throughout watersheds and include: (1) agriculture, (2) forestry (silviculture), (3) urban runoff, (e.g., from construction sites, roads and highways, septic systems), (4) marinas and boats, (5) hydromodification activities, and (6) resource extraction (e.g., mining) (see Table 3). Atmospheric deposition is also a source of NPS pollution. Examples of pollutants associated with specific land use activities include:

- Excess pesticides and fertilizers from agricultural lands, urban lawns, and parks;
- Oil, grease, heavy metals, and chemicals from urban streets, parking lots, and industrial sites;
- Sediment from improperly managed construction sites, crop and forest lands, abandoned roads, and eroding streambanks;
- Bacteria and nutrients from livestock, pet wastes, and faulty septic systems; and
- Other pollutants (e.g., salt from irrigation practices, acid from abandoned mines).

Agency Roles in Program Development and Implementation

The NPS Program's roots were established in 1988 when the SWRCB adopted and the U.S. Environmental Protection Agency (USEPA) approved the original plan, the NPS Management Plan, November 1988 (1988 Plan) (SWRCB, 1988), in response to CWA section 319. CWA section 319 required states to develop assessment reports that described the state's NPS problems and to establish an NPS management program to control or prevent the problems. The 1988 Plan identified projected and proposed activities to initiate the NPS Program and both to measurably improve water quality and the implementation of best MPs.

After passage of CWA section 319, Congress determined that additional efforts were needed to protect coastal waters from NPS pollution and subsequently enacted the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA). In passing CZARA, Congress noted the link between coastal water quality and land use activities and directed states to improve state and local efforts to manage land use activities that degrade coastal waters and coastal habitats (USEPA and NOAA, 1993). CZARA section 6217 requires coastal states to: (1) identify land uses which individually or cumulatively may cause or contribute significantly to a degradation of coastal waters; (2) identify "Critical Coastal Areas" and identify and implement additional measures where necessary to achieve and maintain water quality in such areas; (3) identify and adopt MMs to prevent and control NPS pollution; (4) provide technical assistance to local governments and the public to implement the MMs; (5) provide opportunities for public participation in Coastal Nonpoint Source Pollution Control Program (CNPCP) development and implementation; (6) enhance cooperation between the states' land and water use agencies; and (7) identify a program area sufficient to control NPS pollution affecting coastal waters. In addition, CZARA amended section 306 of the Coastal Zone Management Act (CZMA) requiring that "... the management program contains enforceable policies and mechanisms to implement the applicable requirements of the Coastal Nonpoint Pollution Control Program of the State required by section 6217" (CZMA section 306[d][16]).

TABLE 3. EXTENT OF CALIFORNIA WATER BODIES AFFECTED BY VARIOUS LAND PRACTICES

	Surface water (SW) bodies (acres)										rivers/ streams (miles)	ground water (square miles)*
	bays/ harbors	estuaries	lakes/ reservoirs	saline lakes	wetlands fresh	wetlands tidal	Total SW bodies					
(Total acres/miles assessed)	(497,000)	(79,000)	(741,000)	(433,000)	(67,000)	(71,000)	(1,889,000)			(17,000)	(64,000)	
Agriculture	237,000	59,000	40,000	352,000	51,000	57,000	796,000			4,000	16,875	
Forestry	(nd)	(nd)	121,000	(nd)	12,000	(nd)	133,000			1,900	(nd)	
Urban Runoff	198,000	58,000	130,000	(nd)	1,300	57,000	444,000			1,800	842	
Construction	(nd)	(nd)	149,000	56,000	1,220	(nd)	206,000			800	(nd)	
Highways and Roads	(nd)	(nd)	145,000	(nd)	(nd)	(nd)	145,000			300	(nd)	
Marinas	(nd)	(nd)	121,000	(nd)	(nd)	(nd)	121,000			(nd)	(nd)	
Hydromodification	170,000	56,000	141,000	165,000	27,000	57,000	616,000			1,100	3,418	
Resource Extraction	288,000	51,000	109,000	(nd)	(nd)	(nd)	448,000			1,500	8,166	
Septage Disposal	(nd)	(nd)	(nd)	(nd)	(nd)	(nd)	(nd)			(nd)	15,436	

Source: 1998 California CWA Section 305(b) Report on Water Quality. Extent of SW bodies that are partially or not supporting beneficial uses (figures rounded to nearest thousand, where appropriate). (nd) = no data or unknown.

*The 1998 CWA Section 305(b) Report states that 22,053 of 63,581 square miles of ground water (35 percent) are impaired (note: a ground water basin may be polluted by more than one source).

In February 1994, the SWRCB initiated a comprehensive review of the NPS Program using technical advisory committees (TACs) for ten NPS categories. Over 150 people participated in the TACs as public and private representatives for irrigated agriculture, nutrient application, pesticide application, confined animal facilities, grazing, urban runoff, on-site sewage disposal systems (OSDSs), boating and marinas, hydromodification and wetlands, and abandoned mines. The TACs presented their recommendations to the SWRCB in 1995. Common themes expressed in the TAC Reports include the following:

- Self-determined cooperation is preferred over prescriptive measures;
- Public education should be enhanced so that individuals can take responsibility for preventing and controlling NPS pollution;
- NPS pollution should be managed on a watershed scale where local stewardship and problem-responsive measures can be devised through comprehensive watershed protection plans;
- The State should provide for comprehensive and directed technical assistance to local groups and individuals; and
- Activities of resource management agencies should be better coordinated.

In September 1995, the SWRCB and CCC submitted California's initial response to CZARA to USEPA and NOAA—the lead federal agencies that administer the CWA and CZMA, respectively. California's submittal package included two documents: *California's Coastal Nonpoint Pollution Control Submittal* (SWRCB and CCC, 1995) and *Initiatives in Nonpoint Source Management* (Initiatives Document) (SWRCB, 1995).² In July 1998, USEPA and NOAA issued their Final Findings and Conditional Approval for California's submittal.

The SWRCB, RWQCBs, and CCC are committed to enhancing the NPS Program to further protect water quality and to address the federal findings and conditions. The revised NPS Program incorporates MMs into the Program Plan to help coordinate agency and individual actions. Volume II of the Program Plan—*California Management Measures for Polluted Runoff* (CAMMPR)—identifies 61 MMs with related State authorities for NPS pollution prevention and control in California (Table 4).³ Staffs from the SWRCB, CCC, USEPA, and other agencies held initial meetings to review and refine CAMMPR and to identify actions to implement MMs over the next five to 15 years. Staff workshops to solicit public input were also held in Southern and Northern California in December 1998 and July 1999.

The SWRCB and CCC, in coordination with the nine RWQCBs, are the lead State agencies in California for the development and implementation of the Program Plan.

² *California's Coastal Nonpoint Pollution Control Submittal* (SWRCB and CCC, 1995) details California's existing programs related to the management of NPS pollution. The *Initiatives in Nonpoint Source Management* (SWRCB, 1995), which is based on the TACs' recommendations, recognizes the need to continue and build upon the collaborative work initiated by the TACs.

³ These MMs are based on the *Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters* (g-Guidance) (USEPA, 1993).

TABLE 4. CALIFORNIA NONPOINT SOURCE MANAGEMENT MEASURES

<p>(1) AGRICULTURE</p> <ul style="list-style-type: none"> A. Erosion and Sediment Control B. Confined Animal Facilities Wastewater and Runoff C. Nutrient Management D. Pesticide Management E. Grazing Management F. Irrigation Water Management G. Education/Outreach 	<p>3.6 <u>Education/Outreach</u></p> <ul style="list-style-type: none"> A. Pollution Prevention/Education--General Sources
<p>(2) FORESTRY (SILVICULTURE)</p> <ul style="list-style-type: none"> A. Preharvest Planning B. Streamside Management Areas C. Road Construction/Reconstruction D. Road Management E. Timber Harvesting F. Site Preparation and Forest Regeneration G. Fire Management H. Revegetation of Disturbed Areas I. Forest Chemical Management J. Wetlands Forest K. Postharvest Evaluation L. Education/Outreach 	<p>(4) MARINAS & RECREATIONAL BOATING</p> <p>4.1 <u>Assessment, Siting, and Design</u></p> <ul style="list-style-type: none"> A. Water Quality Assessment B. Marina Flushing C. Habitat Assessment D. Shoreline Stabilization E. Storm Water Runoff F. Fuel Station Design G. Sewage Facilities H. Waste Management Facilities <p>4.2 <u>Operation and Maintenance</u></p> <ul style="list-style-type: none"> A. Solid Waste Control B. Fish Waste Control C. Liquid Material Control D. Petroleum Control E. Boat Cleaning and Maintenance F. Maintenance of Sewage Facilities G. Boat Operation <p>4.3 <u>Education/Outreach</u></p> <ul style="list-style-type: none"> A. Public Education
<p>(3) URBAN AREAS</p> <p>3.1 <u>Runoff from Developing Areas</u></p> <ul style="list-style-type: none"> A. Watershed Protection B. Site Development C. New Development <p>3.2 <u>Runoff from Construction Sites</u></p> <ul style="list-style-type: none"> A. Construction Site Erosion and Sediment Control B. Construction Site Chemical Control <p>3.3 <u>Runoff from Existing Development</u></p> <ul style="list-style-type: none"> A. Existing Development <p>3.4 <u>On-site Disposal Systems</u></p> <ul style="list-style-type: none"> A. New On-site Disposal Systems B. Operating On-site Disposal Systems <p>3.5 <u>Transportation Development: Roads, Highways, and Bridges</u></p> <ul style="list-style-type: none"> A. Planning, Siting, and Developing Roads and Highways B. Bridges C. Construction Projects D. Construction Site Chemical Control E. Operation and Maintenance F. Road, Highway, and Bridge Runoff Systems 	<p>(5) HYDROMODIFICATION</p> <p>5.1 <u>Channelization and Channel Modification</u></p> <ul style="list-style-type: none"> A. Physical and Chemical Characteristics of Surface Waters B. Instream and Riparian Habitat Restoration <p>5.2 <u>Dams</u></p> <ul style="list-style-type: none"> A. Erosion and Sediment Control B. Chemical and Pollutant Control C. Protection of Surface Water Quality and Instream and Riparian Habitat <p>5.3 <u>Streambank and Shoreline Erosion</u></p> <ul style="list-style-type: none"> A. Eroding Streambanks and Shorelines <p>5.4 <u>Education/Outreach</u></p> <ul style="list-style-type: none"> A. Educational Programs <p>(6) WETLANDS, RIPARIAN AREAS, AND VEGETATED TREATMENT SYSTEMS</p> <ul style="list-style-type: none"> A. Protection of Wetlands and Riparian Areas B. Restoration of Wetlands and Riparian Areas C. Vegetated Treatment Systems D. Education/Outreach

The roles of the SWRCB and CCC are outlined in the Memorandum of Understanding (MOU) between those two agencies. The role of all of the State and federal partners is to:

- Implement the 61 MMs by 2013. Activities to support implementation will be included by the RWQCBs in the WMI chapters and by the State agencies in their five year implementation plans. Implementation of the MMs will also be incorporated into the NPS updates of the basin plans and other enforceable policy tools.
- Track implementation and effectiveness by MM and source category and provide this information to the SWRCB as part of the monitoring and assessment strategy.
- Actively participate in biennial and five-year program reviews, as well as new goal-setting activities, including the development of five-year implementation plans.
- Coordinate with the SWRCB in developing guidance as required by section 13369 of the California Water Code (CWC) to be used by the SWRCB and the RWQCBs to enforce the Program Plan.
- Coordinate NPS-related planning, assessment, and regulatory activities.
- Support statewide initiatives to implement the MMs.

California must enhance the NPS Program to remain eligible for funding for water quality and coastal protection by USEPA and NOAA. Implementation of the NPS Program is primarily supported by grants from USEPA under CWA section 319(h), approximately \$10.6 million in Federal Fiscal Year (FFY) 1999. To continue to receive this level of funding--an increase of about \$5.3 million from FFY 1998--the State must continue to protect and restore water quality and develop an effective NPS Program that complies with both the CWA and CZMA. Implementation of the Program Plan will occur through 2013 (within 15 years of the July 1998 federal conditional approval by USEPA and NOAA pursuant to CZARA).

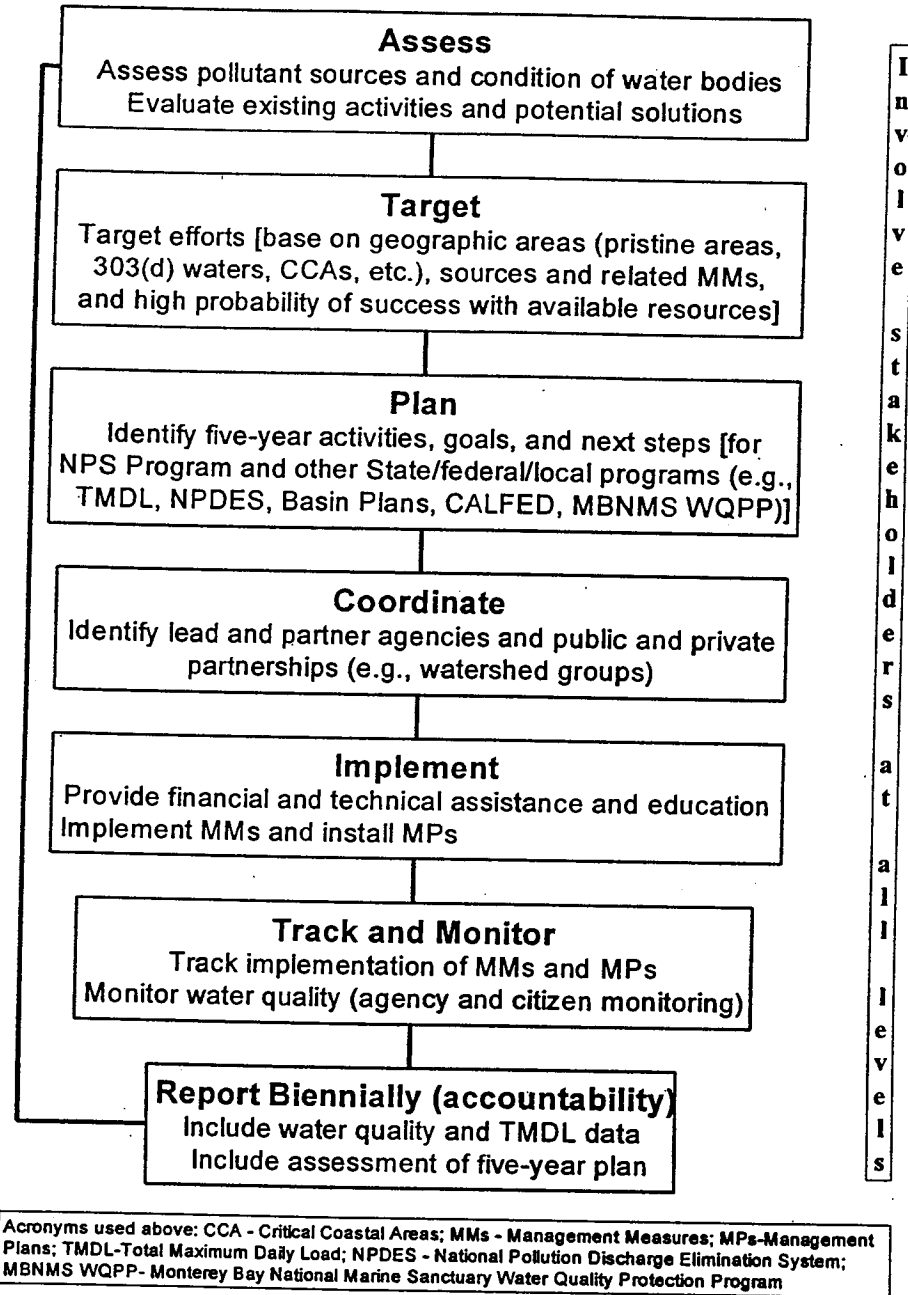
C. Program Infrastructure

Program infrastructure refers to the structure of the program, its components, and how they interact in a systematic process to achieve the program's goals. The Program Plan has three major components: (1) an overall long-term Fifteen-Year Program Strategy (Strategy); (2) three five-year implementation plans nested within the Strategy; and (3) 61 MMs. Running through and connecting these major components is a sequential iterative process that begins with assessing the program, identifying pollutant sources, and determining condition of water bodies and ends with reporting program results. It begins again with assessment activities (see Figure 1). The Program Plan infrastructure is designed to produce a dynamic program that is responsive to changing conditions during its fifteen-year life.

Program Process

For the Program Plan to produce a living, responsive program that is useful throughout its fifteen-year duration, previous experience (e.g., in implementing MMs) must be integrated into present and future planning and implementation efforts. Figure 1 depicts the Program Plan's iterative model. At any time during the fifteen-year life of the

FIGURE 1. NPS PROGRAM PROCESS



Program Plan, agencies and other stakeholders should be able to: (1) assess the present Program's activities; (2) target efforts; (3) plan future actions based on past and present goals and objectives; (4) coordinate federal, State, and local agencies' and stakeholders' efforts; (5) implement collaborated actions; (6) obtain data on water quality and implementation effectiveness from tracking and assessment documentation, Total Maximum Daily Loads (TMDLs), and other agency and citizen monitoring programs; and (7) return to Step 1 to reassess the NPS Program's progress and effectiveness.

Fifteen-Year Program Strategy

The Strategy, described later in this document, outlines how California will seek to achieve the vision and goals of the NPS Program. Specifically, the State will use the "Three-Tiered Approach" of broad-based local stewardship backed up by regulatory authority under the Porter-Cologne Water Quality Control Act (Porter-Cologne Act) with other local, State, and federal authorities serving as additional enforceable and/or back-up authorities. Recommendations from the TACs and from additional agency and stakeholder meetings convened by the SWRCB and CCC in 1998 and 1999 are a central part of the NPS Program.

The Strategy includes elements prescribed in federal guidance (NOAA and USEPA, 1993 and USEPA, 1996), including:

- A process to implement MMs to help coordinate agency and individual actions rather than focus on individual practices or separate programs;
- Actions related to administrative coordination, technical and financial assistance, public participation, critical coastal areas (CCAs), additional MMs as goals, and monitoring;
- A strategy for and evaluation of back-up authorities;
- A process to track implementing actions to assess Program progress and effectiveness; and
- The "nine key elements" of a dynamic and effective NPS management program. (See Appendix A.)

Five-Year Implementation Plans

Nested within the Strategy are three five-year implementation plans that describe the who, what, where, when and how of Program implementation. In each five-year implementation plan, California will target implementation actions where the NPS Program can make a difference in correcting current and potential problems.

Targeting involves a balance between the need to implement NPS controls broadly and the need to address priority water quality problems in specific watersheds. Targeting also allows the State to use limited resources efficiently and to ensure that actions are tailored to match the diversity of California's climate and land use activities. With climate ranging from rain forest in the north to desert in the south, different approaches are needed to manage NPS pollution in the State. In establishing

targets, the State will address both pollution prevention and water quality improvement goals, including the protection of exceptional inland and coastal areas that are threatened by reasonably predictable increases in pollution loadings from new or expanding NPSs.

Each implementation plan will identify a set of MMs on which to target NPS Program efforts during the five-year time period. The implementation plans will also identify a series of actions related to (1) assessing water quality conditions and/or institutional efforts; (2) targeting implementation based on geographic regions or other criteria; (3) performing planning activities; (4) coordinating public and private efforts; (5) implementing the targeted MMs; and (6) obtaining data on water quality and implementation effectiveness. The Plans will also identify agencies responsible for MM implementation and will include actions, performance measures, and milestones.

Phased Approach to Managing Nonpoint Source Pollution

The State is committed to implementing the 61 NPS MMs by 2013, consistent with Federal Administrative Guidance (USEPA and NOAA, 1998) and the Three-Tiered Approach adopted in the 1988 Plan. The implementing agencies will increase the use of regulatory authorities as necessary to ensure implementation is achieved. In accordance with CWC section 13369, the SWRCB will develop on or before February 1, 2001 guidance to be used by the SWRCB and RWQCBs in establishing the process by which the SWRCB and RWQCBs will enforce their authorities as outlined in this Program Plan.

Initially the State is adopting the 61 MMs contained in CAMMPR as goals. MM implementation will be achieved through a set of activities outlined in each five-year implementation plan and will rely on existing local, State, and federal authorities and private efforts. At the end of each five-year implementation cycle, the State will evaluate and report on the effectiveness of the Program Plan to achieve the stated goals. Success will be determined by (1) the degree to which the performance measures have been met; (2) geographic extent of MM implementation; (3) selected evaluation of MPs used to implement MMs; and (4) analysis of available water quality information in those areas where implementation has occurred. Based on this evaluation, the SWRCB and CCC, in coordination with the RWQCBs and other appropriate agencies, will make public their findings and recommendations for the next five-year cycle. Depending on the degree of success, the State may choose to maintain the in-place efforts, modify, or add MMs and/or actions for each target MM. In cases where adequate progress is clearly not being made, the State will consider rulemaking to ensure successful implementation of specific MMs. Implementation of MMs in additional watersheds and water bodies will also take place as new geographic areas with NPS pollution are identified and targeted.

D. Legal Framework

Introduction

This section describes California's legal framework for implementing the NPS Program. The framework is based on two primary federal laws—the CWA and CZMA—and State and local law. In California, the Porter-Cologne Act is the principal State law governing water quality in California, and it provides the primary back-up authority to implement the NPS MMs. However, other State and local authorities are also critical components of the legal framework that address NPS pollution in California. In addition to the Porter-Cologne Act, this section describes the California Coastal Act (Coastal Act), the California Environmental Quality Act (CEQA), and the California Planning, Zoning and Development Law. Additional details on these and other authorities that are part of this framework are identified in Volume II: CAMMPR. Details on the SWRCB's and CCC's statutory authority for addressing NPSs are included in Appendix B—Legal Opinions.

Federal Laws

The Federal Water Pollution Control Act Amendments of 1972 and 1987, known as the CWA (33 United States Code [USC] §§1251 et seq.), are the principal federal statutes for water quality protection. In California, the SWRCB and nine RWQCBs administer many of the CWA's provisions. The CWA requires the State to adopt water quality standards and to submit those standards for approval by the USEPA. For point source discharges to surface water, the CWA authorizes USEPA or approved states to administer the NPDES Program. CWA section 303(d) requires states to list surface waters not attaining (or not expected to attain) water quality standards after the application of technology-based effluent limits, and states must perform a TMDL for all waters on the CWA section 303(d) list. The CWA also establishes a loan program—the State Revolving (SRF)—for the construction of water quality projects, including NPS projects.

In the 1987 CWA Amendments, Congress added CWA section 319 (33 USC §1329) which required states (1) to develop Assessment Reports that described the states' NPS problems, (2) to establish Management Programs to address these problems, and (3) to provide funding to support implementation of the Programs. California's *Nonpoint Source Management Plan* (SWRCB, 1988) outlined a general approach to address persistent NPS problems using education and outreach, financial and technical assistance, and regulatory authorities when necessary. To enhance activities to address NPS water pollution, states are currently encouraged to upgrade their NPS programs. In 1996, USEPA issued CWA section 319 program guidance that identified "nine key elements" that must be addressed to receive USEPA approval for upgraded NPS Plans (See Appendix A). Pursuant to the 1998 Clean Water Action Plan (CWAP), states with upgraded NPS Programs will receive increased funding based on a federal appropriation for State NPS Programs above \$100 million. For California to receive additional funding in FFY 2000 and beyond, USEPA must certify that California's NPS Program has been upgraded consistent with the "nine key elements."

The CZMA of 1972 (16 USC §§1451 et seq.) established a national framework for effective management, protection, development, and beneficial use of the coastal zone. Pursuant to the CZMA, California prepared the California Coastal Management Program (CCMP) which was approved by NOAA. The bulk of California's coast is within the jurisdiction of the CCC pursuant to the Coastal Act of 1976 (Public Resources Code [PRC] §§30000 et seq.), while the San Francisco Bay Conservation and Development Commission (SFBCDC) has jurisdiction in San Francisco Bay (SFB) pursuant to the McAteer-Petris Act (MPA) (Government Code §§66600 et seq.). The State Coastal Conservancy (SCC) is a third partner agency in the CCMP.

Recognizing that the CZMA did not specifically mention water quality, in 1990 Congress amended CZMA section 306(d)(16)(16 USC §1455[d][16]) and added section 6217 (16 USC §1455b) to focus on NPS pollution problems and the protection of coastal waters. CZARA section 6217 requires state coastal zone management (CZM) agencies, in coordination with state water quality agencies, to develop and implement MMs to restore and protect coastal waters from adverse impacts of NPS pollution. Similarly, CZMA section 306(d)(16)(16 USC §1455[d][16]) requires that state CZM programs contain enforceable policies and mechanisms to implement applicable requirements of CZARA section 6217. To achieve these goals, states were directed to coordinate and integrate their existing CZM and water quality plans and programs, including the states' NPS management plans.

Porter-Cologne Water Quality Control Act (Porter-Cologne Act)

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and NPSs of pollution. Pursuant to the Porter-Cologne Act (CWC section 13000), it is the policy of the State:

- That the quality of all the waters of the State shall be protected,
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason, and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine RWQCBs and the SWRCB which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The SWRCB provides program guidance and oversight, allocates funds, and reviews RWQCB decisions. In addition, the SWRCB allocates rights to the use of surface water. The RWQCBs have responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The SWRCB and RWQCBs have numerous NPS-related activities, including problem monitoring and assessment, planning, financial assistance, and regulatory and non-regulatory management.

The RWQCBs regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES and WDR permits. Anyone discharging or proposing to discharge

materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the federal CWA, such as the NPDES permitting program. Section 401 of the CWA gives the SWRCB the authority to review any proposed federally permitted or federally licensed activity which may impact water quality and to certify, condition, or deny the activity if it does not comply with State water quality standards. If the SWRCB imposes a condition on its certification, those conditions must be included in the federal permit or license.

Except for dredge and fill activities, injection wells, and solid waste disposal sites, WDRs may not "specify the design, location, type of construction or particular manner in which compliance may be had" (Porter-Cologne Act section 13360). Thus, WDRs ordinarily specify the allowable discharge concentration or load or the resulting condition of the receiving water, rather than the manner by which those results are to be achieved. However, RWQCBs may impose discharge prohibitions and other limitations on the volume, characteristics, area, or timing of discharges and can set discharge limitations such that the only practical way to comply is to use MPs. RWQCBs can also waive WDRs for a specific discharge or category of discharges on the condition that MMs identified in an SWRCB or RWQCB approved water quality management plan are followed.

The Porter-Cologne Act also requires adoption of water quality control plans (WQCPs) which contain the guiding policies of water pollution management in California. There are a number of statewide WQCPs adopted by the SWRCB. In addition, regional WQCPs, commonly referred to as basin plans, have been adopted by each of the RWQCBs. All basin plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. WQCPs include enforceable prohibitions against certain types of discharges, including those that may pertain to NPSs. Basin plans have been adopted for each of the nine RWQCBs as delineated in Table 5.

1	North Coast
2	San Francisco Bay
3	Central Coast
4	Los Angeles
5	Central Valley
6	Lahontan
7	Colorado River Basin
8	Santa Ana
9	San Diego

Portions of WQCPs are also subject to review by USEPA. When approved by USEPA, the water quality objectives and beneficial use designations become water quality standards under the CWA. In most cases, water quality objectives contained in a WQCP are not directly enforceable unless implemented through WDRs or water right permits.

California Coastal Act

The State Legislature enacted the California Coastal Act (PRC §30000 et seq.) (Coastal Act) to provide for the conservation and planned development of the State's coastline. The Coastal Act mandates the protection and restoration of coastal waters pursuant to several sections in the PRC. Mandated activities include:

- To carry out a public education program to promote coastal conservation.
- To maintain, enhance, and, where feasible, restore marine resources.
- To maintain and, where feasible, restore biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.
- To protect against spillage of crude oil, gas, petroleum products, or hazardous wastes.
- To limit the alteration of wetlands, coastal waters, and estuaries and provide for feasible mitigation measures to minimize adverse environmental effects.
- To phase out or upgrade, where feasible, existing marine structures causing water stagnation contributing to pollution problems and fish kills.
- To limit hydromodification of rivers and streams. Channelization, dams, and other substantial alterations of rivers and streams shall incorporate best mitigation measures feasible.
- To protect environmentally sensitive habitat areas (ESHAs). Site and design new development in areas adjacent to ESHAs to prevent significant adverse impacts.
- To protect long-term productivity of soils and timberlands.
- To site and design new development so as to not have significant adverse impacts either individually or cumulatively on coastal resources.
- To minimize alteration of natural landforms.
- To assure that new development is stable, has structural integrity, and does not contribute significantly to erosion.
- To control impacts of dredging in specified port areas.
- To minimize harmful effects to coastal waters, including water quality, from fill within ports.
- To locate, design, and construct port-related development to minimize substantial environmental impacts and protect beneficial uses.

In carrying out the mandates of the Coastal Act, the CCC certifies local coastal programs (LCPs) prepared by local governments (§30500). The CCC also certifies plans prepared by port districts (§30711 et seq.), colleges and universities (§30605), and proponents of public works projects (§30605). In addition, the CCC approves coastal development permits (CDPs), energy projects, and federal (federally approved, conducted, or funded)

projects consistent with the Coastal Act policies. The Coastal Act also contains several means to deter and discipline violators of its provisions. In order to prevent imminent or further damage of coastal resources, the Executive Director of the SWRCB or the CCC can issue a cease and desist order to any party that is undertaking a development without a permit or in a manner inconsistent with the terms of a previously issued permit (§§ 30809 and 30810). The CCC can also order the restoration of a site (§ 30811). Civil liability fines for violations of the Coastal Act are specified in sections 30820, 30821.6, and 30822. In practice, the CCC protects water quality primarily through: (1) managing coastal development that generates runoff or creates spills; (2) assisting local coastal governments and other agencies to address land-use and development activities that may produce NPS pollution; and (3) implementing educational and technical assistance programs.

California Environmental Quality Act (CEQA)

California is one of 20 states with an environmental impact assessment law modeled after the National Environmental Policy Act (NEPA). The SWRCB, RWQCBs, and all State and local government agencies must comply with CEQA. CEQA applies to discretionary activities proposed to be carried out by government agencies, including approval of permits and other entitlements. CEQA has six objectives: (1) to disclose to decision-makers and the public the significant environmental effects of proposed activities; (2) to identify ways to avoid or reduce environmental damage; (3) to prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures; (4) to disclose to the public reasons for agency approvals of projects with significant environmental effects; (5) to foster interagency coordination; and 6) to enhance public participation.

CEQA sets forth procedural requirements to ensure that the objectives are accomplished and also contains substantive provisions requiring agencies to avoid or mitigate, when feasible, impacts disclosed in an Environmental Impact Report (EIR). In addition, CEQA sets forth a series of sweeping policy statements encouraging environmental protection. These policies have led the courts to interpret CEQA "so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Friends of Mammoth v. Board of Supervisors* [1972] 8 Cal 3d 247, 259, 104 Cal. Rptr. 761.)

Planning, Zoning, and Development Laws

The legal framework within which California cities and counties exercise local planning and land use functions that can play a critical role in addressing NPS pollution is provided in the California Planning and Zoning Law (Government Code §§65000 et seq.) and the Subdivision Map Act (SbMA) (Government Code §§66410 et seq.), as well as in the Coastal Act.

Under State planning law, each city or county must adopt a comprehensive, long-term general plan for the physical development of the city or county and any land outside its jurisdiction which bears relation to its planning. Pursuant to Government Code section 65302, general plans must contain seven elements: (1) land use, (2) circulation,

(3) housing, (4) conservation, (5) open space, (6) noise, and (7) safety. The following elements are the most relevant to NPS pollution prevention and control:

- Land Use. Designates categories such as housing, industry, and natural resources, including density and intensity of use.
- Conservation. Applies to conservation, development, and use of natural resources (e.g., soils, forests, rivers and other water bodies, and harbors). May also cover watershed protection, land or water reclamation, prevention or control of the pollution of streams and other coastal waters, regulation of land uses along stream channels and in other areas required to implement the conservation plan (e.g., buffer areas), to control or correct soil erosion, and for flood control.
- Open Space. Applies to preservation of natural resources, including fish and wildlife habitat, rivers, streams, bays and estuaries, and open space.
- Circulation. Plans infrastructure, including water, sewage, and storm drainage.

While the general plan is a long-range look at the future of a community, a zoning ordinance spells out the immediate allowable uses for each property in the community. Each property in the community is assigned a "zone" listing the kinds of uses that will be allowed on that land (e.g., single family residential, multi-family residential, neighborhood commercial, light industrial, agricultural, etc.) and setting development standards (e.g., minimum lot size, maximum building height, minimum front-yard depth). The distribution of residential, commercial, industrial, and other zones is based on the pattern of land uses established in the community's general plan. Zoning is adopted by ordinance and carries the weight of local law. All local governments use some form of a permitting process whereby a permit is issued for a specific project and can be conditioned based on conformance with the zoning ordinance.

Subdivision regulation, like zoning, is an exercise of police power and is a principal instrument for implementing a general plan. The SbMA (Government Code §§66410 et seq.) sets forth other mandates that must be followed for subdivision processing.

The local government's corporate and police powers and zoning and subdivision ordinances are tools commonly used to implement general plans. Preferential assessment of real property can also offer landowners an economic incentive for keeping their land in agricultural, timber, or open space uses. This can serve to implement the land use, open space, and conservation elements of a general plan by reserving areas designated for agriculture, timber, open space, scenic resources, and natural resource use.

The Coastal Act also requires cities and counties that are located wholly or partially in the coastal zone to have an "eighth element" (the LCP) for that portion of the local government's jurisdiction in the coastal zone. When an LCP is certified by the CCC as being consistent with the goals and policies of the Coastal Act, coastal permit authority for that area is delegated to the local government. However, development in State tidelands, submerged lands, and public trust lands continues to require a permit from the CCC, and certain types of local government decisions on coastal permits made under certified LCPs may be appealed to the CCC.

SWRCB Antidegradation Policy

A key policy of California's water quality program is the State's Antidegradation Policy. This policy, formally known as the *Statement of Policy with Respect to Maintaining High Quality Waters in California* (SWRCB Resolution No. 68-16), restricts degradation of surface and ground waters. In particular, this policy protects water bodies where existing quality is higher than necessary for the protection of beneficial uses.

Under the Antidegradation Policy, any actions that can adversely affect water quality in all surface and ground waters must: (1) be consistent with maximum benefit to the people of the State; (2) not unreasonably affect present and anticipated beneficial use of the water; and (3) not result in water quality less than that prescribed in water quality plans and policies. Furthermore, any actions that can adversely affect surface waters are also subject to the Federal Antidegradation Policy (40 Code of Federal Regulations [CFR], § 131.12) developed under the CWA.

E. Stakeholder Roles in Program Development and Implementation

NPS pollution control is the shared responsibility of both public and private interests. Ultimately all of us—agencies, landowners and land operators, and the general public—contribute to and must help to control NPS pollution.

The CWA and CZARA are the legal foundation for California's current strategy to prevent and control NPS pollution. Therefore, the SWRCB, RWQCBs, and the CCC are the lead agencies for developing the program and coordinating its implementation.

However, the management of land and water uses in California is conducted by numerous local, State, and federal agencies with independent or, in some cases, overlapping authorities and programs. These agencies may be broadly categorized as management agencies, regulatory agencies, land use agencies, or assistance agencies (Table 6). Some agencies' authorities and programs are limited to specific NPS categories (e.g., Department of Boating and Waterways [DBW], Board of Forestry [BOF]); other agencies have broad authority to protect resources (Table 7).

F. Scope and Schedule

California intends to implement a comprehensive statewide program under the CWA and CZMA rather than develop a separate new program for the coastal zone. This will allow the State (1) to protect water quality through a single upgraded NPS program, (2) to use resources more effectively, (3) to eliminate the potential for regulatory inequities that might occur if special zones are created, and (4) to enhance agency coordination. The Strategy is based on implementation of MMs through regulatory and non-regulatory activities including education and outreach, public participation, and technical and financial assistance and the use and coordination of enforceable authorities and programs where self-determined efforts are insufficient to restore and protect State waters.

TABLE 6. CATEGORIES OF IMPLEMENTING AGENCIES

<p>Federal and State Land Management and Regulatory Agencies</p>	<p>This category comprises federal and State agencies that have the authority to implement MPs statewide. Such authority derives either from the agency's management responsibility for publicly owned or controlled land or its regulatory authority. For example, large portions of the State are managed by federal regulators or land and water managers (e.g., USEPA, NOAA, BLM, National Park Service, U.S. Army Corps of Engineers [USACOE], U.S. Fish and Wildlife Service [USFWS], U.S. Forest Service [USFS], and Federal Energy Regulatory Commission[FERC]). When such agencies have the capability to act effectively in their areas of jurisdiction as a lead NPS management agency, the SWRCB may seek formal agreements—e.g., Management Agency Agreements, Memoranda of Agreement (MAA), or MOU—that contain NPS controls.</p>
<p>Federal and State Assistance Agencies</p>	<p>This category comprises agencies that can provide technical or financial assistance to support implementation of MPs. These agencies include the Natural Resources Conservation Service (NRCS), SCC, and University of California Cooperative Extension (UCCE). They assist landowners and land managers to voluntarily implement MPs and help identify appropriate MPs for RWQCB or management agency enforcement. For example, SCC programs are directed at preserving coastal agriculture, resolving coastal land use issues, restoring and enhancing natural resources, developing urban water fronts, acquiring significant coastal sites, providing public access to and along the shoreline, and assisting local governments and nonprofit organizations. One action of the Program is for the SWRCB to seek agreement with these agencies so that they could target technical and financial resources to high priority NPS problems. Currently, the CCC works with the SCC to ensure that the watershed protection work reflects priorities of the Program Plan.</p>
<p>Local Land Use Agencies</p>	<p>This category comprises agencies (e.g., counties, cities, and some special districts) that have the authority to enforce implementation of MPs locally. Local government is the principal land use planning authority in the State. County and city government and special districts often institute the first tier of management requirements for a specific parcel of land. When such agencies have the capability of acting effectively in their jurisdictional areas as lead NPS management agencies, RWQCBs may seek formal agreements that provide for NPS control.</p>
<p>Local Assistance Agencies</p>	<p>This category comprises local agencies and special districts that provide technical or financial assistance to support implementation of MPs. These agencies assist landowners and land managers to voluntarily implement MPs and to help identify appropriate MPs for RWQCB or management agency enforcement. One action of the Program is for the RWQCBs to seek agreements with these agencies so that they can target technical and financial resources to high priority NPS problems.</p>

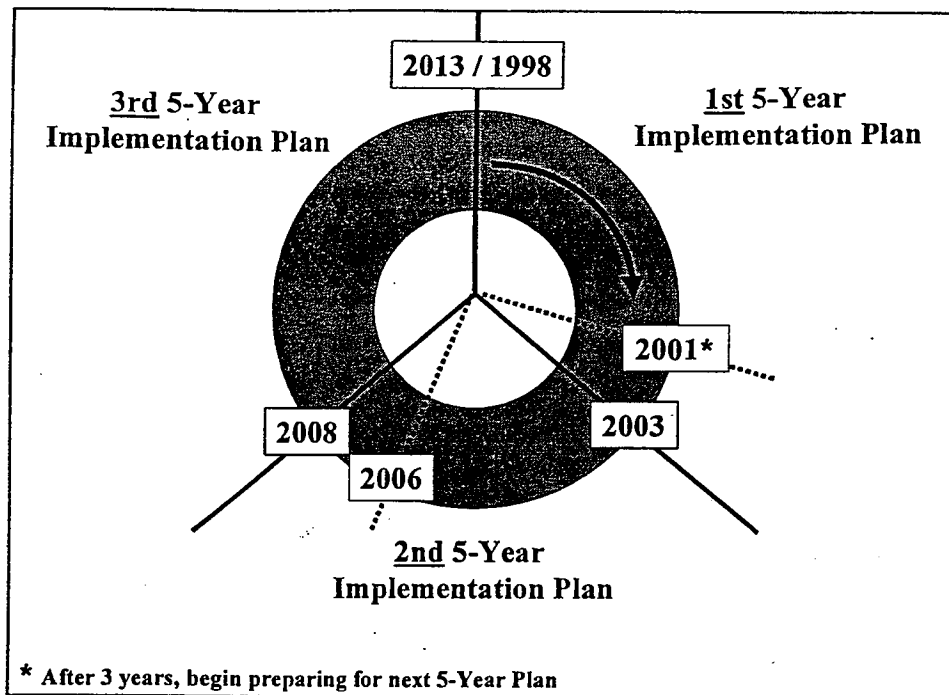
TABLE 7. IMPLEMENTING AGENCIES FOR CALIFORNIA'S NONPOINT SOURCE MANAGEMENT MEASURES

Agencies	Management Measures*					
	AGR	FOR	URB	MA	HYD	WET
California Environmental Protection Agency (Cal/EPA)						
1. State Water Resources Control Board (SWRCB)	✓	✓	✓	✓	✓	✓
2. Regional Water Quality Control Boards (9) (RWQCB)	✓	✓	✓	✓	✓	✓
3. California Integrated Waste Management Board (CIWMB)			✓	✓		
4. Department of Pesticide Regulation (CDPR)	✓	✓	✓			
5. Department of Toxic Substances Control (DTSC)			✓	✓		
California Resources Agency (Cal/RA)						
6. California Coastal Commission (CCC)	✓	✓	✓	✓	✓	✓
7. Delta Protection Commission	✓					
8. Department of Boating and Waterways (DBW)				✓		
9. Department of Conservation (DOC)	✓					
10. Department of Fish and Game (DFG)	✓	✓	✓	✓	✓	✓
11. Department of Forestry and Fire Protection (CDF)		✓				
12. Board of Forestry(BOF)		✓				
13. Department of Parks and Recreation (DPR)	✓	✓	✓	✓	✓	✓
14. Department of Water Resources (DWR)	✓		✓		✓	✓
15. San Francisco Bay Conservation and Development Commission (SFBCDC)			✓	✓	✓	✓
16. Santa Monica Mountains Conservancy			✓			✓
17. State Coastal Conservancy (SCC)					✓	✓
18. State Lands Commission (SLC)	✓	✓		✓		✓
19. Wildlife Conservation Board (WCB)					✓	✓
Other State, Regional and Local						
20. Department of Food and Agriculture (DFA)	✓					
21. Department of Health Services (DHS)	✓	✓	✓	✓	✓	✓
22. Department of Transportation (Cal/Trans)			✓			
23. University of California Cooperative Extension (UCCE)	✓	✓	✓	✓	✓	✓
Local Governments	✓	✓	✓	✓	✓	✓
Resource Conservation Districts (RCDs)	✓	✓	✓		✓	✓
Federal						
Bureau of Land Management (BLM)	✓					
National Oceanic and Atmospheric Administration (NOAA)	✓	✓	✓	✓	✓	✓
• Monterey Bay National Marine Sanctuary (MBNMS)	✓		✓	✓	✓	✓
Natural Resources Conservation Service (NRCS)	✓					
U.S. Army Corps of Engineers (USACOE)				✓	✓	✓
U.S. Coast Guard (USCG)				✓		
U.S. Environmental Protection Agency (USEPA)	✓	✓	✓	✓	✓	✓
• San Francisco Bay (SFB), Santa Monica Bay (SMB), and Morro Bay National Estuary Programs (NEPs)	✓		✓	✓	✓	✓
U.S. Forest Service		✓				

* In this table, AGR = Agriculture; FOR = Forestry; URB = Urban; MAR = Marinas and Recreational Boating; HYD = Hydromodification; WET = Wetlands and Riparian Areas.

The assessment of implementation efforts conducted pursuant to each five-year implementation plan will occur on a regular basis in three distinct stages, with the SWRCB and CCC reporting on these efforts every two years (biennially). This process is detailed below and shown in Figure 2.

FIGURE 2. CALIFORNIA NPS POLLUTION CONTROL PROGRAM: A FIFTEEN-YEAR STRATEGY WITH THREE FIVE-YEAR IMPLEMENTATION PLANS



First Five-Year Implementation Plan (1998 - 2003) (Implementation Plan)

This document contains the first implementation plan which identifies an initial set of targeted MMs and describes NPS Program activities through June 2003 (five years after the July 1998 USEPA and NOAA Conditional Approval of the State's submittal pursuant to CZARA). In this Implementation Plan, the SWRCB and CCC have developed a plan to implement the MMs and achieve Program goals. In 2001, the SWRCB, RWQCBs, and CCC, in coordination with other agencies and the public, will begin reviewing implementation actions to assess the State's progress and effectiveness. At this time, the State will also start developing the next five-year implementation plan. Achieving designated milestones and meeting identified objectives will serve as a basis for evaluating progress. In 2003, California will report on the State's progress in meeting its milestones and objectives for the first five-year period.

Second Five-Year Implementation Plan (2003 - 2008)

Implementation of the second five-year implementation plan will occur from July 2003 through June 2008. The second five-year implementation plan will: (1) provide for the continued implementation of the initial set of actions and MMs, including increasing use

of regulatory actions if necessary; (2) outline steps to improve and expedite program implementation determined to be appropriate in light of the review and evaluation; (3) target approximately half of the remaining NPS MMs, plus any additional MMs deemed necessary; and (4) include actions and milestones to ensure implementation of these MMs. In 2006, the State will again review and evaluate implementation to assess progress and effectiveness.

Third Five-Year Implementation Plan (2008 – 2013)

Implementation of the third five-year implementation plan is expected to begin in July 2008 and continue through June 2013. The third five-year implementation plan will: (1) provide for continued implementation of actions and NPS MMs as necessary; (2) target the remaining NPS MMs for implementation, plus any additional MMs deemed necessary; and (3) include actions and milestones to ensure implementation of these MMs.

II. FIFTEEN YEAR PROGRAM STRATEGY

A. Introduction

The Strategy describes how the vision and goals of NPS pollution prevention and control will be realized by utilizing the components of the Program process. The Program process begins with "assessing" the impact of NPS pollution on water quality. NPS issues are identified for waters across the State either individually or collectively. A thorough assessment allows the State to proceed to the second component, "targeting" appropriate human, financial, and technical resources into geographic areas and NPS MMs requiring immediate attention.

The State will fully address the NPS issues from multiple fronts. The "planning" component will take advantage of the numerous programs and tools already in place. Use of existing programs reduces duplicative efforts and benefits from the expertise already accumulated at different institutional levels. Based on previous success stories and lessons learned, the State can begin to identify and plan to use new approaches to address remaining NPS problems.

The complexity of the issues makes effective "coordination" of the various activities imperative. The State will therefore foster interagency cooperation and facilitate public participation through the establishment of formal agreements and formation of an Interagency Coordinating Committee (IACC).

Effective "implementation" of NPS MMs will rely on a "three-tiered approach," with an emphasis on self-determined cooperation of the stakeholders. Applicable regulatory programs and authorities will be invoked in the case of persistent NPS water quality problems and/or stakeholder resistance to self-determined implementation of MMs.

The final element of the Program process consists of "tracking" implementation of MMs, "monitoring" MP effectiveness, "assessing" program success, and "reporting" program progress. Again, participation of the stakeholders at this step will ensure the dissemination of lessons learned and will continue program success. These lessons learned will become the backbone of future decisions both within the Strategy and the subsequent five-year implementation plan.

These components make up an evolving and iterative process repeated in each of the three five-year implementation plan cycles. It is expected that by the end of the fifteen year duration of the Program Plan all the identified MMs for the prevention and control of NPS pollution will have been implemented in the appropriate watersheds and will have improved the quality of the State's waters.

B. Assessing the Problem

California will continue to use the State's Water Quality Assessment (WQA) as the primary tool for assessing NPS pollution statewide.⁴ Pursuant to CWA section 305(b), this information is reported to USEPA every two years and is used to develop the CWA section 303(d) list of waters that do not meet water quality standards with technology-based pollution controls.⁵ Assessment of waters used as drinking water will also be enhanced by the DHS's new Drinking Water Source Assessment and Protection (DWSAP) Program.⁶

These assessment systems support the NPS Program by identifying, individually and collectively, which waters are impacted by NPS pollution. This assists the NPS Program in targeting future actions and determining their effectiveness. To improve the usefulness of these assessment systems, the NPS Program will:

- Ensure that monitoring data from the Program is incorporated into the WQA,
- Support the development and improvement of a geographically-based assessment system, Geo Water Body System (GeoWBS)⁷,
- Support efforts to provide consistency in listing impairments,
- Improve consistency in the definitions of specific sources of pollution,
- Promote public access to the WQA and its underlying data, and
- Seek funding to increase the quality and quantity of water quality monitoring.

These assessment systems also will be utilized to monitor and track the effectiveness of the NPS Program and are discussed in that context in subsequent sections of the Strategy (see Part II, Section G—*Track, Monitor, Assess, and Report*).

C. Targeting Efforts

Introduction

High quality water resources are of significant economic, social, and ecological value in California; however, the amount of available public funds is inadequate to address all the

⁴ This compilation of water quality information, provided by the RWQCBs, synthesizes the results of monitoring programs conducted by dischargers, landowners, community members, and local, State, and federal agencies. The WQA reports on the degree to which these waters support their beneficial uses, such as municipal drinking water supply, recreational activities, or cold water fisheries.

⁵ A total of 1,700 water bodies was assessed in the 1998 CWA section 305(b) Report. Of these, 509 surface waters did not meet water quality standards. The RWQCBs specified 392 water bodies (77 percent) as directly impacted by NPS pollution. The categorical sources (e.g., agriculture, urban, forestry, marinas) of the NPS pollution were identified for 173 surface water bodies. The categorical sources were not identified by the Los Angeles and San Diego RWQCBs. The identification of sources is not required by the CWA when listing waters as impaired.

⁶ DHS, as required by the Safe Drinking Water Act Amendment of 1996, recently submitted to USEPA and received approval (April 1999) for the DWSAP Program. DHS will identify and assess all potential sources of contaminants, including NPS pollutants, for public drinking water systems in California. A report outlining the findings will be provided to customers of each system.

⁷ The information in the WQA is stored in the SWRCB's GeoWBS database. The GeoWBS database identifies the water body size, the degree to which beneficial uses are supported, the affected beneficial uses, the pollutants, and the pollution sources.

existing water pollution sources all at once at every location in the State. The concept of targeting focuses State resources on specific actions or pollutants within limited geographic regions and improves the likelihood of achieving measurable water quality improvements. Actions that lead to water quality benefits can in turn increase public support of NPS pollution control programs and ensure that the public is more closely attuned to overall water quality goals. Such a change in attitude with a corresponding increase in pollution control knowledge and skill is a primary ingredient of lasting water resource protection.

In order to make the Strategy most effective, efforts must be targeted from both a water resources (e.g., water quality, geographic, or watershed area) and economic resources perspective. To achieve the overall objective to improve water quality, the Program Plan will target efforts towards accomplishing the following goals:

- Coordinate NPS pollution control implementation efforts to target both:
 1. MMs for agriculture, forestry, urban areas, marinas and recreational boating, and hydromodification in riparian corridors and wetlands, and
 2. Geographic regions, with a focus on the most impaired areas, areas most in need of protection, and areas where significant existing efforts or increased stakeholder participation are underway to prevent and control NPS pollution.
- Apply project resources to clearly specified, realistic goals and objectives (e.g., to efforts that will result in a high probability of success with available resources and funding).
- Protect and restore valuable resources from increased NPS pollution associated with changes in land use.

All targeting efforts will coordinate with existing State and federal programs that focus on water resources in general and NPS problems in particular. To increase stakeholder support of the prioritized efforts, public involvement needs to be directly incorporated into the targeting process. The following sources of information were used for targeting resources and priorities within the first five-year plan:

- Stakeholder interpretation of NPS priorities;
- Impaired waters as identified on the CWA section 303(d) list and TMDL priority lists; and
- Delineation of critical coastal areas and identification of additional MMs.

Stakeholder Involvement in Prioritization

In order to receive direct input from stakeholders concerning current and future efforts of the NPS Program, staffs of the SWRCB and the CCC held workshops in December 1998 and July 1999 (each series consisting of one workshop in the northern and southern parts of the State). In addition, a questionnaire was sent to over 200 stakeholders (including the RWQCBs and 17 other State agencies) requesting identification of "priority" MMs and program categories (e.g., administrative coordination, public participation, monitoring, and technical assistance) that need to be addressed during the first five-year

implementation plan. The questionnaire results and comments from these opportunities for stakeholder involvement were used to target the initial activities outlined in the first five-year implementation plan.

The targeting efforts were also supplemented through the use of the reports developed by the NPS TACs (SWRCB, 1994a-i; SWRCB, 1995 a-b). The active involvement of the different representatives in the TACs ensured that priorities were given to the MMs and geographic areas with which those most intimately familiar with the NPS pollution issues, the stakeholders, expressed the most concern. For example, all the identified MMs for agriculture, the single most significant contributor of NPS pollution to the Nation's water bodies, have been targeted for implementation during the first five years. On the other hand, the recommendation for installation of pumpout facilities, during the first implementation cycle, at marinas on the Tomales Bay, an important shellfish production location, demonstrates the Program's focus on protecting areas with critical coastal-dependent industries.

Target Impaired Waters

CWA section 303(d)(1)(A) requires states to identify surface waters within their boundaries where numeric or narrative water quality objectives are not being maintained and/or beneficial uses are not fully protected after application of technology-based controls. Each state is also required to establish a priority ranking for such waters, taking into account the severity of the pollution and the beneficial uses to be made of the waters.

For those surface water bodies identified and prioritized above, section 303(d)(1)(C) requires that each state establish TMDLs for those pollutants identified under CWA section 304(a)(2) as suitable for TMDL development correlated with the achievement of water quality objectives. A TMDL is a numeric target which when achieved will result in attainment of water quality standards. The TMDL includes allocations (e.g., allowable pollutant loading) for both point and NPSs. The loadings are established with consideration given to seasonal variations of pollutant loadings and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality.

The CWA section 303(d) and TMDL priority lists are developed biennially on even-numbered years. The RWQCBs first assess available data to develop the list. The assessment includes: (1) re-examining the water bodies previously listed under CWA section 303(d); (2) reviewing existing monitoring information; (3) soliciting additional information from other State and federal agencies; and (4) encouraging public participation. The CWA section 303(d) and TMDL priority lists are approved through a public noticing and hearing process at each RWQCB and the SWRCB. USEPA reviews the State's CWA section 303(d) and TMDL priority lists and either approves or disapproves them. If the lists are disapproved, USEPA proposes a modified list with a 30-day comment period. The USEPA's final list then becomes the State's list for the next two years.

The first five-year implementation plan made extensive use of the CWA section 303(d) list to prioritize its tasks. Several impaired water bodies have been targeted for TMDL development. Examples are abundant in the agriculture and forestry categories. Specifically, 33 water bodies have been targeted for nutrient (agriculture – nutrient management) TMDL development by 2003. The load allocations determined for NPSs at the end of the TMDL development process will help guide the selection of best management practices (BMPs) for implementation in the future to ensure NPS pollution prevention and control.

Critical Coastal Area Designation

Special coastal habitats (e.g., wetlands, tide pools, creeks, and lagoons) continue to be threatened from the impacts to water quality that accompany new and existing development. California recognizes that special coastal resources require special care and attention. The intent of CCA designation, therefore, is to direct needed attention to coastal areas of special biological, social, and environmental significance and to provide an impetus for these areas to receive special support and resources.

Pursuant to federal guidance (NOAA and USEPA, 1993), factors in identifying CCAs include:

- The nature and proximity of contaminant sources to the coastal area;
- Physical and biological characteristics of adjacent lands that will cause NPS problems;
- Important biological features;
- Characteristics of land use changes; and
- Extent to which the above effects can be prevented or reduced by implementation of additional MMs.

Federal guidance provides the states with flexibility in their approach to identifying CCAs.⁸ California will use a combination of approaches in delineating CCAs. First, the State will designate special sections within the California coastal zone as CCAs. These include ESHAs currently designated in California's CZM program, as well as areas adjacent to Areas of Special Biological Significance (ASBS), California's National Estuarine Research Reserves (NERRs), NEPs, and National Marine Sanctuaries. Within these areas the CCC will use its existing authority under the CCMP to ensure that all appropriate MMs are implemented and, where appropriate, that additional MMs are

⁸ A state can take one or both of the following approaches:

1. A state can establish the CCA as a strip of land along the portion(s) of the shoreline adjacent to threatened or impaired coastal waters. Within this area, special controls such as setbacks and low-density zoning can be employed to protect coastal waters.
2. A state can rely on site specific evaluations to determine the extent of a CCA. Under this approach, states may include broader geographic areas in the CCA designation, starting with shoreline segments adjacent to threatened or impaired coastal waters and extending inland to encompass significant coastal features or resources further inland. These broader areas may include entire watersheds or portions of watersheds adjacent to coastal waters and may encompass significant biological features such as wetlands.

developed to protect these coastal waters. Second, agency and public actions will be coordinated to protect the adjacent portions of the inland watersheds that impact the environmental processes within the coastal zone.

To coordinate the actions within the CCAs, the Program Plan will establish an interagency committee (CCA Committee)--led by the CCC in coordination with the SCC, SWRCB, six coastal RWQCBs, and the public--to identify CCAs and develop additional MMs necessary to protect these areas. The CCC and SWRCB have identified several initial goals for CCA designation and implementation.

First, the CCA Committee will evaluate the need for and the implementation of additional MMs to protect and restore coastal waters within CCAs. The Committee will work closely with appropriate agencies and researchers to develop additional MMs that address the issues that threaten or impact the designated CCAs. For the portions of CCAs within the coastal zone, the CCC will include additional MMs, when appropriate, in future coastal development permits and future Local Coastal Program (LCP) amendments associated with these areas. Further discussion of the development of additional MMs for CCAs is provided in Part II, Section H: *Overall Program Assessment—Refining the Program*.

Second, the CCA Committee will seek to channel appropriate NPS Program and agency resources to areas of special concern that may not fall within the initial stages of the Program Plan's other NPS activities. The Committee will act as an advocate for the prioritization, funding, and implementation of projects that can achieve measurable water quality improvements within and in watershed areas adjacent to CCAs. For example, the CCC will support and coordinate the implementation of additional MMs in the watersheds impacting CCAs by: (1) working directly with the appropriate agencies; (2) identifying and targeting resources for implementation in sensitive coastal habitats that can achieve prescribed water quality goals and in sensitive coastal habitats that are of regional concern but not a priority under other water quality designations (threatened or impaired); and (3) expanding participation in education and restoration programs.

This designation will help the State to protect pristine, threatened, and impaired waters that may be degraded by new or substantially expanding land use near the coastal zone by coordinating additional agencies and initiating special programs. Because CCA designation is a continuing process, sensitive coastal habitats that may become threatened by new or expanding development can be targeted as a priority in the future.

Finally, CCA designation will provide resources to special coastal areas which do not achieve priority ranking within other sections of this plan and will therefore provide solutions to program deficits rather than create an additional designation using the same review criteria.

Results of Targeting Efforts

One of the goals of the Program is to implement all of the MMs over the next fifteen years. Although the Strategy targets specific MMs during each five-year

implementation plan, in any given year efforts will be ongoing for each MM throughout the State. Some of the MMs implemented during the first implementation cycle will undoubtedly require continued attention long past the initial five years. Similarly, sustained NPS pollution prevention and control efforts may be needed for certain geographic areas beyond the first five years. During the assessment processes in 2001 and 2006, these MMs and areas will be identified and incorporated into the subsequent implementation cycle.

In targeting MMs and geographic areas during the first five-year implementation cycle, special consideration was also given to dovetailing with existing programs. For example, in providing technical support to cities in the development of urban runoff plans, the State will build upon and expand upon the use of the Model Urban Runoff Program (MURP). MURP was originally developed for the Cities of Monterey and Santa Cruz. Taking advantage of existing NPS programs such as MURP will avoid duplicative efforts.

Depending on its relative priority, each MM for each five-year implementation cycle was targeted as either primary, secondary, or tertiary. In designating the targeting level for each MM, consideration was given also to the extent that specific actions are currently being implemented to address the NPS source. For example, urban runoff poses a considerable problem in California but was designated at the secondary and tertiary targeting level because of the existing NPDES Stormwater Program. At the conclusion of each five-year implementation cycle, the MMs targeted at the primary level will be evaluated using the following criteria: (1) the degree to which performance measures have been met; (2) geographic extent of MM implementation; (3) selected evaluation of MPs to implement the MMs; and (4) analysis of available water quality information in those areas where implementation has occurred. Depending on the degree of success, the State will determine whether to: (1) maintain the in-place efforts; (2) modify or add MMs and/or actions for each primary level MM; or (3) consider whether rulemaking is necessary to ensure successful implementation. The targeted MMs for the Strategy and each five-year implementation plan are presented in Table 8.

D. Planning

Introduction

To maintain the Program Plan as a working document, it will be continually updated, decisions will be re-evaluated, and priorities will be re-targeted based on updated information, pilot projects, and lessons learned. An important part of the updating process is integrating the Program Plan with existing federal and State plans and programs that impact NPS pollution control. The following sections provide a brief description of these plans and programs and how the Program Plan will integrate with them.

1988 NPS Plan

The CWA was amended in 1987 to include a new section 319 titled "Nonpoint Source Management Program." CWA section 319 required states to develop a management program describing the measures the State will take to address NPS pollution. Pursuant

TABLE 8 – SUMMARY OF TARGETED MANAGEMENT MEASURES FOR FIFTEEN-YEAR STRATEGY AND FIVE-YEAR IMPLEMENTATION PLANS

Management Measures	Targeting Level for Each Five Year Implementation Plan		
	1998-2003	2003-2008	2008-2013
1. Agriculture			
A. Erosion and Sediment Control	P	P	P
B. Confined Animal Facilities Wastewater and Runoff	P	P	P
C. Nutrient Management	P	P	P
D. Pesticide Management	P	P	P
E. Grazing Management	P	P	P
F. Irrigation Water Management	S	P	P
G. Education/Outreach	P	P	P
2. Forests (Silviculture)			
A. Preharvest	P	P	P
B. Streamside Management Areas	P	P	P
C. Road Construction/Reconstruction	P	P	P
D. Road Management	P	P	P
E. Timber Harvesting	P	P	P
F. Site Preparation and Forest Regeneration	P	P	P
G. Fire Management	S	P	P
H. Revegetation of Disturbed Areas	P	P	P
I. Forest Chemical Management	S	S	P
J. Wetlands Forest	T	P	P
K. Postharvest Evaluation	P	P	P
L. Education/Outreach	P	P	P
3. Urban Areas			
3.1 Runoff from Developing Areas			
A. Watershed Protection	S*	P	P
B. Site Development	S*	P	P
C. New Development	S*	P	P
3.2 Runoff from Construction Sites			
A. Construction Site Erosion/Sediment Control	T*	S*	P
B. Construction Site Chemical Control	T*	S*	P
3.3 Runoff from Existing Development			
A. Existing Development	S*	P	P
3.4 On-site Disposal Systems			
A. New On-site Disposal	S*	P	P
B. Operating On-site Disposal Systems	S*	P	P
3.5 Transportation Development: Roads, Highways, and Bridges			
A. Planning, Siting, and Developing Roads and Highways	T*	S*	P
B. Bridges	T*	S*	P
C. Construction Projects	T*	S*	P
D. Construction Site Chemical Control	T*	S*	P
E. Operation and Maintenance	T*	S*	P
F. Road, Highway, and Bridge Runoff Systems	T*	S*	P
3.6 Education/Outreach			
A. Pollution Prevention/Education: General Sources	P	P	P

Management Measures	Targeting Level for Each Five Year Implementation Plan		
	1998-2003	2003-2008	2008-2013
4. Marinas and Recreational Boating			
4.1 Assessment, Siting, and Design			
A. Water Quality Assessment	P	P	P
B. Marina Flushing	T	S	P
C. Habitat Assessment	S	P	P
D. Shoreline Stabilization	S	P	P
E. Storm Water Runoff	S	P	P
F. Fuel Station Design	S	P	P
G. Sewage Facilities	P	P	P
H. Waste Management Facilities	P	P	P
4.2 Operations and Maintenance			
A. Solid Waste Control	P	P	P
B. Fish Waste Control	T	S	P
C. Liquid Material Control	S	P	P
D. Petroleum Control	P	P	P
E. Boat Cleaning and Maintenance	P	P	P
F. Maintenance of Sewage Facilities	P	P	P
G. Boat Operation	T	S	P
4.3 Education/Outreach			
A. Public Education	P	P	P
5. Hydromodification			
5.1 Channelization and Channel Modification			
A. Physical and Chemical Characteristics of Surface Waters	S	P	P
B. Instream and Riparian Habitat Restoration	S	P	P
5.2 Dams			
A. Erosion and Sediment Control	T	S	P
B. Chemical and Pollutant Control	T	S	P
C. Protection of Surface Water Quality and Instream and Riparian Habitat	T	S	P
5.3 Streambank and Shoreline Erosion			
A. Eroding Streambanks and Shorelines	S	P	
5.4 Education/Outreach			
A. Educational Programs	P	P	P
6. Wetlands, Riparian Areas, and Vegetated Treatment Systems			
A. Protection of Wetlands and Riparian Areas	S	P	P
B. Restoration of Wetlands and Riparian Areas	S	P	P
C. Vegetated Treatment Systems	T	S	P
D. Education/Outreach	P	P	P

Legend:

- P – primary
- S – secondary
- T – tertiary

* The Program Plan will implement the Urban MMs through the coordination and expansion of in-place activities including the Phase I and Phase II Storm Water Programs, the Cal/Trans Stormwater Permit, LCP amendments, CDPs and/or MURP.

to these requirements, the SWRCB developed the 1988 Plan which outlined the steps to initiate systematic management of NPS pollution in California. The 1988 Plan emphasized the following characteristics of an effective management program: (1) developing an explicit long-term commitment by the SWRCB and RWQCBs; (2) coordinating existing SWRCB and RWQCB NPS related programs; (3) using more effectively RWQCB regulatory authorities coupled with non-regulatory programs; (4) improving the linkages among local, State, and federal agencies that have authorities to address NPS pollution; and (5) enhancing funding sources. Key elements of the 1988 Plan were the: (1) development of management options to address NPS pollution (the three-tiered approach); (2) establishment of the NPS Management Information System (NPSMIS); and (3) phased implementation of the 1988 Plan.

The Strategy builds on the lessons learned in the implementation of the 1988 Plan by maintaining and/or expanding those elements that were successful and deleting or altering those that did not achieve the goals of the 1988 Plan. The Strategy maintains the "three-tiered approach" and commits to expanding application of the "tiers" pursuant to the requirements of section 13369(a)(2)(B) of the CWC. The NPSMIS will be expanded through contracts with the University of California at Davis-Information Center for the Environment (UCD-ICE) to develop relational databases and geography-based information systems. The phased implementation program in the 1988 Plan was expanded to include a commitment from the SWRCB to consider adopting the MMs as regulation if clear progress is not being made in their implementation.

Water Quality Control Plans

In California, the RWQCBs and SWRCB are responsible for the development of statewide and regional WQCPs, respectively. Pursuant to section 13240 of the Porter-Cologne Act, each of the State's nine RWQCBs must formulate and adopt regional WQCPs (basin plans) for all surface and ground waters within their respective regions. Porter-Cologne Act section 13170 allows the SWRCB to adopt statewide WQCPs for waters for which water quality standards are required by the CWA. The statewide plans, when adopted, supersede any basin plan requirements for the same waters to the extent of any conflict.

Basin Plans

Section 13241 of the Porter-Cologne Act requires that each basin plan: (1) designate beneficial uses; (2) establish water quality objectives that protect the designated beneficial uses; and (3) provide an implementation plan for achieving the water quality objectives. The implementation plan for achieving water quality objectives must include, but is not limited to: (1) a description of the nature of the actions which are necessary to achieve the water quality objectives; (2) a time schedule for the actions to be taken; and (3) a description of the monitoring and surveillance to be undertaken to determine compliance with objectives.

As part of the "continuing planning process," components of the basin plan are reviewed as new information and data become available or as specific needs arise. Comprehensive updates of the basin plan occur in response to State and federal

legislative requirements and as funding becomes available. All of the RWQCB basin plans were completely updated in 1995. In addition, the basin plan provides consistent long term standards and program guidance for the RWQCB.

Section 13240 of the Porter-Cologne Act directs the SWRCB and the RWQCBs to periodically review and update basin plans. Furthermore, CWA section 303(c) directs states to review water quality standards every three years (triennial review) and, as appropriate, modify and adopt new standards. In the triennial review process, basin planning issues are formally identified and ranked during the public hearing process. These and other modifications to the basin plan are implemented through basin plan amendments which must be reviewed by the RWQCB and the SWRCB in a public review process specified. Following adoption by the RWQCB, basin plan amendments and supporting documents are submitted to the SWRCB for review and approval. All basin plan amendments approved by the SWRCB after June 1, 1992 must also be reviewed by the State Office of Administrative Law (OAL). In addition, the USEPA must review and approve those basin plan amendments that involve changes in State standards for surface water quality to ensure such changes do not conflict with federal regulations.

The basin plans will be one of the most effective instruments for integrating the Program Plan. Many of the critical elements for implementing the NPS Program are required by statute to be incorporated into the basin plan. The SWRCB and RWQCBs can use their planning authority to prevent NPS pollution and implement MMs. Implementation programs within the basin plan can implement MMs through several approaches. The implementation plans can recommend that NPS dischargers carry out specific BMPs in order to achieve water quality standards. The implementation programs can also waive regulation of categories of NPS pollution discharges on condition that the dischargers implement specific MMs or BMPs. Alternatively, an implementation program can prohibit NPS discharges either entirely or partially, in certain areas or under certain conditions. The conditions can include compliance with appropriate MMs and applicable BMPs.

Inland Surface Waters Plan/Enclosed Bays and Estuaries Plan

The SWRCB is in the process of developing a new Inland Surface Waters Plan (ISWP) and Enclosed Bays and Estuaries Plan (EBEP) to reinstate the two plans it rescinded in response to an adverse court ruling in 1994. The SWRCB is generally authorized to adopt WQCPs under the Porter-Cologne Act (§13170) and is specifically mandated to adopt the EBEP (CWC §13391). Once adopted and in effect, the ISWP and EBEP will complement the California Ocean Plan (Ocean Plan) by establishing statewide water quality standards and implementation measures for controlling discharges of toxic pollutants to non-ocean surface waters of the State.

The SWRCB is developing the ISWP and EBEP in two phases. In Phase 1, the SWRCB will adopt the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (Policy). The Policy (adopted pursuant to CWC §13140) will establish statewide toxicity requirements and provisions to implement water quality standards for priority toxic pollutants in waste

discharges. The adoption of water quality standards for priority toxic pollutants for all waters of the United States is mandated by federal CWA section 303(c)(2)(B) in accordance with implementing regulations (40 CFR 131). The vast majority of these standards will be promulgated for the State in the USEPA California Toxics Rule (CTR). Together, the CTR and the Policy will be the basis for establishing water quality-based effluent limitations and other permit requirements for priority pollutants and whole effluent toxicity in NPDES permits and other WDRs. Thus, the standards and implementation provisions established by the CTR and the Policy will function as replacements for the ISWP and EBEP until they are established in their entirety in Phase 2. In Phase 2, the SWRCB will combine the Policy provisions with State-adopted water quality standards for priority pollutants and other pollutants of concern to produce a new ISWP and EBEP. Other issues, such as toxicity testing and the evaluation of standards for effluent-dependent and agricultural drainage-dominated water bodies, will also be addressed in the future.

Currently, the USEPA expects to promulgate the CTR in December 1999. In November 1999, the SWRCB released a revised draft of the Policy and supporting documents for a second public review prior to an SWRCB workshop in December 1999. The Policy will be considered for adoption at a SWRCB meeting in early 2000. The Policy will become effective upon approval by the OAL in the spring of 2000. After the ISWP and EBEP are adopted, the plans will be periodically reviewed and, as appropriate, revised (generally every three years) in accordance with CWC section 13240 and CWA section 303(c)(1). These triennial reviews involve public hearings prior to adoption of amendments by the SWRCB.

California Ocean Plan

The 1997 Ocean Plan states that the SWRCB "finds and declares that protection of the quality of the ocean waters for use and enjoyment by the people of the State requires control of the discharge of waste to ocean waters in accordance with the provisions contained" in the Ocean Plan. State law (CWC §13170.2) requires that the Ocean Plan be reviewed at least every three years to guarantee that current standards are adequate and are not allowing degradation to marine species or posing a threat to public health. As defined by the Ocean Plan, "waste includes a discharger's total discharge, of whatever origin, *i.e.*, gross, not net, discharge." Section 13170.2 of the CWC requires the SWRCB to adopt and review the Ocean Plan.

The Ocean Plan applies in its entirety to point source discharges to the ocean. NPS discharges are subject to the sections of the Ocean Plan covering beneficial uses, water quality objectives, general requirements, and discharge prohibitions. For NPSs of waste discharge to the ocean, "compliance with water quality objectives, in all cases, shall be determined by direct measurements in the receiving waters." The Ocean Plan is not applicable to discharges to enclosed bays and estuaries, inland waters, vessel wastes, or control of dredging materials. The SWRCB may make exceptions to the Ocean Plan in compliance with CEQA and a public hearing and in concurrence with the USEPA, provided that two conditions are met: (1) the exception will not compromise protection of ocean waters for beneficial uses and (2) the public interest will be served.

The Ocean Plan was established in 1972 and has been amended in 1978, 1983, 1988, 1990, and 1997. Draft amendments were made public in October 1998, public hearings on the draft were held in December 1998, and staff is currently responding to comments made during the hearings. It is anticipated that revised draft amendments will be submitted for SWRCB approval in May 2000. As part of the required review of current standards, a triennial review of the Ocean Plan, public hearings were held in September and October 1998. The public identified 35 specific issues that needed review. Staff subsequently prepared a Triennial Review Workplan, describing 22 high priority issues that the SWRCB approved on July 15, 1999 and submitted to the USEPA. The issue "Regulatory Control of Nonpoint Source Control" was reviewed by staff of the Division of Water Quality's NPS Section prior to SWRCB approval of the Workplan.

Bays and Estuaries Toxic Hot Spot Cleanup Plan

The purpose of this program was to implement the Bay Protection and Toxic Cleanup Program (BPTCP), which was established by the State Legislature in 1989. The BPTCP had four major goals: (1) to provide protection of present and future beneficial uses of the bays and estuarine waters of California; (2) to identify and characterize toxic hot spots; (3) to plan for toxic hot spot cleanup or other remedial or mitigation actions; and (4) to develop prevention and control strategies for toxic pollutants that will prevent creation of new toxic hot spots or the perpetuation of existing toxic hot spots in the bays and estuaries of the State.

The six coastal RWQCBs involved in the BPTCP conducted extensive water and sediment quality monitoring in the enclosed bays and estuaries of the State over a period of eight years. The monitoring data provided information on the chemistry (types and amounts of toxicants), toxicity, and benthic integrity of sediments. An assessment of monitoring data using a weight-of-evidence approach resulted in the designation of 48 toxic hot spots, 22 of which were ranked as high priority based on the guidance developed by the SWRCB. The RWQCBs developed regional toxic hot spot cleanup plans for the high priority hot spots.

The BPTCP concluded in June 1999 with the adoption of the statewide Toxic Hot Spot Cleanup Plan by the SWRCB. The Cleanup Plan includes: (1) a priority listing of all toxic hot spots; (2) description of each toxic hot spot including a characterization of the pollutants present at the site; (3) assessment of the most likely source or sources of pollutants; (4) estimate of the total costs to implement the cleanup plan; (5) estimate of the costs that can be recovered from parties responsible for the discharge of pollutants that have accumulated in sediments; (6) preliminary assessment of the actions required to remedy or restore a toxic hot spot; (7) a two-year expenditure schedule plan; and (8) findings on the need to establish a toxic hot spot cleanup program.

Depending on the source and areal extent of the known hot spot, the actions to remediate the sites include: (1) better characterization of the sites and problem, (2) institutional controls/education, (3) dredging, capping, a combination of dredging and capping, (4) source control watershed management, and (5) implementation of a no-action alternative. In order to prevent the further pollution or creation of known toxic hot spots, the cleanup plan requires RWQCBs to reevaluate WDRs in compliance with CWC section 13395. The re-evaluation consists of: (1) an assessment of whether the discharge may influence the creation or further pollution of the known toxic hot spot, (2) an assessment of which WDRs need to be modified to improve environmental conditions at the known toxic hot spot, and (3) a schedule for completion of any WDR modifications deemed appropriate.

Development of Total Maximum Daily Loads

Section 303(d)(1)(C) of the CWA requires the State to establish TMDLs for "303(d) listed water bodies" for those pollutants determined by USEPA to be suitable for TMDL measurement. The TMDL program provides an assessment and planning framework for identifying load reductions or other actions needed to attain water quality standards. The planning process for TMDL development is divided into two parts. Part 1 establishes and apportions the allowable level(s) of pollution in the water body (or watershed) necessary to achieve water quality standards. The recommended methods for achieving the necessary reductions in pollutant loadings are detailed in the second part of this process--the TMDL implementation plan.

Part 1 – Developing the TMDL

This process establishes the maximum allowable amount of pollution (for parameters of concern) and allocates this among the existing and potential sources. The allocation of pollutants is distributed among both point source and NPS discharges. This quantitative assessment includes determining the following components:

- Loading capacity--The greatest amount of loading that a water body can receive without violating water quality standards.
- Load allocation--The portion of a receiving water's loading capacity that is attributed either to one of its existing or future NPSs of pollution or to natural background sources.
- Wasteload allocation--The portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution.
- Margin of safety--The portion of a receiving water's loading capacity that accounts for the uncertainty of the relationship between the pollutant loads and the quality of the receiving water.
- Seasonal variation--The influence of seasonally-dependent factors (e.g., flow volume) on the receiving water's loading capacity.
- TMDL--The sum of the individual wasteload allocations for point sources, load allocations for NPSs and natural background, and the margin of safety. The TMDL can be expressed in terms of either mass per time, toxicity, or other appropriate measures that relate to the State's water quality standard. In practice, allocations are not typically assigned on a daily basis but instead are

monthly, seasonal, or annual. In most cases mass load is utilized as the metric for the allocations. In some cases (e.g., pathogen problems), other measurable features are used to express the allowable amount of pollution.

Load allocations for NPS and/or natural background may range from reasonably accurate estimates to gross allotments, depending on the availability of data and the techniques used for predicting the loading. As such, a phased approach to TMDL development is often used where estimates are based on limited information. Using the phased approach provides a TMDL that includes monitoring requirements and a schedule for reassessing TMDL allocations to ensure attainment of water quality standards.

Part 2 – Developing the TMDL Implementation Plan

Once a TMDL or phased TMDL has been established, an implementation plan must be developed. The State (acting through the RWQCB) must implement the TMDL and must incorporate the TMDL into the appropriate basin plan. Section 13242 of the Porter-Cologne Act requires that a plan of implementation be incorporated into the basin plan. The implementation plan must include: (1) a description of the nature of the actions necessary to achieve the water quality objectives, including recommendations for appropriate action by any entity, public or private; (2) a time schedule for the actions to be taken; and (3) a description of the monitoring and surveillance to be undertaken to determine compliance with the objectives. Incorporating the TMDL into the basin plan requires approval by the SWRCB and approval of any regulatory provisions by OAL.

The RWQCBs make use of the NPDES permitting process to limit effluent from point source discharges consistent with the wasteload allocations. In the case of NPSs, the RWQCBs rely on the implementation of NPS controls, such as the MMs and associated MPs, and the application of a wide range of State programs and enforcement authorities.

During the Strategy, the RWQCBs have committed to the development of 500 to 800 TMDLs and their associated implementation plans. Appendix C provides a detailed summary of the TMDLs which the RWQCBs have identified for initial development or completion within the first five years of the Strategy. The commitment of financial and staff resources to this effort will be influential in addressing the State's effectiveness in controlling NPS problems.

In summary, TMDLs are planning tools that will enhance the State's ability to foster implementation of appropriate NPS MMs. By providing watershed-specific information, TMDLs will help target specific sources and corresponding corrective measures and will provide a framework for using more stringent approaches that may be necessary to achieve water quality goals and maintain beneficial uses.

Watershed Management Initiative

The watershed Management Initiative (WMI) was approved in 1995 by the SWRCB as part of its Strategic Plan. It was developed to help the SWRCB meet its goal to provide water resource protection, enhancement, and restoration while balancing economic and environmental impacts. The WMI uses an integrated planning approach to create and implement unique solutions for each watershed that consider all local conditions and pollution sources and rely on the input and involvement of local stakeholders. It is not a regulatory program and has no statutory mandate.

Watersheds are identified and prioritized primarily on the basis of water quality. Watershed management strategies have been developed for over 40 watersheds at the nine RWQCBs. These strategies are contained in the Integrated Plan for implementation of the WMI. This Integrated Plan is updated annually in November to reflect changing priorities and conditions in the State's watersheds. The 1998-99 State budget bill included funding for ten WMI coordinators to carry out the WMI. There is one coordinator at each of the nine RWQCBs and one at the SWRCB. The WMI relies on the existing authority of the SWRCB and RWQCBs, including the Porter-Cologne Act and the Federal CWA.

The WMI is consistent with the overall scheme of the Program Plan. Similar to the CWA section 303(d) list described above, prioritization of the watersheds helps the Program Plan in targeting areas with serious water quality issues. Moreover, the watershed management strategies were developed with considerations for local environmental and economic conditions. Consequently, in accordance with the NPS Plan's emphasis on self-determination and the voluntary approach, stakeholder involvement in the implementation of the management strategies is not only critical but feasible. Future annual updating of the management strategies will incorporate RWQCBs' activities identified in the five year implementation plans to support implementation of the Program Plan and make use of the MMs contained in the CAMMPR document of this Program Plan. Implementation of these strategies in targeted watershed will complement the NPS work being performed under other parts of the Program Plan and ensure the full implementation of all MMs in 15 years.

Community-Based Watershed Plans

Community-based watershed plans refer to a wide range of plans and activities that are being undertaken throughout California. These plans and activities are focused on specific geographic areas and involve strong local leadership and diverse stakeholders. Community-based watershed plans have as their premise that many water quality and ecosystem problems are best solved at the watershed level rather than at a statewide or individual discharger level.

Community-based watershed plans are a key component to implementing the MMs. Many of the community-based watershed plans and activities that are underway address NPS pollution. The SWRCB and RWQCBs have supported these plans through financial and technical assistance. Currently, several State agencies, in conjunction with the California Biodiversity Council (CBC) and the Cal/RA, are considering how to

establish a statewide framework to more fully support community-based watershed plans and activities.

The SWRCB and the RWQCBs will continue to support watershed plans to foster implementation of the MMs: This is consistent with the federal CWAP that directs new CWA section 319(h) funding to supporting watershed restoration action strategies (WRASs). The intent of this requirement is to ensure that the activities supported by these funds are part of a comprehensive effort that has the community and technical support necessary to achieve significant environmental results. A wide range of community-based watershed plans will be considered to qualify as WRASs. For example, a local watershed stewardship plan, a Coordinated Resource Management and Planning Program (CRMP), or a Comprehensive Conservation and Management Plan prepared under section 320 of the CWA will all be considered to qualify as a WRAS.

Coastal CPR Plan

The CCC's *Plan for Controlling Polluted Runoff* (Coastal CPR Plan) outlines the CCC's authorities to address polluted runoff and identifies actions with timelines and milestones to achieve the CCC's objective to reduce polluted runoff. The Coastal CPR Plan specifies the CCC's role in addressing polluted runoff within the confines of existing budgets, staffing, and statutory authority. The four program enhancements that comprise the Coastal CPR Plan are developed from the CCC's existing and newly developed tools and programs related to the management of polluted runoff. They include: (1) implementation of MMs through planning, regulation, and technical assistance; (2) administrative coordination; (3) public participation and education; and (4) funding. Implementation of the Coastal CPR Plan helps to direct CCC staff efforts to prevent and control polluted runoff, thus leading to improved coastal water quality and enhanced coastal resources and uses.

Many of the actions identified in the Coastal CPR Plan are incorporated into the Program Plan. These actions are expected to help facilitate implementation of the NPS Program, as well as to improve the coastal program's overall treatment of water quality-related issues.

General Plans

The general plan is a local government's basic planning document. Under State planning law, each city or county must adopt a comprehensive, long-term general plan for the physical development of the city or county and any land outside its jurisdiction that bears relation to its planning. General plans must contain seven elements: (1) land use, (2) circulation, (3) housing, (4) conservation, (5) open space, (6) noise, and (7) safety. The following elements are the most relevant to NPS pollution prevention and control:

1. Land Use--Designates categories such as housing, industry, and natural resources, including density and intensity of use.
2. Conservation--Applies to conservation, development, and use of natural resources (e.g., soils, forests, rivers and other water bodies, and harbors). May also cover watershed protection, land or water reclamation, prevention or control of the

pollution of streams and other coastal waters, regulation of land uses along stream channels and in other areas required to implement the conservation plan (e.g., buffer areas), control or correction of soil erosion, and flood control.

3. Open Space--Applies to preservation of natural resources, including fish and wildlife habitat, rivers, streams, bays and estuaries, and open space.
4. Circulation--Plans infrastructure, including water, sewage, and storm drainage.

Local Coastal Programs

In carrying out its objectives and policies, the Coastal Act (PRC §§30000 et seq.) delegates to local governments specified authority to regulate coastal development.⁹ The Coastal Act directs each of the 73 cities and counties lying wholly or partly within the coastal zone to prepare for review and certification by the CCC an LCP for the local government's portion of the coastal zone. Through LCP development, the Coastal Act provides a means to manage coastal resources of State, regional, and national significance in ways that respect special circumstances in each locality. The CCC works with local governments to tailor LCPs to reflect local issues and concerns while simultaneously meeting the statewide goals and policies of the Coastal Act.

An LCP consists of a local government's land use plans (LUPs), zoning ordinances, zoning district maps, and, within sensitive coastal resource areas, other implementing actions which, when taken together, meet the requirements of and implement the provisions and policies of the Coastal Act at the local level (PRC §30108.6). The LUP is the relevant portion of a local government's general plan or local coastal element which is sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and, where necessary, a listing of implementing actions (PRC §30108.5). Most key land use and policy decisions are made in the LUP stage. The standard of review of the LCP Implementation Plan is that it conforms with and is adequate to carry out the certified LUP.

Upon LCP certification, a local government can issue permits for such development in the coastal zone as is consistent with LCP policies; alternatively, a local government conditionally approves or denies a coastal development permit application if the proposed development is inconsistent with the LCP. However, certain actions taken by a local government on a CDP application may be appealed to the CCC. The CCC hears appeals, and the standard of review is the certified LCP and the public access policies of the Coastal Act. And, because a CDP is either approved or denied depending on its conformity to a certified LCP, it is imperative that all appropriate NPS MMs are identified and included in the certification process.

The CCC water quality staff will update the in-house *Procedural Guidance Manual: Addressing Polluted Runoff in the California Coastal Zone* to reflect the newest development in NPS MMs. This manual is extensively utilized by the CCC staff in

⁹ The Coastal Act declares that "to achieve maximum responsiveness to local conditions, accountability, and public accessibility, it is necessary to rely heavily on local government and local land use planning procedures and enforcement" (PRC §30004).

reviewing LCPs and CDP applications. The CCC's water quality staff will also conduct training of its planners in use of the manual and in screening for NPS components in LCPs, Local Coastal Program Amendments (LCPAs), and CDPs. The initial training will be conducted by December 2000, with a refresher training every year thereafter. Currently, the CCC staff are routinely requesting applicants of development permits not already subject to NPDES permit requirements to submit Erosion & Sediment and Chemical Control Plans for the construction phase when appropriate. In addition, a polluted runoff control plan with regular BMP maintenance and inspection is required of most development proposals as well. These efforts will achieve tangible water quality benefits in the field.

Coastal Act section 30519.5 requires the CCC to conduct periodic reviews of certified LCPs to evaluate whether or not the LCPs are being implemented by the local governments in a manner that conforms to the Coastal Act. The periodic reviews also provide a means to ensure that the LCPs reflect new information (such as new MMs) and changing conditions regarding NPS pollution prevention and control and help local governments respond to post-certification NPS issues that develop over time in targeted areas.

Lastly, the CCC can also effect implementation of the NPS Program through either:
(1) the regular LCP amendment process initiated by the local governments or
(2) providing grant incentives to encourage appropriate NPS-related amendments to LCPs.

In short, the CCC will review all new LCPs, LCPAs, and CDP applications brought before it for appropriate NPS pollution prevention and control activities.

Annual Workplans

Each year since 1990, the SWRCB and RWQCBs have developed detailed annual workplans as part of the grant application to USEPA for CWA section 319(h) funding. In addition to satisfying federal funding requirements, the plans served as short-term planning and budgeting tools for the SWRCB and RWQCBs. Annual workplans are detailed, tasked-oriented documents. This Program Plan is not intended to replace annual workplans. In fact, good annual workplans are more important than ever if California is to achieve the goals and objectives set forth in the Program Plan. Annual workplans will continue to be used to plan, coordinate, budget, track, and report on each year's NPS-related work.

Beginning with Fiscal Year 2000 (July 1, 2000), the SWRCB, RWQCBs, and CCC will begin jointly developing a single annual workplan that focuses on implementing MMs. The workplan will detail all major tasks proposed for the coming year including those that support activities outlined in the State NPS Plan. Annual workplans will cover all federal and State (including bond funds) funding sources, fees, and any other sources including private commitments. Other State agencies and private entities will be encouraged to join in the process. This widespread participation is crucial if the State is

to accurately evaluate and report the large number of efforts underway dealing with NPS pollution.

The State is faced with mounting annual, biennial, and five-year State and federal reporting requirements. To simplify reporting efforts, the SWRCB and CCC will develop a single, standardized report format (Figure 3) for use by all participants. The form will need to satisfy federal grant program requirements, be consistent with the five-year plans, and provide sufficient information so that information is usable in a program tracking database such as the one currently under development at UCD ICE. Another consideration is that it has an Internet-compatible file format to ensure electronic sharing over and posting on the Internet. One of the most important functions of the standardized report format is to simplify the task and thereby improve the State's ability to document and report its yearly progress in managing NPS pollution.

Regulatory Plans (National Pollution Discharge Elimination System)

While different legal authorities may apply to different situations, the goals of the NPS Program are complementary to the goals of the storm water regulatory programs that address urban runoff.¹⁰ The two-phased program under CWA section 402(p) requires NPDES permits for storm water discharges. In California, the federal NPDES Program is administered by the SWRCB and the RWQCBs. Since 1990, Phase I regulations have required NPDES permits for storm water discharges from:

1. Municipal separate storm sewer systems serving populations greater than 100,000,
2. Specific industrial activities, and
3. Construction activities disturbing land of five or more acres.

Phase I requires that individual NPDES permits be issued for municipalities greater than 100,000. In practice, the RWQCBs include many municipalities in urbanized areas with populations less than 100,000 in the Phase I programs. Individual municipal NPDES permits require implementation of structural and nonstructural control measures to reduce pollutant loads from industrial, commercial, and residential areas. The SWRCB elected to adopt a statewide NPDES General Permit requiring the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for all construction and certain industry-related discharges.

Implementation of the NPDES Phase II Program will expand the existing program to include all municipalities within urbanized areas and small municipalities outside of urbanized areas with a population of at least 10,000 and a population density of at least 1,000 persons per square mile. The program will also expand to include construction sites that disturb between one and five acres. All activities under Phase I and II of the NPDES permit regulations will be required to prepare a SWPPP to demonstrate how MMs will be used to protect water quality degradation.

¹⁰ The 1987 CWA Amendments, which added section 319 related to NPS programs, also expanded the application of regulatory authority under CWA section 402 to prevent and control NPS pollution from certain urban areas and industrial activities. CZARA section 6217 also requires states to implement MMs to control NPS pollution, including urban runoff, to coastal waters.

FIGURE 3. STANDARDIZED REPORT FORM

DRAFT SAMPLE

**California Nonpoint Source Pollution Control Program
Annual Workplan for FY 1999**

Agency: *Cal/EPA*

Department/Board: *SWRCB*

Division/Program: *DWQ/NPS*

Contact:

Management Measure Category: *3.5 Transportation Development*

Management Measure Title: *3.5A Planning, Siting, and Developing Roads
and Highways*

Process Element: *Assess Problem*

Actions/Statements: *Conduct a consistency analysis of Cal/Trans'
statewide storm water permit.*

Geographic Area: *Statewide*

Funding Sources and Amount: *CWA 319(h) and General Fund*

Performance Measures: *Upgrade NPDES permit.*

Annual Progress Report: *The SWRCB approved a statewide storm water
permit for CalTrans in August 1999 that includes management
measures consistent with the Program Plan.*

Involve Stakeholders in Planning Process (Public Participation)

The Program Plan identifies numerous mechanisms for stakeholder participation in the planning and implementation of Tier 1 activities. To ensure that stakeholders have both the representation and buy-in necessary for Tier 1 to truly be effective, the State recognizes the need for public participation in every step of the planning and implementation process. Public input will be included in plan development, targeting resources, planning five-year activities, coordinating partnerships, implementing MMs, and monitoring success. This coordination will be achieved from direct comments provided by the public during the decision making and planning process. The most effective first step will be to establish the IACC and include a public representative on the Assessment TAC to participate in problem solving activities. In addition, the Program Plan has to establish a role for public participation in, among others, the State WQA (statewide citizen monitoring network), CCAs designation and implementation, specific work groups (e.g., CRMP), tracking MM implementation and effectiveness, and in developing additional MMs.

The first five-year review period will be a critical point for stakeholder involvement and public comments. The public will be invited to participate in the review of the first five-year plan assessment and in the development of future priorities and objectives. This process will be obtained best through the establishment of review committees (identified by the TACs) to review the Program Plan's effectiveness as outlined in the five-year report. From these comments, the State hopes to increase MM implementation and streamline Tier 1 activities.

E. Coordinating with Agencies and Key Stakeholders

Building cooperative partnerships among agencies at every institutional level, as well as with stakeholders, is essential to the success of a sustainable effort to protect and restore the quality and environment of the State's waters. In order for the NPS Program to be successful, we need to ensure that the roles and responsibilities of stakeholders and agencies with authorities to implement the MMs are clarified and executed. Specific objectives include:

- Establishing coordination mechanisms to enhance implementation of the five-year implementation plans,
- Fostering effective partnerships and collaboration among State, regional, and local agencies and non-governmental organizations (NGOs)—including CRMPs, officials responsible for habitat protection, land use programs and permitting, water quality permitting and enforcement, and public health and safety—to implement all appropriate MMs, and
- Making available for public review and comment by January 1, 2001, a draft of the enforcement guidance required pursuant to Porter-Cologne Act section 13369.

We will use the example of marina and boating activities to illustrate the complex partnerships required in implementing the appropriate MMs. In addition to the CCC and SWRCB, numerous agencies have regulatory jurisdiction and non-regulatory oversight of California's water quality management efforts related to marina and boating activities (Table 9). Although agency jurisdiction overlaps in many cases, the goal of these agencies is to prevent NPS pollution before it happens. (For a more complete list of

agency authorities related to the various NPS categories, the reader is referred to Volume II-CAMMPR of the Program Plan.)

For example, the RWQCBs, DFG, DHS, DTSC, and USCG all play an important role in regulating both the amount and type of wastes that enter California's waterways. The RWQCBs are the primary State agencies with water quality authority, which ranges from water quality planning to issuing permits for discharges of pollutants to State waters. Most RWQCBs use voluntary/cooperative management efforts for marina and boater NPS pollution control, although boat yards are regulated under a permit system. The DFG also has broad water quality authority and in addition to the USCG is the

TABLE 9 AGENCY PARTICIPATION IN MARINA AND BOATING ACTIVITIES

	Sewage	Bottom Paints/ Cleaning Material	Hazardous Waste	Oil/Fuel	Debris/ Solid Waste	Storm Water Runoff	Education
RWQCBs	X	X	X	X	X	X	
CCC				X	X		X
CIWMB				X	X		
DBW	X						X
DFG	X	X	X	X	X		
DHS	X		X	X	X	X	
DTSC		X	X	X			
UCCE		X	X	X			X
MBNMS (NOAA)	X	X	X	X	X	X	X
NEPs (USEPA)	X	X	X	X	X	X	X
USCG	X		X	X	X		X

agency most likely to be on site at a marina. Its focus is on preventing pollution that harms fish and wildlife resources, especially discharges of oil and petroleum products. The DFG Office of Spill Prevention and Response (OSPR) is charged with oil spill prevention and response. The DHS also regulates the discharge of sewage, other waste, or effluent, while the DTSC regulates the storage, transport, and disposal of all hazardous wastes. The USCG implements federal laws related to garbage and sewage disposal.

In addition to the agencies listed above, DPR, SLC, SFBCDC, and CCC have leasing or permitting authority over many marinas. CCC, DBW, CIWMB, UCCE, MBNMS, and San Francisco Bay and Santa Monica Bay NEPs provide various levels of technical, financial, and/or educational assistance.

Many efforts related to marinas and recreational boating are coordinated through interagency and public committees, such as the California Clean Boating Network (CCBN) for Northern and Southern California (except San Diego County) and the Boating Safety and Environment Education Committee in San Diego. In 1995, a number

of pollution educators, including agency, industry, and environmental representatives, came together to create the CCBN as a result of a recommendation by the Marina and Recreational Boating TAC (SWRCB, 1994e) and to assist boaters and marina managers. The purpose of the CCBN is to promote environmentally sound boating education efforts and to improve communication and coordination between marina and boating pollution educators in California. Examples of CCBN activities to support this purpose include, but are not limited to:

- Sharing information and developing expertise on current environmentally sound boating issues;
- Identifying funding sources for marina and boater pollution education projects;
- Providing a forum to allow cooperation on funding source proposals;
- Assisting in the dissemination of materials;
- Providing feedback on draft materials;
- Providing a forum for feedback on the impact that education is having on the identified audience;
- Sharing methodology for education, outreach, and the evaluation of materials;
- Reviewing existing programs and identifying where additional effort is needed; and
- Developing a strategy to implement the additional efforts.

While the CCBN supports the efforts of its member organizations by sharing information, networking, and providing expertise, the CCBN has lost its program funding to conduct education regarding environmentally sound boating practices. In fact, educational efforts in the State regarding environmentally sound boating are largely funded by short-term grants. No State agency has assumed programmatic responsibility for a permanent education and outreach effort akin to the boating safety education program of the DBW.

As the CCC is now completing a three-year statewide grant, funded by the CIWMB, to promote environmentally sound boating, the CCC acknowledges the need for a permanent boater education program to be implemented by an appropriate State agency. The CCC will work with the DBW, SWRCB, and RWQCBs to identify the appropriate agency for implementing a permanent education program as outlined in the Implementation Plan. Once an appropriate agency is identified, the State will work to develop a long-term funding structure and implementation strategies.

Formal Coordination through Memoranda of Understanding and Management Agency Agreements¹¹

The State will formalize connections between the lead and enforcing agencies through the letter from Cal/EPA and Cal/RA, asking each agency, department, State boards, and RWQCBs to prepare a five-year implementation plan (see Appendix D). The State will

¹¹ Under the CWA and the State's Porter-Cologne Act, the SWRCB is given the authority and responsibility to develop and certify water quality management plans (including BMPs, implementation procedures, and management agency implementation responsibilities), to designate management agencies for plan implementation, and to execute MAAs setting forth management agency commitments to its implementation responsibilities. SWRCB encourages this management agency approach where it offers a viable alternative to direct SWRCB/RWQCB regulation in controlling NPS pollution and achieving compliance with the State's water quality standards. Where reasonably implemented by the management agency, the SWRCB will typically waive direct regulation under its own authority.

also enhance coordination by developing a formal agreement (MOU) between the lead agencies (SWRCB and CCC) responsible for the Program Plan's implementation. While the key elements of the NPS Program have been developed through a cooperative partnership without a formal agreement, an MOU would serve to clarify roles and responsibilities of each agency over the next 15 years. This MOU will be submitted with the Program Plan for approval by the SWRCB and CCC (see Appendix E).

The State will ensure that agencies with the ability to implement aspects of the Program Plan are effectively linked with the lead agencies by developing (or revising) MOUs or MAAs. MOUs and MAAs between the lead agencies and several implementing agencies already exist (Table 10). Additional MOUs/MAAs will be encouraged as a mechanism for officially designating other agencies with the responsibility and authority to implement aspects of the Program Plan. The State will revise existing or add additional MOUs/MAAs that support the implementation of MMs in accordance with the MMs' priorities. This approach is consistent with the Program Plan's phased approach and recognizes resource limitations.

TABLE 10. SUMMARY OF EXISTING MAAs AND MOUs

TYPE OF DOCUMENT	SIGNATORY AGENCY	GENERAL PURPOSE	DATE SIGNED
MOU	California Association of Resource Conservation Districts (CARCD)	Coordination of erosion control and water quality protection	1984
	Soil Conservation Service (SCS) (renamed NRCS)	Planning/technical assistance for water quality policies and activities	1990
	U.S. Bureau of Reclamation (USBR), USFWS, SCS (renamed NRCS), USGS, DWR, DFG, DFA	Implementation of San Joaquin Valley Drain Program	1991
	NOAA, USEPA, Association of Monterey Bay Area Governments (AMBAG), Cal/EPA, SWRCB, CCC, RWQCB 2 and 3	Develop and implement the MBNMS WQPP	1992
	BLM	Coordination of NPS policies and activities	1993
	DFA	Regulation of fertilizer and soil amendments	1998
Water Quality Management Plan (WQMP)/MAA	USFS	Control of NPS activities and pollution on National Forest System Lands	1981
	BOF, CDF	Control of NPS pollution from timber operations on nonfederal lands	1988
	CDPR	Control of pesticide pollution	1997
WQMP	None; cooperative program with technical assistance by UCCE and NRCS, support by CARCD, industry/professional associations	NPS control on private rangeland	1995
"Partnership Agreement" of CA Dairy Quality Assurance Program	14 dairy industry organizations, and state and federal agencies	Coordinated environmental stewardship for dairy waste management	1998

The SWRCB and CCC are committed to formalizing interagency agreements. In 2000-2001, the SWRCB and CCC will initiate reviews of existing MOUs/MAAs and will work with other agencies to identify opportunities for new agreements. The review will address such issues as existing limitations related to Program implementation and will determine the appropriate mechanisms for correcting concerns. The SWRCB and CCC will subsequently develop those MOUs/MAAs that are identified as being feasible and necessary to ensure the implementation of the priority measures identified in the first five-year plan. Specifically, the SWRCB and CCC will update existing or develop new MOUs/MAAs with the BLM, CDPR, and NRCS by December 31, 2001. In addition, by December 31, 2001, the SWRCB and CCC will develop a schedule for updating or developing additional MOUs/MAAs that are necessary to fulfill the goals and objectives of the Program Plan.

For example, beginning in 2000, the SWRCB will work with the USFS to revise the USFS WQMP called for under the MAA between the SWRCB and the USFS¹². The USFS has recently undertaken a significant review of its BMPs. These new BMPs adequately implement the MMs of the Program Plan. The USFS has initiated a collaborative effort to incorporate new information into national forest management of the Sierra Nevada National Forests. This effort, known as the Sierra Nevada Framework for Conservation and Collaboration, includes updates to forest plans to address problems in aquatic, riparian, and meadow systems, among other ecosystems. An Aquatic Conservation Strategy has been proposed to maintain and restore the ecological integrity of these systems. The WQMP for National Forest System Lands and the MAA between the USFS and the SWRCB should be modified to: (1) include the Aquatic Conservation Strategy; (2) improve the coordination and collaboration of restoration projects in these systems; and (3) include performance measures that can be used to track project/program effectiveness.

The SWRCB and the CDPR will revise their MAA so that the WQMP includes commitments to implement MMs for which CDPR has regulatory authority.

The SWRCB and the BLM are working to finalize a WQMP and MAA. In 1992, the SWRCB and BLM entered into an MOU (SWRCB Resolution No. 92-26) and agreed to pursue development of an MAA for NPS pollution control program on BLM lands. While that MAA is not yet in place, during the last year, BLM has shown renewed interest in completing the work. This effort should be completed prior to the year 2003. The WQMP with BLM should focus on (1) implementation and adaptive management of the rangeland standards and guidelines; (2) development and certification of BMPs and implementation measures for other NPSs of pollution on BLM lands; (3) evaluation and review of rangeland MPs; and (4) an annual assessment process with environmental and operational measures of success.

¹² Currently, the only federal agency with management agency status in California is the USFS. In 1981, the SWRCB certified a WQMP for National Forest System Lands, designated USFS as management agency for plan implementation, and executed an MAA with USFS. The WQMP and MAA currently provide for: (1) development and implementation of SWRCB-certified BMPs; (2) early State involvement in review of USFS projects; (3) monitoring and adaptive management of BMP effectiveness and implementation; and (4) annual meetings to maintain coordination and communication.

BLM and the SWRCB have worked together to avoid and reduce NPS pollution from BLM-owned land. BLM controls domestic livestock grazing on public lands through designated grazing allotments. In 1998 BLM developed standards for rangeland health and guidelines for livestock management. SWRCB worked with BLM to ensure that these rangeland standards and guidelines would (1) comprise BMPs; (2) conform with the (g) guidance MMs and the BMPs set forth in the SWRCB's 1995 Rangeland WQMP for private rangelands; and (3) achieve compliance with California's water quality standards. Implementation of the BLM standards and guidelines began earlier in 1999.

Strong stewardship by landowners is a critical mechanism for implementing MMs, and the NRCS is a key agency providing financial and technical assistance to those landowners. The SWRCB and NRCS staffs have agreed that an MOU between the agencies would greatly improve the technical assistance aspects of the NPS Program. NRCS (formerly the Soil Conservation Service) and the SWRCB have an existing MOU dated July 31, 1990, outlining planning and technical assistance related to water quality policies and activities. This MOU will be updated to address NRCS's role in the Program Plan (e.g., assisting landowners in voluntarily implementing Resource Management Systems [RMS] or MMs) and to affirm the SWRCB's commitment to work through a self-determined approach (Tier 1) as a valuable step in achieving clean water goals. The new MOU will also address the use of NRCS technical guidance materials (e.g., Field Office Technical Guide[FOTG]) in planning and installing resource MMs.

The SWRCB and the CCC are leading an effort to develop MOUs/MAAs among the agencies in Cal/EPA and Cal/RA. The purpose of these formal agreements is to develop commitments to implement MMs (e.g., develop five-year implementation plans for their agencies or establish NPS pollution control elements to existing workplans). The SWRCB has contracted with the CCC to facilitate the completion of these agency-specific five-year implementation plans. The SWRCB has authority to require agencies to provide technical reports (Porter-Cologne Act §13165), and this authority could be used if cooperative approaches are ineffectual. The five-year implementation plans would contain components such as:

1. Implementation of all identified NPS MMs for which they have authorities and are targeted in the Program Plan by 2013;
2. Tracking of implementation and effectiveness by MM and source category and providing this information to the SWRCB as part of the monitoring and assessment strategy; and
3. Participation in regular program reviews as well as new goal-setting activities, including development of the five-year implementation plans and coordination of planning, assessment, and regulation activities with the SWRCB, CCC, and RWQCBs.

Coordination Through Interagency Forums

In addition to using formal agreements to establish coordination, the SWRCB and CCC will establish an IACC to provide a regular working forum to collaborate in implementation and problem solving. We currently envision several roles for the IACC. First, where programmatic or policy conditions present problems for watershed

management, the SWRCB and CCC, through the IACC, will act as a conduit for addressing and resolving those problems. The IACC will also be asked to evaluate agency functions and to recommend improvements that can benefit water quality on a statewide basis for various categories of activities. The IACC will be the primary forum for coordinating program activities of the lead and implementing agencies. Second, SWRCB and CCC staffs will work with the IACC to identify those agencies willing to become partners in interagency technical assistance teams. For these teams to function optimally, they must have broad-based support. Allowing agencies to assist with and utilize the functions of the teams will provide a powerful mechanism for improving coordination. Third, the SWRCB and CCC staffs will request the IACC to establish TACs in four major issue areas--assessment, technical assistance, education, and regulation. The role of these committees will be to identify opportunities for improved coordination and instances where impediments to effective management occur and to devise responses to move toward enhanced performance and management. Staff will work with the committees to ensure that the problems facing watershed groups are clearly understood and to provide a vehicle for implementing changes in State activities.

The lead agencies will work with the CBC to define the appropriate complementary roles of the CBC and the IACC. The CBC is comprised of 15 State agencies, the University of California (UC), CARCDs, and nine regional associations of county supervisors. The CBC was formed to improve coordination and cooperation among the various resource management and environmental protection agencies at federal, State, and local levels.

Interagency Initiatives and Public/Private Partnerships

Because stewardship is a fundamental principle upon which the NPS Program is based, we need to encourage collaborative relationships that include a broad range of groups. SWRCB, RWQCB, and CCC staffs will work with watershed groups and CRMPs to promote coordinated resource management and planning through the active participation of all stakeholders in a given watershed. The lead agencies encourage the participation of all relevant agencies and stakeholders in watershed management. There are a number of collaborative efforts in which the lead agencies are either currently active or will become active. As part of the effort to improve coordination, staff will work with the following efforts:

- Federal CWAP.
- CBC—Watersheds and Resource Assessment Initiatives.
- Implementation of Farm Bill Conservation Programs (including USDA, NRCS Locally-Led Conservation, Stream Corridor Restoration, Conservation Buffers, Salmon Restoration, and Air Quality Initiatives).
- The Environmental Stewardship component of the California Dairy Quality Assurance Program. This partnership among 14 entities including various State and federal agencies, UC, and representatives of the California dairy industry develops a voluntary, cooperative government and industry education and certification program. The program core components include: (1) education workshops for producers; (2) the creation of Environmental Stewardship Farm Management Plans specific to each dairy; and (3) on-site evaluation by a third party.
- The Range Management Advisory Committee of the BOF.

- Cal/RA's effort to inventory wetland and riparian areas statewide and to maintain data on projects subject to CWA section 401 certification.
- Cal/RA's efforts to establish a definition for riparian areas in consultation with other affected agencies.
- The California Aquatic Bioassessment Workgroup, chaired by staff from the DFG. SWRCB and RWQCB staffs have: (1) trained community members in bioassessment; (2) designed regional bioassessment monitoring programs; and (3) participated in the development and review of bioassessment methods and metrics.
- The California Watershed Project Inventory (Project Inventory) at UCD ICE. The SWRCB has provided significant financial support to this database of watershed projects. Currently, the SWRCB and UCD ICE are expanding the database to link MMs, agencies, and authorities to the Project Inventory.
- Certified Crop Advisor Program.
- CRMP groups throughout California.
- CALWATER watershed mapping initiative.
- CALFED Bay Delta Initiative/Program.
- Lake Tahoe Initiative.
- MBNMS WQPP.
- Southern California Beach Water Quality Workgroup.
- Southern California Coastal Water Research Project.

Review of Federal Projects and Programs

CWA section 319 authorizes and requires each state to review federal activities to ensure consistency with the state's NPS management program. The CWA also directs federal agencies to accommodate the concerns of each state.¹³ While the 1988 Plan noted that federal consistency¹⁴ would focus on the actions of three federal agencies (USACOE, USBR, and FERC), the SWRCB, and RWQCBs routinely review: (1) financial and technical assistance programs; (2) development activities; (3) environmental impact statements; and (4) monitoring programs from numerous federal agencies. The CCC has a similar federal consistency process under the CZMA (see Appendix B). The State Clearinghouse acts as the coordinating and notification agency for routing projects to appropriate State agencies. Many federal agencies directly notify State agencies of appropriate federal projects and programs through periodic NEPA reporting procedures or regional collaborative efforts.

The federal programs requiring review for NPS issues are listed in Table 11. The primary lead agency that reviews projects with statewide impact will be the SWRCB.

¹³ This requirement is spelled out in Executive Order 12372 of July 14, 1982 (Federal Register Vol. 47, No. 137).

¹⁴ The general process for review of federal projects, as outlined in this Executive Order, is: (1) State develops a list of federal assistance programs and development projects it will review; (2) State clearinghouse routes federal project information to appropriate State agency for review; (3) State agency reviews projects and provides timely comments to the federal agency; (4) federal agency reviews comments and accommodates concerns where possible; and (5) if concerns cannot be addressed, a timely explanation will be provided. Where the State cannot resolve federal consistency issues to its satisfaction, it requests USEPA assistance to help resolve the issues.

TABLE 11. LIST OF FEDERAL AGENCIES' PROGRAMS AND PROJECTS SUBJECT TO STATE REVIEW

U.S. BUREAU OF LAND MANAGEMENT
Watershed Projects
Mineral Exploration and Development
Oil and Gas Leasing
ORV Activities
Timber Activities
Grazing Allotment/Grazing Management/Permits Issuance
Chemicals/Pesticides
Area Analysis/Cumulative Impacts
Wetlands Protection
Riparian Management Plans
Hydrologic Modifications
Transportation Plans
U.S. DEPARTMENT OF DEFENSE
Natural Resource Management Plans and Projects
Military Construction Projects
Facilities Development Plans and Projects
Land and Water-Based Military Training Plans and Exercises
Environmental Restoration Projects
Spoil Disposal
Open Water Disposal Sites
FEDERAL ENERGY REGULATORY COMMISSION
Dam Relicensing
U.S. FOREST SERVICE
Forest Management Plans
Timber Sales
Grazing Allotments
NATIONAL MARINE FISHERIES SERVICE
Fisheries Management Plan
Habitat Conservation Plans
NATURAL RESOURCE CONSERVATION SERVICE
Environmental Quality Incentives Program (EQIP)
Wetland Reserves Program
Wetland Conservation
Forestry Incentives Program
NATIONAL PARK SERVICE
National Park Seashore Management and Proposed Acquisitions
Wildlife Management
Grazing Management
Abandoned Mines Management
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
Coastal Management Programs
U.S. BUREAU OF RECLAMATION
Irrigation Development
U.S. ARMY CORPS OF ENGINEERS
Permits for Dredged or Fill Material
U.S. FISH AND WILDLIFE SERVICE
Management of National Wildlife Refuges and Proposed Acquisitions
Habitat Conservation Plans

The appropriate RWQCBs will review local and regional projects. The CCC will also review programs in the coastal zone as defined in the Coastal Act. These State agencies will work with USEPA staffs who are liaisons with these federal agencies to ensure compliance with the CWA.

When project-by-project review and intervention by USEPA staff are insufficient to abate NPS pollution, the lead agencies will negotiate revisions to existing formal agreements or develop new agreements. If formal agreements are ineffectual, the SWRCB or RWQCBs can require federal agencies to provide NPS pollution prevention reports under their authority (Porter-Cologne Act §13267).

F. Implement Actions

The Three-Tiered Approach Overview

Originally adopted in the 1988 Plan, the "three-tiered approach" remains a cornerstone of the NPS Program. The "three-tiered approach" utilizes three different options of enforceable policies and mechanisms under the Porter-Cologne Act to ensure water quality objectives are achieved. The options are presented in order of increasing stringency. Through the "three-tiered approach," the NPS Program recognizes that many NPS problems are best addressed through the self-determined cooperation of stakeholders (Tier 1). However, persistent NPS water quality problems not effectively resolved through self-determined actions will be addressed through applicable regulatory programs and authorities (Tier 2 and Tier 3).

In general, which option is used depends on factors such as:

- Persistence of water quality impairments;
- Whether timely implementation of MMs and MPs is being achieved; or
- Whether the Tier 1 approach is being utilized effectively.

In practice, the RWQCBs will determine which or what combination of the three options will be used to address any given NPS problem. Sequential movement through the tiers (e.g., Tier 1 to Tier 2 to Tier 3) is not required of the RWQCBs. Depending on the water quality impacts and severity of the NPS problem, the RWQCBs may move directly to the enforcement actions specified in Tier 3. Pursuant to CWC section 13369(a)(2)(B), the SWRCB will develop, by February 1, 2001, guidance to be used by the SWRCB and RWQCBs for moving through the "three-tiered" process.

All three options implement BMPs. BMPs include, but are not limited to, structural and nonstructural controls and operation and maintenance procedures. BMPs can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters. BMPs are means of achieving certain MMs. For example, seeding and mulching of steep slopes at a construction site would be structural BMPs for achieving the MM of erosion control.

Tier One: Self-Determined Implementation of Management Practices

Since its inception in 1988, the “self-determined” or “voluntary approach” to the implementation of BMPs has been central to discussions of the NPS Program. The terms “voluntary” and the “voluntary approach” have been a popular concept grounded in the historic notions of autonomy and self-determination. The definition

of “autonomy” also refers to the concept of “moral independence,” implying that autonomy also carries with it responsibility and accountability. This is especially critical in situations where individual actions may conflict with the public good.

As a concept the term “voluntary approach” is as important for what it does not mean as for what it does. Compliance with the CWA, CZARA, CWC, and the Porter-Cologne Act is not a voluntary choice. It is the responsibility of the SWRCB and the RWQCBs to see that these laws are enforced. The concept of “self-determined implementation” of NPS control measures was developed to acknowledge the potential capability of landowners and resource managers to develop and implement workable solutions to NPS pollution control and to afford them the opportunity to solve their own problems before more stringent regulatory actions are taken.

Property owners and/or managers may implement BMPs through their own initiative or self-determination. Implementation could occur for economic reasons and/or through awareness of environmental benefits. Self-determined implementation can be encouraged through education, training, financial assistance, technical assistance, and demonstration projects. A self-determined approach would take advantage of the expertise and incentives offered by a variety of existing local, State, and federal programs that are geared to promoting private actions which could have water quality benefits. Lead agencies for these programs include the DOC NRCS, Farm Services Agency (FSA), RCDs, and the UCCE.

Tier Two: Regulatory-Based Encouragement of Management Practices

In general, the Porter-Cologne Act constrains RWQCBs from specifying the manner of compliance with water quality standards. However, RWQCBs have two ways to use their regulatory authorities to encourage implementation of BMPs.

First, RWQCBs may encourage the use of BMPs by waiving adoption of WDRs on condition that dischargers comply with this requirement. Alternatively, the SWRCB and the RWQCBs may enforce BMPs indirectly by entering into MAAs with other agencies that have the authority to enforce BMPs. Such authority derives either from the agency's regulatory authority or its management responsibility for publicly owned or controlled land. MAAs will include (or reference) specific, acceptable BMPs and their means of implementation. Both the SWRCB and the RWQCBs may enter into MAAs. The SWRCB will develop MAAs, where appropriate, with State and federal

agencies having statewide jurisdiction, such as the BLM or Cal/Trans. For example, the SWRCB has existing MAAs with the USFS and with the BOF and CDF. SWRCB MAAs will specify acceptable BMPs and how they will be implemented. Formal agreements between the SWRCB and other agencies pertaining to the prevention and abatement of NPS pollution will be referenced in RWQCB basin plans and will become the primary basis for RWQCB determination of compliance with State requirements. RWQCBs will seek agreements, where appropriate, with local agencies, such as cities and counties. For example, RWQCBs have existing MAAs with counties concerning regulation of on-site wastewater disposal systems. RWQCB MAAs may also reference BMPs that have been adopted into basin plans.

RWQCBs will generally refrain from imposing effluent requirements on dischargers who are implementing BMPs in accordance with a waiver of WDRs, an approved MAA, or other SWRCB or RWQCB formal action. Once the SWRCB or RWQCB has formally approved BMPs, they will become the primary mechanism for meeting water quality standards. While compliance with BMP requirements cannot excuse a violation of water quality standards, the RWQCBs may rely on their implementation of BMPs to demonstrate compliance with standards.

Implementation of BMPs will normally include: (1) specific site conditions; (2) monitoring to assure that practices are properly applied and are effective; (3) immediate mitigation of a problem where the practices are not effective (including regulatory action, if necessary); and (4) improvement of an approved BMP or implementation of additional BMPs when needed to resolve a deficiency.

RWQCBs have discretion in deciding what BMPs to encourage through conditional waiver of WDRs or inclusion in RWQCB MAAs. RWQCBs need not adopt BMPs into basin plans for these purposes but may do so to facilitate regionwide application. The SWRCB will encourage reasonable consistency among the RWQCBs in choosing BMPs by: (1) transferring information among RWQCBs on effective (or ineffective) practices; (2) reviewing amendments to basin plans; and (3) making determinations as the appeal agency for RWQCB decisions.

Tier Three: Effluent Limitations and Enforcement

RWQCBs can enforce requirements on any proposed or existing waste discharge, including NPS discharges. Although RWQCBs cannot specify the manner of compliance with waste discharge limitations (with certain exceptions), in appropriate cases the RWQCBs can set limitations at a level that, in practice, requires implementation of BMPs.

While many of the NPS Program activities support and promote self-determined implementation, the SWRCB and RWQCBs have a wide array of enforcement mechanisms at their disposal that also will be utilized. Enforcement actions may be considered to address many circumstances including, but not limited to, the following: (1) violation of an effluent limit, receiving water limit, or discharge prohibition contained in an order or basin plan adopted by the SWRCB or an RWQCB; (2) an

unauthorized spill, leak, fill, or other discharge; and (3) failure to perform an action required by the SWRCB or an RWQCB, such as submittal of a self-monitoring or technical report or completion of a clean-up task by a specified deadline.

It is important to note that enforcement of State water quality statutes is not solely the purview of the SWRCB and RWQCBs and their staffs. State law allows members of the public to petition the SWRCB to review permitting and enforcement actions or inactions by the RWQCB. In addition, the CWC provides for public participation in the issuance of orders, policies, and WQCPs.

The SWRCB and RWQCBs have a variety of enforcement tools to use in response to noncompliance by dischargers. An enforcement action is any formal or informal action taken to address an incidence of actual or threatened noncompliance with existing regulations or provisions designed to protect water quality.

Formal Enforcement: Formal enforcement actions fall into two basic categories: those that direct future actions by dischargers and those that address past violations. Actions that generally direct future action include notices to comply, imposition of time schedules, and issuance of cease and desist orders (CDOs) and cleanup and abatement orders (CAOs). Actions taken to address past violations can also include CAOs, rescission of WDRs, administrative civil liability (ACL), and referral to the attorney general (AG) or district attorney (DA). In some instances, both types are used concurrently to deal with a specific violation (e.g., discharger has had past violations but has not yet corrected the problem).

Any person adversely affected by an action or failure to act by an RWQCB may petition the SWRCB to review the decision. The petition must be received by the SWRCB within 30 days of the RWQCB action or refusal to act or 60 days after a request has been made to the RWQCB to act. In addition, the SWRCB may review, at any time and on its own motion, any action or failure to act by an RWQCB, including planning actions.

Informal Enforcement: For minor violations, the first step is usually informal enforcement action. The discharger is informed of the specific violations and is provided information as to how and why the violations occurred and how and when the discharge must come back into compliance. This step can be deleted for significant violations, such as repeated or intentional illegal discharges and falsified reports.

The notice of violation (NOV) letter is also an informal enforcement action. The purpose of a NOV letter is to bring a violation to the discharger's attention and to give the discharger an opportunity to correct the violation before formal enforcement actions are taken. Continued noncompliance should trigger formal enforcement action. An NOV letter is signed by the RWQCB Executive Officer and covers the following points: (1) description of specific violations; (2) summary of applicable

enforcement options (including maximum ACL); and (3) a request for a written response.

Time Schedule Order: Pursuant to CWC section 13300, actual or threatened discharges of waste in violation of requirements can result in imposition of a time schedule which sets forth the actions a discharger shall take to correct or prevent the violation.

Cease and Desist Orders: CDOs are adopted pursuant to CWC sections 13301-13303. They are normally issued to dischargers regulated by WDRs and often remain in force for years. CDOs are typically issued to regulate dischargers with chronic non-compliance problems. These problems are rarely amenable to a short-term solution. Often, compliance involves extensive capital improvements or operational changes. The CDO will usually set a compliance schedule, including interim deadlines (if appropriate), interim effluent limits (if appropriate), and a final compliance date. CDOs may also include restrictions on additional service connections (referred to as a "connection ban") to community sewer systems. These have been applied to sanitary sewer systems but can be applied to storm sewer systems as well. Violations of CDOs should trigger further enforcement in the form of an ACL or referral to the AG for injunctive relief or monetary remedies.

Cleanup and Abatement Orders (CAO): CAOs are adopted pursuant to CWC section 13304. They are generally issued to dischargers that are not being regulated by WDRs. With the exception of ground water cleanup, CAOs are typically short-lived enforcement orders. CAOs are issued through an RWQCB action or by the Executive Officer under delegation from the RWQCB Members pursuant to CWC section 13223. Executive Officer-issued CAOs should be used when speed is important, such as when a major spill or treatment plant upset has occurred and waiting until the RWQCB can meet to approve a CAO would be inappropriate. Violations of CAOs should trigger further enforcement in the form of an ACL or referral to the AG for injunctive relief or monetary remedies.

Prohibitions: Basin plans may set forth appropriate prohibitions for various categories of NPS pollution. In some cases, these prohibitions are written to allow application of the prohibition to be waived during planning and permitting of projects or activities covered by a water quality management plan. A prohibition allows an RWQCB to take direct and immediate enforcement action through issuance of CAOs, even in the absence of WDRs. Therefore, it allows RWQCBs to respond in a timely manner where NPS pollution generated by certain activities is creating an emergency or a problem which is not otherwise being remedied in an adequate or timely manner.

Modification or Rescission of Waste Discharge Requirements: In accordance with the provisions of the CWC, and in the case of NPDES permits, the RWQCB may modify or rescind WDRs in response to violations. Rescission of WDRs generally is not an appropriate enforcement response where the discharger is unable to prevent the discharge as in the case of a wastewater treatment plant.

Referrals to the Attorney General or District Attorney: The RWQCB can refer violations to the AG or ask the appropriate county DA to seek civil or criminal penalties. In either case, a Superior Court judge will be asked to impose civil or criminal penalties. In some cases, the RWQCB may find it appropriate to request the U.S. Attorney's Office to review potential violations of federal environmental statutes, including the CWA, Migratory Bird Treaty Act, or the Resource Conservation and Recovery Act (RCRA). Enforcement actions taken by the RWQCB are civil actions. In cases where there is reason to believe that specific individuals or entities have engaged in criminal conduct, the RWQCB or Executive Officer may request that the DA pursue criminal actions. Under criminal law, individual persons, as well as responsible parties in public agencies and business entities, may be subject to fines or imprisonment.

Administrative Civil Liability

ACL means monetary assessments imposed by an RWQCB. These actions are intended to address past violations. If the underlying problem has not been corrected, the ACL action should be accompanied by an RWQCB order to compel future work by the discharger (e.g., CAO or CDO). The CWC authorizes ACLs in several circumstances, summarized in Table 12:

TABLE 12. POTENTIAL MONETARY ASSESSMENTS IMPOSED BY AN RWQCB

CWC Section	Type of Violation
13261	Failure to furnish report of waste discharge or to pay required fees.
13265	Unauthorized discharge of waste.
13268	Failure to furnish technical report.
13308	Failure to comply with time schedule.
13350	Intentional or negligent violation of CDO or CAO; violation of WDRs; or RWQCB prohibition which results in pollution or unauthorized release of any petroleum product.
13385	Violation of NPDES Permit, Basin Plan Prohibition, etc.

A summary of the “three-tiered approach,” including practical examples of its application in California, is presented in Table 13.

Implement TMDLs

The development and implementation of TMDLs for NPS impaired water bodies are expected to enhance our ability to address NPS problems, consistent with the three-tiered approach described above. Along with the TMDL, the State will develop implementation plans that describe specific measures needed to achieve the point and nonpoint allocations established by the TMDL. For point sources, the allocations will be implemented through NPDES permits while NPS allocations are implemented through a wider range of authorities and programs, including the use of applicable State

enforcement authorities. Therefore, TMDLs are expected to promote the implementation of the appropriate MMs that will achieve timely water quality improvements that have not been achieved through the other approaches.

TMDLs will provide a more detailed approach to ensuring the implementation of the appropriate NPS MMs and will provide a better framework for "triggering" more stringent implementation. For example, TMDLs will (1) establish goals to judge the performance of management programs; (2) create the ability to better assess the effectiveness and appropriateness of MPs individually and collectively; (3) provide a basis for determining when to use more stringent management options (e.g., WDRs or other enforcement authorities); and (4) assist in prioritizing State's staff and financial resources when pursuing corrective actions.

Implement MMs in Regulation

NPDES – Storm Water

The two-phased program under CWA section 402(p) requires NPDES permits for storm water discharges. In California, the federal NPDES Program is administered by the SWRCB through the nine RWQCBs. Since 1990, Phase I regulations have required NPDES permits for storm water discharges for:

- Municipal separate storm sewer systems serving populations greater than 100,000,
- Specific industrial activities, and
- Construction activities disturbing land of five or more acres.

Phase I requires that individual NPDES permits be issued for municipalities greater than 100,000 (in practice, the RWQCBs include many municipalities in urbanized areas with populations less than 100,000 in the Phase I programs). Individual municipal NPDES permits require implementation of structural and nonstructural control measures to reduce pollutant loads from industrial, commercial, and residential areas. Implementation of the NPDES Phase II Program will expand the existing program to include all municipalities within urbanized areas and small municipalities outside of urbanized areas with a population of at least 10,000 and a population density of at least 1,000 persons per square mile. The program will also expand to include construction sites that disturb between one and five acres.

California's current and developing approaches to addressing urban runoff are and will be consistent with both the NPDES and NPS Programs. In the interest of consistency and comprehensiveness, the SWRCB and RWQCBs will ensure the implementation of urban MMs in areas and activities currently regulated by the NPDES Phase I Permit Program by incorporating the MMs into existing NPDES permits as the permits are renewed (at five-year intervals). Similarly, the SWRCB and RWQCBs will ensure that the NPDES Phase II permits will serve as the enforceable authorities to implement the urban MMs in areas and activities covered under Phase II. As lead agencies for the NPS Program, the SWRCB, RWQCBs, and CCC will ensure that all NPS MMs not covered by the NPDES Phase I or Phase II permits are implemented through other mechanisms identified within the NPS Program Plan.

TABLE 13. DESCRIPTION AND USE OF THE THREE-TIERED APPROACH

Tier	Description of Approach	Examples of the Three-Tiered Approach in Action
<p><u>Tier One:</u> Self-determined Implementation of Best Management Practices</p>	<p>Landowners and resource managers implement MMs/BMPs to achieve water quality standards. The RWQCBs may rely on implementation of MMs and BMPs to demonstrate compliance with, but cannot excuse violation of, water quality standards. Self-determined implementation is encouraged through incentives and technical assistance offered by State and federal programs that promote resource stewardship to achieve water quality benefits and to comply with statutory requirements. Agencies that provide such programs include the SWRCB, RWQCBs, DOC, NRCS, FSA, RCDs, and UCCE. Self-determined implementation is encouraged through the recognition by landowners and resource managers that this tier allows the discharger more “self-determination” in complying with statutory requirements than the more-stringent Tiers Two and Three.</p>	<ul style="list-style-type: none"> • Financial support for local watershed stewardship projects (CWA §319) • EQIP cost-share for implementation • Sacramento Watershed Program fostering stewardship • Urban pesticide committee education efforts • Workshops promoting the Rangeland WQMP
<p><u>Tier Two:</u> Regulatory- Based Encouragement of Management Practices</p>	<p>There are two ways that RWQCBs can use their regulatory authorities provided by the Porter-Cologne Act to encourage implementation of MMs/MPs. First, RWQCBs may work with landowners and resource managers to waive the adoption of WDRs or a waste discharge prohibition on the condition that MMs and BMPs will be implemented to correct or prevent NPS pollutant(s) of concern. Second, the SWRCB and RWQCBs may enforce MMs and BMPs by entering into MAAs with other agencies that have authority to enforce the implementation of appropriate MMs and BMPs.</p>	<ul style="list-style-type: none"> • MAAs with BOF/CDF, USFS, and CDFPR • Marin County Stormwater Program (RWQCB-2) • Channel Islands National Park – improved grazing practices (RWQCB-3) • Required submittal of agricultural drainage operation plans (RWQCB-5) • Agricultural Nutrient Management Plans-Newport Bay (RWQCB-8)
<p><u>Tier Three</u> Effluent Limitations and Enforcement</p>	<p>RWQCBs can adopt and enforce requirements on any proposed or existing waste discharge, including discharges from NPSs. Although RWQCBs are generally precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases limitations may be set at a level which, in practice, requires implementation of MMs and BMPs. In addition, the SWRCB and RWQCBs have a variety of enforcement tools—such as CDOs and ACLs—that can be used in response to noncompliance.</p>	<ul style="list-style-type: none"> • WDRs for commercial nurseries – Newport Bay (RWQCB-8) • WDR for selenium for San Joaquin River (RWQCB-5) • Permitted storm water programs • Erosion Control – Lake Tahoe (RWQCB-6) • WDRs for dairies

Provide Financial and Technical Assistance

Introduction

Strong stewardship by local stakeholders is critical to ensuring the successful implementation of the MMs identified in the five-year plans. Self-determined implementation can be encouraged through technical assistance provided by both State and local entities. A priority in the Implementation Plan is for the SWRCB and CCC to provide comprehensive technical assistance to local groups and landowners. The State will identify additional agencies and develop agreements (MOUs) to significantly increase the ease of acquiring and disseminating the most accurate and current information possible. A goal of the SWRCB and CCC is to provide each stakeholder with the information they require by coordinating efforts throughout the State.

Funding (Financial Assistance)

The Program will depend largely on funding received through the CWA section 319(h), State appropriations, and the contributions of other entities, including local governments, nongovernmental organizations, and private individuals. Unless additional funds are made available, it is possible that some of the activities contained within this Program Plan will not be completed as proposed. It is anticipated that implementation difficulties related to funding limitations will be identified and addressed as provided for through periodic program reviews.

Available Program funding will be directed at supporting activities that implement the MMs as identified in CAMMPR. Projects and staff positions at the SWRCB and RWQCBs funded under the CWA section 319(h) must support the implementation of MMs. This change will be included in the next CWA section 319(h) grant cycle (FFY 2000).

Federal Funding

USEPA provides annual funding to the SWRCB for implementation of the NPS program, pursuant to the CWA section 319. Since section 319 was established by the reauthorization of the CWA in 1987, California has received over \$40 million to support the State's NPS program. In 1999, the federal allocation to support State NPS programs under CWA section 319(h) was significantly increased in recognition that many of the most serious remaining water quality problems are associated with NPS pollution. California's CWA section 319(h) funding level was increased from \$5.7 million in 1998 to \$10.3 million in 1999.

In California, the CWA section 319(h) funds have generally been divided between supporting State staff activities at the RWQCBs and the SWRCB and funding NPS implementation projects. As the lead water quality agency in California, the SWRCB receives the CWA section 319(h) funding from USEPA through a cooperative agreement. The SWRCB and the RWQCBs

prepare annual workplans for USEPA approval to specify the activities that will be supported through these CWA section 319(h) funds. CWA section 319(h) funding is primarily for implementation activities; therefore, at least 80 percent of all CWA section 319(h) funds must be spent on implementation, while no more than 20 percent may be allocated to planning and program development activities.

NPS projects have been selected based on a competitive process administered by the SWRCB and RWQCBs. Generally, an annual Request for Proposals (RFP) is issued for projects that will reduce or prevent NPS pollution to ground and surface waters. Eligible projects include the implementation of MPs, TMDL implementation, technology transfer, demonstration projects, pollution prevention, technical assistance, volunteer monitoring, and public education. Nonprofit organizations, local government agencies, including special districts (e.g., RCDs or water districts), and educational institutions are the recipients of these funds.

Another important source of funding for NPS projects is the SRF. The SRF is a low interest loan program established by the CWA to fund a wide range of water quality projects, including the same types of projects that are eligible for section 319(h) funding. Traditionally, the SRF and its predecessor, the Clean Water Grant Program, have been used to fund publicly-owned treatment works (POTWs) for sanitary sewer systems. However, the amendments to the CWA that established the SRF allowed for expanded uses of the SRF beyond the traditional POTW project. Capitalization for the SRF comes from an annual federal appropriation, 20 percent of State matching funds and loan repayments that revolve back into the SRF. Current assets (loans and cash) in California exceed \$1 billion. The utilization of these assets offers one of the best avenues for funding the implementation of NPS MMs and related watershed implementation efforts.

To date, California has been a national leader in using the SRF to fund a wide variety of expanded use projects. Examples of types of expanded use projects that have been funded include:

- Stream restoration,
- Irrigated agricultural BMPs (improved methods of irrigation to reduce salt and selenium loads to the receiving water),
- Animal feeding operation BMPs (on-site improvements at small dairies that do not meet the USEPA definition of a point source),
- A vineyard to demonstrate BMPs and sustainable viticulture,
- Forestry BMPs (removal of dead and dying trees in the Lake Tahoe Basin),
- On-site septic system rehabilitation,
- Storm water treatment (including wetlands treatment),
- Wetlands preservation,

- Marina education and improvements,
- Water quality enhancements to flood control, and
- Estuary enhancement.

Using the fund to address all types of water quality issues regardless of whether it is a POTW, NPS, etc., is beneficial. In so doing, the SRF will help to foster the watershed approach. The SWRCB (who administers the SRF) is currently developing a formal policy regarding the funding of expanded use projects, including NPS projects. Once this policy is adopted, the expanded use projects will be given appropriate consideration in comparison to the traditional POTW projects.

State Funding

State funds have been earmarked for NPS Program development and implementation. These funds support SWRCB staff to develop MMs, the Strategy, and the Implementation Plan; develop and oversee formal agreements and informal partnerships; provide technical assistance; and provide public participation, education, and outreach. Additional funds are earmarked to develop and implement a program to track the effectiveness of MMs.

Currently, State monies fund NPS pollution prevention and reduction efforts at the SWRCB and RWQCBs in four of the six management categories: agriculture, forestry, hydromodification, and wetlands/riparian areas. Through State General Funds, the SWRCB and the RWQCBs update and revise basin plans regarding the effects of subsurface agricultural drainage on the State's waters. Staff also review forestry activities to ensure control of NPS pollution. Primary activities include: (1) the review of timber harvest plans, (2) consultation with federal agencies on silviculture, mining and grazing on forest lands, (3) evaluation of corrective actions, (4) development of water quality criteria and guidelines for treatment and disposal, (5) regulatory actions, (6) laboratory quality assurance, and (7) coordination of data management. The SWRCB and the RWQCBs administer the water quality certification program authorized through the CWA section 401. CWA section 401 requires that any applicant for a federal license or permit to conduct any activity which may result in a discharge to navigable waters obtain a certification from the State that the discharge will comply with the applicable provisions of CWA sections 1311, 1312, 1313, 1316, and 1317 (essentially State water quality standards). Generally speaking, CWA section 401 applies to dredge and/or fill permits issued by the USACOE, pursuant to CWA section 404 or hydropower generation facility licenses issued by the FERC.

Starting in 1999, the baseline allocation of the SWRCB has been augmented by \$3.9 million to develop TMDLs, a necessary first step in reducing NPS pollution in impaired watersheds. While these funds will not support

implementation of TMDLs, SWRCB and RWQCB staffs will participate in stewardship groups and assist community-based watershed monitoring programs.

Funds are also provided to on-the-ground pollution prevention and reduction activities through two funding sources: the Delta Tributary Watershed Program and the Agricultural Drainage Management Program (ADMP) authorized under Proposition 204. The Delta Tributary Watershed Program was awarded, on a one-time basis, \$14.5 million for rehabilitation projects in the watersheds tributary to the Sacramento-San Joaquin Rivers Delta or the Trinity River. Most of these projects will begin in 1999 or early 2000. Of the \$30 million set aside for the ADMP, \$27.5 million was for low interest loans and \$2.5 million was for the nonfederal share of a project specific to the Salton Sea. The loan fund can be used for the treatment, storage, conveyance, reduction, or disposal of agricultural drainage water that if discharged untreated would pollute California's waters.

Request for Proposals

Each year the SWRCB and USEPA release RFPs for watershed planning and implementation projects to reduce, eliminate, or prevent water pollution and to enhance water quality. The RFP contains information concerning project requirements, anticipated funding levels, the review process, and selection criteria, and an application form is included that serves as the proposal. Funds made available are typically offered under the authority of Federal CWA section 205(j) Water Quality Planning and Assessment or CWA section 319(h) NPS Implementation Programs. However, in 1997 and 1998, the SWRCB offered \$15 million made available through Proposition 204, the 1996 Bond Act.

The SWRCB and RWQCBs view the funding of projects consistent with priorities identified in the RFPs as an important tool in managing NPS pollution. Beginning with the calendar year 2000, RFP projects must implement actions that achieve NPS MMs goals and objectives to receive funding.

The funds contracted out under the RFPs represent half of the federal NPS funds California receives. The Program recognized several years ago the need to better track and evaluate the effectiveness of these projects. Working with UCD ICE, the State is working (1) to promote information exchange and coordination among watershed groups; (2) to geographically track the implementation of MMs; and (3) to determine the effectiveness of CWA section 205(j) and 319(h) projects in protecting beneficial uses and improving water quality. Effective with the 1999 RFP, all selected projects' contractors must complete a one page contract summary (format provided by SWRCB) within three months of the contract execution. The SWRCB will make the summaries available to the public, including posting them on the SWRCB's

NPS web site. At the completion of each funded project prior to final payment, all projects must complete a project survey form supplied by the SWRCB. At the same time, SWRCB and RWQCB staffs may survey project location and aerial extent using global position equipment. The information gathered will be entered into an internet-accessible geographic information system (GIS) and be provided as part of the required annual, biennial, and five-year cycle reports. In addition, information concerning each CWA section 319(h) funded project is being entered into a USEPA mandated tracking system known as the Grants Reporting and Tracking System (GRTS) to further aid in fiscal management, accountability, and the exchange of information.

Through these RFPs, the SWRCB, RWQCBs, and USEPA, Region 9, are encouraging watershed management as a means to ensure high quality waters, maximize the use of limited resources, and develop partnerships among all stakeholders of watersheds to address water quality issues. In this respect, grants offered through RFPs are being integrated under the SWRCB's and RWQCB's WMI to ensure the most efficient use of the funds. Local stewardship and partnerships among governmental agencies and private interests are vital parts of the type of watershed management envisioned. Involvement of stakeholders throughout a watershed is a critical feature of watershed management that will provide for sustained, long-term improvements in the beneficial uses of water and water quality. Implementation activities identified in a watershed management plan or similar comprehensive efforts to achieve sustained improvements in water quality and natural resources are a priority. CWA section 205(j) provides water quality planning funds, and CWA section 319(h) provides NPS implementation funds. The funds provided via RFPs are not intended to be used as the sole or principal source of support for local resource management.

Other Agencies Sources

Collaboration with the MBNMS

The CCC and MBNMS WQPP are working to develop coordinated grants among numerous nonprofit organizations improving water quality and restoration. This coordination of funding is intended to help nonprofit organizations obtain grant assistance, coordinate the expertise of the numerous groups working on NPS pollution, and identify a regional framework to guide future projects.

Technical Assistance

Introduction

The SWRCB, RWQCBs, and CCC recognize that individuals, watershed groups, and communities have varying levels of technical and financial capabilities related to water quality protection and restoration and the

protection of beneficial uses. In particular, the level of expertise available at the local and/or watershed level during project planning, design, and implementation can have a significant effect on the time and effort needed to implement practices to address NPS pollution. Technical and financial assistance is needed for those who plan and manage resources (e.g., planners, forest managers, public works staff, harbor masters, watershed groups) and those whose activities alter the landscape or affect the water column (e.g., farmers, road builders, boat hull cleaners).

Types of technical assistance include MP manuals, training, assistance in developing ordinances and regulations, modeling to predict and assess the effectiveness of any additional NPS MMs, and the development and management of databases to track implementation of MMs, monitoring data, and land use changes. Technical assistance also includes demonstration projects and other innovations to protect water quality and designated uses. Financial assistance includes both grants and low-interest loans.

Goals

A priority goal of the NPS Program is to provide technical and financial assistance to local governments and the public in assessing watershed conditions and implementing applicable MMs to address identified problems. The NPS management agencies will also work with other federal, State, and local agencies, as well as other private experts where feasible, and will encourage them to use their expertise. Specific objectives include:

- Conducting an ongoing assessment of training and technical and financial assistance needs;
- Providing for the transfer of information on technical and financial assistance including available tools, training courses, grant and loan opportunities, and contact information;
- Improving technical tools;
- Providing technical training for resource managers, landowners and land operators, and the public; and
- Providing financial assistance for on-the-ground implementation of MMs and MPs for each land use sector (i.e., agriculture, forestry, urban, marinas, hydromodification, and wetlands).

The NPS Program will also support technical and financial assistance efforts within other agencies. Examples of existing technical assistance efforts include:

- UCCE and NRCS currently provide technical assistance to the livestock industry and rangeland owners and managers through the California Rangeland Water Quality Management Program (CRWQMP);
- The California Stormwater Quality Task Force (SWQTF) provides assistance to municipal agencies and other dischargers subject to existing storm water permits, while the MURP has been developed to help smaller

municipalities (less than 100,000 in population) develop runoff control programs to protect water quality and prepare for pending storm water permits;

- The MURP has been developed to help smaller municipalities (less than 100,000 in population) develop runoff control programs to protect water quality and prepare for pending storm water permits;
- The CCBN and San Diego Safe Boating and Environment Coalition are devoted to identifying education and technical assistance needs regarding environmentally sound boating and to providing networking opportunities;
- The SWRCB TMDL Program is focusing technical assistance efforts on assessing water conditions and, to the maximum extent practicable, on working with local interests on the collaborative identification of: (1) watershed problems, (2) desired future conditions, (3) numeric targets, (4) allocations of allowable pollution, and (5) implementation.
- The CCC is committed to make available and provide training for use of its Watershed Analysis Tool for Environmental Review (WATER). WATER is a GIS-based analysis tool that connects land use information to water quality in watersheds of the Monterey Bay area, and thus enabling selection of the appropriate MMs for implementation in those particular watersheds. The CCC's permit tracking system also provides a valuable tool for tracking land use activities.
- The NPS Program's future efforts in identifying and mapping CCAs will allow the implementing agencies to direct their resources to coastal areas faced with water quality threats that accompany new and existing development.

Actions

The SWRCB, RWQCBs, and CCC are committed to providing technical and financial assistance through 2013. New and changing needs and opportunities will be identified annually and outlined in each five-year implementation plan. Beginning in State FY 1999-2000, the SWRCB and RWQCBs will provide CWA section 319(h) grants for projects that implement NPS MMs and/or provide for watershed restoration. In State FY 1999-2000, the CCC approved \$500,000 in local assistance grants to LCP work programs for eight coastal cities and counties, all of which include NPS requirements or guidelines.

In the short term, the SWRCB has identified the provision of technical assistance as a priority objective in the 1999 CWA section 319(h) RFP. The CCC identified technical and financial assistance as a priority for the State FY 1999-2000 CZMA grants workplan (the CCC is providing funding for projects that develop technical assistance tools, such as technical guidance and model ordinances). The SWRCB and USEPA are also investigating using the Clean Water SRF—a permanent source of low-interest funding for high-priority water quality projects—for addressing a variety of other NPS and

estuary water quality issues. Other actions are identified in the Implementation Plan.

G. Track, Monitor, Assess, and Report

The NPS Program must establish mechanisms to determine success in achieving short- and long-term goals. We must:

- Track MM implementation,
- Monitor the program's effectiveness in controlling pollution,
- Assess success in achieving our objectives and milestones, and
- Report on program effectiveness.

Our efforts to demonstrate program effectiveness are guided by existing federal and State requirements. Section 319(b) of the CWA specifies the minimum contents of State NPS management programs including "(viii) A description of the monitoring and other evaluation programs that the State will conduct to help determine short- and long-term program effectiveness." Federal guidance also requires the states to periodically review and evaluate NPS management programs using environmental and functional measures of success and to revise NPS assessment and management programs at least every five years¹⁵. Section 6217 of CZARA requires monitoring techniques to evaluate the success of the MMs in reducing pollution loads and improving water quality.¹⁶ A monitoring program will also help fulfill the legislative mandate of the Comprehensive Coastal Monitoring Strategy required by Assembly Bill (AB) 1429. It stated, in part: "Sound water quality management decisions require a solid base of information collected from a variety of sources ... improved monitoring, or in some cases improved coordination of existing programs, will be necessary for the State of California to achieve a systematic understanding of NPS pollution and to measure the effect of efforts to reduce this water pollution source."

A comprehensive monitoring strategy for the NPS program will soon be complete. This strategy will be designed to provide objective, quantified answers to broad management questions. These questions are then refined into more discrete monitoring objectives that will shape the design of specific monitoring programs. The monitoring strategy will focus primarily on answering the first two questions posed below while coordinating with other monitoring programs to effectively answer all questions.

¹⁵ In 1996, USEPA released a CWA section 319(h) guidance document requiring states to upgrade their NPS programs consistent with nine key elements in order to achieve "Enhanced Benefit Status." In a January 1999 memorandum, J. Charles Fox, USEPA Assistant Administrator, reiterated the requirement and outlined the process for approval of upgraded NPS Programs.

¹⁶ NOAA and USEPA in accordance with these statutory mandates provide additional specifics for the monitoring and tracking of MMs in their January 1993 Coastal Nonpoint Pollution Control Program - Program Development and Approval Guidance.

1. *Are MPs to reduce polluted runoff being implemented (Tracking or Implementation Monitoring¹⁷)?* Our efforts will focus on tracking MM implementation and determine whether practices are implemented in accordance with relevant standards and specifications.
2. *Are the MPs effective in avoiding or minimizing pollution generation (Effectiveness Monitoring¹⁸, Compliance Monitoring¹⁹)?* We will develop a monitoring strategy that measures the effectiveness of MPs for agriculture, forestry, urban sources, and marinas.
3. *Is water quality being protected and are narrative and numerical water quality criteria being achieved (Baseline Monitoring²⁰, Compliance Monitoring)?* We will coordinate with ongoing regional monitoring efforts and point-source compliance monitoring to identify impairments and determine the extent, causes, and sources of impairment.
4. *Is reasonable progress being made toward reducing NPS polluted runoff?* We will review tracking and monitoring information through external review committees and TACs and assess the state of the Program.

Implementation of the MMs through MPs can be considered a “technology-based” approach to NPS pollution control. Application of MPs will reduce NPS pollutant loadings and improve water quality. As such, tracking the extent of MM implementation (and the associated MPs) will provide the initial measure of NPS Program success. Due to the areal extent and scale of NPS problems, improvements in water quality will take time. Ultimately, however, the long-term success of the NPS Program must be measured by corresponding improvements in water quality. This water quality-based approach to assessing success will be accomplished through the SWRCB’s development of a comprehensive surface water quality program, to the extent that funds are available, by January 1, 2001, pursuant to section 13181(c)(1) of the Porter-Cologne Act. The comprehensive water quality program will address, among other issues, the following:

- To the extent possible, a determination regarding the extent to which existing water quality objectives are being met;
- To the extent possible, a determination regarding the sources of pollution in areas where objectives, standards, and guidelines are not being met; and
- Methods for determining the degree of improvement or degradation in coastal water quality over time.

¹⁷ Implementation monitoring assesses whether activities were carried out as planned. It does not necessarily include water quality measurements. Our efforts to track whether BMPs were performed follow under this type of monitoring.

¹⁸ Effective monitoring evaluates whether the specified activities (e.g., individual management practices, timber sale, construction project) had the desired effect. Monitoring definitions are described further in USEPA (1991).

¹⁹ Compliance monitoring evaluates whether a water quality standard is being met.

²⁰ Baseline monitoring characterizes existing water quality conditions and establishes a database for planning or future comparisons. Continued baseline monitoring may become trend monitoring.

Prior to development of the comprehensive monitoring program, the SWRCB will, pursuant to section 13192 of the Porter-Cologne Act, on or before November 30, 2000, assess and report on the SWRCB's and RWQCBs' current surface water quality monitoring programs. Important elements to be considered in this report include, but are not limited to, the following:

- The physical, chemical, biological, and other parameters that a comprehensive water quality monitoring program should collect and evaluate in order to determine ambient water quality; and
- A strategy for assessing and characterizing discharges from NPS pollution.

In addition, the SWRCB, pursuant to Porter-Cologne Act section 13181(b)(1), will prepare and complete an inventory of existing water quality and monitoring activities within State coastal watersheds, bays, estuaries, and coastal waters, by January 1, 2000, to the extent that funds are available for this purpose.

Tracking Management Measure Implementation

Tracking MM implementation is the simpler, more straightforward component of the monitoring strategy. The MMs are directly implemented on ground via MPs. MPs are implemented by the landowner or user because of their stewardship approach to land use; it makes business sense; or it is in response to regulatory pressures or requirements, such as to meet waste discharge or other permit requirements.

This tracking program will be broad-based and inclusive of all MM categories and water bodies in California. A tracking program is currently being designed to identify:

- What MMs are implemented,
- Where MMs are implemented,
- Who is implementing them,
- When they are implemented,
- Why they are being implemented (e.g., because of self-interest, regulatory-encouragement, or regulation), and
- Which agencies and programs are supporting implementation?

The tracking program will also include specific performance measures and goals that can be used at the end of the five-year period to determine the scope and extent of MM implementation. Combined with the effectiveness monitoring (described below), it will allow us to gauge the success of program implementation efforts. An example of a performance measure would be "the number of approved farm plans which implement relevant agricultural measures." Examples of performance goals would be (1) "to have in place approved farm plans for 80 percent of the farms in each watershed" or (2) "implement agricultural MMs or MPs on 80 percent of farm lands in each watershed." The five-year review will be comprehensive in scope, addressing all of the measures and broken out on a watershed basis, to the extent possible. The measures and

goals will be developed through an interagency effort which will include public involvement, such as the IACC and the Assessment TAC.

The State recognized several years ago the need to better track and evaluate the effectiveness of these projects. Through contracts with UCD ICE, the State is working to: (1) promote information exchange and coordination among watershed groups; (2) geographically track the implementation of MMs; and (3) determine the effectiveness of CWA sections 205(j) and 319(h) projects in protecting beneficial uses and improving water quality. All selected projects must complete a one-page contract summary which the SWRCB will make available to the public. At the completion of each funded project, all projects must complete a project survey form and agency staff may survey the project location and determine the aerial extent of MM implementation. The information gathered will be entered into an internet-accessible GIS and be provided as part of the required annual, biennial, and five-year cycle reports.

This MM information will augment information already collected for watershed projects in California. Data on the over 1,000 conservation, mitigation, and restoration projects being developed and implemented throughout California resides on-line in the Natural Resource Project Inventory (NRPI). NRPI is a cooperative data-collection effort of environmental scientists at the UCD-ICE and over 30 private, State, federal, and international organizations interested in environmental protection²¹. The goal of NRPI is to make project and group information accessible to anyone who wants to review current activities in their region or statewide.

NRPI is an expansion of previous inventories such as the California Watershed Projects Inventory (CWPI) supported by the USEPA, the SWRCB, and Cal/RA and the California Ecological Restoration Projects Inventory (CERPI) supported by the USEPA, the Society for Ecological Restoration, and DOC. NRPI also integrates newer efforts, such as the Biological Resource Division's Mendocino Coast Metadata Inventory and the California Interagency Noxious Weeds Coordinating Committee's Noxious Weeds Projects Inventory. Environmental planning activities and agreements such as Habitat Conservation Plans, Natural Community Conservation Plans, and other resource-based plans will also be candidates for the NRPI database²². Beginning with the 1998 CWA sections 205 (j) and 319 (h) grant projects, all project contractors are now required, prior to final payment, to complete a post-project survey form that the SWRCB will provide to ICE for inclusion in NRPI.

²¹ NRPI is supported by the CBC whose 37 members include nine regional associations of county supervisors, 15 State agencies, UC, and the CARCD. Each of these members has designated one expert to bring in data from his or her respective agency. This information is then entered into the NRPI database/web page designed and hosted by the ICE. Participation by the CBC signatories is augmented by a growing list of data contributors including UCCE, the CRMP Council, and the Klamath Watershed Coordination Group.

²² The NRPI structure will allow core searches of all underlying inventories at the same time. Each NRPI record points to the separate underlying inventory for more detailed information. The inventories also exist separately and can be searched independently. Each dataset will also be referenced spatially in a GIS, allowing the creation of dynamic maps of projects, groups, and datasets.

Because of ICE's long history of developing and applying natural resource science to environmental issues, computer resource infrastructure, and the synergistic effect of so many participating agencies, the SWRCB has committed to use NRPI as the primary means to track implementation of MMs. In the spring of 1999, the SWRCB executed a contract with ICE to modify NRPI's data structure and to redesign the reporting form used to inventory projects to capture information specific to the implementation of the MMs and to further populate the database. Information collected from all participating entities will include such items as implementing programs, authorities, MMs, and graphic coordinates. Modifications will also include a link to the SWRCB's GeoWBS which contains the CWA section 303(d) Impaired Water Body List.

Besides the NRPI, the CCC also has a system for tracking permitted land use activities. Currently, there is a wetland-specific component contained in the more general Permit Tracking System. The CCC is prepared to develop similar runoff-specific tracking elements to allow for the tracking of MM implementation for preventing and controlling NPS pollution.

Monitoring the Effectiveness of Management Practices

With the tracking system underway, the next component of the monitoring strategy is documenting and evaluating the effectiveness of the NPS pollution control practices. Establishing the effectiveness of the State's efforts to control NPS pollution will be a long-term, complicated, and expensive commitment for the following reasons:

- Nature of the NPSs of pollution are typically diffuse and difficult to define.
- NPS pollutants are varied and include sediment, nutrients, pathogens, salts, toxic substances, petroleum products, and pesticides.
- NPS pollution is extensive and spread over the entire State (155,000 square miles) and is not limited to specific outfalls. There are over 4,000 water bodies listed in the SWRCB's GeoWBS, of which 480 are listed as impaired.
- Watersheds are complex, and multiple sources within a watershed may contribute to the same pollutant.
- There is usually a substantial lag time between implementation of MPs and response in the watershed.
- The need for water quality monitoring, both qualitative and quantitative, is extensive.
- There are limited resources for water quality assessment.
- Regulatory authority is complex. Over 31 State agencies have NPS regulatory authorities and programs.

However, determining MM effectiveness is critical to understanding how MPs avoid pollution generation and improve water quality. The lead agencies are currently designing this component of the monitoring strategy. In the spring of 1999, the SWRCB executed a contract with UCD to develop a comprehensive monitoring program to assess the functioning of MPs. The comprehensive monitoring program will:

- Establish criteria to assess the functioning of MPs;
- Monitor practices in each major pollution source category (i.e., agriculture, forestry, urban sources, marinas, and hydromodification);
- Monitor long-term at least one watershed within the jurisdiction of each of the nine RWQCBs;
- Integrate NPS monitoring with other monitoring programs, including citizen monitoring programs; and
- Report monitoring information to all interested parties.

The Program Plan's monitoring will focus primarily on the on-site evaluation of MP effectiveness and their ability to avoid pollution generation. Pollution control success criteria will be developed for each major pollution source category (i.e., agriculture, forestry, urban sources, marinas, and hydromodification). These criteria will be grounded in simple, empirical observations of the effectiveness of MMs performed by landowners or community members. UCD will review potential indicators and develop a preliminary list of criteria. These criteria will be reviewed by panels of agency, industry, and community members. A suite of candidate measures will be tested in the field during the pilot phase of the monitoring program (year 2000). This pilot phase, called the Functioning Assessment Criteria Test (FACT), will be implemented by UCD with the support of community volunteers, landowners, and qualified monitoring experts. From FACT's success we will develop a broader effectiveness-monitoring program that will evaluate all MM sectors by the year 2013.

The RWQCBs are currently targeting two impaired water bodies per year in each region for developing TMDLs. Following TMDL development and adoption into the basin plan, the RWQCBs will begin TMDL implementation. We will target our NPS monitoring in those watersheds where NPS pollution is a significant contributor to water quality impairment. Monitoring will need to continue in these watersheds over many years to accurately document changes in pollutant loads and the effectiveness of MPs. The lead agencies will work with other agencies, key stakeholders, and citizen monitoring programs to craft a long-term monitoring strategy. At a minimum, the strategy should be designed to implement base-line monitoring one watershed per region per year for ten years.

Various effectiveness-monitoring programs are ongoing and will be evaluated during the pilot phase (FACT) so that the most beneficial comprehensive strategy can be developed. Furthermore, these monitoring programs will be augmented rather than replaced. This is particularly true in the forestry arena where the proper implementation and effectiveness of forestry MPs is being evaluated by the Monitoring Study Group (MSG). This MSG was created by the California BOF to determine how effective the Forest Practice Rules (FPR) are in protecting water quality. The CDF implemented hillslope monitoring in 1996 on 50 randomly selected Timber Harvesting Plans (THPs) in Humboldt and Mendocino Counties to provide information on forest practices within the range of Coho salmon. The program expanded in 1997 and 1998 to evaluate THPs throughout the State. Evaluation of 150 THPs occurred in areas with the greatest risk to water quality—roads, skid trails, landings, watercourse crossings, and watercourse and

lake protection zones (WLPZs). In total, approximately 150 FPR requirements were evaluated. From this monitoring study, forestry regulators will determine whether erosion problems on hillslopes were due to improperly implemented FPRs or the inadequacy of the FPRs.

In the agricultural arena, the Dairy Quality Assurance Project has developed a method for measuring the effectiveness of dairy nutrient MPs. The crux of the method is dairy inspections by certified third party inspectors. The method of inspections is under development and will be assessed for possible use in evaluating other MMs.

Since our effectiveness monitoring will focus primarily on the on-site evaluation of MPs, we must coordinate with other monitoring programs to ensure an accurate assessment of the effects of NPS pollution on aquatic resources. A blend of monitoring programs to achieve multiple objectives will be the most effective long-term monitoring strategy. This blending of objectives can only occur through active program coordination. First, a subcommittee of the IACC will focus on assessment to improve interagency coordination of monitoring programs. Second, the SWRCB and RWQCB staffs will continue intra-agency coordination through the Monitoring and Assessment Team. Third, SWRCB and RWQCB staffs will continue to work on existing monitoring programs such as: (1) the Comprehensive Coastal Monitoring Strategy; (2) CALFED's Comprehensive Monitoring, Assessment, and Research program on the San Francisco Bay-Delta; (3) the Regional Monitoring Program of the San Francisco Bay; (4) the Central Coast Regional Monitoring Program; (5) the Sacramento River Toxic Pollutant Control Program; (6) the Southern California Bight Program; (7) U.S. Geological Survey's (USGS) National Water Quality Assessment Program (NAWQA); and (8) USGS's National Irrigation Water Quality Program.

An example of specific questions being posed for State monitoring include measuring the effectiveness of MPs to reduce contamination of surface and ground waters by synthetic pesticides and fertilizers. The State will work with CDPR, U.S. Department of Agriculture (USDA) (NRCS, USFS, FSA, and RCD), the agricultural community, agricultural producers, researchers, and other public interests to design a set of trials to compare movement of nutrients and pesticides both before and after implementation.

Because of the emphasis in the NPS Program on self-determined pollution prevention, landowners, farmers, ranchers, boat owners, and community members will often monitor the effectiveness of their own practices, interpret the results, and, if necessary, modify their practices. In the next 15 years, SWRCB and RWQCB staffs will improve community-based watershed monitoring efforts by: (1) developing and reviewing new methods for monitoring MM implementation and effectiveness; (2) disseminating quality assurance requirements; and (3) increasing training opportunities. Technical resources will be developed and distributed statewide. These include standard monitoring protocols, quality assurance plans, guidance on how to start a community-based monitoring program, and data storage and retrieval mechanisms. Monitoring protocols will be designed to evaluate MP effectiveness and optimize data comparability between watersheds. However, efforts will be made to tailor protocols to stakeholder needs and geographical diversity. Guidance on quality assurance will identify the data

quality needs of important programs such as TMDLs. Training in monitoring design, monitoring techniques, data interpretation, quality assurance, and database management will continue. The SWRCB and RWQCB staffs will continue to support regional steering committees that foster partnerships among local, State, and federal governments and business, industry, and volunteer groups. If funding permits, the SWRCB will develop a statewide small grants program to support volunteer monitoring efforts.

The SWRCB and RWQCBs will work to resolve concerns about confidentiality of data collected voluntarily by landowners on their own practices. Sharing data will be beneficial in transferring knowledge about the success of certain practices. However, landowners may fear that regulators may use data to require additional monitoring or permit MPs. These concerns should be aired and addressed through discussions with agency staff, landowners, and appropriate industry representatives. Hopefully, successful solutions, such as the third party inspections developed in the Dairy Quality Assurance Project, can be achieved.

Resource needs identified by this work will form the basis for future resource requests to the State. SWRCB and RWQCB resources are inadequate for statewide comprehensive water quality monitoring. SWRCB is working to procure funding for those currently unfunded monitoring and assessment activities that are of central importance to the SWRCB's programs. The funding strategy will seek to fund key activities that meet multiple program mandates. This selection of the activities to be funded is based on overlapping needs for data that can best be addressed by an integrated monitoring and assessment effort. One of the key activities identified by management is to develop a compliance-monitoring program for NPS pollutants. We will seek a broad base of funding support from federal, State, and local government sources.

Assessing Internal Program

Evaluating the success of the NPS Program will include the elements of tracking and monitoring noted above. However, it will also include a systematic evaluation of whether we have achieved the short- and long-term goals of the program. To do this, staffs from the SWRCB, CCC, and other agencies will participate in the Assessment TAC to conduct biennial reviews and report on issues such as:

1. Completion of the activities identified in the five-year implementation plans and the attainment of their associated performance measures;
2. Performance of the system(s) (e.g., NRPI and the CCC's permit tracking system) used to track the implementation of MMs;
3. Effectiveness of the implemented MMs;
4. Involvement of the appropriate federal and State agencies in implementing the Program Plan and the mechanisms of agency participation (e.g., MOUs/MAAs [see Table 10]);
5. Public participation;
6. Coordination of agency and public activities via the IACC;
7. Identification of additional needs for public education and technical assistance;

8. Evaluation of the overall program performance and the program's ability to stay on schedule for full implementation of all identified MMs by 2013; and
9. Recommendations for program improvement.

In addition, the biennial review/workshop will discuss funding for implementation of the Program Plan. Issues to be discussed will include, but are not limited to, the following: (1) significant funding needs integral to the success of the Program Plan; (2) an analysis of funding mechanisms that can be used to continue needed MM development and research; (3) monitoring activities; and (4) long-term funding such as CWA section 319(h) grants, the State budget process, and statewide initiatives.

Reporting Program Effectiveness

The monitoring data will need to be routinely interpreted, assessed, and reported to the community of resource managers, landowners, farmers, ranchers, industry, and environmentalists who are interested in NPS pollution prevention. In this way, the reviewing audience can use the information on effectiveness of MMs to redesign and retest those practices.

Three separate reporting efforts are integral to the NPS Program. First, SWRCB and the CCC will provide biennial reports of its progress in meeting its objectives and performance measures. These reports will assess program success and recommend modifications to MMs and their implementation. These reports will be available to the public, implementing agencies, the Legislature, USEPA, and NOAA. Second, the SWRCB and RWQCBs provide a performance report semi-annually to USEPA. This performance report covers NPS activities funded by CWA section 319(h) funds. The report lists major accomplishments, describes progress towards future accomplishments, and accounts for tasks that are behind schedule. The third report is the annual progress report on NPS programs and projects funded by CWA section 319(h). This report, authored by SWRCB and RWQCBs, focuses on the progress made in meeting milestones identified in the annual CWA section 319(h) workplan.

The State will improve the on-line inventories of watershed projects (e.g., NRPI, CWPI) and monitoring programs. Efforts will ensure that the NPS monitoring program data are integrated into the comprehensive, user-friendly water quality database system called "System for Water Information Management" (SWIM) that is being developed by the SWRCB. The ultimate goal of SWIM is an on-line accessible database of real monitoring results. These data will be accessible for public and agency use and will enable participants to have equal use of data in developing comments and revising strategies.

H. Overall Program Assessment - Refining the Program

Making the Program information available for external review not only bestows a certain degree of credibility to the Program, it also enables public participation in the periodic assessment and refinement processes. Public involvement is encouraged through the Assessment TAC created by the IACC. The Assessment TAC will then cooperate with

the other TACs (Technical Assistance, Education, and Regulation) to propose modifications to the NPS Program which may include:

- Shifts in Program efforts (e.g., additional target watersheds and additional MMs),
- Strengthening individual NPS-related programs (e.g., expediting MM implementation and increasing enforcement, when appropriate),
- Improving agency coordination,
- Increasing public education and participation, and
- Increasing funding.

Modifying and Adding Additional Management Measures

One of the biggest challenges facing the NPS Program is providing for the implementation of "additional MMs" where water quality is impaired or threatened even after the implementation of California's MM goals. It is important for California to identify waters that are not attaining or maintaining applicable water quality standards and to identify and develop additional MMs to address persistent water quality problems.

Goals

Our overall goal is to develop a continuing process for identifying and implementing additional MMs that include milestones for implementation, evaluation, and, as necessary, revision. These additional MMs will be developed when needed to attain and maintain water quality standards.

New Management Measures

In developing the Program Plan, California identified the following additional MMs:

- Education MMs for Agriculture, Forestry, Hydromodification, and Wetlands. California added Education/Outreach MMs to reflect the State's intention to promote public awareness and involvement in controlling NPS pollution (the g-Guidance included education MMs for the urban and marinas sectors only). Nearly all of the TACs recommended that California enhance public education so that individuals can take responsibility and make the cooperative approach work.
- Post-Harvest Evaluation for Forestry. The post-harvest evaluation for forestry will help evaluate the successful implementation of the State's forest practice requirements. From this evaluation, appropriate changes to or oversight of the requirements can be developed. This evaluation of the forest practice requirements has been initiated and is described in the Monitoring Section.
- Marina Solid Waste Facilities. In addition to operating and maintaining these facilities, there is a need to support the installation of waste management facilities.

Process for Developing Additional Management Measures

California will conduct the following activities related to additional MMs:

- Ensure agency and public participation in developing and implementing the additional MMs.

- Coordinate review of CZARA section 6217(g) MMs and identify an initial set of additional MMs that are applicable for implementation in California.
- Involve the Assessment and/or Technical Assistance TACs, created by the IACC, to identify and recommend additional MMs.
- Develop a process for identifying and implementing additional MMs to address "additional" pollutant sources (e.g., resource extraction and abandoned mines, pitch canker [forestry], water conservation, and aerial deposition).
- Implement additional MMs in next five-year implementation plan.
- Track MM and MP implementation and review and assess effectiveness.
- Implement a long-term strategy for addressing pollution from active and inactive mines. (Active and abandoned mines are a significant source of NPS pollution as shown in Table 3 and discussed below.)

Abandoned Mines

Introduction

The SWRCB is the lead agency for control of water pollution by any source, including abandoned mines. However, there is no specific, comprehensive program at either a State or federal level for cleaning up abandoned and inactive non-coal mines. Rather, abandoned and inactive mine cleanup is carried out under a variety of State, federal, and local programs.

Over a century of mining since 1849 has left California with literally tens of thousands of small abandoned "hardrock" mines. Although not significant polluters individually, they often contribute cumulatively to chronic toxicity in affected watersheds via metals loading. Similarly, abandoned hydraulic placer gold mines and abandoned aggregate mines degrade aquatic habitat via excessive sediment loading. Again, the most serious sites are usually handled directly (e.g., Malakoff Diggings State Park, a historic hydraulic mining site, is under WDRs for sediment discharge), but the cumulative effects of smaller sites are not even addressed.

A few mine cleanups have been carried out under the Federal Superfund Program pursuant to California's Title 27 Program, which regulates waste discharges to land, and California's Surface Mining and Reclamation Program. For the most part, the worst abandoned mines are being cleaned up under the Federal Superfund Program. USEPA is also considering listing additional abandoned mines on the National Priority List in the future, but these would be sites that cause serious environmental problems or pose a substantial threat to human health. In a few instances, RWQCBs have tried to affect cleanup of abandoned mines by placing them under WDRs pursuant to Title 27.

The main barrier to a comprehensive program for abandoned mines is liability. Under the federal CWA, a third party can sue an agency or private party that

performs abatement work at an abandoned mine if the discharge from the mine continues to violate the CWA (refer to the Penn Mine lawsuit). California recently passed legislation that provides protection for "Good Samaritan" cleanup under State law. Efforts over the last few years to amend federal law to provide similar protection have failed (although these efforts continue). Thus, liability is the main barrier to a comprehensive program for cleaning up abandoned mines.

Goals

- Continue to regulate the most prodigiously polluting abandoned mines under the appropriate programs.
- Support efforts to resolve the liability issue, the main impediment to a coordinated effort to clean up abandoned mines.
- Develop strategies and measures for abating chronic toxicity and habitat degradation from the cumulative effects of numerous small sites.

Actions – Characterization and Cleanup

The SWRCB and RWQCBs have identified approximately 40 mines that cause serious water quality problems resulting from acid mine drainage and acute mercury loading. Additionally, within the last year, State and federal agencies have realized that drainage structures and sluices associated with abandoned hydraulic gold mines are a potential source of mercury to waters of the State. Mercury from these abandoned mines poses a serious potential threat to coastal waters because mercury transported from these sites may bioaccumulate in fish. To that end, State and federal agencies are collaborating with local entities to investigate mercury loading from abandoned hydraulic mine sites in the Bear and South Fork Yuba watersheds. This effort is being supported by State funds (Proposition 204 Grant, bond money) as well as by federal and local matching funds. The investigation could serve as a model for additional investigations of watersheds affected by hydraulic mining.

The DOC is inventorying abandoned mines statewide and is anticipating that there will be at least 20,000 sites. To manage this inventory, DOC developed a relational database that records the salient features found at abandoned mines. Because the SWRCB participated in developing the database, features that contribute to water quality degradation are incorporated into the database. DOC is incorporating existing inventory information and is coordinating data gathering efforts with other State and federal agencies. DOC intends to distribute the database and supporting software to State and federal agencies that are responsible for regulating abandoned mines. When that distribution occurs, the SWRCB and RWQCBs will have a powerful new tool for tracking work performed at abandoned mines, evaluating regional clean-up efforts in affected watersheds, and evaluating the impact abandoned mines have on watersheds.

As a land-managing agency, the USFS also has a rigorous abandoned mine reclamation program. The program includes: (1) a regionwide inventory of abandoned mines; (2) documentation of location; (3) types of environmental and/or resource problems evident; (4) rehabilitation measures required; and (5) potential sources of funding. The USFS has worked with various RWQCBs on numerous occasions in the rehabilitation of old mine sites. Restoration funding has come from appropriated USFS funds, the Comprehensive Environmental Response and Compensation Liability Act (CERCLA), and RCRA sources. In addition, BLM has begun formulating an abandoned mine reclamation program.

Actions - Water Quality Standards for Abandoned Mine Cleanup

The SWRCB has undertaken various efforts to manage the quality of the State's waters. The goal of CWC section 13000 is " ... to attain the highest water quality that is reasonable, considering all demands being made and to be made ... and the total values involved" Similarly, the Federal Water Pollution Control Act, United States Code (USC) Title A3, section 1251, aims, among other goals, to restore and maintain chemical, physical, and biological integrity of the Nation's waters by eliminating the discharge of pollutants. Such goals are fairly general and pragmatic.

Assuming that the liability issues are resolved soon, applying these general goals to both prodigiously polluting abandoned and inactive mines (which tend to be large sites) and watersheds affected by numerous small abandoned and inactive mines would be a major challenge for the following reasons. First, agreement must be reached on what is the highest water quality that is reasonable. This requires a statement on what natural conditions may have existed before mining to serve as a general guide in restoring the chemical, physical, and biological integrity of the affected waters. Second, the total values involved must be determined, recognizing that large abandoned mines are inherently costly to clean up and that the State's fiscal resources are limited.

Projects for restoring grossly polluting sites should have specific clean-up objectives and water quality goals. These site-specific goals for each site will differ depending on the magnitude of the pollution problem, clean-up technology, and cost of abatement.

Efforts for restoring watersheds affected by numerous small sites must take a different tack because it is unlikely that small sites would ever be evaluated individually by regulating agencies. Agreement on water quality and beneficial uses of an affected watershed would have to be reached first. Next, the contribution of similar pollutants from other sources would have to be considered in the context of how much benefit would be gained by cleaning up small abandoned mines. Last, it would be unrealistic to expect restoration

efforts at small sites to meet specific water quality goals because most efforts would likely be limited to "low-tech" earth moving and revegetation projects.

The measure of success for such efforts would necessarily be an overall improvement of the targeted watershed. That would necessitate a carefully thought out watershed monitoring program.

It is important to keep in mind that reclamation goals for both individual abandoned mines and watersheds affected by numerous abandoned mines must be established pragmatically to ensure that the best possible improvement in overall basin water quality is achieved for a given expenditure. All interested parties must be willing to accept that this may not necessarily achieve background conditions.

Resource Extraction

Introduction

Resource extraction (i.e., aggregate and metal mining) operations are regulated locally by State administered programs and by State and federal programs when they occur on federal land (although State programs have primacy). Extraction operations become water quality concerns when they:

- Have discharges that could impair water quality (e.g., cyanide heap leach gold mines); or
- Could impair beneficial uses (e.g., water quality, habitat) resulting from extracting resources (usually aggregate) from within or nearby stream channels.

All active mining projects must comply with the Surface Mining and Reclamation Act (SMARA). The goal of SMARA is to have mined lands "reclaimed" to a beneficial end use. Local Enforcement Agencies (LEAs), usually counties, implement SMARA. The DOC's Office of Mine Reclamation provides technical support to LEAs and has limited enforcement authority.

Mining projects that could impair water quality and/or beneficial uses of waters of the State may also be subject to regulations administered by RWQCBs (Title 27 of the California Code of Regulations [CCR], NPDES and Stormwater) or subject to conditions under the CWA section 401 Water Quality Certification Program (WQCrP) administered by the RWQCBs and initiated when there is a federal permit or license required (such as the USACOE's section 404 Program).

On the federal level, both the BLM and USFS have reclamation programs. The objectives of the federal programs are to minimize the environmental impacts resulting from mining activities and to ensure that disturbed lands are returned to uses consistent with long-term forest land and resource

management plans. Reclamation is an integral part of Plans of Operation submitted by proponents of mining on public domain lands that propose surface disturbances. The reclamation requirements included in the Plans of Operation include measurable performance standards. Reclamation bonds, sureties, or other financial guarantees are commonly required for all mineral activity requiring a Plan of Operation. All lands disturbed by mineral activities must be reclaimed to a condition consistent with resource management plans, including State air and water quality requirements.

Traditionally, each State regulatory program functions independently of one another even though some have overlapping regulatory authority. State agencies are beginning to recognize, however, that conflicts often arise when resource extraction operations are regulated by independently functioning programs with overlapping authority. Moreover, agencies are beginning to realize that the cumulative effects of multiple resource extraction operations within a given area cannot be anticipated when regulatory programs address each project individually. For example, the cumulative effects on beneficial uses of four or five instream aggregate operations in the same stream might be detrimental even though each individual operation is complying with conditions of their permit. Clearly, as society's demand for resources such as aggregate grows, the cumulative effects of these operations must be taken into account.

Goals

- Continue to regulate extraction operations for active resources under current programs.
- Work toward coordinating better among local, State, and federal entities that implement regulatory programs so that the regulatory goals of each applicable program are met.
- Begin evaluating extraction operations that occur within or near active stream courses in the context of their cumulative effect on their watershed.
- Develop MPs for alleviating cumulative detrimental effects of multiple resource extraction operations.

Actions

Agencies are making greater efforts to avoid conflicts stemming from overlapping regulatory programs. For example, DOC acted on a recommendation from the SWRCB that SWRCB and RWQCB staffs be invited to SMARA workshops. These workshops provide an opportunity for DOC, SWRCB, and RWQCB staffs to learn where areas of conflict are likely to arise. SWRCB and RWQCB staffs regularly meet with USFS staff to ensure that resource extraction operations comply with State programs.

Cumulative effects of resource extraction operations are also beginning to be addressed on a watershed basis. Although the reason for these efforts vary (e.g., a concern that threatened species listing will force onerous regulations on landowners, efforts to preserve fragile or unique habitats), the result is that extraction activities are beginning to be evaluated within the larger context of their watershed effects.

As the cumulative effects of multiple resource extraction operations are determined, SWRCB and RWQCB will work with local, private, and federal interests to formulate MPs for protecting the overall health of a watershed. Projecting into the future, we can anticipate that these MPs likely will be based on site-specific studies sponsored by State and federal agencies via grants.

Critical Coastal Areas Management Measures

The primary goal of CCA designation is to channel program resources to protect special coastal habitats from NPS pollution degradation through the implementation of additional MMs. CCAs will be designated in areas of the California coastal zone (1) in which new or substantially expanding land uses may cause or contribute to the impairment of coastal water quality and (2) that contain or are adjacent to threatened or impaired coastal waters.²³

Where appropriate, additional MMs will be developed that address these site-specific concerns and which protect and restore the habitats for which the CCA designation was established.

The CCA Committee will first identify MMs within CAMMPR for immediate implementation in the CCAs. This will be accomplished through utilizing lessons learned, the existing monitoring programs, and the understanding of site-specific concerns and the threat of new development. For example, the CCA Committee could use the CCC's Permit Tracking System (PTS) for analyzing the cause-and-effect relationship between land use MPs and water quality. This would allow for the identification of the most effective MMs for immediate implementation in the CCAs. The anticipated development of runoff-specific tracking elements for the CCC's PTS would further accelerate and facilitate the MM identification process. Moreover, the statewide NPS Program's efforts in developing an effectiveness monitoring program will also assist in identifying and channeling appropriate resources to the implementation of appropriate MMs in the CCAs.

New and innovative MMs will be developed when needed to provide additional protection for the CCAs from NPS pollution degradation. The CCA Committee will work with appropriate agencies and researchers to develop these additional MMs with special considerations for the physical and biological characteristics of the CCAs and the nature of contamination in the adjacent threatened or impaired coastal waters.

²³ For federal approval of its NPS Program, California must identify and map CCAs to protect against current and anticipated NPS pollution problems (CZARA section 6217[b][2]).

Determining Need for Additional Regulations

During program assessment, it may be determined that current efforts to prevent and control NPS pollution are not sufficient to protect water quality and safeguard beneficial uses. Additional regulations may therefore be necessary to reinforce the implementing agencies' abilities in fully implementing NPS MMs and enforcing against NPS violations. In considering additional regulations, the Regulation TAC, in cooperation with the Assessment and Technical TACs, will perform the following activities:

- Invite the involvement of experts and all agencies with jurisdictions over NPS issues;
- Encourage public participation and input;
- Review all existing applicable regulations of the agencies to avoid duplicative regulations;
- Conduct research on lessons learned and other states' experiences;
- Create technologically-defensible and economically-feasible regulations that will accomplish the objective of preventing and controlling NPS pollution; and
- Ensure regulation adoption by the lead agencies and approval by OAL.

III. FIVE-YEAR IMPLEMENTATION PLAN

A. Introduction/Structure

The Implementation Plan describes in detail the actions to be taken for the period of 1998 to 2003. Specific MMs within the six identified NPS categories (Agriculture, Forestry, Urban Areas, Marinas and Recreational Boating Activities, Hydromodification, and Wetlands/Riparian Areas/Vegetated Treatment Systems), CCAs, and Program monitoring are identified.

Based on past agency experiences, the CWA section 303(d) and TMDL priority lists, a survey of the stakeholders, and recommendations from the previous NPS TACs, the lead agencies have targeted specific geographic areas and NPS MMs for implementation in this first five-year cycle. The areas selected either have the most impaired water bodies or face immediate water quality threats from new and/or expanding development. Depending on their relative priority, the MMs were targeted as either primary, secondary, or tertiary. The Implementation Plan only addresses those MMs targeted at the primary and secondary level for the first five-year cycle. The MMs chosen are those determined to be the most effective and appropriate for California. The CCAs will be addressed based on a year to year review of potential environmental degradation of sensitive coastal resources such as those previously identified as ESHAs and special areas including California's NERRs, NEPs, and National Marine Sanctuaries (NMSs).

Seven process elements are prescribed for each of the MM categories. They are to: (1) assess problems; (2) target resources; (3) plan activities; (4) coordinate with agencies and the public; (5) implement MMs; (6) track and monitor actions; and (7) report on the effectiveness of the Program Plan. These steps are essential to ensuring effective and efficient implementation of the MMs which will enable the Strategy to achieve the defined goals of preventing and controlling NPS pollution. The Implementation Plan also identifies parties/agencies responsible for performing the activities. Funding sources and milestones to be achieved by the end of the five-year period are identified as well. The implementation timelines are realistic estimates but may change due to changes in agency coordination, funding, new information, and public cooperation.

Certain process elements for some of the targeted MM categories have not been completed due to the lack of information at this time. All relevant information for each process element for each primary and secondary MM will be established and entered into the first five-year plan by July 1, 2000, with the exception of numeric program performance measures. Numeric program performance measures will be established for each primary and secondary MM in the first five-year plan by October 1, 2000. If more data, another agency commitment, or some other piece of information is needed in order to fill in a particular piece of the matrix, the steps that will be taken to fill in that missing information will be described. The revised five-year plan will be distributed to the public (as an addendum to the Program Plan) by November 1, 2000.

Beginning in 2001, biennial reports will be completed for evaluation by the USEPA and NOAA, as well as other agencies and the public regarding the State's progress in

implementing the NPS Program. The reports to be produced in 2001 and 2003 will provide details to address questions such as:

1. Have the activities identified in the five-year plans been completed and have the associated performance measures been achieved?
2. Has an MM implementation tracking system been established? Based on that system, what is the extent of MM implementation for all source categories throughout the State?
3. Has the IACC become active and successful in fostering implementation?
4. Has the SWRCB/RWQCBs published NPS enforcement guidance in 2001 as per CWC section 13369(a)(2)(B)?
5. Has the technical assistance to landowners and managers been improved through the issuance of technical guides, information sharing, "field-level" assistance and/or other activities?
6. Have other State and federal agencies and non-governmental entities become involved in implementing the NPS Program? Where necessary, have formal agreements been established to enhance the effectiveness of these partnerships?
7. Has the planning process for the next five-year plan (2003-2008) been established to achieve more specific plans that include measurable objectives and that involve a wide range of key stakeholders?
8. Have adequate efforts been made to identify funding needs and mechanisms to ensure continuing MM implementation and Program Plan success?

In 2001, the SWRCB, RWQCBs, and CCC, in coordination with the new TACs to be established by the IACC, will begin developing the next five-year implementation plan. The five-year implementation plan for 2003 to 2008 will outline: (1) strategies to complete the unfinished tasks from the first five years; (2) rectify the NPS program's shortfalls identified in the assessment process; (3) implement an additional set of MMs; and (4) expand the geographic coverage of the NPS Program.

B. Agriculture



The SWRCB, CCC, and other State agencies have identified seven MMs to address agricultural NPSs of pollution that affect State waters. The agricultural MMs include practices and plans installed under various NPS programs in California, including systems of practices commonly used and recommended by the USDA as components of RMS, WQMPs, and Agricultural Waste Management Systems. These RMSs are planned by individual farmers and ranchers using an objective-driven planning process outlined in the NRCS National Planning Procedures Handbook. The RMSs are designed to achieve sustainable use of the different natural resource areas—soil, water, air, plants, animals, and human considerations.

According to USEPA (1993), agriculture contributes more than half of the pollution entering the Nation's water bodies; recent studies have identified it as the greatest source of water pollution in the United States. The primary agricultural NPS pollutants are nutrients, sediment, animal wastes, pesticides, and salts. Agricultural activities may also affect habitat through physical disturbances caused by livestock or equipment or through the management of water.

Management Measures:

Erosion and Sediment Control. MM 1A addresses NPS problems associated with soil erosion and sedimentation. Where erosion and sedimentation from agricultural lands affect coastal waters and/or State's inland water bodies, landowners shall design and install or shall apply a combination of practices to reduce solids and associated pollutants in runoff during all but the larger storms. Alternatively, landowners may apply the erosion component of an RMS as defined in the NRCS FOTG. The NRCS FOTG contains standards and specifications for installing these practices.

Facility Wastewater and Runoff from Confined Animal Facilities. Pursuant to MM 1B, facility wastewater and contaminated runoff from confined animal facilities must be contained at all times. Storage facilities should be of adequate capacity to allow for proper wastewater use and should be constructed so they prevent seepage to ground water, and stored runoff and accumulated solids from the facility shall be managed through a waste use system that is consistent with MM 1C or shall be removed from the site.

Nutrient Management. MM 1C addresses the development and implementation of comprehensive nutrient management plans for areas where nutrient runoff is a problem affecting coastal waters and/or water bodies listed as impaired by nutrients. Such plans would include: (1) a plant tissue analysis to determine crop nutrient needs; (2) crop nutrient budget; (3) identification of the types, amounts, and timing of nutrients necessary to produce a crop based on realistic crop yield expectations; (4) identification of hazards to the site and adjacent environment; (5) soil sampling and tests to determine crop nutrient needs; and (6) proper calibration of nutrient equipment. When manure from confined animal facilities is to be used as a soil amendment and/or is disposed of on land, the plan shall discuss steps to assure that subsequent irrigation of that land does not leach excess nutrients to surface or ground water.

Pesticide Management. Implementation of MM 1D is intended to reduce contamination of surface water and ground water from pesticides. Implementation of this measure will primarily occur through cooperation with the CDPR as provided in a MAA with the SWRCB. Elements of this measure include: (1) development and adoption of reduced risk pest management strategies (including reductions in pesticide use); (2) evaluation of pest, crop, and field factors; (3) use of Integrated Pest Management (IPM); (4) consideration of environmental impacts in choice of pesticides; (5) calibration of equipment; and (6) use of anti-backflow devices. IPM is a key component of pest control. IPM strategies include evaluating pest problems in relation to cropping history and previous pest control measures and applying pesticides only when an economic benefit will be achieved. When used, pesticides should be selected based on their effectiveness to control target pests and environmental impacts such as their persistence, toxicity, and leaching potential.

California's MMs to address agricultural sources of NPS pollution in California:

- 1A. Erosion and Sediment Control
- 1B. Facility Wastewater and Runoff from Confined Animal Facilities
- 1C. Nutrient Management
- 1D. Pesticide Management
- 1E. Grazing Management
- 1F. Irrigation Water Management
- 1G. Education/Outreach

Grazing Management. MM 1E is intended to protect sensitive areas (including streambanks, lakes, wetlands, estuaries, and riparian zones) by reducing direct loadings of animal wastes and sediment. This may include restricting or rotationally grazing livestock in sensitive areas by providing fencing, livestock stream crossings, and locating salt, shade, and alternative drinking sources away from sensitive areas. Upland erosion can be reduced by, among other methods: (1) maintaining the land consistent with the California Rangeland WQMP or BLM and Forest Service activity plans or (2) applying the range and pasture components of an RMS (NRCS FOTG). This may include prescribed grazing, seeding, gully erosion control, such as grade stabilization structures and ponds, and other critical area treatment.

Irrigation Water Management. MM 1F promotes effective irrigation while reducing pollutant delivery to surface and ground waters. Pursuant to this measure, irrigation water would be applied uniformly based on an accurate measurement of crop water needs and the volume of irrigation water applied, considering limitations raised by such issues as water rights, pollutant concentrations, water delivery restrictions, salt control, wetland, water supply, and frost/freeze temperature management. Additional precautions would apply when chemicals are applied through irrigation.

Education/Outreach. The goals of MM 1G are to implement pollution prevention and education programs to reduce NPS pollutants generated from the following activities where applicable:

1. Activities that cause erosion and loss of sediment on agricultural land and land that is converted from other land uses to agricultural land;
2. Activities that cause discharge from confined animal facilities to surface waters;
3. Activities that cause excess delivery of nutrients and/or leaching of nutrients;
4. Activities that cause contamination of surface water and ground water from pesticides;
5. Grazing activities that cause physical disturbance to sensitive areas and the discharge of sediment, animal waste, nutrients, and chemicals to surface waters;
6. Irrigation activities that cause NPS pollution of surface and ground waters.

Management Measure Category: Agriculture

Management Measure Title: 1A - Erosion and Sediment Control

Management Measures Targeting Level: Primary

Objectives:

1. By the year 2002, develop MAA and WQMP with BLM.
2. By the year 2003, sediment/erosion control guidelines for six watersheds. Begin implementation of those guidelines.
3. By the year 2003, implement interagency streamlined permit process in 50 watersheds.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	To be completed as specified in Part III.A. - Introduction /Structure.						
Target	To be completed as specified in Part III.A. - Introduction /Structure.						
Plan	Develop resource management plans.	RWQCB 3, County Farm Bureau	RWQCB 3	CWA §319, USDA EQIP, California Farm Bureau (CFB), and partner's funds		x x x x x x	
	Direct grant funds and cost sharing opportunities to projects that implement MPs.	RWQCB 3 RWQCB 7	Lands in irrigated agriculture and grazing throughout the Regions 3 and 7	CWA §319	Implementation of at least one new project each year	x x x x x x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Plan	Develop TMDLs for CWA §303(d) listed waters.	RWQCB 3	Lower Salinas River, Lower Pajaro River, Morro Bay Watershed, Salton Sea Transboundary Watershed, Newport Bay Watershed	CWA §319, CWA §104, CWA §106, General Fund (funding fairly secure for development through 2001)	Adopted TMDL according to established schedule; implementation of practices per the TMDL	x	x	x	x	
		RWQCB 7								
		RWQCB 8								
Coordinate	Quantify measures to reduce impacts from erosion and sedimentation.	NRCS,	Ventura County	CWA §319 TMDL	Agreement of stakeholders on top ten measures that should be implemented		x	x	x	As needed-rotate between watersheds with agricultural issues. Coordinate with TMDLs
		RWQCB 4								
	Work with stakeholders to develop watershed management plan (includes erosion control element)	RWQCB 5	Cache Creek	NPS, CALFED, other				x		
		RWQCB 5, local agency	West side tribs. Sacramento R.	CWA §319; Prop. 204	Educational workshops and public meetings					
	Develop MAA and WQMP with BLM.	SWRCB BLM	Statewide	Agency baseline	MAA and WQMP		x	x		
Promote interagency coordination to improve information transfer and to provide a singular agency perspective.	Participate in TACs for Cottonwood Creek	RWQCB 1	Russian, Gualala, Garcia, and Navarro Rivers	CWA §319	Number of interagency network sessions, outreach--see Outreach and Education	x	x	x		
		RWQCB 5; local agency	West side tribs. Sacramento R.	CWA §319	Attendance at meetings	x	x	x		

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes	
						98	99	00	01		02
Coordinate	Coordinate stakeholders for implementation of MMs.	RWQCB 4	Ventura County	CWA §319 TMDL	Number of meetings for consensus of stakeholders, MOUs/MAAs	x	x	x	x	x	As needed-rotate between watersheds with agricultural issues Coordinate with TMDLs
		RWQCB 3, Farm Bureaus, NRCS, local Conservation Districts, MBNMS, WQPP, UCCE	Lands with irrigated agriculture and grazing throughout the region	CWA §319, USDA, EQIP, CFB, Guadalupe oil field settlement funds	Development and implementation of plans on recorded number of acres.	x	x	x	x	x	
Implement	Implement resource management plans.	RWQCB 3, County Farm Bureau (CFB), MBNMS, WQPP, UCCE	Lands in irrigated agriculture and grazing throughout RWQCB 3	CWA §319, USDA EQIP, CFB, and partner's funds		x	x	x	x	x	
		RWQCB 3, RWQCB 2, CFB, MBNMS-WQPP, NRCS	Lower Salinas River, Lower Pajaro River, Pescadero and lands in irrigated agriculture and grazing throughout RWQCB 3	CWA §319, USDA-EQIP, CFB, and MBNMS		x	x	x	x	x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes	
						98	99	00	01		02
Implement	Implement strategies for protection of resources from agricultural pollution, including erosion, in cooperation with the MBNMS WQPP.	RWQCB 3 MBNMS CCC SWRCB	Central Coast	CWA §319	Complete final WQPP agriculture plans by summer 1999 and begin implementation.	x	x	x	x	x	Ongoing activity includes all NPSs impacting MBNMS watersheds
	Implement CFB's NPS Initiative pilot projects	RWQCB 7, CFB, NRCS	Lands in irrigated agriculture and grazing throughout RWQCB 7	CWA §319, USDA-EQIP, and CFB,		x	x		x		
	Implement TMDLs for CWA §303(d) listed waters.	RWQCB 3 RWQCB 7	Lower Salinas River, Lower Pajaro River, Morro Bay Watershed, Salton Sea Transboundary Watershed	CWA §319, CWA §104, CWA §106, General Fund (funding fairly secure for development through 2001)	Adopted TMDL according to established schedule; implementation of practices per the TMDL.	x	x	x	x		
	Implement Erosion and Sediment (E&S) Control Plans to protect water quality standards.	NRCS RWQCB 4	Ventura County	CWA §319 TMDL	Number of Erosion and Sediment Control Plans implemented				x		As needed-rotate between watersheds with agricultural issues. Coordinate with TMDLs
	Promote hillside vineyard management practices to reduce erosion/sedimentation and improve riparian function and fish habitat.	RWQCB 1	Russian, Gualala, Garcia, and Navarro Rivers	CWA §319	Number of interagency network sessions, outreach-- see Outreach and Education	x	x		x		
	Participate in implementation of CFB NPS Initiative pilot projects.	RWQCB 7, CFB, NRCS	Salton Sea Transboundary Watershed	CWA §319 EQIP, CFB		x	x	x	x	x	
	Implement BMPs for flood and sediment control	RWQCB 5	Salt and Sand Creek	NPS	Implementation of projects, field days	x					

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years			Notes
						98	99	00 01 02	
Implement	Implement sediment and erosion control demonstration program	RWQCB 5, local agency	Cache Creek	Prop. 204	Construction of gravel bar(s)	x	x	x	
	Prepare education and outreach material for erosion control techniques	RWQCB 5, local agency	Cache Creek	Prop. 204	Preparation and distribution booklet; field tours	x	x	x	
	Implement model, interagency streamlined permit process piloted in Elkhorn Slough in other watersheds Statewide.	NRCS, DFG, RWQCBs, CCC, Sustainable Conservation, MBNMS WQPP	Elkhorn Slough, Morro Bay, Salinas River watersheds	Various sources	50 projects in five years	x	x	x	In 1998, 20 projects were implemented in Elkhorn Slough, Morro Bay, and Salinas River. Projects are scheduled to begin in FY 99-00.
Track and Monitor	Implement management measures/practices to reduce sedimentation.	RWQCB 5, local agency	Panoche and Silver Creek, Arroyo Passajero	CWA §319		x	x	x	
Report Biennially	Monitor long-term sediment management strategies	RWQCB 5, local agency	Union School Slough	CWA §319, CALFED		x	x	x	
To be completed as specified in Part III.A. - Introduction /Structure.									

Management Measure Category: Agriculture
Management Measure Title: 1B - Facility Wastewater and Runoff from Confined Animal Facilities (all units)
Management Measure Targeting Level: Primary

Objectives:

1. By the year 2000, develop statewide strategy for Animal Feeding Operations (AFO).
2. By the year 2002, complete dairy waste management training for 50 percent of dairy producers in RWQCBs 1 and 5.
3. By the year 2003, inspect all AFO facilities in the RWQCB 5-Central Valley and RWQCB 8-Chino Basin.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Assess	Conduct surface and ground water quality monitoring to assess current and historic dairy waste impacts.	RWQCB 8	Chino Basin, Lake Elsinore/San Jacinto watershed		Database	x	x	x	x	
Target	To be completed as specified in Part III.A. - Introduction /Structure.									
Plan	Quantify nutrient load and propose reductions.	USEPA, SWRCB, RWQCB 4	RWQCB 4	Basin Planning, CWA §104 and §106 TMDL funds	Technical TMDLs		x	x	x	TMDLs for nutrients are scheduled for different watersheds each year
	Update nutrient reduction goals of RWQCB 4 Basin Plan.	RWQCB 4	RWQCB 4		Update plan by 7/2001		x			Triennial review and TMDL implementation, as required
	Foster grant program for NPS control on dairies.	RWQCB 1	Humboldt WMA	CWA §319	Number of projects		x	x	x	
	Develop manure removal strategies.	Local dairy agencies, RWQCB 8, Orange County Sanitation District (OCWD)	Chino Basin, San Jacinto Watershed		Reduction in manure remaining in Chino Basin	x				

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes		
						98	99	00	01		02	
Plan	Work with USEPA and NRCS on development of the joint unified AFO National Strategy. Target EQIP funding to needed projects through participation on the State Technical Committee. Develop statewide strategy for AFO.	NRCS SWRCB USEPA RWQCBs	Statewide	Current staff, EQIP	Annual list of priority areas, number of plans produced	x	x	x	x	x	Ongoing activity	
						Statewide	Baseline	Statewide strategy	x			
Coordinate	Coordinate statewide and regional dairy waste management activities to develop more cohesive regulatory framework through monthly Interagency Confined Animal Coordination Group meetings and quarterly RWQCB roundtable meetings.	SWRCB	Statewide	CWA §319 Current staff	Monthly meeting summaries	x	x	x	x	x	Ongoing activity -most significant impacts are in the San Joaquin Valley and Chino Basin	
						Statewide with emphasis on Regions 1 and 5	TSCA grant CWA §319 Current staff	Under the Partnership Agreement, complete dairy waste management training for 50 percent of producers in two years. Perform 1,000 independent evaluations in four years.	x	x	x	x	On going activity Also supports process element of implementation
Implement	Work with USEPA and NRCS on implementation of the joint unified AFOs National Strategy. Target EQIP funding to needed projects through participation on the State Technical Committee.	NRCS SWRCB EPA RWQCBs	Statewide	Current staff, EQIP	Annual list of priority areas, number of plans developed	x	x	x	x	x	Ongoing activity Also supports process element of implementation	
						RWQCB 8	Implement updated dairy general NPDES permit.	Implement updated permit	x	x	x	x
	Educate dairy industry on NPS impacts and control, foster stewardship ethic, develop self-regulatory body Address known dischargers in violation of water quality standards through increased use of regulatory authorities: - more inspections - increase number of inspections - consider issuing a general WDR in Central Valley.	RWQCB 1	Humboldt WMA	CWA §319	No. of participants, No. of projects, strategy with corrective actions	Inspect 25 percent of all facilities annually	x	x	x	x	x	Ongoing activity
							Central Valley, Chino Basin, San Jacinto Watershed	General Fund, NPDES/WDR permit funds				

Part:

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Track and Monitor						98 99 00 01 02	To be completed as specified in Part III.A. – Introduction /Structure.
Report Biennially							To be completed as specified in Part III.A. – Introduction /Structure.

Management Measure Category: Agriculture
Management Measure Title: 1C - Nutrient Management
Management Measure Targeting Level: Primary

Objectives:

1. By the year 2003, develop regional numeric nutrient criteria and incorporate into Basin Plans.
2. By the year 2003, develop and implement standards for heavy metals in organic and inorganic fertilizers.
3. By the year 2003, develop nutrient management guidelines in nine watersheds. Begin implementation of those guidelines.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01 02	
Assess	Thirty-five (35) water bodies listed for nutrients with agricultural sources of sediment on CWA §303(d) list.	RWQCBs	Statewide	Current staff	CWA §303(d) list	x				
	For watersheds with limited information, inspect irrigated agriculture and grazing areas for nutrient discharges.	RWQCB 3	Lands with irrigated agriculture or grazing uses	New	Number of watersheds inspected per year	x	x	x	x	
Target	Thirty-three (33) water bodies targeted for nutrient TMDLs by year 2003.	SWRCB	Statewide	Current staff	TMDL schedule					
	Identify additional high quality water bodies in need of protection.									
Plan	Develop regional numeric nutrient criteria in cooperation with USEPA, RWQCBs, and Nutrient Criteria Team.	USEPA, SWRCB, RWQCBs	Statewide	CWA §319(h) grant	Develop regional criteria by 2000. Incorporate into basin plans by 2003	x	x	x	x	x
	Evaluate and modify as appropriate for incorporation into basin plans.									
	Develop standards for heavy metals in organic and inorganic fertilizers.	DFA and SWRCB	Statewide		Standards	x	x	x	x	
	Develop TMDLs and associated implementation plans for CWA §303(d) listed water bodies.	RWQCB 1	Laguna de Santa Rosa, Scott River, Shasta River, Stemple Creek		TMDLs, implementation plans	x	x	x	x	x

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Plan		RWQCB 3	L. Pajaro River, L. Salinas River, Monterey Bay and Morro Bay watersheds		TMDLs, implementation plans	x	x	x	x	
		RWQCB 5	Stockton and SJ Delta	State and federal TMDL funds	Validation of dissolved oxygen (DO) model; oxygen demand (BOD) and nutrient sources; determination of sediment load		x	x	x	TMDL for DO
Coordinate	Develop nutrient management plans	RWQCB 8, Orange Cnty. Farm Bureau (OCFB), UCCE	Newport Bay watershed	CWA §319(h) funds	No. of nutrient management plans	x	x	x	x	Requirement of Newport Bay TMDL
	Develop MOU or MAA with other regulatory agencies to control nutrients.	SWRCB, RWQCBs, NRCS	Statewide	Current						
	Coordinate with CFB, NRCD, agricultural groups, and educational institutions about appropriate level of nutrient applications for specific crops.	RWQCB 4	Ventura County	New	Guidance document on nutrient application rates					
Implement	Coordination with stakeholders occurs during all phases of program.	See lead agency per process	Statewide	Current staff		x	x	x	x	
	Regulate fertilizer materials and soil amendments pursuant to interagency MOU.	DFA DTSC CIWMB SWRCB	Statewide	Baseline	Measures specified in MOU	x	x	x	x	
	Implement CFB's NPS Initiative pilot projects	RWQCB 3, CFB, MBNMS-WQPP, NRCS	Upper and Lower Salinas River, Lower Pajaro River, and lands irrigated by agriculture and grazing throughout RWQCB 3	CWA §319, USDA-EQIP, CFB, and MBNMS		x	x	x	x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years					Notes	
						98	99	00	01	02		
Implement	Implement strategies for protection of resources from agricultural pollution, including nutrients, in cooperation with the MBNMS WQPP. Implement plans and specific MPs. Implement TMDLs for CWA §303(d) listed water bodies. Implement nutrient management plans Update WDRs for commercial nurseries Conduct research, outreach, and education for the regulated community through the Fertilizer Research and Education Program. Restore riparian areas – replace orchard with riparian vegetation Program for alternative practices for prunes	RWQCB 3 MBNMS CCC SWRCB	Central Coast	CWA §319	Complete final WQPP agriculture plan by summer 1999 and begin implementation.	x	x	x	x	x	Ongoing activity Includes all NPSs impacting MBNMS watersheds	
		RWQCB 1	Laguna de Santa Rosa, Scott River, Shasta River, Stemple Creek			x	x	x	x			
		RWQCB 3	L. Pajaro River, L. Salinas River, Monterey Bay and Morro Bay watersheds				x	x	x	x		
		RWQCB 8, OCFB, UCCE	Newport Bay watershed	CWA §319(h) funds	Nutrient reduction from agr. lands to meet load locations	x	x	x	x	x	Requirement of Newport Bay TMDL	
		RWQCB 8	Newport Bay watershed	?	Updated WDRs for commercial nurseries	x	x	x	x	x	Requirement of Newport Bay TMDL	
		CDFR	Statewide	CWA §319(h)	Number of workshops; Number of publications	x	x	x	x	x	Ongoing activity	
		RWQB 5, local agencies	Phelan Island	CWA §319(h)	Replacement of orchards	x	x					
		RWQB 5, local agencies	Phelan Island	CWA §319(h)	Education workshops; field meetings	x	x					
							x	x	x	x	x	
		Track and Monitor	See monitoring and tracking sections of Fifteen-Year Strategy and Five-Year Plan.									

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years					Notes
						98	99	00	01	02	
Track and Monitor	Implement nutrient monitoring program to evaluate TMDL compliance.	RWQCBs	See list of TMDL implemented water bodies (above)			x	x	x	x	x	
	Develop and implement nutrient monitoring program	RWQCB 8	Newport Bay watershed	CWA §319(h)		x	x	x	x		Requirement of Newport Bay TMDL
Report Biennially	See effectiveness and reporting sections of Fifteen-Year Strategy and Five-Year Plan.								x		

Management Measure Category: Agriculture
Management Measure Title: ID – Pesticide Management
Management Measures Targeting Level: Primary

Objectives:

1. By the year 2000, complete and begin implementation of a WQPP for agricultural pesticides in the MBNMS.
2. By the year 2002, develop and begin implementation of effective pesticide control program in Newport Bay Watershed as part of TMDL.
3. By the year 2003, develop a total of six TMDLs for pesticides in RWQCB 5.

Process Element	Actions/Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	To be completed as specified in Part III.A. – Introduction /Structure.						
Target	To be completed as specified in Part III.A. – Introduction /Structure.						
Plan	Develop strategies for protection of resources from agricultural pollution, including pesticides, in cooperation with the MBNMS WQPP.	RWQCB 3 MBNMS CCC SWRCB	Central Coast	CWA §319	Complete final WQPP agriculture plan by summer 1999 and begin implementation.	x x x x	Ongoing activity. Includes all NPSs impacting sanctuary watersheds
	Identify pesticide impairment to beneficial uses/water quality; develop effective pesticide control program through TMDL development and implementation.	RWQCB 8, local agencies	Newport Bay watershed	To be determined	Toxics TMDL	x x	Toxics TMDL to be approved by the State by January 2002
	Analyze irrigation return water.	RWQCB 4	Ventura County		Collect and analyze as necessary for pesticide TMDLs	x x	
	Coordinate with WMI and TMDL units to document levels of pesticides in receiving waters.	RWQCB 4 CDPR	RWQCB 4		Number of watersheds reviewed. Summary of findings	x x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Plan	Participate in the Sacramento River Watershed program to develop an organophosphate pesticide management strategy.	RWQCB 5S CDPR	Sacramento River Watershed	Sacramento River Watershed Project, CWA §319	Determine diazinon loading and toxicity evaluation	x	x	x		May extend to 2002. Will help TMDL development for diazinon.
	Develop TMDL for diazinon.	RWQCB 5S CDPR	Delta, Sacramento River, and San Joaquin River	Federal, CALFED	TMDL	x	x	x	x	
	Develop TMDL for chlorpyrifos.	RWQCB 5S CDPR	Delta and San Joaquin River	Federal, CALFED	TMDL	x	x	x	x	
	Develop water quality objectives for rice pesticides.	RWQCB 5S CDPR	Sacramento River	To be determined.	Water quality objectives					While work is a high priority, work cannot proceed without funding.
	Prevent and mitigate threats to water quality from pesticides through coordination with the RWQCBs and implementation of the MAA and Pesticide WQMP with the CDPR.	SWRCB RWQCBs CDPR	Statewide	CWA §319	Conduct semi-annual technical briefings with CDPR and RWQCB staffs	x	x	x	x	Ongoing activity - RWQCB and CDPR staff work together as needed on indiv. pesticide TMDLs
Coordinate	Review the control/eradication program for red imported fire ants (RIFA) in southern California in coordination with DFA, CDPR, and the RWQCBs.	CDPR, SWRCB, RWQCB 8, local agencies	Statewide Newport Bay Watershed	CWA §319	Comprehensive monitoring program for evaluation of impacts from RIFA eradication program	x	x	x	x	This may be an ongoing activity if eradication is not effective.
	Minimize/avoid NPS pollution in pest eradication programs. Consult with RWQCBs and SWRCB when developing programs.	DFA	Statewide		Consultation	x	x	x	x	
Implement	Implement strategies for protection of resources from agricultural pollution, including pesticides, in cooperation with the MBNMS WQPP.	RWQCB 3 MBNMS CCC SWRCB	Central Coast	CWA §319	Complete final WQPP agriculture plan by summer 1999 and begin implementation.	x	x	x	x	Ongoing activity. Includes all NPSs impacting sanctuary watersheds.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years					Notes
						98	99	00	01	02	
Implement	Enforce water quality standards.	RWQCB 4	RWQCB 4		Number of Enforcement Actions	x	x	x	x	x	
	Prevent aquatic toxicity from organophosphate pesticide residues through voluntary efforts to monitor for compliance with water quality standards.	CDPR, RWQCB 5, RWQCB 8	Sacramento River and San Joaquin River Watersheds; Newport Bay watershed	CDPR Regulation Fund, General Fund	Monitoring data	x	x	x	x	x	If by the year 2001-2002 use-season aquatic toxicity persists, CDPR will impose regulatory controls to lower dormant spray residues to acceptable levels.
	Reduce pesticides in both agricultural and urban surface water through local outreach to promote MPs that reduce pesticide runoff and through CDPR's registration process. Fund and assist in pesticide control applicator and grower training promoting pesticide management. Mitigate impacts through self-regulation as well as regulatory authorities of CDPR, SWRCB, and RWQCB.	CDPR, RWQCB 5, RWQCB 8, SWRCB	Statewide, with initial emphasis beginning with the San Joaquin River, Orestimba Creek, Sacramento River, Sacramento Slough, Wadsworth Canal, Colusa Basin Drain, Butte Slough; Newport Bay watershed	CALFED, CDPR Regulation Fund, General Fund, and Environmental License Fund	Number of pesticides evaluated in the registration process Number of pesticide control applicators and growers trained Decreases in OP pesticides use as reported in CDPR's pesticide use report database and corresponding increases in the use of lower risk pesticide control products. Decreases in surface water toxicity due to OP pesticides.	x	x	x	x	x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Implement	Prevent pesticide contamination of ground water through education, modeling, and monitoring. Components include voluntary wellhead protection stewardship programs with the County Agricultural Commissioners; CDPR's registration process in which potential adverse effects to ground water quality are evaluated; and creation of Pesticide Management Zones (PMZs) which restrict or prohibit use when criteria are met.	CDPR, County Agriculture Commission	Statewide	CDPR Regulation Fund, General Fund	Number of pesticides evaluated in the registration process Number of PMZs created	x	x	x	x	Ongoing program
						x	x	x		
						x	x	x		
Track and Monitor	Form alliances with the regulated community to jointly focus on reducing environmental risks while providing pest management solutions using IPM applied research, demonstration, implementation, and outreach. Provide grants for applied research focused on IPM practices and technologies. Reduce rice pesticide loading in the Sacramento and San Joaquin Rivers by managing water in treated fields so that discharges of pesticides into surface waters do not impair beneficial uses. Coordinate water quality sampling program for RIFA program.	CDPR	Statewide	CDPR Regulation Fund	Number of alliances	x	x	x	x	
						x	x	x		
						x	x	x		
Report Biennially	Work with CDPR and RWQCBs to target funds for monitoring for TMDL development.	CDPR, SWRCB, RWQCBs	Statewide	CDPR	Monitoring agreements	x	x	x	x	CDPR has received approximately \$800,000 per year to do this monitoring.
						x	x	x		
						x	x	x		

To be completed as specified in Part III.A. – Introduction /Structure.

Management Measure Category: Agriculture
Management Measure Title: 1E – Grazing Management
Management Measure Targeting Level: Primary

Objectives:

1. By the year 2000, develop MAA or MOU between SWRCB and BLM to implement CWA section 319 consistency review.
2. By the year 2003, complete rangeland WQMPs for two million acres throughout California.
3. By the year 2003, develop TMDLs with rangeland load allocation and implementation plans in two watersheds in RWQCB 1 and three watersheds in RWQCB 3.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess		To be completed as specified in Part III.A. – Introduction /Structure.					
Target		To be completed as specified in Part III.A. – Introduction /Structure.					
Plan	Provide financial support for rangeland water quality workshops held by UC.	UCD Range and Agronomy, SWRCB	Statewide	CWA §319	Complete rangeland WQMPs for 500,000 acres each year.	x x x x x	Ongoing activity
	Participate in the MBNMS WQPP to develop strategies for protection of MBNMS resources from agricultural pollution, including rangeland.	RWQCB 3, MBNMS, CCC, SWRCB	Central Coast	CWA §319	Complete final WQPP agriculture plan by summer of 1999 and begin implementation	x x x x x	Ongoing activity, includes all NPSs impacting MBNMS watersheds
	Develop TMDLs for CWA §303(d) listed waters.	RWQCB 3	Lower Salinas River, Lower Pajaro River, Morro Bay Watershed	CWA §319, CWA §104, CWA §106, General Fund (funding fairly secure for development through 2001)	Adopted TMDL according to established schedule. Implementation of practices per the TMDL	x x x x x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Coordinate	Participate in the Range Management Advisory Committee to the BOF.	BOF/CDF, SWRCB	Statewide			x	x	x	x	Ongoing activity
	Implement CWA §319 consistency review in cooperation with BLM and other federal agencies.	BLM, SWRCB	Statewide	CWA §319	MAA or MOU	x	x			Includes all NPS impacting BLM lands
	Participate on stakeholder technical advisory committee	RWQCB 5	Upper Pit River	NPS Program			x			
Implement	Participate in implementation of CFB NPS Initiative pilot projects, MBNMS WQPP Action Plan for Agriculture.	RWQCB 3, CFB, MBNMS, NRCS	Upper and Lower Salinas River, Lower Pajaro River	CWA §319, EQIP, Farm Bureau, MBNMS		x	x	x	x	
	Direct grant funds and cost sharing opportunities to projects that implement MPs.	RWQCB 3	Lands in irrigated agriculture and grazing throughout RWQCB 3	CWA §319	Implementation of at least one new project each year	x	x	x	x	
	Inspect areas with irrigated agriculture and grazing for sediment discharges and recommend or require abatement or new practices as appropriate.	RWQCB 5	Central Valley					x	x	
Implement TMDLs for 303(d) listed waters.	Inspect areas with irrigated agriculture and grazing for sediment discharges and recommend or require abatement or new practices as appropriate.	RWQCB 3	Lands in irrigated agriculture and grazing throughout RWQCB 3	CWA §319, General Funds (funding not secure)	Number of inspections each year; number of inspection reports; implementation recommendations made in reports	x	x	x	x	
	Implement TMDLs for 303(d) listed waters.	RWQCB 1	Humboldt WMA Garcia River Watershed	CWA §319	Number of ranch plans per acres, monitoring plan, Number of sites monitored, data report		x	x	x	
		RWQCB 3	Lower Salinas River, Lower Pajaro River, Morro Bay Watershed	CWA §319, CWA §104, CWA §106, General Fund (funding fairly secure for development through 2001)	Adopted TMDL according to established schedule Implementation of practices per the TMDL		x	x	x	x

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Implement	Participate in the MBNMS WQPP to implement strategies for protection of MBNMS resources from agricultural pollution, including rangeland. Provide technical assistance to implement NPS Program for livestock grazing Restoration project relying on BMP implementation (e.g. livestock enclosure fencing, stream channel erosion control measures, riparian revegetation) Program for schools to initiate a watershed education program	RWQCB 3 MBNMS CCC SWRCB	Central Coast	CWA §319	Complete final WQPP agriculture plan by summer 1999 and begin implementation.	x	x	x	x	Ongoing activity. Includes all NPSs impacting MBNMS watersheds
		RWQCB 5	Central Valley	NPS Program	Organized talk, field tours, individual meetings	x				
		RWQCB 5	Upper Pit River	NPS Program	Implementation of BMPs	x				
		RWCB5	Upper Pit River	NPS Program	Establish "river center"	x				Only partially funded
Track and Monitor	Resurvey participants in rangeland water quality workshops to determine extent of implementation of ranch water quality MPs.	UCCE	Statewide	CWA §319	Annual summary of level of implementation	x	x	x	x	
Report Biennially	To be completed as specified in Part III.A. – Introduction /Structure.									

Management Measure Category: Agriculture
Management Measure Title: 1F – Irrigation Water Management
Management Measure Targeting Level: Secondary

Objectives:

1. By the year 2003, implement MMs to mitigate or reduce impacts from irrigation waters and drainage discharges.

Process Element	Actions/Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years			Notes
						98	99	00 01 02	
Assess	Coordinate with WMI and TMDL units to document levels of use and associated impacts to beneficial uses.	RWQCB 4	RWQCB 4		Basin Plan updates/TMDL assessments	x	x	x	
	Coordinate TMDL unit work with stakeholders to document levels of use and associated impacts to beneficial uses.	RWQCB 8	Newport Bay watershed			x	x	x	
Target	To be completed as specified in Part III.A. – Introduction /Structure.								
Implement	Coordinate with CFB, NRCS, agricultural groups, and educational institutions to promote appropriate irrigation techniques.	NRCS RWQCB	Ventura County	CWA §319	Number of stakeholder meetings	x	x	x	
	Quantify measures to reduce impacts from irrigation waters.	Agriculture groups	Ventura County; Newport Bay watershed	CWA §319	Documentation of selected (preferred) measures		x	x	RWQCB will coordinate as necessary for completion of TMDLs.
Plan	Develop methods and practices to manage and reduce toxic elements in drainage water.	DWR, DFA, SWRCB	San Joaquin Valley	Proposition 204 funds transfer	Documentation of feasible methods	x	x	x	Six-year program with funding under Proposition 204
	Conduct environmental planning for San Luis Drain.	SWRCB, Westlands Water District, USBR	San Joaquin Valley	Agricultural stakeholders	MOU, environmental documentation, discharge permit	x	x	x	
	Develop Basin Plan amendment for salt and boron for lower San Joaquin River	RWQCB 5	San Joaquin River	NPS Program	Basin Plan amendment	x	x		

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years			Notes
						98	99	00 01 02	
Plan	Develop TMDL for salt and boron in San Joaquin River	RWQCB 5	San Joaquin River	NPS Program			x	x	
	Administer grant to evaluate implementation of economic incentives	RWQCB 5	San Joaquin River	NPS Program	Meetings, final report	x			
	Develop TMDL for selenium in San Joaquin River	RWQCB 5	San Joaquin River	NPS Program			x		
Coordinate	Hold bimonthly RWQCB Irrigated Agriculture Roundtable for information and strategy exchange.	SWRCB	RWQCBs 3, 5, 7	Baseline	Recommendations to SWRCB for NPS management of irrigated agriculture	x	x	x	Ongoing
	Participate in the San Joaquin Valley Drainage Implementation Program (SIVDIP).	DWR	San Joaquin Valley	Proposition 204 funds transfer	Revised drainage MP	x			
	Participate in stakeholder meetings on salt and boron implementation control plan	RWQCB 5	San Joaquin River	NPS Program	Meeting attendance	x	x	x	
Implement	Implement salt and boron control program	RWQCB 5	San Joaquin River	NPS Program			x	x	
	Real time management of salt in San Joaquin River	RWQCB 5	San Joaquin River	CALFED		x	x	x	
Track and Monitor	Perform effectiveness monitoring for salt and boron control program	RWQCB 5	San Joaquin River	NPS Program	Prepare and issue monitoring orders; receive and review monitoring reports		x	x	
	Real time management of salt in San Joaquin River	RWQCB 5	San Joaquin River	CALFED		x	x	x	
Report Biennially	To be completed as specified in Part III.A. - Introduction /Structure.								

C. Forestry



There are 12 MMs to address various phases of forestry operations relevant to controlling NPSs of pollution that affect State waters. The forestry MMs are for the most part a system of practices used and recommended by the BOF and CDF in rules or guidance.

Silviculture contributes pollution to 17 percent of the polluted rivers and 21 percent of the polluted lakes in California (SWRCB, 1996). Without adequate controls, forestry operations may degrade the characteristics of waters that receive drainage from forest lands. For example (1) sediment concentrations can increase due to accelerated erosion, (2) water temperatures can increase due to removal of over-story riparian shade, (3) dissolved oxygen can be depleted due to the accumulation of slash and other organic debris, and (4) concentrations of organic and inorganic chemicals can increase due to harvesting and fertilizers and pesticides.

Management Measures:

Preharvest Planning. Silvicultural activities shall be planned to reduce potential delivery of pollutants to surface waters. Components of MM 2A address aspects of forestry operations, including: the timing, location, and design of harvesting and road construction; site preparation; identification of sensitive or high-erosion risk areas; and the potential for cumulative water quality impacts.

Streamside Management Areas (SMAs). SMAs protect against soil disturbance and reduce sediment and nutrient delivery to waters from upland activities. MM 2B is intended to safeguard vegetated buffer areas along surface waters to protect the water quality of adjacent streams.

Road Construction/Reconstruction. MM 2C requires that road construction/reconstruction shall be conducted so as to reduce sediment generation and delivery. This can be accomplished by following, among other means, preharvest plan layouts and designs for road systems, incorporating adequate drainage structures, properly installing stream crossings, avoiding road construction in SMAs, removing debris from streams, and stabilizing areas of disturbed soil such as road fills.

Road Management. MM 2D describes how to manage roads to prevent sedimentation, minimize erosion, maintain stability, and reduce the risk that drainage structures and stream crossings will fail or become less effective. Components of this measure include inspections and maintenance actions to prevent erosion of road surfaces and to ensure the effectiveness of stream-crossing structures. The measure also addresses appropriate methods for closing roads that are no longer in use.

Timber Harvesting. MM 2E addresses skid trail location and drainage, management of debris and petroleum, and proper harvesting in SMAs. Timber harvesting practices that protect water quality and soil productivity also have economic benefits by reducing the length of roads and skid trails, reducing equipment and road maintenance costs, and providing better road protection.

Site Preparation and Forest Regeneration. Impacts of mechanical site preparation and regeneration operations—particularly in areas that have steep slopes or highly erodible soils or where the site is located in close proximity to a water body—can be reduced by confining runoff on site. MM 2F addresses keeping slash material out of drainageways, operating machinery on contours, timing of activities, and protecting ground cover in ephemeral drainage areas and SMAs. Careful regeneration of harvested forest lands is important in protecting water quality from disturbed soils.

Fire Management. MM 2G requires that prescribed fire practices for site preparation and methods to suppress wildfires should be conducted as feasible in a manner that limits loss of soil organic matter and litter and that reduces the potential for runoff and erosion. Prescribed fires on steep slopes or adjacent to streams and that remove forest litter down to mineral soil are most likely to impact water quality.

California's MMs to address silvicultural sources of nonpoint pollution:

- 2A. Preharvest Planning
- 2B. Streamside Management Areas
- 2C. Road Construction/Reconstruction
- 2D. Road Management
- 2E. Timber Harvesting
- 2F. Site Preparation/Forest Regeneration
- 2G. Fire Management
- 2H. Revegetation of Disturbed Areas
- 2I. Forest Chemical Management
- 2J. Wetlands Forest
- 2K. Postharvest Evaluation
- 2L. Education/Outreach

Revegetation of Disturbed Areas. MM 2H addresses the rapid revegetation of areas disturbed during timber harvesting and road construction—particularly areas within harvest units or road systems where mineral soil is exposed or agitated (e.g., road cuts, fill slopes, landing surfaces, cable corridors, or skid trails) with special priority for SMAs and steep slopes near drainageways.

Forest Chemical Management. Application of pesticides, fertilizers, and other chemicals used in forest management should not lead to surface water contamination. Pesticides must be properly mixed, transported, loaded, and applied; and their containers must be disposed of properly. Fertilizers must also be properly handled and applied since they also may be toxic depending on concentration and exposure. Components of MM 2I include applications by skilled workers according to label instructions, careful prescription of the type and amount of chemical to be applied, use of buffer areas for surface waters to prevent direct application or deposition, and spill contingency planning.

Wetland Forest Management. Forested wetlands provide many beneficial water quality functions and provide habitat for aquatic life. Under MM 2J, activities in wetland forests shall be conducted to protect the aquatic functions of forested wetlands.

Postharvest Evaluation. The goals of MM 2K are to incorporate postharvest monitoring, including: (a) implementation monitoring to determine if the operation was conducted according to specifications and (b) effectiveness monitoring after at least one winter period to determine if the specified operation prevented or minimized discharges.

Education/Outreach. The goals of MM 2L are to implement pollution prevention and education programs to reduce NPS pollutants generated from applicable silvicultural activities.

Management Measure Category: Forestry

Management Measure Title: Applicable to all MMs

Management Measure Targeting Level: All MMs are designated at the primary level, except for 2G-Fire Management and 2J-Forest Chemical Management which are at the secondary level and 2J-Wetlands Forest which is at the tertiary level.

Objectives:

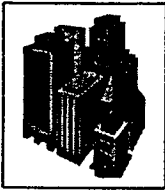
1. By year 2001, adopt FPR to address watercourse and lake protection zones, roads and landings, exempt and emergency timber operations, mass wasting, and cumulative watershed effects.
2. By year 2003, increase agency staffing, broaden enforcement authority, increase review of THPs, and monitor effectiveness of MPs.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years			Notes
						98	99	00 01 02	
Assess	A number of water bodies are identified on the CWA §303(d) list as having silvicultural activities that contribute to water quality impairments.	RWQCBs (excluding RWQCB 8)	Statewide	Current Staff	CWA §303(d) list	x	x	x	
Target	Of the impaired waters noted above, a number of water bodies are targeted for TMDL development by year 2003.	RWQCBs (excluding RWQCB 8)	Statewide	Current Staff	TMDL schedule	x	x	x	
Plan	Review the following issues and prepare recommendations that amend FPR: <ul style="list-style-type: none"> • Watersheds with ESA or CWA §303(d) listings, • Mass wasting, • Cumulative effects, • Scientific validity of rules for protection of ESA-listed salmonids, • Methodology for watershed assessment and cumulative effects assessment. 	CDF, CDMG UC	Statewide, especially North Coast	State	Set of FPR amendments sent to BOF Amendments to CDF administrative manual	x	x		
	Propose modifications of the FPR to the BOF to address TMDLs and requirements of CZARA.	SWROB RWQCB	Statewide	Budget Change Proposal (BCP) 99-00	Submit proposed FPR package to BOF	x	x	x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Coordinate	Adopt FPR amendments.	BOF	Statewide	State	FPR adopted by BOF FPR approved by OAL FPR become effective	x	x	x	x	Rules cannot become effective until calendar year following OAL approval.
	Prepare and adopt watershed assessment and MP for Jackson State Forest.	CDF RWQCB 1	North Coast	State	Watershed assessment and MP	x				Coordinate with Noyo River TMDL.
	Ongoing activity as part of FPR adoption	BOF	Statewide	State		x	x			
	Public review of proposed FPR amendments.	BOF	Statewide	State	Public comments	x	x			
Implement	Prepare budget for additional State agency staff to implement and enforce FPR.	CDF DFG RWQCB 1	Statewide, especially North Coast	State	Budgets submitted and approved Additional staff hired and trained	x			x	Enhanced MMs implementation
	Implement amended FPR.	CDF	Statewide	State					x	
	Support legislation giving CDF civil administrative authority and substantial penalties to enforce FPR.	SWRCB CDF	Statewide	State	New statutes enacted	x				Enhanced MMs enforcement.
Track and Monitor	Implement watershed assessment and MP for Jackson State Forest.	CDF RWQCB 1	North Coast	State	Implementation of MP		x			
	Implement projects to reduce fuel loads	RWQCB 5, local agencies	Willow and Stockton Creek watersheds; American River Watershed	Prop 204		x	x			
	Conduct statewide implementation/effectiveness monitoring program.	CDF	Statewide	State	Monitor 50 sites per year Provide biennial reports to BOF	x	x	x	x	
						x				

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years			Notes
						98	99	00 01 02	
Report Biennially	Develop and implement administrative and repeated monitoring components.	BOF	Statewide	State	Develop new components Implement new components	x	x	x	Administrative = how well did planning evaluate potential impact? Repeated = re-monitor sites after stressing events
	Monitor implementation of MP in Jackson State Forest.	CDF RWQCB 1	North Coast	State	Monitoring of management plan, including instream trend and project monitoring		x	x	Instream monitoring component supplements hillslope component
	Monitor effects of hand application herbicides on surface water.	RWQCB 1	North Coast	General Fund	Monitor ten sites per year	x	x		
	Increase review of THPs.	RWQCB 1	North Coast	BCP 99-00	25 percent of THPs will be reviewed	x	x	x	
To be completed as specified in Part III.A. - Introduction /Structure									

D. Urban Areas



The SWRCB, CCC, and other State agencies have identified 15 MMs to address urban NPSs of pollution that affect State waters. With approximately 80 percent of the nation's population living in coastal areas, controlling polluted runoff in urban areas is a challenge. Negative impacts of urbanization on coastal and estuarine waters are well documented in a number of sources, including California's CWA section 305(b) and section 319 reports and the Nationwide Urban Runoff Program.

Major pollutants found in runoff from urban areas include sediment, nutrients, oxygen-demanding substances, road salts, heavy metals, petroleum hydrocarbons, pathogenic bacteria, and viruses. Suspended sediments constitute the largest mass of pollutant loadings to receiving waters from urban areas. Construction is a major source of sediment erosion. Petroleum hydrocarbons result mostly from automobile sources. Nutrient and bacterial sources include garden fertilizers, leaves, grass clippings, pet wastes, and faulty septic tanks. As population densities increase, a corresponding increase occurs in pollutant loadings generated from human activities. Many of these pollutants enter surface waters via runoff without undergoing treatment.

Urban runoff management requires that several objectives be pursued simultaneously. These objectives include the following (American Public Works Association, 1981):

- Protection and restoration of surface waters by the minimization of pollutant loadings and negative impacts resulting from urbanization;
- Protection of environmental quality and social well-being;
- Protection of natural resources, e.g., wetlands and other important aquatic and terrestrial ecosystems;
- Minimization of soil erosion and sedimentation problems;
- Maintenance of the predevelopment hydrologic conditions;
- Protection of ground water resources;
- Control and management of runoff to reduce or prevent flooding; and
- Management of aquatic and riparian resources for active and passive.

Management Measures:

The control of urban NPS pollution requires the use of two primary strategies: (1) the prevention of pollutant loadings and (2) the treatment of unavoidable loadings. California's urban MMs are organized to parallel the land use development process in order to address the prevention and treatment of NPS pollution loadings during all phases of urbanization. This strategy relies primarily on the watershed approach, which focuses on pollution prevention and source reduction practices. Emphasizing pollution prevention and source reduction practices over treatment practices is favored because conducting education practices and incorporating pollution prevention practices into project planning and design activities are generally more effective, require less maintenance, and are more cost-effective in the long term than treatment strategies. Treatment strategies should only be used to address unavoidable loadings or where they are truly cost-effective.

California's MMs to address urban sources of nonpoint pollution:

- 3.1 Runoff from Developing Areas
 - A. Watershed Protection
 - B. Site Development
 - C. New Development
- 3.2 Runoff from Construction Sites
 - A. Construction Site Erosion and Sediment Control
 - B. Construction Site Chemical Control
- 3.3 Runoff from Existing Development
 - A. Existing Development
- 3.4 On-site Disposal Systems (OSDSs)
 - A. New OSDSs
 - B. Operating OSDSs
- 3.5 Transportation Development (Roads, Highways, and Bridges)
 - A. Planning, Siting, and Developing Roads and Highways
 - B. Bridges
 - C. Construction Projects
 - D. Chemical Control
 - E. Operation and Maintenance
 - F. Road, Highway, and Bridge Runoff Systems
- 3.6 Education/Outreach
 - A. Pollution Prevention/Education: General Sources

The major opportunities to control NPS loadings occur during the following three stages of development: (1) the siting and design phase, (2) the construction phase, and (3) the post-development phase. Before development occurs, land in a watershed is available for a number of pollution prevention and treatment options, such as setbacks, buffers, or open space requirements, as well as wet ponds or constructed urban runoff wetlands that can provide treatment of the inevitable runoff and associated pollutants. In addition, siting requirements and restrictions and other land use ordinances, which can be highly effective, are more easily implemented during this period. After development occurs, these options may no longer be practicable or cost-effective. MMs 3.1A through 3.1C address the strategies and practices that can be used during the initial phase of the urbanization process.

The control of construction-related sediment loadings is critical to maintaining water quality. The implementation of proper erosion and sediment control practices during the construction stage can significantly reduce sediment loadings to surface waters. MMs 3.2A and 3.2B address construction-related practices.

After development has occurred, lack of available land severely limits the implementation of cost-effective treatment options. MM 3.6A focuses on improving controls for existing surface water runoff through pollution prevention to mitigate NPSs of pollution generated from on-going domestic and commercial activities.

Management Measure Category: 3.1 – Urban Areas

Management Measure Title: 3.1 – Runoff from Developing Areas; 3.1A – Watershed Protection; 3.1B – Site Development; and 3.1C – New Development

Management Measure Targeting Level: Secondary

Objectives:

1. Provide general goals for State and local agencies to use in developing comprehensive watershed protection programs for guiding future development and land use activities in a manner that will prevent and mitigate the effects of NPS pollution.
2. Reduce the generation of NPS pollutants and mitigate the impacts of urban runoff and associated pollutants that result from new development or redevelopment.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years			Notes
						98	99	00 01 02	
Assess	Develop watershed task forces and coordinate task force efforts with RWQCB programs.	RWQCB 4	Los Angeles Region		<ul style="list-style-type: none"> Quarterly meetings WMI Chapters 	x	x	x	As needed for WMI and TMDL development and implementation
	Conduct more intensive site-specific evaluations of impacts of Cal/Trans and local government road maintenance practices.	RWQCB 6	Regionwide		Inspections	x	x	x	
Target	Target applicable MMs through the WMI implementation plans.	SWRCB RWQCBs	Statewide	Current staff	Include MMs in WMI implementation plans	x	x	x	
	Support the Urban Pesticide Committee (UPC) in its role in coordinating activities of the SF Bay Area and Central Valley agencies and other entities interested in OP pesticides in urban creeks	RWQCB 2, RWQCB 5	Urban areas in SF Bay Area and Central Valley	NPS Program, TMDL funding, and BCPs	Funding of RWQCB staff to conduct UPC meetings and coordinate agency activities		x	x	x

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Plan	Promote watershed planning and the development of regional watershed MPs that include MMs, and foster implementation of these plans.	SWRCB, SCC, CCC, local and regional entities, RCDs, Governor's Office of Planning and Research	Regional Watersheds	CWA §§205j and 319 SB 271 DOC Division Of Land Resources Protection grant program	Development of at least five watershed plans that include MMs and provide for their implementation by 2002. Upgrade CEQA checklist and General Plan guidelines and provide training to local government staffs. Include CAMMPR in the Office of Planning and Research: A Guide to Planning in California. Integrate MMs into Basin Plans as needed.	x	x	x	x	
						x	x	x	x	
						x	x	x	x	
Coordinate	Review project plans for road construction and maintenance. Provide technical support to cities in development of Urban Runoff Plans using the Model Urban Runoff Program (MURP). Work with municipalities to develop appropriate grading ordinances aimed at controlling impacts from new development.	RWQCB 6 SWRCB, RWQCBs (excluding RWQCB 8), CCC	Region wide Statewide (watershed based)	CWA 319 Local governments	Inspections Distribute MURP to all Phase II NPDES cities and other local governments on request Develop a CAMMPR guidance module for USEPA sponsored NPDES permit writers conference Host a MURP seminar at the League of Cities Planners Institute	x	x	x	x	
						x	x	x	x	
						x	x	x	x	
		RWQCB 3, CCC, MBNMS WQPP in Central Coast RWQCB 6	MBNMS Regionwide	NPDES Storm Water— Non Chapter 15	Grading ordinances	x	x	x	x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes		
						98	99	00	01		02	
Coordinate	Coordinate with developer and regulatory agencies, erosion standards for development. Conduct BMP workshops for local developers	Local planning agencies, RWQCB 4 RWQCB 6, RWQCB 8	Los Angeles Region Regionwide	NPDES Storm Water— Non Chapter 15	Reduction in number of erosion and sedimentation complaints by 50 percent	x	x	x	x	x		
Implement	Incorporate applicable MMs into NPDES permits that come up for review Review new LCPs, LCPAs, and CDP applications brought before it for appropriate NPS pollution prevention and control. Implement Water Quality Protection Program for Monterey Bay National Marine Sanctuary.	SWRCB, RWQCBs, SWQTF CCC MBNMS WQPP CCC RWQCBs 2 and 3	Statewide (watershed based) Coastal Zone MBNMS	NPDES BCPs BCPs, CWA §319 NOAA	Incorporation of MMs into NPDES permits that come up for renewal Develop a CAMMPR guidance module for USEPA-sponsored NPDES permit writer's conference. WQPP Structural and nonstructural controls pilot program (to include elements such as erosion and sedimentation controls, regional urban runoff management strategy, and public technical training, and education)	x	x	x	x	x		
	Work with cities and counties to implement MURP.	CCC, RWQCB 2 and 3, MBNMS WQPP	MBNMS and region wide	BCPs, CWA §319, Local governments	MURP implementation in three new cities or counties	x	x	x	x			

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years					Notes
						98	99	00	01	02	
Implement	Enforce sites where erosion and sedimentation are uncontrolled.	RWQCB 4	Los Angeles Region			x	x	x	x	x	
	Citizen's Monitoring Program	RWQCB 5	Sacramento River Watershed	NPS Program	Convening workshops	x					
	Through the UPC, assist municipalities in addressing OP pesticide TMDLs by coordinating work needed to be performed as part of TMDL elements (e.g., source identification, implementation). Work with CDPR through the UPC and in developing urban OP pesticide TMDLs.	RWQCB 2, RWQCB 3	Urban areas in SF Bay Area and Central Valley	NPS Program, TMDL funding	Active participation of CDPR, municipalities and other interested entities (e.g., pesticide registrants, UC Departments) in UPC			x			
Track and Monitor	Incorporate applicable MMs into Urban TMDL development strategies and implementation plans.	RWQCBs	Watershed Management Areas (WMAs) CWA §303(d) listed water bodies	State and Federal	To be determined		x				
	Permit tracking five-year review.	RWQCBs (excluding RWQCB 8), CCC	Statewide by Region	State and one-time grant	Increased use of MM and number of WQ issues reviewed in permits					x	To complete performance measures review, one-time funding will be necessary.
Report Biennially	To be completed as specified in Part III.A. - Introduction /Structure										

Management Measure Category: Urban Areas

Management Measure Title: 3.4 – On-site Disposal Systems; 3.4A – New On-site Disposal Systems; and 3.4B – Operating On-site Disposal Systems

Management Measure Targeting Level: Secondary

Objectives:

1. Improve coordination among State agencies and between State and local agencies in all matters dealing with OSDS.
2. Develop a consistent statewide and/or regional approach to policy interpretation, regulation, implementation, and development of standards for OSDS to support regional and/or local regulation.
3. Provide financial, technical, and educational assistance to help ensure that OSDSs are located, designed, installed, operated, inspected, and maintained to prevent the discharge of pollutants onto surface water and into ground water.
4. Provide financial and technical assistance for and educational information on “alternative” OSDS technologies (i.e., other than conventional gravity septic tank-leachfield systems).

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	To be completed as specified in Part III.A. – Introduction /Structure						
Target	Provide loans or grants to counties for upgrades to individual systems.	SWRCB, local municipalities	Statewide	SRF loans	Loans provided and individual systems upgraded	x	x OSDS TAC Recommendation
Plan	Establish uniform statewide standards for minimum criteria for OSDS siting and design (appropriate additional criteria will depend on local geographical and topographical conditions and level of protection required for regional beneficial uses). Review local OSDS-related policies and ordinances of local governments within one or more regions (e.g., within the MBNMS) and evaluate these planning and implementation mechanisms for regional consistency and effectiveness.	SWRCB CCC in coordination with SWRCB, RWQCBs, and others (excluding RWQCB 8)	Statewide Identified CCAs (e.g., the MBNMS)	Proposed BCP CZMA or CWA grants	Minimum criteria Matrix and analysis of ordinances, policies, criteria, etc.	 x	OSDS TAC Recommendation Modeled after similar recommended action in MBNMS (WQPP) Urban Action Plan

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Coordinate	Assign or redirect SWRCB and/or RWQCB staffs to support OSDS activities.	SWRCB, RWQCBs in coordination with other agencies that have related/ overlapping authority	Statewide	BCPs or redirection of staff, MOUs with other agencies	New OSDS Unit at the SWRCB	98	Recommendation in NPS Initiatives Report and OSDS TAC Report
						99	
						00	
	Develop a Memorandum of Agreement (MOA) between public agencies that operate facilities that use OSDS (e.g., Cal/TTrans, DPR, Dept. of Corrections) and the SWRCB, RWQCBs, and local health departments to ensure that the public facilities meet the same technical standards and achieve the same level of scrutiny as other OSDSs.	SWRCB	Statewide	General Funds	MOA	x	Pointed out as a problem in the OSDS TAC report
	Establish a State and/or regional center for the coordination and advancement of OSDS research and development to provide education and training to educators, designers, installers, and regulators of OSDS.	Sea Grant or NEP	Statewide; begin in pilot project area (e.g., CCA or NEP such as SMB NEP)	General Fund appropriated through new legislation	Facility with training materials and website	x	Model after Buzzards Bay Project National Estuary Program See also OSDS TAC Report Stakeholder recommendation (Heal the Bay [HTB])
	Develop a program to provide homeowner education and to encourage or require appropriate system operation and maintenance.	Nonprofit in coordination with SWRCB, RWQCBs, (excluding RWQCB 8) local municipalities	Statewide	CWA §319	HomeASyst program developed and used in a reported number of homes.	x	OSDS TAC Recommendation (Can model after the "HomeASyst" program for OSDSs that is implemented in North Carolina and other states)

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Implement	Provide assistance to local developers in achieving the stated OSDS MM objectives. Prepare clear and formal guidance concerning the application of existing SWRCB policies as they relate to OSDS. Provide technical assistance and oversight on siting and proper application of alternative technology. Adopt statewide performance standards for all OSDS within the coastal zone by January 2001. Achieve compliance with above standards within 3 years after adoption of OSDS performance standards. Provide technical assistance for assessing cumulative impacts of OSDS and aid local agencies in the development of procedures for addressing cumulative impacts.	SWRCB, RWQCBs (excluding RWQCB 8) in coordination with other agencies that have related/ overlapping authority	Statewide	BCPs or redirection of staff; MOUs with other agencies	New OSDS Unit at the SWRCB	x x x x	Recommendation in NPS Initiatives Report and OSDS TAC Report
		SWRCB	Statewide	General Funds BCP	Guidance memorandum Update the Minimum Guidelines for the Control of Individual Wastewater Treatment and Disposal Systems by including non-standard systems	x	Recommendation in NPS Initiatives Report and OSDS TAC Report Refers to SWRCB Resolutions No. 68-16 and 88-63 RWQCB 2 suggestion
		SWRCB and RWQCBs	Statewide	General funds	Distribution and Implementation of California On-Site Sewage Disposal System Ordinance, 3/99	x	Recommendation in NPS Initiatives Report and OSDS TAC Report
		DHS with SWRCB, CCC	Statewide	General Funds	Standards for WDRs	x	See potential requirements in AB 885
		SWRCB	Statewide	General Funds	Use of 3-tier authority or enforcement actions	x	See potential requirements in AB 885
		SWRCB, RWQCBs, and CCC in coordination with a local government	Pilot project in a critical coastal area (MBNMS or San Luis Obispo County?)	NOAA funds	Development of watershed modeling and cumulative assessment tools (GIS, etc.)	x	Recommendation in NPS Initiatives Report and OSDS TAC Report Coordinate with CCC ReCAP Project?

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes		
						98	99	00	01		02	
Implement	Develop a uniform standard of practice for the inspection of OSDS and pumping of tanks if necessary during real estate transfers or property refinancing.	SWRCB, RWQCB (excluding RWQCB 8)	Statewide							x	OSDS TAC Recommendation	
	Establish a State and/or regional center for the coordination and advancement of OSDS research and development (including alternative systems).	Sea Grant or NEP	Statewide; begin in pilot project area (e.g., CCA or NEP such as SMB NEP)	General Fund appropriated through new legislation	Facility with training materials and website						x	Model after program in Buzzards Bay Project NEP See also OSDS TAC Report Stakeholder recommendation (HTB)
	Develop consistent inspection and reporting protocols and certification of inspection forms for septic tank pumps.	SWRCB, RWQCB (excluding RWQCB 8)	Statewide								x	OSDS TAC recommendation
	Develop data management systems to provide better tracking of inspection, maintenance, and performance information for OSDSs.	SWRCB, RWQCB (excluding RWQCB 8)	Statewide								x	OSDS TAC recommendation
	Provide technical assistance for siting new on-site systems to ensure that (1) suitable septic disposal facilities are available for existing and proposed OSDSs and (2) construction standards were met during and after installation.	SWRCB, RWQCB (excluding RWQCB 8), CCC	Statewide								x	
	Develop and implement a program for annual inspection and certification of on-site system compliance to determine that the systems are operating in a manner that protects water quality.	SWRCB, RWQCB	Statewide								x	Trigger if other actions do not occur Stakeholder recommendation (HTB)
											x	
											x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
						98 99 00 01 02	
Implement	Review and update the waiver resolutions.	RWQCB 2	Marin, Alameda, Contra Costa, San Mateo, Napa, Solano, Sonoma, Santa Clara Counties	BCP	Update two waiver resolutions per year for eight counties		
Track and Monitor	Develop requirements for OSDS- maintenance-related activities (e.g., septic tank pump, switching of leachfields), where appropriate, based on occupancy patterns.	SWRCB, RWQCB (excluding RQWCB 8)	Statewide	Current staff	Guidelines	x	Stakeholder recommendation (HTB)
	Support the development of improved OSDS inspection and maintenance practices.						OSDS TAC recommendation
Report Biennially	Evaluate the adequacy of local oversight programs which have been under waiver resolutions with the RWQCB.	RWQCB 2	Marin, Alameda, Contra Costa, San Mateo, Napa, Solano, Sonoma, Santa Clara Counties	BCP	Produce two Evaluation Reports per year for eight counties with findings and recommendations	x	RWQCB 2 suggestion
	Develop a mechanism to track effectiveness and implementation of urban BMPs for OSDSs and sediment/erosion control.	SWQTF	Regional	Contract staff		x	SWQTF subcommittee

To be completed as specified in Part III.A. -- Introduction /Structure

Management Measure Category: Urban Area

Management Measure Title: 3.6A - Education and Outreach

Management Measure Targeting Level: Primary

Objectives:

1. Implement educational programs to provide greater understanding of watersheds.
2. Raise awareness of and increase the use of applicable urban MMs and MPs where needed to control and prevent adverse impacts to surface and ground water.
3. Involve the general public in coastal and watershed protection programs.
4. Improve watershed education in public schools.
5. Improve NPS practitioners' ability to support community-based watershed management.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	To be completed as specified in Part III.A. - Introduction /Structure						
Target	To be completed as specified in Part III.A. - Introduction /Structure						
Plan	Develop urban pesticide control education program.	Local agencies, RWQCBs 2, 4, and 8	Newport Bay, SFB, Los Angeles County	CWA §319	Pesticide control program Household pesticide media campaign	x x x	RWQCB 8 suggestion SWQTF/Public Information Public Participation (PIPP) Committee
	Develop and implement a watershed and polluted runoff component into the Adopt-A-Highway Program.	Cal/Trans	Statewide	Cal/Trans	Pollution prevention information given to every Adopt-A-Highway participant	x	Adopt-A-Highway is currently a Coastal Cleanup Coordinating partner

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Plan	Outreach and education under WMI— stakeholder meetings and workshops.	RWQCB 6	WMI target watersheds (Truckee, Upper Truckee, Carson, Owens, Mojave River watersheds)	CWA §§104/106, 319 Program Cost Account (PCA) 111 (WMI)		x	x	x	x	
						x	x	x	x	
Coordinate	Public education—plan and participate in activities such as Air Faire, Truckee River Days, Earth Day, National Wetlands Month; place educational exhibits and make presentations at public schools and in other public places. Coordinate and participate in training sessions, workshops, and community events.	RWQCB 6 local agencies	Regionwide	CWA §§104/106, 319 PCA 111 (WMI)		x	x	x	x	
						x	x	x	x	RWQCB 3 suggestion
Implement	Integrate watershed and polluted runoff information into public information provided by the CCC's General Education Program.	SWRCB, RWQCBs, CCC	Regional	Current staff	List of events participated in	x				
						x				
Implement	Provide watershed and polluted runoff information at coastal access points—such as State Parks, piers, beaches locations.	DPR, CCC	Statewide	CCC license plate	Information on the CCC web page, including links to education and water quality programs, and list of contacts	x				
						x				
Implement	Implement education component of MURP—a joint project by the City of Watsonville, MBNMS, and CCC. In public schools, participate in Adopt-a-Watershed and other watershed-awareness activities.	MBNMS, CCC	Statewide	State Parks current staff SCC CCC license plate	Posting of information in existing displays and, where feasible, installation of additional displays Conduct talks with park visitors Conduct special community education events at parks	x	x	x	x	
						x	x	x	x	
Implement	Implement education component of MURP—a joint project by the City of Watsonville, MBNMS, and CCC. In public schools, participate in Adopt-a-Watershed and other watershed-awareness activities.	MBNMS, CCC	Monterey Bay	Cal/RA, CCC current staff	Local education program	x				
						x				

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes												
						98	99	00	01		02											
Implement		RWQCB 8, local agencies	Regionwide with focus in WMI target watersheds	CWA §§104/106, 319 PCA 436 (NPS)			x	x	x													
	Use the RWQCB's table top watershed model to demonstrate the water quality impacts from development activities.	RWQCB 6	Regionwide with focus in WMI target watersheds	CWA §§104/106, 319 PCA 111 (WMI)			x	x	x													
	Prepare newspaper articles and press releases to increase public awareness of watershed issues.	RWQCB 6	Regionwide with focus in WMI target watersheds	CWA §§104/106, 319 PCA 111 (WMI)			x	x	x													
	Integrate watershed and polluted runoff information into the CCC's General Education Programs and applicable publications.	CCC	Statewide	CCC license plate	Chapter in Save Our Seas Program and SEA Camp curriculum(s)		x	x	x													CCC's Coastal CPR Plan
	Integrate watershed and polluted runoff information into the CCC's General Education Programs and applicable publications.	CCC	Statewide	CCC license plate	Field monitoring guide for Adopt-A-Beach programs Integrate watershed and polluted runoff messages into Coastal Cleanup media		x	x	x													CCC's Coastal CPR Plan
	Distribute a Polluted Runoff Edition of the SCC's magazine <i>Coast & Ocean</i> .	SCC	Statewide	Statewide	SCC	An edition of <i>Coast & Ocean</i>		x														Suggested at meeting with SCC
	Support financially the development, distribution, and implementation of K-12 watershed education curriculum.	SWRCB	Statewide	Statewide	CWA §319	Complete K-12 Watershed Curriculum	x	x	x													Urban TAC recommendation
	Provide training in use of watershed curricula and development of watershed education programs to teachers and administrators.	SWRCB through Adopt-A-Watershed	Statewide	Statewide	SRF loan CWA §319	Training for 300 teachers or administrators per year	x	x	x													Urban TAC recommendation
	Distribute watershed/water quality K-12 appropriate curricula.	SWRCB via Adopt-A-Watershed	Statewide	Statewide	SRF loan CWA §319	2500 copies per year	x	x	x													Urban TAC recommendation
	Sacramento River Watershed Program, Public Outreach and Education Subcommittee.	RWQCB 5	Northern Central Valley	Northern Central Valley	Congressional Appropriations	Workshops Technical documents Watershed brochure		x	x													

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years			Notes
						98	99	00 01 02	
Implement	Conduct Placer County RCD bioassessment and training seminars and related activities.	Placer County RWQCB 5	Northern Central Valley	CWA §319(h)	Conduct bioassessment training Conduct seminars on sedimentation	x	x		See grant for details.
	Assess watershed and polluted runoff educational programs in California, including public awareness baseline and follow-up surveys and evaluate their effectiveness	CCC	Statewide	CWA §319 CCC License Plate funds Other government or corporate grants	Guide to programs and effectiveness Marine and Coastal Educational Resources Directory	x	x		CCC's Coastal CPR Plan
Track and Monitor	Assess watershed and polluted runoff educational programs in California, including public awareness baseline and follow-up surveys and evaluate their effectiveness.	CCC	Statewide	California Department of Education Cal/RA	Compendium of State agency programs related to NPS/CZARA Program		x		Most NPS/CZARA State agency partners are involved in California Environmental Education Interagency Network (CEEIN)
Report Biennially	To be completed as specified in Part III.A. – Introduction /Structure								

E. Marinas and Recreational Boating Management Measures²⁴



Recreational boating and marinas are increasingly popular uses of coastal areas and inland surface water bodies (e.g., lakes and delta). And, they are an important means of public access, and California must balance the need for protecting the environment and the need to provide adequate public access (USEPA, 1993). Because marinas and boats are located at the water's edge, pollutants generated from these sources are less likely to be buffered or filtered by natural processes. When boating and adjunct activities (e.g., marinas and boat maintenance areas) are poorly planned or managed, they may pose a threat to water quality and the health of aquatic systems and may pose other environmental hazards. Sources of pollution associated with marinas and boating include:

- Poorly flushed waterways;
- Pollutants discharged from boats (recreational boats, commercial boats, and "live-aboards");
- Pollutants carried in storm water runoff;
- Physical alteration of wetlands and of shellfish/ other benthic communities during construction of marinas, ramps, and related facilities;
- Pollutants generated from boat maintenance activities on land and in the water.

There are 16 MMs to address marina and boating sources of nonpoint pollution. Effective implementation of these MMs can (1) avoid impacts associated with siting marinas and boat maintenance areas, (2) ensure the best available design and construction practices (for new and expanding facilities), (3) ensure appropriate operation and maintenance practices to prevent and/or reduce the delivery of NPS pollutants to State waters, and (4) encourage the development and use of effective pollution control and education efforts. The MMs cover the following operations and facilities:

- Any facility that contains ten or more slips, piers where ten or more boats may tie up, or any facility where a boat for hire is docked;
- Any residential or planned community marina with ten or more slips;
- Any mooring field where ten or more boats are moored;
- Public or commercial boat ramps;
- Boat maintenance or repair yards that are adjacent to the water and any federal, State, or local facility that involves recreational boat maintenance or repair on or adjacent to the water.

The Implementation Plan involves targeting implementation of six of the 16 marina and boating MMs, specifically those measures for water quality assessment, sewage facilities, boat cleaning and maintenance, hazardous waste

²⁴ Commercial and military ports are not targeted in this Program Plan because they are subject to the storm water NPDES permits regulating industrial and construction activities. Commercial ports are also required to submit a port master plan (PMP) for certification by the CCC. The PMP must include the conditions contained in Coastal Act section 30711. An NPS-related condition is "an estimate of the effect of development on habitat areas and the marine environment, a review of existing water quality, habitat areas, and quantitative and qualitative biological inventories, and proposals to minimize and mitigate any substantial adverse impact." Section 30711 further states that, "each city, county, or city and county which has a port within its jurisdiction shall incorporate the certified [PMP] in its [LCP]." In addition, activities in military ports are subject to federal consistency review by the CCC, affording the State an opportunity to ensure that appropriate NPS pollution prevention and control measures are in place. Ports located in the San Francisco Bay are under the jurisdiction of SFBCDC and subject to regulations of the MPA.

California's marina and recreational boating MMs:

- 4.1 Assessment, Siting and Design
 - A. Water Quality Assessment
 - B. Marina Flushing
 - C. Habitat Assessment
 - D. Shoreline Stabilization
 - E. Storm Water Runoff
 - F. Fueling Station Design
 - G. Sewage Facilities
 - H. Waste Management Facilities
- 4.2 Operation and Maintenance
 - A. Solid Waste Control
 - B. Fish Waste Control
 - C. Liquid Material Control
 - D. Petroleum Control
 - E. Boat Cleaning and Maintenance
 - F. Maintenance of Sewage Facilities
 - G. Boat Operation
- 4.3 Education/Outreach
 - A. Public Education

management, and public education. These MMs and related actions were identified by representatives of the marina and boating community at four meetings held between December 1998 and April 1999 and by the SWRCB, RWQCBs, and CCC. The 1994 Marina TAC Report provided additional recommendations. The 16 MMs are summarized below.

Assessment, Siting, And Design Management Measures:

- 41.A **Water Quality Assessment.** Consider impacts to water quality in siting and designing new and expanding marinas.
- 41.B **Marina Flushing.** Site and design marinas to provide for maximum flushing and circulation of surface waters, which can reduce the potential for water stagnation, maintain biological productivity, and reduce the potential for toxic accumulation in bottom sediment.
- 41.C **Habitat Assessment.** Site and design marinas to protect against adverse impacts on fish and shellfish, aquatic vegetation, and important locally, State, or federally designated habitat areas.
- 41.D **Shoreline Stabilization.** Stabilize shorelines where shoreline erosion is a pollution problem.
- 41.E **Storm Water Runoff.** Implement runoff control strategies to remove at least 80 percent of suspended solids from storm water runoff coming from boat maintenance areas (some boatyards may conform to this provision through NPDES permits).
- 41.F **Fueling Station Design.** Locate and design fueling stations to contain accidental fuel spills in a limited area; and provide fuel containment equipment and spill contingency plans to ensure quick spill response.
- 41.G **Sewage Facilities.** Install pump out, pump station, and restroom facilities at new and expanding marinas where needed to prevent sewage discharges directly to State waters.
- 41.H **Waste Management Facilities.** Install facilities at new and expanding marinas where needed for the proper recycling or disposal of solid wastes (e.g., oil filters, lead acid batteries, used absorbent pads, spent zinc anodes, and fish waste as applicable) and liquid materials (e.g., fuel, oil, solvents, antifreeze, and paints).

Operation And Maintenance Management Measures:

- 4.2A **Solid Waste Control.** Properly dispose of solid wastes produced by the operation, cleaning, maintenance, and repair of boats to limit entry of these wastes to surface waters.
- 4.2B **Fish Waste Control.** Promote sound fish waste management where fish waste is an NPS problem through a combination of fish cleaning restrictions, education, and proper disposal.
- 4.2C **Liquid Material Control.** Provide and maintain the appropriate storage, transfer, containment, and disposal facilities for liquid materials commonly used in boat maintenance; and encourage recycling of these materials.
- 4.2D **Petroleum Control.** Reduce the amount of fuel and oil that leaks from fuel tanks and tank air vents during the refueling and operation of boats.
- 4.2E **Boat Cleaning and Maintenance.** Minimize the use of potentially harmful hull cleaners and bottom paints and prohibit discharges of these substances to State waters.
- 4.2F **Maintenance of Sewage Facilities.** Maintain pumpout facilities in operational condition and encourage their use so as to prevent and control untreated sewage discharges to surface waters.
- 4.2G **Boat Operation.** Prevent turbidity and physical destruction of shallow-water habitat resulting from boat wakes and prop wash.

Education and Outreach Management Measures:

- 4.3A **Public Education.** Institute public education, outreach, and training programs to prevent and control improper disposal of pollutants into State waters.

Management Measure Category: Marinas and Recreational Boating

Management Measure Title: 4.1.A--Water Quality Assessment

Management Measure Targeting Level: Primary

Objectives:

1. By the year 2003, determine baseline water quality conditions in at least 50 percent of California's marinas in targeted geographical regions.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	Inventory existing data on water quality conditions at marinas to identify levels and potential sources of priority pollutants/stressors such as metals (e.g., copper, lead, tributyltin [TBT]), pathogens/high coliform counts, and other pollutants associated with boat discharges/vessel wastes and other recreational boating-related operations).	CCC, RWQCBs	Statewide	CWA §319 or CZMA §6217	Compilation of data from 1998 CWA §303(d) list, §305(b) report, and other sources.	98 99 00 01 02 x	Marina TAC and attendees of 1998-1999 stakeholder meetings identified the need for State to provide baseline data to aid in assessing the effectiveness of implementing MPs.
Target	To be completed as specified in Part III.A. -- Introduction /Structure						
Plan	To be completed as specified in Part III.A. -- Introduction /Structure						

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Coordinate	Provide water quality data to marinas (port captains, harbor masters, lessors, marina owners, etc.) and the public to help identify baseline conditions.	RWQCBs, SWRCB	MBNMS and San Francisco, Tomales, Morro, Santa Monica, and San Diego Bays, Anaheim Bay and Huntington Harbor Marin County (as pilot project in RWQCB 2).	To be determined. BCP	Water quality assessment reports developed and provided to marina operators and for the boating community	98 99 00 01 02	Sources of data may include NPDES permits, CWA §401 certifications, CEQA reports, State Mussel Watch Program, and regional surveys (e.g., Coordinated Monitoring Program of the Comprehensive Management Plan for San Diego Bay)
Implement	Establish baseline water quality data at marinas.	RWQCBs, SWRCB	MBNMS and San Francisco, Tomales, Morro, Santa Monica, and San Diego Bays	To be determined.	See above Plans to establish baseline data at marinas	x x	
		RWQCB 8 with SWRCB, SCCWRP, DFG (Mussel Watch data), and other entities	Lower Newport Bay and Anaheim/Huntington Harbor	SWRCB BCP for additional funding SWRCB grant to SCC Wetlands Restoration Project (WRP) Current funds	On-line searchable water quality database	x x x	Limited data are available from BPTCP program; need to update and conduct additional monitoring
Track and Monitor	To be completed as specified in Part III.A. -- Introduction /Structure						
Report Biennially	To be completed as specified in Part III.A. -- Introduction /Structure						

Management Measure Category: Marinas and Recreational Boating

Management Measure Title: 4.1G and 4.2F--Sewage Facilities Siting, Design, and Maintenance

Management Measure Targeting Level: Primary

Objectives:

1. By the year 2003, establish regional standards for the minimum number of sewage facilities (e.g., fixed, mobile, and/or floating pump outs, dump stations, and restrooms) per recreational vessel in the MBNMS, San Francisco, Tomales, Morro, Santa Monica, and San Diego Bays, and SFB Delta.
2. Provide for the installation and maintenance of an adequate number of sewage facilities in the above-listed regions, and increase accessibility to and use of all facilities.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	Identify water bodies on CWA §303(d) list that are listed for bacteria (or other indicators related to vessel sewage) and that are potentially affected by discharges at marinas.	SWRCB	Statewide assessment		Data provided to marina operators (port captains, harbormasters, lessors, marina owners, etc.) and public	98 99 00 01 02 x	See also actions for water quality assessment (MM 4.1A)
	Assess effectiveness of current vessel sewage waste programs in selected regions.	MBNMS WQPP	MBNMS		Assessment and recommendations for changes to current program		
		San Francisco Estuary Project (SFEP)	SFB				
		Morro Bay NEP	Morro Bay				
		SMB NEP	Santa Monica Bay				
		Orange County, City of Newport Beach, RWQCB 8	Lower Newport Bay			x	Requirement of Newport Bay fecal coliform TMDL
	Assess whether or not adequate enforcement powers exist for and are being implemented by federal, State, and/or local enforcement personnel.	SWRCB, RWQCBs, DBW	Statewide by region	CWA §319	Assessment and recommendations for new laws if needed	x	Recommendation from 2/99 CCBN meeting

Process Element	Actions/Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Target	Expand educational programs aimed at marina operators to (a) promote a better understanding of the need to construct and maintain vessel sewage pump out facilities, (b) get commitment to construct new pump outs; and (c) provide assistance in applying for Clean Vessel Act (CVA) grant funds.	DBW	Statewide by region	CVA	Workshops and education materials	x	x	x	x	Recommendation in SFEP letter (1/99)
	Identify future sources of funding for installation of sewage pump out facilities pending reauthorization of CVA.	DBW	Statewide	Current staff	Support for funding in CVA reauthorization	x				
Plan	Establish minimum standards defining what constitutes an "adequate" number of pump outs, dump stations, and/or restroom facilities.	RWQCBs (excluding RWQCB 8) and DBW (coordinate with permit and leasing agencies and regional entities [e.g., MBNMS and NEPs])	Statewide by region (e.g., MBNMS, Santa Monica Bay, Morro Bay, and SFB NEPs, San Diego Bay)	CVA, CWA §319	MOA among SWRCB, RWQCBs, and DBW establishing minimum standards for regions	x	x			Recommendation in 1/19/99 letter from SFEP DBW guidelines are one station per 300 boats—California currently has 125 stations for 85,000+ boats (or less than one station per 680 boats)
Coordinate	Establish agreements regarding the lead or shared responsibility for inspection of pump out facilities.	RWQCBs (excluding RWQCB 8) and local health departments	Statewide by region	Agency General Funds	MAAs or MOUs with appropriate agencies	x	x	x		Recommendation in Marina TAC and Initiatives in NPS Mgmt.
	Establish clear lines of authority for enforcement of violations	RWQCBs and local governments	Statewide by region	Agency General Funds	MAAs by region		x			Recommendation in SFEP letter (1/99)

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Coordinate	Develop and regularly maintain a vessel sewage information clearinghouse to include: <ul style="list-style-type: none"> BMPs; Guidance on how to comply with federal, State, and local laws and regulations; Examples of effective pump out operations currently used around the State; Referrals to sources of reliable information. 	DBW	Statewide	CVA, CWA §319, and other grants as applicable	Internet web site with information and links to other sites (DBW, UC Sea Grant, USCG Auxiliary, etc.)	x	x	x	x	Marina TAC recommendation
						x	x	x	x	
Implement	Meet minimum standards through: <p>(a) Financial incentives (e.g., grants to marinas; launch ramp grants to provide dump stations);</p> <p>(b) Permit and lease conditions through permit issuance and renewal as appropriate.</p>	DBW	Statewide by region	CVA, CWA §319	Meet standards in target regions by 2003	x	x	x	x	Marina TAC recommendation
						x	x	x	x	Marina TAC recommendation
	(c) Recommend or require as necessary that commercial entities install pump out facilities.	City and county government, and other permit and lessor agencies (e.g., CCC, BCDC, SLC, DPR)	Statewide by region	Agency General Funds		x	x	x	x	
						x	x	x	x	
	(d) Instigate enforcement program and effectively enforce violations	RWQCB 2, Marin County Parks and Recreation Department, DPR, and National Park Service	Tomales Bay, Marin County	BCP	Assist commercial entities in applying for CVA grants Install pump out facilities	x	x	x	x	
						x	x	x	x	
		RWQCBs and local gov'ts	Statewide by region	Agency General Funds		x	x	x	x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Track and Monitor	Pursue a water quality indicator test specific for human pathogens (e.g., evaluate utility of switching from total and fecal coliform indicators to enterococcus as an indicator of public health risk related to vessel sewage).	SWRCB (Ocean Plan Unit staff)	Statewide	Current staff	Address issue in Ocean Plan Triennial Review	98 99 00 01 02 x	Marina TAC recommendation
Report Biennially	To be completed as specified in Part III.A. - Introduction /Structure						

Management Measure Category: Marinas and Recreational Boating

Management Measure Title: 4.2E--Boat Cleaning and Maintenance

Management Measure Targeting Level: Primary

Objectives:

1. By the year 2003, develop and establish programs to implement BMPs for underwater hull cleaning and maintenance in 50 percent of marinas in the MBNMS and San Francisco, Morro, Santa Monica, and San Diego Bays.
2. Increase the availability and promote the use of financially feasible hull paints and cleaning materials whose contents are less toxic or that break down to non-toxic levels quickly within the marine environment, and decrease the use and release to State waters of toxic recreational boating hull paints (e.g., TBT and copper-based paints).

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	Identify water bodies on CWA §303(d) list that are listed for copper, tributyltin, detergents (or other indicators related to boat cleaning and maintenance) and that are potentially affected by discharges at marinas.	SWRCB	Statewide assessment		Data provided to marina operators (port captains, harbormasters, lessors, marina owners, etc.) and public	98 99 00 01 02	See also actions for water quality assessment (MM 4.1A)
Target	Develop education program where divers who clean boats inform boat owners that they work in the water so please do not pollute, and divers provide information about less toxic bottom paints.	Dive groups	Statewide	CWA §319	Educational materials	x x x x	Recommendations from Marina TAC and 12/98 marina stakeholder meeting
Plan	To be completed as specified in Part III.A. – Introduction /Structure						
Coordinate	Develop model ordinances and provide training for local enforcement personnel.	CCC	Statewide by region	To be determined	Training component for local enforcement personnel	x x x	Recommendation from 2/99 CCBN meeting
	Develop and regularly maintain a "clearinghouse" of boat cleaning and maintenance information such as: <ul style="list-style-type: none"> • Boat cleaning and maintenance BMPs; • A shopping guide for non-toxic paints, cleaners, solvents, etc.; • Guidance on how to comply with local, State, and federal laws and regulations; • Referrals to other sources of reliable information. 	CCC (coordinate with CCBN)	Statewide	CCC general funds; CWA §319 and other grants as applicable	Internet web site with information and links to other sites (DBW, UC Sea Grant, USCG Auxiliary, etc.)	x	Marina TAC recommendation (The CCBN web page provides information at http://ceres.ca.gov/coastalcomm/ccbn/ccbndx.html)

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years			Notes
						98	99	00 01 02	
Implement	<p>Implement short-course hull-cleaning training and certification programs and policies using a 2-tier program based on:</p> <p>Tier 1: Self-certification program approved by SWRCB and CCC with specific targets (e.g., 75 percent of boat cleanings in region done by certified divers after four years);</p> <p>Tier 2: Regional certification (trigger to develop regional certification would be if self-certification program fails to meet identified targets).</p> <p>Promote the use of non-toxic products and target toxic products:</p> <p>(a) Hold a conference addressing recreational boating hull paints;</p> <p>(b) Work with manufacturers, distributors and USEPA to increase research and development and speed up the review and release to market of financially-feasible, non-toxic marine products;</p> <p>(c) Compile a list of options for less toxic products and distribute them through marinas, boatyards, and marine products stores;</p> <p>(d) Phase out of the use of toxic hull paints on State and local agency- owned vessels regardless of size;</p> <p>(e) Recommend measures to reduce the transport of toxics into State waters from boats that have TBT or other toxic hull paints applied out-of-State;</p>	<p>RWQCBs (excluding RWQCB 8) or regional entity such as the MBNMS WQPP (coordinate with diver trade associations)</p> <p>UC San Diego Cooperative Extension Sea Grant</p> <p>SWRCB and DTSC (coordinate with NMMA)</p> <p>CCBN</p> <p>Cal/RA and Cal/EPA</p> <p>SWRCB USEPA</p>	<p>Regionally in State, beginning in San Diego, MBNMS, and SFB NEP</p> <p>Statewide</p> <p>Statewide</p> <p>Statewide</p> <p>Statewide</p> <p>Statewide</p> <p>California-Mexico border issue</p>	<p>CWA §319 Federal dollars passed through NMSs or NEPs</p> <p>CWA §319, Sea Grant</p> <p>To be determined.</p> <p>CWA §319, Sea Grant</p> <p>General funds</p> <p>To be determined</p>	<p>Training and certification program initiated in 1+ regions</p> <p>95 percent of marinas in above regions certify divers</p> <p>75 percent of boat cleanings in region done by certified divers</p> <p>Conference, with recommendations added to five-year plan</p> <p>50 percent increase in alternative products in stores</p> <p>List of options</p> <p>Certifications by agencies</p> <p>Recommendations added to five-year plan</p>	<p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p>	<p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p> <p>x</p>	<p>Recommended by Marina TAC, 12/98 marina stakeholder meeting, and MBNMS WQPP. In addition, a strategy in WQPP Action Plan III (Marinas & Boating) is to initiate a regional certification program.</p> <p>Recommendation from 12/98 marina stakeholder meeting</p> <p>Recommendation from 12/98 marina stakeholder meeting</p> <p>Strategy in MBNMS WQPP Action Plan III (Marinas and Boating)</p> <p>Recommendation from 12/98 marina stakeholder meeting</p> <p>Marina TAC recommendation</p>	

Process Element	Actions/Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Implement	(f) Assess and promote stripping and refinishing technologies that reduce emissions and discharges, as well as regional guidelines for hull paint preparation to reduce premature detachment from hulls; (g) Develop legislation that prohibits the sale and use of toxic hull paints, as necessary after a thorough analysis of situation.	Port captains and harbor masters, boatyards	MBNMS pilot project and Statewide	To be determined	Clean technologies manual and guidelines	x x x x	Strategy in MBNMS WQPP Action Plan III (Marinas & Boating)
Track and Monitor		SWRCB SCC	Statewide	To be determined	Passage of new legislation	x	Trigger, if toxic paints still widely applied and financially feasible alternatives are available
Report Biennially							

To be completed as specified in Part III.A. – Introduction /Structure

To be completed as specified in Part III.A. – Introduction /Structure

Management Measure Category: Marinas and Recreational Boating

Management Measure Title: 4.1H, 4.2A, and 4.2C--Hazardous and Toxic Materials Management

Management Measure Targeting Level: Primary for 4.1H-Waste Management Facilities and 4.2A-Solid Waste Control

Secondary for 4.2C-Liquid Material Control

Objectives:

1. Resolve potential regulatory and liability issues that currently discourage many harbor districts and marinas from taking a more active role in hazardous waste management.
2. Develop convenient disposal options for boaters that allow for the drop off and collection of hazardous wastes in marinas and harbors.
3. By the year 2003, develop and implement one or more pilot Temporary Waste Collection Program(s) where 100 percent of marinas in the pilot region(s) are included as collection points during the regular recruitment of common household hazardous wastes by municipalities and counties.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	Assess existing hazardous waste disposal and used oil recycling services available to California boaters in order to identify gaps in service.	CCC, SFEP, and Santa Monica Bay Restoration Project	Statewide by region	CIWMB	Report to CIWMB and public	98 x 99 x 00 x 01 x 02 x	A survey of marinas in Northern and Southern California has been conducted by the CCC's BCGC.
Target	To be completed as specified in Part III.A. - Introduction /Structure						
Plan	To be completed as specified in Part III.A. - Introduction /Structure						
Coordinate	To be completed as specified in Part III.A. - Introduction /Structure						
Implement	Resolve issues discouraging harbors and marinas from temporarily storing hazardous and toxic materials generated by boaters (such as waste oil, batteries, paints, solvents, antifreeze, detergents, and contaminated fuels) until pickup and/or recycling by local waste management agencies. (For example, investigate the possibility of obtaining categorical exemptions for harbors for periodic-collection and/or transport of small quantities of hazardous materials.)	DTSC, City and County Household Hazardous Waste (HHW) agencies	MBNMS pilot project and Statewide	CWA §319	MOA (e.g., between DTSC, HHW agencies, RWQCBs, SWRCB, and Port Captains and Harbor Masters Association) or new legislation	x	Recommendations from Marina TAC, 12/98 and 1/99 marina stakeholder meetings, and MBNMS WQPP Action Plan III (Marinas & Boating)

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Implement	<p>Coordinate waste disposal and recycling programs to include marinas as a collection point during the regular recruitment of common household hazardous wastes. Key steps may include:</p> <ul style="list-style-type: none"> • Plan development of temporary waste collection program that includes recycling programs for waste oil and batteries; • Obtain funding; • Develop sites; • Establish procedures to handle materials at collection points within designated harbors and marinas; • Implement pickup services program; and • Implement education programs. 	<p>City and County Environmental Health and HHW Departments (coordinate with waste management districts and port captains and harbor masters; in MBNMS coordinate with WQPP)</p>	<p>MBNMS pilot project and Statewide</p>	<p>SWRCB, DTSC, and/or CIWMB grants</p>		<p>98 x 99 x 00 x 01 x 02 x</p>	<p>Marina TAC recommendation (Marina TAC identified waste oil and batteries as the two most voluminous hazardous wastes) See also Strategy M.4 in MBNMS WQPP Action Plan III (Marinas & Boating)</p>
Track and Monitor	To be completed as specified in Part III.A. – Introduction /Structure						
Report Biennially	To be completed as specified in Part III.A. – Introduction /Structure						

Management Measure Category: Marinas and Recreational Boating

Management Measure Title: 4.3--Education/Outreach

Management Measure Targeting Level: Primary

Objectives:

1. Communicate to boaters and owners/operators of marinas and boatyards the environmental and economic impacts of pollution; identify and increase the awareness and use of MMs and BMPs where needed to prevent and control adverse impacts associated with marinas and boats.
2. Enhance and coordinate State educational, technical and financial assistance, and enforcement programs to assist the boating community's efforts to implement MMs to prevent and control polluted runoff from marinas, boat yards, and boating activities.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	Assess existing pollution prevention and control programs regionally and/or statewide. Assess existing efforts to develop coordinated regional or watershed-based public education and outreach programs related to marina and boat-related activities; identify educational/outreach program needs statewide and expand and build upon effective efforts.	DBW CCC	Statewide			98 99 00 01 02	
Target	To be completed as specified in Part III.A. - Introduction /Structure						
Plan	To be completed as specified in Part III.A. - Introduction /Structure						
Coordinate	Continue implementation of the CCC's BCGC, which includes the facilitation of the California CCBN as a forum to conduct public outreach, manage marina and boating impacts, and participate in the development and implementation of NPS MMs and NPS Program strategies and action plans.	CCC	Statewide	CIWMB	Conduct BCGC; develop action plan for the future	x x	The CCC's BCGC is currently funded through April 2000 only.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years		Notes
						98	99 00 01 02	
Implement		CCC	Southern California	CIWMB	Research of target groups in Southern California	x		
	Conduct education workshop.	SFEP, RWQCB 2	Marin County	BCP	Education brochure and workshop	x		
	Post-educational information at boat ramps and other areas.	DPR, DBW, CCC, Santa Monica Bay Restoration Project	Statewide	CIWMB, SCC, CCC license plate	Posting of information in existing displays; installation of new displays	x		To date, CCC has installed more than 250 signs around the State to date.
Track and Monitor	To be completed as specified in Part III.A. – Introduction /Structure							
Report Biennially	To be completed as specified in Part III.A. – Introduction /Structure							

F. Hydromodification Management Measures



The SWRCB, CCC, and other State agencies have identified seven MMs to address hydromodification sources of nonpoint pollution affecting State waters. Hydromodification includes modification of stream and river channels, dams and water impoundments, and streambank/shoreline erosion.

Channel modification activities are undertaken in rivers or streams to straighten, enlarge, deepen, or relocate the channel. These activities can affect water temperature, change the natural supply of fresh water to a water body, and alter rates and paths of sediment erosion, transport, and deposition. Hardening the banks of waterways with shoreline protection or armor also accelerates the movement of surface water and pollutants from the upper reaches of watersheds into coastal waters. Channelization can also reduce the suitability of instream and streamside habitat for fish and wildlife by depriving wetlands and estuarine shorelines of enriching sediments, affecting the ability of natural systems to filter pollutants, and interrupting the life stages of aquatic organisms (USEPA, 1993).

Dams can adversely impact hydrology and the quality of surface waters and riparian habitat in the waterways where the dams are located. A variety of impacts can result from the siting, construction, and operation of these facilities. For example, improper siting of dams can inundate both upstream and downstream areas of a waterway. Dams reduce downstream flows, thus depriving wetlands and riparian areas of water. During dam construction, removal of vegetation and disturbance of underlying sediments can increase turbidity and cause excessive sedimentation in the waterway.

The erosion of shorelines and streambanks is a natural process that can have either beneficial or adverse impacts on riparian habitat. Excessively high sediment loads resulting from erosion can smother submerged aquatic vegetation, cover shellfish beds and tidal flats, fill in riffle pools, and contribute to increased levels of turbidity and nutrients.

Management Measures:

Channelization/Channel Modification. California's MMs for channelization and channel modification promote the evaluation of channelization and channel modification projects. Channels should be evaluated as a part of the watershed planning and design processes, including watershed changes from new development in urban areas, agricultural drainage, or forest clearing. The purpose of the evaluation is to determine whether resulting NPS changes to surface water quality or instream and riparian habitat can be expected and whether these changes will have a detrimental (or negative) impact. Existing channelization and channel modification projects can be evaluated to determine the NPS impacts and benefits associated with the projects. Modifications to existing projects, including operation and maintenance or management, can also be evaluated to determine the possibility of improving some or all of the impacts without changing the existing benefits or creating additional problems. In both new and existing channelization and channel modification projects, evaluation of benefits and/or problems will be site specific.

Dams. The second category of MMs addresses NPS pollution associated with dams. Dams are defined as constructed impoundments that are either: (1) 25 feet or more in height *and* greater than 15 acre-feet in capacity or (2) six feet or more in height *and* greater than 50 acre-feet in capacity. MMs 5.2A and 5.2B address two problems associated with dam construction: (1) increases in sediment delivery downstream resulting from construction and operation activities and (2) spillage of chemicals and other pollutants to the waterway during construction and operation. MM 5.2C addresses the impacts of reservoir releases on the quality of surface waters and instream and riparian habitat downstream.

California's MMs to address sources of nonpoint pollution related to hydromodification activities:

- 5.1 Channelization/Channel Modification
 - A. Physical and Chemical Characteristics of Surface Waters
 - B. Instream and Riparian Habitat Restoration
- 5.2 Dams
 - A. Erosion and Sediment Control
 - B. Chemical and Pollutant Control
 - C. Protection of Surface Water Quality & Instream and Riparian Habitat
- 5.3 Streambank and Shoreline Erosion
 - A. Eroding Streambanks & Shorelines
- 5.4 Education/Outreach
 - A. Educational Programs

Streambank and Shoreline Erosion. The third category of hydromodification measures addresses the stabilization of eroding streambanks and shorelines in areas where streambank and shoreline erosion creates a polluted runoff problem. Bioengineering methods such as marsh creation and vegetative bank stabilization are preferred. Streambank and shoreline features that have the potential to reduce polluted runoff shall be protected from impacts, including erosion and sedimentation resulting from uses of uplands or adjacent surface waters. This MM does not imply that all shoreline and streambank erosion must be controlled; the measure applies to eroding shorelines and streambanks that constitute an NPS problem in surface waters.

Education/Outreach. MMs 5.4A focuses on the development and implementation of pollution prevention and education programs for agency staffs and the public, as well as the promotion of assistance tools that emphasize restoration and low-impact development. Education, technical assistance, incentives, and other means can be used to promote projects that: (1) reduce NPS pollutants, (2) retain or reestablish natural hydrologic functions (e.g., channel restoration projects and low-impact development projects), and/or (3) prevent and restore adverse effects of hydromodification activities.

Management Measure Category: Hydromodification

Management Measure Titles: 5.1 – Channelization/Channel Modification; 5.3 – Streambank and Shoreline Erosion; and 5.4-Education/Outreach (Hydromodification)

Management Measure Targeting Level: Primary for MM 5.4-Education/Outreach and secondary for all others.

Objectives:

1. By the year 2001, implement CWA §401 certification program regulations to delegate program authority to the RWQCBs.
2. By the year 2002, develop a technical assistance manual that will assist local governments and small businesses with guidelines for designing projects to avoid wetlands and riparian areas.
3. By the year 2001, adopt general WDRs that prescribe channel maintenance activities with minimal threat to water quality.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess						98 99 00 01 02	
Target	To be completed as specified in Part III.A. – Introduction /Structure						
Plan	To be completed as specified in Part III.A. – Introduction /Structure						
	Ensure compliance with CEQA and Porter-Cologne Act when certifying nationwide permits.	USACOE/ SWRCB	Statewide	State Fee	Certification of selected activities	x x x x	x
	Develop regulations that delegate CWA §401 authority to RWQCBs.	SWRCB	Statewide	State Fee, Grants, BCP	Implementation	x x	
	Develop CEQA guidelines for wetlands and watershed analysis (e.g. an appendix to CEQA guidelines).	SWRCB, CCC, Office of Planning and Research	Statewide	State Fee, Grants, BCP	Modified CEQA guidelines	x x x	x
	Develop a technical assistance program for project design that will include guidelines for designing projects to avoid wetlands and riparian areas.	SWRCB	Statewide	State Fee	Guidance to RWQCBs and local government on MPs, model ordinance provisions, methods of establishing setbacks	x x	
	Participate in regional floodplain planning activities, such as Bay Area Wetlands Planning Group (BAWPG).	Various	Regional	CWA §319	Statewide application of regional initiatives	x x x	x

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes					
						98	99	00	01		02				
Plan	<ul style="list-style-type: none"> Develop a framework linking stream, hydrological, and ecological functions to beneficial uses, Develop criteria for protecting ecological functions and other beneficial uses of streams, Prepare staff report for Basin Plan Amendment Draft Stream Protection Policy 	RWQCB 2	Regionwide		<ul style="list-style-type: none"> A report linking beneficial uses to stream functions specific to the Bay Area Outline criteria for protecting beneficial uses of streams specific to the Bay Area Draft staff report to initiate Basin Planning process Draft Stream Protection Policy 	x	x	x	x	x					
Coordinate	<ul style="list-style-type: none"> Establish formal agreements between agencies on program-level issues in order to streamline the permitting process and better protect resources. Participate in USEPA Floodplain Management Group to develop guidance on floodplain management. Work cooperatively with USACOE on modifying and improving emergency permits. Coordinate wetlands-related projects in southern California with the work of the wetlands recovery project. Conduct stakeholder workshops. 	SWRCB, RWQCBs, DFG, CCC, USACOE, USEPA, USFWS USEPA	Statewide	State Fee, Grants, BCP	Joint application forms, consolidated permits, MOUs or MAAs	x	x	x	x	x					
Implement	<ul style="list-style-type: none"> Education (see actions under Urban, Education MM) 	USACOE/ SWRCB	Statewide	State Fee	Certification of Emergency Permits	x	x	x	x	x					

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
						98 99 00 01 02	
Implement	Assist entities engaged in hydromodification activities by disseminating up-to-date technical information on: flood management methods which preserve natural riparian values; construction and long-term maintenance costs of traditional and alternative flood management approaches; setbacks in floodplains and designating floodways; examples of existing ordinances and policies which minimize the need for channelization and channel hardening. a) Adopt general WDRs that prescribe MPs for various channel maintenance activities that pose minimal threat to water quality. b) Initiate enforcement actions when necessary.	SWRCB	Statewide	State Fee, Grants, BCP	Technical Documents	x x x x	
		RWQCB 2, SWRCB, Bay Area Storm Water Management Agencies Association (BASMAA), USACOE	Regionwide	CWA §319, CWA §104	a. Attend monthly meetings to identify MPs with associated channel maintenance activities b. Adopt general WDRs by RWQCB 2	x x	
Track and Monitor	Construct wetlands improvements	RWQCB 5 and local agencies	Cache Creek	Prop. 204		x x	
	Monitor for water quality improvement resulting from wetlands improvements	RWQCB 5 and local agencies	Cache Creek	Prop. 204		x x	
Report Biennially							

To be completed as specified in Part III.A. – Introduction /Structure

G. Wetlands, Riparian Areas, and Vegetated Treatment Systems



The SWRCB, CCC, and other State agencies have identified four MMs to promote the protection and restoration of wetlands and riparian areas and the use of vegetated treatment systems as means to control NPSs of pollution.

Wetlands and riparian areas reduce polluted runoff by filtering out runoff-related contaminants, such as

sediment, nitrogen, and phosphorus, thus maintaining the water quality benefits of these areas is important. These areas also help to attenuate flows from higher-than-average storm events. This protects downstream areas from adverse impacts, such as channel scour, erosion, temperature and chemical fluctuations. Changes in hydrology, substrate, geochemistry, or species composition can impair the ability of wetland or riparian areas to filter out excess sediment and nutrients and therefore can result in deteriorated water quality. The following activities can cause such impairment: drainage of wetlands for cropland, overgrazing, hydromodification, highway construction, deposition of dredged material, and excavation for ports and marinas.

California's MMs to protect and restore wetlands and riparian areas and use vegetated treatment systems as means to control pollution from nonpoint sources:

- 6A. Protection of Wetlands & Riparian Areas
- 6B. Restoration of Wetlands & Riparian Areas
- 6C. Vegetated Treatment Systems
- 6D. Education/Outreach

Management Measures:

6A Protection of Wetlands/Riparian Areas. Implementation of MM 6A is intended to protect the existing water quality improvement functions of wetlands and riparian areas as a component of NPS Programs.

6B Restoration of Wetlands/Riparian Areas. Restoration of wetlands and riparian areas (MM 6B) refers to the recovery of a range of functions that existed previously by reestablishing hydrology, vegetation, and structure characteristics. Damaged or destroyed wetland and riparian areas should be restored where restoration of such systems will significantly abate polluted runoff.

6C Vegetated Treatment Systems. MM 6C promotes the installation of vegetated treatment systems (e.g., artificial or constructed wetlands) in areas where these systems will serve a polluted runoff-abatement function. Vegetated filter strips and engineered wetlands remove sediment and other pollutants from runoff and wastewater and prevent pollutants from entering adjacent water bodies. Removal typically occurs through filtration, deposition, infiltration, absorption, adsorption, decomposition, and volatilization.

6D Education/Outreach. MM 6D promotes the establishment of programs to develop and disseminate scientific information on wetlands and riparian areas and to develop greater public and agency staff understanding of natural hydrologic systems—including their functions and values, how they are lost, and the choices associated with their protection and restoration.

Wetlands, Riparian Areas, and Vegetated Treatment Systems

Management Measure Titles: 6A - Protection of Wetlands and Riparian Areas; 6B - Restoration of Wetlands and Riparian Areas; and 6D - Education/Outreach (Wetlands)

Management Measure Target Level: Primary for MM 6D and secondary for all others.

Objectives:

1. By the year 2001, implement CWA §401 certification program regulations to delegate program authority to the RWQCBs.
2. By the year 2002, develop a technical assistance manual that will assist local governments and small business with guidelines for designing projects to avoid wetlands and riparian areas.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	To be completed as specified in Part III.A. -- Introduction /Structure						
Target	To be completed as specified in Part III.A. -- Introduction /Structure						
Plan	Ensure compliance with CEQA and Porter-Cologne Act when certifying nationwide permits.	USACOE/ SWRCB	Statewide	State Fee	Certification of selected activities	x x x x x	x
	Develop regulations that delegate CWA §401 authority to RWQCBs.	SWRCB	Statewide	State Fee, Grants, BCP	Implementation	x x x	x
	Develop CEQA guidelines for wetlands and watershed analysis (e.g., an appendix to CEQA guidelines).	SWRCB, CCC, Office of Planning and Research	Statewide	State Fee, Grants, BCP	Modified CEQA guidelines	x x	
	Develop a technical assistance program for project design that will include guidelines for designing projects to avoid wetlands and riparian areas.	SWRCB	Statewide	State Fee	Guidance to RWQCBs and local government on MPs, model ordinance provisions, methods of establishing setbacks	x x	x
	Participate in regional floodplain planning activities, such as BAWPG.	Various	Regional	CWA §319	Statewide application of regional initiatives	x x x	x

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years				Notes
						98	99	00	01		02
Coordinate	Establish formal agreements between agencies on program-level issues in order to streamline the permitting process and better protect resources.	SWRCB, RWQCBs, DFG, CCC, USACOE, USEPA, U.S. Fish and Wildlife Service (USFWS)	Statewide	State Fee, Grants, BCP	Joint application forms, consolidated permits, MOUs or MAAs	x	x	x	x	
						x	x	x	x	
Implement	Participate in USEPA Floodplain Management Group to develop guidance on floodplain management.	USEPA	Statewide	CWA §319	Guidance	x	x	x	x	
	Coordinate wetlands-related projects in Southern California with the work of the wetlands recovery project. Education (see actions under Urban, Education MM)	SCC	Southern California	?	Include projects in WRP database	x	x	x	x	
Track and Monitor	Provide financial assistance to encourage environmentally friendly floodplain management.	SWRCB	Statewide	SRF	Various	x	x	x	x	
	Provide incentives for flood management approaches that minimize the need for channelization and channel hardening.	SWRCB	Statewide	State Fee, Grants, BCP	Regulatory flexibility, expedited permit review, and waived or reduced fees	x	x	x	x	
To be completed as specified in Part III.A. - Introduction /Structure										
Report Biennially	To be completed as specified in Part III.A. - Introduction /Structure									

H. Critical Coastal Area

Actions

An initial task in the Strategy and the Implementation Plan is to create the CCA Interagency Committee to complete a list of criteria and methods for CCA designation. The Committee will consider the factors listed in the Strategy, as well as other criteria used by other programs to identify sensitive coastal areas. While CCA delineation will be based on special water quality concerns and may deviate from other classifications, the final CCA recommendation to be used by the CCC and SWRCB will fully consider other existing programs. Other programs that will be used to help designate CCAs include the ASBS, NERRs, the MBNMS WQPP, university research programs, TMDLs, and regional monitoring efforts. CCA designation will provide resources to special coastal areas which do not achieve priority ranking within other sections of this plan and will therefore provide solutions to program deficits.

In addition to creating a committee to identify CCA criteria, the Implementation Plan will include these specific actions:

1. Identify and map CCAs using newly developed criteria.
2. Dedicate funding and other resources to areas in which new or substantially expanding land uses may cause or contribute to the impairment of water quality within CCAs.
3. Increase public interest in protecting special coastal habitats by implementing additional MMs, supporting public education and outreach, and continuing local watershed restoration and research efforts within the CCAs.

CCA Coordination

The renewed emphasis by local governments and stakeholders on watershed-scale resource management (including the offshore marine component of watersheds) has provided California with initial information to help identify CCAs and apply additional MMs to these areas. Related programs from which to gain information include:

- The SWRCB has designated CWA section 319(h) funds for restoration efforts in watersheds with impaired water quality or impaired aquatic communities.
- The SWRCB, through the WQCP for the Ocean Plan, designates ASBS in State tidelands and submerged lands and can limit or prohibit discharges in their general proximity.
- The SWRCB BPTCP (CWC §§13390-13396) has identified numerous toxic coastal sediment deposits from urban and agricultural runoff.
- The CCC, RWQCB 4, and other entities are developing a long-term MP for the dredging and disposal of contaminated sediments for coastal waters adjacent to Los Angeles County. This plan must include components for watershed management and source reduction.
- The Cal/RA is leading a statewide work group to identify and coordinate offshore Marine Management Areas, which may be linked to adjacent CCAs.
- The MBNMS WQPP is developing a water quality plan that, when completed, may provide a mechanism to apply additional MMs to CCAs within watersheds draining to Monterey Bay.
- If a TMDL is completed within a designated CCA, the TMDL and CCA activities will be coordinated to help determine if additional MMs are needed.

Critical Coastal Areas

Objectives:

1. Identify and map initial list of CCAs.
2. Develop an ongoing process to identify CCAs and additional NPS MMs to implement as necessary in CCAs.
3. Provide information on CCAs (areas adjacent to impaired, threatened, and/or pristine coastal waters, including ocean waters that fail to attain or maintain Ocean Plan water quality standards) to local, State, and regional decision makers and the public.
4. Review water quality and land use data every two years as part of the CWA §305(b) WQAP.
5. Review the effectiveness of existing MM implementation in CCAs and identify and implement additional MMs as needed to protect and restore CCAs.
6. Update CCA list, maps, and watershed information at least every two years and report on implementation efforts at public hearings every two years.

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Assess	Convene a workgroup or use existing interagency forums, whose mission is to develop a process to identify CCAs and to identify and provide for the implementation of additional MMs in CCAs.	CCC SWRCB	Statewide	Current Staff (CZARA)	Workgroup meetings and process	98 99 00 01 02 x x	The State will provide opportunities for public participation in the development of this process.
	Review the effectiveness of existing MMs in CCAs.	CCC, RWQCBs	Regional	Special Grants Mitigation Funds	Regional assessment of CCA WQ issues.	x x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Target	<p>Identify and map CCA watersheds, including corresponding:</p> <ul style="list-style-type: none"> • Areas of regional significance. • Special coastal habitats not a priority within other sections of this plan. • Coastal and ocean waters threatened by reasonably foreseeable increases in pollution loading. • Coastal and ocean waters not meeting water quality standards. • Coastal and ocean waters designated to prohibit degradation of water quality. • Pristine coastal waters. 	CCC and SWRCB with RWQCBs	Watersheds that classify as CCAs pursuant to CZARA §6217(b)(2)	Current Staff (CZARA)	CCA list with maps available on Internet Review of CCA list and updates as needed	x x x	As conditioned in the USEPA/NOAA Findings, CCAs include areas within the MBNMS and areas covered by NPDES storm water permits. The SWRCB and CCC will review lists and maps at public hearings.
Plan	Identify and implement applicable MMs to protect or restore water quality in coastal and ocean waters adjacent to CCAs.	CCC RWQCBs	CCAs	CZARA CWA §319	Implementation strategies and reports on status of implementation.	x	
Coordinate	Create CCA work groups to identify available resources and future needs.	CCC, RWQCBs	Coastal California	Current agency resources	Regional and site specific coordination agreements and resource allocation.	x	
	Identify key nonprofit and community groups for collaboration on regional CCA classification and review.	CCC CCA Committee	Regional	Current Staff	Number of participating nonprofit/community groups	x x	

Process Element	Actions/ Statements	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years	Notes
Coordinate	Convene public review of CCA implementation projects.	CCC RWQCBs	Regional	Current Staff Implementation Grants	Public Comments	98 99 00 01 02	
Implement	Work with local researchers and agencies to develop Additional MMs.	CCC CCA Committee	Regional and statewide	Special Grants	Modified and New MMs	x	x
Track and Monitor	Support funding of additional MM implementation.	CCC SWRCB	CCAs	Special Grants	Additional MM implementation	x	x
Report Biennially	Provide summaries of water quality and land use information for each identified CCA.	RWQCBs, CCC.	CCAs	Current Staff Special Grants	Summaries with data/maps	x	x
	Provide information on CCA efforts to local, State, and regional decision-makers, regional review committee, and the public.	CCC RWQCBs	Statewide	Current Staff	Meeting presentations	x	x
	Update CCA list, maps, and watershed information at least every two years, and report on implementation efforts and committee meetings.	CCC, RWQCBs	Statewide	Current Staff (CZARA)	Updated CCA lists and maps Reports of implementation on web site	x	x

I. Monitoring

Objectives

- A. Evaluate the effectiveness of specific MMs or BMPs in improving water quality or achieving water quality standards.
- B. Maximize usefulness of monitoring by coordinating effectiveness monitoring with other monitoring programs.
- C. Improve usefulness of community-based watershed monitoring efforts by developing and reviewing new methods for ambient and effectiveness monitoring, disseminating quality assurance requirements, and increasing training opportunities.
- D. Improve data acquisition, evaluation, and access.

Objective	Actions	Lead Agency	Geographic Area	Potential Funding	Performance Measures	Years:	Notes
MONITORING EFFECTIVENESS OF BEST MANAGEMENT PRACTICES							
A	1. Design and implement a monitoring strategy to evaluate effectiveness of BMPs statewide that will:						
	a. Create criteria to assess functioning of BMPs used to reduce pollution from agriculture, forestry, urban practices, and marinas.	SWRCB UCD	Statewide	State	Functioning assessment criteria	x	
	b. Develop protocols and quality assurance methods for BMP functioning assessment criteria.	SWRCB UCD	Statewide	State	Written protocols, QA Plan	x	
	c. Monitor functioning of one BMP per sector (agriculture, forestry, urban practices, and marinas) in at least two watersheds.	SWRCB UCD	Statewide	State	Monitoring data	x	
	d. Develop database on BMP effectiveness.	SWRCB UCD	Statewide	State	Database	x	
	e. Develop and implement a monitoring strategy to monitor effectiveness of BMPs in reducing NPS pollution. Design a strategy that links to regional/local ambient or project monitoring.	SWRCB, RWQCBs, UCD	Statewide	State	Monitoring strategy, Monitor 9 key watersheds statewide, Report on effectiveness of BMPs	x	
	f. Evaluate and report effectiveness of rangeland BMPs.	RWQCB 3	Morro Bay	CWA §319 National Monitoring Program	Report		
	g. Disseminate statewide knowledge of BMP effectiveness.	RWQCB 3	Morro Bay	CWA §319 National Monitoring Program	National Conference		x

COORDINATION OF MONITORING PROGRAMS

B	2.	SWRCB, RWQCBs (Monitoring Team) UC Davis	Statewide	Current Staff	Regional or watershed-based monitoring strategies	x	x	x	Initiatives recommendation
	Coordinate BMP effectiveness monitoring with existing monitoring programs (e.g. Mussel Watch, Toxic Substances Monitoring Program, TMDL monitoring, CALFED, USGS, DWR, MBNMS) to better assess reductions in NPS pollution. a. Pilot monitoring strategy in nine key watersheds statewide.	SWRCB, RWQCBs	Statewide	Current Staff CWA §319	Nine monitoring programs		x	x	
	3. Design and implement ambient monitoring and data evaluation efforts:								
	a. Implement coastal monitoring plan in Central Coast Region.	RWQCB 3	Central Coast Region	Current Staff, State	Monitoring report	x	x	x	
	b. Coordinate and assist SCC WRP coastal monitoring activities.	Local agencies, RWQCB 4, RWQCB 8, RWQCB 9, USEPA	Southern Coastal areas	To be determined	Coastal monitoring data	x	x	x	
	c. Develop and implement watershed-monitoring programs for support of CWA §§305(b) and 303(d) assessments using community partnerships.	RWQCBs	Statewide	To be determined	Monitoring programs, water quality data	x	x	x	Selected watersheds every two years
	d. Monitor pathogens weekly at popular beaches with summertime urban runoff inputs.	DHS, County Health Departments	Beaches with flowing storm drains and high visitor use	State General Fund	All beaches with flowing storm drains and high visitor use monitored	x	x	x	Funding secure for FY 98-99 only
	4. Improve knowledge of NPS contributions to impaired water bodies:								
	a. Monitor pathogens in shellfish areas and upland watersheds to determine sources of contamination.	RWQCBs	Humboldt Bay, Morro Bay, Tomales Bay, North San Diego County	State	Monitoring reports	x	x	x	Funding secure for FY 98-99, FY 99-00 only
	b. Implement monitoring program for TMDL development.	RWQCB 8	Lake Elsinore, Big Bear Lake	To be determined	TMDLs	x	x	x	
	c. Review TMDL compliance monitoring data.	RWQCB 8	Newport Bay	CWA §104/106	Evaluation of TMDL compliance	x	x	x	Nutrient TMDL, sediment TMDL and fecal coliform TMDL

C, D	11.	Train landowners, community groups, and RCD staff in appropriate watershed monitoring methods.	SWRCB, CARCDs, volunteer monitoring organizations	Statewide	CWA §319	Three trainings per year	x	x	x	x	x	
B, C, D	12.	Establish Sanctuary Citizen Watershed Monitoring Network to link 15 existing monitoring groups; provide standardized training and data sharing.	RWQCB 3, MBNMS, WQPP, SWRCB, nonprofit groups	MBNMS	CWA §319	Regional protocols and guidebook; two trainings per year, shared data and equipment	x	x	x	x	x	
	13.	Direct, facilitate, and support technical development and application of citizen monitoring data.	SWRCB, volunteer monitoring organizations	Statewide	BCP, CWA §319	Baseline citizen biological monitoring and trend data with Quality Assessment Quality Control (QAQC).	x	x	x	x	x	
DATA ACCESS												
D	14.	Populate the statewide SWIM with data from NPS watershed assessments and community-based monitoring.	SWRCB (Information Management Team) RWQCBs	Statewide	State staff	Ten monitoring projects per year	x	x	x	x	x	
	15.	Enable public access to SWIM.	SWRCB (Information Management Team) RWQCBs	Statewide	State staff, EMPACT	On-line database of discharger, agency and community-based monitoring data				x	x	
D	16.	Populate existing on-line databases (e.g., California Coastal Water Quality Monitoring Inventory, 305b, Surf Your Watershed) with data.	SWRCB, RWQCBs	Statewide	State staff, EMPACT	Up-to-date meta-data for major monitoring programs, Two on-line databases linked to SWIM					x	

APPENDICES

APPENDIX A. MEETING FEDERAL REQUIREMENTS

Federal Requirements Under Section 319 Of CWA Check List on Nine Key Elements

Index for the Nine Key Elements of an Effective NPS Program as described in the USEPA NPS Program and Grants Guidance for Fiscal Years 1997 and Future Years (May 1996)

1. *The State program contains explicit short- and long-term goals, objectives, and strategies to protect surface and ground water.*

a. The California program includes a Vision Statement.	1
b. California has specified MMs as long-term goals to be implemented by 2013 directed toward the expeditious achievement and maintenance of beneficial uses of water.	CAMMPR, 1
c. Short-term (e.g., 1-5 year) objectives and activities have been specified for implementing the MMs that are linked to the vision statement.	86
d. The California program addresses both surface and ground water.	1
e. California has identified performance measures that will be used to assess the State's success in achieving its goals and objectives.	86
f. Implementation strategies have been prepared that identify activities and the expected effects of those activities on water resources.	86, WMI Chapters

2. *The State strengthens its working partnerships and linkages with appropriate State, Tribal, regional, and local entities (including conservation flood control districts), private sector groups, citizens groups, industry groups, and Federal agencies.*

a. The State relies on several statewide partnerships to provide for input and recommendations from representatives of federal, State, Tribal, and local agencies, private sector groups, and citizens groups, regarding NPS program direction, project selection, and other similar aspects of program administration.	45
b. These partnerships meet regularly and promote collaborative and inclusive decision making.	50
c. The State program specifies procedures to provide for periodic public input into the program.	45
d. California's program actively supports broad-based local watershed efforts that incorporate a variety of organizations and interests into the implementation of NPS activities.	39
e. The State uses its partnerships effectively to promote comprehensive solutions that avoid the transfer of problems among environmental media.	51

3. *The State uses a balanced approach that emphasizes both statewide NPS programs and on-the-ground management of individual watersheds where waters are impaired and threatened.*

a. The SWRCB and RWQCBs' WMI document is a multi-year work plan that contains NPS implementation actions directed at both specific priority watersheds and activities of a statewide nature.	39
b. The SWRCB/RWQCBs prepare annual work plans for CWA Section 319 funding, consistent with the WMI document that contains NPS implementation actions directed at both specific priority watersheds and activities of a statewide nature.	42
c. The CCC has prepared a Polluted Run-off Strategy that is a multi-year work plan that contains NPS implementation actions directed at both specific priority watersheds and activities of a wider scope, consistent with its jurisdiction.	40
d. State tracks both statewide activities and watershed projects.	71
e. State has institutionalized its program beyond the annual implementation of CWA section 319 funded activities and projects.	Vol. I
f. State uses an integrated watershed approach for assessment, protection, and remediation that is well integrated with other water or natural resource programs.	24
g. Each of the nine RWQCBs adopt Basin Plans that identify existing and potential beneficial uses, establish basin specific water quality objectives, contain implementation, surveillance and monitoring plans, and include enforceable prohibitions against certain types of discharges.	33

4. *The State program (a) abates known water quality impairments from NPS pollution and (b) prevents significant threats to water quality from present and future activities.*

a. State has comprehensively characterized water quality impairments and threats throughout the State which are caused or significantly contributed to by NPSs.	25
b. State program addresses all significant NPS categories and subcategories and promotes pollution prevention through the implementation of appropriate MMs.	CAMMPR
c. State program has identified specific programs to abate pollution from categories of NPSs which cause or substantially contribute to the impairments identified in its assessments.	CAMMPR
d. State has identified specific programs to prevent future water quality impairments and threats that are likely to be caused by NPS pollution.	19 CAMMPR

5. *The State program identifies waters and their watersheds impaired by NPS pollution and identifies important unimpaired waters that are threatened or otherwise at risk. Further, the State establishes a process to progressively address these identified waters by conducting more detailed watershed assessments and developing watershed implementation plans, and then by implementing the plans.*

a. State water quality assessments (including those performed under CWA sections 305[b], 319[a], 303[d], 314, and others), along with the California Unified Watershed Assessment, form the basis for the identification of the State's planned NPS activities and projects.	25
b. State activities focus on remediating the identified impairments and threats and on protecting the identified at-risk waters.	25
c. State has provided for public participation in the overall identification of problems to be addressed in the State program and in the establishment of a process to progressively address these problems.	19, 26
d. State NPS priorities are communicated to, consistent with, and reflected in program planning and implementation activities by other water resource management agencies operating within the State.	45
e. State revises its identification of waters and revisits its process for progressively addressing these problems periodically (e.g., once every five years).	9

6. *The State reviews, upgrades, and implements all program components required by section 319(b) of the CWA, and establishes flexible, targeted, and iterative approaches to achieve and maintain beneficial uses of water as expeditiously as practicable. The State programs include:*
- *A mix of water quality-based and/or technology-based programs designed to achieve and maintain beneficial uses of water; and*
 - *A mix of regulatory, nonregulatory, financial, and technical assistance as needed to achieve and maintain beneficial uses of water as expeditiously as practicable.*

a. The State program identifies MMs to control NPSs of pollution focusing on measures which will be effective to address the most prevalent types of NPS pollution.	CAMMPR
b. Identification of regulatory and nonregulatory programs to achieve implementation of the measures.	24
c. Processes used to coordinate and, where appropriate, integrate various programs used to implement NPS controls in the State.	45
d. Five-year implementation plans with goals, objectives, and milestones for program implementation and a process to revise these implementation plans twice by 2013.	86
e. A legal opinion describing the State authorities available for implementing the MMs.	Appendix: Legal opinion
f. Sources of funding from federal (other than CWA section 319), State, local, and private sources.	62
g. Monitoring and other evaluation programs to help determine short- and long-term program effectiveness.	69
h. The State program also incorporates/coordinates with existing baseline requirements established by other applicable federal or State laws to the extent that they are relevant.	30, 45 CAMMPR

7. *The State identifies federal lands and activities which are not managed consistently with State NPS program objectives. Where appropriate, the State seeks USEPA assistance to help resolve issues.*

a. The State works with federal agencies to resolve potential inconsistencies among federal programs and activities and the State programs.	52
b. Where the State cannot resolve federal consistency issues to its satisfaction, it requests USEPA assistance to help resolve the issues.	52
c. The State coordinates with federal agencies to promote consistent activities and programs and to develop and implement joint or complementary activities and programs.	47

8. *The State manages and implements its NPS Program efficiently and effectively, including necessary financial management.*

a. The State fosters plans for watershed projects and statewide activities that are well-designed with sufficient detail to assure effective implementation.	65
b. The State's watershed projects focus on the critical areas and critical sources within those areas that are contributing to NPS problems.	65
c. State implements its activities and projects, including all tasks and outputs, in a timely manner.	69
d. State has established systems to assure that the State meets its reporting obligations.	77
e. State utilizes the GRTS effectively.	65
f. State has developed and uses a fiscal accounting system capable of tracking expenditures of both CWA section 319 funds and nonfederal matching funds.	42
g. NPS projects include appropriate monitoring and/or environmental indicators to gauge effectiveness.	65

9. *The State periodically reviews and evaluates its NPS management program using environmental and functional measures of success and revises its NPS assessment and its management program at least every five years.*

	Page #
a. The State has and uses a process to periodically assess both improvements in water quality and new impairments or threats.	69
b. The State uses a feedback loop based on monitoring and other evaluative information to assess the effectiveness of the program in meeting its goals and objectives, revises its activities, and tailors its annual workplans, as appropriate, in light of its review.	9
c. The State's annual report successfully portrays the State's progress in meeting milestones, implementing BMPs, and achieving water quality goals.	77

Federal Requirements Under Section 6217 Of CZARA Check List On Conditions

Index for the section 6217 CZARA Conditions for Program Approval for the California Coastal NPS Program as described in the Program Findings and Conditions issued by USEPA/NOAA, July 1998.

1. *Include NPS MMs in conformity with the Guidance Specifying MMs for Sources of Nonpoint Pollution in Coastal Waters (EPA, January 1993), issued under the authority of Section 6217(g) of the Coastal Zone Act Reauthorization Amendments of 1990.*

	Page #
a. MMs have been adopted by the SWRCB and CCC for agriculture, forestry, urban areas, marinas and recreational boating, hydromodification, and wetlands and riparian areas.	CAMMPR
b. The State Porter-Cologne Act provides authorities that will be used, as necessary, to implement the MMs, in conformity with CZARA requirements for enforceable policies and mechanisms (see #2 below).	CAMMPR
c. The State and local authorities and programs being used to implement the MMs are clearly described.	CAMMPR, 24
d. Implementation strategies have been developed to implement the MMs statewide by 2013.	24

2. *Identify authorities that can be used to prevent nonpoint pollution and require management measure implementation, as necessary.*

	Page #
a. The Chief Counsels of the SWRCB and the CCC have prepared legal opinions concerning their respective authorities to implement the MMs for each of the appropriate source categories.	Appendix: Legal Opinions
b. For each of the source categories, the NPS Plan provides a description of the voluntary or incentive-based programs, including the methods for tracking implementation of MMs and evaluating those programs that the State will use to encourage implementation of the MMs.	CAMMPR CZARA Submittal (1995)
c. A description of the mechanisms or processes that link the implementing agencies for each of the source categories with the enforcement agencies and a commitment to use the existing enforcement authorities, where necessary, is included in the State program.	Appendix

3. *Prepare a fifteen-year program strategy that briefly describes the State's overall approach and schedule to ensure implementation of the MMs and improve water quality within 15 years of the date of conditional approval.*

	Page #
a. California's NPS Program Plan has been "upgraded" to include a Strategy.	24
b. The goal of the NPS Program is to implement the MMs by 2013 (within 15 years of the date of federal conditional approval pursuant to CZARA).	1
c. The program has a process whereby the State will determine the need to use a backup authority and/or to adopt additional enforceable policies and mechanisms to ensure implementation of the MMs within 15 years.	54, 85

4. Nested within the longer-term Strategy, prepare a five-year implementation plan that provides more specifics for achieving full implementation of the MMs.

	Page #
a. The Implementation Plan is more specific than and nested within the longer term Strategy for achieving full implementation of the MMs.	86
b. The Implementation Plan describes when, where, and how program implementation will occur, including mechanisms for tracking and monitoring implementation.	159
c. The Implementation Plan contains interim milestones and benchmarks, including a time frame; and will be updated, as necessary, but at least every five years. Achieving the milestones and benchmarks of these plans will serve as a basis for evaluating progress in achieving program implementation goals.	86
d. The Implementation Plan is designed to ensure adequate progress in achieving the Strategy and is integrated and consolidated with other federal and State water quality programs.	86

5. Common program elements required by CZARA (technical assistance, critical coastal areas, additional MMs, administrative coordination, and monitoring) should be included in the 15-Year Program Strategy and Implementation Plan.

	Page #
a. The program includes mechanisms for ensuring <u>coordination</u> among State agencies and between State and local officials with a role in the implementation of the MMs.	45
b. The program includes activities to provide <u>technical assistance</u> to local governments and the public for implementing MMs.	62
c. A process has been developed to provide for the identification of <u>critical coastal areas</u> .	28
d. The program includes an <u>additional management measure</u> process for developing and revising MMs to be applied in critical coastal areas and in areas where necessary to attain and maintain water quality standards. In addition, the State has described a process to identify additional MMs for forestry necessary to attain and maintain water quality standards.	78, 111
e. California includes in its program a <u>monitoring</u> element to enable the State to assess over time the extent to which implementation of MMs is reducing pollution loads and improving water quality.	69

APPENDIX B. LEGAL OPINIONS

**STATE WATER RESOURCES CONTROL BOARD
CHIEF COUNSEL'S STATEMENT
FOR THE
CALIFORNIA'S NONPOINT SOURCE POLLUTION CONTROL PROGRAM**

NOVEMBER 1999

**CHIEF COUNSEL'S STATEMENT
FOR THE
CALIFORNIA'S NONPOINT SOURCE POLLUTION CONTROL PROGRAM**

**STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
OFFICE OF CHIEF COUNSEL
NOVEMBER 1999**

CHIEF COUNSEL'S STATEMENT

I hereby certify that in my opinion the State of California can use the Porter-Cologne Water Quality Control Act¹ as a backup authority in the California's Nonpoint Source Pollution Control Program to prevent nonpoint source pollution and to ensure management measure implementation. This authority can be used to address nonpoint source pollution due to agricultural operations, urban sources, marinas, hydromodification activities and wetlands. This authority is described below.

I. INTRODUCTION

In 1990 Congress enacted legislation requiring states with approved coastal zone management programs to prepare and submit a coastal nonpoint pollution control program to the United States Environmental Protection Agency (EPA) and the National Oceanic and Atmospheric Administration (NOAA) for approval.² The program's purpose was to restore and protect coastal waters through the implementation of management measures for nonpoint pollution sources. To further this effort, EPA was directed to develop management measure guidance.³ State programs had to provide for implementation of management measures in conformity with this guidance, referred to as the (g) guidance.⁴

In September 1995, California submitted its program, a joint effort of the California Coastal Commission and the State Water Resources Control Board (State Water Board), to EPA and NOAA. For five nonpoint pollution sources, agricultural operations, urban sources, marinas, hydromodification activities and wetlands, the state proposed voluntary or incentive-based programs to implement the (g) guidance management measures. The state identified the Porter-Cologne Water Quality Control Act (Porter-Cologne) as a backup enforcement authority to ensure management measure implementation.⁵

In 1998 EPA and NOAA conditionally approved California's program.⁶ For final program approval, EPA and NOAA require a legal opinion from the State Water Board's

¹ Wat. Code § 13000 et seq.

² Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA), 16 U.S.C. § 1455b.

³ *Id.* § 6217(g), 16 U.S.C. § 1455b(g).

⁴ *Id.* § 6217(b), 16 U.S.C. § 1455b(b). See Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters, EPA, 840-B-92-002 (January 1993) (Management Measure Guidance).

⁵ The state also identified Porter-Cologne as a backup authority to implement the forestry management measures. EPA and NOAA found that California's program includes management measures for forestry activities in conformity with the (g) guidance and enforceable policies and mechanisms for implementation. However, the state program needs more management measures. See *infra*, fn. 6.

⁶ Letter, dated June 30, 1998, to Rusty Areias, Chairman, California Coastal Commission, and John Caffrey, former Chairman, State Water Board, from Jeffrey R. Benoit, Director, Office of Ocean and

Chief Counsel that Porter-Cologne can be used as a backup authority to prevent nonpoint pollution and to ensure management measure implementation⁷ for these five sources.⁸

The following discussion addresses this issue. The discussion begins with an overview of Porter-Cologne. It then addresses three specific questions raised by EPA and NOAA regarding Porter-Cologne's use as a backup authority.

II. OVERVIEW OF PORTER-COLOGNE

Porter-Cologne is the primary water quality control law for California. In addition, the act authorizes the state to implement the federal Clean Water Act.⁹ Porter-Cologne applies broadly to all state waters, including surface waters, wetlands, and groundwater.¹⁰ Its provisions reflect the legislative intent that activities and factors that could affect the quality of state waters "be regulated to attain the highest water quality that is reasonable"¹¹ Porter-Cologne applies to both point and nonpoint sources.¹²

Porter-Cologne is administered regionally, within a framework of statewide coordination and policy.¹³ The state is divided into nine regions, each governed by a regional water quality control board (Regional Water Board).¹⁴ The State Water Board oversees and guides the Regional Water Boards through several activities. The State Water Board adopts state policy for water quality control, statewide water quality control plans, and regulations that are binding on the Regional Water Boards.¹⁵ In

Coastal Resource Management, NOAA, and Felicia Marcus, Regional Administrator, EPA Region 9, transmitting Findings for the California Coastal Nonpoint Program.

⁷ The state program has identified 61 management measures for six categories, including agriculture, forestry, urban areas, marinas, hydromodification, and wetlands. These measures are nearly identical to the (g) guidance management measures. The state measures are included in a draft document, dated June 3, 1999, entitled California's Nonpoint Source Pollution Control Program, Vol. II: California Management Measures for Polluted Runoff.

⁸ See Final Administrative Changes to the Coastal Nonpoint Pollution Control Program Guidance for section 6217 of [CZARA] (Oct. 1998). This document states that NOAA and EPA will approve those program elements for which the states have proposed voluntary or incentive-based programs, backed by existing state enforcement authority, if the states provide a legal opinion that such authorities can be used to prevent nonpoint pollution and require management measure implementation. The states must also describe the voluntary or incentive-based programs, including the methods for tracking those programs, and the processes that link the implementing agency with the enforcement agency.

⁹ 33 U.S.C. § 1251 et seq.; see Wat. Code §§ 13160, 13160.1, 13170, 13370-13389.

¹⁰ See Wat. Code §§ 13000, 13050(e).

¹¹ *Id.* § 13000.

¹² See *Lake Madrone Water District v. State Water Resources Control Board* (1989) 209 Cal.App.3d 163, 171-175, 256 Cal.Rptr. 894 (*Lake Madrone*); *Tahoe-Sierra Preservation Council v. State Water Resources Control Board* (1989) 210 Cal.App.3d 1421, 1435, 259 Cal.Rptr. 132; 63 Ops.Cal.Atty.Gen. 51, 53-359 (1980) (*Tahoe-Sierra*).

¹³ See Wat. Code § 13000.

¹⁴ *Id.* §§ 13200, 13201.

¹⁵ See *id.* §§ 1058, 13140-13147, 13170.

addition, the State Water Board must approve regional water quality control plans before they become effective.¹⁶ The State Water Board also adopts statewide general permits.¹⁷ They review Regional Water Board decisions on petitions for review.¹⁸ Finally, the State Water Board exercises budgetary control over the Regional Water Boards and provides centralized legal services to the Regional Water Boards.¹⁹

A. Planning

Porter-Cologne addresses two primary functions - planning and waste discharge regulation. Porter-Cologne's planning authority extends to any activity or factor which may affect water quality.²⁰ These factors include, for example, not only waste discharges, but also saline intrusion, reduction of waste assimilative capacity caused by reduction in water quantity, hydrogeologic modifications, and watershed management projects.²¹

Both the State and the Regional Water Boards plan for water quality control. The State Water Board is charged with adopting state policy for water quality control.²² These policies contain principles and guidelines for long range resource planning, including ground and surface water management.²³ They also contain water quality objectives at key locations for planning and operation of water resource development projects and for water quality control activities.²⁴ Since 1968 the State Water Board has adopted 13 policies.²⁵

In addition to the State Water Board-adopted policies, Porter-Cologne establishes state policy for the coastal marine environment.²⁶ This policy states that wastewater discharges must be treated to protect present and future beneficial uses, and, where

¹⁶ *Id.* § 13245.

¹⁷ See *id.* §§ 13263(I), 13377; 40 C.F.R. § 122.28; Cal. Code Regs., tit. 23, § 2235.2.

¹⁸ See Wat. Code § 13320; Cal. Code Regs., tit. 23, §§ 2050-2068.

¹⁹ See Wat. Code §§ 186, 13168.

²⁰ See *id.* § 13000, 13050(I), 13140, 13142, 13241.

²¹ See discussion in Chief Counsel's Statement for the State Nonpoint Source Management Program Administered by the [State Water Board] and the [Regional Water Boards] (October 1988), pp. C-1 through C-2.

²² Wat. Code §§ 13140-13142.

²³ *Id.* § 13142.

²⁴ *Ibid.*

²⁵ These policies cover enclosed bays and estuaries, the use and disposal of inland waters used for powerplant cooling, water quality control, maintaining high quality waters, water reclamation, shredder waste disposal, the underground storage tank pilot program, sources of drinking water, enforcement, investigation and cleanup and abatement of discharges under Water Code section 13304, municipal solid waste, guidance on development of regional toxic hot spot cleanup plans, and pollutant policy for the San Francisco Bay-Delta.

²⁶ Wat. Code § 13142.5.

feasible, to restore past beneficial uses of the receiving waters.²⁷ Highest priority must be given to improving or eliminating discharges that adversely affect wetlands, estuaries, and other biologically sensitive areas, important water contact areas, shellfish areas, and ocean areas subject to massive waste discharge.²⁸

The State Water Board can also adopt water quality control plans for waters requiring water quality standards under the Clean Water Act (essentially surface waters)²⁹ and must adopt a water quality control plan for ocean waters and for enclosed bays and estuaries.³⁰ Water quality control plans designate beneficial uses of water, establish water quality objectives to protect those uses, and contain a program to implement the objectives.³¹ The beneficial use designations and water quality objectives together constitute water quality standards for purposes of the Clean Water Act.³² The program of implementation must describe the nature of actions that are necessary to meet the objectives, including recommendations for action by both private and public entities.³³ The program also includes a time schedule and describes proposed surveillance activities to assess compliance with objectives.³⁴

Water quality control plans can prohibit the discharge of waste, or certain types of waste, in specified areas or under certain conditions.³⁵ The Ocean Plan,³⁶ for example, prohibits the discharge of waste to 34 coastal "areas of special biological significance".³⁷

In addition to the Ocean Plan, current State Water Board-adopted plans include the Thermal Plan,³⁸ which addresses temperature control in coastal, interstate, estuarine and bay waters, and the Delta Plan,³⁹ covering San Francisco Bay and the

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ See 33 U.S.C. §§ 1313, 1362.

³⁰ Wat. Code §§ 13170, 13170.2, 13391. The State Water Board has adopted an ocean plan, entitled Water Quality Control Plan, Ocean Waters of California (1997) (Ocean Plan). The State Water Board adopted a plan for enclosed bays and estuaries in 1991. This plan was rescinded in 1991 in response to an adverse ruling in litigation filed to invalidate the plan. See State Water Board Res. No. 94-87.

³¹ Wat. Code § 13050(j).

³² See 40 C.F.R. § 131.3(i).

³³ Wat. Code § 13242.

³⁴ *Ibid.*

³⁵ *Id.* § 13243.

³⁶ See *supra*, fn. 27.

³⁷ Ocean Plan, *supra*, fn. 30, ch. V, B; see State Water Board publication entitled "Areas of Special Biological Significance", August, 1998.

³⁸ Water Quality Control Plan for the Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (September 18, 1975).

³⁹ Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (May 22, 1995).

Sacramento-San Joaquin Delta. Plans adopted by the State Water Board supersede any Regional Water Board-adopted plans to the extent of any conflict.⁴⁰

Each Regional Water Board must adopt a water quality control plan for waters within the region.⁴¹ The regional plans must conform with state policy for water quality control,⁴² and they must be approved by the State Water Board.⁴³

Both state policy for water quality control and state and regional water quality control plans are binding on other state agencies, departments, and boards, unless they are otherwise directed or authorized by statute.⁴⁴ In the latter case, they must notify the State or Regional Water Board of their authority for not complying.⁴⁵

B. Waste Discharge Control

1. Permitting

Porter-Cologne also establishes a program to regulate waste discharges that could affect water quality.⁴⁶ This program is the principal way that state water quality control policies and plans are implemented. The program covers waste discharges to land as well as to surface and groundwaters.⁴⁷ Any person discharging or proposing to discharge waste that could affect water quality must file a report of waste discharge with the Regional Water Board, unless the Regional Water Board waives the filing.⁴⁸ A report is also required if the discharger proposes a material change in the character, volume, or location of a discharge.⁴⁹ The Regional Water Board must then issue waste discharge requirements to the discharger, unless requirements are waived.⁵⁰ The requirements must implement applicable state policies and state and regional water quality control plans.⁵¹ The requirements can also prohibit the discharge of waste or certain types of waste, either under certain conditions or in specified areas.⁵²

⁴⁰ Wat. Code § 13170.

⁴¹ *Id.* §§ 13240-13247.

⁴² *Id.* § 13240.

⁴³ *Id.* §§ 13245, 13246.

⁴⁴ *Id.* §§ 13146, 13247.

⁴⁵ *Ibid.*

⁴⁶ See *id.* §§ 13260-13274; 13376-13384.

⁴⁷ See *id.*, §§ 13050(e), 13260(a), 13263(a).

⁴⁸ See *id.* §§ 13260, 13269, 13376. Persons discharging into a community sewer system are excepted from this requirement.

⁴⁹ See *id.* § 13264.

⁵⁰ See *id.* §§ 13263, 13269, 13377.

⁵¹ *Id.* §§ 13263, 13377; see *id.* § 13240.

⁵² *Id.* § 13243.

The activities subject to regulation under waste discharge requirements include both point and nonpoint source discharges. Under the Clean Water Act, the point source discharge of pollutants to surface waters must be regulated under a National Pollutant Discharge Elimination System (NPDES) permit.⁵³ A point source is a discernible, confined and discrete conveyance, such as a pipe, ditch, or channel, but excluding irrigated agricultural return flows and agricultural stormwater discharges.⁵⁴ Waste discharge requirements for point source pollutant discharges to surface waters serve as NPDES permits for purposes of the Clean Water Act.⁵⁵

Nonpoint pollution sources generally are sources that don't meet the definition of a point source. Nonpoint source pollution typically results from land runoff, precipitation, atmospheric deposition, drainage, seepage, or hydrologic modification.⁵⁶ The term "discharge of waste" in Porter-Cologne covers nonpoint, as well as point, sources of pollution.⁵⁷

"Waste" is broadly defined in Porter-Cologne to include sewage and "any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation" This definition includes all Attorney General interpretations of the terms "sewage", "industrial waste", and "other wastes" under Porter-Cologne's predecessor legislation.⁵⁸ The Attorney General had interpreted the latter terms to include wastes from a variety of activities typically considered nonpoint, such as:

- drainage, flow, or seepage containing debris or eroded earth from logging operations;⁵⁹
- garbage disposal;⁶⁰
- drainage, flow or seepage containing garbage, ashes, mixed refuse, or solid industrial waste from inactive or closed dumps;⁶¹
- return irrigation or drainage water from agricultural operations;⁶²

⁵³ See 33 U.S.C. §§ 1311, 1342.

⁵⁴ *Id.* § 1362(14).

⁵⁵ Wat. Code § 13374.

⁵⁶ See Management Measure Guidance, *supra*, fn. 4, p. 1-1.

⁵⁷ See *supra*, fn. 11.

⁵⁸ *Lake Madrone, supra*, fn. 11, 209 Cal.App. 3d at 169, 256 Cal.Rptr. 894; see Recommended Changes in Water Quality Control, Final Report of the Study Panel to the California State Water Resources Control Board, Study Project, Water Quality Control Program (1969) (Final Report), App. A, p. 23.

⁵⁹ 27 Ops.Cal.Atty.Gen. 182, 184 (1956).

⁶⁰ 16 Ops.Cal.Atty.Gen. 125, 126-30 (1950).

⁶¹ 27 Ops.Cal.Atty.Gen. 182, 184 (1956).

⁶² *Ibid.*

° pesticides improperly applied to waters of the state, or which find their way into waters of the state after application;⁶³

° changes in the physical or chemical characteristics of receiving waters caused by extraction of minerals from a streambed;⁶⁴ and

° dumping of earth moved from construction operations, or drainage of wastewater from construction sites.⁶⁵

These examples indicate that discharges of waste are not limited to waste disposal but also include releases of pollutants as part of other activities.⁶⁶ Hydrological or hydrogeological modifications; for example, that cause the release of wastes into state waters may be regulated under waste discharge requirements.

On the other hand, the Attorney General has concluded that salt water intrusion and reductions in waste assimilative capacity caused by diversions which reduce water quantity are not discharges of waste.⁶⁷ These activities may, however, be addressed in state policy for water quality control and state or regional water quality control plans, which are binding on other state agencies.⁶⁸

The Regional Water Boards are primarily responsible for issuing waste discharge requirements and NPDES permits. Waste discharge requirements may be either individual or general, for a category of discharges.⁶⁹ The Regional Water Boards may, likewise, adopt either individual or general NPDES permits.⁷⁰

The State Water Board can issue or modify Regional Water Board-adopted waste discharge requirements in response to a petition for review of the requirements.⁷¹ The State Water Board can also issue general waste discharge requirements.⁷² The State Water Board has used this authority, for example, to adopt general requirements for small

⁶³ 43 Ops. Cal. Atty. Gen. 302, 304 (1964).

⁶⁴ 32 Ops. Cal. Atty. Gen. 139, 140-41 (1958).

⁶⁵ 16 Ops. Cal. Atty. Gen. 125, 130-31 (1950).

⁶⁶ See e.g., *Lake Madrone, supra*, fn. 11 (release of accumulated sediment from a dam held a discharge of waste). See also discussion in Sawyer, *State Regulation of Groundwater Pollution Caused by Changes in Groundwater Quantity or Flow* (1988) Pacific L.J. 1267, 1273-1275.

⁶⁷ See 44 Ops. Cal. Atty. Gen. 126, 128 (1964).

⁶⁸ See *id.* at 128-130.

⁶⁹ See Wat. Code § 13263(a) & (i).

⁷⁰ See 40 C.F.R. § 122.28; *id.* § 13377; Cal. Code Regs., tit. 14, §§ 2235.1 & 2235.2.

⁷¹ See Wat. Code § 13320(c).

⁷² See Wat. Code § 13263(i). See also section 13274, which requires the State Water Board or a Regional Water Board to adopt general waste discharge requirements for sewage sludge and other biological solids.

domestic wastewater systems.⁷³ Like the Regional Water Boards, the State Water Board has independent authority to issue individual and general NPDES permits. The State Water Board has issued several general NPDES permits, including two covering stormwater discharges from industrial sources⁷⁴ and construction sites,⁷⁵ respectively.

2. Investigations

Both the State and Regional Water Boards have broad powers to investigate water quality.⁷⁶ They can investigate water quality in connection with any action authorized or required under Porter-Cologne, including the development or review of water quality control plans or waste discharge requirements.⁷⁷ Their investigative powers include the authority to conduct sampling; inspect facilities, records, and monitoring equipment; and issue subpoenas for the production of evidence.⁷⁸

The State and Regional Water Boards can require state and local agencies to investigate and report on any technical factors involved in water quality control.⁷⁹ In addition, they can require any person who has discharged, discharges, proposes to discharge or is suspected of discharging waste, whether from a point or a nonpoint source, to monitor and report information.⁸⁰

The Regional Water Boards are primarily responsible for inspecting regulated facilities.⁸¹ The State Water Board can enter and inspect a non-NPDES facility in response to a petition for review.⁸² The State Water Board also has independent authority to enter and inspect facilities covered under the NPDES permit program.⁸³

Recent amendments to Porter-Cologne impose specific responsibilities on the State Water Board with respect to investigating coastal water quality.⁸⁴ Subject to the availability of funds, the State Water Board must prepare a report for the Legislature that

⁷³ See General Waste Discharge Requirements for Discharges to Land by Small Domestic Wastewater Treatment Systems, Water Quality Order No. 97-10 DWQ.

⁷⁴ Waste Discharge Requirements (WDRS) for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities, NPDES General Permit No. CAS000001, Water Quality Order No. 97-03-DWQ.

⁷⁵ Waste Discharge Requirements (WDRS) for Discharges of Storm Water Runoff Associated with Construction Activity, NPDES General Permit No. CAS000002, Order No. 92-08 DWQ.

⁷⁶ See Wat. Code §§ 183, 186, 13163, 13267(a), 13383.

⁷⁷ See *ibid.*

⁷⁸ See *id.* §§ 183, 186, 1080, 13221, 13267, 13383.

⁷⁹ See *id.* §§ 13165 & 13225(c).

⁸⁰ See *id.* §§ 13267 & 13383.

⁸¹ See *ibid.*

⁸² See *id.* § 13320(c).

⁸³ See *id.* § 13383.

⁸⁴ *Id.* § 13181, added by Stats. 1997, c. 899, § 2.

proposes implementing a comprehensive program to monitor the quality of coastal watersheds, bays, estuaries, and their marine resources. The pollutants targeted for monitoring include, at a minimum, bacteria and viruses, petroleum hydrocarbons, heavy metals, and pesticides.⁸⁵ The program must include an identification of pollution sources and estimates of total pollutant discharges, to the extent possible, recommended actions that should be undertaken to maintain and improve coastal water quality, and other information.⁸⁶

3. Enforcement

The Regional Water Boards also have primary authority for enforcement. They may choose from a variety of enforcement options.⁸⁷ These include notices to comply for minor violations,⁸⁸ time schedule orders,⁸⁹ cleanup and abatement orders,⁹⁰ cease and desist orders,⁹¹ administrative civil liability orders,⁹² and referrals to the Attorney General for injunctive relief and civil and criminal penalties.⁹³ The Regional Water Boards can use their enforcement authority to respond to unauthorized discharges, discharges in violation of waste discharge requirements or prohibitions, discharges that cause or threaten to cause pollution or nuisance, and violations of monitoring or reporting requirements.⁹⁴

The State Water Board is authorized to take enforcement action in certain instances, although the State Water Board normally defers to the appropriate Regional Water Board. The State Water Board can take enforcement action in the first instance for NPDES-related violations.⁹⁵ For non-NPDES violations, the State Water Board can use the same enforcement tools as the Regional Water Boards in response to a petition for review of a Regional Water Board action.⁹⁶ The State Water Board can also issue notices to comply for minor violations.⁹⁷

⁸⁵ *Ibid.*

⁸⁶ *Ibid.* The State Water Board is in the process of contracting with the Southern California Coastal Water Research Project to prepare the report.

⁸⁷ See generally Water Quality Enforcement Policy and implementing guidance, State Water Board Res. No. 96-030, as amended by Resolution No. 97-085.

⁸⁸ Wat. Code §§ 13399-13399.2.

⁸⁹ *Id.* §§ 13300, 13308.

⁹⁰ *Id.* § 13304.

⁹¹ *Id.* § 13301.

⁹² *Id.* §§ 13261, 13265, 13268, 13323-13327, 13350, 13385, 13399.33.

⁹³ *Id.* §§ 13261, 13264, 13265, 13268, 13271, 13272, 13304, 13331, 13340, 13350, 13385-13387.

⁹⁴ *Ibid.*

⁹⁵ See *id.* §§ 13385 & 13386.

⁹⁶ See *id.* § 13320(c).

⁹⁷ See *id.* § 13399.2.

C. Other Programs

In addition to the specific planning and waste discharge control provisions discussed above, Porter-Cologne contains other water quality control programs. Chapter 5.6 establishes a program to identify and cleanup toxic hot spots in the state's bays, estuaries, and coastal waters.⁹⁸ Toxic hot spots include sites impaired by nonpoint, as well as point, sources of toxic pollution.⁹⁹ Plans to remediate these sites can include, in addition to remedial actions, measures to prevent toxic pollution, such as best management practices to address nonpoint pollution sources.

Porter-Cologne addresses a variety of other subjects, including: onsite, subsurface disposal systems;¹⁰⁰ drainage from abandoned mines;¹⁰¹ storm water enforcement;¹⁰² discharges of methyl tertiary-butyl ether (MTBE) to drinking water sources;¹⁰³ regulation of the use of recycled water;¹⁰⁴ waste discharges from houseboats;¹⁰⁵ and the construction and abandonment of water wells, cathodic protection wells and groundwater monitoring wells.¹⁰⁶ Porter-Cologne also contains several programs to provide grants or loans for water quality facilities and programs.¹⁰⁷

D. Clean Water Act Authority

The State Water Board is "the state water pollution control agency" for all purposes stated in the Clean Water Act.¹⁰⁸ Thus, the State Water Board is authorized to fulfill the state's responsibilities to adopt water quality standards for surface waters, to develop a nonpoint source management program, and to establish total maximum daily loads (TMDLs) for impaired waterbodies.¹⁰⁹

While the Regional Water Boards typically adopt water quality control plans for waters within their regions, Porter-Cologne specifically authorizes the State Water Board to adopt plans for surface waters that supersede any conflicting regional plans. In

⁹⁸ See *id.* §§ 13390-13396.5.

⁹⁹ See *id.* § 13391.5(e); State Water Board's Water Quality Control Policy for Guidance on the Development of Regional Toxic Hot Spot Cleanup Plans (1998).

¹⁰⁰ See Wat. Code §§ 13280-13284.

¹⁰¹ See *id.* §§ 13397-13398.9.

¹⁰² See *id.* §§ 13399.25-13399.43.

¹⁰³ See *id.* § 13285.

¹⁰⁴ See *id.* §§ 13500-13554.3.

¹⁰⁵ See *id.* §§ 13800-13806.

¹⁰⁶ See *id.* §§ 13900-13908.

¹⁰⁷ See *id.* §§ 13400-13433, 13475-13485.

¹⁰⁸ *Id.* § 13160.

¹⁰⁹ See 33 U.S.C. §§ 1313, 1329; Wat. Code §§ 13170, 13170.2, 13240-13247.

addition, the State Water Board can issue water quality certifications under section 401¹¹⁰ of the act.¹¹¹ The State Water Board can accept federal capitalization grants for a state/federal revolving fund loan program to finance construction of publicly owned sewage treatment works,¹¹² implement the state's nonpoint source management program under section 319,¹¹³ and develop and implement the national estuary program under section 320¹¹⁴ of the Clean Water Act.¹¹⁵

Chapter 5.5 of Porter-Cologne authorizes the State and Regional Water Boards to carry out the NPDES permit program.¹¹⁶ Chapter 5.5 applies to point source discharges to surface waters, introduction of pollutants into publicly owned treatment works, use and disposal of sewage sludge, and disposal of pollutants into wells.¹¹⁷

III. QUESTIONS

A. Question: Can Porter-Cologne be used to (1) prevent nonpoint source pollution and (2) require the implementation of management measures?

Response: Yes, Porter-Cologne can be used to generally prevent nonpoint source pollution and to specifically implement, either directly or indirectly, the (g) guidance management measures. The following discussion describes the State and Regional Water Boards' authority to prevent pollution, methods that they can use to both prevent pollution and require management measure implementation, and the potential impacts of Water Code section 13360.

1. Authority to Prevent Pollution

Porter-Cologne can unquestionably be used to prevent nonpoint source pollution. Under the Dickey Act,¹¹⁸ the predecessor to Porter-Cologne, the Regional Water Boards' jurisdiction to regulate waste discharges, depended, in part, on whether the discharge created or threatened to create a "condition of pollution".¹¹⁹ "Pollution" meant a water quality impairment that "does not create an actual hazard to the public health" but that does "adversely and unreasonably affect such waters" for beneficial use, or that

¹¹⁰ 33 U.S.C. § 1341.

¹¹¹ *Ibid.*; see Cal. Code Regs., tit. 14, §§ 3855-3859.

¹¹² See 33 U.S.C. §§ 1381-1387.

¹¹³ *Id.* § 1329.

¹¹⁴ *Id.* § 1330.

¹¹⁵ See Wat. Code §§ 13475-13485.

¹¹⁶ See *id.* §§ 13370-13388.

¹¹⁷ See *id.* §§ 13370, 13370.5, 13373, 13376, 13377, 13382, 13383.

¹¹⁸ Stats. 1949, ch. 1549, as amended. The Dickey Act, originally called the "Water Pollution Control Act", became the "Water Quality Control Act" in 1965. Stats. 1965, ch. 1657.

¹¹⁹ See 48 Ops.Cal.Atty.Gen. 30, 33-34 (1966), construing former Water Code § 13053.

“adversely and unreasonably affect[s] the ocean waters and bays of the state devoted to public recreation.”¹²⁰

The Regional Water Boards’¹²¹ jurisdiction to regulate waste discharges under Porter-Cologne is much broader. The Regional Water Boards do not have to find that a discharge, if unregulated, would create or threaten to create pollution. They can regulate any actual or proposed waste discharge that “could affect” the quality of state waters.¹²² Further, they do not have to authorize use of the full waste assimilation capacities of the receiving waters.¹²³ Rather, they can maintain a margin of safety in waste discharge requirements to assure protection of all beneficial uses.¹²⁴

2. Methods

The State and Regional Water Boards can use Porter-Cologne to generally prevent nonpoint source pollution and to specifically require management measure implementation. There are several ways that this can be done.

(a) Nonpoint Source Management Plan

Under its Porter-Cologne authority, the State Water Board has adopted a Nonpoint Source Management Plan (1988) (NPS Plan). The plan describes a three-tiered management approach to address nonpoint source pollution. The plan focuses on implementation of best management practices as the primary way to meet water quality standards.

The first management tier relies on the dischargers’ voluntary implementation of best management practices. The second tier is regulatory encouragement of best management practices. “Encouragement” is through two mechanisms. The State and Regional Water Boards can waive waste discharge requirements on condition that dischargers comply with best management practices. Alternatively, where other agencies can require implementation of best management practices, the boards can enter into agreements with those agencies in which the agencies agree to exercise their authority. In the third tier, the State and Regional Water Boards adopt waste discharge requirements.

The NPS Plan’s intent is to prevent nonpoint source pollution through the three-tiered approach. The plan can be used to directly implement the (g) guidance

¹²⁰ Former Wat. Code § 13005, Stats. 1919, ch. 1549, as amended.

¹²¹ References to the Regional Water Boards in Part III of this statement include the State Water Board, where appropriate. See Part II of this statement for a discussion of the respective authorities of the State and Regional Water Boards.

¹²² See Wat. Code §§ 13260, 13263.

¹²³ See *id.* § 13263(b).

¹²⁴ Final Report, *supra*, fn. 58, App. A, p. 59.

management measures in the first and second tiers. The third tier, likewise, can be used to directly or indirectly implement the measures.

To the extent authorized by Water Code section 13360, as discussed below, waste discharge requirements can directly require implementation of the management measures if the management measures implement applicable water quality standards. Waste discharge requirements can also indirectly implement the measures by prohibiting or regulating a nonpoint source activity in such a manner that the discharger must implement the management measures in order to comply. Additionally, waste discharge requirements can, in lieu of establishing effluent limitations, require a discharger to develop and implement a plan, such as a stormwater pollution prevention plan, containing best management practices or other measures, to ensure compliance with applicable water quality standards. The requirements can mandate that the discharger consider the (g) guidance management measures, along with other relevant material, in developing the plan.

(b) Waste Discharge Requirements

Waste discharge requirements issued under Porter-Cologne prevent pollution by implementing applicable water quality control plans and policies. Under Porter-Cologne, "pollution" is an alteration of water quality by waste that unreasonably affects the waters for beneficial uses.¹²⁵ Waste discharge requirements must implement the applicable water quality control plan, including the designated beneficial uses and the water quality objectives required to protect those uses.¹²⁶ Thus, a discharge that complies with waste discharge requirements should not alter water quality in a manner that causes pollution.

Nonpoint source discharges can be regulated under waste discharge requirements, either individually or as a group. The requirements can directly or indirectly implement the (g) guidance management measures, as described in the above discussion on the NPS Plan.

(c) Waivers

The Regional Water Boards can also use their waiver authority to prevent pollution and implement the management measures. The Regional Water Boards can waive regulation of nonpoint source discharges, either on an individual basis or for a category of discharges.¹²⁷ A waiver must be in the public interest, and it is conditional and may be terminated at any time.¹²⁸ The Regional Water Boards can waive waste discharge requirements for nonpoint source discharges, either individually or as a group,

¹²⁵ See Wat. Code § 13050(1)(1). "Pollution" also includes water quality alterations that unreasonably affect facilities that serve beneficial uses.

¹²⁶ *Id* § 13263(a).

¹²⁷ *Id.* § 13269(a).

¹²⁸ *Ibid.*

on condition that the dischargers comply with specified best management practices designed to achieve water quality standards. In particular, a waiver for a nonpoint source category could be conditioned on compliance with the applicable (g) guidance management measures, provided that the management measures implemented applicable water quality standards.

(d) Water Quality Certification

The State Water Board certifies activities requiring a water quality certification under section 401 of the Clean Water Act. This section requires applicants for federal licenses or permits to obtain state certification that any discharge of pollutants to surface waters from a proposed activity will comply with the Clean Water Act, including applicable water quality standards. As long as an activity will result in a discharge to surface waters, the State Water Board can use its certification authority to prevent nonpoint source pollution associated with the activity. The State Water Board can include conditions on the entire activity to protect water quality standards, including beneficial uses.¹²⁹ In particular, in appropriate cases the State Water Board can condition a section 401 certification on compliance with management measures implementing water quality standards.

(e) Plans and Policies

In addition, the State Water Board and Regional Water Boards can use their planning authority to prevent nonpoint source pollution and to implement the management measures. The State Water Board can adopt state policy for water quality control, and both the State and Regional Water Boards can adopt water quality control plans that address this type of pollution. Both policies and plans are binding on other state agencies.

Water quality control plans must include an implementation program to achieve water quality objectives. Implementation programs can prevent nonpoint source pollution and implement the management measures through several approaches. The programs can recommend that nonpoint source dischargers carry out specific best management practices, including the management measures, in order to achieve water quality standards. The programs can also waive regulation of categories of nonpoint source discharges on condition that the dischargers implement specific best management practices, such as the measures. Alternatively, an implementation program can prohibit nonpoint source discharges, either entirely or partially, in certain areas or under certain conditions. The conditions can include compliance with appropriate best management practices, including the applicable management measures.

¹²⁹ See *PUD No. 1 of Jefferson County v. Washington Dept. of Ecology* (1994) 511 U.S. 700, 114 S. Ct. 1900.

(f) Investigatory Powers

The State and Regional Water Boards can use their broad investigatory authority to foster nonpoint source pollution prevention. Both the State and Regional Water Boards can investigate the scope, causes, and sources of nonpoint source pollution, and potential practices or control measures to prevent it. They can also require that state or local agencies or dischargers conduct this type of investigation. The State and Regional Water Boards can use information obtained from these investigations to, for example, encourage voluntary implementation of best management practices by dischargers, to encourage state or local agencies that regulate nonpoint source activities to require best management practices, or to develop appropriate planning or regulatory programs addressing nonpoint source pollution.

In addition, the State and Regional Water Boards can use their investigatory powers to directly require implementation of several of the management measures. As discussed below, some management measures requires plans, such as erosion control plans.

(g) Enforcement Authority

The Regional Water Boards can use their enforcement authority to require cleanup, abatement, and remediation of sites adversely impacted by nonpoint source pollution, including wetlands and riparian areas.¹³⁰ They can also impose administrative civil liability on this basis.¹³¹ The Regional Water Boards can encourage dischargers to consider, as environmental credit projects reducing an administrative civil liability assessment, projects that protect and restore sensitive areas, such as wetlands and riparian areas.¹³²

(h) Regulations

As an additional tool, the State Water Board can adopt regulations covering categories of nonpoint source discharges. The State Water Board, for example, has adopted regulations covering waste discharges from confined animal facilities¹³³ and mining activities.¹³⁴ To the extent authorized by Water Code section 13360, as discussed below, the State Water Board can adopt regulations for categories of nonpoint source dischargers, requiring implementation of measures that are appropriate to implement applicable water quality standards.

¹³⁰ See *id.* § 13304.

¹³¹ See *id.* §§ 13350, 13385.

¹³² See Guidance to Implement the Water Quality Enforcement Policy, State Water Board (April 1996), pp. 22-23.

¹³³ See Cal. Code Regs., tit. 27, §§ 22560 - 22565.

¹³⁴ See *id.*, §§ 22470-22510.

(i) Other programs

Finally, Porter-Cologne is currently being used to prevent or to remediate nonpoint source pollution in two specific programs. The Regional Water Boards are developing TMDLs for impaired waterbodies within their regions. Many of the TMDLs address ongoing nonpoint source pollution, and these TMDLs include implementation programs to bring the nonpoint source dischargers into compliance with water quality standards. The North Coast Regional Water Board, for example, adopted a sediment TMDL that prohibits the discharge of controllable sources of sediment unless the discharger agrees to implement certain best management practices, to monitor, and to comply with other requirements. In appropriate cases, a TMDL could require that affected nonpoint source dischargers implement applicable management measures in order to achieve water quality standards.

The Bay Protection and Toxic Cleanup Program also addresses nonpoint, as well as point, source pollution. Some of the Regional Water Boards have proposed best management practices as the recommended action to remediate ongoing nonpoint source pollution. The Regional Water Boards could implement the (g) guidance management measures in appropriate cases under this program.

3. Water Code section 13360

(1) Section 13360

Under certain circumstances, Porter-Cologne restricts the State and Regional Water Boards' ability to require dischargers to implement specific practices. Under Water Code section 13360, the boards may not "specify the design, location, type of construction, or particular manner" of compliance with waste discharge requirements or other orders, and dischargers can comply "in any lawful manner."¹³⁵ This restriction "is a shield against unwarranted interference with the ingenuity of the party subject to waste discharge requirements", who can "elect between available strategies to comply with the standard."¹³⁶

On the other hand, section 13360 is not violated if, under present technology and the laws of nature, there is only one way to comply with the standard.¹³⁷ Thus, for example, a water quality control plan could legally prohibit surface runoff from new development in amounts exceeding the runoff that would occur if certain impervious

¹³⁵ Wat. Code § 13360.

¹³⁶ *Tahoe-Sierra*, *supra*, fn. 11, 210 Cal.App.3d at 1438-1439, 259 Cal.Rptr. 132.

¹³⁷ *Ibid.*; see *Pacific Water Conditioning assn., Inc. v. City Council* (1977) 73 Cal.App.3d 546, 554, 140 Cal.Rptr. 812, 816-17.

coverage limitations were met.¹³⁸ It did not matter that the only practical way to comply with the prohibition was to comply with the coverage limitations.¹³⁹

Water Code section 13360 also contains several exceptions. It does not apply to discharges of waste to injection wells.¹⁴⁰ Likewise, the restrictions do not apply to the discharge of solid waste to disposal sites. Waste discharge requirements for these sites can require the construction of dikes, installation of drainage facilities, and other similar measures.¹⁴¹

(2) Application to Management Measures

Water Code section 13360 does not restrict management measure implementation. The extent of its applicability depends on the type of measure in question. The management measures fall into several categories. They range from measures requiring plans on how to control nonpoint source pollution to measures that are more prescriptive.

Some management measures require plans. For example, nutrient management plans are required for agricultural activities and erosion and sediment control plans and chemical control plans for construction sites less than 5 acres.¹⁴² Water Code section 13360's restrictions do not apply to this type of management measure. The measures do not dictate the manner of compliance with waste discharge requirements or other board orders, but rather require dischargers to submit plans addressing specific pollution problems. The Regional Water Boards can directly implement this type of management measure under their investigative authority. As discussed previously,¹⁴³ they can require anyone who has discharged, discharges, proposes to discharge, or is suspected of discharging waste to file technical or monitoring program reports. They can also require state and local agencies to submit technical reports on water quality control, even though those entities are not waste dischargers. The only restriction is that the burden of preparing the reports bear a reasonable relationship to the need for and the benefits to be obtained from the reports.¹⁴⁴

Some management measures specify an end result to be achieved. To illustrate, an urban management measure for new development requires that, after construction is completed and a site is permanently stabilized, average annual total suspended solids (TSS) loadings be reduced by 80 percent or to a level no greater than predevelopment

¹³⁸ *Tahoe-Sierra, supra*, fn. 11.

¹³⁹ *Ibid.*

¹⁴⁰ Wat. Code § 13360(a)(2).

¹⁴¹ *Id.* § 13360(a)(1).

¹⁴² Management Measure Guidance, *supra*, fn. 4, pp. 2-52, 4-63, 4-83.

¹⁴³ See Part II, B.2 of this Statement.

¹⁴⁴ Wat. Code §§ 13165, 13225(c), 13267(b).

loadings.¹⁴⁵ This can be accomplished by either design or performance. The Regional Water Boards can ensure that this type of management measure is implemented without violating Water Code section 13360 because the measure dictates the end result but leaves the method of compliance up to the site developer.

Other management measures prescribe both the end result and the means of achieving it. This is typified by the agricultural management measure for grazing.¹⁴⁶ Part of this measure seeks to protect sensitive areas, such as streambanks and wetlands, from physical disturbance and direct loading of animal wastes and sediment, by one or more of five options. These include excluding livestock, providing stream crossings or hardened watering access for drinking, and others. The Regional Water Boards can require implementation of this measure, by adding a sixth option allowing a discharger to demonstrate that some other alternative would achieve the same end result, i.e. protection of sensitive areas from adverse, water quality-related, grazing impacts. Alternatively, the Regional Water Boards could indirectly ensure implementation of the management measure by adopting a prohibition against waste discharge in sensitive areas.

Still other management measures require development of watershed protection programs. For example, an urban management measure requires development of a watershed protection program for new development.¹⁴⁷ The program aims at avoiding the conversion, to the extent practicable, of areas particularly susceptible to erosion and sediment loss, preserving areas that provide important water quality benefits, and siting development to protect, to the extent practicable, the natural integrity of waterbodies and natural drainage systems. This type of management measure does not violate Water Code section 13360. It dictates only the end result, e.g., a watershed protection program that achieves several goals. Also, the State and Regional Water Boards would likely implement this management measure by promoting local or regional watershed efforts. Alternatively, the State Water Board could adopt state policy or the State and Regional Water Board could adopt water quality control plan provisions implementing this management measure. Water Code section 13360, on the other hand, only applies to waste discharge requirements or orders issued to waste dischargers.¹⁴⁸

B. Question: Please describe any other aspect of state law, either contained in Porter-Cologne or in other authorities, that would limit or preclude the use of Porter-Cologne to regulate nonpoint source pollution. Is Porter-Cologne limited in its application to particular sources or geographic areas? Is it otherwise limited?

Response: The nonpoint sources for which California seeks to use Porter-Cologne as a backup authority are subject to Porter-Cologne. Porter-Cologne is not

¹⁴⁵ Management Measure Guidance, *supra*, fn. 4, p. 4-12.

¹⁴⁶ *Id.* at p. 2-73.

¹⁴⁷ *Id.* at p. 4-36.

¹⁴⁸ See *People v. Barry* (1987), 194 Cal.App.3d 158, 180-181, 239 Cal.Rptr. 349, 363-364.

limited in its application, geographically or otherwise, to these sources. Under Porter-Cologne, the State and Regional Water Boards can regulate any activity that results in a waste discharge that can affect water quality. Activities that affect water quality, but that do not involve a waste discharge, can be addressed under the State and Regional Water Board's broad planning authority. The five nonpoint sources for which the state intends to use Porter-Cologne as a backup authority are discussed below.

(1) Agricultural Activities

The (g) guidance lists pollutants that cause agricultural nonpoint source pollution. These include: nutrients, sediments, animal wastes, salts, pesticides, and habitat impacts due to grazing.¹⁴⁹ The Regional Water Boards can clearly regulate the discharge of pollutants from agricultural activities, including those listed, that can affect water quality. Likewise, the Regional Water Boards can regulate grazing or other agricultural activities that directly or indirectly cause the release of pollutants, such as sediments or animal wastes, that can affect water quality.

Porter-Cologne's legislative history indicates that the act was not meant to limit the Regional Water Boards' preexisting authority under the Dickey Act to regulate the discharge of agricultural wastes.¹⁵⁰ Further, "waste" for purposes of regulation under Porter-Cologne was meant to include all materials that the Attorney General had concluded were "waste" under the Dickey Act.¹⁵¹ These materials included irrigation return flows and drainage water from agricultural activities, pesticides, herbicides, and other agricultural chemicals. The legislative history also indicates that, while these wastes are clearly subject to regulation, the Regional Water Boards can choose to waive waste discharge requirements, either with or without conditions, for agricultural operations where a waiver is not against the public interest.¹⁵²

In addition to regulating waste discharges, the State and Regional Water Boards can address any activity or factor affecting water quality in their planning capacities.¹⁵³ They are not restricted to addressing only the impacts of waste discharge. State agencies, departments, and boards must comply with state policy for water quality control and statewide and regional water quality control plans, unless otherwise directed by statute. In addition, water quality control plans can contain recommendations for action by any entity, public or private. Before implementing any agricultural water quality control plan, however, the Regional Water Boards have to indicate an estimate of the total cost of the program and identify potential sources of financing.¹⁵⁴

¹⁴⁹ Management Measure Guidance, *supra*, fn. 4, pp. 2-4 through 2-11.

¹⁵⁰ Journal of the California Assembly 2679 (Reg. Sess. 1969).

¹⁵¹ See discussion in Section II. B. 1. of this statement.

¹⁵² See fn. 150, *supra*.

¹⁵³ See discussion in Section II.A. of this statement.

¹⁵⁴ Wat. Code § 13141.

(2) Urban Sources

The (g) guidance addresses six major categories of urban nonpoint pollution.¹⁵⁵ These include runoff from developing areas, construction sites, and existing development. Onsite disposal systems; general sources, such as households, commercial sites and landscaping; and roads, highways and bridges are also included. The principal pollutants found in urban runoff are sediments, nutrients, oxygen-demanding substances, pathogens, salts, hydrocarbons, heavy metals, and toxic substances.¹⁵⁶

Urban runoff containing wastes, such as those listed, is clearly subject to regulation under Porter-Cologne. "Waste" is broadly defined in Porter-Cologne, and the term has specifically been construed to include these types of waste.¹⁵⁷ The State and Regional Water Boards have already adopted NPDES permits for some types of urban runoff; and the State Water Board has adopted general waste discharge requirements for small domestic wastewater systems.

In addition, the State and Regional Water Boards can use their planning authority to address urban runoff on a watershed basis. This authority has been used, for example, to regulate activities causing erosion that add silt to Lake Tahoe and its tributaries.¹⁵⁸

(3) Marinas

The (g) guidance also contains management measures for nonpoint source pollution from marinas and recreational boating.¹⁵⁹ Nonpoint source pollution identified with this category includes water column toxicity, low dissolved oxygen, metals and petroleum hydrocarbons, as well as disruption of sediment and habitat, and shoaling and shoreline erosion.¹⁶⁰

As stated previously, the Porter-Cologne definition of "waste" is broad. It would include any pollutants from marinas that enter surface waters through boat discharges, spills, or storm water runoff.¹⁶¹ Shoreline erosion caused by the construction or

¹⁵⁵ Management Measure Guidance, *supra*, fn. 4, pp. 4-1 through 4-2.

¹⁵⁶ *Id.* at 4-7 through 4-9.

¹⁵⁷ See discussion in Section II.B.1 of this statement. See also *Lake Madrone*, *supra*, fn. 11, 209 Cal.App.3d at 168-171, 256 Cal.Rptr. 894 (concentrated silt and sediment associated with human habitation); 16 Ops.Cal.Atty.Gen. 112 (1950) (sewage from privately-operated sewage disposal devices, such as septic tanks and cesspools); 16 Ops.Cal.Atty.Gen. 125 (1950) (drainage of wastewater from construction sites); 27 Ops.Cal.Atty.Gen. 182 (1956) (drainage, flow, or seepage into surface waters of materials from completed operations).

¹⁵⁸ See *Tahoe-Sierra*, *supra*, fn. 11.

¹⁵⁹ Porter-Cologne is not listed as a backup authority for the boat operation management measure.

¹⁶⁰ Management Measure Guidance, *supra*, fn. 4, pp. 5-3 through 5-7.

¹⁶¹ See discussion in Section II.B.1 of this Statement.

expansion of a marina is also subject to regulation as a waste discharge because the activity causes the release of sediments. Additionally, if marina construction requires a federal permit, such as a dredge and fill permit under section 404 of the Clean Water Act,¹⁶² the applicant will have to obtain a section 401 certificate from the state. The State Water Board can condition a certification, if appropriate, to address both the point and nonpoint source impacts of the project.

In addition, state law specifically authorizes the Regional Water Boards to require marinas to install vessel pumpout facilities.¹⁶³ State law also requires that vessel pumpout facilities be operated and maintained to prevent sewage discharges to state waters.¹⁶⁴ They must be maintained in good working order and regularly cleaned.¹⁶⁵

In addition to regulating waste discharges, the State and Regional Water Boards can address any marina or boating activities that affect water quality but that do not involve a waste discharge under their planning authority.¹⁶⁶ For example, they could address the marina flushing management measure in a water quality control plan and include recommendations for appropriate action by affected agencies.

(4) Hydromodification

The hydromodification management measure addresses nonpoint source pollution from channelization and channel modifications, dams, and streambank and shoreline erosion.¹⁶⁷ The state has identified Porter-Cologne as a backup authority for channelization and channel modification and streambank and shoreline erosion.

In general, channelization and channel modifications can change sediment supply, reduce freshwater availability, accelerate the delivery of pollutants, cause a loss of contact with overbank areas, and adversely impact instream and riparian habitat.¹⁶⁸ Streambank and shoreline erosion can likewise adversely impact instream and riparian habitat and contribute to increased levels of turbidity and nutrients.¹⁶⁹

Under Porter-Cologne, the Regional Water Boards can regulate any channelization or channel modification projects that cause a waste discharge, either as a result of construction or operation.¹⁷⁰ Similarly, they can regulate any activities that

¹⁶² 33 U.S.C. § 1344.

¹⁶³ Harb. & Nav. Code §§ 775-786; see Cal. Code Regs., tit. 23, §§ 2831-2836.

¹⁶⁴ Harb. & Nav. Code § 777; see Cal. Code Regs., tit. 23, §§ 2827-2829.

¹⁶⁵ *Ibid.*

¹⁶⁶ See discussion in Section II.A. of this Statement.

¹⁶⁷ Management Measure Guidance, *supra*, fn. 4, p. 6-2.

¹⁶⁸ *Id.*, pp. 6-4 through 6-7.

¹⁶⁹ *Id.*, pp. 6-57 through 6-58.

¹⁷⁰ See discussion in Section II.B.1 of this Statement.

cause streambank or shoreline erosion, resulting in the release of sediments or other wastes to state waters. The State Water Board can condition a section 401 water quality certificate for a federally-permitted activity involving a surface water discharge to address both the activity's point and nonpoint source impacts. The State and Regional Water Boards can address any other activities that affect water quality, but that do not entail a waste discharge, under their broad planning authority.¹⁷¹

(5) Wetlands

The (g) guidance contains management measures for categories of nonpoint sources. The management measures for wetlands promote protecting and restoring wetlands and riparian areas and using vegetated treatment systems to control nonpoint source pollution from these sources. The Regional Water Boards can use their Porter-Cologne authority to regulate any activities that result in a waste discharge to wetlands or riparian areas.¹⁷² Where past waste discharges have adversely impacted wetland areas, they can issue enforcement orders requiring restoration.¹⁷³ The Regional Water Boards can also promote the protection and restoration of wetlands and the use of engineered vegetated treatment systems as supplemental environmental credit projects mitigating administrative civil liability assessments.¹⁷⁴ Finally, the State and Regional Water Boards can use their broad planning authority to address the protection and restoration of wetlands and to promote the use of vegetated treatment systems.¹⁷⁵

C. Question: Will it be necessary for the state to issue regulations prior to using its Porter-Cologne authority to ensure implementation of the management measures?

Response: No, regulations are not necessary. The (g) guidance management measures vary from requirements for reports and watershed management plans to more prescriptive requirements. The appropriate Porter-Cologne response will also vary. If the State or Regional Water Boards choose to implement one or more of the management measures through their planning authority or regulations, they will have to comply with the state Administrative Procedure Act (APA).¹⁷⁶ Unlike the adoption of formal regulations, however, the APA contains special, abbreviated procedures for the adoption or amendment of plans, policies and guidelines.¹⁷⁷ If the State or Regional Water Boards choose other implementation alternatives, they will not have to comply with the APA.

¹⁷¹ See discussion in Section II.A. of this Statement.

¹⁷² See discussion in Section II.B.1 of this Statement.

¹⁷³ See, e.g., Wat. Code § 13304. See also State Water Board Order WQ 90-5, upholding a San Francisco Bay Regional Water Board order requiring a discharger to mitigate for losses of wetland habitat.

¹⁷⁴ See discussion in Guidance to Implement the Water Quality Enforcement Policy, State Water Board (April 1996), pp. 22-23.

¹⁷⁵ See discussion in Section II.A. of this Statement.

¹⁷⁶ See Gov. Code § 111340 et seq.

¹⁷⁷ Compare Gov. Code § 11353 with § 11346 et seq.

As explained previously, the State Water Board's Nonpoint Source Management Plan lays out a three-tiered management approach to nonpoint pollution regulation.¹⁷⁸ In the first tier, the State and Regional Water Boards will encourage affected discharger groups to voluntarily implement applicable management measures. This can be done through, for example, funding and education. These activities are voluntary and can be accomplished without formal rulemaking.

The second tier is regulatory encouragement - through adoption of conditional waivers or management agency agreements with other enforcement agencies. Waivers may be either individual or general. The Regional Water Boards can waive waste discharge requirements for an individual discharger, on condition that the discharger comply with appropriate management measures; and this does not require a water quality control plan amendment.¹⁷⁹ Typically, the Regional Water Boards adopt waivers for classes of dischargers, and these waivers are included in the applicable water quality control plans. As stated previously, the adoption or amendment of water quality control plans, policies, or guidelines is subject to abbreviated, APA rulemaking procedures.¹⁸⁰ Alternatively, the State and Regional Water Boards can enter into management agency agreements with agencies with enforcement authority over the nonpoint sources. These agreements can ensure management measure implementation, and they do not require a water quality control plan amendment.

In the third tier, the State and Regional Water Boards adopt waste discharge requirements. The adoption of waste discharge requirements, either individual or general, is not subject to the APA's rulemaking requirements.¹⁸¹ Waste discharge requirements can directly or indirectly require compliance with applicable management measures in appropriate cases.¹⁸² If appropriate, general waste discharge requirements can be adopted to ensure management measure implementation on a regionwide or statewide basis.

Some management measures require submission of plans, such as erosion and sediment control plans. The Regional Water Boards can implement these measures under their existing Porter-Cologne investigative powers, without undertaking a rulemaking.¹⁸³ Likewise, if the Regional Water Boards choose to adopt enforcement orders to address, for example, wetland or riparian areas degraded by waste discharges, the Regional Water Boards will not have to undertake formal rulemaking.

¹⁷⁸ See discussion in Section III.A.2.(a) of this Statement.

¹⁷⁹ See Gov. Code § 11352.

¹⁸⁰ See *id.* § 11353, which contain special procedures for State and Regional Water Board plans, policies, and guidelines.

¹⁸¹ See *id.* § 11352(b).

¹⁸² See discussion in Section III.A.2.(a) & (b).

¹⁸³ See Wat. Code §§ 13165, 13225(c), 13267, 13383. See also Gov. Code § 11342(g), defining "regulation" as a rule, regulation, order, or standard of general application.

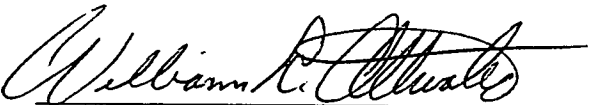
On the other hand, the Regional Water Boards are currently engaged in developing TMDLs for impaired waterbodies, many of which are impaired by nonpoint sources. These TMDLs can be used as a vehicle to implement appropriate management measures. The TMDLs have to be included in the state's water quality management plan under the Clean Water Act; they will, therefore, necessarily result in water quality control plan amendments.¹⁸⁴

IV. CONCLUSION

In sum, the State and Regional Water Boards have broad-reaching power under Porter-Cologne to prevent nonpoint source pollution. In their planning capacity, they can address all activities and factors that may affect water quality, including nonpoint source activities. They can also directly regulate all waste discharges, both point and nonpoint source, that may affect the quality of state waters. In addition to preventing nonpoint source pollution, the State and Regional Water Boards can ensure implementation of the management measures through several mechanisms. Finally, the State and Regional Water Boards are not required to undertake rulemaking before implementing the measures.

Date:

10/22/99



William R. Attwater
Chief Counsel
California State Water Resources
Control Board

¹⁸⁴ 33 U.S.C. § 1313(d).

**CALIFORNIA COASTAL COMMISSION
CHIEF COUNSEL'S STATEMENT
FOR THE
CALIFORNIA'S NONPOINT SOURCE POLLUTION CONTROL PROGRAM**

NOVEMBER 1999

000306

CALIFORNIA COASTAL COMMISSION45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200**MEMORANDUM**

October 21, 1999

TO: Peter Douglas, Executive Director
Jaime Kooser, Deputy Director

FROM: Ralph Faust, Chief Counsel
Dorothy Dickey, Deputy Chief Counsel *D. Dickey*

SUBJECT: **Enforceability of Nonpoint Source Pollution Control Program**

We are writing to address the scope of the Coastal Commission's authority to enforce the nonpoint source pollution control provisions of the Coastal Zone Management Act. (16 U.S.C. § 1451 *et seq.*) Section 6217 of that Act provides that each state "for which a management program has been approved pursuant to section 306 of the Coastal Zone Management Act ... shall prepare and submit to the Secretary and the Administrator a Coastal Nonpoint Pollution Control Program for approval pursuant to this section." (16 U.S.C. § 1455b.) The Coastal Zone Management Act explains that the "purpose of the program shall be to develop and implement management measures for nonpoint source pollution to restore and protect coastal waters, working in conjunction with other State and local authorities." (16 U.S.C. § 1455b(a)(1).) You have asked whether the Commission can enforce those nonpoint pollution control provisions.

The Coastal Commission implements the policies of California's Coastal Act. (Public Resources Code § 30000 *et seq.*) A central focus of the Coastal Act is the protection and, where feasible, restoration, of coastal water quality. The Act includes numerous enforceable policies that are directed toward that objective. For example, section 30230 provides that:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

The Commission is required specifically to control runoff in section 30231:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum

populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

In addition, Coastal Act policies limit development in numerous other ways to protect water quality. (See Attachment 1.)

The Commission implements these protective policies as it undertakes its three major regulatory tasks. Its first regulatory responsibility is to review and certify plans that address how development will occur along the California coast. Most of those plans are developed by local governments and are called "local coastal programs". (Public Resources Code § 30500 *et seq.*) Plans are also prepared by port districts (Public Resources Code § 30711 *et seq.*), colleges and universities (Public Resources Code § 30605) and proponents of public works projects (*id.*).

The Commission reviews those plans to determine whether they are consistent with applicable policies of the Coastal Act, including those related to water quality. If the Commission determines that a plan is not consistent with the policies of the Coastal Act, it is required to deny certification of the plan. In that event the Commission generally suggests modifications to the plan that the local government or other plan proponent could adopt.¹ Once the plan has been modified to incorporate the changes identified by the Commission, it can be resubmitted to the Commission for certification. Following certification by the Commission of a plan, any amendments to the plan must be submitted to the Commission. Until the Commission certifies an amendment, the measure has no legal effect for purposes of the Coastal Act.

The Commission has the authority to enforce Coastal Act provisions relating to water quality, including nonpoint source pollution. As described above, the Commission is required to refuse to certify plans and amendments which it determines do not meet the Coastal Act's water quality requirements. The Commission is additionally authorized to identify appropriate changes to those plans and amendments to bring them into conformity with the Coastal Act's water quality provisions. Such changes may include nonpoint source pollution management measures necessary to bring a plan or amendment into conformity with Coastal Act provisions relating to water quality.

The Commission's second regulatory task is to review applications for coastal development permits. The Coastal Act provides that any person who wishes to pursue

¹ The procedures for processing those modifications differ depending on the type of plan reviewed by the Commission. A discussion of the specific procedural mechanisms involved is beyond the scope of this memo.

“development” in the coastal zone must obtain a coastal development permit. (Public Resources Code § 30600.) “Development” is broadly defined in Public Resources Code § 30106 to mean:

“... on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.”

The Commission performs its permit review function with respect to development within the coastal zone until the Commission has certified a local coastal program for each coastal city and county or a port master plan for that jurisdiction. (Public Resources Code §§ 30600(c), 30715(a).) In determining whether or not to approve a particular coastal development permit application, the Commission applies the Coastal Act's policies concerning coastal protection, which include the policies to protect coastal water quality that are cited above. (Public Resources Code §§ 30604, 30715(a).) As a condition of approving coastal development permit applications, the Commission may impose conditions to prevent and mitigate nonpoint source pollution in order to implement those water quality requirements.²

After the Commission has certified a local coastal program, it delegates coastal development permitting authority to the local government. (Public Resources Code § 30519(a).) The Commission retains permitting jurisdiction over development proposed on tidelands,

² The Coastal Act does not authorize the Commission to require a coastal development permit for the “removal or harvesting of major vegetation ... for agricultural purposes, kelp harvesting and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973....” (Public Resources Code § 30106.) Nevertheless, the Commission is authorized to regulate other development activities related to agriculture and forestry. As a condition of approval of such development, the Commission may require that nonpoint source pollution control measures be undertaken in order to find that the development meets Coastal Act water quality standards.

submerged lands and public trust lands. (Public Resources Code § 30519(b).) Similarly, the Commission delegates coastal development authority to a port once the Commission has certified the port's master plan. (Public Resources Code § 30519(b).)

Local governments' and ports' decisions concerning applications for coastal development permits may be appealed to the Coastal Commission in certain instances. (Public Resources Code §§ 30603, 30715.) The standard of review for permit decisions after the Commission has certified a local coastal program or a port master plan is the certified program or plan. (Public Resources Code §§ 30604(b), 30715.5.) The Commission's actions on appeals are also governed by the certified program or plan. (*Id.*) As noted above, those planning documents must meet the Coastal Act's standards concerning water quality, including nonpoint source pollution. Thus, when the Commission, a local government or a port makes a decision on whether to issue a coastal development permit after the Commission has certified such a plan or program, the permitting agency must determine whether the proposed development will comply with the policies and standards set forth in its plan or program, including those related to water quality. If the Commission or other permitting agency determines that the proposed development will not comply with those standards, it may impose conditions on the project to bring it into compliance with the standards in the plan or program, including any management measures to prevent or mitigate nonpoint source pollution. Alternatively, the Commission or other permitting agency may deny the development.

The applicable requirements concerning water quality are found in the Coastal Act. Thus, a coastal development permit application may not be approved unless it complies with the water quality requirements contained in the Coastal Act or in certified plans and programs.

The Coastal Commission's third major regulatory responsibility is federal consistency review under the Coastal Zone Management Act. (16 U.S.C. § 1451 *et seq.*) The Commission reviews activities conducted by the federal government, federally issued licenses and permits, plans for exploration and production of the outer continental shelf, and federally funded activities. (16 U.S.C. § 1456.) The Commission reviews each proposed activity to determine whether it is consistent with the California Coastal Management Program. The Program includes the Coastal Act and those local coastal programs that have been formally approved by the Office of Ocean and Coastal Resource Management for incorporation into the State's program. The Commission must determine that the proposed activity is consistent with those policies and standards, including any required nonpoint source pollution control measures.

As noted above, the Coastal Act includes policies to protect coastal water quality. Therefore, in performing federal consistency review, the Commission is authorized to apply those water quality standards and to "disagree" or "object" as appropriate to those activities and projects that do not comply with those standards. (*Id.*, 15 C.F.R. §§ 930.32(a), 930.39, 930.42, 930.79.)

Peter Douglas/Jaime Kooser
October 21, 1999
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For the reasons set forth above, we conclude that the Coastal Commission has adequate legal authority under the Coastal Act to enforce water quality requirements related to nonpoint source pollution.

Attachment

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**APPENDIX C. SCHEDULE OF TMDLS BY CALIFORNIA REGIONAL
WATER QUALITY CONTROL BOARDS**

(NOTE: The following tables were developed from information submitted by the RWQCBs for inclusion in the CWA section 303(d) TMDL priority list and their respective chapters of the 1999 WMI Integrated Plan. The tables represent those TMDLs that the RWQCBs have identified with initial development or completion occurring during the first five-year implementation cycle (1998-2003) of the Program Plan.)

Table C1. Scheduled Development of TMDLs by North Coast Regional Water Quality Control Board (RWQCB1)

Waterbody	Stressor	Completion Date		Implement Actions	Stressor Source Category				Not identified
		Technical Report	Implementation Plan		Agriculture	Forestry	Urban	Marinas		Hydromodification
Noyo River	Sediment	1999	1999			x			
Estero Americano	Nutrients	1997			x				
Garcia River	Sediment	2000	2000		x	x			
	Temperature						x		
Navarro River	Sediment		2000						
	Temperature		2000						
Americano Creek	Nutrients	1997							
Mattole River	Sediment	2001	2002		x				
	Temperature		2002						
Ten Mile River	Sediment		2000						
Redwood Creek	Sediment		1998						
Elk River	Sediment	2009				x			
Albion River	Sediment	2000	2001			x			
Big River	Sediment	2001				x			
South Fork Trinity River	Sediment		1998						
Beaughton Creek	Unpermitted discharge of waste		1998						
Eel River	Sediment		1999-2006						
	Temperature		1999-2006						
Van Duzen River	Sediment		1999						
Trinity River	Sediment	2001							
Gualala River	Sediment	1999	2000			x			

Table C2. Scheduled Development of TMDLs by San Francisco Bay Regional Water Quality Control Board (RWQCB2)

Waterbody	Stressor	Completion Date		Implement Actions	Stressor Source Category				Not identified
		Technical Report	Implementation Plan		Agriculture	Forestry	Urban	Marinas		Hydromodification
South San Francisco Bay	Exotic Species		2001					x	
	Mercury		2003						x
	PCBs		2003						
Central San Francisco Bay	Exotic Species		2001					x	
	Mercury		2003						x
	PCBs		2003						
Lower San Francisco Bay	Exotic Species		2001					x	
	Mercury		2003						x
	PCBs		2003						
Carquinez Strait	Exotic Species		2001					x	
	Mercury		2003						x
	PCBs		2003						
Napa River	Siltation		2003					x	
	Exotic Species		2001						
	Mercury		2003						x
San Pablo Bay	Exotic Species		2001					x	
	Mercury		2003						
	PCBs		2003						
Suisun Bay	Exotic Species		2001					x	
	Mercury		2003						x
	PCBs		2003						
Richardson Bay	Exotic Species		2001					x	
	Mercury		2003						x
	PCBs		2003						x
Delta	Exotic Species		2001					x	
	Mercury		2003						x

Table C3. Scheduled Development of TMDLs by Central Coast Regional Water Quality Control Board (RWQCB3)

Waterbody	Stressor	Completion Date		Stressor Source Category					Not identified	
		Technical Report	Implementation Plan	Implement Actions	Agriculture	Forestry	Urban	Marinas		Hydromodification
Morro Bay	Metals	2000						x		
	Pathogens	2000					x			
	Sedimentation/Siltation	1999					x			
Old Salinas River Estuary	Nutrients	2003	2006							
	Pesticides	2003	2006							
Las Tablas Creek	Mercury	2000								
	Nutrients	2003	2006							
Salinas River Lagoon (North)	Pesticides	2003	2006							
	Siltation	2001	2004							
Salinas River Lagoon (South)	Nutrients	2003	2006							
	Pesticides	2003	2006							
Tembladero Slough	Salinity/TDS/Chlorides	2003	2006							
	Nutrients	2003	2006							
Pajaro River	Pesticides	2003	2006							
	Nutrients	2001	2004							
Las Tablas Creek, North Fork	Siltation	2001	2004							
	Mercury	2000								
Salinas River	Siltation	2001	2004							
	Nutrients	2003	2006							
Espinosa Slough	Pesticides/Priority Organics	2003	2006							
	Nutrients	2003	2006							
Carbonera Creek	Pathogens	2001	2004							
	Siltation	2000	2003							
Lompico Creek	Nutrients	2000								
	Pathogens	2001	2004							
Lompico Creek	Siltation	2000	2003							
	Nutrients	2000								

Waterbody	Stressor	Completion Date		Implement Actions	Stressor Source Category						Not identified	
		Technical Report	Implementation Plan		Agriculture	Forestry	Urban	Marinas	Hydromodification			
San Lorenzo River Estuary	Pathogens	2001	2004									
	Siltation	2000	2003								x	
	Mercury	2003	2006									
Hernandez Reservoir	Nutrients											
	Nutrients	2001	2004						x			
Lompico Creek	Nutrients	2001	2004									
	Siltation	2001	2004									
Pajaro River	Nutrients	2001	2004									
	Siltation	2001	2004									
Rider Gulch Creek	Siltation	2001	2004									
	Siltation	2001	2004									
San Benito River	Siltation	2001	2004									
	Nutrients	2001	2004									
Shingle Mill Creek	Siltation	2001	2004									
	Nutrients	2001	2004									
Watsonville Slough	Siltation	2001	2004									
	Oil and Grease	2003	2006									
Chorro Creek	Pathogens	2003	2006									
	Pesticides	2003	2006									
San Luis Obispo Creek	Siltation	2001	2004									
	Metals	2003	2006									
Arroyo Burro Creek	Metals	2000										
	Nutrients	2000										
Las Tablas Creek, South Fork Nacimiento Reservoir	Siltation	2000										
	Nutrients	2000	2003									
Los Osos Creek	Pathogens	2000										
	Priority Pollutants	2001										
Valencia Creek	Pathogens	2000										
	Mercury	2000										
Salinas River	Mercury	2000										
	Nutrients	1999										
Clear Creek	Siltation	2000										
	Priority Organics	2001										
Hernandez Reservoir	Siltation	2001										
	Nutrients	2003										
San Benito River	Pesticides/Priority Organics	2003										
	Salinity	2003										
Hernandez Reservoir	Salinity	2001										
	Siltation	2001										
San Benito River	Mercury	2003										
	Siltation	2001										

Waterbody	Stressor	Completion Date		Stressor Source Category						
		Technical Report	Implementation Plan	Implement Actions	Agriculture	Forestry	Urban	Marinas	Hydromodification	Not identified
San Lorenzo River	Nutrients	2000				x				
	Siltation	2000								
	Pathogens	2001					x			
San Lorenzo Creek	Nutrients									
	Siltation	2000	2003				x			

Table C4. Scheduled Development of TMDLs by Los Angeles Regional Water Quality Control Board (RWQCB4)

Waterbody	Stressor	Completion Date		Implement Actions	Stressor Source Category					
		Technical Report	Implementation Plan		Agriculture	Forestry	Urban	Marinas	Hydromodification	Not identified
Arroyo Conejo North Fork	Nitrogen	00/01	01/02	01/02						x
Arroyo Las Posas (Reaches 1&2)	Pesticides	02/03	03/04	03/04						x
Arroyo Simi (Reach 1)	Metals	04/05	05/06	05/06						x
Ballona Creek	Trash	00/01	01/02	02/03						x
	Metals	02/03	03/04	03/04						x
Ballona Estuary	Pesticides	02/03	03/04	03/04						x
	Coliform	02/03	03/04	03/04						x
Cabrillo Pier area	Pathogens	00/01	02/03	03/04						x
Conejo Creek	Nitrogen	00/01	01/02	01/02						x
Fox Barranca	Salts	04/05	05/06	05/06						x
Lake Calabasas	Nutrients	00/01	01/02	02/03						x
Los Angeles River (Reaches 1 - 5)	Nitrogen (effects)	01/02	02/03	02/03						x
	Trash	99/00	00/01	00/01						x
Los Angeles River (Reaches 1,2,4, & 6)	Coliform	00/01	01/02	01/02						x
	Metals	02/03	03/04	03/04						x
Los Angeles River (Reach 5)	Pesticides	04/05	05/06	05/06						x
	PCBs	03/04	04/05	04/05						x
Marina del Rey Harbor - Back Basins	Pesticides	03/04	04/05	04/05						x
	Metals	03/04	04/05	04/05						x
Marina del Rey Harbor Beach	Coliform	01/02	02/03	02/03						x
	Coliform	99/00	01/02	02/03						x
Medea Creek (Reaches 1 & 2)	Coliform	00/01	01/02	02/03						x
	Coliform	00/01	01/02	02/03						x

Waterbody	Stressor	Completion Date		Stressor Source Category				Implement Actions	Hydromodification	Not identified
		Technical Report	Implementation Plan	Agriculture	Forestry	Urban	Marinas			
Revlon Slough	Pesticides	01/02	02/03							x
San Gabriel River East Fork	Trash	99/00	99/00							x
San Gabriel River (Reach 2)	Coliform	02/03	03/04							x
San Gabriel River (Reaches 1, 2, & 3)	Nitrogen	01/02	02/03							x
San Jose Creek (Reach 1)	Metals	04/05	05/06							x
Santa Clara River (Reaches 3, 7, & 8)	Chloride	99/00	99/00							x
	Nitrogen	99/00	01/02							x
Santa Monica Bay (Greater) beaches	Pathogens	00/01	01/02							x
Santa Monica Bay Nearshore/Offshore	Metals	02/03	03/04							x
	Chlordane	04/05	05/06							x

Table C5. Scheduled Development of TMDLs by Central Valley Regional Water Quality Control Board (RWQCB5)

Waterbody	Stressor	Completion Date		Stressor Source Category				Implement Actions	Hydromodification	Not identified
		Technical Report	Implementation Plan	Agriculture	Forestry	Urban	Marinas			
Delta Waterways	Chlorpyrifos	2002	2004	x						
	Diazinon	2002	2004	x						
	Mercury	2002	2004							
Feather River	Diazinon	2002	2004	x						
	Diazinon	2002	2004	x						
Sacramento River, Lower	Mercury	2002	2004							
	Mercury	2002	2004							
Berryessa Lake	Mercury	2002	2004							
Cache Creek	Mercury	2002	2004							
Sulfur Creek	Mercury	2002	2004	x						
Harley Gulch	Mercury	2002	2004							
Mud Slough	Selenium	1997	1999	x						
	Selenium	1997	1999	x						
San Joaquin River	Boron			x						
	Electrical Conductivity			x						
	Chlorpyrifos	2002	2004							
Little Grizzly Creek	Diazinon	2002	2004	x						
	Copper	2002	2004							
	Zinc	2002	2004							

Waterbody	Stressor	Completion Date		Stressor Source Category						
		Technical Report	Implementation Plan	Implement Actions	Agriculture	Forestry	Urban	Marinas	Hydromodification	Not identified
Stanislaus River (Lower)	Diazinon	2002	2004		x					
Clear Lake	Mercury	2002	2004							
Tuolumne River (Lower)	Diazinon	2002	2004		x					

Table C6. Scheduled Development of TMDLs by Lahontan Regional Water Quality Control Board (RWQCB6)

Waterbody	Stressor	Completion Date		Implement Actions	Stressor Source Category					Not identified
		Technical Report	Implementation Plan		Agriculture	Forestry	Urban	Marinas	Hydromodification	
Aspen Creek	Metals									x
Bear Creek	Sedimentation/Siltation								x	
Blackwood Creek	Sedimentation/Siltation				x				x	
Bodie Creek	Metals									x
Bridgeport Res	Nutrients				x					
Bronco Creek	Sedimentation/Siltation									x
Bryant Creek	Metals									x
Carson River, East Fork	Nutrients				x					
Cottonwood Creek	Water/Flow Variability									
Eagle Lake	Org. enrichment/Low D.O.				x			x		
East Walker River	Sedimentation/Siltation				x			x		
Gray Creek	Sedimentation/Siltation									x
Heavenly Valley Creek.	Sediment									
Indian Creek	Habitat Alterations							x		
Lake Tahoe	Nutrients									
Lee Vining Creek	Flow Alterations							x		
Mammoth Creek	Metals									x
Mill Creek	Flow Alterations									

Table C8. Scheduled Development of TMDLs by Santa Ana Regional Water Quality Control Board (RWQCB8)

Waterbody	Stressor	Completion Date		Stressor Source Category				Not identified	
		Technical Report	Implementation Plan	Implement Actions	Agriculture	Forestry	Urban		Marinas	Hydromodification
Big Bear Lake and tributaries	Metals	07/03	01/04	12/04					x
	Nutrients	07/03	01/04	12/04					
	Nutrients	06/02	01/03	12/03			x		
Canyon Lake	Pathogens	06/02	01/03	12/03					x
	Nutrients	06/02	01/03	12/03					x
Lake Elsinore	Siltation	06/02	01/03	12/03					x
	Metals	01/01	01/01	12/01				x	
Newport Bay (Lower)	Nutrients	12/98	12/98	12/98				x	
	Pathogens	12/98	03/99	12/99					
	Pesticides	01/01	01/01	12/01					x
	Pr. Organics	01/01	01/01	12/01					
	Sediment	12/98	12/98	12/98			x		
Newport Bay (Upper)	Metals	01/01	01/01	12/01					x
	Nutrients	12/98	12/98	12/98					
	Pathogens	12/98	03/99	12/99					
	Pesticides	01/01	01/01	12/01					x
	Sediment	12/98	12/98	12/98			x		
San Diego Creek (Reach 1 & 2)	Metals	01/01	01/01	12/01					x
	Pesticides	01/01	01/01	12/01					x
	Sediment	12/98	12/98	12/98			x		

Waterbody	Stressor	Completion Date		Stressor Source Category					Not identified	
		Technical Report	Implementation Plan	Implement Actions	Agriculture	Forestry	Urban	Marinas		Hydromodification
San Diego Bay (Nr. Coronado Br.) San Diego Bay (Submarine Base) San Diego Bay (Shelter Island) San Diego Bay (Nr. Grape Street) San Diego Bay (Downtown Pier) San Elijo Lagoon	Toxicity	07/03	07/03	07/03						X
	Toxicity	07/03	07/03	07/03						X
	Toxicity	06/00	11/00	06/01						X
	Toxicity	07/03	07/03	07/03						X
	Nutrients	07/03	07/03	07/03						X
	Coliform	07/03	07/09	07/09						X
	Sediment	07/03	07/07	07/07						X
	Coliform	07/10	07/10	07/10						X
	Coliform	07/10	07/10	07/10						X
	Nutrients	07/05	07/05	07/05						X
Santa Margarita Lagoon Tecolote Creek	Coliform	07/03	07/09	07/09						X
	Metals	07/03	07/08	07/08						X
	Toxicity	07/03	07/08	07/08						X
	Coliform	07/11	07/11	07/11						X
	Metals	07/11	07/11	07/11						X
	Nutrients	07/11	07/11	07/11						X
	Organics	07/11	07/11	07/11						X
	Pesticides	07/11	07/11	07/11						X
Tijuana River	Trash	07/11	07/11	07/11						X
	Coliform	07/11	07/11	07/11						X
	Metals	07/11	07/11	07/11						X
	Nutrients	07/11	07/11	07/11						X
	Organics	07/11	07/11	07/11						X
	Pesticides	07/11	07/11	07/11						X
	Trash	07/11	07/11	07/11						X
	Coliform	07/11	07/11	07/11						X
Tijuana River Estuary	Metals	07/11	07/11	07/11						X
	Nutrients	07/11	07/11	07/11						X
	Pesticides	07/11	07/11	07/11						X
	Trash	07/11	07/11	07/11						X

**APPENDIX D: LETTERS FROM
THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY AND
THE CALIFORNIA RESOURCES AGENCY TO LEAD AND ENFORCING
STATE AGENCIES WITH RESPECT TO DEVELOPMENT OF
THE FIVE-YEAR NONPOINT SOURCE IMPLEMENTATION PLANS**



GRAY DAVIS
GOVERNOR

MEMORANDUM

TO: William Lyons, Jr., Secretary
Department of Food and Agriculture

Diana Bontá, Director,
Department of Health Services

José Medina, Director
Department of Transportation

FROM: Winston H. Hickox
Agency Secretary
California Environmental Protection Agency

Mary D. Nichols
Agency Secretary
Resources Agency

DATE: February 2, 2000

SUBJECT: CALIFORNIA'S NONPOINT SOURCE POLLUTION CONTROL
PROGRAM

By this memorandum, we are requesting your assistance in addressing nonpoint source (NPS) pollution by implementing the attached Plan for California's Nonpoint Source Pollution Control Program (Program Plan). NPS pollution, also known as polluted runoff, is the leading cause of water quality impairments in California and nationally. Nonpoint sources are the major contributor of pollution to impacted water bodies including surface, ground, and coastal waters in California. Your participation is needed if we are going to protect and restore the myriad of beneficial uses our water resources support and the economic benefit derived from these uses.

This memorandum underscores the commitment of both the California Environmental Protection Agency (Cal/EPA) and Resources Agency to protect the beneficial uses and restore the quality of California's waters. In order to achieve measurable improvements, we are requesting your agencies to use your respective authorities to implement the Program Plan to prevent and control NPS pollution affecting State surface, ground, and coastal waters.

William Lyons, Jr.
Diana Bontá
José Medina
February 2, 2000
Page 2

We commend those agencies that have worked with the State Water Resources Control Board (SWRCB) and California Coastal Commission (CCC) in the development of the Program Plan's Fifteen-Year Program Strategy and Five-Year Implementation Plan (Volume I) and the California Management Measures for Polluted Runoff (Volume II). Effective implementation of the Program Plan requires continued collaboration among all responsible State agencies as well as coordination among federal and local agencies and public groups.

The SWRCB and CCC, in conjunction with the nine Regional Water Quality Control Boards, are the lead agencies in coordinating implementation of the Program Plan. To ensure success of the Program Plan, we are requesting your agencies to undertake several important program actions.

- Each agency is requested to designate a lead staff person to be responsible for coordinating with the SWRCB and CCC on NPS issues.
- Each agency is requested to identify through a five-year plan appropriate actions to implement management measures for which they have authorities and are targeted in the first Five-Year Implementation Plan.
- Each agency is requested to ensure that actions to implement its respective portions of the Program Plan are tracked, monitored, assessed, and reported to the SWRCB and CCC consistent with State law (Water Code sections 13165 and 13369 [AB 227]) and in accordance to the Program Plan.
- Each agency in consultation with the SWRCB and CCC shall consider the need to establish or revise existing formal agreements with the SWRCB and CCC to ensure successful implementation of the Program Plan.

In addition, we encourage each agency to adopt policies that support the Program Plan.

Please reply to William Vance, Ph.D., Assistant Secretary for Policy and Regulations, Cal/EPA or Maria Rea, Assistant Secretary for Watershed and Salmon Restoration, Resources Agency, by February 25, 2000 with the name, telephone number, and e-mail address of your designated lead staff person. If you have any questions, please call Dr. Vance, at (916) 324-7584 or Ms. Rea, at (916) 653-5656.

Attachment

cc: See next page

William Lyons, Jr.
Diana Bontá
José Medina
February 2, 2000
Page 3

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William Lyons, Jr.
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February 2, 2000
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February 2, 2000
Page 5

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José Medina
February 2, 2000
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California Environmental
Protection Agency
Winston H. Hickox
Agency Secretary



Resources Agency
Mary D. Nichols
Agency Secretary

GRAY DAVIS
GOVERNOR

MEMORANDUM

TO: Distribution List

FROM: Winston H. Hickox
Agency Secretary
California Environmental Protection Agency

Mary D. Nichols
Agency Secretary
Resources Agency

DATE: February 2, 2000

SUBJECT: CALIFORNIA'S NONPOINT SOURCE POLLUTION CONTROL PROGRAM

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collaboration among all responsible State agencies as well as coordination among federal and local agencies and public groups.

The SWRCB and CCC, in conjunction with the nine RWQCBs, are the lead agencies in coordinating implementation of the Program Plan. To ensure success of the Program Plan, we are directing our Boards, Departments, and RWQCBs to undertake several important program actions.

- Each Board or Department shall designate a lead staff person to be responsible for coordinating with the SWRCB and CCC on NPS issues.
- Each Board or Department shall identify through a five-year plan appropriate actions to implement management measures for which they have authorities and are targeted in the first Five-Year Implementation Plan.
- Each Board or Department shall ensure that actions to implement its respective portions of the Program Plan are tracked, monitored, assessed, and reported to the SWRCB and CCC consistent with State law (Water Code sections 13165 and 13369 [AB 227]) and the requirements of the Program Plan.
- Each Board or Department in consultation with the SWRCB and CCC shall consider the need to establish or revise existing formal agreements with the SWRCB and CCC to ensure successful implementation of the Program Plan.

In addition, we encourage each Board or Department to adopt policies that support the Program Plan.

Please reply to William Vance, Ph.D., Assistant Secretary for Policy and Regulations, Cal/EPA, or Maria Rea, Assistant Secretary for Watershed and Salmon Restoration, Resources Agency, by February 25, 2000 with the name, telephone number, and e-mail address of your designated lead staff person. If you have any questions, please call Dr. Vance, at (916) 324-7584 or Ms. Rea, at (916) 653-5656.

Attachment

cc: See next page.

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February 2, 2000
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**APPENDIX E. MEMORANDUM OF UNDERSTANDING BETWEEN
THE STATE WATER RESOURCES CONTROL BOARD AND
THE CALIFORNIA COASTAL COMMISSION**

This Memorandum of Understanding (MOU) is between the State Water Resources Control Board (SWRCB) and the California Coastal Commission (CCC). The SWRCB is part of the California Environmental Protection Agency (Cal/EPA), and the CCC is part of the California Resources Agency.

AGENCIES AGREE AS FOLLOWS:

A. PURPOSE

The purpose of this MOU is to promote protection of (1) water quality and (2) the uses and resources dependent on clean water from the potential adverse effects of nonpoint source (NPS) pollution. The SWRCB and CCC concur that the State will benefit from a unified and cooperative program to protect and restore water quality.

B. AUTHORITY

The authority of the SWRCB and CCC are defined by federal and State law described as follows:

1. The SWRCB and CCC, in coordination with the nine Regional Water Quality Control Boards (RWQCBs), are the lead State agencies in California for the development and implementation of the *Plan for California's Nonpoint Source Pollution Control Program: 1998-2013* (Program Plan) which has been prepared pursuant to the Federal Clean Water Act section 319 (33 U.S.C. §1329) and Coastal Zone Management Act section 6217 (16 U.S.C. §1455b).
2. The SWRCB and the RWQCBs are the State agencies with primary responsibility for coordination and control of water quality throughout California. The SWRCB and RWQCBs are the State agencies authorized under the Clean Water Act and State law to designate beneficial uses of the State's waters and establish water quality objectives for protecting those uses. The SWRCB and RWQCBs have a variety of regulatory powers under which they investigate water quality issues; adopt water quality control plans, regulations, and policies; prohibit waste discharges in certain areas; and issue permits regulating waste discharges affecting water quality. The SWRCB is required to provide information to the public regarding water quality issues. The SWRCB also administers several loan and grant programs for the protection of water quality, including the NPS grant program under the Federal Clean Water Act section 319 (33 U.S.C. §1329). RWQCBs also have the authority to order cleanup of waste discharges and to take enforcement actions against waste dischargers, including imposing administrative civil liability.

3. The CCC has the primary responsibility for implementation of the California Coastal Act and has been designated the State coastal zone planning and management agency for any and all purposes and may exercise any and all powers set forth in the Federal Coastal Zone Management Act of 1972 (16 U.S.C. §1451, et seq.) and any amendments thereto or other federal laws that relate to the planning or management of the coastal zone. The California Coastal Act mandates the protection and restoration of coastal waters. The CCC certifies local coastal programs and approves coastal development permits, energy projects, and federal projects within the Coastal Zone in accordance with water quality policies in the California Coastal Act. The CCC protects water quality through the management of development that generates runoff, creates spills, or otherwise affects water quality. The CCC also implements educational and technical assistance programs and coordinates with other agencies to address land-use and development activities that may generate polluted runoff.
4. According to Public Resources Code section 30400, in the absence of specific authorization by law or by agreement with the CCC, no State agency shall exercise any powers or carry out any duties or responsibilities established by the California Coastal Act or by the Federal Coastal Zone Management Act of 1972 or any amendment thereto.
5. According to Public Resources Code section 30412, the CCC, subject to limited exceptions regarding wastewater treatment plants, shall not modify, adopt conditions, or take any action in conflict with any determination by the SWRCB or any RWQCB in matters relating to water quality or the administration of water rights.

C. IMPLEMENTATION

Effective implementation of the Program Plan requires continued collaboration between the SWRCB and CCC. The SWRCB and the CCC therefore agree to:

1. To continue to work cooperatively to implement the Program Plan;
2. To be partners in the administrative coordination of California's Nonpoint Source Pollution Control Program (NPS Program);
 - a. The SWRCB and CCC will be joint partners in developing, implementing, and participating in interagency coordinating committees;
 - b. The SWRCB will act as the lead coordinating agency with Cal/EPA members; the CCC will act as the lead coordinating agency with Resources Agency members;
 - c. The SWRCB will serve as the liaison with the U.S. Environmental Protection Agency (USEPA); the CCC will serve as the liaison with the National Oceanic and Atmospheric Administration (NOAA);

3. To implement and to track the implementation of applicable management measures and management practices related to NPS pollution prevention and control;
4. To modify or add to the Program Plan, including the actions identified in the Five-Year Implementation Plans (Volume 1) and the management measures in *California Management Measures for Polluted Runoff (CAMMPR)* (Volume 2), in a joint effort;
5. To meet on a regular basis (quarterly) to assess Program implementation, to discuss existing and proposed projects of mutual interest, and to consider changes to the Program Plan or MOU;
6. To have staff and management actively participate in regular updates on implementation of the Plan and identify concerns regarding the coordination and control of water quality due to changes in laws, regulations, policies, water quality control plans, or local coastal programs;
7. To work cooperatively through the legislative process to the extent permitted by law and Governor's Office procedures to further the NPS Program;
8. To work cooperatively in the budgetary process to support NPS Program activities;
9. To jointly convene public workshops to develop the next Five-Year Implementation Plan, no later than three years after the effective date of each Five-Year Implementation Plan;
10. To report biennially on program effectiveness;
11. To improve communication with the members of the CCC, SWRCB, and RWQCBs by:
 - a. SWRCB staff and CCC staff jointly presenting an annual status report to the CCC and the SWRCB Members regarding the NPS program;
 - b. SWRCB and RWQCB staffs consulting with CCC staff regarding NPS projects implemented or ordered by the SWRCB or a RWQCB requiring a coastal development permit issued or reviewed by the CCC. CCC staff will brief Commission Members in advance and take other actions needed to expedite a decision on the project. CCC staff will consult with SWRCB and RWQCB staffs regarding any of their projects that require SWRCB approval; and SWRCB and RWQCB staffs will brief SWRCB Members in advance and take other actions needed to expedite a SWRCB decision on the project.

D. RESERVATION OF AUTHORITY

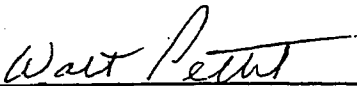
Nothing herein shall be construed in any way as limiting the authority of the SWRCB or CCC in carrying out their respective legal responsibilities for management, regulation, coordination, and control of water quality or land uses affecting water quality.

Nothing herein shall be construed to prohibit the establishment of MOUs/Management Agency Agreements/Memoranda of Agreements with State or other agencies by either the SWRCB or CCC.

E. MODIFICATION OR RECISION

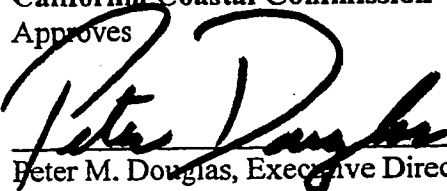
This MOU shall become effective upon the date of final signature and shall continue in effect until modified by the mutual written consent of both parties or until terminated by either party upon a 30-day advance written notice to the other party.

State Water Resources Control Board
Approves



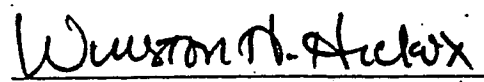
Walt Pettit, Executive Director
February 2, 2000

California Coastal Commission
Approves



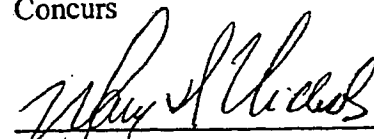
Peter M. Douglas, Executive Director
February 2, 2000

California Environmental Protection Agency
Concurs



Winston Hickox
Agency Secretary
February 2, 2000

California Resources Agency
Concurs



Mary Nichols
Secretary for Resources
February 2, 2000

APPENDIX F. LIST OF ACRONYMS

- 1988 Plan – Nonpoint Source Management Plan, November 1988
- AB – Assembly Bill
- ACL – Administrative Civil Liability
- ADMP – Agriculture Drainage Management Plan
- AFO – Animal Feeding Operations
- AG – Attorney General
- AMBAG - Association of Monterey Bay Area Governments
- ARS – Agricultural Research Service
- ASBS – Areas of Special Biological Significance Basin Plan – Regional Water Quality Control Plans
- BASMAA – Bay Area Stormwater Management Agencies Association
- BAWPG – Bay Area Wetlands Planning Group
- BCGC – Boating and Clean Green Campaign
- BCP – Budget Change Proposal
- BIOS – Biologically Integrated Orchard Systems
- BLM – U.S. Bureau of Land Management
- BMP – Best Management Practices
- BOF – Board of Forestry
- BPTCP – Bay Protection and Toxic Cleanup Program
- Cal/EPA – California Environmental Protection Agency
- CALFED – CALFED Bay-Delta Program
- Cal/RA – California Resources Agency
- Cal/Trans – California Department of Transportation
- CAMMPR – Volume II: California Management Measures for Polluted Runoff
- CAO – Cleanup and Abatement Orders
- CARCD – California Association of Resource Conservation Districts
- CBC – California Biodiversity Council
- CCA – Critical Coastal Area
- CCBN – California Clean Boating Network
- CCC – California Coastal Commission
- CCR – California Code of Regulations
- CCMP – California Coastal Management Program
- CDF – California Department of Forestry and Fire Protection
- CDO – cease and desist orders
- CDP – Coastal Development Permit
- CDPR – Department of Pesticide Regulation
- CEEIN – California Environmental Education Interagency Network
- CEQA – California Environmental Quality Act
- CERCLA – Comprehensive Environmental Response and Compensation Liability Act
- CERPI – California Ecological Restoration Projects Inventory
- CESA – California Endangered Species Act
- CFB – California Farm Bureau
- CFR – Code of Federal Regulations
- CIWMB – California Integrated Waste Management Board
- CNCP – Coastal Nonpoint Source Pollution Control Program
- Coastal Act – California Coastal Act
- CPR Plan – *Plan for Controlling Polluted Runoff*
- CRMP – Coordinated Resource Management and Planning Program
- CRWQMP – California Rangeland Water Quality Management Plan
- CTR – California Toxics Rule
- CVA – Clean Vessel Act
- CWA – Clean Water Act
- CWAP – Clean Water Action Plan
- CWC – California Water Code
- CWPI – California Watershed Project Inventory
- CZARA Coastal Zone Act Reauthorization Amendments of 1990
- CZM – Coastal Zone Management
- CZMA – Coastal Zone Management Act
- CZTA – Coastal Zone Treatment Areas
- DA – District Attorney
- DBW – Department of Boating and Waterways
- DFA – Department of Food and Agriculture
- DFG – Department of Fish and Game
- DHS – Department of Health Services
- DOC – Department of Conservation
- DPR – Department of Parks and Recreation
- DTSC – Department of Toxic Substance Control
- DWR – Department of Water Resources
- DWSAP – Drinking Water Source Assessment and Protection
- EBEP – Enclosed Bays and Estuaries Plan
- EIR – Environmental Impact Report
- EQIP – Environmental Quality Incentives Program
- ESA – Endangered Species Act
- ESHA – Environmentally Sensitive Habitat Area
- FACT – Functioning Assessment Criteria Test
- FERC – Federal Energy Regulatory Commission
- FOTG – Field Office Technical Guide

FPR – Forest Practice Rules
 FSA – Farm Services Agency
 FY – Fiscal Year
 g-Guidance – Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters (CZARA §6217[g])
 GeoWBS – Geographically-based Water Body System
 GIS – Geographic Information System
 GRTS – Grants Reporting and Tracking System
 HHW – Household Hazardous Waste
 HTB – Heal the Bay
 IACC – Interagency Coordinating Committee
 Implementation Plan – Five-Year Implementation Plan (1998-2003)
 IPM – Integrated Pest Management
 ISWP – Inland Surface Waters Plan
 LCP – Local Coastal Program
 LCPA – Local Coastal Program Amendment
 LEA – local enforcement agency
 LUP – land use plan
 MAA – Management Agency Agreement
 MBNMS - Monterey Bay National Marine Sanctuary
 MM – management measure
 MOA - Memorandum of Agreement
 MOU – Memorandum of Understanding
 MP – management practices
 MPA – MacAteer-Petris Act
 MSG – Monitoring Study Group
 MURP – Model Urban Runoff Program
 NAWQA – National Water Quality Assessment Program
 NEP - National Estuary Program
 NEPA – National Environmental Policy Act
 NERR - National Estuarine Research Reserve
 NGO – non-governmental organization
 NMS - National Marine Sanctuary
 NOAA – National Oceanic and Atmospheric Administration
 NOV – Notice of violation
 NPDES – National Pollutant Discharge Elimination System
 NPS – nonpoint source
 NPS MIS – NPS Management Information System
 NRCS – Natural Resources Conservation Service
 NRDC – Natural Resources Defense Council
 NRPI – Natural Resources Project Inventory
 OAL – State Office of Administrative Law
 Ocean Plan – California Ocean Plan
 OCWD – Orange County Water District
 OSDS – On-site Disposal System
 OSPR – DFG/Oil Spill Prevention and Response
 PCA – Program Cost Account
 PIPP – Public Information Public Participation Committee of the SWQTF
 PMP – portmaster plan
 PMZ – Pesticide Management Zone
 Policy – Policy for Implementation of Toxics Standards for Inland Surface Water, Enclosed Bays, and Estuaries of California
 Porter-Cologne Act - Porter Cologne Water Quality Control Act
 POTWs – publicly owned treatment works
 PRC – Public Resources Code
 Program – NPS Pollution Control Program
 Program Plan – *Plan for California's Nonpoint Source Pollution Control Program 1998-2013*
 PROSIP – Volume I: Nonpoint Source Program Strategy and Implementation Plan, 1998-2013
 PTS – Permit Tracking System
 QA/QC – Quality Assessment/Quality Control
 RCDs –Resource Conservation Districts
 RCRA – Resource Conservation and Recovery Act
 ReCAP – CCC's Regional Cumulative Assessment Program
 RFP – Request for Proposal
 RIFA – red imported fire ants
 RMS – Resource Management Systems
 RWQCB – Regional Water Quality Control Board
 SbMA – Subdivision Map Act
 SCC – State Coastal Conservancy
 SFB – San Francisco Bay
 SFB/CDC - San Francisco Bay Conservation and Development Commission
 SFEP – San Francisco Estuary Project
 SJVDIP – San Joaquin Valley Drainage Implementation Program
 SLC – State Lands Commission
 SMA – Streamside Management Areas
 SMARA – Surface Mining and Reclamation Act
 SMB – Santa Monica Bay
 SRF – State Revolving Fund
 Strategy – Fifteen-Year Program Strategy
 SWIM – System for Water Information Management
 SWPPP – Storm Water Pollution Prevention Program
 SWQTF – Stormwater Quality Task Force

SWRCB – State Water Resources Control Board
TAC – Technical Advisory Committee
TBT - tributyltin
THP – Timber Harvesting Plan
TMDL – Total Maximum Daily Load
TSCA Toxic Substances Control Act
TSS – Total Suspended Solids

UC – University of California
UCCE University of California Cooperative
Extension
UCD ICE – University of California, Davis,
Information Center for the Environment
USBR – U. S. Bureau of Reclamation
USC – United States Code
USCG – U.S. Coast Guard
USACOE – U.S. Army Corps of Engineers
USDA – U. S. Department of Agriculture
USEPA – U. S. Environmental Protection Agency
USFS – U.S. Forest Service
USFWS - U.S. Fish and Wildlife Service
USGS – U. S. Geological Survey
WATER – Watershed Analysis Tool for
Environmental Review
WCB – Wildlife Conservation Board
WCL – Wildlife Conservation Law of 1947
WDR – Waste Discharge Requirement
WLPZ – Watercourse and Lake Protection Zone
WMA – Watershed Management Areas
WMI – Watershed Management Initiative
WQA – Water Quality Assessment
WQCP – Water Quality Control Plans
WQCrP – Water Quality Certification Program
WQMP – Water Quality Management Plan
WQPP - Water Quality Protection Program
WRAS – Watershed Restoration Action Strategy
WRP – Wetlands Research Project

APPENDIX G. BIBLIOGRAPHY

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VOLUME II

**CALIFORNIA MANAGEMENT
MEASURES FOR POLLUTED RUNOFF
(CAMMPR)**

**State Water Resources Control Board
California Coastal Commission**

January 2000

000348

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VOLUME II

CALIFORNIA'S MANAGEMENT MEASURES FOR POLLUTED RUNOFF (CAMMPR)

I. INTRODUCTION

A. Background

California's Management Measures for Polluted Runoff (CAMMPR) is designed to assist California in improving implementation of the California's Nonpoint Source (NPS) Pollution Control Program (Program). Management measures (MMs) form the core of the State's Plan for California's Nonpoint Source Pollution Control Program 1998-2013 (Program Plan) and provide goals for the management of NPS pollution to which various management practices are applied.¹ The measures are organized into six categories or sectors, all of which are present in California:

1. Agriculture;
2. Forestry (Silviculture);
3. Urban Areas;
4. Marinas and Recreational Boating;
5. Hydromodification Activities; and
6. Wetlands, Riparian Areas, and Vegetated Treatment Systems.

To help states develop sound and effective NPS programs, the U.S. Environmental Protection Agency (USEPA) developed a guidance document pursuant to the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) section 6217(g) titled the *Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters (g-Guidance)* (USEPA[1993]). USEPA and the National Oceanic and Atmospheric Administration (NOAA) expect state programs to implement MMs "in conformity" with the *g-Guidance*.² This MM approach is technology-based rather than water-quality based. Because NPSs of pollution are so diverse and since each individual source may contribute only a small quantity of contaminants, identifying the exact sources of NPS pollution can be very expensive and time-consuming. Implementation of technology-based MMs allows states to concentrate their resources initially on implementing measures that are proven to be effective in preventing and controlling NPS pollution.

¹ MMs are defined in CZARA section 6217(g)(5) as "economically achievable measures for the control of the addition of pollutants from existing and new categories and classes of nonpoint sources of pollution, which reflect the greatest degree of pollutant reduction achievable through the application of the best available nonpoint pollution control practices, technologies, processes, siting criteria, operating methods, or other alternatives."

² USEPA's *g-Guidance* identifies 56 MMs to control or prevent NPS pollution. The management measures and related practices can be viewed on the Internet at <http://www.epa.gov/OWOW/NPS/MMGI>.

Pursuant to the Clean Water Act (CWA) and CZARA, the Program Plan addresses two types of MMs:

1. Minimum Management Measures

These measures are based on the federal guidance and will apply to the land use activities known to be major causes of NPS pollution. For example, keeping grazing animals out of streams is a minimum MM for agricultural sources of NPS pollution. State programs will ensure that people and organizations conducting these specified land use activities implement the appropriate MMs. The goal of implementing these measures is to protect water quality and habitat.

2. Additional Management Measures

Where NPS pollution continues to prevent critical areas from meeting CWA requirements, even when minimal MMs are used, additional MMs may be necessary. These measures will be targeted directly at reducing the NPS pollution activities that prevent State waters from meeting appropriate water quality standards, such as ensuring the water is safe for drinking, fishing, or swimming.

Implementation of MMs can be achieved through the implementation of management practices (MPs). MPs are structural and nonstructural solutions, used singularly or in combination, that are aimed at reducing the input of particular NPS contaminants into surface waters. An example of a structural MP is an infiltration basin (a structure that is built to hold runoff and filter contaminants from that runoff before the water is absorbed into the ground). Nonstructural MPs include buffer strips (areas of natural vegetation) that are left as protection between streams or other surface water bodies and farmlands or construction sites.

B. Development and Use of CAMMPR

CAMMPR is divided into sections for each of the major categories of NPS pollution: (1) agriculture; (2) forestry; (3) urban areas; (4) marinas and recreational boating; (5) hydromodification; and (6) wetlands, riparian areas, and vegetated treatment systems. Each section identifies:

- Individual MMs appropriate for implementation in California;
- The various State and local agencies with authorities and programs to implement and/or enforce each MM;
- State and local backup authorities that can be used to assure implementation when self-determined programs are not followed;
- Program implementation locations; and
- Notes to clarify how the programs operate.

In developing CAMMPR, the Program has emphasized consensus building and flexibility to the extent feasible while also ensuring that California's MMs remain in conformity with federal guidance.

In January 1998, staffs of the State Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCB), and California Coastal Commission (CCC) began preparing CAMMPR by evaluating the *g-Guidance* MMs for their appropriateness for implementation in California. To assist in this evaluation, the agencies reviewed recommendations made in 1995 by the ten Technical Advisory Committees (TACs) established by the SWRCB to assist in the upgrade of the Program. In March 1998, the staffs completed their initial review and submitted a preliminary draft to USEPA and NOAA for comment. Revisions were subsequently made based on the federal review, and in July 1998, the revised draft of CAMMPR was circulated for review by each State agency that was designated in the document.

CAMMPR retains the original *g-Guidance* MM language for nearly all of California's NPS MMs. Language in the MM has been modified only slightly, and in most cases the modifications have made the MMs more protective of the environment. Other specific changes to the federal guidance were made to reach a total of 61 NPS MMs that will be implemented in California.

- Two agriculture MMs for small and large confined animal facilities were combined into a single MM because California law does not differentiate between small and large animal facilities.
- Additional MMs were added for Forestry (Post-Harvest Evaluation) and Marinas and Recreational Boating (Waste Facilities Management) to address perceived needs.
- Education/Outreach MMs were added to the agriculture, forestry, hydromodification, and wetlands NPS categories to reflect the State's intention to promote public awareness and involvement in controlling NPS pollution. The *g-Guidance* included education MMs for the urban and marinas sectors only. Nearly all of the TACs recommended that public education be enhanced so that individuals can take responsibility and make the cooperative approach to problem solving work.

Not all of the identified MMs may be needed to address the NPSs at a specific site. For example, forestry and construction operations that do not use chemicals would not need to implement chemical-control MMs. Similarly, farms or other agriculture enterprises that do not have animals as part of the enterprise would not need to implement the MMs that address confined animal facilities or grazing. Other operations that have more than one source to address may need to employ two or more measures to address the multiple sources. Application of the measures should be coordinated to produce an overall system that adequately addresses all sources for the site in a cost-effective manner.

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In addition, many operations may already be in compliance with the MMs needed to address the associated NPSs. Existing NPS pollution control activities will be recognized and appropriate credit given for practices that are in existence and operational. Existing practices, plans, and systems should be viewed as building blocks for the MMs and may need no additional improvement. For cases where existing source control is inadequate to achieve conformity with the needed MMs, only one or two more practices may need to be added to achieve conformity.

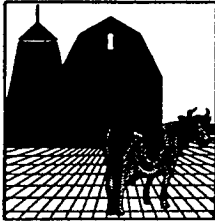
Finding solutions to NPS pollution poses unique challenges. While increased use of regulatory authorities can help to address certain categories of NPS pollution (such as the relatively recent effort to issue permits for the most significant municipal storm water discharges), California will need to rely on a wide range of tools, activities, and authorities to address NPS pollution statewide. In particular, these efforts need to focus on better integration and coordination at the State level and collaborative approaches to establish ongoing community-based stewardship.

IMPLEMENTING AGENCIES FOR CZARA MANAGEMENT MEASURES

Agencies	Management Measures*					
	AGR	FOR	URB	MAR	HYD	WET
California Environmental Protection Agency						
1. State Water Resources Control Board (SWRCB)	✓	✓	✓	✓	✓	✓
2. Regional Water Quality Control Boards (9) (RWQCB)	✓	✓	✓	✓	✓	✓
3. California Integrated Waste Management Board (CIWMB)			✓	✓		
4. Department of Pesticide Regulation (CDPR)	✓	✓	✓			
5. Department of Toxic Substances Control (DTSC)			✓	✓		
California Resources Agency						
6. California Coastal Commission (CCC)	✓	✓	✓	✓	✓	✓
7. Delta Protection Commission	✓					
8. Department of Boating and Waterways (DBW)				✓		
9. Department of Conservation (DOC)	✓					
10. Department of Fish and Game (DFG)	✓	✓	✓	✓	✓	✓
11. DFG, Office of Spill Prevention and Response (OSPR)				✓		
12. Department of Forestry and Fire Protection		✓				
13. Board of Forestry and Fire Protection		✓				
14. Department of Parks and Recreation (DPR)	✓	✓	✓	✓	✓	✓
15. Department of Water Resources (DWR)	✓		✓		✓	✓
16. San Francisco Bay Conservation and Development Commission (SFBCDC)			✓	✓	✓	✓
17. Santa Monica Mountains Conservancy			✓			✓
18. State Coastal Conservancy					✓	✓
19. State Lands Commission (SLC)	✓	✓		✓		✓
20. Wildlife Conservation Board					✓	✓
Other State						
21. Department of Food and Agriculture (DFA)	✓					
22. Department of Health Services (DHS)	✓	✓	✓	✓	✓	✓
23. Department of Transportation (Cal/Trans)			✓			
Other						
Local Governments	✓	✓	✓	✓	✓	✓
California Resource Conservation Districts	✓	✓	✓		✓	✓
Monterey Bay National Marine Sanctuary (MBNMS)	✓		✓	✓	✓	✓

* In this table, AGR = Agriculture; FOR = Forestry; URB = Urban; MAR = Marinas and Recreational Boating; HYD = Hydromodification; WET = Wetlands and Riparian Areas

Agriculture Management Measures



The SWRCB, CCC, and other State agencies have identified seven management measures (MMs) to address agricultural nonpoint sources of pollution that affect State waters. The agricultural MMs include practices and plans installed under various NPS programs in California, including systems of practices commonly used and recommended by the U.S. Department of Agriculture (USDA) as components of Resource Management Systems (RMS), Water Quality Management Plans and Agricultural Waste Management Systems. These RMSs are planned by individual farmers and ranchers using an objective-driven planning process outlined in the NRCS National Planning Procedures Handbook. The RMSs are designed to achieve sustainable use of the different natural resource areas—Soil, Water, Air, Plants, Animals, and Human considerations.

California's MMs to address agricultural sources of NPS pollution in California:

- 1A. Erosion and Sediment Control
- 1B. Facility Wastewater and Runoff from Confined Animal Facilities
- 1C. Nutrient Management
- 1D. Pesticide Management
- 1E. Grazing Management
- 1F. Irrigation Water Management
- 1G. Education/Outreach

According to the USEPA (1993), agriculture contributes more than half of the pollution entering the Nation's water bodies; recent studies have identified it as the greatest source of water pollution in the United States. The primary agricultural NPS pollutants are nutrients, sediment, animal wastes, pesticides, and salts. Agricultural activities may also affect habitat through physical disturbances caused by livestock or equipment, or through the management of water.

Management Measures:

Erosion and Sediment Control. MM 1A addresses NPS problems associated with soil erosion and sedimentation. Where erosion and sedimentation from agricultural lands affects coastal waters and/or waterbodies listed as impaired by sediment, landowners shall design and install or apply a combination of practices to reduce solids and associated pollutants in runoff during all but the larger storms. Alternatively, landowners may apply the erosion component of an RMS as defined in the NRCS Field Office Technical Guide (FOTG). The NRCS FOTG contains standards and specifications for installing these practices.

Facility Wastewater and Runoff from Confined Animal Facilities. Pursuant to MM 1B, facility wastewater and contaminated runoff from confined animal facilities must be contained at all times. Storage facilities should be of adequate capacity to allow for proper waste water use and should be constructed so they prevent seepage to ground water, and stored runoff and accumulated solids from the facility shall be managed through a waste use system that is consistent with MM 1C or removed from the site.

Nutrient Management. MM 1C addresses the development and implementation of comprehensive nutrient management plans for areas where nutrient runoff is a problem affecting coastal waters and/or water bodies listed as impaired by nutrients. Such plans would include a plant tissue analysis to

determine crop nutrient needs; crop nutrient budget; identification of the types, amounts, and timing of nutrients necessary to produce a crop based on realistic crop yield expectations; identification of hazards to the site and adjacent environment; soil sampling and tests to determine crop nutrient needs; and proper calibration of nutrient equipment. When manure from confined animal facilities is to be used as a soil amendment and/or is disposed of on land, the plan shall discuss steps to assure that subsequent irrigation of that land does not leach excess nutrients to surface or ground water.

Pesticide Management. Implementation of MM 1D is intended to reduce contamination of surface water and ground water from pesticides. Implementation of this measure will primarily occur through cooperation with the Department of Pesticide Regulation as provided in a Management Agency Agreement with the SWRCB. Elements of this measure include development and adoption of reduced risk pest management strategies (including reductions in pesticide use); evaluation of pest, crop, and field factors; use of Integrated Pest Management (IPM); consideration of environmental impacts in choice of pesticides; calibration of equipment; and use of anti-backflow devices. IPM is a key component of pest control. IPM strategies include evaluating pest problems in relation to cropping history and previous pest control measures, and applying pesticides only when an economic benefit will be achieved. When used, pesticides should be selected based on their effectiveness to control target pests and environmental impacts such as their persistence, toxicity, and leaching potential.

Grazing Management. MM 1E is intended to protect sensitive areas (including streambanks, lakes, wetlands, estuaries, and riparian zones) by reducing direct loadings of animal wastes and sediment. This may include restricting or rotationally grazing livestock in sensitive areas by providing fencing, livestock stream crossings, and by locating salt, shade, and alternative drinking sources away from sensitive areas. Upland erosion can be reduced by, among other methods: (1) maintaining the land consistent with the California Rangeland Water Quality Management Plan or Bureau of Land Management and Forest Service activity plans or (2) applying the range and pasture components of a Resource Management System (NRCS FOTG). This may include prescribed grazing, seeding, gully erosion control, such as grade stabilization structures and ponds, and other critical area treatment.

Irrigation Water Management. MM 1F promotes effective irrigation while reducing pollutant delivery to surface and ground waters. Pursuant to this measure, irrigation water would be applied uniformly based on an accurate measurement of cropwater needs and the volume of irrigation water applied, considering limitations raised by such issues as water rights, pollutant concentrations, water delivery restrictions, salt control, wetland, water supply and frost/freeze temperature management. Additional precautions would apply when chemicals are applied through irrigation.

Education/Outreach. The goals of MM 1G are to implement pollution prevention and education programs to reduce NPS pollutants generated from the following activities where applicable:

- a. Activities that cause erosion and loss of sediment on agricultural land and land that is converted from other land uses to agricultural land;
- b. Activities that cause discharge from confined animal facilities to surface waters;
- c. Activities that cause excess delivery of nutrients and/or leaching of nutrients;
- d. Activities that cause contamination of surface water and ground water from pesticides;
- e. Grazing activities that cause physical disturbance to sensitive areas and the discharge of sediment, animal waste, nutrients, and chemicals to surface and ground waters;
- f. Irrigation activities that cause NPS pollution of surface waters.

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1. AGRICULTURE

IMPLEMENTATION AUTHORITIES

Agriculture Management Measures

- 1A. Erosion and Sediment Control
- 1B. Facility Wastewater and Runoff from Confined Animal Facilities (All Units)
- 1C. Nutrient Management
- 1D. Pesticide Management
- 1E. Grazing Management
- 1F. Irrigation Water Management
- 1G. Education/Outreach

Management Measure 1A Erosion and Sediment Control Management Measure

Apply the erosion component of a CMS as defined in the Field Office Technical Guide of the U.S. Department of Agriculture – Natural Resources Conservation Service (NRCS) to minimize the delivery of sediment from agricultural lands to surface waters, or Design and install a combination of management and physical practices to settle the settleable solids and associated pollutants in runoff delivered from the contributing area for storms of up to a 25-year, 24-hour frequency.

Agency	Authority	Programs	Implementation Location	Notes
Local governments	PZL (Gov. Code §§ 65000 et seq.) and California Coastal Act (CCA) §30500	<ul style="list-style-type: none"> General Plans/GP updates Local Coastal Programs(LCP)/LCP amendments Permits pursuant to above Enforcement 	Statewide (LCP) policies/ordinances apply in coastal zone)	Local gov'ts adopt ordinances and make land-use decisions consistent with State law. Installation of practices may require a permit.
Local irrigation, water and drainage districts	Water Code Div 11 and Div 17	Drainage of irrigation water	Local areas	Provides for drainage of irrigation waters
California Association of Resource Conservation Districts (CARCDs)/University of California Cooperative Extension (UCCE). NRCS.	Public Resources Code (PRC) Div 9	<ul style="list-style-type: none"> NRCS Field Office Technical Guide Watershed Protection and Flood Prevention Program 	Statewide	<ul style="list-style-type: none"> Field Guide is incorporated into local management plans Technical and financial assistance
CCC	CCA (PRC §§30000 et seq.) and CA California Coastal Management Program (CCMP) pursuant to Coastal Zone Management Act (CZMA) [16 United States Code (USC) §§1451 et seq.]	<ul style="list-style-type: none"> LCP certification/ amendment Coastal development permits Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone Enforcement 	Coastal zone	<ul style="list-style-type: none"> CCC certifies LCPs prepared by coastal cities/counties. Installation of practices may require a permit. Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented.
DOC, Office of Land Conservation	? 1987	Conserving the Wealth of the Land: A Plan for Soil Conservation	Statewide	This document provides guidance to Resource Conservation Districts (RCDs) on soil conservation efforts.
SCC	PRC Chapter 6, Div 21	Coastal Resource Enhancement Program (CREP)	Coastal zone and coastal watersheds, Statewide	The SCC implements measures to control erosion and reduce sedimentation of coastal wetlands.
SWRCB/RWQCB	California Code of Regulations (CCR) Title 27, Subdivision 1, Chapter 7,	Confined Animals Facility Program	Statewide	

Agency	Authority	Programs	Implementation Location	Notes
USEPA via SWRCB	Subchapter 2, Article 1, §§22560-22565 CWA § 402	Stormwater Quality Management Program • SLC leases (PRC §6501.1 and 6505.5) • Grazing lease program • SLC leases (PRC §6501.1) • Agricultural leasing program	Statewide • School Lands	• Grazing and agricultural lease activity is contingent upon applicant's compliance with permits, recommendations, or limitations issued by federal, State, and local governments including compliance with CEQA.
SLC	• PRC §§6000 et seq. (includes lease authority)			
The following are BACKUP AUTHORITIES that pertain to the Erosion and Sediment Control Management Measure.				
DOC	PRC Div 9	Watershed Grant Program	Statewide	Provides small grants to local RCDs to promote watershed restoration projects.
DFG	Fish and Game Code (FGC) § 5650	Discharge violations to waters of the State	Statewide	
DHS	Health and Safety Code (HSC) §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Chapter 1.25; Div. V, PRC §5000 et seq.		State Park System/State Parks (SPS)	DPR operates and maintains units of the SPS in areas of agriculture.
DWR	Water Code	Drinking Water Protection	Watershed	Reservoir sampling program
SWRCB/RWQCB	Porter-Cologne Water Quality Control Act (PCWQCA), California Water Code (CWC)	• Nonpoint Source Management Plan (NPSMP) • Basin Plans • Water Quality Standards • Waste Discharge Requirements (WDRs) • Cleanup & Abatement Orders • Cease and Desist Orders • Admin. Civil Liability	Statewide	

USDA Agricultural Research Service	?	Research on new technologies and practices on erosion control	Statewide	
USDA Consolidated Farm Service	Various, ending with the Energy Security Act 1980	Agricultural Conservation Program	Statewide	Provides financial assistance for erosion control
USDA Cooperative State Research, Education, and Extension Service	?	Various	Statewide	
Other efforts that pertain to Agriculture Management Measure 1A				
Agency	Authority	Programs	Implementation Location	Notes
State/local/federal agency participation in MBNMS	MPRSA (16 USC §1431 et seq.)	MBNMS WQPP Action Plan for Agriculture	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State, and local agencies and public and private groups initiated with an MOA among State and federal agencies. The agricultural plan focuses on the development of industry networks, technical assistance, educational programs, and financial incentives.

Management Measure : 1B Facility Wastewater and Runoff from Confined Animal Facility Management (All Units)

Limit the discharge from the confined animal facility to surface waters by:

Management Measure Component (1): Containing both facility wastewater and the contaminated runoff from confined animal facilities at all times up to and including storms exceeding a 25-yr, 24-hr frequency event [storage facilities should be of adequate capacity to allow for proper waste water utilization and should be constructed so they prevent seepage to ground water]; and

Agency	Authority	Programs	Implementation Location	Notes
Local governments	Planning and Zoning Law (PZL) (Gov. Code §§65000 et seq.) and CCA §30500	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Permits pursuant to above Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)	Local gov'ts adopt ordinances and rules and make land-use decisions consistent with State law. Installation of practices may require a permit
RCDs	PRC Div. 9	Various	Countywide	
UCCE	?	<ul style="list-style-type: none"> Farm Advisors Watershed Management Education Programs Ranch Planning Short Courses Waste Management Workshop 	Statewide	
SWRCB/RWQCB	CCR Title 27, Subdivision 1, Chapter 7, Subchapter 2, Article 1, Sections 22560-22565	Confined Animal Facilities Program	Statewide	<ul style="list-style-type: none"> § 2562 pertains to storage § 22563-22564 pertain to waste utilization
SWRCB/RWQCB	CCR Title 14, Chapt. 13, Art. 6	Dead Animal Disposal	Statewide	
SWRCB/RWQCB	40 Code of Federal Regulations (CFR) 122.23	National Pollutant Discharge Elimination System (NPDES) Permits ≥1000 animal units	Statewide	
USDA/NRCS	Food Securities Act 1985	<ul style="list-style-type: none"> Conservation Technical Assistance Program Soil and Water Conservation Program Hydrological Unit Area Grant Program 	Statewide	

Management Measure component (2): Managing stored runoff and accumulated solids from the facility through an appropriate waste utilization system that is consistent with MM 1C.

Agency	Authority	Programs	Implementation Location	Notes
The following are BACKUP AUTHORITIES that pertain to the Confined Animal Facilities Management Measure				
SWRCB/RWQCB	Porter-Cologne CWC Div 7 and CCR Title 23 Div 3 and 4	<ul style="list-style-type: none"> • Basin Plans • Water Quality Standards • WDRs • Cleanup and Abatement Orders • Cease and Desist Orders • Admin. Civil Liability 	Statewide	
Consolidated Farm Service	?	Cost sharing on installation of waste management units for confined animals	Counties	
DFG	FGC § 5650	Discharge violations to State's water		
DPR	Div. I, Chapter 1.25; Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in areas where animals are confined.
DHS	HSC §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs of drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DOC	PRC Div 9	Watershed Grant Program	Statewide	Provides small grants to local RCDs to promote watershed restoration projects.

Management Measure (MM) IC Nutrient Management Measure

Develop, implement, and periodically update a nutrient management plan to: (1) apply nutrients at rates necessary to achieve realistic crop yields, (2) improve the timing of nutrient application, and (3) use agronomic crop production technology to increase nutrient use efficiency. When the source of the nutrients is other than commercial fertilizer, determine the nutrient value and the rate of availability of the nutrients. Determine and credit the nitrogen contribution of any legume crop. Soil and plant tissue testing should be used routinely. Nutrient management plans contain the following core components:

- Management Measure Component (1): Farm and field maps showing acreage, crops, soils, and water bodies.
- Management Measure Component (2): Realistic yield expectations for the crop(s) to be grown, based primarily on the producer's actual yield history, State Land Grant University yield expectations for the soil series, or NRCS Soils-5 information for the soil series.
- Management Measure Component (3): A summary of the nutrient resources available to the producer, which at a minimum include: (a) soil test results for pH, phosphorus, nitrogen and potassium; (b) nutrient analysis of manure, sludge, mortality compost (birds, pigs, etc.), or effluent (if applicable); (c) nitrogen contribution to the soil from legumes grown in the rotation (if applicable); and (d) other significant nutrient sources (e.g., irrigation water).
- Management Measure Component (4): An evaluation of field limitations based on environmental hazards or concerns such as: (a) sinkholes, shallow soils over fractured bedrock, and soils with high leaching potential, (b) lands near surface water, (c) highly erodible soils, and (d) shallow aquifers.
- Management Measure Component (5): Use of the limiting nutrient concept to establish the mix of nutrient sources and requirements for the crop based on a realistic yield expectation.

Agency	Authority	Programs	Implementation Location	Notes
Local governments Water Resource Management Agencies	PZL (Gov. Code §865000 et seq.) and CCA §30500	<ul style="list-style-type: none"> • General Plans/GP updates • LCPS/LCP amendments • Permits pursuant to above Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)	Local gov'ts adopt ordinances and rules and make land-use decisions consistent with State law. Installation of practices may require a permit
RCDS	PRC §9000 et seq.	Technical Assistance Program	Statewide	Provides individual and group guidance on crop fertilization and prevention of NPS pollution.
DFA	FAC §14583 and §14611(b)	Fertilizer Research and Education Program	Statewide	<ul style="list-style-type: none"> • Annual Conference on Fertilizer Research • Extensive outreach with a web site, publications and videos • Publications include crop-specific management practices and environment issues • Conducts demonstration projects • Sponsor research and conferences by other organizations
SWRCB	?	Biologically Integrated Orchard Systems (BIOS)	Statewide at local level in orchards	Promotes reduction in pesticide and fertilizer use.
UCCE, Farm Advisors	?	Technical Assistance	Statewide	Provides crop-specific fertilizer guidance and does research on nutrient application, promotes soil and plant tissue testing.

Agricultural Water Supplier delivering > 50,000 ac-ft	Assembly Bill (AB) 3616	Water Management Plans and Implementation Measures	Local	
American Society of Agronomy	?	Certified Crop Advisor Program	Statewide at local level	Voluntary certification for individuals who make soil and nutrient recommendations. Recommendations include: nutrient management plans, soil/ plant tissue testing, yield/fertilizer application rates and methods.
California Fertilizer Association DFA	Food and Agriculture Code (FAC) §1461	<ul style="list-style-type: none"> Nutrient Seminar Series Community Outreach Program Quarterly News Letter "From the Ground Up" Crop-specific reports and videos Western Fertilizer Handbook Anhydrous Ammonia Transportation Safety Program Environmental/Site Operations 	Statewide at local level	<ul style="list-style-type: none"> The annual seminar series is conducted at four sites in State Education of communities on fertilizers Newsletter gives the most recent information on crop fertilization Reports and videos provides current crop-specific guidance The Handbook provides thorough, complete methods for applying fertilizers Environmental/Site Operations helps members comply with laws and regulations for air and water quality and safety.
Management Measure Component (6): Identification of timing and application methods for nutrients to: (a) provide nutrients at rates necessary to achieve realistic crop yields; (b) reduce losses to the environment; and (c) avoid applications as much as possible to frozen soil and during periods of leaching or runoff.				
Agency	Authority	Programs	Implementation Location	Notes
DFA	FAC §14631 and CCR 2300-2312	Fertilizer Labeling	Statewide	
SWRCB/RWQCB	Water Code 1058 CCR 27, subch. 2 Art. 1, § 2256a,b PRC § 43103	Confined Animal Facilities Program	Local	Reasonable soil amendment rate. Run-off and percolation
AND SAME AS FOR MM COMPONENT (1)				

Management Measure Component (7): Provisions for the proper calibration and operation of nutrient application equipment.			
Agency	Authority	Programs	Implementation Location
DFA	FAC §14681	Fertilizer Labeling	Statewide
Management Measure Component (8): When manure from confined animal facilities is to be used as a soil amendment and/or is disposed of on land, take steps to assure that subsequent irrigation of that land does not leach excess nutrients to surface or ground waters.			
Agency	Authority	Programs	Implementation Location
SAME AS FOR MM COMPONENT 1			
The following are BACKUP AUTHORITIES that pertain to the Nutrient Management Measure.			
Agency	Authority	Programs	Implementation Location
DOC	PRC Div 9	Watershed Grant Program	Statewide
DFA	FAC § 14551, 14561, 14591, 14563	<ul style="list-style-type: none"> Fertilizer Licensing Register special fertilizers Fertilizer labeling Fertilizer cancellation 	Statewide
DFG	FGC § 5650	Discharge to waters of the State violations	Statewide
DHS	HSC §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources
DPR	Div. I, Chapter 1.25; Div. V, PRC §5000 et seq.		SPS
SWRCB/RWQCB	PCWQCA	<ul style="list-style-type: none"> Basin Plans NPSMP Inland Surface Waters Plan (ISW Plan) 	Statewide
NRCS, U.S. Geological Survey (USGS), U.S. Bureau of Reclamation (USBR), UCCE, Farm Services Agency (FSA)	?	Financial/technical assistance	Statewide
			Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
			DPR operates and maintains units of the SPS in areas where animals are confined

Other efforts that pertain to Agriculture Management Measure 1C				
Agency	Authority	Programs	Implementation Location	Notes
State/local/federal agency participation in MBNMS	MPRSA (16 USC §1431 et seq.)	MBNMS WQPP Action Plan for Agriculture	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State, and local agencies and public and private groups initiated with an MOA among State and federal agencies. The agricultural plan focuses on the development of industry networks, technical assistance, educational programs, and financial incentives.

Management Measure: 1D Pesticide Management

To reduce contamination of surface water and ground water from pesticides.

Management Measure Component (1): Evaluate the pest problems, previous pest control measures, and cropping history.

Agency	Authority	Programs	Implementation Location	Notes
CDPR	FAC §12811-12829 3CCR §6170-6193	Registration of pesticide products	Statewide	CDPR evaluates data to support registration of pesticide products.
CDPR	FAC §11501F	Pest Management Grants Program	Statewide	Investigation of innovative pest management practices that will lead to the development of reduced-risk pest management systems
CDPR	FAC §11501F	Pest Management Alliance Program	Statewide	Create alliances targeted at reducing pesticide risks and serving as practical models for adoption of new practices throughout an industry and across the state
CDPR	FAC §11501F	San Francisco IPM Project	San Francisco	Working with city and county in the development and implementation of innovative reduced-risk pest management strategies for the urban environment
CDPR	FAC §11501F	Biologically Integrated Farming Systems Project	San Joaquin Valley	Study comparing (BIOS) with conventional pest management systems
CDPR	FAC §11501F	IPM Innovators Program	Statewide	Encouragement and recognition of groups providing leadership and creativity in integrated pest management
CDPR	FAC §11501F	Pesticide Use Report Analysis	1996 Pesticide Use Report Analysis	Annual analysis of Pesticide Use Report data to interpret use changes and trends
CDPR	FAC § 11501F	Suppliers of Beneficial Organisms	Sacramento	Annual publication listing beneficial organisms sold for use as biological controls and suppliers
CDPR	FAC §11501F	Pest Management Survey Project	Sacramento	Removed database of current pest management alternatives for the major pests of agricultural

							commodities, based upon survey of University of California (UC) Farm Advisors
CDPR and County Agricultural Commissioner (CAC)	3 CCR §6622-6628		Pesticide Use Reporting		Statewide		An extensive program of reporting and database management.
CDPR and SWRCB	PCWQCA		MAA: Pesticide Management Plan for Water Quality: Reduced Risk Practices		Statewide		Reduced Risk Practices include all management practices in this management measure.
SWRCB	?		BIOS		?		
Management Measure Component (2): Evaluate the soil and physical characteristics of the site including mixing, loading, and storage areas for potential leaching or runoff of pesticides. If leaching or runoff is found to occur, steps should be taken to prevent further contamination:							
Agency	Authority	Programs	Implementation Location	Notes			
CDPR	3CCR §6170-6193 FAC §12811-12829	Registration of pesticide products	Statewide	CDPR evaluates data to support registration of pesticide products.			
CDPR and CAC	FAC §13143-13152	Ground Water Protection Program: Prevention	Statewide	CDPR implements a prevention program consisting of the identification of potential contaminants, annual continuing education, and a wellhead stewardship program with CACs.			
CDPR and CAC	FAC §13149-13152	Ground Water Protection Program: Response	Statewide	CDPR implements a program that requires CDPR to respond, within 90 days, to pesticide detections in ground water and determine whether or not the detection resulted from agricultural use.			
CDPR and CAC	FAC §14004.5 3 CCR § 6400, 6432	Rice Pesticides Program	Central Valley				
CDPR and CAC	FAC §14005	Dormant Spray Program	Central Valley	CDPR stated it will use this authority if toxicity associated with dormant spray runoff is not mitigated with self-determined measures.			
CAC	FAC §11701, 12973	Mix/load applications	Statewide	CAC staff make on-site inspections.			
CDPR	FAC §14005	Surface Water Protection Program	Statewide	CDPR monitors concentrations and evaluates the environmental fate of those pesticides with the potential to run off.			

Management Measure Component (3): Use integrated pest management (IPM) strategies that: (a) apply pesticides only when an economic benefit to the producer will be achieved (i.e., applications based on economic thresholds); and (b) apply pesticides efficiently and at times when runoff losses are unlikely;				
Agency	Authority	Programs	Implementation Location	Notes
CDPR	FAC § 14005	Dormant Spray Program	Central Valley	CDPR stated it will use this authority if toxicity associated with dormant spray runoff is not mitigated with self-determined measures.
CDPR	FAC § 11501F	Pest Management Grants Program	Statewide	Investigation of innovative pest management practices that will lead to the development of reduced-risk pest management systems
CDPR	FAC § 11501F	Pest Management Alliance Program	Statewide	Create alliances targeted at reducing pesticide risks and serving as practical models for adoption of new practices throughout an industry and across the state
CDPR	FAC § 11501F	IPM Innovators Program	Statewide	Encouragement and recognition of groups providing leadership and creativity in integrated and reduced-risk pest management
CDPR	FAC § 13150 3 CCR § 6400, 6486.1-6486.6 6570, 6458, 6800(a), 6802	Management of ground water contaminants	Statewide	CDPR regulates the use of aldicarb, atrazine, simazine, diuron, bromacil, prometon, and bentazon to prevent ground water contamination.
CAC	3CCR §6600	General standards of care	Statewide	CAC staff enforce these regulations.
UCCE	?	IPM Innovator Outreach Program	Statewide	
SWRCB	?	BIOS	Statewide	

Management Measure Component (4): When pesticide applications are necessary and a choice of registered materials exists, consider the persistence, toxicity, runoff potential, and leaching potential of products in making a decision:				
Agency	Authority	Programs	Implementation Location	Notes
CDPR	FAC §12811-12829 3 CCR § 6170-6193	Registration of pesticides	Statewide	CDPR evaluates pesticide products and considers restrictions on the use of those with the potential to pollute.
CDPR and CAC	3 CCR § 6432	Conditions on Permits for Restricted Use Pesticides	Statewide	
CAC	PRC § 21080.5	Pesticide Permit Process	Statewide	
CAC	FAC §14006.5 3 CCR § 6426, 6432	Permit evaluation, alternatives and mitigation measures	Statewide	
RCDs with UCCE	?	IPM Innovator Outreach Program	Statewide	
Management Measure Component (5): Periodically calibrate pesticide spray equipment:				
Agency	Authority	Programs	Implementation Location	Notes
CAC	FAC §11701-11732	Pest Control Operator License	Statewide	
CAC	3 CCR § 6630, 6460, 6600 FAC §11732	Proper identification and maintenance of application equipment	Statewide	
USEPA	FIFRA	Pesticide Labeling	Statewide	
Management Measure Component (6): Use anti backflow devices on hoses used for filling tank mixtures:				
Agency	Authority	Programs	Implementation Location	Notes
CAC	3 CCR § 6610	Backflow Protection	Statewide	
The following are BACKUP AUTHORITIES that pertain to the Pesticide Management Measure				
Agency	Authority	Programs	Implementation Location	Notes
CAC	FAC § 11896 and 13101	Cease and Desist Orders	Statewide	
CAC	FAC § 6432	Restricted Use Pesticide Permits	Statewide	
CAC	FAC § 11701 and 11732	Pest Control Operators License	Statewide	
CDPR	FAC Div 6 and 7	<ul style="list-style-type: none"> Pesticide Registration/Cancellation/Modification Environmental Fate Data 	Statewide	

			Review		
CDPR, with authorities delegated from USEPA	Federal Insecticide, Fungicide, Rodenticide Act (FIFRA)		<ul style="list-style-type: none"> • Restricted Materials List • Criminal/Civil Liability • Pesticide Registration • Labeling • Application • Regulation • Prohibition • Certify Applicators 	Statewide	
CDPR, with funding from USEPA	FIFRA 23(a)		Pest Management Grants	Statewide	Provides small grants to local RCDs to promote watershed restoration projects.
DOC	PRC Div. 9		Watershed Grant Program	Statewide	
DFG	FGC §5650		Discharge to waters of the State violations	Statewide	
DHS	HSC §116275 et seq		Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Ch. 1.25, Div. V: PRC §5000 et seq.			SPS	DPR operates and maintains units of the SPS in areas where pesticides are used.
SWRCB/RWQCB	PCWQCA CWC Div 7 and CCR Title 23		<ul style="list-style-type: none"> • Basin Plans • Cease and Desist Orders • Cleanup and Abatement Orders • Civil Liability • BPTC • NPDES 	Statewide	
SWRCB/RWQCB	CWA §319(h) Grants		Grants to implement pesticide projects	Statewide	

Other efforts that pertain to Agriculture Management Measure 1D				
Agency	Authority	Programs	Implementation Location	Notes
State/local/federal agency participation in MBNMS	MPRSA (16 USC §1431 et seq.)	MBNMS WQPP Action Plan for Agriculture	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State, and local agencies and public and private groups initiated with an MOA among State and federal agencies. The agricultural plan focuses on the development of industry networks, technical assistance, educational programs, and financial incentives.

Management Measure 1E Grazing Management Measure

Protect range, pasture and other grazing lands:

MM Component (1): By implementing one or more of the following to protect sensitive areas (such as streambanks, wetlands, estuaries, ponds, lake shores, and riparian zones): (a) exclude livestock, (b) provide stream crossings or hardened watering access for drinking, (c) provide alternative drinking water locations away from surface waters. (d) locate salt and additional shade, if needed, away from sensitive areas, or (e) use improved grazing management (e.g., herding) to reduce the physical disturbance and reduce direct loading of animal waste and sediment caused by livestock; and

MM Component (2): By achieving either of the following on all range, pasture, and other grazing lands not addressed under (1) above: (a) implement the range and pasture components of a CMS as defined in the Field Office Technical Guide of the USDA-NRCS by applying the progressive planning approach of the USDA-NRCS to reduce erosion, or (b) maintain range, pasture, and other grazing lands in accordance with activity plans established by either the Bureau of Land Management of the U.S. Department of the Interior or the Forest Service of USDA or the California Rangeland Water Quality Management Plan.

Agency	Authority	Programs	Implementation Location	Notes
California Association of Resource Conservation Districts/RCDs UCCE NRCS	PCWQCA	California Rangeland Water Quality Management Plan (CRWQMP)	Statewide—private lands	Training and technical assistance in range management and ranch plan development; research; development of monitoring protocols
SCC	PRC Chapter 6, Div 21	CREP	Coastal zone and coastal watersheds, statewide	SCC implements measures to reduce impacts of grazing on wetlands, streams and other natural resource areas.
The Following are BACKUP AUTHORITIES that pertain to the Grazing Management Measure.				
Agency	Authority	Programs	Implementation Location	Notes
DOC	PRC Div 9	Watershed Grant Program	Statewide	Provides small grants to local RCDs to promote watershed restoration projects.
DFG	FGC § 5650	Discharge to waters of the State violations		
DHS	HSC §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.

DPR.	Div. I, Chapter 1.25, Div. V:PRC §5000 et. seq.	SPS	DPR operates and maintains units of the SPS in grazing areas.
SWRCB/RWQCB	PCWQCA	Statewide	
	<ul style="list-style-type: none"> • NPSMP • Basin Plans • Cease and Desist Orders • Cleanup and Abatement Orders • Admin. Civil Liability 		
Other efforts that pertain to Agriculture Management Measure 1E			
Agency	Authority	Implementation Location	Notes
State/local/federal agency participation in MBNMS	MPRSAs (16 USC §1431 et seq.)	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State, and local agencies and public and private groups initiated with an MOA among State and federal agencies. The agricultural plan focuses on the development of industry networks, technical assistance, educational programs, and financial incentives.

Management Measure 1F Irrigation Water Management

To reduce nonpoint source pollution of surface and ground waters caused by irrigation:

Management Measure Component (1): Operate the irrigation system so that the timing and amount of irrigation water applied match crop water needs. This will require, as a minimum: (a) the accurate measurement of soil-water depletion volume and the volume of irrigation water applied, and (b) uniform application of water. *

Agency	Authority	Programs	Implementation Location	Notes
NRCS (lead)	?	Coordinated Resource Management and Planning (CRMP) Program	Statewide at local level	Direct, local public participation for planning, outreach, technology transfer, implementation, financial assistance, research, and monitoring.
DWR	? 1980	<ul style="list-style-type: none"> Agricultural Water Conservation Program California Irrigation Management Information System (CIMIS) Mobile Irrigation Management Laboratories 	Statewide	
DWR	AB 3616	Agricultural Efficient Water Management Practices	Statewide	
DWR	?	Agricultural Drainage Reduction Program	Statewide	
DWR	AB 658	Agricultural Water Management Planning	Statewide	
SWRCB/RWQCB	AB 3603	San Joaquin River Management Program	San Joaquin Valley	
CDPR/CAC	<ul style="list-style-type: none"> CCR 3 § 6800-6806,6557 FAC § 13141 	Ground Water Pesticide Contamination Prevention	Statewide	Enforced by CAC staff
DFG	?	San Joaquin Valley Drainage Implementation Program	San Joaquin Valley	DFG works with USBR, U.S. Fish and Wildlife Service (USFWS), USGS

Management Measure Component (2): When chemigation is used, include backflow preventers for wells, minimize the harmful amounts of chemigation waters that discharge from the edge of the field, and control deep percolation. In cases where chemigation is performed with furrow irrigation systems, a fallwater management system may be needed. *

Agency	Authority	Programs	Implementation Location	Notes
CDPR/CAC	<ul style="list-style-type: none"> FAC §11501 CCR 3 § 6610 	Chemigation Program, Backflow Requirements	Statewide	Enforced by CAC staff

The following are BACKUP AUTHORITIES that pertain to the Irrigation Water Management Measure:

Agency	Authority	Programs	Implementation Location	Notes
CDPR/CAC	FAC	Pesticide Water Quality Management Plan and MAA with SWRCB	Statewide	management practices on chemigation
CDPR/USEPA	FIFRA	Pesticide Labeling	Statewide	Labeling may permit or ban chemigation with a particular pesticide
California State University: California Polytechnical University	?	Irrigation Training Research Center	?	
California State University: Fresno State University	?	Center for Irrigation Technology	?	
DOC	PRC Div 9	Watershed Grant Program	Statewide	Provides small grants to local RCDs to promote watershed restoration projects.
DHS	HSC §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Ch. 1.25, Div. V:PRC §5000 et. seq.		SPS	DPR operates and maintains units of the SPS in agricultural areas.
DWR	Agricultural Water Suppliers Efficient Water Management Practices Act (1990)	Cooperative studies on effectiveness and efficiency of agricultural water management practices	Statewide	
DWR	?	Agriculture Training and Education Program	Statewide	
SWRCB/RWQCB	1986 Water Conservation and Water Quality Bond Law	Agricultural Drainage Water Management Loan Program	Statewide	

SWRCB/RWQCB	PCWQCA	Basin Plans	Statewide	Water Rights: Frost Control and Central Valley Project which regulates amount of water for irrigation
SWRCB/RWQCB	Clean Water Act	<ul style="list-style-type: none"> Basin Plans NPSMP Drainage Operation Plans WDRs Subsurface Agricultural Drainage Program Water Rights ISW Plan 	Statewide	Grant/loan programs for irrigation projects
UCCE	?	State Revolving Fund	Statewide	
USDA/NRCS	?	319(h) Grant Program Research, Education, Training and NPS workshops	Statewide	
USDA/FSA	Farm Bills of 1936, '73, '77, '79, and '80	River Basin Survey and Investigation Program	Statewide	
USDA/Agricultural Research Service (ARS)	Farm Bill	<ul style="list-style-type: none"> Agricultural Conservation Program Water Quality Incentive Program 	Statewide	
U.S. Department of Interior (USDI)/USBR	Central Valley Project Improvement Act	<ul style="list-style-type: none"> Water Management Research Laboratory US Salinity Laboratory 	Statewide	All federal water contractors must submit a water conservation plan to DWR before contracts can be reviewed

* The following limitations and special conditions apply:

- (1) In some locations, irrigation return flows are subject to other water rights or are required to maintain stream flows. In these special cases, on-site reuse could be precluded and would not be considered part of the management measure for such locations.
- (2) By increasing the water use efficiency, the discharge volume from the system will usually be reduced. While the total pollutant discharge load may be reduced somewhat, there is the potential for an increase in the concentration of pollutants in the discharge. In these special cases, where other management measures (nutrients and pesticides) do not reduce concentrations in the discharge, increasing water use efficiency would not be considered part of the management measure.
- (3) In some irrigation districts, the time interval between the order for the delivery of irrigation water to the farm may limit the irrigator's ability to achieve the maximum on-farm application efficiencies that are otherwise possible.
- (4) In some locations, leaching is necessary to control salt in the soil profile. Leaching for salt control should be limited to the leaching requirement for the root zone.
- (5) Where leakage from delivery systems or return flows supports wetlands or wildlife refuges, it may be preferable to modify the system to achieve a high level of efficiency and then divert the "saved water" to the wetland or wildlife refuge. This will improve the quality of water delivered to wetlands or wildlife refuges by preventing the introduction of pollutants from irrigated lands to such diverted water.
- (6) In some locations, sprinkler irrigation is used for frost or freeze protection, or for crop cooling. In these special cases, applications should be limited to the amount necessary for crop protection and applied water should remain on-site.

Management Measure 1G Education/Outreach

Implement educational programs to provide greater understanding of watersheds, and to raise awareness and increase the use of applicable agricultural management measures and practices where needed to control and prevent adverse impacts to surface and ground water. Public education, outreach, and training programs should involve applicable user groups and the community.

[Refer to the Agriculture Management Measures 1A – 1F listed in this document.]

Agency	Authority	Programs	Implementation Location	Notes
RCDs/UCCE/NRCS/	PRC Div 9	<ul style="list-style-type: none"> NRCS Field Office Technical Guide Watershed Protection and Flood Prevention Program 	Statewide	<ul style="list-style-type: none"> Field Guide is incorporated into local management plans Technical and financial assistance
RCDs	PRC §9000 et seq.	Technical Assistance Program	Statewide	Provides individual and group guidance on crop fertilization and prevention of NPS pollution.
California Environmental Protection Agency (Cal/EPA), California Resources Agency (Cal/RA), USDA (NRCS), USDA Animal Health Inspection Service, UC, Western United Dairyman, CA Farm Bureau Federation, DFA, SWRCB, USDA Farm Services Agency, DFG, CA Manufacturing Milk Advisory Board, Milk Producers Council, CA Dairy Quality Assurance Program	Partnership Agreement 1998	California Dairy Quality Assurance Program	Statewide	Provides guidance on environmental stewardship on dairies to meet CZARA requirements
DFA	FAC §14583 and §14611(b)	Fertilizer Research and Education Program	Statewide	<ul style="list-style-type: none"> Annual Conference on Fertilizer Research Extensive outreach with a web site, publications and videos Publications include crop-specific management practices and environment issues Conducts demonstration projects Sponsors research and conferences by other organizations

DWR	?	1980	<ul style="list-style-type: none"> • Agricultural Water Conservation Program • CIMIS • Mobile Irrigation Management Laboratories 	Statewide	
DWR	?	?	Agriculture Training and Education Program	Statewide	
SWRCB/RWQCB		CCR Title 23, Chapt. 15, Art. 6 and CCR Title 15 §2560-2565	Confined Animals Facility Program	Statewide	
UCCE NRCS California Association of Resource Conservation Districts (CARCD)/RCDS		PCWQCA	CRWQMP	Statewide--private lands	Training and technical assistance in range management and ranch plan development; research; development of monitoring protocols
UCCE, Farm Advisors	?	?	Technical Assistance	Statewide	Provides Crop-specific fertilizer guidance and does research on nutrient application, promotes soil and plant tissue testing.
UCCE	?	?	<ul style="list-style-type: none"> • Farm Advisors • Watershed Management Education Programs • Ranch Planning Short Courses • Waste Management Workshop 	Statewide	
UCCE	?	?	Research, Education, Training and NPS workshops	Statewide	
California State University: California Polytechnical University	?	?	Irrigation Training Research Center	?	
USDA Agricultural Research Service	?	?	Research on new technologies and practices on erosion control	Statewide	
USDA Consolidated Farm Service		Various, ending with the Energy Security Act 1980	Agricultural Conservation Program	Statewide	Provides financial assistance for erosion control
USDA Cooperative State Research, Education, and Extension Service	?	?	various	Statewide	
USDA/NRCS		Food Securities Act 1985	<ul style="list-style-type: none"> • Soil and Water Conservation Program 		

American Society of Agronomy	?	Certified Crop Advisor Program	Statewide at local level	Voluntary certification for individuals who make soil and nutrient recommendations. Recommendations include: nutrient management plans, soil/plant tissue testing, yield/fertilizer application rates and methods.
California Fertilizer Association	?	<ul style="list-style-type: none"> Nutrient Seminar Series Community Outreach Program Quarterly News Letter "From the Ground Up" Crop-specific reports and videos Western Fertilizer Handbook Anhydrous Ammonia Transportation Safety Program Environmental/Site Operations 	Statewide at local level	<ul style="list-style-type: none"> The annual seminar series is conducted at four sites in State Education of communities on fertilizers Newsletter gives the most recent information on crop fertilization Reports and videos provide current crop-specific guidance The Handbook provides thorough, complete methods for applying fertilizers Environmental/Site Operations help members comply with laws and regulations for air and water quality and safety.
Coalition for Urban/Rural Environmental Stewardship (CURES)		Delta Water Quality Project	San Francisco Bay-Delta Region	
Other efforts that pertain to Agriculture Management Measure 1G				
Agency	Authority	Programs	Implementation Location	Notes
State/local/federal agency participation in MBNMS	MPRSA (16 USC §1431 et seq.)	MBNMS WQPP Action Plan for Agriculture	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State, and local agencies and public and private groups initiated with an MOA among State and federal agencies. The agricultural plan focuses on the development of industry networks, technical assistance, educational programs, and financial incentives.

Forestry (Silviculture) Management Measures



The SWRCB, CCC, and other State agencies have identified 12 MMs to address various phases of forestry operations relevant to controlling nonpoint sources of pollution that affect State waters. The forestry MMs are for the most part a system of practices used and

recommended by the Board of Forestry and Department of Forestry and Fire Protection in rules or guidance.

On a national level, silviculture contributes approximately 3 to 9% of NPS pollution to the Nation's waters (USEPA, 1992a). Without adequate controls, forestry operations may degrade the characteristics of waters that receive drainage from forest lands. For example (1) sediment concentrations can increase due to accelerated erosion, (2) water temperatures can increase due to removal of overstory riparian shade, (3) dissolved oxygen can be depleted due to the accumulation of slash and other organic debris, and (4) concentrations of organic and inorganic chemicals can increase due to harvesting and fertilizers and pesticides.

California's MMs to address silvicultural sources of nonpoint pollution:

- 2A. Preharvest Planning
- 2B. Streamside Management Areas
- 2C. Road Construction/Reconstruction
- 2D. Road Management
- 2E. Timber Harvesting
- 2F. Site Preparation/Forest Regeneration
- 2G. Fire Management
- 2H. Revegetation of Disturbed Areas
- 2I. Forest Chemical Management
- 2J. Wetlands Forest
- 2K. Postharvest Evaluation
- 2L. Education/Outreach

Management Measures:

Preharvest Planning. Pursuant to MM 2A, silvicultural activities shall be planned to reduce potential delivery of pollutants to surface waters. Components of MM 2A address aspects of forestry operations, including: the timing, location and design of harvesting and road construction; site preparation; identification of sensitive or high-erosion risk areas; and the potential for cumulative water quality impacts.

Streamside Management Areas (SMAs). SMAs protect against soil disturbance and reduce sediment and nutrient delivery to waters from upland activities. MM 2B is intended to safeguard vegetated buffer areas along surface waters to protect the water quality of adjacent streams.

Road Construction/Reconstruction. Pursuant to MM 2C, road construction/reconstruction shall be conducted so as to reduce sediment generation and delivery. This can be accomplished by, among other means, following preharvest plan layouts and designs for road systems, incorporating adequate drainage structures, properly installing stream crossings, avoiding road construction in SMAs, removing debris from streams, and stabilizing areas of disturbed soil such as road fills.

Road Management. MM 2D describes how to manage roads to prevent sedimentation, minimize erosion, maintain stability, and reduce the risk that drainage structures and stream crossings will fail or become less effective. Components of this measure include inspections and maintenance actions to prevent erosion of road surfaces and to ensure the effectiveness of stream-crossing structures. The also addresses appropriate methods for closing roads that are no longer in use.

Timber Harvesting. MM 2E addresses skidtrail location and drainage, management of debris and petroleum, and proper harvesting in SMAs. Timber harvesting practices that protect water quality and soil productivity also have economic benefits by reducing the length of roads and skidtrails, reducing equipment and road maintenance costs, and providing better road protection.

Site Preparation & Forest Regeneration. Impacts of mechanical site preparation and regeneration operations—particularly in areas that have steep slopes or highly erodible soils, or where the site is located in close proximity to a waterbody—can be reduced by confining runoff onsite. MM 2F addresses keeping slash material out of drainageways, operating machinery on contours, timing of activities, and protecting ground cover in ephemeral drainage areas and SMAs. Careful regeneration of harvested forest lands is important in protecting water quality from disturbed soils.

Fire Management. Prescribed fire practices for site preparation and methods to suppress wildfires should as feasible be conducted in a manner that limits loss of soil organic matter and litter and that reduces the potential for runoff and erosion. Prescribed fires on steep slopes or adjacent to streams and that remove forest litter down to mineral soil are most likely to impact water quality.

Revegetation of Disturbed Areas. MM 2H addresses the rapid revegetation of areas disturbed during timber harvesting and road construction—particularly areas within harvest units or road systems where mineral soil is exposed or agitated (e.g., road cuts, fill slopes, landing surfaces, cable corridors, or skidtrails) with special priority for SMAs and steep slopes near drainageways.

Forest Chemical Management. Application of pesticides, fertilizers, and other chemicals used in forest management should not lead to surface water contamination. Pesticides must be properly mixed, transported, loaded, and applied, and their containers disposed of properly. Fertilizers must also be properly handled and applied since they also may be toxic depending on concentration and exposure. Components of MM 2I include applications by skilled workers according to label instructions, careful prescription of the type and amount of chemical to be applied, use of buffer areas for surface waters to prevent direct application or deposition, and spill contingency planning.

Wetland Forest Management. Forested wetlands provide many beneficial water quality functions and provide habitat for aquatic life. Activities in wetland forests shall be conducted to protect the aquatic functions of forested wetlands.

Postharvest Evaluation. The goals of MM 2K are to incorporate postharvest monitoring, including: a) implementation monitoring to determine if the operation was conducted according to specifications, and b) effectiveness monitoring after at least one winter period to determine if the specified operation prevented or minimized discharges.

Education/Outreach. The goals of MM 2L are to implement pollution prevention and education programs to reduce NPS pollutants generated from applicable silvicultural activities.

2. FORESTRY

IMPLEMENTATION AUTHORITIES

- 2A. Preharvest Planning
- 2B. Streamside Management Areas (SMAs)
- 2C. Road Construction and/or Reconstruction
- 2D. Road Management
- 2E. Timber Harvesting
- 2F. Site Preparation and Forest Regeneration
- 2G. Fire Management
- 2H. Revegetation of Disturbed Areas
- 2I. Forest Chemical Management
- 2J. Wetlands Forest
- 2K. Postharvest Evaluation
- 2L. Education/Outreach

Management Measure 2A Preharvest Planning
Component I. Perform advance planning for forest harvesting that includes the following elements where appropriate:

Agency	Authority	Programs	Implementation Location	Notes
Board of Forestry (BOF)/ California Department of Forestry and Fire Protection (CDF)	Forest Practice Act (Z'Berg/Nejedly) (FPA) ¹ ; Forest Practice Rules (FPRs) ²	CDF Resource Management Program, Forest Practice Regulation	Statewide--Non-federal lands	¹ FPA is in PRC, Division 4, Chapter 8, § 4511 <i>et seq.</i> ² FPRs are in Title 14, CCR, § 895 <i>et seq.</i> The authorities set forth on this page are the general informational requirements for each program document. On subsequent pages, more specific informational requirement authorities are given. These general requirements are not repeated, even where they specify relevant information.
	FPA 4551.3; FPR 1091.4-1091.7	Sustained Yield Plan	Same as above	Tiered landscape-scale option available to industrial timberland owners; may reduce issues to be addressed in subordinate Timber Harvesting Plans (THPs).
	FPA 4581, 4582; FPR 898, 1034	THP	Same as above	Required for all commercial timber harvesting not otherwise exempt.
	FPA 4581, 4582; FPR 1051.1	Modified THP (MTHP)	Same as above	Option for small low-impact operations meeting specified criteria
	FPA 4581, 4582; FPR 1092.9	Program THP (PTHP)	Same as above	THP tiered to a Program Timberland Environmental Impact Report (EIR). FPR 1092 requires that PTHPs comply with most operational and some informational requirements for THPs.
	FPA 4593.3, 4594; FPR 1090.5, 1090.7	Nonindustrial Timber Management Plan (NTMP) and Notice	Same as above	Option for uneven-age silviculture on nonindustrial parcels smaller than 2,500 acres. FPR 1090 requires that NTMPs comply with most operational and some informational requirements for THPs.
	FPR 921.1 (b)	THP	Coastal Zone Special Treatment Areas (CZSTA)	THP requirements are somewhat different and more stringent in Special Treatment Areas designated by CCC
	FPA 4516.5; 4516.8; FPR 927.2 4584	THP Exemption	Marin Co.	These counties have slightly different planning requirements.

Agency	Authority	Programs	Implementation Location	Notes
	Element (1): Identify (a) the area to be harvested including location of waterbodies and sensitive areas such as wetlands, threatened or endangered aquatic species habitat areas, or high-erosion-hazard areas (landslide-prone areas) within the harvest unit, and (b) the hydrologic unit where the project is located and name the waterbodies the project is tributary to.			
BOF/CDF	Same as Component; plus FPR 895.1; 912.5, Tech. Rule Addendum #1; 912.9, Tech. Rule Addendum # 2; FPR 914; 914.2(d), (f); 916.4(a), (b); 939.15	THP, MTHP, PTHP, NTMP	Statewide	
	Same as above, plus FPR 926.14	Same as above	Santa Cruz Co.	
	Same as above, plus FPR 965.5(e), (f)	Same as above	Monterey Co.	
	Same as above, plus FPR 921.1(a)	Same as above	CZSTA	
	FPR 1091.6(c)	Sustained Yield Plan (SYP)	Statewide	
	Element (2): Time the activity for the season or moisture conditions to avoid degradation of water quality and prevent impacts to beneficial uses. Avoid any activities that cause soil disturbance or discharge from road surfaces during wet weather except for emergency maintenance work.			
BOF/CDF	Same as component 1; plus FPR 895.1; 914.6(a), (b), (h); 914.7; 914.8(d); 915.1(b); 916.4(c); 916.7; 917.2(a); 917.3(b); 937.3(a); 957.3(a); 917.4(b), (c); 917.5(b); 923.1(i); 923.2(n), (q), (r), (s), (t); 923.4(d), (e), (f), (g), (o); 923.5(e), (f), (h), 923.6; Same as above, plus FPR 927.1; 927.9; 927.11(b); 927.17	THP, MTHP, PTHP, NTMP	Statewide	
	Same as above, plus FPR 925.1; 926.18; 965.5	Same as above	Marin Co.	
	Same as above, plus FPR 921.3(c); 921.5(c); 961.3(b); 961.5(f)	Same as above	Santa Clara, Santa Cruz, Monterey Co.	
	Same as above, plus FPR 921.3(c); 921.5(c); 961.3(b); 961.5(f)	Same as above	CZSTA	
	Element (3): Consider potential water quality impacts and erosion and sedimentation control in the selection of silviculture and regeneration systems, especially for harvesting and site preparation.			
BOF/CDF	FPA 4551.5, 4551.7, 4562.5; FPR 895.1; 912.9, Tech. Rule Addendum #2; 913.1(a); 913.4(a), (b); 913.6(b); 914; 914.7; 915; 915.3; 915.4; 917.3(d), (e)	THP, MTHP, PTHP, NTMP	Statewide	
	Same as above, plus FPR 954.4	Same as above	Southern District	
	Same as above, plus FPR 921.3(c)	Same as above	CZSTA	
	Same as above, plus FPR 913.8(b)	Same as above	Southern subdistrict of Coast District	
	Same as above, plus FPR 927.12(a)	Same as above	Marin Co.	

Agency	Authority	Programs	Implementation Location	Notes
BOF/CDF	Element (4): Reduce the risk of occurrence of landslides and severe erosion by identifying high-erosion-hazard areas and avoiding timber operations where they may exacerbate risk. Same as component I, plus FPR 912.5, Tech Rule Addendum #1; 912.9, Tech Rule Addendum #2; 913.1(a), 914.2(d), (f), 914.6(c), 914.7, 916.4(a) Same as above, plus FPR 921.1(a), 921.5(a), (b), 961.5(d) Same as above, plus FPR 913.8(b)	THP, MTHP, PTHP, NTMP Same as above Same as above	Statewide CZSTA Southern Subdistrict of Coast District	
BOF/CDF	Element (5): Consider cumulative effects from timber operations or roads to any known existing water quality impairments or problems in watersheds. Same as component; FPR 898; 912.9, Tech. Rule Addendum #2	THP	Statewide	

Management Measure 2A Preharvest Planning				
Component 2. Perform advance planning for forest road systems that includes the following elements where appropriate: Element (1): Locate and design road systems to minimize, potential sediment generation and delivery to surface waters. Key components are: (a) locate roads, and skid trails to avoid steep grades and steep or unstable hillslope areas, and to decrease the number of stream crossings; (b) avoid to the extent practicable locating new roads and landings in SMAs; and (c) determine road usage and select the appropriate road standard.				
BOF/CDF	FPA 4562.7; 4582; 4593.3(b) FPR 895.1; 914; 914.2; 914.8; 916.3(c); 916.4(a), (d); 923; 923.1; 923.2(v); 923.3; 923.5(a), (b), (d) Same as above, plus FPR 921.1(b); 921.5(a), (b), (c), (d); 961.5 Same as above, plus FPR 926.16 Same as above, plus 927.2(e); 965.1 FPR 1091.6(c)	THP, MTHP, PTHP, NTMP Same as above Same as above Same as above SYP	Statewide CZSTA Santa Cruz Co Marin, Monterey Co. Statewide	
BOF/CDF	FPA 4562.7(b), (f) FPR 895.1; 914.8; 916.3(c); 916.4(c), (d); 923.2(e); 923.3(a), (c), (e) FPR 926.16	THP, MTHP, PTHP, NTMP Same as above	Statewide Santa Cruz Co.	Element (2): Locate and design temporary and permanent stream crossings to prevent failure and control impacts from the road system. Key components are: (a) size, design and site crossing structures to prevent failure and minimize diversion potential; (b) for fish-bearing streams, design crossings to facilitate fish passage.
BOF/CDF	FPR 914.6(c); 923(c), (f); 923.1(d), (f), (g); 923.2	THP, MTHP, PTHP, NTMP Same as above Same as above	Statewide CZSTA Marin Co	Element (3): Ensure that the design of road prism and the road surface drainage is appropriate to the terrain and that road surface design is consistent with the road drainage structures.
BOF/CDF	FPR 895.1; 923.1(a), 923.2(f); 923.4(h)	THP, MTHP, PTHP, NTMP	Statewide	Element (4): Use suitable materials for surface roads planned for all-weather use to support truck traffic.

Element (5): Design road systems to avoid high erosion or landslide hazard areas. Identify these areas and consult a qualified specialist for design of any roads that must be constructed through these areas.

BOF/CDF	FPR 898.1(b); 912.5, Tech. Rule Addendum #1; 914.2(d); 923(c), (d), (f), (g); 923.1(c), (d)	THP, MTHP, PTHP, NTMP	Statewide
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The following are BACKUP AUTHORITIES that pertain to the Preharvest Planning Management Measure.

Agency	Authority	Program	Implementation Location	Notes
Local governments	PZL (Gov. Code §§65000 et seq.) and CCA §30500	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Permits pursuant to above Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)	Local governments adopt ordinances and rules and make land-use decisions consistent with State law.
SWRCB/RWQCB	PCWQCA	<ul style="list-style-type: none"> NPSMP Basin Plans Cease and Desist Orders Cleanup and Abatement Orders Admin. Civil Liability 	Statewide	
DFG	FGC § 5650	Discharge to waters of the State violations	Statewide	
DHS	HSC § 116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in forested areas.

Management Measure 2B Streamside Management Areas (SMAs)

Component 1. Establish and maintain a streamside management area along surface waters that is sufficiently wide and which includes a sufficient number of canopy species to buffer against detrimental changes in the temperature regime of the waterbody, to provide bank stability, and to withstand wind damage.

Agency	Authority	Programs	Implementation Location	Notes
BOF/CDF	FPA 4551; 4562.7; FPR 895.1; 912.9, Tech. Rule Addendum # 2; 953.7; 915.2(b); 915.3(a); 916; 916.2; 916.3(d); 916.4(a), (b), (c), (d); 916.5; 917.3(d); 923.1(h)	THP, MTHP, THP, NTMP	Statewide— Nonfederal lands	
	Same as above, plus FPR 961.1(a); 921.5(b); 921.6(c); 921.7	Same as above	CZSTA	
	Same as above, plus FPR 965.6	Same as above	Monterey Co.	
SCC	PRC Chapter 6, Div 21	CREP	Coastal zone and coastal watersheds, statewide	The SCC may acquire fee or less than fee interests in land to protect coastal streams and wetlands.

Component 2. Manage the SMA including flood-prone areas in such a way as to protect against soil disturbance in the SMA and delivery to the stream of sediments and nutrients generated by forestry activities, including harvesting.

BOF/CDF	FPA 4551; 4562.7; FPR 953.7; 914, 914.1(a), (c); 914.3(e); 915.3(a); 916; 916.2; 916.3(a), (b), (c), (e); 916.4(b), (c), (d); 915.5; 916.7; 923.2(v)	THP, MTHP, THP, NTMP	Statewide	
SCC	PRC Chapter 6, Div 21	CREP	Coastal zone and coastal watersheds, statewide	The SCC may acquire fee or less than fee interests in land to protect coastal streams and wetlands.

Component 3. Manage the SMA canopy species to provide a sustainable source of large woody debris needed for instream channel structure and aquatic species habitat.

BOF/CDF	FPA 4551; 4562.7; FPR 895.1; 912.9, Tech. Rule Addendum #2; 953.7; 915.3(a); 916; 916.2; 916.3(f), (g); 916.4(b); 916.5; 917.3(d)	THP, MTHP, THP, NTMP	Statewide	
	Same as above, plus FPR 921.6(c)	Same as above	CZSTA	
	Same as above, plus FPR 927.12	Same as above	Marin Co.	
SCC	PRC Chapter 6, Div 21	CREP	Coastal zone and coastal watersheds, statewide	The SCC may acquire fee or less than fee interests in land to protect coastal streams and wetlands.

The following are BACKUP AUTHORITIES that pertain to the Streamside Management Areas Management Measure				
Agency	Authority	Programs	Implementation Location	Notes
Local governments	PZL (Gov. Code §§65000 et seq.) and CCA §30500	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Permits pursuant to above • Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)	Local governments adopt ordinances and rules and make land-use decisions consistent with State law.
SWRCB/ RWQCB	PCWQCA	<ul style="list-style-type: none"> • NPSMP • Basin Plans • Cease and Desist Orders • Cleanup and Abatement Orders • Admin. Civil Liability 	Statewide	
DFG	FGC § 5650	Discharge to waters of the State violations	Statewide	
DHS	HSC § 116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		State parks	DPR operates and maintains units of the SPS in forested areas.

Management Measure 2C: Road Construction/Reconstruction				
Agency	Authority	Programs	Implementation Location	Notes
Component (1):	Follow preharvest planning (as described under Management Measure A) when constructing or reconstructing the roadway.			
BOF/CDF	Same as MM 2A, Component 2, plus FPR 923.2	THP, MTHP, PTHP, NTMP	Same as MM 2A, Component 2	
Component (2):	Follow designs planned under Management Measure A for road surfacing and shaping.			
BOF/CDF	Same as above	Same as above	Same as above	
Component (3):	Install road drainage structures according to designs planned under Management Measure A and regional storm return period and installation specifications. Match these drainage structures with terrain features and with road surface and prism designs.			
BOF/CDF	Same as above, plus FPR 895.1; 923.1(f), (g); 923.2(h), (o)	Same as above	Same as above	
Component (4):	Guard against the production of sediment when installing stream crossings.			
BOF/CDF	FPR 916.3; 923; 923.3			
Component (5):	Protect surface waters from slash and debris material from roadway clearing.			
BOF/CDF	FPR 914.1(a), (c); 916.3(a), (b), (c), (e); 916.4(b), (c); 923.19(d); 923.2(g), (u)			
Component (6):	Use straw bales, silt fences, mulching, or other favorable practices on disturbed soils on cuts, fill, etc.			
BOF/CDF	FPR 916.7, 923.4(i), (k)			
Component (7):	Avoid constructing new roads in SMAs to the extent practicable.			
BOF/CDF	FPR 916.3(c); 923.1(h); 923.3(v)			

The following are BACKUP AUTHORITIES that pertain to the Road Construction/Reconstruction Management Measure

Agency	Authority	Programs	Implementation Location	Notes
Local governments	PZL (Gov. Code §§65000 et seq.) and CCA §30500	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Permits pursuant to above Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)	Local governments adopt ordinances and rules and make land-use decisions consistent with State law.
SWRCB/RWQCB	PCWQCA	NPSMP Basin Plans Cease and Desist Orders Cleanup and Abatement Orders Admin. Civil Liability		
DFG	FGC § 5650	Discharge to waters of the State violations	Statewide	
DHS	HSC § 116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in forested areas.

Management Measure 2D: Road Management				
Agency	Authority	Programs	Implementation Location	Notes
Component (1): Avoid using roads for timber hauling or heavy traffic during wet or thaw periods on roads not designed and constructed for these conditions.				
BOF/CDF	FPR 923.2(g); 923.4(o); 923.6	THP, MTHP, PTHP, NTMP	Statewide	
Component (2): Evaluate the future needs for a road and close roads that will not be needed. Leave closed roads and drainage channels in a stable condition to withstand storms.				
BOF/CDF	FPR 923; 923.4(a), (b), (g); 923.8	Same as above	Statewide	
	FPR 926.17	THP, MTHP, PTHP, NTMP	Santa Cruz Co	
Component (3): Remove drainage crossings and culverts if there is a reasonable risk of plugging or failure from lack of maintenance.				
BOF/CDF	FPR 923.2(i); 923.4(d), (f), (l), (m); 923.8(e)	Same as above	Same as above	
Component (4): Following completion of harvesting, close and stabilize temporary spur roads and seasonal roads to control and direct water away from the roadway. Remove all temporary stream crossings.				
BOF/CDF	FPR 923.3(d); 923.4(b), (f), (g); 923.8	THP, MTHP, PTHP, NTMP	Statewide	
	FPR 926.19; 965.9	Same as above	Santa Cruz/Monterey Co	
Component (5): Inspect roads to determine the need for structural maintenance. Conduct maintenance practices, when conditions warrant, including cleaning and replacement of deteriorated structures and erosion controls, grading or seeding of road surfaces, and, in extreme cases, slope stabilization or removal of road fills where necessary to maintain structural integrity.				
BOF/CDF	FPR 923; 923.4(all); 923.8 PRC 4562.9	Same as above	Same as above	
Component (6): Conduct maintenance activities, such as dust abatement, so that contaminants or pollutants are not introduced into surface waters.				
BOF/CDF	FPR 916.3; 923; 923.4(h)	Same as above	Same as above	
Component (7): Properly maintain permanent stream crossings and associated fills and approaches to reduce the likelihood (a) that stream overflow will divert onto roads, and (b) that fill erosion will occur if the drainage structures become obstructed.				
BOF/CDF	FPR 923.2(h); 923.3(e); 923.4(n)	Same as above	Same as above	
The following are BACKUP AUTHORITIES that pertain to the Road Management Measure.				
Agency	Authority	Programs	Implementation Location	Notes
Local government	PZL (Gov. Code §§65000 et seq.) and CCA §30500	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Permits pursuant to above Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)	Local governments adopt ordinances and rules and make land-use decisions consistent with State law.
SWRCB/RWQCB	PCWQCA	<ul style="list-style-type: none"> NPSMP Basin Plans Cease and Desist Orders Cleanup and Abatement Orders Admin. Civil Liability 	Statewide	
DFG	D&G Code §5650	Discharge to waters of the State violations	Statewide	

DHS	HSC § 116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in forested areas.

Management Measure 2E Timber Harvesting				
The timber harvesting management measure consists of implementing the following:				
Agency	Authority	Programs	Implementation Location	Notes
Component 1. General				
Element (1): Timber harvesting operations with skid trails or cable yarding follow layouts determined under Management Measure 2A.				
BOF/CDF	FPA 4562.7; FPR 914.2(f); 914.3(e); 916.3(c); 916.4(d), (e)	THP, MTHP, PTHP, NTMP	Statewide	
	Same as above, plus FPR 921.1(a)	Same as above	CZSTA	
	FPA 4516.5(a); FPR 925.5; 926.16; 927.3; 928.3	Same as above	Santa Clara, Santa Cruz, Marin, San Mateo Co	
Element (2): Install landing drainage structures to minimize erosion and prevent sedimentation.				
BOF/CDF	FPR 923.1(d), (f); 923.5(f)	THP, MTHP, PTHP, NTMP	Statewide	
Element (3): Construct landings away from steep slopes and reduce the likelihood of fill slope failures. Protect landing surfaces used during wet periods. Locate landings outside SMAs.				
BOF/CDF	FPR 914.2(d), (f); 914.7; 916.3(c); 916.4(c), (d), (e); 923; 923.1(c), (d); 923.4(h), (i), 923.5(a), (b), (c), (f), (g); 923.6	THP, MTHP, PTHP, NTMP	Statewide	
Element (4): Protect stream channels and significant ephemeral drainages from logging debris and slash material.				
BOF/CDF	FPR 914.1(a), (c); 914.2(e); 916.3(a), (b) 916.4(c)	THP, MTHP, PTHP, NTMP	Statewide	
Element (5): Use appropriate areas for petroleum storage, equipment maintenance and service. Establish procedures to contain and treat spills. Recycle or properly dispose of all waste materials.				
BOF/CDF	FPR 914.5	THP, MTHP, PTHP, NTMP	Same as above	
Component 2. For cable yarding:				
Element (1): Limit yarding corridor gouge or soil plowing by properly locating cable yarding landings.				
BOF/CDF	FPR 914.3(a), (d); 923(c)	THP, MTHP, PTHP, NTMP	Statewide	
Element (2): Locate corridors for SMAs following Management Measure 2B.				
BOF/CDF	Same as above	THP, MTHP, PTHP, NTMP	Statewide	

Component 3. For groundskidding:
Element (1): Within SMAs, operate groundskidding equipment only at stream crossings. In SMAs, fell and endline trees to avoid sedimentation and damage to residual vegetation.

Agency	Authority	Program	Implementation Location	Notes
BOF/CDF	FPR 914; 914.1(a), (c); 914.2(a); 916.3(c), (e); 916.4(c), (d), (e), (f)	THP, MTHP, PTHP, NTMP	Statewide	
Element (2): Use improved stream crossings for skid trails which cross flowing drainages. Construct skid trails to disperse runoff and with adequate drainage structures.				
BOF/CDF	FPR 914; 914.2(a), (i); 914.6 (c), (e), (f); 914.8(b); 916.3(c); 916.4(d), (f)	THP, MTHP, PTHP, NTMP	Statewide	
Element (3): On steep slopes, use cable systems rather than groundskidding where groundskidding may cause excessive erosion.				
BOF/CDF	FPR 914.2(b), (f); 914.3(e)	THP, MTHP, PTHP, NTMP	Statewide	
	FPR 921.5(a)	Same as above	CZSTA	

The following are BACKUP AUTHORITIES that pertain to the Timber Harvesting Management Measure.

Agency	Authority	Programs	Implementation Location	Notes
Local governments	PZL (Gov. Code §§65000 et seq.) and CCA §30500	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Permits pursuant to above • Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)	Local governments adopt ordinances and rules and make land-use decisions consistent with State law.
SWRCB/RWQCB	PCWQCA	<ul style="list-style-type: none"> • NPSMP • Basin Plans • Cease and Desist Orders • Cleanup and Abatement Orders • Admin. Civil Liability 	Statewide	
DFG	FGC § 5650	Discharge to waters of the State violations	Statewide	

DHS	HSC § 116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in forested areas.

Management Measure 2F Site Preparation and Forest Regeneration				
Confine on-site potential NPS pollution and erosion resulting from site preparation and the regeneration of forest stands. The components of the management measure for site preparation and regeneration are:				
Agency	Authority	Programs	Implementation Location	Notes
Component (1): Select a method of site preparation and regeneration suitable for the site conditions.				
BOF/CDF	FPA 4551.5, 4551.7, 4562.5; FPR 895.1; 914, 914.2(d), (e), (f), (i), 915, 915.1(a); 915.2; 915.3.	THP, PTHP, NTMP	Statewide	Site preparation using fire is addressed in MM 2.0 G. CA has extensive restocking requirements not included in MMs.
BOF/CDF	Same as above, plus FPR 914.2(k), 954.4	Same as above	Southern District	
BOF/CDF	Same as above, plus FPR 921.3(b), (c)	Same as above	CZSTA	
BOF/CDF	Same as above, plus FPR 913.8(b)	Same as above	Southern subdistrict of Coast District	
BOF/CDF	Same as above, plus FPR 927.9	Same as above	Marin Co.	
Component (2): Conduct mechanical tree planting and ground-disturbing site preparation activities on the contour of sloping terrain.				
BOF/CDF				CA has no equivalent requirement
Component (3): Do not conduct mechanical site preparation and mechanical tree planting on streamside management areas.				
OF/CDF	FPR 915.3(a), 916.4(c), (d)	THP, PTHP, NTMP	Statewide	
Component (4): Protect surface waters from logging debris and slash material.				
BOF/CDF	FPR 914; 914.2(e), (f), (i); 915; 915.3(a); 916.3(a), (b)	THP, MTHP, PTHP, NTMP	Statewide	
Component (5): Suspend operations during wet periods.				
BOF/CDF	FPR 914.7; 915.1(b)	THP, PTHP, NTMP	Statewide	
Component (6): Locate windrows at a safe distance from drainages and SMAs to control movement of the material during high runoff conditions.				
BOF/CDF	FPR 914.2 (e); 915.3(a)	THP, MTHP, PTHP, NTMP	Statewide	
Component (7): Conduct bedding operations in high-water-table areas during dry periods of the year. Conduct bedding in sloping areas on the contour.				
BOF/CDF	FPR 915; 915.3(a), 916.3(d); 916.4(c), (d)	THP, PTHP, NTMP	Statewide	
Component (8): Protect small ephemeral drainages when conducting mechanical tree planting.				
BOF/CDF	FPR 915; 915.3(a); 916.4(c), (d)	THP, PTHP, NTMP	Statewide	

The following are BACKUP AUTHORITIES that pertain to the Site Preparation and Forest Regeneration Management Measure				
Agency	Authority	Programs	Implementation Location	Notes
Local governments	PZL (Gov. Code §§65000 et seq.) and CCA §30500	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Permits pursuant to above • Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)	Local governments adopt ordinances and rules and make land-use decisions consistent with State law.
SWRCB/ RWQCB	PCWQCA	NPSMP Basin Plans Cease and Desist Orders Cleanup and Abatement Orders Admin. Civil Liability	Statewide	
DFG	FGC § 5650	Discharge to waters of the State violations	Statewide	
DHS	HSC § 116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in forested areas.

Management Measure 2G Fire Management

Prescribe fire for site preparation and control or suppress wildfire in a manner which reduces potential nonpoint source pollution of surface waters.
 Component (1): Intense prescribed fire should not cause excessive erosion due to the combined effect of removal of canopy species and the loss of soil-binding ability of subcanopy and herbaceous vegetation roots, especially in SMAs, in streamside vegetation for small ephemeral drainages, or on very steep slopes.

Agency	Authority	Programs	Implementation Location	Notes
BOF/CDF	FPA 4551.5, 4551.7; FPR 895.1; 915.2(a), (b); 915.3(a); 916.4(b); 916.5(e); 917.3(d); 937.3(c); 957.3(c)	THP, PTHP, NTMP	Statewide	CA has extensive logging-related fire hazard reduction requirements not in MMs.
	Same as above, plus FPR 921.6(b); 961.6	Same as above	CZSTA	
	Same as above, plus FPA, 4527, 4562; FPR 927.12(a)	Same as above	Marin Co.	
Component (2): Prescriptions for prescribed fire should protect against excessive erosion or prevent sedimentation.				
BOF/CDF	PRC 4423; FPR 915.2; 917.3; 937.3; 957.3	THP, MTHP, PTHP, NTMP	Statewide	
	FPR 917.4(d)	Same as above	Southern Subdistrict of Coast District	
	FPR 957.4(d)	Same as above	High Use Subdistrict of Southern District	
Component (3): All bladed firelines, for prescribed fire and wildfire, should be plowed on contour or stabilized with water bars and/or other appropriate techniques if needed to control excessive sedimentation or erosion of the fireline.				
BOF/CDF	FPR 914; 914.6(c), (e), (g), (h); 915.1	THP, MTHP, PTHP, NTMP	Statewide	
Component (4): Rehabilitation and salvage logging areas burned by wildfires should be managed to minimize erosion and prevent sedimentation.				
BOF/CDF		CDF Fire Protection Program	Statewide	CA has no BMPs for wildfire suppression as this is an emergency situation, not a land use.

The following are BACKUP AUTHORITIES that pertain to the Fire Management Measure.

Agency	Authority	Programs	Implementation Location	Notes
SWRCB/ RWQCB	PCWQCA	<ul style="list-style-type: none"> • NPSMP • Basin Plans • Cease and Desist Orders • Cleanup and Abatement Orders • Admin. Civil Liability 	Statewide	
DFG	FGC § 5650	Discharge to waters of the State violations	Statewide	
DHS	HSC § 116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in forested areas.

Management Measure 2H Revegetation of Disturbed Areas					
Reduce erosion and prevent sedimentation by rapid revegetation of areas disturbed by timber operations. Local growing conditions will dictate the timing for establishment of vegetative cover.					
Component (1): Revegetate disturbed areas (using seeding or planting) promptly after completion of earth-disturbing activity. Local growing conditions will dictate the timing for establishment of vegetative cover.	Agency	Authority	Programs	Implementation Location	Notes
BOF/CDF		FPR 914; 914.2(i); 914.6(a), (b), (f); 916.7, 923.2(m); 923.3(d); 923.4(i); 923.5(f); 923.8(b)	THP, MTHP, PTHP, NTMP	Statewide	The only pertinent FPRs are statewide.
SCC		PRC Chapter 6, Div 21	CREP	Coastal zone and coastal watersheds, statewide	SCC implements revegetation efforts to enhance coastal streams and wetlands.
Component (2): Use mixes of species and treatments developed and tailored for successful vegetation establishment for the region or area.					
BOF/CDF		FPR 916.7	THP, MTHP, PTHP, NTMP	Statewide	Same as above.
SCC		PRC Chapter 6, Div 21	CREP	Coastal zone and coastal watersheds, statewide	SCC implements revegetation efforts to enhance coastal streams and wetlands.
Component (3): Concentrate revegetation efforts initially on priority areas such as disturbed areas in SMAs or the steepest areas of disturbance near drainages.					
BOF/CDF		FPR 916.7; 923.3(m); 923.5(f)	THP, MTHP, PTHP, NTMP	Statewide	Same as above.
SCC		PRC Chapter 6, Div 21	CREP	Coastal zone and coastal watersheds, statewide	SCC implements revegetation efforts to enhance coastal streams and wetlands.

The following are BACKUP AUTHORITIES that pertain to the Revegetation of Disturbed Areas Management Measure.				
Agency	Authority	Programs	Implementation Location	Notes
Local governments	PZL (Gov. Code §§65000 et seq.) and CCA §30500	<ul style="list-style-type: none"> • General Plans/GP updates • LCPS/LCP amendments • Permits pursuant to above • Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)	Local governments adopt ordinances and rules and make land-use decisions consistent with State law.
SWRCB/RWQCB	PCWQCA	<ul style="list-style-type: none"> • NPSMP • Basin Plans • Cease and Desist Orders • Cleanup and Abatement Orders • Admin. Civil Liability 	Statewide	
DFG	FGC § 5650	Discharge to waters of the State violations	Statewide	
DHS	HSC § 116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in forested areas.

Management Measure 21 Forest Chemical Management				
Use chemicals when necessary for forest management in accordance with the following to reduce nonpoint source pollution impacts due to the movement of forest chemicals off-site during and after application:				
Component (1): Conduct applications by skilled and, licensed applicators according to the registered use, with special consideration given to impacts to nearby surface waters.				
Agency	Authority	Programs	Implementation Location	Notes
CDPR ¹ and CAC	3CCR § 6530-6534 ²		Statewide, via county farm advisors	¹ BOF/CDF have no authority to regulate pesticide or fertilizer use. ² Applicable requirements are set forth in FAC, Title 3, Division 6, Pesticides and Pest Control Operations
Component (2): Carefully prescribe the type and amount of pesticides appropriate for the insect, fungus, or herbaceous species.				
CDPR and CAC	3CCR § 6550-6557		Same as above	
Component (3): Prior applications of pesticides and fertilizers, inspect the mixing and loading process and the calibration of equipment, and identify the appropriate weather conditions, the spray area, and buffer areas for surface waters and mixing and loading areas.				
CDPR and CAC	3CCR § 6600-6620, 6622-6627		Same as above	
Component (4): Establish and identify buffer areas for surface waters to protect beneficial uses. (This is especially important for aerial applications.)				
CDPR and CAC	3CCR § 6800, 6802, 6540, 6544		Same as above	
Component (5): Immediately report accidental spills of pesticides or fertilizers into surface waters to the California Office of Emergency Services (Cal/OES). Develop an effective spill contingency plan to contain spills.				
CDPR and CAC	3CCR § 6670-6684		Same as above	

The following are BACKUP AUTHORITIES that pertain to the Forest Chemical Management Measure.				
Agency	Authority	Programs	Implementation Location	Notes
Local governments	PZL (Gov. Code §§65000 et seq.) and CCA §30500	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Permits pursuant to above Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)	Local governments adopt ordinances and rules and make land-use decisions consistent with State law.
SWRCB/RWQCB	PCWQCA	NPSMP Basin Plans Cease and Desist Orders Cleanup and Abatement Orders Admin. Civil Liability	Statewide	
DFG	FGC § 5650	Discharge to waters of the State violations	Statewide	
DHS	HSC § 11627 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in forested areas.

Management Measure 2.J Wetlands Forest			
Plan, operate, and manage normal, ongoing forestry activities (including harvesting, road design and construction, site preparation and regeneration, and chemical management) to adequately protect the aquatic functions of forested wetlands.			
Agency	Authority	Programs	Implementation Location
BOF/CDF	FPR 895.1; 912.9, Tech. Rule Addendum #2; 915.1(b); 916.3(c), (d); 923(d); 923.2(f); 923.5(e)	THP, MTHP, PTHP, NTMP	Statewide
	Same as above, plus FPR 953.7; 939.15; 959.15(b)	Same as above	Northern and Southern Districts
	Same as above, plus FPR 921.5(c), 961.5(f)	Same as above	CZSTA
	Same as above, plus FPR 927.11	Same as above	Marin Co.
The following are BACKUP AUTHORITIES that pertain to the Wetlands Forest Management Measure.			
Agency	Authority	Programs	Implementation Location
Local governments	PZL (Gov. Code §§5000 et seq.) and CCA §30500	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Permits pursuant to above Enforcement 	Statewide (LCP policies/ordinances apply in coastal zone)
SWRCB/ RWQCB	PCWQCA	<ul style="list-style-type: none"> NPSMP Basin Plans Cease and Desist Orders Cleanup and Abatement Orders Admin. Civil Liability 	Statewide
DFG	FGC § 5650	Discharge to waters of the State violations	Statewide
DHS	HSC §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS
			Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
			DPR operates and maintains units of the SPS in forested areas.

Management Measure 2K Postharvest Evaluation

Conduct post-operation evaluation of the effectiveness of the State's forest practices requirements as implemented. The components of this are: a) implementation monitoring to determine if the operation was conducted according to specifications, and b) effectiveness monitoring after at least one winter period to determine if the specified operation prevented or minimized discharges.

Agency	Authority	Programs	Implementation Location	Notes
BOF/CDF	FPR 916.6(a)(1)(E)	THP, MTHP, PTHP, NTMP	Statewide	Requires post-operation evaluation of alternative Watercourse and Lake Protection Zone (WLPZ) practices.
	FPR 016.10	Same as above	Statewide	Allows post-operation evaluation of domestic water supply protection.
	FPR 1050	Same as above	Statewide	Requires post-harvest inspection of erosion control maintenance and functioning.
	FPA 4588	Same as above	Statewide	Requires post-harvest inspection of stock success
	FPA 4588, 5604	Same as above	Statewide	Requires post-operations inspections of timber operation compliance with specifications.
	FPA 4551.3(b); FPR 1091.8	SYP	Statewide	Requires continuous monitoring of SYP compliance and effectiveness.
	All above citations	Long Term Monitoring Program (L-TMP)	Statewide	Voluntary program specifically implementing this MM on a randomly selected set of THPs each year.

The following are BACKUP AUTHORITIES that pertain to the Postharvest Evaluation Management Measure.

Agency	Authority	Programs	Implementation Location	Notes
SWRCB/RWQCB	PCWQCA	Forest Activities Program <ul style="list-style-type: none"> • NPSMP • Basin Plans • Cease and Desist Orders • Cleanup and Abatement Orders • Admin. Civil Liability 	Statewide	<ul style="list-style-type: none"> • Participation in LTMP with CDF • Some surveillance monitoring • Some compliant-driven monitoring.
DFG DHS	FGC § 5650 HSC §116275 et seq.	Discharge to waters of the State violations Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Statewide Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality. DPR operates and maintains units of the SPS in forested areas.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	

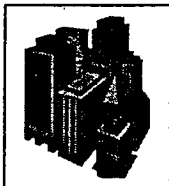
Management Measure 2L Education/Outreach

Implement educational programs to provide greater understanding of watersheds, and to raise awareness and increase the use of applicable forestry management measures and practices where needed to control and prevent adverse impacts to surface and ground water. Public education, outreach, and training programs should involve applicable user groups and the community.

[Refer to the Forestry Management Measures 2A – 2K listed in this document.]

Agency	Authority	Programs	Implementation Location	Notes

Urban Management Measures



The SWRCB, CCC, and other State agencies have identified 15 MMs to address urban nonpoint sources of pollution that affect State waters. With approximately 80% of the nation's population living in coastal areas, controlling polluted runoff in urban areas is a challenge. Negative impacts of urbanization on coastal and estuarine waters are well documented in a number of sources, including California's CWA §305(b) and §319 reports and the Nationwide Urban Runoff Program.

Major pollutants found in runoff from urban areas include sediment, nutrients, oxygen-demanding substances, road salts, heavy metals, petroleum hydrocarbons, pathogenic bacteria, and viruses. Suspended sediments constitute the largest mass of pollutant loadings to receiving waters from urban areas. Construction is a major source of sediment erosion. Petroleum hydrocarbons result mostly from automobile sources. Nutrient and bacterial sources include garden fertilizers, leaves, grass clippings, pet wastes, and faulty septic tanks. As population densities increase, a corresponding increase occurs in pollutant loadings generated from human activities. Many of these pollutants enter surface waters via runoff without undergoing treatment.

California's MMs to address urban sources of nonpoint pollution:

3.1 Runoff from Developing Areas

- A. Watershed Protection
- B. Site Development
- C. New Development

3.2 Runoff from Construction Sites

- A. Construction Site Erosion and Sediment Control
- B. Construction Site Chemical Control

3.3 Runoff from Existing Development

- A. Existing Development

3.4 Onsite Disposal Systems (OSDSs)

- A. New OSDSs
- B. Operating OSDSs

3.5 Transportation Development (Roads, Highways, and Bridges)

- A. Planning, Siting, and Developing Roads and Highways
- B. Bridges
- C. Construction Projects
- D. Chemical Control
- E. Operation and Maintenance
- F. Road, Highway, and Bridge Runoff Systems

3.6 Education/Outreach

- A. Pollution Prevention/Education: General Sources

Urban runoff management requires that several objectives be pursued simultaneously. These objectives include the following (American Public Works Association, 1981):

- Protection and restoration of surface waters by the minimization of pollutant loadings and negative impacts resulting from urbanization;
- Protection of environmental quality and social well-being;
- Protection of natural resources, e.g., wetlands and other important aquatic and terrestrial ecosystems;
- Minimization of soil erosion and sedimentation problems;
- Maintenance of the predevelopment hydrologic conditions;

- Protection of ground-water resources;
- Control and management of runoff to reduce or prevent flooding; and
- Management of aquatic and riparian resources for active and passive pollution control.

Management Measures:

The control of urban NPS pollution requires the use of two primary strategies: the prevention of pollutant loadings and the treatment of unavoidable loadings. California's urban management measures are organized to parallel the land use development process in order to address the prevention and treatment of NPS pollution loadings during all phases of urbanization; this strategy relies primarily on the watershed approach, which focuses on pollution prevention or source reduction practices. Emphasizing pollution prevention and source reduction practices over treatment practices is favored because conducting education practices and incorporating pollution prevention practices into project planning and design activities are generally more effective, require less maintenance, and are more cost-effective in the long term than treatment strategies. Treatment strategies should only be used to address unavoidable loadings or where they are truly cost-effective.

The major opportunities to control NPS loadings occur during the following three stages of development: (1) the siting and design phase, (2) the construction phase, and (3) the post-development phase. Before development occurs, land in a watershed is available for a number of pollution prevention and treatment options, such as setbacks, buffers, or open space requirements, as well as wet ponds or constructed urban runoff wetlands that can provide treatment of the inevitable runoff and associated pollutants. In addition, siting requirements and restrictions and other land use ordinances, which can be highly effective, are more easily implemented during this period. After development occurs, these options may no longer be practicable or cost-effective. MMs 3.1A through 3.1C address the strategies and practices that can be used during the initial phase of the urbanization process.

The control of construction-related sediment loadings is critical to maintaining water quality. The implementation of proper erosion and sediment control practices during the construction stage can significantly reduce sediment loadings to surface waters. MMs 3.2A and 3.2B address construction-related practices.

After development has occurred, lack of available land severely limits the implementation of cost-effective treatment options. MM 3.6A focuses on improving controls for existing surface water runoff through pollution prevention to mitigate nonpoint sources of pollution generated from ongoing domestic and commercial activities.

3.0 URBAN

IMPLEMENTATION AUTHORITIES

Urban Management Measures

3.1 Runoff from Developing Areas

- A. Watershed Protection
- B. Site Development
- C. New Development

3.2 Runoff from Construction Sites

- A. Construction Site Erosion and Sediment Control
- B. Construction Site Chemical Control

3.3 Runoff from Existing Development

- A. Existing Development

3.4 Onsite Disposal Systems (OSDSs)

- A. New OSDSs
- B. Operating OSDSs

3.5 Transportation Development (Roads, Highways, and Bridges)

- A. Planning, Siting, and Developing Roads and Highways
- B. Bridges
- C. Construction Projects
- D. Chemical Control
- E. Operation and Maintenance
- F. Road, Highway, and Bridge Runoff Systems

3.6 Education/Outreach

- A. Pollution Prevention/Education: General Sources

Urban Management Measure 3.1A — Watershed Protection¹

Develop a watershed protection program to:

1. Avoid conversion, to the extent practicable, of areas that are particularly susceptible to erosion and sediment loss;
2. Preserve areas that provide important water quality benefits and/or are necessary to maintain riparian and aquatic biota;
3. —Protect to the extent practicable the natural integrity of water bodies and natural drainage systems associated with site development—including roads, highways, and bridges;
4. Limit increases of percent impervious surfaces; and
5. Provide education and outreach to address sources or nonpoint pollution.

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCBs	<ul style="list-style-type: none"> • CWA (33 USC § 1251 et seq.) • PCWQCA (WC §§ 13000 et seq.) • CWA §401 • CEQA (PRC §§21000 to 21177) 	<p>SWDP (CWA § 402)</p> <ul style="list-style-type: none"> • General Industrial and Construction Activities Storm Water Permits • MSWP <p>TMDL Program [pursuant to CWA § 303(d)]</p> <p>Water Quality Certification [pursuant to CWA §401 for discharges of dredge and fill materials]</p> <p>CEQA--Environmental Review</p>	<p>SWDP applies to:</p> <ul style="list-style-type: none"> • cities >100,000 pop. (Phase I) • cities of 50,000 - 100,000 pop. (Phase II) <p>TMDL programs apply in CWA § 303(d)-listed watersheds.</p> <p>Water Quality Certification applies to waters of the U.S. statewide and individual projects.</p> <p>CEQA--Statewide</p>	<p>NPDES Permits (Phase I):</p> <ul style="list-style-type: none"> • major industrial facilities; • large/medium municipalities separate storm sewer systems • construction sites that disturb 5 or more acres. <p>NPDES Permits (Phase II):</p> <ul style="list-style-type: none"> • smaller municipalities • construction sites that disturb 1 to 5 acres. <p>TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met.</p> <p>CWA §401--Water quality certification is required for most watershed level developments (e.g., HCPs, planned community developments)</p> <p>CEQA--Comments on general plans, watershed level developments, and project specific impacts.</p>

¹ Sound watershed management requires that both structural and nonstructural measures be employed to mitigate the adverse impacts of storm water. Nonstructural Management Measures 3.1A (Watershed Protection) and 3.1B (Site Development) can be effectively used in conjunction with Management Measure 3.1C (New Development) to reduce both the short- and long-term costs of meeting the treatment goals of this management measure.

Regional Authorities (e.g., ABAG, AMBAG, SCAG, SANDAG)	CWA § 208	Areawide water quality control plans	Regionally	Regional authorities conduct areawide water quality control efforts. Though dated, § 208 plans can provide a starting point for identifying problems in specific watersheds.
SCC	PRC Chapter 6, Div 21	CREP	Coastal zone and coastal watersheds, statewide	SCC (1) implements watershed plans to protect and enhance natural resources and preserve open space and(2) helps to acquire sensitive lands to protect water quality and preserve natural resources.

The following BACKUP AUTHORITIES pertain to Urban Management Measure 3.1A (Watershed Protection)

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/ RWQCB	PCWQCA(WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCPs (Basin Plans) • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: Cleanup and Abatement Orders; Cease and Desist Orders; Administrative Civil Liability • RWQCBs have primary responsibility for individual permitting, inspection and enforcement. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in urban areas.
DHS	HSC §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.

Other Efforts that pertain to Urban Management Measure 3.1A (Watershed Protection)				
Agency	Authority	Programs	Implementing Area	Notes
State/local/federal agency participation in CA's <ul style="list-style-type: none"> • NMSs • NERRs • NEPs 	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) • CZMA § 315 • CWA § 320 (33 USC § 1330) 	<ul style="list-style-type: none"> • MBNMSWQPP • SMBRP • SFEP 	NMSs: <ul style="list-style-type: none"> • Monterey Bay • Channel Islands • Cordell Bank/Gulf of the Farallones NERRs: <ul style="list-style-type: none"> • Elkhorn Slough • Tijuana River NEPs: <ul style="list-style-type: none"> • SMB, SFB and Morro Bay 	<ul style="list-style-type: none"> • The MBNMS WQPP is a collaborative effort of federal, State, and local agencies, and public and private groups to address NPS pollution in the region's watersheds. A MOA has been signed by: NOAA; USEPA, Region 9; CalEPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.

Urban Management Measure 3.1B — Site Development

Plan, design, and develop sites to:

1. Protect areas that provide important water quality benefits, necessary to main riparian and aquatic biota, and/or are particularly susceptible to erosion and sediment loss;
2. Limit increases of impervious areas;
3. Limit land disturbance activities such as clearing and grading, and cut-and-fill to reduce erosion and sediment loss; and
4. Limit disturbance of natural drainage features and vegetation.

Agency	Authority	Programs	Implementing Area	Notes
SCC	PRC Chapter 6, Div 21	CREP	Coastal zone and coastal watersheds, statewide	The SCC helps to acquire sensitive lands to protect water quality and preserve natural resources.
SWRCB	CWA Title VI	SRF	Statewide	Loans for acquisition of sensitive lands to protect water quality and preserve natural resources.
SWRCB/RWQCB	CEQA (PRC §§21000 to 21177)	Environmental Review	Statewide	Comments on specific project.
SWRCB/RWQCB	CWA §401	WQCP	Statewide	Regulate specific projects involving dredge or fill materials.

Urban Management Measure 3.1C — New Development

Part (1): By design or performance:

- (a) After construction has been completed and the site is permanently stabilized, reduce the average annual TSS loadings by 80% (for the purposes of this measure, an 80% TSS reduction is to be determined on an average annual basis); or
- (b) Reduce the post-development loadings of TSS so that the average annual TSS loadings are no greater than pre-development loadings.

Part (2): To the extent practicable, maintain post-development peak runoff rate and average volume at levels that are similar to pre-development levels.

Agency	Authority	Programs	Implementing Area	Notes
SCC	PRC Chapter 6, Div 21	CREP	Coastal zone and coastal watersheds, statewide	The SCC helps to acquire sensitive lands to protect water quality and preserve natural resources.
SWRCB/RWQCB	CWA §402(p)	Storm water municipal and construction permits	Statewide	Post-construction provisions of 402(p)

Urban Management Measure 3.2A — Construction Site Erosion and Sediment Control

- Part (1):** Reduce erosion and, to the extent practicable, retain sediment on site during and after construction; and
- Part (2):** Prepare and implement, prior to land disturbance, an effective, approved erosion and sediment control plan or similar administrative document that specifies erosion and sediment control provisions.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> CEQA (PRC §§ 21000 et seq.) CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of "projects" using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	EIR, or Negative Declaration should identify mitigation measures to control erosion and sedimentation during and after construction.
Cities/Countries(CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> PLZ (Gov. Code §§ 65000 et seq.) SMA (Gov. Code §§ 66410 et seq.) CCA § 30500 	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Zoning ordinances Subdivision ordinances Permits pursuant to above Enforcement 	<ul style="list-style-type: none"> Statewide LCP policies/ordinances apply in coastal zone 	Cities/counties can adopt ordinances/ rules and make land-use decisions consistent with State law. Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; and general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
SWRCB/RWQCBs	<ul style="list-style-type: none"> CWA (33 USC § 1251 et seq.) PCWQA (WC §§ 13000 et seq.) CEQA (PRC §§21000 to 21177 PCWQCA 	SWDP (CWA § 402) <ul style="list-style-type: none"> General Industrial and Construction Activities Storm Water Permits MSWP TMDL Program [pursuant to CWA § 303(d)] Water Quality Certification [pursuant to CWA §401 for discharges of dredge and fill materials] CEQA—Environmental Review PCWQCA—WDR §13225 	SWDP applies to: <ul style="list-style-type: none"> cities > 100,000 pop. (Phase I) cities of 50,000 - 100,000 pop. (Phase II) TMDL programs apply in CWA § 303(d)-listed watersheds. Water Quality Certification applies statewide. CEQA and PCWQCA—Statewide	NPDES Permits (Phase I): <ul style="list-style-type: none"> major industrial facilities; large/medium municipalities separate storm sewer systems construction sites that disturb 5 or more acres. NPDES Permits (Phase II): <ul style="list-style-type: none"> smaller municipalities construction sites that disturb 1 to 5 acres. TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met. CEQA—Provide comments on construction impacts of projects. PCWQCA—For communities <50,000 also use as supplement to §402(p).

CCC	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	Coastal zone (includes tidelands, submerged lands, public trust lands).	<ul style="list-style-type: none"> • Enforcement tools include: issue cease & desist/ restoration orders; file complaint for civil penalties. • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented.
BCDC	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • SMPR (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency authority • Enforcement 	SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)	<ul style="list-style-type: none"> • Enforcement and federal consistency authorities are similar to those of CCC.
DFG	<ul style="list-style-type: none"> • FGC §§ 1 et seq. • § 1600-1607 	<ul style="list-style-type: none"> • Streambed alteration permits for grading, filling, dredging activities in State waters or stream beds 	Statewide: State waters or stream beds	<ul style="list-style-type: none"> • FGC focuses on problems such as control of erosion and sedimentation from grading, golf courses, road cuts, construction sites, etc.

The following BACKUP AUTHORITIES pertain to Urban Management Measures 3.1B, 3.1C, & 3.2A				
Agency	Authority	Programs	Implementing Area	Notes
SWRCB/ RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCPs (Basin Plans) • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCBs have primary responsibility for individual permitting, inspection and enforcement: may prohibit discharges or place limits on discharge characteristics, volume, area, or timing. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. ♦ § 5650 ♦ §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by DFG wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs, and cooperate in obtaining corrections or abatements to the condition.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in urban areas.
DHS	HSC §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.

Urban Management Measure 3.2B — Construction Site Chemical Control

- Part (1): Limit application, generation, and migration of toxic substances;
- Part (2): Ensure the proper storage and disposal of toxic materials;
- Part (3): Apply nutrients at rates necessary to establish and maintain vegetation without causing nutrient runoff to surface waters; and
- Part (4): Prepare and implement, prior to the use or storage of toxic materials on site, an effective, approved chemical control plan or similar administrative document that contains chemical control provisions (e.g., minimize use of toxic materials; ensure proper containment if toxic materials are to be used/stored on-site).

The agencies and authorities for the four components of this MM are the same as the agencies/authorities identified for MMs 3.1B, 3.1C, and 3.2A, with the additional agency/authorities listed below.

Agency	Authority	Programs	Implementing Area	Notes
DTSC	<ul style="list-style-type: none"> • HSC §§ 58000 et seq. • HSC §§ 25100 et seq. 	<ul style="list-style-type: none"> • Permits to Operate • Hazardous Waste Facilities Permits • Site Mitigation Program and other hazardous waste cleanup programs 	<ul style="list-style-type: none"> • Statewide 	DTSC is lead State agency for hazardous waste management. <ul style="list-style-type: none"> • DTSC issues permits to operate to any person who stores, treats or disposes of or otherwise manages "hazardous waste." • DTSC manages the cleanup of hazardous waste sites, and regulates the transport, treatment, storage, and disposal of hazardous waste.

The following BACKUP AUTHORITIES pertain to Urban Management Measure 3.2B (Construction Site Chemical Control)

The backup authorities for this MM are the same as the backup authorities identified for MMs 3.1B, 3.1C, and 3.2A.

Urban Management Measure 3.3A — Existing Development

Develop and implement watershed management programs to reduce runoff pollutant concentrations and volumes from existing development:

1. Identify priority local and/or regional watershed pollutant reduction opportunities (e.g., improve existing urban runoff control structures);
2. Specify a schedule for implementing appropriate controls;
3. Limit destruction of natural conveyance systems; and
4. Where appropriate, preserve, enhance, or establish buffers along surface water bodies and their tributaries.

Agency	Authority	Programs	Implementing Area	Notes
Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> • PZL (Gov. Code §§ 65000 et seq.) • SMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Enforcement 	<ul style="list-style-type: none"> • Statewide • LCP policies/ordinances apply in coastal zone 	Cities/counties can adopt ordinances/rules and make land-use decisions consistent with State law. Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; and general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
SWRCB/ RWQCBs	<ul style="list-style-type: none"> • CWA (33 USC § 1251 et seq.) • PCWQCA (WC §§ 13000 et seq.) 	SWDP (CWA § 402) <ul style="list-style-type: none"> • General Industrial and Construction Activities Storm Water Permits • MSWP • TMDL Program [pursuant to CWA § 303(d)] 	SWDP applies to: <ul style="list-style-type: none"> • cities > 100,000 pop. (Phase I) • cities of 50,000 - 100,000 pop. (Phase II) TMDL programs apply in CWA § 303(d)-listed watersheds.	NPDES Permits (Phase I): <ul style="list-style-type: none"> • major industrial facilities; • large/medium municipalities separate storm sewer systems • construction sites that disturb 5 or more acres. NPDES Permits (Phase II): <ul style="list-style-type: none"> • smaller municipalities • construction sites that disturb 1 to 5 acres. TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met.
CARB		Congestion Management Plan	Statewide: cities with pop. > 100,000	Reduction in vehicle congestion can reduce pollution
CIWMB	<ul style="list-style-type: none"> • CIWMA (PRC §§ 40400-49620) • CCR Title 14, Div. 7 and Title 27, Div. 2 	Waste Reduction Program	Statewide at local level	UnderCIWMA, 50% of waste generated Statewide must be diverted from landfills by 2000 (using source reduction, hazardous waste control, education.)

The following BACKUP AUTHORITIES pertain to Urban Management Measure 3.3A (Existing Development)

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCPs (Basin Plans) • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCBs have primary responsibility for individual permitting, inspection and enforcement: may prohibit discharges or place limits on discharge characteristics, volume, area, or timing. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. ♦ § 5650 ♦ §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by DFG wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs, and cooperate in obtaining corrections or abatements to the condition.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS in urban areas.
DHS	HSC §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.

Urban Management Measure 3.4A — New Onsite Disposal Systems (OSDSs)

- Part (1):** Ensure that new OSDS are located, designed, installed, operated, inspected, and maintained to prevent the discharge of pollutants to the surface of the ground and to the extent practicable reduce the discharge of pollutants into ground water. Where necessary to meet these objectives: (a) discourage the installation of garbage disposals to reduce hydraulic and nutrient loadings; (b) install low-volume plumbing fixtures in new developments or redevelopments as required by State law; and (c) encourage installation of low-volume plumbing fixtures in existing developments. Implement OSDS inspection schedules for pre-construction, construction, and post-construction.
- Part (2):** Direct placement of OSDS away from unsuitable areas. Where OSDS placement away from unsuitable areas is not practicable, ensure that the OSDS is designed or sited at a density so as not to adversely affect surface waters or ground water. Unsuitable sites include, but are not limited to, areas (a) with poorly or excessively drained soils; (b) with shallow water tables or high seasonal water tables; (c) within floodplains; or (d) where nutrient and/or pathogen concentrations in the effluent cannot be sufficiently treated or reduced before the effluent reaches sensitive water bodies.
- Part (3):** Establish protective setbacks from surface waters, wetlands, and floodplains for conventional as well as alternative OSDS. The lateral setbacks should be based on soil type, slope, hydrologic factors, and type of OSDS. Where uniform protective setbacks can not be achieved, site development with OSDS so as not to adversely affect water bodies and/or contribute to a public health nuisance.
- Part (4):** Establish protective separation distances between OSDS system components and groundwater. The separation distances should be based on soil type, distance to ground water, hydrologic factors, and type of OSDS.
- Part (5):** Where conditions indicate that nitrogen-limited surface waters may be adversely affected by excess nitrogen loadings from ground water, prohibit the installation of OSDSs or require the installation of OSDS that reduce total nitrogen loadings to meet water quality objectives.

Agency	Authority	Programs	Implementing Area	Notes
Cities/Counties (e.g., local county or city health departments, sanitary districts, planning departments, environmental health departments)	<ul style="list-style-type: none"> • HSC • UPC • HC • BC • PZL (Gov. Code §§ 65000 et seq.) • SMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Enforcement 	<ul style="list-style-type: none"> • Municipal areas • Statewide • LCP policies/ordinances apply in coastal zone 	Local authorities determine OSDS criteria, and require permits and inspections. Cities/counties can adopt ordinances/rules and make land-use decisions consistent with State law. Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; and general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
Various State and Local	<ul style="list-style-type: none"> • (CEQA (PRC §§ 21000 et seq.) • CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of "projects" using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	Initial Study, EIR, or Negative Declaration may identify mitigation measures to address OSDS placement, operation, etc.

Special Districts	<ul style="list-style-type: none"> HSC § 6950-6981 Gov. Code § 25210 	<ul style="list-style-type: none"> Wastewater Disposal Zone County Service Area 	District-wide	Special districts can be established to provide oversight and management of OSDS
SWRCB/RWQCBs	PCWQCA, CWC Title 23	Basin Plans	Regionwide	Basin Plans can include minimum criteria for siting, operation and maintenance, percolation rates, trenching, prohibition zones, and other requirements.
RWQCBs	PCWQCA § 13269	Establish MOUs with counties or other municipalities	Municipal areas Statewide	Regional Boards can delegate to locals the authority over OSDS
CCC	<ul style="list-style-type: none"> CCA (PRC §§ 30000 et seq.) CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) 	<ul style="list-style-type: none"> Coastal development permits LCP certification/amendments Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone Enforcement 	Coastal zone (includes tidelands, submerged lands, public trust lands).	<ul style="list-style-type: none"> Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties. CCC certifies LCPs prepared by coastal cities/counties.
BCDC	<ul style="list-style-type: none"> MPA (Gov. Code §§ 66600 et seq.), including SFB Plan SMPA (PRC §§ 29000 et seq.) 	<ul style="list-style-type: none"> Designation of priority uses adjacent to SFB Permitting: development permits and marsh development permits Enforcement 	SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)	<ul style="list-style-type: none"> Enforcement authority similar to that of CCC.

The following BACKUP AUTHORITIES pertain to Urban Management Measure 3.4A (New OSDS)

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCB	PCWQCA (WC §§ 13000 et seq.)	NPSMP	Statewide	<ul style="list-style-type: none"> NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. § 5650 §§ 12000-12002	<ul style="list-style-type: none"> Enforcement Reporting 	Statewide	<ul style="list-style-type: none"> Enforcement: citations by DFG wardens Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs, and cooperate in obtaining corrections or abatements to the condition.

DHS	CWC (CWC) Title 22	ODW	Statewide	If monitoring indicates groundwater contamination, DHS can order the public water supply purveyor to cease using the contaminated water supply as a source of drinking water.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq		SPS	DPR operates and maintains units of the SPS that have OSDS on site.
DHS	HSC §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.

Urban Management Measure 3.4B — Operating Onsite Disposal Systems (OSDSs)

Part (1): Establish and implement policies and systems to ensure that existing OSDSs are operated and maintained to prevent the discharge of pollutants to the surface of the ground and, to the extent practicable, reduce the discharge of pollutants into ground water. Where necessary to meet these objectives, encourage the reduced use of garbage disposals, encourage the use of low-volume plumbing fixtures, and reduce total phosphorus loadings to the OSDS by 15 % (if the use of low-level phosphate detergents has not been required or widely adopted by OSDS users). Establish and implement policies that require an OSDS to be repaired, replaced, or modified where the OSDS fails or threatens or impairs surface waters.

Part (2): Inspect OSDSs at a frequency adequate to ascertain whether the OSDSs are failing.

Part (3): Consider replacing or upgrading OSDS to treat influent so that total nitrogen loadings in the effluent are reduced to meet water quality objectives. This provision applies only where: (a) conditions indicate that nitrogen-limited surface waters may be adversely affected by significant ground water nitrogen loadings from an OSDS, and (b) nitrogen loadings from OSDS are delivered to ground water.

Agency	Authority	Programs	Implementing Area	Notes
Cities/Countries (e.g., local county or city health departments, sanitary districts, planning departments, environmental health departments)	<ul style="list-style-type: none"> • HSC • UPC • HC • BC • PZL (Gov. Code §§ 65000 et seq.) • SMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Enforcement 	<ul style="list-style-type: none"> • Municipal areas Statewide • LCP policies/ordinances apply in coastal zone 	Local authorities determine OSDS criteria, and require permits and inspections. Cities/counties can adopt ordinances/rules and make land-use decisions consistent with State law. Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; and general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
Various State and Local	<ul style="list-style-type: none"> • CEQA (PRC §§ 21000 et seq.) • CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	<ul style="list-style-type: none"> • Environmental review of "projects" using Initial Study (Environmental Checklists), EIR, or Negative Declaration 	Statewide	Initial Study, EIR, or Negative Declaration may identify mitigation measures to address OSDS placement, operation, etc.
Special Districts	<ul style="list-style-type: none"> • HSC § 6950-6981 • Gov. Code § 25210 	<ul style="list-style-type: none"> • Wastewater Disposal Zone • County Service Area 	District-wide	Special districts can be established to provide oversight and management of OSDS
SWRCB/RWQCBs	PCWQCA, CWC Title 23	Basin Plans	Regionwide	Basin Plans can include minimum criteria for siting, operation and maintenance, percolation rates, trenching, prohibition zones, and other requirements.
RWQCBs	PCWQCA § 13269	Establish MOUs with counties or other municipalities	Municipal areas Statewide	RWQCBs can delegate to locals the authority over OSDS

Urban Management Measure 3.4B (Operating OSDSs)

The following **BACKUP AUTHORITIES** pertain to Urban Management Measure 3.4B (Operating OSDSs). The backup authorities for this MM are the same as the backup authorities identified for MMs 3.4A (New OSDSs).

Urban Management Measure 3.5A — Planning, Siting, and Developing Roads and Highways

Plan, site, and develop roads and highways to:

1. Protect areas that provide important water quality benefits or are particularly susceptible to erosion or sediment loss;
2. Limit land disturbance such as clearing and grading and cut and fill to reduce erosion and sediment loss; and
3. Limit disturbance of natural drainage features and vegetation.

Urban Management Measure 3.5B — Bridges

Site, design, and maintain bridge structures so that sensitive and valuable aquatic ecosystems and areas providing important benefits are protected from adverse effects.

Urban Management Measure 3.5C — Construction Projects [Roads, Highways and Bridges]

- Part (1): Reduce erosion and, to the extent practicable, retain sediment on site during and after construction and
- Part (2): Prior to land disturbance, prepare and implement an approved erosion control plan or similar administrative document that contains erosion and sediment control provisions.

Agency	Authority	Programs	Implementing Area	Notes
<ul style="list-style-type: none"> • Cal/Trans • SWRCB/RWQCB • USEPA 	CWA § 402 CEQA (PRC §§21000 to 21177)	SWMP CEQA—Environmental Review	Statewide on Cal/Trans roads CEQA—Statewide	<ul style="list-style-type: none"> • General Construction Activities Storm Water NPDES Permit • Storm Water Quality Handbooks include: <ul style="list-style-type: none"> ♦ Planning and Design Staff Guide ♦ Construction Staff Guide ♦ Construction Contractors Guide and Specifications ♦ Chapter C6, Maintenance Manual, Volume I • CEQA—Provide comments on construction impacts of transportation projects.
SWRCB	CWA §401	401 Certification Program	Statewide	
Various State and Local	<ul style="list-style-type: none"> • CEQA (PRC §§ 21000 et seq.) • CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of “projects” using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	Initial Study, EIR, or Negative Declaration may identify mitigation measures to control erosion and sedimentation during and after construction.

<p>Cities/Countries</p>	<ul style="list-style-type: none"> • CWA § 402 • PZL (Gov. Code §§ 65000 et seq.) • SMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • SWPPPs • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Enforcement 	<ul style="list-style-type: none"> • Local areas with pop. >100,000 (Phase I) and bet. 50,000 - 100,000 (Phase II) • Local Governments statewide • LCP policies/ordinances apply in coastal zone 	<ul style="list-style-type: none"> • General Storm Water NPDES Permits • Cities/counties can adopt ordinances/rules and make land-use decisions consistent with State law. • Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare/declare, prohibit, and abate nuisances.
<p>CCC</p>	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	<p>Coastal zone (includes tidelands, submerged lands, public trust lands).</p>	<ul style="list-style-type: none"> • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties. • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented.
<p>BCDC</p>	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • Suisun Marsh Preservation Act (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency authority • Enforcement 	<p>SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)</p>	<ul style="list-style-type: none"> • Enforcement and federal consistency authorities are similar to those of CCC.
<p>DFG</p>	<ul style="list-style-type: none"> • FGC §§ 1 et seq. • § 1600-1607 	<ul style="list-style-type: none"> • Streambed alteration permits for grading, filling, dredging activities in State waters or stream beds 	<p>Statewide: State waters or stream beds</p>	<ul style="list-style-type: none"> • FGC focuses on problems such as control of erosion and sedimentation from grading, golf courses, road cuts, construction sites, etc.

The following BACKUP AUTHORITIES pertain to Urban Management Measures 3.5A, 3.5B, and 3.5C

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCPs (Basin Plans) • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCBs have primary responsibility for individual permitting, inspection and enforcement: may prohibit discharges or place limits on discharge characteristics, volume, area, or timing. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. • § 5650 • §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by DFG wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs, and cooperate in obtaining corrections or abatements to the condition.
FHA and AASHTO	ISTEA		Statewide	<ul style="list-style-type: none"> • Provides guidance on transportation development • Develops construction and maintenance standards
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq		SPS	DPR operates and maintains units of the SPS in urban areas.
DHS	HSC §116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies to evaluate of water quality.

Urban Management Measure 3.5D — Construction Site Chemical Control [Roads, Highways and Bridges]

- Part (1): Limit application, generation, and migration of toxic substances;
- Part (2): Ensure the proper storage and disposal of toxic materials;
- Part (3): Apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface water.

The agencies and authorities for the four components of this MM are the same as the agencies/authorities identified for MMs 3.5A, 3.5B, and 3.5C, with the additional agencies/authorities listed below.

Agency Cal/Trans	Authority	Programs Cal/Trans IPMP	Implementing Area	Notes
DTSC	<ul style="list-style-type: none"> • HSC §§ 58000 et seq. • HSC §§ 25100 et seq. 	<ul style="list-style-type: none"> • Permits to Operate • Hazardous Waste Facilities Permits • Site Mitigation Program and other hazardous waste cleanup programs 	Statewide on Cal/Trans roads <ul style="list-style-type: none"> • Statewide 	DTSC is lead State agency for hazardous waste management. <ul style="list-style-type: none"> • DTSC issues permits to operate to any person who stores, treats or disposes of or otherwise manages "hazardous waste." • DTSC manages the cleanup of hazardous waste sites, and regulates the transport, treatment, storage, and disposal of hazardous waste.
CDPR	FAC § 12811-12829 3 CCR § 6170-6193	Registration of Pesticides		

The following BACKUP AUTHORITIES pertain to Urban Management Measure 3.5D (Construction Site Chemical Control)
The backup authorities for this MM are the same as the backup authorities identified for MMs 3.5A, 3.5B, and 3.5C.

Urban Management Measure 3.5E — Operation and Maintenance [Roads, Highways and Bridges]

Incorporate pollution prevention procedures into the operation and maintenance of roads, highways, and bridges to reduce pollutant loadings to surface waters.

Urban Management Measure 3.5F — Road, Highway and Bridge Runoff Systems

Develop and implement runoff management systems for existing roads, highways, and bridges to reduce runoff pollutant concentrations and volumes entering surface waters.

1. Identify priority and watershed pollutant reduction opportunities (e.g., improvements to existing urban runoff control structures;) and
2. Establish schedules for implementing appropriate controls.

Agency	Authority	Programs	Implementing Area	Notes
<ul style="list-style-type: none"> • Cal/Trans • SWRCB • USEPA 	<ul style="list-style-type: none"> • CWA § 402 	<ul style="list-style-type: none"> • SWMP 	<ul style="list-style-type: none"> • Statewide on Cal/Trans roads 	<ul style="list-style-type: none"> • Storm Water Quality Handbook: Chapter C6, Maintenance Manual, Volume 1
<ul style="list-style-type: none"> • Cities/Countries 	<ul style="list-style-type: none"> • CWA § 402 • PZL (Gov. Code §§ 65000 et seq.) • SMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • SWPPPs • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Enforcement 	<ul style="list-style-type: none"> • Local areas with pop. > 100,000 (Phase I) and bet. 50,000 - 100,000 (Phase II) • Local Governments statewide • LCP policies/ordinances apply in coastal zone 	<ul style="list-style-type: none"> • General Construction Activities Storm Water NPDES Permit • Cities/counties can adopt ordinances/rules and make land-use decisions consistent with State law. • Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; and general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.

The following BACKUP AUTHORITIES pertain to Urban Management Measure 3.5E and 3.5F

The backup authorities for this MM are the same as the backup authorities identified for MMs 3.5A, 3.5B, and 3.5C.

Urban Management Measure 3.6A — Pollution Prevention/Education: General Sources

Implement educational programs to provide greater understanding of watersheds, and to raise awareness and increase the use of applicable urban management measures and practices where needed to control and prevent adverse impacts to surface and ground water. Public education, outreach, and training programs should involve applicable user groups and the community. Implementation of urban pollution prevention and education programs includes the following activities, where applicable:

1. Households
 - Improper storage, use, and disposal of household hazardous chemicals, including automobile fluids, pesticides, paints, solvents, etc.;
 - Lawn and garden activities, including the application and disposal of lawn and garden care products, and improper disposal of leaves and yard trimmings;
 - Improper operation and maintenance of onsite disposal systems;
 - Improper disposal of pet excrement.
 2. Landscaping
 - Turf management on golf courses, parks and recreational areas.
 3. Commercial
 - Commercial activities, including parking lots, restaurants, vehicle service facilities, and other entities.
 4. Other General Sources
 - Discharge of pollutants into storm drains, including floatables, waste oil, and litter;
 - Roads, highways, and bridges.
- [Refer to the Urban Management Measures 3.1 – 3.5 listed in this document.]

Agency	Authorities (●) and Programs (◆)	Implementing Area	Notes
Local Governments (Cities and Counties)	Many programs, including the following: ◆ SFB/Southern CA NPDES stormwater programs (education/outreach efforts to reduce urban pollution from litter and improper disposal into storm drains). ◆ MBNMS WQPP watershed module for the Adopt-a-Beach coastal clean-up activities in central CA. ◆ Santa Clara Valley NPS Control Program/San Jose Office of Env. Management automobile service station management practice handbook. ◆ Sunnyvale's curbside used oil collection/outreach program. ◆ San Francisco's permanent HHW collection facility (includes education, waste disposal, facility inspection).	• Varies Statewide	Many local governments maintain planning, community liaison, or public education/information staff to organize special projects (e.g., management practice handbooks, curbside collection, storm drain stenciling).

CCC	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) ◆ Conservation Education Program (§ 30012) ◆ Coastal Cleanup Day ◆ Adopt-A-Beach program ◆ Save Our Seas curriculum. 	<ul style="list-style-type: none"> • CCC programs promote conservation awareness, recycling, and litter abatement efforts through community involvement and environmental education efforts/materials. 	
CIWMB	<ul style="list-style-type: none"> • CIWMA (PRC §§ 40400-49620) • CCR Title 14, Div. 7 and Title 27, Div. 2 ◆ Diversion, Planning, and Local Assistance ◆ HHW Grants ◆ Used Oil Grants ◆ Used Oil Certification ◆ Waste Reduction Program 	<ul style="list-style-type: none"> • Model planning documents, workbooks, and catalogs to help prevent, reduce, recycle, compost, dispose of wastes (including used oil/ HHWs). • Used oil grants • Grants to implement HHW waste/source reduction or reuse/recycling programs. • Incentives to collection centers for do-it-yourselfers to bring used oil for proper disposal or re-refining. 	<ul style="list-style-type: none"> • Statewide at local level
CDPR	<ul style="list-style-type: none"> • FAC §§ 11401 et seq. • CCR Title 3, §§ 6000 et seq. • Surface Water Protection (FAC §14005) ◆ Pesticide Labeling (FAC § 11501 and 3 CCR §§ 6235-6243) ◆ Availability of label storage and disposal requirements (3 CCR §§ 6602, 6670-6686) ◆ Pesticide Licensing/Training (FAC § 12851-12859) ◆ Integrated Pest Management (IPM) ◆ Urban Pesticide Committee 	<ul style="list-style-type: none"> • Licensing/training for professional gardeners/landscapers/others who apply pesticides on golf courses, parks, recreational areas, etc. • Grants to educate urban gardeners on IPM/reduced pest control. • Outreach and education plan to prevent pesticide residues from reaching storm drains 	<ul style="list-style-type: none"> • Statewide
<ul style="list-style-type: none"> • DTSC • Cal/EPA • USEPA • CA Community Colleges 	<ul style="list-style-type: none"> • HSC §§ 58000 et seq. • H&SC §§ 25100 et seq. ◆ Hazardous Waste Generator/Small Business Outreach Workshops ◆ California Compliance School 	<ul style="list-style-type: none"> • Hazardous waste management workshops for businesses • Classes/workbook and hands-on training for individuals who manage/work with hazardous wastes 	<ul style="list-style-type: none"> • Statewide
DWR	<ul style="list-style-type: none"> • CACRFCA • WCLA • DFPP ◆ Urban Streams Restoration Program ◆ Water Education Program ◆ Model Water Efficient Landscape Ordinance 	<ul style="list-style-type: none"> • Assistance and grants to citizens and local agencies to address urban stream erosion and flooding problems • Helps water districts plan, organize, and implement water education/conservation programs • Cities/counties must adhere to DWR Model Water Efficient Landscape Ordinance or equivalent ordinance 	<ul style="list-style-type: none"> • Statewide • SFB Delta

Other Efforts that pertain to Urban Management Measure 3.6A (Pollution Prevention/Education: General Sources)			
Agency	Authorities (●) and Programs (◆)	Implementing Area	Notes
City of Monterey City of Santa Cruz CCC, Central Coast RWQCB MBNMS AMBAG SWRCB BASMAA	<ul style="list-style-type: none"> ● CWA § 402: NPDES storm water program ● CZARA (16 USC § 1455b) ● BASMAA ◆ MURP [developed pursuant to a CWA § 319 grant] 	<ul style="list-style-type: none"> ● Cities of Monterey and Santa Cruz ● other small municipalities Statewide. ● BASMAA—SF Area 	Model URMP developed by Cities of Monterey and Santa Cruz. Includes a model framework to develop similar URMPs in other small cities, and a "How to Guide" with coordinating mechanisms for local agencies, recommended improvements to local CEQA Guidelines, and a model public education program. BASMAA's <i>Start at the Source</i> manual, Pesticide manual, Other outreach.
State/local/federal agency participation in CA's NMSs NERRs NEPs	<ul style="list-style-type: none"> ● MPRSA (16 USC § 1431 et seq.) ● CZMA § 315 ● CWA § 320 (33 USC § 1330) ◆ MBNMS WQPP ◆ SMBRP ◆ SFEP 	<p><u>NMSs:</u></p> <ul style="list-style-type: none"> ● Monterey Bay ● Channel Islands ● Cordell Bank/Gulf of the Farallones <p><u>NERRs:</u></p> <ul style="list-style-type: none"> ● Elkhorn Slough ● Tijuana River <p><u>NEPs:</u></p> <ul style="list-style-type: none"> ● SMB, SFB and Morro Bay 	The MBNMS WQPP includes numerous education efforts/actions. It is a collaborative effort of federal, State, and local agencies, and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq	SPS	DPR has an extensive educational program that includes talks, displays, curriculum development and special programs.
DHS	<ul style="list-style-type: none"> ● HSC §116275 et seq. ● Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems 	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
CDPR	<ul style="list-style-type: none"> ● FAC §11501F ● H₂O Home to Ocean Workbook 	Statewide in urban areas	This workbook is a comprehensive guide for wastewater treatment plants on how to launch a public education campaign or enhance an existing outreach program for water quality.

Marinas & Recreational Boating Management Measures



The SWRCB, CCC, and other State agencies have identified 17 MMs to address marina and recreational boating sources of nonpoint pollution. Because marinas are located at the water's edge, pollutants generated from marinas and boats are less likely to be buffered or filtered by natural processes.

When boating and related activities (e.g., marinas and boat maintenance areas) are poorly planned or managed, they may threaten the health of aquatic systems and pose other environmental hazards. The USEPA (1993) identifies several sources of pollution associated with marinas and boating activities:

- Poorly flushed waterways;
- Pollutants discharged from boats (recreational boats, commercial boats, and "live-aboards");
- Pollutants carried in stormwater runoff;
- Physical alteration of wetlands and of shellfish/ other benthic communities during construction of marinas, ramps, and related facilities;
- Pollutants generated from boat maintenance activities on land and in the water.

California's management measures are intended to be applied to control impacts to water quality and habitat from marina siting and construction (new and expanding marinas), and marina and boat operation and maintenance. The measures are designed to reduce NPS pollution by requiring the best possible siting for marinas and maintenance areas, providing for the best available design and construction practices and appropriate operation and maintenance practices, and encouraging the development and use of effective pollution control and education efforts. The management measures cover the following operations and facilities (USEPA, 1993):

- Any facility that contains 10 or more slips, piers where 10 or more boats may tie up, or any facility where a boat for hire is docked;
- Any residential or planned community marina with 10 or more slips;
- Any mooring field where 10 or more boats are moored;
- Public or commercial boat ramps;
- Boat maintenance or repair yards that are adjacent to the water, and any Federal, State, or local facility that involves recreational boat maintenance or repair on or adjacent to the water.

California's marina and recreational boating MMs:

4.1 Assessment, Siting and Design

- A. Water Quality Assessment
- B. Marina Flushing
- C. Habitat Assessment
- D. Shoreline Stabilization
- E. Storm Water Runoff
- F. Fueling Station Design
- G. Sewage Facilities
- H. Waste Management Facilities

4.2 Operation and Maintenance

- A. Solid Waste Control
- B. Fish Waste Control
- C. Liquid Material Control
- D. Petroleum Control
- E. Boat Cleaning and Maintenance
- F. Maintenance of Sewage Facilities
- G. Boat Operation

4.3 Education/Outreach

- A. Public Education

The assessment, siting, and design MMs for marinas and recreational boating is summarized as follows:

- 4.1.A. Water Quality Assessment** — Consider impacts to water quality in siting and designing new and expanding marinas.
- 4.1.B. Marina Flushing** — Site and design marinas to provide for maximum flushing and circulation of surface waters, which can reduce the potential for water stagnation, maintain biological productivity, and reduce the potential for toxic accumulation in bottom sediment.
- 4.1.C. Habitat Assessment** — Site and design marinas to protect against adverse impacts on fish and shellfish, aquatic vegetation, and important local-, State-, or federal-designated habitat areas.
- 4.1.D. Shoreline Stabilization** — Stabilize shorelines where shoreline erosion is a pollution problem.
- 4.1.E. Storm Water Runoff** — Implement runoff control strategies to remove at least 80% of suspended solids from storm water runoff coming from boat maintenance areas (some boat yards may conform to this provision through NPDES permits).
- 4.1.F. Fueling Station Design** — Locate and design fueling stations to contain accidental fuel spills in a limited area; provide fuel containment equipment and spill contingency plans to ensure quick spill response.
- 4.1.G. Sewage Facilities** — Install pumpout, pump station, and restroom facilities at new and expanding marinas where needed to prevent sewage discharges directly to State waters.
- 4.1.H. Waste Management Facilities** — Install facilities at new and expanding marinas where needed for the proper recycling or disposal of solid wastes (e.g., oil filters, lead acid batteries, used absorbent pads, spent zinc anodes, and fish waste as applicable) and liquid materials (e.g., fuel, oil, solvents, antifreeze, and paints).

The operation and maintenance MMs for marinas and recreational boating are summarized as follows:

- 4.2.A. Solid Waste Control** — Properly dispose of solid wastes produced by the operation, cleaning, maintenance, and repair of boats to limit entry of these wastes to surface waters.
- 4.2.B. Fish Waste Control** — Promote sound fish waste management, where fish waste is a NPS problem, through a combination of fish cleaning restrictions, education, and proper disposal.
- 4.2.C. Liquid Material Control** — Provide and maintain the appropriate storage, transfer, containment, and disposal facilities for liquid materials commonly used in boat maintenance, and encourage recycling of these materials.
- 4.2.D. Petroleum Control** — Reduce the amount of fuel and oil that leaks from fuel tanks and tank air vents during the refueling and operation of boats.
- 4.2.E. Boat Cleaning and Maintenance** — Minimize the use of potentially harmful hull cleaners and bottom paints, and prohibit discharges of these substances to State waters.
- 4.2.F. Maintenance of Sewage Facilities** — Maintain pumpout facilities in operational condition, and encourage their use so as to prevent and control untreated sewage discharges to surface waters.
- 4.2.G. Boat Operation** — Prevent turbidity and physical destruction of shallow-water habitat resulting from boat wakes and propwash.

The education/outreach MM for marinas and recreational boating is summarized as follows:

- 4.3A Public Education** — Institute public education, outreach, and training programs to prevent and control improper disposal of pollutants into State waters.

-4.0 MARINAS AND RECREATIONAL BOATING

IMPLEMENTATION AUTHORITIES

Marina and Recreational Boating Management Measures

- 4.1. **Assessment, Siting and Design**
 - A. Water Quality Assessment
 - B. Marina Flushing
 - C. Habitat Assessment
 - D. Shoreline Stabilization
 - E. Storm Water Runoff
 - F. Fueling Station Design
 - G. Sewage Facilities
 - H. Waste Management Facilities
- 4.2. **Operation and Maintenance**
 - A. Solid Waste Control
 - B. Fish Waste Control
 - C. Liquid Material Control
 - D. Petroleum Control
 - E. Boat Cleaning and Maintenance
 - F. Maintenance of Sewage Facilities
 - G. Boat Operation
- 4.3. **Education/Outreach**
 - A. Public Education/Outreach

Marinas and Recreational Boating Management Measure 4.1A — Water Quality Assessment

- Part (1): Assess water quality as a part of the siting and design of new and expanding marinas to establish baseline water quality conditions or trends.
 Part (2): Assess water quality at existing marinas to establish baseline water quality conditions.

Marinas and Recreational Boating Management Measure 4.1B — Marina Flushing

Site and design new and expanding marinas such that tides and/or currents will aid in flushing of the site or renew its water regularly.

Marinas and Recreational Boating Management Measure 4.1C — Habitat Assessment

Site and design new and expanding marinas to protect against adverse effects on shellfish resources, wetlands, submerged aquatic vegetation, or other important riparian and aquatic habitat areas as designated by local, State, or federal governments.

Marinas and Recreational Boating Management Measure 4.1D — Shoreline Stabilization

Where streambank or shoreline erosion is a nonpoint source pollution problem, streambanks/shorelines should be stabilized (when determining whether streambank/shoreline erosion is a NPS problem, assess natural erosion rates and the dynamic equilibrium of the streambank/shoreline). The use of vegetative stabilization methods is preferred over the use of structural stabilization methods, if appropriate considering the climate, severity of erosion, offshore bathymetry, and/or the potential adverse impact on other streambanks or shorelines and offshore areas.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> California Environmental Quality Act (CEQA) (PRC §§ 21000 et seq.) CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of "projects" using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	<ul style="list-style-type: none"> Environmental Checklists help to identify potential NPS impacts. EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
Cities/Countries (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> PZL (Gov. Code §§ 65000 et seq.) Subdivision Map Act (SbMA) (Gov. Code §§ 66410 et seq.) CCA § 30500 	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Zoning ordinances Subdivision ordinances Permits pursuant to above Leases on granted tide and submerged lands Enforcement 	<ul style="list-style-type: none"> Statewide LCP policies/ordinances apply in coastal zone Tide-/submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. Local governments may lease granted lands for marinas and may condition leases (e.g., to address assessment, siting, and design). Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.

<p>CCC</p>	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	<p>Coastal zone (includes tidelands, submerged lands, public trust lands).</p>	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties.
<p>SFBCDC</p>	<ul style="list-style-type: none"> • MacAteer-Petris Act (MPA) (Gov. Code §§ 66600 et seq.), including San Francisco Bay (SFB) Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency • Enforcement 	<p>SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)</p>	<ul style="list-style-type: none"> • Enforcement and federal consistency authorities are similar to those of CCC.
<p>DFG</p>	<p>FGC §§ 1 et seq. ♦ § 1600-1607</p>	<ul style="list-style-type: none"> • Streambed alteration permits for grading, filling, dredging activities in State waters or stream beds 	<p>Statewide: State waters or stream beds</p>	<ul style="list-style-type: none"> • FGC focuses on problems including control of erosion and sedimentation (e.g., from grading, construction sites, golf courses, road cuts, etc.)
<p>SLC</p>	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> • SLC leases (PRC §6501.1 • Marina Leasing Program 	<ul style="list-style-type: none"> • Ungranted State sovereign lands 	<ul style="list-style-type: none"> • May condition leases for lands owned by the State which are under the jurisdiction of the SLC for such purposes as the SLC deems advisable, including, but not limited to, commercial, industrial, and recreational purposes.

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4.1A, 4.1B, 4.1C, and 4.1D

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/ RWQCB	PCWQCA (Water Code [WC] §§13000 et seq.)	<ul style="list-style-type: none"> • Water Quality Control Plans (WQCPs) • WDRs • NPSMP • Watershed Management Initiative (WMI) 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCB has primary responsibility for individual permits, inspection and enforcement: may prohibit discharges or place limits on discharge volume, area, timing, characteristics. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. ♦ § 5650 ♦ §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs, and cooperate in obtaining corrections or abatements to the condition.
DHS	HSC §§ 100275, 115880, 116075, 112150 et seq.	Public beach and recreational water sanitation; shellfish beds	Coastal waters	Microbiological standards for beaches and recreational waters; microbiological standards for shellfish beds

Other efforts that pertain to Marina MMs 4.1A, 4.1B, 4.1C, and 4.1D

Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> • Harbors and Navigation Code (HNC) §§1 et seq. • Federal Clean Vessel Act of 1990 (FCVA) 	<ul style="list-style-type: none"> • Harbors and Watercraft Revolving Fund (HWRF) • Clean Vessel Act Program (CVAP) • Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, State Water Project (SWP) reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • DBW plans, designs, finances, and constructs State boating facilities, and coordinates with local governments to develop local boating facilities. • Financing includes boating facility construction loans, boat launching facility grants, marina construction loans, capital outlay projects. • DBW assists in the construction of shoreline protection projects. • Authorized uses of HWRF loans (related to NPS MM implementation) include: parking, restrooms, vessel pumpout facilities, oil recycling facilities, landscaping, receptacles for separating, reusing, or recycling solid waste materials, etc. • Under HNC § 76.4(a)(3), projects eligible for HWRF loans must show evidence of compliance with CEQA.
State/local/federal agency participation in MBNMS Water Quality Protection Program (WQPP)	<ul style="list-style-type: none"> • Marine Protection, Research and Sanctuaries Act (MPRSA) (16 USC § 1431 et seq.) 	MBNMS WQPP Action Plan for Marinas	MBNMS	<p>The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. A Memorandum of Agreement (MOA) has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; San Francisco Bay Region (RRWQCB 2); Central Coast Region (RWQCB 3); CCC; and Association of Monterey Bay Area Governments (AMBAG).</p>

Marinas and Recreational Boating Management Measure 4.1E— Storm Water Runoff

Implement effective runoff control strategies which include the use of pollution prevention activities and the proper design of marinas and boat maintenance areas (including parking areas). Reduce the average annual loadings of total suspended solids (TSS) in runoff from these areas to meet water quality objectives.

The agencies and authorities for this MM are the same as the agencies/authorities identified for MMs 4.1A, 4.1B, and 4.1C, with the additional agency/authorities listed below.

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/ RWQCBs	<ul style="list-style-type: none"> CWA (33 USC § 1251 et seq.) PCWQCA (WC §§ 13000 et seq.) 	Storm Water Discharge Program (SWDP) (CWA §402) <ul style="list-style-type: none"> General Industrial and Construction Activities Storm Water Permits Municipal Storm Water Permit (MSWP) Total Maximum Daily Load (TMDL) Program [pursuant to CWA § 303(d)] 	SWDP applies to: <ul style="list-style-type: none"> cities >100,000 pop. (Phase I) cities of 50,000 - 100,000 pop. (Phase II) TMDL programs apply in CWA § 303(d)-listed watersheds.	<ul style="list-style-type: none"> NPDES Permits (Phase I): [major industrial facilities; large/medium municipalities separate storm sewer systems; construction sites that disturb 5 or more acres]. NPDES Permits (Phase II): [smaller municipalities; construction sites that disturb 1 to 5 acres]. TMDL goals include: identify sources of pollution in watersheds; allocate pollution control responsibilities where water quality goals are not met.

The following BACKUP AUTHORITIES pertain to Marina Management Measure 4.1E

Backup authorities for this MM are the same as the backup authorities identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D.

Other efforts that pertain to Marina Management Measure 4.1E

Other efforts related to this MM are the same as those identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D.

Marinas and Recreational Boating Management Measure 4.1F — Fueling Station Design

Design existing and proposed fueling stations to allow for spill prevention and for ease in cleanup of spills that may occur.

The agencies and authorities for this MM are the same as the agencies/authorities identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D, with the additional agency/authorities listed below.

Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> HNC §§ 1 et seq. 	<ul style="list-style-type: none"> 		<ul style="list-style-type: none"> It is a misdemeanor for any person to discharge oil (including fuel oil, oil sludge, and oil refuse) by any methods, means, or manner, into or upon the navigable waters of the State from any vessel (HNC § 133). Any person that intentionally or negligently causes or permits any oil to be deposited in State waters is liable for civil penalties and cleanup costs (HNC § 151). It is unlawful to transfer petroleum, chemicals, other hazardous substances between shore and a vessel unless the flow is continuously monitored as specified [HNC § 135(a)]. This section does not apply to: <ul style="list-style-type: none"> (a) fuel transfers to any self-propelled vessel < 65 feet in length, if the fueling facility is equipped with dispensing nozzles of the automatic shut-off type that do not have catch-locks and meet all federal standards and (b) onshore tanks if appropriate containment or diversionary structures, or both, or other equipment that is adequate to prevent the overflowed substance from reaching State waters.

<p>OSPR</p>	<ul style="list-style-type: none"> Oil Spill Prevention and Response Act of 1990 (OSPRA) (Cal. Gov. Code §§ 8670.28 et seq.); PRC Div. 7.8; Title 14 CCR §§ 815.01 et seq.; Federal Oil Polluter Act of 1990 (OPA) 	<ul style="list-style-type: none"> Contingency Planning Enforcement and Inspection 	<p>Statewide</p>	<ul style="list-style-type: none"> OSPR is lead State agency for oil spill prevention and response (responsibility shared with 22 agencies represented on State Interagency Oil Spill Committee [SIOSC]) OSPR requires spill contingency plans for all marine facilities with potential discharge into the marine waters of the State. OSPR enforces laws designed to prevent spills, responds to spills, and investigates spills. OSPR/DFG wardens conduct spill investigations, gather and prepare evidence, and enforce the criminal statutes contained in the OSPRA (e.g., civil/criminal penalties for OSPRA violations).
<p>CCC/SFB/CDC</p>	<ul style="list-style-type: none"> OSPRA (Cal. Gov. Code §§ 8670.28 et seq.) 	<ul style="list-style-type: none"> CCC/SFB/CDC Joint Oil Spill Program (JOSP) 	<ul style="list-style-type: none"> CCC: coastal zone SFB/CDC: SFB 	<ul style="list-style-type: none"> These are additional authorities/responsibilities to those described for other MMs above.
<p>SLC</p>	<ul style="list-style-type: none"> PRC §§6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> SLC leases (PRC §6501.1) Marina Leasing Program 	<ul style="list-style-type: none"> Ungranted State sovereign lands 	<ul style="list-style-type: none"> May review fueling station design during the commercial lease approval process on lands under the jurisdiction of the SLC.

The following BACKUP AUTHORITIES pertain to Marina Management Measure 4.1.F

The backup authorities for this MM are the same as the backup authorities identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D.

Marinas and Recreational Boating Management Measure 4.1G — Sewage Facilities

Install pumpout, dump station, and restroom facilities where needed at new and expanding and existing marinas to reduce the release of sewage to surface waters. Design these facilities to allow ease of access and post signage to promote use by the boating public.

The agencies and authorities for this MM are the same as the agencies/authorities identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D, with the additional agency/authorities and other efforts listed below.

Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA 	<ul style="list-style-type: none"> • (HWRP) • CVAP • Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, SWP reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • DBW plans, designs, finances, and constructs State boating facilities, and coordinates with local governments to develop local boating facilities. Financing includes boating facility construction loans, boat launching facility grants, marina construction loans, capital outlay projects. • Under the CVAP, DBW helps fund the construction, renovation, operation, and maintenance of pumpout/dump stations to service pleasure craft. • Authorized uses of HWRP loans related to implementing this MM are restrooms and vessel pumpout facilities. • Under HNC § 76.4(a)(3), projects eligible for HWRP loans must show evidence of compliance with CEQA.
DBW with RWQCBs, SWRCB, USFWS, and all peace officers, State and local public health officers, and boating law enforcement officers as specified	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA 		<ul style="list-style-type: none"> • Statewide 	<ul style="list-style-type: none"> • Every vessel terminal (marina) shall, as required by the RWQCBs, be equipped with vessel pumpout facilities for the transfer and disposal of sewage. In imposing this requirement, the RWQCB shall take into account the number and type of vessels that use or are berthed at the vessel terminal. In addition, the RWQCB may require any vessel pumpout facility to be equipped with a meter for the purpose of measuring use of the facility. All new pumpout facilities shall be equipped with a meter (HNC § 776). This section applies to dockage adjacent to and serving private

				<p>residences unless the RWQCB determines that vessel pumpout facilities are conveniently available to vessels so docked.</p> <ul style="list-style-type: none"> Any violation of HNC § 776 is a misdemeanor. Under HNC § 779, every peace officer of the State and of any city, county, or other public agency, all State and local public health officers, and all boating law enforcement officers shall enforce this chapter of the HNC and any adopted regulations Every vessel pumpout facility shall have a notice posted on the facility identifying the city, county, local public health officer, or boating law enforcement officer responsible for enforcement [HNC § 777(b)]. The SWRCB shall adopt standards for the location, construction, operation, and maintenance of vessel pumpout facilities (HNC § 778). DBW guidelines pursuant to HNC § 775 et seq. are incorporated into the USFWS (1994) California Statewide Vessel Disposal Plan (CSVDP).
<p>State/local/federal agency participation in MBNMS</p>	<ul style="list-style-type: none"> MPRSA (16 USC § 1431 et seq.) 	<p>MBNMS WQPP Action Plan for Marinas</p>	<p>MBNMS</p>	<p>The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.</p>

Marinas and Recreational Boating Management Measure 4.1H — Waste Management Facilities

Install facilities where needed for the proper recycling or disposal of solid wastes (such as oil filters, lead acid batteries, used absorbent pads, spent zinc anodes, and fish waste as applicable) and liquid materials (such as fuel, oil, solvents, antifreeze, and paints) generated by users of marinas and boat maintenance areas. Design these facilities to allow ease of access, post signage to promote use by the boating public, and encourage recycling to the fullest extent possible.

The agencies and authorities for this MM are the same as the agencies/authorities identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D, with the additional agency/authorities listed below.

Agency	Authority	Programs	Implementing Area	Notes
DTSC	<ul style="list-style-type: none"> • HSC, Div. 20 §§ 25100 et seq. • HSC, Div. 38 §§ 58000 et seq. 	<ul style="list-style-type: none"> • Hazardous Waste Facilities Permits 	Statewide	Regulates hazardous material transport, treatment, storage, and disposal; issues permits to operate to any person who stores, treats, or disposes of hazardous waste. Programs also encourage recycling of certain hazardous materials (e.g., used oil, spent batteries, etc.).

The backup agencies/authorities for this MM are the same as those identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D. Other efforts include:

Agency	Authority	Programs	Implementing Area	Notes
<p>CIWMB</p>	<ul style="list-style-type: none"> • PRC §§ 40400-49620, including California Integrated Waste Management Act (CIWMA) • CCR (CCR) Title 14, Div. 7 and Title 27, Div. 2 	<ul style="list-style-type: none"> • Diversion, Planning, and Local Assistance • Household Hazardous Waste (HHW) Grants • Used Oil Grants • Used Oil Certification 	<p>Statewide</p>	<ul style="list-style-type: none"> • Assists local governments in complying with CIWMA (to divert 50% of waste from landfills by the year 2000). • Provides model planning documents, workbooks, etc. on waste prevention, reduction, reuse, recycling, and safe disposal of used oil and HHWs. • Awards used oil grants and grants to implement programs that emphasize HHW waste/source reduction and HHW reuse/recycling. • Provides incentives to centers that provide a convenient location for "do-it-yourselfers" to bring used oil for proper disposal or re-refining.
<p>State/local/federal agency participation in MBNMS</p>	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) 	<p>MBNMS WQPP Action Plan for Marinas</p>	<p>MBNMS</p>	<p>The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.</p>

Marinas and Recreational Boating Management Measure 4.2A — Solid Waste Control

Properly dispose of solid wastes produced by the operation, cleaning, maintenance, and repair of boats and operation of marinas—and encourage recycling of recyclable materials to the fullest extent possible—to limit entry of solid wastes to surface waters.

Marinas and Recreational Boating Management Measure 4.2B — Fish Waste

Promote sound fish waste management through a combination of fish-cleaning restrictions, public education, and proper disposal of fish waste.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> CEQA (PRC §§ 21000 et seq.) CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of "projects" using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	<ul style="list-style-type: none"> Environmental Checklists help to identify potential NPS impacts. EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
Cities/Countries (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> PZL (Gov. Code §§ 65000 et seq.) SbMA (Gov. Code §§ 66410 et seq.) CCA § 30500 	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Zoning ordinances Subdivision ordinances Permits pursuant to above Leases on granted tide and submerged lands Enforcement 	<ul style="list-style-type: none"> Statewide LCP policies/ordinances apply in coastal zone Tide-submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. Local governments may lease granted lands for marinas and may condition leases. Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
SWRCB/ RWQCBs	<ul style="list-style-type: none"> CWA (33 USC § 1251 et seq.) PCWQCA (WC §§ 13000 et seq.) 	<ul style="list-style-type: none"> SWDP (CWA §402) General Municipal Storm Water Permits (GMSWPs) TMDL Program [pursuant to CWA § 303(d)] 	Storm Water Program applies to: <ul style="list-style-type: none"> cities > 100,000 pop. (Phase I) cities of 50,000 - 100,000 pop. (Phase II) TMDL programs apply in CWA § 303(d)-listed watersheds.	<ul style="list-style-type: none"> NPDES Permits (Phase I): <ul style="list-style-type: none"> large/medium municipalities separate storm sewer systems NPDES Permits (Phase II): <ul style="list-style-type: none"> smaller municipalities TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met.

CCC	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	Coastal zone (includes tidelands, submerged lands, public trust lands).	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties. • Enforcement and federal consistency authorities are similar to those of CCC.
SFBCDC	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency • Enforcement 	SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)	
SLC	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> • SLC leases (PRC §6501.1) • Marina Leasing Program 	<ul style="list-style-type: none"> • Ungranted State sovereign lands 	<ul style="list-style-type: none"> • May require that lessees provide appropriate waste disposal and/or recycling containers at new or expanding marinas as part of the commercial lease approval process on lands under its jurisdiction. • May require lease covenants prohibiting sale of prepared food in polystyrene foam containers or packaging within the lease area as part of the lease approval process.
DPR	Div. 1, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS that have boating-related activities.
DTSC (relates to Solid Waste MM, not Fish Waste MM)	<ul style="list-style-type: none"> • HSC, Div. 20 §§ 25100 et seq. • HSC, Div. 38 §§ 58000 et seq. 	<ul style="list-style-type: none"> • Hazardous Waste Facilities Permits 	Statewide	Regulates hazardous material transport, treatment, storage, and disposal; issues permits to operate to any person who stores, treats, or disposes of hazardous waste. Programs also encourage recycling of certain hazardous materials (e.g., used oil, spent batteries, etc.).

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4.2A and 4.2B

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCP (Basin Plans) • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCB has primary responsibility for individual permits, inspection and enforcement: may prohibit discharges or place limits on discharge volume, area, timing, characteristics. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. ♦ § 5650 ♦ §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs, and cooperate in obtaining corrections or abatements to the condition.
DHS	HSC §§ 100275, 115880, 116075, 112150 et seq.	Public beach and recreational water sanitation; shellfish beds	Coastal waters	Microbiological standards for beaches and recreational waters; microbiological standards for shellfish beds

Other efforts that pertain to Marina Management Measure 4.2A and 4.2B				
Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> HNC §§ 1 et seq. FCVA 	<ul style="list-style-type: none"> (HWRP CVAP Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> SPS, SWP reservoirs and on other State lands. Assists local governments Statewide. 	<ul style="list-style-type: none"> Authorized uses of HWRP loans related to implementing this MM are installation of receptacles for separating, reusing, or recycling solid waste materials.
CIWMB (relates to Solid Waste MM, not Fish Waste MM)	<ul style="list-style-type: none"> PRC §§ 40400-49620, including CIWMA CCR Title 14, Div. 7 and Title 27, Div. 2 	<ul style="list-style-type: none"> Diversion, Planning, and Local Assistance HHW Grants 	<ul style="list-style-type: none"> Statewide 	<ul style="list-style-type: none"> Assists local governments in complying with CIWMA (to divert 50% of waste from landfills by the year 2000). Provides model planning documents, workbooks, etc. on waste prevention, reduction, reuse, recycling, and safe disposal of HHWs. Awards grants to implement programs that emphasize HHW waste source reduction or HHW reuse/recycling.
State/local/federal agency participation in MBNMS	<ul style="list-style-type: none"> MPRSA (16 USC § 1431 et seq.) 	MBNMS WQPP Action Plan for Marinas	MBNMS	<ul style="list-style-type: none"> The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.

Marinas and Recreational Boating Management Measure 4.2C — Liquid Material Control
 Provide and maintain appropriate storage, transfer, containment, and disposal facilities for liquid material—such as fuel, oil, solvents, antifreeze, and paints—and encourage recycling of these materials to the fullest extent possible.

Marinas and Recreational Boating Management Measure 4.2D — Petroleum Control
 Reduce the amount of fuel and oil from boat bilges and fuel tank air vents entering marina and surface waters.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> CEQA (PRC §§ 21000 et seq.) CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of "projects" using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	<ul style="list-style-type: none"> Environmental Checklists help to identify potential NPS impacts. EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
Cities/Countries (CA contains 58 counties and approximately 468 incorporated cities)	<ul style="list-style-type: none"> PZL (Gov. Code §§ 65000 et seq.) SbMA (Gov. Code §§ 66410 et seq.) CCRA § 30309 	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Zoning ordinances Subdivision ordinances Permits pursuant to above Leases on granted tide and submerged lands Enforcement 	Statewide LCP policies/ordinances apply In coastal zone Tide-/submerged lands granted in trust to cities and counties	<ul style="list-style-type: none"> Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. Local governments may lease granted lands for marinas and may condition leases (e.g., to address assessment, siting, and design). Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
SWRCB/RWQCBs	<ul style="list-style-type: none"> CWA (33 USC § 1251 et seq.) PCWQCA (WC §§ 13000 et seq.) 	<ul style="list-style-type: none"> SWDP (CWA § 402) GMSWPs TMDL Program [pursuant to CWA § 303(d)] Permits pursuant to CWA § 401 	SWDP applies to: • cities > 100,000 pop. (Phase I) • cities of 50,000 - 100,000 pop. (Phase II) TMDL programs apply in CWA § 303(d)-listed watersheds	NPDES Permits (Phase I): • large/medium municipalities separate storm sewer systems NPDES Permits (Phase II): • smaller municipalities TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met

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<p>CCC</p> <ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) • OSPRA (Gov. Code §§ 8670.28 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/ amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • CCC/SFBCDC JOSP • Enforcement 	<p>Coastal zone (includes tidelands, submerged lands, public trust lands).</p>	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties.
<p>SFBCDC</p>	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) • OSPRA (Gov. Code §§ 8670.28 et seq.) • HNC §§ 1 et seq. 	<p>SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)</p>	<ul style="list-style-type: none"> • Enforcement and federal consistency authorities are similar to those of CCC.
<p>DBW</p>	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency • CCC/SFBCDC JOSP • Enforcement 		<ul style="list-style-type: none"> • It is a misdemeanor for any person to discharge oil (including fuel oil, oil sludge, and oil refuse) by any methods, means, or manner, into or upon the navigable waters of the State from any vessel (HNC § 133). • Any person that intentionally or negligently causes or permits any oil to be deposited in State waters is liable for civil penalties and cleanup costs (HNC § 151). • It is unlawful to transfer petroleum, chemicals, other hazardous substances between shore and a vessel unless the flow is continuously monitored as specified [HNC § 135(a)]. This section does not apply to: <ul style="list-style-type: none"> (a) fuel transfers to any self-propelled vessel < 65 feet in length, if the fueling facility is equipped with dispensing nozzles of the automatic shut-off type that do not have catch-locks and meet all federal standards;

<p>OSPR</p>	<ul style="list-style-type: none"> • OSPRA (Gov. Code §§ 8670.28 et seq.); • PRC Div. 7.8; • Title 14 CCR §§ 815.01 et seq.; • OPA. 	<ul style="list-style-type: none"> • Contingency Planning • Enforcement and Inspection 	<p>Statewide</p>	<p>(b) onshore tanks if appropriate containment or diversionary structures, or both, or other equipment that is adequate to prevent the overflowed substance from reaching State waters.</p> <ul style="list-style-type: none"> • OSPR is lead State agency for oil spill prevention and response (responsibility shared with 22 agencies represented on SIOSC) • OSPR requires spill contingency plans for all marine facilities with potential discharge into the marine waters of the State. • OSPR enforces laws designed to prevent spills, responds to spills, and investigates spills. • OSPR/DFG wardens conduct spill investigations, gather and prepare evidence, and enforce the criminal statutes contained in the OSPRA (e.g., civil/criminal penalties for OSPRA violations).
<p>DPR</p>	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<p>SPS</p>	<p>DPR operates and maintains units of the SPS that have boating-related activities.</p>
<p>DTSC</p>	<ul style="list-style-type: none"> • HSC, Div. 20 §§ 25100 et seq. • HSC, Div. 38 §§ 58000 et seq. 	<ul style="list-style-type: none"> • Hazardous Waste Facilities Permits 	<ul style="list-style-type: none"> • Statewide 	<p>Regulates hazardous material transport, treatment, storage, and disposal; issues permits to operate to any person who stores, treats, or disposes of hazardous waste. Programs also encourage recycling of certain hazardous materials (e.g., used oil, spent batteries, etc.).</p>
<p>SLC</p>	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> • SLC leases (PRC §6501.1) • Marina Leasing Program 	<ul style="list-style-type: none"> • Ungranted State sovereign lands 	<p>General lease provisions require lessees to be fully responsible for any hazardous wastes generated in the lease area and to comply with all applicable provisions of federal, State, and local law, regulation or ordinance dealing with such wastes or materials.</p>

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4.2C and 4.2D

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCP (Basin Plans) • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCB has primary responsibility for individual permits, inspection and enforcement: may prohibit discharges or place limits on discharge volume, area, timing, characteristics. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. ◆ § 5650 ◆ §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs and cooperate in obtaining corrections or abatements to the condition.
DHS	HSC §§ 100275, 115880, 116075, 112150 et seq.	Public beach and recreational water sanitation; shellfish beds	Coastal waters	Microbiological standards for beaches and recreational waters; microbiological standards for shellfish beds

Other efforts that pertain to Marina Management Measure 4.2C and 4.2D

Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA 	<ul style="list-style-type: none"> • HWRP • CVAP • Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, SWP reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • Authorized uses of HWRP loans related to implementing this MM are for oil recycling facilities.
DFG-OSPR	• OSPRA (Cal. Gov. Code §§ 8670.28 et seq.)	• Education-Outreach Program	Statewide	Education-Outreach Program is intended to assist operators of Small Craft Refueling Docks (SCRDs) (waterside operations serving primarily small craft of less than 20 meters in length and less than

<p>CIWMB</p>	<ul style="list-style-type: none"> • PRC §§ 40400-49620, including CIWMA • CCR Title 14, Div. 7 & Title 27, Div. 2 	<ul style="list-style-type: none"> • Diversion, Planning, and Local Assistance • HHW Grants • Used Oil Grants • Used Oil Certification 	<ul style="list-style-type: none"> • Statewide 	<p>5 tons net weight) in spill prevention and response efforts. Certified docks must make efforts to prevent spills, and must immediately report spills that occur to the U.S. Coast Guard (USCG) and Cal/OES. Information is provided through: (1) brochures/flyers/other written materials/slide shows/telephone contact; (2) self-determined inspections by Oil Spill Prevention Specialists (OSPS) (who can identify strengths and weaknesses in a refueling dock's system and, when appropriate, show a dock operator ways to improve his/her ability to prevent and respond to spills); and (3) training.</p> <ul style="list-style-type: none"> • Assists local governments in complying with CIWMA (to divert 50% of waste from landfills by the year 2000). • Provides model planning documents, workbooks, etc. on waste prevention, reduction, reuse, recycling, and safe disposal of used oil and HHWs. • Awards used oil grants and grants to implement programs that emphasize HHW waste/source reduction and HHW reuse/recycling. • Provides incentives to centers that provide a convenient location for "do-it-yourselfers" to bring used oil for proper disposal or re-refining.
<p>State/local/federal agency participation in MBNMS</p>	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) 	<ul style="list-style-type: none"> • MBNMS WQPP Action Plan for Marinas 	<ul style="list-style-type: none"> • MBNMS 	<p>The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.</p>

Marinas and Recreational Boating Management Measure 42E — Boat Cleaning and Maintenance

For boats that are in the water, perform

- (1) topside cleaning and maintenance operations to minimize, to the extent practicable, the release to surface waters of (a) harmful products such as cleaners and solvents and (b) paint; and
- (2) underwater hull cleaning and maintenance operations to minimize, to the extent practicable, the release of paint and anodes.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> • CEQA (PRC §§ 21000 et seq.) • CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	<ul style="list-style-type: none"> • Environmental review of "projects" using Initial Study (Environmental Checklists), EIR, or Negative Declaration 	Statewide	<ul style="list-style-type: none"> • Environmental Checklists help to identify potential NPS impacts. • EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> • PZL (Gov. Code §§ 65000 et seq.) • SbMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Leases on granted tide and submerged lands • Enforcement 	<ul style="list-style-type: none"> • Statewide • LCP policies/ordinances apply in coastal zone • Tide- /submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> • Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. • Local governments may lease granted lands for marinas and may condition leases. • Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
SWRCB/ RWQCBs	<ul style="list-style-type: none"> • CWA (33 USC § 1251 et seq.) • PCWQCA (WC §§ 13000 et seq.) 	<ul style="list-style-type: none"> • SWDP (CWA § 402) GMSWPs • TMDL Program [pursuant to CWA § 303(d)] 	<ul style="list-style-type: none"> • SWDP applies to: <ul style="list-style-type: none"> • cities >100,000 pop. (Phase I) • cities of 50,000 - 100,000 pop. (Phase II) • TMDL programs apply in CWA § 303(d)-listed watersheds. 	<ul style="list-style-type: none"> • NPDES Permits (Phase I): <ul style="list-style-type: none"> • large/medium municipalities separate storm sewer systems • NPDES Permits (Phase II): <ul style="list-style-type: none"> • smaller municipalities • TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met.
CCC	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	<ul style="list-style-type: none"> • Coastal zone (includes tidelands, submerged lands, public trust lands). 	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties.

SFB/CDC	<ul style="list-style-type: none"> MPA (Gov. Code §§ 66600 et seq.), including SFB Plan SMPA (PRC §§ 29000 et seq.) CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> Designation of priority uses adjacent to SFB Permitting: development permits and marsh development permits Federal consistency Enforcement 	SFB (shoreline areas within 100 ft. of SFB; tidal areas and Suisun Marsh)	<ul style="list-style-type: none"> Enforcement and federal consistency authorities are similar to those of CCC.
DPR	<ul style="list-style-type: none"> 		SPS	DPR operates and maintains units of the SPS that have boating-related activities.
DTSC	<ul style="list-style-type: none"> HSC, Div. 20 §§ 25100 et seq. HSC, Div. 38 §§ 58000 et seq. 	<ul style="list-style-type: none"> Hazardous Waste Facilities Permits 	Statewide	Regulates hazardous material transport, treatment, storage, and disposal; issues permits to operate to any person who stores, treats, or disposes of hazardous waste. Programs also encourage recycling of certain hazardous materials (e.g., used oil, spent batteries, etc.).
SLC	<ul style="list-style-type: none"> PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> SLC leases (PRC §65101.1) Marina Leasing Program 	<ul style="list-style-type: none"> Ungranted State sovereign lands 	<ul style="list-style-type: none"> General lease provisions require lessees to be fully responsible for any hazardous wastes generated in the lease area and to comply with all applicable provisions of federal, State, and local law, regulation or ordinance dealing with such wastes or materials.

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4.2E

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> WQCPs (Basin Plans) WDRs NPSMP WMI 	Statewide	<ul style="list-style-type: none"> Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability RWQCB has primary responsibility for individual permits, inspection and enforcement: may prohibit discharges or place limits on discharge volume, area, timing, characteristics. NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.

DFG	FGC §§ 1 et seq. ◆ § 5650 ◆ §§ 12000-12002	Enforcement • Reporting	Statewide	<ul style="list-style-type: none"> Enforcement: citations by wardens Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs, and cooperate in obtaining corrections or abatements to the condition.
DHS	HSC §§ 100275, 115880, 116075, 112150 et seq.	Public beach and recreational water sanitation; shellfish beds	Coastal waters	Microbiological standards for beaches and recreational waters; microbiological standards for shellfish beds
Other efforts that pertain to Marina Management Measure 4-2E				
DBW	Agency Authority • HNC §§ 1 et seq. • FCVA	Programs • HWRF • CVAP • Other Financial, Technical Assistance, and Educational Programs	Implementing Area • SPS, SWP reservoirs and on other State lands. • Assists local governments Statewide.	Notes • Authorized uses of HWRF loans related to implementing this MM are receptacles for separating, reusing, or recycling solid waste materials, etc.
State/local/federal agency participation in MBNMS	• MPRSA (16 USC § 1431 et seq.)	MBNMS WQPP Action Plan for Marinas	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.

Marinas and Recreational Boating Management Measure 4.2F — Maintenance of Sewage Facilities

Ensure that sewage pumpout facilities are maintained in operational condition and encourage their use.

Agency	Authority	Programs	Implementing Area	Notes
<p>Various State and Local</p>	<ul style="list-style-type: none"> • CEQA (PRC §§ 21000 et seq.) • CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	<p>Environmental review of "projects" using Initial Study (Environmental Checklists), EIR, or Negative Declaration</p>	<p>Statewide</p>	<ul style="list-style-type: none"> • Environmental Checklists help to identify potential NPS impacts. • EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
<p>Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)</p>	<ul style="list-style-type: none"> • PZL (Gov. Code §§ 65000 et seq.) • SbMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Leases on granted tide and submerged lands • Enforcement 	<ul style="list-style-type: none"> • Statewide • LCP policies/ordinances apply in coastal zone • Tide-submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> • Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. • Local governments may lease granted lands for marinas and may condition leases. • Local Health Depts. have authority to inspect sewage disposal facilities. • Local Harbor Districts often maintain pumpout facilities and keep boat owners and harbor users apprised of the availability of the facility. • Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
<p>SWRCB/RWQCBs</p>	<ul style="list-style-type: none"> • CWA (33 USC § 1251 et seq.) • PCWQCA (WC §§ 13000 et seq.) 	<ul style="list-style-type: none"> • SWDP (CWA § 402) GMSWPs • TMDL Program [pursuant to CWA § 303(d)] 	<p>Storm Water Program applies to:</p> <ul style="list-style-type: none"> • cities >100,000 pop. (Phase I) • cities of 50,000 - 100,000 pop. (Phase II) <p>TMDL programs apply in CWA § 303(d)-listed watersheds.</p>	<p>NPDES Permits (Phase I):</p> <ul style="list-style-type: none"> • large/medium municipalities separate storm sewer systems <p>NPDES Permits (Phase II):</p> <ul style="list-style-type: none"> • smaller municipalities <p>TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met.</p>

<p>CCC</p>	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	<p>Coastal zone (includes tidelands, submerged lands, public trust lands).</p>	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/restoration orders; file complaint for civil penalties.
<p>SFBCDC</p>	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency • Enforcement 	<p>SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)</p>	<ul style="list-style-type: none"> • Enforcement and federal consistency authorities are similar to those of CCC.
<p>DBW with RWQCBs, SWRCB, USFWS, and all peace officers, State and local public health officers, and boating law enforcement officers as specified</p>	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA • HSC §§ 11750-117525 		<ul style="list-style-type: none"> • Statewide 	<ul style="list-style-type: none"> • Vessel pumpout facilities for the transfer and disposal of sewage from marine sanitation devices shall be operated and maintained in a manner that will prevent the discharge of any sewage to the waters of the State and shall be maintained in good working order and regularly cleaned [HNC § 777(a)] • Every vessel pumpout facility shall have a notice posted on the facility identifying the city, county, local public health officer, or boating law enforcement officer responsible for enforcement [HNC § 777(b)]. • The SWRCB shall adopt standards for the location, construction, operation, and maintenance of vessel pumpout facilities (HNC § 778). • Every peace officer of the State and of any city, county, or other public agency, all State and local public health officers, and all boating law enforcement officers shall enforce this chapter of the HNC and any adopted regulations (HNC § 779). Nothing in

				<p>this chapter of the HNC precludes the regulation of houseboats as defined in State law.</p> <ul style="list-style-type: none"> • DBW guidelines pursuant to HNC § 775 et seq. are incorporated into the CSVDP. • No person shall place, deposit, or dump any human excreta in or upon the navigable waters of the State, that are within any marina, yacht harbor, fresh water lake, or fresh water impoundment, form any vessel tied to any dock, slip, or wharf that has toilet facilities available for the use of persons on the vessel (HSC § 117520)
DPR	Div. 1, Chapter 1.25, Div. V, PRC §5000 et seq.	<ul style="list-style-type: none"> • 	SPS	<p>DPR operates and maintains units of the SPS that have boating-related activities.</p> <ul style="list-style-type: none"> • General lease provisions require lessees to be fully responsible for any hazardous wastes generated in the lease area and to comply with all applicable provisions of federal, State, and local law, regulation or ordinance dealing with such wastes or materials.
SLC	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> • SLC leases (PRC §6501.1) • Marina Leasing Program • 	<ul style="list-style-type: none"> • Ungranted State sovereign lands 	

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4..2F

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCP • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCB has primary responsibility for individual permits, inspection and enforcement: may prohibit discharges or place limits on discharge volume, area, timing, characteristics. • NPSMP's three-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. ♦ § 5650 ♦ §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs and cooperate in obtaining corrections or abatements to the condition.
DHS	HSC §§ 100275, 115880, 116075, 112150 et seq.	Public beach and recreational water sanitation; shellfish beds	Coastal waters	Microbiological standards for beaches and recreational waters; microbiological standards for shellfish beds

Other efforts that pertain to Marina Management Measure 4.2F

Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> HNC §§ 1 et seq. FCVA 	<ul style="list-style-type: none"> HWRP CVAP Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> SPS, SWP reservoirs and on other State lands. Assists local governments Statewide. 	<ul style="list-style-type: none"> Under the CVAP, DBW helps fund the construction, renovation, operation, and maintenance of pumpout/dump stations to service pleasure craft. Authorized uses of HWRP loans related to implementing this MM are: <ul style="list-style-type: none"> restrooms, vessel pumpout facilities. DBW provides educational materials regarding vessel pumpout locations and use, and pamphlets that review State/federal marine pollution laws. The pamphlet <i>Shipshape Sanitation, MSDs and Pumpouts</i> explains laws and regulations for MSDs and vessel sewage discharge and the importance of proper disposal.
State/local/federal agency participation in MBNMS	<ul style="list-style-type: none"> MPRSA (16 USC § 1431 et seq.) 	MBNMS WQPP Action Plan for Marinas	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.

Marinas and Recreational Boating Management Measure 4.2G — Boat Operation

Restrict boating activities where necessary to decrease turbidity and physical destruction of shallow-water habitat.

Agency	Authority	Programs	Implementing Area	Notes
Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> • PZL (Gov. Code §§ 65000 et seq.) • SbMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Leases on granted tide and submerged lands • Enforcement 	<ul style="list-style-type: none"> • Statewide • LCP policies/ordinances apply in coastal zone • Tide-submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> • Cities/counties can adopt policies/ordinances, and can condition leases for marinas on granted lands, to address boat operations at marinas. • Enforcement tools include: inspections; fines; infractions; misdemeanors; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
DPR	•	•	SPS	DPR operates and maintains units of the SPS that have boating-related activities.

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4.2G

DBW	• HNC §§ 1 et seq.		Statewide	DBW promotes boating safety and education as part of its mission to ensure that boating is as safe as possible. The agency sponsors boating law enforcement to ensure that California boating laws are enforced uniformly throughout the State, and provides supplemental State funding to local governments for marine patrols.
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Marinas and Recreational Boating Management Measure 4.3A — Public Education/Outreach

Implement educational programs to provide greater understanding of watersheds, and to raise awareness and increase the use of applicable marina and boating management measures and practices where needed to control and prevent adverse impacts to ground and surface water. Public education, outreach, and training programs should involve applicable user groups and the community (e.g., boaters, boating groups, marina owners and operators, boat maintenance facility operators, waterfront agencies, service providers, live-aboards, environmental community and other related groups).

[Refer to the Marinas and Recreational Boating Management Measures 4.1 – 4.2 listed in this document.]

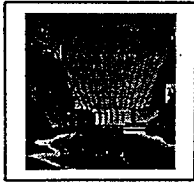
Efforts that pertain to Management Measure 4.3A — Education/Outreach: Public Education

Agency	Authorities (♦) and Programs (◆)	Implementing Area	Notes
<p>Local Governments (Cities and Counties)</p>	<p>Many programs, including the following:</p> <ul style="list-style-type: none"> ◆ SFB/Southern CA NPDES stormwater programs (education/outreach efforts to reduce pollution from litter and improper disposal into storm drains). ◆ HHW collection facilities (includes education, waste disposal, facility inspection). 	<p>Varies Statewide</p>	<ul style="list-style-type: none"> • Many local governments maintain planning, community liaison or public education/information staff to organize special projects (e.g., management practice handbooks). • Many local harbor departments/harbor patrols maintain harbor facilities, coordinate federal dredging activities, administer tidelands lease sites, and provide boater assistance and emergency response, including water safety, education, and school and community outreach programs.
<p>CCC</p>	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) ◆ Conservation Education Program (PRC§ 30012) ◆ Boater Education Program ◆ <i>Boating and Clean Green Campaign (BCGC)</i> ◆ Coastal Cleanup Day ◆ Adopt-A-Beach program ◆ Save Our Seas curriculum 	<ul style="list-style-type: none"> • Coastal zone/Statewide (e.g., throughout the San Francisco Bay/Delta, Los Angeles County, Orange County, San Diego County, and other areas). 	<ul style="list-style-type: none"> • CCC programs promote conservation awareness, recycling, and litter abatement efforts through community involvement and environmental education efforts/materials. • BCGC is a Statewide campaign intended to: (1) facilitate installation of new services at marinas to help boaters prevent emissions of oil and other pollutants into State waters; and (2) educate boaters to use these services and other practices that reduce the pollution associated with boating. BCGC staff have: (1) researched practices and awareness of boaters related to managing used oil and preventing oil/fuel discharges; (2) presented boater used oil management and spill prevention strategies to local government and marina operators; (3) developed “boater kits” containing bilge pads, environmental/safety information for boaters, etc.; and (4) helped hand out boater kits from the SF Baykeeper’s “green” boat (a natural gas-powered boat maintained/retrofitted using environmentally sound products/equipment).

<p>CIWMB</p>	<ul style="list-style-type: none"> • CIWMA (PRC §§ 40400-49620), including CIWMA • CCR Title 14, Div. 7 and Title 27, Div. 2 ◆ Diversion, Planning, and Local Assistance ◆ HHW Grants and Used Oil Grants ◆ Used Oil Certification ◆ Waste Reduction Program 	<p>Statewide at local level</p>	<ul style="list-style-type: none"> • Helps local governments in CIWMA compliance (to divert 50% of waste from landfills by year 2000). • Provides model planning documents, workbooks, etc. on waste prevention, reduction, reuse, recycling, and safe disposal of used oil and HHW's. • Awards used oil grants and grants to implement programs that emphasize HHW waste/source reduction and HHW reuse/recycling. • Provides incentives to centers that provide a convenient location for "do-it-yourselfers" to bring used oil for proper disposal or re-refining.
<p>DBW</p>	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA ◆ HWRF ◆ Clean Vessel Act Pumpout Grant Program ◆ Aquatic Safety Educational Program (AquaSMART) for K-12 students in CA public schools. ◆ Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, SWP reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • DBW plans, designs, finances, and constructs State boating facilities and coordinates with local governments to develop local boating facilities. Financing includes boating facility construction loans, boat launching facility grants, marina construction loans, and capital outlay projects. • DBW provides educational materials regarding vessel pumpout locations and use and pamphlets that review State/federal marine pollution laws [e.g., the pamphlet <i>Ships'hape Sanitation, MSDs and Pumpouts</i> explains laws and regulations for Marine Sanitation Devices and vessel sewage discharge, and the importance of proper disposal].
<p>DFG-OSPR</p>	<ul style="list-style-type: none"> • OSPRA (Cal. Gov. Code §§ 8670.28 et seq.); ◆ Education-Outreach Program 	<p>Statewide</p>	<p>Education-Outreach Program is intended to assist operators of SCRDS (waterside operations serving primarily small craft of less than 20 meters in length and less than 5 tons net weight) in spill prevention/response efforts. Certified docks must make efforts to prevent spills, and must report spills that occur to the USCG and Cal/OES. Information is provided through: (1) brochures/flyers/other materials/slide shows/ telephone contact; (2) self-determined inspections by OSPS (who can identify strengths and weaknesses in a refueling dock's system, and when appropriate show a dock operator ways to improve his/her ability to prevent and respond to spills); and (3) training.</p>

<p>DTSC Ca/EPA USEPA CA Community Colleges</p>	<ul style="list-style-type: none"> • HSC §§ 58000 et seq. • HSC §§ 25100 et seq. ◆ Hazardous Waste Generator/Small Business Outreach Workshops ◆ California Compliance School 	<p>Statewide</p>	<ul style="list-style-type: none"> • Hazardous waste management workshops for businesses • Classes/workbook and hands-on training for individuals who manage/work with hazardous wastes
<p>State/local/federal agency participation in CA's</p> <ul style="list-style-type: none"> • NMSS • NERRs • NEPs 	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) • CZMA § 315 • CWA § 320 (33 USC § 1330) ◆ MBNMS WQPP ◆ Santa Monica Bay Restoration Project (SMBRP) ◆ San Francisco Estuary Project (SFEP) 	<p><u>NMSS:</u></p> <ul style="list-style-type: none"> • Monterey Bay • Channel Islands • Cordell Bank/ Gulf of the Farallones <p><u>NERRs:</u></p> <ul style="list-style-type: none"> • Elkhorn Slough • Tijuana River <p><u>NEPs:</u></p> <ul style="list-style-type: none"> • Santa Monica Bay (SMB), SFBand Morro Bay 	<ul style="list-style-type: none"> • See MBNMS WQPP Action Plan for Marinas • The MBNMS WQPP is a collaborative effort of federal, state, and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG. • The National Estuary Program (NEP) provides impetus, funding, and technical assistance for the management of nationally significant estuaries.
<p>California Clean Boating Network (CCBN)</p>			<p>The CCBN (comprised of public members and CCC, SLC, DFG, DBW, NOAA, USCG, and other agency staffs) conducts public outreach, including the development and distribution to marinas and other users of the marine environment of a binder that includes exemplary education products that address pollutants associated with marina and boater activity.</p> <p>DPR has an extensive educational program that includes talks, displays, curriculum development and special programs.</p>
<p>DPR</p>	<p>Div. 1, Chapter 1.25, Div. V, PRC §5000 et seq.</p>	<p><u>SPS</u></p>	

Hydromodification Management Measures



The SWRCB, CCC, and other State agencies have identified eight management measures (MMs) to address hydromodification sources of nonpoint pollution affecting State waters. Hydromodification includes modification of stream and river channels, dams and water impoundments, and streambank/shoreline erosion.

Channel modification activities are undertaken in rivers or streams to straighten, enlarge, deepen or relocate the channel. These activities can affect water temperature, change the natural supply of fresh water to a water body, and alter rates and paths of sediment erosion, transport, and deposition. Hardening the banks of waterways with shoreline protection or armor also accelerates the movement of surface water and pollutants from the upper reaches of watersheds into coastal waters. Channelization can also reduce the suitability of instream and streamside habitat for fish and wildlife by depriving wetlands and estuarine shorelines of enriching sediments, affecting the ability of natural systems to filter pollutants, and interrupting the life stages of aquatic organisms (USEPA, 1993).

Dams can adversely impact hydrology and the quality of surface waters and riparian habitat in the waterways where the dams are located. A variety of impacts can result from the siting, construction, and operation of these facilities. For example, improper siting of dams can inundate both upstream and downstream areas of a waterway. Dams reduce downstream flows, thus depriving wetlands and riparian areas of water. During dam construction, removal of vegetation and disturbance of underlying sediments can increase turbidity and cause excessive sedimentation in the waterway. The erosion of shorelines and streambanks is a natural process that can have either beneficial or adverse impacts on riparian habitat. Excessively high sediment loads resulting from erosion can smother submerged aquatic vegetation, cover shellfish beds and tidal flats, fill in riffle pools, and contribute to increased levels of turbidity and nutrients.

Management Measures:

Channelization/Channel Modification. California's management measures for channelization and channel modification promote the evaluation of channelization and channel modification projects. Channels should be evaluated as a part of the watershed planning and design processes, including watershed changes from new development in urban areas, agricultural drainage, or forest clearing. The purpose of the evaluation is to determine whether resulting NPS changes to surface water quality or instream and riparian habitat can be expected and whether these changes will be good or bad. Existing channelization and channel modification projects can be evaluated

California's MMs to address sources of nonpoint pollution related to hydromodification activities:

5.1 Channelization/Channel Modification

- A. Physical & Chemical Characteristics of Surface Waters
- B. Instream & Riparian Habitat Restoration

5.2 Dams

- A. Erosion & Sediment Control
- B. Chemical & Pollutant Control
- C. Protection of Surface Water Quality & Instream and Riparian Habitat

5.3 Streambank & Shoreline Erosion

- A. Eroding Streambanks & Shorelines

5.4 Education/Outreach

- A. Educational Programs

to determine the NPS impacts and benefits associated with the projects. Modifications to existing projects, including operation and maintenance or management, can also be evaluated to determine the possibility of improving some or all of the impacts without changing the existing benefits or creating additional problems. In both new and existing channelization and channel modification projects, evaluation of benefits and/or problems will be site-specific.

Dams. The second category of management measures address NPS pollution associated with dams. Dams are defined as constructed impoundments that are either (1) 25 feet or more in height *and* greater than 15 acre-feet in capacity, or (2) 6 feet or more in height *and* greater than 50 acre-feet in capacity. MMs 5.2A and 5.2B address two problems associated with dam construction: (1) increases in sediment delivery downstream resulting from construction and operation activities and (2) spillage of chemicals and other pollutants to the waterway during construction and operation. MM 5.2C addresses the impacts of reservoir releases on the quality of surface waters and instream and riparian habitat in downstream.

Streambank and Shoreline Erosion. The third category of hydromodification measures addresses the stabilization of eroding streambanks and shorelines in areas where streambank and shoreline erosion creates a polluted runoff problem. Bioengineering methods such as marsh creation and vegetative bank stabilization are preferred. Streambank and shoreline features that have the potential to reduce polluted runoff shall be protected from impacts, including erosion and sedimentation resulting from uses of uplands or adjacent surface waters. This MM does not imply that all shoreline and streambank erosion must be controlled; the measure applies to eroding shorelines and streambanks that constitute an NPS problem in surface waters.

Education/Outreach. MM 5.4A focuses on the development and implementation of pollution prevention and education programs for agency staffs and the public, as well as the promotion of assistance tools that emphasize restoration and low-impact development. Education, technical assistance, incentives, and other means can be used to promote projects that reduce NPS pollutants, which retain or re-establish natural hydrologic functions (e.g., channel restoration projects and low-impact development projects), and/or which prevent and restore adverse effects of hydromodification activities.

5. HYDROMODIFICATION

IMPLEMENTATION AUTHORITIES

- 5.1 **Channelization and Channel Modification**
 - A. Physical and Chemical Characteristics of Surface Waters
 - B. Instream and Riparian Habitat Restoration
- 5.2 **Dams**
 - A. Erosion and Sediment Control
 - B. Chemical and Pollutant Control
 - C. Protection of Surface Water Quality and Instream and Riparian Habitat
- 5.3 **Streambank and Shoreline Erosion**
 - A. Eroding Streambanks and Shorelines
- 5.4 **Education/Outreach**
 - A. Educational Programs

Hydromodification Management Measure 5.1A — Physical and Chemical Characteristics of Surface Waters

1. Evaluate the potential effects of proposed channelization and channel modification on the physical and chemical characteristics of surface waters;
2. Plan and design channelization and channel modification to reduce undesirable impacts;
3. Develop an operation and maintenance program for existing modified channels that includes identification and implementation of opportunities to improve physical and chemical characteristics of surface waters in those channels.

Hydromodification Management Measure 5.1B — Instream and Riparian Habitat Restoration

1. Evaluate the potential effects of proposed channelization and channel modification on instream and riparian habitat;
2. Plan and design channelization and channel modification to reduce undesirable impacts;
3. Develop an operation and maintenance program with specific timetables for existing modified channels that includes identification of opportunities to restore instream and riparian habitat in those channels.

Hydromodification Management Measure 5.3A — Eroding Streambanks and Shorelines

1. Where streambank or shoreline erosion is a NPS problem, streambanks and shorelines should be stabilized. The use of vegetative stabilization methods is strongly preferred over the use of structural stabilization methods, if appropriate considering the climate, severity of wave and wind erosion, offshore bathymetry, and the potential adverse impact on other streambanks, shorelines and offshore areas.
2. Protect streambank and shoreline features with the potential to reduce NPS pollution.
3. Protect streambanks and shorelines from erosion due to uses of either the shorelands or adjacent surface waters.

Agency	Authority	Programs	Implementing Area	Notes
RWQCB	CEQA (PRC §§21000 to 21177)	Environmental Review	Statewide	Comments on impacts of hydromodification
SWRCB/RWQCB	CWA §401	WQCrP	Statewide	<ul style="list-style-type: none"> • Regulate impacts of hydromodification projects. • Develop relevant CEQA guidance • Establish interagency agreements • Develop technical assistance/guidance • Address activities which impact the physical characteristics of waters, e.g., gravel mining, floodplain encroachment.

<p>Various State and Local</p>	<ul style="list-style-type: none"> • CEQA (PRC §§ 21000 et seq.) • CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	<p>Environmental review of "projects" using Initial Study (Environmental Checklists), EIR, or Negative Declaration</p>	<p>Statewide</p>	<ul style="list-style-type: none"> • Environmental Checklists help to identify potential NPS impacts. • EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
<p>Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)</p>	<ul style="list-style-type: none"> • PZL (Gov. Code §§ 65000 et seq.) • SbMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Enforcement 	<ul style="list-style-type: none"> • Statewide • LCP policies/ordinances apply in coastal zone 	<ul style="list-style-type: none"> • Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. • Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; and general police powers to protect public health, safety and welfare and declare, prohibit, abate nuisances.
<p>CCC</p>	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	<p>Coastal zone (includes tidelands, submerged lands, public trust lands).</p>	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties.
<p>SFB CDC</p>	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to Bay • Permitting: development permits and marsh development permits • Federal consistency authority • Enforcement 	<p>SFB (shoreline areas within 100 ft. of Bay; tidal areas and specified tributaries; Suisun Marsh)</p>	<ul style="list-style-type: none"> • SFB CDC has regulatory authority over channelization/channel modification projects involving dredge and fill activities within its jurisdiction. • Enforcement/federal consistency authorities similar to CCC.

<p>DFG</p>	<p>FGC §§ 1 et seq. <ul style="list-style-type: none"> • FGC §§ 1600-1607. </p>	<ul style="list-style-type: none"> • Streambed alteration permits for grading, filling, dredging activities in State waters or stream beds • MOU between DFG, DWR Cal/RA, and State Reclamation Board (SRB) to implement habitat protection provisions 	<p>Statewide: State waters or stream beds</p>	<ul style="list-style-type: none"> • FGC focuses on problems including control of erosion and sedimentation (e.g., from grading, construction sites, golf courses, road cuts, etc.).
<p>SLC</p>	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> • SLC leases (PRC §6303) Maintenance dredging • SLC leases (PRC §6890) San and gravel extraction leasing 	<ul style="list-style-type: none"> • Granted Lands with minerals reserved and ungranted State sovereign lands 	<ul style="list-style-type: none"> • Dredging lease activity is contingent upon applicant's compliance with permits, recommendations, or limitations issued by federal, State, and local governments including compliance with CEQA. • Commercial extraction of hard minerals, excluding oil, gas, and geothermal, is contingent upon applicant's compliance with permits, recommendation, or limitations issued by federal, State, and local governments including compliance with CEQA,
<p>SCC</p>	<p>PRC Chapter 6, Div 21</p>	<p>CREP</p>	<p>Coastal zone and coastal watersheds, statewide</p>	<p>Through its watershed and wetland enhancement plans, the SCC stabilizes streambanks and shorelines, using vegetative methods, and protects streambanks and shorelines from erosion by acquiring properties to prevent future alteration of native vegetative cover.</p>

The following BACKUP AUTHORITIES/PROGRAMS pertain to MMs 5.1A, 5.1B, and 5.3A

SWRCB/RWQCBs	<ul style="list-style-type: none"> • PCWQCA (WC §§ 13000 et seq.) • CWA (33 USC § 1251 et seq.) 	<ul style="list-style-type: none"> • NPSMP pursuant to CWA § 319 and other NPS planning efforts (CWA § 208, CZARA) • TMDL Program pursuant to CWA § 303(d) • Storm Water Management Plan (SWMP) and SWDP/NPDES Permits pursuant to WC § 13377 and CWA § 402 • WDRs (WC § 13263) • Water Quality Standards pursuant to WC § 13170 and CWA § 303(c)(1) • Basin Plan • WMI • Water Quality Certification (WQCr) under CWA §401 	<ul style="list-style-type: none"> • Statewide • Stormwater Discharge Program applies to municipalities > 100,000 population 	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • Under CWA § 401, SWRCB can regulate through certification any proposed <u>federally</u>-permitted activity which may impact water quality. • RWQCBs have primary responsibility for individual permitting, inspection and enforcement: may impose discharge prohibitions, and other limits on characteristics, volume, area, or timing of discharge.
DPR	Div. I, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR operates and maintains units of the SPS that has hydromodification activities.
DHS	HSC §§ 116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.

Other Efforts that pertain to MMs 5.1A, 5.1B, and 5.3A

<p>DWR</p>		<ul style="list-style-type: none"> • Urban Streams Restoration Project (USRP) • MOU between DWR, DFG Cal/RA, and SRB to implement habitat protection provisions 	<p>Statewide</p>	<p>DWR works with citizens and local government agencies to address water-related problems of urban streams (including modified channels) such as bank erosion and sedimentation, and offers grants for projects that solve urban creek problems and restore natural environmental values.</p>
<p>SCC</p>	<ul style="list-style-type: none"> • PRC §§ 31000 et seq. 	<ul style="list-style-type: none"> • Acquire interest in land (PRC §§ 32204.1, 31105) • Conduct resource enhancement projects (PRC § 31251) 	<p>Coastal zone and coastal watershed areas outside coastal zone (PRC § 31251.2)</p>	<p>SCC addresses channelization/ channel modification MMs through its resource enhancement program.</p>

Hydromodification Management Measure 5.2A — Dams: Erosion and Sediment Control

1. Reduce erosion and, to the extent practicable, retain sediment onsite during and after construction, and
2. Prior to land disturbance, prepare and implement an approved erosion and sediment control plan or similar administrative document that contains erosion and sediment control provisions.

Hydromodification Management Measure 5.2B — Dams: Chemical and Pollutant Control

1. Limit application, generation, and migration of toxic substances;
2. Ensure the proper storage and disposal of toxic materials; and
3. Apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters.

Hydromodification Management Measure 5.2C — Dams: Protection of Surface Water Quality and Instream and Riparian Habitat

Develop and implement a program to manage the operation of dams in coastal areas that includes an assessment of:

1. Surface water quality and instream and riparian habitat and potential for improvement and
2. Significant nonpoint source pollution problems that result from excessive surface water withdrawals.

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCB	CWA § 401	WQCP	Statewide	
SWRCB/RWQCB	PCWQCA	WDRs	Statewide	
SWRCB/RWQCB	PRC §§ 20000 et seq.	CEQA	Statewide	
SWRCB/RWQCB	WC §§ 1-12000	Water Right Permit	Statewide	
DFG	FGC §§ 1601-1603	Permit to work in a stream	Statewide	
The following are BACKUP AUTHORITIES that pertain to IMMs 5.2A, 5.2B, and 5.2C.				
Agency	Authority	Programs	Implementing Area	Notes
DWR, SRB, DFG, CA Cal/RA	SB 34	Delta Flood Protection Plan of 1998 (DFPP)	Statewide	
Wildlife Conservation Board (WCB)	FGC §§ 1300 et seq.	Wildlife Conservation Law of 1947 (WCL)	Statewide	
DHS	HSC § 116275 et seq.	Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.

Hydromodification Management Measure 5.4A. Educational Programs

Implement educational programs to provide greater understanding of watersheds, to raise awareness and increase the use of applicable hydromodification management measures and practices where needed to control and prevent adverse impacts to surface and ground water, and to promote projects which retain or re-establish natural hydrologic functions (e.g., channel restoration projects). Public education, outreach, and training programs should involve applicable user groups and the community.

[Refer to the Hydromodification Management Measures 5.1 – 5.3 listed in this document.]

Agency	Authority	Programs	Implementing Area	Notes
Local Governments (Cities and Counties)			Varies Statewide	Some local governments maintain planning, community liaison, and public education/ information staff to organize special projects (e.g., BMP handbooks)
SWRCB/RWQCBs	<ul style="list-style-type: none"> PCWQCA [WC §§ 13000 et seq.] 	<ul style="list-style-type: none"> Education 	Statewide	PCWQCA establishes comprehensive programs for the protection of water quality and beneficial uses of water
CCC	<ul style="list-style-type: none"> CCA (PRC §§ 30000 et seq.), particularly §§ 30012 and 30006.5 	<ul style="list-style-type: none"> Education Technical Assistance 	Coastal zone	The CCC has prepared several Procedural Guidance Manuals and reports that address activities related to hydromodification, instream and riparian habitat areas, and eroding shoreline/streambanks
DFG	<ul style="list-style-type: none"> FGC §§ 1600 et seq. 	<ul style="list-style-type: none"> Education and Technical/ Financial Assistance 	Statewide	
DWR		<ul style="list-style-type: none"> USRP Water Education Program Model Water Efficient Landscape Ordinance (MWELO) 	Statewide	<ul style="list-style-type: none"> DWR works with citizens and local government agencies to address water-related problems of urban streams (including modified channels) such as bank erosion and sedimentation, and offers grants for projects that solve urban creek problems and restore natural environmental values. DWR provides technical assistance to local water districts in planning, organizing and implementing water education and conservation programs for schools and the general public.

<p>SCC</p> <ul style="list-style-type: none"> • PRC §§ 31000 et seq. 	<ul style="list-style-type: none"> • Education and Technical/ Financial Assistance 	<ul style="list-style-type: none"> • SCC protects wetlands by funding wetland, stream and riparian restoration projects. 	<ul style="list-style-type: none"> • Coastal zone and coastal watershed areas outside coastal zone (PRC § 31251.2)
<p>SLC</p>	<ul style="list-style-type: none"> • Education 	<ul style="list-style-type: none"> • State tidelands and submerged lands 	<ul style="list-style-type: none"> • The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG. • Overall goal of management activities on NMSs and NERRs is to preserve, restore, and enhance functions and values attributable to riparian areas and wetlands [including receiving waters detoxification, flood water retention, research, recreation, and provision of habitat]. • NEP provides impetus, funding, and technical assistance for the management of nationally significant estuaries.
<p>State/local/federal agency participation in CA's NMSs, NERRs, and NEPs</p>	<ul style="list-style-type: none"> • MBNMS WQPPP • SMBRP • SFEP 	<ul style="list-style-type: none"> • <u>NMSS</u>: • Monterey Bay • Channel Islands • Cordell Bank/ Gulf of the Farallones • <u>NERRs</u>: • Elkhorn Slough • Tijuana River • <u>NEPs</u>: • SMB, SFB and Morro Bay 	<ul style="list-style-type: none"> • <u>NMSS</u>: • Monterey Bay • Channel Islands • Cordell Bank/ Gulf of the Farallones • <u>NERRs</u>: • Elkhorn Slough • Tijuana River • <u>NEPs</u>: • SMB, SFB and Morro Bay
<p>The following are BACKUP AUTHORITIES that pertain to MM 5.4A.</p>			
<p>DHS</p>	<ul style="list-style-type: none"> • Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems 	<ul style="list-style-type: none"> • Watersheds associated with drinking water sources 	<ul style="list-style-type: none"> • Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
<ul style="list-style-type: none"> • HSC § 116275 et seq. 	<ul style="list-style-type: none"> • Drinking water source assessment and protection; drinking water sampling and analysis; regulation of public drinking water systems 	<ul style="list-style-type: none"> • Watersheds associated with drinking water sources 	<ul style="list-style-type: none"> • Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.

Wetlands, Riparian Areas, & Vegetated Treatment Systems Management Measures



The SWRCB, CCC, and other State agencies have identified four management measures (MMs) to promote the protection and restoration of wetlands and riparian areas and the use of vegetated treatment systems as means to control nonpoint sources of pollution. Wetlands and riparian areas reduce polluted runoff by filtering out runoff-related contaminants such as sediment, nitrogen and phosphorus; thus maintaining the water quality benefits of these areas is important. These areas also help to attenuate flows from higher-than-average storm events. This protects downstream areas from adverse impacts such as channel scour, erosion and temperature and chemical fluctuations. Changes in hydrology, substrate, geochemistry, or species composition can impair the ability of wetland or riparian areas to filter out excess sediment and nutrients, and so can result in deteriorated water quality. The following activities can cause such impairment: drainage of wetlands for cropland, overgrazing, hydromodification, highway construction, deposition of dredged material, and excavation for ports and marinas.

California's MMs to protect and restore wetlands and riparian areas and use vegetated treatment systems as means to control pollution from nonpoint sources:

6A. Protection of Wetlands & Riparian Areas

6B. Restoration of Wetlands & Riparian Areas

6C. Vegetated Treatment Systems

6D. Education/Outreach

Management Measures:

Wetlands/Riparian Areas Protection. Implementation of MM 6A is intended to protect the existing water quality improvement functions of wetlands and riparian areas as a component of NPS programs.

Wetlands/Riparian Areas Restoration. Restoration of wetlands and riparian areas (MM 6B) refers to the recovery of a range of functions that existed previously by reestablishing hydrology, vegetation, and structure characteristics. Damaged or destroyed wetland and riparian areas should be restored where restoration of such systems will significantly abate polluted runoff.

Vegetated Treatment Systems. MM 6C promotes the installation of vegetated treatment systems (e.g., artificial or constructed wetlands) in areas where these systems will serve a polluted runoff-abatement function. Vegetated filter strips and engineered wetlands remove sediment and other pollutants from runoff and wastewater, and prevent pollutants from entering adjacent waterbodies. Removal typically occurs through filtration, deposition, infiltration, absorption, adsorption, decomposition and volatilization.

Education/Outreach. MM 6D promotes the establishment of programs to develop and disseminate scientific information on wetlands and riparian areas and to develop greater public and agency staff understanding of natural hydrologic systems—including their functions and values, how they are lost, and the choices associated with their protection and restoration.

6.0 WETLANDS, RIPARIAN AREAS, AND VEGETATED TREATMENT SYSTEMS

IMPLEMENTATION AUTHORITIES

Management Measures

- 6A. Protection of Wetlands and Riparian Areas
- 6B. Restoration of Wetlands and Riparian Areas
- 6C. Vegetated Treatment Systems
- 6D. Education/Outreach

Management Measure 6A — Protection of Wetlands and Riparian Areas

Protect from adverse effects wetlands and riparian areas that serve to reduce NPS pollution; maintain this function while protecting the other existing functions of these wetlands and riparian areas as measured by characteristics such as vegetative species composition, diversity, and cover, hydrology and quality of surface water and ground water, geochemistry of the substrate, and fauna species composition, diversity, and abundance.

Management Measure 6B — Restoration of Wetlands and Riparian Areas

Promote the restoration of the pre-existing functions in damaged and destroyed wetlands and riparian systems in areas where the systems will serve to reduce NPS pollution.

Management Measure 6C — Vegetated Treatment Systems

Promote the use of engineered vegetated treatment systems such as constructed wetlands or vegetated filter strips where these systems will serve to reduce NPS pollution.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> CEQA (PRC §§ 21000 et seq.) CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of "projects" using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	<ul style="list-style-type: none"> Environmental Checklists help to identify potential NPS impacts. EIR or Negative Declaration may identify mitigation measures to protect/restore wetlands or use vegetated treatment systems.
Cities/Countries (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> PZL (Gov. Code §§ 65000 et seq.) SbMA (Gov. Code §§ 66410 et seq.) CCA § 30500 	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Zoning ordinances Subdivision ordinances Permits pursuant to above Enforcement 	<ul style="list-style-type: none"> Statewide LCP policies/ordinances apply in coastal zone 	<ul style="list-style-type: none"> Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; and general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
SWRCB/RWQCB	<ul style="list-style-type: none"> CWA (33 USC § 1251 et seq.) PCWQCA (WC §§ 13000 et seq.) 	<ul style="list-style-type: none"> CWA § 401 Certification Program 	Statewide at local level	<ul style="list-style-type: none"> Regulate impacts to wetland/riparian areas Develop CEQA guidance Establish interagency agreements Develop technical assistance/guidance Alternatives to flood management approaches
RWQCB	CEQA (PRC §§21000 to 21177)	Environmental Review	Statewide	Comments on watershed scale and project-specific impacts to riparian/wetland areas

<p>CCC</p>	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC's Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	<p>Coastal zone (includes tidelands, submerged lands, public trust lands).</p>	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: file complaint for civil penalties; issue cease and desist orders; and issue restoration orders.
<p>SFB/CDC</p>	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to Bay • Permitting: development permits and marsh development permits • Federal consistency • Enforcement 	<p>SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)</p>	<ul style="list-style-type: none"> • Federal projects, permits and licenses must be found consistent with the CCMP, before they are implemented. • Enforcement/federal consistency authorities similar to CCC.
<p>DFG</p>	<ul style="list-style-type: none"> • FGC § 1 et seq. • FGC §§ 1600-1603 • California Endangered Species Act (CESA) • California Wetlands Conservation Policy, 1993 (CWCP) 	<ul style="list-style-type: none"> • Streambed alteration permits for grading, filling, dredging activities in State waters or stream beds • MOU between DFG, DWR, Cal/RA, and SRB to implement habitat protection provisions 	<p>Statewide: State waters or stream beds (including wetlands)</p>	<ul style="list-style-type: none"> • In streambed alteration agreements, DFG suggests fish and wildlife protection measures; measures accepted by project proponent become part of an enforceable agreement. • FGC focus includes control of erosion and sedimentation. • CWCP calls for no net wetlands loss and a long-term net gain in the quantity/quality/permanence of wetland acreage and values.
<p>WCB</p>	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Wetland purchase and riparian purchase/restoration programs (e.g., Riparian Habitat Conservation Program [RHCP], CVJIV) 	<ul style="list-style-type: none"> • Statewide • Central Valley 	<p>Acquires, restores, and enhances wetlands and riparian areas</p>

<p>SLC</p>	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) • Kapiloff Land Bank Act (PRC §§6000 et seq.) 	<ul style="list-style-type: none"> • SLC leases (PRC §6501.1) • Kapiloff Land Bank Fund 	<ul style="list-style-type: none"> • Ungranted State sovereign lands • Statewide 	<ul style="list-style-type: none"> • SLC may lease sovereign lands for wetlands habitat preservation and/or restoration. • As trustee of the Kapiloff Land Bank Fund, SLC acquires lands for wetlands restoration and preservation. These lands then take on the characteristics of sovereign tide and submerged lands. • Granted lands are monitored to ensure compliance with the Public Trust. • Enforcement tools include: insurance, indemnity, bonding, remediation, inspections, fines, stop work orders, termination of lease, etc
<p>SCC</p>	<p>CPRC Chapter 6, Div 21</p>	<p>CREP</p>	<p>Coastal zone and coastal watersheds, statewide</p>	<ul style="list-style-type: none"> • The SCC implements many projects to protect wetlands and riparian areas through acquisition of fee or less-than-fee interests in land. • SCC implements many projects that restore wetlands and riparian areas through the development of enhancement plans and undertaking efforts to alter hydrology, replant vegetation, and restore fisheries habitat. • SCC has helped on a few occasions to actually construct wetlands that serve as vegetated treatment systems to reduce NPS pollution.

The following BACKUP AUTHORITIES pertain to Urban Management Measures 6A, 6B, and 6C

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCBs	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCP (Basin Plans) • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: Cleanup and Abatement Orders; Cease and Desist Orders; Administrative Civil Liability • RWQCBs have primary responsibility for individual permitting, inspection and enforcement.
DFG	FGC § 1 et seq.	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: DFG wardens enforce water pollution control sections of FGC (e.g., §§ 5650) • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs and cooperate in obtaining corrections or abatements to the condition.
DPR	Div. 1, Chapter 1.25, Div. V, PRC § 5000 et seq.		SPS	DPR operates and maintains units of the SPS in and around wetlands.
DHS	HSC § 116275 et seq.	Drinking water source assessment and protection, drinking water sampling and analysis regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.

Other Efforts that pertain to Management Measure 6A, 6B, and 6C				
Agency	Authority	Programs	Implementing Area	Notes
DWR	<ul style="list-style-type: none"> California Urban Creeks Restoration and Flood Control Act of 1984 (CUCRFCA) DFPP 	<ul style="list-style-type: none"> Technical Assistance MOU between DWR, DFG, Cal/RA, and SRB to implement habitat protection provisions 	<ul style="list-style-type: none"> Statewide SFB Delta 	<ul style="list-style-type: none"> DWR works with citizens and local agencies to address bank erosion and flooding problems of urban streams.
CARCDs and NRCS		<ul style="list-style-type: none"> Technical Assistance Financial (assistance with grants to farmers) 	<ul style="list-style-type: none"> Statewide 	RCDs/NRCS assist farmers in making wetland determinations of agricultural lands.
State/local/federal agency participation in CA's	<ul style="list-style-type: none"> MPRSA (16 USC § 1431 et seq.) CZMA § 315 CWA § 320 (33 USC § 1330) 	<ul style="list-style-type: none"> MBNMS WQPP SMBRP SFB 	NMSs: <ul style="list-style-type: none"> Monterey Bay Channel Islands Cordell Bank/Gulf of the Farallones NERRs: <ul style="list-style-type: none"> Elkhorn Slough Tijuana River NEPs: <ul style="list-style-type: none"> SMB, SFB and Morro Bay 	The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.
Wetlands Research Project (WRP) (partnership of State and federal agencies with wetland responsibilities)		<ul style="list-style-type: none"> Southern CA Wetlands Inventory (Carpenteria Salt Marsh, Mugu Lagoon, Malibu Lagoon, Ballona Wetlands, Bolsa Chica Wetlands, Upper Newport Bay, N. San Diego County Lagoons, Tijuana Estuary) 	So. California	WRP designed as a vehicle "to accelerate the pace, the extent and the effectiveness of coastal wetland restoration in the Southern California Bight. Includes Planning and Public Education programs

Management Measure 6D — Education/Outreach

Implement educational programs to provide greater understanding of watersheds, to raise awareness and increase the use of applicable management measures and practices for wetlands and riparian areas, and to promote projects which retain or re-establish natural hydrologic functions. Public education, outreach, and training programs should involve applicable user groups and the community.

[Refer to the Wetlands, Riparian Areas, and Vegetated Treatment Systems Management Measures 6A – 6C listed in this document.]

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/RWQCBs	<ul style="list-style-type: none"> PCWQCA [WC §§ 13000 et seq.] 	<ul style="list-style-type: none"> Basin Plans Education 	<ul style="list-style-type: none"> Statewide 	
CCC	<ul style="list-style-type: none"> CCA (PRC §§ 30000 et seq.), particularly §§ 30012 and 30006.5 	<ul style="list-style-type: none"> Education Guidance Manuals (Polluted Runoff, Wetlands, Wetlands Mitigation Banking, LCP Periodic Reviews) 	<ul style="list-style-type: none"> coastal zone 	
SFBCDC	<ul style="list-style-type: none"> MPA (Gov. Code §§ 66600 et seq.), including SFB Plan SMPA (PRC §§ 29000 et seq.) 	<ul style="list-style-type: none"> Education 	SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)	
DFG	<ul style="list-style-type: none"> FGC §§ 1600 et seq. 	<ul style="list-style-type: none"> Education and Technical/Financial Assistance MOU between DFG, DWR, Cal/RA, and SRB to implement habitat protection provisions 	<ul style="list-style-type: none"> Statewide 	MOU among DRF, DWR, Cal/RA, and SRB to implement habitat protection provisions.
DHS	HSC § 116275 et seq.	Drinking water source assessment and protection, drinking water sampling and analysis; regulation of public drinking water systems	Watersheds associated with drinking water sources	Assessment of potential contaminating activities in watershed; self-determined protection programs by drinking water systems and communities; collection of data on contaminants in drinking water supplies for the evaluation of water quality.
DPR	Div. 1, Chapter 1.25, Div. V, PRC §5000 et seq.		SPS	DPR has an extensive educational program that includes displays, talks, curriculum development and special programs.

DWR	<ul style="list-style-type: none"> • CUCRFCA 	<ul style="list-style-type: none"> • Urban Streams Restoration Program • Technical Assistance • MOU between DWR, DFG, Cal/RA, and SRB to implement habitat protection provisions 	<ul style="list-style-type: none"> • Statewide 	DWR works with citizens and local agencies to address bank erosion and flooding problems of urban streams.
SCC	PRC Chapter 6, Div 21	CREP; Coastal Access Program; Education and Technical/Financial Assistance	Coastal zone and coastal watersheds, statewide	SCC can provide interpretive signs as part of its coastal resource or access projects to educate the public about a multitude of coastal issues, including NPS pollution, wetland and other habitat values, functions and processes.
SLC	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. 	<ul style="list-style-type: none"> • Education 	Ungranted tide- and submerged lands owned by State (PRC § 6301)	
CARCDs and NRCS	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Technical Assistance • Financial (assistance with grants to farmers) 	<ul style="list-style-type: none"> • Statewide 	RCDs/NRCS assist farmers in making wetland determinations of agricultural lands.
State/local/federal agency participation in CA's	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) • CZMA § 315 • CWA § 320 (33 USC § 1330) 	<ul style="list-style-type: none"> • MBNMSWQPP • SMBRP • SFEP 	<p><u>NMSs:</u></p> <ul style="list-style-type: none"> • Monterey Bay • Channel Islands • Cordell Bank/Gulf of the Farallones <p><u>NERRs:</u></p> <ul style="list-style-type: none"> • Eikhorn Slough • Tijuana River <p><u>NEPs:</u></p> <ul style="list-style-type: none"> • SMB, SFB and Morro Bay 	Includes numerous education efforts/actions.

LIST OF ACRONYMS

- AASHTO - American Association of State Highway and Transportation Officials
AB - Assembly Bill
ABAG - Association of Bay Area Governments
ACOE - Army Corp of Engineers
AMBAG - Association of Monterey Bay Area Governments
ARS - Agricultural Research Service
ASBS - Areas of Special Biological Significance
BASMAA - Bay Area Stormwater Management Agencies Association
BAWPG - Bay Area Wetlands Planning Group
BC - Building Code
BCGC - Boating and Clean Green Campaign
BIOS - Biologically Integrated Orchard Systems
BOF - Board of Forestry
CAA - Clean Air Act
CAC - County Agricultural Commissioner
Cal/EPA - California Environmental Protection Agency
Cal/OES - California Office of Emergency Services
Cal/RA - California Resources Agency
Cal/Trans - California Department of Transportation
Cal/Trans IPMP - California Department of Transportation Integrated Pest Management Program
CAMMPR - California Management Measures for Polluted Runoff
CARB - California Air Resources Board
CARCD - California Association of Resource Conservation Districts
CCA - California Coastal Act
CCBN - California Clean Boating Network
CCC - California Coastal Commission
CCC's CPR Plan - CCC's Controlling Polluted Runoff Plan
CCR - California Code of Regulations
CCMP - California Coastal Management Program
CDF - California Department of Forestry and Fire Protection
CDP - Coastal Development Permit
CDPR - Department of Pesticide Regulation
CEEIN - California Environmental Education Interagency Network
CEQA - California Environmental Quality Act
CERCLA - Comprehensive Environmental Response and Compensation Liability Act
CESA - California Endangered Species Act
CFB - California Farm Bureau
CFR - Code of Federal Regulations
CIMIS - California Irrigation Management Information System
CIWMA - California Integrated Waste Management Act
CIWMB - California Integrated Waste Management Board
CMS - Conservation Management System
CNPCP - Coastal Nonpoint Source Pollution Control Program
CrCA - Critical Coastal Area
CREP - Coastal Resource Enhancement Program
CRMP - Coordinated Resource Management and Planning Program
CRWQMP - California Rangeland Water Quality Management Plan
CSVDP - California Statewide Vessel Disposal Plan, USFWS (1994)
CUCRFCA - California Urban Creeks Restoration and Flood Control Act of 1984
CURES - Coalition for Urban/Rural Environmental Stewardship
CVAP - Clean Vessel Act Program
CWA - Clean Water Act
CWC - California Water Code
CWCP - California Wetlands Conservation Policy (1993)
CZARA Coastal Zone Act Reauthorization Amendments of 1990
CZM - Coastal Zone Management
CZMA - Coastal Zone Management Act
CZSTA - Coastal Zone Special Treatment Areas
DBW - Department of Boating and Waterways
DFA - Department of Food and Agriculture
DFG - Department of Fish and Game
DFPP - Delta Flood Protection Plan of 1988
DHS - Department of Health Services
DOC - Department of Conservation
DPR - Department of Parks and Recreation
DTSC - Department of Toxic Substance Control
DWR - Department of Water Resources
EIR - Environmental Impact Report

EQIP – Environmental Quality Incentives Program
 ESA – Endangered Species Act
 FAC – Food and Agriculture Code
 FACT – Functioning Assessment Criteria Test
 FCVA – Federal Clean Vessel Act of 1992
 FGC – Fish and Game Code
 FHA – Federal Housing Administration
 FHWA – Federal Highway Administration
 FIFRA – Federal Insecticide, Fungicide, Rodenticide Act
 FOTG – Field Office Technical Guide
 FPA – Forest Practice Act (Z' Berg-Nejedly)
 FPR – Forest Practice Rules
 FSA – Farm Services Agency
g-Guidance – Guidance Specifying Management Measures for Sources of Nonpoint Pollution on Coastal Waters (CZARA §6217[g])
 GMSWP – General Municipal Storm Water Permit
 GP – General Plan
 HC – Housing Code
 HHW – Household Hazardous Waste
 HNC – Harbors and Navigation Code
 HSC – Health and Safety Code
 HTB – Heal the Bay
 HWRF – Harbors and Watercraft Revolving Fund
 IAC – Interagency Committee
 ICE – Information Center for the Environment
 IPM – Integrated Pest Management
 ISTEA – Intermodal Surface Transportation Efficiency Act
 ISW Plan – Inland Surface Waters Plan
 JOSP – Joint Oil Spill Program
 LCP – Local Coastal Program
 LEA – Local Enforcement Agency
 LTMP – Long Term Monitoring Program
 MAA – Management Agency Agreement
 MBNMS - Monterey Bay National Marine Sanctuary
 MM – Management Measure
 MOA - Memorandum of Agreement
 MOU – Memorandum of Understanding
 MP – Management practice
 MPA – MacAteer-Petris Act
 MPRSA – Marine Protection, Research and Sanctuaries Act
 MSD – Marine Sanitation Devices
 MSWP – Municipal Storm Water Permit
 MTHP – Modified Timber Harvest Plan
 MURP – Model Urban Runoff Program
 MWELO – Model Water Efficient Landscape Ordinance
 NEP - National Estuary Program
 NEPA – National Environmental Policy Act
 NERR - National Estuary Research Reserve
 NMS - National Marine Sanctuary
 NOAA – National Oceanic and Atmospheric Administration
 NPDES – National Pollutant Discharge Elimination System
 NPS – Nonpoint Source
 NPSMP – Nonpoint Source Management Plan
 NRCS – National Resources Conservation Service
 NTMP – Nonindustrial Timber Management Plan
 OCWD – Orange County Water District
 ODW – Office of Drinking Water
 OPA – Federal Oil Pollution Act of 1990
 OSDS – Onsite Disposal System
 OSPR – DFG/Office of Oil Spill Prevention and Response
 OSPRA – Oil Spill Prevention and Response Act of 1990
 OSPS – Oil Spill Prevention Specialists
 PCWQCA – Porter Cologne Water Quality Control Act
 PIPP – Public Information Public Participation Committee of the SWQTF
 PRC – Public Resources Code
 PTHP – Program Timber Harvesting Plan
 PZL – Planning and Zoning Law
 R&HA – Rivers and Harbors Act
 RCD – Resource Conservation District
 RCRA – Resource Conservation and Recovery Act
 ReCAP – CCC's Regional Cumulative Assessment Program
 RHCP – Riparian Habitat Conservation Program
 RMS – Resource Management Systems
 RWQCB – Regional Water Quality Control Board
 RWQCB 1 – North Coast Region
 RWQCB 2 – San Francisco Bay Region
 RWQCB 3 – Central Coast Region
 RWQCB 4 – Los Angeles Region
 RWQCB 5S – Central Valley Region, Sacramento Office
 RWQCB 5F – Central Valley Region, Fresno Office
 RWQCB 5R – Central Valley Region, Redding Office

RWQCB 6SLT – Lahontan Region, South Lake Tahoe Office
 RWQCB 6V – Lahontan Region, Victorville Office
 RWQCB 7 – Colorado River Basin Region
 RWQCB 8 – Santa Ana Region
 RWQCB 9 – San Diego Region
 SANDAG - San Diego Area Governments
 SbMA – Subdivision Map Act
 SCAG - Southern California Association of Governments
 SCC – State Coastal Conservancy
 SCCWRP – Southern California Coastal Water Research Project
 SCRd – Small Craft Refueling Dock
 SFB – San Francisco Bay
 SFBCDC - San Francisco Bay Conservation and Development Commission
 SFEP – San Francisco Estuary Project
 SIOSC – State Interagency Oil Spill Committee
 SLC – State Lands Commission
 SMA – Streamside Management Areas
 SMARA – Surface Mining and Reclamation Act
 SMB – Santa Monica Bay
 SMBRP – Santa Monica Bay Restoration Project
 SMPA – Suisun Marsh Preservation Act
 SPS – State Park System; State Parks
 SRB – State Reclamation Board
 SRF – State Revolving Fund
 SRWP – Sacramento River Watershed Project
 SWDP – Storm Water Discharge Program
 SWMP – Storm Water Management Plan
 SWP – State Water Project
 SWPPP – Storm Water Pollution Prevention Program
 SWQTF – Stormwater Quality Task Force

SWRCB – State Water Resources Control Board
 SYP – Sustained Yield Plan
 TAC – Technical Advisory Committee
 THP – Timber Harvesting Plan
 TMDL – Total Maximum Daily Load
 TRPA – Tahoe Regional Planning Agency
 TSS – Total Suspended Solids
 UC – University of California
 UCCE University of California Cooperative Extension
 UPC – Uniform Plumbing Code
 URMP – Urban Runoff Management Program
 USBR – U. S. Bureau of Reclamation
 USC – United States Code
 USCG – U.S. Coast Guard
 USCOE – U.S. Corps of Engineers
 USDA – U. S. Department of Agriculture
 USDI – U. S. Department of Interior
 USEPA – U. S. Environmental Protection Agency
 USFWS - U.S. Fish and Wildlife Service
 USGS – U. S. Geological Survey
 USRP – Urban Streams Restoration Project
 WC – Water Code
 WCB – Wildlife Conservation Board
 WCL – Wildlife Conservation Law of 1947
 WCLA – Water Conservation Landscaping Act of 1990
 WDR – Waste Discharge Requirement
 WLPZ – Watercourse and Lake Protection Zone
 WMI – Watershed Management Initiative
 WQA – Water Quality Assessment
 WQCP – Water Quality Control Plans
 WQCrP – Water Quality Certification Program
 WQMP – Water Quality Management Plan
 WQPP - Water Quality Protection Program
 WRP – Wetlands Research Project

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF DECEMBER 7, 2001

Prepared on November 16, 2001

ITEM NUMBER: 25

SUBJECT: WATER QUALITY CONTROL PLAN - TRIENNIAL REVIEW PRIORITY LIST

SUMMARY

The Central Coast Water Quality Control Plan (Basin Plan) guides activities of the Central Coast Regional Water Quality Control Board and staff by identifying beneficial uses, setting water quality objectives and criteria, requiring implementation plans for the protection of beneficial uses, and monitoring to ensure protection of beneficial uses. The purpose of the Triennial Review Priority List process is to identify and prioritize Basin Plan issues in the Central Coast Region for use in updating and amending the Basin Plan. Staff have developed and prioritized a preliminary list of issues, considering Federal Environmental Protection Agency (USEPA) requests/directives/mandates, State Water Resources Control Board issues, Regional Board staff issues, Watershed Management Initiative issues, comments from other interested persons and organizations on previously identified issues, and availability of staff resources. This list is presented to the Board for review and consideration.

DISCUSSION

The federal Clean Water Act (Section 303 (c)) and the Porter-Cologne Water Quality Control Act require the Basin Plan to be reviewed and updated periodically (at a minimum every three years). The Regional Board review process includes identification of issues that may enhance water quality protection and presentation of a priority list of issues at a public hearing. The priority list of issues referred to as the Triennial Review Priority List includes:

- A brief description of each water quality issue;
- Identification of water quality issues that can be completed with existing resource allocations over a three-year period¹; and
- Identification of water quality issues requiring additional resources to complete.

Following public hearing and adoption of the Triennial Review Priority List, Regional Board staff investigate each priority issue, including development of a detailed work plan for each issue, to determine the need for a Basin Plan amendment². However, investigation of an issue on the Triennial Review Priority List does not necessarily mean a revision of the Basin Plan will be recommended to the Board. Additionally, priority issues that result in a Basin Plan amendment do not become effective until approved by the Regional Board, the State Board, and the Office of Administrative Law (OAL) [Administrative Procedures Act, Government Code ss11340 et seq.]. Surface water standards also require the approval of the USEPA to become effective.

The preliminary 2001 Triennial Review Priority List of issues to be presented for Board for review and consideration is shown in Attachment A. As

¹ Each issue is evaluated for an estimate of staff time needed to complete the item (actual staff hours and total project-item duration). For those items requiring contract funding, estimated contract needs are identified following the description of each item.

² Basin Plan amendments can also occur for issues not identified during the Triennial Review. For example, amendments can occur for urgent issues resulting from new legislation or other sources.

noted above, topics on the list were developed while considering USEPA requests/directives/mandates, State Water Resources Control Board issues, Regional Board staff issues, Watershed Management Initiative issues, input from other interested persons/organizations, and availability of staff resources.

Public input was requested in an August 24, 2001 letter (Attachment D) to individuals and organizations on the Basin Plan mailing list (There are approximately 350 addresses on the mailing list). A Notice of Public Hearing was also published in several newspapers throughout the Central Coast Region at approximately the same time.

1998-2001 Basin Planning Activities

Presented below is a status report of high priority Basin Plan tasks previously identified by the Regional Board during the 1998 Triennial Review process (1998 Triennial Review Priority List - Attachment B). Basin Planning activities performed over the last three years are discussed below:

1. Develop Region-Wide Nonpoint Source Management Measures (Priority One, 1998 Triennial Review Priority List)

Staff intends to prepare a draft resolution for Regional Board consideration in June 2002.

2. Basin planning staff were used extensively (through July 1, 2000) to perform high priority Total Maximum Daily Load (TMDL) tasks. The following 1998 Triennial Review Priority List priority tasks were conducted:

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME (Staff years and Duration)</u>	<u>STATUS</u>	<u>COMMENTS</u>
Priority				
2. Develop Carbonara Creek, Lompico Creek, and San Lorenzo River Nutrient TMDL		6 months	Adopted by RWQCB 9/15/2000	Pending review and consideration by State Board
3. Develop San Luis Obispo Creek Nutrient TMDL		6 months	Draft technical TMDL to EPA 6/2000	Revised TMDL to be completed 6/2002 Implementation Plan to be completed 6/03
7. Develop Chorro Creek, Los Osos Creek, and Morro Bay Siltation TMDL		3 months/ 2 years	Draft TMDL to EPA/Stakeholders 11/2000	Revisions completed 6/2001. Will be presented to the Regional Board 6/2002.
8. Develop Las Tablas Creek; Las Tablas Creek, North Fork; Las Tablas Creek, South Fork; and Nacimiento Reservoir for Mercury TMDL		4 months/ 2 years	Draft TMDL to EPA 6/2000	Revisions completed 6/2001. Presentation to the Regional Board delayed.
14. Develop Morro Bay Pathogen TMDL		3 months/ 2-years	Problem statement and numeric target to EPA 6/2000	DNA study to be completed 09/2001 Revisions to be completed 12/2001 and sent to Board 12/2002
24. Develop Salinas River and Salinas River Lagunita (Nacimiento) Siltation TMDL		1 year/ 6 years	Problem statement to EPA 6/2000	Technical support for TMDL contracted out on 09/2000 Preliminary results due 1/2001

3. Other Activities

Basin planning staff were used extensively to perform additional high priority tasks. Basin Plan resources were used to process on-site sewage disposal system Basin Plan exemption requests, fund Salinas watershed management activities, prepare the Central Coast Watershed Management Initiative (WMI) Chapter and further develop priority TMDL's identified on the 1998 Triennial Review List (TMDL work received dedicated funding July 1, 2000). Appendix E contains a summary of the current status of TMDL activities.

Future Staff Resources

The preliminary 2001 Triennial Review Priority List in Attachment A includes a column entitled "Estimated Time (Staff Years and Duration)." For some topics, two different time periods are provided. The first number provides the staff time required to perform the task. The second number provides the total time frame to accomplish the task. For example, lengthy time frames are necessary when there is significant involvement from other individuals/organizations (such as developing statewide nonpoint source implementation measures) or when monitoring efforts are needed to complete a task.

Unless staff resources are increased, staff estimates priority surface water tasks 1, 2, 3a-d, 4a (status reports), 5, 6a-b, 7a-b, 8, 9, 10, 11, 12, and 13 identified on the 2001 Triennial Review Priority List can be completed in the next three years (Task four will take longer than three years to complete). Similarly, staff estimates priority groundwater tasks 1, 2a-c, 3, 4a-b, 5, 6, 7a-b, and 8 can be completed in the next three years. Additional Basin Plan tasks, listed on pages 6 through 9 of Attachment A, cannot be completed unless additional staff resources become available.

The above estimates are consistent with the 2001 WMI Chapter, which states that Region 3 has limited resources available for region-wide Basin Planning activities. Dedicated Basin Planning funds have been used to hire staff to focus on surface and groundwater planning issues. However, to address additional high priority activities, more funding is needed than currently exists in the baseline budget or will exist through

additional anticipated resources. The WMI Chapter identifies 4.2 Project Years (PY's) of unfunded Basin Planning work in fiscal year 2001/2002.

ENVIRONMENTAL SUMMARY

A Notice of Public Hearing has been circulated. A Notice of Filing, Written Report, and Environmental Checklist will be prepared and circulated to interested agencies and persons prior to consideration of any Basin Plan amendment. This will satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217).

COMMENTS

Santa Barbara County Public Health Department, Environmental Health Services

1. **Comment:** We recommend that issues related to beneficial use designations of local Santa Barbara County watersheds be reviewed within the next 3 years.

Response: Beneficial use designations for all waters in the Central Coast Region were reviewed in 1992. Revised beneficial use designations were incorporated into the September 8, 1994 update of the Central Coast Region Water Quality Control Plan, resulting in a large number of new waters and beneficial use designations. Significant resources were utilized for this task under a one-time contract allocation. Current funding limitations will not allow for further review and revision of beneficial use designations for waters in Santa Barbara County during the 2001 Triennial Review

Process.

Although there is no task on the 2001 Triennial Review List for review of surface water beneficial use designations, if the County of Santa Barbara is aware of more detailed data that would allow for a revised designation for a particular water body, please provide this information to

the Regional Board. Staff is willing to evaluate new data and recommend amendment of the Basin Plan as necessary within staffing constraints.

2. **Comment:** Board staff is predicting that revision of the beneficial use designations will not occur in the next three years due to limited resources. To accomplish the revision of the "beneficial use designations," we recommend the Regional Board provide additional staff for this effort or elevate "the review beneficial use designations" on the priority list to ensure this task is completed with existing resources in the next three years.

Response: Staff concurs with the prediction that revision of beneficial use designations will likely not occur during the next three years due to limited resources. Currently, there are no additional resources or staff budgeted for review and revision of beneficial use designations for waters in Santa Barbara County. Additionally, because beneficial use designations were addressed during the 1994 update of the Central Coast Region Water Quality Control Plan, staff does not agree that further review and revision of beneficial use designations for waters in Santa Barbara County should be elevated above other high priority issues on the 2001 Triennial Review Priority List.

3. **Comment:** Under current Total Maximum Daily Load listing methodology (303 (d) list), there is no way to distinguish between impaired river segments and unimpaired river segments.

Response: The "size affected" column on the 303 (d) list provides an estimate of the "segment" impaired. Developing the TMDL Problem Statement for a listed water body assesses and clarifies the impairment and its extent, not the listing.

A description of the process and approach for 303 (d) listing for the current update of

the 303 (d) List of Impaired Waters may be viewed on our web page at <http://www.swrcb.ca.gov/~rwqcb3/>. On the web page click on programs, TMDL, 2001 303 D List Staff Report. A statewide effort to develop guidelines for 303(d) listing is underway. State Water Resources Control Board and Regional Board staff will provide input to this process.

4. **Comment:** We recommend that Surface Water Task - Develop a Greenhouse Policy be elevated on the priority list to be completed within the next 3 years or that additional staff resources be provided to accomplish this task.

Response: Board staff agrees that a Greenhouse Policy is important. However, without additional staff, funding limitations will not allow Board staff to address this task under the 2001 Triennial Review List.

5. **Comment:** Santa Barbara County supports the Board's development of new surface water bacteria standards (Task #5 and Task #9).

Response: Board staff appreciates Santa Barbara County support for these efforts.

Ocean Conservancy

6. **Comment:** We ask that the Regional Board direct staff to develop detailed guidance for the implementation of the anti-degradation policy for both point and nonpoint discharges. Additionally, we request that the guidance be incorporated in to the Basin Plan.

Response: Staff agrees. However, additional funding is required to complete this task within the next 3 years. Board staff will place this task on the list of issues requiring additional funding.

Nipomo Community Services District

7. **Comment:** In reviewing the 1998 Triennial Review Priority List, item # 1

Develop a Nitrogen Management Plan for the Santa Maria Groundwater Basin and also Item #55 - Develop a Nitrogen Management Plan for the Arroyo Grande Groundwater Basin, the question arises, does either of these plans include the Nipomo Mesa or should a separate Nitrogen Management Plan be developed for the Nipomo Mesa.

Response: Development of a region-wide Nitrogen Management Plan for all groundwater basins of the region is ranked as groundwater issue item #4 on the 2001 Triennial Review List (TRL) Attachment A). This general plan developed from the need for nitrogen management plans for at least 13 individual groundwater basins identified during the 1998 Triennial Review process (1998 TRL items #9, 16, 17, 31, 32, 54, 55, 65, 66, 67, 68, 70, 71, and 75). Following development of a general plan applicable to all groundwater basins of the region, including the Nipomo Mesa area, basin-specific nitrogen management measures may be considered for some groundwater basins.

8. Comment: Since there is a large concentration of greenhouses and auto wrecking operations on the Mesa, (1998) priority items #128 and #129 should be set higher, with respect to developing a management plan for the Nipomo Mesa.

Response: Board staff agrees that a Greenhouse Policy and Auto-wrecking yard Policy are important. However, funding limitations will not allow Board staff to address these tasks under the 2001 Triennial Review List.

City of San Luis Obispo

9. Comment: The Basin Plan needs to be updated more frequently.

Response: Board staff agrees. The intent of the 2001 Triennial Review List is to establish a list of tasks to be reviewed and incorporated as Basin Plan changes over the next three years.

10. Comment: MUN beneficial use designation should be reconsidered for some waters of the region as this designation leads to overly stringent regulation and requirements for a use that does not and will never exist for these waters.

Response: Beneficial use designations were reviewed, revised, and incorporated into the September 8, 1994 update of the Central Coast Region Water Quality Control Plan, resulting in a large number of new waters and beneficial use designations. Significant resources were utilized for this task under a one-time contract allocation. Current funding limitations will not allow for comprehensive review and revision of beneficial use designations during the 2001 Triennial Review Process. Additionally, SWRCB Resolution No. 88-63 "Sources of Drinking Water Policy" states that all surface and ground waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Boards.

Although there is no task on the 2001 Triennial Review List for review of beneficial use designations, if the City of San Luis Obispo is aware of more detailed data that would allow for a revised designation for a particular water body, please provide this information to the Regional Board. Staff is willing to evaluate new data and recommend amendment of the Basin Plan as necessary within staffing constraints.

11. Comment: The City is requesting a RWQCB policy that calls for consistent application of Basin Plan requirements for permitted dischargers.

Response: Staff agrees that application of Basin Plan requirements for discharger permits should be consistent. There is a statewide policy on consistency. There are statewide efforts focusing on consistency and Regional Board staff are working on several efforts to ensure

consistent implementation of Basin Plan standards.

- 12. **Comment:** The RWQCB should consider drafting a policy that allows the assignment of interim discharge limits for dischargers when compliance with a new law or more stringent requirement becomes law.

Response: Establishment of limits, fixed or interim, requires Board action. All limits, fixed or interim, are applied with consideration of discharge specific conditions. A policy for interim discharge limits could be developed, however implementation of the policy for an individual permit would still require Board action.

- 13. **Comment:** The City is requesting the RWQCB ensure more stakeholder and interested party involvement in the development of TMDL's.

Response: Board staff agrees. We will take action to ensure stakeholder and interested party involvement in the development of TMDL's.

- 14. **Comment:** The City is requesting the total chlorine residual objective task be given high priority.

Response: Board staff agrees that a chlorine residual objective is important. However, funding limitations will not allow Board staff to address this task under the 2001 Triennial Review List.

Santa Barbara ChannelKeeper

- 15. **Comment:** Chapter 3, recommend the following changes to Section I. Considerations in Selecting Water Quality Objectives. The language in paragraph four should be revised. The discussion regarding point sources and nonpoint sources is inaccurate. It states that nonpoint sources include urban drainage, agricultural runoff, road construction activities, mining, and other activities. Each of the quoted sources is, or can be a

point source. The Basin Plan's focus should be on the means by which the water is conveyed, not on the source of that water. Discrete conveyances are point sources. Section 502(14) of the Clean Water Act defines "point source" as "any discernible, confined and discrete conveyance, including, but not limited to any pipe, ditch, channel . . . from which pollutants are or may be discharged."

Response: Board staff disagrees. Chapter 3, Section I. Considerations in Selecting Water Quality Objectives, paragraph four, states, "Nonpoint sources are waste loads resulting from land use practices where wastes are not collected and disposed of in any readily identifiable manner. Examples include: urban drainage, agricultural runoff, road construction activities, mining, grassland management, logging and other harvest activities, and natural sources such as effects of fire, flood, and landslide. The distinction between point sources and diffuse sources is not always clear but generally applies to the practicality of waste load control."

This paragraph provides a general description of point and nonpoint water pollution sources. The paragraph distinguishes between point and nonpoint water pollution sources by stating that nonpoint water pollution sources "are not collected and disposed of in any readily identifiable manner", which is a reference to conveyance. There are instances where urban drainage, agricultural runoff, road construction activities, mining, and other activities are not collected and disposed of in any readily identifiable manner.

- 16. **Comment:** Chapter 3, Section II.A. Anti-Degradation Policy - Both EPA and State guidance documents should be referenced in this section. For example, staff should be directed to refer to the Water Quality Standards Handbook and Permit Writers Handbook. Moreover, while the language of Section II.A.10.5 refer to Board Resolution No. 68-16, it should articulate how staff should apply the policies articulated in the Resolution.

Response: Board staff agrees. On the 2001 Triennial Review List there is no proposed task to develop detailed guidance for the implementation of the anti-degradation policy or reference both the EPA and State guidance documents. However, Board staff will place this task on the list of issues requiring additional funding for future work to be completed.

x 17. **Comment:** Chapter 3, Section II.A.2. Objectives for all Inland Surface Waters, Enclosed Bays, and Estuaries. A numeric effluent limit should be assigned for each of the objectives as applied to each beneficial use. The most stringent water quality criteria available (CTR, NTR, ocean plan, or basin plan) should apply for each beneficial use. It is not sufficient, for example, to state that "waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses." This language for biostimulatory substances is useful, but must be accompanied by a specific numeric effluent limit for each beneficial use.

Response: Board staff agrees that numeric values should be developed for water quality objectives. On the 2001 Triennial Review list, Surface Water Issues, items 4a-d, 5, 8, 9, and 10 are focused on the development of numeric values for nutrients, bacteria, turbidity, taste, and odor. These values will be linked to appropriate beneficial uses in the form of water quality objectives.

The intent of the general objectives is to provide protection of beneficial uses where there is not a specific numeric target.

18. **Comment:** The Board should establish protections and new areas for Areas of Special Biological Significance, Outstanding National Resource Waters, Outstanding State Resources Water, and zones of zero discharge (for both point and nonpoint sources of pollution).

Response: Board staff has added Task No. 11 to Clarify Chapter 5, page V-9, Section IV.C.1., Areas of Special Biological Significance. The Basin Plan will clarify that all discharges to Areas of Special Biological Significance are prohibited. The Areas of Special Biological Significance section shall also include an explanation of the special circumstances permitting Carmel to discharge to an Area of Special Biological Significance.

On the proposed 2001 Triennial Review list, there are no resources or staff budgeted for review and revision of new areas for Areas of Special Biological Significance, Outstanding National Resource Waters, Outstanding State Resources Water, and zones of zero discharge.

19. **Comment:** The Board should establish a prohibition on mixing zones for discharges to waterways identified on the 303(d) List ("impaired waterways").

Response: There is a prohibition on mixing zones for discharges to inland surface waters. The Basin Plan allows a "mixing zone" for discharges under specific circumstances. For example, the Basin Plan states, "allowable zones of dilution within which higher (turbidity) concentrations will be tolerated will be defined for each discharge in discharge permits." No other types of mixing zones are allowed for inland surface waters. Board staff proposes to revise the turbidity objective December 2002.

20. **Comment:** The Board should establish, in the absence of a TMDL, a prohibition on the discharge of persistent or bioaccumulative pollutants to impaired waterways.

Response: Chapter three of the Basin Plan contains numerous prohibitions for the discharge of persistent or bioaccumulative pollutants that impair or threaten to impair beneficial uses.

21. **Comment:** The Board should establish a prohibition on toxic discharges to drinking water sources pursuant to the restriction contained in the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65, Cal. Health & Safety Code Sections 25249.5 et seq.).

Response: Chapter three of the Basin Plan contains numerous prohibitions for the discharge of toxic pollutants that impair or threaten to impair beneficial uses. Additionally, Chapter 4, Section VII, describes the Regional Board's role and responsibility regarding Proposition 65.

22. **Comment:** The Board should establish water quality criteria for contaminated sediments.

Response: Board staff agrees. On the 2001 Triennial Review List there is no proposed task to develop water quality criteria for contaminated sediments. However, Board staff will place this task on the list of issues requiring additional funding for future work to be completed.

23. **Comment:** The Board should establish Standard provisions for the 303(d) listing process and for TMDL implementation.

Response: A description of the process and approach for 303(d) listing for the current update of the 303 (d) List of Impaired Waters may be viewed on our web page at <http://www.swrcb.ca.gov/~rwqcb3/>. On the web page click on programs, TMDL, 2001 303 D List Staff Report. A statewide effort to develop guidelines for 303(d) listing is underway. State Water Resources Control Board and Regional Board staff will provide input to this process.

TMDL implementation will be done on a case by case basis relying on existing ordinances and authorities.

24. **Comment:** The Board should establish a process for re-evaluation of all waivers issued under Water Code Section 13269.

Response: A process for re-evaluation of all waivers exists. In response to Senate Bill 390 (effective 10/10/99) the Regional Board has prepared a "baseline needs analysis" for waiver review. All waivers are to be reviewed by January 1, 2003 and every five years after 2003. A statewide effort is now underway to assist Regional Boards in complying with SB 390.

25. **Comment:** The Board should establish water quality criteria for fecal contamination, including for indicators such as total coliform, fecal coliform and enterococci, consistent with federal and state standards, including those established by the State Department of Health Services pursuant to AB 411.

Response: Board staff agrees. On the 2001 Triennial Review List Task No. 5 and No. 9 shall result in the development of water quality standards for *enterococcus* and *E. coli* in surface/ocean waters. The new standards will be consistent with federal and state standards, including those established by the State Department of Health Services pursuant to AB 411.

26. **Comment:** The Board should establish standard provisions for Section 401 water quality certification.

Response: The Board reviews all applications for Section 401 water quality certification in terms of protection of water quality and beneficial uses. All Section 401 water quality certifications must comply with the Basin Plan.

27. **Comment:** The Board should establish a process for re-evaluating all general permits.

Response: The Board has a process for re-evaluating all orders issued under the general permit. The general permit (NPD) orders are re-evaluated every five

years. The general permit WDR Orders are re-evaluated every five, ten, or fifteen years depending on the discharge (Note: the Board is considering two general NPDES permits on this agenda).

United States Environmental Protection Agency, Region IX

28. **Comment:** The following item is confusing: Staff Report, page 2, Basin Planning staff activities performed for the last three years, Develop Region-Wide Nonpoint Source Management Measures (Priority One, 1998 Triennial Review Priority List) states "No action has been taken on this item pending completion of the State "Nonpoint Source Program and Strategy and Implementation Plan, 1998-2013" adopted January 2000. Staff intends to prepare a draft resolution for Regional Board consideration in June 2002.

Since the State adopted the Plan January 2000 and the public hearing for the Triennial Review Priority List is scheduled for December 2001, it would appear appropriate to report on work completed to date rather than state no action has been taken.

Response: The task being discussed was the Development of Region-Wide Nonpoint Source Management Measures, not the development of site-specific nonpoint source management measures across the region. The intent of the task discussed was to incorporate the State Nonpoint Source Program and Strategy and Implementation Plan, 1998-2013 by reference. This would create a "suite" of best management practices that could be applied region-wide.

29. **Comment:** Staff Report, page 2, Task 2, revised water quality objective needs to be added to this list.

Response: Board staff disagrees. The task information listed on page 2 pertains to the 1998 Triennial Review Priority List. No new task will be added to the 1998

Triennial Review Priority List. The 2001 Triennial Review Priority List will take the place of this list if adopted by the Regional Board in December 2001.

30. **Comment:** Staff Report, page 2, Task 7, use consistent TMDL expression instead of spelling it out.

Response: Board staff agrees.

31. **Comment:** Staff Report, page 2, Tasks 7 and 8, "revisions to be completed 6/2001" needs to be updated.

Response: Board staff agrees.

32. **Comment:** Staff Report, page 2-3, Tasks 14 and 15, Comments need to be revised with new due dates.

Response: Board staff agrees for Task 14, the dates have been revised. There is no Task 15 on page 3 of the Staff Report.

33. **Comment:** Staff Report, Page 3, Item 3 - Other Activities, it would be useful to clarify that as of July 1, Basin Planning work was performed by the new TMDL Unit and that the CCAMP Regional Monitoring Program was established using Basin Planning funds. The picture is unclear for Basin Planning regarding the resources identified and work accomplished.

Response: The staff report has been revised to state "TMDL work received dedicated funding July 1, 2000." Minimal Basin Plan funds were used to establish the CCAMP Regional Monitoring Program.

34. **Comment:** Is the amount of existing resources that will be used to complete Tasks 1, 2, 3a-d, 4a, 5, 6a-b, 7a-b, 8, 9, and 10, about 14 staff as reflected in Attachment A?

Response: No, the staff requirements shown in Attachment A are estimates. We only have 3 staff budgeted for FY 01/02 - 03/04 (one PY for three years) to address

Tasks 1, 2, 3a-d, 4a, 5, 6a-b, 7a-b, 8, 9, 10, 11, 12, and 13 listed in Attachment A.

Once the Triennial Review Priority List is reviewed and adopted by the Regional Board, Board staff will prepare a work plan. The work plan shall detail the work to be completed and the associated staff budgeted to accomplish the work.

35. **Comment:** Since many of these tasks are dependent on other entities completing work, are there other tasks that can be completed that aren't dependent on other entities?

Response: Tasks 1, 2, 4a (status reports), 5, 6a-b, 7a-b, 8, 9, and 10 will be done independent of other entities. A portion of Task 3b may be done independently. Only Tasks 3a, c, d and 4a-d are dependent on other entities.

36. **Comment:** The Staff Report refers to 2.6 staff to complete the triennial review process and watershed assessment and needs 4.2 additional staff to accomplish Basin Plan priority tasks identified in Attachment A.

Response: The Staff Report, page 3, Future Staff Resources, has been revised to clarify the relationship between the 2001 Triennial Review Priority List and funding information discussed.

37. **Comment:** Attachment B, comment 5, Many of the items on the list are "in progress" but are missing this designation. Please identify the items in progress.

Response: Page 2 of the Staff report identifies 1998 Triennial Review Priority List priority tasks conducted using Basin Planning funding through July 1, 2000. The items left off the list were TMDL tasks conducted after July 1, 2000 and are being tracked by the TMDL unit. Please refer to Attachment B and www.swrcb.ca.gov Programs, TMDL Status of Total Maximum Daily Loads for additional information.

38. **Comment:** Attachment B, comments 6, 7, 8, and 10.

Response: Attachment B is the 1998 Triennial Review Priority List. Board staff does not plan to create a revised 1998 Triennial Review Priority List. The 2001 Triennial Review Priority List will take the place of the 1998 Triennial Review Priority List if adopted by the Regional Board in December 2001.

39. **Comment:** Attachment B, comment 9, EPA requests the total chlorine residual objective task be given high priority.

Response: Board staff agrees that a chlorine residual objective is important. However, funding limitations will not allow Board staff to address this task under the 2001 Triennial Review List.

40. **Comment:** Attachment B, comment 11, EPA requests the "evaluation of the need for Bacteria Objective for Ocean Waters Used for Desalination Water Supply/Consider Appropriateness of MUN designation" task be given high priority.

Response: Board staff have proposed two specific tasks related to bacteria objectives 1) Incorporate an *enterococcus* standard for water contact recreation in ocean waters and 2) Incorporate an *E. Coli* standard for water contact recreation in surface waters. Funding limitations will not allow Board staff to address additional bacteria objectives under the 2001 Triennial Review List.

41. **Comment:** Attachment B, comment 12, Region Three standards have not been revised to reflect the EPA 1986 revised pathogen criteria recommendations for *enterococcus* and *E. Coli*.

Response: Board staff recognize this oversight and have proposed two specific tasks related to bacteria objectives 1) incorporate an *enterococcus* standard for water contact recreation in ocean waters and 2) incorporate an *E. Coli* standard for

water contact recreation in surface waters. The objectives proposed for adoption shall comply with EPA 1986 revised pathogen criteria recommendations for *enterococcus* and *E. Coli*.

42. **Comment:** Attachment B, comment 13, Santa Margarita ground water basin in Monterey County is not shown in the Basin Plan.

Response: Board staff recognizes that current ground water basins listed in the Basin Plan may be incomplete. Task 6 of the Ground Water section of the 2001 Triennial Review List proposes to update groundwater basin configurations. This includes identification of basins not presently included in the Basin Plan.

43. **Comment:** Attachment B, comment 14, MUN beneficial use designation default language in the Basin Plan should address reasons for non-designation of MUN for certain waters. Also note that exception to MUN designation is allowed for waters with elevated TDS or which are effluent dominated.

Response: The MUN beneficial use designation default language in the Basin Plan does address reasons for non-designation of MUN (please see Chapter 2, page II-13, Municipal and Domestic Supply (MUN) definition).

City of Santa Cruz, Department of Public Works, Water Department

44. **Comment:** We recommend the beneficial use designations for Loch Lomond reservoir be reviewed within the next 3 years.

Response: Beneficial use designations for all waters in the Central Coast Region were reviewed in 1992 and revised beneficial use designations were incorporated into the September 8, 1994 update of the Central Coast Region Water Quality Control Plan. Significant resources were utilized for this task under a one time contract allocation. Current

funding limitations will not allow for further review and revision of beneficial use designations during the 2001 Triennial Review Process.

Although there is no task on the 2001 Triennial Review List for comprehensive review of beneficial use designations, if Santa Cruz County is aware of additional data that would allow for a revised designation for Loch Lomond reservoir, please provide this information to the Regional Board. Staff is willing to evaluate new data and recommend amendment of the Basin Plan as necessary within staffing constraints.

45. **Comment:** The City of Santa Cruz cannot unconditionally support Task 14, Proposed 2001 Triennial Review Priority List issues requiring additional funds, Develop Water Diversion Policy (to address water quality impacts).

Response: Funding limitations will not allow Board staff to address issues on the "Proposed 2001 Triennial Review Priority List issues requiring additional funds." However, in the future when this issue is considered, Board staff shall solicit input from all interested parties.

Save Our Agriculture Land – Letter received, no formal comments.

Department of Pesticide Regulation – Letter received, no formal comments.

RECOMMENDATION

The Regional Board should adopt the attached Resolution (Attachment C) completing the 2001 Triennial Review process. The Resolution approves the Triennial Review priority list for potential revision of the Basin Plan, affirms the general adequacy of the present Basin Plan in areas not under revision, and states that the entire Basin Plan is effective until subsequent amendments are adopted.

ATTACHMENTS

- Attachment A. 2001 Triennial Review Priority List
- Attachment B. 1998 Triennial Review Priority List
- Attachment C. Resolution 01-121
- Attachment D. August 24, 2001 letter soliciting public comments
- Attachment E. Status of Total Maximum Daily Load Activities

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Task: 401-01
File: Basin Plan, Triennial Review List

ATTACHMENT A

2001 TRIENNIAL REVIEW PRIORITY LIST

(Highest Priority Issues are Ranked First)

Revised 11/16/2001

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Surface Water Issues				
1. Develop Region-Wide Nonpoint Source Management Measures	Policy/BMP	4 months/ 1 year	Policy to the Board 06/02	1998 TRL #1, Use State NPS Plan Revision of 1998 TRL #13, #20, #28, and #29
2. Develop Riparian Corridor Protection Policy	Policy	4 months/ 2 years	Policy to the Board 12/02	1998 TRL #5, Region 2 is developing a document that links beneficial uses to protecting the Riparian corridor. Region 2 will have a final technical document for review before the end of April. Region 3 staff shall begin with that document.
3a. Develop a regional onsite wastewater management policy consistent with AB 885. Shall include at a minimum: maintenance guidelines, repair standards, and monitoring requirements.	Policy	6 months/ 3 years	Status Report's to the Board 12/02 and 12/03 Basin Plan Amendment to the Board 6/04	Revision of 1998 TRL #19, #29, and #117 Board staff are participating in a State AB 885 Technical Advisory Committee
3b. Update On-Site Septic Tank Policy/Update MOUs	Policy	9 months/ 3 years	Basin Plan Amendment to the Board 6/04	1998 TRL #72, Contingent on AB 885 process
3c. Develop Septage Disposal Policy	Policy	3 months/ 3 years	Basin Plan Amendment to the Board 6/04	1998 TRL #78, Contingent on AB 885 process
3d. Update Mound System Guidelines	Policy	4 months/ 3 years	Basin Plan Amendment to the Board 6/04	1998 TRL #118, Contingent on AB 885 process

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
4a. Develop region wide nutrient criteria consistent with federal Regional Technical Advisory Group (RTAG) and a State Regional Technical Advisory Group (STRTAG). Include nutrient water quality objectives for Franklin Creek, Santa Monica Creek, Lopez Lake, and Perfumo Creek.	Criteria	12 months/ 4 years	Status Report's to the Board 12/02 and 12/03 Basin Plan Amendment to the Board 12/04	Revision of 1998 TRL #29, #106, #107, #109, and #113. TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives. Board staff are participating in federal and state RTAG/STRTAG efforts.
4b. Develop Ammonia Objective	Objective	9 months/ 4 years	Basin Plan Amendment to the Board 12/04	1998 TRL =112, Contingent on RTAG/STRTAG efforts
4c. Develop Narrative Biological Objective (Nitrogen) to Protect from Dominance of Nuisance Species	Objective	6 months/ 4 years	Basin Plan Amendment to the Board 12/04	1998 TRL =51, Contingent on RTAG/STRTAG efforts
4d. Develop Nitrogen Water Quality Objectives to Protect Rare, Threatened, or Endangered Species Beneficial Use	Objective	6 months/ 4 years	Basin Plan Amendment to the Board 12/04	1998 TRL =18, Contingent on RTAG/STRTAG efforts TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives Will be addresses in part through Riparian Corridor Protection Policy, which will protect habitat species need to survive and reproduce.
5. Incorporate an Enterococcus standard for water contact recreation in ocean waters	Objective	3 months/ 2 years	Draft language developed 6/01 Status Report to the Board 6/03	Revision of 1998 TRL #29 and #131, Will result in revision of the Ocean Plan. No formal action required by the Regional Board.
6a. Create a Basin Plan Index	Basin Plan Revision	2 months/ 1 year	Basin Plan Amendment to the Board 6/02	Revision of 1998 TRL #116 and #126
6b. Create a Basin Plan Glossary	Basin Plan Revision	2 months 1 year	Basin Plan Amendment to the Board 6/02	Regional Board Staff request

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
7a. Revise Chapter 6 of Basin Plan to add a Central Coast Ambient Monitoring Program description and monitoring schedule	Basin Plan Revision	3 months/ 1 year	Basin Plan Amendment to the Board 6/02	Revision of 1998 TRL #116
7b. Revise Chapter 6 of Basin Plan	Basin Plan Revision	3 months/ 3 year	Basin Plan Amendment to the Board 6/03	1998 TRL #116
8. Revise Turbidity Objective	Objective	3 months/ 2 years	Basin Plan Amendment to the Board 12/02	1998 TRL #53 - A modified turbidity objective has been reviewed and adopted by the Board in numerous NPDES Orders discharging to inland surface waters
9. Incorporate an E. Coli standard for water contact recreation in surface waters	Objective	6 months/ 3 years	Basin Plan Amendment to the Board 12/03	Revision of 1998 TRL #131, Will result in revision of the Basin Plan surface water objective.
10. Clarify Narrative Objective for Taste/Odors <i>(need to address petroleum)</i>	Objective	4 months/ 3 year	Basin Plan Amendment to the Board 6/04	Revision of 1998 TRL #29, TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives
11. Clarify Chapter 5, page V-9, Section IV.C.1., Areas of Special Biological Significance. <i>Ask Jay's group for language</i>	Basin Plan Revision	3 months/ 3 year	Basin Plan Amendment to the Board 6/04	The section contains prohibitions that should apply to the ocean generally in addition to Areas of Special Biological Significance. The Basin Plan will be clear that discharges to Areas of Special Biological Significance are prohibited. The Areas of Special Biological Significance section shall include an explanation of the special circumstances permitting Carmel to discharge to an Area of Special Biological Significance.
12. Consider TMDLs per the priorities and schedules established on the most recent 303(d) List of Impaired Waters	Basin Plan amendment (per TMDL)	15 years (to complete current list)/ 15 years	In progress-some TMDL's to the Board 6/02	Separate TMDL staff and resources are available specifically for this task; ranking of this item is not indicative of task priority.
13. Develop 2004 Triennial Review Priority List (2004 TRPL)	Triennial Review	6 months	preliminary 2004 TRPL to the Board 12/04	Clean Water Act and Porter Cologne Water Quality Control Act requirements

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Ground Water Issues				
1a. Revise Chapter 6 of the Basin Plan to include a groundwater monitoring and assessment component consistent with participation in the statewide Groundwater Quality Monitoring Act of 2001 (AB 599).	Basin Plan Revision	3 months 1 yr	Basin Plan amendment to the Board 6/02	Revision of 1998 TRL item #4-Determine Objective Compliance for Ground Water Basins/Propose Monitoring Plan and Remedial Measures.
1b. Revise Chapter 6 of the Basin Plan to include assessment of Pajaro Hydrologic Unit	Basin Plan Revision	3 months 1 yr	Basin Plan amendment to the Board 6/02	Expansion of 1998 TRL #116
1c. Revise Chapter 6 of the Basin Plan to include assessment of Salinas Hydrologic Unit	Basin Plan Revision	3 months 2 yrs	Basin Plan amendment to the Board 6/03	Expansion of 1998 TRL #116
2a. Revision and/or clarification of Basin Plan narrative groundwater objectives; clarification of related tables.	Objectives	3 months 1.5 yrs	Basin Plan amendment to the Board 12/02	Revision of 1998 TRL #4, #69, and #80 – expanded to all groundwater basins
2b. Review and/or develop groundwater objectives for groundwater basins of the Region.	Objectives	6 months 3 yrs	Basin Plan amendments to the Board 12/02 12/03 6/04	Revision of 1998 TRL #4, #69, and #80 – expanded to all groundwater basins will consider development of objectives for additional groundwater quality constituents
2c. Salts objectives - investigate the need for a region-wide salts policy	Objectives/ Policy	6 months 3 yrs	Policy to the Board 6/04	Expansion of 1998 TRL #12 – water softener use policy
3. Identify existing beneficial uses (BU's) for groundwaters of the Region/determine appropriate BU's for shallow groundwater	Beneficial Use	3 months 2 yrs	Basin Plan amendment to the Board 6/03	Revision of 1998 TRL #48 and #124 May only require revision of language in the Basin Plan/ development of BU table.

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
4a. Develop Region-wide Nitrogen Management measures for GW basins May ultimately need to consider development of basin-specific management measures for some groundwater basins.	Policy/BMP	3 months 1.5 yrs	Policy to the Board 12/02	This general plan developed from the need for nitrogen management plans for 13 individual groundwater basins (1998 TRL items #9, 16, 17, 31, 32, 54, 55, 65, 66, 67, 68, 70, 71, and 75). Initial Plan will incorporate much of NPSMM policy (surface water 2001 TRL item #1).
4b. Fertilizer/pesticide backflow prevention measures	part of 4a above	same as 4a above	same as 4a above	1998 TRL #52 will be part of the region-wide Nitrogen Management Plan
5. Develop wellhead protection policy (a protective measure for sensitive groundwater resources)	Policy	3 months 2.5 yrs	Policy to the Board 12/03	Revision of 1998 TRL#20.
6. Update Groundwater Basin configurations	Basin Plan Revision	1 month 1.5 yrs	Basin Plan Amendment to the Board 12/02	Contingent upon completion of DWR 2002 update (due June 2002)
7a. Create a Basin Plan Index	Basin Plan Revision	1 month 1 year	Basin Plan Amendment to the Board 6/02	Revision of 1998 TRL #116 and #126
7b. Create a Basin Plan Glossary	Basin Plan Revision	1 month 1 year	Basin Plan Amendment to the Board 6/02	Regional Board Staff request
8. Develop 2004 Triennial Review Priority List (2004 TRPL)	Triennial Review	6 months	preliminary 2004 TRPL to the Board 12/04	Clean Water Act and Porter Cologne Water Quality Control Act requirements

PROPOSED 2001 TRL ISSUES REQUIRING ADDITIONAL FUNDS

(Note: unfunded 2001 TRL issues have not been prioritized)

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Surface Water Issues				
Clarify Narrative Objective for Toxics	Objective	4 months		TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives
Develop Water Diversion Policy (to address water quality impacts)	Policy	4 months		
Determine Beneficial Uses for Arguello Hydrologic Area		4 months		
Evaluate and Revise "Inorganic" Water Quality Objectives	Objective	6 months		TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives
Update Waiver Policy/Add Waiver for Green Waste used in Composting	Policy	4 months		
Update "Rare" Beneficial Use		5 months		
Reevaluate Water Quality Objectives for Irrigation Water	Objective	6 months		
Develop Management Plan for Devereaux Slough	Plan	6 months		
Develop Total Chlorine Residual Objective	Objective	3 month		
Evaluate Cadmium and pH Objective for Fish Spawning	Objective	4 months			Work with DFG, NMFS, and USFW.
Update Table 2-2, "Existing and Anticipated Uses of Coastal Waters"	Beneficial Uses	3 months		

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Develop Abandoned Mine Policy	Policy	4 months		Morro Bay, Las Tablas Creek, Pajaro River, and Clear Creek TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives
Reevaluate Llagas Creek Water Quality Objectives	Objective	6 months		In progress-- numeric target is a component of the Pajaro River (includes Llagas Creek) TMDL and management measures will be in the TMDL implementation plan.
Update Rare, Threatened, or Endangered Species Beneficial Use	Beneficial Uses	4 months		Review USFW, DFG and NMFS policies.
Update Beneficial Uses	Beneficial Uses	9 months		Potential new BU: Water Fowl Hunting (Elkhorn Slough)
Update State Board Policies	Policy		Ongoing	
Update Municipal Facilities Plans	Plan	4 months		
Develop Auto Wrecking Yard Policy	Policy	4 months		The State Storm Water Permit requires certain industries to create a site specific Storm Water Pollution Prevention Plan (SWPPP). The SWPPP only accounts for impacts to surface water bodies. Impacts to ground water such as leaking oil sumps are not accounted for in the Storm Water Program. Policy may need to be drafted for impacts to groundwater.
Develop Greenhouse Policy	Policy	4 months		
Develop Low Threat to Water Quality Policy for Surface Water	Policy	2 months		
Evaluate Need for Bacteria Objective for Ocean Waters Used for Desalination Water Supply/Consider Appropriateness or MUN designation	Objective	6 months		

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Assess Problems at Shooting Ranges and Develop Management Measures	Assessment/ Plan	3 months/ 2 years		
Develop Aquaculture Management Plan	Plan	3 months		
Develop detailed guidance for the implementation of the anti-degradation policy.				Reference both the EPA and State guidance documents.
Establish water quality criteria for contaminated sediments.				
Basin Plan Waiver Policy Revision (SB 390)	Basin Plan Revision			

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<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Ground Water Issues				
Develop Monterey County Aquifer Storage and Recovery Policy	Policy	6 months		This item is being addressed by the SWRCB and development of the Salinas Valley Water Project (SVWP)
Develop Ground Water Cleanup Policy	Policy	6 months		
Develop Soil Cleanup and Disposal Policy/Develop Area -Wide Objectives	Policy and Objectives	12 months		
Develop Shallow Ground Water Policy	Policy	12 months		
Develop Oilfield Waste Policy	Policy	3 months		Revise beneficial use designations
Develop Paso Robles Ground Water Basin Management Plan	Plan	6 months		
Develop Well Abandonment Policy	Plan	3 months		Address geothermal issues
Add "Ground Water Recharge" Beneficial Use to Watsonville/Harkins Slough	Beneficial Uses	6 months		
Consider addition of Beneficial Use to protect groundwater and unsaturated zone ecology	Beneficial Uses	12 months		Staff recommendation

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 ATTACHMENT A.doc
 Task #: 401-01
 File: Basin Plan, Triennial Review List

ATTACHMENT B

1998 TRIENNIAL REVIEW PRIORITY LIST

(Highest Priority Issues are Ranked First)

<u>TASK</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)
1. Develop Region-Wide Nonpoint Source Management Measures (in progress)	3 months/2 years
2. Develop Carbonara Creek, Lompico Creek, and San Lorenzo River Nutrient TMDL (in progress)	6 months
3. Develop San Luis Obispo Creek Nutrient TMDL (in progress)	6 months
4. Determine Objective Compliance for Ground Water Basins/Propose Monitoring Plan and Remedial Measures	5 years
5. Develop Riparian Corridor Protection Policy	2 months
6. Develop Monterey County Aquifer Storage and Recovery Policy	4 months
7. Develop Chorro Creek, Los Osos Creek, and Morro Bay Siltation Total Maximum Daily Load (TMDL)	3 months/2 years
8. Develop Las Tablas Creek; Las Tablas Creek, North Fork; Las Tablas Creek, South Fork; and Nacimiento Reservoir for Mercury TMDL	4 months/2 years
9. Develop Nitrogen Management Plan for Salinas Ground Water Basin	9 months/2 years
10. Develop Chorro Creek and Morro Bay Metals TMDL	3 months/2 years
11. Develop Chorro Creek and Los Osos Creek Nutrient TMDL	3 months/2 years
12. Develop Water Softener Use Policy -- Region-Wide	6 months
13. Develop Los Osos Creek Priority Organics TMDL	3 months/2 years
14. Develop Morro Bay Pathogen TMDL	3 months/2 years
15. Develop Carbonara Creek, Lompico Creek, San Lorenzo River, and San Lorenzo River Estuary Siltation TMDL	4 months/2 years
16. Develop Nitrogen Management Plan for Llagas/Hollister Ground Water Basin	9 months/2 years
17. Develop Nitrogen Management Plan for Prunedale Ground Water Basin	6 months/2 years
18. Develop Water Quality Objectives to Protect Rare, Threatened, or Endangered Species Beneficial Use	6 months/1 years
19. Develop Monitoring Plan for Communities without Sewer Service	8 months
20. Determine Ground Water Protective Measures for Sensitive Ground Water Resources	6 months
21. Develop San Luis Obispo Creek Pathogen TMDL	6 months/2 years
22. Develop Aptos Creek and Valencia Creek Siltation TMDL	6 months/5 years
23. Develop Soquel Lagoon Siltation TMDL	4 months/5 years
24. Develop Salinas River and Salinas River Lagoon (North) Siltation TMDL	1 year/3 years
25. Develop Carbonara Creek, Lompico Creek, and San Lorenzo River Estuary Pathogen TMDL	4 months/3 years
26. Develop Llagas Creek, Pajaro River, and Shingle Mill Creek Nutrient TMDL	1 year/3 years
27. Develop Llagas Creek Pajaro River, Rider Gulch Creek, San Benito River, and Shingle Mill Creek Siltation TMDL	1 year/3 years
28. Develop Water Diversion Policy (to address water quality impacts)	2 months
29. Clarify Narrative Objective for Taste/Odors and Toxics	4 months
30. Develop Watsonville Slough Siltation TMDL	3 months/3 years
31. Develop Nitrogen Management Plan for Santa Maria Ground Water Basin	6 months/2 years
32. Develop Nitrogen Management Plan for Pajaro Ground Water Basin	6 months/2 years
33. Develop San Luis Obispo Creek Priority Pollutant TMDL	6 months/3 years
34. Develop Old Salinas River Estuary, Salinas River, Salinas River Lagoon (North), and Salinas River Lagoon (South) Nutrient TMDL	1 year/5 years
35. Develop Espinosa Slough and Tembladero Slough Nutrient TMDL	4 months/5 years
36. Develop Old Salinas River Estuary, Salinas River, Salinas River Lagoon (North), and Salinas River Lagoon (South) Pesticides/Priority Organics TMDL	4 months/5 years

TASK	ESTIMATED TIME (Staff years and Duration)
37. Develop Espinosa Slough, Moro Cojo Slough, and Tembladero Slough Pesticides/Priority Organics TMDL	4 months/7 years
38. Develop Salinas River and Salinas River Lagoon (South) Salinity/TDS/Chlorides TMDL	1 year/7 years
39. Develop Clear Creek and Hernandez Reservoir Mercury TMDL	1 year/7 years
40. Develop Watsonville Slough Metals TMDL(10/06-04/07)	3 months/7 years
41. Develop Watsonville Slough Oil and Grease TMDL	3 months/7 years
42. Develop Watsonville Slough Pathogens TMDL	3 months/7 years
43. Develop Watsonville Slough Pesticide TMDL	3 months/7 years
44. Develop Monterey Harbor and Monterey Bay South Metals TMDL	9 months/7 years
45. Develop Blanco Drain and Salinas Reclamation Canal Pesticide/Priority Organics TMDL	4 months/8 years
46. Develop Ground Water Cleanup Policy	6 months
47. Develop Soil Cleanup and Disposal Policy/Develop Area -Wide Objectives	6 months
48. Develop Shallow Ground Water Policy/Determine Appropriate Beneficial Uses	1 year
50. Develop Oilfield Waste Policy	3 months
51. Develop Narrative Biological Objective/Protect from Dominance of Nuisance Species	2 months
52. Develop Backflow Prevention Policy	3 months
53. Revise Turbidity Objective	3 months
54. Develop Nitrogen Management Plan for Paso Robles Ground Water Basin	6 months/2 years
55. Develop Nitrogen Management Plan for Arroyo Grande Ground Water Basin	6 months/2 years
56. Develop Santa Ynez River Nutrient TMDL	1 year/7 years
57. Develop Santa Ynez River Salinity/TDS/Chlorides TMDL	1 year/7 years
58. Develop Santa Ynez River Siltation TMDL	1 year/7 years
59. Develop Elkhorn Slough and Moss Landing Harbor Pesticides TMDL	4 months/8 years
60. Develop Elkhorn Slough and Moss Landing Harbor Siltation TMDL	4 months/8 years
61. Develop Moro Cojo Slough Siltation TMDL	6 months/5 years
62. Develop Aptos Creek and Valencia Creek Pathogen TMDL	6 months/8 years
63. Develop Biomedical Rangeland Policy	9 months
64. Determine Beneficial Uses for Arguello Hydrologic Area	2 months
65. Develop Nitrogen Management Plan for San Luis Obispo Ground Water Basin	6 months/2 years
66. Develop Nitrogen Management Plan for Cuyama Ground Water Basin	6 months/2 years
67. Develop Nitrogen Management Plan for Carrizo Ground Water basin	6 months/2 years
68. Develop Nitrogen Management Plan for Santa Ynez Ground Water Basin	6 months/2 years
69. Develop Ground Water Objectives for Llagas/Hollister Ground Water Basin	4 months/2 years
70. Develop Nitrogen Management Plan for Chorro Ground Water Basin	4 months/2 years
71. Develop Nitrogen Management Plan for Seaside Ground Water Basin	4 months/2 years
72. Update On-Site Septic Tank Policy/Update MOUs	9 months
73. Develop Septic Tank Prohibition for Santa Margarita Area	7 months/1 year
74. Develop Paso Robles Ground Water Basin Management Plan	3 months
75. Develop Nitrogen Management Plan for Scotts Valley Ground Water Basin	4 months/2 years
76. Evaluate and Revise "Inorganic" Water Quality Objectives	3 months
77. Develop Well Abandonment Policy	1 month
78. Develop Septage Disposal Policy	3 months
79. Update Waiver Policy/Add Waiver for Green Waste used in Composting	2 months
80. Develop Ground Water Objectives for Los Osos Ground Water Basin	4 months/1.5 year
81. Update "Rare" Beneficial Use	3 months
82. Develop Nutrient Water Quality Objectives and Management Measures for Lower Salinas	6 months/2 years

<u>TASK</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)
83. Reevaluate Water Quality Objectives for Irrigation Water	3 months
84. Develop Schwan Lake Pathogen TMDL	6 months/8 years
85. Develop Soquel Lagoon Pathogen TMDL	4 months/8 years
86. Develop Schwan Lake Nutrient TMDL	6 months/8 years
87. Develop Soquel Lagoon Nutrient TMDL	4 months/8 years
88. Develop Waddell Creek, East Branch Nutrient TMDL	1 year/8 years
89. Develop Arroyo Burro Creek Pathogen TMDL	1 year/8 years
90. Develop Carpinteria Creek Pathogen TMDL	1 year/8 years
91. Develop Goleta Slough/Estuary Pathogen TMDL	3 months/8 years
92. Develop Mission Creek Pathogen TMDL	6 months/8 years
93. Develop Pacific Ocean at Rincon Creek Pathogen TMDL	1 year/8 years
94. Develop Carpinteria Marsh Nutrient TMDL	3 months/8 years
95. Develop Carpinteria Marsh Organic Enrichment/Low Dissolved Oxygen TMDL	3 months/8 years
96. Develop Carpinteria Marsh Priority Organics TMDL	3 months/8 years
97. Develop Carpinteria Marsh Siltation TMDL	3 months/8 years
98. Develop Goleta Slough/Estuary Metals TMDL	3 months/8 years
99. Develop Goleta Slough/Estuary Priority Organics TMDL	3 months/8 years
100. Develop Goleta Slough/Estuary Siltation TMDL	3 months/8 years
101. Develop San Antonio Creek Siltation TMDL	1 year/8 years
102. Develop Mission Creek Toxicity TMDL	6 months/8 years
103. Develop Elkhorn Slough and Moss Landing Harbor Pathogen TMDL	4 months/8 years
104. Develop Monterey Harbor Toxicity TMDL	1 year/8 years
105. Develop Monterey Bay South Pesticide TMDL	1 year/8 years
106. Develop Nutrient Water Quality Objectives and Management Measures for Franklin Creek	6 months/2 years
107. Develop Nutrient Water Quality Objectives and Management Measures for Santa Monica Creek	6 months/2 years
108. Develop Management Plan for Devereaux Slough	6 months
109. Develop Nutrient Objectives and Management Measures for Lopez Lake	6 months/2 years
110. Develop Boatyard Best Management Practices	2 months
111. Develop Total Chlorine Residual Objective	1 month
112. Develop Ammonia Objective	9 months
113. Develop Nutrient Objective and Management Measures for Perfumo Creek	6 months/2 years
114. Evaluate Cadmium and pH Objective for Fish Spawning	4 months
115. Update Table 2-2, "Existing and Anticipated Uses of Coastal Waters"	3 months/2 years
116. Update Monitoring Table in Chapter Six	2 months/6 months
117. Develop Maintenance/Repair Standards for On-Site Systems	3 months
118. Update Mound System Guidelines	3 months
119. Develop Abandoned Mine Policy	4 months
120. Reevaluate Llagas Creek Water Quality Objectives	3 months/1 year
121. Update Rare, Threatened, or Endangered Species Beneficial Use	1 months/8 months
122. Update Beneficial Uses	1 month/8 months
123. Develop Horse Coral Best Management Practices	2 months
124. Determine Appropriate Beneficial Uses for Carizzo Plain Ground Water Basin	6 months/1 year
125. Add "Ground Water Recharge" Beneficial Use to Watsonville/Harkins Slough	1 month
126. Update State Board Policies	2 months
127. Update Municipal Facilities Plans	4 months

<u>TASK</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)
128. Develop Auto Wrecking Yard Policy	4 months
129. Develop Greenhouse Policy	4 months
130. Develop Low Threat to Water Quality Policy for Surface Water	2 months
131. Evaluate Need for Bacteria Objective for Ocean Waters Used for Desalination Water Supply/Consider Appropriateness or MUN designation	6 months
132. Assess Problems at Shooting Ranges and Develop Management Measures	3 months/2 years
133. Develop Aquaculture Management Plan	3 months

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ATTACHMENT B.doc
Task: 401-01
File: Basin Plan, Triennial Review List

ATTACHMENT C

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 HIGUERA STREET, SUITE 200
SAN LUIS OBISPO, CALIFORNIA

RESOLUTION 01-121

Triennial Review and Affirmation of Water Quality Control Plan,
Central Coast Basin (Basin Plan)

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board) finds:

1. The California Regional Water Quality Control Board, Central Coast Region, adopted the *Water Quality Control Plan, Central Coastal Basin* (hereafter Basin Plan), on September 8, 1994.
2. State and Federal laws require a triennial review of the Basin Plan.
3. The Regional Board is responsible for reviewing water quality standards and implementation plans as appropriate and for modifying and adopting standards contained in the Plans under provisions set forth in section 303(c) of the Federal Clean Water Act and Section 13240, Division 7 of the California Water Code.
4. The Regional Board and its staff implemented the triennial review by performing the following:
 - a. Sending a letter dated August 24, 2001 soliciting comments to the Basin Plan
 - b. Circulating a list of present and potential water quality issues in the Central Coastal Basin for public comment
 - c. Noticing and conducting a public hearing on December 7, 2001, to receive testimony on water quality standards and implementation plans
 - d. Responding to all public comments received during the designated period
5. As a result of the triennial review process, the Regional Board formulated the priority issues list shown in Attachment A.

THEREFORE, BE IT RESOLVED:

1. That the California Regional Water Quality Control Board, Central Coast Region, in fulfillment of the requirements of Section 303(c) of the Federal Clean Water Act and Section 13240, Division 7 of the California Water Code, has performed the following:
 - a. Concluded the 2001 triennial review of the Central Coastal Basin Plan
 - b. Approved the priority list for revision of the Central Coastal Basin Plan

- c. Affirmed the general adequacy of the present Basin Plan in the triennial review process
 - d. Declared that the entire Basin Plan is effective until subsequent amendments are adopted
2. Adoption of this triennial review does not preclude other Basin Plan revisions, which may become necessary before the next triennial review in 2004.
 3. Board staff may present items for the Board's consideration prior to higher priority issues in the event a lower priority issue is completed.

I, ROGER W. BRIGGS, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 7, 2001.

Executive Officer

December 7, 2001

Date

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ATTACHMENT C.doc
Task: 401-01
File: Basin Plan, Triennial Review List



California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

ATTACHMENT D

August 24, 2001

To: Interested Persons

REVIEW OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN" (BASIN PLAN)

The Regional Water Quality Control Board (Regional Board) is beginning the process of reviewing its *Water Quality Control Plan - Central Coastal Basin* (Basin Plan). This Basin Plan serves as the cornerstone water quality protection policy for the Central Coast. It identifies beneficial uses of surface and ground waters, establishes water quality objectives to protect beneficial uses, and provides an implementation plan to achieve those objectives.

Tentative water quality issues have been identified. These items are included in the attached "Preliminary 2001 Triennial Review Priority List."

The Regional Board will hold a hearing to identify and prioritize water quality issues. The public hearing is scheduled as follows:

Date: December 7, 2001
Time: 8:30 A.M.
Place: Conference Room
Regional Water Quality Control Board
81 Higuera Street
Suite 200
San Luis Obispo, CA 93401-5427

Please review the attached list of water quality issues and provide additions and/or comments by **October 9, 2001**. Water quality issues raised may or may not result in an amendment to the Basin Plan. The need for a Basin Plan amendment will be determined by staff investigation following Regional Board placement on the Triennial Review Priority List. In general, the issues identified will be addressed as staff resources become available.

Comments or questions regarding this matter should be directed to Angus Lewis at 805-549-3691 or Howard Kolb at 805-549-3332.

Sincerely,

Roger W. Briggs
Executive Officer

ATTACHMENT: Preliminary 2001 Triennial Review Priority List

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ATTACHMENT D.doc
Task: 401-01
File: Basin Plan, Triennial Review List

California Environmental Protection Agency

Recycled Paper
Basin Plan History p.1090

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ATTACHMENT E

SUBJECT: STATUS OF TOTAL MAXIMUM DAILY LOAD ACTIVITIES

Regional Board staff in the Watershed Assessment Unit have been working since September 1999 on development and establishment of Total Maximum Daily Loads (TMDLs) for waterbodies in high priority watersheds (priorities are based on the existing "303(d) List" of impaired waters and the Watershed Management Initiative). In general, a TMDL is developed and established by a phased process which includes assessing point and nonpoint sources of the pollutant, determining the contribution from each source, determining appropriate load reductions for each source, implementing a program to achieve load reductions, adoption of a basin plan amendment, and monitoring to determine attainment of water quality standards. Federal Law requires a TMDL to include a problem statement, numeric targets, source analysis, and load allocations. Federal and State Law require the Basin Plan be amended to include the TMDL, the implementation plan and monitoring plans. Public participation is critical during development of the TMDL, development of the implementation plan, adoption of the basin plan amendment, implementation of control actions, and monitoring for effectiveness. Region 3's approach is to simultaneously develop TMDLs for all waters in a given watershed, listed for the same pollutant, as a "TMDL Unit." For example, the Morro Bay Watershed Siltation TMDL refers to TMDLs for Chorro Creek, Los Osos Creek and Morro Bay, all on the 303(d) list for siltation. Occasionally a "TMDL Unit" is defined as a subwatershed because only one or two waterbodies are on the 303(d) list for a particular pollutant (e.g., Chorro Creek Metals).

Current activities are described briefly below.

San Luis Obispo Creek Watershed Nutrients - The Draft TMDL was submitted to USEPA on June 30, 2000. USEPA plans to establish this TMDL through the federal process within a year of June 30, 2000. Staff has developed a monitoring program to refine the allocations in the draft document and is developing an implementation plan.

Morro Bay Watershed Nutrients and Siltation - The Draft TMDL Reports were submitted to USEPA by June 30, 2000. The Siltation TMDL was modified in response to comments submitted by USEPA and members of the public in January 2001. The Nutrient TMDL will be modified in response to comments from USEPA and members of the general public in March 2001. They will both be finalized and presented to the Board for adoption as Basin Plan amendments in winter of 2002.

Morro Bay Watershed Pathogens - The TMDL Report is currently being developed and the first draft is scheduled for completion by December, 2001.

Las Tablas Creek- Nacimiento Reservoir Metals - The Draft TMDL Report was submitted to USEPA on June 30, 2000, and is scheduled to be revised in July 2001. This TMDL is scheduled to be presented to the Board for adoption as a Basin Plan amendment in winter 2002.

Chorro Creek Metals - The Draft TMDL Report was submitted to USEPA on June 30, 2000, and revised in April 2001. This TMDL is scheduled to be presented to the Board for adoption as a Basin Plan amendment in winter 2002.

Salinas River Watershed Siltation - A problem statement was completed for this TMDL

on June 30, 2000. A contract for additional monitoring, assessment and analysis was established in May 2000. Development of the TMDL will proceed throughout this fiscal year. The Draft TMDL Report is scheduled to be submitted to USEPA by June 30, 2002.

Pajaro River Watershed Nutrients - Development of this TMDL was initiated last fiscal year and will continue through this fiscal year. A first draft of the TMDL Report was scheduled to be submitted to USEPA by June 30, 2001. A preliminary draft will be prepared by June 30, 2001 but additional effort will be needed through June 2002.

Pajaro River Watershed Siltation - Development of this TMDL was initiated last fiscal year. Regional Board staff attempted to establish a contract for additional monitoring, assessment and analysis in June 2000. This contract was not executed (due to watershed coordination issues and administrative delays) as planned. Therefore, development of this TMDL will proceed throughout this fiscal year and into next year. A preliminary draft TMDL Report is scheduled to be prepared by June 30, 2002.

Valencia and Aptos Creek Siltation, San Luis Obispo Creek Watershed Pathogens and Priority Pollutants, Morro Bay Watershed Priority Pollutants, and Morro Bay Metals - A review of existing information and sampling plans to collect additional information was recently or will soon be completed for these TMDLs. Sample collection and preliminary analysis of data collected will proceed throughout this fiscal year and into next year. Draft TMDL reports will be completed at the end of fiscal year 2001-2002 and into fiscal year 2002-2003.

Salinas River Watershed Pesticides, Nutrients and Salinity, Pajaro River Watershed Metals (Clear Creek and Hernandez Reservoir), Pesticides and Oil and Grease (Watsonville Slough) - Preliminary literature review and identification of existing data has been initiated for these TMDLs and development of the TMDLs will proceed throughout the next couple of years.

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Task: 401-01
File: Basin Plan, Triennial Review List

FINAL 2001 TRIENNIAL REVIEW PRIORITY LIST

Revised 12/12/01

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Surface Water Issues				
1. Develop Region-Wide Nonpoint Source Management Measures	Policy/BMP	4 months/ 1 year	Policy to the Board 06/02	1998 TRL #1, Use State NPS Plan Revision of 1998 TRL #13, #20, #28, and #29
2. Develop Riparian Corridor Protection Policy	Policy	4 months/ 2 years	Policy to the Board 12/02	1998 TRL #5, Region 2 is developing a document that links beneficial uses to protecting the Riparian corridor. Region 2 will have a final technical document for review before the end of April. Region 3 staff shall begin with that document.
3a. Develop a regional onsite wastewater management policy consistent with AB 885. Shall include at a minimum: maintenance guidelines, repair standards, and monitoring requirements.	Policy	6 months/ 3 years	Status Report's to the Board 12/02 and 12/03 Basin Plan Amendment to the Board 6/04	Revision of 1998 TRL #19, #29, and #117 Board staff are participating in a State AB 885 Technical Advisory Committee
3b. Update On-Site Septic Tank Policy/Update MOUs	Policy	9 months/ 3 years	Basin Plan Amendment to the Board 6/04	1998 TRL #72, Contingent on AB 885 process
3c. Develop Septage Disposal Policy	Policy	3 months/ 3 years	Basin Plan Amendment to the Board 6/04	1998 TRL #78, Contingent on AB 885 process
3d. Update Mound System Guidelines	Policy	4 months/ 3 years	Basin Plan Amendment to the Board 6/04	1998 TRL #118, Contingent on AB 885 process

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
4a. Develop region wide nutrient criteria consistent with federal Regional Technical Advisory Group (RTAG) and a State Regional Technical Advisory Group (STRTAG). Include nutrient water quality objectives for Franklin Creek, Santa Monica Creek, Lopez Lake, and Perfumo Creek.	Criteria	12 months/ 4 years	Status Report's to the Board 12/02 and 12/03 Basin Plan Amendment to the Board 12/04	Revision of 1998 TRL #29, #106, #107, #109, and #113. TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives. Board staff are participating in federal and state RTAG/STRTAG efforts.
4b. Develop Ammonia Objective	Objective	9 months/ 4 years	Basin Plan Amendment to the Board 12/04	1998 TRL #112, Contingent on RTAG/STRTAG efforts
4c. Develop Narrative Biological Objective (Nitrogen) to Protect from Dominance of Nuisance Species	Objective	6 months/ 4 years	Basin Plan Amendment to the Board 12/04	1998 TRL #51, Contingent on RTAG/STRTAG efforts
4d. Develop Nitrogen Water Quality Objectives to Protect Rare, Threatened, or Endangered Species Beneficial Use	Objective	6 months/ 4 years	Basin Plan Amendment to the Board 12/04	1998 TRL #18, Contingent on RTAG/STRTAG efforts TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives Will be addresses in part through Riparian Corridor Protection Policy, which will protect habitat species need to survive and reproduce.
5. Incorporate an Enterococcus standard for water contact recreation in ocean waters	Objective	3 months/ 2 years	Draft language developed 6/01 Status Report to the Board 6/03	Revision of 1998 TRL #29 and #131, Will result in revision of the Ocean Plan. No formal action required by the Regional Board.
6a. Create a Basin Plan Index	Basin Plan Revision	2 months/ 1 year	Basin Plan Amendment to the Board 6/02	Revision of 1998 TRL #116 and #126
6b. Create a Basin Plan Glossary	Basin Plan Revision	2 months 1 year	Basin Plan Amendment to the Board 6/02	Regional Board Staff request

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u>	<u>STATUS</u>	<u>COMMENTS</u>
7a. Revise Chapter 6 of Basin Plan to add a Central Coast Ambient Monitoring Program description and monitoring schedule	Basin Plan Revision	3 months/ 1 year	Basin Plan Amendment to the Board 6/02	Revision of 1998 TRL #116
7b. Revise Chapter 6 of Basin Plan	Basin Plan Revision	3 months/ 3 year	Basin Plan Amendment to the Board 6/03	1998 TRL #116
8. Revise Turbidity Objective	Objective	3 months/ 2 years	Basin Plan Amendment to the Board 12/02	1998 TRL #53 - A modified turbidity objective has been reviewed and adopted by the Board in numerous NPDES Orders discharging to inland surface waters
9. Incorporate an E. Coli standard for water contact recreation in surface waters	Objective	6 months/ 3 years	Basin Plan Amendment to the Board 12/03	Revision of 1998 TRL #131, Will result in revision of the Basin Plan surface water objective.
10. Clarify Narrative Objective for Taste/Odors	Objective	4 months/ 3 year	Basin Plan Amendment to the Board 6/04	Revision of 1998 TRL #29, TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives
11. Clarify Chapter 5, page V-9, Section IV.C.1., Areas of Special Biological Significance.	Basin Plan Revision	3 months/ 3 year	Basin Plan Amendment to the Board 6/04	<p>The section contains prohibitions that should apply to the ocean generally in addition to Areas of Special Biological Significance.</p> <p>The Basin Plan will be clear that discharges to Areas of Special Biological Significance are prohibited.</p> <p>The Areas of Special Biological Significance section shall include an explanation of the special circumstances permitting Carmel to discharge to an Area of Special Biological Significance.</p>
12. Consider TMDLs per the priorities and schedules established on the most recent 303(d) List of Impaired Waters	Basin Plan amendment (per TMDL)	15 years (to complete current list)/ 15 years	In progress-some TMDL's to the Board 6/02	Separate TMDL staff and resources are available specifically for this task; ranking of this item is not indicative of task priority.
13. Develop 2004 Triennial Review Priority List (2004 TRPL)	Triennial Review	6 months	preliminary 2004 TRPL to the Board 12/04	Clean Water Act and Porter Cologne Water Quality Control Act requirements
14. Basin Plan Waiver Policy Revision (SB 390)	Basin Plan Revision			

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Ground Water Issues				
1a. Revise Chapter 6 of the Basin Plan to include a groundwater monitoring and assessment component consistent with participation in the statewide Groundwater Quality Monitoring Act of 2001 (AB 599).	Basin Plan Revision	3 months 1 yr	Basin Plan amendment to the Board 6/02	Revision of 1998 TRL item #4-Determine Objective Compliance for Ground Water Basins/Propose Monitoring Plan and Remedial Measures.
1b. Revise Chapter 6 of the Basin Plan to include assessment of Pajaro Hydrologic Unit	Basin Plan Revision	3 months 1 yr	Basin Plan amendment to the Board 6/02	Expansion of 1998 TRL #116
1c. Revise Chapter 6 of the Basin Plan to include assessment of Salinas Hydrologic Unit	Basin Plan Revision	3 months 2 yrs	Basin Plan amendment to the Board 6/03	Expansion of 1998 TRL #116
2a. Revision and/or clarification of Basin Plan narrative groundwater objectives; clarification of related tables.	Objectives	3 months 1.5 yrs	Basin Plan amendment to the Board 12/02	Revision of 1998 TRL #4, #69, and #80 – expanded to all groundwater basins
2b. Review and/or develop groundwater objectives for groundwater basins of the Region.	Objectives	6 months 3 yrs	Basin Plan amendments to the Board 12/02 12/03 6/04	Revision of 1998 TRL #4, #69, and #80 – expanded to all groundwater basins will consider development of objectives for additional groundwater quality constituents
2c. Salts objectives - investigate the need for a region-wide salts policy	Objectives/ Policy	6 months 3 yrs	Policy to the Board 6/04	Expansion of 1998 TRL #12 – water softener use policy
3. Identify existing beneficial uses (BU's) for groundwaters of the Region/determine appropriate BU's for shallow groundwater	Beneficial Use	3 months 2 yrs	Basin Plan amendment to the Board 6/03	Revision of 1998 TRL #48 and #124 May only require revision of language in the Basin Plan/ development of BU table.

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
4a. Develop Region-wide Nitrogen Management measures for GW basins May ultimately need to consider development of basin-specific management measures for some groundwater basins.	Policy/BMP	3 months 1.5 yrs	Policy to the Board 12/02	This general plan developed from the need for nitrogen management plans for 13 individual groundwater basins (1998 TRL items #9, 16, 17, 31, 32, 54, 55, 65, 66, 67, 68, 70, 71, and 75). Initial Plan will incorporate much of NPSMM policy (surface water 2001 TRL item #1).
4b. Fertilizer/pesticide backflow prevention measures	part of 4a above	same as 4a above	same as 4a above	1998 TRL #52 will be part of the region-wide Nitrogen Management Plan
5. Develop wellhead protection policy (a protective measure for sensitive groundwater resources)	Policy	3 months 2.5 yrs	Policy to the Board 12/03	Revision of 1998 TRL#20.
6. Update Groundwater Basin configurations	Basin Plan Revision	1 month 1.5 yrs	Basin Plan Amendment to the Board 12/02	Contingent upon completion of DWR 2002 update (due June 2002)
7a. Create a Basin Plan Index	Basin Plan Revision	1 month 1 year	Basin Plan Amendment to the Board 6/02	Revision of 1998 TRL #116 and #126
7b. Create a Basin Plan Glossary	Basin Plan Revision	1 month 1 year	Basin Plan Amendment to the Board 6/02	Regional Board Staff request
8. Develop 2004 Triennial Review Priority List (2004 TRPL)	Triennial Review	6 months	preliminary 2004 TRPL to the Board 12/04	Clean Water Act and Porter Cologne Water Quality Control Act requirements

PROPOSED 2001 TRL ISSUES REQUIRING ADDITIONAL FUNDS

(Note: unfunded 2001 TRL issues have not been prioritized)

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Surface Water Issues				
Clarify Narrative Objective for Toxics	Objective	4 months		TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives
Develop Water Diversion Policy (to address water quality impacts)	Policy	4 months		
Determine Beneficial Uses for Arguello Hydrologic Area		4 months		
Evaluate and Revise "Inorganic" Water Quality Objectives	Objective	6 months		TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives
Update Waiver Policy/Add Waiver for Green Waste used in Composting	Policy	4 months		
Update "Rare" Beneficial Use		5 months		
Reevaluate Water Quality Objectives for Irrigation Water	Objective	6 months		
Develop Management Plan for Devereaux Slough	Plan	6 months		
Develop Total Chlorine Residual Objective	Objective	3 month		
Evaluate Cadmium and pH Objective for Fish Spawning	Objective	4 months		Work with DFG, NMFS, and USFW.
Update Table 2-2, "Existing and Anticipated Uses of Coastal Waters"	Beneficial Uses	3 months		

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Develop Abandoned Mine Policy	Policy	4 months		Morro Bay, Las Tablas Creek, Pajaro River, and Clear Creek TMDL's may identify specific numeric targets, these may be useful as starting points for Water Quality Objectives
Reevaluate Llagas Creek Water Quality Objectives	Objective	6 months		In progress-- numeric target is a component of the Pajaro River (includes Llagas Creek) TMDL and management measures will be in the TMDL implementation plan.
Update Rare, Threatened, or Endangered Species Beneficial Use	Beneficial Uses	4 months		Review USFW, DFG and NMFS policies.
Update Beneficial Uses	Beneficial Uses	9 months		Potential new BU: Water Fowl Hunting (Elkhorn Slough)
Update State Board Policies	Policy		Ongoing	
Update Municipal Facilities Plans	Plan	4 months		
Develop Auto Wrecking Yard Policy	Policy	4 months		The State Storm Water Permit requires certain industries to create a site specific Storm Water Pollution Prevention Plan (SWPPP). The SWPPP only accounts for impacts to surface water bodies. Impacts to ground water such as leaking oil sumps are not accounted for in the Storm Water Program. Policy may need to be drafted for impacts to groundwater.
Develop Greenhouse Policy	Policy	4 months		
Develop Low Threat to Water Quality Policy for Surface Water	Policy	2 months		
Evaluate Need for Bacteria Objective for Ocean Waters Used for Desalination Water Supply/Consider Appropriateness or MUN designation	Objective	6 months		

<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Assess Problems at Shooting Ranges and Develop Management Measures	Assessment/ Plan	3 months/ 2 years		
Develop Aquaculture Management Plan	Plan	3 months		
Develop detailed guidance for the implementation of the anti-degradation policy.				Reference both the EPA and State guidance documents.
Establish water quality criteria for contaminated sediments.				

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<u>TASK</u>	<u>Type of Action</u>	<u>ESTIMATED TIME</u> (Staff years and Duration)	<u>STATUS</u>	<u>COMMENTS</u>
Ground Water Issues				
Develop Monterey County Aquifer Storage and Recovery Policy	Policy	6 months		This item is being addressed by the SWRCB and development of the Salinas Valley Water Project (SVWP)
Develop Ground Water Cleanup Policy	Policy	6 months		
Develop Soil Cleanup and Disposal Policy/Develop Area -Wide Objectives	Policy and Objectives	12 months		
Develop Shallow Ground Water Policy	Policy	12 months		
Develop Oilfield Waste Policy	Policy	3 months		
Develop Paso Robles Ground Water Basin Management Plan	Plan	6 months		Revise beneficial use designations Address geothermal issues
Develop Well Abandonment Policy Add "Ground Water Recharge" Beneficial Use to Watsonville/Harkins Slough	Plan Beneficial Uses	3 months 6 months		
Consider addition of Beneficial Use to protect groundwater and unsaturated zone ecology	Beneficial Uses	12 months		Staff recommendation

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 Task #: 401-01
 File: Basin Plan. Triennial Review List

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF DECEMBER 6, 2002

Prepared on August 7, 2002

ITEM NUMBER:

SUBJECT: PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING REFERENCE OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT SOURCE POLLUTION CONTROL PROGRAM" AND RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS.

SUMMARY

The Central Coast Regional Water Quality Control Board (Regional Board) Staff is proposing an amendment to its Water Quality Control Plan - Central Coastal Basin, 1994 (Basin Plan). The Basin Plan serves as the cornerstone water quality protection policy and legal standards for the Central Coast. It identifies beneficial uses of surface and ground waters, establishes water quality objectives to protect beneficial uses, and provides an implementation plan to achieve those objectives.

The purpose of this amendment is to:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to move appropriate nonpoint source information, requirements, and prohibitions into one designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

This amendment is presented to the Board for review and consideration.

DISCUSSION

In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to the Nonpoint Source Pollution Control Program (January 2000) in December 1999. Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted by the State Water Resources Control Board on December 14, 1999 pursuant to Section 319 of the Clean Water Act.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Implementation of management measures will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.

Staff is proposing revision of the Basin Plan because the State Water Resources Control Board, through Resolution 99-114, adopted a revised

Nonpoint Source Pollution Control Program (January 2000) in December 1999.

Resolution No. 99-114 directs regional boards to implement the state Nonpoint Source Pollution Control Program. The Basin Plan for the Regional Water Quality Control Board, Central Coast Region includes the state November 1988, Nonpoint Source Management Plan. This amendment updates the Basin Plan to comply with Resolution No. 99-114.

The information utilized in the proposed revision comes from the Nonpoint Source Pollution Control Program (January 2000) and the Water Quality Control Plan - Central Coastal Basin, (September 1994). The revision proposes to reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program, emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas, and restructure sections of the Basin Plan to move appropriate nonpoint source information, requirements, and prohibitions into one designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Below is a summary of all edits, additions, and changes in Chapter Four (4), Chapter Five (5), and Appendices of the Basin Plan. Chapter 4 edits, additions, and changes are shown in Attachment B. Chapter 5 edits, additions, and changes are shown in Attachment C. Appendices edits are shown in Attachment D.

Chapter 4

1. Page IV-1, edited Table of Contents.
2. Pages IV-5 and IV-6, Section V.A.7. BEST MANAGEMENT PRACTICES, Moved to page IV-45, Section VIII. CONTROL OF NONPOINT SOURCE POLLUTANTS. Once Section moved, made minor clerical edits, then deleted Section V.A.7. BEST MANAGEMENT PRACTICES, on Pages IV-5 and IV-6 of Chapter 4.
3. Pages IV-7 and IV-8, Section V.B. NONPOINT SOURCE PROGRAM, Moved to page IV-44, Section VIII. Once Section

moved, major edits using language from "Nonpoint Source Pollution Control Program (January 2000)", then deleted Section V.B. NONPOINT SOURCE PROGRAM, on Pages IV-7 and IV-8 of Chapter 4.

4. Pages IV-44 and IV-45, Section VIII. NONPOINT SOURCE MEASURES - Title of Section VIII. changed to CONTROL OF NONPOINT SOURCE POLLUTANTS. Major edits to Section VIII. using language from "Nonpoint Source Pollution Control Program (January 2000)".

Added section titled BEST MANAGEMENT PRACTICES, using information from Pages IV-5 and IV-6, Section V.A.7. BEST MANAGEMENT PRACTICES. Minor clerical edits made to the new Section.

5. Pages IV-45 and IV-46, Section VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS, delete information contained in the Coastal Zone Act Reauthorization Amendment section. The Coastal Zone Act Reauthorization Amendments are addressed in the "Nonpoint Source Pollution Control Program (January 2000)".
6. Pages IV-45 and IV-46, Rename Section VIII.A. Wetlands, Riparian Areas, and Vegetated Treatment Systems, using information from "Nonpoint Source Pollution Control Program (January 2000)", Page 152, Section G Wetlands, Riparian Areas, and Vegetated Treatment Systems. Minor clerical edits made to the new Section.

Three headings added "Recommended Actions", "Control Actions", and "Prohibitions". Under "Recommended Actions" repeated four management measures from Page 152, Section G Wetlands, Riparian Areas, and Vegetated Treatment Systems. Under "Control Actions", repeated three items found in Chapter V, Management Principles, Section III.A. GENERAL, three items found in Chapter V, Management Principles, Section III.C. DISCHARGE TO SURFACE WATERS, and one item found in Chapter V, Section V.G. EROSION AND SEDIMENTATION.

7. Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, added header "Recommended Actions". Under "Recommended Actions" added sub-headers "Erosion Study Recommendations" and "Actions By Other Authorities".

Under "Recommended Actions" repeated three items found in Chapter V, Management Principles, Section III.A. General.

8. Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, added header "Control Actions" and repeated three items found in Chapter V, Management Principles, Section III.C. Discharge to Surface Waters, moved items 1 through 7 from Section V.G. EROSION AND SEDIMENTATION, and moved items 3 through 7 from Section III.G. EROSION AND SEDIMENTATION CONTROL.
9. Page IV-70, Section VIII.E.1. LAND DISTURBANCE PROHIBITIONS, minor edits. Added reference, "For additional prohibitions see Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS."

Chapter 5

1. Page V-1, Section I. STATE WATER RESOURCES CONTROL BOARD PLANS AND POLICIES - Updated section to reflect "Nonpoint Source Pollution Control Program (January 2000)".
2. Page V-3, Section I.J. NONPOINT SOURCE MANAGEMENT PLAN - Updated section adding additional language to reflect "Nonpoint Source Pollution Control Program (January 2000)".
3. Page V-7, Section III.G. EROSION AND SEDIMENTATION CONTROL - Delete Item 1, move Item 2 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Recommendations", move Items 3 through 7 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Control Actions", and delete last

paragraph. Once the appropriate Items were moved to Chapter 4, made minor edits to Items 2 through 7, then deleted Section III.G. EROSION AND SEDIMENTATION CONTROL on Page V-7 of Chapter 5.

4. Pages V-13 and 14, Section V.G. EROSION AND SEDIMENTATION -, move Items 1 through 7 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Control Actions" and move Item 8 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Recommendations", and delete last paragraph of Section V.G. Page V-14. Once the appropriate Items were moved to Chapter 4, made minor edits to Items 1 through 7, then deleted Section V.G. EROSION AND SEDIMENTATION on Pages V-13 and 14 of Chapter 5.
5. Pages V-15 and V-16, Section V.H.10. EROSION AND SEDIMENTATION CONTROL- Move Items 1 through 8 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Recommendations" (ACTIONS BY OTHER AUTHORITIES). Once the appropriate Items were moved to Chapter 4, deleted Section V.H.10. EROSION AND SEDIMENTATION CONTROL on Pages V-15 and V-16 of Chapter 5.

Appendices

1. Revise Plans and Policies Appendix "Table of Contents" to show deletion of Appendix A-10, Nonpoint Source Management Plan.
2. Delete Appendix A-10, Nonpoint Source Management Plan (November 1988). This appendix references an outdated version of the State Nonpoint Source Pollution Control Program.

ENVIRONMENTAL SUMMARY

A Notice of Public Hearing has been circulated. A Notice of Filing, Written Report, and Environmental Checklist (Attachment E) will be prepared and circulated to interested agencies and persons prior to consideration of any Basin Plan

amendment. This will satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217).

COMMENTS

1. Comment:

Response:

RECOMMENDATION

The Regional Board should adopt the attached Resolution R3-2002-0093 (Attachment A), as proposed. Resolution R3-2002-0093 approves revision of the Basin Plan.

ATTACHMENTS

- Attachment A. Resolution R3-2002-0093
- Attachment B. Revised Basin Plan Chapter Four
- Attachment C. Revised Basin Plan Chapter Five
- Attachment D. Revised Basin Plan Appendix
- Attachment E. CEQA Checklist
- Attachment F. Notice of Public Hearing Notice of Filing a Draft Environmental Document
- Attachment G. Letter to Interested Persons
- Attachment H. Letter to Legal Notice Department

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Task: 401-01
File: Basin Plan, NPS Policy

ATTACHMENT A

RESOLUTION R3-2002-0093

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 AEROVISTA PLACE, SUITE 101
SAN LUIS OBISPO, CALIFORNIA**

**RESOLUTION R3-2002-0093
(Drafted August 8, 2002)**

**Adopting Revised State Water Resources Control Board
Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source
Plans, Policies, and Management Practices
Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan)
And Requesting Approval from State Water Resources Control Board**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board) finds:

1. The California Regional Water Quality Control Board, Central Coast Region, adopted the *Water Quality Control Plan, Central Coastal Basin* (hereafter Basin Plan), on September 8, 1994.
2. The Regional Board periodically revises and amends the Basin Plan. The most recently finalized amendment to the Basin Plan was in April 1995.
3. The Regional Board is responsible for reviewing water quality standards and implementation plans as appropriate and for modifying and adopting standards contained in the Plans under provisions set forth in section 303(c) of the Federal Clean Water Act and Section 13240, Division 7 of the California Water Code.
4. The State Water Resources Control Board revised the State Nonpoint Source Management Plan to the "Nonpoint Source Pollution Control Program" (January 2002).
5. State Water Resources Control Board Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted on December 14, 1999 pursuant to Section 319 of the Clean Water Act.
6. The Nonpoint Source Pollution Control Program (dated January 2000) includes a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Implementation of management measures will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.

7. The Nonpoint Source Pollution Control Program process includes: Assessing Program activities, targeting efforts, planning activities based on Program goals and objectives, coordinating the efforts of federal, State, and local agencies and stakeholders, implementing coordinated actions, tracking and monitoring the results of implemented actions, and reporting on Program results. The Program Plan is designed to be flexible and adaptable over time.
8. The Basin Plan contains existing nonpoint source information distributed throughout the document.
9. The Basin Plan requires restructuring in order to have appropriate nonpoint source information, findings, and requirements in a designated section of the Basin Plan (Section VIII. CONTROL OF NONPOINT SOURCE POLLUTANTS).
10. Regional Board consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and threatened and endangered plants and animal species. The Department of Fish and Game has made a determination of "no jeopardy" pursuant to the California Endangered Species Act.
11. A draft notice of filing, staff report, the proposed amendment, and environmental checklist have been prepared and distributed to interested persons and agencies for review and comment in accordance with state and federal environmental regulations (23 CCR § 3775, 40 CFR 25 and 40 CFR 131).
12. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act of 1977 (PL 92-500 and PL 95-217).
13. The Regional Board finds adoption of these amendments will have no potential for adverse effect, either individually or cumulatively, on wildlife. The Regional Board finds adoption of these amendments not have a significant adverse effect on the environment.
14. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
15. On December 6, 2002 in San Luis Obispo California, the Regional Board held a public hearing and considered all public testimony.

THEREFORE, BE IT RESOLVED:

1. Pursuant to section 13240 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment **Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source Plans, Policies, and Management Practices Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan)** as shown in Attachments B "Revised Chapter 4. Implementation Plan", C "Revised Chapter 5. Plans and Policies", and D

- “Revised Basin Plan Appendix”. The amendment will not take effect until approved by the State Board, the Office of Administrative Law, and the United States Environmental Protection Agency.
2. The Board’s Executive Officer is authorized to submit the amendment to the State Water Resources Control Board in accordance with the requirements of section 13245 of the California Water Code.
 3. The Regional Board requests that the State Water Resources Control Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code, and that upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.
 4. That the environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the State Board shall file a Notice of Decision with the State Clearinghouse.
 5. That the Board’s Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results in a “*De Minimus*” impact finding.
 6. That if during approval process the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, ROGER W. BRIGGS, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 6, 2002.

Executive Officer

December 6, 2002

Date

ATTACHMENT B

REVISED CHAPTER 4. IMPLEMENTATION PLAN

CHAPTER 4. IMPLEMENTATION PLAN

A program of implementation to protect beneficial uses and to achieve water quality objectives is an integral component of this Basin Plan. The program of implementation is required to include, but is not limited to:

- A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.
- A time schedule for the actions to be taken.
- A description of surveillance to be undertaken to determine compliance with objectives.

Additional surveillance activities to determine compliance with objectives are described in Chapter Six, "Surveillance and Monitoring".

This chapter includes discussions of:

- Regional Water Quality Control Board Goals;
- General Control Actions and Related Issues;
- Waste Discharge Regulation;
- Hazardous Waste Compliance Issues; and
- Nonpoint Source Measures.

~~Detailed descriptions of waterbodies with their specific water quality problems and recommended control actions are included in the Region's Water Quality Assessment database and Fact Sheets.~~

This chapter is organized in the following manner:

- I. Regional Water Quality Control Board Goals
- II. General Control Actions and Related Issues
- III. Control Actions under State Board Authority
- IV. Control Actions to be Implemented by Other Agencies with Water Quality or Related Authority
- V. Control Actions under Regional Board Authority
 - A. ~~Waste Discharge Restrictions~~ Control of Point Source Pollutants
 1. Water Quality Certification
 2. National Pollutant Discharge Elimination System
 3. Waste Discharge Requirements
 4. Waivers

5. Prohibitions and Prohibition Exemptions
 6. Enforcement Actions
 7. ~~Best Management Practices~~
 8. Compliance Schedules
- ~~B. Nonpoint Source Program~~
- VI. Waste Discharge Program Implementation
 - A. Effluent Limits
 1. Stream Disposal
 2. Estuarine Disposal
 3. Ocean Disposal
 4. Land Disposal
 5. Reclamation and Reuse
 6. Pretreatment Programs
 7. Sludge Treatment
 - B. Municipal Wastewater Management Plans (arranged by hydrologic subarea)
 - C. Industrial Wastewater Management
 - D. Solid Waste Management
 - E. Storm Water Management
 - F. Bay Protection and Toxic Cleanup Program
 - G. Military Installations
 - H. Spills, Leaks, Investigations, and Cleanup Program
 - I. Underground Tank Storage Tank Program
 - J. Aboveground Petroleum Storage Tanks
 - K. California Code of Regulations, Title 23, Chapter 15
 1. Solid and Liquid Waste Requirements (Landfills and Surface Impoundments)
 2. Wastewater Sludge (Septage Management)
 3. Mining Activities (Nonfuel Commodities)
 4. Other Industrial Activities
 - L. Resource Conservation and Recovery Act (Subtitle D)
 - M. Solid Waste Water Quality Assessment Test Hazardous Waste Compliance Issues
 - A. Reportable Quantities of Hazardous Waste and Sewage Discharges
 - B. Proposition 65
 - VIII. ~~Control of Nonpoint Source Measures~~ Pollutants
 - A. ~~Coastal Zone Act Reauthorization Amendments~~ Wetlands, Riparian Areas, and Vegetated Treatment Systems
 - B. Urban Runoff Management
 - C. Agricultural Water and Wastewater Management
 - D. Individual, Alternative, and Community Disposal Systems
 - E. Land Disturbance Activities

Revise the September 8, 1994 Basin Plan,
Chapter 4, Page IV-3, Section V.A. Waste
Discharge Restrictions as follows:

V.A. WASTE
DISCHARGE
RESTRICTIONS
CONTROL OF POINT
SOURCE
POLLUTANTS

Revise the September 8, 1994 Basin Plan, Chapter 4, Pages IV-5 and IV-6, Section V.A.7. BEST MANAGEMENT PRACTICES as follows (Moved to page IV-45, Section VIII.A.):

V.A.7. BEST MANAGEMENT PRACTICES

Property owners, managers, or other dischargers may implement "Best Management Practices" to protect water quality. (Implementation and enforcement of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter). The term "Best Management Practices" is used in reference to control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations Section 103.2[m]) defines Best Management Practices as follows:

"Methods, measures, or practices selected by an agency to meet its nonpoint source control needs. Best Management Practices include, but are not limited to structural and nonstructural controls and operation and maintenance procedures. Best Management Practices can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 103.6[b][4][i]) provide that Basin Plans:

"...shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

Best Management Practices fall into two general categories:

1. Source controls which prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing stream banks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion controls, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment controls which remove pollutants from a discharge before it reaches surface or ground waters.

Examples include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized:

Best Management Practices are not officially considered "best" practices for use in California unless they have been certified by the State Board.

The use of Best Management Practices does not necessarily ensure compliance with effluent limitations or with receiving water objectives. Because nonpoint source control has been a priority only since the 1970's, the long term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly. Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.

The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.

To be effective, most Best Management Practices must be implemented on a long term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.

- The "state of the art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

General information on recommended nonpoint source management practices is provided under different water quality problem categories throughout this chapter. For detailed information on the design, implementation, and effectiveness of specific Best Management Practices, the reader should consult the appropriate Best Management Practices Handbook for the project type or location.

Revise the September 8, 1994 Basin Plan, Chapter 4, Pages IV-7 and IV-8, Section V.B., NONPOINT SOURCE PROGRAM as follows (Moved to page IV-44, Section VIII.):

V.B. NONPOINT SOURCE PROGRAM

Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.

In order to address the nonpoint source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. By amending the Clean Water Act, Congress shifted the federal emphasis from nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the federal Clean Water Act required each state to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan which outlined steps to initiate the systematic management of nonpoint sources in California. For effective management of nonpoint sources the Management Plan required:

□ An explicit long term commitment by the State Board and Regional Boards;

□ More effective coordination of existing State Board and Regional Board nonpoint source related programs;

□ Greater use of Regional Board regulatory authority coupled with nonregulatory Regional Board programs;

□ Stronger links between the local, State, and federal agencies which have authority to manage nonpoint sources; and

□ Development of new funding sources.

The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:

1. Voluntary implementation of Best Management Practices

Property owners or managers may volunteer to implement Best Management Practices. Implementation could occur for economic reasons and/or through awareness of environmental benefits.

2. Enforcement of Best Management Practices

Although the California Porter Cologne Water Quality Control Act constrains Regional Boards from specifying the manner of compliance with water quality standards, there are two ways in which Regional Boards can use their regulatory authorities to encourage implementation of Best Management Practices.

First, the Regional Board may encourage Best Management Practices by waiving adoption of waste discharge requirements on condition that discharges comply with Best Management Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.

The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharge requirements, and approved Management Agency Agreements, or other State or Regional Board formal action.

3. Adoption of Effluent Limitations

The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge, including discharges from nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations

~~may be set at a level which, in practice, requires implementation of Best Management Practices.~~

~~Not all of the categories of nonpoint source pollution follow this three-tiered approach. For example, silviculture activities on non-federal lands are administered by the California Department of Forestry. The State Board has entered into a Management Agency Agreement with California Department of Forestry which allows the Regional Boards to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.~~

~~The Regional Board approach to addressing or regulating categories of nonpoint source pollution is discussed in various sections throughout this chapter.~~

~~Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-44 and Page IV-45, Section VIII. NONPOINT SOURCE MEASURES as follows:~~

VIII. NONPOINT SOURCE PROGRAM CONTROL OF NONPOINT SOURCE MEASURES POLLUTANTS

Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as diffuse discharges of waste without a single point of origin sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is typically caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.

~~In order to~~To address the nonpoint source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. ~~By a~~Amendments to the Clean Water Act (www.swrcb.ca.gov/rwqcb3/), Congress shifted the federal emphasis from nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the federal Clean Water Act required each state to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan ~~which~~ that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to become the "Nonpoint Source Pollution Control Program (January 2000)" in December 1999 (www.swrcb.ca.gov/rwqcb3/). The State Water Resources Control Board adopted Resolution 99-114, revising the Nonpoint Source Pollution Control Program on December 14, 1999 pursuant to Section 319 of the

~~Clean Water Act. For effective management of nonpoint sources the Management Plan required:~~

~~1. An explicit long term commitment by the State Board and Regional Boards;~~

~~2. More effective coordination of existing State Board and Regional Board nonpoint source related programs;~~

~~3. Greater use of Regional Board regulatory authority coupled with nonregulatory Regional Board programs;~~

~~4. Stronger links between the local, State, and federal agencies which have authority to manage nonpoint sources; and~~

- Development of new funding sources.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Implementation of management measures will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process. The program process includes:

- (1) Assessing Program activities
- (2) Targeting efforts
- (3) Planning activities based on Program goals and objectives
- (4) Coordinating the efforts of federal, State, and local agencies and stakeholders
- (5) Implementing coordinated actions
- (6) Tracking and monitoring the results of implemented actions
- (7) Reporting on Program results. The Program Plan is designed to be flexible and adaptable over time.

Specifically, the 2000 Nonpoint Source Pollution Control Program:

1. Adopts 61 management measures as goals for six nonpoint source categories (agriculture, forestry, urban areas, marinas and recreational boating, hydromodification, and wetlands/riparian areas/vegetated treatment systems)

2. Provides a fifteen-year strategy for implementing Management Measures
3. Continues use of the "Three-Tiered Approach" for addressing NPS pollution problems
 - a) Tier 1: Self-Determined Implementation of Management Practices (formerly referred to as "voluntary" implementation)
 - b) Tier 2: Regulatory Based Encouragement of Management Practices
 - c) Tier 3: Effluent Limitations and Enforcement Actions
4. Provides the first of three five-year implementation plans targeting activities for specific management measures consistent with state and regional priorities in specific watersheds and also establishes mechanisms for: (a) coordination among agencies; (b) participation by the public; (c) assistance technically and financially; (d) adoption of additional management measures as goals, if needed; and; (e) monitoring and reporting of program effectiveness
5. Promotes long-term interagency coordination among State agencies of the California Environmental Protection Agency and Resources Agency as well as other local, State, and federal agencies
6. Identifies back-up authorities and enforceable policies and mechanisms for the 61 management measures adopted by the State
7. Relies on the use of existing authorities and regulatory processes to achieve implementation but allows for the adoption of the management measures as regulation after each five-year cycle if adequate progress in NPS pollution control has not been demonstrated

The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:

1. Voluntary implementation of Best Management Practices

Property owners or managers may volunteer to implement Best Management Practices. Implementation could occur for economic reasons and/or through awareness of environmental benefits.

2. Enforcement of Best Management Practices

Although the California Porter Cologne Water Quality Control Act constrains Regional Boards from specifying the manner of compliance with water quality standards, there are two ways in which Regional Boards can use

their regulatory authorities to encourage implementation of Best Management Practices.

First, the Regional Board may encourage Best Management Practices by waiving adoption of waste discharge requirements on condition that discharges comply with Best Management Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.

The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharge requirements, and approved Management Agency Agreements, or other State or Regional Board formal action.

3. Adoption of Effluent Limitations

The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge, including discharges from nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations may be set at a level which, in practice, requires implementation of Best Management Practices.

Not all of the categories of nonpoint source pollution follow this three tiered approach. For example, silviculture activities on non federal lands are administered by the California Department of Forestry. The State Board has entered into a Management Agency Agreement with California Department of Forestry which allows the Regional Boards to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.

The Regional Board approach to addressing or regulating categories of nonpoint source pollution is discussed in various sections throughout this chapter, the Basin Plan and the Central Coast Region Watershed Management Initiative Chapter (www.swrcb.ca.gov/rwqcb3/).

The Nonpoint Source Pollution Control Program has State Nonpoint Source Management Plan initiated development implements of specific program objectives to be implemented at the State and Regional level. Currently, Regional Board staff are implementing the following State Board program objectives:

A. Control of Nonpoint Source pollution (urban runoff; agriculture; land disturbance activities such as road construction/maintenance, land construction, timber harvesting, and mining; hydrologic modification; and individual disposal systems). These activities include outreach, education, public participation, technical assistance, financial assistance, interagency coordination, demonstration projects, and regulatory activities such as imposing septic tank area prohibitions.

B. Preparation of contracts for projects selected for grant funding. Regional Board staff also participate in these projects by providing technical assistance and publicizing their results.

C. Implementation of the 1990 Coastal Zone Act Reauthorization Amendments, as developed by the State Board and the California Coastal Commission. This shall be an enforceable Nonpoint Source Management Program to control land use and anthropomorphic activities impacts that have a significant affect on coastal waters. (Further discussion of the Amendments is provided later.)

D. Initiation of nonpoint source watershed pilot programs.

Using State program objectives, Regional Board staff annually developed task-specific workplans work plans to address nonpoint sources of pollution. For the Central Coastal Region, the following Nonpoint Source Program tasks are managed and implemented by the Nonpoint Source Program staff are documented in the Central Coast Region Watershed Management Initiative Chapter (January 2002 WMI at www.swrcb.ca.gov/rwqcb3/).

Task 1: Water Quality Assessment

Regional Board staff reviewed and updated the nonpoint source portion of the Water Quality Assessment and prepared water body fact sheets. (The Water Quality Assessment and water body fact sheets are discussed in Chapter Six.)

Task 2: Watershed Studies/Planning

Three impaired watersheds (Morro Bay Watershed, San Luis Obispo Creek Watershed, and San Lorenzo River Watershed) have been targeted for intensive activity. Major activities for San Luis Obispo Creek watershed include:

1. Develop a Demonstration "Total Maximum Daily Load" model.
2. Create a "San Luis Obispo Creek Riparian Task Force".
3. Implement a riparian corridor restoration project.
4. Identify major nonpoint pollutants and sources.
5. Develop a watershed management program.

For Morro Bay watershed, the activities include:

1. Develop a long term monitoring program to assess water quality improvements associated with the implementation of nonpoint source pollution control measures.
2. Develop funding for the long term monitoring program.
3. Implement a sediment reduction program using best management practices.
4. Participate in the Morro Bay Task Force.

For San Lorenzo River watershed, the activities include:

1. Develop a detailed assessment of Nonpoint Source impacts in the watershed.
2. Develop a wastewater management plan for on/off-site wastewater disposal.
3. Develop of a nutrient objective for the river.
4. Conduct experimental on-site wastewater treatment to reduce nitrogen discharge into the environment.

Task 3: Outreach Program

Staff meets regularly with individuals and local government agencies to promote education and solutions on Nonpoint Source problems. Additionally, the use of grant and loan resources to correct Nonpoint Source problems is emphasized during outreach activities.

Specific outreach activities include participation on the San Luis Obispo Creek Riparian Task Force, Morro Bay Task Force, and various 319(h)/205(j)/Basin Planning

~~Technical Advisory Committees, and development of grant applications with local agencies.~~

Task 4: Project Tracking and Participation

~~Regional Board staff prepare contracts, coordinate with project proponents, track project progress, review and approve invoices, and provide technical support for Nonpoint Source grant funded projects.~~

Additional management actions are documented in the following:

California Rangeland Water Quality Management Plan

Salinas River Watershed Management Action Plan

Water Quality Protection Program for Monterey Bay National Marine Sanctuary, Action Plan IV: Agriculture and Rural Lands

These documents are located on the Regional Board website at (www.swrcb.ca.gov/rwqcb3/).

BEST MANAGEMENT PRACTICES

Property owners, managers, or other dischargers may implement "Best Management Practices" to protect water quality. ~~(Implementation and enforcement of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter).~~ The term "Best Management Practices" ~~is used in~~ references ~~to~~ control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations Section 103.2[m]) (www.swrcb.ca.gov/rwqcb3/) defines Best Management Practices as follows:

"Methods, measures, or practices selected by an agency to meet its nonpoint source control needs. Best Management Practices include, but are not limited to structural and nonstructural controls and operation and maintenance procedures. Best Management Practices can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 103.6[b][4][i]) (www.swrcb.ca.gov/rwqcb3/) provide that Basin Plans:

"...shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

Best Management Practices fall into two general categories:

1. Source controls ~~which that~~ prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing stream banks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion controls, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment controls which remove pollutants from a discharge before it reaches surface or ground waters.

Examples include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized:

- Best Management Practices are not officially considered "best" practices for use in California unless they have been certified by the State Board.
- The use of Best Management Practices does not necessarily ensure compliance with effluent limitations or with receiving water objectives. Because nonpoint source control has been a priority only since the 1970's, the long-term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly.

Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.

- The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.
- To be effective, most Best Management Practices must be implemented on a ~~long-term~~ long-term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.
- The "state-of-the-art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

General information on recommended nonpoint source management practices ~~is provided under different water quality problem categories throughout this chapter~~ for urban, agriculture, onsite wastewater disposal, and other land disturbance activities are described in the following sections (also see "Nonpoint Source Pollution Control Program (January 2000)"). For detailed information on the design, implementation, and effectiveness of specific Best Management Practices, the reader should consult the appropriate Best Management Practices Handbook for the project type or location.

Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-45 and Page IV-46, Section VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS as follows:

VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS Wetlands, Riparian Areas, and Vegetated Treatment Systems

The State has identified four Management Measures (MMs) to promote the protection and restoration of wetlands and riparian areas and the use of vegetated treatment systems as means to control nonpoint sources of pollution. Wetlands and riparian areas reduce polluted runoff by filtering out runoff-related contaminants, such as sediment, nitrogen, and phosphorus, thus maintaining the water quality benefits of these areas is important. These areas also help to attenuate flows from higher-than-average storm events. This protects downstream areas from adverse impacts, such as channel scour, erosion, and temperature and chemical fluctuations. Changes in hydrology, substrate, geochemistry, or species composition can impair the ability of wetland or riparian areas to filter out excess sediment and nutrients and therefore can result in deteriorated water quality. The following activities can cause such impairment: drainage of wetlands for cropland, overgrazing, hydromodification, highway construction, deposition of dredged material, and excavation for ports and marinas.

RECOMMENDED ACTIONS

- 6A Protection of Wetlands/Riparian Areas. Implementation of MM 6A is intended to protect the existing water quality improvement functions of wetlands and riparian areas as a component of NPS Programs.
- 6B Restoration of Wetlands/Riparian Areas. Restoration of wetlands and riparian areas (MM 6B) refers to the recovery of a range of functions that existed previously by reestablishing hydrology, vegetation, and structure characteristics. Damaged

or destroyed wetland and riparian areas should be restored where restoration of such systems will significantly abate polluted runoff.

- 6C Vegetated Treatment Systems. MM 6C promotes the installation of vegetated treatment systems (e.g., artificial or constructed wetlands) in areas where these systems will serve a polluted runoff-abatement function. Vegetated filter strips and engineered wetlands remove sediment and other pollutants from runoff and wastewater and prevent pollutants from entering adjacent water bodies. Removal typically occurs through filtration, deposition, infiltration, absorption, adsorption, decomposition, and volatilization.
- 6D Education/Outreach. MM 6D promotes the establishment of programs to develop and disseminate scientific information on wetlands and riparian areas and to develop greater public and agency staff understanding of natural hydrologic systems—including their functions and values, how they are lost, and the choices associated with their protection and restoration.

CONTROL ACTIONS

1. All discharges to the aquatic environment shall be considered temporary unless it is demonstrated that no undesirable change will occur in the natural receiving water quality.
2. The quality of all surface waters of the basin shall be such as to permit unrestricted recreational use.
3. The discharge of pollutants into surface fresh waters shall be discontinued.
4. Erosion from nonpoint pollution sources shall be minimized through implementation of Best Management Practices.
5. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November/ October 15 each year.
6. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.
7. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible.

between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.

PROHIBITIONS

1. The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.
2. As specified in Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS.

In November 1990, Congress enacted Section 6217 of the Coastal Zone Act Reauthorization Amendments to help address the problem of nonpoint source pollution in coastal waters. Section 6217 requires that coastal states with federally approved coastal management programs develop Coastal Nonpoint Pollution Control Programs. The legislative history indicates that the central purpose of section 6217 is to strengthen the links between federal and State coastal zone management and water quality programs in order to enhance efforts to manage land use activities that degrade coastal beneficial uses. The State coastal zone management agency designated under Section 306 of the Amendments and nonpoint source management agency designated under section 319 of the Clean Water Act will have a dual and co-equal role and responsibility in developing and implementing the coastal nonpoint program.

The program gives the U.S. Environmental Protection Agency (U.S. EPA) and the National Oceanic and Atmospheric Administration joint authority to approve programs developed by the State to address 6217 requirements.

The State agencies chosen to develop California's Coastal Nonpoint Pollution Control Program are the State Board and the Coastal Commission. The statute requires that the State program be "coordinated closely with State and local water quality plans and programs." This means that the State's nonpoint source programs under Sections 208 and 319 of the Clean Water Act and the coastal program must be examined to determine if

they comprehensively address land use activities and anthropomorphic effects that have a significant effect on coastal waters. In addition, the State agencies are charged with developing a coordinated program that:

identifies categories of nonpoint sources that adversely impact coastal waters;

describes management measures to be implemented;

identifies the land uses and critical coastal areas that will require more stringent or additional management measures;

describes the State developed additional management measures to be implemented in critical areas;

documents the authorities the State will use to implement both the guidance and additional management measures, including designation of a lead agency for each source category and/or subcategory; and

sets forth a schedule to achieve full implementation of the guidance management measures within three years of program approval by U.S. EPA and National Oceanic and Atmospheric Administration, and full implementation of additional management measures within six years of program approval.

The Coastal Commission and the State Board staff have been working on a strategy to develop the required Coastal Nonpoint Pollution Control Program plan. Recently, the State Board directed staff to review and revise the statewide Nonpoint Source Management Plan to include a strong coastal component. Revision of the Plan is intended to satisfy the requirements of Section 6217 within the existing framework of current nonpoint source activities.

On a Regional Board level, staff has been involved with the statewide program since 1991. A pilot project, "The New Coastal Nonpoint Pollution Control Program using the Morro Bay Watershed as a Model" was performed to assess the feasibility of establishing the Coastal Nonpoint Pollution Control Program in California. Regional Board staff supplied technical information and reviewed reports. Concerted planning and implementation efforts on target coastal watersheds such as Morro Bay will be major accomplishments to satisfy Coastal Nonpoint Pollution Control Program requirements. As the program goes statewide, Regional Board staff will attend technical advisory committee meetings and will work closely with staff of the State Board and other Regional

Boards, as well as staff of other relevant local, State, and federal agencies to develop a workable Coastal Nonpoint Pollution Control Program.

Wastewater originating from nonpoint sources includes those from urban runoff, agricultural activities, on-site sewage disposal systems, and land disturbance activities. Management of these types of nonpoint source discharges are discussed in the following section. The Regional Board will be developing management practices for marinas and recreational boating; hydromodification facilities; and wetlands, riparian areas, and vegetated treatment systems at a future date.

Revise the September 8, 1991 Basin Plan, Chapter 4, Page IV-68 and Page IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES as follows:

VIII.E. LAND DISTURBANCE ACTIVITIES

Construction, mining, and other soil disturbance activities ~~which that may~~ disturb or expose soil or otherwise increase susceptibility of land areas to erosion are difficult to regulate effectively. Construction projects or timber harvesting activities may often begin and end with no obvious impairment of stream quality; however, erosion or ~~land slides~~landslides the following winter may be directly related to earlier land disturbance or tree cutting. ~~Mining and quarrying activities are generally longer in duration.~~

Under contract with the Regional Board, the California Association of Resource Conservation Districts completed a study entitled, "Erosion and Sediment in California Central Coast Watersheds - A study of Best Management Practices" (Erosion Study), dated June, 1979. This Erosion Study, funded under Section 208 of the Clean Water Act, assesses impacts of erosion and sedimentation on water quality and beneficial uses in nondesignated planning areas (San Benito, San Luis Obispo, and Santa Barbara Counties) of the Central Coast Region. This Erosion Study and supporting documents have been used by the Regional Board in developing erosion and sedimentation control policy.

Nonpoint source pollution in the remainder of the Region is addressed by designated planning agencies through their respective Area wide Waste Treatment Management Plans. Designated agencies and the areas affected within this Region include: Association of Bay Area Governments (portions of San Mateo and Santa Clara Counties), Association of Monterey Bay Area Governments (Santa Cruz and Monterey Counties), and Ventura County Board of Supervisors (portion of Ventura County). The policy herein described is compatible with those plans and is within the scope of the Regional Board authority.

The Erosion Study and Area wide Waste Treatment Management Plans identify examples of accelerated erosion resulting from insufficient land management of soil cultivation, grazing, silviculture, construction, and off-road vehicle activities, as well as wildfires.

Adverse impacts of sediment are identified, in part, as: impairment of water supplies and ground water recharge, siltation of streams and reservoirs, impairment of navigable waters, loss of fish and wildlife habitat, degradation of recreational waters, transport of pathogens and toxic substances, increased flooding, increased soil loss, and increased costs associated with maintenance and operation of water storage and transport facilities. Recommendations based on conclusions of the Erosion Study and practices recommended in Area wide Waste Treatment Management Plans are a means to reduce unnecessary soil loss due to erosion and to minimize adverse water quality impacts resulting from sediment.

~~When a practice or combination of practices is found to be the most effective, practical (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals, it is designated a Best Management Practice (BMP). BMPs are determined only after problem assessment, examination of alternative practices, and appropriate public participation in the BMP development process.~~

RECOMMENDED ACTIONS

1. Land use practices should assure protection of beneficial water uses and aquatic environmental values.
2. There shall be no waste discharged into areas that possess unique or uncommon cultural, scenic, aesthetic, historical or scientific values. The Regional Board will define such areas.
3. Property owners are considered ultimately responsible for all activities and practices that could result in adverse affects on water quality from waste discharges and surface runoff.
4. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the State.
5. Use of soil sterilants is discouraged and should be minimized.

Erosion Study Recommendations

General recommendations based on conclusions of the Erosion Study are discussed below. These recommendations are considered to be Best Management Practices (BMPs) by the Regional Board as are the Area wide approved water quality management plans.

1. Soil conservation control measures should be used to minimize impacts that would otherwise result from soil erosion. Control measures are identified according to systems, which are then broken down into subsystems of erosion control techniques or component measures.

For example, a system for control of erosion from construction sites would identify component measures such as debris basins, access roads, hillside ditches, etc. Other conservation control systems include: conservation cropping, conservation irrigation, roadside erosion control, critical area treatment, diversions and ditches, grade stabilization, pasture and range management, runoff and sediment control ponds and basins, stream bank and channel protection, and watershed, wildlife, and recreation land improvement. These control measures are comparable to the USDA Soil-Natural Resources Conservation Services' Resource Management Subsystem approach as referenced in AMBAG's "Water Quality Management Plan for the Monterey Bay Region," dated July 1978, and in ABAG's, "Handbook of Best Management Practices," dated October 1977.

Experience has shown that no one control measure best solves an existing, or prevents a potential, pollution problem - especially in the area of soil erosion and sedimentation. As land use, the land user, and various situations change, so does the need for control measures. Before application, an on-site investigation with the land user is necessary to determine which practice or set of practices will be most effective and acceptable.

2. Erosion control should be implemented in a reasonable manner with as much implementation responsibility remaining with existing local entities and programs as is possible and consistent with water quality goals.
3. The Regional Board and local units of government should establish a clear policy for control of erosion, including consideration of off-site and cumulative impacts and the imposition of performance standards

according to the sensitivity of the area where land is to be disturbed.

4. Effective ordinances and regulatory programs should be adopted by local units of government. Effective programs would allow only land disturbance actions consistent with the waste load capacity of the watershed, require preparation of erosion and sediment control plans with specific contents and with attention to both offsite/on-site impacts, identify performance standards, be at least comparable to the model ordinance in the "Erosion and Sediment Control Handbook," dated May 1978, and have provisions for inspection follow-up, enforcement, and referral.
5. Watersheds with critical erosion and sediment problems should be identified by one or more concerned agencies such as the California Department of Fish and Game, the Regional Board, the local Environmental Health, Planning, or Engineering Departments, the local Flood Control District, or the local Resource Conservation District, and then referred to the remaining agencies by a designated local coordinating agency for determining the scope, nature, and significance of the identified problem. The designated local agency would evaluate the adequacy and appropriateness of the total assessment, including an assessment of the problem and causes, alternatives considered, recommended interim and permanent control measures, and the amount and sources of funding. The evaluation would then be submitted as an Impact Findings Report for consideration and decision by the local governing body.
6. Comprehensive and continuous training should be mandatory for building and grading inspectors, engineers, and planners involved in approving, designing, or inspecting erosion control plans and on-site control measures. The training program would preferably be conducted on an inter-county/agency basis and be administered through a USDA Natural ResourcesSoil Conservation Service cooperative training arrangement or through seminars through seminars conducted by the USDA Natural ResourcesSoil Conservation Service and the University of California Cooperative Extension seminars. The Soil Conservation Society of America should be requested to assist in establishing an effective training program, including public education to heighten awareness of the adverse affects of erosion and sediment on soil and water resources.

7. More intensive erosion controls should be considered within four watersheds (Lauro Reservoir and Devereaux Ranch Slough in Santa Barbara County and Pismo Lake and Morro Bay in San Luis Obispo County) with apparent critical erosion and sediment problems. Alternative practices that may be implemented to effect the necessary level of control are assigned a relative priority.

Actions By Other Authorities

1. The federal government should increase its support of erosion and sediment control programs by increasing its technical staff, increasing cost-share funds, increasing the availability of low-interest loans, and changing its income tax laws to encourage the use of Best Management Practices for erosion and sediment control.
2. The State of California should establish an erosion and sediment control program that includes incentives for the individual - such as cost-sharing, changes in State law that would reduce property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.
3. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of Best Management Practices to correct existing erosion and sediment problems and to prevent new problems from occurring.
4. Local units of government should improve land use plans to establish a clear policy, and shall adopt or improve ordinances to include definitive performance standards, for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices, identified under Regional Board "Management Principles."
5. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with Best Management Practices for their land areas within the Coastal Zone.
6. Resource Conservation Districts, the U.S.D.A. Soil Natural Resources Conservation Service, the California Department of Transportation, and the

U.C. Cooperative Extension Service, in conjunction with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who check erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.

7. Counties and cities should work with the Regional Board to identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation.
8. Review and assessment of erosion and sediment control plans for new land developments in those counties and cities that have signed management agency agreements with the Board will be processed entirely by that county or city.

CONTROL ACTIONS

1. All discharges to the aquatic environment shall be considered temporary unless it is demonstrated that no undesirable change will occur in the natural receiving water quality.
2. The quality of all surface waters of the basin shall be such as to permit unrestricted recreational use.
3. The discharge of pollutants into surface fresh waters shall be discontinued.
4. In implementing BMP's through local units of government, or through State and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the area wide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually to reflect recent achievements, new information and new concerns.
5. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.

6. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger are exempt from this chapter providing such exemption is in the public interest.
7. Regulation of sediment discharges from routine annual agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.
8. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.
9. Erosion from nonpoint pollution sources shall be minimized through implementation of Best Management Practices.
10. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to ~~November~~ October 15 each year.
11. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.
12. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, ~~wherever possible,~~ between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, ~~wherever possible~~ as measured along the ground surface to the highest anticipated water line.
13. Design and maintenance of erosion and sediment control structures, (e.g., debris and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practices.
14. Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion.
15. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded slope length shall not be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.

Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-68 through Page IV-69, Section VIII.E.1. LAND DISTURBANCE PROHIBITIONS as follows:

VIII.E.1. LAND DISTURBANCE PROHIBITIONS

The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from timber harvesting, construction, and other soil disturbance activities at locations above the anticipated high water line of any stream in the basin where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

Soil disturbance activities not exempted pursuant to Regional Board Management Principles in Chapter Five and Control Actions contained in this Chapter Five are prohibited:

1. In geologically unstable areas,
2. On slopes in excess of thirty percent (excluding agricultural activities), and
3. On soils rated a severe erosion hazard by soil specialists (as recognized by the Executive Officer) where water quality may be adversely impacted;

Unless,

- a. In the case of agriculture, operations comply with, a Farm Conservation or Farm Management Plan, approved by a Resource Conservation District or the USDA Soil Conservation Service;
- b. In the case of construction and land development, an erosion and sediment control plan or its equivalent (e.g., EIR, local ordinance) prescribes best management practices to minimize erosion during the

activity, and the plan is certified or approved, and will be enforced by a local unit of government through persons trained in erosion control techniques; or,

- c. There is no threat to downstream beneficial uses of water, as certified by the Executive Officer of the Regional Board.

4. As specified in Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS.

ATTACHMENT C

REVISED CHAPTER 5. PLANS AND POLICIES

CHAPTER 5. PLANS AND POLICIES

In addition to the Implementation Plan, many other plans and policies direct State and Regional Board actions or clarify the Regional Board's intent. The following pages contain brief descriptions of State Board plans and policies and numerous Regional Board plans and policies. ~~Copies of the State and Regional Board policies are contained in the Appendix.~~

I. STATE WATER RESOURCES CONTROL BOARD PLANS AND POLICIES

The State Water Resources Control Board (State Board) has adopted a number of plans and policies for Statewide water quality management including:

State Policy for Water Quality Control (1972)

Anti-degradation Policy

Thermal Plan

Bays and Estuaries Policy

Power Plant Cooling Policy

Reclamation Policy

Shredder Waste Disposal Policy

Underground Storage Tank Pilot Program

Sources of Drinking Water Policy

Nonpoint Source Pollution Control Program (January 2000)~~Nonpoint Source Management Plan~~

Ocean Plan

Discharges of Municipal Solid Waste Policy

Should any of these policies be amended by the State Board, the Regional Board will implement the amended version.

The following sections summarize the adopted policies. ~~The complete policy is available in the "Attachments" section of this document.~~

Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-3 and V-4, Section I.J. NONPOINT SOURCE MANAGEMENT PLAN as follows:

I.J. NONPOINT SOURCE MANAGEMENT PLAN

Resolution R3-2002-0093: Adopting policy regarding the State Nonpoint Source Pollution Control Program (January 2000).

The "Nonpoint Source Management Plan", Resolution 88 123, was adopted by the State Water Resources Control Board on November 15, 1988 pursuant to Section 319 of the Clean Water Act. The Plan identifies nonpoint source control programs and milestones for their accomplishment. It emphasizes cooperation with local governments and other agencies to promote the implementation of Best Management Practices and remedial projects.

In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to the "Nonpoint Source Pollution Control Program (January 2000)" in December 1999 (www.swrcb.ca.gov/rwqcb3/). Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted by the State Water Resources Control Board on December 14, 1999 pursuant to Section 319 of the Clean Water Act.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Implementation of management measures will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.

Revise the September 8, 1994 Basin Plan, Chapter 5, Page V-7, Section III.G. EROSION AND SEDIMENTATION CONTROL as follows:

III.G. EROSION AND SEDIMENTATION CONTROL

1. General recommendations for erosion control, numbered one through six under "Land Disturbance Activities" in the Implementation Plan, Chapter Four, are considered by the Regional Board to be Best Management Practices (BMP's), as are those BMP's identified in approved areawide Water Quality Management Plans.
2. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the State.
3. In implementing BMP's through local units of government, or through State and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the areawide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually to reflect recent achievements, new information and new concerns.
4. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.
5. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger

are exempt from this chapter providing such exemption is in the public interest.

6. Regulation of sediment discharges from routine annual agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.
7. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.

"Control Actions" and "Actions by Other Authorities" in this chapter and the Implementation Plan, Chapter Four, contain further information regarding erosion and sedimentation control.

Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-13 and V-14, Section V.G. EROSION AND SEDIMENTATION as follows:

V.G. EROSION AND SEDIMENTATION

1. Erosion from nonpoint pollution sources shall be minimized through implementation of BMP's (identified under "Management Principles" and described under "Land Disturbance Activities" in Chapter Four's "Nonpoint Source Measures" section.
2. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November 15 each year.
3. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.
4. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.
5. Design and maintenance of erosion and sediment control structures. (e.g., debris and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practices.
6. Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion.
7. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded slope length shall not

be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.

8. Use of soil sterilants is discouraged and should be minimized.

Further erosion and sedimentation information can be found in other areas of this chapter as well as the Implementation Plan, Chapter Four, under "Land Disturbance Activities."

Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-15 and V-16, Section V.H.10. EROSION AND SEDIMENTATION CONTROL as follows:

V.H.10. EROSION AND SEDIMENTATION CONTROL

1. The federal government should increase its support of erosion and sediment control programs by increasing its technical staffs, increasing cost share funds, increasing the availability of low interest loans, and changing its income tax laws to encourage the use of Best Management Practices for erosion and sediment control.
2. The State of California should establish an erosion and sediment control program that includes incentives for the individual such as cost sharing, changes in State law that would reduce property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.
3. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of Best Management Practices to correct existing erosion and sediment problems and to prevent new problems from occurring.
4. Local units of government should improve land use plans to establish a clear policy, and shall adopt or improve ordinances to include definitive performance standards, for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices identified under Regional Board "Management Principles."
5. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with Best Management Practices for their land areas within the Coastal Zone.
6. Resource Conservation Districts, the U.S.D.A. Soil Conservation Service, the California Department of Transportation, and the Extension Service, in

conjunction with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who check erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.

7. Counties and cities should work with the Regional Board to identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation.
8. Review and assessment of erosion and sediment control plans for new land developments in those counties and cities that have signed management agency agreements with the Board will be processed entirely by that county or city.

ATTACHMENT D

REVISED BASIN PLAN APPENDIX

Delete:

**Appendix A-10, Nonpoint Source Management Plan,
November 1988.**

Revise the September 8, 1994 Basin Plan, Plans and Policies Appendix, Page 1 as Follows:

PLANS AND POLICIES APPENDIX

<u>Number</u>	<u>Title</u>
A-1	State Policy for Water Quality Control (1972)
A-2	Statement of Policy with Respect to Maintaining High Quality of Waters in California (Anti-degradation Policy)
A-3	Water Quality Control Plan for Control of Temperature in Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan)
A-4	Water Quality Control Policy for the Enclosed Bays and Estuaries of California (Bays and Estuaries Policy)
A-5	Power Plant Cooling Policy
A-6	Reclamation Policy
A-7	Shredder Waste Disposal Policy
A-8	Underground Storage Tank Pilot Program
A-9	Sources of Drinking Water Policy
A-10	Nonpoint Source Management Plan
A-11	Water Quality Control Plan for Ocean Waters of California (1990) (Ocean Plan)
A-12	Discharges of Municipal Solid Waste Policy
A-13	Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coast Region
A-14	Acceptance of Monterey County Board of Supervisor's Ordinance Applying Development Restrictions to the Bays Hills (Bay Farms/Hillcrest)
A-15	Acceptance of Monterey County Board of Supervisors' Ordinance Applying Development Restrictions to the Area within the San Lucas County Water District
A-16	Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County
A-17	Policy Amending "Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County" to apply Region Wide

ATTACHMENT E

CEQA CHECKLIST

CALIFORNIA ENVIRONMENTAL QUALITY ACT
“FUNCTIONAL EQUIVALENT” REPORT FOR BASIN PLAN AMENDMENT

(RESOLUTION NO. R3-2002-0093)

The Central Coast Regional Water Quality Control Board (Regional Board) is proposing an amendment to its Water Quality Control Plan - Central Coastal Basin (Basin Plan). The Basin Plan serves as the cornerstone water quality protection policy for the Central Coast. It identifies beneficial uses of surface and ground waters, establishes water quality objectives to protect beneficial uses, and provides an implementation plan to achieve those objectives.

The Basin Planning process has been certified as “functionally equivalent” to the preparation of the Environmental Impact report (EIR) for the purposes of complying with the California Environmental Quality Act (CEQA) (Section 15251, Title 4, California Code of Regulation ((CCR)). Based on the certification, this Basin Plan Amendment Report is used in lieu of an EIR or a Negative Declaration.

Any Regional Board regulatory program certified as functionally equivalent, however, must satisfy the documentation requirements of Section 377 (a), Title 23, CCR. This report satisfies part (a) of that section. It contains the following:

1. A Description of Proposed Activity and Proposed Alternatives,
2. An Environmental Checklist and a Description of the Proposed Activity,
3. An Environmental Evaluation, and
4. A determination with respect to significant Environmental Impacts.

I. DESCRIPTION OF PROPOSED ACTIVITY

This section describes the changes proposed and alternatives to this proposal. The purpose of this amendment is to:

1. Incorporate the State Water Resources Control Board January 2000 Nonpoint Source Program Strategy and Implementation Plan.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Program Strategy and Implementation Plan for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Alternatives to this proposal include:

1. Require a higher level of nonpoint source protection than identified in the Nonpoint Source Program Strategy and Implementation Plan.

This alternative is not recommended because the Nonpoint Source Program Strategy and Implementation Plan as proposed already requires the highest level of nonpoint source protection feasible.

2. Require a less stringent Nonpoint Source Program Strategy and Implementation Plan.

This alternative is not recommended because it does not protect water quality and associated beneficial uses.

3. Take no action.

This alternative is not recommended because it does not protect water quality and associated beneficial uses.

4. Modify amendment

This alternative is recommended if it does not modify the Nonpoint Source Program Strategy and Implementation Plan. This alternative is recommended only if beneficial uses are protected and water quality objectives are attained.

5. Create additional amendments

The Regional Board may consider additional alternatives, but will limit its action to a logical outgrowth of the proposed amendment. Other alternatives will be subject to public notice and comment at the time those changes are proposed.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS

II. EVALUATION OF ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
1. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, But not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. ENVIRONMENTAL EVALUATION (of checklist questions answered Potentially Significant Impact, Less than Significant with Mitigation Incorporation, or Less than Significant Impact)

2a and 2c Less than Significant Impact: The Environmental Evaluation associated with this amendment (Regional Board Resolution R3-2002-0093) has less than significant impacts listed for items 2a and 2c, the conversion of prime farmland to non-agricultural use and the conversion of farmland to non-agricultural use respectively. Prime agriculture areas that would be converted are likely to be land that is only marginally sustaining its agricultural value and/or use. Implementation of nonpoint source management on agricultural land would likely result in net benefit by reducing soil and fertilizer loss into the creek. Additionally, Buffer strips (protection of riparian corridor) that would replace agricultural land could possibly provide flood protection to adjacent agricultural land uses, resulting in a net benefit. If necessary, impacts can be mitigated by assessing existing "loss" of agricultural value or land areas due to erosion and sedimentation, and by designing best management practices to compensate for this loss.

IV. DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment.

I find that the proposed project may have a significant adverse impact on the environment. However, there are feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report.

I find that the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

Signature

Date

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Task: 401-01
File: Basin Plan, NPS Policy

ATTACHMENT F

**NOTICE OF PUBLIC HEARING
NOTICE OF FILING A DRAFT
ENVIRONMENTAL DOCUMENT**

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Ste. 200, San Luis Obispo, CA 93401**

**NOTICE OF PUBLIC HEARING
NOTICE OF FILING A DRAFT ENVIRONMENTAL DOCUMENT**

TO CONSIDER ADOPTION OF REVISED STATE WATER RESOURCES CONTROL BOARD NONPOINT SOURCE POLLUTION CONTROL PROGRAM AND REFORMATTING EXISTING NONPOINT SOURCE PLANS, POLICIES, AND MANAGEMENT PRACTICES - AMENDMENT OF THE CENTRAL COAST BASIN WATER QUALITY CONTROL PLAN (BASIN PLAN) AND REQUESTING APPROVAL FROM STATE WATER RESOURCES CONTROL BOARD

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Central Coast Region (Regional Board), will hold a public hearing to hear comments and consider adoption of a resolution amending the Water Quality Control Plan (Basin Plan) for the Central Coast Region. The proposed amendment to the Basin Plan includes:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Copies of the proposed amendment to the Basin Plan (in the form of a draft amendment for adoption, staff report, and a functionally equivalent document which includes an Environmental Checklist) are available on the Internet at www.swrcb.ca.gov/rwqcb3/. At the website, on the first page you will see a staff report "PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING INCORPORATION OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT SOURCE POLLUTION CONTROL PROGRAM" AND RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS." The proposed amendments to the Basin Plan are also available by request at the office of the Regional Board. You may also request a mailed copy of these documents by contacting Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

Copies of the existing Basin Plan are located at libraries in major cities throughout the region, at the office of the Regional Board, and on the Internet at www.swrcb.ca.gov/rwqcb3/.

Actions to amend the Water Quality Control Plan for Region Three will be taken in accordance with a regulatory program exempt under Section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and with other applicable laws and regulations. At the conclusion of the meeting the Regional Board will consider approval of the proposed amendment or a revised amendment consistent with the intent of the amendment. At

the conclusion of the public hearing, the Regional Board will consider certification of the environmental document an approval of the proposed amendments.

The public comment period will occur from **August 8, 2002 through September 23, 2002**. We would appreciate any comments, preferably in writing, or other evidence sent in advance to Howard Kolb at the address listed above. Your timely submittal will allow staff to analyze your comments and the Regional Board to consider your comments before taking final action at the meeting to be held on December 6, 2002. Please note that all exhibits, charts, graphs, and other testimony presented, as evidence must be left with the Regional Board as part of the administrative record.

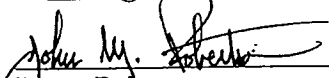
Time limits may be imposed on oral presentations at the hearing. Additional or alternative rules or regulations consistent with the general purpose of the amendment and complementary to the specific proposed rules may be developed at the hearing as a logical outgrowth of this hearing.

The public hearing is scheduled as follows:

Date: December 6, 2002
Time: 8:30 A.M.
Place: Conference Room
Regional Water Quality Control Board
895 Aerovista Place, SUITE 101
San Luis Obispo, CA 93401-5427

The location of the hearing is described on the attached map and is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact **Cyndee Jones** at **805-549-3372** at least 5 working days prior to December 6, 2002. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

For additional information on this Basin Plan review, please call Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

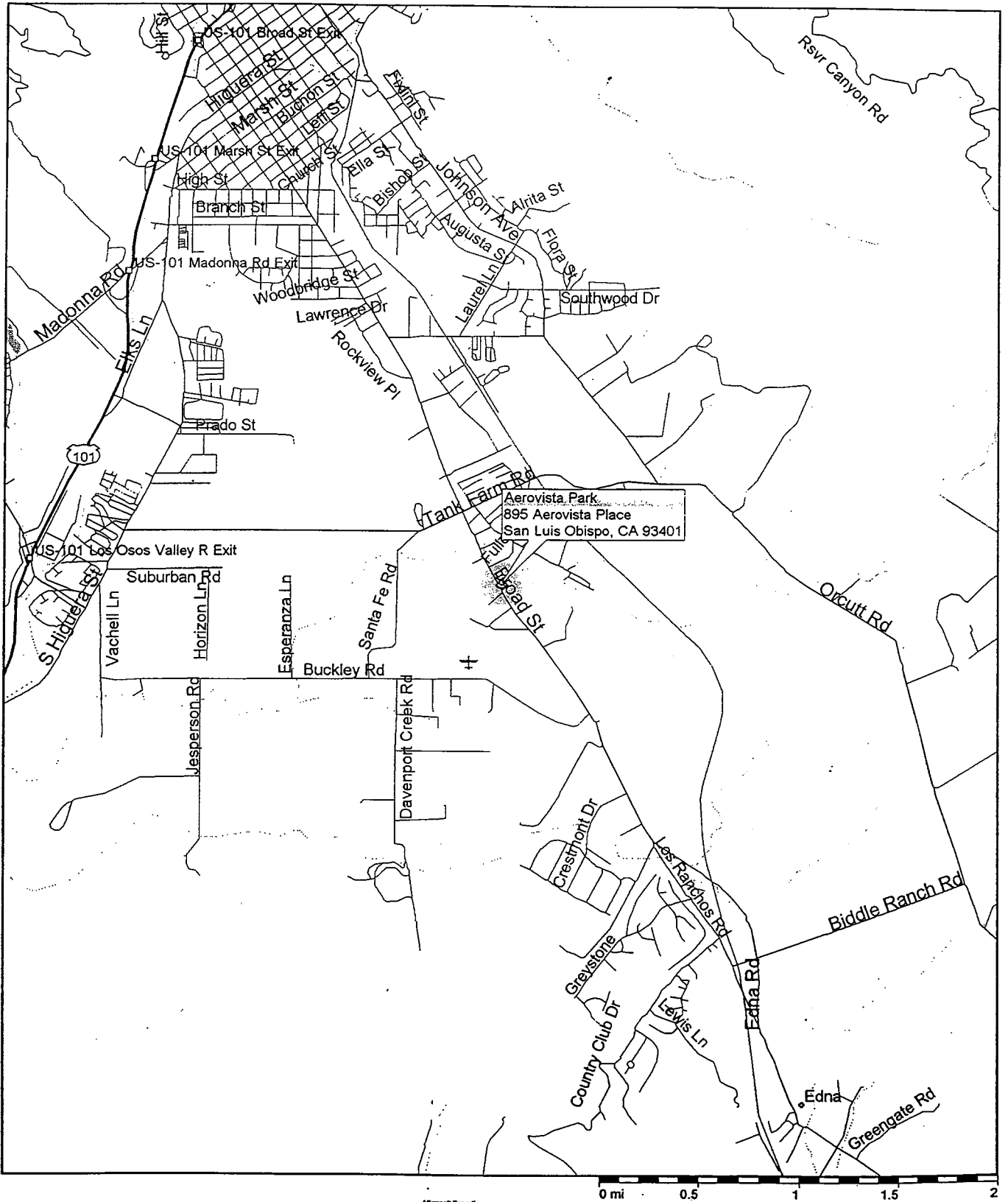
FOR 

Roger Briggs
Executive Officer

Date: 8-9-02

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Task: 401-01
File: Basin Plan, Nonpoint Source Section Revision

Central Coast Regional Water Quality Board Office Map



Microsoft Expedia
Streets98

ATTACHMENT H

**LETTER TO LEGAL NOTICE
DEPARTMENT**



California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5427
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

July 30, 2002

Legal Notice Department
The Tribune
P.O. Box 112
San Luis Obispo, CA. 93406

Dear Legal Notice Department:

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have any questions, please contact **Howard Kolb at 805-549-3332** or hkolb@rb3.swrcb.ca.gov.

Sincerely,

ROGER W. BRIGGS
Executive Officer

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Task: 401-01
File: Basin Plan, Nonpoint Source Section Revision



California Regional Water Quality Control Board

Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 8, 2002

TO: Interested Persons

FROM: California Regional Water Quality Control Board, Central Coast Region
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411

SUBJECT: NOTICE OF FILING SUBMITTED IN COMPLIANCE WITH §21080.5
OF THE PUBLIC RESOURCES CODE

PROPONENT: California Regional Water Quality Control Board, Central Coast Region

PROJECT TITLE: Proposed Amendment of "Water Quality Control Plan - Central Coast Region" (Basin Plan) Regarding Incorporation of the State Water Resources Control Board "Nonpoint Source Pollution Control Program" and Restructuring the Basin Plan Nonpoint Source Information, Findings, and Requirements.

CONTACT: Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

LOCATION: Central Coast Region

DESCRIPTION: The Central Coast Regional Water Quality Control Board (Regional Board) is proposing an amendment to its Water Quality Control Plan - Central Coastal Basin (Basin Plan). The Basin Plan serves as the cornerstone water quality protection policy for the Central Coast. It identifies beneficial uses of surface and ground waters, establishes water quality objectives to protect beneficial uses, and provides an implementation plan to achieve those objectives.

A draft copy of the proposed amendments is enclosed for your review. The purpose of this amendment is to:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

The Regional Board will hold a hearing to identify and prioritize water quality issues. The public hearing is scheduled as follows:

California Environmental Protection Agency



Recycled Paper

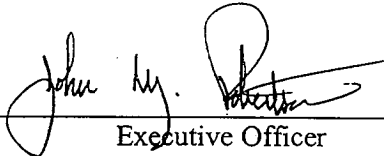
Basin Plan History p.1151

000580

Date: December 6, 2002
Time: 8:30 A.M.
Place: Conference Room
Regional Water Quality Control Board
895 Aerovista Place, SUITE 101
San Luis Obispo, CA 93401-5427

The location of the hearing is described on the attached map and is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact **Cyndee Jones** at **805-549-3372** at least 5 working days prior to December 6, 2002. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please review the proposed amendment and provide additions and/or comments by **September 23, 2002**. Comments or questions regarding this matter should be directed to Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

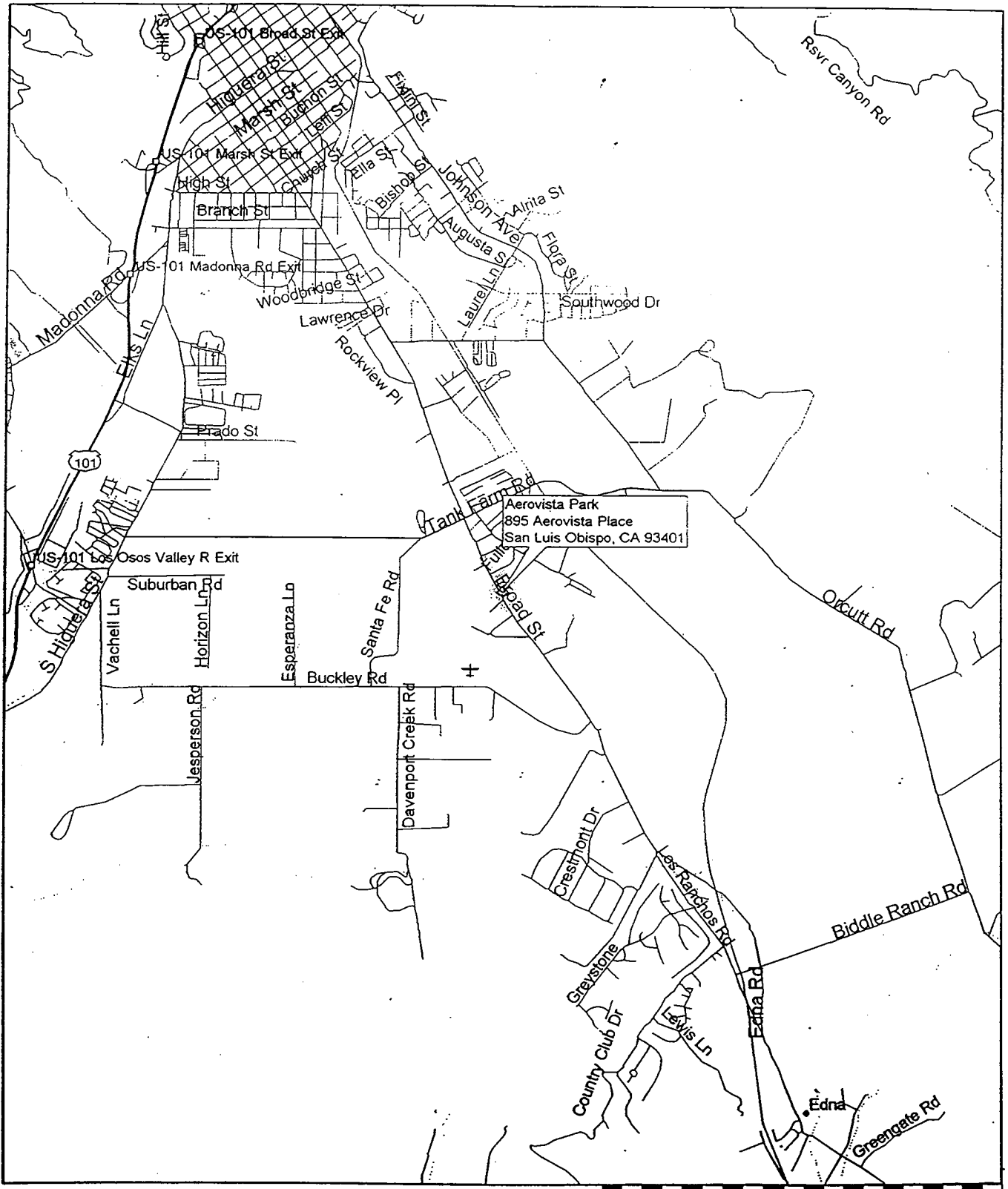


Executive Officer

August 8, 2002
Date

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Task: 401-01
File: Basin Plan, Nonpoint Source Section Revision

Central Coast Regional Water Quality Board Office Map



Microsoft Map
Streets98

CA -

Alameda County Library
3121 Diablo Avenue
Hayward, CA 94545

California Department of Fish and Game
Region 3
7329 Silverado Trail
Napa, CA 94558

California Department of Fish and Game
Region 1
601 Locust Street
Redding, CA 96001

California Department of Fish and Game
Region 2
1701 Nimbus Road
Rancho Cordova, CA 95670

California Department of Pesticide
Regulation
P.O. Box 4015
Sacramento, CA 95812-4015

City of Berkeley Marina
201 University Avenue
Berkeley, CA 94710

Conservation Corp.
P.O. Box 1380
San Luis Obispo, CA 93406

Contra Costa County Library
1750 Oak Park Blvd.
Pleasant Hill, CA 94523

Del Norte County Library District
190 Price Mall
Crescent City, CA 95531

Earth Design
370 Weymouth Street
Cambria, CA 93428

Emeryville Marina
3310 Powell Street
Emeryville, CA 94608

Ground Zero Analysis, Inc.
1714 Main Street
Fremont, CA 95320

Law Office of Roger Beers
2930 Lakeshore Ave #408
Oakland, CA 94610-3614

Long Beach Marina
450 E. Shoreline Drive
Long Beach, CA 90802

Los Alamos Community Services District
Water/Sewer Facilities
P.O. Box 675
Los Alamos, CA 93440

Manhattan Beach Library
1320 Highland Avenue
Manhattan Beach, CA 90266

Marin County Free Library
Civic Center
San Rafael, CA 94903

Mendocino County Library
105 N. Main Street
Ukiah, CA 95482

Monterey County
Agricultural Extension
1432 Abbott Street
Salinas, CA 93901-4507

Monterey County Library Seaside Branch
550 Harcourt Avenue
Seaside, CA 93955

Moss Landing Harbor District
7881 Sandholdt Road
Moss Landing, CA 95039

Napa City/County Library
580 Coombs
Napa, CA 94559

Natural Resources Conservation Service
544 La Guardia, Bldg. A
Salinas, CA 93905

Natural Resources Conservation Service
Santa Maria Service Center
920 E. Stowell Road
Santa Maria, CA 93454-7008

Oceanside Harbor
1540 Harbor Drive North
Oceanside, CA 92054

Office of Attorney General
455 Goldengate Avenue, Suite 300
San Francisco, CA 94102

Ogden Environmental
980 Lincoln Avenue, Suite 200
San Rafael, CA 94901

Orange County Public Library
431 City Drive South
Orange, CA 95482

Pillar Point Harbor
1 Johnson Pier
Half Moon Bay, CA 94019

Port San Luis Harbor District
Box 249
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Sacramento State Library
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San Diego Harbor Police
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San Diego, CA 92101

San Francisco Public Library Gov. Info.
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Ms. Paula Spurlock, Librarian
Brown & Caldwell
201 N. Civic Drive - Suite 115
Walnut Creek, CA 94596

Mr. Richard Starr
Sea Grant Extension Program
P.O. Box 440
Moss Landing, CA 95039-0450

Mr. John Steinbeck
Tenera
225 Prado Road, Suite D
San Luis Obispo, CA 93401

Mr. Allen Stroh, Director
Monterey County Environmental Health
1270 Natividad Road
Salinas, CA 93906-3198

Mr. Mark Stuart, Supervising Engineer
Department of Water Resources
770 Fairmont Avenue, Suite 102
Glendale, CA 91203-1035

Mr. Timothy G. Sutter
Geomatrix Consultants, Inc.
2444 Main Street, Ste 215
Fresno, CA 93721-2734

Mr. Steve Sylvester, President
North Coast Engineering
725 Creston Road, Suite B
Paso Robes, CA 93446

Leigh Taylor Johnson
Sea Grant Extension Program
5555 Overland Ave., Bldg. 5
San Diego, CA 92123

Robert Teeter, Librarian
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118

Mr. Peter Thams, Senior Geologist
West Coast Environmental
4253 Transport
Ventura, CA 93003

Mr. Bob Thiel
930 Miramonte Drive
Santa Barbara, CA 93109

Ms. Kathy Thomasberg, Supervisor
Monterey County
P.O. Box 930
Salinas, CA 93902

Mr. Mark Tognazzini, Agricultural
Commissioner
PO Box 699
Hollister, CA 95024-0699

Ms. Evelyn Tompkins
Department of Water Resources
770 Fairmont Avenue, Suite 102
Glendale, CA 91203-1035

Mr. Bill Tracy
Santa Barbara County
4415 Cathedral Oaks Road
Santa Barbara, CA 93110

Mr. Brian Troutwein, Environmental
Analyst
Environmental Defense Center
906 Garden Street #2
Santa Barbara, CA 93101

Ms. Ling Tseng
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Mr. Ray Van Dohren
Carmel Area Wastewater District
3945 Rio Road
Carmel, CA 93922

Mr. Steven Volker
436 14th Street Suite 1300
Oakland, CA 94612

Mr. Ray Von Dohren
Central Area Wastewater District
3945 Rio Road
Carmel, CA 93923

James Waldvogel
Sea Grant Extension Program
586 G Street
Crescent City, CA 95531-3735

Mr. John Wallace
4115 Broad Street Ste. B5
San Luis Obispo, CA 93401

Mr. John Wallace
Avila Beach County Water District
P.O. Box 309
Avila Beach, CA 93424

Mr. Kevin D. Walsh, General Manager
4699 Hollister Avenue
Goleta, CA 93110-1999

Mr. H. Patrick Ward
Bestor Engineers, Inc.
9701 Blue Larkspur Lane
Monterey, CA 93940

Mr. Roger Ward
California-American Water Company
50 Ragsdale Drive, Suite 100, P.O. Box
951
Monterey, CA 93942-0951

Mr. Jim West, Public Affairs
Granite Rock, Inc.
P.O. Box 5001
Watsonville, CA 95077

Mr. Chris White, Water Quality Specialist
Balance Hydrologics, Inc.
900 Modoc Street
Berkeley, CA 94707-2208

Mr. Chuck White
Department of Water Resources
770 Fairmont Avenue
Glendale, CA 91203-1035

Mr. Howard Whitney, Hydrogeologist
Remediation Testing and Design
609 Pacific Avenue, Suite 201
Santa Cruz, CA 95060

Mr. Craig Wilson
State Water Resources Control Board
P.O. Box 944213
Sacramento, CA 94244-2130

Mr. Jonathan Wittwer, Attorney
147 River St. #221
Santa Cruz, CA 95060-2707

Mr. Steve Wolfman
City of Santa Cruz
809 Center Street, Room 201
Santa Cruz, CA 95060

Mr. Phil Woods
United States Environmental Protection
Agency
75 Hawthorne Street (WTR-5)
San Francisco, CA 94105

Mr. Chip Wullbrandt, Attorney
Price, Postel & Parma, LLP
200 E. Carrillo Ste. 400
Santa Barbara, CA 93101

Mr. Bryan Yamaoka, General Manager
Sunnyslope County Water District
3416 Airline Highway
Hollister, CA 95023-9702

Ms. Laura Young
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118

Leslie Zander
Zander Associates
150 Ford Way, Suite 101
Novato, CA 94945



California Regional Water Quality Control Board

Central Coast Region



William H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5427
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 9, 2002

Mr. Ronald D. Rempel
Chief Environmental Services Division
California Department of Fish & Game
1416 Ninth Street, 13th Floor
Sacramento, Ca. 95814

CALIFORNIA ENDANGERED SPECIES ACT CONSULTATION FOR PROPOSED AMENDMENT TO UPDATE THE WATER QUALITY CONTROL PLANS FOR THE CENTRAL COAST REGION (BASIN PLAN)

The Central Coast Regional Water Quality Control Board (Regional Board) requests your agency's comments pursuant to the California Endangered Species Act (CESA) on potential impacts of the proposed amendment to update the Water Quality Control Plans for the Central Coast Region. The Regional Board is the California Environmental Quality Act (CEQA) lead agency for this project. The basin planning process is certified by the Secretary of Resources as being exempt from the CEQA requirement for preparation of the Environmental Impact Report (EIR) or negative declaration and initial study (California Code of Regulations, Title 14, Section 15251). Based upon this certification, the plan amendment, as well as the staff report and backup materials, serve as a "functional equivalent" to an EIR or negative declaration and initial study. Any regulatory programs of the Regional Board certified as functional equivalent, however, must satisfy the requirements of CCR, Title 23, Section 377 (a), including preparation of an Environmental Checklist with a description of the proposed activity and a determination with respect to significant environmental impacts.

The purpose of this amendment is to:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

A copy of the draft staff report is enclosed for your review. The Regional Board is currently gathering comments. Please submit comments by September 23, 2002 so we may prepare a written response for the final staff report. Certification of the Environmental Document/Checklist will be considered by the Regional Board at their regular meeting. The public hearing is scheduled as follows:

California Environmental Protection Agency

Recycled Paper

Basin Plan History p. 1166

000595

Mr. Ronald D. Rempel
Chief Environmental Services Division
California Department of Fish & Game

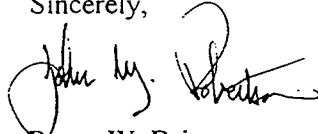
2

8/9/2002

Date: December 6, 2002
Time: 8:30 A.M.
Place: Conference Room
Regional Water Quality Control Board
895 Aerovista Place, SUITE 101
San Luis Obispo, CA 93401-5427

If you require additional information or have any questions, please contact Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

Sincerely,


For Roger W. Briggs
Executive Officer

Enclosures

cc:

California Department of Fish and Game
330 Golden Shore Street, # 50
Long Beach, CA 90802-4247

California Department of Fish and Game
20 Lower Ragsdale Drive, Suite 100
Monterey, CA 93940-5729

California Department of Fish and Game
P.O. Box 47
Yountville, CA 94599

Bill Paznokas
California Department of Fish and Game
1350 Front Street
Room 2041
San Diego, CA 92101

H:\WINWORD\Basin Planning\Work Plan Items to Complete\NPS Policy\F&G ESA Consultation Letter 07-31-02.doc
Task: 401-01
File: Basin Plan, Nonpoint Source Section Revision


California Environmental Protection Agency

 Recycled Paper
Basin Plan History p.1167

000596



California Regional Water Quality Control Board

Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 12, 2002


Legal Notice Department
The Tribune
P.O. Box 112
San Luis Obispo, CA 93406-0112

Dear Legal Notice Department :

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have questions, please contact **Howard Kolb at 805-549-3332** or hkolb@rb3.swrcb.ca.gov.

Sincerely,


FOR Roger W. Bjiggs
Executive Officer

S:\Basin Plan\Legal Notice Letter.doc



California Regional Water Quality Control Board

Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 12, 2002


Legal Notice Department
Lompoc Record
P.O. Box 578
Lompoc, CA 93438

Dear Legal Notice Department :

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have questions, please contact **Howard Kolb at 805-549-3332** or hkolb@rb3.swrcb.ca.gov.

Sincerely,

For 
Roger W. Biggs
Executive Officer

S:\Basin Plan\Legal Notice Letter.doc



California Regional Water Quality Control Board

Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 12, 2002

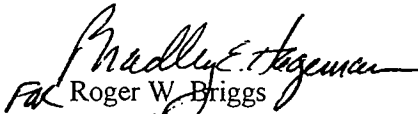
Legal Notice Department
Santa Barbara News Press
P.O. Box 1359
Santa Barbara, CA 93102

Dear Legal Notice Department :

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have questions, please contact **Howard Kolb at 805-549-3332** or hkolb@rb3.swrcb.ca.gov.

Sincerely,


Fax Roger W. Briggs
Executive Officer

S:\Basin Plan\Legal Notice Letter.doc



California Regional Water Quality Control Board

Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 12, 2002

Legal Notice Department
Watsonville Register
P.O. Box 50055
Watsonville, CA 95077

Dear Legal Notice Department :

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have questions, please contact **Howard Kolb at 805-549-3332** or hkolb@rb3.swrcb.ca.gov.

Sincerely,


for Roger W. Briggs
Executive Officer

S:\Basin Plan\Legal Notice Letter.doc



California Regional Water Quality Control Board

Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 12, 2002

Legal Notice Department
Santa Cruz Sentinel
P.O. Box 638
Santa Cruz, CA 95061-0638

Dear Legal Notice Department :

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have questions, please contact **Howard Kolb at 805-549-3332** or hkolb@rb3.swrcb.ca.gov.

Sincerely,


FW Roger W. Briggs
Executive Officer

S:\Basin Plan\Legal Notice Letter.doc



California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 12, 2002


Legal Notice Department
Monterey County Herald
P.O. Box 271
Monterey, CA 93942-0271

Dear Legal Notice Department :

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have questions, please contact **Howard Kolb at 805-549-3332** or hkolb@rb3.swrcb.ca.gov.

Sincerely,


AR Roger W. Briggs
Executive Officer

S:\Basin Plan\Legal Notice Letter.doc



California Regional Water Quality Control Board

Central Coast Region



Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

August 12, 2002

Legal Notice Department
Salinas Californian
P.O. Box 81091
Salinas, Ca 93912-1091

Dear Legal Notice Department :

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have questions, please contact **Howard Kolb at 805-549-3332** or hkolb@rb3.swrcb.ca.gov.

Sincerely,


Roger W. Briggs
Executive Officer

S:\Basin Plan\Legal Notice Letter.doc



California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 12, 2002

Legal Notice Department
Santa Maria Times
P.O. Box 400
Santa Maria, CA 93456-0400

Dear Legal Notice Department :

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have questions, please contact **Howard Kolb at 805-549-3332** or hkolb@rb3.swrcb.ca.gov.

Sincerely,

Madley E. Higgins
FAL Roger W. Briggs
Executive Officer

S:\Basin Plan\Legal Notice Letter.doc

CENTRAL COAST REGIONAL
WATER QUALITY CONTROL BOARD

Howard

2002 AUG 20 PM 12: 21

81 HIGUERA STE. 200
SAN LUIS OBISPO, CA 93401

SANTA BARBARA NEWS PRESS

Proof of Publication (2015.5C.C.P)

Superior Court of the State of California In and for the County of Santa Barbara

22764

In the Matter of: CA. REGIONAL WATER QUALITY CONTROL

NOTICE OF PUBLIC HEARING

The undersigned, being the principal clerk of the printer of the Santa Barbara News Press, a newspaper of general circulation, printed and published daily in the City of Santa Barbara, County of Santa Barbara, California and which newspaper has been adjudged a newspaper of general circulation by the Superior Court in the County of Santa Barbara, State of California, Adjudication Number 47171; and that affiant is the principal clerk of said Santa Barbara News Press. That the printed notice hereto annexed was published in the SANTA BARBARA NEWS PRESS, in the issues of the following named dates:

Dates of Publication:

AUGUST 15,16,17,

all in the year 2002 I hereby certify (or declare) under penalty of perjury that that foregoing is true and correct.

Executed on this 19TH day of AUGUST, 2002 at Santa Barbara , CA.

Regina Rodriguez
Signature

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Ste. 200, San Luis Obispo, CA 93401

NOTICE OF PUBLIC HEARING NOTICE OF FILING A DRAFT ENVIRONMENTAL DOCUMENT

TO CONSIDER ADOPTION OF REVISED STATE WATER RESOURCES CONTROL BOARD NONPOINT SOURCE POLLUTION CONTROL PROGRAM AND REFORMATTING NONPOINT SOURCE PLANS, POLICIES, AND MANAGEMENT PRACTICES - AMENDMENT OF THE CENTRAL COAST BASIN WATER QUALITY CONTROL PLAN AND REQUESTING APPROVAL FROM WATER RESOURCES CONTROL BOARD

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Central Coast Region (Regional Board) will hold a public hearing to hear comments and consideration of a resolution amending the Water Quality Control Plan (Basin Plan) for the Central Coast Region. The proposed amendment to the Basin Plan includes:

1. Reference the State Water Resources Control Board's 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions concerning the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions designated section of the Basin Plan. The section is titled "Control of Nonpoint Source Pollutants."

Copies of the proposed amendment to the Basin Plan (in the form of a draft amendment for adoption, staff report, and a fully equivalent document which includes an Environmental Checklist) are available on the Internet at www.swrcb.ca.gov/rwqcb3/. At the website, on the first page you will see report "PROPOSED AMENDMENT OF THE WATER QUALITY CONTROL PLAN - CENTRAL COAST BASIN" (PLAN) REGARDING INCORPORATION OF THE WATER RESOURCES CONTROL BOARD "NONPOINT SOURCE POLLUTION CONTROL PROGRAM" AND REFORMATTING THE BASIN PLAN NONPOINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS." The proposed amendments to the Basin Plan are also available by request at the office of the Regional Board. You may also request a copy of these documents by contacting Howard Kolb at 3332 or hkolb@rb3.swrcb.ca.gov.

Copies of the existing Basin Plan are located at libraries throughout the region, at the office of the Regional Board, and on the Internet at www.swrcb.ca.gov/rwqcb3/.

Actions to amend the Water Quality Control Plan for the Central Coast Region will be taken in accordance with a regulatory exemption under Section 21080.5 of the Public Resources Code. The requirement to prepare an environmental impact statement under the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and with other applicable laws and regulations. At the conclusion of the meeting, the Regional Board will consider approval of the proposed amendment or a revised amendment consistent with the intent of the Act. At the conclusion of the public hearing, the Regional Board will consider certification of the environmental document as an approval of the proposed amendments.

The public comment period will occur from August 15, 2002 through September 23, 2002. We would appreciate any comments preferably in writing, or other evidence sent in advance to Howard Kolb at the address listed above. Your timely submission will allow staff to analyze your comments and the Regional Board to consider your comments before making final decisions at the meeting to be held on December 6, 2002. Please note that exhibits, charts, graphs, and other testimony presented, if any, must be left with the Regional Board as part of the administrative record.

Time limits may be imposed on oral presentations of the proposed amendments. Additional alternative rules or regulations consistent with the general purpose of the amendment and complementary to specific proposed rules may be developed at the hearing.

The public hearing is scheduled for December 6, 2002 at 10:00 AM in the Regional Board Conference Room, 81 Higuera Street, San Luis Obispo, CA 93401. For more information, please contact Howard Kolb at 3332 or hkolb@rb3.swrcb.ca.gov.

In the Superior Court of the State of California
In and for the County of Santa Barbara

IN THE MATTER OF PUBLIC NOTICE OF PUBLIC HEARING
Notice of filing a draft environmental document

California Regional Water Quality Control Board
Central Coast Region
81 Higuera Street, Ste. 200
San Luis Obispo, CA 93401

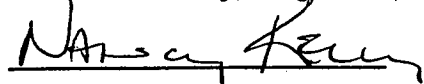
STATE OF CALIFORNIA)
)SS.
County of Santa Barbara

I am a Citizen of the United States and a resident of the County aforesaid; I am over eighteen years, and not party or interested in the above entitled matter. I am the principal clerk of the printer of the Lompoc Record, a newspaper of general circulation, printed and published daily, except Saturdays, in the City of Lompoc, County of Santa Barbara, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of Santa Barbara, State of California, under date May 9, 1952, Case Number 47065; that the notice herein, mentioned was set in type not smaller than nonpareil and was preceded by words printed in black-face type not smaller than nonpareil, describing in general terms the purport and character of the notice intended to be given; that the notice, of which the annexed is a printed copy, has been published in each regular issue of said Lompoc Record on the following date, to-wit:

Run 3 times
August 18, 19, 20, 2002

I hereby certify (or declare) under perjury that the following is true and correct.

Executed this day, August 20, 2002 :



Signature

SAN LUIS OBISPO, CA 93401
81 HIGUERA STE. 200

2002 AUG 21 PM 1:08

RECEIVED
CENTRAL COAST REGIONAL
WATER QUALITY CONTROL BD.

Basin Plan History p.1177

000606

CALIFORNIA REGIONAL
WATER QUALITY
CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Ste. 200,
San Luis Obispo, CA 93401

NOTICE OF
PUBLIC HEARING
NOTICE OF FILING A
DRAFT ENVIRONMENTAL
DOCUMENT

TO CONSIDER ADOPTION
OF REVISED STATE WATER
RESOURCES CONTROL BOARD
NONPOINT SOURCE POLLUTION
CONTROL PROGRAM AND
RE-FORMATTING EXISTING
NONPOINT SOURCE PLANS,
POLICIES, AND MANAGEMENT
PRACTICES - AMENDMENT OF
THE CENTRAL COAST BASIN
WATER QUALITY CONTROL
PLAN (BASIN PLAN) AND
REQUESTING APPROVAL FROM
STATE WATER RESOURCES
CONTROL BOARD

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Central Coast Region (Regional Board), will hold a public hearing to hear comments and consider adoption of a resolution amending the Water Quality Control Plan (Basin Plan) for the Central Coast Region. The proposed amendment to the Basin Plan includes:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Copies of the proposed amendment to the Basin Plan (in the form of a draft amendment for adoption, staff report, and a functionally equivalent document which includes an Environmental Checklist) are available on the internet at www.swrcb.ca.gov/twq003/. At the website on the first page you will see a staff report. PROPOSED AMENDMENT OF WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN (BASIN PLAN) REGARDING INCORPORATION OF THE STATE WATER RESOURCES CONTROL BOARD NONPOINT SOURCE POLLUTION CONTROL PROGRAM AND RESTRUCTURING THE PLAN

place. Conference
Regional Water C
Control Board,
895 Aerovista Pl
101.
San Luis Obispo,
93401-5427

The location of t
is described on
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to persons wit
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tions are requ
tact Cyndee Jon
549-8372 at lea
ing days prior
6, 2002. TTY
contact the Calif
Service at 1-800
or voice line at
2922.

For additional
on this Basin P
please call How
805-549-3332
hkob@rb3.swrcb

Roger Briggs
Executive Officer

Date: 8-9-02
3T August 18,
2002

PLAN NONPOINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS."

The proposed amendments to the Basin Plan are also available by request at the office of the Regional Board. You may also request a mailed copy of these documents by contacting Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

Copies of the existing Basin Plan are located at libraries in major cities throughout the region, at the office of the Regional Board, and on the Internet at www.swrcb.ca.gov/rwqcb3/.

Actions to amend the Water Quality Control Plan for Region Three will be taken in accordance with a regulatory program exempt under Section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and with other applicable laws and regulations. At the conclusion of the meeting the Regional Board will consider approval of the proposed amendment or a revised amendment consistent with the intent of the amendment. At the conclusion of the public hearing, the Regional Board will consider certification of the environmental document an approval of the proposed amendments.

The public comment period will occur from August 8, 2002 through September 23, 2002. We would appreciate any comments, preferably in writing, or other evidence sent in advance to Howard Kolb at the address listed above. Your timely submittal will allow staff to analyze your comments and the Regional Board to consider your comments before taking final action at the meeting to be held on December 6, 2002. Please note that all exhibits, charts, maps, and other testimony are sent to the Regional Board as part of the public comment period.

2002 AUG 21 P.D. 22

THE TRIBUNE

81 HIGUERA ST. 200
SAN LUIS OBISPO, CA 93401

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

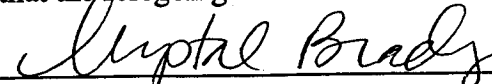
In The Superior Court of The State of California
In and for the County of San Luis Obispo
AFFIDAVIT OF PUBLICATION

AD #5701390
CALIFORNIA REGIONAL WATER
QUALITY CONTROL BOARD

STATE OF CALIFORNIA,
SS.
County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the - printers and publishers of THE TRIBUNE, a newspaper of general circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof - on the following dates, to-wit: AUGUST 15, 16, 17, 2002 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.


(Signature of Principal Clerk)

DATED: AUGUST 17, 2002
AD COST: \$486.42

CALIFORNIA REGIONAL WATER
QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Suite 200
San Luis Obispo, California 93401

NOTICE OF PUBLIC HEARING
NOTICE OF FILING A DRAFT
ENVIRONMENTAL DOCUMENT

TO CONSIDER ADOPTION OF REVISED STATE WATER RESOURCES CONTROL BOARD NON-POINT SOURCE POLLUTION CONTROL PROGRAM AND REFORMATTING EXISTING NON-POINT SOURCE PLANS, POLICIES, AND MANAGEMENT PRACTICES - AMENDMENT OF THE CENTRAL COAST BASIN WATER QUALITY CONTROL PLAN (BASIN PLAN) AND REQUESTING APPROVAL FROM STATE WATER RESOURCES CONTROL BOARD

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Central Coast Region (Regional Board), will hold a public hearing to hear comments and consider adoption of a resolution amending the Water Quality Control Plan (Basin Plan) for the Central Coast Region. The proposed amendment to the Basin Plan includes:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled **Control of Nonpoint Source Pollutants**.

Copies of the proposed amendment to the Basin Plan (in the form of a draft amendment for adoption, staff report, and a functionally equivalent document which includes an Environmental Checklist) are available on the Internet at www.swrcb.ca.gov/nwqcb3/. At the website, on the first page you will see a staff report "PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING INCORPORATION OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT SOURCE POLLUTION CONTROL PROGRAM" AND RESTRUCTURING THE BASIN PLAN NON-POINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS." The proposed amendments to the Basin Plan are also available by request at the office of the Regional Board. You may also request a mailed copy of these documents by contacting Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

Copies of the existing Basin Plan are located at libraries in major cities throughout the region, at the office of the Regional Board, and on the Internet at www.swrcb.ca.gov/nwqcb3/.

Actions to amend the Water Quality Control Plan for Region Three will be taken in accordance with a regulatory program exempt under Section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and with other applicable laws and regulations. At the conclusion of the meeting the Regional Board will consider approval of the proposed amendment or a revised amendment consistent with the intent of the amendment. The conclusion of the public hearing, the Regional Board will consider certification of the environmental document an approval of the proposed amendment. The public comment period will occur from August 21, 2002 through September 23, 2002. We would

Stacy

Monterey County
The Herald

PUBLISHED BY THE MONTEREY COUNTY HERALD COMPANY
P.O. BOX 271 • MONTEREY, CALIFORNIA 93942-0271
(831) 372-3311

PROOF OF PUBLICATION

STATE OF CALIFORNIA

County of Monterey

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of The Herald, a newspaper of general circulation, printed and published daily and Sunday in the City of Monterey, County of Monterey, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Monterey, State of California; that the notice, of which the annexed is a printed copy (set in type not smaller than 6 point), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

August 22, 23 & 24, 2002

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Executed on August 24, 2002

at Monterey, CA.

Jamyn Arnold
Signature

This space is for the County Clerk's Filing Stamp

JAN 23 PM 1:45
COUNTY CLERK'S OFFICE
MONTEREY, CA 93940

No. NOTICE

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Ste. 200, San Luis Obispo, CA 93401
NOTICE OF PUBLIC HEARING

NOTICE OF FILING A DRAFT ENVIRONMENTAL DOCUMENT
TO CONSIDER ADOPTION OF REVISED STATE WATER RESOURCES CONTROL BOARD NONPOINT SOURCE POLLUTION CONTROL PROGRAM AND REFORMATTING EXISTING NONPOINT SOURCE PLANS, POLICIES, AND MANAGEMENT PRACTICES- AMENDMENT OF THE CENTRAL COAST BASIN WATER QUALITY CONTROL PLAN (BASIN PLAN) AND REQUESTING APPROVAL FROM STATE WATER RESOURCES CONTROL BOARD

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Central Coast Region (Regional Board), will hold a public hearing to hear comments and consider adoption of a resolution amending the Water Quality Control Plan (Basin Plan) for the Central Coast Region. The proposed amendment to the Basin Plan includes:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Copies of the proposed amendment to the Basin Plan (in the form of draft amendment for adoption, staff report, and a functionally equivalent document which includes an Environmental Checklist) are available on the Internet at www.swrcb.ca.gov/rwqcb3/. At the website, on the first page you will see a staff report "PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN-CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING INCORPORATION OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT SOURCE POLLUTION CONTROL PROGRAM" AND RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS." The proposed amendments to the Basin Plan are also available by request at the office of the Regional Board. You may also request a mailed copy of these documents by contacting Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov. Copies of the existing Basin Plan are located at libraries in major cities throughout the region, at the office of the Regional Board, and on the Internet at www.swrcb.ca.gov/rwqcb3/.

Actions to amend the Water Quality Control Plan for Region Three will be taken in accordance with a regulatory program exempt under Section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and with other applicable laws and regulations. At the conclusion of the meeting the Regional Board will consider approval of the proposed amendment or revised amendment consistent with the intent of the amendment. At the conclusion of the public hearing, the Regional Board will consider certification of the environmental document an approval of the proposed amendments. The public comment period will occur from August 8, 2002 through September 23, 2002. We would appreciate any comments, preferably in writing, or other evidence sent in advance to Howard Kolb at the address listed above. Your timely submission will allow staff to analyze your comments and the Regional Board to consider your comments before taking final action at the meeting to be held on December 6, 2002. Please note that all exhibits, charts, graphs, and other testimony presented, as evidence must be left with the Regional Board as part of the administrative record. Time limits may be imposed on oral presentations at the hearing. Additional alternative rules or regulations consistent with the general purpose of the amendment and complementary to the specific proposed rules may be developed at the hearing as a logical outgrowth of this hearing. The public hearing is scheduled as follows:

Date: December 6, 2002
Time: 10:30 A.M.
Place: Conference Room
Regional Water Quality Control Board
895 Arroyista Place, SUITE 200
San Luis Obispo, CA 93401-6427
The location of the hearing is described on the attached map and is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Cynthia Jones at 805-549-3372 at least 10 business days prior to December 6, 2002. ATTY: [unclear] [unclear]
For additional information on this Basin Plan review, please call Howard Kolb at 805-549-3332 or visit the website at www.swrcb.ca.gov
Date: August 9, 2002
For Roger Briggs
Executive Officer

Basin Plan History p.1180
000603

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF DECEMBER 13, 2002

Prepared on November 20, 2002

ITEM NUMBER: 10

SUBJECT: PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING REFERENCE OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT SOURCE POLLUTION CONTROL PROGRAM" AND RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS.

SUMMARY

The Central Coast Regional Water Quality Control Board (Regional Board) Staff is proposing an amendment to its Water Quality Control Plan - Central Coastal Basin, 1994 (Basin Plan). The Basin Plan serves as the cornerstone water quality protection policy and legal standards for the Central Coast. It identifies beneficial uses of surface and ground waters, establishes water quality objectives to protect beneficial uses, and provides an implementation plan to achieve those objectives.

The purpose of this amendment is to:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to move appropriate nonpoint source information, requirements, and prohibitions into one designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

4. Add a new section for currently adopted and future Total Maximum Daily Loads and associated Implementation Plans.

This amendment is presented to the Board for review and consideration.

DISCUSSION

In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to the Nonpoint Source Pollution Control Program (January 2000) in December 1999. Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted by the State Water Resources Control Board on December 14, 1999 pursuant to Section 319 of the Clean Water Act.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Management measures will be implemented using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.

State Board Resolution No. 99-114 directs regional boards to implement the Nonpoint Source Pollution Control Program. The Basin Plan for the Regional Water Quality Control Board, Central Coast Region includes the state November 1988, Nonpoint Source Management Plan. This amendment updates the Basin Plan to comply with Resolution No. 99-114.

This revision proposes to reference the Nonpoint Source Pollution Control Program and emphasize information and management actions for the protection and restoration of riparian areas; and restructure sections of the Basin Plan to move appropriate nonpoint source information, requirements, and prohibitions into one designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Below is a summary of all edits, additions, and changes in Chapter Four (4), Chapter Five (5), and Appendices of the Basin Plan. Chapter 4 edits, additions, and changes are shown in Attachment B. Chapter 5 edits, additions, and changes are shown in Attachment C. Appendices edits are shown in Attachment D.

Chapter 4

1. Page IV-1, edited Table of Contents.
2. Pages IV-5 and IV-6, Section V.A.7. BEST MANAGEMENT PRACTICES, moved to page IV-45, Section VIII. CONTROL OF NONPOINT SOURCE POLLUTANTS. Made minor clerical edits, then deleted Section V.A.7. BEST MANAGEMENT PRACTICES, on Pages IV-5 and IV-6 of Chapter 4.
3. Pages IV-7 and IV-8, Section V.B. NONPOINT SOURCE PROGRAM, moved to page IV-44, Section VIII. Made major edits using language from "Nonpoint Source Pollution Control Program (January 2000)", then deleted Section V.B. NONPOINT SOURCE PROGRAM, on Pages IV-7 and IV-8 of Chapter 4.
4. Pages IV-44 and IV-45, Section VIII. NONPOINT SOURCE MEASURES - Title of Section VIII. changed to CONTROL OF NONPOINT SOURCE POLLUTANTS.

Major edits to Section VIII using language from "Nonpoint Source Pollution Control Program (January 2000)".

Added section titled BEST MANAGEMENT PRACTICES, using information from Pages IV-5 and IV-6, Section V.A.7. BEST MANAGEMENT PRACTICES. Minor clerical edits made to the new Section.

5. Pages IV-45 and IV-46, Section VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS, deleted information contained in the Coastal Zone Act Reauthorization Amendment section. The Coastal Zone Act Reauthorization Amendments are addressed in the "Nonpoint Source Pollution Control Program (January 2000)".
6. Pages IV-45 and IV-46, Renamed Section VIII.A. Wetlands, Riparian Areas, and Vegetated Treatment Systems, using information from "Nonpoint Source Pollution Control Program (January 2000)", Page 152, Section G Wetlands, Riparian Areas, and Vegetated Treatment Systems. Minor clerical edits made to the new Section.

Three headings added: "Recommended Actions", "Control Actions", and "Prohibitions". Under "Recommended Actions", stated recommended actions (management measures) are found in the 2000 Nonpoint Source Pollution Control Program. Under "Control Actions", repeated three items found in Chapter V, Management Principles, Section III.A. GENERAL, three items found in Chapter V, Management Principles, Section III.C. DISCHARGE TO SURFACE WATERS, and one item found in Chapter V, Section V.G. EROSION AND SEDIMENTATION. Under "Prohibitions" repeated one item found in Chapter IV Section VIII.E. LAND DISTURBANCE ACTIVITIES and added reference, "For additional prohibitions see Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS."
7. Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, added

header "Recommended Actions". Under "Recommended Actions" added sub-headers "Erosion Study Recommendations" and "Actions By Other Authorities".

Under "Recommended Actions" repeated three items found in Chapter V, Management Principles, Section III.A. General, repeated one item found in Chapter V, Management Principles, Section III.G EROSION AND SEDIMENTATION CONTROL, and repeated one item found in Chapter V, Management Principles, Section V.G EROSION AND SEDIMENTATION. Also added headers Erosion Study Recommendations and Actions By Other Authorities.

8. Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, added header "Control Actions" and repeated three items found in Chapter V, Management Principles, Section III.C. Discharge to Surface Waters, moved items 1 through 7 from Section V.G. EROSION AND SEDIMENTATION, and moved items 3 through 7 from Section III.G. EROSION AND SEDIMENTATION CONTROL.
9. Page IV-70, Section VIII.E.1. LAND DISTURBANCE PROHIBITIONS, made minor edits. Added reference, "For additional prohibitions see Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS."
10. Page IV-75, after all other text, added "Section IX. TOTAL MAXIMUM DAILY LOADS" and introductory paragraph.

Chapter 5

1. Page V-1, Section I. STATE WATER RESOURCES CONTROL BOARD PLANS AND POLICIES - Updated section to reflect "Nonpoint Source Pollution Control Program (January 2000)".
2. Page V-3, Section I.J. NONPOINT SOURCE MANAGEMENT PLAN - Updated section adding additional language to reflect "Nonpoint Source Pollution Control Program (January 2000)".

3. Page V-7, Section III.G. EROSION AND SEDIMENTATION CONTROL - Delete Item 1, moved Item 2 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Recommendations", moved Items 3 through 7 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Control Actions", and deleted last paragraph. Once the appropriate Items were moved to Chapter 4, made minor edits to Items 2 through 7, then deleted Section III.G. EROSION AND SEDIMENTATION CONTROL on Page V-7 of Chapter 5.
4. Pages V-13 and 14, Section V.G. EROSION AND SEDIMENTATION -, moved Items 1 through 7 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Control Actions" and moved Item 8 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Recommendations", and deleted last paragraph of Section V.G. Page V-14. Once the appropriate Items were moved to Chapter 4, made minor edits to Items 1 through 7, then deleted Section V.G. EROSION AND SEDIMENTATION on Pages V-13 and 14 of Chapter 5.
5. Pages V-15 and V-16, Section V.H.10. EROSION AND SEDIMENTATION CONTROL - Moved Items 1 through 8 to Pages IV-68 and IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES, under header "Recommendations" (ACTIONS BY OTHER AUTHORITIES). Once the appropriate Items were moved to Chapter 4, deleted Section V.H.10. EROSION AND SEDIMENTATION CONTROL on Pages V-15 and V-16 of Chapter 5.

Appendices

1. Revised Plans and Policies Appendix "Table of Contents" to show deletion of Appendix A-10, Nonpoint Source Management Plan.
2. Deleted Appendix A-10, Nonpoint Source Management Plan (November 1988). This appendix references an outdated version of the

State Nonpoint Source Pollution Control Program.

ENVIRONMENTAL SUMMARY

A Notice of Public Hearing has been circulated. A Notice of Filing, Written Report, and Environmental Checklist (Attachment E) will be prepared and circulated to interested agencies and persons prior to consideration of the Basin Plan amendment. This will satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217).

COMMENTS

Deborah Johnston, Department of Fish and Game (phone call)

1. **Comment:** Section VIII.E. Land Disturbance, Control Actions, Item 3 states, The discharge of pollutants into surface waters shall be discontinued. The item specifies "surface fresh waters." Modify the item to address saline surface waters.

Response: Staff agrees. The item has been revised to read, "The discharge of pollutants into surface fresh waters shall be discontinued."

2. **Comment:** Section VIII.E. Land Disturbance, Control Actions, Item 14 states, Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion. Replace "Cover crops" with "Cover crops (using native plant species)."

Response: Staff has revised item 14 as follows, "Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion. The use of native plant species is recommended."

Regional Board Staff

3. **Comment:** Add a new section to the Basin Plan that will include currently adopted and future Total Maximum Daily Loads and associated Implementation Plans.

Response: Staff agrees. On Page IV-75, add "Section IX. TOTAL MAXIMUM DAILY LOADS" and the introductory paragraph.

4. **Comment:** Section VIII., Item 3., Use the term "Management Options" in place of "Three Tiered Approach".

Response: Staff has modified the section to read, "Continues use of Management Options (the "Three-Tiered Approach") for addressing NPS pollution problems".

RECOMMENDATION

The Regional Board should adopt the attached Resolution R3-2002-0093 (Attachment A), as proposed. Resolution R3-2002-0093 approves revision of the Basin Plan.

ATTACHMENTS

- Attachment A. Resolution R3-2002-0093
- Attachment B. Revised Basin Plan Chapter Four
- Attachment C. Revised Basin Plan Chapter Five
- Attachment D. Revised Basin Plan Appendix
- Attachment E. CEQA Checklist
- Attachment F. Notice of Public Hearing Notice of Filing a Draft Environmental Document
- Attachment G. Letter to Interested Persons
- Attachment H. Letter to Legal Notice Department

H:\WINWORD\Basin Planning\Work Plan Items to Complete\NPS Policy\NPS BP Amendment Staff Report 11-18-02.doc
Task: 401-01
File: Basin Plan, NPS Policy

ATTACHMENT A

RESOLUTION R3-2002-0093

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 AEROVISTA PLACE, SUITE 101
SAN LUIS OBISPO, CALIFORNIA 93401-7906**

**RESOLUTION R3-2002-0093
(Drafted November 18, 2002)**

**Adopting Revised State Water Resources Control Board
Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source
Plans, Policies, and Management Practices in an
Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan)
Requesting Approval from State Water Resources Control Board**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board) finds:

1. The California Regional Water Quality Control Board, Central Coast Region, adopted the *Water Quality Control Plan, Central Coastal Basin* (hereafter Basin Plan), on September 8, 1994.
2. The Regional Board periodically revises and amends the Basin Plan. The most recently finalized amendment to the Basin Plan was in April 1995.
3. The Regional Board is responsible for reviewing water quality standards and implementation plans as appropriate and for modifying and adopting standards contained in the Plans under provisions set forth in section 303(c) of the Federal Clean Water Act and Section 13240, Division 7 of the California Water Code.
4. The State Water Resources Control Board revised the State Nonpoint Source Management Plan to the "Nonpoint Source Pollution Control Program" (January 2002).
5. State Water Resources Control Board Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted on December 14, 1999, pursuant to Section 319 of the Clean Water Act.
6. The Nonpoint Source Pollution Control Program (dated January 2000) includes a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Management measures will be implemented using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.

7. The Nonpoint Source Pollution Control Program process includes: Assessing Program activities, targeting efforts, planning activities based on Program goals and objectives, coordinating the efforts of federal, State, and local agencies and stakeholders, implementing coordinated actions, tracking and monitoring the results of implemented actions, and reporting on Program results. The Program Plan is designed to be flexible and adaptable over time.
8. The Basin Plan contains existing nonpoint source information distributed throughout the document.
9. The Basin Plan requires restructuring in order to have appropriate nonpoint source information, findings, and requirements in a designated section of the Basin Plan (Section VIII. CONTROL OF NONPOINT SOURCE POLLUTANTS).
10. Section 303(d) of the Clean Water Act requires States to establish total maximum daily loads for waterbodies that do not meet water quality objectives that will insure attainment of water quality objectives, and then to incorporate those allocations into their Basin Plans.
11. Regional Board consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and threatened and endangered plants and animal species. The Department of Fish and Game has made a determination of "no jeopardy" pursuant to the California Endangered Species Act.
12. A draft notice of filing, staff report, the proposed amendment, and environmental checklist have been prepared and distributed to interested persons and agencies for review and comment in accordance with state and federal environmental regulations (23 CCR § 3775, 40 CFR 25 and 40 CFR 131).
13. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of the California Environmental Quality Act of 1977 (Public Resources Code 21000 et seq.).
14. The Regional Board finds adoption of these amendments will have no potential for adverse effect, either individually or cumulatively, on wildlife. The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment.
15. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
16. On December 13, 2002 in San Luis Obispo California, the Regional Board held a public hearing and considered all public testimony.

THEREFORE, BE IT RESOLVED:

1. Pursuant to section 13240 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment **Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source Plans, Policies, and Management Practices in an Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan)** as shown in Attachments B "Revised Chapter 4. Implementation Plan", C "Revised Chapter 5. Plans and Policies", and D "Revised Basin Plan Appendix". The amendment will not take effect until approved by the State Board, the Office of Administrative Law, and the United States Environmental Protection Agency.
2. The Regional Board's Executive Officer is authorized to submit the amendment to the State Water Resources Control Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Regional Board requests that the State Water Resources Control Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code, and that upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.
4. That the environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the State Board shall file a Notice of Decision with the State Clearinghouse.
5. That the Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results in a "*De Minimus*" impact finding.
6. That if during the approval process, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, Roger W. Briggs, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 13, 2002.

Executive Officer

December 13, 2002

Date

H:\WINWORD\Basin Planning\Work Plan Items to Complete\NPS Policy\NPS BP Amendment Resolution 11-18-02.doc
Task: 401-01
File: Basin Plan, NPS Policy

ATTACHMENT B

REVISED CHAPTER 4. IMPLEMENTATION PLAN

Notes for reading the proposed Basin Plan amendment:

1. New or edited text is underlined.

Example: The effectiveness of a water quality control program cannot be judged without the information supplied by

2. Removed text is crossed out.

Example: ~~The effectiveness of a water quality control program cannot be judged without the information supplied by~~

3. Moved text is highlighted.

Example: **The effectiveness of a water quality control program cannot be judged without the information supplied by**

4. Original text is unmarked.

Example: The effectiveness of a water quality control program cannot be judged without the information supplied by

Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-1, Table of Contents as follows:
Draft November 12, 2002

CHAPTER 4. IMPLEMENTATION PLAN

A program of implementation to protect beneficial uses and to achieve water quality objectives is an integral component of this Basin Plan. The program of implementation is required to include, but is not limited to:

- A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.
- A time schedule for the actions to be taken.
- A description of surveillance to be undertaken to determine compliance with objectives.

Additional surveillance activities to determine compliance with objectives are described in Chapter Six, "Surveillance and Monitoring".

This chapter includes discussions of:

- Regional Water Quality Control Board Goals;
- General Control Actions and Related Issues;
- Waste Discharge Regulation;
- Hazardous Waste Compliance Issues; and
- Nonpoint Source Measures.

~~Detailed descriptions of waterbodies with their specific water quality problems and recommended control actions are included in the Region's Water Quality Assessment database and Fact Sheets.~~

This chapter is organized in the following manner:

- I. Regional Water Quality Control Board Goals
- II. General Control Actions and Related Issues
- III. Control Actions under State Board Authority
- IV. Control Actions to be Implemented by Other Agencies with Water Quality or Related Authority
- V. Control Actions under Regional Board Authority
 - A. ~~Waste Discharge Restrictions~~ Control of Point Source Pollutants
 1. Water Quality Certification
 2. National Pollutant Discharge Elimination System
 3. Waste Discharge Requirements
 4. Waivers

5. Prohibitions and Prohibition Exemptions
 6. Enforcement Actions
 7. ~~Best Management Practices~~
 8. Compliance Schedules
- ~~B. Nonpoint Source Program~~
- VI. Waste Discharge Program Implementation
 - A. Effluent Limits
 1. Stream Disposal
 2. Estuarine Disposal
 3. Ocean Disposal
 4. Land Disposal
 5. Reclamation and Reuse
 6. Pretreatment Programs
 7. Sludge Treatment
 - B. Municipal Wastewater Management Plans (arranged by hydrologic subarea)
 - C. Industrial Wastewater Management
 - D. Solid Waste Management
 - E. Storm Water Management
 - F. Bay Protection and Toxic Cleanup Program
 - G. Military Installations
 - H. Spills, Leaks, Investigations, and Cleanup Program
 - I. Underground Tank Storage Tank Program
 - J. Aboveground Petroleum Storage Tanks
 - K. California Code of Regulations, Title 23, Chapter 15
 1. Solid and Liquid Waste Requirements (Landfills and Surface Impoundments)
 2. Wastewater Sludge (Septage Management)
 3. Mining Activities (Nonfuel Commodities)
 4. Other Industrial Activities
 - L. Resource Conservation and Recovery Act (Subtitle D)
 - M. Solid Waste Water Quality Assessment Test
 - VII. Hazardous Waste Compliance Issues
 - A. Reportable Quantities of Hazardous Waste and Sewage Discharges
 - B. Proposition 65
 - VIII. Control of Nonpoint Source Measures Pollutants
 - A. ~~Coastal Zone Act Reauthorization Amendments~~ Wetlands, Riparian Areas, and Vegetated Treatment Systems
 - B. Urban Runoff Management
 - C. Agricultural Water and Wastewater Management
 - D. Individual, Alternative, and Community Disposal Systems
 - E. Land Disturbance Activities

Revise the September 8, 1994 Basin Plan,
Chapter 4, Page IV-3, Section V.A. Waste
Discharge Restrictions as follows:

V.A. WASTE
DISCHARGE
RESTRICTIONS
CONTROL OF POINT
SOURCE
POLLUTANTS

Revise the September 8, 1994 Basin Plan, Chapter 4, Pages IV-5 and IV-6, Section V.A.7. BEST MANAGEMENT PRACTICES as follows (Moved to page IV-45, Section VIII.A.):

V.A.7. BEST MANAGEMENT PRACTICES

Property owners, managers, or other dischargers may implement "Best Management Practices" to protect water quality. (Implementation and enforcement of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter). The term "Best Management Practices" is used in reference to control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations Section 103.2[m]) defines Best Management Practices as follows:

"Methods, measures, or practices selected by an agency to meet its nonpoint source control needs. Best Management Practices include, but are not limited to structural and nonstructural controls and operation and maintenance procedures. Best Management Practices can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 103.6[b][4][i]) provide that Basin Plans:

"...shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

Best Management Practices fall into two general categories:

1. Source controls which prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing stream banks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion controls, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment practices which remove pollutants from a discharge before it reaches surface or ground waters.

These practices include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized;

Best Management Practices are not officially considered "best" practices for use in California unless they have been certified by the State Board.

The use of Best Management Practices does not necessarily ensure compliance with effluent limitations or with receiving water objectives. Because nonpoint source control has been a priority only since the 1970's, the long term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly. Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.

The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.

To be effective, most Best Management Practices must be implemented on a long term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.

- The "state-of-the-art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

General information on nonpoint source management practices is provided under different water quality problem categories throughout this chapter. For detailed information on the design, implementation, and effectiveness of specific Best Management Practices, the reader should consult the appropriate Best Management Practices Handbook for the project type or location.

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Revise the September 8, 1994 Basin Plan, Chapter 4, Pages IV-7 and IV-8, Section V.B., NONPOINT SOURCE PROGRAM as follows (Moved to page IV-44, Section VIII.):

V.B. NONPOINT SOURCE PROGRAM

Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.

In order to address the nonpoint source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. By amending the Clean Water Act, Congress shifted the federal emphasis from nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the federal Clean Water Act required each state to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan which outlined steps to initiate the systematic management of nonpoint sources in California. For effective management of nonpoint sources the Management Plan required:

- [-] An explicit long term commitment by the State Board and Regional Boards;
- [-] More effective coordination of existing State Board and Regional Board nonpoint source related programs;
- [-] Greater use of Regional Board regulatory authority coupled with nonregulatory Regional Board programs;

~~[-] Stronger links between the local, State, and federal agencies which have authority to manage nonpoint sources; and~~

~~[-] Development of new funding sources.~~

The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:

1. Voluntary implementation of Best Management Practices

Property owners or managers may volunteer to implement Best Management Practices. Implementation could occur for economic reasons and/or through awareness of environmental benefits.

2. Enforcement of Best Management Practices

Although the California Porter Cologne Water Quality Control Act constrains Regional Boards from specifying the manner of compliance with water quality standards, there are two ways in which Regional Boards can use their regulatory authority to encourage implementation of Best Management Practices.

The Regional Board may encourage Best Management Practices by waiving adoption of waste discharge requirements on condition that discharges comply with Best Management Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.

The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharge requirements, and approved Management Agency Agreements, or other State or Regional Board formal action.

3. Adoption of Effluent Limitations

The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge, including discharges from nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations

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~~may be set at a level which, in practice, requires implementation of Best Management Practices.~~

~~Not all of the categories of nonpoint source pollution follow this three tiered approach. For example, silviculture activities or nonpoint source pollution administered by the California Department of Forestry. The State Board has entered into a Management Agency Agreement with the California Department of Forestry which allows the Regional Board to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.~~

~~The Regional Board approach to addressing or regulating categories of nonpoint source pollution is discussed in various sections throughout this chapter.~~

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Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-44 and Page IV-45, Section VIII. NONPOINT SOURCE MEASURES as follows:

VIII. NONPOINT SOURCE PROGRAM CONTROL OF NONPOINT SOURCE MEASURES POLLUTANTS

Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as diffuse discharges of waste without a single point of origin sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is typically caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.

In order to address the nonpoint source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. By a Amendments to the Clean Water Act (www.swrcb.ca.gov/rwqcb3/). Congress shifted the federal emphasis from nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the federal Clean Water Act required each state to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan which that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to become the "Nonpoint Source Pollution Control Program (January 2000)" in December 1999 (www.swrcb.ca.gov/rwqcb3/). The State Water Resources Control Board adopted Resolution 99-114, revising the Nonpoint Source Pollution Control Program on December 14, 1999, pursuant to Section 319 of the

Clean Water Act. For effective management of nonpoint sources the Management Plan required:

- An explicit long-term commitment by the State Board and Regional Boards;
- More effective coordination of existing State Board and Regional Board nonpoint source related programs;
- Greater use of Regional Board regulatory authority coupled with nonregulatory Regional Board programs;
- Stronger links between the local, State, and federal agencies which have authority to manage nonpoint sources; and
- Development of new funding sources.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Implementation of management measures will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process. The program process includes:

- (1) Assessing Program activities
- (2) Targeting efforts
- (3) Planning activities based on Program goals and objectives
- (4) Coordinating the efforts of federal, State, and local agencies and stakeholders
- (5) Implementing coordinated actions
- (6) Tracking and monitoring the results of implemented actions
- (7) Reporting on Program results. The Program Plan is designed to be flexible and adaptable over time.

Specifically, the 2000 Nonpoint Source Pollution Control Program:

1. Adopts 61 management measures as goals for six nonpoint source categories (agriculture, forestry, urban areas, marinas and recreational boating, hydromodification, and wetlands/riparian areas/vegetated treatment systems)

2. Provides a fifteen-year strategy for implementing Management Measures
3. Continues use of Management Options (the "Three-Tiered Approach") for addressing NPS pollution problems
 - a) Tier 1: Self-Determined Implementation of Management Practices (formerly referred to as "voluntary" implementation)
 - b) Tier 2: Regulatory Based Encouragement of Management Practices (e.g., Management Agency Agreements, established waivers, etc.)
 - c) Tier 3: Effluent Limitations and Enforcement Actions (e.g., Basin Plan prohibitions, Waste Discharge Requirements, etc.)
4. Provides the first of three five-year implementation plans targeting activities for specific management measures consistent with state and regional priorities in specific watersheds and also establishes mechanisms for: (a) coordination among agencies; (b) participation by the public; (c) assistance technically and financially; (d) adoption of additional management measures as goals, if needed; and; (e) monitoring and reporting of program effectiveness
5. Promotes long-term interagency coordination among State agencies of the California Environmental Protection Agency and Resources Agency as well as other local, State, and federal agencies
6. Identifies back-up authorities and enforceable policies and mechanisms for the 61 management measures adopted by the State
7. Relies on the use of existing authorities and regulatory processes (see page IV-3, Section V, Control Actions Under Regional Board Authority) to achieve implementation but allows for the adoption of the management measures as regulation after each five-year cycle if adequate progress in NPS pollution control has not been demonstrated.

The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:

1. Voluntary implementation of Best Management Practices

Property owners or managers may volunteer to implement Best Management Practices. Implementation could occur for economic reasons and/or through awareness of environmental benefits.

2. Enforcement of Best Management Practices

Although the California Porter-Cologne Water Quality Control Act constrains Regional Boards from specifying the manner of compliance with water quality standards, there are two ways in which Regional Boards can use their regulatory authorities to encourage implementation of Best Management Practices.

First, the Regional Board may encourage Best Management Practices by waiving adoption of waste discharge requirements on condition that discharges comply with Best Management Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.

The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharge requirements and approved Management Agency Agreements, or other State or Regional Board formal action.

3. Adoption of Effluent Limitations

The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge, including discharges from nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations may be set at a level which, in practice, requires implementation of Best Management Practices.

Not all of the categories of nonpoint source pollution follow the three-tiered approach. For example, silviculture activities on non-federal lands are administered by the California Department of Forestry. The State Board has entered into a Management Agency Agreement with California Department of Forestry which allows the Regional Boards to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.

The Regional Board approach to addressing or regulating categories of nonpoint source pollution as discussed in various sections throughout this chapter, the Basin Plan and the Central Coast Region Watershed Management Initiative, is available at www.swrcb.ca.gov/rwqcb/.

The Nonpoint Source Pollution Control Program has State Nonpoint Source Management Plan initiated

development implements of specific program objectives to be implemented at the State and Regional level. Currently, Regional Board staff are implementing the following State Board program objectives:

A. Control of Nonpoint Source pollution (urban runoff; agriculture; land disturbance activities such as road construction/maintenance, land construction, timber harvesting, and mining; hydrologic modification; and individual disposal systems). These activities include outreach, education, public participation, technical assistance, financial assistance, interagency coordination, demonstration projects, and regulatory activities such as imposing septic tank area prohibitions.

B. Preparation of contracts for projects selected for grant funding. Regional Board staff also participate in these projects by providing technical assistance and publicizing their results.

C. Implementation of the 1990 Coastal Zone Act Reauthorization Amendments, as developed by the State Board and the California Coastal Commission. This shall be an enforceable Nonpoint Source Management Program to control land use and anthropomorphic activities impacts that have a significant affect on coastal waters. (Further discussion of the Amendments is provided later.)

D. Initiation of nonpoint source watershed pilot programs.

Using State program objectives, Regional Board staff annually developed task-specific workplans work plans to address nonpoint sources of pollution. For the Central Coastal Region, the following Nonpoint Source Program tasks activities are managed and implemented by the Nonpoint Source Program staff are documented in the Central Coast Region Watershed Management Initiative Chapter (January 2002 WMI at www.swrcb.ca.gov/rwqcb3/).

Task 1: Water Quality Assessment

Regional Board staff reviewed and updated the nonpoint source portion of the Water Quality Assessment and prepared water body fact sheets. (The Water Quality Assessment and water body fact sheets are discussed in Chapter Six.)

Task 2: Watershed Studies/Planning

Three impaired watersheds (Morro Bay Watershed, San Luis Obispo Creek Watershed, and San Lorenzo River Watershed) have been targeted for intensive activity. Major activities for San Luis Obispo Creek watershed include:

1. Develop a Demonstration "Total Maximum Daily Load" model.
2. Create a "San Luis Obispo Creek Riparian Task Force".
3. Implement a riparian corridor restoration project.
4. Identify major nonpoint pollutants and sources.
5. Develop a watershed management program.

For Morro Bay watershed, the activities include:

1. Develop a long term monitoring program to assess water quality improvements associated with the implementation of nonpoint source pollution control measures.
2. Develop funding for the long term monitoring program.
3. Implement a sediment reduction program using best management practices.
4. Participate in the Morro Bay Task Force.

For San Lorenzo River watershed, the activities include:

1. Develop a detailed assessment of Nonpoint Source impacts in the watershed.
2. Develop a wastewater management plan for on/off-site wastewater disposal.
3. Develop of a nutrient objective for the river.
4. Conduct experimental on-site wastewater treatment to reduce nitrogen discharge into the environment.

Task 3: Outreach Program

Staff meets regularly with individual and local government agencies to promote education and solutions on Nonpoint Source problems. Additionally, the use of

grant and loan resources to correct Nonpoint Source problems is emphasized during outreach activities.

Specific outreach activities include participation on the San Luis Obispo Creek Riparian Task Force, Morro Bay Task Force, and various 319(h)/205(j)/Basin Planning Technical Advisory Committees, and development of grant applications with local agencies.

Task 4: Project Tracking and Participation

Regional Board staff prepare contracts, coordinate with project proponents, track project progress, review and approve invoices, and provide technical support for Nonpoint Source grant funded projects.

Examples of additional management actions are documented in the following:

California Rangeland Water Quality Management Plan

Salinas River Watershed Management Action Plan

Water Quality Protection Program for Monterey Bay National Marine Sanctuary, Action Plan IV: Agriculture and Rural Lands

Central Coast Region Watershed Management Initiative Chapter

These documents are located on the Regional Board website at (www.swrcb.ca.gov/rwqcb3/).

BEST MANAGEMENT PRACTICES

Property owners, managers, or other dischargers may implement "Best Management Practices" to protect water quality. (Implementation and enforcement of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter). The term "Best Management Practices" is used in references to control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations, Section 103.2[m]) (www.swrcb.ca.gov/rwqcb3/) defines Best Management Practices as follows:

"Methods, measures, or practices selected by an agency to meet its nonpoint source control needs. Best Management Practices include, but are not

limited to structural and nonstructural controls and operation and maintenance procedures. Best Management Practices can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 103.6[b][4][i]) (www.swrcb.ca.gov/rwqcb3/) provide that Basin Plans:

"...shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

Best Management Practices fall into two general categories:

1. Source controls which that prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing stream banks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion controls, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment controls which remove pollutants from a discharge before it reaches surface or ground waters.

Examples include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized:

- Best Management Practices are not officially considered "best" practices for use in California unless they have been certified by the State Board.
- The use of Best Management Practices does not necessarily ensure compliance with effluent

limitations or with receiving water objectives. Because nonpoint source control has been a priority only since the 1970s, the long-term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly. Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.

- The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.
- To be effective, most Best Management Practices must be implemented on a long-term long-term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.
- The "state-of-the-art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

General information on recommended nonpoint source management practices is provided under different water quality problem categories throughout this chapter for urban, agriculture, onsite wastewater disposal, and other land disturbance activities are described in the following sections (also see "Nonpoint Source Pollution Control Program (January 2000)"). For detailed information on the design, implementation, and effectiveness of specific Best Management Practices, the reader should consult the appropriate references Best Management Practices Handbook for the project type or location.

Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-45 and Page IV-46, Section VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS as follows:

VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS Wetlands, Riparian Areas, and Vegetated Treatment Systems

The State has identified four Management Measures (MMs) to promote the protection and restoration of wetlands and riparian areas and the use of vegetated treatment systems as means to control nonpoint sources of pollution. Wetlands and riparian areas reduce polluted runoff by filtering out runoff-related contaminants, such as sediment, nitrogen, and phosphorus, thus maintaining the water quality benefits of these areas is important. These areas also help to attenuate flows from higher-than-average storm events. This attenuation protects downstream areas from adverse impacts, such as channel scour, erosion, and temperature and chemical fluctuations. Changes in hydrology, substrate, geochemistry, or species composition can impair the ability of wetland or riparian areas to filter out excess sediment and nutrients and therefore can result in deteriorated water quality. The following activities can cause such impairment: drainage of wetlands for cropland, overgrazing, hydromodification, highway construction, deposition of dredged material, and excavation for ports and marinas.

RECOMMENDED ACTIONS

Recommended actions (management measures) are found in the 2000 Nonpoint Source Pollution Control Program.

CONTROL ACTIONS

1. All discharges to the aquatic environment shall be considered temporary unless it is demonstrated that no undesirable change will occur in natural receiving water quality.

2. The quality of all surface waters of the basin shall be such as to permit unrestricted recreational use.
3. The discharge of pollutants into surface waters shall be discontinued.
4. Erosion from nonpoint pollution sources shall be minimized through implementation of Best Management Practices.
5. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November October 15 each year.
6. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.
7. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.

PROHIBITIONS

1. The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.
2. As specified in Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS.

In November 1990, Congress enacted Section 6217 of the Coastal Zone Act Reauthorization Amendments to help address the problem of nonpoint source pollution in coastal waters. Section 6217 requires that coastal states with federally approved coastal management programs develop Coastal Nonpoint Pollution Control Programs. The legislative history indicates that the central purpose of section 6217 is to strengthen the links between federal and State coastal zone management and water quality programs in order to enhance efforts to manage land use

~~activities that degrade coastal beneficial uses. The State coastal zone management agency designated under Section 306 of the Amendments and nonpoint source management agency designated under section 319 of the Clean Water Act will have a dual and co-equal role and responsibility in developing and implementing the coastal nonpoint program.~~

~~The program gives the U.S. Environmental Protection Agency (U.S. EPA) and the National Oceanic and Atmospheric Administration joint authority to approve programs developed by the State to address 6217 requirements.~~

~~The State agencies chosen to develop California's Coastal Nonpoint Pollution Control Program are the State Board and the Coastal Commission. The statute requires that the State program be "coordinated closely with State and local water quality plans and programs." This means that the State's nonpoint source programs under Sections 208 and 319 of the Clean Water Act and the coastal program must be examined to determine if they comprehensively address land use activities and anthropomorphic effects that have a significant effect on coastal waters. In addition, the State agencies are charged with developing a coordinated program that:~~

- ~~—identifies categories of nonpoint sources that adversely impact coastal waters;~~
- ~~—describes management measures to be implemented;~~
- ~~—identifies the land uses and critical coastal areas that will require more stringent or additional management measures;~~
- ~~—describes the State developed additional management measures to be implemented in critical areas;~~
- ~~—documents the authorities the State will use to implement both the guidance and additional management measures, including designation of a lead agency for each source category and/or subcategory; and~~
- ~~—sets forth a schedule to achieve full implementation of the guidance management measures within three years of program approval by U.S. EPA and National Oceanic and Atmospheric Administration, and full implementation of additional management measures within six years of program approval.~~

~~The Coastal Commission and the State Board staff have been working on a strategy to develop the required~~

~~Coastal Nonpoint Pollution Control Program plan. Recently, the State Board directed staff to review and revise the statewide Nonpoint Source Management Plan to include a strong coastal component. Revision of the Plan is intended to satisfy the requirements of Section 6217 within the existing framework of current nonpoint source activities.~~

~~On a Regional Board level, staff has been involved with the statewide program since 1991. A pilot project, "The New Coastal Nonpoint Pollution Control Program using the Morro Bay Watershed as a Model" was performed to assess the feasibility of establishing the Coastal Nonpoint Pollution Control Program in California. Regional Board staff supplied technical information and reviewed reports. Concerted planning and implementation efforts on target coastal watersheds such as Morro Bay will be major accomplishments to satisfy Coastal Nonpoint Pollution Control Program requirements. As the program goes statewide, Regional Board staff will attend technical advisory committee meetings and will work closely with staff of the State Board and other Regional Boards, as well as staff of other relevant local, State, and federal agencies to develop a workable Coastal Nonpoint Pollution Control Program.~~

~~Wastewater originating from nonpoint sources includes those from urban runoff, agricultural activities, on site sewage disposal systems, and land disturbance activities. Management of these types of nonpoint source discharges are discussed in the following section. The Regional Board will be developing management practices for marinas and recreational boating; hydromodification facilities; and wetlands, riparian areas, and vegetated treatment systems at a future date.~~

Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-68 and Page IV-69, Section VIII.E.1. LAND DISTURBANCE ACTIVITIES as follows:

VIII.E. LAND DISTURBANCE ACTIVITIES

Construction, mining, and other soil disturbance activities which that may disturb or expose soil or otherwise increase susceptibility of land areas to erosion are difficult to regulate effectively. Construction projects or timber harvesting activities may often begin and end with no obvious impairment of stream quality; however, erosion or land slides landslides the following winter may be directly related to earlier land disturbance or tree cutting. Mining and quarrying activities are generally longer in duration.

Under contract with the Regional Board, the California Association of Resource Conservation Districts completed a study entitled, "Erosion and Sediment in California Central Coast Watersheds - A study of Best Management Practices" (Erosion Study), dated June, 1979. This Erosion Study, funded under Section 208 of the Clean Water Act, assesses impacts of erosion and sedimentation on water quality and beneficial uses in nondesignated planning areas (San Benito, San Luis Obispo, and Santa Barbara Counties) of the Central Coast Region. This Erosion Study and supporting documents have been used by the Regional Board in developing erosion and sedimentation control policy.

Nonpoint source pollution in the remainder of the Region is addressed by designated planning agencies through their respective Area wide Waste Treatment Management Plans. Designated agencies and the areas affected within this Region include: Association of Bay Area Governments (portions of San Mateo and Santa Clara Counties), Association of Monterey Bay Area Governments (Santa Cruz and Monterey Counties), and Ventura County Board of Supervisors (portion of Ventura County). The policy herein described is compatible with those plans and is within the scope of the Regional Board authority.

The Erosion Study and Area wide Waste Treatment Management Plans identify examples of accelerated erosion resulting from insufficient land management of soil cultivation, grazing, silviculture, construction, and off-road vehicle activities, as well as wildfires.

Adverse impacts of sediment are identified, in part, as: impairment of water supplies and ground water recharge, siltation of streams and reservoirs, impairment of navigable waters, loss of fish and wildlife habitat, degradation of recreational waters, transport of pathogens and toxic substances, increased flooding, increased soil loss, and increased costs associated with maintenance and operation of water storage and transport facilities. Recommendations based on conclusions of the Erosion Study and practices recommended in Area wide Waste Treatment Management Plans are a means to reduce unnecessary soil loss due to erosion and to minimize adverse water quality impacts resulting from sediment.

~~When a practice or combination of practices is found to be the most effective, practical (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals, it is designated a Best Management Practice (BMP). BMPs are determined only after problem assessment, examination of alternative practices, and appropriate public participation in the BMP development process.~~

RECOMMENDED ACTIONS

1. Land use practices should assure protection of beneficial water uses and aquatic environmental values.
2. There shall be no waste discharged into areas that possess unique or uncommon cultural, scenic, aesthetic, historical or scientific values. The Regional Board will define such areas.
3. Property owners are considered ultimately responsible for all activities and practices that could result in adverse affects on water quality from waste discharges and surface runoff.
4. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the State.
5. Use of soil sterilants is discouraged and should be minimized.

Erosion Study Recommendations

General recommendations based on conclusions of the Erosion Study are discussed below. These recommendations are considered to be Best Management Practices (BMPs) by the Regional Board as are the Area wide approved water quality management plans.

1. Soil conservation control measures should be used to minimize impacts that would otherwise result from soil erosion. Control measures are identified according to systems, which are then broken down into subsystems of erosion control techniques or component measures.

For example, a system for control of erosion from construction sites would identify component measures such as debris basins, access roads, hillside ditches, etc. Other conservation control systems include: conservation cropping, conservation irrigation, roadside erosion control, critical area treatment, diversions and ditches, grade stabilization, pasture and range management, runoff and sediment control ponds and basins, stream bank and channel protection, and watershed, wildlife, and recreation land improvement. These control measures are comparable to the USDA Soil-Natural Resources Conservation Services' Resource Management Subsystem approach as referenced in AMBAG's "Water Quality Management Plan for the Monterey Bay Region," dated July 1978, and in ABAG's, "Handbook of Best Management Practices," dated October 1977.

Experience has shown that no one control measure best solves an existing, or prevents a potential, pollution problem - especially in the area of soil erosion and sedimentation. As land use, the land user, and various situations change, so does the need for control measures. Before application, an on-site investigation with the land user is necessary to determine which practice or set of practices will be most effective and acceptable.

2. Erosion control should be implemented in a reasonable manner with as much implementation responsibility remaining with existing local entities and programs as is possible and consistent with water quality goals.
3. The Regional Board and local units of government should establish a clear policy for control of erosion, including consideration of off-site and cumulative impacts and the imposition of performance standards

according to the sensitivity of the area where land is to be disturbed.

4. Effective ordinances and regulatory programs should be adopted by local units of government. Effective programs would allow only land disturbance actions consistent with the waste load capacity of the watershed, require preparation of erosion and sediment control plans with specific contents and with attention to both offsite/on-site impacts, identify performance standards, be at least comparable to the model ordinance in the "Erosion and Sediment Control Handbook," dated May 1978, and have provisions for inspection follow-up, enforcement, and referral.
5. Watersheds with critical erosion and sediment problems should be identified by one or more concerned agencies such as the California Department of Fish and Game, the Regional Board, the local Environmental Health, Planning, or Engineering Departments, the local Flood Control District, or the local Resource Conservation District, and then referred to the remaining agencies by a designated local coordinating agency for determining the scope, nature, and significance of the identified problem. The designated local agency would evaluate the adequacy and appropriateness of the total assessment, including an assessment of the problem and causes, alternatives considered, recommended interim and permanent control measures, and the amount and sources of funding. The evaluation would then be submitted as an Impact Findings Report for consideration and decision by the local governing body.
6. Comprehensive and continuous training should be mandatory for building and grading inspectors, engineers, and planners involved in approving, designing, or inspecting erosion control plans and on-site control measures. The training program would preferably be conducted on an inter-county/agency basis and be administered through a USDA Natural Resources Soil Conservation Service cooperative training arrangement or ~~through seminars~~ through seminars conducted by the USDA Natural Resources Soil Conservation Service and the University of California Cooperative Extension seminars. The Soil Conservation Society of America should be requested to assist in establishing an effective training program, including public education to heighten awareness of the adverse affects of erosion and sediment on soil and water resources.

7. More intensive erosion controls should be considered within four watersheds (Lauro Reservoir and Devereaux Ranch Slough in Santa Barbara County and Pismo Lake and Morro Bay in San Luis Obispo County) with apparent critical erosion and sediment problems. Alternative practices that may be implemented to effect the necessary level of control are assigned a relative priority.

Actions By Other Authorities

1. The federal government should increase its support of erosion and sediment control programs by increasing its technical staff, increasing cost-share funds, increasing the availability of low-interest loans, and changing its income tax laws to encourage the use of Best Management Practices for erosion and sediment control.
2. The State of California should establish an erosion and sediment control program that includes incentives for the individual - such as cost-sharing, changes in State law that would reduce property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.
3. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of Best Management Practices to correct existing erosion and sediment problems and to prevent new problems from occurring.
4. Local units of government should improve land use plans to establish a clear policy, and shall adopt or improve ordinances to include definitive performance standards, for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices identified under Regional Board "Management Principles."
5. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with Best Management Practices for their land areas within the Coastal Zone.
6. Resource Conservation Districts, the U.S.D.A. Soil Natural Resources Conservation Service, the

California Department of Transportation, and the U.C. Cooperative Extension Service, in conjunction with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who check erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.

7. Counties and cities should work with the Regional Board to identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation.
8. Review and assessment of erosion and sediment control plans for new land developments in those counties and cities that have signed management agency agreements with the Board will be processed entirely by that county or city.

CONTROL ACTIONS

1. All discharges to the aquatic environment shall be considered temporary unless it is demonstrated that no undesirable change will occur in the natural receiving water quality.
2. The quality of all surface waters of the basin shall be such as to permit unrestricted recreational use.
3. The discharge of pollutants into surface waters shall be discontinued.
4. In implementing BMPs through local units of government, or through State and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the area wide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually to reflect recent achievements, new information and new concerns.
5. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.

6. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger are exempt from this chapter providing such exemption is in the public interest.
7. Regulation of sediment discharges from routine annual non-irrigated agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.
8. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.
9. Erosion from nonpoint pollution sources shall be minimized through implementation of Best Management Practices.
10. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November October 15 each year.
11. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.
12. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.
13. Design and maintenance of erosion and sediment control structures (e.g., debris and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practice.
14. Cover crops shall be established by seeding and/or mulching or other equally effective measures for all disturbed areas not otherwise protected from

excessive erosion. The use of native plant species is recommended.

15. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded slope length shall not be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.

Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-68 through Page IV-69, Section VIII.E.1. LAND DISTURBANCE PROHIBITIONS as follows:

VIII.E.1. LAND DISTURBANCE PROHIBITIONS

The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from timber harvesting, construction, and other soil disturbance activities at locations above the anticipated high water line of any stream in the basin where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

Soil disturbance activities not exempted pursuant to Regional Board Management Principles in Chapter Five and Control Actions contained in this Chapter Five are prohibited:

1. In geologically unstable areas,
2. On slopes in excess of thirty percent (excluding agricultural activities), and
3. On soils rated a severe erosion hazard by soil specialists (as recognized by the Executive Officer) where water quality may be adversely impacted;

Unless,

- a. In the case of agriculture, operations comply with, a Farm Conservation or Farm Management Plan, approved by a Resource Conservation District or the USDA-Soil Conservation Service Natural Resources Conservation Service;
- b. In the case of construction and land development, an erosion and sediment control plan or its equivalent (e.g., EIR, local ordinance) prescribes best

management practices to minimize erosion during the activity, and the plan is certified or approved, and will be enforced by a local unit of government through persons trained in erosion control techniques; or,

- c. There is no threat to downstream beneficial uses of water, as certified by the Executive Officer of the Regional Board.

4. As specified in Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS.

IX. TOTAL MAXIMUM DAILY LOADS

The goal of setting a Total Maximum Daily Load (TMDL) is to attain state water quality standards for waterbodies identified to be impaired by a pollutant and, therefore, not meeting water quality standards. Development of a TMDL typically involves a quantitative assessment of water quality problems, contributing pollutant sources, and numeric goals that indicate if and when water quality standards are met. The TMDL value specifies the maximum amount of pollutant that can be discharged (or the amount of a pollutant that needs to be reduced) to meet water quality standards. Components of a TMDL include load allocations for nonpoint source and background pollution, waste load allocations for point source pollution, and a margin of safety that accounts for the uncertainty about the relationship between the pollutant loads and the quality of the receiving waterbody. This section includes the TMDLs calculated for the specified waterbody identified to be impaired by a pollutant, the numeric targets set for the waterbody/pollutant combination that serve as indicators of water quality standards, and allocations of pollutant loads among sources contributing the pollutant to the waterbody. Associated with each TMDL is an implementation plan and a monitoring plan. The implementation plan describes how the water quality standards will be achieved for the waterbody/pollutant combination. These implementation plans typically include actions to be taken, requirements to be imposed through regulatory authorities, and a time schedule for actions and requirements to be implemented. The monitoring plans typically include monitoring parameters, collection methods, analysis methods, and sample collection locations. Monitoring data is used to track

implementation efforts and make informed decisions
about water quality conditions and standards.

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Policy\CH4 11-12-02 Proposed BP Amendment.DOC
Task: 401-01
File: : Basin Plan, NPS Policy

ATTACHMENT C

REVISED CHAPTER 5. PLANS AND POLICIES

CHAPTER 5. PLANS AND POLICIES

In addition to the Implementation Plan, many other plans and policies direct State and Regional Board actions or clarify the Regional Board's intent. The following pages contain brief descriptions of State Board plans and policies and numerous Regional Board plans and policies. ~~Copies of the State and Regional Board policies are contained in the Appendix.~~

Nonpoint Source Pollution Control Program (January 2000) Nonpoint Source Management Plan

Ocean Plan

Discharges of Municipal Solid Waste Policy

Should any of these policies be amended by the State Board, the Regional Board will implement the amended version.

The following sections summarize the adopted policies. ~~The complete policy is available in the "Attachments" section of this document.~~

I. STATE WATER RESOURCES CONTROL BOARD PLANS AND POLICIES

The State Water Resources Control Board (State Board) has adopted a number of plans and policies for Statewide water quality management including:

State Policy for Water Quality Control (1972)

Anti-degradation Policy

Thermal Plan

Bays and Estuaries Policy

Power Plant Cooling Policy

Reclamation Policy

Shredder Waste Disposal Policy

Underground Storage Tank Pilot Program

Sources of Drinking Water Policy

Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-3 and V-4, Section I.J. NONPOINT SOURCE MANAGEMENT PLAN as follows:

I.J. NONPOINT SOURCE MANAGEMENT PLAN

Resolution R3-2002-0093: Adopting policy regarding the State Nonpoint Source Pollution Control Program (January 2000).

~~The "Nonpoint Source Management Plan", Resolution 88-123, was adopted by the State Water Resources Control Board on November 15, 1988 pursuant to Section 319 of the Clean Water Act. The Plan identifies nonpoint source control programs and milestones for their accomplishment. It emphasizes cooperation with local governments and other agencies to promote the implementation of Best Management Practices and remedial projects.~~

In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to the "Nonpoint Source Pollution Control Program (January 2000)" in December 1999 (www.swrcb.ca.gov/rwqcb3/). Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted by the State Water Resources Control Board on December 14, 1999 pursuant to Section 319 of the Clean Water Act.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Implementation of management measures will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.

Revise the September 8, 1994 Basin Plan,
Chapter 5, Page V-7, Section III.G.
**EROSION AND SEDIMENTATION
CONTROL** as follows:

**III.G. EROSION AND
SEDIMENTATION CONTROL**

1. General recommendations for erosion control, numbered one through six under "Land Disturbance Activities" in the Implementation Plan, Chapter Four, are considered by the Regional Board to be Best Management Practices (BMP's), as are those BMP's identified in approved areawide Water Quality Management Plans.
2. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the State.
3. In implementing BMP's through local units of government, or through State and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the areawide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually. They receive achievements, new information, and concerns.
4. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.
5. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger

are exempt from this chapter providing such exemption is in the public interest.

6. Regulation of sediment discharges from routine annual agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.
7. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.

"Control Actions" and "Actions by Other Authorities" in this chapter and the Implementation Plan, Chapter Four, contain further information regarding erosion and sedimentation control.

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~~Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-13 and V-14, Section V.G. EROSION AND SEDIMENTATION as follows:~~

~~V.G. EROSION AND SEDIMENTATION~~

- ~~1. Erosion from nonpoint pollution sources shall be minimized through implementation of BMP's (identified under "Management Principles" and described under "Land Disturbance Activities" in Chapter Four's "Nonpoint Source Measures" section.~~
- ~~2. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November 15 each year.~~
- ~~3. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.~~
- ~~4. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible, between significant land disturbance activities and watercourses, lakes, bays, quarries, ponds, and other water bodies. For construction activities, the minimum width of the filter strip shall be 10 feet, wherever possible as measured along the ground surface to the highest anticipated water line.~~
- ~~5. Design and maintenance of erosion and sediment control structures, (e.g., debris and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practices.~~
- ~~6. Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion.~~
- ~~7. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded slope length shall not~~

~~be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.~~

- ~~8. Use of soil sterilants is discouraged and should be minimized.~~

~~Further erosion and sedimentation information can be found in other areas of this chapter as well as the Implementation Plan, Chapter Four, under "Land Disturbance Activities."~~

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Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-15 and V-16, Section V.H.10. EROSION AND SEDIMENTATION CONTROL as follows:

V.H.10. EROSION AND SEDIMENTATION CONTROL

1. The federal government should increase its support of erosion and sediment control programs by increasing its technical staffs, increasing cost share funds, increasing the availability of low interest loans, and changing its income tax laws to encourage the use of Best Management Practices for erosion and sediment control.
2. The State of California should establish an erosion and sediment control program that include incentives for the local, state, and federal share changes in State land use taxes, local property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.
3. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of Best Management Practices to correct existing erosion and sediment problems and to prevent new problems from occurring.
4. Local units of government should improve land use plans to establish a clear policy, and shall adopt or improve ordinances to include definitive performance standards, for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices identified under Regional Board "Management Principles."
5. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with Best Management Practices for their land areas within the Coastal Zone.
6. Resource Conservation Districts, the U.S.D.A. Soil Conservation Service, the California Department of Transportation, and the Extension Service, in

conjunction with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who check erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.

7. Counties and cities should work with the Regional Board to identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation.
8. Review and assessment of erosion and sediment control plans for new land developments in those counties and cities that have signed management agency agreements with the Board will be processed entirely by the county or city.

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ATTACHMENT D

REVISED BASIN PLAN APPENDIX

Revise the September 8, 1994 Basin Plan, Plans and Policies Appendix, Page 1 as Follows:

PLANS AND POLICIES APPENDIX

<u>Number</u>	<u>Title</u>
A-1	State Policy for Water Quality Control (1972)
A-2	Statement of Policy with Respect to Maintaining High Quality of Waters in California (Anti-degradation Policy)
A-3	Water Quality Control Plan for Control of Temperature in Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan)
A-4	Water Quality Control Policy for the Enclosed Bays and Estuaries of California (Bays and Estuaries Policy)
A-5	Power Plant Cooling Policy
A-6	Reclamation Policy
A-7	Shredder Waste Disposal Policy
A-8	Underground Storage Tank Pilot Program
A-9	Sources of Drinking Water Policy
A-10	Nonpoint Source Management Plan
A-11	Water Quality Control Plan for Ocean Waters of California (1990) (Ocean Plan)
A-12	Discharges of Municipal Solid Waste Policy
A-13	Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coast Region
A-14	Acceptance of Monterey County Board of Supervisor's Ordinance Applying Development Restrictions to the Bays Hills (Bay Farms/Hillcrest)
A-15	Acceptance of Monterey County Board of Supervisors' Ordinance Applying Development Restrictions to the Area within the San Lucas County Water District
A-16	Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County
A-17	Policy Amending "Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County" to apply Region Wide

ATTACHMENT E

CEQA CHECKLIST

CALIFORNIA ENVIRONMENTAL QUALITY ACT
"FUNCTIONAL EQUIVALENT" REPORT FOR BASIN PLAN AMENDMENT

(RESOLUTION NO. R3-2002-0093)

The Central Coast Regional Water Quality Control Board (Regional Board) is proposing an amendment to its Water Quality Control Plan - Central Coastal Basin (Basin Plan). The Basin Plan serves as the cornerstone water quality protection policy for the Central Coast. It identifies beneficial uses of surface and ground waters, establishes water quality objectives to protect beneficial uses, and provides an implementation plan to achieve those objectives.

The Basin Planning process has been certified as "functionally equivalent" to the preparation of the Environmental Impact report (EIR) for the purposes of complying with the California Environmental Quality Act (CEQA) (Section 15251, Title 4, California Code of Regulation ((CCR)). Based on the certification, this Basin Plan Amendment Report is used in lieu of an EIR or a Negative Declaration.

Any Regional Board regulatory program certified as functionally equivalent, however, must satisfy the documentation requirements of Section 377 (a), Title 23, CCR. This report satisfies part (a) of that section. It contains the following:

1. A Description of Proposed Activity and Proposed Alternatives,
2. An Environmental Checklist and a Description of the Proposed Activity,
3. An Environmental Evaluation, and
4. A determination with respect to significant Environmental Impacts.

I. DESCRIPTION OF PROPOSED ACTIVITY

This section describes the changes proposed and alternatives to this proposal. The purpose of this amendment is to:

1. Incorporate the State Water Resources Control Board January 2000 Nonpoint Source Program Strategy and Implementation Plan.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Program Strategy and Implementation Plan for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Alternatives to this proposal include:

1. Require a higher level of nonpoint source protection than identified in the Nonpoint Source Program Strategy and Implementation Plan.

This alternative is not recommended because the Nonpoint Source Program Strategy and Implementation Plan as proposed already requires the highest level of nonpoint source protection feasible.

2. Require a less stringent Nonpoint Source Program Strategy and Implementation Plan.

This alternative is not recommended because it does not protect water quality and associated beneficial uses.

3. Take no action.

This alternative is not recommended because it does not protect water quality and associated beneficial uses.

4. Modify amendment

This alternative is recommended if it does not modify the Nonpoint Source Program Strategy and Implementation Plan. This alternative is recommended only if beneficial uses are protected and water quality objectives are attained.

5. Create additional amendments

The Regional Board may consider additional alternatives, but will limit its action to a logical outgrowth of the proposed amendment. Other alternatives will be subject to public notice and comment at the time those changes are proposed.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS

II. EVALUATION OF ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
1. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, But not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>3. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project</p>				
<p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Create objectionable odors affecting a substantial number of people?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>4. BIOLOGICAL RESOURCES -- Would the project:</p>				
<p>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. ENVIRONMENTAL EVALUATION (of checklist questions answered Potentially Significant Impact, Less than Significant with Mitigation Incorporation, or Less than Significant Impact)

2a and 2c Less than Significant Impact: The Environmental Evaluation associated with this amendment (Regional Board Resolution R3-2002-0093) has less than significant impacts listed for items 2a and 2c, the conversion of prime farmland to non-agricultural use and the conversion of farmland to non-agricultural use respectively. Prime agriculture areas that would be converted are likely to be land that is only marginally sustaining its agricultural value and/or use. Implementation of nonpoint source management on agricultural land would likely result in net benefit by reducing soil and fertilizer loss into the creek. Additionally, Buffer strips (protection of riparian corridor) that would replace agricultural land could possibly provide flood protection to adjacent agricultural land uses, resulting in a net benefit. If necessary, impacts can be mitigated by assessing existing "loss" of agricultural value or land areas due to erosion and sedimentation, and by designing best management practices to compensate for this loss.

IV. DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment.

I find that the proposed project may have a significant adverse impact on the environment. However, there are feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report.

I find that the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

Signature

Date

ATTACHMENT F

**NOTICE OF PUBLIC HEARING
NOTICE OF FILING A DRAFT
ENVIRONMENTAL DOCUMENT**

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Ste. 200, San Luis Obispo, CA 93401**

**NOTICE OF PUBLIC HEARING
NOTICE OF FILING A DRAFT ENVIRONMENTAL DOCUMENT**

TO CONSIDER ADOPTION OF REVISED STATE WATER RESOURCES CONTROL BOARD NONPOINT SOURCE POLLUTION CONTROL PROGRAM AND REFORMATTING EXISTING NONPOINT SOURCE PLANS, POLICIES, AND MANAGEMENT PRACTICES - AMENDMENT OF THE CENTRAL COAST BASIN WATER QUALITY CONTROL PLAN (BASIN PLAN) AND REQUESTING APPROVAL FROM STATE WATER RESOURCES CONTROL BOARD

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Central Coast Region (Regional Board), will hold a public hearing to hear comments and consider adoption of a resolution amending the Water Quality Control Plan (Basin Plan) for the Central Coast Region. The proposed amendment to the Basin Plan includes:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

Copies of the proposed amendment to the Basin Plan (in the form of a draft amendment for adoption, staff report, and a functionally equivalent document which includes an Environmental Checklist) are available on the Internet at www.swrcb.ca.gov/rwqcb3/. At the website, on the first page you will see a staff report "PROPOSED AMENDMENT OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN" (BASIN PLAN) REGARDING INCORPORATION OF THE STATE WATER RESOURCES CONTROL BOARD "NONPOINT SOURCE POLLUTION CONTROL PROGRAM" AND RESTRUCTURING THE BASIN PLAN NONPOINT SOURCE INFORMATION, FINDINGS, AND REQUIREMENTS." The proposed amendments to the Basin Plan are also available by request at the office of the Regional Board. You may also request a mailed copy of these documents by contacting Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

Copies of the existing Basin Plan are located at libraries in major cities throughout the region, at the office of the Regional Board, and on the Internet at www.swrcb.ca.gov/rwqcb3/.

Actions to amend the Water Quality Control Plan for Region Three will be taken in accordance with a regulatory program exempt under Section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and with other applicable laws and regulations. At the conclusion of the meeting the Regional Board will consider approval of the proposed amendment or a revised amendment consistent with the intent of the amendment. At

the conclusion of the public hearing, the Regional Board will consider certification of the environmental document an approval of the proposed amendments.

The public comment period will occur from **August 8, 2002 through September 23, 2002**. We would appreciate any comments, preferably in writing, or other evidence sent in advance to Howard Kolb at the address listed above. Your timely submittal will allow staff to analyze your comments and the Regional Board to consider your comments before taking final action at the meeting to be held on December 6, 2002. Please note that all exhibits, charts, graphs, and other testimony presented, as evidence must be left with the Regional Board as part of the administrative record.

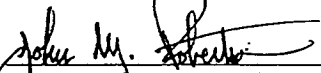
Time limits may be imposed on oral presentations at the hearing. Additional or alternative rules or regulations consistent with the general purpose of the amendment and complementary to the specific proposed rules may be developed at the hearing as a logical outgrowth of this hearing.

The public hearing is scheduled as follows:

Date: December 6, 2002
Time: 8:30 A.M.
Place: Conference Room
Regional Water Quality Control Board
895 Aerovista Place, SUITE 101
San Luis Obispo, CA 93401-5427

The location of the hearing is described on the attached map and is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact **Cyndee Jones** at 805-549-3372 at least 5 working days prior to December 6, 2002. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

For additional information on this Basin Plan review, please call Howard Kolb at 805-549-3332 or hkolb@rb3-swrqb.ca.gov.

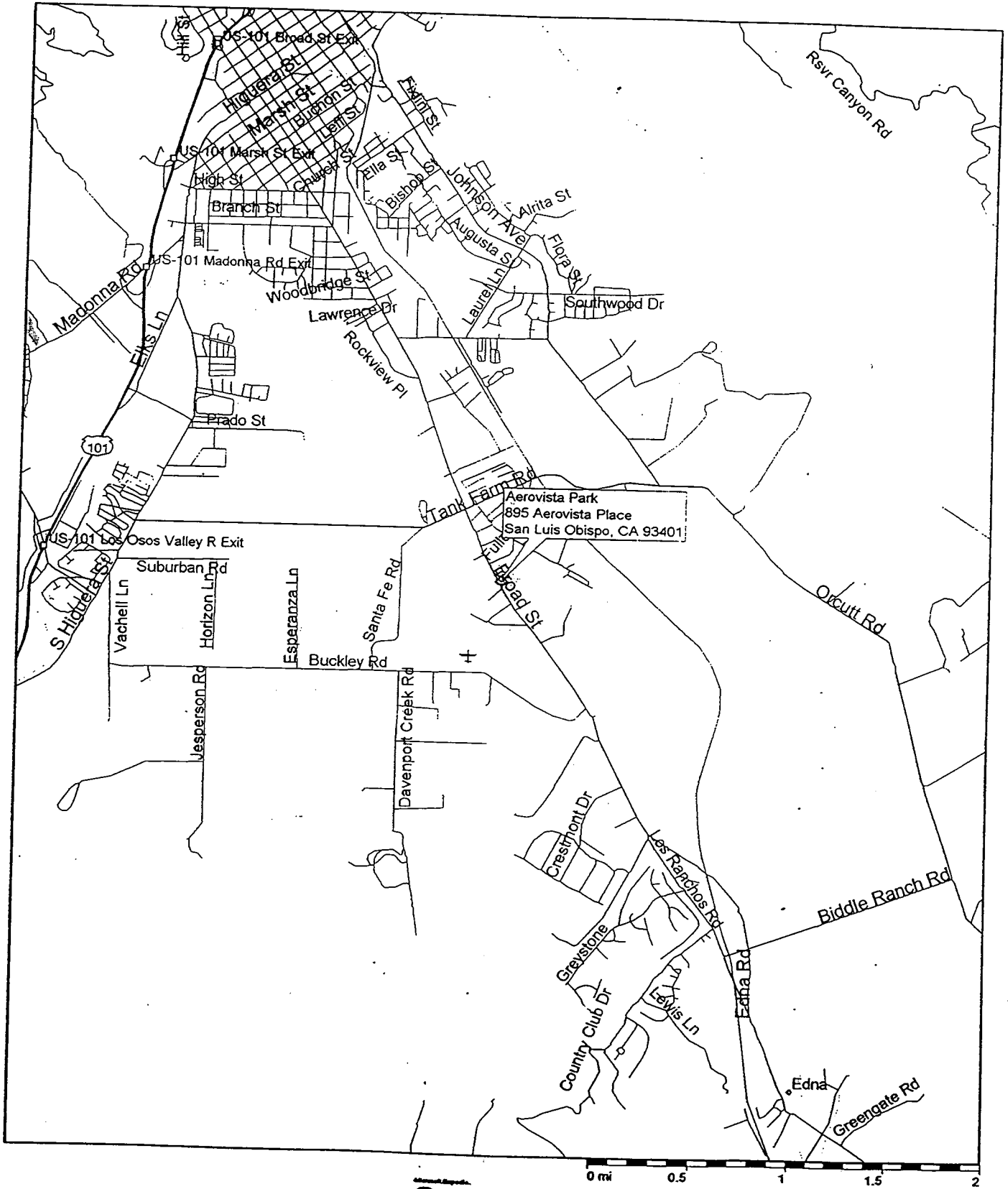
for 

Roger Briggs
Executive Officer

Date: 8-9-02

H:\WINWORD\Basin Planning\Work Plan Items to Complete\NPS Policy\NPS Policy Public Notice 7-30-02.doc
Task: 401-01
File: Basin Plan, Nonpoint Source Section Revision

Central Coast Regional Water Quality Board Office Map



Microsoft Expands
Streets98

Copyright © 1988-1997, Microsoft Corporation and/or its suppliers. All rights reserved. Please visit our web site at <http://maps.expedia.com>.

Basin Plan History p.1227

000656

ATTACHMENT G

NOTICE OF FILING

000657



California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

August 8, 2002

TO: Interested Persons

FROM: California Regional Water Quality Control Board, Central Coast Region
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411

SUBJECT: NOTICE OF FILING SUBMITTED IN COMPLIANCE WITH §21080.5
OF THE PUBLIC RESOURCES CODE

PROPONENT: California Regional Water Quality Control Board, Central Coast Region

PROJECT TITLE: Proposed Amendment of "Water Quality Control Plan - Central Coast Region" (Basin Plan) Regarding Incorporation of the State Water Resources Control Board "Nonpoint Source Pollution Control Program" and Restructuring the Basin Plan Nonpoint Source Information, Findings, and Requirements.

CONTACT: Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.

LOCATION: Central Coast Region

DESCRIPTION: The Central Coast Regional Water Quality Control Board (Regional Board) is proposing an amendment to its Water Quality Control Plan - Central Coastal Basin (Basin Plan). The Basin Plan serves as the cornerstone water quality protection policy for the Central Coast. It identifies beneficial uses of surface and ground waters, establishes water quality objectives to protect beneficial uses, and provides an implementation plan to achieve those objectives.

A draft copy of the proposed amendments is enclosed for your review. The purpose of this amendment is to:

1. Reference the State Water Resources Control Board January 2000 Nonpoint Source Pollution Control Program.
2. Emphasize information and management actions contained in the January 2000 Nonpoint Source Pollution Control Program for the protection and restoration of riparian areas.
3. Restructure sections of the Basin Plan to have appropriate nonpoint source information, requirements, and prohibitions in a designated section of the Basin Plan. The section is titled Control of Nonpoint Source Pollutants.

The Regional Board will hold a hearing to identify and prioritize water quality issues. The public hearing is scheduled as follows:

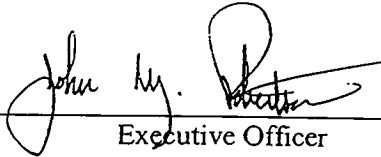
California Environmental Protection Agency

August 8, 2002

Date: December 6, 2002
Time: 8:30 A.M.
Place: Conference Room
Regional Water Quality Control Board
895 Aerovista Place, SUITE 101
San Luis Obispo, CA 93401-5427

The location of the hearing is described on the attached map and is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact **Cyndee Jones** at 805-549-3372 at least 5 working days prior to December 6, 2002. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please review the proposed amendment and provide additions and/or comments by **September 23, 2002**. Comments or questions regarding this matter should be directed to Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.



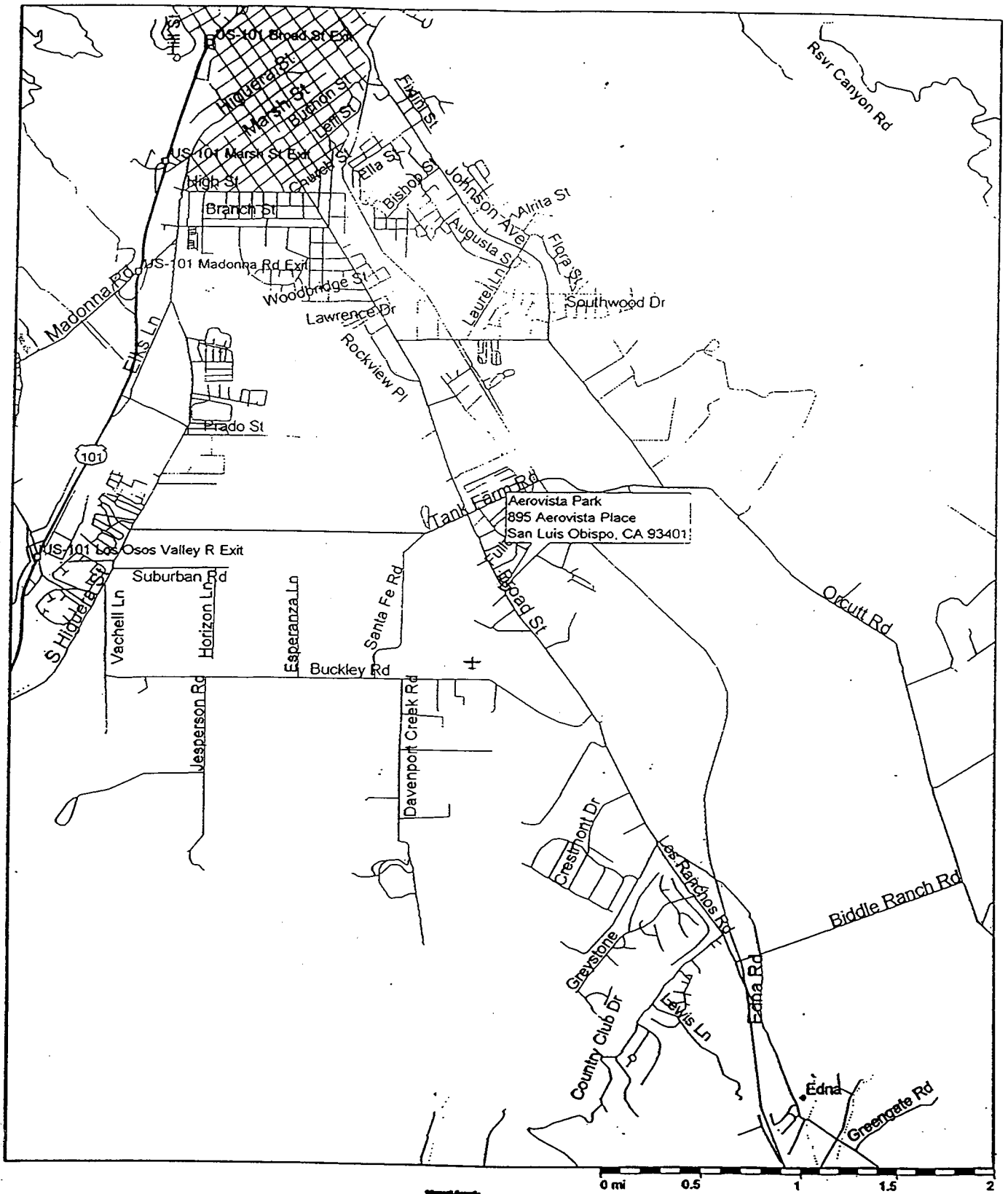
Executive Officer

August 8, 2002
Date

H:\WINWORD\Basin Planning\Work Plan Items to Complete\NPS Policy\NPS BP Amendment Notice of Filing 07-30-02.doc
Task: 401-01
File: Basin Plan, Nonpoint Source Section Revision

000659

Central Coast Regional Water Quality Board Office Map



Streets98

ATTACHMENT H

LETTER TO LEGAL NOTICE DEPARTMENT



California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5427
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

July 30, 2002

Legal Notice Department
The Tribune
P.O. Box 112
San Luis Obispo, CA. 93406

Dear Legal Notice Department:

A notice regarding amendment of the Water Quality Control Plan, Central Coast Basin (Basin Plan) is enclosed. Please publish this notice for three (3) days at your earliest opportunity. **Please file proof of publication (consisting of an affidavit of the publisher or manager of the newspaper with a copy of the published notice attached).** We must receive the proof of publication no later than **August 15, 2002.**

This office will pay the expense of publication; please supply a bill in triplicate to this office. If you have any questions, please contact **Howard Kolb at 805-549-3332 or hkolb@rb3.swrcb.ca.gov.**

Sincerely,

ROGER W. BRIGGS
Executive Officer

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Task: 401-01
File: Basin Plan, Nonpoint Source Section Revision



California Regional Water Quality Control Board

Central Coast Region



W. **Winston H. Hickox**
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
895 Aerovista, Suite 101, San Luis Obispo, California 93401
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

November 27, 2002

NOTICE OF PUBLIC MEETING AND ADDRESS CHANGE

To Whom It May Concern:

The California Regional Water Quality Control Board December 13, 2002 meeting contains the following items that may be of interest to you:

1. Waiver Actions Related to Waste Discharge Requirements
(This will be a combination of Background Information, a General Waiver Resolution and a Status Report on Agricultural Runoff)
2. Basin Plan Chapter 6 Revision
(Adopt Basin Plan Amendment)
3. Basin Plan Nonpoint Source/Riparian Policy – Implementation and Review
(Adopt Basin Plan Amendment)
4. Chorro Creek and Los Osos Creek Total Maximum Daily Load for Nutrients and Dissolved Oxygen (Adopt Basin Plan Amendment)
5. Morro Bay Total Maximum Daily Load for Pathogens
(Adopt Basin Plan Amendment)

These items may be viewed in their entirety at www.swrcb.ca.gov. The meeting will be held at our new address located at 895 Aerovista Place, Suite 101 San Luis Obispo, CA 93401. Please see reverse for detailed directions.

If you have any questions, please call **Howard Kolb at (805) 549- 3332 or Kimberly Gonzalez at (805) 549-3150.**

Sincerely,

FOR Roger W. Briggs
Executive Officer

S:\WB\Waiver Policy\Board Actions\Finals\Agenda Notification.doc

California Environmental Protection Agency

Recycled Paper
Basin Plan History p:1234

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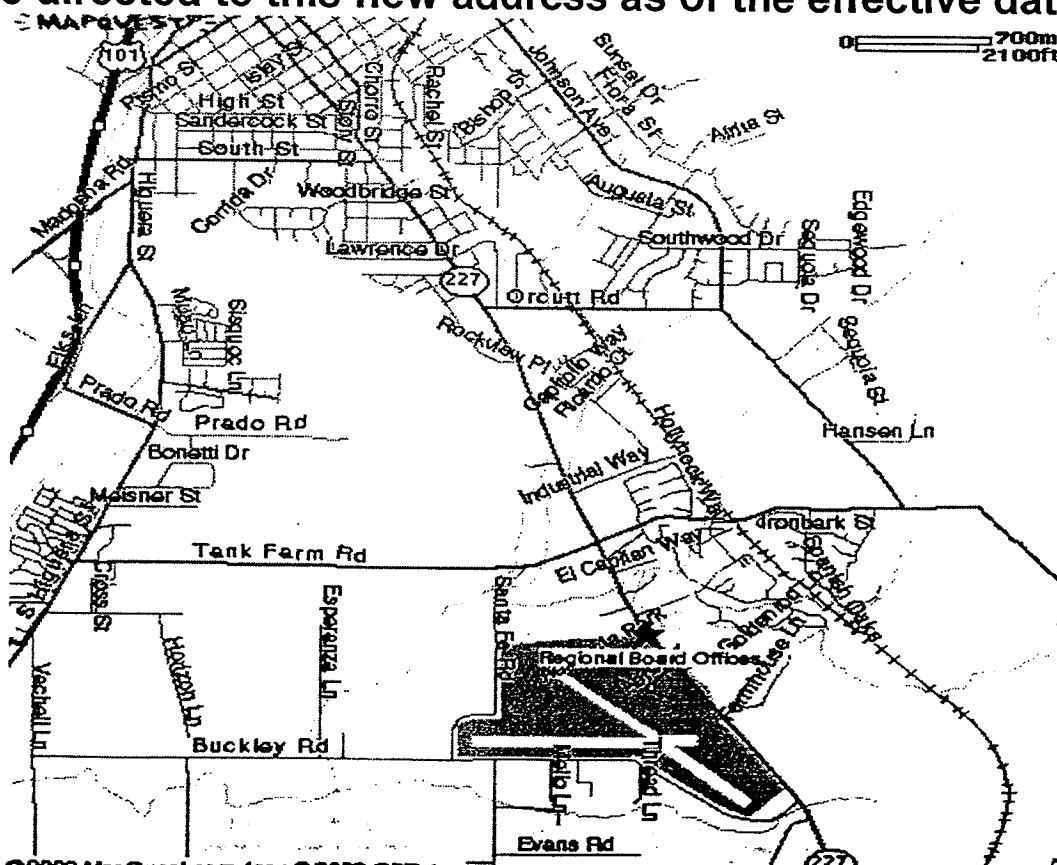
THE CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD IS MOVING

Effective December 9, 2002 our new address will be:

**895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906**

**Our new location is just north of San Luis Obispo Airport
at the corner of Aerovista Place and South Broad Street.**

**All correspondence and monitoring report submittals should
be directed to this new address as of the effective date.**



California Regional Water Quality Control Board Central Coast Region

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906
Phone (805) 549-3147 • FAX (805) 543-0397

NOTICE OF PUBLIC MEETING
Friday, December 13, 2002
CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD MEETING
NOTE NEW LOCATION FOR DECEMBER MEETING:
Regional Board Conference Room
895 Aerovista Place, Suite 101
San Luis Obispo CA 93401-7906
(See Page 8 for location map)

[Staff will review and transmit all written material to the Board Members received by December 2, 2002, 5:00 p.m. Written material submitted after that day will be placed into the official record (unless excluded by ruling of the Board Chair), but will not be sent to Board Members before the Board Meeting.]

[The board and staff welcome information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the board in writing and only a summary of pertinent points presented verbally. In order to give everyone an opportunity to be heard, comments should have been previously submitted in writing and a time limit on presentations may be imposed on any agenda item. Speakers should plan to summarize key points within 3 minutes. We would appreciate staff being notified prior to meetings of presentations planned for longer than 3 minutes, for scheduling purposes.]

Friday, December 13, 2002, 8:30 a.m.

1. Roll Call [Carol Hewitt 805/549-3503]..... Board Members Present
2. Introductions [Roger Briggs 805/549-3140] Guests and Staff Present
3. Approval of November 1, 2002 Meeting Minutes. Board Motion
4. Public Forum..... Board Direction
(Any person may address the Board on any matter within its jurisdiction that is not on the agenda. Please walk to the rostrum and after receiving recognition from the Chair, give your name and address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief. The Chair generally limits the time allotted to each speaker to three minutes).

Your comments on agenda items should be submitted according to the deadlines we send with draft agenda items to our interested parties lists. The Regional Board can then review your comments with our staff analysis and response. If you wish to be added to our list for a specific item, please contact the staff person listed with each item in this agenda notice.

Uncontested Items (*)

5. Uncontested Items Calendar Board Motion
(Agenda Item numbers 20, 21, 22, 23, and 24 with a single asterisk (), are expected to be routine and non-controversial. Recommended action on these items will be taken at the beginning of the meeting without discussion. If any Interested Party, Board Member, or the Executive Officer requests that an item be removed from the calendar, it will be taken up in order).*

Watershed Management and Basin Planning

6. Waiver Action Related to Waste Discharge Requirements
A) Background Information [Eric Gobler 805/549-3467].....Information
B) General Waiver [Kimberly Gonzalez 805/549-3150] Resolution No.2002-0115
C) Conditional Waiver for Agricultural Runoff [Alison Jones 805/542-4646]..... Status Report
(This will be a combination of Background Information, General Waiver Resolution, and a Status Report)
7. Chorro Creek and Los Osos Creek Total Maximum Daily Load for Nutrients
and Dissolved Oxygen Resolution No. 2002-0118
(Adopt Basin Plan Amendment) [Katie McNeill 805/549-3336]
8. Morro Bay Total Maximum Daily Load for Pathogens
(including Chorro and Los Osos Creeks)..... Resolution No. 2002-0117
(Adopt Basin Plan Amendment) [Shanta Duffield 805/549-3464]
9. Basin Plan Chapter 6 Revision..... Resolution No. 2002-0094
(Adopt Basin Plan Amendment) [Angus Lewis 805/549-3692, Howard Kolb 805/549-3332]
- *10. Basin Plan Nonpoint Source / Riparian Policy - Implementation Revision..... Resolution No. 2002-0093
(Adopt Basin Plan Amendment) [Howard Kolb 805/549-3332, Angus Lewis 805/549-3692]
11. Toro Creek Groundwater Basin Board Direction
*(Consideration whether to proceed with a Basin Plan Amendment to remove the MUNICIPAL AND DOMESTIC SUPPLY beneficial use from a portion of the Toro Creek Groundwater Basin)
[Sheila Soderberg 805/549-3592]*

Low Threat and General Discharge Cases

12. Low Threat Cases..... Information/Discussion

General NPDES Permit:

ExxonMobil Service Station No. 18-J4F, 4801 Hollister Avenue, Goleta, Santa Barbara County
[Sheila Soderberg 805/ 549-3592]
Chevron Station No. 9-8169, 3180 Broad Street, San Luis Obispo, San Luis Obispo County
[Corey Walsh 805/542-4781]
Beacon Station No. 3737, 1180 Main Street, Watsonville, Santa Cruz County
[Matthew Keeling 805/549-3685]

Corrective Action Plan Approvals:

Beacon Station No. 3735, 1516 Soquel Avenue, Santa Cruz, Santa Cruz County [Tom Sayles 805/42-4640]
Exxon Station No. 7-0228, 595 Munras Avenue, Monterey, Monterey County [Wei Liu 805/542-4648]
Former BP Oil Site No. 11166, 401 Fremont Street, Monterey, Monterey County [Wei Liu 805/542-4648]
Former Arco Service Station No. 0365, 400 Fremont Street, Monterey, Monterey County
[Wei Liu 805/542-4648]

Cleanup Cases

13. MTBE Sites [Jay Cano 805/549-3699] Status Reports
Quick Stop Market, Soquel, Santa Cruz County
Chevron, Cambria, San Luis Obispo County
Camp Evers Underground Tank Sites, Scotts Valley, Santa Cruz County
Los Osos Valley Garage/Bear Valley Chevron, Los Osos, San Luis Obispo County
Lake San Antonio, Monterey County
Sturdy Oil Company (Exxon Station), San Miguel Canyon, Monterey County
Regionwide MTBE Site List
14. Prospective Purchaser Agreement, Innovative Micro Technologies, Inc., Board Approval
6300 Hollister Avenue, Goleta, Santa Barbara County [Sheila Soderberg 805/549-3592]

Enforcement

15. Enforcement Report [Gerhardt Hubner 805/542-4647] Status Report
16. Mr. William Evert, dba., the Corner Store, Monterey County Order No. 2002-0137
(*Consideration of Administrative Civil Liability for late report*) [Wei Liu 805/542-4648]
17. Global Mushroom, Santa Clara County Order No. 2002-0127
(*Consideration of Administrative Civil Liability*) [Kimberly Gonzalez 805/549-3150]
18. PG&E, Moss Landing Power Plant, Monterey County Board Approval
(*Settlement of NPDES Permit Violations*) [Brad Hagemann 805/549-3697]

Permits

- * 19. Goleta Sanitary District, Santa Barbara County Resolution No. 2002-0077
(*Consideration of Revision to Resolution No. 2002-077*) [Mike Higgins 805/542-4649]

Waste Discharge Requirements

- *20. City of Santa Maria WWTP, Santa Barbara County Order No. 2002-0111
(*Reissuance of Waste Discharge Requirements*) [Bob Hurford 805/542-4776]
- *21. Live Oak Park, Santa Barbara County Order No. 2002-0112
(*Issuance of Waste Discharge Requirements*) [Bob Hurford 805/542-4776]
- *22. Rancho Los Lobos Class II Landfill, Monterey County Order No. 2002-0014
(*Issuance of Closure Waste Discharge Requirements*) [Frank DeMarco 805/542-4638]
- *23. Santa Cruz Biotechnology, Inc., Stephenson Ranch and Edwards Property Grazing and
Manure Land Application Sites, Santa Cruz County Order No. 99-007
(*Rescission of Waste Discharge Requirements*) [Todd Stanley 805/542-4769]
- *24. San Martin Tire, Santa Clara County Order No. 88-34
(*Rescission of Waste Discharge Requirements*) [Burton Chadwick 805/542-4786]

Administrative Items

- 25. Report by State Water Resources Control Board Liaison [Gary Carlton 916/341-5603]..... Status Report
- 26. Reports by Regional Board Members Status Report
- 27. Executive Officer's Report [Roger Briggs 805-549-3140]..... Information/Discussion
Regulations Summary
Water Quality Certifications
(A chart is provided in the agenda listing the applications received from October 1, 2002 through October 31, 2002. A listing of pending applications for Water Quality Certifications pursuant to Section 401 of the Clean Water Act may be obtained by calling Corinne Huckaby 805-549-3504.)

Watershed Branch Reports

Status Reports (Informational Updates; NOTE: Board may give policy direction):
Carpinteria Valley Greenhouse update [Mike Higgins 805/542-4649]
Basin Plan Exemption Request [Matt Fabry 805/549-3458]
Las Tablas Creek TMDL [Doug Gouzie 805/542-4762]

Cleanup Branch Reports

Status Reports (Informational Updates; NOTE: Board may give policy direction):
Underground Tanks Summary Report dated November 12, 2002 [Jay Cano 805/549-3699]
Olin Corporation, 425 Tennant Avenue, Morgan Hill, Santa Clara County [John Mijares 805/549-3696]

Regionwide Reports

Regional Monitoring [Karen Worcester 805/549-3333]
Total Maximum Daily Load Program [Lisa McCann 805/549-3132]

Administrative Reports

Governor's Executive Order D-62-02 Regarding Decommissioned Radioactive Materials
[Michael LeBrun 805/542-4645]
Presentations and Training [Roger Briggs 805/549-3140]

Closed Session

Discussion of Cases in Litigation [Staff Counsel Jennifer Soloway]..... Closed Session
(The Board will meet in closed session to discuss pending litigation in the cases of Unocal v. Regional Water Quality Control Board; South County Regional Waste Water Authority v. Regional Water Quality Control Board, Cambria Community Services District v. Regional Water Quality Control Board, and Voices of the Wetlands, et al, v. Regional Water Quality Control Board, as authorized by Government Code (GC) Section 11126[e][2][A]. The Board may discuss significant exposure to litigation as authorized by GC Section 11126[e][2][B]. The Board may also decide whether to initiate litigation as authorized by GC Section 11126[e][2][C].)

Adjournment

The next regularly scheduled Board meeting is February 7, 2003 in San Luis Obispo.

REGIONAL BOARD MEETING SCHEDULE 2002/2003

Date	City	Address
December 13, 2002	San Luis Obispo	Regional Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
February 7, 2003	San Luis Obispo	Regional Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
March 21, 2003	San Luis Obispo	Regional Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
May 16, 2003	Watsonville	Watsonville City Council Chambers, 250 Main Street, Watsonville, CA 95076
July 11, 2003	San Luis Obispo	Regional Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
Sept. 12, 2003	Salinas	Salinas City Council Chamber Rotunda 200 Lincoln Avenue, Salinas, CA 93901
October 24, 2003	Santa Barbara	Santa Barbara County Supervisors Board Hearing Room 105 East Anapamu St. - 4th Floor, Santa Barbara, CA 93101
December 5, 2003	San Luis Obispo	Regional Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906

LEAD STAFF PERSONS

Roger W. Briggs, *Executive Officer* 805-549-3140
 Brad Hagemann, *Assistant Executive Officer/Ombudsman* 805-549-3697
 Carol Hewitt, *Executive Assistant* 805-549-3503
 Cyndee Jones, *Regional Administrative Officer* 805-549-3372
 Jennifer Soloway, *Staff Counsel* 916-341-5176
 Vacant, *Supervising Water Resources Control Engineer*

INVESTIGATION AND CLEANUP BRANCH

Jay Cano, *Above and Under Ground Tanks* 805-549-3699
 Michael LeBrun, *Department of Defense Program and Landfills* 805-542-4645
 Harvey Packard, *Cost Recovery Program, Major Oil Field and Pipeline Cleanups* 805-542-4639

WATERSHED BRANCH

Chris Adair, *Northern Watershed Unit Supervisor* 805-549-3761
 Gerhardt Hubner, *Coastal Watershed Unit Supervisor* 805-549-4647
 Eric Gobler, *Central Watershed Unit Supervisor* 805-549-3467
 Lisa Horowitz McCann, *Watershed Assessment Unit Supervisor* 805-549-3132
 John Robertson, *Southern Watershed Unit Supervisor* 805-542-4630

REGIONAL MONITORING AND BASIN PLANNING

Karen Worcester, *Environmental Specialist* 805-549-3333

(Please send or fax correspondence to (refer to instructions at the bottom of page one):

Regional Water Quality Control Board – Central Coast Region
895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
Phone: 805-549-3147 Fax: 805-543-0397

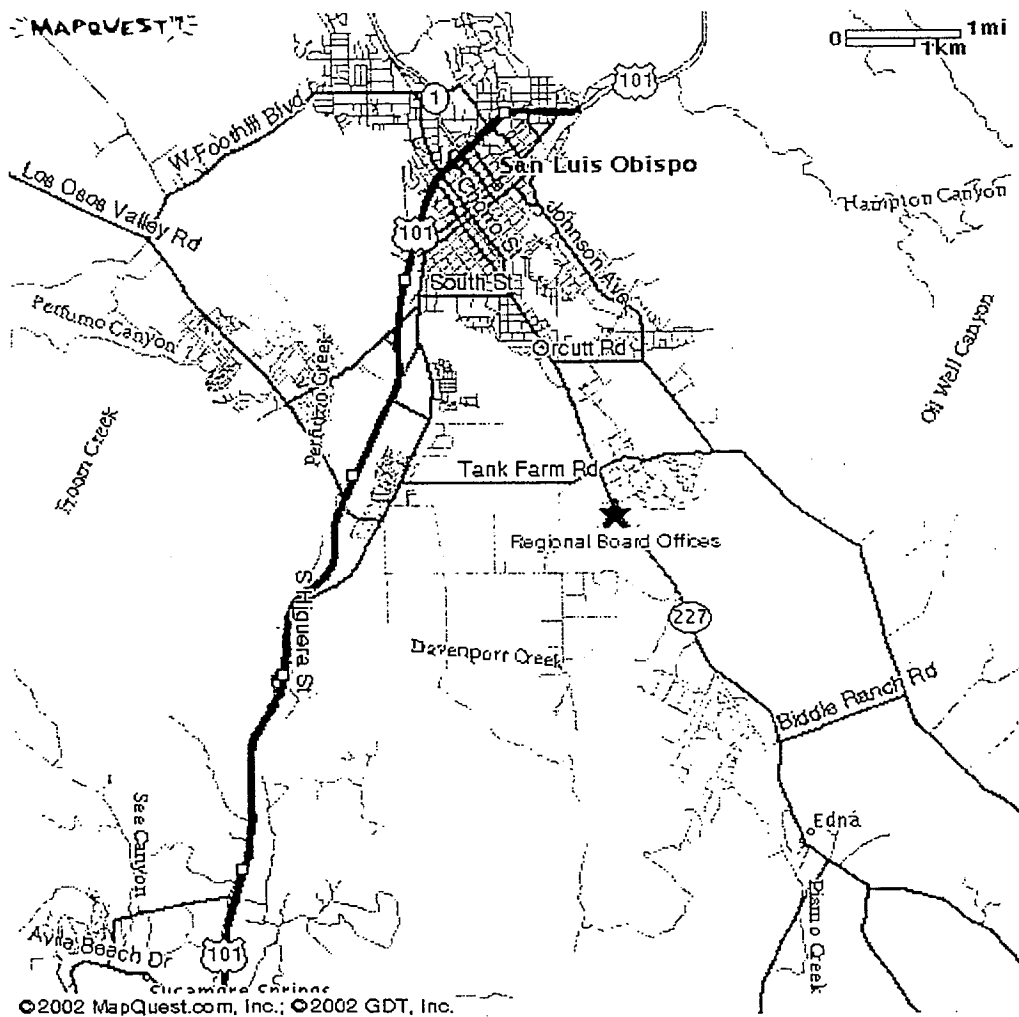
CENTRAL COAST REGIONAL BOARD MEMBERS

Board Member	Appointment Category	Term Expires
Gary Shallcross Chair – Monterey	Recreation, Fish or Wildlife	9/18/2002
Leslie S. Bowker Co-Vice Chair – Los Osos	County Government	9/30/2003
Bruce K. Daniels Co-Vice Chair – Capitola	Water Quality	9/18/2002
John Hayashi Arroyo Grande	Irrigated Agriculture	9/30/2003
Russell M. Jeffries Salinas	Water Quality	9/30/2004
Daniel M. Press Santa Cruz	Public	9/30/2004
Marco L. Rizzo San Luis Obispo	Industrial Water Use	9/30/2004
Donald A. Villeneuve Cambria	Water Supply	9/30/2005
Jeffrey S. Young Santa Barbara	Municipal Government	9/30/2005

CONDUCT OF MEETING

- A - The primary duty of the Regional Board is to protect the quality of waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality plans for specific ground or surface water basins and by prescribing and enforcing requirements on all domestic, municipal, and industrial waste discharges. Specific responsibilities and procedures of the Regional Water Quality Control Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Act (Division 7), California Water Code.
- B - The purpose of the meeting is for the Board to obtain testimony and information from staff and concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer. The Board will vote only on matters listed on the agenda. The Board may give direction to the Executive Officer on any matter discussed during the meeting.
- C - Agenda items are numbered for identification purposes and will not necessarily be considered in the order listed.
- D - The Board and staff welcome information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing and only a summary of pertinent points presented verbally. In order to give everyone an opportunity to be heard, comments should have been previously submitted in writing and a time limit on presentations may be imposed on any agenda item. Speakers should plan to summarize key points within 3 minutes. We would appreciate staff being notified prior to meetings of presentations planned for longer than 3 minutes, for scheduling purposes.
- E - Material presented to the Board, as part of testimony (e.g., photographs, slides, charts, diagrams, etc.) that is to be made part of the record must be left with Executive Assistant, Carol Hewitt. Photographs or slides of large exhibits are acceptable.
- F - All Board files, exhibits, and agenda material pertaining to items on this agenda are hereby part of the record.
- G - Any person affected adversely by a certain decision of the California Regional Water Quality Control Board, Central Coast Region (Regional Board), may petition the State Water Resources Control Board (State Board) according to Water Code section 13320 and Title 23 California Code of Regulation section 2050. The Petition should be addressed to Office of Chief Counsel and must be filed within 30 days of the EO's or the Board's action or failure to act. The State Board must receive the petition within 30 days of the Regional Board's meeting at which the action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request.
- H - A copy of the procedures governing Regional Water Quality Control Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Board are not conducted pursuant to Government Code sections 11400 et seq. but not Government Code sections 11500 et seq.
- I - The facility is accessible to people with disabilities. Individuals who require special accommodations are requested to contact Jay Cano (805/549-3699) at least five working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.
- J - All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit pending before the Regional Board must submit a statement to the Board disclosing any contributions of \$100 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his or her agent within the last 12 months to any Regional Board Member.
- K - All permit applicants or persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES permit pending before the Regional Board, are prohibited from making a contribution of \$100 (or more) to any Board Member for three months following a Regional Board decision on the permit application.

Regional Water Quality Control Board Offices
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906



ATTACHMENT B

REVISED CHAPTER 4. IMPLEMENTATION PLAN

Notes for reading the proposed Basin Plan amendment:

1. New or edited text is underlined.

Example: The effectiveness of a water quality control program cannot be judged without the information supplied by

2. Removed text is crossed out.

Example: ~~The effectiveness of a water quality control program cannot be judged without the information supplied by~~

3. Moved text is highlighted.

Example: **The effectiveness of a water quality control program cannot be judged without the information supplied by**

4. Original text is unmarked.

Example: The effectiveness of a water quality control program cannot be judged without the information supplied by

CHAPTER 4. IMPLEMENTATION PLAN

A program of implementation to protect beneficial uses and to achieve water quality objectives is an integral component of this Basin Plan. The program of implementation is required to include, but is not limited to:

- A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.
- A time schedule for the actions to be taken.
- A description of surveillance to be undertaken to determine compliance with objectives.

Additional surveillance activities to determine compliance with objectives are described in Chapter Six, "Surveillance and Monitoring".

This chapter includes discussions of:

- Regional Water Quality Control Board Goals;
- General Control Actions and Related Issues;
- Waste Discharge Regulation;
- Hazardous Waste Compliance Issues; and
- Nonpoint Source Measures.

~~Detailed descriptions of waterbodies with their specific water quality problems and recommended control actions are included in the Region's Water Quality Assessment database and Fact Sheets.~~

This chapter is organized in the following manner:

- I. Regional Water Quality Control Board Goals
- II. General Control Actions and Related Issues
- III. Control Actions under State Board Authority
- IV. Control Actions to be Implemented by Other Agencies with Water Quality or Related Authority
- V. Control Actions under Regional Board Authority
 - A. ~~Waste Discharge Restrictions~~ Control of Point Source Pollutants
 1. Water Quality Certification
 2. National Pollutant Discharge Elimination System
 3. Waste Discharge Requirements
 4. Waivers

5. Prohibitions and Prohibition Exemptions
 6. Enforcement Actions
 7. ~~Best Management Practices~~
 8. Compliance Schedules
- ~~B. Nonpoint Source Program~~
- VI. Waste Discharge Program Implementation
 - A. Effluent Limits
 1. Stream Disposal
 2. Estuarine Disposal
 3. Ocean Disposal
 4. Land Disposal
 5. Reclamation and Reuse
 6. Pretreatment Programs
 7. Sludge Treatment
 - B. Municipal Wastewater Management Plans (arranged by hydrologic subarea)
 - C. Industrial Wastewater Management
 - D. Solid Waste Management
 - E. Storm Water Management
 - F. Bay Protection and Toxic Cleanup Program
 - G. Military Installations
 - H. Spills, Leaks, Investigations, and Cleanup Program
 - I. Underground Tank Storage Tank Program
 - J. Aboveground Petroleum Storage Tanks
 - K. California Code of Regulations, Title 23, Chapter 15
 1. Solid and Liquid Waste Requirements (Landfills and Surface Impoundments)
 2. Wastewater Sludge (Septage Management)
 3. Mining Activities (Nonfuel Commodities)
 4. Other Industrial Activities
 - L. Resource Conservation and Recovery Act (Subtitle D)
 - M. Solid Waste Water Quality Assessment Test
 - VII. Hazardous Waste Compliance Issues
 - A. Reportable Quantities of Hazardous Waste and Sewage Discharges
 - B. Proposition 65
 - VIII. Control of Nonpoint Source Measures Pollutants
 - A. ~~Coastal Zone Act Reauthorization Amendments~~ Wetlands, Riparian Areas, and Vegetated Treatment Systems
 - B. Urban Runoff Management
 - C. Agricultural Water and Wastewater Management
 - D. Individual, Alternative, and Community Disposal Systems
 - E. Land Disturbance Activities

Revise the September 8, 1994 Basin Plan,
Chapter 4, Page IV-3, Section V.A. Waste
Discharge Restrictions as follows:

V.A. WASTE
DISCHARGE
RESTRICTIONS
CONTROL OF POINT
SOURCE
POLLUTANTS

Revised the September 25, 1994 Basin Plan, Chapter 4, Pages IV-5 and IV-6, Section V.A.7. BEST MANAGEMENT PRACTICES as follows (Moved to page IV-15, Section III.A.):

V.A.7. BEST MANAGEMENT PRACTICES

Property owners, managers, or other dischargers may implement "Best Management Practices" to protect water quality. (Implementation and effectiveness of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter). The term "Best Management Practices" is used in reference to control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations Section 103.2[m]) defines Best Management Practices as follows:

"Methods, measures, or practices selected by an agency to meet its nonpoint source control needs. Best Management Practices include, but are not limited to structural and nonstructural controls and operation and maintenance procedures. Best Management Practices can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 103.6[b][4][i]) provide that Basin Plans:

"...shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

Best Management Practices fall into two general categories:

1. Source controls which prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing stream banks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion controls, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment practices which remove pollutants from a discharge before it reaches surface or ground waters.

Examples include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized;

☐ Best Management Practices are not officially considered "best" practices for use in California unless they have been certified by the State Board.

☐ The use of Best Management Practices does not necessarily ensure compliance with effluent limitations or with receiving water objectives. Because nonpoint source control has been a priority only since the 1970's, the long-term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly. Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.

☐ The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.

To be effective, most Best Management Practices must be implemented on a long-term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.

- The "state of the art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

General information on the design and implementation of source management practices is provided under different water quality problem categories throughout this chapter. For detailed information on the design, implementation, and effectiveness of specific Best Management Practices, the reader should consult the appropriate Best Management Practices Handbook for the project type or location.

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~~Revise the September 28, 1994 Basin Plan, Chapter 4, Pages IV-7 and IV-8, Section V.B, NONPOINT SOURCE PROGRAM as follows: (Moved to page IV-44, Section VIII):~~

~~V.B. NONPOINT SOURCE PROGRAM~~

~~Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.~~

~~In order to address the nonpoint source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. By amending the Clean Water Act, Congress shifted the federal emphasis from nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the federal Clean Water Act required each State to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan which outlined steps to initiate the systematic management of nonpoint sources in California. For effective management of nonpoint sources the Management Plan required:~~

- ~~□ An explicit long term commitment by the State Board and Regional Boards;~~
- ~~□ More effective coordination of existing State Board and Regional Board nonpoint source related programs;~~
- ~~□ Greater use of Regional Board regulatory authority coupled with nonregulatory Regional Board programs;~~

~~□ Stronger links between the local, State, and federal agencies which have authority to manage nonpoint sources; and~~

~~□ Development of new funding sources.~~

~~The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:~~

~~1. Voluntary implementation of Best Management Practices~~

~~Property owners or managers may volunteer to implement Best Management Practices. Implementation could occur for economic reasons and/or through awareness of environmental benefits.~~

~~2. Enforcement of Best Management Practices~~

~~Although the California Porter-Cologne Water Quality Control Act constrains Regional Boards from specifying the manner of compliance with water quality standards, there are two ways in which Regional Boards can use their regulatory authority to encourage implementation of Best Management Practices.~~

~~The Regional Board may encourage Best Management Practices by waiving adoption of waste discharge requirements on condition that discharges comply with Best Management Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.~~

~~The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharge requirements, and approved Management Agency Agreements, or other State or Regional Board formal action.~~

~~3. Adoption of Effluent Limitations~~

~~The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge, including discharges from nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations~~

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may be set at a level which, in practice, requires implementation of Best Management Practices.

~~Not all of the categories of nonpoint source pollution follow this three tiered approach. For example, silviculture activities on nonfederal lands are administered by the California Department of Forestry. The State Board has entered into a Management Agency Agreement with the California Department of Forestry which allows the Regional Board to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.~~

~~The Regional Board approach to addressing or regulating categories of nonpoint source pollution is discussed in various sections throughout this chapter.~~

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Revise the September 8, 1994 Basin Plan, Chapter 4, Page IV-44 and Pages IV-45, Section VIII, NONPOINT SOURCE MEASURES as follows:

VIII. NONPOINT SOURCE PROGRAM CONTROL OF NONPOINT SOURCE MEASURES POLLUTANTS

Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as diffuse discharges of waste without a single point of origin, sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is typically caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.

In order to address the nonpoint source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. By Amendments to the Clean Water Act (www.swrcb.ca.gov/wqach319), Congress shifted the federal emphasis from nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the federal Clean Water Act required each state to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan which outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to become the Nonpoint Source Pollution Control Program (January, 2000) in December, 1999 (www.swrcb.ca.gov/wqach319/). The State Water Resources Control Board adopted Resolution 99-114 revising the Nonpoint Source Pollution Control Program in December, 1st, 1999 pursuant to Section 319 of the

Clean Water Act, and effective management of nonpoint sources in the Management Plan required:

☐ An explicit long-term commitment by the State Board and Regional Boards;

☐ More effective coordination of existing State Board and Regional Board nonpoint source related programs;

☐ Greater use of Regional Board regulatory authority coupled with nonregulatory Regional Board programs;

☐ Stronger links between the local, State, and federal agencies which have authority to manage nonpoint sources; and

• Development of new funding sources.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to manage nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site specific management practices are used to achieve the goals of each management measure. Implementation of management measures will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process. The program process includes:

- (1) Assessing Program activities
- (2) Targeting efforts
- (3) Planning activities based on Program goals and objectives
- (4) Coordinating the efforts of federal, State, and local agencies and stakeholders
- (5) Implementing coordinated actions
- (6) Tracking and monitoring the results of implemented actions
- (7) Reporting on Program results. The Program Plan is designed to be flexible and adaptable over time.

Specifically, the 2000 Nonpoint Source Pollution Control Program:

• Adopt a management measure as a goal for nonpoint source management. Implement management measures in urban, rural, and recreational watersheds. Implement management measures in agricultural watersheds and riparian areas. Implement management measures in watersheds with degraded treatment systems.

2. Provide a unified overall strategy for implementing Management Practices.

3. Continue to evaluate Management Options (the Three-Tiered Approach) for addressing NPS pollution problems.

a) Tier 1: Self-Determined Implementation of Management Practices (formerly referred to as voluntary implementation).

b) Tier 2: Regulatory Based Encouragement of Management Practices (e.g. Management Agency Agreements, established waivers, etc.)

c) Tier 3: Effluent Limitations and Enforcement Actions (e.g. Basin Plan prohibitions, Waste Discharge Requirements, etc.)

4. Provide the five to three five-year implementation plans, target activities, for specific management measures consistent with state and regional priorities in specific watersheds and also establish mechanisms for: (a) coordination among agencies, (b) participation by the public, (c) assistance technically and financially, (d) adoption of additional management measures as goals if needed, and (e) monitoring and reporting of program effectiveness.

5. Promote long-term interagency coordination among State agencies of the California Environmental Protection Agency and Resources Agency as well as other local, State, and federal agencies.

6. Identify back-up authorities and enforceable policies and mechanisms for the 6d management measures adopted by the State.

7. Rely on the use of existing authorities and regulatory processes (see page IV-2, Section IV, Control Actions Under Regional Board Authority) to achieve implementation but allow for the adoption of the management measures as regulation after each five-year cycle if adequate progress in NPS pollution control has not been demonstrated.

The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:

1. Voluntary Implementation of Best Management Practices

Best Management Practices (BMPs) are voluntary measures that are designed to prevent or reduce nonpoint source pollution from agricultural, urban, and other land uses.

2. Enforcement of Best Management Practices

Although the California State Board of Water Quality Control is prohibited from prescribing the manner of compliance with water quality standards, there are many ways in which the Board can encourage Best Management Practices. Encouraging implementation of Best Management Practices:

First, the Regional Board may encourage Best Management Practices by having adoption of waste discharge requirements on condition that discharges comply with Best Management Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.

The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharge requirements and approved Management Agency Agreements or other State or Regional Board formal action.

3. Adoption of Effluent Limitations

The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge including discharges from nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations may be set at a level which, in practice, requires implementation of Best Management Practices.

Not all of the categories of nonpoint source pollution follow the three-tiered approach. For example, agriculture activities on non-federal lands are administered by the California Department of Forestry. The State Board has entered into a Management Agency Agreement with California Department of Forestry which allows the Regional Boards to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.

The Regional Board approach to addressing (or reducing) agriculture nonpoint source pollution is discussed in various sections throughout this Plan. The Basin Plan and the Central Coast Regional Water Quality Management Plan include Chapter 10, Agriculture, Chapter 11, Forestry, and Chapter 12, Urban Stormwater.

The Nonpoint Source Pollution Control Program in the State Nonpoint Source Management Plan

developmental implements of specific program objectives to be implemented at the State and Regional level. Currently, Regional Board staff are implementing the following State Board program objectives:

A. Control of Nonpoint Source pollution (urban runoff, agriculture, and disturbance activities such as road construction, maintenance, and construction, timber harvesting, and mining, hydrologic modification, and individual disposal systems). These activities include outreach, education, public participation, technical assistance, financial assistance, interagency coordination, demonstration projects, and regulatory activities such as imposing septic tank area prohibitions.

B. Preparation of contracts for projects selected for grant funding. Regional Board staff also participate in these projects by providing technical assistance and publicizing their results.

C. Implementation of the 1990 Coastal Zone Act Reauthorization Amendments as developed by the State Board and the California Coastal Commission. This shall be an enforceable Nonpoint Source Management Program to control land use and anthropomorphic activities impacts that have a significant effect on coastal waters. (Further discussion of the Amendments is provided later.)

D. Initiation of nonpoint source watershed pilot programs.

Using State program objectives, Regional Board staff annually developed task specific workplans, work plans to address nonpoint sources of pollution. For the Central Coastal Region, the following Nonpoint Source Program tasks activities are managed and implemented by the Nonpoint Source Program staff are documented in the Central Coast Region Watershed Management Initiative Chapter 222 (January 2002) (WMI) at www.swrcb.ca.gov/rsq/ch3/.

Task 1: Water Quality Assessment

Regional Board staff reviewed and updated the nonpoint source portion of the Water Quality Assessment and Control Policy for the Central Coast Region.

Task 2: Watershed Studies/Planning

Three impaired watersheds (Morro Bay Watershed, San Luis Obispo County Watershed, and San Lorenzo River Watershed) have been selected for intensive activity. Major activities for San Luis Obispo Creek watershed include:

1. Develop a Demonstration "Total Maximum Daily Load" model.
2. Create a "San Luis Obispo Creek Riparian Task Force".
3. Implement a riparian corridor restoration project.
4. Identify major nonpoint pollutants and sources.
5. Develop a watershed management program.

For Morro Bay watershed, the activities include:

1. Develop a long term monitoring program to assess water quality improvements associated with the implementation of nonpoint source pollution control measures.
2. Develop funding for the long term monitoring program.
3. Implement a sediment reduction program using best management practices.
4. Participate in the Morro Bay Task Force.

For San Lorenzo River watershed, the activities include:

1. Develop a detailed assessment of Nonpoint Source impacts in the watershed.
2. Develop a wastewater management plan for on/off site wastewater disposal.
3. Develop of a nutrient objective for the river.
4. Conduct experimental on site wastewater treatment to reduce nitrogen discharge into the environment.

Task 3: Outreach Program

grant and plan review to correct Nonpoint Source problems as emphasized during such activities.

Specific outreach activities include participation on the San Luis Obispo, Santa Barbara, San Diego, Morro Bay, San Luis Obispo, and San Luis Obispo (SLO) Basin Planning Technical Advisory Committee, and development of grant applications with local agencies.

Task 4: Project Tracking and Participation

Regional Board staff prepare contracts, coordinate with project proponents, track project progress, review and approve invoices, and provide technical support for Nonpoint Source grant funded projects.

Examples of additional management actions are documented in the following:

California Rangeland Water Quality Management Plan

Salinas River Watershed Management Action Plan

Water Quality Protection Program for Monterey Bay National Marine Sanctuary, Action Plan IV: Agriculture and Rural Lands

Central Coast Region Watershed Management Initiative Chapter

These documents are located on the Regional Board website at (www.swrcb.ca.gov/rwqcb3/).

BEST MANAGEMENT PRACTICES

Property owners, managers, or other dischargers may implement Best Management Practices to protect water quality. Implementation and enforcement of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter. The term "Best Management Practices" is used in references to control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations, Section 103.2(m)) (www.swrcb.ca.gov/rwqcb3/) defines Best Management Practices as follows:

Effective measures or practices selected by an agency to meet its nonpoint source control goals. Best Management Practices include, but are not

limited to structural and nonstructural control, and operation and maintenance procedures. Best Management Practices term is applied to for, farming, and other pollution-producing activities, to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 103.6(b)(4)(i)) (www.swrcb.ca.gov/rwqcb3/) provide that Basin Plans:

"shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

Best Management Practices fall into two general categories:

1. Source controls which that prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing stream banks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion control, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment controls which remove pollutants from a discharge before it reaches surface or ground waters.

Examples include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized:

- Best Management Practices are not officially considered "best practices" for use in California unless they have been certified by the State Board.

- The use of Best Management Practices does not necessarily ensure compliance with sufficient

limitations are with receiving water bodies. Because nonpoint source control has been applied only since the 1970s, the long-term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly. Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.

- The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.
- To be effective, most Best Management Practices must be implemented on a long-term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.
- The "state-of-the-art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

General information on recommended nonpoint source management practices is provided under different water quality problem categories throughout this chapter for urban, agriculture, onsite wastewater disposal, and other land disturbance activities are described in the following sections (also see "Nonpoint Source Pollution Control Program (January 2000)"). For detailed information on the design, implementation, and effectiveness of specific Best Management Practice practices, the reader should consult the appropriate references Best Management Practices Handbook for the project type or location.

Revised the September 8, 1994 Basin Plan, Chapter 4, Page IV-45 and Page IV-46, Section VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS as follows:

VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS Wetlands, Riparian Areas, and Vegetated Treatment Systems

The State has identified four Management Measures (MMs) to promote the protection and restoration of wetlands and riparian areas and the use of vegetated treatment systems as means to control nonpoint sources of pollution. Wetlands and riparian areas reduce polluted runoff by filtering out runoff-related contaminants, such as sediment, nitrogen, and phosphorus, thus maintaining the water quality benefits of these areas is important. These areas also help to attenuate flows from higher-than-average storm events. This attenuation protects downstream areas from adverse impacts, such as channel scour, erosion, and temperature and chemical fluctuations. Changes in hydrology, substrate, geochemistry, or species composition can impair the ability of wetland or riparian areas to filter out excess sediment and nutrients and therefore can result in deteriorated water quality. The following activities can cause such impairment: drainage of wetlands for cropland, overgrazing, hydromodification, highway construction, deposition of dredged material, and excavation for ports and marinas.

RECOMMENDED ACTIONS

Recommended actions (management measures) are found in the 2000 Nonpoint Source Pollution Control Program.

CONTROL ACTIONS

All discharges to the aquatic environment shall be considered nonpoint source discharges that will occur in riparian receiving water quality.

2. The quality of all surface waters of the basin shall be such as to permit unrestricted recreational use.
3. The discharge of pollutants into surface waters shall be discontinued.
4. Erosion from nonpoint pollution sources shall be minimized through implementation of Best Management Practices.
5. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November October 15 each year.
6. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.
7. A filter strip of appropriate width and consisting of undisturbed soil and riparian vegetation or its equivalent shall be maintained wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.

PROHIBITIONS

1. The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.
2. As specified in Chapter Five (5), Page V-7, Section IV. DISCHARGE PROHIBITIONS.

In November 1990, Congress enacted Section 6217 of the Coastal Zone Act Reauthorization Amendments to help address the problem of nonpoint source pollution in coastal waters. Section 6217 requires that coastal states with federally approved coastal management programs develop Coastal Nonpoint Pollution Control Programs. The legislative history indicates that the central purpose of section 6217 is to strengthen the links between federal and State coastal zone management and water quality programs in order to enhance efforts to manage land use

~~activities that degrade coastal beneficial uses. The State coastal zone management agency designated under Section 306 of the Amendments and nonpoint source management agency designated under section 319 of the Clean Water Act will have a dual and co-equal role and responsibility in developing and implementing the coastal nonpoint program.~~

~~The program gives the U.S. Environmental Protection Agency (U.S. EPA) and the National Oceanic and Atmospheric Administration joint authority to approve programs developed by the State to address 6217 requirements.~~

~~The State agencies chosen to develop California's Coastal Nonpoint Pollution Control Program are the State Board and the Coastal Commission. The statute requires that the State program be "coordinated closely with State and local water quality plans and programs." This means that the State's nonpoint source programs under Sections 208 and 319 of the Clean Water Act and the coastal program must be examined to determine if they comprehensively address land use activities and anthropomorphic effects that have a significant effect on coastal waters. In addition, the State agencies are charged with developing a coordinated program that:~~

- ~~□ identifies categories of nonpoint sources that adversely impact coastal waters;~~
- ~~— describes management measures to be implemented;~~
- ~~□ identifies the land uses and critical coastal areas that will require more stringent or additional management measures;~~
- ~~— describes the State developed additional management measures to be implemented in critical areas;~~
- ~~□ documents the authorities the State will use to implement both the guidance and additional management measures, including designation of a lead agency for each source category and/or subcategory; and~~
- ~~□ sets forth a schedule to achieve full implementation of the guidance management measures within three years of program approval by U.S. EPA and National Oceanic and Atmospheric Administration, and full implementation of additional management measures within six years of program approval.~~

~~The Coastal Commission and the State Board staff have been working on a strategy to develop the required~~

~~Coastal Nonpoint Pollution Control Program plan. Recently, the State Board directed staff to review and revise the statewide Nonpoint Source Management Plan to include a strong coastal component. Revision of the Plan is intended to satisfy the requirements of Section 6217 within the existing framework of current nonpoint source activities.~~

~~On a Regional Board level, staff has been involved with the statewide program since 1991. A pilot project, "The New Coastal Nonpoint Pollution Control Program using the Morro Bay Watershed as a Model" was performed to assess the feasibility of establishing the Coastal Nonpoint Pollution Control Program in California. Regional Board staff supplied technical information and reviewed reports. Concerted planning and implementation efforts on target coastal watersheds such as Morro Bay will be major accomplishments to satisfy Coastal Nonpoint Pollution Control Program requirements. As the program goes statewide, Regional Board staff will attend technical advisory committee meetings and will work closely with staff of the State Board and other Regional Boards, as well as staff of other relevant local, State, and federal agencies to develop a workable Coastal Nonpoint Pollution Control Program.~~

~~Wastewater originating from nonpoint sources includes those from urban runoff, agricultural activities, on-site sewage disposal systems, and land disturbance activities. Management of these types of nonpoint source discharges are discussed in the following section. The Regional Board will be developing management practices for marinas and recreational boating; hydromodification facilities; and wetlands, riparian areas, and vegetated treatment systems at a future date.~~

Revise the September 8, 1991 Basin Plan, Chapter 4, Page IV-68 and Page IV-69, Section VIII.E. LAND DISTURBANCE ACTIVITIES as follows:

VIII.E. LAND DISTURBANCE ACTIVITIES

Construction, mining, and other soil disturbance activities which ~~that~~ may disturb or expose soil or otherwise increase susceptibility of land areas to erosion are difficult to regulate effectively. Construction projects or timber harvesting activities may often begin and end with no obvious impairment of stream quality; however, erosion or land slides landslides the following winter may be directly related to earlier land disturbance or tree cutting. Mining and quarrying activities are generally longer in duration.

Under contract with the Regional Board, the California Association of Resource Conservation Districts completed a study entitled, "Erosion and Sediment in California Central Coast Watersheds - A study of Best Management Practices" (Erosion Study), dated June, 1979. This Erosion Study, funded under Section 208 of the Clean Water Act, assesses impacts of erosion and sedimentation on water quality and beneficial uses in nondesignated planning areas (San Benito, San Luis Obispo, and Santa Barbara Counties) of the Central Coast Region. This Erosion Study and supporting documents have been used by the Regional Board in developing erosion and sedimentation control policy.

Nonpoint source pollution in the remainder of the Region is addressed by designated planning agencies through their respective Area wide Waste Treatment Management Plans. Designated agencies and the areas affected within this Region include: Association of Bay Area Governments (portions of San Mateo and Santa Clara Counties), Association of Monterey Bay Area Governments (Santa Cruz and Monterey Counties), and Ventura County Board of Supervisors (portion of Ventura County). The policy herein described is compatible with those plans and is within the scope of the Regional Board authority.

The Erosion Study and Area wide Waste Treatment Management Plans identify examples of accelerated erosion resulting from insufficient land management of soil cultivation, grazing, silviculture, construction, and off-road vehicle activities, as well as wildfires.

Adverse impacts of sediment are identified, in part, as: impairment of water supplies and ground water recharge, siltation of streams and reservoirs, impairment of navigable waters, loss of fish and wildlife habitat, degradation of recreational waters, transport of pathogens and toxic substances, increased flooding, increased soil loss, and increased costs associated with maintenance and operation of water storage and transport facilities. Recommendations based on conclusions of the Erosion Study and practices recommended in Area wide Waste Treatment Management Plans are a means to reduce unnecessary soil loss due to erosion and to minimize adverse water quality impacts resulting from sediment.

~~When a practice or combination of practices is found to be the most effective, practical (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals, it is designated a Best Management Practice (BMP). BMPs are determined only after problem assessment, examination of alternative practices, and appropriate public participation in the BMP development process.~~

RECOMMENDED ACTIONS

1. Land use practices should assure protection of beneficial water uses and aquatic environmental values.
2. There shall be no waste discharged into areas that possess unique or uncommon cultural, scenic, aesthetic, historical or scientific values. The Regional Board will define such areas.
3. Property owners are considered ultimately responsible for all activities and practices that could result in adverse effects on water quality from waste discharges and surface runoff.
4. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of water of the State.
5. Use of soil sealants is discouraged and should be minimized.

Erosion Study Recommendations

General recommendations based on conclusions of the Erosion Study are discussed below. These recommendations are considered to be Best Management Practices (BMPs) by the Regional Board as are the Area wide approved water quality management plans.

1. Soil conservation control measures should be used to minimize impacts that would otherwise result from soil erosion. Control measures are identified according to systems, which are then broken down into subsystems of erosion control techniques or component measures.

For example, a system for control of erosion from construction sites would identify component measures such as debris basins, access roads, hillside ditches, etc. Other conservation control systems include: conservation cropping, conservation irrigation, roadside erosion control, critical area treatment, diversions and ditches, grade stabilization, pasture and range management, runoff and sediment control ponds and basins, stream bank and channel protection, and watershed, wildlife, and recreation land improvement. These control measures are comparable to the USDA Soil-Natural Resources Conservation Services' Resource Management Subsystem approach as referenced in AMBAG's "Water Quality Management Plan for the Monterey Bay Region," dated July 1978, and in ABAG's, "Handbook of Best Management Practices," dated October 1977.

Experience has shown that no one control measure best solves an existing, or prevents a potential, pollution problem - especially in the area of soil erosion and sedimentation. As land use, the land user, and various situations change, so does the need for control measures. Before application, an on-site investigation with the land user is necessary to determine which practice or set of practices will be most effective and acceptable.

2. Erosion control should be implemented in a reasonable manner with as much implementation responsibility remaining with existing local entities and programs as is possible and consistent with water quality goals.
3. The Regional Board and local units of government should establish a clear policy for control of erosion, including consideration of off-site and cumulative impacts and the imposition of performance standards

according to the sensitivity of the area where land is to be disturbed.

4. Effective ordinances and regulatory programs should be adopted by local units of government. Effective programs would allow only land disturbance actions consistent with the waste load capacity of the watershed, require preparation of erosion and sediment control plans with specific contents and with attention to both offsite/on-site impacts, identify performance standards, be at least comparable to the model ordinance in the "Erosion and Sediment Control Handbook," dated May 1978, and have provisions for inspection follow-up, enforcement, and referral.
5. Watersheds with critical erosion and sediment problems should be identified by one or more concerned agencies such as the California Department of Fish and Game, the Regional Board, the local Environmental Health, Planning, or Engineering Departments, the local Flood Control District, or the local Resource Conservation District, and then referred to the remaining agencies by a designated local coordinating agency for determining the scope, nature, and significance of the identified problem. The designated local agency would evaluate the adequacy and appropriateness of the total assessment, including an assessment of the problem and causes, alternatives considered, recommended interim and permanent control measures, and the amount and sources of funding. The evaluation would then be submitted as an Impact Findings Report for consideration and decision by the local governing body.
6. Comprehensive and continuous training should be mandatory for building and grading inspectors, engineers, and planners involved in approving, designing, or inspecting erosion control plans and on-site control measures. The training program would preferably be conducted on an inter-county/agency basis and be administered through a USDA Natural Resources Soil Conservation Service cooperative training arrangement or ~~through seminars~~ through seminars conducted by the USDA Natural Resources Soil Conservation Service and the University of California Cooperative Extension seminars. The Soil Conservation Society of America should be requested to assist in establishing an effective training program, including public education to heighten awareness of the adverse affects of erosion and sediment on soil and water resources.

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7. More intensive erosion controls should be considered within four watersheds (Lauro Reservoir and Devereaux Ranch Slough in Santa Barbara County and Pismo Lake and Morro Bay in San Luis Obispo County) with apparent critical erosion and sediment problems. Alternative practices that may be implemented to effect the necessary level of control are assigned a relative priority.

Actions By Other Authorities

1. The federal government should increase its support of erosion and sediment control programs by increasing its technical staff, increasing cost-share funds, increasing the availability of low-interest loans, and changing its income tax laws to encourage the use of Best Management Practices for erosion and sediment control.
2. The State of California should establish an erosion and sediment control program that includes incentives for the individual, such as cost-sharing, changes in State law that would reduce property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.
3. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of Best Management Practices to correct existing erosion and sediment problems and to prevent new problems from occurring.
4. Local units of government should improve land use plans to establish a clear policy and shall adopt or improve ordinance to include definitive performance standards for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices, identified under Regional Board Management Principles.

5. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with Best Management Practices for their land areas within the Coastal Zone.

6. Resource Conservation Districts, the U.S. Fish and Wildlife Service, the National Resources Conservation Service, the

California Department of Transportation, and the U.S. Environmental Protection Agency Extension Service, in consultation with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who check erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.

7. Counties and cities should work with the Regional Board to identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation.
8. Review and assessment of erosion and sediment control plans for new land development in those counties and cities that have signed management agency agreements with the Board will be processed entirely by that county or city.

CONTROL ACTIONS

1. All discharges to the aquatic environment shall be considered temporary unless it is demonstrated that no undesirable change will occur in the natural receiving water quality.
2. The quality of all surface waters of the basin shall be such as to permit unrestricted recreational use.
3. The discharge of pollutants into surface waters shall be discontinued.
4. In implementing BMP's through local units of government or through State and Federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the area wide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually to reflect recent achievements, new information and new concerns.
5. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local voluntary programs fail to correct sediment problems within a reasonable period.

6. Emergency erosion control measures approved by a public agency and necessary to prevent or minimize loss of or damage to air, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger are exempt from this chapter, providing such exemption is in the public interest.

7. Regulation of sediment discharges from routine annual non-irrigated agricultural operations such as tilling, grazing and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.

8. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.

9. Erosion from nonpoint pollution sources shall be minimized through implementation of Best Management Practices.

10. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November/ October 15 each year.

11. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.

12. A filter strip of appropriate width and consisting of undisturbed soil and riparian vegetation or its equivalent shall be maintained, wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated waterline.

13. Design and maintenance of erosion and sediment control structures (e.g., ditches and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practices.

14. Cover crops shall be established by seeding and/or mulching or other equally effective measures on all disturbed areas not otherwise protected from

excessive erosion. The use of native plant species is recommended.

15. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded slope lengths shall not be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.

Revise the September 8, 1993 Basin Plan, Chapter 4, Page IV-68 through Page IV-69, Section VIII.E.1. LAND DISTURBANCE PROHIBITIONS as follows:

VIII.E.1. LAND DISTURBANCE PROHIBITIONS

The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from timber harvesting, construction, and other soil disturbance activities at locations above the anticipated high water line of any stream in the basin where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

Soil disturbance activities not exempted pursuant to Regional Board Management Principles in Chapter Five and Control Actions contained in this Chapter Five are prohibited:

1. In geologically unstable areas,
2. On slopes in excess of thirty percent (excluding agricultural activities), and
3. On soils rated a severe erosion hazard by soil specialists (as recognized by the Executive Officer) where water quality may be adversely impacted;

Unless,

- a. In the case of agriculture, operations comply with, a Farm Conservation or Farm Management Plan, approved by a Resource Conservation District or the USDA Soil Conservation Service Natural Resources Conservation Service;
- b. In the case of construction and land development, an erosion and sediment control plan or its equivalent (e.g., EIR, local ordinance) prescribes best

management practices to minimize erosion during the activity, and the plan is certified or approved, and will be enforced by a local unit of government through persons trained in erosion control techniques; or,

- c. There is no threat to downstream beneficial uses of water, as certified by the Executive Officer of the Regional Board.

4. As specified in Chapter Five (5), Page V-7. Section IV. DISCHARGE PROHIBITIONS.

IX. TOTAL MAXIMUM DAILY LOADS

The goal of setting a Total Maximum Daily Load (TMDL) is to attain state water quality standards for waterbodies identified to be impaired by a pollutant and, therefore, not meeting water quality standards. Development of a TMDL typically involves a quantitative assessment of water quality problems, contributing pollutant sources, and numeric goals that indicate if and when water quality standards are met. The TMDL value specifies the maximum amount of pollutant that can be discharged (or the amount of pollutant that needs to be reduced) to meet water quality standards. Components of a TMDL include load allocations for nonpoint source and background pollution, waste load allocations for point source pollution, and a margin of safety that accounts for the uncertainty about the relationship between the pollutant loads and the quality of the receiving waterbody. This section includes the TMDLs calculated for the specified waterbody identified to be impaired by a pollutant, the numeric targets set for the waterbody/pollutant combination that serve as indicators of water quality standards, and allocations of pollutant loads among sources contributing the pollutant to the waterbody. Associated with each TMDL is an implementation plan and a monitoring plan. The implementation plan describes how the water quality standards will be achieved for the waterbody/pollutant combination. These implementation plans typically include actions to be taken, requirements to be imposed through regulatory authorities, and a time schedule for actions and requirements to be implemented. The monitoring plans typically include monitoring parameters, collection methods, analysis methods, and sample collection locations. Monitoring data is used to track

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implementation efforts and make informed decisions
about water quality conditions and standards.

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Policy\CH4 11-12-02 Proposed BP Amendment.DOC
Task: 401-01
File: : Basin Plan, NPS Policy

ATTACHMENT C

REVISED CHAPTER 5. PLANS AND POLICIES

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CHAPTER 5. PLANS AND POLICIES

In addition to the Implementation Plan, many other plans and policies direct State and Regional Board actions or clarify the Regional Board's intent. The following pages contain brief descriptions of State Board plans and policies and numerous Regional Board plans and policies. ~~Copies of the State and Regional Board policies are contained in the Appendix.~~

Nonpoint Source Pollution Control Program (January 2000) Nonpoint Source Management Plan

Ocean Plan

Discharges of Municipal Solid Waste Policy

Should any of these policies be amended by the State Board, the Regional Board will implement the amended version.

The following sections summarize the adopted policies. ~~The complete policy is available in the "Attachments" section of this document.~~

I. STATE WATER RESOURCES CONTROL BOARD PLANS AND POLICIES

The State Water Resources Control Board (State Board) has adopted a number of plans and policies for Statewide water quality management including:

State Policy for Water Quality Control (1972)

Anti-degradation Policy

Thermal Plan

Bays and Estuaries Policy

Power Plant Cooling Policy

Reclamation Policy

Shredder Waste Disposal Policy

Underground Storage Tank Pilot Program

Sources of Drinking Water Policy

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Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-3 and V-4, Section I.J. NONPOINT SOURCE MANAGEMENT PLAN as follows:

I.J. NONPOINT SOURCE MANAGEMENT PLAN

Resolution R3-2002-0093: Adopting policy regarding the State Nonpoint Source Pollution Control Program (January 2000).

~~The "Nonpoint Source Management Plan", Resolution 88-123, was adopted by the State Water Resources Control Board on November 15, 1988 pursuant to Section 319 of the Clean Water Act. The Plan identifies nonpoint source control programs and milestones for their accomplishment. It emphasizes cooperation with local governments and other agencies to promote the implementation of Best Management Practices and remedial projects.~~

In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan that outlined steps to initiate the systematic management of nonpoint sources in California. The Nonpoint Source Management Plan was revised to the "Nonpoint Source Pollution Control Program (January 2000)" in December 1999 (www.swrcb.ca.gov/rwqcb3/). Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted by the State Water Resources Control Board on December 14, 1999 pursuant to Section 319 of the Clean Water Act.

The 2000 Nonpoint Source Pollution Control Program is a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Implementation of management measures will occur using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.

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III.G. EROSION AND SEDIMENTATION CONTROL

1. General recommendations for erosion control, numbered one through six under "Land Disturbance Activities" in the Implementation Plan, Chapter Four, are considered by the Regional Board to be Best Management Practices (BMP's), as are those BMP's identified in approved areawide Water Quality Management Plans.
2. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the State.
3. In implementing BMP's through local units of government, or through State and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the areawide waste treatment planning agency and the local management agency. Agreements shall be reviewed and updated annually to reflect recent achievements, new information, and new concerns.
4. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.
5. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger

are exempt from this chapter providing such exemption is in the public interest.

6. Regulation of sediment discharges from routine annual agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.
7. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.

"Control Actions" and "Actions by Other Authorities" in this chapter and the Implementation Plan, Chapter Four, contain further information regarding erosion and sedimentation control.

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Revised the September 8, 1994 Basin Plan, Chapter 5, Pages V-13 and V-14, Section V.G. EROSION AND SEDIMENTATION as follows:

V.G. EROSION AND SEDIMENTATION

1. Erosion from nonpoint pollution sources shall be minimized through implementation of BMP's (identified under "Management Principles" and described under "Land Disturbance Activities" in Chapter Four's "Nonpoint Source Measures" section.
2. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November 15 each year.
3. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.
4. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible between significant land disturbance activities and watercourses, lakes, bays, quarries, or ponds, and other water bodies. For erosion control activities, the minimum width of the filter strip shall be 10 feet, wherever possible as measured along the ground surface to the highest anticipated water line.
5. Design and maintenance of erosion and sediment control structures, (e.g., debris and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practices.
6. Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion.
7. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded slope length shall not

be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.

8. Use of soil sterilants is discouraged and should be minimized.

Further erosion and sedimentation information can be found in other areas of this chapter as well as the Implementation Plan, Chapter Four, under "Land Disturbance Activities."

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Revise the September 8, 1994 Basin Plan, Chapter 5, Pages V-15 and V-16, Section V.H.10. EROSION AND SEDIMENTATION CONTROL as follows:

V.H.10. EROSION AND SEDIMENTATION CONTROL

1. The federal government should increase its support of erosion and sediment control programs by increasing its technical staffs, increasing cost share funds, increasing the availability of low interest loans, and changing its income tax laws to encourage the use of Best Management Practices for erosion and sediment control.
2. The State of California should establish an erosion and sediment control program that include incentives for the individual states and sharing changes in State law that would reduce property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.
3. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of Best Management Practices to correct existing erosion and sediment problems and to prevent new problems from occurring.
4. Local units of government should improve land use plans to establish a clear policy, and shall adopt or improve ordinances to include definitive performance standards, for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices identified under Regional Board "Management Principles."
5. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with Best Management Practices for their land areas within the Coastal Zone.
6. Resource Conservation Districts, the U.S.D.A. Soil Conservation Service, the California Department of Transportation, and the Extension Service, in

conjunction with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who check erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.

7. Counties and cities should work with the Regional Board to identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation.
8. Review and assessment of erosion and sediment control plans for new land developments in those counties and cities that have signed management agency agreements with the Board will be processed entirely by the county or city.

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ATTACHMENT D

REVISED BASIN PLAN APPENDIX

Revise the September 8, 1994 Basin Plan, Plans and Policies Appendix, Page 1 as Follows:

PLANS AND POLICIES APPENDIX

<u>Number</u>	<u>Title</u>
A-1	State Policy for Water Quality Control (1972)
A-2	Statement of Policy with Respect to Maintaining High Quality of Waters in California (Anti-degradation Policy)
A-3	Water Quality Control Plan for Control of Temperature in Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan)
A-4	Water Quality Control Policy for the Enclosed Bays and Estuaries of California (Bays and Estuaries Policy)
A-5	Power Plant Cooling Policy
A-6	Reclamation Policy
A-7	Shredder Waste Disposal Policy
A-8	Underground Storage Tank Pilot Program
A-9	Sources of Drinking Water Policy
A-10	Nonpoint Source Management Plan
A-11	Water Quality Control Plan for Ocean Waters of California (1990) (Ocean Plan)
A-12	Discharges of Municipal Solid Waste Policy
A-13	Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coast Region
A-14	Acceptance of Monterey County Board of Supervisor's Ordinance Applying Development Restrictions to the Bays Hills (Bay Farms/Hillcrest)
A-15	Acceptance of Monterey County Board of Supervisors' Ordinance Applying Development Restrictions to the Area within the San Lucas County Water District
A-16	Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County
A-17	Policy Amending "Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County" to apply Region Wide

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 AEROVISTA PLACE, SUITE 101
SAN LUIS OBISPO, CALIFORNIA 93401-7906**

RESOLUTION R3-2002-0093

**Adopting Revised State Water Resources Control Board
Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source
Plans, Policies, and Management Practices in an
Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan)
Requesting Approval from State Water Resources Control Board**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board) finds:

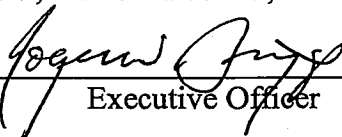
1. The California Regional Water Quality Control Board, Central Coast Region, adopted the *Water Quality Control Plan, Central Coastal Basin* (hereafter Basin Plan), on September 8, 1994.
2. The Regional Board periodically revises and amends the Basin Plan. The most recently finalized amendment to the Basin Plan was in April 1995.
3. The Regional Board is responsible for reviewing water quality standards and implementation plans as appropriate and for modifying and adopting standards contained in the Plans under provisions set forth in section 303(c) of the Federal Clean Water Act and Section 13240, Division 7 of the California Water Code.
4. The State Water Resources Control Board revised the State Nonpoint Source Management Plan to the "Nonpoint Source Pollution Control Program" (January 2002).
5. State Water Resources Control Board Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted on December 14, 1999, pursuant to Section 319 of the Clean Water Act.
6. The Nonpoint Source Pollution Control Program (dated January 2000) includes a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Management measures will be implemented using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.
7. The Nonpoint Source Pollution Control Program process includes: Assessing Program activities, targeting efforts, planning activities based on Program goals and objectives,

- coordinating the efforts of federal, State, and local agencies and stakeholders, implementing coordinated actions, tracking and monitoring the results of implemented actions, and reporting on Program results. The Program Plan is designed to be flexible and adaptable over time.
8. The Basin Plan contains existing nonpoint source information distributed throughout the document.
 9. The Basin Plan requires restructuring in order to have appropriate nonpoint source information, findings, and requirements in a designated section of the Basin Plan (Section VIII. CONTROL OF NONPOINT SOURCE POLLUTANTS).
 10. Section 303(d) of the Clean Water Act requires States to establish total maximum daily loads for waterbodies that do not meet water quality objectives that will insure attainment of water quality objectives, and then to incorporate those allocations into their Basin Plans.
 11. Regional Board consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and threatened and endangered plants and animal species. The Department of Fish and Game has made a determination of “no jeopardy” pursuant to the California Endangered Species Act.
 12. A draft notice of filing, staff report, the proposed amendment, and environmental checklist have been prepared and distributed to interested persons and agencies for review and comment in accordance with state and federal environmental regulations (23 CCR § 3775, 40 CFR 25 and 40 CFR 131).
 13. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of the California Environmental Quality Act of 1977 (Public Resources Code 21000 et seq.).
 14. The Regional Board finds adoption of these amendments will have no potential for adverse effect, either individually or cumulatively, on wildlife. The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment.
 15. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
 16. On December 13, 2002 in San Luis Obispo California, the Regional Board held a public hearing and considered all public testimony.

THEREFORE, BE IT RESOLVED:

1. Pursuant to section 13240 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment **Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source Plans, Policies, and Management Practices in an Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan)** as shown in Attachments B "Revised Chapter 4. Implementation Plan", C "Revised Chapter 5. Plans and Policies", and D "Revised Basin Plan Appendix". The amendment will not take effect until approved by the State Board, the Office of Administrative Law, and the United States Environmental Protection Agency.
2. The Regional Board's Executive Officer is authorized to submit the amendment to the State Water Resources Control Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Regional Board requests that the State Water Resources Control Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code, and that upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.
4. That the environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the State Board shall file a Notice of Decision with the State Clearinghouse.
5. That the Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results in a "*De Minimus*" impact finding.
6. That if during the approval process, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, Roger W. Briggs, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 13, 2002.



Executive Officer

December 13, 2002

Date

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 AEROVISTA PLACE, SUITE 101
SAN LUIS OBISPO, CALIFORNIA 93401-7906**

RESOLUTION R3-2002-0093

**Adopting Revised State Water Resources Control Board
Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source
Plans, Policies, and Management Practices in an
Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan)
Requesting Approval from State Water Resources Control Board**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board) finds:

1. The California Regional Water Quality Control Board, Central Coast Region, adopted the *Water Quality Control Plan, Central Coastal Basin* (hereafter Basin Plan), on September 8, 1994.
2. The Regional Board periodically revises and amends the Basin Plan. The most recently finalized amendment to the Basin Plan was in April 1995.
3. The Regional Board is responsible for reviewing water quality standards and implementation plans as appropriate and for modifying and adopting standards contained in the Plans under provisions set forth in section 303(c) of the Federal Clean Water Act and Section 13240, Division 7 of the California Water Code.
4. The State Water Resources Control Board revised the State Nonpoint Source Management Plan to the "Nonpoint Source Pollution Control Program" (January 2002).
5. State Water Resources Control Board Resolution 99-114, revising the Nonpoint Source Pollution Control Program was adopted on December 14, 1999, pursuant to Section 319 of the Clean Water Act.
6. The Nonpoint Source Pollution Control Program (dated January 2000) includes a coordinated statewide approach to managing nonpoint source pollution structured around 61 management measures. Management measures serve as goals for the control and prevention of polluted runoff. Site-specific management practices are used to achieve the goals of each management measure. Management measures will be implemented using a fifteen-year strategy with three nested five-year implementation plans. The fifteen-year strategy and each five-year implementation plan use an iterative program process.
7. The Nonpoint Source Pollution Control Program process includes: Assessing Program activities, targeting efforts, planning activities based on Program goals and objectives,

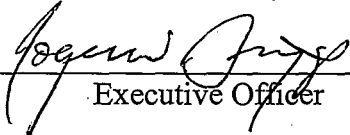
coordinating the efforts of federal, State, and local agencies and stakeholders, implementing coordinated actions, tracking and monitoring the results of implemented actions, and reporting on Program results. The Program Plan is designed to be flexible and adaptable over time.

8. The Basin Plan contains existing nonpoint source information distributed throughout the document.
9. The Basin Plan requires restructuring in order to have appropriate nonpoint source information, findings, and requirements in a designated section of the Basin Plan (Section VIII. CONTROL OF NONPOINT SOURCE POLLUTANTS).
10. Section 303(d) of the Clean Water Act requires States to establish total maximum daily loads for waterbodies that do not meet water quality objectives that will insure attainment of water quality objectives, and then to incorporate those allocations into their Basin Plans.
11. Regional Board consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and threatened and endangered plants and animal species. The Department of Fish and Game has made a determination of "no jeopardy" pursuant to the California Endangered Species Act.
12. A draft notice of filing, staff report, the proposed amendment, and environmental checklist have been prepared and distributed to interested persons and agencies for review and comment in accordance with state and federal environmental regulations (23 CCR § 3775, 40 CFR 25 and 40 CFR 131).
13. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of the California Environmental Quality Act of 1977 (Public Resources Code 21000 et seq.).
14. The Regional Board finds adoption of these amendments will have no potential for adverse effect, either individually or cumulatively, on wildlife. The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment.
15. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
16. On December 13, 2002 in San Luis Obispo California, the Regional Board held a public hearing and considered all public testimony.

THEREFORE, BE IT RESOLVED:

1. Pursuant to section 13240 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment **Nonpoint Source Pollution Control Program and Reformatting Existing Nonpoint Source Plans, Policies, and Management Practices in an Amendment of the Central Coast Basin Water Quality Control Plan (Basin Plan)** as shown in Attachments B "Revised Chapter 4. Implementation Plan", C "Revised Chapter 5. Plans and Policies", and D "Revised Basin Plan Appendix". The amendment will not take effect until approved by the State Board, the Office of Administrative Law, and the United States Environmental Protection Agency.
2. The Regional Board's Executive Officer is authorized to submit the amendment to the State Water Resources Control Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Regional Board requests that the State Water Resources Control Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code, and that upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.
4. That the environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the State Board shall file a Notice of Decision with the State Clearinghouse.
5. That the Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results in a "*De Minimus*" impact finding.
6. That if during the approval process, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, Roger W. Briggs, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 13, 2002.


Executive Officer

December 13, 2002
Date

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906**

**RESOLUTION NO. R3-2002-0063
(REVISED MAY 16, 2003)
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN
TO INCLUDE
SAN LORENZO RIVER TOTAL MAXIMUM DAILY LOAD AND IMPLEMENTATION PLAN
FOR SEDIMENT INCLUDING
CARBONERA CREEK, LOMPICO CREEK AND SHINGLE MILL CREEK**

The California Regional Water Quality Control Board, Central Coast Region hereby finds:

1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Regional Board periodically revises and amends the Basin Plan. The Regional Board has determined the Basin Plan requires further revision and amendment to incorporate a San Lorenzo River Total Maximum Daily Load (TMDL) and Implementation Plan for Sediment, including Carbonera Creek, Lompico Creek, and Shingle Mill Creek.
3. The Regional Board proposes to amend the Basin plan by inserting amendments into Chapter Four, Section IX Total Maximum Daily Loads.
4. Section 303(d) of the Clean Water Act requires States to identify and to prepare a list of water bodies that do not meet water quality objectives and then to establish load and waste load allocations, or a TMDL, for each water body, which will ensure attainment of water quality objectives, and then to incorporate those allocations into their Basin Plans.
5. The San Lorenzo River, Carbonera Creek, Lompico Creek, and Shingle Mill Creek were identified as impaired by sediment on the 1998 Clean Water Act Section 303(d) list of impaired water bodies. Therefore, the Regional Board is required to adopt a TMDL for those water bodies and incorporate the TMDL and associated Implementation Plan into the Basin Plan. (40 CFR 130.6(c)(1), 130.7, Water Code section 13242).
6. The San Lorenzo River, Carbonera Creek, Lompico Creek, and Shingle Mill Creek are located entirely within Santa Cruz County.
7. The TMDL report contains a Problem Statement, Source Analysis, Numeric Targets, Total Maximum Load, Load Allocation, an Implementation Plan, and a Monitoring Plan.
8. The Problem is as follows: The natural processes of erosion and sedimentation in the San Lorenzo River Watershed have been accelerated due to anthropogenic watershed disturbances. The San Lorenzo

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River and its tributaries, Carbonera Creek, Lompico Creek and Shingle Mill Creek exceed narrative water quality objectives for settleable materials because beneficial uses associated with anadromous fisheries have been adversely impacted by sediment. Studies conducted by various authors have concluded that erosion rates are accelerated beyond natural rates. These studies have also documented and quantified the decline in anadromous fisheries and the quality of fish habitat. Excessive sedimentation has interfered with the beneficial uses of these waterbodies including, Fish and Wildlife (RARE, MIGR, SPWN, WILD).

9. The Source of sediment can be described by source category, and by subwatershed. Contributing sources include: Timber Harvest Plan (THP) Roads, Public and Private Roads, Active and Recent THP Parcels, Other Urban and Rural Lands, Mass Wasting, and Channel/Bank Erosion. Sediment loading in the 15 subwatersheds ranges from an estimated 877 to 54,836 tons per year. Sediment loading to the San Lorenzo River is approximately 419,369 tons per year. The Upper San Lorenzo River, Kings Creek, Ben Lomond, Bear Creek, and Zayante Creek subwatersheds each contribute more than ten percent of the total loading. Virtually all controllable sediment comes from non-point sources, as well as land uses subject to regulation under NPDES stormwater permits, and Waste Discharge Requirements.
10. The TMDL is: The overall target for the San Lorenzo River Watershed is a 27 percent reduction in the estimated current loading. This results in TMDLs for the San Lorenzo River of 306,139 tons/year; for Shingle Mill Creek, 857 tons/year; for Carbonera Creek, 11,728 tons/year; and for Lompico Creek, 9,542 tons/year. The TMDL for each waterbody is allocated to the source categories identified in finding 9, above. The allocations are based on source reductions attainable through implementation of management practices and other related measures.
11. Because the sediment objectives in the Basin Plan are narrative, rather than numeric, the TMDL report establishes numeric targets as indicators of water quality that are supportive of beneficial uses. The numeric targets serve to interpret the narrative water quality objectives and provide a measure with which to determine if the objectives and the TMDL are being met. Targets are assigned to Residual Pool Volume, Percentage of Fine Particles and Median Diameter of Sediment Particles in Spawning Gravels. The combination of these parameters is considered an effective approach in lieu of directly measuring sediment loading to the listed waterbodies. Furthermore, direct measurement of loads would not characterize the *effect* of those loads on beneficial uses. The parameters selected do characterize effect by targeting specific habitat requirements for aquatic organisms. The selection of these targets does not preclude efforts to directly measure loading, however the natural variability inherent in annual sediment loads in this region is large enough to suggest that clear trends could not readily be identified by data collection in the near term.
12. The TMDL will be achieved by implementing the State Water Resource Control Board's Nonpoint Source Pollution Control Program Plan, Resolution 99-114, adopted December 4, 1999, and on existing or anticipated regulatory activities where responsible dischargers are identified. The Nonpoint Source Plan guides the Regional Board in its control of nonpoint source pollution by implementing the "Three-Tiered Approach." For nonpoint source discharges, the Regional Board will rely upon Tier 1 (self-determined cooperative efforts) to achieve this TMDL as long as proposed actions are implemented and sufficient progress toward attaining the numeric targets is being achieved. At this time implementation emphasizes the activities of the Santa Cruz County Departments of Planning and Public Works, of the Santa Cruz County Resource Conservation District, and of other public and private groups, not currently identified as dischargers responsible for causing erosion, to implement Tier 1, self-determined activities (Implementation Actions C through R in the list of Trackable Implementation Actions in the Amendment). These entities' failure to implement Tier 1, self-determined activities to reduce sedimentation could trigger Board actions, authorized through Section 13267 of the California Water Code, including investigation and identification of individual responsible dischargers (e.g., landowners or public agencies). If necessary, the Regional Board may

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rely on enforcement authority, pursuant to California Water Code Section 13304, to require dischargers to clean up and abate sediment discharges and/or prevent the threat of discharges. This portion of the implementation program currently relies on voluntary compliance and so is not regulatory. If, in future years, evaluation of progress indicates regulatory mechanisms are needed to implement actions that will result in attainment of the numeric targets, this will be achieved on a case-by-case basis using existing authority or if necessary, by amending the TMDL implementation program through a Basin Plan amendment.

13. To regulate sediment discharges derived from storm water, implementation relies on National Pollutant Discharge Elimination System (NPDES) general permits, anticipated to be in place by March 2003, covering municipalities and construction activities. Implementation Actions T, U, and V (see following list of Trackable Implementation Actions) identify actions that will be required of entities enrolling in these general permits. These actions will be required pursuant to the terms of the general permits, so this portion of the implementation program also does not impose any new regulatory requirements. If the management practices are not included in these Plans, the Regional Board will work with dischargers to condition the Plans on an individual basis, will consider issuing individual Storm Water permits, or waste discharger requirements, and/or, if necessary take actions to enforce the terms of the permits or waste discharge requirements. The Regional Board will take any such actions on a case-by-case basis using existing authority or if necessary, by amending the TMDL implementation program through a Basin Plan amendment.
14. The TMDL will be evaluated by monitoring the four numeric targets specified in finding 11, above, as well as by tracking progress in implementation of voluntary and required implementation actions. Responsibility for tracking, reporting status, and evaluating the effectiveness of voluntary implementation actions, is shared by the Regional Board and participating members of the San Lorenzo River Technical Advisory Committee. Initially the Regional Board will be responsible for monitoring numeric targets and progress on implementation actions in consultation with the Committee. As more information is obtained concerning sources, locations and rates of sedimentation, TMDL numeric targets and implementation projects may be amended or modified thorough an amendment to the Basin Plan, as appropriate.
15. The Regional Board Staff conducted outreach by coordinating with the San Lorenzo River Technical Advisory Committee and Interested Parties for review and comment on the TMDL report. Public review and comment were solicited after completion of the TMDL report and during the public meeting of this Regional Board on September 20, 2002.
16. The Regional Board submitted the TMDL Report to an external scientific review panel on March 29, 2002 as required by Health and Safety Code Section 57004. The review panel submitted its response to the Regional Board on April 29, 2002. The review panel commented on several specific areas of concern. The Regional Board revised the proposed Basin Plan amendment in response to the comments submitted by the review panel, or prepared a written response, which explained its basis for not incorporating their comments.
17. The TMDL report contains an estimate of the cost of preventing erosion and sedimentation via implementation of Implementation Actions and management practices, pursuant to Public Resources Code, Section 21159 (a)(3)(c). The cost of implementation will be incurred by the implementers and offset with grants, loans, in-kind donations, and matching funds as much as possible.
18. This Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board and the State Office of Administrative Law (OAL). The TMDL must further be approved by the USEPA. The Basin Plan amendment will become effective upon approval by the State Board and OAL.

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19. This amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code §11353(b).
20. The Regional Board has determined that the TMDL for sediment for the San Lorenzo River, Carbonera Creek, Lompico Creek, and Shingle Mill Creek, is set at levels necessary to attain and maintain the applicable narrative water quality objectives (there are no applicable numeric objectives) with seasonal variations and a margin of safety that takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)).
21. The basin planning process has been certified as functionally equivalent to the California Environmental Quality Act requirements for preparing environmental documents (Public Resources Code, Section 21000 et seq.) and as such, the required environmental documentation and CEQA environmental checklist have been prepared. Drafts of the Notice of Filing, staff report, environmental checklist, and proposed amendment have been prepared and distributed to interested persons and agencies for review and comment in accordance with Title 23 California Code of Regulations section 3777. All public comments were considered. No significant environmental impacts will result from approval of this Basin Plan amendment.
22. The proposed amendments to the Basin Plan were developed in accordance with California Water Code Section 13240 et seq.
23. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies.
24. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and so is exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
25. On September 20, 2002 in Salinas, California, the Regional Board held a public hearing and heard and considered all public comments and evidence in the record and adopted Resolution no. R3-2002-0063.
26. On March 17, 2003, State Board returned the Administrative Record to the Regional Board with a memo stating that Regional Board adoption procedures did not comply with section 3777 of Title 23 California Code of Regulations, which requires consideration of reasonable alternatives to the proposed amendment that would achieve the stated goal.
27. On May 16, 2003, in Watsonville, California, the Regional Board held a public meeting and reheard this item to correct the omission stated above. The Regional Board gave 45 days public notice for this meeting and filing of an environmental document. The Regional Board heard and considered all public comments and evidence in the record.

THEREFORE, BE IT RESOLVED,

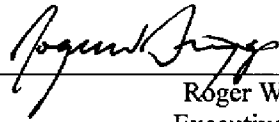
1. The Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment shown on "Attachment-Proposed Basin Plan Amendments." The amendment will not take effect until approved by the State Board and the California Office of Administrative Law.
2. The Board's Executive Officer is authorized to submit the amendment to the State Water Resources Control Board (State Board). The State Board is requested to approve the Basin Plan amendment in

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accordance with the requirements of sections 13245 and 13246 of the California Water Code, and upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law for approval.

3. The environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. The Regional Board shall file a CEQA Notice of Decision with the Secretary for Resources. Following approval of the revised Basin Plan by the State Board and the California Office of Administrative Law. A Certificate of Fee Exemption will be included with the Notice of Decision.
4. The Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results from adoption of this Basin Plan amendment.
5. If during approval process the State Board or the Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on May 16, 2003.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2002-0063

ATTACHMENT—PROPOSED BASIN PLAN AMENDMENTS

1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to chapter 4 under the section, IX A:

**IX.B SAN LORENZO RIVER TOTAL MAXIMUM DAILY LOAD FOR SEDIMENT
(INCLUDING CARBONERA CREEK, LOMPICO CREEK, AND SHINGLE MILL CREEK)**

This TMDL was adopted by the Regional Water Quality Control Board on May 16, 2003.

This TMDL was approved by:

The State Water Resources Control Board on insert date.

The California Office of Administrative Law on insert date (effective date).

The U.S. Environmental Protection Agency on insert date. 2/19/04

TMDL ELEMENTS

Problem Statement:

The natural processes of erosion and sedimentation in the San Lorenzo River Watershed have been accelerated due to anthropogenic watershed disturbances. Studies conducted by various authors have concluded that erosion rates were two to four times natural rates. These studies have also documented and quantified the decline in anadromous fisheries and the quality of fish habitat. Excessive Sedimentation has interfered with the beneficial uses of these waterbodies including, Fish and Wildlife (RARE, MIGR, SPWN, WILD).

Numeric Targets (interpretation of the narrative water quality objectives for settleable solids and sediment):

Because the sediment objectives in the Basin Plan are narrative, rather than numeric, this Basin Plan amendment establishes numeric targets as indicators of water quality that are supportive of beneficial uses. The numeric targets serve to interpret the narrative water quality objectives and provide a measure with which to determine if the objectives and the TMDL are being met. The combination of these parameters is considered an effective approach in lieu of directly measuring sediment loading to the listed waterbodies. Attainment of Numeric Targets will be measured over a ten-year rolling time period. Numeric targets for the listed waterbodies and compliance points on tributaries are as follows:

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Parameter	Numeric Target ¹
Residual Pool Volume (V^*) ²	$V^* =$ Mean values ≤ 0.21 Max values ≤ 0.45
Median Diameter (D_{50}) of Sediment Particles in Spawning Gravels	$D_{50} =$ Mean values ≥ 69 mm Minimum values ≥ 37 mm
Percent of Fine Fines (< 0.85 mm) in Spawning Gravels	Percent fine fines $\leq 21\%$
Percent of Coarse Fines (< 6.0 mm) in Spawning Gravels	Percent coarse fines $\leq 30\%$

¹ Target values are for sampling reach(es) within an individual waterbody.

² Residual Pool Volume refers to the portion of a pool in a stream that is available for fish to occupy. Pool habitat is the primary habitat for steelhead in summer. Overwintering habitat requirements include deeper pools, undercut banks, side channels, and especially large, unembedded rocks, which provide shelter for fish against the high flows of winter. V^* gives a direct measurement of the impact of sediment on pool volume. It is the ratio of the amount of *pool volume filled by fine, mobile sediment*, to *total pool volume*. Qualifying pools are those having a gradient less than 5%, a minimum depth twice the riffle-crest depth, a fairly even spacing between tributaries, and are located on streams fifth order or smaller.

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Total Maximum Daily Load and Load Allocations

The Total Maximum Daily Load (expressed here as an annual load) was based on reductions necessary to achieve desired conditions of streambed sediment parameters (embeddedness and fraction of sediment particles less than 4mm in diameter). Desired conditions taken from values published in the scientific literature were 27% lower on average for the San Lorenzo River, Carbonera Creek and Shingle Mill Creek, and 24% lower on Lompico Creek, than measured values in these waterbodies, respectively. Load allocations were based on percent attainable reductions in each sediment source category.

Natural background sediment load was not calculated as a separate allocation of the TMDL. The Mass Wasting and Channel/Bank Erosion categories account for natural and anthropogenic loads associated with these processes. The load from Timber Harvest Plan Roads, Public/Private Roads, Timber Harvest Plan Lands and Other Urban and Rural Lands is assumed to be entirely anthropogenically derived and controllable.

Sediment Source Category	Allocations (tons/year)			
	Shingle Mill Creek	Carbonera Creek	Lompico Creek	San Lorenzo River
Upland Timber Harvest Plan (THP) Roads	0	419	362	25,215
Streamside THP Roads on Steep Slopes	0	182	164	10,949
Upland Public/Private Roads	146	1,235	367	13,835
Streamside Public/Private Roads on Steep Slopes	77	135	239	6,178
THP Land	0	23	16	1,057
Other Urban and Rural Land	310	2,622	965	43,368
Mass Wasting	0	4,082	6,440	157,388
Channel/Bank Erosion	324	3,030	989	48,149
Total Allocation = TMDL³	857	11,728	9,542	306,139

Implementation Plan

The sediment load to the San Lorenzo River, Lompico Creek, Carbonera Creek, and Shingle Mill Creek derives from nonpoint sources (NPS) and point sources. As such, implementation to achieve the TMDL will rely on the State's Plan for NPS pollution control (CWC §13369) and on existing and anticipated independent regulatory programs for regulated storm water discharges.

At this time implementation emphasizes the activities of the Santa Cruz County Departments of Planning and Public Works, the Santa Cruz County Resource Conservation District, and other public and private groups, not currently identified as dischargers responsible for causing erosion, to implement self-determined activities (Implementation Actions C through R, see following list, Trackable Implementation Actions). Regional Board staff will meet annually with these "Implementing Parties" identified in the list of Trackable Implementation Actions to provide technical assistance, and to evaluate and track progress (See following Implementation Compliance Schedule). By the end of the first year of implementation, the Regional Board and the implementing parties will establish a time schedule for completion of Trackable Implementation Actions C

³ The term "Total Maximum Daily Load" or "TMDL" is used here for familiarity. The allowable loads for the San Lorenzo River and its tributaries are actually expressed as a Total Annual Loads (tons/year). This expression of load accounts for seasonal variation in sediment loads explained by the seasonality of rainfall in this region of the Central Coast.

through R. If the Regional Board along with implementing parties do not establish the time schedule by the end of year one, Regional Board Staff will present a time schedule for completion of these actions as a Basin Plan Amendment. If the Regional Board determines that the implementing parties have failed to complete these self-determined activities and/or resulting management practices have failed to reduce sedimentation per the time schedule established, Regional Board staff intends to conduct inspections and investigations to identify individual responsible dischargers (e.g., landowners or regulated public agencies). Regional Board staff may rely on Section 13267 of the California Water Code and other appropriate authorities for investigation and identification of individual responsible dischargers. Regional Board staff will also rely on Section 13267 of the California Water Code to require reporting and/or monitoring to determine the level of implementation of management practices to reduce sedimentation. If necessary, the Regional Board may rely on enforcement authority, pursuant to California Water Code Section 13304, to require dischargers to clean up and abate sediment discharges and/or prevent the threat of discharges. The Implementation Actions identified in this Implementation Plan do not identify the specific management practices that will result in sediment reduction. As such the management practices developed through pursuit of the Implementation Actions are not intended to be independently enforceable by the Regional Board. Therefore, the Regional Board will rely on scheduled 3-year reviews to track Implementation Actions and the effectiveness of management practices to determine whether to continue with Tier 1, self-determined implementation. This portion of the implementation program currently relies on voluntary compliance and so is not regulatory. If, in future years, self-determined actions have not been completed, staff will develop a regulatory approach (rather than a self-determined approach) and present a revised implementation plan to the Regional Board as a Basin Plan amendment.

To regulate sediment discharges derived from regulated storm water discharges, implementation relies on National Pollutant Discharge Elimination System (NPDES) general permits covering municipalities and construction activities anticipated to be in place by March 2003. Implementation Actions S, T and U (see following list, Trackable Implementation Actions) identify actions that will be required of entities enrolling in these general permits. These entities are identified as "Responsible Dischargers" on this list. These actions will be required pursuant to the terms of the general permits, so this portion of the implementation program also does not impose any new regulatory requirements. To the extent the discharge is addressed by a Storm Water Permit, the Regional Board anticipates that management practices developed from any of the Implementation Actions (in the list of Trackable Implementation Actions) will be included in Storm Water Management Plans and Storm Water Pollution Prevention Plans. If the management practices are not included in these Plans, the Regional Board will work with dischargers to condition the Plans on an individual basis, will consider issuing individual Storm Water permits or waste discharge requirements, and/or, if necessary take actions to enforce the terms of the permits or waste discharge requirements. The Regional Board will take any such actions on a case-by-case basis using existing authority or if necessary, by amendment of the TMDL implementation program.

Margin of Safety

A margin of safety has been established implicitly in the TMDL calculation through conservative assumptions used in establishing the percent reduction from existing loads necessary to protect beneficial uses.

Monitoring

The TMDL will be evaluated by monitoring the four numeric targets specified above, as well as by tracking progress in implementation of voluntary and required implementation actions. Responsibility for tracking, reporting status, and evaluating the effectiveness of voluntary implementation actions, is shared by the Regional Board and participating members of the San Lorenzo River Technical Advisory Committee. Initially the Regional Board will be responsible for monitoring numeric targets. Any monitoring besides that for numeric targets, including turbidity monitoring by the San Lorenzo Valley Water District and the City of Santa Cruz Water Agency, as well as "comprehensive" monitoring of parameters affecting cold water fisheries conducted by various agencies, will be on a voluntary basis. Monitoring efforts pursuant to existing or anticipated regulatory programs or other voluntary efforts will be evaluated along with monitoring for numeric

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targets. The Board will evaluate progress on implementation actions in consultation with the San Lorenzo River Technical Advisory Committee. As more information is obtained concerning sources, locations and rates of sedimentation, TMDL numeric targets and implementation projects may be amended or modified through an amendment to the Basin Plan, as appropriate.

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Trackable Implementation Actions to Address Sources of Erosion and Sedimentation

Source: 2001/2002	Implementation Action	Implementing Party
<p>Roads: Upland and Streamside Timber Harvest Plans</p>	<p>A Increase presence at Pre-Harvest Inspections to 100% of Class I and Class II watercourses (watercourses supporting use for domestic water supply, fish, and/or aquatic habitat for non-fish aquatic species).</p>	<p>Regional Water Quality Control Board (RWQCB)</p>
	<p>B Perform Post-Harvest Inspections 3 to 5 years after harvest on Timber Harvest Plans with Class I and Class II watercourse crossings.</p>	<p>RWQCB</p>
	<p>C Convene a Working Group of federal, state, and local agencies, and timberland owners and foresters to develop specific timber harvesting management practices for the San Lorenzo River Watershed.</p>	<p>National Marine Fisheries Service (NMFS), California Department of Forestry and Fire Protection (CDF), Santa Cruz County (County) Planning, RWQCB, Timber Owners and Foresters</p>
	<p>D Enforce erosion control ordinance following 3-year Timber Harvest Plan maintenance period.</p>	<p>County Planning</p>
	<p>E Develop strategy for more effective enforcement of County code violations pertaining to erosion control and sedimentation prevention throughout the San Lorenzo Watershed.</p>	<p>County Planning</p>
	<p>F RWQCB will review evidence of Timber Harvest Plan Best Management Practices developed pursuant to Section 916.9 of 2001 Forest Practices Act during Pre-Harvest and Post-Harvest inspections.</p>	<p>CDF, Timber Harvest Plan Submitter, RWQCB</p>
<p>Roads: Upland and Streamside Public/Private</p>	<p>E <i>See above</i></p>	
	<p>G Create public road database to inventory and prioritize problems for correction.</p>	<p>County Public Works, Caltrans, Cities of Santa Cruz and Scotts Valley</p>
	<p>H Develop a Public Road Maintenance Best Management Practices (BMP) Program.</p>	<p>County Public Works and Planning</p>
	<p>I Improve public road spoils management and disposal: develop spoils disposal site(s) in or near the San Lorenzo Watershed.</p>	<p>County Public Works and Caltrans</p>
	<p>J Assess State Park roads and trails for erosion into San Lorenzo River and tributaries. Develop a program for funding and addressing any identified problems.</p>	<p>California Department of Parks and Recreation</p>
	<p>K Develop and implement private road improvement program.</p>	<p>Santa Cruz Resource Conservation District (RCD)-lead, Natural Resources Conservation Service, County Department of Environmental Health, RWQCB, California Department of Fish and Game, landowners</p>
<p>Developed Parcels: THP Lands</p>	<p>A-F <i>See above</i></p>	
<p>Developed Parcels: Other Urban and Rural Land</p>	<p>E <i>See above</i></p>	
	<p>L Evaluate need to revise erosion control provisions in County Grading Regulations and Erosion Control Ordinance to better protect sandy-soil areas.</p>	<p>County Planning</p>
	<p>M Evaluate need to revise erosion control provisions in City of Scotts Valley Grading Regulations and Erosion Control Ordinance to better protect sandy-soil areas.</p>	<p>City of Scotts Valley</p>

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Source Category	Implementation Action	Implementing Party
	N Evaluate need to revise erosion control provisions in City of Santa Cruz Grading Regulations and Erosion Control Ordinance to better protect sandy-soil areas.	City of Santa Cruz
	O Promote improved livestock management practices to reduce discharge of sediment.	RCD, Santa Cruz Horsemen, County Planning, County Environmental Health Services, Livestock Owners
	P Implement education programs and modify policies and procedures to improve riparian corridor protection, maintain channel integrity, implement alternatives to hard bank protection, and retain woody material.	County Planning, DFG, Cities
Mass Wasting	Q Develop strategy to reduce erosion from discrete sources, including Mount Hermon slide, Bean Creek Road slides, McEnery Road, Skypark, Rancho Rio and Monte Fiore.	County, City of Scotts Valley
	R Develop strategy to address accelerating the mitigation of quarry impacts at Hanson Aggregates site.	County Planning, California Division of Mines and Geology
Streambanks	A-H, J-N, P <i>See above</i>	
Source Category	Implementation Action	Responsible Dischargers
All Roads, Developed, and Developing Parcels	S Develop and implement Storm Water Management Plans (SWMPs) and Storm Water Pollution Prevention Plans (SWPPPs) consistent with NPDES Phase II Storm Water regulations.	County Planning and Public Works, City of Santa Cruz, City of Scotts Valley, construction site operators and owners.
	T Identify the San Lorenzo River Watershed as a priority for site inspection and enforcement of control measures in SWMPs and SWPPPs. Establish mechanism by which operators and owners of one-acre and greater construction projects are notified of the requirement to prepare SWPPPs.	County Planning and Public Works, City of Santa Cruz, City of Scotts Valley, construction site operators and owners.
	U Consider incorporation of sediment control programs/projects into SWMPs and SWPPPs.	County Planning and Public Works, City of Santa Cruz, City of Scotts Valley, construction site operators and owners.

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Implementation Compliance Schedule

IMPLEMENTATION YEAR	IMPLEMENTATION MILESTONE	MONITORING ACTIVITY
	<i>San Lorenzo River Mainstem and Tributaries</i>	<i>San Lorenzo River Mainstem and Tributaries</i>
1	Regional Board (RB) staff and San Lorenzo River Technical Advisory Committee (SLR TAC) meet to: a) review progress on implementation actions; b) adopt Comprehensive Monitoring Program; and c) establish time schedules for Implementation Actions. RB and County staff meet to review inclusion of high priority status of San Lorenzo Watershed in Stormwater Management Plan.	Refine sampling strategy for comprehensive monitoring plan; Turbidity by water agencies.
2	RB staff and SLR TAC meet to review progress on implementation actions and monitoring.	Full suite of Numeric Target Parameters at compliance points; Turbidity by water agencies.
3	Implementing Parties submit report on progress of actions; RB staff and SLR TAC meet to review progress on implementation actions and monitoring; RB staff consider modifications to Trackable Implementation Actions; RB requests implementation tracking report from Implementing Parties if not provided;	Turbidity by water agencies.
4	RB staff and SLR TAC meet to review progress on implementation actions;	Turbidity by water agencies.
5	RB staff and SLR TAC meet to review progress on implementation actions;	Full suite of Numeric Target Parameters at compliance points; Turbidity by water agencies.
6	Implementing Parties submit report on progress of actions; RB staff and SLR TAC meet to review progress on implementation actions and monitoring; RB staff consider modifications to Trackable Implementation Actions; RB requests implementation tracking report from Implementing Parties if not provided;	Turbidity by water agencies.
7	RB staff and SLR TAC meet to review progress on implementation actions;	Turbidity by water agencies.
8	RB staff and SLR TAC meet to review progress on implementation actions;	Full suite on compliance points; Turbidity by water agencies.
9	Implementing Parties submit report on progress of actions; RB staff and SLR TAC meet to review progress on implementation actions and monitoring; RB staff consider modifications to Trackable Implementation Actions; RB requests implementation tracking report from Implementing Parties if not provided;	Turbidity by water agencies.
10	RB staff and SLR TAC meet to review progress on implementation actions;	Turbidity by water agencies.
11	RB staff and SLR TAC meet to review progress on implementation actions; RB staff calculate 10-year rolling average of streambed sediment data and turbidity;	Full suite of Numeric Target Parameters at compliance points; Turbidity by water agencies.

⁴ Direct measurement of sediment loading is not proposed for this TMDL. Parameters characterizing the effect of loading are to be measured instead, and are identified as Numeric Targets. This 25-year schedule for achieving the TMDL acknowledges that implementation actions taken in the near term are expected to take years to produce a response as measured through Numeric Target monitoring.

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A. End of Implementation Year	IMPLEMENTATION MILESTONE	MONITORING ACTIVITY
12	Implementing Parties submit report on progress of actions; RB staff and SLR TAC meet to review progress on implementation actions and monitoring; RB staff consider modifications to Trackable Implementation Actions; RB requests implementation tracking report from Implementing Parties if not provided; RB staff calculate 10-year rolling average of streambed sediment data and turbidity;	Turbidity by water agencies.
13	RB staff and SLR TAC meet to review progress on implementation actions; RB staff calculate 10-year rolling average of streambed sediment data and turbidity;	Turbidity by water agencies.
14	RB staff and SLR TAC meet to review progress on implementation actions; RB staff calculate 10-year rolling average of streambed sediment data and turbidity;	Full suite of Numeric Target Parameters at compliance points; Turbidity by water agencies.
15	Implementing Parties submit report on progress of actions; RB staff and SLR TAC meet to review progress on implementation actions and monitoring; RB staff consider modifications to Trackable Implementation Actions; RB requests implementation tracking report from Implementing Parties if not provided; RB staff calculate 10-year rolling average of streambed sediment data and turbidity;	Turbidity by water agencies.
16-24	<i>Repeat as above with 1- and 3-year milestones</i>	
25	Numeric Targets Achieved; Load reduction Achieved	

001254

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

RESOLUTION NO. R3-2002-0051
(REVISED FEBRUARY 7, 2003)
(REVISED MAY 16, 2003)
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN
TO INCLUDE
MORRO BAY TOTAL MAXIMUM DAILY LOAD AND IMPLEMENTATION PLAN
FOR SEDIMENT INCLUDING
CHORRO CREEK, LOS OSOS CREEK AND THE MORRO BAY ESTUARY

The California Regional Water Quality Control Board, Central Coast Region hereby finds:

1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on March 14, 1975. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Regional Board periodically revises and amends the Basin Plan. The Regional Board has determined the Basin Plan requires further revision and amendment to incorporate a Total Maximum Daily Load (TMDL) and Implementation Plan for Sediment including Chorro Creek, Los Osos Creek and the Morro Bay Estuary.
3. The Regional Board proposes to amend the Basin Plan by inserting amendments into Chapter Four, Section IX Total Maximum Daily Loads.
4. Section 303(d) of the Clean Water Act requires States to identify and to prepare a list of water bodies that do not meet water quality objectives and then to establish load and waste load allocations, or a TMDL, for each water body, which will ensure attainment of water quality objectives, and then to incorporate those allocations into their Basin Plans.
5. Chorro Creek, Los Osos Creek, and the Morro Bay Estuary were identified as impaired by sediment on the 1998 Clean Water Act Section 303(d) list of impaired water bodies. Therefore, the Regional Board is required to adopt a TMDL for those water bodies and incorporate the TMDL and associated Implementation Plan into the Basin Plan (40 CFR 130.6(c)(1), 130.7, Water Code section 13242).
6. Chorro Creek, Los Osos Creek, and the Morro Bay Estuary are located entirely within San Luis Obispo County.
7. The TMDL contains a Problem Statement, Source Analysis, Numeric Targets, Total Maximum Load, Load Allocations, an Implementation Plan, and a Monitoring Plan.
8. The Problem identified in the TMDL is summarized as follows: Over time all estuaries eventually fill with sediment due to the natural processes of erosion and sedimentation. However, the concern with

Morro Bay is that these natural processes have been accelerated due to anthropogenic watershed disturbances. Studies conducted by various authors over the past 25 years have concluded that the rate of sedimentation to Morro Bay has rapidly increased. These studies have also documented and quantified the loss of Morro Bay's acreage, volume, and tidal prism, as well as an increase in sedimentation in Chorro and Los Osos Creeks. These results imply that encroachment from the margins and aggradation of the shallowest areas within the Bay are the processes causing the decrease in volume. The narrative objective for sediment in the Basin Plan has been exceeded resulting in adverse impacts to several beneficial uses of these waterbodies including, Fish and Wildlife (RARE, MIGR, SPWN, WILD), Estuarine and Marine Habitat (EST, MAR, BIOL), Water Contact and Non-Contact Recreation, and Navigation (REC1, REC2, NAV).

9. The TMDL characterizes sources of sediment by land use categories, erosion categories, and subwatersheds. Contributing land uses include rangeland, brushland, woodland, cropland, and urban, due to grazing, row crop and land development activities (e.g., roads, homes). Erosion categories include sheet and rill, streambanks, roads, and gullies. Sheet and rill contribute the most sediment by erosion category. The Chorro and Los Osos Creeks subwatersheds deliver an average of approximately 70,000 tons per year of sediment into the estuary. The Chorro Creek watershed is estimated to contribute 86 percent of the total sediment produced in the Morro Bay watershed. These subwatersheds contain the vast majority of the upland areas of the Morro Bay watershed—areas of steepest slope and highest rainfall intensity and are the most significant source of sediment loading to Morro Bay. Virtually all sediment loading comes from non-point sources, although there is minor contribution from other land uses subject to regulation under NPDES stormwater permits, Waste Discharge Requirements, and clean up and abatement order.
10. The numeric targets and TMDL is summarized as follows: Because the sediment objectives in the Basin Plan are narrative, rather than numeric, this TMDL establishes numeric targets as indicators of water quality that are supportive of beneficial uses. The numeric targets serve to interpret the narrative water quality objectives and provide a measure with which to determine if the objectives and the TMDL are being met. This TMDL uses multiple numeric targets. For Chorro and Los Osos Creeks these targets are assigned to Residual Pool Volume, and Median Diameter of Sediment Particles in Spawning Gravels. In Morro Bay Estuary a numeric target is established for Tidal Prism Volume. The combination of these parameters is considered an effective approach in lieu of directly measuring sediment loading to Morro Bay from Chorro and Los Osos Creeks. Furthermore, direct measurement of loads would not characterize the *effect* of those loads on beneficial uses. The parameters selected do characterize effect by targeting specific habitat requirements for aquatic organisms. The selection of these targets does not preclude efforts to directly measure loading, however the natural variability inherent in annual sediment loads in this region is large enough to suggest that clear trends could not readily be identified from results of loading data collected in the near term.
11. The Regional Board Staff assigned sediment load allocations to subwatersheds of the Morro Bay Watershed, and achievement of these numeric targets will indicate when load allocations are met.
12. The Implementation Plan relies on the State Water Resource Control Board's Plan for California's Nonpoint Source Pollution Control Program, (Resolution 99-114, adopted December 14, 1999) and on existing or anticipated regulatory activities where responsible dischargers are identified. The Nonpoint Source Plan guides the Regional Board in its control of nonpoint source pollution by implementing the "Three-Tiered Approach." Self-determined actions will be relied on to achieve the water quality goals being established in this TMDL as long as proposed actions are implemented and interim targets set forth in this TMDL are being achieved. The specific self-determined projects for the first three years of TMDL implementation are set forth in detail in the list of Trackable Implementation Actions. At this time the Implementation Plan relies principally on the activities of the Morro Bay National Estuary Program and the Coastal San Luis Resource Conservation District and other public and private groups, that are not dischargers responsible for causing erosion, to implement the self-

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determined projects identified as items 1 through 11 in the list of Trackable Implementation Actions in the Amendment. This portion of the implementation program currently relies on voluntary compliance and so is not regulatory. If, in future years, evaluation of progress indicates regulatory mechanisms are needed to implement actions that will result in attainment of the numeric targets, this will be achieved on a case-by-case basis using existing authority or, if necessary, by amending the TMDL implementation program through a Basin Plan amendment.

13. The TMDL Implementation Plan calls for monitoring the four numeric targets specified in finding 10, above, as well as tracking progress in implementation of voluntary and required implementation actions. Responsibility for tracking and reporting status and effectiveness of voluntary implementation actions, and some monitoring of numeric targets, rests with the Morro Bay National Estuary Program. The Regional Board will consult with the MBNEP regarding monitoring numeric targets and progress on implementation actions. If voluntary implementation action projects are not implemented, or if numeric targets are not achieved, Regional Board staff may identify responsible dischargers and recommend regulatory mechanisms. Also, as more information is obtained concerning sources, locations and rates of sedimentation, TMDL numeric targets and implementation projects may be amended or modified.
14. The Regional Board Staff conducted TMDL outreach by coordinating with forums and events of the Morro Bay National Estuary Program and Farm Bureau, as well as direct outreach to an Estuary Program technical committee (Implementation Committee) and a TMDL steering committee of stakeholders for review and comment. Public review and comment were solicited after completion of the TMDL report and during the public meeting of this Regional Board on May 31, 2002.
15. The Morro Bay National Estuary Program's Comprehensive Conservation and Management Plan for Morro Bay Estuary advocates Total Maximum Daily Loads for siltation, as a means to protect Morro Bay Estuary.
16. The Regional Board submitted the TMDL and a corresponding proposed Basin Plan amendment to an external scientific review panel. On September 17, 2001, the review panel submitted its response to the Regional Board, which stated that in general, the TMDL and proposed Basin Plan amendment presented a sound and scientifically justifiable program for decreasing the rate of sediment filling Morro Bay and improving stream channel conditions as habitat for fish. In addition, the review panel identified several specific areas of concern. The Regional Board revised the proposed Basin Plan amendment in response to the comments submitted by the review panel.
17. Water Code section 13141 mandates that prior to implementation of any agricultural water quality control program, an estimate of the total cost of such a program, together with an identification of potential sources of financing, shall be indicated in any regional water quality control plan. The TMDL and Implementation Plan, in Chapter 8.7, contain an estimate of the cost of preventing erosion and sedimentation via implementation of Best Management Practices. The cost of implementing the Best Management Practices in the TMDL Implementation Plan will be incurred by the implementers and offset with grants, loans, in-kind donations, and matching funds as much as possible.
18. This Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board, the State Office of Administrative Law (OAL), and the USEPA. The Basin Plan amendment will become effective upon approval by the State Board OAL and USEPA.
19. This amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code §11353(b).
20. The Regional Board has determined that the TMDL for sediment for Chorro Creek, Los Osos Creek and Morro Bay Estuary, is set at levels necessary to attain and maintain the applicable narrative water

quality objectives (there are no applicable numeric objectives) with seasonal variations and margin of safety that takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)). The TMDL also takes into account critical conditions for stream flow, loading and water quality parameters.

21. The basin planning process has been certified as functionally equivalent to the California Environmental Quality Act requirements for preparing environmental documents (Public Resources Code, Section 21000 et seq.) and as such, the required environmental documentation has been prepared. Drafts of the Notice of Filing, staff report, environmental checklist, and alternatives analysis proposed amendment have been prepared and distributed to interested persons and agencies for review and comment in accordance with Title 23 California Code of Regulations section 3777. All public comments were considered. No significant environmental impacts will result from approval of this Basin Plan amendment.
22. The proposed amendments to the Water Basin Plan were developed in accordance with California Water Code Section 13240 et seq.
23. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies.
24. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and so is exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
25. On May 31, 2002 in San Luis Obispo, California, the Regional Board held a public hearing and heard and considered all public comments and evidence in the record and adopted Resolution R3-2002-0051.
26. In preparing to present this Basin Plan Amendment to the State Board, State Board technical and legal staff reviewed the resolution and identified several concerns that caused Regional Board Staff to propose revisions to the resolution.
27. On February 7, 2003, in San Luis Obispo, the Regional Board considered public comments on the revisions and re-adopted resolution no. R3-2002-0051.
28. On March 17, 2003, State Board returned the Administrative Record to the Regional Board with a memo stating that Regional Board adoption procedures did not comply with section 3777 of Title 23 California Code of Regulations, which requires consideration of reasonable alternatives to the proposed amendment that would achieve the stated goal.
29. On May 16, 2003, in Watsonville, California, the Regional Board held a public meeting and re-heard this item to correct the omission stated above. The Regional Board provided 45-days public notice of this meeting and filing of an environmental document. The Regional Board heard and considered all public comments and evidence in the record.

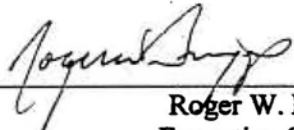
THEREFORE, BE IT RESOLVED,

1. The Basin Plan is hereby amended by adding to Chapter Four, Section IX Total Maximum Daily Loads by reference the TMDL and Implementation Plan entitled Morro Bay Total Maximum Daily Load for Sediment (including Chorro Creek, Los Osos Creek and the Morro Bay Estuary), dated April 24, 2002. Because this document is approximately 100 pages long, it is too cumbersome to be

reproduced in its entirety in the Basin Plan. While the entire document is incorporated by reference, key elements, as presented in Exhibit A to this resolution, will be reproduced in the Basin Plan.

2. The Regional Board requests that the State Water Resources Control Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code, and that upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.
3. The environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified.
4. The Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results from adoption of this Basin Plan amendment.
5. The Regional Board shall file a CEQA Notice of Decision with the Secretary for Resources, following approval of the revised Basin Plan by the State Board, California Office of Administrative Law, and the U.S. Environmental Protection Agency. A Certificate of Fee Exemption will be included with the Notice of Decision.
6. If during approval process the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, **Roger W. Briggs, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on May 16, 2003.



Roger W. Briggs
Executive Officer

R3-2002-0051, 5/16/03
SB-2003-0062, 6/16/03
OAL 12/3/03

RESOLUTION NO. R3-2002-0051

ATTACHMENT—PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to chapter 4 under IX TOTAL MAXIMUM DAILY LOADS:

IX.A MORRO BAY TOTAL MAXIMUM DAILY LOAD FOR SEDIMENT (INCLUDING CHORRO CREEK, LOS OSOS CREEK AND THE MORRO BAY ESTUARY)

This TMDL was adopted by the Regional Water Quality Control Board on [insert date].

This TMDL was approved by:

The State Water Resources Control Board on [insert date].

The California Office of Administrative Law on [insert date] (effective date).

The U.S. Environmental Protection Agency on [insert date].

1/20/04

TMDL ELEMENTS

Element	
Problem Statement	Over time, all estuaries eventually fill with sediment due to the natural processes of erosion and sedimentation. In Morro Bay these natural processes have been accelerated due to anthropogenic watershed disturbances, resulting in impairment of Beneficial Uses, principally biological resources, but also recreational uses, including: RARE, MIGR, SPWN, WILD, EST, MAR, BIOL, REC1, REC2, NAV. This impairment indicates an exceedance of the Basin Plan narrative objective for sediment, which states that: "the suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses."

Element		
Numeric Targets	Parameter	Numeric Target
	Chorro and Los Osos Creeks and Tributaries Streambed Sediment	
	Residual Pool Volume ¹	V* (a ratio) = Mean values ≤ 0.21 (mean of at least 6 pools per sampling reach) Max values ≤ 0.45
	Median Diameter (D ₅₀) of Sediment Particles in Spawning Gravels	D ₅₀ = Mean values ≥ 69 mm Minimum values ≥ 37 mm
	Percent of Fine Fines (< 0.85 mm) in Spawning Gravels	Percent fine fines ≤ 21%
	Percent of Coarse Fines (all fines < 6.0 mm) in Spawning Gravels	Percent coarse fines ≤ 30%
	Morro Bay and Estuary	
Tidal Prism Volume	4,200 acre-feet	
Loading Allocations ² (TMDL expressed as annual load)	Watershed	Total (tons/year, rounded to nearest ton)
	Chorro Creek at Reservoir	6,541
	Dairy Creek	440
	Pennington Creek	966
	San Luisito Creek	7,315
	San Bernardo Creek	10,270
	Minor Tributaries	4,489
	Chorro Creek	30,021
	Los Osos Creek	3,052
	Warden Creek and Tributaries	1,812
	Los Osos Creek	4,864
Morro Bay Watershed	34,885	

¹ Residual Pool Volume refers to the portion of a pool in a stream that is available for fish to occupy. Pool habitat is the primary habitat for steelhead in summer. Overwintering habitat requirements include deeper pools, undercut banks, side channels, and especially large, unembedded rocks, which provide shelter for fish against the high flows of winter. V* gives a direct measurement of the impact of sediment on pool volume. It is the ratio of the amount of pool volume filled in with fine, mobile sediment, to total scour pool volume. Qualifying pools are those having a gradient less than 5%, a minimum depth twice the riffle-crest depth, a fairly even spacing between tributaries, and are located on streams fifth order or smaller.

² These loading allocations are 50% of the estimated current sediment loading to Morro bay.

<p>Implementation</p>	<p>The sediment load to Morro Bay, Los Osos Creek and Chorro Creek derives from nonpoint sources (NPS) and point sources. As such, implementation will rely on the State's Plan for NPS pollution control (CWC §13369) and continued implementation of existing regulatory controls as appropriate for point sources, including storm water pursuant to NPDES surface water discharge regulations and Waste Discharge Requirements (Porter Cologne).</p> <p>At this time, implementation emphasizes the activities of the Morro Bay National Estuary Program, Coastal San Luis Resources Conservation District, and other public and private groups that are not currently identified as dischargers responsible for sediment loading, to implement self-determined activities (see Table: Trackable Implementation Actions). Other actions, currently required because of another program, will be evaluated to make sure progress is taking place (see Table: Trackable Implementation Actions identifying Responsible Dischargers). Regional Board Staff will meet annually with the implementing parties identified in the list of Trackable Implementation Actions to provide technical assistance and to evaluate and track progress (see Implementation Schedule for details). If at the end of year three, implementing parties fail to complete these self-determined activities or resulting management practices fail to reduce sediment loads, then Regional Board staff may conduct inspections and investigations to identify individual responsible dischargers (e.g., landowners or public agencies). Regional Board staff may rely on Section 13267 of the California Water Code or other appropriate authorities for investigation and identification of individual responsible dischargers. Regional Board staff will also rely on Section 13267 of the California Water Code to require reporting and/or monitoring to determine the level of implementation of identified activities to reduce erosion and sediment. If necessary, the Regional Board may rely on enforcement authority, pursuant to California Water Code Section 13304, to require dischargers to clean-up and abate sediment discharges and/or prevent the threat of discharges on a case-by case basis. Additionally, Implementation Actions (in the Table of Implementation Actions) may be required as conditions of compliance with storm water permits and Waste Discharge Requirements.</p> <p>If at the end of the third year, self-determined actions have not been completed, staff will develop a regulatory approach (rather than a self-determined approach) and present a revised implementation plan to the Regional Board as a Basin Plan Amendment.</p> <p>Direct measurement of sediment loading is not proposed for this TMDL. Numeric Targets, which characterize the effect of loading are to be measured in lieu of loadings. The 50-year schedule for achieving the TMDL acknowledges that implementation actions taken in the near term are expected to take years to produce a response as measured through Numeric Target monitoring. Allocations will achieve the targets because over the long term, these allocated sediment loads are expected to result in changes in sediment distributions in the channel and the estuary that meet water quality objectives.</p> <p>Numeric targets and other parameters will be monitored to ensure that numeric targets are met. The Regional Board will rely on existing or planned efforts for this monitoring (e.g., Morro Bay National Estuary Program, Central Coast Ambient Monitoring Program).</p>
<p>Margin of Safety</p>	<p>An implicit margin of safety has been incorporated into this TMDL through the use of conservative assumptions throughout the source analysis and characterization of beneficial use impacts. The margin of safety is required due to uncertainty in calculations of sediment loading and of the effects of this loading on beneficial uses of the Morro Bay Estuary, Chorro Creek and Los Osos Creek.</p>

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Trackable Implementation Actions

PROJECT NAME		ACTION	SCHEDULE	IMPLEMENTING PARTY
1	Hollister Ranch Acquisition	Design and construct floodplain restoration project	January 2002-May 2005	CSLRCD and MBNEP
2	Los Osos Creek Wetland Restoration Project	Design and construct Los Osos Creek wetland restoration project	Fall 2000-Spring 2004	CSLRCD and MBNEP
3	Watershed Crew Curriculum	Develop a curriculum that will provide training for a year-round crew of Civilian Conservation Corps	Winter 2001-Fall 2001	CCC
4	Catalogue of Erosion Control Projects	Develop a list of areas in need of erosion control projects	Spring 2001-Fall 2001; on-going	MBNEP
5	Project Clearwater	Provide technical assistance and cost sharing to install BMPs	2001-June 2004; on-going	CSLRCD
6	Agricultural Water Quality Program	Develop and implement a voluntary, cost-effective, and landowner/manager-directed program	2001-2002; on-going	Farm Bureau
7	Land Acquisitions and Conservation Easements	Acquire or otherwise protect lands in cooperation with willing land owners	2000-2010; on-going	MBNEP
8	Fire Management Plan	Develop and implement a Fire Management Plan	2001-2006; on-going	CDF
9	Maintenance of Sediment Basins Above Chorro Reservoir	Continue maintenance of the sediment basins above Chorro Reservoir	on-going	California Army National Guard
10	Road Maintenance	Increase the use of management measures for road maintenance and construction	2001-2006; on-going	County of San Luis Obispo, Public and Private Landowners; California Department of Transportation
11	Sediment Traps	Install sediment traps	2000-2007; on-going	CSLRCD; Natural Resource Conservation Service; DFG; Public and Private Land Owners
PROJECT NAME		ACTION	SCHEDULE	RESPONSIBLE DISCHARGERS
12	Primera Mine Rehabilitation and Erosion Control	Remediation of Primera Mine	2003	California Army National Guard
13	Stormwater Sediment Control on Roads	Include specific road sediment control measures in County stormwater management plan prior to enrollment in Stormwater Permit; track implementation of BMPs	Prior to March 2003; on-going	County of San Luis Obispo
14		Track implementation of BMPs in Stormwater Permit	On-going	Caltrans
15	Water Quality Management Plans on Chorro Creek Ranches	Implement Waste Discharge Requirements to address Chorro Creek Ranches	Fall 2002-Fall 2003	California Polytechnic State University

Implementation Schedule

At End of Implementation Year:	IMPLEMENTATION MILESTONE			MONITORING ACTIVITY		
	<i>Chorro Creek</i>	<i>Los Osos Creek</i>	<i>Morro Bay</i>	<i>Chorro Creek</i>	<i>Los Osos Creek</i>	<i>Morro Bay</i>
1	RB and MBNEP Staff meet to review progress. RB and County Staff meet to review inclusion of road erosion control measures in Stormwater Management Plan.			Baseline Streambed Parameters ³ , Turbidity		
2	<i>As above</i> RB and MBNEP Staff meet to review progress; RB requests implementation tracking report from Implementing Parties if not provided; RB staff consider modifications to Trackable Implementation Actions			Baseline Streambed Parameters, Turbidity		
4	RB and MBNEP Staff meet to review progress			Baseline Streambed Parameters, Turbidity		
5	RB and MBNEP Staff meet to review progress		RB Staff calculate: 5-year changes to Bay area and volume	Baseline Streambed Parameters, Turbidity		Bathymetry survey
6	RB and MBNEP Staff meet to review progress; RB request implementation tracking report from Implementing Parties if not provided; RB staff consider modifications to Trackable Implementation Actions			Baseline Streambed Parameters, Turbidity		
7	RB and MBNEP Staff meet to review progress			Baseline Streambed Parameters, Turbidity		
8	<i>As above</i>					
9	RB and MBNEP Staff meet to review progress; RB request implementation tracking report from Implementing Parties if not provided; RB staff consider modifications to Trackable Implementation Actions					
10	RB and MBNEP Staff meet to review progress; RB Staff calculate 10-year rolling average of Streambed Sediment data		RB Staff calculate: 5-year changes to Bay area and volume			Bathymetry survey
11	RB and MBNEP Staff meet to review progress; RB Staff calculate 10-year rolling average of Streambed Sediment data					

³ Streambed Parameters, which are the Numeric Targets, include Residual Pool Volume, Median Diameter of Sediment Particles, Percent Fine Sediment, and Percent Coarse Sediment.

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At End of Implementation Year:	IMPLEMENTATION MILESTONE		MONITORING ACTIVITY	
12	RB and MBNEP Staff meet to review progress; RB Staff calculate 10-year rolling average of Streambed Sediment data; RB request implementation tracking report from Implementing Parties if not provided; RB staff consider modifications to Trackable Implementation Actions		Streambed Parameters, Turbidity	
13	RB and MBNEP Staff meet to review progress; RB Staff calculates 10-year rolling average of Streambed Sediment data		Streambed Parameters, Turbidity	
14	<i>As above</i>			
15	RB and MBNEP Staff meet to review progress; RB Staff calculate 10-year rolling average of Streambed Sediment data; RB request implementation tracking report from Implementing Parties if not provided; RB staff consider modifications to Trackable Implementation Actions	RB Staff calculate: 5-year changes to Bay area and volume	Streambed Parameters Turbidity	Bathymetry survey
16-49	<i>Repeat as above with 3-, 5- and 10-year milestones.</i> Numeric targets achieved; load reduction achieved			

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
San Luis Obispo, California**

RESOLUTION NO. 00-003

**ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM THE STATE WATER RESOURCES
CONTROL BOARD TO:**

**ADOPT A TOTAL MAXIMUM LOAD FOR NITRATE IN THE SAN LORENZO
RIVER WATERSHED**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin (Basin Plan), on March 14, 1975,

WHEREAS, the Regional Board periodically revises and amends the Basin Plan,

WHEREAS, in response to extreme environmental conditions found in the San Lorenzo River Watershed, the excessive number of failing septic systems, and water quality degradation, the Regional Board adopted Resolution 95-04 to implement a program to improve water quality,

WHEREAS, Regional Board Resolution 95-04 partially satisfies Federal Clean Water Act Total Maximum Daily Load requirements,

WHEREAS, a Total Maximum Daily Load is necessary to identify an appropriate target to protect water quality,

WHEREAS, staff prepared a study titled San Lorenzo River Watershed Total Maximum Daily Load Model for Nitrate, Santa Cruz, California dated June 29, 2000 to satisfy clean Water Act Requirements,

WHEREAS, the aforesaid study identifies the nitrate problem, develops an appropriate nitrate target, determines nitrate sources, allocates loads to the nitrate sources, discusses the implementation plan adopted by the Regional Board with Resolution 95-04, and discusses the monitoring program/public participation activities,

WHEREAS, the County of Santa Cruz is required to report upon Resolution 95-04 implementation to the Regional Board by annual reports. Resolution 95-04 annual reporting is a cumbersome frequency,

WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment,

WHEREAS, drafts of the proposed amendment have been prepared and distributed to interested persons and agencies for review and comment,

WHEREAS, Regional Board staff followed appropriate procedures to satisfy the environmental documentation requirement of the California Environmental Quality Act (PL 92-500 and PL 95-217). The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment,

**RESOLUTION NO. 00-003
ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS**

The following Basin Plan amendment is proposed. New language is shown in **bold** and deleted language is ~~struck out~~.

1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to the end of Chapter Four.

III. TOTAL MAXIMUM DAILY LOADS

The goal of a Total Maximum Daily Load (TMDL) is to attain state water quality standards. A TMDL is a quantitative assessment of water quality problems and contributing pollutant sources. It specifies the maximum amount of pollutant that can be discharged (or the amount of a pollutant that needs to be reduced) to meet water quality standards). The TMDL allocates pollutant loads among sources in the watershed and provides an implementation plan needed to protect or restore water quality.

This section identifies TMDLs completed to date and identifies the maximum pollutant contributions allowed to attain water quality standards.

<u>Target Attainment Stations</u>	<u>Nitrate Target</u>	<u>Total Maximum Load*</u>	<u>Percent Reduction</u>	<u>Target Attainment Year</u>
San Lorenzo River at Felton,		4233 pounds nitrate/month	15 %	2005
		4076 pounds nitrate/month	20%	2010
	1.5 mg/l nitrate, as nitrate	3728 pounds nitrate/month	30%	2020
Carbonera Creek at the confluence of Branciforte Creek		339 pounds nitrate/month	15%	2005
		326 pounds nitrate/month	20%	2010
	1.5 mg/l nitrate, as nitrate	299 pounds nitrate/month	30%	2020
Shingle Mill Creek at the confluence of the San Lorenzo River		77 pounds nitrate/month	15%	2005
		74 pounds nitrate/month	20%	2010
	1.5 mg/l nitrate, as nitrate	68 pounds nitrate/month	30%	2020

* Measured in July, August, and September

1. Revise Regional Board Resolution 95-04 (adopted on April 14, 1995) as follows:

"In fulfilling the responsibilities identified above, the County of Santa Cruz shall submit ~~annual~~ **triennial** reports beginning on January 15, ~~1996-2003~~. The report shall state the status and progress of the Wastewater Management Plan within the San Lorenzo River Watershed. The County of Santa Cruz ~~annual~~ **triennial** report shall document the results of:

- a. Existing disposal system performance evaluations,
- b. Disposal system improvements,

- c. Inspection and maintenance of on-site systems,
- d. Community disposal system improvements,
- e. New development and expansion of existing systems protocol and standards,
- f. Water quality monitoring and evaluation,
- g. Program administration management, and
- h. Program information management.

The report shall also document progress on each element of the Nitrate Management Plan, including,

- a. Parcel size limit,
- b. Wastewater Management Plan Implementation,
- c. Boulder Creek Country Club Wastewater Treatment Plant Upgrade,
- d. Shallow leachfield installation,
- e. Enhanced wastewater treatment for sandy soils,
- f. Enhanced wastewater treatment for large on-site disposal systems,
- g. Inclusion of nitrogen reduction in Waste Discharge Permits,
- h. Livestock and stable management,
- i. Protection of ground water recharge areas,
- j. Protection of riparian corridors and erosion control,
- k. Nitrate control for new uses,
- l. Scotts Valley nitrate discharge reduction, and
- m. Monitoring for nitrate in surface and ground water.

Every five years, the County will submit a Report on Nitrate Management Plan Implementation. The report will include loading rates for the previous five years. The reports shall be due December 31 beginning year 2000. The Regional Board will compare actual loading to target loading and evaluate compliance with this TMDL. In the event the nitrate loads for ~~County does not meet the target nitrate loads specified by the interim and final targets (for years 2005, 2020, and 2045) are not met,~~ the County will perform a nitrate budget within six months. Major nitrate sources will be expressed in terms of loading. The Regional Board will determine additional monitoring, implementation, or enforcement measures are necessary upon receiving the County's loading evaluation report.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
San Luis Obispo, California**

RESOLUTION NO. 00-001

**ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN AND
REQUESTING APPROVAL FROM THE STATE WATER RESOURCES CONTROL
BOARD TO**

REMOVE THE NITRATE OBJECTIVE FOR SAN LORENZO RIVER

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin (Basin Plan), on March 14, 1975,

WHEREAS, the Regional Board periodically revises and amends the Basin Plan,

WHEREAS, the current nitrate objective for the San Lorenzo River is not reasonable. For example, the existing objective is below background concentrations,

WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment,

WHEREAS, water quality will be protected by the narrative water quality objectives. Regional Board Resolution 95-04 also encourages the County to implement reduced nitrate discharge measures contained within the San Lorenzo Nitrate Management Plan, Phase II Final Report, February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service. Water quality will also be protected by the nitrate target contained within the draft San Lorenzo River nitrate TMDL once it is approved by the U.S. EPA,

WHEREAS, drafts of the proposed amendment have been prepared and distributed to interested persons and agencies for review and comment,

WHEREAS, Regional Board staff followed appropriate procedures to satisfy the environmental documentation requirement of the California Environmental Quality Act (PL 92-500 and PL 95-217). The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment,

WHEREAS, notice of public hearing was given by advertising in newspapers of general circulation within the Region,

AND WHEREAS, on June 2, 2000, in San Luis Obispo, California, the Regional Board held a public hearing and heard and considered all public testimony.

THEREFORE, BE IT RESOLVED that based on the draft Basin Plan amendment, the environmental checklist, accompanying written documentation, and public comments received, the Regional Board finds that there is no substantial evidence in the record that adoption of the proposed Basin Plan amendment will have a significant adverse effect on the environment,

THEREFORE, BE IT RESOLVED that the environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the Executive Officer shall file a Notice of Decision with the State Clearinghouse,

THEREFORE, BE IT RESOLVED that when appropriate, the Regional Board shall replace the nitrate objective with a TMDL nitrate target for San Lorenzo River or U.S. EPA nutrient criteria,

THEREFORE, BE IT RESOLVED that the Basin Plan amendment shown on "Attachment A--Basin Plan Amendment" is approved. The amendment will not take effect until approved by the State Board, the Office of Administrative Law, and the United States Environmental Protection Agency,

AND THEREFORE, BE IT RESOLVED that upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.

I, ROGER W. BRIGGS, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on June 2, 2000.



Executive Officer

June 2, 2000
Date

RESOLUTION NO. 00-001
ATTACHMENT A -- BASIN PLAN AMENDMENT

The following Basin Plan amendment is proposed. New language is shown in **bold** and deleted language is ~~struck out~~.

1. Revise the September 8, 1998 Basin Plan, Chapter Three, page III-14 as follows:

~~A specific monthly mean objective for Nitrate (as NO₃) of 0.25 mg/l shall apply to both the upper and lower San Lorenzo River to protect beneficial uses from adverse biostimulatory effects. Specific biostimulant objectives for other surface waters will be added to this section in tabular form once they are determined from further studies.~~

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

RESOLUTION NO. 95-04

ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN AND REQUESTING APPROVAL FROM THE STATE WATER RESOURCES CONTROL BOARD TO RESCIND ON-SITE SYSTEM PROHIBITION AND ADD WASTEWATER MANAGEMENT PLAN FOR THE SAN LORENZO RIVER WATERSHED, SANTA CRUZ COUNTY

WHEREAS:

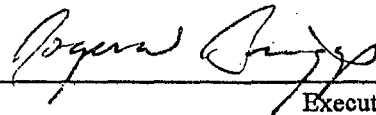
1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975.
2. The Regional Board periodically revises and amends the Basin Plan.
3. In response to extreme environmental conditions found in the San Lorenzo River Watershed, the excessive number of failing septic systems, and water quality degradation, the Regional Board adopted Resolution 82-10.
4. Resolution 82-10 recognized the difficulties associated with on-site wastewater disposal and addressed the problem in two ways. First, five communities within the watershed were designated as "Prohibition Zones." These five areas were referred to as "Class I" areas. Discharge of wastewater from on-site systems was prohibited as of July 1, 1986 and off-site wastewater disposal solutions were to be implemented. Second, other areas of the watershed were labeled "Class II." In Class II areas, the County of Santa Cruz was to implement a program to manage on-site wastewater disposal .
5. The "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) is a satisfactory mitigation of Regional Board Resolution 82-10.
6. The United States Congress Coastal Zone Act Reauthorization Amendments (CZARA, Section 6217 (g)) require states to "restore and protect" coastal waters.
7. The Regional Board has determined the Basin Plan requires further revision and amendment.
8. Drafts of the proposed amendment have been prepared and distributed to interested persons and agencies for review and comment.
9. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment.

10. Regional Board staff consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and the threatened and endangered plants and animal species. The draft amendment has been revised in response to comments by Department of Fish and Game staff. The Department of Fish and Game has made determination of "no jeopardy" pursuant to the California Endangered Species Act.
11. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
12. On April 14, 1995 in Salinas, California, the Regional Board held a public hearing and heard and considered all public testimony.

THEREFORE BE IT RESOLVED:

1. Based on the draft Basin Plan amendment, the environmental checklist, accompanying written documentation, and public comments received, the Regional Board finds that there is no substantial evidence in the record that adoption of the proposed Basin Plan amendment will have a significant adverse effect on the environment.
2. The environmental document prepared by Regional Board staff pursuant to Public Resources Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the Executive Officer shall file a Notice of Decision with the State Clearinghouse.
3. Based on the approval and adoption of Resolution 95-04, the Board shall rescind Resolution 82-10.
4. The Basin Plan amendment shown on Attachment "A" is approved. The amendments will not take effect until approved by the State Board and the Office of Administrative Law.
5. Upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.

I, **ROGER W. BRIGGS**, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on April 14, 1995.



Executive Officer

RESOLUTION 95-04
ATTACHMENT A
PROPOSED BASIN PLAN AMENDMENTS

The following Basin Plan amendment is proposed. (Note new language is shown in bold, existing language is shown in plain text, and deleted language is ~~struck out~~.)

1. Revise the September 8, 1994 Basin Plan, Chapter Four, page 14 as follows:

Individually owned septic tank leachfield systems in the San Lorenzo Valley ~~are being studied closely~~ have been inspected and monitored from 1986 through 1994. ~~to identify~~ **Problem areas have been identified and determine** the suitability of these problem areas for the continued use of septic systems has been determined as documented in the County of Santa Cruz, Environmental Health Services reports (1) Preliminary Report, An Evaluation of Wastewater Disposal And Water Quality In The San Lorenzo Watershed, September, 1989, (2) Final Project Report, Boulder Creek Wastewater Feasibility Study, October, 1991; and (3) Final Project Report, San Lorenzo Valley Community Wastewater Feasibility Studies, March, 1994. ~~Alternatives will be proposed and evaluated~~ have been evaluated and solutions proposed to reduce septic system problems and to respond to this Plan's discharge prohibition in certain areas of the valley. Solutions are contained in the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan). ~~Specific design criteria for conventional and modified septic systems will be developed as part of on-going county studies~~ The Wastewater Management Plan documents standards and conditions that shall be met for the protection and enhancement of beneficial uses.

Implementation of the Wastewater Management Plan precludes the Regional Board from reestablishing the discharge prohibition.

2. Revise the September 8, 1994 Basin Plan, Chapter Four, pages 66-67 as follows:

Discharges from individual sewage disposal systems within the San Lorenzo River Watershed ~~Valley north of Henry Cowell State Park~~ shall be managed as follows:

- a. ~~Discharges within five communities are prohibited shall be allowed, where the affected area (Class I Area) is defined by the Santa Cruz County Assessor's Parcel~~

~~Numbers as described in Appendix A-23~~ providing the County of Santa Cruz, as lead agency, implements the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Regional Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination..

- b. ~~To preclude prohibition of discharges outside the Class I Area, the County of Santa Cruz, shall act as lead agency in coordinating and establishing a program that will assure the Regional Board that:~~

~~additional systems in these areas will be designed, sized, located, spaced, and constructed in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.~~

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 95-53

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COAST BASIN
REGARDING ON-SITE SEPTIC SYSTEMS

WHEREAS:

1. The Regional Water Quality Control Board, Central Coast Region (CCRWQCB), adopted a revised Water Quality Control Plan for the Central Coast Basin (Basin Plan) on February 11, 1994, under Resolution No. 94-01, and the Basin Plan was approved by the State Water Resources Control Board (SWRCB) in May 1994 and by the Office of Administrative Law (OAL) in September 1994.
2. On April 14, 1995, the CCRWQCB adopted Resolution No. 95-04 (Attachment) revising the Basin Plan by rescinding an on-site septic system prohibition and replacing it with regulation of on-site systems through implementation of a Wastewater Management Plan for the San Lorenzo River Watershed, Santa Cruz County.
3. In adopting the amendment, two statements (stated in Resolved No. 1 of this Resolution) were incorporated which introduced clarity problems and, therefore, cannot be approved.
4. Section 303(c) of the Federal Clean Water Act requires that water quality standards be reviewed and revised, if appropriate, at least every three years, and Section 13240 of the California Water Code provides that Basin Plans be periodically reviewed and, if appropriate, revised.
5. The CCRWQCB prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.).
6. The CCRWQCB Resolution No. 95-04 was adopted in accordance with State laws and regulations.
7. Basin Plan amendments do not become effective until approved by the SWRCB and until regulatory provisions are approved by OAL.

THEREFORE BE IT RESOLVED THAT:

The SWRCB:

1. Approves the Basin Plan amendment adopted by CCRWQCB Resolution No. 95-04 on April 14, 1995, with the exception of the portions shown below in "strikeout" format which are disapproved:
 - a. Attachment A, item 1, middle of paragraph
"Alternatives have been evaluated and solutions proposed to reduce septic system problems and to respond to this Plan's discharge prohibition in certain areas of the valley."
 - b. Attachment A, item 1, final sentence
"~~Implementation of the Wastewater Management Plan precludes the Regional Board from reestablishing the discharge prohibition.~~"
2. Authorizes staff to submit the approved revision of the Basin Plan to OAL for approval.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 17, 1995.



Maureen Marché
Administrative Assistant to the Board

April 14, 1995 Revision to the Water Quality
Control Plan

I. Revise paragraph on page IV-14 of the
September 8, 1994 Water Quality Control Plan
as follows:

~~“Individually owned septic tank leachfield systems in the San Lorenzo Valley are being studied closely have been inspected and monitored from 1986 through 1994. to identify~~
p Problem areas have been identified and determine the suitability of these problem areas for the continued use of septic systems has been determined as documented in the County of Santa Cruz, Environmental Health Services reports (1) Preliminary Report, An Evaluation of Wastewater Disposal and Water Quality in the San Lorenzo Watershed, September 1989, (2) Final Project Report, Boulder Creek Wastewater Feasibility Study, October, 1991; and (3) Final Project Report, San Lorenzo Valley Community Wastewater Feasibility Studies, March, 1994. Alternatives will be proposed and evaluated have been evaluated and solutions proposed to reduce septic system problems and to respond to this Plan's discharge prohibition in certain areas of the valley. Solutions are contained in the “Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service”, February 1995 and “San Lorenzo Nitrate Management Plan, Phase II Final Report”, February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan). ~~Specific design criteria for conventional and modified septic systems will be developed as part of on-going county studies~~ The Wastewater Management Plan documents standards and conditions that shall be met for the protection and enhancement of beneficial uses.

April 14, 1995 Revision to the Water Quality Control Plan

2. Revise paragraphs on page IV-66 of the September 8, 1994 Water Quality Control Plan as follows:

"2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed Valley north of Henry Cowell State Park shall be managed as follows:

- a. **Discharges within five communities are prohibited shall be allowed; where the affected area (Class I Area) is defined by the Santa Cruz County Assessor's Parcel numbers as described in Appendix A-28. providing the County of Santa Cruz, as lead agency, implements the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Regional Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.**

3. Revise paragraphs on page IV-67 of the September 8, 1994 Water Quality Control Plan as follows.

- b. ~~To preclude prohibition of discharges outside the Class I Area, the County of Santa Cruz, shall act as lead agency in coordinating and establishing a program that will assure the Regional Board that:~~
- ~~• additional systems in these areas will be designed, sized, located, spaced, and constructed in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.~~
 - ~~• existing systems within specific communities are systematically evaluated and redesigned, resized, relocated, and reconstructed as appropriate to protect and enhance water quality, to protect and restore beneficial uses of water, and abate and prevent nuisance, pollution and contamination, where the specific communities (Class II Area) are defined by the Santa Cruz County Assessor's Parcel Numbers as described in Appendix A-29.~~
 - ~~• systems within the Class II Area are regularly inspected and maintained in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.~~

In fulfilling the responsibilities identified above, the County of Santa Cruz shall submit annual reports beginning on January 15, 1996. The report shall state the status and progress of the Wastewater Management Plan in the San Lorenzo River Watershed. The County of Santa Cruz annual report shall document the results of:

- a. Existing disposal system performance evaluations,
- b. Disposal system improvements,
- c. Inspection and maintenance of on-site systems,
- d. Community disposal system improvements,
- e. New development and expansion of existing system protocol and standards,
- f. Water quality monitoring and evaluation,
- g. Program administration management, and
- h. Program information management.

The report shall also document progress on each element of the Nitrate Management Plan, including:

- a. Parcel size limit,
- b. Wastewater Management Plan implementation,
- c. Boulder Creek Country Club Wastewater Treatment Plant Upgrade,
- d. Shallow leachfield installation,
- e. Enhanced wastewater treatment for sandy soils,
- f. Enhanced wastewater treatment for large on-site disposal systems,
- g. Inclusion of nitrogen reduction in Waste Discharge Permits,
- h. Livestock and stable management,
- i. Protection of ground water recharge areas,
- j. Protection of riparian corridors and erosion control,
- k. Nitrate control for new uses,
- l. Scotts Valley nitrate discharge reduction, and
- m. Monitoring for nitrate in surface and ground water.

LH

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

APRIL 24, 1995

ITEM: 6

SUBJECT: AMENDMENT OF THE CENTRAL COAST WATER QUALITY CONTROL PLAN TO:

- (1) **RESCIND ON-SITE SYSTEM PROHIBITION AND ADD THE WASTEWATER MANAGEMENT PLAN FOR THE SAN LORENZO RIVER WATERSHED, SANTA CRUZ COUNTY AND**
- (2) **ADD NUTRIENT OBJECTIVES/MANAGEMENT MEASURES FOR PAJARO RIVER AND LLAGAS CREEK**

SUMMARY:

The purpose of this amendment is to:

1. Incorporate an on-site septic system management program for the San Lorenzo River Watershed
and
2. Incorporate nutrient objectives and management measures for the Pajaro River and Llagas Creek.

San Lorenzo River Watershed

This Water Quality Control Plan (Basin Plan) amendment contains two issues. The first deals with the San Lorenzo River Watershed. This amendment, requested for future Board consideration at the July 8, 1994 Board meeting, rescinds the on-site system prohibition (Resolution 82-10) for five communities within San Lorenzo Valley and grants authority to the County of Santa Cruz to manage on-site wastewater disposal. The County of Santa Cruz will manage all areas of the watershed using the guidelines and standards contained in the:

- (1) "Draft Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995
and
- (2) "Draft San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service

The Wastewater Management Plan was developed by Santa Cruz County to mitigate water quality degradation and on-site system failure. The Wastewater Management Plan was approved by the Regional Board on July 8, 1994. Staff believes implementation of the Wastewater Management Plan will protect beneficial uses. Staff recommends adoption of this Basin Plan amendment.

Pajaro River and Llagas Creek

Another purpose of the amendment is to propose nutrient (nitrogen and phosphorus) objectives and management measures for Pajaro River and Llagas Creek. No numerical nutrient objectives exist for Pajaro River and Llagas Creek. Staff utilized Basin Plan update funds to contract with San Jose State University to develop nutrient objectives. Dr. Rhea Williamson, the project director, developed nutrient objectives and determined nutrient sources, impacts, and Management Measures/Practices.

Pajaro River and Llagas Creek exhibit nuisance algae conditions from time to time. Nuisance algae causes problems with dissolved oxygen, aesthetics, and odors. Limiting nitrogen and phosphorus is one mechanism to control nuisance algae.

This amendment recommends nutrient water quality objectives for nitrogen and phosphorus for the Pajaro River and Llagas Creek. This amendment also recommends management measures that will bring these water bodies into compliance with the recommended objective.

DISCUSSION:

This section is divided into two components. The first component, Wastewater Management Plan for the San Lorenzo River Watershed, Santa Cruz County, begins on this page. The second component, Pajaro River/Llagas Creek Nutrient Objectives and Management Measures begins on page 12.

WASTEWATER MANAGEMENT PLAN FOR THE SAN LORENZO RIVER WATERSHED, SANTA CRUZ COUNTY

Water quality in the San Lorenzo River Watershed, Santa Cruz County, has been monitored since the late 1960's. Analysis of water samples collected in the San Lorenzo River Watershed revealed water quality degradation and public health threats from failing septic systems. Regional Board staff determined that high density of septic systems, steep slopes, shallow ground water, impermeable soils, and poor system maintenance were among the factors contributing to septic system failure and water quality degradation.

In response to the extreme environmental conditions found in the San Lorenzo River Watershed, the excessive number of failing septic systems, and water quality degradation, the Regional Board adopted Resolution 82-10. Resolution 82-10 recognized the difficulties associated with on-site wastewater disposal and addressed the problem in two ways. First, areas of the watershed were labeled Class I and designated as "Prohibition Zones." In these prohibition zones, discharge of wastewater on-site was prohibited as of July 1, 1986, and off-site wastewater disposal solutions were to be implemented. Second, other areas of the watershed were labeled Class II. Resolution 82-10 stated that for the Class II Areas, the County of Santa Cruz would implement a program to manage on-site wastewater disposal in the San Lorenzo watershed.

The County of Santa Cruz and Regional Board staff have worked diligently to develop the "Draft Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz," February 1995 and "Draft San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz. (Both reports will hereafter be referred to as the Wastewater Management Plan.) This Plan, when implemented by the County, will meet the intent of Resolution 82-10 by reducing the number of failing septic systems and protecting beneficial uses. Reducing the number of failing systems will decrease bacteria and nitrate discharges to surface

waters in the San Lorenzo River Watershed. (The County will finalize both reports after Regional Board approval of this amendment.)

Plan Development

County Environmental Health Services collected data and documented water quality conditions in the San Lorenzo Valley watershed from 1986 through 1989. This information was presented to the Regional Board on January 12, 1990 in a report titled "An Evaluation of Wastewater Disposal and Water Quality in the San Lorenzo River Watershed." This report contained the first draft of the County's proposed program for managing on-site wastewater disposal. In early 1990, Regional Board and County staff agreed that there were many unresolved issues regarding the draft program for managing on-site wastewater disposal and that a Wastewater Management Plan which met all the conditions of Resolution 82-10 should be developed.

Board and County staff have worked together over the last four years to solve the remaining issues of on-site wastewater disposal in the San Lorenzo River Watershed. During this process, Board and County staff encountered issues that could not be resolved at a staff level. At these critical junctures, a subcommittee made up of Regional Board members and County Supervisors met to discuss and formulate specific elements of the Wastewater and Nitrate Management Plan. At the conclusion of each step, Board staff developed status reports and Executive Officer reports discussing various components of the Management Plan. Some key issues contained in the reports to the Board are summarized below:

- 1) In September 1990, staff reported to the Board that off-site solutions for Class I areas and technical standards for on-site wastewater management of the Class II areas required resolution before Board review of the County's Management Plan.
- 2) On January 11, 1991, Board staff reported that the draft Management Plan had been revised. However, additional revision of on-site system repair standards and off-site structural solutions for areas unsuitable for on-site wastewater disposal was needed.
- 3) The first complete draft of the San Lorenzo Valley Wastewater Management Plan was made available to Board staff on October 9, 1991. Board staff reviewed the Plan, however, the Plan still lacked adequate on-site system repair standards and off-site structural solutions.
- 4) By February of 1994, the on-site system repair standards had been formulated by the Regional Board-County Supervisors subcommittee, County staff, and Board staff. On April 8, 1994 the results of the "Feasibility of Wastewater Alternatives for Class I Areas in the San Lorenzo Valley" were presented to the Board.

The Wastewater Management Plan meets the conditions of Resolution 82-10. On July 8, 1994 the Regional Board approved the draft Wastewater Management Plan for the San Lorenzo Watershed. The Plan protects water quality with limited economic hardship for septic system owners.

This section is organized as follows:

- I. San Lorenzo River Watershed Recommended Wastewater Management Plan and Alternatives.
 - A. Recommended Wastewater Management Plan
 - 1. Elements of On-site System Improvements in the Wastewater Management Plan
 - 2. Elements of the Nitrate Management Plan
 - B. Alternatives to the Wastewater Management Plan
- II. Implications of the Wastewater Management Plan
- III. Porter-Cologne Implementation Requirements Summarized
 - A. Description of the Nature of Actions
 - B. Time Schedule
 - C. Surveillance Program
- IV. Anti-degradation Policy Compliance

I. SAN LORENZO RIVER WATERSHED RECOMMENDED WASTEWATER MANAGEMENT PLAN AND ALTERNATIVES

A. Recommended Wastewater Management Plan

The San Lorenzo Wastewater Management Plan provides for the improvement of wastewater disposal practices to protect public health and beneficial uses of surface and ground water in the San Lorenzo River Watershed. The Management Plan represents a refinement and strengthening of wastewater management programs that have been implemented by the County of Santa Cruz Health Services Agency since 1985. The Management Plan addresses: (1) on-site wastewater system improvements and (2) nitrate management.

1. Elements of On-site System Improvements in the Wastewater Management Plan

a. Existing Disposal System Performance Evaluations

The Wastewater Management Plan presents protocol for evaluating current and expected long term performance of on-site wastewater disposal systems for the 12,900 developed parcels in the entire San Lorenzo Watershed.

b. Disposal System Improvements

The County uses strict septic repair standards for conventional and alternative system improvements to eliminate discharge of pathogens, reduce cumulative discharge of nitrate, and provide satisfactory long term performance.

c. **Inspection and Maintenance of On-site Systems**

The County proposes to inspect conventional systems at regular intervals of six years to ensure satisfactory long term system performance. (More frequent inspections of one to three years are required for systems close to creeks and alternative/unconventional systems).

d. **Community Disposal System Improvements**

The Wastewater Management Plan contains feasibility evaluations of potential community disposal systems for heavily developed areas of the Valley. These areas contain parcels where conventional on-site septic systems (as defined in the repair standards) will not function and where continued use of existing on-site disposal is contributing to water quality degradation.

e. **New Development and Expansion of Existing System Protocols and Standards**

The Wastewater Management Plan presents the protocols and standards for new development and expansion of existing systems. The Wastewater Management Plan also references County Code Chapter 7.38, which contains strict standards that meet or exceed this Board's Basin Plan requirements for new systems (e.g., a minimum parcel size of one acre for new disposal systems on undeveloped parcels in the Watershed).

f. **Water Quality Monitoring and Evaluation**

The Wastewater Management Plan presents the protocols for continued water quality sampling to monitor long term water quality (primarily bacteria and nitrogen levels), evaluate impacts of wastewater disposal on water quality, and guide any necessary changes in County programs or policies.

g. **Program Administration Management**

The Wastewater Management Plan presents the protocols for program administration, staffing, and financing. For example, the Section calls for continued use of annual service charges from property owners in County Service Area (CSA) No. 12, Zone A to fund augmented wastewater management programs.

h. **Program Information Management**

The Wastewater Management Plan also presents the protocols for the County's computer information system. This system is used to record and track data on system installations, site conditions, system performance, complaint investigations, inspection results, and septic tank pumping.

2. Elements of the Nitrate Management Plan

A major component of the San Lorenzo Wastewater Management Plan is the Nitrate Management Plan section. The intent of this section is to establish nitrogen reduction targets, develop management measures to achieve those targets, and implement the management measures over a specific time frame.

The Nitrate Management Plan proposes to prevent any increase in existing nitrate levels and promote a moderate (15-30%) reduction in nitrate levels in the watershed over the next 10-20 years. The County intends to achieve this target reduction by implementing specific nitrate reduction management measures in the San Lorenzo watershed.

The elements of the San Lorenzo Nitrate Management Plan to be implemented by the County are:

a. Parcel Size Limit

Maintain existing density restrictions for new development served by septic systems in the San Lorenzo Watershed (one acre minimum for existing lots of record and a ten acre minimum for new land divisions in ground water recharge areas).

b. Implement the San Lorenzo Wastewater Management Plan

This program provides for regular inspection of all on-site disposal systems in the watershed, upgrade of failing systems, improved system maintenance, and improved system management. As implemented this program reduces the impact of wastewater disposal and provides for improved nitrogen management.

c. Boulder Creek Country Club Wastewater Treatment Plant Upgrade

Complete ongoing efforts to improve treatment procedures at Boulder Creek Country Club Treatment Plant to reduce nitrate discharge by using wastewater reclamation on the golf course.

d. Shallow Leachfield Installation

Maintain the new requirement for shallow leachfields for new and repaired septic systems (less than four feet in sandy areas and four to six and one half feet in other areas).

e. Enhanced Wastewater Treatment for Sandy Soils

Require septic systems serving new or expanded uses in sandy soils (percolation rate faster than six minutes per inch) to install enhanced treatment measures which will reduce nitrogen discharge by at least 50%. Sandy soils are those designated as sands or sandy loams, which have an infiltration rate greater than or equal to ten minutes per inch.

f. Enhanced Wastewater Treatment for Large On-site Disposal Systems

Require all new and existing large on-site disposal systems which serve more than five residential units or having a peak daily flow of more than 2000 gallons per day to utilize enhanced treatment to reduce nitrate discharge by at least 50%. Installation of such measures for existing systems shall be required at the time of system repair or upgrade. (New community systems serving more than five residential units or disposing more than 2500 gallons per day may be required to implement current Basin Plan limits where Basin Plan limits are more stringent.)

g. Nitrogen Control in New or Revised Waste Discharge Permits

Include requirements for nitrogen removal in permits developed or revised by the Regional Board for wastewater systems discharging in the San Lorenzo River watershed.

h. Livestock and Stable Management

Implement management measures through operator education, modification of permit conditions, and new ordinances to reduce water quality impacts from livestock and stable facilities.

i. Protection of Groundwater Recharge Areas

Maintains the ten acre minimum parcel size for any new lot in a designated recharge area and prohibits any new land use which could cause significant water quality degradation of aquifers.

j. Protection of Riparian Corridors and Erosion Control

Maintains and protects riparian areas for use as filters for nitrogen reduction and erosion control.

k. Nitrogen Control for New Uses

Review new development proposals to prevent significant increases in nitrogen discharges and reduce nitrogen discharges overall in the watershed.

l. Scotts Valley Nitrate Discharge Reduction

Monitor the Scotts Valley nitrate plume, and identify potential ongoing sources of nitrate. Work with the City of Scotts Valley and property owners to reduce nitrate discharge from Scotts Valley.

m. Monitoring Results for Nitrate in Surface and Ground Water

Continue to monitor levels in surface and ground water. Reevaluate implementation of more stringent control measures if summer nitrate levels in the River have not declined by at least 15 percent by 2005.

Implementation of the recommended management measures will provide for a 15 to 20 percent reduction in current nitrate levels being discharged over the next ten years, with a further discharge reduction of three to nine percent in the following ten years.

B. Alternatives to the Wastewater Management Plan

Some possible alternatives to the proposed Wastewater and Nitrate Management Plan for the San Lorenzo River watershed include:

a. No action.

This alternative will not be a detriment to water quality because the on-site system prohibition would remain in effect. However, this alternative would not result in a solution to existing failing and polluting on-site systems.

b. Postponement to a later date.

This alternative is not recommended because it does not satisfy the intent of the Santa Cruz County Board of Supervisors/Regional Water Quality Control Board Subcommittee.

c. Require higher levels of wastewater treatment for existing on-site wastewater disposal systems than are currently contained in the proposed Wastewater Management Plan .

This alternative is not recommended because the current repair standards were negotiated by the Santa Cruz County Supervisors and Regional Board Subcommittee. The proposed levels of wastewater treatment protect beneficial uses, while limiting the economic hardship to septic system owners.

d. Require the problem areas (identified in Appendix H of the Wastewater Management Plan) to implement off-site wastewater disposal solutions.

This alternative is not recommended because of the limited increase in protection of beneficial uses over on-site wastewater disposal. Additionally, off-site solutions would create extreme economic hardship to local land owners.

e. Partial adoption of the proposed amendment.

This alternative is recommended only if it does not result in a detriment to water quality.

f. Modify amendment.

Public review may make this alternative likely. This alternative is recommended only if it does not result in a detriment to water quality.

g. Additional amendments.

The Regional Board may consider additional alternatives, but will limit its action to a logical outgrowth of the proposed action.

Specific substantive changes, such as amending a specific action plan, will be subject to public notice and comment at the time those changes are proposed.

II. IMPLICATIONS OF THE WASTEWATER MANAGEMENT PLAN

County staff estimates that over the next ten to twenty years, approximately 75% of the systems in the San Lorenzo Watershed will be upgraded using conventional septic systems to meet the repair standards contained in the Management Plan. The remaining parcels will be served by alternative systems, haulaway systems, nonstandard systems, or community disposal systems that generally cost more and may place additional

restrictions on property development. Promoting compliance with the Plan will require property owner education, increased enforcement effort, and financial assistance for properties requiring costly system upgrades.

Regional Board approval of the Wastewater Management Plan will lead to modification of the Board's restrictions on wastewater disposal which limit development and expansion of existing uses in the Watershed. For example, under the current regulations, only systems on parcels outside Class I areas may expand to accommodate additional wastewater discharge. If a parcel can accommodate an upgraded system and additional discharge, then the home owner may also be allowed to expand their house. Modification of the Board's restrictions on wastewater disposal will allow this same process to take place on all parcels, requiring the County to approve system upgrades and home expansions on a parcel by parcel basis.

While removal of these restrictions will benefit many properties, development on some properties will remain constrained because they cannot meet the County's standards for septic system use, which include: 1) the requirement of one acre for any new development in the San Lorenzo Watershed, and 2) the need to meet current strict technical standards for any new development or significant expansion of an existing use.

This technical standard requirement is especially critical for parcels that upgrade existing on-site wastewater disposal using nonstandard systems. The use of nonstandard systems allows the installation of a system that has reduced separation to ground water, reduced leachfield size, reduced pump chamber size, or less than 100 percent of the required expansion area. Houses on parcels using nonstandard systems will be limited to a one time expansion of up to 250 square feet. The County shall have authority to limit the home expansion based on the area required for wastewater disposal.

Restrictions for on-site wastewater disposal may also limit commercial development. For Village areas (e.g., Boulder Creek) where on-site wastewater disposal remains a problem, some new and expanded uses may be served by localized off-site disposal systems (see Wastewater Management Plan, Appendix H).

Most elements of the proposed Management Plan are already in place and in operation. Full application of all recommendations in the proposed Plan will require the following additional actions by the County Board of Supervisors after the Plan is adopted:

1. Amend County Code Chapter 7.38 to reflect the ground water standards for repair of existing systems contained in Appendix C of the Management Plan. As documented in Appendix C, the required separation from ground water is three feet at distances greater than 250 feet from a water body. The required separation is already set at three feet at distances closer to a waterbody. This will improve protection of ground water quality.
2. Increase the annual CSA 12 service charges by approximately \$3.00 per year beginning in FY 1995-96 to provide an additional staff person for increased inspection frequencies. Currently all parcels are inspected at six year intervals. The Management Plan will require increased inspection frequencies for most nonconventional systems.

The elements of the Wastewater Management Plan presented above clearly meet the intent of Resolution 82-10 for the Class II areas and all other unclassified areas of the watershed. In areas of the San Lorenzo River Watershed designated Class I, the elements of the Wastewater Management Plan do not directly meet the criteria of Resolution 82-10. For the Class I areas, Resolution 82-10 states:

- 1) No new systems are allowed to discharge (as of adoption of Resolution 82-10),

- 2) Existing systems in Class I areas are prohibited from discharging as of July 1, 1986, and
- 3) Structural solutions must be implemented resulting in off-site wastewater disposal.

For Class I areas, the Management Plan differs from Resolution 82-10 requirements in the following ways:

- 1) The Wastewater Management Plan proposes to allow existing and new discharges and
- 2) On-site systems are proposed.

The Wastewater Management Plan includes a summary of feasibility studies that evaluate potential on-site and off-site wastewater disposal solutions. The off-site solutions presented in the Wastewater Management Plan are not feasible alternatives due to economic constraints and cost benefit analyses. The potential wastewater solutions were evaluated based on technical, social, and economic criteria. A graphic of the cost for various solutions (on-site/off-site) versus the failure rate of the various solutions is presented in Attachment A. In spite of the difference to the original requirements, staff believes beneficial uses will be protected with the implementation of the Wastewater Management Plan.

III. PORTER-COLOGNE IMPLEMENTATION REQUIREMENTS SUMMARIZED

The California Porter-Cologne Water Quality Control Act specifies an implementation plan to achieve water quality objectives should include the following components (at a minimum):

- A. A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private;
- B. A time schedule for actions to be taken; and
- C. A surveillance program description to determine compliance with objectives.

A description of the nature of necessary actions, time schedule to implement necessary actions, and surveillance program to assure implementation of the Management Plan are discussed below.

A. Description of the Nature of Actions

The County of Santa Cruz shall manage on-site wastewater disposal in all areas of the watershed using the guidelines and standards contained in the Wastewater Management Plan as described above.

B. Time Schedule

The Regional Board expects the County to implement the on-site Wastewater Management Plan upon adoption of this Resolution. Accordingly, the Board shall approve the following timeline for County action:

<u>COUNTY ACTIONS</u>	<u>DATE</u>
a. Implement/Monitor Nitrate Management Plan (NMP)	4/95 to 1/2015
b. Five Year Report on NMP Implementation	2/2000

- c. Require Upgrade of all Failing Prestandard Systems 4/95 to 1/2004
- d. Annual Reports on Wastewater Management Plan Implementation 1/96 to 1/2005
- e. Review Wastewater Management Program 3/2000 to 2/2005
- f. Modify Management Program (as needed) 6/2000 to 5/2005

C. Surveillance Program

Regional Board staff will inspect the San Lorenzo Wastewater Management Program semi-annually. Once every six months Board staff will review the County's computer data base. Examples of data staff will inspect include pumping frequencies, system failures, number of alternative systems constructed, and number of nonstandard systems. Staff will also conduct independent field inspections including inspection of individual septic systems.

IV. Anti-degradation Policy Compliance

This action will improve water quality and thus restore the high water quality that existed prior to the on-site system failure and pollution.

PAJARO RIVER/LLAGAS CREEK NUTRIENT OBJECTIVES AND MANAGEMENT MEASURES

The Water Quality Control Plan (Basin Plan) originally contained water quality objectives for nitrogen and phosphorus. In 1977, the Regional Board deleted the nutrient objectives because the Board did not believe *one* value for nitrogen or phosphorus was applicable regionwide (the Board preferred site-specific objectives for problem water bodies).

The Regional Board attempted to amend nutrient objectives for Pajaro River and Llagas Creek in 1984. However, limited staff resources produced a minimal quantity of monitoring data (only four stations were sampled four times).

In 1992, Basin Plan Update funds were used to contract with San Jose State University to develop nutrient objectives. San Jose State University expanded the monitoring program originally used by staff (seven stations were sampled approximately twenty times). San Jose State University also determined nutrient sources, impacts, and Best Management Measures/Practices.

This amendment recommends nutrient water quality objectives for nitrogen and phosphorus for the Pajaro River and Llagas Creek. This amendment also recommends management measures that will bring these water bodies into compliance with the recommended objective.

The remainder of this section is organized as follows:

- I. Pajaro River/Llagas Creek Recommended and Alternative Nutrient Objectives
 - A. Recommended Objective
 - B. Causes of Nuisance Algae Growth
 - C. Alternative Objectives
 1. Numerical Objectives
 - a. Reduce Nutrient Concentration by Staged Reduction Program
 - b. Reduce Nutrient Concentration by Using Historical Nutrient Concentrations
 - c. Reduce Nutrient Concentration by Using Nutrient Concentrations from Nearby Rivers and Streams
 - d. Reduce Nutrient Concentration by Using Other Regional Board's Objective
 2. Nutrient Loading Reduction Goals
 3. Develop and Propose Algal Biomass Limits
 4. Continue to Implement Narrative Objective
- II. Factors to be Considered in Establishing Water Quality Objectives
 - A. Past, Present, and Probable Future Beneficial Uses of Water
 - B. Environmental Characteristics of the Hydrographic Unit
 - C. Economic Considerations
 - D. Need for Developing Housing within the Region
 - E. Need to Develop and Use Recycled Water
- III. Implementation
 - A. Description of the Nature of Actions
 - B. Time Schedule
 - C. Surveillance Program
- IV. Anti-degradation Policy Compliance

I. PAJARO RIVER/LLAGAS CREEK RECOMMENDED AND ALTERNATE NUTRIENT OBJECTIVES

A. Recommended Objective

TABLE ONE. NUTRIENT OBJECTIVES RECOMMENDED BY STAFF

RECOMMENDED NITROGEN OBJECTIVE	RECOMMENDED PHOSPHORUS OBJECTIVE
Total Inorganic Nitrogen (ammonia, nitrite, and nitrate), as nitrogen, mg/l	Phosphorus, as phosphate, mg/l
1.2	0.12

(The proposed objectives are semi-annual mean values.)

San Jose State University recommended these values for the following reasons:

1. Six out of seven monitoring stations exceeded the nitrate California drinking water standard (10 mg/l, as nitrogen) on occasion.
2. Only one monitoring station did not exceed the nitrate drinking water standard. This station is on Llagas Creek near California Street. This station is upstream of San Martin and downstream of Chesbro Reservoir (the contractor calls this station "L4"). No nuisance algae was observed at station L4 by the contractor.
3. At a minimum, the nitrate concentrations in Pajaro River and Llagas Creek should not exceed the California Drinking Water Standard for nitrate (10 mg/l, as nitrogen).
4. The average nitrate-nitrogen and ammonia-nitrogen concentration total at station L4 during 1992-93 was approximately 1.2 mg/l N (as nitrogen). Since station L4 is upstream in a relatively undisturbed part of the watershed, it is a concentration that best reflects water quality conditions absent of anthropogenic effects (the contractor recommended a nitrate and ammonia nitrogen objective because suspended and attached algae most readily use nitrate and ammonia forms of nitrogen).
5. The 1992-93 average nitrate nitrogen concentration (1.1 mg/l, as nitrogen) at station L4 is slightly higher than estimated historical levels of 0.2 to 0.4 mg/l, as nitrogen, at station L4 during 1955-60. The slightly higher nitrate-nitrogen concentration now found at station L4 may be due to a slight increase in loading to Chesbro Reservoir.
6. Little information exists upon which to base a phosphate objective. However, one can be developed from the cellular composition of algae which corresponds to a nitrogen/phosphorous ratio of approximately 10:1 by weight. With a water quality objective of 1.2 mg/l N for inorganic nitrogen, an equivalent objective for phosphorus would be approximately ten times less or about 0.12 mg/l P, as phosphate. (This is consistent with the average orthophosphate concentration of 0.108 mg/l phosphate found at station L4 during 1992-93.)

B. Causes of nuisance algae growth

The results of San José State University's investigation indicate nuisance growths of attached and suspended algae occur as a result of the interaction of several factors:

1. Sunlight -

Riparian vegetation, which shades streams and limits algal growth, is absent in extensive reaches of streams in the study area.

2. Flow -

Some reaches of streams are pond-like due to the absence of flow, which promotes growth of suspended algae. High flow rates (where the river is shallow) tends to promote attached algae.

3. Substratum -

Attached algae grow where medium substratum (gravel) and coarse substratum (cobble) is available. Suspended algae grow where the substrate is sand, silt, or mud.

4. Erosion -

Phosphorus adsorbs to soil particles. Erosion increases phosphorus loading to water bodies. Erosion leads to suspended algae growth.

5. Nutrients-

High nutrient conditions lead to high algal biomass, but high algal biomass also occurs in the absence of apparent nutrient sources.

C. Alternative Objectives

1. Numerical Objectives

a. Reduce Nutrient Concentration by Staged Reduction Program

The current quarterly average for total inorganic nitrogen at Pajaro River/Llagas Creek monitoring stations is approximately 6.0 mg/l N, as nitrogen. A staged nitrogen reduction program could implement the nitrogen reductions as shown in Table Two below.

TABLE TWO. STAGED NITROGEN AND PHOSPHORUS REDUCTION PROGRAM

Concentration Reduction, %	Total Inorganic Nitrogen Concentration, mg/l	Total Phosphorus Concentration, mg mg/l	Date
50	3.0	0.3	5 years from adoption
75	1.5	0.15	10 years from adoption

The advantage of this alternative is a greater likelihood of attaining compliance. Furthermore, the Board may determine, at a future date, satisfaction with only 50% reduction. It is conceivable the Board could make such a determination if management measures are successful in controlling algal growth.

The disadvantage of this approach is that landowners may utilize Management Measures to a minimal extent.

b. Reduce Nutrient Concentration by Using Historical Nutrient Concentrations

Historical water quality conditions before the presence of agricultural effects could be adopted.

As early as 1952 to 1960 (the earliest data available), agriculture was probably impacting Pajaro River and lower Llagas Creek. For example, nitrate at Bloomfield Road during this period ranged from 0.1 to 9.9 mg/l nitrogen, as nitrogen. The site is affected by the Planel agricultural drain. The Planel ag drain is one of the major agricultural drainage systems providing input to Llagas Creek. During this same time period, nitrate at the upstream stations in Llagas Creek and Pajaro River ranged between 0.2 to 0.5 mg/l nitrogen, as nitrogen. These values may be a close approximation of historic pre-agriculture nitrate concentrations. Orthophosphate data are not available for this time period.

The advantage of this approach is that water quality will be improved.

The disadvantage is that this option may be too costly.

c. Reduce Nutrient Concentrations by Using Nutrient Concentrations from Nearby Rivers and Streams

Nitrate concentrations in streams found in open and mixed development land uses in Alameda, Santa Clara, and Contra Costa Counties are presented in Table Three. These Counties are in close proximity to the Pajaro River and Llagas Creek. These nutrient concentrations, measured during periods of storm water runoff, represent maximum winter concentrations that could be expected in similar watersheds (e.g., Pajaro and Llagas).

TABLE THREE. NITRATE CONCENTRATIONS IN STREAMS IN ALAMEDA, CONTRA COSTA, AND SANTA CLARA COUNTIES DURING STORM RUNOFF

Location	Land Use	
	Open	Mixed
Alameda County mean nitrate, mg/l, as nitrogen	0.55, 2.02 ^a	1.2
Contra Costa County mean nitrate, mg/l, as nitrogen	0.5, 2.3 ^a	1.3
Santa Clara County mean nitrate, mg/l, as nitrogen	0.18	0.64

^a Two different watershed concentrations

There are no known advantages to this alternative. The nutrient concentration values serve as an interesting comparison for other alternatives.

The disadvantage of this approach is that water quality and other characteristics of the Pajaro River/Llagas Creek watershed are not considered in selecting an objective.

d. Reduce Nutrient Concentrations by Using Objectives from Other Regional Boards

Examples of water quality objectives established by Regional Water Quality Control Boards for other regions in California are summarized in Table Four.

TABLE FOUR. EXAMPLES OF WATER QUALITY OBJECTIVES ESTABLISHED BY REGIONAL WATER QUALITY CONTROL BOARDS

Regional Water Quality Control Boards	Water Quality Objectives
Central Coast	Narrative and 0.06 mg/l nitrogen, as nitrogen - San Lorenzo River
Central Valley	Narrative
Colorado River Basin	Narrative (formerly 7 mg/l, nitrogen, as nitrogen)
Lahontan	Narrative, 0.8 mg/l total nitrogen, as nitrogen, on the Walker River, and 0.12, 0.4, and 0.4 mg/l total nitrogen, as nitrogen, along the Truckee River
North Coast	Narrative
San Diego	0.1 mg/l phosphorus, 1.0 mg/l nitrogen
San Francisco	Narrative and 50 µg/l chlorophyll a upstream from Carquinez Bridge
Santa Ana	Various, ranging from 1 to 13 mg/l nitrogen total inorganic nitrogen

Water quality objectives removed by the Regional Board in 1977 are shown in Table Five.

TABLE FIVE. WATER QUALITY OBJECTIVES FOR BIOSTIMULANTS IN BASIN PLAN IN 1977

Water Quality Objectives for Biostimulants in Basin Plan in 1977		
Designated Water	Concentration Not to be Exceeded	
	Total Nitrogen, mg/l	Total Phosphorus, mg/l
MAR ^a or WARM ^b	2.0	0.2
COLD ^c or SPWN ^d	1.0	0.1
REC -1 ^e or REC-2 ^f	0.5	0.05

^a Marine Habitat

^b Warm Freshwater Habitat

^c Cold Freshwater Habitat

^d Fish Spawning

^e Water-Contact Recreation

^f Non-Contact Water Recreation

There are no known advantages to this alternative other than the fact that these objectives were adopted by other Regional Boards. The nutrient concentration values also serve as an interesting comparison for other alternatives.

The disadvantage of this approach is that water quality and other characteristics of the Pajaro River/Llagas Creek watershed are not considered in selecting an alternative.

2. Nutrient Loading Reduction Goals

A second alternative to numerical nutrient objectives is to impose nutrient loading reduction goals. San Jose State University provided loading rates for cropland, rangeland, storm water, and percolation pond exfiltration (feedlots and septic system exfiltration are not expected to contribute significant loading).

The advantage of this approach is loading rates can be calculated on a site-specific basis and compared to previous loadings to determine if reductions are occurring.

The disadvantage of the process is that it requires extensive staff resources to do water sampling and site specific nutrient loading calculations.

Staff has not proposed specific optional nutrient loading limits because this option is not feasible with current staff resources.

3. Develop and Propose Algal Biomass Limits

A third alternative to recommended numerical nutrient objectives is to develop and propose maximum algal biomass (for example, chlorophyll-a limits and percent cover by algae limits).

The advantages of this approach is that such objectives would correlate directly with algal growth. Nutrients alone do not control algae growth in the Pajaro River and Llagas Creek. The concept of one single limiting factor (such as nutrients) is somewhat simplistic since many environmental factors may be limiting under different conditions and times. The most important factors controlling algal growth include nutrients, flow, substrate type, riparian vegetation (shading), and water clarity or turbidity.

The disadvantage of this alternative is another study of equal caliber would be necessary for developing a different objective. There would be no gain in such a delay because management measure implementation will mitigate the nuisance algae problem.

There is no indication a different constituent objective would be better at controlling nuisance algae.

4. Continue to Implement Narrative Objective

Continue to implement narrative objective for biostimulatory substances.

There are no advantages to this option.

The disadvantage of this approach is that there is no basis for compliance with a narrative objective.

II. FACTORS TO BE CONSIDERED IN ESTABLISHING WATER QUALITY OBJECTIVES

The Porter-Cologne Water Quality Control Act identifies issues to be considered in establishing water quality objectives. These include, but are not necessarily limited to, the following:

- Past, present, and probable future beneficial uses of water.
- Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
- Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
- Economic considerations.
- The need for developing housing within the region.
- The need to develop and use recycled water.

A. Past, Present, and Probable Future Beneficial Uses of Water

The recommended and alternative water quality objectives proposed are expected to improve water quality and increase beneficial water use in the Pajaro River and Llagas-Creek Basin. Those beneficial uses that may be improved by the proposed objective are cold and warm water habitat; wildlife habitat; fish migration; spawning habitat; municipal/domestic water supply; agricultural water supply, industrial water supply; ground water recharge; water contact/non-contact water recreation; and rare, threatened, or endangered species habitat (the "Bank Swallow," a designated "threatened" species, exists in this area).

B. Environmental Characteristics of the Hydrographic Unit

The recommended water quality objective (1.2 mg/l total inorganic nitrogen, as nitrogen) was determined based on monitoring of the Pajaro River and Llagas Creek.

C. Economic Considerations

Is the Objective Currently being Attained?

The proposed objective is not currently being met.

Methods available to achieve compliance, if objective is currently not being attained

The proposed objective can be attained by implementation of Management Measures. The Management Measures are identified in Attachment A of Resolution 95-04.

Objective Attainment Costs

Cost examples for achieving the recommended and alternative water quality objectives were predominately determined by using the United States Environmental Protection Agency (U.S. EPA) "Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters" document, dated January 1993. To achieve these objectives, site-specific practices that are economically and technically feasible -- "Best Management Practices" -- are implemented. Best Management Practices are regarded as practices or a

combination of practices which accomplish a variety of management measures to meet environmental regulations and/or production goals. The U.S. EPA guidance manual states:

U.S. "EPA has determined that all of the management measures in this guidance are economically achievable...cost effective. Congress defined "management measures" to mean "*economically achievable* measures... which reflect the greatest degree of pollutant reduction achievable through the application of the best available nonpoint pollution control practices, technologies, processes, siting criteria, operating methods, or other alternatives."

A detailed cost presentation is available in Appendix F.

Plans should be developed on a site-by-site basis to determine the Best Management Practice(s) for each situation. A good plan will improve water quality, soil, livestock, and crop productivity.

Technical assistance to develop plans for each site is offered by the U.S. Natural Resource Conservation Service, Resource Conservation Districts, and U.C. Cooperative Extension.

Private lands can receive technical assistance free of charge. Public lands usually must reimburse costs for larger projects. Cost sharing is available for some agricultural producers. The maximum benefit is \$3,500 per year. The maximum cost share ranges between 50% and 75%.

D. Need for Developing Housing Within the Region

The need for developing housing within the region should not be adversely affected by the proposed water quality objective.

E. Need to Develop and Use Recycled Water

This amendment proposes water quality objectives for nutrients (nitrogen and phosphorus) and Management Measures to attain objectives. One practice a plan can consider is to recycle water. Farmers could collect irrigation return flow for reuse in the irrigation process.

III. IMPLEMENTATION

The California Porter-Cologne Water Quality Control Act also specifies an implementation program should be developed to achieve water quality objectives. Porter-Cologne requires an implementation program include the following components (at a minimum):

- A. A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private;
- B. A time schedule for actions to be taken; and
- C. A surveillance program description to determine compliance with objectives.

A description of the nature of necessary actions, time schedule to implement necessary actions, and surveillance program to measure water quality improvement is provided in Resolution 95-04, Attachment A. Each item is also summarized below.

A. Description of the Nature of Actions

Land owners and dischargers should implement Management Measures to mitigate nuisance algae growth in Pajaro River and Llagas Creek. Management Measures can be achieved by applying one or more Best Management Practices. Management Measures and example Best Management Practices to control water quality degradation are listed in Table Six. Many Management Practices are conceptual, can be implemented in a variety of ways, and require site-specific considerations. For example, reducing nutrient and sediment loading from irrigation return flow depends on a variety of factors such as crop type, soil type, and land slope.

TABLE SIX. MANAGEMENT MEASURES, EXAMPLES OF BEST MANAGEMENT PRACTICES, AND RESPONSIBLE IMPLEMENTATION PARTY

MANAGEMENT MEASURE	EXAMPLES OF SOME SUITABLE BEST MANAGEMENT PRACTICE(S)	RESPONSIBLE IMPLEMENTATION PARTY
Reduce Nutrient and Sediment Loading from Irrigation Return Flow	Crop nutrient management; efficient irrigation water use; and vegetated buffer strips	Landowner
Reduce Nutrient and Sediment Loading from Cropland Storm Water Runoff	Conservation tillage; cover crops; vegetated drainages; and constructed wetlands	Landowner
Minimize Waste from Mushroom Farm Operations	Waste Minimization Plans	Landowner
Minimize Waste from Feedlot Operations	Waste Minimization Plans	Landowner
Reduce Poor Quality Ground Water Recharge of Pajaro River/Llagas Creek	Buffer strips	Landowner
Control Erosion	Livestock enclosures; grazing management; permanent vegetation in highly erodible areas; minimization of bare field exposure time; rehabilitation of riparian lands and establishment of protective buffer; vegetated drainages; constructed wetlands; and vegetated buffer strips	Landowner; Rancher; County; Municipal government; State
Upgrade Gilroy/Morgan Hill Wastewater Treatment System	Nitrification/Denitrification Systems	Wastewater facility
Reduce Pollutant Loading from Rangeland Storm Water Runoff	Infiltration basins	Rancher and County
Reduce Pollutant Loading from Urban and Storm Water Runoff	Education program; composting; vegetated filter strips; vegetated buffer strips; vegetated drainages; constructed wetlands; infiltration basins; porous pavement; and household hazardous chemical pick-up	Municipal Government or Transportation District
Riparian Habitat Management	Protect wetland vegetation; low flow channel restoration; and augmentation of stream flow	State

Implementing parties can contact agencies to develop and design appropriate site-specific Best Management Practices. The agencies that dischargers and/or landowners can contact are listed below.

- (1) The U.S. Department of Agriculture, Natural Resource Conservation Service,
- (2) Resource Conservation Districts, and
- (3) University of California Cooperative Extension.

Land owners are encouraged to contact these agencies now.

B. Time Schedule

The Regional Board expects the nutrient water quality objective to be attained by the year 2005. To reach this goal, the following three-tiered approach will be used to obtain compliance (these three steps were adopted by the Regional Board in February 1994 in Resolution 94-01).

First Step to Obtain Nutrient Objective Compliance -- Voluntary Implementation of Best Management Practices

Property owners or managers are encouraged to implement Management Measures as soon as possible. Landowners should contact agencies listed above to select and implement Best Management Practices that satisfy management measure requirements.

Second Step to Obtain Nutrient Objective Compliance -- Regional Board Encourages Management Measures

The Regional Board will encourage land owners to implement Management Measures by waiving adoption of waste discharge requirements on the condition that dischargers comply with Management Measures. Alternately, the Regional Board may enforce Management Measures indirectly by entering into management agency agreements with other agencies that have the authority to enforce Management Measures.

The Regional Board will generally refrain from imposing effluent requirements on dischargers that are implementing Management Measures in accordance with a waiver of waste discharge requirements, approved Management Agency Agreements, or other State or Regional Board formal action. Landowners should contact agencies listed above to select and implement Best Management Practices that satisfy Management Measure requirements.

The Regional Board will activate this second step by April 1998 if the semi-annual mean concentration is not reduced by 25 % of the average value shown for the applicable sampling station shown in Appendix 2-E of the "Establishment of Nutrient Objectives, Sources, Impacts, and Best Management Practices for the Pajaro River and Llagas Creek."

Third Step to Obtain Nutrient Objective Compliance - Regional Board Adoption of Effluent Limitations

The Regional Board will adopt and enforce waste discharge requirements. Limitations will be set at a level which requires implementation of Management Measures.

The Regional Board will activate this third step by April 2000 if the semi-annual mean concentration is not reduced by 50 % of the average value shown for the applicable sampling station shown in Appendix 2-E of the "Establishment of Nutrient Objectives, Sources, Impacts, and Best Management Practices for the Pajaro River and Llagas Creek."

C. Surveillance Program

Regional Board staff will monitor Pajaro River and Llagas Creek on a semi-annual basis. Regional Board staff will sample at the following locations:

- 1) Pajaro River at Chittenden Pass,
- 2) Pajaro River at Highway 25,
- 3) Pajaro River at Frazier Lake Road,
- 4) Llagas Creek at Bloomfield Road,
- 5) Llagas Creek at Luchessa Road, and
- 6) Llagas Creek at Highway 152.

IV. Antidegradation Policy Compliance

This action will improve water quality and thus restore the high water quality that existed prior to point and nonpoint source pollution impacts.

ENVIRONMENTAL SUMMARY:

An environmental assessment package has been prepared and is available to interested individuals. The basin planning process has been determined to be functionally equivalent to the California Environmental Quality Act process in accordance with Section 21000 et seq. of the Public Resources Code. Appropriate notices and waiting periods have been provided. This process will satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217).

COMMENTS:

A. Bill Allayaud, California State Coastal Commission, Phone Call on March 8, 1995.

1. The Pajaro River and Llagas Creek Nutrient Objective implementation time schedule should indicate when steps two and three will be implemented.

Response: Agree. The staff report now indicates that the second and third step to obtain nutrient objective compliance will be activated if the quarterly mean concentration is not reduced by 25 and 50%, respectively, of the average value shown for the applicable sampling station shown in Appendix 2-E of the "Establishment of Nutrient Objectives, Sources, Impacts, and Best Management Practices for the Pajaro River and Llagas Creek."

B. Several comments from Diane L. Evans, County of Santa Cruz Environmental Health Service, Letter received March 20, 1995.

1. For consistency the watershed should be referred to as the San Lorenzo River Watershed.

Response: Agree. The staff report now uses the San Lorenzo River Watershed.

2. Page 3, 1.e. of the staff report should refer to County Code 7.38, not County Ordinance No. 4220, Chapter 7.38.

Response: Agree. This reference is now on page four of the staff report.

- 3a. The recommendations for nitrate management have been refined since the staff report was prepared. On page 5, 2.d sandy soils are defined as having a percolation rate faster than 6 minutes per inch.

Response: Agree. This reference is now on page six of the staff report.

- 3b. Under 2.e, large systems are defined as those serving more than five residential units or having a peak daily flow of more than 2000 gallons per day.

Response: Agree. This reference is now on page six of the staff report.

4. On page 9 of the staff report, item II.2, the estimated annual CSA 12 service charge may need to be increased to \$3.00 per year per parcel to provide for increased inspections.

Response: Agree. This reference is now on page ten of the staff report.

5. On page 9 of the staff report, under III.B, Time Schedule, item c. should read: "Require Upgrade of all Failing Prestandard Systems". The County does not have the authority to require upgrades unless the systems are found to be failing.

Response: Agree. This reference is now on page eleven of the staff report.

6. Request for editorial changes to the proposed Basin Plan amendment contained in Attachment A.

Response: Agree. Editorial changes made to Attachment A which is now Attachment B of the staff report.

7. Request for the Board to consider revision of the nitrate objective for the San Lorenzo River.

Response: Disagree. The proposed Basin Plan amendment for the San Lorenzo River Watershed only addresses changes to Resolution 82-10. Staff does agree that the nitrate objective for the San Lorenzo River should be reviewed at a later date.

- C. David Ross, President, Board of Directors San Lorenzo Valley Water District, Letter received March 20, 1995.

1. The letter urges the Board to approve and adopt Resolution 95-04.

Response: Agree.

ATTACHMENTS:

- A. Cost of Various San Lorenzo Watershed Solutions
- B. Resolution 95-04
- C. Summary Report and Potential Environmental Impacts of Proposed Basin Plan Amendment (Resolution 95-04)
- D. Public Notice
- E. Summary of Necessity for the Regulatory Provisions
- F. Cost Examples for Pajaro/Llagas Nutrient Management Measures

RECOMMENDATION:

Adopt Resolution 95-04

Angela G Carpenter has a Bachelor's degree in Environmental Engineering from Cal Poly, San Luis Obispo, and has worked developing Basin Plan Amendments for 13 years. She has completed training course dealing with nonpoint source management.

Howard E. Kolb graduated from Humboldt State University in 1984 with a B.Sc. in Environmental Engineering, emphasis in water quality. After graduation, Howard spent two years in Central America as a water and sanitation advisor with CARE International. In October 1988, Howard completed a M.Sc. in Public Health Engineering at the University of Leeds, England. Howard has been with the Board since 1989 and now holds the position of Associate Water Resources Control Engineer (Registered Civil Engineer, CA #C-50959). While working as the Board's nonpoint source program manager, Howard has co-authored several reports and papers on both septic systems and the fate of bacteria in the environment.

RESOLUTION 95-04
ATTACHMENT A
PROPOSED BASIN PLAN AMENDMENTS

The following Basin Plan amendment is proposed. (Note new language is shown in bold, existing language is shown in plain text, and deleted language is ~~struck out~~.)

1. Revise the November 17, 1989 Basin Plan, Chapter Four, page 11 as follows:

~~Individually owned septic tank leachfield systems in the San Lorenzo Valley are being studied closely have been inspected and monitored from 1986 through 1994. to identify p~~Problem areas have been identified and ~~determine~~ the suitability of these problem areas for the continued use of septic systems has been determined as documented in the County of Santa Cruz, Environmental Health Services reports **(1) Preliminary Report, An Evaluation of Wastewater Disposal And Water Quality In The San Lorenzo Watershed, September, 1989, (2) Final Project Report, Boulder Creek Wastewater Feasibility Study, October, 1991; and (3) Final Project Report, San Lorenzo Valley Community Wastewater Feasibility Studies, March, 1994.** Alternatives ~~will be proposed and evaluated~~ have been evaluated and solutions proposed to reduce septic system problems and to respond to this Plan's discharge prohibition in certain areas of the valley. Solutions are contained in the "Draft Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "Draft San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan). ~~Specific design criteria for conventional and modified septic systems will be developed as part of on-going county studies~~ The Wastewater Management Plan documents standards and conditions that shall be met for the protection and enhancement of beneficial uses.

Implementation of the Wastewater Management Plan precludes the Regional Board from reestablishing the discharge prohibition.

2. Revise the November 17, 1989 Basin Plan, Chapter Four, pages 53-54 as follows:

~~Discharges from individual sewage disposal systems within the San Lorenzo River Watershed Valley north of Henry Cowell State Park shall be managed as follows:~~

- a. ~~Discharges within five communities are prohibited shall be allowed, where the affected area (Class I Area) is defined by the Santa Cruz County Assessor's Parcel Numbers as described in Appendix A-23~~ providing the County of Santa Cruz, as lead agency, implements the "Draft Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "Draft San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assure the Regional Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination..
- b. ~~To preclude prohibition of discharges outside the Class I Area, the County of Santa Cruz, shall act as lead agency in coordinating and establishing a program that will assure the Regional Board that:~~

~~additional systems in these areas will be designed, sized, located, spaced, and constructed in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.~~

~~existing systems within specific communities are systematically evaluated and redesigned, resized, relocated, and reconstructed as appropriate to protect and enhance water quality, to protect and restore beneficial uses of water, and abate and prevent nuisance, pollution and contamination, where the specific communities (Class II Area) are defined by the Santa Cruz County Assessor's Parcel Numbers as described in Appendix A-24.~~

~~systems within the Class II Area are regularly inspected and maintained in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.~~

In fulfilling the responsibilities identified above, the County of Santa Cruz shall submit annual reports beginning on January 15, 1996. The report shall state the status and progress of the Wastewater Management Plan in the San Lorenzo River Watershed. The County of Santa Cruz annual report shall document the results of:

1. Existing Disposal System Performance Evaluations,
2. Disposal System Improvements,
3. Inspection and Maintenance of On-site Systems,
4. Community Disposal System Improvements,
5. New Development and Expansion of Existing System Protocol and Standards,
6. Water Quality Monitoring and Evaluation,
7. Program Administration Management, and
8. Program Information Management.

The report shall also document progress on each element of the Nitrate Management Plan, including:

1. Parcel Size Limit,
2. Wastewater Management Plan Implementation,
3. Boulder Creek Country Club Wastewater Treatment Plant Upgrade,
4. Shallow Leachfield Installation,
5. Enhanced Wastewater Treatment for Sandy Soils,
6. Enhanced Wastewater Treatment for Large On-site Disposal Systems,
7. Inclusion of Nitrogen Reduction in Waste Discharge Permits,
8. Livestock and Stable Management,
9. Protection of Groundwater Recharge Areas,
10. Protection of Riparian Corridors and Erosion Control,
11. Nitrate Control for New Uses,
12. Scotts Valley Nitrate Discharge Reduction, and
13. Monitoring for Nitrate in Surface and Ground Water,

3. Revise Resolution 94-01, Chapter Four, pages 26 through 28 as follows:

"A program of implementation to protect beneficial uses and to achieve water quality objectives is an integral component of this Basin Plan. The program of implementation is required to include, but is not limited to:

-A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.

-A time schedule for the actions to be taken.

-A description of surveillance to be undertaken to determine compliance with objectives.

Additional surveillance activities to determine compliance with objectives are described in Chapter Six, "Surveillance and Monitoring".

This chapter includes discussions of:

- Regional Water Quality Control Board Goals
- General Control Actions and Related Issues
- Waste Discharge Regulation
- Hazardous Waste Compliance Issues, and
- Nonpoint Source Measures, and
- Nutrient Management Measures.

Detailed descriptions of waterbodies with their specific water quality problems and recommended control actions are included in the Region's Water Quality Assessment database and Fact Sheets.

This chapter is organized in the following manner:

- I. Introduction
- II. Regional Water Quality Board Goals
- III. General Control Actions and Related Issues
- IV. Control Actions under State Board Authority
- V. Control Actions to be Implemented by Other Agencies with Water Quality or Related Authority
- VI. Control Actions under Regional Board Authority
 - A. Waste Discharge Restrictions
 - 1. Water Quality Certification
 - 2. National Pollutant Discharge Elimination System
 - 3. Waste Discharge Requirements
 - 4. Waivers
 - 5. Prohibitions and Prohibition Exemptions
 - 6. Enforcement Actions
 - 7. Best Management Practices
 - 8. Compliance Schedules
 - B. Nonpoint Source Program
- VII. Waste Discharge Program Implementation
 - A. Effluent Limits
 - 1. Stream Disposal
 - 2. Estuarine Disposal
 - 3. Ocean Disposal
 - 4. Land Disposal
 - a. Wastewater Disposal
 - 5. Reclamation and Reuse
 - 6. Pretreatment Program
 - 7. Sludge Treatment

- B. Municipal Wastewater Management Plans (arranged by hydrologic sub-area)
- C. Industrial Wastewater Management
- D. Solid Waste Management
- E. Storm Water Management
- F. Bay Protection and Toxic Cleanup Program
- G. Military Installations
- H. Spills, Leaks, Investigations, and Cleanup Program
- I. Underground Tank Storage Tank Program
- J. Aboveground Petroleum Storage Tanks
- K. California Code of Regulations, Title 23, Chapter 15
 - 1. Solid and Liquid Waste Requirements (Landfills and Surface Impoundments)
 - 2. Wastewater Sludge/Septage Management
 - 3. Mining Activities
 - 4. Other Industrial Activities
- L. Resource Conservation Recovery Act (Subtitle D)
- M. Solid Waste Water Quality Assessment Test

VIII. Hazardous Waste Compliance Issues

- A. Reportable Quantities of Hazardous Waste and Sewage Discharges
- B. Proposition 65

IX. Nonpoint Source Measures

- A. Coastal Zone Act Reauthorization Amendments
- B. Urban Runoff Management
- C. Agricultural Water and Wastewater Management
- D. Individual, Alternative, and Community Disposal Systems
- E. Land Disturbance Activities

X. Management Measures

A. Pajaro River and Llagas Creek

4. Revise page III-14 of November 17, 1989 Basin Plan as follows:

~~A specific monthly mean objective for Nitrate (as NO₃) of 0.25 mg/l shall apply to both the upper and lower San Lorenzo River to protect beneficial uses from adverse biostimulatory effects. Specific biostimulant objectives for other surface water will be added to this section in tabular form once they are determined from further studies.~~

5. Revise page III-14 of November 17, 1989 Basin Plan as follows:

Table 3-7. Surface Water Quality Objectives, mg/l^a

Sub-Basin/Sub-Area	TDS ^a	Cl ^a	SO ₄ ^a	B ^a	Na ^a	Nitrate (as NO ₃) ^b	Total Inorganic Nitrogen (as N) ^c
Pajaro River							
at Chittenden	1000	250	250	1.0	200		1.2
Llagas Creek	200	10	20	0.2	20		1.2
San Lorenzo River							
Above Bear Creek	400	60	80	0.2	50	0.25	
At Tait Street Check Dam	250	30	60	0.2	25	0.25	

^a Objectives shown are annual mean values. Objectives are based on preservation of existing quality or water quality enhancement believed attainable following control of point sources.

^b Objectives shown are monthly mean values. Objectives are based on preservation of existing quality or water quality enhancement believed attainable following control of point and nonpoint sources.

^c Objectives shown are quarterly mean values. Objectives are based on preservation of existing quality or water quality enhancement believed attainable following control of point and nonpoint sources.

6. Add the following language to the end of Chapter Four (page IV-64 of the November 17, 1989 version):

NUTRIENT MANAGEMENT MEASURES

upstream of Chittenden
 Management measures are necessary to mitigate nuisance algae growths in the Pajaro River and Llagas Creek basin. Management measures include practices that reduce nutrient discharges to surface waters or mitigate biological, chemical, and/or physical factors contributing to nuisance growths of algae. Management measures can be achieved by applying one or more Best Management Practices. Best Management Practices are determined on a site-by-site case based on each property's unique characteristics.

We have provided some Best Management Practices below. These practices are intended merely as an example of approaches that can be taken to meet water quality objectives.

A. Minimize Nutrient and Sediment Loading from Irrigation Return Flow

Source control measures should be utilized to reduce nutrient and sediment loading from irrigation return flow. Examples of Best Management Practices include crop nutrient management and efficient irrigation water use.

Hydrologic modification measures may be necessary. For example, farmers could install vegetated buffer strips to attenuate the direct flow of irrigation water and storm water runoff to surface waters from adjacent cropland, pasture land, or rangeland. Buffer strips enhance water quality by attenuating flow, increasing infiltration, filtering out soil particles, and protecting riparian/aquatic resources.

B. Minimize Nutrient and Sediment Loading from Cropland Storm Water Runoff

Source control measures should be utilized to reduce nutrient and sediment loading from cropland storm water. Examples of Best Management Practices include conservation tillage and cover crops.

Hydrologic modification measures listed below may also be necessary. Some examples of such Best Management Practices are listed below:

Vegetated Drainages

Farmers should install grass cover in constructed drainages that convey irrigation return flow or cropland storm water runoff. Grass cover in drainages will act to enhance infiltration and absorb some soluble forms of nutrients contained in ditch water. In some cases, ditches can be replaced with wider, easily vegetated swales that reduce flow energy.

Constructed Wetlands

Small constructed wetlands which can achieve substantial nutrient removal can be used in drainages exhibiting year-round saturated conditions.

C. Minimize Waste from Mushroom Farm Operations

Dischargers should prepare and implement waste minimization plans every third year. The discharger should identify sources of waste streams (including contaminated storm water, boiler blowdown waste, and water softener waste). The plan should develop handling procedures and control waste streams.

D. Minimize Waste from Feedlot Operations

Feedlot operators should prepare and implement waste minimization plans every third year. The discharger should identify sources of waste streams (including contaminated storm water). The plan should develop handling procedures and control waste streams.

E. Minimize Poor Quality Ground Water Recharge of Pajaro River/Llagas Creek

Source control measures should be utilized to reduce impacts of poor quality ground water recharging surface waters. An example includes the use of buffer strips.

F. Control Erosion

Source control measures should be utilized to reduce sediment loading impacts. Example Best Management Practices include: livestock enclosures, grazing management, permanent vegetation in highly erodible areas, and minimization of bare field exposure time.

Ecosystem modification measures may be necessary. For example, landowners should rehabilitate riparian lands. Revegetation and erosion control measures should be installed to inhibit direct runoff to surface waters, enhance infiltration, and provide stream shading. Protective buffers should be installed to prevent heavy equipment and other disturbances on riparian land.

Landowners may need to install hydrologic modification Best Management Practices. Examples of such practices are shown below:

Vegetated Drainages

Landowners should install grass cover in constructed drainages that convey storm water runoff. Grass cover in drainages will act to enhance infiltration and absorb some soluble forms of nutrients contained in ditch water. In some cases, ditches should be replaced with wider, easily vegetated swales that reduce flow energy.

Constructed Wetlands

Small constructed wetlands which can achieve substantial nutrient removal can be used in drainages exhibiting year-round saturated conditions.

Vegetated Buffer Strips

Landowners should install vegetated buffer strips to attenuate the direct flow of storm water runoff to surface waters. Buffer strips enhance water quality by attenuating flow, increasing infiltration, filtering out soil particles, and protecting riparian/aquatic resources.

G. Upgrade Gilroy/Morgan Hill Wastewater Treatment System

Nitrification/denitrification processes were added to the Gilroy/Morgan Hill wastewater treatment system in 1993. These processes will improve ground water quality and any ground water that exfiltrates to Llagas Creek.

H. Minimize Rangeland Storm Water Runoff

Ranchers should install infiltration basins to collect runoff from rangelands. Ponds promote infiltration and evaporation. In areas of high nitrates in ground water, linings or special management may prevent ground water contamination.

I. Minimize Pollutant Loading from Urban and Storm Water Runoff

Source control measures should be utilized to reduce pollutant loading. Example Best Management Practices include education programs and composting to reduce need for added fertilizer. Materials used for compost can either be composted on-site or collected by a curbside collection program.

Preventative treatment measures should be utilized to keep nutrients from reaching surface waters. For example, landowners should install vegetated filterstrips adjacent to sources of urban and transportation runoff. This practice enhances infiltration and nutrient removal. Filterstrips placed adjacent to large commercial site with intensive landscaping inhibit the delivery of nutrients from heavily fertilized areas.

Hydrologic modification management measures may further improve water quality. Examples of such Best Management Practices include:

Vegetated Buffer Strips

Landowners should install vegetated buffer strips to attenuate direct flow of storm water runoff to surface waters from adjacent industries and urban activities. Buffer strips enhance water quality by attenuating flow, increasing infiltration, filtering out soil particles, and protecting riparian/aquatic resources.

Vegetated Drainages

Landowners should install grass cover in constructed drainages that convey storm water runoff. Grass cover in drainages will act to enhance infiltration and absorb some soluble forms of nutrients contained in ditch water. In some cases, ditches should be replaced with wider, easily vegetated swales that reduce flow energy.

Constructed Wetlands

Small constructed wetlands which can achieve substantial nutrient removal can be used in drainages exhibiting year-round saturated conditions.

Infiltration Basins

Landowners should install storm water retention basins to promote infiltration and evaporation of urban/storm water runoff. Ponds may require linings or special management to prevent ground water contamination.

Porous Pavement

Landowners should use permeable surfaces for walkways, landscaping, and parking areas to maximize storm water infiltration.

Household Hazardous Chemical Pick-up

Cities and Counties should provide hazardous waste collection opportunities on a regular basis. This practice reduces the illicit disposal of hazardous materials.

J. Protect Riparian Habitat

Wetland vegetation should be protected. This vegetation provides some nutrient treatment and should be maintained as long as the channel and flow conditions remain unchanged. Wetland vegetation also appears to inhibit algae growth by covering the prime substrate for attached algae growth.

Ecosystem modifications may further enhance water quality. Such modifications are described below:

Low Flow Channel Restoration

Landowners and Public Agencies should restore greater in-stream flow depths to inhibit light penetration to algae substrate.

Augmentation of Streamflow

Public agencies responsible for stream flow should augment streamflow to dilute nutrient concentrations in regions where nutrient sources make up the only component of streamflow.

ATTACHMENT B

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

RESOLUTION NO. 95-04

**ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD TO:**

- 1) RESCIND ON-SITE SYSTEM PROHIBITION AND ADD WASTEWATER MANAGEMENT PLAN
FOR THE SAN LORENZO RIVER WATERSHED, SANTA CRUZ COUNTY**

AND

- 2) ADD NUTRIENT OBJECTIVES/MANAGEMENT MEASURES
FOR PAJARO RIVER AND LLAGAS CREEK**

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975.
2. The Regional Board periodically revises and amends the Basin Plan.
3. In response to extreme environmental conditions found in the San Lorenzo River Watershed, the excessive number of failing septic systems, and water quality degradation, the Regional Board adopted Resolution 82-10.
4. Resolution 82-10 recognized the difficulties associated with on-site wastewater disposal and addressed the problem in two ways. First, five communities within the watershed were designated as "Prohibition Zones." These five areas were referred to as "Class I" areas. Discharge of wastewater from on-site systems was prohibited as of July 1, 1986 and off-site wastewater disposal solutions were to be implemented. Second, other areas of the watershed were labeled "Class II." In Class II areas, the County of Santa Cruz was to implement a program to manage on-site wastewater disposal .
5. The "Draft Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "Draft San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) is a satisfactory mitigation of Regional Board Resolution 82-10.
6. San Jose State University prepared a study titled "The Establishment of Nutrient Objectives, Sources, Impacts, and Best Management Practices for the Pajaro River and Llagas Creek", February 28, 1994.

7. The aforesaid study identified nutrient water quality objectives and Management Measures/Best Management Practices to control nuisance algal blooms in the Pajaro River and Llagas Creek.
8. The United States Congress Coastal Zone Act Reauthorization Amendments (CZARA, Section 6217 (g)) require states to "restore and protect" coastal waters. The Pajaro River and Llagas Creek are subject to CZARA, Section 6217 (g)).
9. The Regional Board has determined the Basin Plan requires further revision and amendment.
10. Drafts of the proposed amendment have been prepared and distributed to interested persons and agencies for review and comment.
11. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment.
12. Regional Board staff consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and the threatened and endangered plants and animal species. The draft amendment has been revised in response to comments by Department of Fish and Game staff. The Department of Fish and Game has made determination of "no jeopardy" pursuant to the California Endangered Species Act.
13. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
14. On April 14, 1995 in Salinas, California, the Regional Board held a public hearing and heard and considered all public testimony.

THEREFORE BE IT RESOLVED:

1. Based on the draft Basin Plan amendment, the environmental checklist, accompanying written documentation, and public comments received, the Regional Board finds that there is no substantial evidence in the record that adoption of the proposed Basin Plan amendment will have a significant adverse effect on the environment.
2. The environmental document prepared by Regional Board staff pursuant to Public Resources Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the Executive Officer shall file a Notice of Decision with the State Clearinghouse.
3. Based on the approval and adoption of Resolution 95-04, the Board shall rescind Resolution 82-10.
4. The Basin Plan amendment shown on Attachment "A" is approved. The amendments will not take effect until approved by the State Board and the Office of Administrative Law.
5. Upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.

I, ROGER W. BRIGGS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on April 14, 1995.

Executive Officer

ATTACHMENT C

CALIFORNIA ENVIRONMENTAL QUALITY ACT "FUNCTIONAL EQUIVALENT" REPORT FOR BASIN PLAN AMENDMENT (RESOLUTION 95-04)

The California Regional Water Quality Control Board, Central Coast Region intends to update the Water Quality Control Plan (Basin Plan), Central Coast Region. The purpose of this amendment is to:

1. Incorporate an on-site septic system management program for the San Lorenzo River watershed and
2. Incorporate nutrient objectives and Management Measures for Pajaro River and Llagas Creek

The Basin Planning process has been certified as "functionally equivalent" to the preparation of the Environmental Impact Report (EIR) for the purposes of complying with the California Environmental Quality Act (CEQA) (Section 15251, Title 14, California Code of Regulations (CCR)). Based on the certification, this Basin Plan Amendment Report is used in lieu of an EIR or a Negative Declaration.

Any Regional Board regulatory program certified as functionally equivalent, however, must satisfy the documentation requirements of Section 377 (a), Title 23, CCR. This report satisfies part (a) of that section. It contains the following:

1. A Description of Proposed Activity and Proposed Alternatives,
2. An Environmental Checklist with a Description of the Proposed Activity,
3. An Environmental Evaluation, and
4. A Determination with respect to significant Environmental Impacts.

I. DESCRIPTION OF PROPOSED ACTIVITY

This section details changes proposed for the April 1995 Water Quality Control Plan (Basin Plan) amendment, Resolution 95-04. This amendment addresses changes to the Basin Plan. The purpose of this amendment is to:

1. Incorporate an on-site septic system management program for the San Lorenzo River watershed and
2. Incorporate nutrient objectives and management measures for Pajaro River and Llagas Creek.

Alternatives to this proposal include:

1. No action. This alternative is not recommended because it represents a potential detriment to water quality.
2. Postponement to a later date. For the San Lorenzo River Watershed, this alternative is not recommended because it does not satisfy the intent of the Santa Cruz County Board of Supervisors/Regional Water Quality Control Board Subcommittee.

For both amendments, this alternative is not recommended because it delays water quality improvement.

3. For the San Lorenzo River Watershed, require higher levels of wastewater treatment for existing on-site wastewater disposal systems. This alternative is not recommended because the current repair standards were negotiated by the Santa Cruz County Supervisors and Regional Board Subcommittee. The proposed levels of wastewater treatment protect beneficial uses, while limiting the economic hardship to septic system owners.
4. For the San Lorenzo River Watershed, require the problem areas identified in Appendix H of the Management Plan to implement off-site wastewater disposal solutions. This alternative is not recommended because of the limited increase in protection of beneficial uses over on-site wastewater disposal. Additionally, off-site solutions would create extreme economic hardship to local land owners.

5. Some possible options to the proposed objective for Pajaro River/Llagas Creek are evaluated in the staff report and are listed below:
 - a. Numerical Objective Options
 - Reduce Nutrient Concentrations by Staged Reduction Program
 - Reduce Nutrient Concentrations by Using Historical Nutrient Concentrations
 - Reduce Nutrient Concentrations by Using Nutrient Concentrations from Nearby Rivers and Stream
 - Reduce Nutrient Concentrations by Using Water Quality Objectives Imposed by Other Regional Boards
 - b. Nutrient Loading Reduction Goals
 - c. Develop and Propose Maximum Algal Biomass Objectives
 - d. Continue to implement Current Narrative Objective
6. Possible options to Management Measures for the Pajaro River/Llagas Creek may vary from those proposed in the amendment. Optional Management Measures should only be utilized after considering the unique characteristics of each site.
7. Partial adoption of the proposed amendment. This alternative is recommended only if it does not result in a detriment to water quality.
8. Modify amendment. This alternative is recommended only if it does not result in a detriment to water quality and sufficient information is available to substantiate the modification.
9. Additional amendments. The Regional Board may consider additional alternatives, but will limit its action to a logical outgrowth of the proposed action. Specific substantive changes to the basin Plan, such as amending a specific action plan, will be subject to public notice and comment at the time those changes are proposed.

II. ENVIRONMENTAL IMPACTS

(Explanations of all "yes" and "maybe" answers are attached.)

	YES	MAYBE	NO
1. Earth. Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic substructures?	—	—	<u>X</u>
b. Disruptions, displacements, compaction or over covering of the soil?	—	<u>X</u>	—
c. Change in topography or ground surface relief features?	—	<u>X</u>	—
d. The destruction, covering or modification of any unique geologic or physical features?	—	—	<u>X</u>
e. Any increase in wind or water erosion of soils, either on or off the site?	—	—	<u>X</u>
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	<u>X</u>	—	—
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	—	—	<u>X</u>
2. Air. Will the proposal result in:			
a. Substantial air emissions or deterioration of ambient air quality?	—	—	<u>X</u>
b. The creation of objectionable odors?	—	<u>X</u>	—
c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	—	—	<u>X</u>
3. Water. Will the proposal result in:			
a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?	—	<u>X</u>	—
b. Changes in absorption rates, drainage patterns or the rate and amount of surface water runoff?	—	<u>X</u>	—
c. Alterations to the course or flow of flood waters?	—	<u>X</u>	—
d. Change in the amount or surface water in any water body?	—	<u>X</u>	—
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to			

	YES	MAYBE	NO
temperature, dissolved oxygen or turbidity?	<u>X</u>	—	—
f. Alteration of the direction or rate of flow of ground waters?	—	<u>X</u>	—
g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	—	<u>X</u>	—
h. Substantial reduction in the amount of water otherwise available for public water supplies?	—	<u>X</u>	—
i. Exposure of people or property to water related hazards such as flooding or tidal waves?	—	—	<u>X</u>
4. Plant Life. Will the proposal result in:			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?	—	<u>X</u>	—
b. Reduction of the numbers of any unique, rare or endangered species of plants?	—	—	<u>X</u>
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	—	—	<u>X</u>
d. Reduction in acreage of any agricultural crop?	—	<u>X</u>	—
5. Animal Life. Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)?	—	<u>X</u>	—
b. Reduction of the numbers of any unique, rare or endangered species of animals?	—	—	<u>X</u>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	—	<u>X</u>	—
d. Deterioration to existing fish or wildlife habitat?	—	—	<u>X</u>
6. Noise. Will the proposal result in:			
a. Increases in existing noise levels?	—	—	<u>X</u>
b. Exposure of people to severe noise levels?	—	—	<u>X</u>

	YES	MAYBE	NO
7. Light and Glare. Will the proposal produce new light or glare?	—	—	<u>X</u>
8. Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area?	—	<u>X</u>	—
9. Natural Resources. Will the proposal result in:			
a. Increase in the rate of use of any natural resources?	—	—	<u>X</u>
b. Substantial depletion of any nonrenewable natural resource?	—	—	<u>X</u>
10. Risk of Upset. Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	—	—	<u>X</u>
11. Population. Will the proposal alter the location, distribution, density, or growth rate of the human population in the area?	—	—	<u>X</u>
12. Housing. Will the proposal affect existing housing, or create a demand for additional housing?	—	—	<u>X</u>
13. Transportation/Circulation. Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	—	—	<u>X</u>
b. Effects on existing parking facilities, or demand for new parking?	—	—	<u>X</u>
c. Substantial impact upon existing transportation systems?	—	—	<u>X</u>
d. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	<u>X</u>
e. Alterations to waterborne, rail or air traffic?	—	—	<u>X</u>
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	—	—	<u>X</u>
14. Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas?			
a. Fire protection?	—	—	<u>X</u>
b. Police protection?	—	—	<u>X</u>
c. Schools?	—	—	<u>X</u>
d. Parks or other recreational facilities?	—	<u>X</u>	—

	YES	MAYBE	NO
e. Maintenance of public facilities, including roads?	—	—	<u>X</u>
f. Other governmental services?	—	<u>X</u>	—
15. Energy. Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	—	—	<u>X</u>
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	—	—	<u>X</u>
16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
a. Power or natural gas?	—	—	<u>X</u>
b. Communications systems?	—	—	<u>X</u>
c. Water?	—	—	<u>X</u>
d. Sewer or septic tanks?	—	<u>X</u>	—
e. Storm water drainage?	—	<u>X</u>	—
f. Solid waste and disposal?	—	—	<u>X</u>
17. Human Health. Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	—	<u>X</u>	—
b. Exposure of people to potential health hazards?	—	<u>X</u>	—
18. Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	—	—	<u>X</u>
19. Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	—	<u>X</u>	—
20. Archeological/Historical. Will the proposal result in the alteration of a significantly archeological or historical site, structure, object or building?	—	—	<u>X</u>

III. DISCUSSION ON ENVIRONMENTAL EVALUATION (of checklist questions answered yes or maybe)

Potential environmental impacts occur for the proposed San Lorenzo River Watershed Management Plan and the proposed nutrient objective/management measures for the Pajaro River and Llagas Creek. The impacts due to the San Lorenzo River Watershed Management Plan are discussed first. Afterwards the impacts of the Pajaro River/Llagas Creek nutrient objectives and management measures are discussed.

San Lorenzo River Watershed Management Plan

- 2b. Septic systems may produce objectionable odors if improperly managed. However, the impacts are considered minimal because the water quality improvements are much greater.
- 3f. Septic systems may alter the rate of ground water flow. However, the impacts are considered minimal because the water quality improvements are much greater.
- 3g. Septic systems may change ground water quality through direct addition. This impact may or may not be significant depending on the type of system installed and the level of treatment provided by the system. However, with improved on-site wastewater disposal systems the impacts are considered minimal because of the improvement in effluent quality.
- 3h. Septic systems may reduce the amount of ground water available through direct contamination. However, with improved on-site wastewater disposal systems the impacts are reduced because of improved effluent quality.
- 8. Some parcels may no longer be "buildable" due to improved on-site wastewater disposal standards. Although this may alter some present or planned land use, the loss of some developable area is preferred to degraded public health.
- 17a. Septic systems may create health hazards if improperly managed. However, the impacts are considered minimal because the water quality improvements are much greater.
- 17b. People are exposed to septic systems during construction and maintenance. This may create a health hazard to the public if improperly managed. However, the impacts are considered minimal because the water quality improvements are much greater.

Nutrient Objectives and Management Measures for the Pajaro River and Llagas Creek

- 1b. This amendment recommends measures to minimize soil disruption. However, some soil disruption will occur (even though the impacts are minimized). For example, conservation tillage practices are suggested in this amendment. Conservation tillage does disrupt soil, but this practice reduces erosion that results from conventional tillage practices.
- 1c. Changes in ground surface relief features could occur in the Pajaro River/Llagas Creek if some of the Best Management Practices are implemented. For example, low flow channel restoration would result in greater in-stream flow depth. Increased flow depth would cover the surface water bed with more water thereby covering some river/creek bed features with water.

This impact is considered minimal because water quality improvements produce a greater positive impact.

- 1f. This amendment will improve siltation, deposition, or erosion which may stabilize river or stream channels and reduce sediment in water bodies.
- 3a. This amendment recommends augmentation of streamflow. Streamflow augmentation could increase water currents. This impact is overshadowed by the resulted water quality improvement.
- 3b. This amendment may retain or protect vegetation near waterways which may beneficially improve absorption rates or surface runoff rates.
- 3c. The course for flood waters could be narrowed in some instances by some Best Management Practices such as vegetated buffer strips. Other Best Management Practices, such as storm water retention basins, could reduce flood water flow.
- 3d. This amendment recommends low flow channel restoration and augmentation of streamflow to dilute nutrients. This recommendation will be effective if implemented in the summer season. Therefore, flooding is not expected to be a problem.
- 3e. This amendment will improve water quality due to reduction in pollutants.
- 4a. This amendment may improve the diversity of plant species, or number of species of plants due to vegetation buffers or livestock enclosures.
- 4d. This amendment could reduce agricultural crop acreage in some cases. For example, installation of vegetated buffer strips or wetlands could reduce crop acreage. This impact is offset by the greater improvement to water quality.
- 5a. This amendment may improve the diversity of fish, benthic organisms, insects and/or microfauna. Many Best Management Practices will improve water quality and improve aquatic habitat which is expected to improve aquatic organism diversity.
- 5c. Livestock enclosures will keep cattle out of waterways. Fencing can be designed and constructed to minimize impacts to native animals.
- 14d. Some Best Management Plans can be utilized on park and recreational facility lands adjacent to the river/creek. For example, vegetated biofilters could be installed. The cost of this recommendation is offset by the improvement to water quality.
- 14f. Some Best Management Plans can be implemented by the assistance of government services. For example, agricultural land owners are encouraged to contact the U.S. Department of Agriculture, U.S. Natural Resource Conservation Service, to develop site specific Best Management Practices best suited for the unique characteristics of each property. Increased government services is offset by the improvement to water quality.
- 16.d. There may be instances when wastewater facilities need to be upgraded. For example, septic tank discharges may need to be relocated farther from surface waters.
- 16.e. Storm drainage facility Best Management Practices are recommended. For example, landowners should install vegetated biofilters adjacent to sources of urban or transportation runoff. This impact is offset by improvement to water quality.
- 19. Water quality improvement originating from this proposal could improve recreational opportunities.

IV. DETERMINATION

On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment.

I find that the proposed project may have a significant adverse impact on the environment. However, there are feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report.

I find that the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

Date _____ Signature _____

February 10, 1995

To: Interested Persons

**PROPOSED AMENDMENT OF THE CENTRAL COAST WATER QUALITY CONTROL PLAN REGARDING:
(1) ON-SITE SEPTIC SYSTEM MANAGEMENT PROGRAM FOR THE SAN LORENZO RIVER WATERSHED
AND
(2) NUTRIENT OBJECTIVES AND MANAGEMENT MEASURES FOR PAJARO RIVER/LLAGAS CREEK**

The California Regional Water Quality Control Board, Central Coast Region (Regional Board), is proposing an amendment to its Water Quality Control Plan, Central Coast Basin (Basin Plan). A draft copy is enclosed for your review. The purpose of this amendment is to :

1. Incorporate an on-site septic system management program for the San Lorenzo River watershed and
2. Incorporate Nutrient (nitrogen and phosphorus) objectives and Management Measures for Pajaro River/Llagas Creek.

The proposed changes are included in Resolution 95-04, Attachment A. The potential environmental impacts of this proposal discussed in the attached "Summary Report and Potential Environmental Impacts of Proposed Basin Plan Amendment (Resolution 95-04)."

The first amendment requires the (1) "Draft Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995, and (2) "Draft San Lorenzo Nitrate Management Plan Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service to be implemented. The second amendment is based upon a report prepared by San Jose State University titled "The Establishment of Nutrient Objectives, Sources, Impacts, and Best Management Practices for the Pajaro River and Llagas Creek, February 28, 1994. Copies of these documents can be obtained from this office by contacting the individuals mentioned below.

A public hearing for the Board to Consider the Basin Plan amendments is scheduled as follows:

DATE: April 14, 1995
TIME: 8:30 a.m.
PLACE: Salinas City Council Chamber Rotunda
200 Lincoln Avenue
Salinas, CA

If you have any comments regarding this Basin Plan amendment, please submit them by March 16, 1994. Your expedient submittal will allow the Regional Board to thoroughly analyze your comments before a decision is made.

Comments or questions regarding the San Lorenzo Management Plan should be directed to Howard Kolb at 805-542-3332. Comments or questions regarding the Pajaro River/Llagas Creek nutrient objectives and Best Management Practices should be directed to Angela G. Carpenter at 805-542-4624.

Sincerely,

Roger W. Briggs
Executive Officer

AGC:sg

ENCLOSURES:

1. Staff Report with Attachments

ATTACHMENT E

SUMMARY OF THE NECESSITY FOR THE REGULATORY PROVISIONS

REGIONAL WATER QUALITY CONTROL BOARD RESOLUTION NO. 95-04

ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN AND REQUESTING APPROVAL FROM THE STATE WATER RESOURCES CONTROL BOARD

AUTHORITY AND REFERENCE

Water Code Section 13240 mandates each Regional Water Quality Control Board (Regional Board) to formulate water quality control plans for all areas within the region and to review the plans periodically. Section 13240 also authorizes Regional Water Boards to revise the plans. A water quality control plan or a revision of a plan becomes effective upon approval by the State Water Resources Control Board (State Board) (Water Code Section 13245).

A Regional Board may also adopt policy statements relating to any water quality matter within its jurisdiction (Water Code Section 13224). Policies (guidelines) adopted by a Regional Board are not effective unless and until approved by the State Board (Water Code Section 13245.5).

Water Code Section 13050(j) provides that a water quality control plan consists of a designation or establishment for the waters within a specified area of all of the following:

- (1) Beneficial uses to be protected.
- (2) Water quality objectives.
- (3) A program of implementation needed for achieving water quality objectives.

Each Regional Water Board must establish water quality objectives in each water quality control plan which will ensure the reasonable protection of beneficial uses and the prevention of nuisance (Water Code Section 13241). Additionally, the Regional Board, in a water quality control plan, may specify certain conditions or areas where the discharge of waste, or certain types of waste will be prohibited (Water Code Section 13243).

NECESSITY FOR REGULATORY PROVISIONS

Resolution No. 95-04 includes a number of regulatory provisions. The following describes the reasons that these regulatory provisions are necessary.

Introduction

The Federal Clean Water Act Section 303(a) (33 U.S.C. Section 1313(a)) requires all states to adopt water quality standards applicable to surface waters. These water quality standards include the criteria and implementation plans necessary to protect those uses (referred to in California as water quality objectives, Water Code Section 13050(h)). Water quality standards for surface water must, wherever attainable, provide water quality for: protection and propagation of fish, shellfish, and wildlife; recreation in and on the water; use and value for public water supplies, propagation of fish, shellfish, wildlife, and recreation in and on the water; and agricultural, industrial and other purposes including navigation (40 C.F.R. Section 130.3).

State law mandates the Regional Boards to formulate water quality control plans which must include water quality objectives and implementation plans for surface water. Water Code Sections 13050(e), (f), (h), and (j) and 13240. Water quality objectives for surface waters must be established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area (Water Code Section 13050(h)). State law requires that water quality control plans, including water quality objectives, must be reviewed periodically and may be revised (Water Code Section 13240).

Discussion

1. Addition of an on-site septic system management program for the San Lorenzo River watershed.

State Water Code Section 13242 requires Regional Boards to have an Implementation Plan to attain water quality objectives. These regulations provide such a Plan. These regulations are necessary to mitigate the impacts of on-site wastewater treatments systems in the San Lorenzo Valley watershed. These regulations also mitigate the impacts of other nitrogen discharges in the San Lorenzo Valley.

2. Addition of water quality objectives and management measures for Pajaro River/Llagas Creek

State law mandates adoption of water quality objectives to protect the beneficial uses of water (Water Code Section 13050(h)). Pajaro River and Llagas Creek have beneficial use designations of municipal and domestic water supply; agricultural water supply; industrial use; ground water recharge; water and non-water contact recreation, wildlife habitat, cold and warm freshwater habitat; migration of aquatic organisms; and spawning, reproduction, and/or early aquatic development. It is necessary to adopt water quality objectives for nutrients (nitrogen and phosphorus) for the Pajaro River and Llagas Creek in order to protect water and non-water contact recreation; cold and warm freshwater habitat; migration of aquatic organisms; and spawning, reproduction and/or early aquatic development.

Water quality objectives are required for all surface water in the Region. These objectives are being adopted for these particular waters because nuisance algal blooms occur on occasion. Dissolved oxygen depletion also occurs. These occurrences hinder attainment of beneficial uses. The staff report contains a discussion of how these constituents will improve beneficial uses.

The State Water Code Section 13242 requires Regional Boards to have an Implementation Plan to attain water quality objectives. Management Measures are included to achieve compliance with proposed objectives.

March 24, 1995

Mr. Boyd Gibbons, Director
CA Dept. of Fish and Game
Environmental Services
1419 Ninth Street, 12th Floor
Sacramento, CA 95814

CALIFORNIA ENDANGERED SPECIES ACT CONSULTATION FOR PROPOSED AMENDMENT TO UPDATE THE WATER QUALITY CONTROL PLANS FOR THE CENTRAL COAST REGION (UPDATED BASIN PLAN)

The Central Coast Regional Water Quality Control Board (Central Coast Region) requests your agency's comments pursuant to the California Endangered Species Act (CESA) on potential impacts of the proposed Amendment to update the Water Quality Control Plans for the Central Coast Region (Updated Basin Plan). The Regional Board is the California Environmental Quality Act (CEQA) Lead Agency for this project. The basin planning process is certified by the Secretary of Resources as being exempt from the CEQA requirement for preparation of an Environmental Impact Report (EIR) or negative declaration and initial study (California Code of Regulations, Title 14, Section 15251). Based upon this certification, the plan amendment, as well as the staff report and backup materials, serve as a "functional equivalent" to an EIR or negative declaration and initial study. Any regulatory programs of the Regional Board certified as functionally equivalent, however, must satisfy the requirements of CCR, Title 23, Section 377 (a), including preparation of an Environmental Checklist with a description of the proposed activity and a determination with respect to a significant environmental impacts.

Copies of the draft Environmental Document/Checklist are enclosed for your review. **The Regional Board is currently gathering comments. Please submit comments by March 16, 1995 so we may prepare a written response for the final Staff Report.** Certification of the Environmental Document/Checklist will be considered by the Regional Board at their regular meeting to be held April 13, 1995.

The purpose of the Basin Plan amendment is to:

1. Incorporate an on-site septic system management program for the San Lorenzo River watershed and .
2. Incorporate nutrient (nitrogen and phosphorus) objectives and management measures for Pajaro River/Llagas Creek.

Please contact Angela Carpenter at (805) 542-4624 if you have any questions or wish to discuss this matter.

Sincerely,

ROGER W. BRIGGS
Executive Officer

ENCLOSURES:

1. Staff Report with attachments

cc:Regional CDFG Offices (with enclosures):

California Department of Fish and Game
330 Golden Shore St, # 50
Long Beach, CA 90802-4247

California Department of Fish and Game
20 Lower Ragsdale Drive, Suite 100
Monterey, CA 93940-5729

California Department of Fish and Game
P. O. Box 47
Yountville, CA 94599

Bill Paznokas
1350 Front Street
Room 2041
San Diego, CA 92101

agc:fg.mmo2

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 94-06

ADOPTING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS:

1. The California Water Code directs the Regional Water Quality Control Boards (Regional Boards) to adopt Water Quality Control Plans (Basin Plans) and to revise them as necessary.
2. This Regional Board, at the February 11, 1994 Board Meeting, directed staff to include the latest Beneficial Use categories approved by the State Water Resources Control Board in Table 2-1 of the Basin Plan.
3. The Regional Board, and others, proposed waters not previously listed in Table 2-1 for designation of beneficial uses.
4. Regional Board staff proposes that the Existing "E" and Intermittent "I" designations are confusing; and that all water body designations in Table 2-1 be identified with an "X" indicating that the beneficial use occurs, at least part of the year and/or in some segment of the water body.
5. Regional Board staff was advised of at least one error in the current Table 2-1 which should be corrected.
6. Drafts of the proposed revisions have been prepared and distributed to interested persons and agencies for review and comment.
7. The specific amendment proposed is shown in Attachment "A - Appendix One and Two".
8. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent) and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of this amendment will not have a significant adverse effect on the environment.
9. Amendment of the Administrative Procedure Act, Government Code Section 11340, requires Basin Plan amendments be submitted to the California Office of Administrative Law.
10. Regional Board staff consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and on threatened and endangered plant and animal species. The draft amendment has been revised in response to comments by Department of Fish and Game staff. The Department of Fish and Game has made a conditional finding of "no jeopardy" pursuant to the California Endangered Species Act.
11. The Department of Fish and Game conditions their approval with the understanding that: "Within three years after the Department notifies the California Regional Water Quality Control Board that specific water bodies support threatened or endangered species, and that scientific evidence indicates that certain water quality objectives for these water bodies protect such species, the Board shall determine, in consultation with the Department, whether these objectives are adequately protective. In cases where such objective do not provide adequate protection for listed species, the Board shall develop and adopt adequately protective site-specific objectives for those constituents."
12. Due notice of public hearing was given by advertising in eight newspapers of general circulation within the Region.

13. On September 8, 1994, the Regional Board held a public hearing and heard and considered all public testimony.

THEREFORE BE IT RESOLVED:

1. Based on the draft Basin Plan amendment, the environmental checklist, accompanying written documentation, and public comments received, the Regional Board finds that there is no substantial evidence in the record that adoption of the proposed Basin Plan amendment will have a significant effect on the environment.
2. The environmental document prepared by Regional Board staff pursuant to Public Resources Code Section 21080.5 is hereby certified. Following approval of this amendment by the State Board, the Executive Officer shall file a Notice of Decision with the State Clearinghouse.
3. Within three years after the Department notifies the California Regional Water Quality Control Board that specific water bodies support threatened or endangered species, and that scientific evidence indicates that certain water quality objectives for these water bodies protect such species, the Board shall determine, in consultation with the Department, whether these objectives are adequately protective. In cases where such objective do not provide adequate protection for listed species, the Board shall develop and adopt adequately protective site-specific objectives for those constituents.
4. The Basin Plan amendment shown on Attachment "A - Appendix One and Two" is approved. The amendment will not take effect until approved by the State Board and the Office of Administrative Law.
5. Upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the Environmental Protection Agency for approval.

I, **ROGER W, BRIGGS**, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on September 8, 1994.



Executive Officer

ATTACHMENT A - APPENDIX ONE

BASIN PLAN AMENDMENT

CHAPTER TWO

The following Basin Plan amendment is proposed. (Note new language is in **bold**, existing language is shown in plain text, and deleted language is ~~struck-out~~.)

1. Table 2-1 of California Central Coastal Regional Water Quality Control Plan (Basin Plan) is revised to include the following changes as shown in Appendix Two, Revised Table 2-1, Identified Uses of Water:
 - a. Adds beneficial use categories not previously listed and assigns the uses to appropriate water bodies.
 - b. Adds water bodies not previously listed and assigns appropriate beneficial uses to them.
 - c. Corrects Table 2-1 assigned uses for Struve Slough.
 - d. Changes all Existing "E" and Intermittent "I" designations to "X" to indicate occurrence in the water body.
2. Beneficial use definitions are revised as shown below.

Municipal and Domestic Supply (MUN) - Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply. **According to State Board Resolution No. 88-63, "Sources of Drinking Water Policy" all surface waters are considered suitable, or potentially suitable, for municipal or domestic water supply except where:**

- a. **TDS exceeds 3000 mg/l (5000 uS/cm electrical conductivity)**
- b. **Contamination exists, that cannot reasonably be treated for domestic use**
- c. **The source is not sufficient to supply an average sustained yield of 200 gallons per day**
- d. **The water is in collection or treatment systems of municipal or industrial wastewaters, process waters, mining wastewaters, or storm water runoff**
- e. **The water is in systems for conveying or holding agricultural drainage waters.**

Agricultural Supply (AGR) - Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.

Industrial Process Supply (PRO) - Uses of water for industrial activities that depend primarily on water quality (i.e., waters used for manufacturing, food processing, etc.).

Industrial Service Supply (IND) - Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well repressurization.

Ground Water Recharge (GWR) - Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.

Freshwater Replenishment (FRSH) - Uses of water for natural or artificial maintenance of surface water quantity or quality (e.g., salinity) **which includes a water body that supplies water to a different type of water body, such as, streams that supply reservoirs and lakes, or estuaries; or reservoirs and lakes that supply streams. This includes only immediate upstream water bodies and not their tributaries.**

Navigation (NAV) - Uses of water for shipping, travel, or other transportation by private, military, or commercial vessels. ~~(Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~ **This Board interprets NAV as, "Any stream, lake, arm of the sea, or other natural body of water that is actually navigable and that, by itself, or by its connections with other waters, for a period long enough to**

be of commercial value, is of sufficient capacity to float watercraft for the purposes of commerce, trade, transportation, and including pleasure; or any waters that have been declared navigable by the Congress of the United States" and/or the California State Lands Commission.

Hydropower Generation (POW) - Uses of water for hydropower generation. ~~(Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~

Water Contact Recreation (REC-1) - Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, or use of natural hot springs.

Non-contact Water Recreation (REC-2) - Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.

Commercial and Sport Fishing (COMM) - Uses of water for commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to, uses involving organisms intended for human consumption or bait purposes. ~~(Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~

Aquaculture (AQUA) - Uses of water for aquaculture or mariculture operations including, but not limited to, propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes. ~~(Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~

Warm Freshwater Habitat (WARM) - Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Cold Freshwater Habitat (COLD) - Uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Inland Saline Water Habitat (SAL) - Uses of water that support inland saline water ecosystems including, but not limited to, preservation or enhancement of aquatic saline habitats, vegetation, fish, or wildlife, including invertebrates. Soda Lake is a saline habitat typical of desert lakes in inland sinks.

Estuarine Habitat (EST) - Uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds). **An estuary is generally described as a semi-enclosed body of water having a free connection with the open sea, at least part of the year and within which the seawater is diluted at least seasonally with fresh water drained from the land. Included are water bodies which would naturally fit the definition if not controlled by tidegates or other such devices.**

Marine Habitat (MAR) - Uses of water that support marine ecosystems including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (e.g., marine mammals, shorebirds).

Wildlife Habitat (WILD) - Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

Preservation of Biological Habitats of Special Significance (BIOL) - Uses of water that support designated areas or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources requires special protection.

Rare, Threatened, or Endangered Species (RARE) - Uses of water that support habitats necessary, at least in part, for

the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered.

Migration of Aquatic Organisms (MIGR) - Uses of water that support habitats necessary for migration or other temporary activities by aquatic organisms, such as anadromous fish.

Spawning, Reproduction, and/or Early Development (SPWN) - Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish.

Shellfish Harvesting (SHELL) - Uses of water that support habitats suitable for the collection of filter-feeding shellfish (e.g., clams, oysters, and mussels) for human consumption, commercial, or sport purposes. **This includes waters that have in the past, or may in the future, contain significant shellfisheries.**

3. Revise Table 2-1 "Notes" to read as follows:

"Notes: **X: Existing beneficial water uses, whether perennial or ephemeral, intermittent or continuous flow.**

~~E: Existing beneficial water uses~~

~~I: Beneficial water use in a watercourse with seasonally intermittent flow characteristics. Use is concurrent with flow.~~

ATTACHMENT A - APPENDIX TWO

Table 2-1. Identified Uses of Inland Surface Waters

BASIN PLAN AMENDMENT

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Big Basin Hydrologic Unit (304.00)																						
Lucerne Lake Estuary						X	X	X	X			X	X	X	X					X		X
Lucerne Lake	X	X				X	X	X	X							X				X		
Arroyo de los Frejoles Creek	X	X			X	X	X	X	X	X	X	X	X	X		X				X		
Arroyo de los Frejoles Reservoir	X	X			X	X	X	X	X	X						X	X			X		
Gazos Creek Lagoon/Estuary						X	X	X	X	X	X	X	X	X	X					X		X
Gazos Creek	X	X			X	X	X	X	X		X	X				X				X		
Old Womans Creek	X					X	X	X	X		X	X	X							X		
Whitehouse Creek	X					X	X	X	X		X	X	X		X	X				X		
Cascade Creek Lagoon/Estuary						X	X	X	X		X	X	X	X	X					X		X
Cascade Creek	X	X			X	X	X	X	X		X	X	X	X		X				X		
Green Oaks Creek Lagoon/Estuary						X	X	X	X			X		X	X					X		X
Green Oaks Creek	X	X			X	X	X	X	X	X	X	X	X		X	X				X		
Ano Nuevo Creek	X	X			X	X	X	X	X		X	X	X	X	X	X				X		
Finney Creek	X	X				X	X	X	X				X		X	X				X		
Elliot Creek	X	X				X	X	X	X				X		X	X				X		
Waddell Creek Estuary					X	X	X	X	X		X	X	X	X	X					X		X
Waddell Creek (Main Stem)	X	X		X	X	X	X	X	X		X	X	X	X		X				X		
Waddell Creek, east branch	X				X	X	X	X	X		X	X	X	X		X				X		
Last Chance Creek	X	X			X	X	X	X	X		X	X		X						X		
Blooms Creek	X				X	X	X	X	X			X	X	X						X		
Sempervirens Creek	X				X	X	X	X	X		X	X	X							X		
Union Creek	X					X	X	X	X				X							X		
Sempervirens Res.	X					X	X	X	X				X			X				X		X
Opal Creek	X				X	X	X	X	X				X							X		
Rogers Creek	X					X	X	X	X				X							X		
Maddocks Creek	X					X	X	X	X				X							X		
Waddell Creek, west branch	X				X	X	X	X	X		X	X	X	X						X		
Kelley Creek	X				X	X	X	X	X											X		
Berry Creek	X				X	X	X	X	X											X		
Henry Creek	X				X	X	X	X	X				X							X		
Scott Creek Lagoon						X	X	X	X		X	X		X	X					X		X
Scott Creek	X	X		X	X	X	X	X	X		X	X		X		X				X		
Little Creek	X	X		X	X	X	X	X	X		X	X		X						X		
Big Creek (Ano Nuevo)	X	X		X	X	X	X	X	X		X	X		X				X		X		

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Berry Creek	X				X	X	X	X	X				X						X			
Deadman Gulch Creek	X				X	X	X	X	X			X		X					X			
Boyer Creek	X				X	X	X	X	X			X						X	X			
Mill Creek (Scott Creek)	X	X		X	X	X	X	X	X		X	X		X		X			X			
Mill Creek Res.	X				X	X	X	X	X	X	X	X				X	X		X			
Molino Creek	X	X			X	X	X	X	X						X	X			X			
San Vicente Creek	X	X	X	X	X	X	X	X	X		X	X		X	X	X			X			
Mill Creek (Bonnie Doon)	X				X	X	X	X	X		X	X							X			
Liddell Creek	X	X			X	X	X	X	X		X	X		X	X	X			X			
Liddell Creek, east branch	X	X		X	X	X	X	X	X		X	X							X			
Liddell Creek, west branch	X				X	X	X	X	X		X	X							X			
Laguna Creek Estuary					X	X	X	X	X		X	X		X	X				X			X
Laguna Creek	X	X		X	X	X	X	X	X		X	X		X		X			X			
Reggiardo Creek	X				X	X	X	X	X					X					X			
Majors Creek	X	X		X	X	X	X	X	X		X	X		X	X	X			X			
Baldwin Creek Estuary					X	X	X	X	X	X	X	X	X	X	X				X			X
Baldwin Creek	X	X			X	X	X	X	X		X	X	X	X		X			X			
Wilder Creek Estuary					X	X	X	X	X	X	X	X	X	X	X				X			X
Wilder Creek	X	X			X	X	X	X	X	X	X	X	X			X			X			
Cave Gulch	X				X	X	X	X	X										X			
Younger's Lagoon					X	X	X	X	X			X	X						X			X
Antonellis Pond					X	X	X	X		X	X	X		X					X			
Moore Creek	X	X			X	X	X	X	X	X		X	X			X			X			
Neary's Lagoon					X	X	X	X		X		X		X					X			
San Lorenzo River Estuary					X	X	X	X	X		X	X	X	X	X				X			X
San Lorenzo River	X	X		X	X	X	X	X	X		X	X	X	X		X			X			
Branciforte Creek	X	X			X	X	X	X	X		X	X							X			
Blackburn Gulch	X				X	X	X	X	X		X	X							X			
Tie Gulch	X				X	X	X	X	X		X	X							X			
Granite Creek	X			X	X	X	X	X	X		X	X							X			
Carbonera Creek	X	X		X	X	X	X	X	X		X	X							X			
Zayante Creek	X	X		X	X	X	X	X	X		X	X							X			
Bean Creek	X	X		X	X	X	X	X	X		X	X							X			
Mackenzie Creek	X				X	X	X	X	X		X	X							X			
Ruins Creek	X				X	X	X	X	X		X	X							X			
Lockhart Gulch Creek	X				X	X	X	X	X		X	X							X			
Mountain Charlie Gulch	X				X	X	X	X	X		X	X							X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL	
Lompico Creek	X	X			X	X	X	X	X		X	X								X			
Mill Creek (SLR)	X				X	X	X	X	X											X			
Newell Creek	X	X		X	X	X	X	X	X		X	X				X				X			
Loch Lomond Res.	X	X		X	X	X	X	X	X	X	X	X		X		X	X			X			X
Love Creek	X				X	X	X	X	X		X	X								X			
Fritch Creek	X				X	X	X	X	X		X	X								X			
Smith Creek	X				X	X	X	X	X											X			
Spring Creek Gulch	X				X	X	X	X	X											X			
Bear Creek	X	X			X	X	X	X	X		X	X								X			
Connelly Gulch	X				X	X	X	X	X		X	X								X			
Shear Creek	X				X	X	X	X	X		X	X								X			
Deer Creek	X				X	X	X	X	X		X	X								X			
Hopkins Gulch	X				X	X	X	X	X		X	X								X			
Two Bar Creek	X				X	X	X	X	X		X	X								X			
Kings Creek	X				X	X	X	X	X		X	X	X							X			
Logan Creek	X				X	X	X	X	X		X	X								X			
Sleeper Gulch	X				X	X	X	X	X				X							X			
McDonald Gulch	X				X	X	X	X	X		X	X	X							X			
Spring Creek	X				X	X	X	X	X		X	X								X			
Boulder Creek	X	X			X	X	X	X	X		X	X								X			
Bracken Brae Creek	X				X	X	X	X	X					X						X			
Hare Creek	X				X	X	X	X	X		X	X		X						X			
Jamison Creek	X				X	X	X	X	X		X	X								X			
Peavine Creek	X				X	X	X	X	X		X	X								X			
Silver Creek	X				X	X	X	X	X		X	X								X			
Foreman Creek	X				X	X	X	X	X		X	X								X			
Malosky Creek	X				X	X	X	X	X		X	X								X			
Clear Creek	X				X	X	X	X	X		X	X								X			
Alba Creek	X				X	X	X	X	X		X	X								X			
Marshall Creek	X				X	X	X	X	X		X	X								X			
Manson Creek	X				X	X	X	X	X		X	X								X			
Fall Creek	X	X		X	X	X	X	X	X		X	X	X							X			
South Fall Creek	X	X			X	X	X	X	X		X	X	X							X			
Bennett Creek	X	X		X	X	X	X	X	X		X	X	X							X			
Bull Creek	X				X	X	X	X	X			X								X			
Shingle Mill Creek	X				X	X	X	X	X		X	X								X			
Gold Gulch Creek	X				X	X	X	X	X		X	X								X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Woods Lagoon						X	X	X			X	X			X				X			X
Arana Gulch	X				X	X	X	X	X		X	X		X		X			X			
Schwan Lake						X	X	X		X		X	X	X					X			X
Corcoran Lagoon					X	X	X	X		X		X		X	X				X			X
Rodeo Creek Gulch (Doyle Gulch)	X	X		X	X	X	X	X	X			X				X			X			
Moran Lake					X	X	X	X		X		X							X			
Soquel Lagoon						X	X	X	X		X	X		X	X				X			X
Soquel Creek	X	X		X	X	X	X	X	X		X	X	X			X			X			
Bates Creek	X					X	X	X	X		X	X	X						X			
Grover Gulch	X					X	X	X	X		X	X							X			
Soquel Creek, east branch	X			X	X	X	X	X	X		X	X							X			
Hinckley Creek	X	X		X	X	X	X	X	X		X	X	X						X			
Amaya Creek	X				X	X	X	X	X		X	X							X			
Soquel Creek, west branch	X				X	X	X	X	X		X	X							X			
Hester Creek	X				X	X	X	X	X		X	X							X			
Laural Creek	X				X	X	X	X	X		X	X							X			
Burns Creek	X				X	X	X	X	X		X	X							X			
Moore's Gulch	X				X	X	X	X	X		X	X							X			
Miners Creek	X				X	X	X	X	X		X	X							X			
Aptos Creek	X	X		X	X	X	X	X	X		X	X	X		X	X			X			
Valencia Creek	X				X	X	X	X	X		X	X							X			
Trout Gulch	X				X	X	X	X	X										X			
Bridge Creek	X	X				X	X	X	X		X	X	X						X			
Valencia Lagoon						X	X	X		X		X		X					X			
Pajaro River Hydrologic Unit (305.00)																						
Corralitos Lagoon						X	X	X	X										X			
Palm Beach Pond	X					X	X	X		X				X					X			
Pinto Lake	X	X			X	X	X	X		X		X							X			
Kelley Lake	X	X			X	X	X	X		X		X							X			
Drew Lake	X	X			X	X	X	X		X		X							X			
Tynan Lake	X	X			X	X	X	X		X		X							X			
Warner Lake	X	X			X		X	X											X			
Pajaro River Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Pajaro River	X	X		X	X	X	X	X	X	X	X	X				X			X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
San Benito River	X	X		X	X	X	X	X		X		X				X			X			
Bird Creek	X	X			X	X	X	X		X			X						X			
Pescadero Creek (S. Benito)	X	X			X	X	X	X	X	X	X	X							X			
Tres Pinos Creek	X	X		X	X	X	X	X		X		X							X			
Hernandez Reservoir	X	X			X	X	X	X		X		X				X	X		X			
Tequisquita Slough					X	X	X	X		X		X							X			
San Felipe Lake	X	X			X	X	X	X	X	X	X					X	X		X			
Pacheco Creek	X	X			X	X	X	X	X	X	X	X	X	X		X			X			
Pacheco Lake	X	X			X	X	X	X	X	X		X		X		X	X		X			
Llagas Creek (above Chesbro Res.)	X	X			X	X	X	X	X	X				X		X			X			
Chesbro Reservoir	X	X			X	X	X	X		X	X	X		X		X	X		X			
Llagas Creek (below Chesbro Res.)	X	X		X	X	X	X	X	X	X	X	X		X					X			
Alamias Creek	X	X			X	X	X	X	X	X	X	X							X			
Live Oak Creek	X	X			X	X	X	X	X	X	X								X			
Little Llagas Creek	X	X			X	X	X	X		X									X			
Carnadero Creek	X				X	X	X	X	X	X	X			X					X			
Uvas Creek, downstream	X	X		X	X	X	X	X	X	X	X	X		X					X			
Uvas Res.	X	X			X	X	X	X		X		X		X		X	X		X			
Little Arthur Creek	X	X			X	X	X	X	X	X	X	X							X			
Bodfish Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Black Hawk Canyon Creek	X					X	X	X		X	X	X		X					X			
Uvas Creek, upstream	X				X	X	X	X	X		X	X		X		X			X			
Little Uvas Creek	X	X			X	X	X	X		X									X			
Swanson Canyon Creek	X				X	X	X	X											X			
Alec Canyon Creek	X				X	X	X	X	X		X	X							X			
Croy Creek	X				X	X	X	X		X				X					X			
Eastman Canyon Creek	X	X			X	X	X	X		X									X			
Pescadero Creek	X	X			X	X	X	X	X		X	X	X						X			
Soda Lake							X	X		X				X					X			
Salsipuedes Creek	X	X			X	X	X	X	X		X	X							X			
Corralitos Creek	X	X		X	X	X	X	X	X	X	X	X							X			
Browns Creek	X	X		X	X	X	X	X	X	X	X	X							X			
Gamecock Creek	X				X	X	X	X	X		X	X							X			
Ramsey Gulch	X				X	X	X	X	X		X	X							X			
Redwood Creek	X					X	X	X	X		X	X							X			
Mormon Gulch	X				X	X	X	X	X										X			
Clipper Gulch	X				X	X	X	X	X										X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Cookhouse Gulch	X				X	X	X	X	X										X			
Shingle Mill Gulch	X				X	X	X	X	X		X	X							X			
Rattlesnake Gulch	X				X	X	X	X	X										X			
Diablo Gulch Creek	X				X	X	X	X	X										X			
Eureka Gulch	X				X	X	X	X	X										X			
Rider Gulch Creek	X				X	X	X	X	X		X	X							X			
Watsonville Slough						X	X	X		X		X	X	X	X				X			X
Struve Slough						X	X	X		X		X	X	X	X				X			X
Hanson Slough						X	X	X		X		X	X	X	X				X			X
Harkins Slough						X	X	X		X		X	X	X	X				X			X
Gallighan Slough						X	X	X		X		X		X	X				X			X
Bolsa Neuva Hydrologic Unit (306.00)																						
McClusky Slough					X	X	X	X		X		X		X					X			X
Elkhorn Slough						X	X	X	X	X	X	X	X	X	X		X		X	X		X
Los Carneros Creek	X					X	X	X	X		X	X		X		X			X			
Bennett Slough/Estuary						X	X	X	X	X		X	X	X	X				X			X
Parsons Slough						X	X	X	X			X	X	X	X				X			X
Carmel River Hydrologic Unit (307.00)																						
Carmel River Estuary					X	X	X	X	X		X	X	X	X	X				X			X
Carmel River	X	X		X	X	X	X	X	X	X	X	X	X	X		X			X			
San Clemente Res.	X	X			X	X	X	X	X		X	X				X	X		X			
San Clemente Creek	X	X			X	X	X	X	X	X	X	X				X			X			
Pine Creek	X				X	X	X	X	X	X	X	X	X						X			
Los Padres Reservoir	X				X	X	X	X	X	X	X	X				X	X		X			
Cachagua Creek	X	X	X	X	X	X	X	X	X	X	X	X				X			X			
Finch Creek	X				X	X	X	X	X	X	X	X	X	X					X			
Tularcitos Creek	X	X			X	X	X	X	X	X	X	X							X			
Rana Creek	X				X	X	X	X	X	X	X	X							X			
Chupines Creek	X				X	X	X	X	X	X	X	X							X			
Black Rock Creek	X					X	X	X	X		X	X		X		X			X			
White Rock Lake	X					X	X	X	X	X	X	X					X		X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Santa Lucia Hydrologic Unit (308.00)																						
San Jose Creek Estuary						X	X	X	X		X	X	X	X	X				X			X
San Jose Creek	X	X			X	X	X	X	X	X	X	X	X			X			X			
Garrapata Creek	X					X	X	X	X		X	X		X	X	X			X	X		
Palo Colorado Canyon	X	X			X	X	X	X	X	X		X			X	X			X		X	
Rocky Creek	X					X	X	X	X	X	X	X			X	X			X			
Bixby Creek	X					X	X	X	X		X	X		X	X	X			X			
Mill Creek	X					X	X	X	X		X	X							X			
Little Sur River Estuary						X	X	X	X		X	X	X	X	X				X			X
Little Sur River	X	X			X	X	X	X	X		X	X	X	X		X			X			
Big Sur River Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Big Sur River	X	X			X	X	X	X	X	X	X	X	X	X		X			X			
Big Creek	X					X	X	X	X	X	X	X	X	X	X	X			X			
Devils Canyon Creek, south fork	X					X	X	X	X		X	X	X						X			
Devils Canyon Creek, middle fork	X					X	X	X	X		X	X	X						X			
Devils Canyon Creek, north fork	X					X	X	X	X		X	X	X						X			
Big Creek, north fork	X					X	X	X	X				X						X			
Limekiln Creek	X	X			X	X	X	X	X		X	X	X	X	X	X			X			
Mill Creek (Cape San Martin)	X					X	X	X	X	X	X	X			X	X			X			
Willow Creek	X				X	X	X	X	X		X	X		X	X	X			X			
Salmon Creek	X					X	X	X	X		X	X		X	X	X			X			
Salinas Hydrologic Unit (309.00)																						
Moro Cojo Slough					X	X	X	X	X	X		X	X	X	X				X			X
Old Salinas River Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Tembldero Slough						X	X	X		X		X		X	X				X			X
Espinosa Lake						X	X	X		X									X			
Espinosa Slough						X	X	X		X									X			
Salinas Reclamation Canal						X	X	X		X									X			
Gabilan Creek	X	X			X	X	X	X		X		X							X			
Alisal Creek	X	X			X	X	X	X	X	X		X							X			
Blanco Drain						X	X	X		X									X			
Salinas River Refuge Lagoon (South)						X	X	X	X	X	X		X	X					X			X

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Marina Pond #1					X	X	X	X	X			X	X	X					X			
Marina Pond #2					X	X	X	X	X				X	X					X			
Marina Pond #3					X	X	X	X	X				X	X					X			
Marina Pond #4/5					X	X	X	X	X				X	X					X			
Marina Pond #6					X	X	X	X	X				X	X					X			
Marina Pond #7					X	X	X	X	X			X	X	X					X			
Laguna Grande/Roberts Lake	X					X	X	X	X	X									X			
Del Monte Lake	X					X	X	X		X									X			
El Estero Lake	X				X	X	X	X	X	X		X							X			
Salinas River Lagoon (North)						X	X	X	X	X	X	X	X	X	X				X			X
Salinas River, dnstr of Spreckels Gage	X	X					X	X	X	X	X					X			X			
Salinas River, Spreckels Gage-Chualar	X	X	X	X	X	X	X	X	X	X	X								X			
Salinas Riv, Chualar-Nacimiento Riv	X	X	X	X	X	X	X	X	X	X	X	X		X					X			
Arroyo Seco River	X	X		X	X	X	X	X	X	X	X	X		X					X			
Abbott Lakes (The Lakes)	X				X	X	X	X	X	X		X					X		X			
Piney Creek	X					X	X	X	X		X	X							X			
Paloma Creek	X	X			X	X	X	X	X	X									X			
Tassajara Creek	X	X			X	X	X	X	X	X	X	X	X	X					X			
Santa Lucia Creek	X	X			X	X	X	X	X	X	X	X	X						X			
Vaqueros Creek	X	X				X	X	X	X		X	X							X			
Reliz Creek	X	X			X	X	X	X	X		X	X							X			
Hames Creek	X	X			X	X	X	X		X									X			
San Antonio Riv., dwnstr frm Res.	X	X		X	X	X	X	X		X	X	X		X					X			
San Antonio Reservoir	X	X			X	X	X	X	X	X		X		X		X	X	X	X			
San Antonio Riv, upstm Frm Res.	X	X		X	X	X	X	X	X	X	X	X		X		X			X			
Pancho Rico Creek	X	X			X	X	X	X		X		X							X			
San Lorenzo Creek	X	X			X	X	X	X		X		X							X			
Chalone Creek	X	X			X	X	X	X		X		X							X			
Salinas R.,Nacimiento R.-S. Margarita Res.	X	X	X		X	X	X	X	X	X	X	X		X					X			
Nacimiento River, upstream of Res.	X	X			X	X	X	X	X	X		X		X		X			X			
Salmon Creek	X					X	X	X	X		X	X		X					X			
Nacimiento Reservoir	X	X			X	X	X	X	X	X		X		X		X	X		X			
Nacimiento River, dwnstr Res.	X	X		X	X	X	X	X	X	X	X	X		X					X			
Las Tablas Creek	X	X			X	X	X	X	X	X		X		X					X			
Las Tablas Creek, north fork	X	X			X	X	X	X	X			X		X					X			
Las Tablas Creek, south fork	X	X			X	X	X	X	X			X		X					X			
Franklin Creek	X	X			X	X	X	X											X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
San Marcos Creek	X	X			X	X	X	X		X									X			
Paso Robles Creek	X	X			X	X	X	X	X		X	X		X					X			
Jack Creek	X	X			X	X	X	X	X		X	X		X					X			
Santa Rita Creek	X	X		X	X	X	X	X	X	X	X	X		X					X			
Atascadero Creek	X	X			X	X	X	X	X			X		X					X			
Santa Margarita Reservoir (Lake)	X	X		X	X	X	X	X	X	X		X		X		X	X	X	X			
Salinas R., Reservoir-Headwaters	X	X			X	X	X	X	X		X	X				X			X			
Huerhuero Creek	X	X			X	X	X	X		X				X					X			
Vineyard Canyon Creek	X	X			X	X	X	X		X									X			
Big Sandy Creek	X	X			X	X	X	X		X			X	X					X			
Atascadero Lake	X				X	X	X	X	X	X		X					X		X			
Estero Bay Hydrologic Unit (310.00)																						
San Carpofo Creek Estuary						X	X	X	X		X	X	X	X	X				X			X
San Carpofo Creek	X	X		X	X	X	X	X	X	X	X	X		X		X			X			
Estrada Creek	X	X			X	X	X	X	X	X									X			
Chris Flood Creek	X	X			X	X	X	X	X	X									X			
Wagner Creek	X	X			X	X	X	X	X	X									X			
Dutra Creek	X	X			X	X	X	X	X	X									X			
Arroyo de los Chinos	X	X			X	X	X	X	X	X				X	X	X			X			
Arroyo de la Cruz Estuary						X	X	X	X		X	X	X	X	X				X			X
Arroyo de la Cruz Creek	X	X		X	X	X	X	X	X	X	X	X		X		X			X			
Burnett Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Arroyo del Oso	X	X			X	X	X	X	X					X	X	X			X			
Arroyo del Corral	X	X			X	X	X	X	X	X	X	X		X	X	X			X			
Oak Knoll Creek	X	X			X	X	X	X	X	X				X	X	X			X			
Arroyo Laguna						X	X	X	X			X		X	X				X			X
Little Pico Creek Estuary						X	X	X	X		X	X	X	X	X				X			X
Little Pico Creek	X	X			X	X	X	X	X		X	X		X		X			X			
Pico Creek Estuary					X	X	X	X	X	X	X	X	X	X	X				X			X
Pico Creek	X	X			X	X	X	X	X	X	X	X	X	X		X			X			
Pico Creek, south fork	X	X			X	X	X	X	X		X	X		X					X			
Pico Creek, north fork	X	X			X	X	X	X	X		X	X		X					X			
San Simeon Creek Estuary					X	X	X	X	X		X	X	X	X	X				X			X
San Simeon Creek	X	X		X	X	X	X	X	X	X	X	X	X	X		X			X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Steiner Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Santa Rosa Creek Estuary					X	X	X	X	X	X	X	X	X	X	X				X			X
Santa Rosa Creek	X	X		X	X	X	X	X	X	X	X	X		X		X			X			
Perry Creek	X	X			X	X	X	X	X					X					X			
Green Valley Creek	X	X			X	X	X	X	X	X				X					X			
Villa Creek	X	X			X	X	X	X	X		X	X		X	X	X			X			
Cayucos Creek	X	X			X	X	X	X	X	X	X	X	X	X	X	X			X			
Old Creek, downstream	X	X			X	X	X	X		X				X	X	X			X			
Whale Rock Reservoir	X	X	X	X	X	X	X	X	X	X		X		X		X	X		X			
Old Creek, upstream	X	X	X	X	X	X	X	X	X	X		X		X		X			X			
Toro Creek	X	X			X	X	X	X	X	X	X	X		X	X	X			X			
Morro Creek	X	X			X	X	X	X	X	X	X	X		X	X	X			X			
Little Morro Creek	X	X			X	X	X	X	X		X	X		X					X			
Morro Bay Estuary				X		X	X	X	X		X	X	X	X	X				X	X		X
Chorro Creek	X	X			X	X	X	X	X	X	X	X	X	X		X			X			
Dairy Creek	X	X			X	X	X	X	X		X	X		X					X			
San Luisito Creek	X	X			X	X	X	X	X		X	X		X					X			
San Bernardo Creek	X	X			X	X	X	X	X		X	X		X					X			
Los Osos Creek	X	X			X	X	X	X	X	X	X	X		X		X			X			
Warden Lake Wetland		X			X	X	X	X		X		X		X					X			
Islay Creek	X	X			X	X	X	X	X		X	X	X	X	X	X			X			
Coon Creek	X	X			X	X	X	X	X		X	X	X	X	X	X			X			
Diablo Canyon Creek	X	X		X	X	X	X	X	X			X		X	X	X			X			
San Luis Obispo Creek Estuary (a)					X	X	X	X	X	X	X	X	X	X	X				X	X		X
S.L.O.Crk. above W. Marsh St.	X	X			X	X	X	X	X	X	X	X		X					X			
S.L.O.Crk. below W. Marsh St.	X	X			X	X	X	X	X	X	X	X				X			X			
Froom Creek	X					X	X	X						X					X			
Davenport Creek	X	X			X	X	X	X	X					X					X			
San Luis Obispo Creek, east fork	X	X			X	X	X	X	X		X	X		X					X			
Stenner Creek	X	X			X	X	X	X	X		X	X		X					X			
Brizzolari Creek	X	X			X	X	X	X	X		X	X		X					X			
Prefumo Creek	X	X			X	X	X	X	X		X	X		X		X			X			
Laguna Lake	X	X			X	X	X	X		X	X	X		X			X		X			
Pismo Creek Estuary					X	X	X	X	X		X	X	X	X	X				X			X
Pismo Creek	X	X		X	X	X	X	X	X	X	X	X	X	X		X			X			
Arroyo Grande Creek Estuary					X	X	X	X	X		X	X	X	X	X				X			X
Arroyo Grande Creek, downstream	X	X		X	X	X	X	X	X	X	X			X		X			X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Oceano Lagoon						X	X	X		X		X	X	X					X			
Meadow Creek	X	X			X	X	X	X	X				X	X					X			
Pismo Marsh (Lake)					X	X	X	X		X			X	X					X			
Los Berros Creek	X	X			X	X	X	X	X		X			X					X			
Lopez Reservoir	X	X	X	X	X	X	X	X	X	X		X		X		X	X		X			
Arroyo Grande Creek, upstream	X	X	X	X	X	X	X	X	X	X	X	X		X					X			
Big Pocket Lake (Dunes Lakes)					X		X	X						X					X			
Willow Lake					X	X	X	X		X		X		X					X			
Pipeline Lake					X	X	X	X		X		X		X					X			
Celery Lake					X	X	X	X		X		X		X					X			
Hospital Lake					X	X	X	X		X		X		X					X			
Big Twin Lake					X	X	X	X		X		X		X					X			
Small Twin Lake						X	X	X		X		X		X					X			
Bolsa Chico Lake					X	X	X	X		X		X		X					X			
White Lake					X	X	X	X		X		X		X					X			
Mud Lake					X	X	X	X		X		X		X					X			
Black Lake					X	X	X	X		X		X		X					X			
Dune Lakes Marsh Area					X	X	X	X		X		X		X					X			
Carrizo Plain Hydrologic Unit (311.00)																						
San Diego Creek	X	X			X	X	X	X		X			X	X		X			X			
Soda Lake				X			X	X		X			X	X					X			
Santa Maria Hydrologic Unit (312.00)																						
Oso Flaco Lake					X	X	X	X		X		X	X	X			X		X			
Oso Flaco Creek	X	X			X	X	X	X		X			X	X		X			X			
Santa Maria River Estuary					X	X	X	X		X	X	X	X	X	X				X			X
Santa Maria River	X	X		X	X	X	X	X	X	X	X			X		X			X			
Corralitos Canyon Creek	X	X			X	X	X	X											X			
Sisquoc River, downstream	X	X		X	X	X	X	X	X	X	X	X							X			
Sisquoc River, upstream	X				X	X	X	X	X		X	X	X	X					X			
Cuyama River, downstream	X	X			X	X	X	X		X				X					X			
Twitchell Reservoir	X	X			X		X	X		X				X		X			X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Cuyama River, upstream	X	X	X	X	X	X	X	X	X	X		X		X		X			X			
Alamo Creek	X	X			X	X	X	X	X	X		X		X					X			
Huasna River	X	X			X	X	X	X		X				X					X			
Orcutt Creek	X	X			X	X	X	X	X					X	X	X			X			
San Antonio Hydrologic Unit (313.00)																						
Shuman Canyon Creek	X	X				X	X	X		X		X			X	X			X			
Casmalia Canyon Creek	X	X				X	X	X		X		X							X			
San Antonio Creek Estuary					X	X	X	X	X	X	X	X	X	X	X				X			X
San Antonio Creek	X	X			X	X	X	X	X	X	X	X		X		X			X			
Barka Slough					X	X	X	X		X		X		X	X				X			X
Santa Ynez Hydrologic Unit (314.00)																						
Santa Ynez River Estuary						X	X	X		X	X	X	X	X	X				X			X
Santa Ynez River, downstream	X	X	X	X	X	X	X	X	X	X	X	X		X		X			X			
Graves Wetland						X	X	X		X		X							X			
Lompoc Canyon	X	X		X	X	X	X	X		X									X			
La Salle Canyon Creek	X	X			X	X	X	X		X									X			
Sloans Canyon Creek	X				X	X	X	X		X									X			
San Miguelito Creek	X	X			X	X	X	X	X	X		X							X			
Salsipuedes Creek	X	X		X	X	X	X	X	X	X	X	X							X			
El Jaro Creek	X	X		X	X	X	X	X	X	X	X	X							X			
El Callejon Creek	X				X	X	X	X		X									X			
Llanito Creek	X				X	X	X	X		X									X			
Yridisis Creek	X	X			X	X	X	X		X		X							X			
Canada de la Vina	X	X			X	X	X	X		X									X			
Nojoqui Creek	X	X			X	X	X	X	X	X		X							X			
Alamo Pintado Creek	X	X		X	X	X	X	X		X									X			
Zaca Creek	X	X			X	X	X	X	X	X				X					X			
Zaca Lake	X				X	X	X	X	X	X		X		X					X			
Santa Rosa Creek	X	X			X	X	X	X	X	X	X	X							X			
Santa Rita Creek	X	X		X	X	X	X	X		X									X			
Davis Creek	X				X	X	X	X		X									X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL	
Santa Lucia Canyon Creek	X	X			X	X	X	X		X										X			
Oak Canyon Creek	X	X		X	X	X	X	X		X			X							X			
Hilton Creek	X	X			X	X	X	X	X		X	X								X			
Cachuma Reservoir	X	X	X		X	X	X	X	X	X		X		X		X	X			X			
Santa Ynez River, upstream	X	X	X	X	X	X	X	X	X	X	X	X		X		X				X			
Gibraltar Reservoir	X	X	X	X	X	X	X	X	X	X		X		X		X	X			X			
Jameson Reservoir	X	X	X		X	X	X	X	X	X		X		X		X	X			X			
Agua Caliente Canyon	X	X		X	X	X	X	X	X	X		X		X						X			
Mono Creek	X	X		X	X	X	X	X	X	X	X	X		X						X			
Indian Creek	X	X		X	X	X	X	X	X	X	X	X	X	X						X			
Santa Cruz Creek	X	X		X	X	X	X	X	X	X	X	X		X						X			
Cachuma Creek	X				X	X	X	X	X	X	X	X		X						X			
South Coast Hydrologic Unit (315.00)																							
Canada Honda Creek Estuary						X	X	X	X	X	X	X	X	X	X					X			X
Canada Honda Creek	X	X			X	X	X	X	X	X	X	X		X		X				X			
Canada Agua Viva	X				X	X	X	X		X					X	X				X			
Water Canyon Creek	X				X	X	X	X		X			X		X	X				X			
Canada del Jolloru	X					X	X	X		X					X	X				X			
Jalama Creek Estuary						X	X	X		X	X	X	X	X	X					X			X
Jalama Creek	X	X			X	X	X	X		X		X				X				X			
Escondido Creek	X				X	X	X	X	X	X	X	X		X						X			
Gaspar Creek	X				X	X	X	X		X										X			
Espada Creek	X				X	X	X	X		X										X			
Wood Canyon Creek	X				X	X	X	X		X					X	X				X			
Canada del Cojo	X				X	X	X	X		X					X	X				X			
Barranca Honda	X	X			X	X	X	X		X				X	X	X				X			
Arroyo Bulito	X	X			X	X	X	X		X					X	X				X			
Canada de Santa Anita	X	X			X	X	X	X		X					X	X				X			
Canada del Sacate	X	X			X	X	X	X		X					X	X				X			
Canada Alegria	X				X	X	X	X		X					X	X				X			
Canada del Agua Caliente	X	X			X	X	X	X	X	X					X	X				X			
Canada de la Gaviota	X	X			X	X	X	X	X	X	X	X	X	X	X	X				X			
Canada San Onofre	X					X	X	X	X	X	X	X		X	X	X				X			
Canada del Molino	X					X	X	X		X				X	X	X				X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Arroyo Hondo	X					X	X	X	X	X	X	X		X	X	X			X			
Arroyo Quenado	X	X				X	X	X	X		X	X		X	X	X			X			
Tajigas Creek	X	X			X	X	X	X	X	X	X	X		X	X	X			X			
Canada del Refugio	X	X			X	X	X	X	X	X	X	X	X	X	X	X			X			
Canada del Capitan	X	X			X	X	X	X	X	X	X	X	X	X	X	X			X			
Dos Pueblos Canyon Creek	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X			X			
Tecolote Creek	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X			X			
Devereaux Ranch Lagoon						X	X	X		X	X	X	X	X	X				X			X
Devereaux Creek	X				X	X	X	X		X						X			X			
Goleta Point Marsh						X	X	X		X		X	X	X					X			
Goleta Slough/Estuary						X	X	X		X	X	X	X	X	X				X			X
Carneros Creek	X	X			X	X	X	X	X	X						X			X			
Ticolotito Creek	X				X	X	X	X	X	X	X					X			X			
Glen Anne Creek	X	X	X	X	X	X	X	X	X	X	X	X		X		X			X			
Los Caneros Wetland					X	X	X	X		X		X		X					X			
Los Caneros	X	X			X	X	X	X		X		X		X		X			X			
Atascadero Creek (SB)	X	X			X	X	X	X	X	X	X	X		X		X			X			
Maria Ygnacio Creek	X	X			X	X	X	X	X		X	X							X			
San Antonio Creek (S Barbara County)	X	X			X	X	X	X	X	X	X	X		X					X			
San Jose Creek (S Barbara County)	X	X			X	X	X	X	X	X	X	X		X		X			X			
Las Vegas Creek	X				X	X	X	X	X	X									X			
San Pedro Creek	X	X			X	X	X	X	X	X	X					X			X			
Las Palmas Creek	X				X	X	X	X		X									X			
Arroyo Burro Estuary						X	X	X		X		X				X			X			
Arroyo Burro Creek	X				X	X	X	X		X		X	X	X		X			X			
Mission Creek	X				X	X	X	X	X	X	X	X		X	X	X			X			
Rattlesnake Canyon	X				X	X	X	X	X	X	X	X							X			
Waste Slough					X	X	X	X		X		X							X			
Sycamore Creek	X	X			X	X	X	X	X	X	X	X		X	X	X			X			
Andree Clark Bird Refuge						X	X	X		X			X	X					X			X
San Ysidro Creek	X				X	X	X	X		X					X	X			X			
Romero Creek	X				X	X	X	X		X					X	X			X			
Toro Canyon Creek	X				X	X	X	X		X					X	X			X			
Arroyo Paredon	X	X			X	X	X	X		X	X	X		X	X	X			X			
Carpinteria Marsh (El Estero Marsh)						X	X	X		X	X	X	X	X	X				X			
Santa Monica Creek	X	X			X	X	X	X	X	X		X	X			X			X			
Franklin Creek	X	X			X	X	X	X	X	X	X	X		X		X			X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Carpinteria Creek	X	X			X	X	X	X	X	X	X	X	X	X	X	X			X			
Gobernador Creek	X				X	X	X	X	X	X		X							X			
Steer Creek	X					X	X	X	X	X	X	X							X			
Rincon Creek	X	X			X	X	X	X	X	X	X	X		X	X	X			X			
Santa Barbara Channel Hydrologic Unit (316.00)																						
SANTA ROSA ISLAND																						
Canada Lobos Creek	X	X				X	X	X		X			X	X					X			
Old Ranch Canyon Creek	X	X				X	X	X		X			X	X		X			X			
Arlington Canyon Creek	X	X				X	X	X		X			X	X					X			
Water Canyon Creek	X	X				X	X	X		X			X	X					X			
Cow Canyon Creek	X	X				X	X	X		X			X	X					X			
Clapp Springs	X	X				X	X	X		X			X	X					X			
Old Ranch Canyon Creek Estuaries		X				X	X	X		X			X	X	X				X			
Old Ranch House Canyon Creek	X	X				X	X	X		X			X	X		X			X			
Cherry Canyon Creek	X	X				X	X	X		X			X	X					X			
SANTA CRUZ ISLAND																						
Willow Canyon Creek	X					X	X	X		X			X	X					X			
Coches Prieto Canyon Creek	X					X	X	X		X			X	X					X			
Almos Anchorage Canyon Creek	X					X	X	X		X			X	X					X			
Canada del Puerta (Prisoner Harbor)	X					X	X	X		X			X	X					X			
Canada Larga Creek	X					X	X	X		X			X	X					X			
Upper Pozo Canyon Creek	X					X	X	X		X			X	X					X			
Sauces Canyon Creek	X					X	X	X		X			X	X					X			
Twin Harbors Canyon Ck, (E. Fork)	X					X	X	X		X			X	X					X			
Lady's Harbor Canyon Creek	X					X	X	X		X			X	X					X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Estrella River Hydrologic Unit (317.00)																						
Estrella River	X	X			X	X	X	X		X		X								X		
San Juan Creek	X	X			X	X	X	X		X				X						X		
Chalome Creek	X	X			X	X	X	X		X				X						X		
Little Chalome Creek	X	X			X	X	X	X		X				X						X		

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UPDATING BENEFICIAL USES FOR WATERS IN REGION 3 AND JUSTIFYING
BIOLOGICAL AND RARE BENEFICIAL USE DESIGNATIONS

By

David L. Babby

Forestry and Natural Resources Management Department
California Polytechnic State University
San Luis Obispo

1995

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EXECUTIVE SUMMARY

The Central Coast Regional Water Quality Control Board (RWQCB) is located in San Luis Obispo between Los Angeles and San Francisco. This agency regulates water quality for Region 3, an area of approximately 11,270 square miles in nine counties on California's Central Coast.

The RWQCB has accomplished two goals. The first dealt with updating the Basin Plan for Region 3 by adding 7 beneficial use categories to existing water bodies (waters) and adding 29 new waters for beneficial use designation. Both additions were submitted as an amendment and approved on 8 September 1994 by the Regional Board.

The second goal involved justifying why the Biological and Rare beneficial use classifications were designated to waters in Region 3. This goal arose from an increasing public interest in these two uses. Approximately 147 waters were researched to justify the Biological designation and 266 waters were researched for the Rare designation.

The seven month effort justified 132 waters for Biological designations and 161 waters for Rare designations. Recommendations include furthering the study of reasons why the Biological and Rare beneficial uses were designated to waters in Region 3. These uses should be removed from those waters where justifications cannot be obtained for the designations.

INTRODUCTION

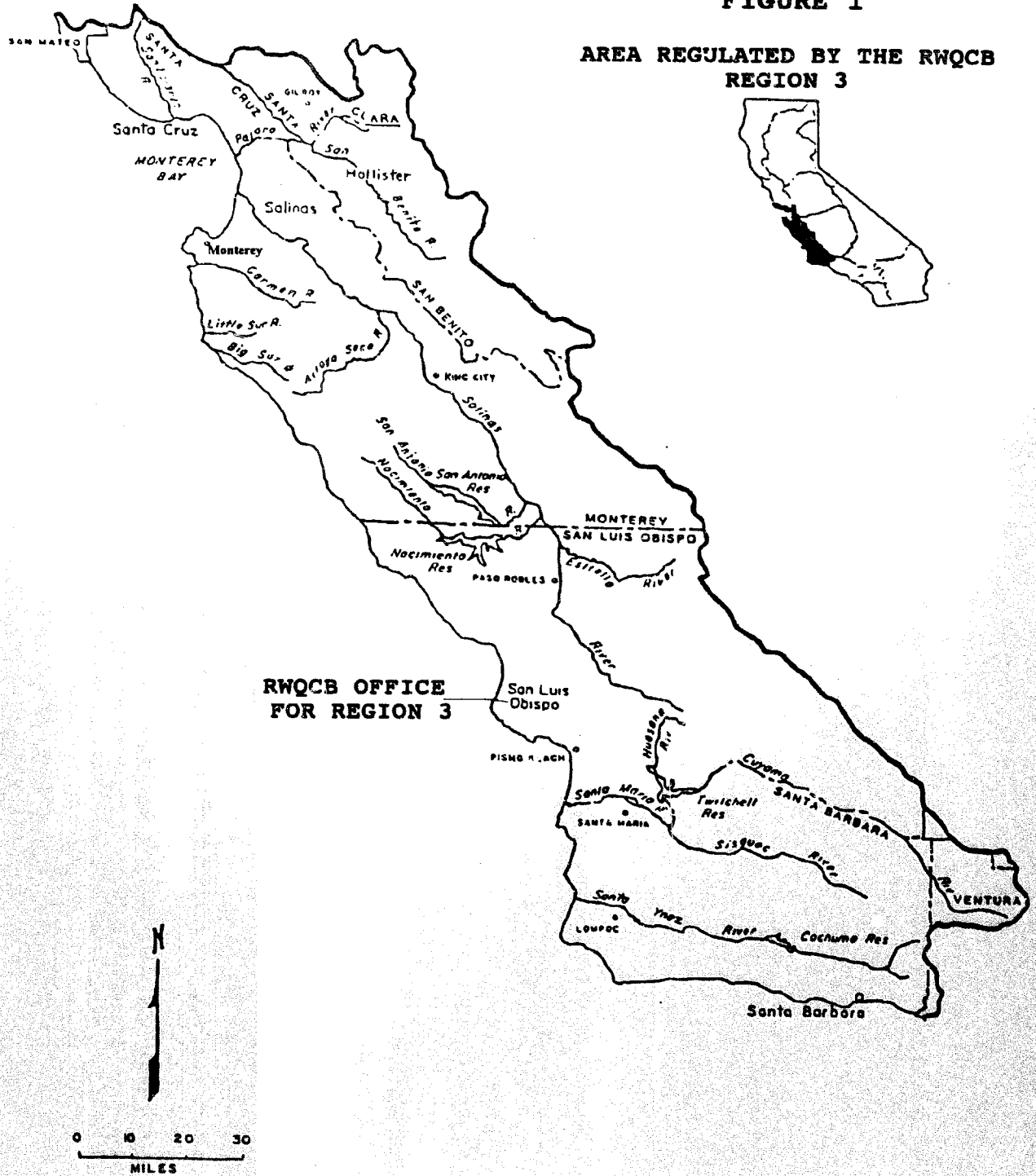
The Central Coast Regional Water Quality Control Board (RWQCB) office is located in the city of San Luis Obispo between Los Angeles and San Francisco. This agency protects water quality for Region 3, an area of approximately 11,270 square miles (300 miles long and 40 miles wide) in nine counties on California's Central Coast (Figure 1).

The RWQCB protects water quality by implementing the Regional Water Quality Control Plan (Basin Plan) in three ways. First, beneficial uses are assigned to waters in Region 3. Beneficial uses can be described as uses of water, such as the use of water for agricultural purposes. They establish the basis upon which water quality is protected.

Second, objectives are established to improve water quality for a certain water. Third, a plan is developed to accomplish these objectives. For example, water quality objectives would be established to remove pollutants from navigable waters. A plan is then implemented to issue waste discharge requirements upon individuals who are affecting the water quality of navigable waters.

FIGURE 1

AREA REGULATED BY THE RWQCB
REGION 3



In order to improve the water quality in Region 3, the Basin Plan is revised periodically. On 24 March 1994, a study began to accomplish the goal of updating the Basin Plan by adding 7 new beneficial use categories (FRESH, NAV, POW, COMM, AQUA, SAL, SHELL) to existing waters (Appendix A). Furthermore, 29 new waters were added for beneficial use designation (30 waters were initially added, but one was removed towards the end of the research, as explained in the RESULTS Section of this report). These designations are shown in Table 2-1 (Appendix B) within the Basin Plan. This table identifies inland surface waters and their beneficial use designations.

The 30 new waters were identified and proposed for inclusion into the Basin Plan by a research team from California Polytechnic State University, San Luis Obispo. This team consisted of a project director (Cal Poly), contract manager (RWQCB), and Cal Poly graduate assistants. Their recommendations were integrated into a Final Report (Standard Agreement NO 1-049-253-0) and submitted to the RWQCB. The seven new beneficial use categories and their accompanying definitions were submitted to the RWQCB by the State Water Resources Control Board (SWRCB).

Another study was also conducted to accomplish the goal of justifying the BIOL (Preservation of Biological Habitats of Special Significance) and RARE (Rare, Threatened, or Endangered Species) beneficial use designations to waters in Region 3. Recent public interest has arisen in the past few

years regarding why these two beneficial uses have been assigned to certain waters. This interest has encouraged the RWQCB to gather the justifications and make this information available to the public.

All work was conducted at the RWQCB under direction of the following project managers: Ms. Angela Carpenter, Associate Sanitation Engineer, and Mr. Jesse Nighswonger, Environmental Specialist. The contents of this document do not necessarily reflect the views and policies of the RWQCB nor does mention of trade names or commercial products constitute endorsement or recommendation for use.

PROBLEM STATEMENT

The RWQCB recognized two goals needing to be accomplished. The first dealt with updating the Basin Plan by adding beneficial use categories and increasing the list of waters within Region 3 for beneficial use designation. Seven categories and 29 waters were proposed for the update.

The second goal involved justifying reasons why the beneficial use designations of BIOL and RARE were assigned to Region 3 waters. Approximately 147 waters with BIOL designations and 266 with RARE designations were assigned to study. Both goals were assigned by the project managers with a deadline date of 7 September 1994.

PROCEDURE/METHODS

Beneficial Use Designations

The four tasks to assist the RWQCB in accomplishing the goal of beneficial use designations are described below.

Task #1: Incorporating Water bodies and New Categories into a Database Management System

The insertion of the new categories and waters into Table 2-1 were accomplished by the following three steps. First, data was retrieved from an Excel file on Microsoft Works. This file was comprised of 476 waters with 15 beneficial use categories. Waters were listed in rows by ascending order of hydrologic units with tributaries to streams indented. There are 13 hydrologic units within Region 3. These units represent large watershed areas in California.

The second step involved identifying the boundaries of the new waters on United States Geologic Survey (USGS) topographical maps, 7.5 series. Location of these waters were then verified on the Region 3 Hydrologic Basin Planning Area Map (State Water Resources Control Board Surveillance and Monitoring Section, August 1986) (Figure 2). Third, waters were inserted into rows by ascending order of

CENTRAL COAST-REGION 3 HYDROLOGIC PLANNING AREA

REGION 3 INDEX



hydrologic units (Appendix C).

Task #2: Assigning Beneficial Use Categories to Water Bodies

Beneficial use categories were assigned to waters in Region 3 by the project managers and associate staff in the following way: (1) the new beneficial use categories were assigned to existing waters listed in Table 2-1, and (2) all 22 beneficial use categories, which includes the 7 new ones, were assigned to new waters.

Task #3: Replacing Existing (E) and Intermittent (I) Designations with an "X"

In previous Basin Plans, Table 2-1 contained Existing (E) and Intermittent (I) beneficial use designations. An "E" indicated the use occurs year round, whereas an "I" represented a use occurs seasonally. These two designations were replaced with an "X" to indicate that beneficial uses consistently occur or can occur at least part of the year and/or in some segment of the water.

Task #4: Changing Beneficial Use Designations for Struve Slough

Two beneficial use designations were changed for the water of Struve Slough, as suggested by Santa Cruz County (Appendix D). One involved removing Migration of Aquatic Organisms (MIGR) because the slough does not support migratory activities by aquatic organisms, such as fish.

The other change involved replacing Cold Water Habitat (COLD) with Warm Water Habitat (WARM). Struve slough is more adapted to support warm water ecosystems rather than cold.

Biological and Rare Beneficial Use Assessment

Three tasks were used to accomplish the goal of justifying why BIOL and/or RARE beneficial use designations were assigned to particular waters in Region 3. The criteria used to determine justifications are italicized below in the definitions. Tasks to accomplish the goal follow these definitions.

- Preservation of Biological Habitats of Special Significance (BIOL) - *Uses of water that support designated areas or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources requires special protection.*
- Rare, Threatened, or Endangered Species (RARE) - *Uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered.*

Task #1: Incorporating Water Bodies and Beneficial Uses into a Database Management System

Table 2-1 was retrieved from an Excel file in Microsoft Works. Waters assigned a BIOL and/or RARE beneficial use were moved into a new file of Excel and arranged in rows by ascending order of hydrologic units. Five columns were then added with the titles "USGS MAP 7.5", "BIOL", "RARE", "Biological Justification", and "Rare Justification" (Appendix E).

The topographical location of each water was listed under the USGS MAP 7.5 column. Under the BIOL and RARE columns, an "X" was inserted where the beneficial use applied to a particular water. The Biological and Rare justification columns contain explanations for the designations.

Task #2: Determining Agencies to Survey

A preliminary phone list of 94 agencies (organizations, individuals, or contacts) was acquired from the research effort by Cal Poly, who chose these agencies based upon their management, oversight, and ability to provide information of water uses for Region 3. For example, the California Department of Parks and Recreation could provide information concerning REC1, which is a particular beneficial use that supports water contact recreation.

From this phone list, 24 agencies who could provide

information concerning the BIOL and RARE beneficial uses were selected to survey. The California Department of Fish and Game (DFG) was the agency primarily consulted based upon their knowledge of rare species. Others contacted include the Nature Conservancy and State Parks. Appendix F identifies the individuals contacted, affiliation, telephone number, and comment made concerning the BIOL and/or RARE beneficial use designation.

Task #3: Justifying Biological and Rare Designations

In justifying BIOL justifications, 147 waters containing BIOL designations were located on USGS 7.5 series topographical maps. These maps provided information necessary to determine whether a water is located in areas of an established refuge, park, reserve or sanctuary. If a water was located in one of the areas, the BIOL designation could be justified.

When waters were not located in these areas, phone surveys were conducted using the prepared list of agencies. These surveys involved asking agencies located in a particular area whether a water is located within a refuge, park, reserve, or sanctuary. These surveys enabled large amounts of information to be derived without conducting lengthy research.

In addition to the 147 waters designated as BIOL, all other waters were located on USGS maps in order to verify their location in Region 3. These locations not only

enabled justifications of the RARE beneficial use to be gathered, as explained below, but also provided the RWQCB with a means to locate waters on topographic maps more efficiently.

In determining RARE justification, "Rarefind" of the DFG's Natural Diversity Database was reviewed. "Rarefind" is a computer program that provides information concerning the listing of plant and animal species in California as rare, threatened, or endangered. To facilitate this program, USGS quad locations for waters are inputted. Output provides a specie's listing status and siting location.

For waters not identified in "Rarefind", various literature sources were reviewed and telephone surveys conducted. Agencies familiar with a particular area were asked whether any threatened, endangered, or rare species listed by the DFG were dependent upon a particular water for habitat.

RESULTS

Beneficial Use Designations

The beneficial uses update began 24 March 1994 and terminated on 7 September 1994. This update focused on (1) assigning new beneficial use categories to existing waters, and (2) assigning all 22 beneficial uses to the new waters.

Water body removed. The Urban Creeks Council submitted a comment to the RWQCB regarding Gaviota Creek, which was one of the waters added to the Basin Plan. They believed that Gaviota Creek was the same as the existing Canada de la Gaviota already included in the Basin Plan. Staff of the RWQCB agreed with the Council and removed the creek from the table. Therefore, only 29 waters were added to the Basin Plan.

Biological and Rare Beneficial Use Assessment

The assessment of the BIOL and RARE beneficial uses began 24 March 1994 and continued through 2 December 1994. In justifying the BIOL designations, the USGS topographical maps served as the primary information source. They provided 123 justifications whereas telephone surveys supplied 9. RARE justifications were obtained primarily by

"Rarefind" and telephone surveys. "Rarefind" justified designations for 132 waters whereas telephone surveys justified 29.

Determining BIOL justification. The BIOL designation could not be justified for 16 waters. Reasons include either a lack of information available or designations made during previous Basin Plan updates not complying with the current definition of BIOL. An example of a correct justification of a BIOL designation would be Big Basin Redwoods State Park, because of its location within a state park. Refer to the definition in Appendix A.

Determining RARE justification. The RARE designation was assigned to approximately 133 waters. However, justification for assigning the RARE designation to waters could not be obtained for approximately 97 waters. The most likely reasons are either a lack of resources available or designations made during previous updates not complying to the current definition.

Telephone survey. A minimum of 24 agencies were surveyed by telephone regarding 38 waters with BIOL and/or RARE designations. Many agencies contacted in the phone surveys provided information of species not state or federally listed as threatened, endangered, or rare. For example, the red-legged frog represents a common response by agencies for justifying the RARE use. But because this spe-

cies is not formally listed, the response could not be used as a justification. The most common response of a species which could justify the RARE designation was the tidewater goby (*Eucyclogobius newberryi*). Appendix G shows formally listed species in Region 3 which were used in justifying the RARE beneficial use.

Literature survey. Overall, the information for beneficial uses was difficult to locate. The primary information source for the BIOL designations was topographic maps. As for the RARE designations, only two literature sources were consulted. These documents provided information concerning the designations for waters Santa Rosa Island, Santa Cruz Island, and in San Luis Obispo County. Most information was derived from "Rarefind" of the DFG's Natural Diversity Database.

RECOMMENDATIONS

- The BIOL and/or RARE beneficial use designations should be examined for those waters where designations could not be justified. If no justifications are found, remove the BIOL and/or RARE use(s) from Table 2-1 for that particular water.
- Add Canada de la Gaviota Estuary, Eagle Canyon Creek, Bell Canyon Creek, Gato Canyon Creek, and Laguna Channel Creek into the Basin Plan for beneficial use designation.
- Assign the RARE beneficial use to waters identified below based upon their justifications.

TABLE 1. Recommended RARE designations.

<u>WATER BODY</u>	<u>JUSTIFICATION</u>
Moore Creek	Western Snowy Plover
Wilder Creek	Western Snowy Plover
Green Oaks Creek	San Francisco Garter Snake
Bates Creek	Santa Cruz Tarplant
Berry Creek	Marbled Murrelet

CONCLUSIONS

In regards to the beneficial use designations, all categories and waters were added to the Basin Plan using the best information available. All designations can be suspect because they were not established using scientific data.

As for the BIOL and RARE assessment, many of the beneficial use designations seem inappropriately assigned to waters. This was concluded following the telephone surveys. The inappropriate designations may be accredited towards the definitions of BIOL and RARE being interpreted differently each time the Basin Plan is updated.

These are also waters that should be designated BIOL and/or RARE. This seems to be a result of an increasing list of state and federal rare, threatened, and endangered species. Overall, the research provided a large amount of valuable information concerning waters in Region 3 that can be made available to the public.

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APPENDICES

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- B Table 2-1: Identified Uses of Inland Surface Waters
- C Hydrologic Units for New Waters
- D Beneficial Use Changes to Struve Slough
- E BIOL and RARE Justification Table with USGS Topo Map Identification
- F Telephone Survey Participants and Responses
- G Plant and Animal Species Justifying RARE Beneficial Use Designations for Region 3

APPENDIX A

BENEFICIAL USE DEFINITIONS

APPENDIX A

BENEFICIAL USE DEFINITIONS

Beneficial use categories are defined below with new categories italicized:

Municipal and Dometic Supply (MUN) - Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.

Agricultural Supply (AGR) - Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.

Industrial Process Supply (PRO) - Uses of water for industrial activities that depend primarily on water quality.

Industrial Service Supply (IND) - Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well repressurization.

Ground Water Recharge (GWR) - Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.

Water Contact Recreation (REC-1) - Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, or use of natural hot springs.

Non-contact Water Recreation (REC-2) - Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to,

picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.

Wildlife Habitat (WILD) - Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

Cold Freshwater Habitat (COLD) - Uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Warm Freshwater Habitat (WARM) - Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Migration of Aquatic Organisms (MIGR) - Uses of water that support habitats necessary for migration or other temporary activities by aquatic organisms, such as anadromous fish.

Spawning, Reproduction, and/or Early Development (SPWN) - Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish.

Preservation of Biological Habitats of Special Significance (BIOL) - Uses of water that support designated areas or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources requires special protection.

Rare, Threatened, or Endangered Species (RARE) - Uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered.

Estuarine Habitat (EST) - Uses of water that support estuarine ecosystems including, but not limited to preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds).

Freshwater Replenishment (FRESH) - Uses of water for natural or artificial maintenance of surface water quantity or quality (e.g., salinity).

Navigation (NAV) - Uses of water for shipping, travel, or other transportation by private, military, or commercial vessels.

Hydropower Generation (POW) - Uses of water for hydropower generation.

Commercial and Sport Fishing (COMM) - Uses of water for commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to, uses involving organisms intended for human consumption or bait purposes.

Aquaculture (AQUA) - Uses of water for aquaculture or mariculture operations including, but not limited to propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes.

Inland Saline Water Habitat (SAL) - Uses of water that support inland saline water ecosystems including, but not limited to, preservation or enhancement of aquatic saline habitats, vegetation, fish, or wildlife, including invertebrates.

Shellfish Harvesting (SHELL) - Uses of water that support habitats suitable for the collection of filter-feeding shellfish (e.g., clams, oysters, and mussels) for human consumption, commercial, or sport purposes.

APPENDIX B

TABLE 2-1: IDENTIFIED USES OF INLAND SURFACE WATERS

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Big Basin Hydrologic Unit (SD4.00)																						
Lucerne Lake Estuary						X	X	X	X			X	X	X	X				X			X
Lucerne Lake	X	X				X	X	X	X							X			X			
Arroyo de los Frejoles Creek	X	X			X	X	X	X	X	X	X	X	X	X		X			X			
Arroyo de los Frejoles Reservoir	X	X			X	X	X	X	X	X						X	X		X			
Gazos Creek Lagoon/Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Gazos Creek	X	X			X	X	X	X	X							X			X			
Old Womens Creek	X					X	X	X	X		X	X	X						X			
Whitehouse Creek	X					X	X	X	X		X	X	X		X	X			X			
Cascade Creek Lagoon/Estuary						X	X	X	X		X	X	X	X	X				X			X
Cascade Creek	X	X			X	X	X	X	X		X	X	X	X		X			X			
Green Oaks Creek Lagoon/Estuary						X	X	X	X			X		X	X				X			X
Green Oaks Creek	X	X			X	X	X	X	X	X	X	X	X		X	X			X			
Ano Nuevo Creek	X	X			X	X	X	X	X		X	X	X	X	X	X			X			
Finney Creek	X	X				X	X	X	X				X		X	X			X			
Elliot Creek	X	X				X	X	X	X				X		X	X			X			
Waddell Creek Estuary					X	X	X	X	X		X	X	X	X	X				X			X
Waddell Creek (Main Stem)	X	X		X	X	X	X	X	X		X	X	X	X		X			X			
Waddell Creek, east branch	X				X	X	X	X	X		X	X	X	X		X			X			
Last Chance Creek	X	X			X	X	X	X	X		X	X		X					X			
Blooms Creek	X				X	X	X	X	X			X	X	X					X			
Sempervirens Creek	X				X	X	X	X	X		X	X	X						X			
Union Creek	X					X	X	X	X				X						X			
Sempervirens Res.	X					X	X	X	X				X			X			X			X
Opal Crs.k	X				X	X	X	X	X				X						X			
Rogers Creek	X					X	X	X	X				X						X			
Maddocks Creek	X					X	X	X	X				X						X			
Waddell Creek, west branch	X				X	X	X	X	X		X	X	X	X					X			
Kelley Creek	X				X	X	X	X	X										X			
Berry Creek	X				X	X	X	X	X										X			
Henry Creek	X				X	X	X	X	X				X						X			
Scott Creek Lagoon						X	X	X	X		X	X		X	X				X			X
Scott Creek	X	X		X	X	X	X	X	X		X	X		X		X			X			
Little Creek	X	X		X	X	X	X	X	X		X	X		X					X			
Big Creek (Ano Nuevo)	X	X		X	X	X	X	X	X		X	X		X				X	X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Berry Creek	X				X	X	X	X	X				X						X			
Deadman Gulch Creek	X				X	X	X	X	X			X		X					X			
Boyer Creek	X				X	X	X	X	X			X						X	X			
Mill Creek (Scott Creek)	X	X		X	X	X	X	X	X		X	X		X		X			X			
Mill Creek Res.	X					X	X	X	X	X	X	X				X	X		X			
Molino Creek	X	X			X	X	X	X	X						X	X			X			
San Vicente Creek	X	X	X	X	X	X	X	X	X		X	X		X	X	X			X			
Mill Creek (Bonnie Doon)	X				X	X	X	X	X		X	X							X			
Liddell Creek	X	X			X	X	X	X	X		X	X		X	X	X			X			
Liddell Creek, east branch	X	X		X	X	X	X	X	X		X	X							X			
Liddell Creek, west branch	X				X	X	X	X	X		X	X							X			
Laguna Creek Estuary					X	X	X	X	X		X	X		X	X				X			X
Laguna Creek	X	X		X	X	X	X	X	X		X	X		X		X			X			
Reggiardo Creek	X				X	X	X	X	X					X					X			
Majors Creek	X	X		X	X	X	X	X	X		X	X		X	X	X			X			
Baldwin Creek Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Baldwin Creek	X	X			X	X	X	X	X		X	X	X	X		X			X			
Wilder Creek Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Wilder Creek	X	X			X	X	X	X	X	X	X	X	X			X			X			
Cave Gulch	X				X	X	X	X	X	X									X			
Younger's Lagoon					X	X	X	X	X	X		X	X						X			X
Antonellis Pond					X	X	X	X		X	X	X		X					X			
Moore Creek	X	X			X	X	X	X	X	X		X	X			X			X			
Neary's Lagoon					X	X	X	X		X		X		X					X			
San Lorenzo River Estuary						X	X	X	X		X	X	X	X	X				X			X
San Lorenzo River	X	X		X	X	X	X	X	X		X	X	X	X		X			X			
Branciforte Creek	X	X			X	X	X	X	X		X	X							X			
Blackburn Gulch	X				X	X	X	X	X		X	X							X			
Tie Gulch	X				X	X	X	X	X		X	X							X			
Granite Creek	X			X	X	X	X	X	X		X	X							X			
Carbonera Creek	X	X		X	X	X	X	X	X		X	X							X			
Zayante Creek	X	X		X	X	X	X	X	X		X	X							X			
Bean Creek	X	X		X	X	X	X	X	X		X	X							X			
Mackenzie Creek	X				X	X	X	X	X		X	X							X			
Ruins Creek	X				X	X	X	X	X		X	X							X			
Lockhart Creek	X				X	X	X	X	X		X	X							X			
Mountain Chain Gulch	X				X	X	X	X	X		X	X							X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Lompico Creek	X	X			X	X	X	X	X		X	X							X			
Mill Creek (SLR)	X				X	X	X	X	X										X			
Newell Creek	X	X		X	X	X	X	X	X		X	X				X			X			
Loch Lomond Res.	X	X		X	X	X	X	X	X	X	X	X		X		X	X		X			X
Love Creek	X				X	X	X	X	X		X	X							X			
Fritch Creek	X				X	X	X	X	X		X	X							X			
Smith Creek	X				X	X	X	X	X										X			
Spring Creek Gulch	X				X	X	X	X	X										X			
Bear Creek	X	X			X	X	X	X	X		X	X							X			
Connelly Gulch	X				X	X	X	X	X		X	X							X			
Shear Creek	X				X	X	X	X	X		X	X							X			
Deer Creek	X				X	X	X	X	X		X	X							X			
Hopkins Gulch	X				X	X	X	X	X		X	X							X			
Two Bar Creek	X				X	X	X	X	X		X	X							X			
Kings Creek	X				X	X	X	X	X		X	X	X						X			
Logan Creek	X				X	X	X	X	X		X	X							X			
Sleeper Gulch	X				X	X	X	X	X				X						X			
McDonald Gulch	X				X	X	X	X	X		X	X	X						X			
Spring Creek	X				X	X	X	X	X		X	X							X			
Boulder Creek	X	X			X	X	X	X	X		X	X							X			
Bracken Brae Creek	X				X	X	X	X	X					X					X			
Hare Creek	X				X	X	X	X	X		X	X		X					X			
Jamison Creek	X				X	X	X	X	X		X	X							X			
Peavins Creek	X				X	X	X	X	X		X	X							X			
Silver Creek	X				X	X	X	X	X		X	X							X			
Foreman Creek	X				X	X	X	X	X		X	X							X			
Malosky Creek	X				X	X	X	X	X		X	X							X			
Clear Creek	X				X	X	X	X	X		X	X							X			
Alba Creek	X				X	X	X	X	X		X	X							X			
Marshall Creek	X				X	X	X	X	X		X	X							X			
Manson Creek	X				X	X	X	X	X		X	X							X			
Fall Creek	X	X		X	X	X	X	X	X		X	X	X						X			
South Fall Creek	X	X			X	X	X	X	X		X	X	X						X			
Bennett Creek	X	X		X	X	X	X	X	X		X	X	X						X			
Bull Creek	X				X	X	X	X	X			X							X			
Shingle Mill Creek	X				X	X	X	X	X		X	X							X			
Gold Gulch Creek	X				X	X	X	X	X		X	X							X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Woods Lagoon						X	X	X			X	X			X				X			X
Arana Gulch	X				X	X	X	X	X		X	X		X		X			X			
Schwan Lake						X	X	X		X		X	X	X					X			X
Corcoran Lagoon					X	X	X	X		X		X		X	X				X			X
Rodeo Creek Gulch (Doyle Gulch)	X	X		X	X	X	X	X	X			X				X			X			
Moran Lake					X	X	X	X		X		X							X			
Soquel Lagoon						X	X	X	X		X	X		X	X				X			X
Soquel Creek	X	X		X	X	X	X	X	X		X	X	X			X			X			
Bates Creek	X					X	X	X	X		X	X	X						X			
Grover Gulch	X				X	X	X	X	X		X	X							X			
Soquel Creek, east branch	X			X	X	X	X	X	X		X	X							X			
Hinckley Creek	X	X		X	X	X	X	X	X		X	X	X						X			
Amaya Creek	X				X	X	X	X	X		X	X							X			
Soquel Creek, west branch	X				X	X	X	X	X		X	X							X			
Hester Creek	X				X	X	X	X	X		X	X							X			
Laural Creek	X				X	X	X	X	X		X	X							X			
Burns Creek	X				X	X	X	X	X		X	X							X			
Moore's Gulch	X				X	X	X	X	X		X	X							X			
Miners Creek	X				X	X	X	X	X		X	X							X			
Aptos Creek	X	X		X	X	X	X	X	X		X	X	X		X	X			X			
Valencia Creek	X				X	X	X	X	X		X	X							X			
Trout Gulch	X				X	X	X	X	X										X			
Bridge Creek	X	X				X	X	X	X		X	X	X						X			
Valencia Lagoon						X	X	X		X		X		X					X			
Pajaro River Hydrologic Unit (305,00)																						
Corralitos Lagoon						X	X	X	X										X			
Palm Beach Pond	X					X	X	X		X				X					X			
Pinto Lake	X	X			X	X	X	X		X		X							X			
Kelley Lake	X	X			X	X	X	X		X		X							X			
Drew Lake	X	X			X	X	X	X		X		X							X			
Tynan Lake	X	X			X	X	X	X		X		X							X			
Warner Lake	X	X			X	X	X	X											X			
Pajaro River Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Pajaro River	X	X		X	X	X	X	X	X	X	X	X				X			X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
San Benito River	X	X		X	X	X	X	X		X		X				X			X			
Bird Creek	X	X			X	X	X	X		X			X						X			
Pescadero Creek (S. Benito)	X	X			X	X	X	X	X	X	X	X							X			
Tres Pinos Creek	X	X		X	X	X	X	X		X		X							X			
Hernandez Reservoir	X	X			X	X	X	X		X		X				X	X		X			
Tequisquita Slough					X	X	X	X		X		X							X			
San Felipe Lake	X	X			X	X	X	X	X	X	X					X	X		X			
Pacheco Creek	X	X			X	X	X	X	X	X	X	X	X	X		X			X			
Pacheco Lake	X	X			X	X	X	X	X	X		X		X		X	X		X			
Llagas Creek (above Chesbro Res.)	X	X			X	X	X	X	X	X				X		X			X			
Chesbro Reservoir	X	X			X	X	X	X		X	X	X		X		X	X		X			
Llagas Creek (below Chesbro Res.)	X	X		X	X	X	X	X	X	X	X	X		X					X			
Alamias Creek	X	X			X	X	X	X	X	X	X	X							X			
Live Oak Creek	X	X			X	X	X	X	X	X	X								X			
Little Llagas Creek	X	X			X	X	X	X		X									X			
Carnadero Creek	X				X	X	X	X	X	X	X			X					X			
Uvas Creek, downstream	X	X		X	X	X	X	X	X	X	X	X		X					X			
Uvas Res.	X	X			X	X	X	X		X		X		X		X	X		X			
Little Arthur Creek	X	X			X	X	X	X	X	X	X	X							X			
Boodfish Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Black Hawk Canyon Creek	X				X	X	X	X		X	X	X		X					X			
Uvas Creek, upstream	X				X	X	X	X	X		X	X		X		X			X			
Little Uvas Creek	X	X			X	X	X	X		X									X			
Swanson Canyon Creek	X				X	X	X	X											X			
Alco Canyon Creek	X				X	X	X	X	X		X	X							X			
Croy Creek	X				X	X	X	X		X				X					X			
Eastman Canyon Creek	X	X			X	X	X	X		X									X			
Pescadero Creek	X	X			X	X	X	X	X		X	X	X						X			
Soda Lake							X	X		X				X					X			
Balsipuedes Creek	X	X			X	X	X	X	X		X	X							X			
Corralitos Creek	X	X		X	X	X	X	X	X	X	X	X							X			
Browns Creek	X	X		X	X	X	X	X	X	X	X	X							X			
Gamecock Creek	X				X	X	X	X	X		X	X							X			
Ramsey Gulch	X				X	X	X	X	X		X	X							X			
Redwood Creek	X				X	X	X	X	X		X	X							X			
Momon Gulch	X				X	X	X	X	X										X			
Clipper Gulch	X				X	X	X	X	X										X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Cookhouse Gulch	X				X	X	X	X	X										X			
Shingle Mill Gulch	X				X	X	X	X	X		X	X							X			
Rattlesnake Gulch	X				X	X	X	X	X										X			
Diablo Gulch Creek	X				X	X	X	X	X										X			
Eureka Gulch	X				X	X	X	X	X										X			
Rider Gulch Creek	X				X	X	X	X	X		X	X							X			
Watsonville Slough						X	X	X		X		X	X	X	X				X			X
Struve Slough						X	X	X	X	X	X	X	X	X	X				X			X
Hanson Slough						X	X	X		X		X	X	X	X				X			X
Harkins Slough						X	X	X		X		X	X	X	X				X			X
Gallighan Slough						X	X	X		X		X		X	X				X			X
Borea Neve Hydrologic Unit (306.00)																						
McClusky Slough					X	X	X	X		X		X		X					X			X
Elkhorn Slough						X	X	X	X	X	X	X	X	X	X		X		X	X		X
Los Carneros Creek	X					X	X	X	X		X	X		X		X			X			
Bennett Slough/Estuary						X	X	X	X	X		X	X	X	X				X			X
Parsons Slough						X	X	X	X			X	X	X	X				X			X
Carmel River Hydrologic Unit (307.00)																						
Carmel River Estuary					X	X	X	X	X		X	X	X	X	X				X			X
Carmel River	X	X		X	X	X	X	X	X	X	X	X	X	X		X			X			
San Clemente Res.	X	X			X	X	X	X	X		X	X				X	X		X			
San Clemente Creek	X	X			X	X	X	X	X	X	X	X				X			X			
Pine Creek	X				X	X	X	X	X	X	X	X	X						X			
Los Padres Reservoir	X				X	X	X	X	X	X	X	X				X	X		X			
Cachagua Creek	X	X	X	X	X	X	X	X	X	X	X	X				X			X			
Finch Creek	X				X	X	X	X	X	X	X	X	X	X					X			
Tularitos Creek	X	X			X	X	X	X	X	X	X	X							X			
Rana Creek	X				X	X	X	X	X	X	X	X							X			
Chupinas Creek	X				X	X	X	X	X	X	X	X							X			
Black Rock Creek	X					X	X	X	X		X	X		X		X			X			
White Rock Lake	X					X	X	X	X	X	X	X					X		X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Santa Lucia Hydrologic Unit (306.00)																						
San Jose Creek Estuary						X	X	X	X		X	X	X	X	X				X			X
San Jose Creek	X	X			X	X	X	X	X	X	X	X	X			X			X			
Garrapata Creek	X					X	X	X	X		X	X		X	X	X			X	X		
Palo Colorado Canyon	X	X			X	X	X	X	X	X		X			X	X			X			
Rocky Creek	X					X	X	X	X	X	X	X			X	X			X			
Bixby Creek	X					X	X	X	X		X	X		X	X	X			X			
Mill Creek	X					X	X	X	X		X	X							X			
Little Sur River Estuary						X	X	X	X		X	X	X	X	X				X			X
Little Sur River	X	X			X	X	X	X	X		X	X	X	X		X			X			
Big Sur River Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Big Sur River	X	X			X	X	X	X	X	X	X	X	X	X		X			X			
Big Creek	X					X	X	X	X	X	X	X	X	X	X	X			X			
Devils Canyon Creek, south fork	X					X	X	X	X		X	X	X						X			
Devils Canyon Creek, middle fork	X					X	X	X	X		X	X	X						X			
Devils Canyon Creek, north fork	X					X	X	X	X		X	X	X						X			
Big Creek, north fork	X					X	X	X	X				X						X			
Limekiln Creek	X	X			X	X	X	X	X		X	X	X	X	X	X			X			
Mill Creek (Cape San Martin)	X					X	X	X	X	X	X	X			X	X			X			
Willow Creek	X				X	X	X	X	X		X	X		X	X	X			X			
Salmon Creek	X					X	X	X	X		X	X		X	X	X			X			
Salinas Hydrologic Unit (309.00)																						
Moro Cojo Slough					X	X	X	X	X	X		X	X	X	X				X			X
Old Salinas River Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Tembadero Slough						X	X	X		X		X		X	X				X			X
Espinosa Lake						X	X	X		X									X			
Espinosa Slough						X	X	X		X									X			
Salinas Reclamation Canal						X	X	X		X									X			
Gabilan Creek	X	X			X	X	X	X		X		X							X			
Atisa Creek	X	X			X	X	X	X	X	X		X							X			
Blanco Drain						X	X	X		X									X			
Salinas River Refuge Lagoon (South)						X	X	X	X	X	X		X	X					X			X

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Marina Pond #1					X	X	X	X	X			X	X	X					X			
Marina Pond #2					X	X	X	X	X				X	X					X			
Marina Pond #3					X	X	X	X	X				X	X					X			
Marina Pond #4/5					X	X	X	X	X				X	X					X			
Marina Pond #6					X	X	X	X	X				X	X					X			
Marina Pond #7					X	X	X	X	X			X	X	X					X			
Laguna Grande/Roberts Lake	X					X	X	X	X	X									X			
Del Monte Lake	X					X	X	X		X									X			
El Estero Lake	X				X	X	X	X	X	X		X							X			
Salinas River Lagoon (North)						X	X	X	X	X	X	X	X	X	X				X			X
Salinas River, dnstr of Spreckels Gage	X	X					X	X	X	X	X					X			X			
Salinas River, Spreckels Gage-Chualar	X	X	X	X	X	X	X	X	X	X	X								X			
Salinas Riv, Chualar-Nacimiento Riv	X	X	X	X	X	X	X	X	X	X	X	X		X					X			
Arroyo Seco River	X	X		X	X	X	X	X	X	X	X	X		X					X			
Abbott Lakes (The Lakes)	X				X	X	X	X	X	X		X					X		X			
Piney Creek	X					X	X	X	X		X	X							X			
Paloma Creek	X	X			X	X	X	X	X	X									X			
Tassajara Creek	X	X			X	X	X	X	X	X	X	X	X	X					X			
Santa Lucia Creek	X	X			X	X	X	X	X	X	X	X	X						X			
Vaqueros Creek	X	X				X	X	X	X		X	X							X			
Reliz Creek	X	X			X	X	X	X	X		X	X							X			
Hames Creek	X	X			X	X	X	X		X									X			
San Antonio Riv., dnstr frm Res.	X	X		X	X	X	X	X		X	X	X		X					X			
San Antonio Reservoir	X	X			X	X	X	X	X	X		X		X		X	X	X	X			
San Antonio Riv, upstrm Frm Res.	X	X		X	X	X	X	X	X	X	X	X		X		X			X			
Pancho Rico Creek	X	X			X	X	X	X		X		X							X			
San Lorenzo Creek	X	X			X	X	X	X		X		X							X			
Chalone Creek	X	X			X	X	X	X		X		X							X			
Salinas R., Nacimiento R.-S. Margarita Res.	X	X	X		X	X	X	X	X	X	X	X		X					X			
Nacimiento River, upstream of Res.	X	X			X	X	X	X	X	X		X		X		X			X			
Salmon Creek	X					X	X	X	X		X	X		X					X			
Nacimiento Reservoir	X	X			X	X	X	X	X	X		X		X		X	X		X			
Nacimiento River, dnstr Res.	X	X		X	X	X	X	X	X	X	X	X		X					X			
Las Tablas Creek	X	X			X	X	X	X	X	X		X		X					X			
Las Tablas Creek, north fork	X	X			X	X	X	X	X			X		X					X			
Las Tablas Creek, south fork	X	X			X	X	X	X	X			X		X					X			
Franklin Creek	X	X			X	X	X	X											X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
San Marcos Creek	X	X			X	X	X	X		X									X			
Paso Robles Creek	X	X			X	X	X	X	X		X	X		X					X			
Jack Creek	X	X			X	X	X	X	X		X	X		X					X			
Santa Rita Creek	X	X		X	X	X	X	X	X	X	X	X		X					X			
Atascadero Creek	X	X			X	X	X	X	X			X		X					X			
Santa Margarita Reservoir (Lake)	X	X		X	X	X	X	X	X	X		X		X		X	X	X	X			
Salinas R., Reservoir-Headwaters	X	X			X	X	X	X	X		X	X				X			X			
Huerfueno Creek	X	X			X	X	X	X		X				X					X			
Vineyard Canyon Creek	X	X			X	X	X	X		X									X			
Big Sandy Creek	X	X			X	X	X	X		X				X	X				X			
Atascadero Lake	X				X	X	X	X	X	X		X						X	X			
Easter Day Hydrologic Unit (310.00)																						
San Carpoforo Creek Estuary						X	X	X	X		X	X	X	X	X				X			X
San Carpoforo Creek	X	X		X	X	X	X	X	X	X	X	X		X		X			X			
Estrada Creek	X	X			X	X	X	X	X	X									X			
Chris Flood Creek	X	X			X	X	X	X	X	X									X			
Wagner Creek	X	X			X	X	X	X	X	X									X			
Dutra Creek	X	X			X	X	X	X	X	X									X			
Arroyo de los Clinos	X	X			X	X	X	X	X	X				X	X	X			X			
Arroyo de la Cruz Estuary						X	X	X	X		X	X	X	X	X				X			X
Arroyo de la Cruz Creek	X	X		X	X	X	X	X	X	X	X	X		X		X			X			
Burnett Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Arroyo del Oso	X	X			X	X	X	X	X					X	X	X			X			
Arroyo del Corral	X	X			X	X	X	X	X	X	X	X		X	X	X			X			
Oak Knoll Creek	X	X			X	X	X	X	X	X				X	X	X			X			
Arroyo Laguna						X	X	X	X			X		X	X				X			X
Little Pico Creek Estuary						X	X	X	X		X	X	X	X	X				X			X
Little Pico Creek	X	X			X	X	X	X	X		X	X		X		X			X			
Pico Creek Estuary					X	X	X	X	X	X	X	X	X	X	X				X			X
Pico Creek	X	X			X	X	X	X	X	X	X	X	X	X		X			X			
Pico Creek, south fork	X	X			X	X	X	X	X		X	X		X					X			
Pico Creek, north fork	X	X			X	X	X	X	X		X	X		X					X			
San Simeon Creek Estuary					X	X	X	X	X		X	X	X	X	X				X			X
San Simeon Creek	X	X		X	X	X	X	X	X	X	X	X	X	X		X			X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Oceano Lagoon						X	X	X		X		X	X	X					X			
Meadow Creek	X	X			X	X	X	X	X				X	X					X			
Pismo Marsh (Lake)					X	X	X	X		X			X	X					X			
Los Berros Creek	X	X			X	X	X	X	X		X			X					X			
Lopez Reservoir	X	X	X	X	X	X	X	X	X	X		X		X		X	X		X			
Arroyo Grande Creek, upstream	X	X	X	X	X	X	X	X	X	X	X	X		X					X			
Big Pocket Lake (Dunes Lakes)					X		X	X						X					X			
Willow Lake					X	X	X	X		X		X		X					X			
Pipeline Lake					X	X	X	X		X		X		X					X			
Celery Lake					X	X	X	X		X		X		X					X			
Hospital Lake					X	X	X	X		X		X		X					X			
Big Twin Lake					X	X	X	X		X		X		X					X			
Small Twin Lake						X	X	X		X		X		X					X			
Bolsa Chico Lake					X	X	X	X		X		X		X					X			
White Lake					X	X	X	X		X		X		X					X			
Mud Lake					X	X	X	X		X		X		X					X			
Black Lake					X	X	X	X		X		X		X					X			
Dune Lakes Marsh Area					X	X	X	X		X		X		X					X			
Castaño Plain Hydrologic Unit (311.00)																						
San Diego Creek	X	X			X	X	X	X		X			X	X		X			X			
Soda Lake				X			X	X		X			X	X					X			
Santa Maria Hydrologic Unit (312.00)																						
Oso Flaco Lake					X	X	X	X		X		X	X	X			X		X			
Oso Flaco Creek	X	X			X	X	X	X		X			X	X		X			X			
Santa Maria River Estuary					X	X	X	X		X	X	X	X	X	X				X			X
Santa Maria River	X	X	X	X	X	X	X	X	X	X	X			X		X			X			
Cornaltes Canyon Creek	X	X			X	X	X	X											X			
Sisquoc River, downstream	X	X	X	X	X	X	X	X	X	X	X	X							X			
Sisquoc River, upstream	X				X	X	X	X	X		X	X	X	X					X			
Cuyama River, downstream	X	X			X	X	X	X		X				X					X			
Twitchell Reservoir	X	X			X		X	X		X				X		X			X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Cuyama River, upstream	X	X	X	X	X	X	X	X	X	X		X		X		X			X			
Alamo Creek	X	X			X	X	X	X	X	X		X		X					X			
Huana River	X	X			X	X	X	X		X				X					X			
Orcutt Creek	X	X			X	X	X	X	X					X	X	X			X			
San Antonio Hydrologic Unit (313.00)																						
Shuman Canyon Creek	X	X				X	X	X		X		X			X	X			X			
Casmalia Canyon Creek	X	X				X	X	X		X		X							X			
San Antonio Creek Estuary					X	X	X	X	X	X	X	X	X	X	X				X			X
San Antonio Creek	X	X			X	X	X	X	X	X	X	X		X		X			X			
Barba Slough					X	X	X	X		X		X		X	X				X			X
Santa Ynez Hydrologic Unit (314.00)																						
Santa Ynez River Estuary						X	X	X		X	X	X	X	X	X				X			X
Santa Ynez River, downstream	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X			X			
Graves Wetland						X	X	X		X		X							X			
Lompoc Canyon	X	X		X	X	X	X	X		X									X			
La Salle Canyon Creek	X	X			X	X	X	X		X									X			
Sloans Canyon Creek	X				X	X	X	X		X									X			
San Miguelito Creek	X	X			X	X	X	X	X	X		X							X			
Salapuedas Creek	X	X		X	X	X	X	X	X	X	X	X							X			
El Jero Creek	X	X		X	X	X	X	X	X	X	X	X							X			
El Callejon Creek	X				X	X	X	X		X									X			
Llanito Creek	X				X	X	X	X		X									X			
Yridis Creek	X	X			X	X	X	X		X		X							X			
Cascade de la Vina	X	X			X	X	X	X		X									X			
Nojoqui Creek	X	X			X	X	X	X	X	X		X							X			
Alamo Pintado Creek	X	X		X	X	X	X	X		X									X			
Zaca Creek	X	X			X	X	X	X	X	X				X					X			
Zaca Lake	X				X	X	X	X	X	X		X		X					X			
Santa Rosa Creek	X	X			X	X	X	X	X	X	X	X							X			
Santa Rita Creek	X	X		X	X	X	X	X		X									X			
Devils Creek	X				X	X	X	X		X									X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Santa Lucia Canyon Creek	X	X			X	X	X	X		X									X			
Oak Canyon Creek	X	X		X	X	X	X	X		X			X						X			
Hilton Creek	X	X			X	X	X	X	X		X	X							X			
Cachuma Reservoir	X	X	X		X	X	X	X	X	X		X		X		X	X		X			
Santa Ynez River, upstream	X	X	X	X	X	X	X	X	X	X	X	X		X		X			X			
Gibraltar Reservoir	X	X	X	X	X	X	X	X	X	X		X		X		X	X		X			
Jameson Reservoir	X	X	X		X	X	X	X	X	X		X		X		X	X		X			
Agua Caliente Canyon	X	X		X	X	X	X	X	X	X		X		X					X			
Mono Creek	X	X		X	X	X	X	X	X	X	X	X		X					X			
Indian Creek	X	X		X	X	X	X	X	X	X	X	X	X	X					X			
Santa Cruz Creek	X	X		X	X	X	X	X	X	X	X	X		X					X			
Cachuma Creek	X				X	X	X	X	X	X	X	X		X					X			
South Coast Hydrologic Unit (315.00)																						
Canada Honda Creek Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Canada Honda Creek	X	X			X	X	X	X	X	X	X	X		X		X			X			
Canada Agua Viva	X				X	X	X	X		X					X	X			X			
Water Canyon Creek	X				X	X	X	X		X			X		X	X			X			
Canada del Jolon	X					X	X	X		X					X	X			X			
Jalama Creek Estuary						X	X	X		X	X	X	X	X	X				X			X
Jalama Creek	X	X			X	X	X	X		X		X				X			X			
Escondido Creek	X				X	X	X	X	X	X	X	X		X					X			
Gasper Creek	X				X	X	X	X		X									X			
Espada Creek	X				X	X	X	X		X									X			
Wood Canyon Creek	X				X	X	X	X		X					X	X			X			
Canada del Cojo	X				X	X	X	X		X					X	X			X			
Barranca Honda	X	X			X	X	X	X		X				X	X	X			X			
Arroyo Buito	X	X			X	X	X	X		X					X	X			X			
Canada de Santa Anita	X	X			X	X	X	X		X					X	X			X			
Canada del Bacals	X	X			X	X	X	X		X					X	X			X			
Canada Alegria	X				X	X	X	X		X					X	X			X			
Canada del Agua Caliente	X	X			X	X	X	X	X	X					X	X			X			
Canada de la Gaviota	X	X			X	X	X	X	X	X	X	X	X	X	X	X			X			
Canada San Onofre	X					X	X	X	X	X	X	X		X	X	X			X			
Canada del Molino	X					X	X	X		X				X	X	X			X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AGUA	SAL	SHELL
Arroyo Hondo	X					X	X	X	X	X	X	X		X	X	X			X			
Arroyo Grenado	X	X				X	X	X	X		X	X		X	X	X			X			
Talpa Creek	X	X			X	X	X	X	X	X	X	X		X	X	X			X			
Canada del Refugio	X	X			X	X	X	X	X	X	X	X	X	X	X	X			X			
Canada del Capitan	X	X			X	X	X	X	X	X	X	X	X	X	X	X			X			
Das Puentes Canyon Creek	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X			X			
Tecolote Creek	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X			X			
Devereaux Ranch Lagoon						X	X	X		X	X	X	X	X	X				X			X
Devereaux Creek	X				X	X	X	X		X						X			X			
Goleta Point Marsh						X	X	X		X		X	X	X					X			
Goleta Slough/Estuary						X	X	X		X	X	X	X	X	X				X			X
Caneros Creek	X	X			X	X	X	X	X	X						X			X			
Tecolotto Creek	X				X	X	X	X	X	X	X					X			X			
Glen Anne Creek	X	X	X	X	X	X	X	X	X	X	X	X		X		X			X			
Los Caneros Wetland					X	X	X	X		X		X		X					X			
Los Caneros	X	X			X	X	X	X		X		X		X		X			X			
Atascadero Creek (SB)	X	X			X	X	X	X	X	X	X	X		X		X			X			
Maria Ygnacio Creek	X	X			X	X	X	X	X	X	X	X							X			
San Antonio Creek (S Barbara County)	X	X			X	X	X	X	X	X	X	X		X					X			
San Jose Creek (S Barbara County)	X	X			X	X	X	X	X	X	X	X		X		X			X			
Las Vegas Creek	X				X	X	X	X	X	X									X			
San Pedro Creek	X	X			X	X	X	X	X	X	X					X			X			
Las Palmas Creek	X				X	X	X	X		X									X			
Arroyo Burro Estuary						X	X	X		X		X			X				X			
Arroyo Burro Creek	X				X	X	X	X		X		X	X	X	X	X			X			
Mission Creek	X				X	X	X	X	X	X	X	X		X	X	X			X			
Pattersons Canyon	X				X	X	X	X	X	X	X	X							X			
Waste Slough					X	X	X	X		X		X							X			
Byamars Creek	X	X			X	X	X	X	X	X	X	X		X	X	X			X			
Andrew Clark Bird Refuge						X	X	X		X			X	X					X			X
San Ysidro Creek	X				X	X	X	X		X					X	X			X			
Romero Creek	X				X	X	X	X		X					X	X			X			
Toro Canyon Creek	X				X	X	X	X		X					X	X			X			
Arroyo Paredon	X	X			X	X	X	X		X	X	X		X	X	X			X			
Carpinteria Marsh (El Estero Marsh)						X	X	X		X	X	X	X	X	X				X			
Santa Monica Creek	X	X			X	X	X	X	X	X	X	X	X			X			X			
Franklin Creek	X	X			X	X	X	X	X	X	X	X		X		X			X			

Waterbody Name	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Carpinteria Creek	X	X			X	X	X	X	X	X	X	X	X	X	X	X			X			
Goberador Creek	X				X	X	X	X	X	X		X							X			
Steer Creek	X					X	X	X	X	X	X	X							X			
Pinson Creek	X	X			X	X	X	X	X	X	X	X		X	X	X			X			
Santa Barbara Channel Hydrologic Unit (318.00)																						
SANTA ROSA ISLAND																						
Canada Lobos Creek	X	X				X	X	X		X			X	X					X			
Old Ranch Canyon Creek	X	X				X	X	X		X			X	X		X			X			
Arlington Canyon Creek	X	X				X	X	X		X			X	X					X			
Water Canyon Creek	X	X				X	X	X		X			X	X					X			
Cow Canyon Creek	X	X				X	X	X		X			X	X					X			
Clapp Springs	X	X				X	X	X		X			X	X					X			
Old Ranch Canyon Creek Estuaries		X				X	X	X		X			X	X	X				X			
Old Ranch House Canyon Creek	X	X				X	X	X		X			X	X		X			X			
Cherry Canyon Creek	X	X				X	X	X		X			X	X					X			
SANTA CRUZ ISLAND																						
Willow Canyon Creek	X					X	X	X		X			X	X					X			
Coches Prieta Canyon Creek	X					X	X	X		X			X	X					X			
Almar Ancharago Canyon Creek	X					X	X	X		X			X	X					X			
Canada del Puerto (Prisoner Harbor)	X					X	X	X		X			X	X					X			
Canada Larga Creek	X					X	X	X		X			X	X					X			
Upper Paso Canyon Creek	X					X	X	X		X			X	X					X			
Barroo Canyon Creek	X					X	X	X		X			X	X					X			
Twin Harbors Canyon Ck. (E. Fork)	X					X	X	X		X			X	X					X			
Lady's Harbor Canyon Creek	X					X	X	X		X			X	X					X			

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL	
San Joaquin River Hydrologic Unit (317.00)																							
Estrella River	X	X			X	X	X	X		X		X								X			
San Juan Creek	X	X			X	X	X	X		X				X						X			
Chaloma Creek	X	X			X	X	X	X		X				X						X			
Little Chaloma Creek	X	X			X	X	X	X		X				X						X			

APPENDIX C

8

HYDROLOGIC UNITS FOR NEW WATERS

WATERBODY NAME	HYDROLOGIC UNIT
Pajaro River Hydrologic Unit (305.00) Soda Lake	305.10
Carmel River Hydrologic Unit (307.00) Black Rock Creek	307.00
Salinas Hydrologic Unit (309.00) Piney Creek	309.00
Estero Bay Hydrologic Unit (310.00) Froom Creek	310.24
Santa Ynez Hydrologic Unit (314.00) Hilton Creek	314.40
South Coast Hydrologic Unit (315.00) Canada del Agua Caliente Arroyo Quemado Devereaux Creek Arroyo Burro Estuary Steer Creek	315.00 315.10 315.31 315.32 315.32
Santa Barbara Channel Hydrologic Unit (316.00)	
SANTA ROSA ISLAND	
Canada Lobos Creek Old Ranch Canyon Creek Arlington Canyon Creek Water Canyon Creek Cow Canyon Creek Clapp Springs Old Ranch Canyon Creek Estuaries Old Ranch House Canyon Creek Cherry Canyon Creek	316.20 316.20 316.20 316.20 316.20 316.20 316.20 316.20 316.20
SANTA CRUZ ISLAND	
Willow Canyon Creek Cochee Prieto Canyon Creek Almos Anchorage Canyon Creek Canada del Puerta (Prisoner Harbor) Canada Larga Creek Upper Pozo Canyon Creek Sauces Canyon Creek Twin Harbors Canyon Ck. (E. Fork) Lady's Harbor Canyon Creek	316.30 316.30 316.30 316.30 316.30 316.30 316.30 316.30 316.30

APPENDIX D

BENEFICIAL USE CHANGES TO STRUVE SLOUGH

Waterbody Name	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Pajaro Hydrologic Unit 305.00																						
Struve Slough						X	X	X	X	X	X	X	X	X	X				X			X

APPENDIX E

**BIOL AND RARE JUSTIFICATION TABLE WITH USGS TOPO MAP
IDENTIFICATION**

Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Big Basin Hydrologic Unit (304.00)					
Lucerne Lake Estuary	X	X	Pigeon Point	*Estuarine Habitat; Ano Nuevo State Reserve	Tidewater Goby; San Francisco Garter Snake
Arroyo de los Frejoles Creek	X	X	Pigeon Point	Ano Nuevo State Reserve	Tidewater Goby
Gazos Creek Lagoon/Estuary	X	X	Franklin Point	*Estuarine Habitat; Big Basin Redwood State Park	Tidewater Goby
Old Womans Creek	X		Franklin Point	Big Basin Redwoods State Park	
Whitehouse Creek	X		Franklin Point	Ano Nuevo State Reserve; Big Basin Redwoods State Park	
Cascade Creek Lagoon/Estuary	X	X	Franklin Point	*Estuarine Habitat; Ano Nuevo State Reserve	Tidewater Goby; San Francisco Garter Snake
Cascade Creek	X	X	Franklin Point	Big Basin Redwoods State Park; Ano Nuevo State Reserve	San Francisco Garter Snake
Green Oaks Creek Lagoon/Estuary	X	X	Franklin Point	*Estuarine Habitat; Ano Nuevo State Reserve	Tidewater Goby; San Francisco Garter Snake
Green Oaks Creek	X		Franklin Point	Ano Nuevo State Reserve	
Ano Nuevo Creek	X	X	Ano Nuevo	Ano Nuevo State Reserve	San Francisco Garter Snake
Finney Creek	X		Ano Nuevo	Big Basin Redwoods State Park	
Elliot Creek	X		Ano Nuevo	Big Basin Redwoods State Park	

* All estuarine waterbodies were designated Biological (BIOL) before adopting the Estuarine Habitat (EST) classification on Sept. 8, 1994.

Waterbody Names	BIO	RAPE	USGS MAP 7.5	Biological Justification	Rare Justification
Waddell Creek Estuary	X	X	Ano Nuevo	*Estuarine Habitat	Tidewater Goby; Western Snowy Plover; S.F. Garter Snake
Waddell Creek (Main Stem)	X	X	Ano Nuevo	Big Basin Redwoods State Park	Western Snowy Plover; Marbled Murrelet; Tidewater Goby
Waddell Creek, east branch	X	X	Big Basin	Big Basin Redwoods State Park	Western Snowy Plover; Marbled Murrelet; Tidewater Goby
Last Chance Creek		X	Big Basin		Marbled Murrelet
Blooms Creek	X	X	Big Basin	Big Basin Redwoods State Park	Western Snowy Plover
Sempervirens Creek	X		Big Basin	Big Basin Redwoods State Park	
Union Creek	X		Big Basin	Big Basin Redwoods State Park	
Sempervirens Res.	X		Big Basin	Big Basin Redwoods State Park	
Opal Creek	X		Big Basin	Big Basin Redwoods State Park	
Rogers Creek	X		Big Basin	Big Basin Redwoods State Park	
Maddocks Creek	X		Big Basin	Big Basin Redwoods State Park	
Waddell Creek, west branch	X	X	Big Basin	Big Basin Redwoods State Park	Western Snowy Plover; Marbled Murrelet
Henry Creek	X		Franklin Point	Big Basin Redwoods State Park	
Scott Creek Lagoon		X	Davenport		Western Snowy Plover

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Scott Creek		X	Davenport		Western Snowy Plover
Little Creek		X	Davenport		Western Snowy Plover
Big Creek (Ano Nuevo)		X	Davenport		Western Snowy Plover
Barry Creek	X		Davenport	Big Basin Redwoods State Park	
Deadman Gulch Creek		X	Davenport		
Mill Creek (Scott Creek)		X	Davenport		Smith's Blue Butterfly; Adobe Sanicle; Western Snowy Plover; Tidewater Goby
San Vicente Creek		X	Davenport		Western Snowy Plover
Liddell Creek		X	Davenport		Western Snowy Plover
Laguna Creek Estuary		X	Davenport	*Estuarine Habitat	Santa Cruz Wallflower; Western Snowy Plover
Laguna Creek		X	Davenport		Santa Cruz Wallflower; Western Snowy Plover
Reggiardo Creek		X	Davenport		Santa Cruz Cypress
Majors Creek		X	Felton		Tidewater Goby
Baldwin Creek Estuary	X	X	Santa Cruz	Wilder Ranch Natural Preserve	Tidewater Goby; Bald Eagle; CA Least Tern
Baldwin Creek	X	X	Felton	Wilder Ranch Natural Preserve	Tidewater Goby; Willow Flycatcher; Marbled Murrelet

* All estuarine waterbodies were designated Biological (BIOL) before adopting the Estuarine Habitat (EST) classification on Sept. 8, 1994.

Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Wilder Creek Estuary	X	X	Santa Cruz	*Estuarine Habitat; Wilder Ranch Natural Preserve	
Wilder Creek	X		Santa Cruz	Wilder Ranch Natural Preserve	Willow Flycatcher; Tidewater Goby
Younger's Lagoon	X		Santa Cruz	UCSC Natural Reserve	
Antonellis Pond		X	Santa Cruz		
Moore Creek	X		Santa Cruz	Wilder Ranch Natural Preserve	
Neary's Lagoon		X	Santa Cruz		
San Lorenzo River Estuary	X	X	Santa Cruz	Henry Cowell Redwoods State Park; *Estuarine Habitat	White-Rayed Pentachaeta
San Lorenzo River	X	X	Santa Cruz	Henry Cowell Redwoods State Park	White-Rayed Pentachaeta
Loch Lomond Res.		X	Felton		
Kings Creek	X		Castle Rock Ridge	Castle Rock State Park	
Stepper Gulch	X		Castle Rock Ridge	Henry Coe State Park	
McDonald Gulch	X		Castle Rock Ridge	Henry Coe State Park	
Bracken Bras Creek		X	Big Basin		Santa Cruz Cypress
Hare Creek		X	Big Basin		Santa Cruz Cypress

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Fall Creek	X		Felton	Henry Coe State Park	
South Fall Creek	X		Felton	Henry Coe State Park	
Bennett Creek	X		Felton	Henry Coe State Park	
Arana Gulch		X	Soquel		
Schwan Lake	X	X	Soquel	Twin Lakes State Beach	Santa Cruz Tarplant; Tidewater Goby
Corcoran Lagoon		X	Soquel		Santa Cruz Tarplant
Soquel Lagoon		X	Laurel		Santa Cruz Tarplant; San Francisco Popcorn-Flower
Soquel Creek	X		Laurel	Nicene Marks State Park	Santa Cruz Tarplant; San Francisco Popcorn-Flower
Bates Creek	X		Laurel	Nicene Marks State Park	
Hinckley Creek	X		Laurel	Nicene Marks State Park	
Aptos Creek	X		Laurel	Nicene Marks State Park	
Bridge Creek	X		Laurel	Nicene Marks State Park	
Valencia Lagoon		X	Soquel		Tidewater Goby; Santa Cruz Tarplant; Santa Cruz Long-Toed Salamander

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Waterbody Name	BIO	RAPE	USGS MAP 7.5	Biological Justification	Rare Justification
Pajaro River Hydrologic Unit (305.00)					
Palm Beach Pond		X	Watsonville West		Western Snowy Plover
Pajaro River Estuary	X	X	Watsonville West	Z. Ludowski Beach State Park; Estuarine Habitat	Tidewater Goby; Bank Swallow; Santa Cruz Tarplant; Western Snowy Plover
Bird Creek	X		Hollister	Zmudowski Beach State Park	
Pacheco Creek	X	X	Pacheco Peak	Henry Coe State Park	San Joaquin Kit Fox
Pacheco Lake		X	Pacheco Peak		
Llagas Creek (above Chesbro Res.)		X	Morgan Hill		
Chesbro Reservoir		X	Morgan Hill		
Llagas Creek (below Chesbro Res.)		X	Mt. Madonna		
Carnadero Creek		X	Chittenden		
Uvas Creek, downstream		X	Chittenden		
Uvas Reservoir		X	Mt. Madonna		
Bodfish Creek		X	Mt. Madonna		
Black Hawk Canyon Creek		X	Mt. Madonna		

* All estuarine waterbodies were designated Biological (BIO) before adopting the Estuarine Habitat (EST) classification on Sept. 8, 1984.

Waterbody Names	BIO	RAPE	USGS MAP 7.5	Biological Justification	Rare Justification
Uvas Creek, upstream		X	Morgan Hill		
Croy Creek		X	Loma Prieta		
Pescadero Creek	X		Chittenden		
Soda Lake		X	Chittenden		Bank Swallow
Watsonville Slough	X	X	Watsonville West	Zmudowski Beach State Park	Santa Cruz Long-Toed Salamander
Struva Slough	X	X	Watsonville West	Zmudowski Beach State Park	Santa Cruz Tarplant; Santa Cruz Long-Toed Salamander
Hanson Slough	X	X	Watsonville West	Zmudowski Beach State Park	Santa Cruz Long-Toed Salamander
Harlins Slough	X	X	Watsonville West	Zmudowski Beach State Park	Santa Cruz Tarplant
Galligan Slough		X	Watsonville West		
Sales Navas Hydrologic Unit (306.00)					
McClusky Slough		X	Moss Landing		Santa Cruz Long-Toed Salamander
Elkhorn Slough	X	X	Moss Landing	Elkhorn Slough National Estuarine Research Reserve	California Clapper Rail; Tidewater Goby
Los Cameros Creek		X	Prunedale		Santa Cruz Tarplant

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Bennett Slough/Estuary	X	X	Moss Landing	*Estuarine Habitat: Elkhorn Slough National Estuarine Research Reserve	Santa Cruz Long-Toed Salamander; Tidewater Goby
Parsons Slough	X	X	Prunedale	Elkhorn Slough National Estuarine Research Reserve	Tidewater Goby
Carmel River Hydrologic Unit (307.00)					
Carmel River Estuary	X	X	Carmel Valley	*Estuarine Habitat: Carmel River State Beach	
Carmel River	X	X	Carmel Valley	Carmel River State Beach	
Pine Creek	X		Carmel Valley		
Finch Creek	X	X	Carmel Valley		
Black Rock Creek		X	Carmel Valley		Smith's Blue Butterfly
Santa Lucia Hydrologic Unit (308.00)					
San Jose Creek Estuary	X	X	Mount Carmel	*Estuarine Habitat	
San Jose Creek	X		Mount Carmel	Point Lobos Ecological Reserve	
Garrapata Creek		X	Mount Carmel		
Bibby Creek		X	Big Sur		

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Little Sur River Estuary	X	X	Big Sur	*Estuarine Habitat	Smith's Blue Butterfly; Dudley's Louewort
Little Sur River	X	X	Big Sur	Point Lobos Ecological Reserve	Smith's Blue Butterfly; Dudley's Louewort
Big Sur River Estuary	X	X	Big Sur	*Estuarine Habitat	Smith's Blue Butterfly; Dudley's Louewort
Big Sur River	X	X	Big Sur	Point Lobos Ecological Reserve, Andrew Molera State Park	Smith's Blue Butterfly; Dudley's Louewort
Big Creek	X	X	Lopez Point	Big Creek University of CA Natural Reserve System	Smith's Blue Butterfly
Devils Canyon Creek, south fork	X		Lopez Point	Big Creek University of CA Natural Reserve System	
Devils Canyon Creek, middle fork	X		Lopez Point	Big Creek University of CA Natural Reserve System	
Devils Canyon Creek, north fork	X		Lopez Point	Big Creek University of CA Natural Reserve System	
Big Creek, north fork	X		Lopez Point	Big Creek University of CA Natural Reserve System	
Limaklin Creek	X	X	Lopez Point	State Reserve	
Willow Creek		X	Cape San Martin		
Salmon Creek		X	Lopez Point		

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Salinas Hydrologic Unit (309.00)					
Moro Cojo Slough	X	X	Moss Landing	Moro Cojo Slough Ecological Reserve	Santa Cruz Long-Toed Salamander
Old Salinas River Estuary	X	X	Moss Landing	Dunes Natural Preserve, *Estuarine Habitat	Western Snowy Plover; Smith's Blue butterfly
Tambledero Slough		X	Moss Landing		Western Snowy Plover
Salinas River Refuge Lagoon (South)	X	X	Moss Landing	Marina Dunes Natural Preserve	Western Snowy Plover; Smith's Blue Butterfly
Marina Pond #1	X	X	Moss Landing	Marina Dunes Natural Preserve	Western Snowy Plover; Smith's Blue Butterfly
Marina Pond #2	X	X	Moss Landing	Marina Dunes Natural Preserve	Western Snowy Plover; Smith's Blue Butterfly
Marina Pond #3	X	X	Moss Landing	Marina Dunes Natural Preserve	Western Snowy Plover; Smith's Blue Butterfly
Marina Pond #4/5	Y	X	Moss Landing	Marina Dunes Natural Preserve	Western Snowy Plover; Smith's Blue Butterfly
Marina Pond #6	X	X	Moss Landing	Marina Dunes Natural Preserve	Western Snowy Plover; Smith's Blue Butterfly
Marina Pond #7	X	X	Moss Landing	Marina Dunes Natural Preserve	Western Snowy Plover; Smith's Blue Butterfly
Salinas River Lagoon (North)	X	X	Moss Landing	Salinas River National Wildlife Refuge	Western Snowy Plover; Tidewater Goby
Salinas River, Chualar-Nacimiento River		X	Moss Landing		Western Snowy Plover; Santa Lucia Mint
Arroyo Seco River		X	Junipero Serra Peak		Western Snowy Plover
Tascalara Creek	X	X	Junipero Serra Peak		Western Snowy Plover
Santa Lucia Creek	X		Junipero Serra Peak		

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
San Antonio Riv., downstr frn Res.		X	Jolon		San Joaquin Kit Fox; Unarmored Threespine Stickleback
San Antonio Reservoir		X	Williams Hill		Bald Eagle
San Antonio Riv, upstrm Frn Res.		X	Jolon, Williams Hill		San Joaquin Kit Fox
Salinas R., Nacimiento R.-S. Margarita Res.		X			Least Bell's Vireo
Nacimiento River, upstream of Res.		X	Bryson, Burnett Peak		Santa Lucia Mtn
Salmon Creek		X	Burro Mountain		
Nacimiento Reservoir		X	Lime Mountain		Bald Eagle
Nacimiento River, downstr Res.		X	Bradley		
Las Tablas Creek		X	Lime Mountain		
Las Tablas Creek, north fork		X	Lime Mountain		
Las Tablas Creek, south fork		X	Lime Mountain		
Paso Robles Creek		X	Templeton		
Jack Creek		X	York Mountain		
Santa Rita Creek		X	York Mountain		

* All sensitive waterbodies were designated Biological (BIO) before adopting the Estuarine Habitat (EST) classification on Sept. 8, 1984.

Waterbody Name	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Atascadero Creek		X	Atascadero		
Santa Margarita Reservoir (Lake)		X	Santa Margarita Lake		Light-Footed Clapper Rail; Least Bell's Vireo
Huerfano Creek		X	Creston		
Big Sandy Creek	X	X	San Miguel		
Estero Bay Hydrologic Unit (310.00)					
San Carpoforo Creek Estuary	X	X	Burro Mountain	Estuarine Habitat	
San Crpoforo Creek		X	Burro Mountain		
Arroyo de los Chinos		X	Piedras Blancas		Adobe Sanicle
Arroyo de la Cruz Estuary	X	X	Piedras Blancas	Estuarine Habitat	Adobe Sanicle; Hearst's Manzanita
Arroyo de la Cruz Creek		X	Piedras Blancas		Adobe Sanicle; Hearst's Manzanita; Hearst's ceanothus; Maritime ceanothus; Least Bell's Vireo
Arroyo del Oso		X	Piedras Blancas		Tidewater Goby
Arroyo del Corral		X	Piedras Blancas		Dudley's Loueswort; Hearst's Manzanita; Hearst's ceanothus; Maritime ceanothus; Tidewater Goby
Oak Knoll Creek		X	San Simeon		Tidewater Goby

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Waterbody Names	BIO	RAPE	USGS MAP 7.5	Biological Justification	Rare Justification
Arroyo Laguna		X	San Simeon		Hearst's Manzanita, Hearst's ceanothus; Maritime ceanothus; Tidewater Goby; Dudley's Louisewort
Little Pico Creek Estuary	X	X	San Simeon	*Estuarine Habitat	Tidewater Goby
Little Pico Creek		X	San Simeon		Tidewater Goby
Pico Creek Estuary	X	X	San Simeon	*Estuarine Habitat	Tidewater Goby
Pico Creek	X	X	Pico Creek	San Simeon State Park	Tidewater Goby
Pico Creek, south fork		X	Pebblestone Shut - In		Tidewater Goby
Pico Creek, north fork		X	Pebblestone Shut - In		Tidewater Goby
San Simeon Creek Estuary	X	X	San Simeon	*Estuarine Habitat	Tidewater Goby; Chorro Creek Bog Thistle
San Simeon Creek	X	X	Cambria	San Simeon State Park	Tidewater Goby; Chorro Creek Bog Thistle
Steiner Creek		X	Cypress Mountain		
Santa Rosa Creek Estuary	X	X	Cambria	*Estuarine Habitat	Tidewater Goby
Santa Rosa Creek		X	Cambria		Tidewater Goby
Perry Creek		X	Cambria		
Green Valley Creek		X	Cambria		

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Waterbody Names	BIO	RAPE	USGS MAP 7.5	Biological Justification	Rare Justification
Villa Creek		X	Cypress Mountain		Tidewater Goby
Cayucos Creek	X	X	Cayucos		Tidewater Goby
Old Creek, downstream		X	Morro Bay North		Tidewater Goby
Whale Rock Reservoir		X	Morro Bay North		
Old Creek, upstream		X	York Mountain		Tidewater Goby
Toro Creek		X	Morro Bay North		
Morro Creek		X	Morro Bay North		Tidewater Goby
Little Morro Creek		X	Morro Bay North		
Morro Bay Estuary	X	X	Morro Bay South	*Estuarine Habitat	Tidewater Goby
Chorro Creek	X	X	Morro Bay South	Morro Bay State Park	Tidewater Goby; Chorro Creek Bog Thistle
Dairy Creek		X	Morro Bay South		
San Luisito Creek		X	Morro Bay South		
San Bernardo Creek		X	Morro Bay South		
Los Osos Creek		X	Morro Bay South		Tidewater Goby

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Warden Lake Wetland		X	Morro Bay South		
Islay Creek	X	X	Morro Bay South	Montana de Oro State Park	
Goon Creek	X	X	Morro Bay South	Montana de Oro State Park	
Diablo Canyon Creek		X	Port San Luis		
San Luis Obispo Creek Estuary (a)	X	X	Pismo Beach	Morro Bay State Park; *Estuarine Habitat	
S.L.O. Crk. above W. Marsh St.		X	San Luis Obispo		Tidewater Goby
Froom Creek		X	San Luis Obispo		Chorro Creek Bog Thistle
Davenport Creek		X	Pismo Beach		
San Luis Obispo Creek, east fork		X	San Luis Obispo		Tidewater Goby
Stenner Creek		X	San Luis Obispo		
Brizzolari Creek		X	San Luis Obispo		
Perfumo Creek		X	San Luis Obispo		Chorro Creek Bog Thistle
Laguna Lake		X	San Luis Obispo		Chorro Creek Bog Thistle
Pismo Creek Estuary	X	X	Pismo Beach	*Estuarine Habitat; Pismo State Beach	Tidewater Goby; Western Snowy Plover

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Pismo Creek	X	X	Pismo Beach	Pismo State Beach	Tidewater Goby; Western Snowy Plover
Arroyo Grande Creek Estuary	X	X	Oceano	*Estuarine Habitat	
Arroyo Grande Creek, downstream		X	Oceano		
Oceano Lagoon	X	X	Oceano	Pismo State Beach	
Meadow Creek	X	X	Oceano	Pismo State Beach	
Pismo Marsh (Lake)	X	X	Oceano	Pismo State Beach	
Los Berros Creek		X	Oceano		
Lopez Reservoir		X	Oceano		
Arroyo Grande Creek, upstream		X	Arroyo Grande		
Big Pocket Lake (Dunes Lakes)		X	Oceano		
Willow Lake " "		X	Oceano		California Least Tern
Pipeline Lake " "		X	Oceano		California Least Tern
Catery Lake " "		X	Oceano		La Graciosa Thistle
Hospital Lake " "		X	Oceano		La Graciosa Thistle

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Waterbody Names	BIO	RAFE	USGS MAP 7.5	Biological Justification	Rare Justification
Big Twin Lake		X	Oceano		La Graciosa Thistle
Small Twin Lake		X	Oceano		La Graciosa Thistle; Gambel's Watercress; Marsh Sandwort
Bolsa Chico Lake		X	Oceano		La Graciosa Thistle
White Lake		X	Oceano		La Graciosa Thistle; California Least Tern
Mud Lake		X	Oceano		La Graciosa Thistle
Black Lake		X	Oceano		La Graciosa Thistle; Marsh Sandwort; Nipomo Mesa Lupine
Dune Lakes Marsh Area		X	Oceano		La Graciosa Thistle
Carizo Plain Hydrologic Unit (311.00)					
San Diego Creek	X	X	McKittrick Summit		Giant Kangaroo Rat; San Joaquin Kit Fox
Soda Lake	X	X	McKittrick Summit		Giant Kangaroo Rat; San Joaquin Kit Fox

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Santa Maria Hydrologic Unit (312.00)					
Oso Flaco Lake	X	X	Oceano	Dunes Natural Preserve	California Least Tern; La Graciosa Thistle; Surf Thistle; Marsh Sandwort; Gambel's Watercress
Oso Flaco Creek	X	X	Oceano	Dunes Natural Preserve	
Santa Maria River Estuary	X	X	Point Sal	*Estuarine Habitat	
Santa Maria River		X	Guadalupe		La Graciosa Thistle; Tidewater Goby; Western Snowy Plover; Surf Thistle
Sisquoc River, Upstream	X	X	Sisquoc		Least Bells Vireo
Cuyama River, downstream		X	Twitchell Dam		
Twitchell Reservoir		X	Twitchell Dam		
Cuyama River, upstream		X	Twitchell Dam		
Alamo Creek		X	Nipomo		
Huasna River		X	Nipomo		
Orcutt Creek		X	Orcutt		

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
San Antonio Hydrologic Unit (313.00)					
San Antonio Creek Estuary	X	X	Casmalia	*Estuarine Habitat	Unarmored Threespine Stickleback
San Antonio Creek		X	Orcutt		Unarmored Threespine Stickleback; Tidewater Goby; Surf Thistle
Barka Slough		X	Orcutt		Unarmored Threespine Stickleback
Santa Ynez Hydrologic Unit (314.00)					
Santa Ynez River Estuary	X	X	Surf	*Estuarine Habitat	California Least Tern
Santa Ynez River, downstream		X	Surf		Western Snowy Plover; Least Bells Vireo; Tidewater Goby; Willow Flycatcher
Zaca Creek		X	Zaca Creek		Least Bells Vireo
Zaca Lake		X	Zaca Lake		Least Bells Vireo
Oak Canyon Creek	X		Surf		
Cachuma Reservoir		X	Lake Cachuma		
Santa Ynez River, upstream		X	Lompoc		Western Snowy Plover; Least Bells Vireo; Willow Flycatcher
Gibraltar Reservoir		X	Little Pine Mountain		Least Bells Vireo; Willow Flycatcher

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Jameson Reservoir		X	Carpinteria		
Agua Caliente Canyon		X	Hildreth Peak		Least Belts Vireo
Mono Creek		X	Hildreth Peak		Willow Flycatcher; Least Belts Vireo
Indian Creek	X	X	Little Pine Mountain		
Santa Cruz Creek		X	Lake Cachuma		
Cachuma Creek		X	Lake Cachuma		
South Coast Hydrologic Unit (315.00)					
Canada Honda Creek Estuary	X	X	Point Arguello	*Estuarine Habitat	
Canada Honda Creek		X	Tranquillon Mountain		Unarmored Threespine Stickleback; Tidewater Goby
Water Canyon Creek	X		Tranquillon Mountain		
Jalama Creek Estuary	X	X	Tranquillon Mountain	*Estuarine Habitat	Tidewater Goby
Escondido Creek		X	Lompoc Hills		
Barranca Honda		X	Point Conception		

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Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Canada de la Gaviota	X	X	Gaviota		Tidewater Goby
Canada San Onofre		X	Solvang		
Canada del Molino		X	Gaviota		
Arroyo Hondo		X	Gaviota		Tidewater Goby
Arroyo Quemado		X	Tajiguas		Tidewater Goby
Tajigas Creek		X	Tajiguas		
Canada del Refugio	X	X	Tajiguas	Refugio Beach State Park	
Canada del Capitan	X	X	Tajiguas	Capitan Beach State Park	
Dos Pueblos Canyon Creek		X	Dos Pueblos Canyon		
Tacolote Creek		X	Dos Pueblos Canyon		Tidewater Goby, Least Bells Vireo
Deversaux Ranch Lagoon	X	X	Goleta		Tidewater Goby
Goleta Point Marsh	X	X	Goleta		Light-Footed Clapper Rail
Goleta Slough/Estuary	X	X	Goleta	*Estuarine Habitat	Light-Footed Clapper Rail, Western Snowy Plover, Belding's Savannah Sparrow
Glen Anne Creek		X	Goleta		Light-Footed Clapper Rail

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Waterbody Name	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Los Caneros Wetland		X	Goleta		
Los Caneros		X	Goleta		
Atascadero Creek (SB)		X	Goleta		
San Antonio Creek (S. Barbara County)		X	Goleta		Tidewater Goby
San Jose Creek (S. Barbara County)		X	Goleta		
Arroyo Burro Creek	X	X	Goleta		
Mission Creek		X	Santa Barbara		
Sycamore Creek		X	Santa Barbara		
Andree Clark Bird Refuge	X	X	Santa Barbara	Frd Refuge	
Arroyo Paredon		X	Carpinteria		Light-Footed Clapper Rail
Carpinteria Marsh (El Estero Marsh)	X	X	Carpinteria	Carpinteria State Beach	Light Footed Clapper Rail; Salt Marsh Bird's-Beak; Beldings Savannah Sparrow; Western Snow Plover
Santa Monica Creek	X		Carpinteria	Carpinteria State Beach	

* All estuarine waterbodies were designated Biological (BIO) before adopting the Estuarine Habitat (EST) classification on Sept. 8, 1994.

Waterbody Names	BIO	RAPE	USGS MAP 7.5	Biological Justification	Rare Justification
Franklin Creek		X	Carpinteria		Light-Footed Clapper Rail; Western Snowy Plover
Carpinteria Creek	X	X	Carpinteria	Carpinteria State Beach	Tidewater Goby; Western Snowy Plover
Pincon Creek		X	White Ledge Peak		Light-Footed Clapper Rail
Santa Barbara Channel Hydrologic Unit (316.00)					
SANTA ROSA ISLAND					
Canada Lobos Creek	X	X	Santa Rosa Is. North	National Marine Sanctuary	Box-leaved Bedstraw; Island Barberr
Old Ranch Canyon Creek	X	X		National Marine Sanctuary	Box-leaved Bedstraw; Island Barberr
Arlington Canyon Creek	X	X	Santa Rosa Is. North	National Marine Sanctuary	Box-leaved Bedstraw; Island Barberr
Water Canyon Creek	X	X		National Marine Sanctuary	Box-leaved Bedstraw; Island Barberr
Cow Canyon Creek	X	X	Santa Rosa Is. North	National Marine Sanctuary	Box-leaved Bedstraw; Island Barberr
Cleop Springs	X	X		National Marine Sanctuary	Box-leaved Bedstraw; Island Barberr
Old Ranch Canyon Creek Estuaries	X	X		National Marine Sanctuary	Box-leaved Bedstraw; Island Barberr
Old Ranch House Canyon Creek	X	X		National Marine Sanctuary	Box-leaved Bedstraw; Island Barberr
Cherry Canyon Creek	X	X		National Marine Sanctuary	Box-leaved Bedstraw; Island Barberr
SANTA CRUZ ISLAND					
Willow Canyon Creek	X	X	Santa Cruz Is. A	National Marine Sanctuary	Same as above two plants; S.C. Island Fox; S.C. Live-forever
Coches Prieto Canyon Creek	X	X	Santa Cruz Is. C	National Marine Sanctuary	Same as above two plants; S.C. Island Fox; S.C. Live-forever
Alamos Anchorage Canyon Creek	X	X	Santa Cruz Is. B	National Marine Sanctuary	Same as above two plants; S.C. Island Fox; S.C. Live-forever
Canada del Puerto (Priorior Harbor)	X	X	Santa Cruz Is. C	National Marine Sanctuary	Same as above two plants; S.C. Island Fox; S.C. Live-forever
Canada Larga Creek	X	X	Santa Cruz Is. A	National Marine Sanctuary	Same as above two plants; S.C. Island Fox; S.C. Live-forever

* All estuarine waterbodies were designated Biological (BIOL) before adopting the Estuarine Habitat (EST) classification on Sept. 9, 1994.

Waterbody Names	BIO	RARE	USGS MAP 7.5	Biological Justification	Rare Justification
Upper Pozo Canyon Creek	X	X	Santa Cruz Is. A	National Marine Sanctuary	Same as above two plants; S.C. Island Fox; S.C. Live-forever
Sauces Canyon Creek	X	X	Santa Cruz Is. A	National Marine Sanctuary	Same as above two plants; S.C. Island Fox; S.C. Live-forever
Twin Harbors Canyon Ck. (E. Fork)	X	X	Santa Cruz Is. B	National Marine Sanctuary	Same as above two plants; S.C. Island Fox; S.C. Live-forever
Lady's Harbor Canyon Creek	X	X	Santa Cruz Is. B	National Marine Sanctuary	Same as above two plants; S.C. Island Fox; S.C. Live-forever
Estralla River Hydrologic Unit (317.00)					
San Juan Creek		X	Chalome, Estralla		
Chalome Creek		X	Cholame		
Little Chalome Creek		X	Cholame		

* All estuarine waterbodies were designated Biological (BIO) before adopting the Estuarine Habitat (EST) classification on Sept. 8, 1994.

APPENDIX F

TELEPHONE SURVEY PARTICIPANTS AND RESPONSES

Name	Title/Agency	Phone #
Big Basin State Park	Big Basin State Park	(408) 338-6132
Calderwood, Ian	Resource Ecologist	(805) 423-9709
Chytil, Marc	Biologist/Environmental Defense Center	(805) 963-1623
Cicero, Vince	Resource Ecologist/Parks and Recreation	(805) 549-3312
Elliot, Woody	Resource Ecologist/San Simeon State Park	(805) 927-2032
Ferreira, Gene	Resource Ecologist/Bay Area State Parks	(415) 726-8813
Fusari, Maggie	Resource Ecologist	(408) 459-4971
Gillespie, Chris	Wetlands Biologist/VAFB	1-734-VAFB x65299
Goldner, Bernard	District Env. Specialist/S.C. Valley Water District	(408) 927-0210 x2693
Gray, George	District Manager State Parks	(408) 429-2867
Gray, Ken	Sr. Resource Ecologist/CA Dept. of Parks and Rec	(408) 649-2862
Holland, Dan	Resource Ecologist/San Simeon State Park	(805) 325-3476
Kemple, Steve	Elkhorn Slough Reserve	(408) 728-2822
Krishnan, Celeste	Resource Ecologist/Dept. of Fish and Game	(916) 327-5957
Lewis, Robin	H2O Quality Biologist/Dept. of Fish and Game	(408) 649-2882
Murphy, Keil	Dept. of Fish and Game	(408) 649-2883
Palmisano, Terry	Resource Ecologist	(805) 968-1711
Pazadocus, Bill	Biologist/Office of Spill Prevention & Response	(619) 525-4187
Perry, Laura	Biologist/Land Conservancy	(408) 476-6116
Reed, Nancy	Wildlife Biologist/VAFB	1-734-VAFB x58399
Scott, Norm	Resource Ecologist/San Simeon State Park	(805) 927-3893
Singer, Steve	Biologist/S.C. Mnts. Bio Diversity Task Force	(408) 427-3297
Straken, Gary	Ecologist/Ano Nuevo State Reserve	(415) 879-2025
Worcester, Karen	CRWQCB/Fisheries Ecologist	(805) 549-3333

WATERBODY NAME	B.U.	CONTACT	JUSTIFICATION OR COMMENT
ANO NUEVO CREEK	RARE	Gary Straken	San Francisco Garter Snake
APTOS CREEK	BIOL	George Gray	Nicene Marks State Park
ARROYO DEL CORRAL	RARE	Norm Scott	T.G.
ARROYO DEL OSO	RARE	Norm Scott	T.G.
ARROYO HONDO	RARE	Nancy Reed	Unarmored Threespine stickleback, T.G.
BALDWIN CREEK	RARE	Ken Gray	Willow Flycatcher, Marsh Murrelet, T.G.
BALDWIN CREEK ESTUARY	BIOL	Ken Gray	Wilder Ranch Preserve
BALDWIN CREEK ESTUARY	RARE	Ken Gray	Bald Eagle, CA least tern, T.G.
BATES CREEK	BIOL	George Gray	Nicene Marks State Park
BENNETT SLOUGH/ESTUARY	BIOL	Gene Ferreira	Elkhorn Slough National Wetland, State Research Reserve
BRIDGE CREEK	BIOL	George Gray	Nicene Marks State Park
CARMEL RIVER	RARE	Gene Ferreira	CA Brown Pelican
CARMEL RIVER	RARE	Bruce Elliot	CA Brown Pelican
CARMEL RIVER ESTUARY	RARE	Bruce Elliot	CA Brown Pelican
CASCADE CREEK	RARE	Gary Straken	San Francisco Garter Snake
CASCADE CREEK LAGOON/ESTUARY	RARE	Gary Straken	San Francisco Garter Snake
ELKHORN SLOUGH	BIOL	Gene Ferreira	Elkhorn Slough National Wetland, State Research Reserve
HINKLEY CREEK	BIOL	George Gray	Nicene Marks State Park
LAGUNA CREEK	RARE	Ken Gray	Western Snowy Plover
LAGUNA CREEK ESTUARY	RARE	Ken Gray	Western Snowy Plover
LIDDELL CREEK	RARE	Ken Gray	Western Snowy Plover
LITTLE PICO CREEK ESTUARY	RARE	Norm Scott	T.G.
MAJORS CREEK	RARE	Ken Gray	T.G.
MOORE CREEK	RARE	Bruce Elliot	W. Snowy Plover
PACHECO CREEK	BIOL	Gene Ferreira	Henry Coe State Park
PICO CREEK	RARE	Norm Scott	T.G.
PICO CREEK ESTUARY	RARE	Norm Scott	T.G.
SALINAS RIVER REFUGE LAGOON	RARE	Gene Ferreira	W. Snowy Plover, Smith's Ring-necked Plover, Butterfly
SAN ANTONIO CREEK	RARE	Nancy Reed	T.G.
SAN SIMEON CREEK ESTUARY	RARE	Norm Scott	T.G.
SAN VICENTE CREEK	RARE	Gary Straken	Western Snowy Plover
SANTA ROSA CREEK ESTUARY	RARE	Norm Scott	T.G.
SOQUEL CREEK	BIOL	George Gray	Nicene Marks State Park
WADDELL CREEK	RARE	Gary Straken	Western Snowy Plover
WADDELL CREEK E. BRANCH	RARE	Gary Straken	Western Snowy Plover
WADDELL CREEK ESTUARY	RARE	Gary Straken	S.F. Garter Snake, Western Snowy Plover, T.G.
WATSONVILLE SLOUGH	RARE	Gene Ferreira	W. Snowy Plover, S.C. Long-Toed Salamander
WILDER CREEK	RARE	Bruce Elliot	W. Snowy Plover, Willow Flycatcher, T.G.

APPENDIX G

**PLANT AND ANIMAL SPECIES JUSTIFYING RARE BENEFICIAL USE
DESIGNATIONS FOR REGION 3**

PLANTS

Scientific Name	Common Name	Rare	Threatened	Endangered
<i>Arctostaphylos hookeri ssp hearstiorum</i>	Hearst's Manzanita			Ca
<i>Berberis pinnata ssp insularis</i>	Island Barberry			Ca
<i>Ceanothus hearstiorum</i>	Hearst's ceanothus	Ca		
<i>Cirsium rhotophilum</i>	Surf Thistle		Ca	
<i>Cirsiumfontinale var. obispoense</i>	Chorro Creek Bog Thistle			Ca
<i>Cisium loncholepis</i>	La Graciosa Thistle		Ca	
<i>Dudleya nesiotica</i>	Santa Cruz Island Live-Forever	Ca		
<i>Empidorax traillii</i>	Willow Flycatcher			Ca
<i>Erysimum teretifolium</i>	Santa Cruz Wallflower			Ca
<i>Galium buxifolium</i>	Box-leaved Bedstraw	Ca		
<i>Holocarpha macradenia</i>	Santa Cruz Tarplant			Ca
<i>Limnanthes douglasii ssp sulphurea</i>	Pt. Reyes Meadowfoam			Ca
<i>Lotus argophyllus ssp niveus</i>	Santa Cruz Island Silver Lotus			Ca
<i>Lupinus nipomensis</i>	Nipomo Mesa Lupine			Ca
<i>Maritime ceanothus</i>	Maritime ceanothus	Ca		
<i>Phagiobothrys diffusus</i>	San Francisco Popcorn-Flower			Ca
<i>Pogogyne clareana</i>	Santa Lucia Mint			Ca
<i>Rorippa gambellii</i>	Gambel's Watercress		Ca	Fed
<i>Sanicula maritima</i>	Adobe Sanicle	Ca		
<i>Vireo bellii pusillus</i>	Least Bells Vireo			Ca & Fed

ANIMALS

Scientific Name	Common Name	Rare	Threatened	Endangered
<i>Ambystoma macrodactylum croceum</i>	Santa Cruz Long-Toed Salamander			Ca & Fed
<i>Arenaria paludicola</i>	Marsh Sandwort			Ca & Fed
<i>Brachyramphus marmoratus</i>	Marbled Murrelet		Fed	Ca
<i>Charadrius alexandrinus nivosus</i>	Western Snowy Plover		Fed	
<i>Cordylanthus maritimus ssp maritimus</i>	Salt Marsh Bird's-Beak			Ca & Fed
<i>Dipodomys ingens</i>	Giant Kangaroo Rat			Ca & Fed
<i>Eucyclogobius newberryi</i>	Tidewater Goby			Fed
<i>Euphilotes eroptes smithi</i>	Smith's Blue Butterfly			Fed
<i>Gasterosteus aculeatus williamsoni</i>	Unarmored Threespine Stickleback			Ca & Fed
<i>Haliaeetus leucocephalus</i>	Bald Eagle			Ca & Fed
<i>Passerculus sandwichensis beldingi</i>	Beldings Savannah Sparrow			Ca
<i>Pedicularis dudleyi</i>	Dudley's Lousewort	Ca		
<i>Pentachaeta bellidiflora</i>	White-Rayed Pentachaeta			Ca
<i>Rallus longirostris levipes</i>	Light Footed Clapper Rail			Ca & Fed
<i>Rallus longirostris obsoletus</i>	California Clapper Rail			Ca & Fed
<i>Riparia riparia</i>	Bank Swallow		Ca	
<i>Sterna antillarum browni</i>	California Least Tern			Ca & Fed
<i>Thamnophis sirtalis tetrataenia</i>	San Francisco Garter Snake			Ca & Fed
<i>Urocyon littoralis santacruzae</i>	Santa Cruz Island Fox		Ca	
<i>Urocyon littoralis santarosae</i>	Santa Rosa Island Fox		Ca	
<i>Vulpes macrotis mutica</i>	San Joaquin Kit Fox		Ca	Fed

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 94-01

ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS:

1. The Federal Clean Water Act directs states to adopt water quality standards and to review them on a triennial basis. The California Water Code directs the Regional Water Quality Control Board (Regional Board) to adopt Water Quality Control Plans (Basin Plans) and to update them periodically.
2. The Water Quality Control Plan, Central Coastal Basin (Basin Plan) was approved by the State Water Resources Control Board (State Board) on March 20, 1975 and a revised Basin Plan was approved by the State Board on August 16, 1990.
3. The State Board identified the need for comprehensive update of all Regional Board Basin Plans statewide and provided contract funding for a variety of studies to facilitate this process.
4. Several major Basin Plan amendments are proposed herein to partially satisfy Basin Plan Update Program requirements:
 - a. Revise Beneficial Use definitions to statewide consistent format.
 - b. Assign Beneficial Uses to approximately 300 water bodies and revise Beneficial Uses for approximately 150 water bodies.
 - c. Update organic chemicals objectives.
 - d. Add ground water objectives for the Paso Robles ground water basin.
 - e. Update Regional Board program descriptions.
 - f. Update State/Regional Board Plans and Policies.
 - g. Add description of Quality Control and Data Management.
 - h. Add description of Water Quality Assessment.

The specific amendment proposed is shown in Attachment "A".

5. Several additional minor changes (as described in Attachment "A") are also necessary to update the Basin Plan. Changes are proposed to clarify, edit, or correct the current Basin Plan.
6. This Basin Plan revision update process satisfies the federal triennial review requirements of Section 303 (c) of the Clean Water Act and the periodic review requirements of Water Code Act Section 12340.
7. Drafts of the proposed amendments have been prepared and distributed to interested persons and agencies for review and comment.
8. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional

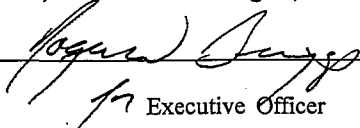
Equivalent) and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment.

9. The State Board is required to adopt numerical water quality objectives for toxics in accordance with Section 303(C)(2)(b) of the Clean Water Act. The State Board adopted objectives in the California Inland Surface Waters Plan, April 1992, and the California Enclosed Bays and Estuaries Plan, April, 1991. These Plans are currently implemented by the Regional Board. These Plans are being contested in court. It is uncertain whether the Plans will be upheld in their current form.
10. State Board Plans are in effect after approval by the California Office of Administrative Law. These Plans supersede Basin Plans to the extent of any conflict. State Board Plans must be implemented by the Regional Board whether the Plans are referenced in the Basin Plan or not.
11. Amendment of the Administrative Procedure Act, Government Code Section 11340, requires Basin Plan amendments be submitted to the California Office of Administrative Law.
12. A "Summary of Necessity for the Regulatory Provisions (Attachment D)", has been prepared as required by the California Office of Administrative Law.
13. Regional Board staff consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and on threatened and endangered plant and animal species. The draft amendment has been revised in response to comments by Department of Fish and Game staff. The Department of Fish and Game has made a conditional determination of "no jeopardy" pursuant to the California Endangered Species Act. A finding of "no jeopardy" is conditioned upon the Regional Board implementing water quality objectives in accordance with Section 303(C)(1) of the Clean Water Act by June 1, 1995.
14. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
15. On February 11, 1994, in the Regional Board held a public hearing and heard and considered all public testimony.

THEREFORE BE IT RESOLVED:

1. Based on the draft Basin Plan amendment, the environmental checklist, accompanying written documentation, and public comments received, the Regional Board finds that there is no substantial evidence in the record that adoption of the proposed Basin Plan amendment will have a significant effect on the environment.
2. The environmental document prepared by Regional Board staff pursuant to Public Resources Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the Executive Officer shall file a Notice of Decision with the State Clearinghouse.
3. The Basin Plan amendment shown on Attachment "A" is approved. The amendments will not take effect until approved by the State Board and the Office of Administrative Law.
4. The Regional Board intends to implement water quality objectives adopted by the State Board in accordance with Section 303(C)(1) of the Clean Water Act by June 1, 1995.
5. Upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the Environmental Protection Agency for approval.

I, **WILLIAM R. LEONARD**, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on February 11, 1994.



Executive Officer

ATTACHMENT A

PROPOSED BASIN PLAN AMENDMENTS

The following Basin Plan amendments are proposed. (Note new language is shown in **bold**, existing language is shown in plain text, and deletions are struck out.)

CHAPTER TWO

1. Amend Table 2-1 (pages II-2 through II-5) to identify or revise beneficial uses as shown on revised Table 2-1. New beneficial uses are identified for the "Preservation of Biological Habitats of Special Significance" (BIOL); Rare, Threatened, or Endangered Species (RARE); and Estuarine Habitat (EST). Specific proposed changes are shown on Attachment E, Beneficial Use Revisions, February 8, 1994.
2. Amend Table 2-1, footnote "a" (pages II-2 through II-5) to read as follows:

"See Figure 1-1 for general location. This table lists selected streams and water bodies. It is not a complete inventory of the Central Coast Region. Unlisted streams and water bodies have implied beneficial use designations for protection of both recreation and aquatic life **with the exception of constructed agricultural drains. Constructed agricultural drains may be assigned beneficial uses on a case-by-case basis.**"

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Big Basin Hydrologic Unit (304.00)														
Lucerne lake Estuary						E	E	E	E			E	E	E
Lucerne Lake	E	E				E	E	E	E					
Arroyo de los Frejoles Creek	E	E			E	E	E	E	E	E	E	E	E	E
Arroyo de los Frejoles Reservoir	E	E			E	E	E	E	E	E				
Gazos Creek Lagoon/Estuary						E	E	E	E	E	E	E	E	E
Gazos Creek	E	E			E	E	E	E	E		E	E		
Old Womans Creek	E					E	E	E	E		E	E	E	
Whitehouse Creek	E					E	E	E	E		E	E	E	
Cascade Creek Lagoon/Estuary						E	E	E	E		E	E	E	E
Cascade Creek	E	E			E	E	E	E	E		E	E	E	E
Green Oaks Creek Lagoon/Estuary						E	E	E	E			E		E
Green Oaks Creek	E	E			E	E	E	E	E	E	E	E	E	
Ano Nuevo Creek	E	E			E	E	E	E	E		E	E	E	E
Finney Creek	E	E				E	E	E	E				E	
Elliot Creek	E	E				E	E	E	E				E	
Waddell Creek Estuary					E	E	E	E	E		E	E	E	E
Waddell Creek (Main Stem)	E	E		E	E	E	E	E	E		E	E	E	E
Waddell Creek, east branch	E				E	E	E	E	E		E	E	E	E
Last Chance Creek	E	E			E	E	E	E	E		E	E		E
Blooms Creek	E				E	E	E	E	E			E	E	E
Sempervirens Creek	E				E	E	E	E	E		E	E	E	
Union Creek	E					E	E	E	E				E	
Sempervirens Res.	E					E	E	E	E				E	
Opal Creek	E				E	E	E	E	E				E	
Rogers Creek	E					E	E	E	E				E	
Maddocks Creek	E					E	E	E	E				E	
Waddell Creek, west branch	E				E	E	E	E	E		E	E	E	E
Kelley Creek	E				E	E	E	E	E					
Berry Creek	E				E	E	E	E	E					
Henry Creek	E				E	E	E	E	E				E	
Scott Creek Lagoon						E	E	E	E		E	E		E
Scott Creek	E	E		E	E	E	E	E	E		E	E		E

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Little Creek	I	I		I	I	I	E	E	I		I	I		E
Big Creek(Ano Nuevo)	I	I		I	I	I	E	E	I		I	I		E
Berry Creek	E				E	E	E	E	E				E	
Deadman Gulch Creek	E				E	E	E	E	E			E		E
Boyer Creek	E				E	E	E	E	E			E		
Mill Creek (Scott Creek)	E X	I		I	E X	E X	E	E	E X		E	E		E
Mill Creek Res.	E					E	E	E	E	E	E	E		
Molino Creek	E	E			E	E	E	E	E					
San Vicente Creek	E	E	E	E	E	E	E	E	E		E	E		E
Mill Creek (Bonnie Doon)	E				E	E	E	E	E		E	E		
Liddell Creek	E	E			E	E	E	E	E		E	E		E
Liddell Creek, east branch	I	I		I	I	E	E	E	I		I	I		
Liddell Creek, west branch	E				E	E	E	E	E		E	E		
Laguna Creek Estuary					E	E	E	E	E		E	E		E
Laguna Creek	E	E		E	E	E	E	E	E		E	E		E
Reggiardo Creek	E				E	E	E	E	E					E
Majors Creek	I	I		I	I	E	E	E	I		I	I		E
Baldwin Creek Estuary						E	E	E	E	E	E	E	E	E
Baldwin Creek	E	E			E	E	E	E	E		E	E	E	E
Wilder Creek Estuary						E	E	E	E	E	E	E	E	E
Wilder Creek	E	E			E	E	E	E	E	E	E	E	E	
Cave Gulch	I				I	I	E	E	I	I				
Younger's Lagoon					E	E	E	E	E	E		E	E	
Antonellis Pond					E	E	E	E		E	E	E		E
Moore Creek	I	I			I	I	E	E	I	I		E	E	
Neary's Lagoon					E	E	E	E		E		E		E
San Lorenzo River Estuary						E	E	E	E		E	E	E	E
San Lorenzo River	E	E		E	E	E	E	E	E		E	E	E	E
Branciforte Creek	E	E			E	E	E	E	E		E	E		
Blackburn Gulch	E				E	E	E	E	E		E	E		
Tie Gulch	E				E	E	E	E	E		E	E		
Granite Creek	E			E	E	E	E	E	E		E	E		
Carbonera Creek	E	E		E	E	E	E	E	E		E	E		
Zayante Creek	E	E		E	E	E X	E	E	E		E	E		
Bean Creek	E	E		E	E	E	E	E	E		E	E		

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Mackenzie Creek	E				E	E	E	E	E		E	E		
Ruins Creek	E				E	E	E	E	E		E	E		
Lockhart Gulch Creek	E				E	E	E	E	E		E	E		
Mountain Charlie Gulch	E				E	E	E	E	E		E	E		
Lompico Creek	E	E			E	E	E	E	E		E	E		
Mill Creek (SLR)	E				E	E	E	E	E					
Newell Creek	E	E		E	E	E	E	E	E		E	E		
Loch Lomond Res.	E	E		E	E	E	E	E	E	I	E	E		E
Love Creek	E				E	E	E	E	E		E	E		
Fritch Creek	E				E	E	E	E	E		E	E		
Smith Creek	E				E	E	E	E	E					
Spring Creek Gulch	E				E	E	E	E	E					
Bear Creek	E	E			E	E	E	E	E		E	E		
Connelly Gulch	E				E	E	E	E	E		E	E		
Shear Creek	E				E	E	E	E	E		E	E		
Deer Creek	E				E	E	E	E	E		E	E		
Hopkins Gulch	I				I	I	E	E	I		I	I		
Two Bar Creek	E				E	E	E	E	E		E	E		
Kings Creek	E				E	E	E	E	E		E	E	E	
Logan Creek	E				E	E	E	E	E		E	E		
Sleeper Gulch	I				I	I	E	E	I				E	
McDonald Gulch	E				E	E	E	E	E		E	E	E	
Spring Creek	E				E	E	E	E	E		E	E		
Boulder Creek	E	E			E	E	E	E	E		E	E		
Bracken Brae Creek	E				E	E	E	E	E					E
Hare Creek	E				E	E	E	E	E		E	E		E
Jamison Creek	E				E	E	E	E	E		E	E		
Peavine Creek	E				E	E	E	E	E		E	E		
Silver Creek	E				E	E	E	E	E		E	E		
Foreman Creek	E				E	E	E	E	E		E	E		
Malosky Creek	I				I	I	E	E	I		I	I		
Clear Creek	E				E	E	E	E	E		E	E		
Alba Creek	E				E	E	E	E	E		E	E		
Marshall Creek	E				E	E	E	E	E		E	E		
Mason Creek	E				E	E	E	E	E		E	E		

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Fall Creek	E	E		E	E	E	E	E	E		E	E	E	
South Fall Creek	E	E			E	E	E	E	E		E	E	E	
Bennett Creek	E	E		E	E	E	E	E	E		E	E	E	
Bull Creek	E				E	E	E	E	E			E		
Shingle Mill Creek	E				E	E	E	E	E		E	E		
Gold Gulch Creek	E				E	E	E	E	E		E	E		
Woods Lagoon						E	E	E			E	E		
Arana Gulch	E				E	E	E	E	E		E	E		E
Schwan Lake						E	E	E		E		E	E	E
Corcoran Lagoon					E	E	E	E		E		E		E
Rodeo Creek Gulch (Doyle Gulch)	I	I		I	I	I	E	E	I			I		
Moran Lake					E	E	E	E		E		E		
Soquel Lagoon						E	E	E	E		E	E		E
Soquel Creek	E	E		E	E	E	E	E	E		E	E	E	
Bates Creek	E					E	E	E	E		E	E	E	
Grover Gulch	E				E	E	E	E	E		E	E		
Soquel Creek, east branch	E			E	E	E	E	E	E		E	E		
Hinckley Creek	I	I		I	I	I	E	E	I		I	I	E	
Amaya Creek	E				E	E	E	E	E		E	E		
Soquel Creek, west branch	E				E	E	E	E	E		E	E		
Hester Creek	E				E	E	E	E	E		E	E		
Laural Creek	E				E	E	E	E	E		E	E		
Burns Creek	E				E	E	E	E	E		E	E		
Moores Gulch	E				E	E	E	E	E		E	E		
Miners Creek	E				E	E	E	E	E		E	E		
Aptos Creek	E	E		E	E	E	E	E	E		E	E	E	
Valencia Creek	E				E	E	E	E	E		E	E		
Trout Gulch	E				E	E	E	E	E					
Bridge Creek	E	E				E	E	E	E		E	E	E	
Valencia Lagoon						E	E	E		E		E		E

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Pajaro River Hydrologic Unit (305.00)														
Corralitos Lagoon						E	E	E	E					
Palm Beach Pond	E					E	E	E		E				E
Pinto Lake	E	E			E	E	E	E		E		E		
Kelley Lake	E	E			E	E	E	E		E		E		
Drew Lake	E	E			E	E	E	E		E		E		
Tynan Lake	E	E			E	E	E	E		E		E		
Warner Lake	E	E			E		E	E						
Pajaro River Estuary						E	E	E	E	E	E	E	E	E
Pajaro River	I	I		E	I	I	E	E	E	E	I	I		
San Benito River	I	I		E	I	I	E	E		E		E		
Bird Creek	I	I			I	I	E	E		I			E	
Pescadero Creek (S. Benito)	I	I			I	I	E	E	E	E	I	I		
Tres Pinos Creek	E	E		E	E	E	E	E		E		E		
Hernandez Reservoir	E	E			E	E	E	E		E		E		
Tequisquita Slough					E	I	E	E		I		I		
San Felipe Lake	E	E			E	E	E	E	E	E	E			
Pacheco Creek	I	I			I	I	E	E	I	I	I	I	E	E
Pacheco Lake	E	E			E	E	E	E	E	E		E		E
Llagas Creek(above Chesbro Res.)	E	E			E	E	E	E	E	E				E
Chesbro Reservoir	E	E			E	E	E	E		E	E	E		E
Llagas Creek(Below Chesbro Res)	E	E		E	E	E	E	E	E	E	E	E		E
Alamias Creek	I	I			I	I	E	E	I	I	I	I		
Live Oak Creek	I	I			I	I	E	E	I	I	I			
Little Llagas Creek	I	I			I	I	E	E		I				
Carnadero Creek	E				E	E	E	E	E	E	E			E
Uvas Creek, downstream	E	E		E	E	E	E	E	I	E	I	I		E
Uvas Res.	E	E			E	E	E	E		E		E		E
Little Arthur Creek	I	I			I	I	E	E	I	I	I	I		
Bodfish Creek	E	E			E	E	E	E	E	E	E	E		E
Black Hawk Canyon Creek	E					E	E	E		E	E	E		E
Uvas Creek, upstream	E				E	E	E	E	E		E	E		E
Little Uvas Creek	E	E			E	E	E	E		E				

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Swanson Canyon Creek	E				E	E	E	E						
Alec Canyon Creek	E				E	E	E	E	E		E	E		
Croy Creek	E				E	E	E	E		E				E
Eastman Canyon Creek	E	E			E	E	E	E		E				
Pescadero Creek	E A	E			E	E	E	E	E		E	E	E	
Salsipuedes Creek	E	E			E	E	E	E	E		E	E		
Corralitos Creek	E	E		E	E	E	E	E	E	E	E	E		
Browns Creek	E	E		E	E	E	E	E	E	E	E	E		
Gamecock Creek	E				E	E	E	E	E		E	E		
Ramsey Gulch	E				E	E	E	E	E		E	E		
Redwood Creek	E					E	E	E	E		E	E		
Mormon Gulch	I				I	I	E	E	I					
Clipper Gulch	E				E	E	E	E	E					
Cookhouse Gulch	E				E	E	E	E	E					
Shingle Mill Gulch	E				E	E	E	E	E		E	E		
Rattlesnake Gulch	E				E	E	E	E	E					
Diablo Gulch Creek	E				E	E	E	E	E					
Eureka Gulch	E				E	E	E	E	E					
Rider Gulch Creek	E				E	E	E	E	E		E	E		
Watsonville Slough						E	E	E		E X		E	E	E
Struve Slough						E	E	E	E		E	E	E	E
Hanson Slough						E	E	E		E		E	E	E
Harkins Slough						E	E	E		E		E	E	E
Gallighan Slough						E	E	E		E		E		E

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Bolsa Neuva Hydrologic Unit (306.00)														
McClusky Slough					E	E	E	E		E		E		E
Elkhorn Slough						E	E	E	E	E	E	E	E	E
Bennett Slough/Estuary						E	E	E	E	E		E	E	E
Parsons Slough						E	E	E	E			E	E	E
Carmel River Hydrologic Unit (307.00)														
Carmel River Estuary					E	E	E	E	E		E	E	E	E
Carmel River	I	I		I	I	E	E	E	E	E	E	E	E	E
San Clemente Res.	E	E			E	E	E	E	E		E	E		
San Clemente Creek	I	I			I	E	E	E	E	I	I	I		
Pine Creek	E				I	E	E	E	E	I	E	E	E	
Los Padres Reservoir	E				E	E	E	E	E	E	E	E		
Cachagua Creek	I	I	I	I	I	I	E	E	E	I	I	I		
Finch Creek	I				I	I	E	E	I	I	I	I	E	E
Tularcitos Creek	I	I			I	E	E	E	E	I	I	I		
Rana Creek	E				I	E	E	E	E	I	E	E		
Chupines Creek	I				I	I	E	E	E	I	I	I		
White Rock Lake	E					E	E	E	I	E	I	I		

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Santa Lucia Hydrologic Unit (308.00)														
San Jose Creek Estuary						E	E	E	E		E	E	E	E
San Jose Creek	I	I			I	E	E	E	E	I	I	I	E	
Garrapata Creek	E					E	E	E	E		E	E		E
Palo Colorado Canyon	I	I			I	E	E	E	E	I		I		
Rocky Creek	E					E	E	E	E	E	E	E		
Bixby Creek	E					E	E	E	E		E	E		E
Mill Creek	E					E	E	E	E		E	E		
Little Sur River Estuary						E	E	E	E		E	E	E	E
Little Sur River	E	E			E	E	E	E	E		E	E	E	E
Big Sur River Estuary						E	E	E	E	E	E	E	E	E
Big Sur River	E	E			E	E	E	E	E	E	E	E	E	E
Big Creek	E					E	E	E	E	E	E	E	E	E
Devils Canyon Creek, south fork	E					E	E	E	E		E	E	E	
Devils Canyon Creek, middle fork	E					E	E	E	E		E	E	E	
Devils Canyon Creek, north fork	E					E	E	E	E		E	E	E	
Big Creek, north fork	E					E	E	E	E				E	
Limekiln Creek	E	E			E	E	E	E	E		E	E	E	E
Mill Creek (Cape San Martin)	E					E	E	E	E	E	E	E		
Willow Creek	E				E	E	E	E	E		E	E		E
Salmon Creek	E					E	E	E	E		E	E		E

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Salinas Hydrologic Unit (309.00)														
Moro Cojo Slough					E	E	E	E	E	E		E	E	E
Old Salinas River Estuary						E	E	E	E	E	E	E	E	E
Tembladero Slough						E	E	E		E		E		E
Espinosa Lake						E	E	E		E				
Espinosa Slough						E	E	E		E				
Salinas Reclamation Canal		E				E	E	E		E				
Gabilan Creek	I	I			I	I	E	E		I		I		
Alisal Creek	I	I			I	E	E	E	E	I		I		
Blanco Drain					E	E	E	E		E				
Salinas River Refuge Lagoon (South)						E	E	E	E	E	E		E	E
Marina Pond #1					E	E	E	E	E			E	E	E
Marina Pond #2					I	I	E	E	I				E	E
Marina Pond #3					I	I	E	E	I				E	E
Marina Pond #4/5					I	I	E	E	I				E	E
Marina Pond #6					I	I	E	E	I				E	E
Marina Pond #7					E	E	E	E	E			E	E	E
Laguna Grande/Roberts Lake(LagunaDelRay)	E					E	A	E	E	E				
Del Monte Lake	E					E	E	E		E				
El Estero Lake	E				E	E	E	E	E	E		E		
Salinas River Lagoon (North)					E	E	E	E	E	E	E	E	E	E
Salinas River, dnstr of Spreckels Gage	I	I				E	E	E	E	I	I			
Salinas River, Spreckels Gage-Chualar	I	A	A	A	I	I	E	E	I	I	I			
Salinas Riv, Chualar-Nacimiento Riv	I	A	A	E	A	E	E	E	I	E	E	E		E
Arroyo Seco River	I	I		I	I	E	E	E	I	E	I	I		E
Abbott Lakes (The Lakes)	E				E	E	E	E	E	E		E		
Paloma Creek	I	I			I	E	E	E	E	E				
Tassajara Creek	E	E			E	E	E	E	E	E	E	E	E	E
Santa Lucia Creek	I	I			I	I	E	E	I	I	I	I	E	
Vaqueros Creek	I	I				I	E	E	I		I	I		
Reliz Creek	I	I			I	I	E	E	I		I	I		
Hames Creek	I	I			I	I	E	E		I				

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
San Antonio Riv., dwnstr frm Res.	I	I		I	I	I	E	E		I	I	I		E
San Antonio Reservoir	E	E			E	E	E	E	I	E		I		E
San Antonio Riv, upstm Frm Res.	I	I		I	I	I	E	E	I	I	I	I		E
Pancho Rico Creek	I	I			I	I	E	E		I		I		
San Lorenzo Creek	I	I			I	I	E	E		I		I		
Chalone Creek	I	I			I	I	E	E		I		I		
Salinas R., Nacimiento R.-S. Margarita Res.	E	I	I		E	I	E	E	I	E	I	I		E
Nacimiento River, upstream of Res.	E	E			E	E	E	E	E	E		E		E
Salmon Creek	E					E	E	E	E		E	E		E
Nacimiento Reservoir	E	E			E	E	E	E	E	E		E		E
Nacimiento River, dwnstr Res.	I	I		E	I	I	E	E	I	I	I	I		E
Las Tablas Creek	I	I			I	E	E	E	E	I		I		E
Las Tablas Creek, north fork	E	E			E	E	E	E	E			E		E
Las Tablas Creek, south fork	E	E			E	E	E	E	E			E		E
Franklin Creek	I	I			I	I	E	E						
San Marcos Creek	I	I			I	I	E	E		I				
Paso Robles Creek	I	I			I	I	E	E	I		I	I		E
Jack Creek	E	E			E	E	E	E	E		E	E		E
Santa Rita Creek	I	I		I	I	E	E	E	E	I	I	I		E
Atascadero Creek	E	E			E	E	E	E	E			E		E
Santa Margarita Reservoir (lake)	E	I		E	E	E	E	E	E	E		E		E
Salinas R., Reservoir-Headwaters	E	E			E	E	E	E	E		E	E		
Huerhuero Creek	I	I			I	I	E	E		I				E
Vineyard Canyon Creek	I	I			I	I	E	E		I				
Big Sandy Creek	I	I			I	I	E	E		I			E	E
Atascadero Lake	E				E	E	E	E	E	E		E		

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Estero Bay Hydrologic Unit (310.00)														
San Carpoforo Creek Estuary						E	E	E	E		E	E	E	E
San Carpoforo Creek	I	I		I	I	I	E	E	I	I	I	I		E
Estrada Creek	I	I			I	I	E	E	I	I				
Chris Flood Creek	I	I			I	I	E	E	I	I				
Wagner Creek	I	I			I	I	E	E	I	I				
Dutra Creek	I	I			I	I	E	E	I	I				
Arroyo de los Chinos	E	E			E	E	E	E	E	E				E
Arroyo de la Cruz Estuary						E	E	E	E		E	E	E	E
Arroyo de la Cruz Creek	I	I		I	I	I	E	E	I	I	I	I		E
Burnett Creek	I	I			I	I	E	E	I	I	I	I		E
Arroyo del Oso	E	E			E	E	E	E	E					E
Arroyo del Corral	I	I			I	I	E	E	I	I	I	I		E
Oak Knoll Creek	I	I			I	I	E	E	I	I				E
Arroyo Laguna						E	E	E	E			E		E
Little Pico Creek Estuary						E	E	E	E		E	E	E	E
Little Pico Creek	E	E			E	E	E	E	E		E	E		E
Pico Creek Estuary					E	E	E	E	E	I	I	E	E	E
Pico Creek	I	I			I	I	E	E	I	I	I	I	E	E
Pico Creek, south fork	E	E			E	E	E	E	E		E	E		E
Pico Creek, north fork	E	E			E	E	E	E	E		E	E		E
San Simeon Creek Estuary					E	E	E	E	E		E	E	E	E
San Simeon Creek	I	I		I	I	E	E	E	E	I	I	I	E	E
Steiner Creek	E	E			E	E	E	E	E	I	I	I		E
Santa Rosa Creek Estuary					E	E	E	E	E	E	E	E	E	E
Santa Rosa Creek	I	I		I	I	I	E	E	E	I	I	I		E
Perry Creek	E	E			E	E	E	E	E					E
Green Valley Creek	E	E			E	E	E	E	E	I				E
Villa Creek	I	I			I	I	E	E	I		I	I		E
Cayucos Creek	I	I			I	I	E	E	I	I	I	I	E	E
Old Creek, downstream	I	I			I	I	E	E		I				E
Whale Rock Reservoir	E	E	E	E	E	E	A	E	E	E		E		E

Table 2-1. Existing and Intermittent Uses of Inland Surface Waters.

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Old Creek, upstream	I	I	I	I	I	I	E	E	I	I		I		E
Toro Creek	I	I			I	I	E	E	I	I	I	I		E
Morro Creek	I	I			I	I	E	E	I	I	I	I		E
Little Morro Creek	I	I			I	I	E	E	I		I	I		E
Chorro Creek	E	E			E	E	E	E	E	I	E	E	E	E
Dairy Creek	I	I			I	I	E	E	I		I	I		E
San Luisito Creek	E	E			E	I	E	E	E		E	E		E
San Bernardo Creek	E	E			E	I	E	E	E		E	E		E
Los Osos Creek	E	A	E		E	A	E	E	E	E	E	E		E
Warden Lake Wetland		E			E	E	E	E		E		E		E
Islay Creek	E	E			E	E	E	E	E		E	E	E	E
Coon Creek	E	E			E	E	E	E	E		E	E	E	E
Diablo Canyon Creek	E	E		E	E	E	E	E	E			E		E
San Luis Obispo Creek Estuary (a)					E	E	E	E	E	E	E	E	E	E
S.L.O.Crk. above W. Marsh St.	E	E			E	E	E	E	E	E	I	E		E
S.L.O.Crk. below W. Marsh St.	I	I			I	I	E	E	I	I	I	I		
Davenport Creek	I	I			I	I	E	E	I					E
San Luis Obispo Creek, east fork	I	E	I	E	I	E	E	E	I	E	I	E	I	E
Stenner Creek	I	I			I	I	E	E	I		I	I		E
Brizzolari Creek	I	I			I	I	E	E	I		I	I		E
Prefumo Creek	I	I			I	I	E	E	I		I	I		E
Laguna Lake	E	E			E	E	E	E		E	E	E		E
Pismo Creek Estuary					E	E	E	E	E		E	E	E	E
Pismo Creek	E	E		E	E	E	E	E	E	E	E	E	E	E
Arroyo Grande Creek Estuary					E	E	E	E	E		E	E	E	E
Arroyo Grande Creek, downstream	E	E		E	E	E	E	E	E	E	E			E
Oceano Lagoon						E	E	E		E		E	E	E
Meadow Creek	E	E			E	E	E	E	E				E	E
Pismo Marsh (Lake)					E	E	E	E		E			E	E
Los Berros Creek	I	I			I	I	E	E	I		I			E
Lopez Reservoir	E	E	E	E	E	E	E	E	E	E		E		E
Arroyo Grande Creek, upstream	I	I	I	I	I	I	E	E	I	I	I	I		E
Big Pocket Lake (Dunes Lakes)					I		E	E						E
Willow Lake " "					E	E	E	E		E		E		E
Pipeline Lake " "					E	E	E	E		E		E		E

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Celery Lake " "					E	E	E	E		E		E		E
Hospital Lake " "					E	E	E	E		E		E		E
Big Twin Lake " "					E	E	E	E		E		E		E
Small Twin Lake " "						E	E	E		E		E		E
Bolsa Chico Lake " "					E	E	E	E		E		E		E
White Lake " "					E	E	E	E		E		E		E
Mud Lake " "					E	E	E	E		E		E		E
Black Lake " "					E	E	E	E		E		E		E
Dune Lakes Marsh Area(Dunes Lakes)					E	E	E	E		E		E		E
Carrizo Plain Hydrologic Unit (311.00)														
San Diego Creek	I	I			I	I	E	E		I			E	E
Soda Lake				I			E	E		I			E	E

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Santa Maria Hydrologic Unit (312.00)														
Oso Flaco Lake					E	E	E	E		E		E	E	E
Oso Flaco Creek	I	I			I	I	E	E		I			E	E
Santa Maria River Estuary					E	E	E	E		E	E	E	E	E
Santa Maria River	I	I		I	I	I	E	E	I	I	I			E
Corralitos Canyon Creek	I	I				I	E	E						
Sisquoc River, Downstream	E	E		E	E	E	E	E	E	E	E	E		
Sisquoc River, Upstream	E				E	E	E	E	E		E	E	E	E
Cuyama River, downstream	E I	E I			E I	E I	E	E		E I				E
Twitchell Reservoir	E	E			I		E	E		I				E
Cuyama River, upstream	E	E	E I	E I	E	E	E I	E I	E	E		E I		E
Alamo Creek	I	I			I	I	E	E	I	I		I		E
Huasna River	I	I			I	I	E	E		I				E
Orcutt Creek	I	I			I	I	E	E	I					E
San Antonio Hydrologic Unit (313.00)														
Shuman Canyon Creek	E	E				E	E	E		E		E		
Casmalia Canyon Creek	E	E				E	E	E		E		E		
San Antonio Creek Estuary					E	E	E	E	E	E	E	E	E	E
San Antonio Creek	I	I			I	I	E	E	I	I	I	I		E
Barka Slough					E	E	E	E		E		E		E

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Santa Ynez Hydrologic Unit (314.00)														
Santa Ynez River Estuary						E	E	E		E	E	E	E	E
Santa Ynez River, downstream	E I	E I	E	I	E I	E I	E	E	E	I	I	E I		E
Lompoc Canyon	I	I		I	I	I	E	E		I				
La Salle Canyon Creek	I	I			I	I	E	E		I				
Sloans Canyon Creek	I				I	I	E	E		I				
San Miguelito Creek	I	I			I	I	E	E	I	I		I		
Salsipuedes Creek	E	E		E	E	E	E	E	I	I	I	I		
El Jaro Creek	E I	E I		E I	E I	E I	E	E	E	E	E	E		
El Callejon Creek	E				E	E	E	E		E				
Llanito Creek	E				E	E	E	E		E				
Yridisis Creek	E	E			E	E	E	E		E		E		
Canada de la Vina	I	I			I	I	E	E		I				
Nojoqui Creek	E	E			E	E	E	E	E	E		E		
Alamo Pintado Creek	I	I		I	I	I	E	E		I				
Zaca Creek	I	I			I	I	E	E	I	I				E
Zaca Lake	E					E	E	E	E	E		E		E
Santa Rosa Creek	E	E			E	E	E	E	E	E	E	E		
Santa Rita Creek	I	I		I	I	I	E	E		I				
Davis Creek	E				E	E	E	E		E				
Santa Lucia Canyon Creek	I	I			I	I	E	E		I				
Oak Canyon Creek	I	I		I	I	I	E	E		I			E	
Graves Wetland						E	E	E		E		E		
Cachuma Reservoir	E	E	E		E	E	E	E	E	E		E		E
Santa Ynez River, upstream	I	I	I	I	I	I	E	E	I	I	I	I		E
Gibraltar Reservoir	E	E	E	E	E	E	E	E	E	E		E		E
Jameson Reservoir	E	E	E		E	E	E	E	E	E		E		E
Agua Caliente Canyon	E I	E I		I	E	E I	E	E	E	I		E		E
Mono Creek	I	I		I	I	I	E	E	I	I	I	I		E
Indian Creek	I	I		I	I	I	E	E	I	I	I	I	E	E
Santa Cruz Creek	E	E		E	E	E	E	E	E	E	E	E		E
Cachuma Creek	E				E	E	E	E	E	E	E	E		E

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
South Coast Hydrologic Unit (315.00)														
Canada Honda Creek Estuary						E	E	E	E	E	E	E	E	E
Canada Honda Creek	E	E			E	E	E	E	E	E	E	E		E
Canada Agua Viva	E				E	E	E	E		E				
Water Canyon Creek	E				E	E	E	E		E			E	
Canada del Jolloru	E					E	E	E		E				
Jalama Creek Estuary						E	E	E		E	E	E	E	E
Jalama Creek	E	E			E	E	E	E		E		E		
Escondido Creek	E				E	E	E	E	E	E	E	E		E
Gasper Creek	E				E	E	E	E		E				
Espada Creek	E				E	E	E	E		E				
Wood Canyon Creek	E				E	E	E	E		E				
Canada del Cojo	E				E	E	E	E		E				
Barranca Honda	E	E			E	E	E	E		E				E
Arroyo Bulito	E	E			E	E	E	E		E				
Canada de Santa Anita	E	E			E	E	E	E		E				
Canada del Sacate	E	E			E	E	E	E		E				
Canada Alegria	E				E	E	E	E		E				
Canada del Agua Caliente	E	E			E	E	E	E	E	E				
Canada de la Gaviota	E	E			E	E	E	E	E	E	E	E	E	E
Canada San Onofre	E					E	E	E	E	E	E	E		E
Canada del Molino	E					E	E	E		E				E
Arroyo Hondo	E					E	E	E	E	E	E	E		E
Tajigas Creek	E	E			E	E	E	E	E	E	E	E		E
Canada del Refugio	E	E			E	E	E	E	E	E	E	E	E	E
Canada del Capitan	E	E			E	E	E	E	E	E	E	E	E	E
Dos Pueblos Canyon Creek	I	I	I	I	I	I	E	E	I	I	I	I		E
Tecolote Creek	I	I	I	I	I	I	E	E	I	I	I	I		E
Devereaux Ranch Lagoon						E	E	E		E	E	E	E	E
Goleta Point Marsh						E	E	E		E		E	E	E
Goleta Slough/Estuary						E	E	E		E	E	E	E	E
Carneros Creek	I	I			I	I	E	E	I	I				

Waterbody Names	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIO	RARE
Tecolotito Creek	I				I	I	E	E	I	I	I			
Glen Anne Creek	E I	E I	E	E	E I	E I	E	E	E	E I	E	E I		E
Los Caneros Wetland					E	E	E	E		E		E		E
Los Caneros	E	E			E	E	E	E		E		E		E
Atascadero Creek (SB)	I	I			I	I	E	E	I	I	I	I		E
Maria Ygnacio Creek	I	I			I	I	E	E	I		I	I		
San Antonio Creek (S Barbara County)	I	I			I	I	E	E	I	I	I	I		E
San Jose Creek (S Barbara County)	I	I			I	I	E	E	I	I	I	I		E
Las Vegas Creek	I				I	I	E	E	I	I				
San Pedro Creek	I	I			I	I	E	E	I	I	I			
Las Palmas Creek	E				E	E	E	E		E				
Arroyo Burro Creek	I				I	I	E	E		I		I	E	E
Mission Creek	I				I	I	E	E	I	I	I	I		E
Rattlesnake Canyon	I				I	I	E	E	I	I	I	I		
Waste Slough					E	E	E	E		E		E		
Sycamore Creek	I	I			I	I	E	E	I	I	I	I		E
Andree Clark Bird Refuge						E	E	E		E			E	E
San Ysidro Creek	I				I	I	E	E		I				
Romero Creek	I				I	I	E	E		I				
Toro Canyon Creek	I				I	I	E	E		I				
Arroyo Paredon	I	I			I	I	E	E		I	I	I		E
Carpinteria Marsh (El Estero Marsh)						E	E	E		E	E	E	E	E
Santa Monica Creek	I	I			I	I	E	E	I	I		I	E	
Franklin Creek	E	E			E I	E	E	E	E	I	I	I		E
Carpinteria Creek	E	E			I	I	E	E	I	I	I	I	E	E
Gobernador Creek	I				I	I	E	E	I	I		I		
Rincon Creek	I	I			I	I	E	E	I	I	I	I		E
Estrella River Hydrologic Unit (317.00)														
Estrella River	I	I			I	I	E	E		I		I		
San Juan Creek	I	I			I	I	E	E		I				E
Chalome Creek	I	I			I	I	E	E		I				E
Little Chalome Creek	I	I			I	I	E	E		I				E

13. Amend Beneficial Use Definitions shown on Pages II-10 through II-11. Changes include adding an "Estuarine Habitat", "Freshwater Replenishment", "Hydropower Generation", and "Aquaculture" beneficial use. The "Fish Migration" (Migr) definition is clarified to emphasize waters supporting habitat needed by migrating aquatic organisms is included in the definition. The "Navigation" beneficial use is expanded to include waters used for all types of shipping (not just Naval shipping), waters used for travel, or waters used for transportation. The "Commercial and Sport Fishing" beneficial use is expanded to consider fresh water body areas not just saline waters. The "Shellfish Harvesting" beneficial use is expanded to include waters used for collection of shellfish for human consumption. Shellfish are also defined as filter feeding varieties. No change in meaning for other beneficial uses is proposed. Revisions to definitions are proposed to be consistent with Statewide amended definitions. Revised definitions are shown below:

~~"Municipal and Domestic Supply (Mun)-Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply. Includes usual uses in community or military water systems and domestic uses from individual water supply systems.~~

~~Agricultural Supply (AGR) - Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing. Includes crops, orchard and pasture irrigation, stock watering, support of vegetation for range grazing, and all uses in support of farming and ranching operations.~~

~~Industrial Process Supply (PRO) - Uses of water for industrial activities that depend primarily on water quality. Includes process water supply and all uses related to the manufacturing of products.~~

~~Industrial Service Supply (IND) - Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well repressurization. Includes uses that do not depend primarily on water quality such as mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, and oil well repressurization.~~

~~Ground Water Recharge (GWR) - Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers. Natural or artificial recharge for future extraction for beneficial uses and to maintain salt balance or halt salt water intrusion into fresh water aquifers.~~

~~Freshwater Replenishment (FRSH) - Uses of water for natural or artificial maintenance of surface water quantity or quality (e.g., salinity). (Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~

~~Navigation (NAV) - Uses of water for shipping, travel, or other transportation by private, military, or commercial vessels. Includes commercial and naval shipping. (Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~

~~Hydropower Generation (POW) - Uses of water for hydropower generation. (Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~

~~Water Contact Recreation (REC-1) - Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, or use of natural hot springs. Includes all recreational uses involving actual body contact with water, such as swimming, wading, waterskiing, skindiving, surfing, sail boarding, jet skiing, sport fishing, uses in therapeutic spas, and other uses where ingestion of water is reasonably possible.~~

Non-contact Water Recreation (REC-2) - Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities. ~~Recreational uses that involve the presence of water but do not require contact with water, such as picnicking, sunbathing, hiking, beachcombing, camping, pleasure boating, tidepool and marine life study, hunting, and aesthetic enjoyment in conjunction with the above activities as well as sightseeing.~~

Commercial and Sport Fishing (COMM) ~~Ocean Commercial and Sport Fishing~~ - Uses of water for commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to, uses involving organisms intended for human consumption or bait purposes. ~~The commercial collection of various types of fish and shellfish, including those taken for bait purposes, and sport fishing in oceans, bays, estuaries, and similar non fresh water areas.~~ Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.

Aquaculture (AQUA) - Uses of water for aquaculture or mariculture operations including, but not limited to, propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes. (Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)

Warm Freshwater Habitat (WARM) - Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates. ~~Provides a warm water habitat to sustain aquatic resources associated with a warm water environment.~~

Cold Freshwater Habitat (COLD) - Uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates. ~~Provides a cold water habitat to sustain aquatic resources associated with a cold water environment.~~

Inland Saline Water Habitat (SAL) ~~Saline Water Habitat~~ - Uses of water that support inland saline water ecosystems including, but not limited to, preservation or enhancement of aquatic saline habitats, vegetation, fish, or wildlife, including invertebrates. Soda Lake is a saline habitat typical of desert lakes in inland sinks. ~~Provides an inland saline water habitat for aquatic life resources.~~

Estuarine Habitat (EST) - Uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds).

Marine Habitat - Uses of water that support marine ecosystems including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (e.g., marine mammals, shorebirds). ~~Provides for the preservation of the marine ecosystem including the propagation and sustenance of fish, shellfish, marine mammals, water fowl, and vegetation such as kelp.~~

Wildlife Habitat (WILD) - Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources. ~~Provides a water supply and vegetative habitat for the maintenance of wildlife.~~

~~Preservation of Biological Habitats of Special Significance (BIOL) Preservation of Areas of Special Biological Significance (BIOL) - Uses of water that support designated areas or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources requires special protection. Includes marine life refuges, ecological reserves, and designated areas of special biological significance, such as areas where kelp propagation and maintenance are features of the marine environment requiring special protection.~~

~~Rare, Threatened, or Endangered Species (RARE) Preservation of Rare and Endangered Species (RARE) - Uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered. Provides an aquatic habitat necessary, at least in part, for the survival of certain species.~~

~~Migration of Aquatic Organisms (MIGR) Fish Migration (MIGR) - Uses of water that support habitats necessary for migration or other temporary activities by aquatic organisms, such as anadromous fish. Provides a migration route and temporary aquatic environment for anadromous or other fish species.~~

~~Spawning, Reproduction, and/or Early Development (SPWN) Fish Spawning (SPWN) - Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish. Provides a high quality aquatic habitat especially suitable for fish spawning.~~

~~Shellfish Harvesting (SHELL) - Uses of water that support habitats suitable for the collection of filter-feeding shellfish (e.g., clams, oysters, and mussels) for human consumption, commercial, or sport purposes. The collection of shellfish such as clams, oysters, mussels, abalone, shrimp, crab, and lobster for either commercial or sport purposes."~~

4. Revise Table 2-1 "Notes" to read as follows:

"Notes: E: Existing beneficial water uses

I: Beneficial water use in a watercourse with seasonally intermittent flow characteristics. Use is concurrent with flow.

~~A: Anticipated beneficial water use."~~

5. Amend Table 2-1 "Notes" as follows:

"Notes: Ground water recharge includes recharge of surface water underflow."

CHAPTER THREE

1. Revise Organic Chemical Objectives (page III-6 and page III-16) to read:

"Organic Chemicals

All inland surface waters, enclosed bays, and estuaries ~~Waters~~ shall not contain concentrations of organic chemicals ~~pesticides or herbicides~~ in excess of the limiting concentrations set forth in California Code of Regulations, Title 22, Chapter 15, Article 5.5, Section 64444.5, Table 5 and listed in Table 3-1.

2. Revise Table 3-1 (page III-7) to be consistent with California Code of Regulations, Title 22, Chapter 15, Article 5.5. Specific changes proposed are shown below:

Table 3-1. Organic Concentrations Not to be Exceeded in Domestic or Municipal Supply

	Constituent	Maximum Contaminant Level, mg/l
(a)	Chlorinated Hydrocarbons	
	Endrin	0.0002
	Lindane	0.004
	Methoxychlor	0.1
	Toxaphene	0.005
(b)	Chlorophenoxy's	
	2,4-D	0.1
	2,4,5-TP Silvex	0.01
(c)	Synthetics	
	Atrazine	0.003
	Bentazon	0.018
	Benzene	0.001
	Carbon Tetrachloride	0.0005
	Carbofuran	0.018
	Chlordane	0.0001
	1,2-Dibromo-3-chloropropane	0.0002
	1,4-Dichlorobenzene	0.005
	1,1-Dichloroethane	0.005
	1,2-Dichloroethane	0.0005
	cis-1,2-Dichloroethylene	0.006
	trans-1,2-Dichloroethylene	0.01
	1,1-Dichloroethylene	0.006
	1,2-Dichloropropane	0.005
	1,3-Dichloropropene	0.0005
	Di(2-ethylhexyl) phthalate	0.004
	Ethylbenzene	0.680
	Ethylene Dibromide	0.00002
	Glyphosate	0.7
	Heptachlor	0.00001
	Heptachlor epoxide	0.00001
	Molinate	0.02
	Monochlorobenzene	0.030
	Simazine	0.010
	1,1,2,2-Tetrachloroethane	0.001
	Tetrachloroethylene	0.005
	Thiobencarb	0.07
	1,1,1-Trichloroethane	0.200
	1,1,2-Trichloroethane	0.032
	Trichloroethylene	0.005
	Trichlorofluoromethane	0.15
	1,1,2-Trichloro-1,2,2-Trifluoroethane	1.2
	Vinyl Chloride	0.0005
	*Xylenes	1.750

* Maximum Contaminant Level is for either a single isomer or the sum of the isomers.

3. Add following ground water objectives (Paso Robles Ground Water Objectives) and footnotes "f", "g", and "h" to Table 3-8, "Median Ground Water Objectives, mg/l" (page III-18). Revise footnote "e".

Table 3-8. Median Ground Water Objectives, mg/l^a

Sub-basin/Sub-area	TDS	Cl	SO ₄	B	Na	N _b
Santa Ynez						
Lompoc Plain ^f	1250	250	500	0.5	250	2
Lompoc Upland ^f	600	150	100	0.5	100	2
Lompoc Terrace ^f	750	210	100	0.3	130	1
Santa Maria^e						
Upper Guadalupe ^f	1000 ^d	165	500 ^d	0.5	230	1.4 6 ^e
Lower Guadalupe ^f	1000 ^d	85	500 ^d	0.2	90	2.0 9 ^e
Lower Nipomo Mesa ^f	710	95	250	0.15	90	5.7 25 ^e
Orcutt ^f	740	65	300	0.1	65	2.3 40 ^e
Santa Maria ^f	1000 ^d	90	510	0.2	105	8.0 35 ^e
Soda Lake						
	e f	e f	e f	e f	e f	e f
Salinas River						
Upper Valley ^f	600	150	150	0.5	70	5
Upper Forebay ^f	800	100	250	0.5	100	5
Lower Forebay ^f	1500	250	850	0.5	150	8
180 foot Aquifer ^f	1500	250	600	0.5	250	1
400 foot Aquifer ^f	400	50	100	0.2	50	1
Paso Robles^e						
Central Basin	400	60	45	0.3	80	3.4
San Miguel	750	100	175	0.5	105	4.5
Paso Robles	1050	270	200	2.0	225	2.3
Templeton	730	100	120	0.3	75	2.7
Atascadero	550	70	85	0.3	65	2.3
Estrella	925	130	240	0.75	170	3.2
Shandon	1390	430	1025 ^h	2.8	730	2.3

- a Objectives shown are median values based on data averages over the referenced study period; objectives are based on preservation of existing quality or water quality enhancement believed attainable following control of point sources.
- b Measured as Nitrogen
- c Basis for objectives is in the "Water Quality Objectives for the Santa Maria Ground Water Basin Revised Staff Report, May, 1985" and the February 1986, Staff Report.
- d These are maximum objectives in accordance with Title 22 of the Code of Regulations.
- e Expressed as NO₃-N
- e Ground water basin currently exceeds usable mineral quality.
- f Ground water basin boundary map available in appendix.
- g Basis for objectives is in the report "A Study of the Paso Robles Ground Water Basin to Establish Best Management Practices and Establish Salt Objectives", Coastal Resources Institute, June 1993
- h Standard exceeds California Secondary Drinking Water Standards contained in Title 22 of the Code of Regulations. Water quality standard is based upon existing water quality. If water quality degradation occurs, the Regional Board may consider salt limits on appropriate discharges.

CHAPTER FOUR

1. Revise "Introduction" at the beginning of Chapter Four, Implementation Plan, page IV-1. This revision will replace the first two paragraphs with the following wording: .

"A program of implementation to protect beneficial uses and to achieve water quality objectives is an integral component of this Basin Plan. The program of implementation is required to include, but is not limited to:

- A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.
- A time schedule for the actions to be taken.
- A description of surveillance to be undertaken to determine compliance with objectives.

Additional surveillance activities to determine compliance with objectives are described in Chapter Six, "Surveillance and Monitoring".

This chapter includes discussions of:

- Regional Water Quality Control Board goals
- General Control Actions and Related Issues
- Waste Discharge Regulation
- Hazardous Waste Compliance Issues, and
- Nonpoint Source Measures.

Detailed descriptions of waterbodies with their specific water quality problems and recommended control actions are included in the Region's Water Quality Assessment database and Fact Sheets.

This chapter is organized in the following manner:

- I. Introduction
- II. Regional Water Quality Board Goals
- III. General Control Actions and Related Issues
- IV. Control Actions under State Board Authority
- V. Control Actions to be Implemented by Other Agencies with Water Quality or Related Authority
- VI. Control Actions under Regional Board Authority
 - A. Waste Discharge Restrictions
 1. Water Quality Certification
 2. National Pollutant Discharge Elimination System
 3. Waste Discharge Requirements
 4. Waivers
 5. Prohibitions and Prohibition Exemptions
 6. Enforcement Actions
 7. Best Management Practices
 8. Compliance Schedules
 - B. Nonpoint Source Program
- VII. Waste Discharge Program Implementation
 - A. Effluent Limits
 1. Stream Disposal
 2. Estuarine Disposal

- 3. Ocean Disposal
- 4. Land Disposal
 - a. Wastewater Disposal
- 5. Reclamation and Reuse
- 6. Pretreatment Program
- 7. Sludge Treatment
- B. Municipal Wastewater Management Plans (arranged by hydrologic sub-area)
- C. Industrial Wastewater Management
- D. Solid Waste Management
- E. Storm Water Management
- F. Bay Protection and Toxic Cleanup Program
- G. Military Installations
- H. Spills, Leaks, Investigations, and Cleanup Program
- I. Underground Tank Storage Tank Program
- J. Aboveground Petroleum Storage Tanks
- K. California Code of Regulations, Title 23, Chapter 15
 - 1. Solid and Liquid Waste Requirements (Landfills and Surface Impoundments)
 - 2. Wastewater Sludge/Septage Management
 - 3. Mining Activities
 - 4. Other Industrial Activities
- L. Resource Conservation Recovery Act (Subtitle D)
- M. Solid Waste Water Quality Assessment Test
- VIII. Hazardous Waste Compliance Issues
 - A. Reportable Quantities of Hazardous Waste and Sewage Discharges
 - B. Proposition 65
- IX. Nonpoint Source Measures
 - A. Coastal Zone Act Reauthorization Amendments
 - B. Urban Runoff Management
 - C. Agricultural Water and Wastewater Management
 - D. Individual, Alternative, and Community Disposal Systems
 - E. Land Disturbance Activities"

The actions intended to protect beneficial uses and water quality of the Central Coast Basin are presented in this chapter under three categories: (1) Regional Water Quality Control Board goals, (2) point source control measures, and (3) nonpoint source control measures. Water bodies considered to be water quality limited segments and the implication of such a designation is also discussed.

This chapter is organized in the following manner:

- ~~A. Regional Water Quality Control Board Goals~~
- ~~B. Point Source Measures~~
 - ~~1. Effluent Limits~~
 - ~~a. Stream Disposal~~
 - ~~b. Estuarine Disposal~~
 - ~~c. Ocean Disposal~~
 - ~~d. Land Disposal~~
 - ~~e. Reclamation and Reuse~~
 - ~~f. Pretreatment Programs~~
 - ~~g. Sludge Processing and Disposal~~
 - ~~2. Municipal Wastewater Management Plans (arranged by hydrologic sub area)~~
 - ~~3. Industrial Wastewater Management~~
 - ~~4. Solid Waste Management~~

- ~~C. Nonpoint Source Measures~~
 - ~~1. Urban Runoff Management~~
 - ~~2. Agricultural Water and Wastewater Management~~
 - ~~3. Individual Sewage Disposal Systems~~
 - ~~4. Land Disturbance Activities~~
- ~~D. Water Quality Limited Segments~~

2. Insert new section, Sections III through VI, after the existing section titled "Regional Water Quality Control Board Goals":

"III. GENERAL CONTROL ACTIONS AND RELATED ISSUES

The Regional Water Quality Control Board (Regional Board) regulates the sources of water quality related problems which could result in actual or potential impairment or degradation of beneficial uses or degradations of water quality. The Regional Board regulates both point and nonpoint source discharge activities. A point source discharge generally originates from a single, identifiable source, while a nonpoint source discharge comes from diffuse sources. To regulate the point and nonpoint sources, control actions are required for effective water quality protection and management. Such control actions are set forth for implementation by the State Water Resources Control Board (State Board), by other agencies with water quality or related authority, and by the Regional Board.

IV. CONTROL ACTIONS UNDER STATE BOARD AUTHORITY

The State Board has adopted several statewide areawide water quality plans and policies which complement or may supersede portions of the Water Quality Control Plan. These plans and policies may include specific control measures. See Chapter Five, "Plans and Policies" for summaries of the most significant State Board plans and policies which do affect the Central Coast Region.

V. CONTROL ACTIONS TO BE IMPLEMENTED BY OTHER AGENCIES WITH WATER QUALITY OR RELATED AUTHORITY

Water quality Management Plans prepared under Section 208 of the Federal Water Pollution Water Control Act (Clean Water Act) have been prepared by various public agencies. These Section 208 plans, as well as other plans adopted by federal, state, and local agencies, may affect the Regional Board's water quality management and control activities. A summary of relevant water quality management plans is included in Chapter Five, "Plans and Policies".

VI. CONTROL ACTIONS UNDER REGIONAL BOARD AUTHORITY

Control measures implemented by the Regional Board must provide for the attainment of this Basin Plan's beneficial uses and water quality objectives. These uses and objectives can be found in Chapters Two and Three, respectively. In addition, the control measures must be consistent with State Board and Regional Board plans, policies, agreements, prohibitions, guidance, and other restrictions and requirements contained within this document.

To prevent water quality problems, waste discharge restrictions are often used. The waste discharge restrictions can be implemented through Water Quality Certification, National Pollutant Discharge Elimination System (NPDES) permits, waste discharge requirements/permits (WDRs), discharge prohibitions, enforcement actions, and/or "Best Management Practices".

VI. A. Waste Discharge Restrictions

VI.A.1. Water Quality Certification

Clean Water Act Section 401 Water Quality Certification gives the State extremely broad authority to review proposed federal activities in and/or affecting the Region's waters. The Regional Board can recommend to the State Board that it grant, deny, or condition certification of federal permits or licenses that may result in a discharge to "waters of the United States".

VI.A.2. National Pollutant Discharge Elimination System (NPDES)

NPDES permits are issued to regulate discharges of waste from point sources to "waters of the United States" including discharges of storm water from urban separate storm sewer systems and certain categories of industrial activity. Waters of the United States are surface waters such as rivers, intermittent streams, dry stream beds, lakes, bays, estuaries, oceans, etc. The permits are authorized by Section 402 of the Clean Water Act and Section 13370 of the California Porter-Cologne Water Quality Control Act. The permit content and the issuance process are contained in 40 Code of Federal Regulations Part 122 and Chapter 9 of the California Code of Regulations. Regional Water Boards are authorized to take a variety of enforcement actions to obtain compliance with an NPDES permit. Enforcement actions the Regional Board may take are described below.

The U.S. Environmental Protection Agency (U.S. EPA) has approved the State's program to regulate discharges of waste water from point sources to "waters of the United States". The State, through the Regional Water Boards, issues the NPDES permits, reviews discharger self-monitoring reports, performs independent compliance checking, and takes enforcement actions as needed.

NPDES permits are required to prescribe conditions of discharge which will ensure protection of beneficial uses of the receiving water. The Regional Board uses this Basin Plan, the Ocean Plan, and water quality control policies adopted by the State Board to develop permits for specific types of discharges or uses of waste water.

In addition to regulating discharges of waste water to surface waters, NPDES permits also require municipal sewage treatment systems to conduct pretreatment programs if their design capacity is greater than five million gallons per day. Smaller municipal treatment systems may be required to conduct pretreatment programs if there are significant industrial users of their systems. The pretreatment programs must comply with 40 Code of Federal Regulations Part 403. The pretreatment program is further described under separate heading in the "Waste Discharge Regulation" Section further in this chapter.

VI.A.3. Waste Discharge Requirements (WDRs)

The California Porter-Cologne Water Quality Control Act authorizes Regional Boards to regulate discharges to protect ground and surface water quality. Regional Boards issue WDRs in accordance with Section 13263 of the California Porter-Cologne Water Quality Control Act. Regional Boards are required to review WDRs periodically based on the complexity and threat to water quality. WDRs seek to protect the beneficial uses of ground and surface water. Regional Boards issue WDRs, review self-monitoring reports submitted by the discharger, perform independent compliance checking, and take necessary enforcement action. The California Porter-Cologne Water Quality Control Act authorizes the Regional Boards to issue enforcement actions (see below) ranging from orders requiring relatively simple corrective action to monetary penalties in order to obtain compliance with WDRs.

VI.A.4. Waivers

Regional Boards may waive issuance of WDRs pursuant to California Porter-Cologne Water Quality Control Act Section 13269 if the Regional Board determines that such waiver is in the public interest. The requirement to submit a Report of Waste Discharge can also be waived. WDRs can be waived for a specific discharge or types of discharges. A waiver of WDRs is conditional and may be terminated at any time by the Regional Board. Regional Boards may delegate their power to waive WDRs to the Regional Board Executive Officer in accordance with policies adopted by the Regional Board and approved by the State Board. The Regional Board's general policy regarding waivers is described in Chapter Five, "Plans and Policies". Regional Boards may not waive NPDES permits.

VI.A.5. Prohibitions and Prohibition Exceptions

The Regional Board can prohibit specific types of discharges to certain areas (California Porter-Cologne Water Quality Control Act Section 13243). These discharge prohibitions may be revised, rescinded, or adopted as necessary. Discharge prohibitions are described in pertinent sections of Chapter Four, "Implementation Plan" and Chapter Five, "Plans and Policies" in the Regional Board Discharge Prohibitions Section. Prohibitions can be found by referring to the Table of Contents.

VI.A.6. Enforcement Actions

To facilitate water quality problem remediation or Basin Plan violation remediation, the Regional Board can use different types of enforcement measures. These measures can include:

Notice of Violation

A Notice of Violation is a letter formally advising the discharger that the facility is in noncompliance and that additional enforcement actions may be necessary, if appropriate actions are not taken.

Time Schedule

A Time Schedule (California Porter-Cologne Water Quality Control Act Section 13300) is a time schedule for specific actions a discharger shall take to correct or prevent violations of requirements. A Time Schedule is issued by the Regional Board for situations in which the Board is reasonably confident that the problem will be corrected.

Cleanup or Abatement Order

A Cleanup or Abatement Order (California Porter-Cologne Water Quality Control Act Section 13304) is an order requiring a discharger to clean up a waste or abate its effects or, in the case of a threatened pollution or nuisance, take other necessary remedial action. A Cleanup or Abatement Order can be issued by the Regional Board or by the Regional Board Executive Officer. Cleanup or Abatement Orders are issued for situations when action is needed to correct a problem caused by regulated or unregulated discharges which are creating or threatening to create a condition of pollution or nuisance. A Cleanup or Abatement Order is also used by the Regional Board to establish the acceptable level of cleanup.

Cease and Desist Order

A Cease and Desist Order (California Porter-Cologne Water Quality Control Act Section 13301) is an order requiring a discharge to comply with Waste Discharge Requirements or prohibitions according to a time schedule. If the violation is threatening, a Cease and Desist Order can be used

to require appropriate remedial or preventative action. A Cease and Desist order is issued by the Regional Board when violations of requirements or prohibitions are threatened, are occurring, or have occurred and probably will continue in the future. Issuance of a Cease and Desist Order requires a public hearing.

Administrative Civil Liabilities

Administrative Civil Liabilities (monetary liabilities or fines) may also be imposed administratively by the Regional Board after a public hearing.

State Attorney General Referral

State Attorney General referral is used under certain circumstances. Enforcement actions may be referred to either the General or District Attorney.

VI.A.7. Best Management Practices

Property owners, managers, or other dischargers may implement "Best Management Practices" to protect water quality. (Implementation and enforcement of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter.) The term "Best Management Practices" is used in reference to control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations Section 103.2[m]) defines Best Management Practices as follows:

"Methods, measures, or practices selected by an agency to meet its nonpoint source control needs. Best Management Practices include, but are not limited to structural and nonstructural controls and operation and maintenance procedures. Best Management Practices can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 130.6[b][4][i]) provide that Basin Plans:

"...shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

Best Management Practices fall into two general categories:

1. Source controls which prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing streambanks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion controls, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment controls which remove pollutants from a discharge before it reaches surface or ground waters. Examples include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized:

- Best Management Practices are not officially considered "best" practices for use in California unless they have been certified by the State Board.
- The use of Best Management Practices does not necessarily ensure compliance with effluent limitations or with receiving water objectives. Because nonpoint source control has been a priority only since the 1970's, the long-term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly. Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.
- The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.
- To be effective, most Best Management Practices must be implemented on a long-term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.
- The "state-of-the-art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

General information on recommended nonpoint source management practices is provided under different water quality problem categories throughout this chapter. For detailed information on the design, implementation, and effectiveness of specific Best Management Practices, the reader should consult the appropriate Best Management Practices Handbook for the project type or location.

VI.A.8. Compliance Schedules

The California Porter-Cologne Water Quality Control Act (Section 13242[b]) requires a Basin Plan's implementation program for achieving water quality objectives to include a "time schedule for the actions to be taken". Regional Board prohibitions are effective upon adoption, unless specifically mentioned otherwise. The Regional Board issues discharge permits. Each includes an effective date. (Often compliance is effective upon Regional Board adoption.) Waste discharge permits for construction projects generally require implementation of Best Management Practices during and immediately after construction. Long-term maintenance of permanent Best Management Practices is expected. Regional Board enforcement orders for specific problems also generally include compliance schedules.

The 1975 Basin Plans included recommendations that specific studies be carried out by specific dates on community wastewater collection and treatment facilities needs in certain areas of the Central Coast Region. These plans also recommended that some communities construct specific facilities by given dates. Most of these schedules were not met. Because expected year-to-year changes in availability of and priorities for funding will ensure that long term schedules are unrealistic, this Basin Plan does not include such recommendations. Priorities are set on a short-term basis for studies through the State Board's use of the Clean Water Strategy ranking system in various grant programs, and for facilities construction through the State Board Division of Clean Water Programs needs assessment process for loans and grants. Once funding is allocated, completion schedules are set through the contract process.

VI.B. NONPOINT SOURCE PROGRAM

Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.

In order to address the Nonpoint Source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. By amending the Clean Water Act, Congress shifted the federal emphasis from nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the Federal Clean Water Act required each state to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan which outlined steps to initiate the systematic management of nonpoint sources in California. For effective management of nonpoint sources the Management Plan required:

- An explicit long-term commitment by the State Board and Regional Boards,
- More effective coordination of existing State Board and Regional Board nonpoint source related programs,
- Greater use of Regional Board regulatory authority coupled with non-regulatory Regional Board programs,
- Stronger links between the local, state, and federal agencies which have authority to manage nonpoint sources, and
- Development of new funding sources.

The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:

1) Voluntary implementation of Best Management Practices

Property owners or managers may volunteer to implement Best Management Practices. Implementation could occur for economic reasons and/or through awareness of environmental benefits.

2) Enforcement of Best Management Practices

Although the California Porter-Cologne Water Quality Control Act constrains Regional Boards from specifying the manner of compliance with water quality standards, there are two ways in which Regional Boards can use their regulatory authorities to encourage implementation of Best Management Practices.

First, the Regional Board may encourage Best Management Practices by waiving adoption of waste discharge requirements on condition that discharges comply with Best Management

Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.

The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharge requirements, and approved Management Agency Agreements, or other State or Regional Board formal action.

3) Adoption of Effluent limitations

The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge, including discharges from nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations may be set at a level which, in practice, requires implementation of Best Management Practices.

Not all of the categories of nonpoint source pollution follow this three-tiered approach. For example, silviculture activities on non-federal lands are administered by the California Department of Forestry. The State Board has entered into a Management Agency Agreement with California Department of Forestry which allows the Regional Boards to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.

The Regional Board approach to addressing or regulating categories of nonpoint source pollution is discussed in various sections throughout this Chapter."

3. Revise "Point Source Measures" paragraph on page IV-2. The paragraph should be revised as follows:

~~"VII. WASTE DISCHARGE PROGRAM IMPLEMENTATION POINT SOURCE MEASURES.~~

~~"Water Quality Control Plans to regulate point source wasteloads in the Central Coastal Basin have been developed to insure protection of beneficial uses of water described in Chapter Two, as well as water quality objectives and anti-degradation policies described in Chapter Three. In addition, effluent limits, applicable to various disposal modes, and waste discharge prohibitions, described in the chapter, influenced plan selection. Point source wastes can be generated by residential, commercial, industrial, agricultural, certain recreational activities, and by solid waste disposal practices. Other wastes are considered under the category of nonpoint source wasteloads and are discussed in appropriate sections of this chapter.~~

4. Revise "Effluent Limits" section on page IV-2 as follows:

~~"Effluent limitations for disposal of treated point source wastes are based on water quality objectives for the area of effluent disposal..."~~

5. Revise "Land Disposal" section starting on page IV-4 with the following:

"VII.A.4. LAND DISPOSAL

To protect ground water resources, the Regional Board allows few waste discharges to land. Those that are permitted are closely regulated under existing laws and regulations to maintain and to protect ground water quality and beneficial uses.

Disposal of waste to land in the Central Coast Region is regulated by California Code of Regulations Title 23, Chapter 15; the Federal Resource Conservation and Recovery Act; the Toxic Pits Cleanup Act; the Porter-Cologne Water Quality Control Act; and State Health Department Regulations.

Types of land disposal operations being regulated by the Central Coast Region include landfills, surface impoundments, septage and sludge disposal, mining operations, confined animal facilities, and some oil field exploration and production facilities.

California Code of Regulations Title 23, Chapter 15 -- All land disposal operations are regulated by Chapter 15. Formerly called Subchapter 15, this is the most significant regulation used by the Regional Board in regulating hazardous and nonhazardous waste treatment, storage, and disposal. These regulations include very specific siting, construction, monitoring and closure requirements for all existing and new waste treatment, storage, and disposal facilities. Chapter 15 requires operators to provide assurances of financial responsibility for initiating and completing corrective action for all known or reasonably foreseeable releases from their waste management units. Detailed technical criteria are provided for establishing water quality protection programs, and corrective action programs are mandated for releases from waste management units. Chapter 15 requires the review and update of waste discharge requirements for all hazardous waste treatment, storage, and disposal sites by January 1, 1993 and for all nonhazardous waste, storage, and disposal sites by July 1, 1994.

Resource Conservation and Recovery Act -- The State implements Resource Conservation and Recovery Act's Subtitle C (Hazardous Waste Regulations for Treatment, Storage, and Disposal) through the Department of Toxic Substances Control and the Regional Boards. In August 1992, the U.S. EPA formally delegated the Act program implementation authority to Department of Toxic Substances Control. As described above, regulation of hazardous waste discharges is also included in California Code of Regulations Title 23, Chapter 15. (Chapter 15 monitoring requirements were also amended in August 1991 so as to be equivalent to Act requirements.) These will be implemented through the adoption of Waste Discharge Requirements for hazardous waste sites covered by the Act. The discharge requirements will then become part of a State Resource Conservation and Recovery Act permit issued by Department of Toxic Substances Control.

Federal regulations required by Resource Conservation and Recovery Act Subtitle D have been adopted for Municipal Solid Waste landfills (40 Code of Federal Regulations Parts 257 & 258). The California Integrated Waste Management Board is the State lead agency for Subtitle D implementation. The State Board and the California Integrated Waste Management Board received U.S. EPA State program approval. Delegation of authority for the State Board to implement Subtitle I (Underground Storage Tanks) will occur after U.S. EPA approval of the State's program application. (The Underground Storage Tank Section is discussed later in this chapter.)

Toxic Pits Cleanup Act -- The Toxic Pits Cleanup Act of 1984 required that all impoundments containing liquid hazardous wastes or free liquids containing hazardous waste be retrofitted

with a liner/leachate collection system, or dried out by July 1, 1988, and subsequently closed to remove all contaminants or contain any residual contamination."

~~Land disposal is regulated by California Code of Regulations, Title 23, Chapter 15. These regulations establish waste and site classifications and waste management requirements for waste treatment, storage, or disposal in landfills, surface impoundments, waste piles, and land treatment facilities. Chapter 15 requirements are minimum standards for proper management. Regional Boards may impose more stringent requirements to accommodate regional and site-specific conditions.~~

VII.A.4.a. Wastewater Disposal

Principal factors affecting treatment process selection for land disposal are the nature of soils and ground waters in the disposal areas and, where irrigation is involved, the nature of crops. Wastewater characteristics of particular concern are total salt content, nitrate, boron, pathogenic organisms, and toxic chemicals. Where percolation alone is considered, the nature of underlying ground waters is of particular concern. Treatment processes should be tailored to insure that local ground waters are not degraded.

Nitrate removal is required in many cases where percolation is to usable ground water basins. Percolation basins operated in alternating wet and dry cycles can provide significant nitrogen removal through nitrification/denitrification processes in the soil column. Finer textured soils are more effective than coarse soils. Nitrate removal would not necessarily be required, and secondary treatment may be adequate where recharge is for other purposes such as prevention of seawater intrusion or where soil percolation constraints do not require further treatment. Monitoring in the immediate vicinity of the disposal site is required in either case. Where the need for nitrate removal is not clear, removal could be considered at a possible future stage depending on monitoring results. Where well controlled irrigation is practiced, nitrate problems in the dry season will be controlled. Vegetative uptake will utilize soluble nitrates which would otherwise move into ground water under a percolation operation. Demineralization techniques or source control of total dissolved solids may be necessary in some inland areas where ground waters have been or may be degraded. Presence of excessive salinity, boron, or sodium could be a basis for rejection of crop irrigation with effluent.

State Health Department regulations, described in Title 22 of the California Code of Regulations, stipulate disinfection levels required for specific drops. In some cases, such as pasture for milking animals, the California Code of Regulations requires oxidation with disinfection to a median number of coliform organisms of 23 MPN/100 ml. Environmental Protection Agency guidelines for secondary treatment do not apply to land disposal cases. However, municipal treatment facilities must provide effective solids removal and some soluble organics removal for percolation bed operations and for reduction of nuisance in wastewater effluent irrigation operations. Disinfection requirements are dictated by the disposal method. Oxidation ponds may be cost-effective in some remote locations and may be equivalent of secondary treatment."

6. Replace "Sludge Processing and Disposal" on page IV-7 with the following:

~~"VII.A.7. SLUDGE TREATMENT SLUDGE PROCESSING AND DISPOSAL~~

Sludge management is a difficult aspect of wastewater treatment. The methods used for sludge disposal or reuse tend to determine the sludge processing methods. Major goals of sludge treatment include pathogen destruction, vector attraction reduction, odor reduction, moisture removal, and

contaminant removal. Treated sludge is commonly referred to as "Biosolids".

Solids removed during wastewater treatment include grit, primary sludge, and biological sludges. Grit is typically removed in a grit chamber and is usually inert and easily dewatered, so landfilling is usually the preferred management option. Primary sludges are generally solids that readily float or sink, whereas biological sludges are organic materials which float or sink following biological treatment (e.g., trickling filter, activated sludge, or oxidation pond). Polymers are widely used to increase settling and thickening efficiencies and to reduce chemical sludge handling problems. Primary and biological sludges are usually combined prior to final treatment. Anaerobic digestion and lagoon stabilization are common sludge treatment methods, but methods which can render sludge pathogen and odor free, such as lime stabilization, composting, thermophilic aerobic digestion, and heat treatment, are becoming increasingly popular. Public acceptance of beneficial sludge uses, such as spreading on farm land and reclamation of strip mines, may be improved by advanced sludge treatment technologies.

Sludge treatment methods are evolving as disposal is discouraged and beneficial reuse is encouraged. Ocean disposal of sludge is prohibited by the California Ocean Plan. Landfilling of sludge is generally allowed if the sludge is non-hazardous and meets specific moisture content requirements. Sludge may be disposed in Class I and II waste management units, but this practice is uncommon due to its high cost. Disposal of sludge is becoming less attractive as landfill capacity decreases, recycling mandates (Assembly Bill 939) must be met, and society becomes aware that sludge can be a valuable resource as a soil amendment/fertilizer."

~~Sludge treatment and disposal is usually the most difficult aspect of wastewater treatment. Biological sludges have a higher nutrient content than primary treatment sludges and are thus more desirable as a soil conditioner, but handling problems are compounded. Chemical precipitation will produce a greater quantity of sludge that is composed of inorganic material. Such sludges may be digested but require greater digestion tank capacity than is necessary for biological sludges. The large inorganic content of chemical precipitation sludges may also render them less desirable as a soil conditioner. Polymers are widely used to increase settling and thickening efficiencies, and to reduce chemical sludge handling problems. Increasing power costs have made sludge energy recovery projects economically attractive.~~

~~Burial of digested sludge or incinerated residues, often mixed with garbage and other solid wastes, has been a common method of disposal. Dewatering is generally economically desirable to reduce weight, volume, and transport costs and is often required because of moisture limitations in landfills. Soil conditioning as a means of digested sludge disposal and of returning humus material and nutrients to the soil has been practiced in many parts of the world for many years. Liquid sludge, heat dried sludge, dewatered sludge, and composted sludge have all been used successfully as soil conditioners. Some means of sterilizing the sludge (such as heat drying or wet combustion) is usually required prior to unrestricted sale to the public. Experience has shown that demand for such a product is generally limited or seasonal and that some disposal method is necessary.~~

~~Examples of disposal of liquid or dewatered digested sludge as a soil conditioner are numerous. Some treatment plants have contracts with local farmers for the use of digested sludge in agriculture. This practice is widespread in Great Britain and is becoming more popular in the United States. Dewatered and air dried sludge cake has also been used in many major city parks. Some municipal sludges are digested, composted, packaged, and sold commercially as soil amendments. Most communities in the Central Coastal Basin dispose of sludge in liquid or dewatered form on land fill, dump sites, or on local farms. Continuation of this practice is recommended where beneficial uses of soil and water are not adversely affected. Wastewater heavy metals tend to concentrate in sludge. Proper application rates are required to avoid unacceptable metal concentrations in the soil~~

~~(cadmium is of particular concern).~~

~~Many of the world's major coastal cities have discharged sludge to the ocean for years. This practice has in some cases resulted in detrimental conditions while in others, significant impacts have not been shown. The federal government and many state governments have banned the use of federal and state monies in any system that returns sludge to the receiving waters. Some states have banned the practice outright. California's Ocean Plan prohibits discharge of municipal and industrial waste sludge directly to the ocean, or into a waste stream that discharges to the ocean. The contention of the regulatory agency is that return of the sludge negates the purpose of the wastewater treatment process. Though controversial, this legal ban has led to land disposal and reclamation, or to incineration, depending on local conditions. Land is more readily available for sludge disposal or use on agricultural land in the Central Coastal Basin than in more intensively urbanized areas of California.~~

~~Currently, the Board can regulate handling and disposal of sludge pursuant to Chapter 15 of Title 23, California Code of Regulations and California Department of Health Services (DOHS) Standards for hazardous waste management. The EPA has promulgated a policy of promoting those municipal sludge management practices that provide for the beneficial use of sludge while maintaining or improving environmental quality and protecting public health. The EPA has also proposed a rule which requires states to develop a program to assure that use and disposal of sewage sludges are compatible with federal sludge use and disposal criteria which are being developed by EPA.~~

7. Revise "Storm Water Management" section on page IV-29 to read as follows:

"VII.E. STORM WATER MANAGEMENT

Storm water runoff can be a significant pollution source. The United States Environmental Protection Agency (U.S. EPA) estimates that at least 33% of all contamination in lakes and estuaries and 10% of all river contamination are caused by storm water runoff. Sources of pollution include runoff from industrial facilities, construction sites, and urban municipalities.

Federal Regulations (40 Code of Federal Regulations 122.26) require certain industrial facility owners and/or operators to obtain storm water discharge permits. The specific types of facilities that need coverage is dependent upon the facility's Standard Industrial Classification Code. The program is primarily directed at manufacturing facilities, oil and gas extraction facilities, transportation maintenance facilities (trucking and mass transit), and construction sites (with greater than five acres of land disturbance). In addition, municipalities with populations greater than 100,000 must participate in a municipal storm water permitting program.

In August and September 1992, the State Water Resources Control Board (State Board) adopted the statewide General Construction Activity Storm Water Permit and amended the statewide General Industrial Activities Storm Water Permit, respectively. The statewide permits expire five years after adoption. At that time, Regional Boards will most likely adopt Region specific General Permits.

The storm water program objectives include identification and elimination of pollutant contact with storm water by implementation of Best Management Practices. To obtain coverage under a General Permit, an applicant (i.e. those facilities required under 40 Code of Federal Regulation Section 122.26) must submit a Notice of Intent and the appropriate fee. The Notice of Intent is an agreement accepting the discharge specifications and monitoring requirements of the General Permit.

General Industrial Permit Requirements include the development of a Storm Water Pollution Prevention Plan and storm water runoff monitoring. The Storm Water Pollution Prevention Plan is a facility specific document which includes: a site description, facility processes, pollutant sources, storm water management system, employee education and training program, and measures proposed to eliminate non-storm water discharges. Minimum monitoring and reporting requirements include: sampling and analysis of four pollutant indicator parameters, wet and dry weather storm water conveyance system inspections, and annual reporting. The Regional Board can recommend additional monitoring parameters based on the presence of specific pollutant sources.

The Construction Permit has similar requirements regarding development of a storm water pollution prevention plan, but mainly deals with reducing pollutant sources associated with erosion and sediment transfer and chemicals used at construction sites. The monitoring requirements are less stringent and no sampling is required.

Annual monitoring reports required by the Industrial Permit are due July 1 of each year. Sampling results and annual report information will be used to prioritize Regional Board staff education and enforcement efforts and to develop future group general permits. Compliance is measured through implementation of pollution prevention Best Management Practices, reduction in pollutant loadings, and accurate and timely report submittal."

~~Storm water runoff can be a significant pollution source. Water can become contaminated when pollutants, such as oil grease, pesticides, industrial wastes, herbicides, bacteria, and metals are washed off city streets, agricultural lands, forested areas, and industrial areas, to name a few.~~

~~Federal regulations define storm water point source discharges subject to the National Pollutant Discharge Elimination System (NPDES) Program (40 Code of Federal Regulations 122.26). The Environmental Protection Agency may require NPDES permits from a storm water point source covering all conveyances part of that storm water discharge. Where more than one owner/operator exists for a single conveyance system, all owners/operators will be identified and regulated by each own's discharge limitations.~~

8. Add new section, Sections VII.F. through VII.M., after the existing section titled "Storm Water Management" on page IV-29:

"VII.F. BAY PROTECTION AND TOXIC CLEANUP PROGRAM

The State Water Resources Control Board (State Board) established the Bay Protection and Toxic Cleanup Program in response to legislation enacted in 1989 (Chapter 269; Senate Bill 475 Torres) which added Chapter 5.6, Sections 13390 through 13396, to the California Porter-Cologne Water Quality Control Act. The Bay Protection and Toxic Cleanup Program is a statewide program that is coordinated with the California Department of Fish and Game and California Environmental Protection Agency's Office of Environmental Health Hazard Assessment. The Water Code requires the State and Regional Water Quality Control Boards to do the following to attain the goals of the Bay Protection and Toxic Cleanup Program:

1. Develop and maintain a program to identify toxic hot spots, plan for their cleanup or mitigation, and amend Water Quality Control Plans/Policies to abate toxic hot spots;
2. Formulate and adopt a Water Quality Control Plan for enclosed bays and estuaries;

3. Review and, if necessary, revise Waste Discharge Requirements to conform to the Plan;
4. Develop a database of toxic hot spots;
5. Develop an ongoing monitoring and surveillance program;
6. Develop sediment quality objectives;
7. Develop criteria for assessment and priority ranking of toxic hot spots;
8. Fund the program through fees on point and nonpoint dischargers. (California Code of Regulations, Title 17, section 2236, authorizes the fee program.)

Funds for the Bay Protection and Toxic Cleanup Program will come from user fees, as proposed by State Board staff. User fees have been drafted for the following:

1. All NPDES and WDR dischargers to the ocean, bays, or estuaries.
2. Counties or cities which operate a storm drain system which discharges to the ocean, a bay, or estuary.
3. Dischargers of agricultural drainage to the ocean, bays, or estuaries.
4. Boat construction and repair facilities.
5. Boat marinas and recreational facilities.
6. Operators of commercial harbors and ports.
7. Operators of dredging discharges.

The fees are based on threat to water quality, as defined by the Waste Discharge System (WDS) ranking system (threat to water quality and complexity criteria).

The Central Coast Regional Board has identified 17 potential toxic hot spots to be addressed under this program. These 17 sites are identified in the Appendix. An assessment/monitoring plan has been developed for potential toxic hot spots. Potential hot spots are ranked according to threat to beneficial uses. The assessment/monitoring plan includes the following:

1. Definition of the extent of degradation.
2. Analysis of existing point and nonpoint discharges in the area.
3. Identification of contaminant sources.
4. Development of options for removing the threat to beneficial uses, including consideration of additional effluent limits on point and nonpoint discharges and actual cleanup.

VII.G. MILITARY INSTALLATIONS

Military installations throughout the country include some of the largest and most complex contamination problems. In 1987, President Reagan signed into law Executive Order No. 12580 directing all federal facilities to investigate and remediate areas of environmental contamination. As a result, the U.S. Department of Defense has assumed responsibility for investigation and remediation at military bases. Certain environmental restoration projects involving hazardous materials and wastes from past military activities are being addressed through what is known as the U.S. Department of Defense Program. Although U.S. Department of Defense has assumed environmental restoration responsibility, the Regional Board is an active oversight participant.

From its inception, the Regional Board has been involved with a variety of military installation activities. Since 1990, this Regional Board has been actively and extensively involved in U.S. Department of Defense Program investigations and remedial activities at numerous military facilities within its jurisdiction. Active military installations in the Region addressed by the U.S. Department of Defense Program (current as of 1993) includes Fort Ord, Presidio of Monterey, Monterey Naval Post Graduate School, Fort Hunter Liggett, Camp Roberts, Estero Bay Defense Fuel Supply Point, and Vandenberg Air Force Base. Fort Ord is unique since it is a closing base and has been identified as a federal Superfund site. Four formerly used defense sites in the Region undergoing U.S. Department of Defense remediation (as of 1993) include: Camp San Luis Obispo - California National Guard, Camp San Luis Obispo - San Luis Obispo County, Paso Robles Airport, and Santa Barbara Airport. Potentially, additional military facilities can be added to the U.S. Department of Defense Program.

Program Background

Decades of intense military activities have generated significant quantities of hazardous waste. As a result of insufficient internal control, improper handling and disposal practices, and inadequate regulation, military installations are now considered one of the Nation's most significant environmental polluters. Pollution problems are exacerbated by the large base size, the complex and varying missions, as well as routine personnel changes and inconsistent regulation and control. Many bases are actually small to midsize, totally contained communities providing complete services for base operations. Services vary from base to base, but range from aircraft, vehicle, or shop-maintenance and repair facilities to laundry services, photo shops, gas stations, and other typical municipal services (e.g., utilities, streets, water supply, sewerage, and solid waste disposal).

Past waste disposal practices in both government and private industries were insufficient to protect public health and the environment. Environmental laws and regulation developed in the 1970s addressed many deficiencies, but Federal operations, especially the military, remained inadequately addressed. The military was adamant that sovereign immunity protected them from State and local environmental regulation. Enforcement actions to force the military to comply with State and Federal regulation were often protracted or disregarded. In 1976, U.S. Department of Defense developed its Installation-Restoration Program to help identify, investigate, and cleanup contamination from past operations. Due to funding and timing, Program activities were initiated at most military facilities in the early 1980s.

In 1980, the Federal Comprehensive, Environmental Response, Compensation, and Liability Act which is also referred to as "Superfund" was enacted to address cleanup of hazardous substance disposal and spill sites. The Superfund Amendments and Reauthorization Act was enacted in 1986 to enhance hazardous waste cleanup. The Superfund Amendments and Reauthorization Act, in part, mandated the Defense Environmental Restoration Program specifically to address cleanups at U.S. Department of Defense facilities. The Defense Environmental Restoration Program included an

Inland Restoration Program as a component. To carry out required environmental restoration at its military facilities, U.S. Department of Defense established the Defense Environmental Restoration Account as the funding mechanism.

Executive Order No. 12580 was enacted in 1987 to intensify investigation and remediation of environmental problems. The Executive Order directed all Federal agencies to ensure environmental restoration. To comply with this Executive Order, U.S. Department of Defense has assumed lead responsibility to cleanup military bases throughout the world. California has the largest number of active military bases covered by the military cleanup plan.

As a result of Executive Order No. 12580 and growing public awareness, U.S. Department of Defense is now actively pursuing environmental restoration at military facilities. U.S. Department of Defense has demonstrated its restoration sincerity by providing oversight reimbursement to the State. The Defense/State Memorandum of Agreement, signed by U.S. Department of Defense and State of California officials, provides State oversight cost reimbursement to a maximum of one percent (1%) of the total cleanup cost. The Memorandum of Agreement requires preparation and administration of a Cooperative Agreement between the State and Corps of Engineers to verify funding and services for remedial responses. The Memorandum of Agreement lists specific sites for which the State will receive Federal funding for its oversight and regulatory involvement. In California, Regional Boards and the Department of Toxic Substances Control share State regulatory responsibility and reimbursement dollars allocated to the U.S. Department of Defense Program.

To ensure proper regulatory compliance and environmental restoration, Executive Order No. 12580 requires all Federal agencies to complete cleanup pursuant to "Superfund". This means cleanups at all military installations must comply with the stringent Federal Comprehensive, Environmental Response, Compensation, and Liability Act requirements, whether or not the base is a listed Superfund site. The Act requires Federal facilities which are placed on the Superfund National Priorities List by the U.S. Environmental Protection Agency (U.S. EPA), to conduct cleanup following the National Contingency Plan and U.S. EPA procedures and standards. In this Region, Fort Ord is the only currently listed U.S. Department of Defense Superfund National Priority List site.

In addition to following Federal Comprehensive, Environmental Response, Compensation, and Liability Act requirements, Superfund National Priority List site cleanups must be conducted pursuant to agreements called Federal Facility Agreements. These agreements are between the Federal agency owning the base (e.g., Department of the Army at Fort Ord) and the U.S. EPA. The agreements may include certain State agencies. The Fort Ord Federal Facility Agreement includes the Regional Board and Department of Toxic Substances Control as signatories.

By federal law non-Superfund military sites must cleanup hazardous waste releases pursuant to Federal Comprehensive, Environmental Response, Compensation, and Liability Act requirements and to state laws. Federal non-Superfund facilities may enter into a state compliance agreement. Such an agreement is called a Federal Facility Site Remediation Agreement. At Vandenberg Air Force Base (a non-Superfund site), a Federal Facility Site Remediation Agreement was signed by the Department of the Air Force, the Regional Board, and Department of Toxic Substances Control in June 1991. Both Federal Facility Agreements and Federal Facility Site Remediation Agreements identify roles, responsibilities, dispute resolution procedures, and schedules.

By signing an agreement (Federal Facility Agreement or Federal Facility Site Remediation Agreement), and following Federal Comprehensive, Environmental Response, Compensation, and Liability Act requirements, site remediation is modified from typical State procedures. The modification eliminates the need for State and local permits and enforcement action. Generally, Waste Discharge Requirements, Cleanup of Abatement Orders, and local agency permits are not

imposed. Such provisions were included to ensure compliance with stringent Federal cleanup standards, while limiting permit and enforcement involvement by local or State Agencies. In some parts of the Country, local and State involvement slowed or obstructed cleanup efforts.

The Federal Comprehensive, Environmental Response, Compensation, and Liability Act (Section 121) does require compliance with State and Federal laws and regulations which are more stringent than the Federal Act, and which are necessary to ensure site-specific environmental and public health protection. This compliance process is referred to as "Applicable" or "Relevant and Appropriate" requirements, because it allows consideration of either "Applicable" or "Relevant and Appropriate" requirements pursuant to State or Federal law and regulations. At Superfund sites, U.S. EPA has final authority to approve "Applicable" or "Relevant and Appropriate" requirements. At non-Superfund sites, the lead State agency is responsible to ensure "Applicable" or "Relevant and Appropriate" requirements are identified.

Federal Comprehensive, Environmental Response, Compensation, and Liability Act ("Superfund") Response Process

Although cleanup pursuant to the Federal Comprehensive, Environmental Response, Compensation, and Liability Act is quite complex, it was developed with the intent of simplifying regulatory requirements in a uniform manner and expediting environmental cleanup and restoration. The Act, although similar, is significantly more complex than the Regional Board's typical cleanup procedures pursuant to the California Porter-Cologne Water Quality Control Act. Following is a very simplified summary of the basic "Superfund" response process.

Many initial past military installation investigations included a Preliminary Assessment/Site Inspection. The Preliminary Assessment is an assessment based on existing, readily available information. The Preliminary Assessment attempts to evaluate the magnitude of a potential hazard and identify the source and nature of hazard release. The Site Inspection includes a site visit and possibly sample collection, soil borings, and well installation. The Site Inspection is intended to better characterize the problem and determine the need for further action. Often, information from the Preliminary Assessment/Site Inspection is used to place a site on the Superfund list.

Once a site has been Superfund listed, or has been identified as requiring remedial activities, more in-depth characterization is required. The next phase of remedial activities-site characterization is called the Remedial Investigation/Feasibility Study. The Remedial Investigation is the mechanism for collecting detailed site data to define fully the nature and extent of contamination. During the Remedial Investigation, treatability studies may be conducted to evaluate available treatment technologies in support of remedy selection. The Feasibility Study focuses on developing and screening specific remedial alternatives. The Feasibility Study goal is to identify preferred cleanup alternatives. The Remedial Investigation/Feasibility Study includes risk assessment, identifies "Applicable" or "Relevant and Appropriate" requirements, and develops cleanup goals.

The next phase is the Proposed Plan, which presents the preferred cleanup alternatives and allows public input. After public comments are considered, a Record of Decision is prepared at Superfund sites. The Record of Decision establishes cleanup levels and discharge standards and is based, in part, on identified "Applicable" or "Relevant and Appropriate" requirements. When the Record of Decision is complete and acceptable, the selected remedy is administratively approved by the military department, U.S. EPA, and the State (Regional Boards and Department of Toxic Substances Control). The final cleanup levels are established and "frozen" in the Record of Decision. Agencies that signed the Federal Facility Agreements also sign the Final Record of Decision. At non-Superfund sites in California, the typical document establishing the cleanup levels and discharge standards is called the Remedial Action Plan. The Remedial Action Plan is signed by the agencies that signed the Federal

Facility Site Remediation Agreement. Decision Documents are used sometimes to identify cleanup levels for individual sites at non-Superfund installations. Agencies and the public can petition U. S. EPA to change the Record of Decision levels (or the State to change the Remedial Action Plan), if substantial evidence is available demonstrating that an established cleanup level is not protective of human health and the environment.

Once the Record of Decision (or Remedial Action Plan) is signed, Remedial Design plans are prepared to implement the Record of Decision. Remedial Action, the long-term remediation, begins when Remedial Design and construction are complete. Operation and maintenance, including monitoring, evaluate long term performance and ensure that the Remedial Action is carried out as intended. Long term remediation (e.g., ground water cleanup) continues until conditions of the Record of Decision (or Remedial Action Plan) have been met. Remediation progress must be evaluated at least every five years.

The Federal Comprehensive, Environmental Response, Compensation, and Liability Act includes the Removal Action process to allow remediation of small/limited areas of contamination or time critical cleanups. A Removal Action may be undertaken at any time to address problems that do not require a full scale remediation project. Removal Actions are short term activities that remove immediate threats to public health or that can be implemented in a timely manner. Generally, Removal Actions are limited to \$2 million and are completed in twelve months or less (e.g., removal and proper disposal of a small volume of surface soil contamination).

It is worthy to note that environmental assessment is addressed during the Remedial Investigation/Feasibility Study process. All military installations must comply with the National Environmental Policy Act by preparing an Environmental Impact Statement or Finding of No Significant Impact. An Environmental Impact Statement is similar to an Environmental Impact Report and a Finding of No Significant Impact is similar to a Negative Declaration in California. In California, National Environmental Policy Act compliance may not be sufficient to address all environmental impacts; thus, environmental assessment must also comply with the California Environmental Quality Act.

Regional Board Responsibility

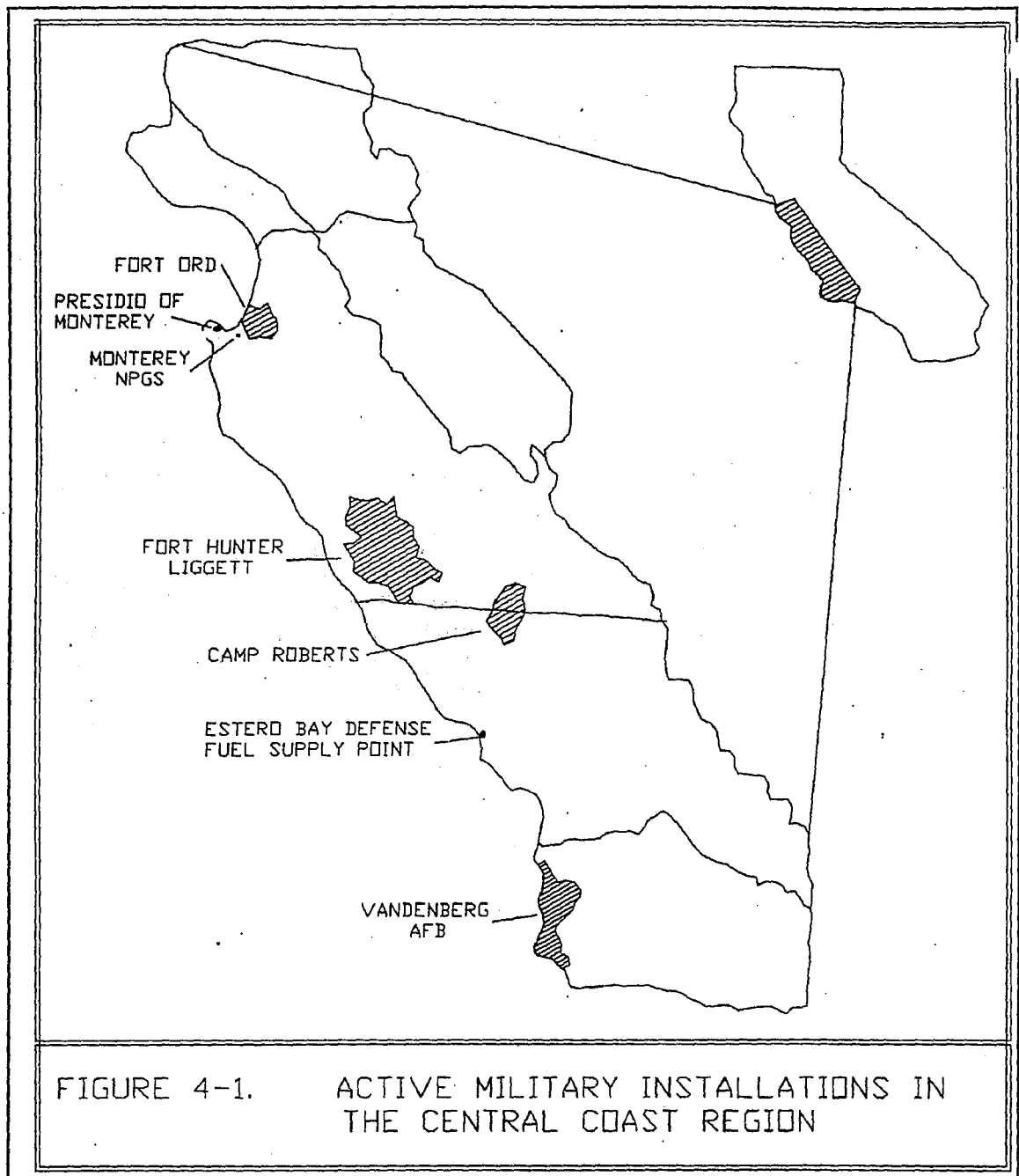
The Federal Clean Water Act and the California Porter-Cologne Water Quality Control Act give the Regional Board regulatory responsibility and authority to protect water quality, including waters within and beneath federal lands. The primary role of the Regional Board and its staff, relative to military installations (U.S. Department of Defense Program) is to ensure that waters of the State are adequately protected. Involvement includes review and direction of all investigation and remediation documents, site visits to guide field activities, and oversight to ensure that cleanup/remediation is carried out properly to protect beneficial uses of water resources. Identification of "Applicable" or "Relevant and Appropriate" requirements and direction on cleanup level establishment require considerable involvement by the Regional Board and its staff.

Typically, the U.S. EPA is the lead regulatory agency at Superfund sites (e.g., Fort Ord). The Regional Board and Department of Toxic Substances Control are responsible State agencies. In the past, at non-Superfund sites (all other military installations in the Region) either the Regional Board or Department of Toxic Substances Control has been the lead regulatory agency. At military installations where water quality and public health is threatened or impacted due to the release of hazardous substances, the Regional Board and Department of Toxic Substances Control may have overlapping jurisdiction. A Memorandum of Understanding exists between the State Water Resources Control Board, the Regional Boards, and Department of Toxic Substances Control specifying roles and responsibilities in hazardous waste cleanups where overlap may occur. In September 1993, the California Environmental Protection Agency requested the overall state "lead"

become Department of Toxic Substance Control's responsibility. This transition should not impact the basic responsibilities. In general, Regional Boards have primary regulatory responsibility for water and soils directly related to water quality protection. Department of Toxic Substances Control has primary regulatory responsibility for public health protection, soil (where waters are not involved), air, and hazardous waste treatment and storage.

In this Region, the Regional Board has been the lead State agency at six of the currently active (1993) U.S. Department of Defense facilities (Vandenberg Air Force Base, Estero Bay Defense Fuel Supply Point, Camp Roberts, Fort Hunter Liggett, Monterey Naval Post-Graduate School, and Presidio of Monterey). These sites are shown in Figure 4-1. The lead may be shared with Department of Toxic Substances Control at Fort Hunter Liggett, since there are several federal Resource Conservation and Recovery Act sites requiring investigation. In California, U.S. EPA has authorized Department of Toxic Substances Control to implement Resource Conservation and Recovery Act program compliance.

Agreements have been signed only at Fort Ord and Vandenberg Air Force Base in this Region. The Federal Facility Agreements for Fort Ord identifies the Regional Board as a support agency since the U.S. EPA is the lead regulatory agency. The current Federal Facility Site Remediation Agreement identifies the Regional Board as the lead agency at Vandenberg Air Force Base. Agreements could be negotiated at other military installations, or re-negotiated when they currently exist, if and when it becomes necessary to clarify roles and responsibilities. Changes are being considered in California to streamline regulatory processes associated with military installation cleanup, particularly at closing bases. The California Environmental Protection Agency has recently designated (September 1993) Department of Toxic Substances Control as the overall State lead at military installations. This designation will impact program activities, roles, and responsibilities.



VII.H. SPILLS, LEAKS, INVESTIGATIONS AND CLEANUP PROGRAM

The Spills, Leaks, Investigations, and Cleanup program was established to allow Regional Boards to address water quality problems and potential problems resulting from discharges not covered by other state programs. Investigations and cleanups of Spills, Leaks, Investigations, and Cleanup program sites proceed as described in State Board Resolution No. 92-49 explained in the "Hazardous Waste Compliance Issues" section later in this chapter.

Spill, Leak, and Complaint Responses

Regional Board staff responds to complaints of nuisance conditions (e.g., odors from sewage treatment plants) and discharges or threatened discharges of substances which may impact ground and/or surface water quality. Complaints are followed up as soon as feasible. Proper response to a complaint includes the following:

- * Completion of a Central Coast Region spill report form.
- * Notification to other responsible agencies, or interested parties, as needed.
- * Site inspection to determine validity of the complaint and to assess the situation, including determination of responsible party/parties.
- * Written follow-up as needed (letters, cleanup or abatement orders, and/or waste discharge requirements).
- * Except in cases where anonymity is requested, notification to complainant of findings and subsequent actions, if any.

Except for a discharge in compliance with waste discharge requirements, any person who causes or permits any reportable quantity of hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is or probably will be discharged into or on any waters of the State, shall, as soon as possible, notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan. The person shall also immediately notify the State Board or the appropriate Regional Board of the discharge (California Porter-Cologne Water Quality Control Act Section 13271).

Similarly any person who discharges any oil or petroleum product under the above stated conditions shall, as soon as possible, notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan. Immediate notification of an appropriate agency of the federal government, or of the appropriate Regional Board (in accordance with the reporting requirements set under California Porter-Cologne Water Quality Control Act Section 13267 or 13383) shall satisfy the oil spill notification requirements of this paragraph (California Porter-Cologne Water Quality Control Act Section 13272).

The Regional Board staff will assist other agencies and work cooperatively at large-scale hazardous material releases resulting from surface transportation accidents. The Regional Board staff's role is primarily to provide immediate, on-site technical assistance concerning water quality in order to minimize the potential damage to the public health and safety, and the environment. In cases of railroad incidents, Regional Board staff will work with other agencies pursuant to the Office of Emergency Services Railroad Accident Prevention and Immediate Deployment Plan. Specifically,

Regional Board staff are required to:

- * Provide information on existing downstream beneficial uses and potential impacts from released substances.
- * Provide toxicity information about released substances.
- * Set up water sediment monitoring program.
- * Collect water samples or provide technical assistance for others to collect samples.
- * Coordinate available resources and equipment.

VIII. UNDERGROUND STORAGE TANK PROGRAM

In 1981, citizens of Santa Clara County determined the cause of numerous birth defects to be polluted ground water. The source of pollution was traced to underground storage tanks leaking chlorinated solvents. This revelation prompted the San Francisco Bay Regional Water Quality Control Board to investigate numerous other underground storage tanks, the majority of which were found to be leaking. The Santa Clara County Fire Chiefs Association then sponsored a task force which developed, in 1982, a Model Hazardous Material Storage Permit Ordinance. The Ordinance addressed materials regulated, secondary containment, permits, inspections, and so forth.

Recognizing the problem was a statewide problem, the Legislature passed the initial State underground storage tank law in 1983, and numerous counties and cities followed with local ordinances to regulate underground storage of hazardous materials. The State law contains a sunset provision with a termination date of January 1, 1998.

Since 1985, over 21,000 leaking tank sites have been reported statewide and over 1250 have been reported within the Central Coast Region. Of the reported cases, approximately 90% are petroleum product cases and one-third have impacted ground water. As one might expect, Regions with the larger cities (thus more gasoline stations) have the largest number of reported leaks. The same holds true in the Central Coast Region. Santa Barbara County has almost fifty percent of the cases in this Region (up from 37% a few years ago) and San Benito County has only four percent; Monterey County has about twenty percent.

The Health and Safety Code gives both Regional Boards and local agencies authority to oversee investigation and cleanup of leaky Underground Petroleum Storage Tank sites. The California Code of Regulations, Title 23, Chapter 16, Article 11 requires local agencies to oversee leak reporting and tank closures. Two agencies within the Central Coast Region, Santa Clara and Santa Barbara Counties, also provide oversight for cleanup of leaky Tank sites under a Local Oversight Program contract with the State Board.

Unauthorized releases from underground tanks are reported to the Regional Board by local agencies or private parties. Generally, investigation and cleanup of leaky Underground Petroleum Storage Tank sites is shared between the Regional Board and local agencies. Typically the Regional Board oversees cases involving impact to surface and ground water and local agencies oversee impacts to soil. However, in some circumstances the Regional Board oversees both soil and ground water cleanup, and, in Santa Barbara and Santa Clara Counties, Local Oversight Programs oversee both soil and ground water cleanup.

Investigations and cleanup of leaky Tanks are carried out in a manner similar to investigations and cleanups in the Spills, Leaks, Investigations, and Cleanup Program mentioned earlier.

To assist responsible parties to pay for cleanups and to meet federal financial responsibility requirements, the state has established a Tank Cleanup Fund. Money for the fund is generated by a fee paid for each gallon of petroleum delivered to Tanks. Owners and operators of Tanks may draw upon the fund after paying for the initial \$10,000 in cleanup costs. The Fund will pay up to \$990,000 per cleanup.

Underground Petroleum Storage Tank regulations regarding construction, monitoring, repair, release reporting, and corrective action are found in the California Code of Regulations, Title 23, Division 3, Chapter 16. Regulations regarding the State's Underground Petroleum Storage Tank Cleanup fund are found in California Code of Regulations, Title 23, Division 3, Chapter 18, and regulations regarding underground testers are found in California Code of Regulations Title 23, Division 3, Chapter 17.

VII.J. ABOVE GROUND PETROLEUM STORAGE TANKS

Above ground petroleum storage tanks and associated piping leaks have been found to cause impacts to surface and ground water. Prior to 1990, above ground tank sites were regulated by the United States "Environmental Protection Agency Regulations on Oil Pollution Prevention", 40 Code of Federal Regulations Section 112, as amended. On January 1, 1990, the Above ground Petroleum Storage Act became effective as Chapter 6.67 (commencing with Section 25270), Division 20, of the Health and Safety Code and amendment to Section 3106 of the Public Resources Code. The regulations require:

- * Regional Boards to inspect above ground storage tanks used for crude oil and its fractions;
- * Owners or operators of tank facilities to prepare and initiate a spill prevention control and countermeasure plan in accordance with Part 112, Subchapter D, Chapter I, Title 40 of the Code of Federal Regulations by January 1, 1991 and any required monitoring program within 180 days later;
- * Tank facility owners or operators to report releases of crude oil and its fractions in excess of one barrel; and
- * Owners or operators of tank facilities to submit a storage statement and appropriate filing fee every two years.

The Above ground Petroleum Storage Act provides for recovery of cost incurred by Regional Board staff for oversight of above ground tank site cleanups.

VII.K. CALIFORNIA CODE OF REGULATIONS, TITLE 23, CHAPTER 15

The California Code of Regulations, Title 23, Chapter 15 (Chapter 15) contains minimum, prescriptive standards for proper management of applicable wastes. Landfills, surface impoundments, septage and sludge disposal, mining operations, confined animal facilities, and some oil field exploration and production facilities are regulated according to Chapter 15. Regional Boards may impose more stringent requirements to accommodate regional and/or site-specific conditions. Factors affecting site specific considerations include: depth to ground water, permeability of underlying soils, geologic structure, importance of underlying ground water uses, waste characteristics, ability to remediate leaks, adequacy of the monitoring system, proximity of beneficial uses such as aquatic life, and others.

Dischargers may propose engineering alternatives to the construction or prescriptive standards contained in Chapter 15 if they can show the prescriptive standard is not feasible (i.e., too difficult or costly to implement, or not likely to perform adequately under the given circumstances). The proposed alternative must be able to provide equivalent management of the waste, and must not be less stringent than the prescribed standards.

Discharges to land which may be exempt from Chapter 15 are listed in the Basin Plan Waiver Policy in Chapter Five.

Wastes fall into four categories under the current classification system. These four categories are: Hazardous, Designated, Non-Hazardous, and Inert, and are defined in Article 2 of Chapter 15. Hazardous and Designated wastes can often be generated by the same source and may differ only by their concentrations of given constituents.

Wastes must be disposed of differently depending on their liquids content and the waste category into which they fall. A table containing the Summary of Waste Management Strategies for Discharge of Waste to Land is provided in the appendix.

Receiving water monitoring is required at all waste management units. Article 5 discusses the monitoring requirements for the various classes of waste management units, and describes the progressive phases of monitoring.

The routine ground water monitoring conducted during the entire compliance period of a project's life is referred to as "detection monitoring". If a release (leak) is detected during the course of detection monitoring, an "evaluation monitoring" program must be established. If the evaluation monitoring verifies the presence of a leak, a decision must be made as to whether the release represents a significant enough threat to water quality and the environment to warrant corrective action. If the leak is a significant water quality threat, a "corrective action program" must be established, including monitoring of the effectiveness of corrective action, and conducted until the problem has been successfully corrected.

Vadose zone monitoring must be conducted at all waste management units where feasible. Article 5 discusses the minimum requirements for an acceptable vadose zone monitoring program.

Special requirements for confined animal facilities are discussed in Article 6 of Chapter 15 and in Chapter 5 of this Basin Plan. These facilities are also subject to other portions of Chapter 15 as applicable.

Under Chapter 15, mining waste discharges are only subject to the requirements of Article 7, or other portions of Chapter 15 as referenced by Article 7. Mining wastes are also subject to regulation under the Surface Mining and Reclamation Act, Public Resources Code Title 14, Division 2, Chapter 9).

Discharges of hazardous and nonhazardous waste, and the waste management units at which the wastes are discharged (e.g., landfills, surface impoundments), are regulated by the Regional Board through Waste Discharge Requirements to properly contain the wastes, and to ensure effective monitoring is undertaken to protect water resources of the Region. These waste discharges are also concurrently regulated by other State and local agencies. Local agencies implement the State's solid waste management programs as well as local ordinances governing the siting, design, and operation of solid waste disposal facilities (usually landfills) with the concurrence of the California Integrated Waste Management Board.

The California Integrated Waste Management Board also has direct responsibility for review and approval of plans for closure and post-closure maintenance of solid waste landfills. The Department of Toxic Substance Control issues permits for all hazardous waste management, treatment, storage, and disposal facilities. The State Board, Regional Boards, California Integrated Waste Management Board, and Department of Toxic Substances Control have entered into Memorandums of Understanding to coordinate their respective roles in the concurrent regulation of these discharges.

The laws and regulations governing both hazardous and nonhazardous solid waste disposal have been revised and strengthened in recent years.

An inactive waste management unit can still pose a threat to water quality. In fact, due to the nature of some wastes and the characteristics of some disposal sites, sometimes water quality problems do not become evident until years after a site has closed. Therefore, Chapter 15 requires all waste management units have a plan for acceptable closure procedures and post-closure maintenance and monitoring.

VII.K.1. Solid and Liquid Waste Requirements (Landfills and Surface Impoundments)

Solid wastes are usually disposed of in a landfill or Solid Waste Disposal Site. A landfill, as defined in Chapter 15, is a waste management unit at which waste is discharged in or on land for disposal. A landfill may be classified as Class I, II, or III, depending on the type of waste being accepted, but the term "landfill" typically refers to a Class III municipal solid waste landfill which accepts only inert or non-hazardous, municipal solid waste. Class I units are for hazardous wastes, Class II units are for designated wastes, and Class III landfills are for nonhazardous wastes as defined in Chapter 15, Article 3. Landfills are an integral component of many communities in the Central Coast Region. Hazardous and/or designated solid wastes must be disposed of in Class I or II landfills or waste piles, also referred to as Resource Conservation and Recovery Act or non-Resource Conservation and Recovery Act solid waste management units.

Liquid wastes may not be disposed of to Class III waste management units. Rather, liquid wastes must be discharged to Class I or II surface impoundments, depending on the waste classification.

Discharges from solid and liquid waste management units can impact both ground and surface waters. The receiving water most likely to be at risk from a waste management unit is the ground water beneath the site. Precipitation or runoff may enter the unit and contact the waste, percolate through it, and travel to ground water, carrying constituents of the waste with it to the vadose zone or ground water beneath the unit. Solid waste may contain enough free liquids to form a leachate which can migrate to ground water. Vapors may migrate from a waste management unit into the soils and ground water below the unit. Gases forming in a closed waste management unit may pressurize the unit and force contaminants into the ground water. A liquid waste impoundment may leak its content into the soils and ground water beneath the unit. Liquids may exit a waste management unit and travel to nearby surface waters. Uncontained solid waste may also be transported to surface waters by wind.

The Regional Board regulates all the active waste management units and some of the closed units in the Region under Waste Discharge Requirements which contain pertinent Chapter 15 regulations. Some of the applicable requirements include:

1. Waste management units must be sited in locations where they will not extend over a known Holocene fault, other areas of rapid geologic change or into areas with inadequate separation from ground water.

2. Waste management units must be constructed to minimize (Class III) or prevent (Class I and II) the possibility of leachate contacting ground water. The probability of accomplishing this goal may be improved by siting the unit in an area where the depth to ground water is very great or where natural geologic features will provide containment. A Class III waste management unit is required to have a composite clay and synthetic liner with a leachate collection and removal system, in accordance with Federal Subtitle D requirements. New Class I and II units must also be lined. A discharger may propose engineered alternatives to the Chapter 15 and Subtitle D containment requirements, but the alternatives must provide equal or greater protection to the receiving waters at the site, per Article One.
3. To minimize or prevent the formation of leachate, solid waste management units shall be covered periodically (typically daily) with soil or other approved materials. The importance of effective interim cover is illustrated by recent improvements to some landfill interim covers which resulted in an apparent cessation of ground water degradation. Rainwater surface flow from offsite should be prevented from entering a waste management unit and contacting the wastes in the unit.
4. The potential receiving waters shall be monitored. A waste management unit shall have sufficient ground water monitoring wells at appropriate locations and depths to yield ground water samples from the uppermost water bearing strata with continued saturation at depth, to provide the best assurance of the earliest possible detection of a release from the waste management unit. Perched ground water zones shall also be monitored. Background monitoring should be conducted for at least one year prior to opening a new waste management unit.

Chapter 15 requires vadose zone monitoring at all new sites and at any existing site, unless it can be shown to the satisfaction of the Regional Board no vadose zone monitoring devices would work at the site, or that installation of vadose zone monitoring devices would require unreasonable dismantling or relocating of permanent structures.

5. All operating waste management units must have an approved closure/post-closure monitoring and maintenance plan and their operators must provide the Regional Board with assurance sufficient funds are irrevocably committed to ensure the site will be properly reclaimed and maintained.
6. The operator of a waste management unit must obtain and maintain assurances of financial responsibility for known and foreseeable releases from the unit.

VII.K.2. Wastewater Sludge/Septage Management

Wastewater sludge (biosolids) is a by-product of wastewater treatment. Treated domestic sludge is now referred to as biosolids to encourage using this material for fertilizer and soil amendment. Raw sludge usually contains 93 to 99.5 percent water with the balance being solids present in the wastewater and added to or cultured by wastewater treatment processes. Most Publically Owned Treatment Works treat the sludge prior to ultimate use or disposal. Normally, this treatment consists of dewatering and/or digestion.

Treated and untreated sludges may contain high concentrations of heavy metals, organic pollutants, pathogens, and nitrates. Storage and disposal of municipal sludges on land can result in degradation of ground and surface water, if not properly performed. Therefore, sludge handling and disposal must be regulated.

Septage and grease are usually considered liquid waste, so landfill disposal is usually restricted. Septage, the residual solids periodically pumped from septic tanks, is commonly applied to farm land as fertilizer. Grease waste is usually recycled, but grease trap pumpings are commonly rejected by grease recyclers. Grease and septage usually must be disposed in a Class I or II waste management unit.

The Board will regulate disposal of sludge and septage pursuant to Chapter 15 and Department of Health Services standards for sludge management.

Sludge containing less than 50% solids by weight may be placed in a Class III landfill (see section on Chapter 15) if it can meet the following requirements, otherwise it must be placed in a Class II surface impoundment:

1. The landfill is equipped with a leachate collection and removal system;
2. The sludge must contain at least 20 percent solids if primary sludge, or at least 15 percent solids if secondary sludge, mixtures of primary and secondary sludges, or water treatment sludge; and
3. A minimum solids-to-liquid ratio of 5:1 by weight must be maintained to ensure that the co-disposal will not exceed the initial moisture-holding capacity of the nonhazardous solid waste. The Regional Board may require that a more stringent solids-to-liquid ratio be maintained, based on site-specific conditions.
4. Non-hazardous sludge contained greater than 50% solids by weight is generally considered solid waste.

Beneficial reuse of sludge/septage is increasing in popularity. Sludges and septage, (including composted, liquid, dewatered and dried sludges) have been successfully used as a soil amendment/fertilizer on farmland, orchards, forest lands, pasture, land reclamation projects (e.g., strip mines and landfills), parks and home gardens. As the concentrations of heavy metals has dropped in municipal sludge, and as advanced sludge treatment methods are utilized, the public's acceptance of beneficial reuse projects has improved. However, improper land application of sludge/septage can cause significant odor nuisance, attract flies, contain high levels of pathogens and heavy metals, and be aesthetically offensive due to the presence of plastics.

Currently, regulation of sludge and septage management projects is under the jurisdiction of the Board. Handling and disposal of sludge/septage can be regulated under Chapter 15 of Title 23, California Code of Regulations and California Department of Toxic Substance Control Standards for hazardous waste management. If sludge is used beneficially, the project may be exempted from Chapter 15, but the Board may issue waste discharge requirements.

The U.S. Environmental Protection Agency (U.S. EPA) has promulgated a policy of promoting those municipal sludge management practices that provide for the beneficial use of sludge and septage while maintaining or improving environmental quality and protecting public health. On February 19, 1993, the U.S. EPA published final sewage sludge regulations in 40 Code of Federal Regulations 503. The 503 regulations are intended to assure that use and disposal of sewage sludges and septage comply with Federal sludge use and disposal criteria developed by the U.S. EPA. The State Board or the California Integrated Waste Management Board may develop a State sludge management program consistent with the U.S. EPA's policy and criteria for land application, surface disposal, and incineration of sludge to seek Federal authorization to implement the 40 Code of Federal Regulations 503 sludge regulations.

VII.K.3. Mining Activities (Nonfuel Commodities)

The Central Coast has had a rich and varied mining history. Currently extracted products include asbestos, decomposed granite, diatomite, dimension stone, dolomite, gypsum, limestone, sand and gravel, shale, specialty sand and stone. The hundreds of inactive metal mines and prospects appear to be the worst polluters though. Mercury, used partly to amalgamate gold ore, was mined from the Little Bonanza deposit, San Luis Obispo County, as early as 1862. The Buena Vista Mine, which ceased production in 1970 or 1971, is believed to have been the last mercury producer in the Central Coast Region. Chromite deposits have been mined in San Luis Obispo County since about 1870. By 1944, and probably until the demise of production possibly 20 years ago, San Luis Obispo County produced more chromite than any other California county. Other products mined or prospected for historically include gold, silver, manganese, magnesium, antimony, copper, nickel, iron, barite, coal, feldspar, gemstones, biotite, molybdenum, peat, phosphate, sodium sulfate, sulfur, titanium, uranium, zircon, and possibly platinum.

The extent of environmental degradation by all mining ventures is not yet known. Active operations are regulated individually pursuant to the California Code of Regulations, Chapter 15, the Porter-Cologne Water Quality Control Act, the California Surface Mining and Reclamation Act and/or the Federal Clean Water Act (including the NPDES permit program). About 25 active mines currently hold Waste Discharge Requirements and/or NPDES surface water discharge permits and a few operations have been granted waivers. Chapter 15 land disposal requirements are imposed as required.

Inactive operations with responsible parties fall under the same purview, as warranted. Inactive mines, with or without responsible parties (those without are considered abandoned) may be remediated as Federal Superfund sites pursuant to Federal Comprehensive, Environmental Response, Compensation, and Liability Act, or as State Board Cleanup and Abatement Account sites. Low interest loans or government or academic grants may, in rare cases, be applied to inactive mine remediation.

Mines are subject to the Resource Conservation and Recovery Act, although comprehensive regulations have not yet been written. If hazardous constituents are present, Resource Conservation and Recovery Act, Subtitle C, and California Code of Regulations Title 22 may apply to active and inactive sites.

VII.K.4. Other Industrial Activities

Cement Industry -- Concrete manufacturing operations generate two significant types of solid waste, kiln dust and "off-specification" concrete. The first, kiln dust, is classified as a designated waste under Title 22 and is typically disposed of in Class II or III landfills operated by the concrete manufacturers. The second waste, "off-spec" concrete, is generated in much greater quantities and, while classified as a hazardous waste due to its very high pH (often ranging from 12.5 to 13.5 pH units), is frequently dumped on-site at the concrete plants and spread.

Cement batch plants generate large quantities of liquid and semi-solid wastes from rinsing of cement trucks and/or cement covered equipment. This waste, referred to as "washout" is very alkaline (pH may be as high as 12.5 in fresh cement), is high in total dissolved solids, and may contain assorted heavy metals. Washout may also contain various air-entrainment additives or other chemicals.

The Regional Board regulates cement kiln dust disposal and all ready mix cement plants where water quality could be impacted. Wastewater from cement batch plants is considered to be a designated waste, and may need to be discharged to a lined impoundment, if site-specific characteristics (e.g.,

soil type, depth to ground water, ground water quality, etc.) will not protect ground water from degradation. The Regional Board will consider, on a case-by-case basis, the need to line cement wastewater ponds. Solid or semi-solid wastes should be deposited in landfills or other legal points of disposal unless the discharger can demonstrate the waste will not pose a threat to water quality if deposited onsite.

Asphalt production -- Asphalt batch plants generally involve mixing heavy long chain hydrocarbons with aggregates. Occasionally other hydrocarbon sources (diesel and gasoline contaminated soil) are mixed with asphalt as a beneficial reuse. Diesel fuel and other solvents are used to clean equipment and as "lubricants" to prevent asphalt from sticking to equipment. Large quantities of these materials are generally stored on-site. Water quality can be significantly degraded if these materials reach water courses. Waste control measures are fairly straightforward at such sites. Petroleum products should be stored in tanks, and the tanks placed in lined holding areas. If spillage to soil occurs, contaminated soils should be scraped up, stored on a liner, and incorporated into asphalt as soon as possible. A berm (or other runoff control) should be placed downgradient from earthen material stockpiles.

Oil Field Exploration and Production Facilities -- Oil exploration and production is a thriving business in the Central Coast Region. Although drilling muds are exempt from Resource Conservation and Recovery Act, Oil Exploration and Production Operations are often subject to the requirements of Chapter 15 because they represent a threat to water quality. Due to the significant Chapter 15 workload, remote oil operations may not reach the top of the regulatory priority list. The Interstate Oil and Gas Compact Commission recently recommended:

"The review team recommends State Board obtain the resources necessary to fully discharge its responsibilities...seek adequate resources from the legislature or use some other mechanism to enable Regional Boards to process applications for WDRs in a timely manner...One option is to remove or raise the statutory cap on discharger fees so that State Board may restructure its fee system to improve its equity and cure substantial resource shortcomings."

The Interstate Oil and Gas Compact Commission also commended the Central Coast Regional Board for having a road spreading policy. This policy, Resolutions No. 73-05 and 89-04, is located in the appendix.

VII.L. RESOURCE CONSERVATION RECOVERY ACT (SUBTITLE D)

Policy for Regulation of Discharges of Municipal Solid Waste

On June 17, 1993, the State Water Resources Control Board (State Board) adopted Resolution 93-62, entitled Policy For Regulations Of Discharges Of Municipal Solid Waste. A copy of this policy is available in the appendix.

The Policy implements the State Board's regulations governing the discharge of waste to land California Code of Regulations, Title 23, Chapter 15 (23 California Code of Regulations Section 2510 et seq., "Chapter 15"), and implements those water quality related portions of the federal regulations governing the discharge of municipal solid waste at landfills (40 Code of Federal Regulations Section 258.1 et seq., "federal municipal solid waste regulations") that are not addressed by Chapter 15. The federal municipal solid waste regulations apply to all landfills that receive waste on or after October 9, 1991; the majority of the federal provisions become effective on October 9, 1993 (federal deadline).

The Policy directs Regional Boards to revise or adopt, as appropriate prior to the Federal Deadline, the waste discharge requirements (WDRs) for each landfill subject to the federal municipal solid waste regulations. The revised WDRs must implement those regulations in the manner described in the Policy and must implement the Chapter 15 regulations as well.

Landfills are subject to Subtitle D in California beginning October 9, 1993 or October 9, 1995 depending on landfill size and whether it is within one mile of a drinking water intake.

These Federal regulations apply to municipal solid waste landfills (Class III landfills, under Chapter 15). The Subtitle D regulations outline the classification of municipal landfills, siting criteria, design criteria, operation procedures, water quality monitoring parameters and standards, closure and post-closure care requirements, and financial assurance guidelines similar to Chapter 15. U.S. EPA considers Subtitle D to be minimum standards for landfill operation. States may have equal or more stringent requirements, but may not have less stringent requirements. If a state's landfill regulation program meets U.S. EPA's approval, that state may apply to become an U.S. EPA "approved state" for landfill regulation.

California received Subtitle D approval in October 1993 and will be able to consider engineering alternatives to certain provisions of Subtitle D.

VII.M. SOLID WASTE WATER QUALITY ASSESSMENT TEST

In 1984, California Porter-Cologne Water Quality Control Act Section 13273 was adopted to require operators (and/or owners) of active and inactive solid waste disposal sites to perform a Solid Waste Assessment Test investigation. About 150 sites per year are to be analyzed Statewide. The State Board has approved a statewide ranked list including 2,242 sites in 15 ranks. It has prioritized all sites on the basis of the potential threat to water quality and has established schedules for Investigation Workplan (Workplan) and Solid Waste Assessment Test report's submittals. The Central Coast Region's 15 ranks include 131 sites. Test reports are due the first day of July each year, depending on their ranking. Rank 1 sites were due July 1, 1987.

If monitoring information conclusively demonstrates hazardous waste is migrating, or has migrated to State waters, the site owner/operator may request a waiver of the Test reporting requirements pursuant to Water Code Section 13273(c). Waiver requests are usually requested within 120 days of the notification date. Water Code Section 13273.1, allows the site operator to request an exemption from Test reporting requirements by submitting a Solid Waste Assessment Questionnaire. Questionnaires may be submitted if a site contains less than 50,000 cubic yards of waste and is not known nor suspected of containing hazardous substances, other than household hazardous wastes. Based on this Questionnaire, the Board may exempt the Operator from all or part of the Solid Waste Assessment reporting requirements.

Solid Waste Assessment Test reports are required to contain:

1. An analysis of the surface and ground water on, under, and within one mile of the solid waste disposal site to provide a reliable indication whether there is any leakage of hazardous waste.
2. A chemical characterization of the soil-pore liquid in those areas which are likely to be affected if the solid waste disposal site is leaking, as compared to geologically similar areas near the solid waste disposal site which have been affected by leakage or waste discharge (Porter-

Cologne §13273[b]).

3. A finding whether hazardous waste is leaching into surface or ground water on, under, and within one mile of the disposal site.

If hazardous waste has migrated, the Regional Board must notify the Department of Health Services and the Integrated Waste Management Board, and take appropriate remedial action (Porter-Cologne §13273[e]).

More than eighty percent of Test sites (mostly unlined) evaluated in all climates and geologic terrain in California have been found to impact ground water quality as part of the Solid Waste Assessment Test program.

From the beginning, the Test program was supported by the California General Fund. In recent years, agencies with programs with such funding have been under increasing pressure to find alternative funding or face elimination. These pressures resulted in the Test Program being understaffed and, in the summer of 1991, eliminated. At that time, almost 200 Test Reports had been accepted and reviewed by the Regional Water Boards. However, a backlog of nearly 300 additional Test Reports had been submitted and had not been reviewed. The Central Coast Region had reviewed and accepted 29 reports, however 14 were backlogged.

In 1992, the Legislature adopted Assembly Bill 3348 (Eastin) which allocated \$2,500,000 from the Integrated Waste Management Board's "Solid Waste Disposal Site Cleanup and Maintenance Account" to the State and Regional Boards to fund the review of the above backlog. This law restricted these funds to the review of Solid Waste Assessment Reports from Ranks 1 through 5 only and required the work be in accordance with a Memorandum of Understanding between the Regional Boards and the California Integrated Waste Management Board. This Memorandum of Understanding was signed by the Executive Directors of the two agencies in January 1993."

9. Add new section, section VIII, to page IV-29 before the existing "Nonpoint Source Measures" section.

"VIII. HAZARDOUS WASTE COMPLIANCE ISSUES

"The Regional Board obtains information regarding hazardous waste discharge through two reporting programs. These programs are "Reportable Qualities of Hazardous Waste and Sewage Discharges" and the "Proposition 65" program. These mechanisms are discussed below:

VIII.A. REPORTABLE QUANTITIES OF HAZARDOUS WASTE AND SEWAGE DISCHARGES

California Porter-Cologne Water Quality Control Act Section 13271 requires the State Board and the Department of Health Services to adopt regulations establishing reportable quantities for substances listed as hazardous wastes or hazardous materials pursuant to Section 25140 of the Health and Safety Code. Reportable quantities are those which should be reported because they may pose a risk to public health or the environment if discharged to ground or surface water.

Similarly, the State Board was required to adopt regulations establishing reportable quantities for sewage. These requirements for reporting the discharge of sewage and hazardous materials do not supersede waste discharge requirements or water quality objectives.

The regulations for reportable quantities adopted by the State Board are included in Subchapter 9.2 of the California Code of Regulations.

VIII.B. PROPOSITION 65

The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) went into effect January 1, 1987. Proposition 65 is found in the Health and Safety Code, Section 25249.5, et seq.. It prohibits discharges of chemicals known to the State to cause cancer or reproductive toxicity to a potential source of drinking water, with certain exceptions. The Governor is required to publish a list of such chemicals. The list must be updated yearly. The current list is found in 22 California Code of Regulations, Section 12000.

Section 25180 of the Health and Safety Code requires designated governmental employees to disclose information to the local Board of Supervisors and local health officer regarding an illegal discharge of hazardous waste if the discharge is likely to cause substantial injury to the public. A designated employee is one who is required to sign a conflict of interest statement. Any designated employee who knowingly or intentionally fails to report information, as required by Proposition 65 is subject to fines and imprisonment (Section 25180.7). The following information should be reported:

- * Discharge type
- * How discharge was discovered
- * Location of discharge
- * Probable discharger
- * Possible contacts
- * Concentration of contaminant in soil and/or water."

10. Revise first three paragraphs of the "Nonpoint Source Measures" section on page IV-29 to read as follows:

"IX. NONPOINT SOURCE MEASURES

(Delete first three paragraphs.)

The State Nonpoint Source Management Plan initiated development of specific program objectives to be implemented at the State and Regional level. Currently Regional Board staff are implementing the following State Board program objectives:

- A. Control of Nonpoint Source pollution (urban runoff; agriculture; land disturbance activities such as road construction/maintenance, land construction, timber harvesting, and mining; hydrologic modification; and individual disposal systems). These activities include outreach, education, public participation, technical assistance, financial assistance, interagency coordination, demonstration projects, and regulatory activities such as imposing septic tank area prohibitions.

- B. Preparation of contracts for projects selected for grant funding. Regional Board staff also participate in these projects by providing technical assistance and publicizing their results.
- C. Implementation of the 1990 Coastal Zone Act Reauthorization Amendments, as developed by the State Board and the California Coastal Commission. This shall be an enforceable Nonpoint Source Management Program to control land use and anthropomorphic activities impacts that have a significant affect on coastal waters. (Further discussion of the Amendments is provided later.)
- D. Initiation of nonpoint source watershed pilot programs.

Using State program objectives, Regional Board staff developed task-specific workplans to address nonpoint sources of pollution. For the Central Coastal Region, the following tasks are managed and implemented by the Nonpoint Source Program staff:

Task 1: Water Quality Assessment

Regional Board staff reviewed and updated the nonpoint source portion of the Water Quality Assessment and prepared water body fact sheets. (The Water Quality Assessment and water body fact sheets are discussed in Chapter Six.)

Task 2: Watershed Studies/Planning

Three impaired watersheds (Morro Bay Watershed, San Luis Obispo Creek Watershed, and San Lorenzo River Watershed) have been targeted for intensive activity. Major activities for San Luis Obispo Creek watershed include:

- 1) Develop of a Demonstration "Total Maximum Daily Load" model.
- 2) Create a "San Luis Obispo Creek Riparian Task Force".
- 3) Implement a riparian corridor restoration project.
- 4) Identify major nonpoint pollutants and sources.
- 5) Develop a watershed management program.

For Morro Bay watershed, the activities include:

- 1) Develop a long term monitoring program to assess water quality improvements associated with the implementation of nonpoint source pollution control measures.
- 2) Develop funding for the long term monitoring program.
- 3) Implement a sediment reduction program using best management practices.
- 4) Participate in the Morro Bay Task Force.

For San Lorenzo River watershed, the activities include:

- 1) Develop a detailed assessment of Nonpoint Source impacts in the watershed.
- 2) Develop a wastewater management plan for on/off-site wastewater disposal.
- 3) Develop of a nutrient objective for the river.
- 4) Conduct experimental on-site wastewater treatment to reduce nitrogen discharge into the environment.

Task 3: Outreach Program

Staff meets regularly with individuals and local government agencies to promote education and solutions on Nonpoint Source problems. Additionally, the use of grant and loan resources to correct Nonpoint Source problems is emphasized during outreach activities.

Specific outreach activities include participation on the San Luis Obispo Creek Riparian Task Force, Morro Bay Task Force, and various 319(h)/205(j)/Basin Planning Technical Advisory Committees, and development of grant applications with local agencies.

Task 4: Project Tracking and Participation

Regional Board staff prepare contracts, coordinate with project proponents, track project progress, review and approve invoices, and provide technical support for Nonpoint Source grant funded projects.

IX.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS

In November 1990, Congress enacted Section 6217 of the Coastal Zone Act Reauthorization Amendments to help address the problem of nonpoint source pollution in coastal waters. Section 6217 requires that coastal states with federally approved coastal management programs develop Coastal Nonpoint Pollution Control Programs. The legislative history indicates that the central purpose of section 6217 is to strengthen the links between Federal and State coastal zone management and water quality programs in order to enhance efforts to manage land use activities that degrade coastal beneficial uses. The State coastal zone management agency designated under Section 306 of the Amendments and nonpoint source management agency designated under section 319 of the Clean Water Act will have a dual and co-equal role and responsibility in developing and implementing the coastal nonpoint program.

The program gives the U.S. Environmental Protection Agency (U.S. EPA) and the National Oceanic and Atmospheric Administration joint authority to approve programs developed by the State to address 6217 requirements.

The State agencies chosen to develop California's Coastal Nonpoint Pollution Control Program are the State Board and the Coastal Commission. The statute requires that the state program be "coordinated closely with State and local water quality plans and programs." This means that the State's nonpoint source programs under Sections 208 and 319 of the Clean Water Act and the coastal program must be examined to determine if they comprehensively address land use activities and anthropomorphic effects that have a significant effect on coastal waters. In addition, the state agencies are charged with developing a coordinated program that:

- identifies categories of nonpoint sources that adversely impact coastal waters;
- describes management measures to be implemented;
- identifies the land uses and critical coastal areas that will require more stringent or additional management measures;
- describes the state-developed additional management measures to be implemented in critical areas;
- documents the authorities the state will use to implement both the guidance and additional management measures, including designation of a lead agency for each source category and/or subcategory; and
- sets forth a schedule to achieve full implementation of the guidance management measures within three years of program approval by U.S. EPA and National Oceanic and Atmospheric Administration, and full implementation of additional management measures within six years of program approval.

The Coastal Commission and the State Board staff have been working on a strategy to develop the required Coastal Nonpoint Pollution Control Program plan. Recently, the State Board directed staff to review and revise the statewide Nonpoint Source Management Plan to include a strong coastal component. Revision of the Plan intends to satisfy the requirements of Section 6217 within the existing framework of current nonpoint source activities.

On a Regional Board level, staff has been involved with the Statewide program since 1991. A pilot project, "The New Coastal Nonpoint Pollution Control Program using the Morro Bay Watershed as a Model" was performed to assess the feasibility of establishing the Coastal Nonpoint Pollution Control Program in California. Regional Board staff supplied technical information and reviewed reports. Concerted planning and implementation efforts on target coastal watersheds such as Morro Bay will be major accomplishments to satisfy Coastal Nonpoint Pollution Control Program requirements. As the program goes statewide, Regional Board staff will attend technical advisory committee meetings and will work closely with staff of the State Board and other Regional Boards, as well as staff of other relevant local, state, and federal agencies to develop a workable Coastal Nonpoint Pollution Control Program.

Wastewater originating from nonpoint sources includes those from urban runoff, agricultural activities, on-site sewage disposal systems, and land disturbance activities. Management of these types of nonpoint source discharges are discussed in the following section. The Regional Board will be developing management practices for marinas and recreational boating; hydromodification facilities; and wetlands, riparian areas, and vegetated treatment systems at a future date."

~~Wastewater originating from nonpoint sources includes those from agricultural activities, urban runoff, erosion from construction, mining or timber harvesting operations, vessels, and individual waste disposal systems.~~

~~Control of nonpoint wastewaters falls into several categories including: 1) changes in practices to minimize waste emission; 2) prohibition of polluting activities; or 3) some form of treatment program. For example, to minimize waste emissions, agricultural irrigation practices can be modified to reduce salt buildup rates in ground water and there are ways to control drainage from dairies and feedlots to minimize contamination of surface waters. Prohibition may be effectively used to eliminate vessel waste discharges and individual disposal systems in areas where such practices cause water degradation. Treatment approaches can be~~

~~applied to all of the above examples and to collected urban drainage; use of buffer strips along water courses can be effective in controlling effects of erosion from timber harvesting or construction activities~~

~~Effluent limits and facility requirements are not readily applicable to most nonpoint wastewater sources. Controls emphasize use of upgraded on-site practices; improved regulatory controls such as performance standards, policies, and inspection programs; and first line implementation by local agencies. Topical discussions of significant nonpoint source control measures applicable to the Central Coastal Basin follow for urban runoff management; agricultural wastewater management; individual, alternative, and community waste disposal practices; and, land disturbance activities.~~

11. Add new section, section IX.C.6., at the end of the "Agricultural Water and Wastewater Management" section on page IV-40:

"IX.C.6. RANGE MANAGEMENT

Rangeland is the most extensive land use type in California, accounting for more than 40 million acres of the State's 101 million acres. As most of the rangelands are located between forested areas and major river systems, nearly all surface waters in the State flow through rangelands. Thus, rangeland activities can greatly impact water quality. In this section, grazing activities are discussed.

Grazing

Grazing activities (particularly overgrazing), by contributing excessive sediment, nutrients, and pathogens, can adversely impact water quality and impair beneficial uses. Soil erosion and sedimentation are the primary causes of lowered water quality from rangelands. When grazing removes most of the vegetative cover from pastures and rangelands, the soil surface is exposed to erosion from wind and water. With runoff, eroded soil becomes sediment which can impair stream uses and alter stream channel morphology and results in decreased recharge capacity through clogging of channel bottoms. With steep slopes, highly erodible soils and interim storm events, the sediment delivery ratio (a measure of the amount of eroded soil delivery to a waterbody) on rangeland can be very high. Streambank erosion and lakeshore erosion are other sources of sediment on rangelands. Lakeshores, streambanks, and associated riparian zones are often subjected to heavy livestock use. Trampling and grazing of vegetation contribute to lakeshore and streamside instability as well as accelerated erosion.

Sediments can contribute large amounts of nutrients to surface water. Nutrients, mainly nitrogen and phosphorous, from manure and decaying vegetation also enter surface waters, particularly during runoff periods. Very critical nutrient problems can develop where livestock congregate for water, feed, salt, and shade. Pasture fertilization can also be a source of nutrients to surface waters, as well as a source of pesticides, particularly if flood irrigation techniques are used on rangelands.

Stream zone and lakeshore areas are important for water quality protection in that they can "buffer" (intercept and store nutrients which have entered surface and ground waters from upgradient areas). These "buffer zones" are more sensitive to processes which can increase nutrient discharges such as soil compaction, soil erosion, and vegetation damage than other areas of the rangeland.

Localized contamination by pathogens that could impact human health in surface water, ground water, and soils can result from livestock in pastures and rangelands. Rangeland streams can show increased coliform bacterial levels with fecal coliform levels tending to increase as intensity of

livestock use increases. Fecal coliform serve as indicators that pathogens could exist and flourish. The extent of contamination is usually determined by livestock density, sizing, and frequency of grazing, and access to the surface waters.

Grazing Control Measures

Grazing activities occur on both public and private lands in the Central Coast Region. Regulation of grazing on federal lands differs from that on private lands.

Federal lands -- Grazing activities on federal lands are regulated by the responsible land management agency, such as the U. S. Bureau of Land Management or the U. S. Forest Service. Through Memorandum of Understandings and Management Agency Agreements, the Regional Board recognizes the water quality authority of the U.S. Forest Service and U.S. Bureau of Land Management in range management activities on federal lands. Both these agencies require allotment management plans to be prepared for a specific area and for an individual permittee. The Regional Board relies on the water quality expertise of these agencies to include appropriate water quality measures in the allotment management plans. Most allotment management plans include specific Best Management Practices to protect water quality and existing and potential beneficial uses.

Non-federal (private) lands -- The Range Management Advisory Committee is a statutory committee which advises the California Board of Forestry on rangeland resources. The Committee has identified water quality protection as a major rangeland issue and has assumed a lead role in developing a Water Quality Management Plan for private rangelands in California. Regional Board staff is participating in the Plan's development. Sections proposed for inclusion in the Plan are status of water quality and soil stability on state rangelands, authority, mandates, and programs for water quality and watershed protection, local water quality planning guidelines, sources of assistance, development of management measures (Best Management Practices), state agency water quality responsibilities, and monitoring guidelines. Upon its completion, the Plan will be submitted to the State Board. On private lands whose owners request assistance, the U.S. Soil Conservation Service, in cooperation with the local Resource Conservation Districts, can provide technical and financial assistance for range and water quality improvement projects. A Memorandum of Understanding is in place between the U.S. Soil Conservation Service and the State Board for planning and technical assistance related to water quality actions and activities undertaken to resolve nonpoint source problems on private lands.

On both public and private lands, the Regional Board encourages grazing strategies that maintain adequate vegetative cover to reduce erosion and sedimentation. The Regional Board promote dispersal of livestock away from surface waters as an effective means of reducing nutrient and pathogen loading. The Regional Board encourages use of Best Management Practices to improve water quality, protect beneficial uses, protect stream zone and lakeshore areas, and improve range and watershed conditions including:

- Implementing rest-rotation grazing strategies,
- Changing the season of use (on/off dates),
- Limiting the number of animals,
- Increasing the use of range riders to improve animal distribution and use of forage,
- Fencing to exclude grazing in sensitive areas,
- Developing non-lakeshore and non-stream zone watering sites,
- Constructing physical improvement projects such as check dams, and
- Restoring riparian habitat.

These same Best Management Practices may result in improved range and increased forage production, resulting in increased economic benefit to the rancher and land owner. The Regional Board also encourages land owners to develop appropriate site-specific Best Management Practices using the technical assistance of the U.S. Soil Conservation Service and the U.S. EPA.

In addition to relying on the grazing management expertise of agencies such as the U.S. Forest Service, U.S. Bureau of Land Management, or Range Management Advisory Committee, the Regional Board can directly regulate grazing activities to protect water quality. Actions available to the Regional Board include:

1. Require that a Report of Waste Discharge be filed, that allotment management plans for specific federal lands be prepared, or that a Coordinated Resource Management Plan be adopted within one year of problem documentation. Such problems indicate impairment of beneficial uses or violation or threatened violation of water quality objectives.
2. Require that all allotment management plans (utilized for federal lands) and Coastal Resource Management Plans contain Best Management Practices necessary to correct existing water quality problems or to protect water quality so as to meet all applicable beneficial uses and water quality objectives contained in Chapters Two and Three, respectively, of this Basin Plan. Corrective measures would have to be implemented within one year of submittal of the allotment management plan or Coastal Resource Management Plan, except where staged Best Management Practices are appropriate. Implementation of a staged Best Management Practice must commence within one year of submittal of the allotment management plan or Coastal Resource Management Plan.
3. Require that each allotment management plan (utilized for federal lands) or Coastal Resource Management Plan include specific objectives, actions, and monitoring and evaluation procedures. The discussion of actions must establish the seasons of use, number of livestock

permitted, grazing system(s) to be used, a schedule for rehabilitation of ranges in unsatisfactory condition, a schedule for initiating range improvements, and a schedule for maintenance of range improvements must include priorities and planned completion dates. The discussion of monitoring and evaluation must propose a method and timetable for reporting of livestock forage conditions, watershed condition, and surface and ground water quality.

4. Require that all allotment management plans and Coastal Resource Management Plans be circulated to interested parties, organizations, and public agencies.
5. Consider adoption of waste discharge requirements if an allotment management plan or Coastal Resource Management Plan is not prepared or if the Executive Officer and the landowner do not agree on Best Management Practices proposed in an allotment management plan or Coastal Resource Management Plan.
6. Decide that allotment management plans and Coastal Resource Management Plans prepared to address a documented watershed or water quality problem may be accepted by the Regional Board's Executive Officer in lieu of adoption of Waste Discharge Requirements.
7. Oversee monitoring of water quality variables and beneficial uses. Provide data interpretation.
8. Encourage the U.S. Bureau of Land Management, U.S. Forest Service, Resource Conservation District, and private landowners to develop watering sites for livestock away from lakeshores, stream zones, and riparian areas.
9. Encourage private landowners to request technical and financial assistance from U.S. Soil Conservation Service, in cooperation with the local Resource Conservation Districts, in the preparation of allotment management plans and the implementation or construction of grazing and water quality improvements.
10. Continue to coordinate with the Range Management Advisory Committee in the development of a water quality management plan for private rangelands."

12. Revise introductory paragraph under heading "Individual, Alternative, and Community Systems Prohibitions" on page IV-51 to read as follows:

"Discharges from new soil adsorption systems installed after September 16, 1983 in sites with any of the following conditions are prohibited:"

13. Replace Mining Activities Section on page IV-59 with the following:

"Pollution control at the hundreds of inactive mine sites riddling the Coast Ranges is in its infancy. Accurate regional inventories are being compiled, isolated mine cases are addressed individually, and several polluting mines are under direct regulation. Regional Board assistance and consultation are aiding several proactive responsible parties and focused study of inactive mine effects on four Central Coast watersheds has been funded by the Clean Water Act, Water Quality Planning Program.

About a decade ago Toxic Substances Monitoring Program data revealed elevated mercury concentrations in Lake Nacimiento, a high priority municipal and agricultural water storage reservoir in San Luis Obispo County. The Lake is fed by the Las Tablas Creek system (among others), which receives discharge water from the Buena Vista Mine, a mercury mine inactive since 1970 or 1971. An academic study conducted by respected Cal Poly scientists (team leader, Dr. Thomas J. Rice) of Lake Nacimiento mercury sources recently concluded that greater than 50% and possibly up to 78% of the fluvial mercury transport to the Lake is contributed by the Las Tablas Creek system. Further, the inactive Buena Vista and Klau Mines were identified as the primary point sources of Las Tablas Creek mercury. Based on these conclusions and other independent supporting data, the Board on May 14, 1993, adopted four orders requiring strict implementation of NPDES surface water discharge standards and California Code of Regulations Title 23 mine waste management and mine closure standards at the Buena Vista Mine and the adjacent Klau Mine.

The U. S. Bureau of Land Management and Forest Service are addressing several inactive mercury mines on their properties pursuant to the Federal "Superfund" process. Sample analyses data taken by Board staff have been instrumental in aiding these investigations.

Two sequential studies of inactive mines in four watersheds of northwest San Luis Obispo County are underway. Funded partially by the Clean Water Act Water Quality Planning Program, the studies address all inactive mines in the Las Tablas Creek, Santa Rosa Creek, San Simeon Creek (all primarily mercury mines), and Chorro Creek (primarily chromium) watersheds. The primary goals of the watershed studies are:

- identification of all inactive mines
- attribution of specific water quality problems to specific mines, and
- determinations of the best methods of abating contaminant sources and remediating already emplaced surface contamination, based on field and possibly lab experiments.

These are considered pilot studies and the Regional Board ultimately plans to conduct such studies for the complete Region and to implement the findings, resulting in abatement of inactive mines as surface and ground water contaminant sources and remediation of contaminated media."

~~Mining and petroleum related activities, including abandoned mines or well fields, affecting water quality should be covered by up to date waste discharge permits and monitoring programs. Offshore oil operations, mercury mines, and gravel operations should receive high priority in this regard. Monitoring of coastal waters should include oil surveillance from federal lease areas to state waters.~~

CHAPTER FIVE

1. Add "Nonpoint Source Management Plan" and "Discharges to Municipal Solid Waste Policy" to list of Plans and Policies under the heading "State Water Resources Control Board Plans and Policies" on page V-1.
2. Revise "Ocean Plan" section on page V-2 to read as follows:

The "Water Quality Control Plan for Ocean Waters of California", Resolution No. ~~90-27 88-111~~ was adopted by the State Water Resources Control Board on ~~March 22, 1990~~ ~~September 22, 1988~~. ~~(This 1988 plan is a major revision of the original plan adopted by State Water Resources Control Board Resolution 72-45 on July 6, 1972.)~~ This ~~1990~~ ~~1988~~ plan establishes beneficial uses and water quality objectives for waters of the Pacific Ocean adjacent to the California Coast outside of enclosed bays, estuaries, and coastal lagoons... (The remainder of this section remains unchanged.)

3. Add new State Plan below the "Ocean Plan" section and before the "Bays and Estuaries Policy" section on page V-3:

"NONPOINT SOURCE MANAGEMENT PLAN"

The "Nonpoint Source Management Plan", Resolution 88-123, was adopted by the State Water Resources Control Board on November 15, 1988 pursuant to Section 319 of the Clean Water Act. The Plan identifies nonpoint source control programs and milestones for their accomplishment. It emphasizes cooperation with local governments and other agencies to promote the implementation of Best Management Practices and remedial projects."

4. Insert new State Board Policy on page V-4, between the "Sources of Drinking Water Policy" and the "Recommended State Water Resources Control Board Control Actions" sections:

"DISCHARGES OF MUNICIPAL SOLID WASTE POLICY"

The "Policy for Regulation of Discharges of Municipal Solid Waste", Resolution No. 93-62, was adopted by the State Water Resources Control Board on June 17, 1993. This policy implements State regulations of waste discharge to land (California Code of Regulations, Title 23, Chapter 15) and Federal regulations related to municipal solid waste disposal (40 Code of Federal Regulations Sections 257 and 258). The Policy directs Regional Water Quality Control Boards to revise or adopt, prior to the Federal deadline (currently October 9, 1993), Waste Discharge Requirements for all municipal solid waste landfills subject to State and Federal regulations. A detailed description of this policy is provided in Chapter Four under the Resource Conservation and Recovery Act section."

5. Insert new section on page V-15, below the Salinity Management Section, as follows:

" Seawater Intrusion

Water Management Plans should be prepared and adopted by Monterey County for the Salinas ground water basin and the Pajaro Valley Water Management Agency for the Pajaro ground water basin. These management plan should include immediate actions these agencies can take to help alleviate seawater intrusion as well as measures to stop seawater intrusion from advancing. These agencies should remediate sea water intrusion as a long-term goal.

Local and State agencies having jurisdiction to help control seawater intrusion should assist in implementing sea water intrusion remedies."

6. Revise last sentence under "Waiver of Waste Discharge Requirements" starting on page V-17 to read as follows:

"...Following this hearing, the Regional Board established certain discharges which waived WDRs. ~~These waived are listed below:~~The types of discharges which may be waived are shown in the appendix.

7. Add Regional Board policy to page V-21:

"APPRECIATION FOR DISCHARGER COMPLIANCE

Resolution 93-04: Appreciation for Discharger Compliance.

This policy addresses the manner in which the Regional Board will protect water quality protection and improvement at the most cost effective manner to society. A copy of the policy is shown in the appendix."

CHAPTER SIX

1. Insert new section, "Quality Control and Data Management", between the "Program Objectives" and "State Water Resources Control Board Program Tasks" sections on page VI-2"

"QUALITY CONTROL AND DATA MANAGEMENT

Federal regulations and state policy require the preparation and implementation of Quality Assurance/Quality Control Plans for most monitoring carried out by the Regional Board's staff or its contractors. Dischargers must use laboratories approved by the Regional Board's Executive Officer and/or Regional Board's laboratory must have an approved Quality Assurance/Quality Control program.

Discharger monitoring reports are kept in the Regional Board's files; older files are microfiched. The Board has increasingly sophisticated computer facilities for analysis of data collected in special studies. "Raw" data are periodically made available to the State Board for entry into the Statewide Water Quality Information System database for use by other agencies.

The results of special studies are generally summarized in Regional Board staff reports and are discussed at public meetings of the Regional Board. The results of complaint monitoring are provided to the person or agency submitting the complaint. Copies of Regional Board planning documents and special studies reports are provided to public and university libraries."

2. Add following section below "Biennial Water Quality Inventory" on page VI-5:

"WATER QUALITY ASSESSMENT

The State Board has been preparing "Section 305(b) Reports" since the mid-1970's. Most of these reports have been fairly general in nature, highlighting a few significant problem areas and estimating total area or stream mileage of waters statewide which were classified as "good", "medium", or "poor" quality. In 1989, the State Board began a more detailed Water Quality Assessment process to fulfill U.S. EPA reporting requirements and to provide the basis for prioritizing funding under the State's Clean Water Strategy.

The Water Quality Assessment is a computer database. It includes a table which lists water bodies of each Region alphabetically by water body type (lakes, streams, ground water, etc). Initially, Regional Boards were directed to include at least all water bodies mentioned by name in their Basin Plans in the Water Quality Assessment table. Additional water bodies are to be added in future updates of the Water Quality Assessment, with the eventual goal of including all waters of the Region. The 1992 Water Quality Assessment for the Central Coast Region includes approximately 400 entries.

For each water body, the Water Quality Assessment table identifies the wetland, lake, or ground water basin area or the stream mileage classified as having "good", "intermediate", "impaired", or "unknown" water quality. The table includes space for brief narrative problem descriptions. It identifies problem sources as point, nonpoint, or both. It also indicates whether the water body is included on one or more of the following federal "lists" (numbers refer to sections of the Clean Water Act):

- 131.11 Segments which may be affected by toxic pollutants, or segments with concentrations of toxic pollutants that warrant concern.
- 303(d) List of Water Quality Limited Segments where objectives or goals of the Clean Water Act are not attainable with the Best Available Treatment/Best Control Technology
- 304(M) A "mini-list" of waters not meeting State adopted numeric water quality objectives due to toxic point sources and/or nonpoint sources after implementation of Best Available Technology/Best Control Technology.
- 304(S) A "short-list" of waters not achieving water quality standards due to point source implementation of Best Available Technology/Best Control Technology.
- 304 (L) A "long-list" of waters not meeting the water quality goals of the Clean Water Act after implementation of Best Available Technology/Best Control Technology due to either point or nonpoint source discharges.
- 314 A list of lake priorities for restoration.
- 319 A list of impaired surface water bodies from nonpoint source problems due to both toxic and nontoxic pollutants.

The information used by Regional Board staff in compiling and revising the Water Quality Assessment table includes the type of monitoring data discussed in this chapter, records of past Regional Board enforcement actions, professional judgement of Regional Board scientists and engineers, and public comments.

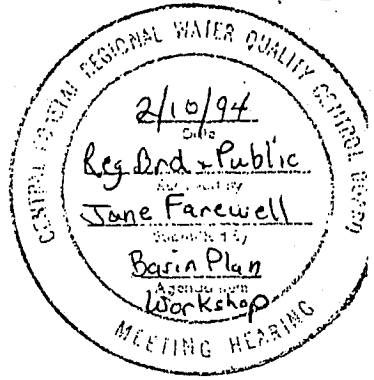
The Water Quality Assessment database also includes the capability to print out a more detailed "Fact Sheet" for each water body in the table. Fact Sheets can include longer problem descriptions, information on threatened or impaired beneficial uses, and summaries of current and projected remedial actions by the state Board and/or the Regional Board. Due to time constraints and, in many cases, lack of information, detailed Fact Sheets have not been prepared for all water bodies in the Central Region's Water Quality Assessment table. Additional Fact Sheets will be added during the ongoing Water Quality Assessment update process.

The Water Quality Assessments adopted by the nine Regional Boards were combined into a statewide Water Quality Assessment which was formally adopted by the State Board. The State Board is using the system to print out statewide "reports", statistical tables graphs, and charts summarizing the total numbers or percentages of water bodies affected by different types of water quality problems. The State Board also uses information in the Water Quality Assessment to prioritize funding proposals affecting specific water bodies.

Angela

COPY FOR YOUR INFORMATION
1/17/94

JAMES R VILKITIS
COASTAL RESOURCES INSTITUTE
CAL POLY, SAN LUIS OBISPO
REGION 3: CCRWQCB



OVERVIEW

Study Period: 20 months (1 January 1993 to 31 August 1994).

Objective: Update the Basin Plan by

- (1) identifying water bodies for reevaluation in the Basin Plan and those that need to be added to the Basin Plan, and
- (2) assigning beneficial use designations to those waters.

Contract Specifications: The focus of the project was an assessment and reevaluation of approximately 400 water bodies for potential inclusion into the updated Basin Plan as an amendment.

- (1) approximately 250 new water bodies to be added to the Water Quality Assessment (WQA) System (known as List A);
- (2) 100 waters already listed in the Basin Plan be reevaluated (known as List B); and
- (3) 40 to 50 waters be reevaluated as a result of the State Board Beneficial Uses definition revisions (known as List C).

Funding: This project was wholly funded by the United States Environmental Protection Agency using Federal 201(G)(1)(B) grant funds, and does not necessarily reflect the views or policies of that agency or of the State Water Resources Control Board of California.

Study Area: Primarily in Santa Cruz, Santa Barbara, San Luis Obispo and Monterey counties. Some waters in San Benito, Santa Clara and Ventura were also evaluated.

Procedure:

(1) Data Collection

- (a) questionnaire and telephone surveys,
- (b) spring and fall sampling of approximately 75 water bodies (QA/QC), and
- (c) field observations of other waters during the sampling periods.

(2) Data Analysis

- (a) verify agency jurisdiction, authority or knowledge for beneficial use identification,
- (b) review agency groupings of assigned uses for congruency,
- (c) identify data gaps and secure necessary information if available,
- (d) group waters by basin and/or sub-basin to determine consistency of designations and identify data gaps, and
- (e) assign beneficial uses.

Results: A total of 482 waters were assigned beneficial use designations. Of these,

- (1) 300 were identified for inclusion in the Water Quality Assessment (WQA) System;
- (2) 149 that were in the Basin Plan were reevaluated; and
- (3) 33 were added to the list based on survey information and field observations.
- (4) State Board Beneficial Uses definition revisions were not available in time for the assessment.

Recommendations:

- (1) eliminate the discrepancies between the Basin Plan and USGS Topographic Maps, and
- (2) include all secondary and tertiary streams including those on the Channel Islands.

PROJECT RESULTS

Meetings: Eighteen informal meeting were held. Meeting Notes.

Agencies targeted for survey information:

- Basic assumption that all information was valid.
- Survey involved two processes
 - questionnaire for specific waters,
 - follow up telephone survey to validate and fill in gaps. Establish an information network.

Questionnaire:

- (1) 193 agencies were involved with the process.
- (2) Fifteen Beneficial Uses were identified for the survey. The definitions primarily used throughout the assessment process were taken from the RWQCB 1989 Basin Plan. It was agreed that the proposed beneficial use category definitions issued June 15, 1993 by the SWRCB (as interpreted by the contract manager and project director) would be used to aid in the beneficial uses designations for the waters identified in this contract. Criteria and concepts used in the interpretation of the June 15, 1993 designations are in italics.

•Municipal and Domestic Supply (MUN). *All water bodies were given the MUN designation except sloughs, marshes, wetlands or estuaries and those that met the following criteria:*

1. *TDS exceeds 3000 mg/l (5000 uS/cm, electrical conductivity).*
2. *Contamination that cannot reasonably be treated for domestic use.*
3. *Source not sufficient to supply an average sustained yield 200 gallons per day.*
4. *Wastewater collection systems.*
5. *Agricultural drainage systems.*

•Agricultural Supply (AGR). *No AGR designation was given to wetlands, sloughs, estuaries or marshes. Most waters that were suitable for the AGR designation were considered suitable for the MUN designation.*

•Industrial Process Supply (PROC).

•Industrial Service Supply (IND).

•Ground Water Recharge (GWR).

•Water Contact Recreation (REC-1).

•Non-contact Water Recreation (REC-2). *All water bodies designated as REC 1 were also designated as REC 2.*

•Warm Freshwater Habitat (WARM).

•Cold Freshwater Habitat (COLD). *When a water body received an "E" for WARM or COLD, it automatically received an "E" for REC 1 and other beneficial uses that would be sustained with the "E" designation for WARM or COLD.*

•Wildlife Habitat (WILD).

•Migration of Aquatic Organisms (MIGR).

•Spawning, Reproduction, and/or Early Development (SPWN). *Aquatic organisms including but not limited to fish spawning.*

•Preservation of Biological Habitats of Special Significance (BIOL). *The water must provide a special habitat and be in an established specially designated area where the water body is a significant feature. This beneficial use definition was difficult to apply without the added clarity. The words "the water must provide a special habitat" meant that the water, not just the surrounding land, had to be present and an integral part of the habitat before this beneficial use could be applied. Also many individuals or agencies surveyed were of the opinion that an area by its nature alone should have special biological significance. Adding the words "...in an established specially designated area where the water body is a significant feature" meant that an agency had given the water body an official listing as being biologically significant, thus, making the designation by the assessor less subjective. As a result all water bodies within state parks as well as estuaries were given the BIOL designation.*

•Rare, Threatened, or Endangered Species (RARE).

•Estuarine Habitat (EST). *This beneficial use was added by the contract manager as the project neared completion. Therefore it was not included in the questionnaire or telephone surveys. All water bodies that had previously been assigned an "E" designation (estuary) were given the EST designation before submission of the draft final report.*

- (3) Subcategories (E, A, I) were not addressed in the questionnaire. Too complicated.
- (4) Only waters located within the recipient's jurisdiction and surrounding area were include.
- (5) 64 % of the questionnaires were returned.

Field Observations: Waters with little or no informations were targeted for field reconnaissance. QA/QC was developed. The 34 waters that had one agency response and the 41 that had no responses served as the bases for field observations. In addition, the following criteria were used to identify waters whose beneficial use designation would benefit from field observations.

- (1) A response was considered invalid when both the contract manager (CM) and project manager (PD) questioned it.
- (2) If either the CM or PD questioned the response, that Beneficial Use was a candidate for further investigation.
- (3) The BIOL designation, in most cases, would be further investigated to determine which agency designated the area and its location.

Table 1: Water Bodies by County Requiring Additional Information.

<i>County</i>	<i>Total</i>	<i>Site Visit</i>	<i>Phone Survey</i>
Monterey	31	8 to 12	19 to 23
San Benito	10	0 to 6	5 to 10
San Luis Obispo	35	1 to 12	23 to 34
Santa Barbara	70	0	70
Santa Clara	13	0	13
Santa Cruz	47	36	11
Ventura	<u>1</u>	<u>0</u>	<u>1</u>
Totals	207	45 to 65	142 to 162

Field observations yielded information for 79 waters. In the spring, photographic slides were taken of almost all the sampling area.

Data Base: A work sheet matrix that included all field, telephone, and questionnaire data for each water was developed. Data was verified and evaluated in three step process.

- (1) quality of information, with reference to all responses and the jurisdiction of the agency,
- (2) logic of uses identified by each agency and congruency of uses, and
- (3) grouping of waters by hydrologic unit and sub-unit to view grouping consistency.

Assigning Beneficial Uses: five step process,

(1) Information verification,

- verification of all information in the work sheet matrix,
- assess agency responses for consistency based on their mission statement,
- identify any inconsistencies within the agency response and resolve them (an agency may have assigned a use outside of their jurisdiction or beyond their mission statement, i e, if an agency assigned a COLD designation but did not take water temperatures or have knowledge of water temperatures, the designation was not considered),
- identify data gaps that could be filled through the agency telephone network, and
- pursue and implement means to gather information to fill gaps.

(2) Data review,

- for every water, review, evaluate, and compare each agency's response (questionnaire and telephone) for the beneficial uses under consideration,
- review field log and slides (if appropriate) for insight into water body uses, and
- review telephone responses and follow-up if necessary.

(3) Evaluation,

- evaluate merits of all use designations for each water,
- evaluate the logical organization of the combined use designations for each water, and
- validate questionable information by telephone.

(4) Assign uses:

- assign appropriate Beneficial Uses.

(5) Confirm beneficial uses:

- team review to discuss and resolve any discrepancies between and among assigned uses.

The final Beneficial Uses designations were determined jointly by Cal Poly and CCRWQCB. The Contract Manager and relevant technical staff reviewed the Draft Final Report and submitted comments. The comments were evaluated and changes incorporated into the Final Report. All water bodies and their beneficial uses were incorporated into a table following the Basin Plan format.

Results:**Table 2. Summary of Findings.**

County	Total Waters	Quest Responses	Field Log Obs/Mes.	Phone Survey	Waters Added
Monterey	75	73	21	35	6
San Benito	10	10	5	10	0
San Luis Obispo	95	93	11	53	7
Santa Barbara	86	82	2	79	14
Santa Clara	19	18	2	13	0
Santa Cruz	163	131	38	62	6
Ventura	1	1	0	1	0
Totals	449	408	79	253	33

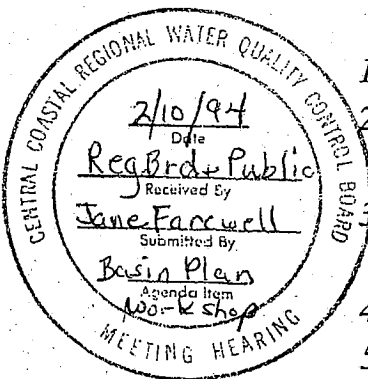
FINAL REPORT

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Task: Reevaluate Beneficial Use Definitions.

Forty (40) to fifty (50) waters in the Basin Plan were to be reevaluated based on the State Board's revised beneficial use definitions. This task was contingent upon revising the definitions by 30 January 1992. This did not occur by that date; therefore this task was not completed. Resources were redirected to Task 1 in the contract to help compensate for the 99 additional waters identified for evaluation. The contract specified 350 waters but a total of 449 were identified for (re)evaluation in Lists A and B. However, Beneficial Uses needed to be defined and agreed upon in order to evaluate and designate uses for the water bodies under consideration. It was agreed that the proposed beneficial use category definitions issued June 15, 1993 by the SWRCB (as interpreted by the contract manager and project director) would be used to designate the final beneficial uses for the waters identified in this contract. Fifteen beneficial uses were involved in the beneficial use designation analysis. Criteria and concepts used in the interpretation of the June 15, 1993 designations are in italics.

•Municipal and Domestic Supply (MUN) - Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply. *All water bodies were given the MUN designation except sloughs, marshes, wetlands or estuaries and those that met the following criteria:*



1. *TDS exceeds 3000 mg/l (5000 uS/cm, electrical conductivity).*
2. *Contamination that cannot reasonably be treated for domestic use.*
3. *Source not sufficient to supply an average sustained yield 200 gallons per day.*
4. *Wastewater collection systems.*
5. *Agricultural drainage systems.*

•Agricultural Supply (AGR) - Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.

No AGR designation was given to wetlands, sloughs, estuaries or marshes. Most waters that were suitable for the AGR designation were considered suitable for the MUN designation.

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- Industrial Process Supply (PROC) - Uses of water for industrial activities that depend primarily on water quality.
- Industrial Service Supply (IND) - Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well repressurization.
- Ground Water Recharge (GWR) - Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.
- Water Contact Recreation (REC-1) - Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, (*wind*) surfing, white water activities, fishing (*contains fish suitable for sport fishing*), or use of natural hot springs.
- Non-contact Water Recreation (REC-2) - Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is not reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, *pleasure boating*, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, *bird watching*, *wildlife study etc.* or aesthetic enjoyment in conjunction with the above activities.

All water bodies designated as REC 1 were also designated as REC 2.

- Warm Freshwater Habitat (WARM) - Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.
- Cold Freshwater Habitat (COLD) - Uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

When a water body received an "E" for WARM or COLD, it automatically received an "E" for REC 1 and other beneficial uses that would be sustained with the "E" designation for WARM or COLD.

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- Wildlife Habitat (WILD) - Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.
- Migration of Aquatic Organisms (MIGR) - Uses of water that support habitats necessary for migration or other temporary activities by aquatic organisms, such as anadromous fish.
- Spawning, Reproduction, and/or Early Development (SPWN) - Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish (*aquatic organisms including but not limited to fish spawning*).
- Preservation of Biological Habitats of Special Significance (BIOL) - Uses of water that support designated areas or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources *is a feature of the environment requiring special protection. The water must provide a special habitat and be in an established specially designated area where the water body is a significant feature.*

This beneficial use definition was difficult to apply without the added clarity. The words "the water must provide a special habitat " meant that the water, not just the surrounding land, had to be present and an integral part of the habitat before this beneficial use could be applied. Also many individuals or agencies surveyed were of the opinion that an area by its nature alone should have special biological significance. Adding the words "...in an established specially designated area where the water body is a significant feature" meant that an agency had given the water body an official listing as being biologically significant, thus making the designation by the assessor less subjective. As a result all water bodies within state parks as well as estuaries were given the BIOL designation.

- Rare, Threatened, or Endangered Species (RARE) - Uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state law as rare, threatened or endangered.

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•Estuarine Habitat (EST) - Uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish or wildlife (e.g., estuarine mammals waterfowl, shorebirds).

This beneficial use was added by the contract manager as the project neared completion. Therefore it was not included in the questionnaire or telephone surveys. All water bodies that had previously been given an "E" for type were given the EST designation before submission of the draft final report

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A Laurel Lane
San Luis Obispo, CA 93401**

RESOLUTION NO. 90-05

**Adopting Monterey Bay Desalinization Discharge Waiver
Amendment to the Water Quality Control Plan
and Requesting Approval From the
State Water Resources Control Board**

WHEREAS:

1. The Water Quality Control Plan for the Central Coastal Basin (Basin Plan) prohibits "waste discharges" into the northern and southern extremities of Monterey Bay (Prohibition Zone). (This prohibition is contained in the Plans and Policies Discharge Prohibitions section of the Basin Plan.)
2. The Prohibition Zone was established because sluggish circulation in the Bay's extremities caused waste parameters to accumulate. The zone was established to reduce accumulation of ammonia nitrogen and bacteria in the northern and southern corners of the Bay.
3. Desalinization discharges do not contribute the type of pollutants which are a concern in the Prohibition Zone.
4. Circulating seawater systems from aquariums and marine labs may contribute some pollutants of concern. However, these are generally of minor amounts and can be regulated through the NPDES process.
5. Sufficient regulatory mechanisms exist to protect Monterey Bay from desalinization and circulating seawater discharges.
6. A Basin Plan Amendment is necessary to allow desalinization and circulating seawater discharges in Monterey Bay.
7. Drafts of the proposed amendment have been prepared and distributed to interested persons and agencies for review and comment.
8. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent) and Federal Clean Water Act of 1977 (PL 92-500 and PL 95217). The Regional Board finds adoption of this amendment will not have a significant adverse effect on the environment.
9. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
10. On September 14, 1990 in the Seaside City Council Chambers, 440 Harcourt Avenue, Seaside, California after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to the Plan.

THEREFORE BE IT RESOLVED:

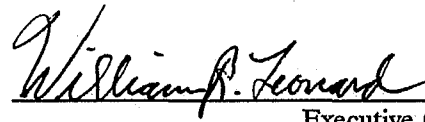
1. The Basin Plan for the Central Coast Region be amended as follows on Page V-9 under "Waters Subject to Tidal Action" but before "Areas of Special Biological Significance" (November or July, 1989 draft):

"Discharges to the Monterey Bay Prohibition Zone from desalinization units and circulating seawater system discharges may be permitted after each proposal satisfies California Environmental Quality Act requirements and completes the National Pollutant Discharge Elimination System process."

2. This amendment will not have a significant adverse impact on the environment.

3. The State Board is requested to approve the proposed amendment in accordance with Sections 13245 and 13246 of the California Water Code.
4. Upon approval, the State Board is requested to transmit the proposed amendment to the U.S. Environmental Protection Agency for approval.

I, **WILLIAM R. LEONARD**, Executive Officer, do hereby certify the foregoing is full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on September 14, 1990.



Executive Officer

sm28:90-05.Res

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

RESOLUTION NO. 89-04

**ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD**

WHEREAS:

1. The Water Quality Control Plan, Central Coastal Basin (Basin Plan) was approved by the State Water Resources Control Board (State Board) on March 20, 1975.
2. Since March 20, 1975, thirty-seven Basin Plan amendments have been approved by the Regional Water Quality Control Board (Regional Board) and the State Board.
3. Since 1975, several changes in water quality regulations and administrative procedures have occurred.
4. An updated Basin Plan incorporating all previously approved amendments, updated regulations, and procedures is needed.
5. Several significant new Basin Plan amendments are needed:
 - a. Revise PCB and Phthalate Ester objective for all Inland Surface Waters, Enclosed Bays, and Estuaries in the Water Quality Objectives chapter.
 - b. Update "Municipal Wastewater Management Plans" in the Implementation Plan chapter.
 - c. Update "Solid Waste Management" in the Implementation Plan chapter.
 - d. Add "Water Quality Limited Segments" designation in the Plans and Policies chapter.
 - e. Add general toxic or hazardous materials discharge prohibition to all waters in the Plans and Policies chapter.
 - f. Amend Resolution 73-05, "Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Valley Oil Fields, Santa Barbara County" to apply Regionwide.
 - g. Add Regional Board policy for Highway Grooving Residues in the Plans and Policies chapter.


- h. Add Regional Board Policy for Waiver of Regulation of Specific Types of Waste Dischargers in the Plans and Policies chapter.
 - i. Add Water Bodies Needing Intensive Surveillance in the Surveillance and Monitoring chapter.
6. Several additional changes (as described in Attachment "A") are necessary to update the 1975 Basin Plan.
 7. Several minor wording changes are necessary to improve the readability of the Basin Plan.
 8. Drafts of the proposed Basin Plan have been prepared and distributed to interested persons and agencies for review and comment.
 9. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent) and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of these objectives will not have a significant adverse effect on the environment.
 10. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
 11. On September 8, 1989, and November 17, 1989, in the Salinas City Council Chamber Rotunda, 200 Lincoln Avenue, Salinas, California, and in the Embassy Suites-Edna Room, 333 Madonna Road, San Luis Obispo, California, respectively, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to the Plan.

THEREFORE BE IT RESOLVED:

1. All amendments mentioned above and in Attachment "A," will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.
2. All amendments mentioned above and in Attachment "A' are adopted.
3. Any minor editorial changes to correct data or grammar and/or clarify meaning in the final copy which may not be included in Attachment "A", are also adopted.

4. Staff responses which propose specific Basin Plan changes provided in the Regional Water Quality Control Board letter dated October 12, 1989, are adopted.
5. The State Board is requested to approve the proposed updated Basin Plan with amendments in accordance with Sections 13245 and 13246 of the California Water Code.
6. Upon approval, the State Board is requested to transmit the updated Basin Plan to the U.S. Environmental Protection Agency for approval.

I, WILLIAM R. LEONARD, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on November 17, 1989.


Executive Officer

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ATTACHMENT A
MINOR BASIN PLAN AMENDMENTS
CENTRAL COASTAL BASIN

CHAPTER 1. Revise Basin Plan Format:

- a) Add Introduction Chapter
- b) Continuing Planning Section added to Introduction Chapter
- c) Delete Historical Beneficial Uses Chapter
- d) Delete Historical Water Quality Objectives
- e) Revise format of Water Quality Objectives Chapter (chapter arranged by beneficial uses and water body type)
- f) Plan Assessment Chapter deleted
- g) Add Plans and Policies chapter (Chapter 5)

CHAPTER 2. Present and Potential Beneficial Uses Chapter

- a) "Selection Considerations" section deleted (this section discussed conditions by which "historical beneficial uses" could be deleted.)
- b) "Present Uses" section deleted (information summarized in current Chapter 1)
- c) "Projected Water Demands" deleted (Section is out of date)
- d) Reorganized Table 2-1 to coordinate with 1986 Hydrologic Basin Map prepared by the State Water Resources Control Board
- e) Add footnote to Table 2-1 Municipal Beneficial Use Column reading "In accordance with State Water Resources Control Board Resolution 88-63".
- f) "Newell Creek Res." changed to "Loch Lomond Res." in Table 2-1
- g) Changed footnote "b" Table 2-1 from "swamp" to "wetland"
- h) Addition of table listing ground water basins and map showing ground water basins from DWR Bulletin 118.
- i) Definition of "Water Contact Recreation" amended to include "sail boarding" and "jet skiing."
- j) Delete "The Ocean Plan, and hence the designation of areas of special biological significance, is not applicable to vessel wastes, the control of dredging, or the disposal of dredging spoil." (Ocean Plan already includes this statement; redundant in Basin Plan).

- k) Delete "The staff will advise other agencies to whom the list of designated areas is to be provided, that the basis for this action by the Board is limited to considerations related to protection of marine life from waste discharges." (This statement is superfluous; Agencies are aware of designated ASBS areas.)
- l) Carmel Bay added to ASBS areas in accordance with past State Water Resources Control Board approval.
- m) "Recommended Beneficial Uses" section deleted. ("Present and Potential Beneficial Uses" adequately covers this section).
- n) Minor word changes made throughout chapter to improve readability.

CHAPTER 3. Water Quality Objectives Chapter (Formerly Chapter 4)

- a) Delete following section, "For planning purposes there are three basic long-term strategies for water pollution control. These are to be applied to specific geographic areas or to be compared in terms of their relative impact on an area of designated use, whichever is deemed appropriated. The strategies are defined as follows:
 - i) Elimination of all waste discharges from both point sources and diffuse sources,
 - ii) Elimination of direct point source waste discharges and regulation of diffuse sources,
 - iii) Elimination of discharge of pollutants into navigable waters.

Strategy number one, in effect, restricts land use and is consistent with policies to protect wilderness areas, selected water supply catchments, and some areas of special biological significance. Strategy two is consistent with maintenance of certain wild rivers and protection of sensitive aquatic habitats where no allocation of stream assimilation capacity can be provided for controllable discharges unless water reclamation concepts are applied. Strategy three is consistent with the long-term national goals of the Federal Water Pollution Control Act with the understanding that pollutants will be defined in relevant terms and that best

practicable treatment would be consistently applied on a case-by-case basis depending on the physical character of the receiving water and the beneficial uses to be protected."

- b) "Non-Degradation Policy" changed to "Anti-Degradation Policy"
- c) Paragraph added:
"Several water quality objectives listed herein originate from the California Code of Regulations, Title 22, If Title 22 concentrations are amended, Basin Plan objectives are automatically amended to correspond with the new regulations."
- d) Tables 4-1 and 4-2 deleted.
These tables compare 1970 water quality to planning criteria. These tables are not used to regulate dischargers.
- e) Water quality objectives changed to comply with California Code of Regulations, Title 22.
- f) Table 3-2 (previously Table 4-6) "Sodium Absorption Ration (SAR)" corrected to "SAR, adj"; correction was made according to L.V. Wilcox, U.S. Salinity Lab, memo Dec. 30, 1966.
- g) Table 3-2 (previously Table 4-6) footnote "c" clarified to refer to Appendix A-23 for calculation support material.
- h) Soda Lake removed from Table 3-6 (previously Table 4-8). No median surface water quality objectives were provided in original Basin Plan. Table 3-6 referenced a footnote "b" but no footnote "b" was provided.
- i) Minor word changes made throughout chapter to improve readability.

CHAPTER 4. Implementation Plan Chapter 4 (Formerly Chapter 5)

- a) Introductory paragraphs eliminated; brief introduction and outline provided instead.
- b) Table 5-1 eliminated

- c) Introduction paragraph added to "Reclamation and Reuse" chapter
- d) Paragraph added to "Sludge Processing and Disposal" section (last paragraph)
- e) Introductory Paragraphs under "Municipal Wastewater Management" deleted
- f) Figure 5-1 deleted-not used in implementation program
- g) Table 5-2 deleted-out of date
- h) Table 5-3 deleted-not necessary
- i) Table 5-4 deleted-out of date
- j) Table 5-5 deleted-out of date
- k) Municipal Wastewater Management Plan section updated
- l) 1st paragraph under "Industrial Wastewater Management" deleted. Paragraph referred to alternative industrial management plans in Chapter 16. This reference is unnecessary.
- m) Last sentence in second paragraph under "Industrial Wastewater Management" deleted. This sentence was not necessary.
- n) Last paragraph under "Industrial Wastewater Management" section deleted. This paragraph is not necessary.
- o) "Solid Waste Management" section updated
- p) "Storm Water Management" section added
- q) "Irrigation Operations-Need for Salt Management" Section, add to end of paragraph beginning "Compromises and trade-offs will be necessary": "5. Change Crops Grown"
- r) "Improved Salt Management Techniques" Section, second paragraph, change last sentence to read "Present Statewide efficiency of water use may average 50 to 60 percent, but individual uses will vary from an estimated low of 30 percent where water is plentiful and inexpensive to a high of 95 percent where water quantity is limited and/or the price is high."
- s) Changes made in "Individual, Alternative, and Community Systems":

- i) Change last sentence under "Septic Tank Maintenance Districts" to: "Maintenance districts should establish septic tank surveillance, maintenance and pumping programs, where appropriate; provide repairs..."
- ii) Sentence added to first paragraph under "Criteria for New Systems":
"Local governing jurisdictions should incorporate these guidelines into their local ordinances. These recommendations will be used by the Regional Board for Regional Board regulated systems and exemptions."
- iii) Dual disposal field recommendation changed from: "Both drainfields should be constructed initially and diversion valves or boxes installed when access to the disposal system is restricted in such a way that future additions and repairs cannot be made easily" to "Dual disposal fields (200% of original calculated area) are recommended."
- iv) Definition of "gravels" and "gravels w/few fines" clarified.
- v) Section (d) of San Lorenzo Valley prohibition eliminated. The prohibition was historical and unnecessary.
- vi) Last paragraph of Baywood Park/Los Osos prohibition deleted. This prohibition was historical and unnecessary.
- t) Land disturbance prohibition changed from: "The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or similar activity where it may be discharged into State waters by runoff from less than a 25-year, 24-hour rainfall event is prohibited" to:

"The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from logging, construction, and other soil disturbance activities at locations above the

anticipated high water line of any stream in the basin where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited."

- u) "Legislation" section deleted. This section was obsolete.
- v) Minor word changes made throughout chapter to improve readability.

**CHAPTER 5. Plans and Policies Chapter 5
(Formerly Part of Chapter 4)**

- a) Delete State Water Resources Control Board Recommended Control Action #10. Action read:

"The non-degradation policy of 1968 should be revised or clarified to recognize short-term and long-term aspects of ground water management as affected by irrigated agriculture and an environmental impact assessment should be prepared on this policy."

This revision never occurred.
- b) Delete Regional Water Quality Control Board Management Principle #7:
"Applicants for state and federal grants for construction of waste treatment facilities shall be required to submit proof of implementation of source control and industrial waste ordinances, including an equitable system of cost recovery."

The grant program no longer exists.
- c) Add to "Recommended State Water Resources Control Board Control Actions" section to read:
"The State Water Resources Control Board should consider water quality effects when reviewing water rights permits."
- d) Revise Regional Water Quality Control Board Management Principle #12 to read: "The discharge of pollutants into surface fresh waters shall be discontinued."

e) Discharge Prohibition for Toxic or Hazardous Pollutants for all Waters--"community waste treatment systems" changed to "publicly owned treatment works"

f) Regional Water Quality Control Board Control Action #1 deleted:

"The Regional Water Quality Control Board should implement water quality control plan provisions through establishment of requirements and timetables for compliance with plan actions."

This action is unnecessary since the Regional Water Quality Control Board must accomplish this action according to Porter-Cologne Water Quality Control Act requirements. This policy is redundant.

g) Delete Regional Water Quality Control Board Control Action #9:

"Industrial schedules of compliance with the State Ocean Plan and PL92-500 including time tables, should be established by mid-1976. Dischargers should effect compliance with the 1977 and 1983 effluent limitations."

This action is unnecessary since Porter-Cologne Water Quality Control Act requires compliance. This policy is redundant.

h) Delete Regional Water Quality Control Board Action #21:

"Designate temporary or permanent salt sinks within each water basin that can accept waters of quality too poor for reuse in agriculture. As a minimum step, designate the Pacific Ocean and Soda Lake as acceptable salt sinks."

This policy conflicts with State Water Resources Control Board Resolution 88-63, Sources of Drinking Water Policy.

- i) Actions by Other Authorities #1 changed to read: "The Association of Monterey Bay Area Governments (AMBAG) should coordinate with local agencies and the Regional Board relative to implementation of water quality control plans in that area.
- j) Regional Board policies added

Several policies were previously adopted by the Regional Board. These policies are included for public information regarding Regional Board policies. New policies (or old policies never formally adopted) are adopted by this resolution (Resolution 89-04).
- k) Minor word changes made throughout chapter to improve readability.

**CHAPTER 6. Surveillance and Monitoring Chapter 6
(Formerly Chapter 7)**

- a) Introduction rewritten
- b) "Program Tasks" section deleted-unnecessary
- c) Surveillance Section rewritten; now titled "State Water Resources Control Board Program Tasks" and "Regional Water Quality Control Board Program Tasks"

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State of California
Regional Water Quality Control Board
Central Coast Region

September 8, 1989

ITEM: 8

SUBJECT: Resolution 89-04 Adopting Amendments to the *Water Quality Control Plan* and Requesting Approval from the State Water Resources Control Board.

DISCUSSION: The purpose of this hearing is to consider adoption of amendments to the *Water Quality Control Plan* (Basin Plan) proposed in Resolution 89-04. Draft copies of Basin Plan were mailed to you on July 21, 1989.

Staff is proposing a second draft of Resolution 89-04 which incorporates revised wording for Item 5f as follows:

5f. Amend Resolution 73-05, Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Valley Oil Fields, Santa Barbara County" to apply regionwide.

This revision is proposed so that only one policy for oil field wastes will exist.

Please note this hearing is to consider the proposed amendments only. These proposed amendments have been properly public noticed and are summarized in Resolution 89-04. Amendments cannot be adopted for issues not addressed in this Resolution.

**ENVIRONMENTAL
SUMMARY:**

An environmental assessment package has been prepared and is available to interested agencies and persons. The basin planning process has been determined to be functionally equivalent to the CEQA process in accordance with Section 21000 et seq. of the Public Resources Code and appropriate notices and waiting periods have been complied with. This process will satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent, and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217).

COMMENTS:

1. Bob Roebuck, City of Santa Barbara (July 24, 1989) - objects to a sentence on page IV-25 "The City needs to improve sludge treatment and disposal techniques." The City is not violating waste discharge requirements. This sentence reads like a mandate to the City to make improvements above and beyond waste discharge requirements.

Staff Response: Sentence should be changed to read "the City could consider implementing a cost-effective composting program to reduce transportation costs". Staff merely wishes to recommend sludge composting to reduce the 40-mile round-trip route (approximately) for sludge disposal. Should a grant, for example, become available for composting, the Basin Plan would support funding.

2. Endel Sepp, California Department of Health Services (August 7, 1989) - Reference to wastewater reclamation criteria on page IV-6 should be specified as conforming to Title 22, Division 4, Chapter 3, California Code of Regulations.

Staff Response: Correction Made.

3. Dale Ducharme, City of Lompoc - Page IV-23 gives the impression the City of Lompoc is responsible for solving the entire Lompoc ground water basin salt problem. Also, page IV-23 gives the impression the City of Lompoc is not currently regulating salt discharges.

Staff Response: The following word changes are recommended:

- a. "It is imperative that impacts of point-source waste discharges to land be reduced by continuing to implementing strict salt limitations...."
- b. "The recommended plan for Lompoc is to control mineral concentrations in the effluent by enforcing strict limits on discharges to the sewer system and to continue to develop--and implement a pretreatment program/"

4. D'Minga Ferguson, Whiskey Hill Home Owners Association (August 10, 1989)

Matthew and Sons Mushroom Farm runoff was entering the Home Owners Association property. Ms. Ferguson wanted to ensure that the proposed amendments do not lessen current water quality standards applicable to Matthew's discharge permit.

Staff Response: Proposed amendments will not reduce the Board's Control over water quality standards. Prohibition No. 1 on page IV-40, protects neighboring properties.

5. Jennifer Soloway (August 23, 1989)

The draft Basin Plan modified the "Sources of Drinking Water Policy" adopted by the Regional Board on April 14, 1989. The modified wording does not comply with the State Board policy. The following change should be made to page II-1. "Ground water throughout the Central Coastal Basin, except for that found in the Soda Lake Subbasin, is suitable for agricultural water supply, municipal and domestic water supply, and industrial use."

Staff Response: Agree. The draft Basin Plan is not intended to differ from the State Board policy. -

6. EPA (August 15, 1989) -

- a. Show radioactivity objectives in Chapter III, rather than referencing regulations.

Staff Response: The Basin Plan is kept up to date in the proposed format for incorporating objectives by reference. When changes occur in the regulations, the Basin Plan is automatically updated by reference.

September 8, 1989

- b. Table 3-6 is entitled "median surface water objectives". It is not clear whether the median values reflect the 50 percentile values of the monthly means for a calendar year.

Staff Response: The word "median" should be deleted in the title. The footnote to the table explains objectives are annual mean values.

7. DHS (August 16, 1989) -

- a. The California Code of Regulations, Title 22, was revised in 1988. Several changes are necessary in the Water Quality Objectives chapter to reflect Title 22 amendments. These amendments pertain to:

- 1) Adding organic chemicals (adds maximum contaminant levels for 22 chemicals);
- 2) Adding fluoride maximum contaminant levels;
- 3) Adding aluminum maximum contaminant levels;
- 4) Revising endrin maximum contaminant level.

Staff Response: These changes should be made to the draft Basin Plan.

- b. Radioactivity concentrations should be listed rather than referenced.

Staff Response: See staff response to EPA's comment 8a above.

8. County of Santa Cruz, Environmental Health Service (August 22, 1989)

- a. Carbonera Creek is a tributary of Branciforte Creek, not the reverse as shown in the table. Doyle Gulch and Schwan Lake are not tributaries to the San Lorenzo River.

Staff Response: Correction will be made.

- b. Page Nos. II-8 and II-9, Figure 2-2. The map is difficult to interpret as to the location and size of the Scotts Valley ground water basin. It appears that much of the basin is not designated.

Staff Response: We agree the map is difficult to interpret. This map will be used for the short-term until funds are available to develop a better map. A portion of the budget change proposal includes funds to develop ground water basin boundary maps.

- c. Page II-12. Mussels should be added to the heading Shellfish Harvesting

Staff Response: This change will be made.

- d. Page IV-22. Big Basin State Park discussion should reflect the operational and plant problems that have lead to the sewage discharges and Cease and Desist Order.

Staff Response: This change will be made.

- e. Page IV-28. The statement that County Solid Waste Management Plans (COSWMPS) are normally available through the respective County Health Offices/Health Departments is not correct. COSWMPS' are the responsibility of differing lead agencies from county to county. For example, in Santa Cruz County the Planning Department has the responsibility.

Staff Response: This change will be made.

9. Other comments received pertained to additions and revisions which are not germane to the subject of these amendments. These comments will be directed into the triennial review process. Most of these comments pertain to Chapters II and III. These chapters need priority in the triennial review. Comments to be addressed in the triennial review are discussed below.

- a. EPA (August 15, 1989)
 - 1) National Sanctuaries such as Elkhorn Slough and, possibly, Monterey Bay could be recognized in the Basin Plan.
 - 2) A general salinity objective should be included.
 - 3) Objectives should be added for total coliform, enterococci, and E. Coli.
 - 4) Consider application of California Code of Regulations, Section 30269 to Basin Plan (radioactivity objectives).
 - 5) Consider application of statewide consistent turbidity objective.
 - 6) Include standard language addressing Clean Water Act Section 303(c)(2)(b).
 - 7) Basin Plans should reflect State Nonpoint Source assessment Report and State Nonpoint Management Programs.

- b. DHS (August 16, 1989)
 - 1) Beneficial uses for Mill Creek, Liddel Creek, Majors Creek, and Cachagua Creek need to be changed.
 - 2) Secondary Drinking Water Standards in California Code of Regulations Title 22, Article 8, Chapter 15, Section 64473, Table Nos. 6 and 7 should be added to the Basin Plan.
 - 3) Radioactivity concentrations specified in California Code of Regulations, Title 22, Chapter 15, Article 5, Section 64441, should be added as ground water municipal and domestic supply objective.

- c. County of Santa Cruz, Environmental Health Service (August 22, 1989)

- 1) Beneficial use changes are recommended for Carbonera Creek, Lompico Creek, Boulder Creek, and Bear Creek.
- 2) Ground water objectives are not identified as to what ground water basin or aquifer they apply. Specifically in relation to the Upper San Lorenzo Valley, there may be areas where the nitrate value of 5 mg/l would be too high.
- 3) Bacteria should be added to the discussion of urban run-off. Anti-litter efforts will result in bacteria reduction.
- 4) Several comments pertain to the individual/community on-site sewage disposal system policy.
- 5) Page V-18, Section 7. Section should clarify what is meant by "where no water quality problems are contemplated..."
- 6) Page V-20, Section 24. Should be revised to reflect 2500 gpd daily peak flow, rather than average flow.

10. Miscellaneous staff comments -

Some additional editorial modifications will be made to the final Basin Plan before it is submitted to the State Board for approval. For example, typographical errors will be corrected. Some improvements in format (not content) are proposed as well.

ATTACHMENTS:

1. Resolution No. 89-04, second draft with attached listing of minor revisions
2. CEQA Compliance Documents
3. Basin Plan Mailing List

RECOMMENDATION:

Adopt Resolution 89-04, second draft.

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CHAIRMAN'S OPENING STATEMENT

**WATER QUALITY CONTROL PLAN (BASIN PLAN)
California Regional Water Quality Control Board
Central Coast Region**

September 8, 1989

This is a hearing by the Regional Water Quality Control Board, Central Coast Region, to consider adopting Resolution No. 89-04, accepting amendments to the Water Quality Control Plan (Basin Plan) and requesting approval from the State Water Resources Control Board.

The order of presentation at this hearing will be as follows:

1. Witnesses called by the Board's staff.
2. Representatives of Federal, State, and Local Agencies.
3. Other interested persons.
4. Summation or closing statements by parties.

Board members and staff counsel may ask questions to clarify the testimony of a witness at any time. Others may ask questions at the conclusion of a person's testimony.

Each person who testifies at this hearing shall begin by stating his or her name and address unless the address has already been given. All persons who expect to testify at this hearing, please stand, raise your right hand, and take the following oath:

"Do you solemnly swear that the testimony which you will give in this matter is the truth, the whole truth, and nothing but the truth, so help you God?"

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ITEM 8

ADDITIONAL COMMENTS
RECEIVED SINCE STAFF
REPORT PRESENTATION
AND
STAFF RESPONSE

1. SAN LUIS OBISPO COUNTY ENGINEERING DEPARTMENT (August 24, 1989).

- a. Page IV-6: Los Osos Wastewater Facility is based on maximum utilization of ground water recharge. More ground water recharge supportive language is suggested.

Staff Response: Agree. The following word change is proposed. Add following sentence to beginning of reclamation and reuse section on page IV-5: "Water shortages in California are resulting in increased demand for reclamation." Delete section starting with first new paragraph on page IV-6 starting "The State Department of Health Services has provided guidelines...." and ending with first incomplete paragraph on page IV-7 ending "...although this may be retained as a future option."

Add new paragraph to end of page IV-6 "California Code of Regulations, Title 22 is being revised to expand reclamation opportunities. New regulations will soon be available."

- b. Delete reference to Infiltration Problems in Nacimiento Area (page IV-18).

Staff Response: Staff does not agree this should be deleted because future problems could occur. The following word change is recommended: "Part of the collection system is located below the spillway elevation of Nacimiento Reservoir. This has been a source of excessive infiltration in the past and the problem has been corrected. This area should be watched closely as reservoir level rises and wastewater flows increase to insure infiltration and/or exfiltration do not reoccur."

- c. Elaborate on Lopez Recreation Area Monitoring Program (page IV-21).

Staff Response: Refer to Lopez Recreation Area Waste Discharge Requirements.

d. Page IV-35 Salt Management.

Nothing is said about urban water softening equipment. Additional restrictions should be implemented where discharges cause problems to wastewater treatment plants.

Staff Response: This is not necessary. Water softener management is discussed on page V-11 and V-14. These sections were not subject to Regional Board amendment in Resolution 89-04.

e. Page IV-21 Urban Runoff Management.

Runoff has been associated with quantity (i.e. flooding concerns) rather than quality. Treatment of storm water is cost prohibitive and not a reasonable alternative.

Staff Response: This section is directly from the 1975 Basin Plan and is not subject to Regional Board amendment. This section should remain the same since federal storm water and nonpoint source management regulations will regulate urban runoff.

f. Page IV-45: The lack of funding makes septic tank maintenance districts difficult to implement.

Staff Response: This section was not amended and is not subject to Regional Board amendment. Staff believes it is inappropriate to delete this section.

g. Page V-11: Could small maintenance districts lacking funding for maintenance districts receive State funds?

Staff Response: This section was not amended and is not subject to Regional Board amendment. If funds are available, the County is notified of fund availability.

2. CITY OF GILROY (August 24, 1989).

- a. Page IV-13: Geohydrological assessments to determine continued effluent disposal impacts have been completed. This recommendation should be deleted.

Staff Response: This section should not be deleted because future capacity/pond sealing problems could arise. Staff recommends the following wording change: "The recommended plan for the Gilroy-Morgan Hill wastewater treatment facilities is to continue geohydrological assessments to determine impacts of continued effluent disposal by percolation at the Gilroy site."

- b. Page IV-13: Evaporation is infeasible considering the enormous land required (5,400 acres costing over \$50 million); reclamation is undependable because of market dependency.

Staff Response: This section should be revised. Delete "A possible solution is to allow percolation ponds to seal (by eliminating yearly pond bottom ripping operation) and disposing of effluent by evaporation and/or exportation to a suitable disposal or reclamation area." Insert following sentence instead, "Disposal will continue to be by percolation, evaporation and reclamation. Before a discharge to surface waters is considered, the City will be required to evaluate feasible land disposal options."

3. STEVE JORDAN, JORDAN BROTHERS RANCH (August 24, 1989).

- a. Lompoc ground water quality is among the worst in the State.

Staff Response: The ability of Lompoc ground water to sustain beneficial uses is in jeopardy.

- b. An action plan to discuss the relationship between the SWRCB Water Rights Division and RWQCB is needed for water rights applications with water quality ramifications.

Staff Response: Agree. While water rights decisions are made by the State, RWQCB should be able to provide input to SWRCB decisions.

- c. RWQCB does not provide comments regarding water supply diversions affecting water quality.

Staff Response: We have received applications for permits from time to time but we have not reviewed them all due to a lack of budget for this task. At one time our budget did include 1/10 personnel year to provide input to the SWRCB, but this was deleted by the SWRCB.

Staff recommends the following amendment. "Regional Water Quality Control Board Management Principles" Section on page V-5.

"Water Rights

1. The Regional Water Quality Control Board should review water supply issues affecting water quality."

If the SWRCB provides funding, staff will provide water quality input.

4. SANTA CLARA VALLEY WATER DISTRICT (August 24, 1989).

- a. Page III-16. Present and future beneficial uses should be protected. Suggest following word change for bottom of first column from "(1) beneficial uses potentially to be affected by the waste discharge" to "(1) present and probable future beneficial uses affected by the waste discharge."

Staff Response: This change should be made.

- b. Page III-2 "Controllable water quality" should be defined.

Staff Response: A definition is provided on page III-2.

- c. Page III-15. Add statement that groundwater shall not contain concentrations above which exposure to the mixture of chemicals may affect health due to additive effects of a chemical mixture.

Staff Response: Such a change is inappropriate at this time. We rely upon health agencies to establish health-based concentrations. The SWRCB is also in the process of providing limits for Proposition 65 chemicals. When we get guidance from either agency, we will revise the Basin Plan. This comment will also be addressed in part in our ground water cleanup amendment.

- d. Page IV-2. Improvement of waste treatment systems and processes should be based on best economically achievable technology, not just minimum costs.

Staff Response: We agree. This wording change is recommended.

- e. Page IV-13. For ephemeral and recharge streams, the level of treatment should assure compliance with ground water objectives.

Staff Response: No change is necessary. Ground water objectives must be met if "Ground Water Recharge" is a beneficial use.

- f. Page IV-13, San Martin area, Llagas Ground Water Basin exceeds nitrate objectives in 20% of the wells. It is a critical area because it is the sole recharge area for Santa Clara Valley ground water. Septic tanks should be prohibited in the area. District disagrees with Basin

Plan stating sewage collection systems and treatment is an infeasible solution to high nitrate levels. In addition, the District wonders if it is the County's plan to retain individual on-site systems.

Staff Response: We agree wording changes are necessary. The following rewording is recommended. "Individual on-site systems are used for sewage disposal systems in the San Martin Area. 20% of the area's wells exceed the nitrate drinking water objective. This is a significant problem since this area serves as the sole recharge area for the Santa Clara Valley. Methods of providing a water supply that is free of excessive nitrate concentration should be investigated and implemented. Nitrate loadings from various sources should be calculated for the area to determine the contribution from various sources. The need for on-site system restrictions should be determined."

- g. Page IV-6 Basin Plan should address injection of reclaimed water resulting from ground water pollution remediation activities by industries, fuel station owners, and others.

Staff Response: Staff will be providing an amendment to address this in the near future.

- h. Page IV-26 Solid Waste Management section should include discussion of Toxic Pits Cleanup Act.

Staff Response: We recommend the following wording change to be inserted before 1st complete paragraph starting "There are 28 authorized active waste disposal sites..."

"The Toxic Pits Cleanup Act of 1984 (TPCA) declares that discharges of liquid hazardous wastes or hazardous wastes containing free liquids into lined or unlined impoundments pose a serious threat to the quality of the waters of the state. Therefore, the legislature enacted TPCA as Article 9.5 (Surface Impoundments) of Chapter 6.5 (Hazardous Waste Control) of Division 20 of the California Health and Safety Code with the intent of insuring that existing surface impoundments were either made safe or were closed.

The effect of TPCA was to prohibit discharge (defined to include storage) of liquid hazardous wastes and hazardous wastes containing free liquids to surface impoundments, which did not satisfy specific construction and

monitoring standards, by June 30, 1988, or December 31, 1988, depending on the location and characteristics of the impoundment. TPCA allows specific exemptions with varying application and granting deadlines. However, on and after January 1, 1989, all discharge of liquid hazardous wastes and of hazardous wastes containing free liquids to surface impoundments which had not been granted exemptions, and which did not meet specific construction and monitoring standards, was prohibited. There is a rare set of circumstances which may exempt a surface impoundment from the January 1, 1989, deadline.

TPCA is fulfilling its goal of reducing the threat of liquid hazardous wastes to the waters of the state."

- i. Page IV-28 and Page V-18, Solid Waste Discharge Prohibitions. Item #3 on page IV-28 implies Class III waste can be disposed outside a permitted Class III Waste Management Unit (WMU). This is supported by waiver of Waste Discharge Requirements of "group 3 solid wastes" in item 5 on page V-18. As written, this does not prevent an individual from burying garbage, pesticides, or solvents. Controls of such practices should be implemented.

Staff Response: Item #3 on page IV-28 is an appropriate prohibition. As stated on page IV-27, Class III wastes may be disposed only at any classified WMU. However, a wording change is necessary on page V-18. Item 5 wording should be changed from "group 3" to "inert wastes" in accordance with updated language of Subchapter 15.

- j. "Llagas Groundwater/Surface Basin" is given several different names. Name should be standardized to this name.

Staff Response: Figure 2-1 cannot be changed since this was developed by the SWRCB. Figure 2-2 and Table 2-3 uses a California Department of Water Resources map and identification system, respectively. This can be changed when ground water maps are developed as part of the Basin Plan budget augmentation. However, on page III-17, the following word change is recommended, change "Gilroy" to Llagas Creek."

5. MONTEREY COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
(August 24, 1989, and August 30, 1989).

- a. Page I-3, Santa Lucia range should be 6,000 feet high, not 4,000 feet high.

Staff Response: Staff review of maps indicates 5,200 feet is highest peak. Staff recommends "4,000 feet" be changed to "5,200 feet."

- b. Page I-5, second to last sentence. Seawater intrusion has already occurred in Salinas Valley.

Staff Response: Change sentence to "Water mining and seawater intrusion have resulted in some locations."

- c. Page II-3, Salinas River, Chualar to Nacimiento River. Groundwater recharge should be "E" not "A."

Staff Response: This correction must be made. In addition, several typographical errors in (1) Salinas River, Spreckels Gage to Chualar and (2) Salinas River, Chualar to Nacimiento River are present in the draft Basin Plan. This is because Resolution 85-04 was used as the reference for the draft Basin Plan. However, Resolution 85-04 contained typographical errors for these water bodies. Resolution 85-04 did not amend beneficial uses for these water bodies. Resolution 85-04 amended beneficial uses for other water bodies.

The appropriate reference for these water bodies is Resolution 82-08. The draft Basin Plan should be changed to correlate with Resolution 82-08 for these water bodies.

- d. Page V-12, definition of animal confinement facility should be provided.

Staff Response: Staff agrees. The following should be inserted below "Animal Confinement Operations." "The California Code of Regulations, Title 23, Subchapter 15, Section 2601 defines a confined animal facility as "any place where cattle, calves, sheep, swine, horses, mules, goats, fowl, or other domestic animals are corralled, penned, tethered, or otherwise enclosed or held and where feeding is by means other than grazing."

- e. The Basin Plan is weak with regard to specific actions and programs needed to protect ground water. The SWRCB Groundwater Protection Strategy and a Nonpoint Source Strategy should be added.

Staff Response: The SWRCB Groundwater Protection Strategy was not developed and a policy may result after a Clean Water Protection Strategy is developed by the SWRCB and RWQCB. The RWQCB is tentatively scheduled to complete a draft Nonpoint Source Management Plan by March, 1990.

6. RWO�B STAFF. The following changes are recommended by staff.

- (a) List of Tables - Add new Table 3-1 "Organic Concentrations Not to be Exceeded in Domestic or Municipal Supply."
- (b) Change Table 3-2 to "Inorganic and Fluoride Concentrations Not to be Exceeded in Domestic or Municipal Supply."
- (c) Delete Appendix A-14, A-16 and A-22.
- (d) Add footnote "a" to Table 2-3, "Basin number locations identified on Figure 2-2."
- (e) Add footnote "a" to Figure 2-2, "Basin name and number identified in Table 2-3."
- (f) Add new Table 3-1:

Table 3-1.

Organic Concentrations Not to be Exceeded in
Domestic or Municipal Supply

<u>Constituent</u>	<u>Maximum Contaminant Level, mg/l</u>
(a) Chlorinated Hydrocarbons	
Endrin	0.0002
Lindane	0.004
Methoxychlor	0.1
Toxaphene	0.005
(b) Chlorophenoxy	
2,4-D	0.1
2,4,5-TP Silvex	0.01
(c) Synthetics	
Atrazine	0.003
Bentazon	0.018
Benzene	0.001
Carbon Tetrachloride	0.0005
Dibromochloropropane	0.0002
1,4-Dichlorobenzene	0.005
1,2-Dichloroethane	0.0005
1,1-Dichloroethylene	0.006
1,3-Dichloropropene	0.0005
Ethylbenzene	0.680
Ethylene Dibromide	0.00002
Molinate	0.02
Monochlorobenzene	0.030
Simazine	0.010
1,1,2,2-Tetrachloroethane	0.001
Tetrachloroethylene	0.005
Thiobencarb	0.07
1,1,1-Trichloroethane	0.200
1,1,2-Trichloroethane	0.032
Trichloroethylene	0.005
Vinyl Chloride	0.0005
*Xylenes	1.750

*MCL is for either a single isomer or the sum of the isomers.

(g) Page III-7, change 3-1 to Table 3-2; add Fluoride Maximum Contaminant Levels (MCL):

<u>Fluoride</u>	<u>MCL, mg/l</u>
53.7 and below	2.4
53.8 to 58.3	2.2
58.4 to 63.8	2.0
63.9 to 70.6	1.8
70.7 to 79.2	1.6
79.3 to 90.5	1.4

- (h) Page III-7, change Inorganic chemicals to be under a "Maximum Contaminant Level" column.
- (i) Page III-7 add Aluminum MCL of 1. mg/l.
- (j) Page III-11, Fish Spawning Cadmium in soft water shall not exceed 0.0004 mg/l instead of 0.004 mg/l.
- (k) Change footnote "e" to be applicable to Nickel.
- (l) Page III-15, add below "Objectives for Ground Water, Municipal and Domestic Supply:

Organic Chemicals

Waters shall not contain concentrations of pesticides or herbicides in excess of the limiting concentrations set forth in California Code of Regulations, Title 22, Chapter 15, Article 5.5, Section 64444.5, Table 5 and listed in Table 3-1.

- (m) Blue Sheet clarification recommended by staff.

Blue Sheet
Item No

- 2. "Page IV-6, sentence beginning on line 8 corrected to: Title 22, Division 4, Chapter 3 of the California Code of Regulations provides wastewater reclamation criteria..."
- 5. Page II-1, Paragraph 6, delete "... (in accordance with the provisions of State Water Resources Control Board Resolution No. 88-63 [Appendix A-1]),...."
- 8a. Page II-2, reverse position of Carbonera Creek and Branciforte Creek; do not indent Doyle Gulch and Schwan Lake.
- c. Page II-11, add "mussels" to collection of shellfish under "Shellfish Harvesting."
- e. Page IV-28, first complete paragraph, delete last sentence "County Solid Waste Management Plans are normally available...."



California Regional Water Quality Control Board Central Coast Region



Gray Davis
Governor

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Justin H. Hickox
Secretary for
Environmental
Protection

January 27, 1999

Katherine Wong
Specialist Legal Assistant
355 South Grand Avenue, Suite 4400
Los Angeles, CA 90071-1560

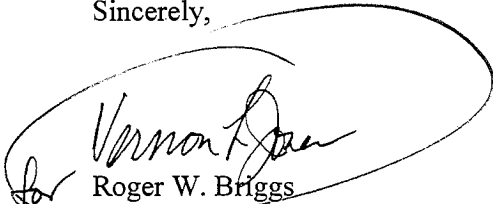
Dear Ms. Wong:

Subject: Public Records Act Request

I received a letter recently wherein you requested public records pertaining to Proposition 65 and the Sources of Drinking Water Policy. The Regional Board adopted two amendments that addressed the Sources of Drinking Water Policy. These Resolutions and the Board meeting minutes for each are enclosed.

If you need additional information, please contact our attorney, **Jennifer Soloway at 916-657-0433.**

Sincerely,


Roger W. Briggs
Executive Officer

- Attachments:
1. Regional Board Resolution 89-03
 2. Resolution 89-03 Board Minutes, April 14, 1989
 3. Resolution 94-06
 4. Resolution 94-05 Board Minutes, October 14, 1994

cc: Jennifer Soloway, Staff Counsel

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A Laurel Lane
San Luis Obispo, CA 93401

REGIONAL BOARD RESOLUTION NO. 89-03

INCORPORATION OF "SOURCES OF DRINKING WATER" POLICY
INTO THE WATER QUALITY CONTROL PLAN (BASIN PLAN)

WHEREAS:

1. California Water Code Section 13140 provides that the State Water Resources Control Board (State Board) shall formulate and adopt State policy for water quality control; and,
2. California Water Code Section 13240 provides that Basin Plans shall conform to any State policy for water quality control; and,
3. The State Board adopted Resolution No. 88-63 entitled "Sources of Drinking Water" on May 19, 1988 as a State policy for water quality control; and,
4. Previous to passage of State Board Resolution 88-63, two public workshops on January 6, 1988 and April 6, 1988 and a public hearing on May 4, 1988 were conducted in order to receive comments on the Policy; and,
5. Incorporation of State Board Resolution No. 88-63 into Basin Plans will conform these Basin Plans to this Policy; and,
6. The basin planning process has been determined to be functionally equivalent to the CEQA process in accordance with Section 21000 et seq. of the Public Resources Code and appropriate notices and waiting periods have been complied with; and,
7. A public hearing was duly noticed by advertising in newspapers of general circulation within the Region; and,
8. On April 14, 1989, in the Solvang City Hall Council Chambers, 1644 Oak Street, Solvang, California, the Regional Board reviewed staff documents pertaining to the amendment, environmental documents, written comments, and staff responses, as well as received additional evidence and testimony concerning the proposed amendments to the Basin Plan.

THEREFORE BE IT RESOLVED THAT:

1. The Basin Plan chapter entitled Beneficial Uses be amended to include the following statement:

"Water bodies in the Region 3 without beneficial uses designated in Table 2-1 are assigned MUN designations in accordance with the provisions of State Water Resources Control Board Resolution No. 88-63 which is, by reference, a part of this plan. These MUN designations in no way affect the presence or absence of other beneficial use designations for these waters bodies."

2. A copy of this resolution with other appropriate materials be submitted to the State Board for approval.

Certification

I, William R. Leonard, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on April 14, 1989.

AGC:mmm

sodw.res/4

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 88-63

ADOPTION OF POLICY ENTITLED
"SOURCES OF DRINKING WATER"

WHEREAS:

1. California Water Code Section 13140 provides that the State Board shall formulate and adopt State Policy for Water Quality Control; and,
2. California Water Code Section 13240 provides that Water Quality Control Plans "shall conform" to any State Policy for Water Quality Control; and,
3. The Regional Boards can conform the Water Quality Control Plans to this policy by amending the plans to incorporate the policy; and,
4. The State Board must approve any conforming amendments pursuant to Water Code Section 13245; and,
5. "Sources of drinking water" shall be defined in Water Quality Control Plans as those water bodies with beneficial uses designated as suitable, or potentially suitable, for municipal or domestic water supply (MUN); and,
6. The Water Quality Control Plans do not provide sufficient detail in the description of water bodies designated MUN to judge clearly what is, or is not, a source of drinking water for various purposes.

THEREFORE BE IT RESOLVED:

All surface and ground waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Boards¹ with the exception of:

1. Surface and ground waters where:
 - a. The total dissolved solids (TDS) exceed 3,000 mg/L (5,000 us/cm, electrical conductivity) and it is not reasonably expected by Regional Boards to supply a public water system, or

- b. There is contamination, either by natural processes or by human activity (unrelated to a specific pollution incident), that cannot reasonably be treated for domestic use using either Best Management Practices or best economically achievable treatment practices, or
- c. The water source does not provide sufficient water to supply a single well capable of producing an average, sustained yield of 200 gallons per day.

2. Surface waters where:

- a. The water is in systems designed or modified to collect or treat municipal or industrial wastewaters, process waters, mining wastewaters, or storm water runoff, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards; or,
- b. The water is in systems designed or modified for the primary purpose of conveying or holding agricultural drainage waters, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards.

3. Ground water where:

The aquifer is regulated as a geothermal energy producing source or has been exempted administratively pursuant to 40 Code of Federal Regulations, Section 146.4 for the purpose of underground injection of fluids associated with the production of hydrocarbon or geothermal energy, provided that these fluids do not constitute a hazardous waste under 40 CFR, Section 261.3.

4. Regional Board Authority to Amend Use Designations:

Any body of water which has a current specific designation previously assigned to it by a Regional Board in Water Quality Control Plans may retain that designation at the Regional Board's discretion. Where a body of water is not currently designated as MUN but, in the opinion of a Regional Board, is presently or potentially suitable for MUN, the Regional Board shall include MUN in the beneficial use designation.

The Regional Boards shall also assure that the beneficial uses of municipal and domestic supply are designated for protection wherever those uses are presently being attained, and assure that any changes in beneficial use designations for waters of the State are consistent with all applicable regulations adopted by the Environmental Protection Agency.

The Regional Boards shall review and revise the Water Quality Control Plans to incorporate this policy.

¹ This policy does not affect any determination of what is a potential source of drinking water for the limited purposes of maintaining a surface impoundment after June 30, 1988, pursuant to Section 25208.4 of the Health and Safety Code.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a policy duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 19, 1988.



Maureen Marche
Administrative Assistant to the Board

Basin Planning

8. Incorporation of State Water Resources Resolution 89-03
Control Board "Sources of Drinking Water"
Policy into the Water Quality Control Plan, (Basin Plan).

Angela Carpenter presented information to the Board regarding Sources of Drinking Water Policy, the first of a series of Basin Plan amendments. She stated that the Safe Drinking Water and Toxic Enforcement Act was approved by the voters in 1986 (Prop 65). Prop 65 requires identification of reproductive toxicants and carcinogens and limits their release to sources of drinking water. The Health and Welfare Agency has assigned the State Water Resources Control Board the responsibility of defining sources of drinking water. The State Board reviewed the Regional Boards' Basin Plans and determined that there was insufficient detail to determine exact sources of drinking water and subsequently developed Sources of Drinking Water Policy, Resolution 88-63. The California Water Code requires the Regional Board adopt and incorporate this policy into its Basin Plan.

The Sources of Drinking Water Policy will require determination of which water bodies are suitable for MUN (Municipal and Domestic Water Supply Beneficial Use) designations. Table 2-1 of the Basin Plan, developed in 1975, is very incomplete because many surface waters do not have designated "beneficial uses". The newly-developed policy states that all surface waters not listed in Table 2-1 will have an MUN beneficial use, unless they qualify for an exemption.

Mr. Stubchaer asked if the proposed designation of water bodies would be brought to the Board for discussion. Ms. Carpenter responded that the matter would probably be taken to the State Board for consideration, since it is a State Board policy. The policy would not apply to Region 3 ground water because the Basin Plan has already designated all ground waters within the region suitable for municipal drinking water supply, ("All ground waters within the Central Coast Region shall be considered suitable for municipal, industrial and agricultural water supply except the Soda Lake ground water basin"). Referring to State Board Policy, Item No. 4, Ms. Carpenter noted that there are conditions by which exceptions may not be applied; "Exceptions may not apply if the water is currently suitable or serves an existing municipal water supply." Exceptions may apply to surface and ground waters if the TDS exceeds 3000 mg/l; if there is contamination (natural or non-specific) and cleanup cannot be achieved with Best

Management Practices or is not economically feasible; or if well production is less than 200 gpd. Exceptions also apply to surface waters that collect/treat municipal, industrial waste water, mining or stormwater runoff, as well as agricultural drainage conveyance or holding systems.

Executive Officer William Leonard explained to the Board that this initiative originated with Proposition 65, which charges the State Board with determining all the water bodies that can meet the municipal designation. State Board adopted a basic policy (Sources of Drinking Water Policy) which is to be amended in each Regional Board's plan. Due to current time deadlines, it is not possible to review each water body now; however, staff can review the water body conditions at a later date and, if exception conditions are met, exception from municipal use can be granted.

Ms. Carpenter confirmed that this agenda item (Resolution 89-03) was noticed in the newspapers, and sent to the Basin Plan Amendment "interested parties" lists.

Charles Allen expressed concern related to the grower who needs a well replacement quickly to prevent crop failure. If the County failed to understand the new State policy, they might not grant a permit. He felt this should be researched to be certain the procedure would not become an entrapment to the agricultural industry.

Executive Officer Bill Leonard explained that this issue pertains to the Board's power of regulating waste discharges. When a request is made for discharge of waste that could affect a water body, implementation of the "Sources of Drinking Water Policy" is established by placing standards on the discharge that protect municipal use if the water body is designated as a municipal use. It does not prevent a property owner from installing a well and pumping from an aquifer. The Board has authority over with the type of discharge control standards implemented to protect receiving water.

Legal Counsel Jennifer Soloway clarified that with regard to Prop 65, there may be some chemicals listed which have been allowed in minute quantities in the past which would be prohibited under the new policy.

Robert Thornton requested clarification on the purpose of the new policy and method of implementation. He understood that this policy would apply to both surface and ground waters and provide direction to the Regional Boards so that the Basin Plans would be revised to more accurately reflect the policy.

Bill Leonard stated that the Central Coast Region Basin Plan already designates all ground waters except Soda Lake for municipal beneficial use. This aspect of the policy did not change. However, the current policy does not allow the application of exception criteria, while the new policy would.

In response to a question by Manuel De Maria, Mr. Leonard explained that, from a water quality point of view, there is no distinction between an aquifer and an underground river (riparian aquifer).

Mark Chytilo, representative of Environmental Defense Center, referenced his letter to the Board dated April 7, 1989. Mr. Chytilo stated that the State-wide criteria may not be appropriate for the Central Coast Region. He felt that this particular policy would have a relatively limited impact on the Central Coast Basin. He encouraged the Board to be alert to the fact that the 3000 ppm TDS limit may open the door for the degradation of future water supplies. He urged the Board to use figures sufficiently cautious to prevent jeopardizing our natural resources.

MOTION: Curtis Tunnell moved for approval of Resolution 89-03 Incorporation of State Water Resources Control Board "Sources of Drinking Water" Policy into the Water Quality Control Plan (Basin Plan).

SECOND: George Rathmell

CARRIED: Unanimously (9 - 0)

9. San Lorenzo Valley Discharge Prohibition Zone-Status Report Information Only

Roger Briggs explained that the twelve page report, dated April 11, 1989, given to the Board, was prepared by Regional Board staff using excerpts from a lengthy report received after agenda preparation from the County of Santa Cruz. Jay Cano informed the Board of the reported actions taken by the County of Santa Cruz as a result of the Board's adopted Resolution 82-10, which prohibited septic tank systems in the chronic problem areas of San Lorenzo Valley, as well as requiring the County to impose improved septic tank criteria in other lesser problem areas.

Mr. Cano reported that the sewerage project failed in 1984, and in lieu of that project the County came up with a plan to assess performance of and make improvements to the

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 94-06

ADOPTING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS:

1. The California Water Code directs the Regional Water Quality Control Boards (Regional Boards) to adopt Water Quality Control Plans (Basin Plans) and to revise them as necessary.
2. This Regional Board, at the February 11, 1994 Board Meeting, directed staff to include the latest Beneficial Use categories approved by the State Water Resources Control Board in Table 2-1 of the Basin Plan.
3. The Regional Board, and others, proposed waters not previously listed in Table 2-1 for designation of beneficial uses.
4. Regional Board staff proposes that the Existing "E" and Intermittent "I" designations are confusing; and that all water body designations in Table 2-1 be identified with an "X" indicating that the beneficial use occurs, at least part of the year and/or in some segment of the water body.
5. Regional Board staff was advised of at least one error in the current Table 2-1 which should be corrected.
6. Drafts of the proposed revisions have been prepared and distributed to interested persons and agencies for review and comment.
7. The specific amendment proposed is shown in Attachment "A - Appendix One and Two".
8. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent) and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of this amendment will not have a significant adverse effect on the environment.
9. Amendment of the Administrative Procedure Act, Government Code Section 11340, requires Basin Plan amendments be submitted to the California Office of Administrative Law.
10. Regional Board staff consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and on threatened and endangered plant and animal species. The draft amendment has been revised in response to comments by Department of Fish and Game staff. The Department of Fish and Game has made a conditional finding of "no jeopardy" pursuant to the California Endangered Species Act.
11. The Department of Fish and Game conditions their approval with the understanding that: "Within three years after the Department notifies the California Regional Water Quality Control Board that specific water bodies support threatened or endangered species, and that scientific evidence indicates that certain water quality objectives for these water bodies protect such species, the Board shall determine, in consultation with the Department, whether these objectives are adequately protective. In cases where such objective do not provide adequate protection for listed species, the Board shall develop and adopt adequately protective site-specific objectives for those constituents."
12. Due notice of public hearing was given by advertising in eight newspapers of general circulation within the Region.

13. On September 8, 1994, the Regional Board held a public hearing and heard and considered all public testimony.

THEREFORE BE IT RESOLVED:

1. Based on the draft Basin Plan amendment, the environmental checklist, accompanying written documentation, and public comments received, the Regional Board finds that there is no substantial evidence in the record that adoption of the proposed Basin Plan amendment will have a significant effect on the environment.
2. The environmental document prepared by Regional Board staff pursuant to Public Resources Code Section 21080.5 is hereby certified. Following approval of this amendment by the State Board, the Executive Officer shall file a Notice of Decision with the State Clearinghouse.
3. Within three years after the Department notifies the California Regional Water Quality Control Board that specific water bodies support threatened or endangered species, and that scientific evidence indicates that certain water quality objectives for these water bodies protect such species, the Board shall determine, in consultation with the Department, whether these objectives are adequately protective. In cases where such objective do not provide adequate protection for listed species, the Board shall develop and adopt adequately protective site-specific objectives for those constituents.
4. The Basin Plan amendment shown on Attachment "A - Appendix One and Two" is approved. The amendment will not take effect until approved by the State Board and the Office of Administrative Law.
5. Upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the Environmental Protection Agency for approval.

I, ROGER W, BRIGGS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on September 8, 1994.


Executive Officer

ATTACHMENT A - APPENDIX ONE

BASIN PLAN AMENDMENT

CHAPTER TWO

The following Basin Plan amendment is proposed. (Note new language is in **bold**, existing language is shown in plain text, and deleted language is ~~struck-out~~.)

1. Table 2-1 of California Central Coastal Regional Water Quality Control Plan (Basin Plan) is revised to include the following changes as shown in Appendix Two, Revised Table 2-1, Identified Uses of Water:
 - a. Adds beneficial use categories not previously listed and assigns the uses to appropriate water bodies.
 - b. Adds water bodies not previously listed and assigns appropriate beneficial uses to them.
 - c. Corrects Table 2-1 assigned uses for Struve Slough.
 - d. Changes all Existing "E" and Intermittent "I" designations to "X" to indicate occurrence in the water body.
2. Beneficial use definitions are revised as shown below.

Municipal and Domestic Supply (MUN) - Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply. According to State Board Resolution No. 88-63, "Sources of Drinking Water Policy" all surface waters are considered suitable, or potentially suitable, for municipal or domestic water supply except where:

- a. TDS exceeds 3000 mg/l (5000 uS/cm electrical conductivity)
- b. Contamination exists, that cannot reasonably be treated for domestic use
- c. The source is not sufficient to supply an average sustained yield of 200 gallons per day
- d. The water is in collection or treatment systems of municipal or industrial wastewaters, process waters, mining wastewaters, or storm water runoff
- e. The water is in systems for conveying or holding agricultural drainage waters.

Agricultural Supply (AGR) - Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.

Industrial Process Supply (PRO) - Uses of water for industrial activities that depend primarily on water quality (i.e., waters used for manufacturing, food processing, etc.).

Industrial Service Supply (IND) - Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well repressurization.

Ground Water Recharge (GWR) - Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.

Freshwater Replenishment (FRSH) - Uses of water for natural or artificial maintenance of surface water quantity or quality (e.g., salinity) which includes a water body that supplies water to a different type of water body, such as, streams that supply reservoirs and lakes, or estuaries; or reservoirs and lakes that supply streams. This includes only immediate upstream water bodies and not their tributaries.

Navigation (NAV) - Uses of water for shipping, travel, or other transportation by private, military, or commercial vessels. ~~(Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~ This Board interprets NAV as, "Any stream, lake, arm of the sea, or other natural body of water that is actually navigable and that, by itself, or by its connections with other waters, for a period long enough to

be of commercial value, is of sufficient capacity to float watercraft for the purposes of commerce, trade, transportation, and including pleasure; or any waters that have been declared navigable by the Congress of the United States" and/or the California State Lands Commission.

Hydropower Generation (POW) - Uses of water for hydropower generation. ~~(Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~

Water Contact Recreation (REC-1) - Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, or use of natural hot springs.

Non-contact Water Recreation (REC-2) - Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.

Commercial and Sport Fishing (COMM) - Uses of water for commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to, uses involving organisms intended for human consumption or bait purposes. ~~(Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~

Aquaculture (AQUA) - Uses of water for aquaculture or mariculture operations including, but not limited to, propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes. ~~(Regional Board designation of this beneficial use will be added to the proposed Triennial Review Priority List.)~~

Warm Freshwater Habitat (WARM) - Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Cold Freshwater Habitat (COLD) - Uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Inland Saline Water Habitat (SAL) - Uses of water that support inland saline water ecosystems including, but not limited to, preservation or enhancement of aquatic saline habitats, vegetation, fish, or wildlife, including invertebrates. Soda Lake is a saline habitat typical of desert lakes in inland sinks.

Estuarine Habitat (EST) - Uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds). **An estuary is generally described as a semi-enclosed body of water having a free connection with the open sea, at least part of the year and within which the seawater is diluted at least seasonally with fresh water drained from the land. Included are water bodies which would naturally fit the definition if not controlled by tidegates or other such devices.**

Marine Habitat (MAR) - Uses of water that support marine ecosystems including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (e.g., marine mammals, shorebirds).

Wildlife Habitat (WILD) - Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

Preservation of Biological Habitats of Special Significance (BIOL) - Uses of water that support designated areas or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources requires special protection.

Rare, Threatened, or Endangered Species (RARE) - Uses of water that support habitats necessary, at least in part, for

the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered.

Migration of Aquatic Organisms (MIGR) - Uses of water that support habitats necessary for migration or other temporary activities by aquatic organisms, such as anadromous fish.

Spawning, Reproduction, and/or Early Development (SPWN) - Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish.

Shellfish Harvesting (SHELL) - Uses of water that support habitats suitable for the collection of filter-feeding shellfish (e.g., clams, oysters, and mussels) for human consumption, commercial, or sport purposes. **This includes waters that have in the past, or may in the future, contain significant shellfisheries.**

3. Revise Table 2-1 "Notes" to read as follows:

"Notes: **X: Existing beneficial water uses, whether perennial or ephemeral, intermittent or continuous flow.**

~~E: Existing beneficial water uses~~

~~I: Beneficial water use in a watercourse with seasonally intermittent flow characteristics. Use is concurrent with flow.~~

ATTACHMENT A - APPENDIX TWO

BASIN PLAN AMENDMENT

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL	
Big Basin Hydrologic Unit (304.00)																							
Lucerne Lake Estuary						X	X	X	X			X	X	X	X				X				X
Lucerne Lake	X					X	X	X	X							X			X				
Arroyo de los Frejoles-Creek	X	X			X	X	X	X	X	X	X	X	X	X		X			X				
Arroyo de los Frejoles Reservoir	X	X			X	X	X	X	X	X	X	X	X	X		X			X				X
Gazos Creek Lagoon/Estuary	X	X			X	X	X	X	X			X	X	X		X			X				
Gazos Creek	X					X	X	X	X			X	X	X		X			X				
Old Womans Creek	X					X	X	X	X			X	X	X		X			X				
Whitehouse Creek	X					X	X	X	X			X	X	X		X			X				
Cascade Creek Lagoon/Estuary						X	X	X	X			X	X	X		X			X				X
Cascade Creek	X				X	X	X	X	X			X	X	X		X			X				
Green Oaks Creek Lagoon/Estuary						X	X	X	X	X		X	X	X		X			X				X
Green Oaks Creek	X				X	X	X	X	X	X		X	X	X		X			X				X
Ano Nuevo Creek	X	X			X	X	X	X	X			X	X	X		X			X				
Finney Creek	X	X				X	X	X	X			X	X	X		X			X				
Elliot Creek	X	X				X	X	X	X			X	X	X		X			X				
Waddell Creek Estuary						X	X	X	X			X	X	X		X			X				X
Waddell Creek (Main Stem)	X			X		X	X	X	X			X	X	X		X			X				
Waddell Creek, east branch	X				X	X	X	X	X			X	X	X		X			X				
Last Chance Creek	X	X			X	X	X	X	X			X	X	X		X			X				
Blooms Creek	X				X	X	X	X	X			X	X	X		X			X				
Sempervirens Creek	X				X	X	X	X	X			X	X	X		X			X				
Union Creek	X					X	X	X	X			X	X	X		X			X				
Sempervirens Res.	X					X	X	X	X			X	X	X		X			X				X
Opal Creek	X				X	X	X	X	X			X	X	X		X			X				
Rogers Creek	X					X	X	X	X			X	X	X		X			X				
Maddocks Creek	X					X	X	X	X			X	X	X		X			X				
Waddell Creek, west branch	X				X	X	X	X	X			X	X	X		X			X				
Kelley Creek	X				X	X	X	X	X			X	X	X		X			X				
Berry Creek	X				X	X	X	X	X			X	X	X		X			X				
Henry Creek	X				X	X	X	X	X			X	X	X		X			X				
Scott Creek Lagoon						X	X	X	X			X	X	X		X			X				X
Scott Creek	X	X		X		X	X	X	X			X	X	X		X			X				
Little Creek	X	X		X		X	X	X	X			X	X	X		X			X				
Big Creek (Ano Nuevo)	X	X		X		X	X	X	X			X	X	X		X			X				

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMMI	AQUA	SAL	SHELL
Berry Creek	X				X	X	X	X	X				X						X			
Deadman Gulch Creek	X				X	X	X	X	X			X		X					X			
Boyer Creek	X				X	X	X	X	X			X							X			
Mill Creek (Scott Creek)	X	X		X	X	X	X	X	X		X	X		X		X			X			
Mill Creek Res.	X					X	X	X	X	X	X	X				X	X		X			
Molino Creek	X	X			X	X	X	X	X						X	X			X			
San Vicente Creek	X	X	X		X	X	X	X	X			X		X		X			X			
Mill Creek (Bornie Doon)	X				X	X	X	X	X			X		X		X			X			
Liddell Creek	X	X			X	X	X	X	X			X		X		X			X			
Liddell Creek, east branch	X	X		X	X	X	X	X	X			X		X		X			X			
Liddell Creek, west branch	X				X	X	X	X	X			X		X		X			X			
Laguna Creek Estuary					X	X	X	X	X			X		X		X			X			X
Laguna Creek	X	X		X	X	X	X	X	X			X		X		X			X			
Reggiardo Creek	X	X			X	X	X	X	X					X		X			X			
Majors Creek	X	X		X	X	X	X	X	X			X		X		X			X			
Baldwin Creek Estuary		X			X	X	X	X	X	X	X	X	X	X	X	X			X			X
Baldwin Creek		X			X	X	X	X	X			X		X		X			X			
Wildler Creek Estuary					X	X	X	X	X			X		X		X			X			
Wildler Creek	X	X			X	X	X	X	X			X		X		X			X			
Cave Gulch	X				X	X	X	X	X													
Younger's Lagoon					X	X	X	X	X			X										X
Antonellis Pond					X	X	X	X	X			X		X								
Moore Creek	X	X			X	X	X	X	X			X		X		X			X			
Neary's Lagoon					X	X	X	X	X			X		X								
San Lorenzo River Estuary						X	X	X	X			X		X		X			X			X
San Lorenzo River	X	X		X	X	X	X	X	X			X		X		X			X			
Branciforte Creek	X	X			X	X	X	X	X			X							X			
Blackburn Gulch	X				X	X	X	X	X			X							X			
Tie Gulch	X				X	X	X	X	X			X							X			
Granite Creek	X			X	X	X	X	X	X			X							X			
Carbonera Creek	X	X		X	X	X	X	X	X			X							X			
Zayante Creek	X	X		X	X	X	X	X	X			X							X			
Bean Creek	X	X		X	X	X	X	X	X			X							X			
Mackenzie Creek	X				X	X	X	X	X			X							X			
Ruins Creek	X				X	X	X	X	X			X							X			
Lockhart Gulch Creek	X				X	X	X	X	X			X							X			
Mountain Charlie Gulch	X				X	X	X	X	X			X							X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Lompico Creek	X	X			X	X	X	X	X		X	X							X			
Mill Creek (SLR)	X				X	X	X	X	X										X			
Newell Creek	X	X		X	X	X	X	X	X		X	X				X			X			
Loch Lomond Res.	X	X		X	X	X	X	X	X	X	X	X		X		X			X			X
Love Creek	X				X	X	X	X	X		X	X							X			
Fitch Creek	X				X	X	X	X	X		X	X							X			
Smith Creek	X				X	X	X	X	X										X			
Spring Creek Gulch	X				X	X	X	X	X										X			
Bear Creek	X	X			X	X	X	X	X		X	X							X			
Connelly Gulch	X				X	X	X	X	X		X	X							X			
Shear Creek	X				X	X	X	X	X		X	X							X			
Deer Creek	X				X	X	X	X	X		X	X							X			
Hopkins Gulch	X				X	X	X	X	X		X	X							X			
Two Bar Creek	X				X	X	X	X	X		X	X							X			
Kings Creek	X				X	X	X	X	X		X	X		X					X			
Logan Creek	X				X	X	X	X	X		X	X							X			
Sleeper Gulch	X				X	X	X	X	X				X						X			
McDonald Gulch	X				X	X	X	X	X		X	X		X					X			
Spring Creek	X				X	X	X	X	X		X	X							X			
Boulder Creek	X	X			X	X	X	X	X		X	X							X			
Bracken Brae Creek	X				X	X	X	X	X					X					X			
Hare Creek	X				X	X	X	X	X		X	X		X					X			
Jamison Creek	X				X	X	X	X	X		X	X							X			
Peavine Creek	X				X	X	X	X	X		X	X							X			
Silver Creek	X				X	X	X	X	X		X	X							X			
Foreman Creek	X				X	X	X	X	X		X	X							X			
Malosky Creek	X				X	X	X	X	X		X	X							X			
Clear Creek	X				X	X	X	X	X		X	X							X			
Alba Creek	X				X	X	X	X	X		X	X							X			
Marshall Creek	X				X	X	X	X	X		X	X							X			
Manson Creek	X				X	X	X	X	X		X	X							X			
Fall Creek	X	X		X	X	X	X	X	X		X	X							X			
South Fall Creek	X	X			X	X	X	X	X		X	X							X			
Bennett Creek	X	X		X	X	X	X	X	X		X	X							X			
Bull Creek	X				X	X	X	X	X		X	X							X			
Shingle Mill Creek	X				X	X	X	X	X		X	X							X			
Gold Gulch Creek	X				X	X	X	X	X		X	X							X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGRI	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Woods Lagoon						X	X	X			X	X			X				X			X
Arana Gulch	X				X	X	X	X	X		X	X				X			X			
Schwan Lake						X	X	X		X		X	X	X					X			X
Corcoran Lagoon					X	X	X	X		X		X			X				X			X
Rodeo Creek Gulch (Doyle Gulch)	X	X		X	X	X	X	X	X	X		X				X			X			
Moran Lake					X	X	X	X	X	X		X							X			
Soquel Lagoon						X	X	X	X		X	X			X				X			X
Soquel Creek	X	X		X	X	X	X	X	X		X	X	X			X			X			
Bates Creek	X					X	X	X	X		X	X	X						X			
Grover Gulch	X				X	X	X	X	X		X	X							X			
Soquel Creek, east branch	X			X	X	X	X	X	X		X	X							X			
Hinckley Creek	X	X		X	X	X	X	X	X		X	X	X						X			
Amaya Creek	X				X	X	X	X	X		X	X							X			
Soquel Creek, west branch	X				X	X	X	X	X		X	X							X			
Hester Creek	X				X	X	X	X	X		X	X							X			
Laural Creek	X				X	X	X	X	X		X	X							X			
Burns Creek	X				X	X	X	X	X		X	X							X			
Moore's Gulch	X				X	X	X	X	X		X	X							X			
Miners Creek	X				X	X	X	X	X		X	X							X			
Aptos Creek	X	X		X	X	X	X	X	X		X	X	X		X				X			
Valencia Creek	X				X	X	X	X	X		X	X							X			
Trout Gulch	X				X	X	X	X	X		X	X							X			
Bridge Creek	X	X				X	X	X	X		X	X	X						X			
Valencia Lagoon						X	X	X	X	X		X		X					X			
Pajaro River Hydrologic Unit (305.00)																						
Corralitos Lagoon						X	X	X	X										X			
Palm Beach Pond	X					X	X	X	X	X				X					X			
Pinto Lake	X	X		X	X	X	X	X	X	X		X							X			
Kelley Lake	X	X		X	X	X	X	X	X	X		X							X			
Drew Lake	X	X		X	X	X	X	X	X	X		X							X			
Tynan Lake	X	X		X	X	X	X	X	X	X		X							X			
Warner Lake	X	X		X	X	X	X	X	X	X		X							X			
Pajaro River Estuary						X	X	X	X	X	X	X	X	X	X				X			X
Pajaro River	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X			X			X

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
San Benito River	X	X		X	X	X	X	X		X		X				X			X			
Blrd Creek	X	X			X	X	X	X		X			X						X			
Pescadero Creek (S. Benito)	X	X			X	X	X	X	X	X	X	X							X			
Tres Pinos Creek	X	X		X	X	X	X	X		X		X					X		X			
Hernandez Reservoir	X	X			X	X	X	X		X		X							X			
Tequisquila Slough					X	X	X	X		X		X							X			
San Felipe Lake	X	X			X	X	X	X	X	X	X		X				X		X			
Pacheco Creek	X	X			X	X	X	X	X	X	X	X	X	X					X			
Pacheco Lake	X	X			X	X	X	X	X	X				X					X			
Llagas Creek (above Chesbro Res.)	X	X			X	X	X	X		X	X	X		X					X			
Chesbro Reservoir	X	X			X	X	X	X		X	X	X		X					X			
Llagas Creek (below Chesbro Res.)	X	X		X	X	X	X	X	X	X	X	X		X					X			
Alamias Creek	X	X			X	X	X	X	X	X	X	X							X			
Llve Oak Creek	X	X			X	X	X	X	X	X	X	X							X			
Little Llagas Creek	X	X			X	X	X	X	X	X	X	X							X			
Camadero Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Uvas Creek, downstream	X	X		X	X	X	X	X	X	X	X	X		X					X			
Uvas Res.	X	X			X	X	X	X	X	X	X	X		X					X			
Little Arthur Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Bodfish Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Black Hawk Canyon Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Uvas Creek, upstream	X	X			X	X	X	X	X	X	X	X		X					X			
Little Uvas Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Swanson Canyon Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Alec Canyon Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Croy Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Eastman Canyon Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Pescadero Creek	X	X			X	X	X	X	X	X	X	X	X	X					X			
Soda Lake														X					X			
Salspuedes Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Corralitos Creek	X	X		X	X	X	X	X	X	X	X	X		X					X			
Browns Creek	X	X		X	X	X	X	X	X	X	X	X		X					X			
Gamecock Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Ramsey Gulch	X	X			X	X	X	X	X	X	X	X		X					X			
Redwood Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Mormon Gulch	X	X			X	X	X	X	X	X	X	X		X					X			
Clipper Gulch	X	X			X	X	X	X	X	X	X	X		X					X			

Table 2-1. Identified Usés of Inland Surface Waters

Waterbody Names	MUN	AGRI	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Cookhouse Gulch	X				X	X	X	X											X			
Shingle Mill Gulch	X				X	X	X	X			X								X			
Rattlesnake Gulch	X				X	X	X	X				X							X			
Diablo Gulch Creek	X				X	X	X	X											X			
Eureka Gulch	X				X	X	X	X											X			
Rider Gulch Creek	X				X	X	X	X			X								X			
Watsonville Slough						X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Struve Slough						X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Hanson Slough						X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Harkins Slough						X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Gallighan Slough						X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Boisa Neuva Hydrologic Unit (307.00)																						
McClusky Slough					X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Elkhorn Slough						X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Los Carneros Creek	X					X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Bennett Slough/Estuary						X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Parsons Slough						X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Carmel River Hydrologic Unit (307.00)																						
Carmel River Estuary					X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Carmel River	X	X		X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
San Clemente Res.	X	X		X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
San Clemente Creek	X	X		X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Pine Creek	X			X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Los Padres Reservoir	X			X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Cachagua Creek	X	X		X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Finch Creek	X			X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Tularcitos Creek	X	X		X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Rana Creek	X			X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Chupines Creek	X			X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
Black Rock Creek	X			X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X
White Rock Lake	X			X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Sanja Lucia Hydrologic Unit (308.00)																						
San Jose Creek Estuary						X	X	X	X		X	X	X	X	X							X
San Jose Creek	X				X	X	X	X	X	X	X	X	X	X		X						
Garrapata Creek	X					X	X	X	X		X	X	X	X	X	X					X	
Palo Colorado Canyon	X				X	X	X	X	X	X	X	X	X	X	X	X						
Rocky Creek	X					X	X	X	X	X	X	X	X	X	X	X						
Bixby Creek	X					X	X	X	X	X	X	X	X	X	X	X						
Mill Creek	X					X	X	X	X		X	X	X	X	X							X
Little Sur River Estuary						X	X	X	X		X	X	X	X	X							
Little Sur River	X				X	X	X	X	X		X	X	X	X	X	X						X
Big Sur River Estuary						X	X	X	X	X	X	X	X	X	X							
Big Sur River	X				X	X	X	X	X	X	X	X	X	X	X							X
Big Creek	X					X	X	X	X	X	X	X	X	X	X							
Devils Canyon Creek, south fork	X					X	X	X	X		X	X	X	X	X							
Devils Canyon Creek, middle fork	X					X	X	X	X		X	X	X	X	X							
Devils Canyon Creek, north fork	X					X	X	X	X		X	X	X	X	X							
Big Creek, north fork	X					X	X	X	X		X	X	X	X	X							
Limekiln Creek	X				X	X	X	X	X		X	X	X	X	X	X						
Mill Creek (Cape San Martin)	X					X	X	X	X	X	X	X	X	X	X	X						
Willow Creek	X				X	X	X	X	X		X	X	X	X	X	X						
Salmon Creek	X					X	X	X	X		X	X	X	X	X	X						
Salinas Hydrologic Unit (309.00)																						
Moro Cojo Slough					X	X	X	X	X	X	X	X	X	X	X							X
Old Salinas River Estuary						X	X	X	X	X	X	X	X	X	X							X
Tembidero Slough						X	X	X	X	X	X	X	X	X	X							X
Espinoso Lake						X	X	X	X	X	X	X	X	X	X							X
Espinoso Slough						X	X	X	X	X	X	X	X	X	X							
Salinas Reclamation Canal						X	X	X	X	X	X	X	X	X	X							
Gabilan Creek	X				X	X	X	X	X	X	X	X	X	X	X							
Alisal Creek	X				X	X	X	X	X	X	X	X	X	X	X							
Blanco Drain						X	X	X	X	X	X	X	X	X	X							
Salinas River Refuge Lagoon (South)						X	X	X	X	X	X	X	X	X	X							X

Table 2-1. Identified Usés of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWRI	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Marina Pond #1						X	X	X	X			X	X	X						X		
Marina Pond #2						X	X	X	X				X	X						X		
Marina Pond #3						X	X	X	X				X	X						X		
Marina Pond #4/5						X	X	X	X				X	X						X		
Marina Pond #6						X	X	X	X				X	X						X		
Marina Pond #7						X	X	X	X				X	X						X		
Laguna Grande/Roberts Lake	X					X	X	X	X	X												
Del Monte Lake	X					X	X	X	X	X												
El Estero Lake	X					X	X	X	X	X												
Salinas River Lagoon (North)						X	X	X	X	X												
Salinas River, dnstr of Spreckels Gage	X	X				X	X	X	X	X												X
Salinas River, Spreckels Gage-Chualar	X	X	X			X	X	X	X	X						X						
Salinas Riv, Chualar-Nacimiento Riv	X	X	X			X	X	X	X	X												
Arroyo Seco River	X	X				X	X	X	X	X												
Abbott Lakes (The Lakes)	X					X	X	X	X	X								X				
Piney Creek	X					X	X	X	X	X												
Paloma Creek	X	X				X	X	X	X	X												
Tassajara Creek	X	X				X	X	X	X	X												
Santa Lucia Creek	X	X				X	X	X	X	X												
Vaqueros Creek	X	X				X	X	X	X	X												
Reilz Creek	X	X				X	X	X	X	X												
Hames Creek	X	X				X	X	X	X	X												
San Antonio Riv., dwnstr frm Res.	X	X	X			X	X	X	X	X												
San Antonio Reservoir	X	X				X	X	X	X	X												
San Antonio Riv, upstm Frm Res.	X	X	X			X	X	X	X	X							X					
Pancho Rico Creek	X	X				X	X	X	X	X												
San Lorenzo Creek	X	X				X	X	X	X	X												
Chalone Creek	X	X				X	X	X	X	X												
Salinas R.,Nacimiento R.-S. Margarita Res.	X	X	X			X	X	X	X	X												
Nacimiento River, upstream of Res.	X	X				X	X	X	X	X												
Salmon Creek	X					X	X	X	X	X												
Nacimiento Reservoir	X	X				X	X	X	X	X												
Nacimiento River, dwnstr Res.	X	X				X	X	X	X	X							X					
Las Tablas Creek	X	X				X	X	X	X	X												
Las Tablas Creek, north fork	X	X				X	X	X	X	X												
Las Tablas Creek, south fork	X	X				X	X	X	X	X												
Franklin Creek	X	X				X	X	X	X	X												

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGRI	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
San Marcos Creek	X	X			X	X	X	X		X									X			
Paso Robles Creek	X	X			X	X	X	X	X		X	X		X					X			
Jack Creek	X	X			X	X	X	X	X		X	X		X					X			
Santa Rita Creek	X	X		X	X	X	X	X	X	X		X		X					X			
Atascadero Creek	X	X			X	X	X	X	X										X			
Santa Margarita Reservoir (Lake)	X	X		X	X	X	X	X	X	X		X		X		X	X		X			
Salinas R., Reservoir-Headwaters	X	X			X	X	X	X	X		X					X			X			
Huerfano Creek	X	X			X	X	X	X		X				X					X			
Vineyard Canyon Creek	X	X			X	X	X	X		X									X			
Big Sandy Creek	X	X			X	X	X	X		X			X						X			
Atascadero Lake	X				X	X	X	X	X	X		X					X		X			
Estero Bay Hydrologic Unit (310.00)																						
San Carpoforo Creek Estuary						X	X	X	X			X	X	X	X				X			X
San Carpoforo Creek	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X			X			X
Estrada Creek	X	X			X	X	X	X	X	X									X			
Chris Flood Creek	X	X			X	X	X	X	X	X									X			
Wagner Creek	X	X			X	X	X	X	X	X									X			
Dutra Creek	X	X			X	X	X	X	X	X									X			
Arroyo de los Chinos	X	X			X	X	X	X	X	X									X			X
Arroyo de la Cruz Estuary						X	X	X	X		X	X	X	X	X	X			X			
Arroyo de la Cruz Creek	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X			X			
Burnett Creek	X	X			X	X	X	X	X	X									X			
Arroyo del Oso	X	X			X	X	X	X	X	X									X			
Arroyo del Corral	X	X			X	X	X	X	X	X									X			
Oak Knoll Creek	X	X			X	X	X	X	X	X									X			
Arroyo Laguna						X	X	X	X	X									X			X
Little Pico Creek Estuary	X	X			X	X	X	X	X	X	X	X	X	X	X	X			X			X
Little Pico Creek					X	X	X	X	X	X									X			
Pico Creek Estuary					X	X	X	X	X	X	X	X	X	X	X	X			X			
Pico Creek	X	X			X	X	X	X	X	X									X			
Pico Creek, south fork	X	X			X	X	X	X	X	X									X			
Pico Creek, north fork	X	X			X	X	X	X	X	X									X			
San Simeon Creek Estuary					X	X	X	X	X	X									X			X
San Simeon Creek	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X			X			X

Table 2-1. Identified Usés of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Steiner Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Santa Rosa Creek Estuary					X	X	X	X	X	X	X	X	X	X	X					X		X
Santa Rosa Creek	X	X		X	X	X	X	X	X	X	X	X		X		X				X		
Perry Creek	X	X			X	X	X	X	X					X						X		
Green Valley Creek	X	X			X	X	X	X	X	X				X						X		
Villa Creek	X	X			X	X	X	X	X		X	X		X		X				X		
Cayucos Creek	X	X			X	X	X	X	X	X	X	X	X	X	X	X				X		
Old Creek, downstream	X	X			X	X	X	X	X	X				X		X				X		
Whale Rock Reservoir	X	X	X	X	X	X	X	X	X	X		X		X		X	X			X		
Old Creek, upstream	X	X	X	X	X	X	X	X	X	X		X		X		X	X			X		
Toro Creek	X	X			X	X	X	X	X	X	X	X		X		X				X		
Morro Creek	X	X			X	X	X	X	X	X	X	X		X		X				X		
Little Morro Creek	X	X			X	X	X	X	X	X	X	X		X		X				X		
Morro Bay Estuary				X		X	X	X	X	X	X	X	X	X	X					X		X
Chorro Creek	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
Dairy Creek	X	X			X	X	X	X	X	X	X	X		X		X				X		
San Luisito Creek	X	X			X	X	X	X	X	X	X	X		X		X				X		
San Bernardo Creek	X	X			X	X	X	X	X	X	X	X		X		X				X		
Los Osos Creek	X	X			X	X	X	X	X	X	X	X		X		X				X		
Warden Lake Wetland					X	X	X	X	X	X	X	X		X		X				X		
Islay Creek	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
Coon Creek	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
Diablo Canyon Creek	X	X		X	X	X	X	X	X	X	X	X	X	X	X					X		
San Luis Obispo Creek Estuary (a)					X	X	X	X	X	X	X	X	X	X	X					X		
S.L.O.Crk. above W. Marsh St.	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
S.L.O.Crk. below W. Marsh St.	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
Froom Creek	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
Davenport Creek	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
San Luis Obispo Creek, east fork	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
Stenner Creek	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
Brizzolari Creek	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
Prefumo Creek	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
Laguna Lake	X	X			X	X	X	X	X	X	X	X	X	X	X					X		
Pismo Creek Estuary					X	X	X	X	X	X	X	X	X	X	X					X		X
Pismo Creek	X	X		X	X	X	X	X	X	X	X	X	X	X	X					X		
Arroyo Grande Creek Estuary				X	X	X	X	X	X	X	X	X	X	X	X					X		X
Arroyo Grande Creek, downstream	X	X		X	X	X	X	X	X	X	X	X	X	X	X					X		X

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Oceano Lagoon						X	X	X		X		X	X	X					X			
Meadow Creek	X	X			X	X	X	X	X				X	X					X			
Pismo Marsh (Lake)					X	X	X	X		X			X	X					X			
Los Berros Creek	X	X			X	X	X	X	X		X	X		X			X		X			
Lopez Reservoir	X	X	X		X	X	X	X	X					X					X			
Arroyo Grande Creek, upstream	X	X	X		X	X	X	X	X					X					X			
Big Pocket Lake (Dunes Lakes)					X	X	X	X		X				X					X			
Willow Lake					X	X	X	X		X				X					X			
Pipeline Lake					X	X	X	X		X				X					X			
Celery Lake					X	X	X	X		X				X					X			
Hospital Lake					X	X	X	X		X				X					X			
Big Twin Lake					X	X	X	X		X				X					X			
Small Twin Lake					X	X	X	X		X				X					X			
Bolsa Chico Lake					X	X	X	X		X				X					X			
White Lake					X	X	X	X		X				X					X			
Mud Lake					X	X	X	X		X				X					X			
Black Lake					X	X	X	X		X				X					X			
Dune Lakes Marsh Area					X	X	X	X		X				X					X			
Carrizo Plain Hydrologic Unit (3:1:00)																						
San Diego Creek	X	X			X	X	X	X		X				X					X			
Soda Lake				X		X	X	X		X				X					X			
Santa Maria Hydrologic Unit (3:2:00)																						
Oso Flaco Lake					X	X	X	X		X				X			X		X			
Oso Flaco Creek	X	X			X	X	X	X		X				X					X			
Santa Maria River Estuary					X	X	X	X		X				X					X			X
Santa Maria River	X	X		X	X	X	X	X		X				X					X			
Corralitos Canyon Creek	X	X			X	X	X	X		X				X					X			
Sisquoc River, downstream	X	X		X	X	X	X	X		X				X					X			
Sisquoc River, upstream	X	X		X	X	X	X	X		X				X					X			
Cuyama River, downstream	X	X		X	X	X	X	X		X				X					X			
Twitchell Reservoir	X	X		X	X	X	X	X		X				X					X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Cuyama River, upstream	X	X	X	X	X	X	X	X	X	X	X	X		X		X			X			
Alamo Creek	X	X			X	X	X	X	X	X	X	X		X					X			
Huasna River	X	X			X	X	X	X		X				X					X			
Oroutt Creek	X	X			X	X	X	X	X					X		X			X			
San Antonio Hydrologic Unit (313.00)																						
Shuman Canyon Creek	X	X				X	X	X		X		X			X	X			X			
Casmalia Canyon Creek	X	X				X	X	X		X		X			X	X			X			
San Antonio Creek Estuary					X	X	X	X	X	X	X	X	X	X	X				X			X
San Antonio Creek	X	X			X	X	X	X	X	X	X	X		X		X			X			X
Barka Slough					X	X	X	X		X		X		X					X			X
Santa Ynez Hydrologic Unit (314.00)																						
Santa Ynez River Estuary						X	X	X		X		X	X	X	X				X			X
Santa Ynez River, downstream	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X			X
Graves Wetland						X	X	X		X		X							X			
Lompos Canyon	X	X			X	X	X	X	X	X									X			
La Salla Canyon Creek	X	X			X	X	X	X	X	X									X			
Sloans Canyon Creek	X				X	X	X	X	X	X									X			
San Miguelito Creek	X	X			X	X	X	X	X	X		X							X			
Salsipuedes Creek	X	X			X	X	X	X	X	X	X	X							X			
El Jaro Creek	X	X			X	X	X	X	X	X	X	X							X			
El Callejon Creek	X				X	X	X	X	X	X									X			
Llanito Creek	X				X	X	X	X	X	X									X			
Yridisis Creek	X	X			X	X	X	X	X	X		X							X			
Canada de la Vina	X	X			X	X	X	X	X	X									X			
Nojoqui Creek	X	X			X	X	X	X	X	X		X							X			
Alamo Pintado Creek	X	X			X	X	X	X	X	X		X							X			
Zaca Creek	X	X			X	X	X	X	X	X				X					X			
Zaca Lake	X					X	X	X	X	X		X		X					X			
Santa Rosa Creek	X	X			X	X	X	X	X	X		X		X					X			
Santa Rita Creek	X	X			X	X	X	X	X	X		X		X					X			
Davis Creek	X				X	X	X	X	X	X									X			

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Santa Lucia Canyon Creek	X	X				X	X	X		X									X			
Oak Canyon Creek	X	X		X		X	X	X		X			X						X			
Hilton Creek	X	X				X	X	X	X		X	X							X			
Cachuma Reservoir	X	X	X			X	X	X	X	X		X		X		X	X		X			
Santa Ynez River, upstream	X	X	X	X		X	X	X	X	X		X		X		X	X		X			
Gibralter Reservoir	X	X	X	X		X	X	X	X	X		X		X		X	X		X			
Jameson Reservoir	X	X	X			X	X	X	X	X		X		X		X	X		X			
Agua Caliente Canyon	X	X		X		X	X	X	X	X		X		X		X	X		X			
Mono Creek	X	X		X		X	X	X	X	X		X		X		X	X		X			
Indian Creek	X	X		X		X	X	X	X	X		X		X		X	X		X			
Santa Cruz Creek	X	X		X		X	X	X	X	X		X		X		X	X		X			
Cachuma Creek	X					X	X	X	X	X		X		X		X	X		X			
South Coast Hydrologic Unit (315:00)																						
Canada Honda Creek Estuary						X	X	X	X	X		X	X	X	X				X			X
Canada Honda Creek	X	X		X		X	X	X	X	X		X	X	X	X	X			X			X
Canada Agua Viva	X	X		X		X	X	X	X	X		X	X	X	X	X			X			X
Water Canyon Creek	X	X		X		X	X	X	X	X		X	X	X	X	X			X			X
Canada del Jolloru	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Jalama Creek Estuary						X	X	X	X	X		X	X	X	X	X			X			X
Jalama Creek	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Escondido Creek	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Gasper Creek	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Espada Creek	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Wood Canyon Creek	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Canada del Cojo	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Barranca Honda	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Arroyo Bulito	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Canada de Santa Anita	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Canada del Sacate	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Canada Alegria	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Canada del Agua Caliente	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Canada de la Gaviota	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Canada San Onofre	X	X				X	X	X	X	X		X	X	X	X	X			X			X
Canada del Molino	X	X				X	X	X	X	X		X	X	X	X	X			X			X

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGRI	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Arroyo Hondo	X					X	X	X	X	X	X	X		X	X	X						
Arroyo Quenado	X	X				X	X	X	X		X	X		X	X	X						
Tajigas Creek	X	X			X	X	X	X	X	X	X	X		X	X	X						
Canada del Refugio	X	X			X	X	X	X	X	X	X	X		X	X	X						
Canada del Capitan	X	X			X	X	X	X	X	X	X	X		X	X	X						
Dos Puébllos Canyon Creek	X	X	X		X	X	X	X	X	X	X	X		X	X	X						
Tecolote Creek	X	X	X		X	X	X	X	X	X	X	X		X	X	X						
Devereaux Ranch Lagoon						X	X	X	X	X	X	X		X	X	X						X
Devereaux Creek	X				X	X	X	X	X	X	X	X		X	X	X						
Goleta Point Marsh						X	X	X	X	X	X	X		X	X	X						
Goleta Slough/Estuary						X	X	X	X	X	X	X		X	X	X						X
Cameros Creek	X	X			X	X	X	X	X	X	X	X		X	X	X						
Tecolotito Creek	X				X	X	X	X	X	X	X	X		X	X	X						
Glen Anne Creek	X	X	X		X	X	X	X	X	X	X	X		X	X	X						
Los Caneros Wetland						X	X	X	X	X	X	X		X	X	X						
Los Caneros	X	X			X	X	X	X	X	X	X	X		X	X	X						
Atascadero Creek (SB)	X	X			X	X	X	X	X	X	X	X		X	X	X						
María Ygnacio Creek	X	X			X	X	X	X	X	X	X	X		X	X	X						
San Antonio Creek (S Barbara County)	X	X			X	X	X	X	X	X	X	X		X	X	X						
San Jose Creek (S Barbara County)	X	X			X	X	X	X	X	X	X	X		X	X	X						
Las Vegas Creek	X				X	X	X	X	X	X	X	X		X	X	X						
San Pedro Creek	X	X			X	X	X	X	X	X	X	X		X	X	X						
Las Palmas Creek	X				X	X	X	X	X	X	X	X		X	X	X						
Arroyo Burro Estuary						X	X	X	X	X	X	X		X	X	X						
Arroyo Burro Creek	X				X	X	X	X	X	X	X	X		X	X	X						
Mission Creek	X				X	X	X	X	X	X	X	X		X	X	X						
Rattlesnake Canyon						X	X	X	X	X	X	X		X	X	X						
Waste Slough						X	X	X	X	X	X	X		X	X	X						
Sycamore Creek	X	X			X	X	X	X	X	X	X	X		X	X	X						
Andree Clark Bird Refuge						X	X	X	X	X	X	X		X	X	X						X
San Ysidro Creek	X				X	X	X	X	X	X	X	X		X	X	X						
Romero Creek	X				X	X	X	X	X	X	X	X		X	X	X						
Toro Canyon Creek	X				X	X	X	X	X	X	X	X		X	X	X						
Arroyo Paredon	X	X			X	X	X	X	X	X	X	X		X	X	X						
Carpinteria Marsh (El Estero Marsh)						X	X	X	X	X	X	X		X	X	X						
Santa Monica Creek	X	X			X	X	X	X	X	X	X	X		X	X	X						
Franklin Creek	X	X			X	X	X	X	X	X	X	X		X	X	X						

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Carpinteria Creek	X	X			X	X	X	X	X	X	X	X	X	X	X	X				X		
Gobernador Creek	X				X	X	X	X	X	X		X								X		
Steer Creek	X					X	X	X	X	X	X	X								X		
Rincon Creek	X	X			X	X	X	X	X	X	X	X		X	X	X				X		
Santa Barbara Channel Hydrologic Unit (316:00)																						
SANTA ROSA ISLAND																						
Canada Lobos Creek	X	X				X	X	X	X	X			X	X						X		
Old Ranch Canyon Creek	X	X				X	X	X	X	X			X	X		X				X		
Arlington Canyon Creek	X	X				X	X	X	X	X			X	X						X		
Water Canyon Creek	X	X				X	X	X	X	X			X	X						X		
Low Canyon Creek	X	X				X	X	X	X	X			X	X						X		
Grapp Springs	X	X				X	X	X	X	X			X	X						X		
Old Ranch Canyon Creek Estuaries	X	X				X	X	X	X	X			X	X	X					X		
Old Ranch House Canyon Creek	X	X				X	X	X	X	X			X	X						X		
Cherry Canyon Creek	X	X				X	X	X	X	X			X	X						X		
SANTA CRUZ ISLAND																						
Willow Canyon Creek	X					X	X	X	X	X			X	X						X		
Coches Prieto Canyon Creek	X					X	X	X	X	X			X	X						X		
Almos Anchorage Canyon Creek	X					X	X	X	X	X			X	X						X		
Canada del Puerta (Prisoner Harbor)	X					X	X	X	X	X			X	X						X		
Canada Larga Creek	X					X	X	X	X	X			X	X						X		
Upper Pozo Canyon Creek	X					X	X	X	X	X			X	X						X		
Sauces Canyon Creek	X					X	X	X	X	X			X	X						X		
Twin Harbors Canyon Ck, (E. Fork)	X					X	X	X	X	X			X	X						X		
Lady's Harbor Canyon Creek	X					X	X	X	X	X			X	X						X		

Table 2-1. Identified Uses of Inland Surface Waters

Waterbody Names	MUN	AGRI	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL	
Estrella River Hydrologic Unit (31700)																							
Estrella River	X	X			X	X	X	X		X		X											
San-Juan Creek	X	X			X	X	X	X		X				X									X
Chalome Creek	X	X			X	X	X	X		X				X									X
Little Chalome Creek	X	X			X	X	X	X		X				X									X

DRAFT MINUTES UNTIL REVIEWED AND APPROVED BY THE BOARD AT ITS OCTOBER 14, 1994 MEETING

4. Basin Plan Amendment-Table 2-1 Update Resolution No. 94-06
3:50-5:15

Roger Briggs noted that in accordance with the Office of Administrative Law, this item is concerning the amendment of the Basin Plan, which requires a verbatim transcript. He introduced Court Reporter Cameron Kircher and announced that a transcript will be available for review at the Central Coast Regional Board Office, or a copy can be obtained from San Luis Reporting, 102 Palm Street, Suite 101, San Luis Obispo, CA 93401 (1-800-500-5942).

Chairman Allen noted that Vice-Chair Melanie Mayer Gideon submitted a letter since she could not attend Thursday's portion of the meeting and he read it into the record at her request.

Environmental Specialist IV Jesse Nighswonger used bullet point overheads while discussing what was considered in developing Central Coast Region Resolution 94-06 for the Board's consideration. He explained it deals with designating beneficial uses to Inland Surface Waters of the Central Coast Region. It continues the efforts of a Cal Poly study, that investigated beneficial uses of about 450 waters, which was considered by the Board in February 1994 as

part of Resolution 94-01. The Board discussed each point of Vice Chair Mayer Gideon's letter as well as the contents of the agenda staff report.

Brian Trautwein, President of the Santa Barbara Urban Creeks Council, addressed the Board, referring to his comments in the agenda staff report. He distributed portions of documents he believed supported his comments which include: Summer of 1994 Santa Barbara Urban Creeks Council Newsletter; a letter dated March 3, 1994 from him to Tom Keegan of Entrix; Page 2 of a letter dated May 31, 1994 to the Santa Ynez Technical Advisory Committee; and Page 2 of an undated, unsalutated letter.

After further discussion, the Board's changes are referenced on Page 2 of Melanie Mayer Gideon's letter dated September 7, 1994; and, after discussion of her comment on Page 1, the Board modified the definition of EST (Page 3 of the Staff Report, Agenda Page 35), by changing the second sentence to read: "... An ~~estuary~~ estuarine habitat is ~~generally~~ defined as a semi-enclosed body of water having a free connection with the open sea, at least part of the year and within which the seawater is measurably diluted at least seasonally within which the seawater is measurably diluted at least seasonally with fresh water drained from the land...."

MOTION: Bill Newman made a motion to adopt Resolution 94-06 with the changes discussed at the meeting referenced in Melanie Mayer Gideon's September 7, 1994 letter. SECONDED by, Russ Jeffries; CARRIED - Unanimously (6 -0).

2. Approval of Minutes of the July 8, 1994 Meeting Board Motion
5:15-5:30

MOTION: Russ Jeffries made a motion to adopt the minutes of the July 8, 1994 meeting as submitted. SECONDED by, Bill Newman; CARRIED - Unanimously (6 - 0)

Adjournment Next Meeting Announcement

Chairman Allen adjourned the meeting at 5:30 p.m. to be continued on Friday, September 9, 1994, at the same location, beginning at 8:30 a.m.

SEPTEMBER 9, 1994

Chairman Charles Allen called the meeting to order at 8:30 a.m. and asked Executive Assistant Paulette Lacy to take the Board Member roll, as follows:

State of California
California Regional Water Quality Control Board
Central Coast Region

✓ Basin Plan
x Sources of Drinking Water

April 14, 1989

ITEM: 8

SUBJECT: Resolution 89-03. Incorporation of State Water Resources Control Board "Sources of Drinking Water" Policy into the Water Quality Control Plan, (Basin Plan)

DISCUSSION: The purposes of this hearing are to incorporate the State Water Resources Control Board (State Board) adopted "Sources of Drinking Water" policy into the Basin Plan. The Board may also wish to consider adoption of specific exceptions to this State policy. California Water Code Section 13240 requires Water Quality Control Plans to conform to any State Policy for Water Quality Control.

This policy was adopted by the State Board to designate those water bodies subject to Proposition 65 requirements. Specifically, the policy applies to water bodies not listed in Table 2-1. The effect of the Policy in Region 3 is to designate all surface waters (not listed in Table 2-1) in Region 3 as sources of drinking water, (MUN) with some specific exceptions. While the policy also addresses ground waters, all ground waters in the Central Coast Region currently have a MUN designation (except Soda Lake). Therefore this policy has no added impact upon ground waters in this Region.

Discharge of a significant quantity of a Proposition 65 chemical to sources of drinking water is prohibited. Furthermore, discharge of such chemicals into water or onto land likely to be in hydraulic continuity with a source of drinking water is also prohibited. (Waters in hydraulic continuity with MUN waters will always be protected as if the MUN use was present).

There are three ways by which the MUN designation can be removed from a particular water body. These are:

1. The water body qualifies for at least one of the six exceptions listed in the State Policy, or
2. The Regional Board had previously considered the water body for MUN designation, but rejected MUN for reasons that can be demonstrated in the record (i.e., the water body did not then support MUN nor was it considered likely to support MUN in the future), or

3. Evidence is presented to the Regional Board demonstrating that a particular water body is not suitable for present or potential MUN uses. Note: water body that serves existing MUN uses or is currently suitable for MUN uses cannot have a MUN designation removed.

**ENVIRONMENTAL
SUMMARY:**

An environmental assessment package has been prepared and is available to interested agencies and persons. The basin planning process has been determined to be functionally equivalent to the CEQA process in accordance with Section 21000 et seq. of the Public Resources Code and appropriate notices and waiting periods have been complied with. This process will satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217).

- COMMENTS:**
1. Chevron Corporation petitions the Regional Board to amend the Basin Plan to conform with the State Board Sources of Drinking Water Policy.

Staff concurs.

- ATTACHMENTS:**
1. Resolution 89-03
 2. SWRCB Resolution 88-63 (Sources of Drinking Water Policy)
 3. CEQA Compliance Documents
 4. Chevron Corporation Letter (Sept. 6, 1988)

RECOMMENDATION: Adopt Resolution 89-03 after considering additional comments received during the public hearing.

AJC:mm

res89-03.itm/4

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A Laurel Lane
San Luis Obispo, CA 93401

REGIONAL BOARD RESOLUTION NO. 89-03, DRAFT

INCORPORATION OF "SOURCES OF DRINKING WATER" POLICY
INTO THE WATER QUALITY CONTROL PLAN (BASIN PLAN)

WHEREAS:

1. California Water Code Section 13140 provides that the State Water Resources Control Board (State Board) shall formulate and adopt State policy for water quality control; and,
2. California Water Code Section 13240 provides that Basin Plans shall conform to any State policy for water quality control; and,
3. The State Board adopted Resolution No. 88-63 entitled "Sources of Drinking Water" on May 19, 1988 as a State policy for water quality control; and,
4. Previous to passage of State Board Resolution 88-63, two public workshops on January 6, 1988 and April 6, 1988 and a public hearing on May 4, 1988 were conducted in order to receive comments on the Policy; and,
5. Incorporation of State Board Resolution No. 88-63 into Basin Plans will conform these Basin Plans to this Policy; and,
6. The basin planning process has been determined to be functionally equivalent to the CEQA process in accordance with Section 21000 et seq. of the Public Resources Code and appropriate notices and waiting periods have been complied with; and,
7. A public hearing was duly noticed by advertising in newspapers of general circulation within the Region; and,
8. On April 14, 1989, in the Solvang City Hall Council Chambers, 1644 Oak Street, Solvang, California, the Regional Board reviewed staff documents pertaining to the amendment, environmental documents, written comments, and staff responses, as well as received additional evidence and testimony concerning the proposed amendments to the Basin Plan.

THEREFORE BE IT RESOLVED THAT:

1. The Basin Plan chapter entitled Beneficial Uses be amended to include the following statement:

"Water bodies in the Region 3 without beneficial uses designated in Table 2-1 are assigned MUN designations in accordance with the provisions of State Water Resources Control Board Resolution No. 88-63 which is, by reference, a part of this plan. These MUN designations in no way affect the presence or absence of other beneficial use designations for these waters bodies."

2. A copy of this resolution with other appropriate materials be submitted to the State Board for approval.

Certification

I, _____, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on _____.

AJC:mm

sodw.res/4

ADOPTION OF POLICY ENTITLED
"SOURCES OF DRINKING WATER"

WHEREAS:

1. California Water Code Section 13140 provides that the State Board shall formulate and adopt State Policy for Water Quality Control; and,
2. California Water Code Section 13240 provides that Water Quality Control Plans "shall conform" to any State Policy for Water Quality Control; and,
3. The Regional Boards can conform the Water Quality Control Plans to this policy by amending the plans to incorporate the policy; and,
4. The State Board must approve any conforming amendments pursuant to Water Code Section 13245; and,
5. "Sources of drinking water" shall be defined in Water Quality Control Plans as those water bodies with beneficial uses designated as suitable, or potentially suitable, for municipal or domestic water supply (MUN); and,
6. The Water Quality Control Plans do not provide sufficient detail in the description of water bodies designated MUN to judge clearly what is, or is not, a source of drinking water for various purposes.

THEREFORE BE IT RESOLVED:

All surface and ground waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Boards¹ with the exception of:

1. Surface and ground waters where:
 - a. The total dissolved solids (TDS) exceed 3,000 mg/L (5,000 uS/cm, electrical conductivity) and it is not reasonably expected by Regional Boards to supply a public water system, or

- b. There is contamination, either by natural processes or by human activity (unrelated to a specific pollution incident), that cannot reasonably be treated for domestic use using either Best Management Practices or best economically achievable treatment practices, or
- c. The water source does not provide sufficient water to supply a single well capable of producing an average, sustained yield of 200 gallons per day.

2. Surface waters where:

- a. The water is in systems designed or modified to collect or treat municipal or industrial wastewaters, process waters, mining wastewaters, or storm water runoff, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards; or,
- b. The water is in systems designed or modified for the primary purpose of conveying or holding agricultural drainage waters, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards.

3. Ground water where:

The aquifer is regulated as a geothermal energy producing source or has been exempted administratively pursuant to 40 Code of Federal Regulations, Section 146.4 for the purpose of underground injection of fluids associated with the production of hydrocarbon or geothermal energy, provided that these fluids do not constitute a hazardous waste under 40 CFR, Section 261.3.

4. Regional Board Authority to Amend Use Designations:

Any body of water which has a current specific designation previously assigned to it by a Regional Board in Water Quality Control Plans may retain that designation at the Regional Board's discretion. Where a body of water is not currently designated as MUN but, in the opinion of a Regional Board, is presently or potentially suitable for MUN, the Regional Board shall include MUN in the beneficial use designation.

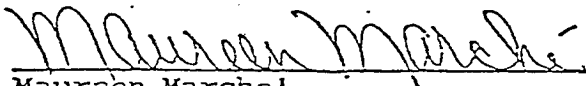
The Regional Boards shall also assure that the beneficial uses of municipal and domestic supply are designated for protection wherever those uses are presently being attained, and assure that any changes in beneficial use designations for waters of the State are consistent with all applicable regulations adopted by the Environmental Protection Agency.

The Regional Boards shall review and revise the Water Quality Control Plans to incorporate this policy.

-
- 1 This policy does not affect any determination of what is a potential source of drinking water for the limited purposes of maintaining a surface impoundment after June 30, 1988, pursuant to Section 25208.4 of the Health and Safety Code.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a policy duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 19, 1988.



Maureen Marche

Administrative Assistant to the Board

ENVIRONMENTAL CHECKLIST FORM

I. Background

1. Name of Proponent California Regional Water
Quality Control Board, Central Coast Region
2. Address and Phone Number of Proponent _____
1102 "A" Laurel Lane
San Luis Obispo, CA 93401
(805) 549-3147
3. Date of Checklist Submitted April 14, 1989
4. Agency Requiring Checklist Resources Agency
5. Name of Proposal, if applicable: Sources of
Drinking Water Policy

II. Environmental Impacts

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

- | | <u>YES</u> | <u>MAYBE</u> | <u>NO</u> |
|--|------------|--------------|-----------|
| 1. Earth. Will the proposal result in: | | | |
| a. Unstable earth conditions or in changes in geologic substructures? | ___ | ___ | <u>X</u> |
| b. Disruptions, displacements, compaction, or overcovering of the soil? | ___ | ___ | <u>X</u> |
| c. Change in topography or ground surface relief features? | ___ | ___ | <u>X</u> |
| d. The destruction, covering, or modification of any unique geologic or physical features? | ___ | ___ | <u>X</u> |

- | | | | | |
|----|--|-------|----------|----------|
| e. | Any increase in wind or water erosion of soils, either on or off the site? | _____ | _____ | <u>X</u> |
| f. | Changes in deposition or erosion of beach sands, or changes in siltation, deposition, or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake? | _____ | _____ | <u>X</u> |
| g. | Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | _____ | _____ | <u>X</u> |
| 2. | Air. Will the proposal result in: | | | |
| a. | Substantial air emissions or deterioration of ambient air quality? | _____ | _____ | <u>X</u> |
| b. | The creation of objectionable odors? | _____ | _____ | <u>X</u> |
| c. | Alteration of air movement, moisture, or temperature, or any change in climate, either local or regionally? | _____ | _____ | <u>X</u> |
| 3. | Water. Will the proposal result in: | | | |
| a. | Changes in currents, or the course of direction of water movements, in either marine or fresh waters? | _____ | _____ | <u>X</u> |
| b. | Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? | _____ | <u>X</u> | _____ |
| c. | Alterations to the course or flow of flood waters? | _____ | _____ | <u>X</u> |
| d. | Change in the amount of surface water in any water body? | _____ | <u>X</u> | _____ |
| e. | Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity? | _____ | <u>X</u> | _____ |

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
f. Alteration of the direction or rate of flow of ground waters?	_____	<u> X </u>	_____
g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	_____	<u> X </u>	_____
h. Substantial reduction in the amount of water otherwise available for public water supplies?	_____	_____	<u> X </u>
i. Exposure of people or property to water related hazards such as flooding or tidal waves?	_____	_____	<u> X </u>
4. Plant Life. Will the proposal result in:			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	_____	_____	<u> X </u>
b. Reduction of the numbers of any unique, rare, or endangered species of plants?	_____	_____	<u> X </u>
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	_____	_____	<u> X </u>
d. Reduction in acreage of any agricultural crop?	_____	<u> X </u>	_____
5. Animal Life. Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?	_____	_____	<u> X </u>
b. Reduction of the numbers of any unique, rare, or endangered species of animals?	_____	_____	<u> X </u>

- | | | | | |
|-----|--|-------|----------|----------|
| c. | Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | _____ | _____ | <u>X</u> |
| d. | Deterioration to existing fish or wildlife habitat? | _____ | _____ | <u>X</u> |
| 6. | Noise. Will the proposal result in: | | | |
| a. | Increases in existing noise levels? | _____ | _____ | <u>X</u> |
| b. | Exposure of people to severe noise levels? | _____ | _____ | <u>X</u> |
| 7. | Light and Glare. Will the proposal produce new light or glare? | _____ | _____ | <u>X</u> |
| 8. | Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area? | _____ | <u>X</u> | _____ |
| 9. | Natural Resources. Will the proposal result in: | | | |
| a. | Increase in the rate of use of any natural resources? | _____ | _____ | <u>X</u> |
| b. | Substantial depletion of any nonrenewable natural resource? | _____ | _____ | <u>X</u> |
| 10. | Risk of Upset. Will the proposal involve: | | | |
| a. | A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions? | _____ | _____ | <u>X</u> |
| b. | Possible interference with an emergency response plan or an emergency evacuation plan? | _____ | _____ | <u>X</u> |
| 11. | Population. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area? | _____ | <u>X</u> | _____ |

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
12. Housing. Will the proposal affect existing housing or create a demand for additional housing?	_____	<u> X </u>	_____
13. Transportation/Circulation. Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	_____	_____	<u> X </u>
b. Effects on existing parking facilities or demand for new parking?	_____	_____	<u> X </u>
c. Substantial impact upon existing transportation systems?	_____	_____	<u> X </u>
d. Alterations to present patterns of circulation or movement of people and/or goods?	_____	_____	<u> X </u>
e. Alterations to waterborne, rail, or air traffic?	_____	_____	<u> X </u>
f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	_____	_____	<u> X </u>
14. Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
a. Fire protection?	_____	_____	<u> X </u>
b. Police protection?	_____	_____	<u> X </u>
c. Schools?	_____	_____	<u> X </u>
d. Parks or other recreational facilities?	_____	_____	<u> X </u>
e. Maintenance of public facilities, including roads?	_____	_____	<u> X </u>
f. Other governmental services?	_____	_____	<u> X </u>
15. Energy. Will the proposal result in:			
a. Use of substantial amounts of fuel of energy?	_____	_____	<u> X </u>

- b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? _____ X
16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:
- a. Power of natural gas? _____ X
- b. Communications systems? _____ X
- c. Water? _____ X
- d. Sewer or septic tanks? _____ X
- e. Storm water drainage? _____ X
- f. Solid waste and disposal? _____ X
17. Human Health. Will the proposal result in:
- a. Creation of any health hazard or potential health hazard (excluding mental health)? _____ X
- b. Exposure of people to potential health hazards? _____ X
18. Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view? _____ X
19. Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities? _____ X
20. Cultural Resources.
- a. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological site? _____ X

YES MAYBE NO

- b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? _____ _____ X
- c. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? _____ _____ X
- d. Will the proposal restrict existing religious or sacred uses within the potential impact area? _____ _____ X
21. Mandatory Findings of Significance.
- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? _____ _____ X
- b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.) _____ _____ X
- c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.) _____ _____ X

- d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? _____ _____ X

III. Discussion of Environmental Evaluation

See attached report.

IV. Determination

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment. _____

I find that the proposed project MAY have a significant adverse impact on the environment, however, there are feasible alternatives and/or mitigation measures available which will substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report. X

I find the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. See the attached written report for a discussion of this determination. _____

Date 3/22/89

Signature William P. Leonard
Title Executive Officer

SDWENVCL.FRM/5

REPORT ON THE POTENTIAL ENVIRONMENTAL IMPACTS
OF THE SOURCES OF DRINKING WATER POLICY

The Sources of Drinking Water Policy, as stated in State Water Resources Control Board Resolution No. 88-63, was adopted on May 19, 1988. Pursuant to Water Code Section 13140, Resolution No. 88-63 establishes State policy. Water Code Section 13240 requires Water Quality Control Plans (Basin Plans) to conform to State policy. Because Resolution No. 88-63 contains specific beneficial use designations, to conform the Basin Plans to this policy necessitates specific Basin Plan amendments. The basin planning process, which provides the mechanism for amending Basin Plans, has been determined to be functionally equivalent to the process required by the California Environmental Quality Act (CEQA) and is therefore exempt from the Environmental Impact Report process required by CEQA. Environmental review is, however, required under the basin planning process. This environmental review consists of completion of an Environmental Checklist and a written report identifying the adverse impacts and discussing the alternatives and mitigation measures considered for the project.

This report is presented to satisfy environmental review requirements of the basin planning process.

The Sources of Drinking Water Policy (hereafter the Policy) declares all waters of the State suitable for designation as MUN (municipal and domestic supply) and, with certain exceptions, requires that Basin Plans be amended to designate all waters MUN. The adverse impacts associated with the Policy are secondary effects that may result from the principle action of designating waters MUN and regulating those waters to attain appropriate water quality objectives.

The numbered headings in this report refer to items on the Environmental Checklist.

3. Water. Will the proposal result in:
 - b. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?

In order to meet objectives for MUN-designated water bodies the amount of drainage water or ground water recharge at specific locations may have to be adjusted in some areas. Stricter control of urban and agricultural surface runoff may be required in some instances. Mitigation of any detrimental effect will be considered on a case-by-case basis.

- d. Change in the amount of surface water in any water body?

Rerouting of drainage to comply with objectives may divert waters from one water body to another. Rerouting of drainage flow will not necessarily produce adverse effects. Mitigation of any adverse effects will be considered on a case-by-case basis.

- e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?

Rerouting of drainage may affect non MUN-designated waters, but it is not clear whether an impairment to any waters will result.

- f. Alteration of the direction or rate of flow of ground waters?

Ground water recharge from drainage channels may be affected if drainage is rerouted. Conjunctive use and ground water recharge may be adjusted to meet objectives. These changes may impact the hydraulic gradient. However, this impact may not adversely effect ground waters.

- g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

See response to question 3f.

4. Plant Life. Will the proposal result in:

- d. Reduction in acreage of any agricultural crop?

Agricultural lands which produce low-quality drainage water may be subject to reduced acreage of specific crops as well as treatment and other management alternatives in order to provide drain water and tail water from these fields that comply with receiving water objectives. This essentially becomes an assessment of the relative costs and benefits of water quality and the limited agricultural areas and commodities that would be affected.

8. Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area?

If attainment of MUN objectives prevents certain agricultural, industrial, or manufacturing activities from being sited at a specific location, then a secondary effect

could be the adjustments to land use resulting from those restrictions. Similarly, concentration of certain activities may occur in order to most effectively utilize characteristics of receiving waters. Mitigation of any adverse effects should be addressed through the local planning and land use processes.

11. Population. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?

See response to question 8.

12. Housing. Will the proposal affect existing housing, or create a demand for additional housing?

See response to question 8 .

16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

- d. Sewer or septic tanks?

Where receiving waters are redesignated from a designation other than MUN to MUN, higher levels of treatment or discharge limitations may be required to comply with MUN objectives.

- e. Storm water drainage?

Treatment or other management practices for storm water runoff may be required to meet MUN objectives.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A Laurel Lane
San Luis Obispo, CA 93401

REGIONAL BOARD RESOLUTION NO. 89-03

INCORPORATION OF "SOURCES OF DRINKING WATER" POLICY
INTO THE WATER QUALITY CONTROL PLAN (BASIN PLAN)

WHEREAS:

1. California Water Code Section 13140 provides that the State Water Resources Control Board (State Board) shall formulate and adopt State policy for water quality control; and,
2. California Water Code Section 13240 provides that Basin Plans shall conform to any State policy for water quality control; and,
3. The State Board adopted Resolution No. 88-63 entitled "Sources of Drinking Water" on May 19, 1988 as a State policy for water quality control; and,
4. Previous to passage of State Board Resolution 88-63, two public workshops on January 6, 1988 and April 6, 1988 and a public hearing on May 4, 1988 were conducted in order to receive comments on the Policy; and,
5. Incorporation of State Board Resolution No. 88-63 into Basin Plans will conform these Basin Plans to this Policy; and,
6. The basin planning process has been determined to be functionally equivalent to the CEQA process in accordance with Section 21000 et seq. of the Public Resources Code and appropriate notices and waiting periods have been complied with; and,
7. A public hearing was duly noticed by advertising in newspapers of general circulation within the Region; and,
8. On April 14, 1989, in the Solvang City Hall Council Chambers, 1644 Oak Street, Solvang, California, the Regional Board reviewed staff documents pertaining to the amendment, environmental documents, written comments, and staff responses, as well as received additional evidence and testimony concerning the proposed amendments to the Basin Plan.

THEREFORE BE IT RESOLVED THAT:

1. The Basin Plan chapter entitled Beneficial Uses be amended to include the following statement:

"Water bodies in the Region 3 without beneficial uses designated in Table 2-1 are assigned MUN designations in accordance with the provisions of State Water Resources Control Board Resolution No. 88-63 which is, by reference, a part of this plan. These MUN designations in no way affect the presence or absence of other beneficial use designations for these waters bodies."

2. A copy of this resolution with other appropriate materials be submitted to the State Board for approval.

Certification

I, William R. Leonard, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on April 19, 1989.

AGC:mm

sodw.res/4

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 88-63

ADOPTION OF POLICY ENTITLED
"SOURCES OF DRINKING WATER"

WHEREAS:

1. California Water Code Section 13140 provides that the State Board shall formulate and adopt State Policy for Water Quality Control; and,
2. California Water Code Section 13240 provides that Water Quality Control Plans "shall conform" to any State Policy for Water Quality Control; and,
3. The Regional Boards can conform the Water Quality Control Plans to this policy by amending the plans to incorporate the policy; and,
4. The State Board must approve any conforming amendments pursuant to Water Code Section 13245; and,
5. "Sources of drinking water" shall be defined in Water Quality Control Plans as those water bodies with beneficial uses designated as suitable, or potentially suitable, for municipal or domestic water supply (MUN); and,
6. The Water Quality Control Plans do not provide sufficient detail in the description of water bodies designated MUN to judge clearly what is, or is not, a source of drinking water for various purposes.

THEREFORE BE IT RESOLVED:

All surface and ground waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Boards¹ with the exception of:

1. Surface and ground waters where:
 - a. The total dissolved solids (TDS) exceed 3,000 mg/L (5,000 uS/cm, electrical conductivity) and it is not reasonably expected by Regional Boards to supply a public water system, or

- b. There is contamination, either by natural processes or by human activity (unrelated to a specific pollution incident), that cannot reasonably be treated for domestic use using either Best Management Practices or best economically achievable treatment practices, or
- c. The water source does not provide sufficient water to supply a single well capable of producing an average, sustained yield of 200 gallons per day.

2. Surface waters where:

- a. The water is in systems designed or modified to collect or treat municipal or industrial wastewaters, process waters, mining wastewaters, or storm water runoff, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards; or,
- b. The water is in systems designed or modified for the primary purpose of conveying or holding agricultural drainage waters, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards.

3. Ground water where:

The aquifer is regulated as a geothermal energy producing source or has been exempted administratively pursuant to 40 Code of Federal Regulations, Section 146.4 for the purpose of underground injection of fluids associated with the production of hydrocarbon or geothermal energy, provided that these fluids do not constitute a hazardous waste under 40 CFR, Section 261.3.

4. Regional Board Authority to Amend Use Designations:

Any body of water which has a current specific designation previously assigned to it by a Regional Board in Water Quality Control Plans may retain that designation at the Regional Board's discretion. Where a body of water is not currently designated as MUN but, in the opinion of a Regional Board, is presently or potentially suitable for MUN, the Regional Board shall include MUN in the beneficial use designation.


The Regional Boards shall also assure that the beneficial uses of municipal and domestic supply are designated for protection wherever those uses are presently being attained, and assure that any changes in beneficial use designations for waters of the State are consistent with all applicable regulations adopted by the Environmental Protection Agency.

The Regional Boards shall review and revise the Water Quality Control Plans to incorporate this policy.

-
- 1 This policy does not affect any determination of what is a potential source of drinking water for the limited purposes of maintaining a surface impoundment after June 30, 1988, pursuant to Section 25208.4 of the Health and Safety Code.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a policy duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 19, 1988.



Maureen Marche
Administrative Assistant to the Board

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
CENTRAL COAST REGION

1102 A LAUREL LANE
SAN LUIS OBISPO, CALIFORNIA 93401
(805) 549-3147



September 9, 1987

(See Attached Mailing List)

At the September 4, 1987, regularly scheduled meeting of the Regional Water Quality Control Board, Basin Plan prohibitions in Communities of Las Lomas/Hall, Moss Landing, Scotts Valley (Pasatiempo Pines), Boronda, and Fruitland (Resolution Nos. 76-03, 76-08, 83-01, 83-09, and 84-03) were rescinded.

Very truly yours,

CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD, CENTRAL COAST REGION

BY William R. Leonard

WILLIAM R. LEONARD
Executive Officer

WRL:mps

Enclosure: Mailing List

BP

State of California
California Regional Water Quality Control Board
Central Coast Region

September 4, 1987

ITEM: 18

SUBJECT: RESCISSION OF BASIN PLAN PROHIBITION OF DISCHARGES IN THE COMMUNITIES OF LAS LOMAS/HALL, MOSS LANDING, BORONDA, SCOTTS VALLEY (PASATIEMPO PINES), AND FRUITLAND (RESOLUTION NOS. 76-03, 76-08, 83-01, 83-09, AND 84-03).

DISCUSSION: Chapter 5 of the Basin Plan was amended by the above-listed Resolutions to prohibit discharges from individual onsite sewage disposal systems with the following wording:

"Discharges from additional individual or on-site sewage disposal systems are prohibited, and discharges from existing individual sewage disposal systems are prohibited effective"

In each case, the Regional Board working with County Government Agencies and State Water Resources Control Board staff initiated investigations of these unsewered communities. Septic system surveys were conducted house-to-house to determine the extent of failure, the use restrictions, and the required frequency for pumpings. Sampling of area wells was conducted to determine the level of pollution from the inadequate septic systems. In each case, it was determined that public health and water quality were being threatened by these systems. Each of these projects were placed on the Clean Water Grant Priority List for grant funding.

Subsequently, the projects went through the planning and design stages, applicants received construction funding, collection systems were completed for the affected communities, and dischargers have hooked up to the sewers. Thus, the purpose of the

Board's prohibitions and the Clean Water Grant Program have been fulfilled in these communities; namely, providing physical facilities needed to protect water quality.

Therefore, staff believes it appropriate now to rescind the subject Resolutions. A summary of the pertinent information is included in the table below.

<u>Prohibition Area & County</u>	<u>Regional Board Resolution No. & Date Adopted</u>	<u>SWRCB Resolution No. & Date Adopted</u>	<u>Basin Plan Chapter 5 Page No.</u>
Las Lomas/Hall, Monterey Amending 76-01	76-01, 2/06/76 76-03, 5/13/76	76-27, 4/15/76 76-99, 8/19/76	5-42
Moss Landing CSD, Monterey	76-08, 7/09/76	77-37, 4/04/77	5-42
Boronda CWD Monterey	83-01, 1/14/83	83-16, 3/17/83	*5-66
Pasatiempo Pines (in Scotts Valley) Santa Cruz	83-09, 7/15/83	83-79, 10/20/83	*5/66
Fruitland (Sunny Mesa CSD), Monterey	84-03, 2/24/84	84-36, 5/17/83	*5/66

*Retyped Chapter 5

RECOMMENDATION: Rescind Resolutions Numbers 76-03, 76-08, 83-01, 83-09, and 84-03.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A Laurel Lane
San Luis Obispo, California 93401

RESOLUTION NO. 86-04

Concerning Amendment of Water Quality Control Plan
Central Coastal Basin
(Lompoc Terrace Objectives)

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board) adopted the Water Quality Control Plan, Central Coastal Basin (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of nuisance; and,
- WHEREAS, the Regional Board has determined the Basin Plan requires further revisions and amendment; and,
- WHEREAS, the Regional Board when amending Chapter 4 of said Basin Plan on October 12, 1984, (Resolution No. 84-05) omitted from Table 4-9, "Median Ground Water Objectives, mg/l," the area designated as "Lompoc Terrace" in order to take into consideration well data not available at that time; and,
- WHEREAS, a staff report, "Water Quality Objectives and Management Plan for the Lompoc Ground Water Basin" (August, 1984) was prepared by Regional Board staff for Resolution No. 84-05 and an addendum evaluating additional data from the U.S. Geological Survey for Lompoc Terrace was subsequently prepared; and,
- WHEREAS, the proposed amendment applies to Table 4-9, by adding Lompoc Terrace and establishing ground water objectives for the constituents of Total Dissolved Solids, Chloride, Sulfate, Boron, Sodium, and Nitrate; and,
- WHEREAS, drafts of proposed amendment have been prepared and provided to interested persons and agencies for review and comment prior to public hearing; and,
- WHEREAS, Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL

91-500 and PL 95-217) and the Regional Board finds adoption of this amendment to Table 4-9 will not have a significant adverse effect on the environment; and,

WHEREAS, due notice of public hearing was given by advertising in a newspaper of general circulation within the Lompoc region; and,

WHEREAS, on April 11, 1986, in Solvang, California, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed amendment to said Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be amended as follows:

Page 4-15, Table 4-9 "Median Ground Water Objectives, mg/l," -
Revise Lompoc objective to read:

	TDS	CL	SO ₄	B	Na	N ^b
Lompoc						
Lompoc Plain	1250	250	500	.75	270	2
Lompoc Upland	600	150	100	.75	100	2
<u>Lompoc Terrace</u>	<u>750</u>	<u>210</u>	<u>100</u>	<u>.3</u>	<u>130</u>	<u>1</u>

^b measured as Nitrogen

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment, and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of the Regional Board also is hereby directed to submit this amendment to the Basin Plan to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on April 11, 1986.

William R. Leonard

Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 86-03

Concerning Revisions and Amendment of
Water Quality Control Plan,
Central Coastal Basin,
(Santa Maria Ground Water Basin Objectives)

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure the reasonable protection of beneficial uses of water and the prevention of nuisance; and,
- WHEREAS, deterioration of ground water quality prompted reevaluation of water quality objectives; and,
- WHEREAS, ground water data indicates there is a salt imbalance in the Santa Maria Valley; and,
- WHEREAS, in 1977, the U.S. Department of the Interior Geological Survey (USGS) finalized a report titled: Evaluation of Ground-Water Quality in the Santa Maria Valley, California; and,
- WHEREAS, the USGS report was made in cooperation with the State Water Resources Control Board and the Regional Board to determine the status of ground-water quality; and,
- WHEREAS, the USGS report and subsequent water quality data provide a basis for revision and amendment of the Basin Plan; and
- WHEREAS, drafts of proposed amendments have been prepared and provided to interested persons and agencies for review and comment; and,
- WHEREAS, proposed amendments apply to Chapter 4, "Water Quality Objectives" of said Basin Plan; and,
- WHEREAS, Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217) and the Regional Board finds adoption of these objectives will not have a significant adverse effect on the environment; and,

WHEREAS, due notice of public hearing was given by advertising in a newspaper of general circulation within the Santa Maria area; and,

WHEREAS, on February 14, 1986, in the San Luis Obispo City Hall Council Chambers, 990 Palm Street, San Luis Obispo, California, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to said Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

Page 4-15, Table 4-9 "Median Groundwater Objectives, mg/l"
 revise Santa Maria objective to read:

	TDS	Cl	SO ₄	B	Na	N ^b
Santa Maria Valley (Central)	800	80	400	0.2	70	5
Santa Maria Valley (Coastal)	1000	80	500	0.2	100	5

Table 4-10. Median Short-term and Long-term Groundwater Objectives, mg/l^a

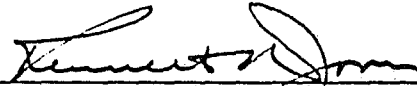
Sub-basin/Subarea	TDS		Cl ⁻		SO ₄ ⁼		B		Na ⁺		NO ₃ ⁻	
	Short Term	Long Term	Short Term	Long Term	Short Term	Long Term	Short Term	Long Term	Short Term	Long Term	Short Term	Long Term
Santa Maria												
Upper Guadalupe	1500	1000	250	165	575	500	0.5	0.5	230	230	45	6
Lower Guadalupe	1200	1000	130	85	575	500	0.45	0.2	190	90	45	9
Lower Nipomo Mesa	710	710	95	95	250	250	0.15	0.15	90	90	25	25
Orcutt	740	740	110	65	300	300	0.1	0.1	120	65	10	10
Santa Maria	1240	1000	90	90	510	510	0.2	0.2	105	105	35	35

^a Basis for objectives is in the "Water Quality Objectives for the Santa Maria Ground Water Basin Revised Staff Report, May 1985" and February, 1986 Staff Report.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 14, 1986.


Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 86-01

Concerning Revisions and Amendment of
the Water Quality Control Plan,
Central Coast Basin,
(Revision of Warm/Cold Water Beneficial Uses;
Radioactivity Objective for all Waters;
Phenols, Phthalate Esters and
Polychlorinated Biphenyls Objective
and Exceptions)

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and,
- WHEREAS, the United States Environmental Protection Agency (EPA) approved the Water Quality Control Plan, Central Coastal Basin (Basin Plan) in 1975 upon the condition that: 1) numerical radioactivity standards be adopted for all waters; and, 2) waters not designated to provide protection for aquatic life (either COLD or WARM) be designated COLD or WARM as a minimum, unless an individual detailed justification for an exception is included in the Basin Plan for each segment; and,
- WHEREAS, the current phenol, phthalate esters and polychlorinated biphenyls objectives need correction; and,
- WHEREAS, a need exists to permit exceptions to Basin Plan discharge prohibitions; and,
- WHEREAS, the California Department of Fish and Game has provided appropriate habitat temperature designations for undesignated surface waters; and,
- WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,
- WHEREAS, proposed revisions and amendments are to be made to Chapter 2, Beneficial Uses, Chapter 4, Water Quality Objectives, and Chapter 5, Implementation Plan, of said Basin Plan; and
- WHEREAS, Regional Board staff prepared documents and followed procedures to satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act; and,

WHEREAS, drafts of proposed revisions and amendments and the environmental documents have been made available to interested persons and agencies for review and comment; and,

WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within the Region; and,

WHEREAS, on January 10, 1986, in the Salinas City Council Chambers Rotunda, 200 Lincoln Avenue, Salinas, California, the Regional Board reviewed staff documents pertaining to the amendment, including proposed changes, environmental documents, and written comments and written staff responses, as well as received additional evidence and testimony concerning the proposed revisions and amendments to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that pages 2-3 and 2-4 (Table 2-1), page 4-6, page 4-9, page 4-13, and updated page 5-77 of the Basin Plan be revised and amended as shown on Attachment A and incorporated herein as part of this resolution.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 14, 1986.


Executive Officer

ATTACHMENT A

Additions or changes are indicated by underlining.

Page 2-4 (as amended 6-11-76), amend to read:

"Table 2-1 Existing and Anticipated Uses of Inland Waters

Sub-Basin and Watercourse	Cold Fresh-water habitat	Warm Fresh-water habitat
San Lorenzo River Sub-basin		
Neary's Lagoon		<u>E</u>
Pajaro River Sub-basin		
Watsonville Slough		<u>I</u>
Tequescito Slough		<u>I</u>
Salinas River Sub-basin		
Salinas River, Nacimiento River to headwaters	<u>I</u>	<u>I</u>
Laguna del Rey		<u>E</u>
Carmel River Sub-basin		
El Estero Lake	<u>E g</u>	<u>E</u>
Santa Barbara Cst. Sub-basin		
Goleta Point Marsh		<u>E</u>
Devereaux Ranch Lagoon		<u>E</u>
Franklin Creek		<u>I</u>
Santa Monica Creek	<u>I k</u>	<u>I"</u>

"g Seasonal k>l o>p
 h>i l>m p>q
 i>j m>n r in head waters"
 j>k n>o

Footnote "g" (seasonal) added. Subsequent footnote letters move to following letter of the alphabet. Footnote "r" (in head waters) added.

Page 4-6, Add the following objective to "Objectives for Ocean Waters", below pH objective and "Objectives for Groundwater" below "Radioactivity":

"Radioactivity

Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal or aquatic life."

Page 4-13, Revise paragraph to read:

Waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of radionuclides in excess of the limits specified in California Administrative Code, Title ~~17~~ 22, Chapter ~~3~~ 15, Subchapter 1, Group 1, Article ~~4~~ 5, Section ~~7019~~ 64443, Table 5, and listed below:

Radioactivity

Gross Beta. . . . .	.10000 .50	pCi/l
Strontium-90. . . . .	.10 .8	pCi/l
Combined Radium-226 and Radium-228.	5 5	pCi/l
<u>Gross Alpha particle activity.</u>	<u>.15</u>	<u>pCi/l</u>
(including Radium-226 but excluding Radon and Uranium)		
Tritium. . . . .	.20,000	pCi/l
Radium-226. . . . .	.3	pCi/l

Until a radionuclide standard for uranium-derived alpha particles in domestic or municipal water supply is promulgated by the U.S. Environmental Protection Agency, waters designated for use as domestic or municipal supply (MUN) should not exhibit uranium-derived gross alpha particle activity in excess of 10 pCi/l, the U.S. Environmental Protection Agency's current advisory limit.

Table 5, Article 5, Section 64443, Title 22

Page 4-9, amend to read:

"Other Organics

Waters designated MUN shall not contain concentrations of phenols in excess of ~~1.0/1.0/1~~ 3.5 mg/l. Other Central Coast waters shall not contain organic substances in instantaneous concentrations greater than the following:

Methylene Blue Active Substances		0.2 mg/l
Phenols	0.1	<u>2.6 mg/l</u>
Phthalate Esters	0.002/0.01	<u>3.0 ug/l</u>
PCB's		0.3/0.1

The instantaneous concentration of polychlorinated biphenyls (PCB's) in other central coast waters shall not exceed 2.0 ug/l and the 24-hour average concentration of PCB's shall not exceed 0.014 ug/l.

Page 5-77, (updated version of Chapter 5), add the following just above "Control Actions":

Exceptions to Plan Requirements

"The Regional Board may, subsequent to a public hearing, grant exceptions to any provision of this Plan where the Board determines:

1. The exception will not compromise protection of waters for beneficial uses, and
2. The public interest will be served.

Regional Board exceptions will be effective upon State Board approval, unless exceptions involve surface water beneficial use designations or surface water quality objectives (i.e. federally accepted water quality standards). Such water quality standard related exceptions will also require Environmental Protection Agency approval to become effective."

Approved by
SWRCB
12-19-85

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A Laurel Lane
San Luis Obispo, California 93401

RESOLUTION NO. 85-04

Concerning Revisions and Amendments of the
Water Quality Control Plan,
Central Coast Basin

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board) adopted the Water Quality Control Plan, Central Coastal Basin (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of nuisance; and,
- WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,
- WHEREAS, the Regional Board amended Chapter 2, Existing and Anticipated Uses of Inland Surface Waters, Table 2-1 of said Basin Plan on July 9, 1982; and,
- WHEREAS, amendment of Chapter 2 of said Basin Plan on July 9, 1982, omitted correcting municipal (MUN) uses for San Antonio Reservoir from anticipated (A) to existing (E) use and for Nacimiento Reservoir from existing (E) to anticipated (A) uses; and,
- WHEREAS, the Regional Board amended Chapter 2, Present and Anticipated Future Uses of Coastal Waters, Table 2-2 of said Basin Plan on January 20, 1984; and,
- WHEREAS, amendment of Chapter 2 of said Basin Plan on January 20, 1984, omitted shellfish harvesting as an existing (E) beneficial use for Moss Landing Harbor; and,
- WHEREAS, proposed revisions and amendment addressed herein apply to Table 2-2 of said Basin Plan, by adding shellfish harvesting as an existing beneficial use for Moss Landing Harbor; and,
- WHEREAS, to refine beneficial uses of the Moss Landing Harbor and the Elkhorn Slough two footnotes have been added to Table 2-2; the first gives location of existing shellfish harvesting in the harbor and the second recognizes the slough as an ecological reserve; and,
- WHEREAS, drafts of proposed revisions and amendments have been prepared and provided to interested persons and agencies for review and comment; and,
- WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217); and,

WHEREAS, on March 8, 1985, in Carmel, California, after public notice, the Regional Board received evidence and considered all factors concerning proposed revisions and amendments to said Plan.

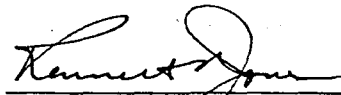
~~WHEREAS, the California Regional Water Quality Control Board, Central Coast Region~~
NOW, THEREFORE, BE IT RESOLVED, that Tables 2-1 and 2-2 of Chapter 2 of the Water Quality Control Plan, Central Coastal Basin on pages 2-3 and 2-5, respectively, be revised as shown on Attachments "A" and "B."

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit the above-described portion of said Water Quality Control Plan as revised and amended to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 2 of the Water Quality Control Plan is revised by the amendment of Tables 2-1 and 2-2 contained herein.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on March 8, 1985.



Executive Officer

Figure 2-1 Existing and Anticipated Uses of Inland Surface Waters

Basin and Watercourses	MUN	AGR	PROC	IND	GWR	REC-1	REC-2	WILD	COLD	WARM	MIGR	SPWN
Salinas River Sub-basin												
Gabilan Creek		I			I	I	E	E		I		I
Alisal Creek		I			I	I	E	E		I		I
Salinas River, Downstream												
Spreckels Gage						I	I	E		I	I	
Salinas River, Spreckels												
Gage in Chualar		A	A	A	I	I	I	E	I	I	I	
Salinas River, Chualar												
to Nacimiento River		A	A	A	E	E	E	E	I	E	I	
Arroyo Seco	I	I		I	I	I	E	E	I		I	I
Abbott Lakes												E
Santa Lucia Creek	I	I			I	I	E	E		E		
Tasajara Creek	E	E			E	E	E	E		E		
San Lorenzo Creek		I			I	I	E	E		I		I
Pancho Rico Creek	I	I			I		E	E		I		I
San Antonio River	I	I		I	I	I	E	E	I	I		I
San Antonio Reservoir	(E)	E			E	E	E	E		I		I
Nacimiento River	E	E		E	E	E	E	E	I	E		E
Nacimiento Reservoir	(A)	E			E	E	E	E	E	E		E
Las Tablas Creek	I	I			I	I	E	E		I		I
Salinas River, Nacimiento												
River to Headwaters	I	I		E	E		E	E				
Estrella River	I	I			I	I	E	E		I		I
San Marcos Creek	I	I			I	I	E	E		I		
Santa Rita Creek	I	I		I	I	I	E	E		I		
Atascadero Lake							E	E		E		E
Santa Margarita Lake	E	I		E	I	E	E	E	E	E		E
Laguna Del Rev						A	E	E				
Sarmel River Sub-basin												
San Estero Lake							E	E				
Sarmel River	I	I		I	I	I	E	E	I		I	I
Tularcitos Creek	I	I			I	I	E	E		I		
San Clemente Reservoir	E								E		E	E
San Clemente Creek	I	I			I	I	E	E		I		
Los Padres Reservoir	E						E	E			E	E
Cachagua Creek	I	I	I	I	I	I	E	E	I	I	I	I
Monterey Coastal Sub-basin												
San Jose Creek	I	I		I	I	E	E		I			
Palo Colorado Canyon	I	I		I	I	E	E		I			
Big Sur River					E	E	E	E	E		E	E
Little Sur River	E				E	E	E	E	E		E	E
Limekiln Creek	E	E			E	E	E	E	E		E	E
San Luis Obispo Cst Sub-basin												
San Corpoforo Creek	I	I		I	I	I	E	E	I	I	I	I
Arroyo Del La Cruz Creek	I	I		I	I	I	I	E	I	I	I	I
Burnett Creek	I	I			I	I	E	E		I		
Pico Creek	I	I			I	I	E	E	I	I	I	I
San Simeon Creek	I	I		I	I	I	E	E	I	I	I	I
Steiner Creek	I	I			I	I	E	E		I		
Santa Rosa Creek	I	I		I	I	I	E	E	I	I	I	I
Cayucos Creek	I	I			I	I	E	E	I	I	I	I
Old Creek, Downstream ^b					I	I	E	E		I		
Whale Rock Reservoir	E	E	E	E	E	A	A	E	E	E		E
Old Creek, Upstream ^b	I	I	I	I	I	I	E	E	I	I		
Toro Creek	I	I			I	I	E	E	I	I	I	I
Morro Creek	I	I			I	I	E	E	I	I	I	I
Chorro Creek	I	I			I	I	E	E	I	I	I	I
Los Osos Creek					A	E	E	E	E	E		E
Laguna Lake					E		E	E		E		E
San Luis Obispo Creek		I			I	I	E	E	I	I	I	I
Pismo Creek	E	E		E	E	E	E	E	E	E	E	E
Arroyo Grande Crk, Dwnstr ^c	E	E		E	E	E	E	E	E	E	E	E
Lopez Reservoir	E	E	E	E	E	E	E	E	E	E		
Arroyo Grande Crk, Upstr ^c	I	I	I	I	I	I	E	E	I	I	I	I
San Lagoon							E	E		E		E
San Luis Lakes							E	E		E		E
San Flaca Lake							E	E		E		E

^bFrom Whale Rock Reservoir

^cFrom Lopez Reservoir

Table 2-2. EXISTING AND ANTICIPATED FUTURE USES OF COASTAL WATERS

COASTAL WATERS	REC-1	REC-2	IND	NAV	MAR	SHELL	COMM	RARE	ASBS	WILD
Pescadero Pt. to Pt. Ano Nuevo	E	E	E	E	E	E	E	E		E
Pt. Ano Nuevo to Soquel Pt.	E	E	E	E	E	E	E			E
Pt. Ano Nuevo & Island	E	E			E			E	E	E
Santa Cruz Harbor	E	E	E	E	E		E			
San Lorenzo Estuary	E	E		E	E	E	E			E
Soquel Pt. to Salinas River	E	E	E	E	E	E	E	E		E
Elkhorn Slough**	E	E			E	E	E	E		E
Moss Landing Harbor	E	E	E	E	E	E*	E	E		E
Salinas River to Pt. Pinos	E	E	E	E	E	E	E			E
Monterey Harbor	A	E	E	E	E	E	A	E		E
Pacific Grove Marine Gardens	E	E			E	E	E	E	E	E
Hopkins Marine Life Refuge	E	E			E		E	E	E	E
Pt. Pinos to Pt. Piedras Blancas	E	E		E	E		E	E		E
Carmel Bay	E	E			E		E	E	E	E
Pt. Lobos State Reserve	E	E			E		E	E	E	E
Pt. Sur	E	E			E	E	E		E	E
Pfeiffer-Burns State Park	E	E			E		E	E	E	E
Salmon Creek	E	E			E				E	E
Pt. Piedras Blancas to Pt. Estero	E	E		E	E	E	E	E		E
Estero Bay	E	E	E	E	E	E	E	E		E
Morro Bay	E	E	E	E	E	E	E	E		E
Pt. Buchon to Pt. San Luis	E	E	E	E	E	E	E			E
Pt. San Luis to Pt. Sal	E	E	E	E	E	E	E	E		E
Pt. Sal to Pt. Arguello	E	E		E	E	E	E			E
Pt. Arguello to Coal Oil Pt.	E	E	E	E	E	E	E			
Coal Oil Pt. to Rincon Pt.	E	E	E	E	E	E	E	E		E
Goleta Slough	E	E			E	E	E	E		E
Santa Barbara Harbor	E	E	E	E	E		E			
Beach Parks	E	E		E	E					
San Miguel Island	E	E		E	E	E	E		E	E
Santa Rosa Island	E	E		E	E	E	E		E	E
Santa Cruz Island	E	E		E	E	E	E		E	E
El Estero	E	E			E	E		E		E

*Clamming is an existing beneficial use in the North Harbor and on the south side of the entrance channel to Elkhorn Slough (north of the Pacific Gas and Electric Cooling Water Intake). Presently, no shellfishing use occurs south of the Pacific Gas and Electric Intake.

**Elkhorn Slough has been designated an ecological reserve by the California Department of Fish and Game, and recognized as a National Estuary Sanctuary by the Federal Government.

NOTES: E = Existing beneficial water use.

A = Anticipated beneficial water use.

I = Beneficial water use in a watercourse with intermittent flow characteristics.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 84-10

Concerning Revisions and Amendment of the Water
Quality Control Plan, Central Coast Basin,
(Establishment of Prohibition Areas and Management
Areas for Individual Sewage Disposal Systems
in the San Lorenzo Valley of Santa Cruz County)

WHEREAS, The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (hereafter Basin Plan) on March 14, 1975; and,

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure the reasonable protection of beneficial uses of water and the prevention of pollution and nuisance; and,

WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain conditions or areas where the discharge of waste, or certain types of waste, is prohibited; and,

WHEREAS, such areas exist within the San Lorenzo River watershed in Santa Cruz County and are identified herein as Class I and Class II areas, which are further shown on Attachment "A", included herein; and,

WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code defines criteria for such prohibition areas; and,

WHEREAS, Surface and subsurface drainage in these areas is tributary to the San Lorenzo River system, a navigable waterway of the United States with identified beneficial uses of municipal and domestic supply, agricultural supply, industrial service supply, groundwater recharge, water contact recreation, non-contact water recreation, wildlife habitat, cold freshwater habitat, and fish migration and spawning; and,

WHEREAS, Beneficial uses of ground waters in San Lorenzo Valley include municipal and domestic water supply, industrial water supply, and agricultural water supply; and,

WHEREAS, the San Lorenzo River system was added to the "California Protected Waterways Plan" in 1975 as a waterway of extraordinary scenic, fishery, wildlife, or recreation values that the Resources Agency and local agencies preserve and enhance through all feasible management and regulatory programs; and,

WHEREAS, The San Lorenzo Valley Water District (hereafter District), 13060 Central Avenue, Boulder Creek, CA, 95006, is an organized California water district with all the powers thereof; and,

WHEREAS, Article 9.5 of Chapter 1, Part 5, Division 7, of the California Water Code was amended during September, 1980, to empower the District to ensure individual sewage disposal systems along the San Lorenzo River do not pollute the river, its tributaries, and groundwater; and,

WHEREAS, the aforementioned powers include performing technical and other investigations, requiring registration of individual sewage disposal systems, assessing fees for use of individual sewage disposal systems, and adopting and enforcing regulations for individual sewage disposal systems located within the San Lorenzo Valley to prevent contamination, nuisance, and pollution of surface and groundwaters; and,

WHEREAS, the County has adopted more stringent regulations for installation of individual sewage disposal systems in recent years and has joined with the District in assessing the magnitude of the problem and in investigating remedies; and,

WHEREAS, other public entities exist or can be created within the San Lorenzo Valley that may wish, or may be created to assume, responsibility for regulation of septic systems in the area or divisions of the area described herein; and,

WHEREAS, the County of Santa Cruz (County) also regulates installation and use of individual sewage disposal systems and protects the public health and safety within San Lorenzo Valley as empowered by provisions of the California Health and Safety Code; and,

WHEREAS, an engineering consultant to the District completed the San Lorenzo Valleywide Wastewater Management Study, (201 Report) which implements a recommendation of the Water Quality Control Board, Central Coast Basin, to investigate the necessity of sewerage certain portions of the San Lorenzo Valley in order to protect beneficial uses and public health; and,

WHEREAS, use of individual sewage disposal systems are a primary source of bacteria and other pollutants in surface waters flowing through residential areas, including documented increases in coliform concentrations of 2000 percent and nitrate concentrations that stimulate algal growths that foul the stream's natural ecosystem; and,

WHEREAS, high density, and threatened high density, development within turn-of-the century subdivisions; unfavorable site characteristics such as shallow groundwaters, impermeable soils, steep slopes, and shallow bedrock; threatened urban buildout over vital aquifer recharge areas; historically poor septic system maintenance practices; and chemical and water imbalances within the watershed all contribute to this water pollution; and,

WHEREAS, surfacing effluent in individual absorption fields, direct discharges of raw and partially treated sewage to surface streams, and the aforementioned factors are evidence of public health hazards; and,

WHEREAS, a second engineering consultant to the District completed the San Lorenzo Valley 208 On-Site Wastewater Disposal Management Study, (208 Report) which concludes cumulative use of individual sewage disposal systems is causing adverse effects on quality of surface waters and shallow groundwaters; and,

WHEREAS, based on the findings of the 208 Study, the County of Santa Cruz adopted more stringent criteria applicable to installation of new individual sewage disposal systems in San Lorenzo River watershed; and,

WHEREAS, five major communities generally identified herein as Felton, Ben Lomond, Wildwood and Lower Kings Creek, Boulder Creek, and West Glen Arbor (Class I areas) have allowed use of individual sewage disposal systems to progress too far for institutional remedies to be effective, now have chronic problem areas where system failure rates are up to 50 percent, and have no available properties hydrogeologically and technically capable of remedying existing violations of water quality objectives, impairments to beneficial uses of water, pollution, nuisance, contamination, and unreasonable degradation of water quality and these areas will necessitate a community structural alternative; and,

WHEREAS, by letter dated October 5, 1981, the County Health Officer determined that conditions within Class I areas constitute a threat to the water supply and therefore to the public health; and,

WHEREAS, an engineering consultant to the District completed the San Lorenzo Valley Facilities Plan, Phase II Project Report of September, 1982, that evaluated various alternative projects for class I areas, including, among others, community systems which utilize subsurface disposal and combinations of individual and community systems that utilize subsurface disposal, and identifies the apparent best alternative plan; and,

- WHEREAS, fourteen additional communities generally defined herein as Forest Lakes, Mount Hermon, Brook Lomond, Brookdale, East Glen Arbor, Forest Springs, Forest Park, Brackenbrae, Riverside Grove, San Lorenzo Woods, Ramona Woods, San Lorenzo Park, Zayante, and Lompico (Class II areas) have allowed use of individual sewage disposal systems to progress to the point where septic system failure rates in certain areas are up to 45 percent and systems are creating conditions of pollution, nuisance, contamination, violation of water quality objectives, impairment of beneficial uses, and unreasonable degradation of water quality; and,
- WHEREAS, public health risks and water pollution may be mitigated in Class II areas, in part, by implementing District and County institutional controls, such as improved siting and design criteria and a management program to assure maintenance for conventional and alternative individual systems; and,
- WHEREAS, the Regional Board adopted Cleanup and Abatement Order No. 81-89 on October 10, 1981, ordering the District and County, jointly or severally, to complete a 201 Facilities Plan and EIR for elimination of deficient individual sewage disposal systems and to complete a 208 Report for changes to individual sewage disposal system regulations; and,
- WHEREAS, Cleanup and Abatement Order No. 81-89 specified a time schedule to abate discharges from individual sewage disposal systems in chronic problem areas and to implement institutional mitigation measures in other problem areas; and,
- WHEREAS, the Regional Board directed staff on October 10, 1981, to advise the State Water Resources Control Board, (hereafter State Board) of its concern over water quality impacts caused, directly and indirectly by water right permits authorizing increased surface water diversions; and,
- WHEREAS, the staff of the State Board completed a draft report for a fact-finding hearing concerning the "Zayante Creek/Lower San Lorenzo and the Upper San Lorenzo River Instream Beneficial Use Protection Program", which proposed the Regional Board establish controls on installation and use of septic systems in the San Lorenzo Valley as one part of an implementation plan to maintain and achieve beneficial uses of water contact recreation and esthetics, among others, and includes a proposal for additional conditions on water rights permits; and,
- WHEREAS, few locations exist in the San Lorenzo Valley that are suitable for disposal of septage from septic systems and of sludge from treatment systems and where acceptable disposal sites outside of the valley are far away and involve considerable individual cost; and,

- WHEREAS, the Board has received evidence that certain parcels within Class I areas are owned by persons who expended considerable time and effort progressing through an extremely complex building permit process to a point where they have building allocations and/or preliminary approval of local health authorities; and,
- WHEREAS, the federal Clean Water Grant Program has been amended to decrease cost-sharing ratios and discontinue cost-sharing of collection systems in October, 1984; and,
- WHEREAS, without clean water grant funds, the solution for Class I areas will not be economically feasible for local residents; and,
- WHEREAS, there is substantial evidence in the record that discharge of waste from individual sewage disposal systems within Class I and Class II areas causes violation of water quality objectives, impairs present and future beneficial uses of water, causes pollution, nuisance, or contamination, and unreasonably degrades the quality of waters of the state; and,
- WHEREAS, contributions to the aforesaid problems also may originate from systems located outside of the Class I and Class II areas, but within the San Lorenzo Valley north of Henry Cowell State Park, and improved design and siting criteria will reduce this contribution over the long-term; and,
- WHEREAS, on November 5, 1982, in Seaside, California, after due public notice and after considering all pertinent information, the Regional Board adopted Resolution 82-10, an amendment to the Basin Plan; and,
- WHEREAS, Resolution 82-10 defined Class I and Class II areas and specified a timeschedule to implement a wastewater management program; and,
- WHEREAS, Resolution 82-10 specifies that within Class I areas new discharges are prohibited and existing discharges will be prohibited by July 1, 1986 and that, to preclude prohibition of discharges within Class II areas, new and existing systems must be managed in a manner that protects water quality and public health; and,
- WHEREAS, additional information collected since adoption of Resolution 82-10 supports amending the Basin Plan to reflect current conditions and site specific adjustments to boundaries of Class I and Class II areas; and,
- WHEREAS, Regional Board staff has prepared documents and followed procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (functional equivalent), and the Federal Clean Water Act; and,

WHEREAS, drafts of proposed revisions and amendments were prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within the San Lorenzo Valley area; and,

WHEREAS, the Regional Board has consulted with and considered the recommendations of affected local agencies; and,

WHEREAS, on September 21, 1984, in the Board of Supervisors Hearing Room, 105 East Anapamu, Santa Barbara, California, after due public notice, the Regional Board reviewed staff documents pertaining to the amendment, received evidence and testimony regarding the amendment, and considered all factors concerning the proposed amendment to the Basin Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be amended as follows:

CHAPTER 5, under CONTROL ACTIONS, Regional Water Quality Control Board, Prohibition Areas, replace the text of "4." with the following:

"4. Discharges from individual sewage disposal systems within the San Lorenzo Valley north of Henry Cowell State Park shall be managed as follows:

- a. Additional discharges within five major communities (Class I Area) are prohibited effective November 5, 1982. The Class I Area is defined by the following Santa Cruz County Assessor's Parcel Numbers*:

Ben Lomond Book 77, Pages 04 (Block 1, Lots 15, 16, 17, 20, 21, 27, 28, 29, 30, 31, 36, 37, 40, 41, 42, 47, 48, 50, 51, 52), 05 (Block 1, lots 3, 8, 9, 10, 11, 12), 06, 07, 08, 09, 10, 11, 12, 13 (All Block 1, and all Block 2 except lot 20), 14, 15, 16, 17, 18, 20, 21, 22, 23 (Block 1 except lots 40 and 43; and all Block 2), 24 (Block 1 only), 25, 26, 27, and 28.

Book 78, Page 16 (Block 2, lot 03) and 27 (Block 3, lot 15).

Book 79, Page 14, Block 2, lot 03

*Parcel numbers are indicated by complete pages, unless otherwise noted.

Boulder Creek

Book 81, Pages 06, 07, 08, 09, 11, 12, 13, 14, 15 (all Block 1 and Block 2, Lots 1, 2, 3, 4, 8, 9, 11, 12), 16, 17, 20, 21, 22, 25, 26, 27 (all lots except Block 1, Lots 21, 36, and 37), 28, and 29.

Book 82, Pages 20, 21, 22, 23, and 27 (Block 1, Lot 12 only).

Book 89, Pages 16 (Block 3, Lot 1 and Block 5, Lots 3, 4, 5), 17 (Block 1, Lots 4, and 5), and 18.

Book 90, Pages 01 and 11 (Block 1, Lots 17, 19, 21, 22, 23, 24, 25)

Lower Kings/Wildwood

Book 83, Pages 04, 07, 08, 11, 12, and 13 (Block 1, Lots 1, 2, 4, 5, 6, 18, 19; and Block 2)

Book 84, Pages 01,02,03,04 (all Block 1 and Block 2), lots 1,2,3,4,5,6,7,8, 9,12,13,23), 05 (Block 1, lots 1,2,3,4,5,6,7,8,9,10,11,12,13, 14,15,16,17,18,19,35), 06 (Block 1, lot 18), and 11 (all lots except Block 2, lot 1)

Book 85, Pages 13, 14 (all except Block 2, lot 17), 16, 17, 18 (Block 1, lots 1,2,3,4,7,8,9,10,11,12,13, 14,15,16,17,18,21,23,33,35, 36,37,38,39,41,42,43,44,45,47), and 19.

Glen Arbor

Book 72, Pages 07, 11, 14, 15, 17, and 18 (Block 1, Lots 25 and 26; Block 2, Lots 1, 2, and 3)

Felton

Book 65, Pages 01, 02, 03, 04, 05, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 21, and 22 (Blocks 1 and 2; Block 3, lots 1,2,6,7,8,9,10, 12,13).

*Parcel numbers are indicated by complete pages, unless otherwise noted.

Book 71, Pages 03 (Block 01, lots 3, 13, 15, 16, 17, 18, 23, 24, 25, 26, 30, 38, 49, 50, 62, 63, 64, 65), 04, 05, 06, 07, and 15 (school district property only), 16 (Blocks 1 and 3 only), 17 (Blocks 1 and 2; Block 3, lots 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 14), 18, 19, 25, 26, and 29.

- b. Existing discharges within the Class I Area of subparagraph 4.a. are prohibited effective July 1, 1986.
- c. To preclude prohibition of discharges outside the Class I Area, the County of Santa Cruz shall act as lead agency in coordinating and establishing a program that will assure the Regional Board that:
- ° additional systems in these areas will be designed, sized, located, spaced, and constructed in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.
 - ° existing systems within specific communities are systematically evaluated and redesigned, resized, relocated, and reconstructed as appropriate to protect and enhance water quality, protect and restore beneficial uses of water, and abate and prevent nuisance, pollution, and contamination, where the specific communities (Class II Area) are defined by the following Santa Cruz County Assessor's Parcel Numbers*:

Forest Lakes/Felton Book 64, Pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 (Block 1, lots 1, 2, 3), 17, 22, 29, 30 (All Block 1), 31, 32, 33, and 34.

Book 65, Pages 19, 20, 22 (Block 3, lots 15 and 16), 24, and 25.

Book 71, Pages 03 (Block 1, lot 51), 16 (Block 2, lots 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13), and 17 (Block 3, lots 13, 18, 19).

Mount Hermon Book 66, Pages 1, 2, and 3

East Glen Arbor Book 72, Pages 12, 18 (Block 1, lots 1, 2, 8, 10, 11, 12, 13, 14, 18, 19, 20, 21, 23, 24, 27), 19, 24, 25, 26 (Block 2, lot 58), 27, 28, 29, 30, 35, and 37.

*Parcel numbers are indicated by complete pages, unless otherwise noted.

Brook Lomond Book 78, Pages 6,7, and 8

Brookdale Book 79, Pages 9 and 10 (Block 1, lots 6,8,9, 10,12,13,14,15,18; Block 2, Lots 1, 2, 3, 4).

Forest Springs/
Forest Park/ Book 81, Pages 2 (Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 15), 3 (Block 1, lots 5,6,11,12), 4 and 5 (Block 1, lots 1, 2).

Book 82, Pages 1, 2 (Block 1, lots 2, 3, 4, 5, 6, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 24, 26, 27, 28), 3, 4, 5, 7, 12, and 31.

Book 83, Pages 16 (Block 1, lots 5, 7, 8, 13, 14, 15, 16, 18), 17 (Block 1, lot 4), 18, 19, 20, 21, 22, and 23.

Riverside Grove Book 85, Pages 1 (Block 2, lot 03), 2, 3, 4, 5, 6, and 8.

San Lorenzo Woods/
Ramona Woods Book 87, Pages 16, 18, 19, 20, 21, and 22 (Block 1, lot 5).

San Lorenzo Park Book 87, Pages 7, 8, 9, 10, 11, and 12.

Zayante Book 74, Pages 2,3,4,5,7,9,11 (Block 2, lots 8,10,15,16,17,18), 12,13,14, 15,16 and 20 (Block 1, lots 2, 7, 9).

Lompico Book 74, Pages 25 and 26

Book 75, Pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30.

Book 92, Pages 1 (Block 1, lot 35), 4 (Block 2, lots 2,3; Block 3, lot 6), 9 (Block 1, lot 7; Block 2, lot 4; Block 4, lots 1,3), 10 (Block 1, lots 2,3), 13 (Block 3, lot 3), 14 (Block 5, lots 4,5; Block 7, lot 2), 28 (Block 4, lot 4), and 30 (Block 1, lots 2,6,7,12,16,17,18,20, 23).

*Parcel numbers are indicated by complete pages unless otherwise noted.

Kings Creek/ Wildwood	Book 84, Pages 4 (Block 2, lots 14,15,16,17, 18,19,20,21,22), 5 (Block 1, lots 20 through 34 and 36 through 48; Block 2), 6, and 11 (Block 2, lot 1).
	Book 85, Pages 14 (Block 2, lot 17) and 18 (Block 1, lots 30,31,32).
Two Bar Creek	Book 84, Pages 7,8, and 9.
Boulder Creek	Book 90, Page 2.
Ben Lomond	Book 77, Pages 5 (Block 1, lots 13,14,15), 13 (Block 2, lot 20), and 23 (Block 1, lots 40, 43)

° systems within the Class II Area are regularly inspected and maintained in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.

d. In fulfilling the responsibility identified in subparagraph 4.c., the County of Santa Cruz shall submit a written report before July 1, 1985, identifying actions which have been taken, and which must be taken, to achieve objectives, including identification of sources of funding, a time schedule for actions to be taken, and a description of surveillance to be undertaken to determine compliance with objectives.

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria of the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that parcels within the Class I Area and with a Finding of Compliance and/or building permit allocation issued before November 6, 1982, are exempted from the prohibition of additional discharges (subparagraph "4.a." of the amendment), but not the prohibition of discharges that becomes effective July 1, 1986 (subparagraph "4.b." of the amendment).

BE IT FURTHER RESOLVED, that addition to, or replacement and repair of, existing individual sewage disposal systems in the Class I Area is not prohibited before July 1, 1986, if the volume and type of discharge will not differ from that of the existing discharge.

*Parcel numbers are indicated by complete pages unless otherwise noted.

BE IT FURTHER RESOLVED, that compliance with the prohibition of existing individual sewage disposal systems described in Prohibition Area No. 4, above, shall be achieved according to the following time schedule:

<u>TASK</u>	<u>COMPLIANCE DATE</u>
1. Complete Construction	April 1, 1986
2. Abate discharges from individual sewage disposal systems.	July 1, 1986


BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with compliance schedules shall be submitted to the Regional Board within 14 days following each scheduled date unless otherwise specified, where noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit this revision to the Basin Plan to the State Board for approval pursuant to Section 13245 of the California Water Code.

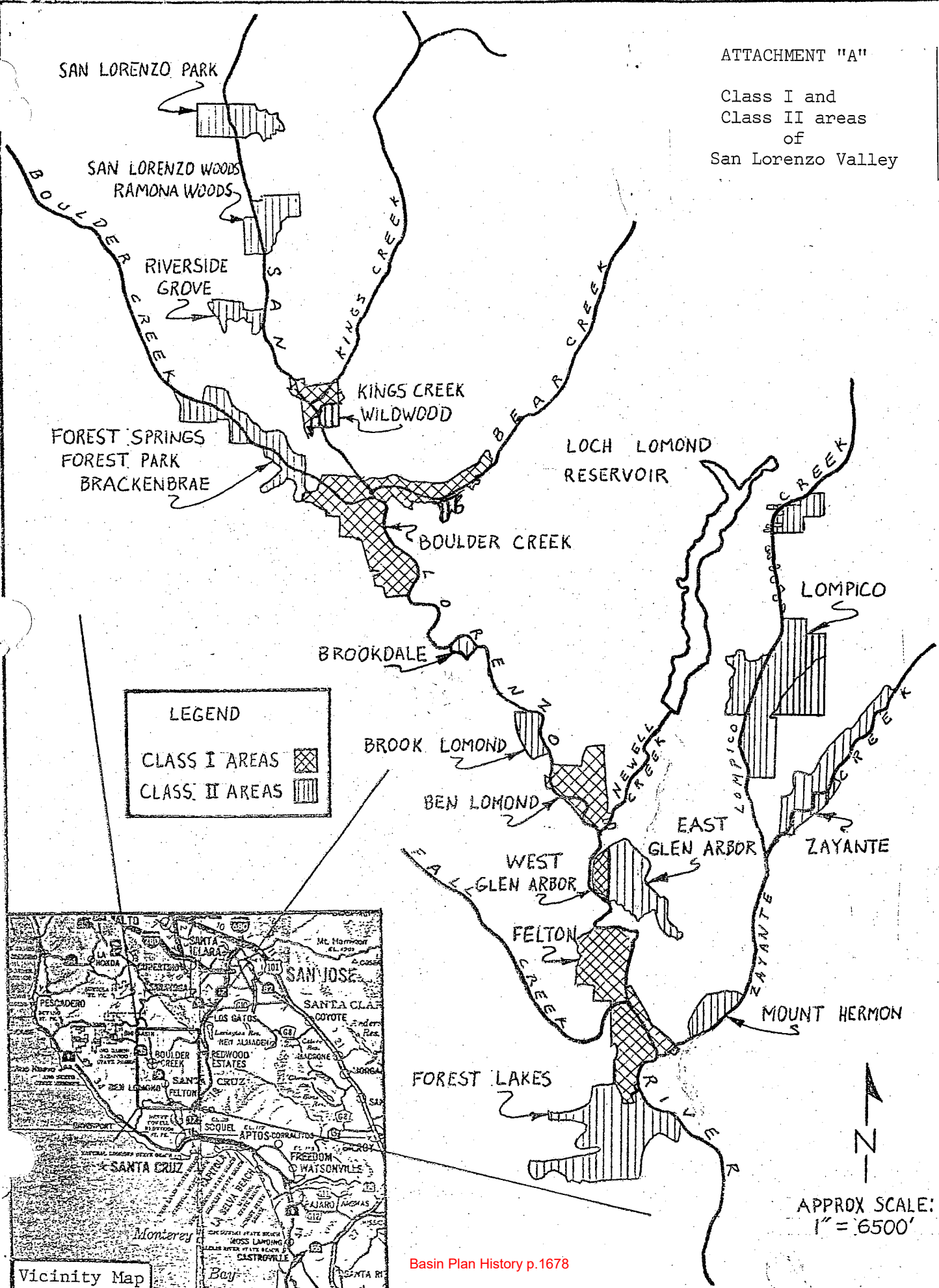
BE IT FURTHER RESOLVED, upon approval of the State Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the revised prohibition contained herein.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on September 21, 1984.


Executive Officer

ATTACHMENT "A"

Class I and
Class II areas
of
San Lorenzo Valley



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 84-07

Acceptance of Santa Barbara County Board of Supervisor's Resolution No. 84-283 "A Resolution Imposing a Moratorium on Use of Individual Sewage Disposal Systems in a Portion of Mission Canyon.

WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coast Basin, (hereafter Basin Plan), on March 14, 1975; and, on February 25, 1983, amended the individual sewage disposal section of chapter five to prohibit discharges in portions of Mission Canyon, Santa Barbara County (hereafter County); and,

WHEREAS, Mission Canyon area has been designated Santa Barbara County Service Area No. 12 (hereafter CSA 12), and is recognized by the State of California as such; and,

WHEREAS, in a meeting with county staff on November 2, 1982, Regional Board staff indicated if the county could provide documentation to support expanding the Regional Board's prohibition boundary, staff would recommend amending the Basin Plan to include this additional area; and,

WHEREAS, the county conducted additional investigations and prepared a report entitled Prohibition Area Expansion Request, dated April, 1984, providing the above requested documentation; and,

WHEREAS, the State Water Resources Control Board (hereafter State Board) adopted Resolution No. 84-03, which accepts locally imposed moratoriums in lieu of Regional Board prohibitions; and,

WHEREAS, the State Board's Resolution No. 84-03 has four criteria which need to be satisfied; and,

WHEREAS, the county's Resolution No. 84-283 satisfies these four criteria; and,

WHEREAS, the county has declared the "Septic Tank Maintenance Area" on Exhibit 'A' of Resolution 84-283 a "Special Problems Area," to improve disposal systems operation and protect public health and safety in CSA 12; and,

WHEREAS, the county has certified an Environmental Impact Report, on July 28, 1983, with a Supplemental Report certified on January 5, 1984, which satisfies the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the County finds sewerage of this moratorium area will not have a significant adverse effect on the environment; and,

WHEREAS, the Regional Board accepted public testimony and considered the county's Resolution No. 84-283 at the Regional Board's regularly scheduled meeting on July 13, 1984, in San Luis Obispo City Council Chambers, 990 Palm Street, San Luis Obispo California;

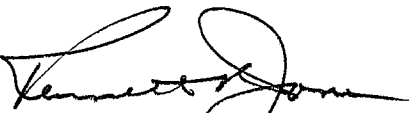
NOW, THEREFORE, BE IT RESOLVED, that the Regional Board accepts the county's moratorium adopted under its Resolution No. 84-283, in lieu of a Regional Board prohibition.

BE IT FURTHER RESOLVED, that the on-site maintenance district ('Septic Tank Maintenance Area' shown on Exhibit 'A' of Resolution No. 84-283) for the 'Special Problems Area' shall be established according to the following schedule:

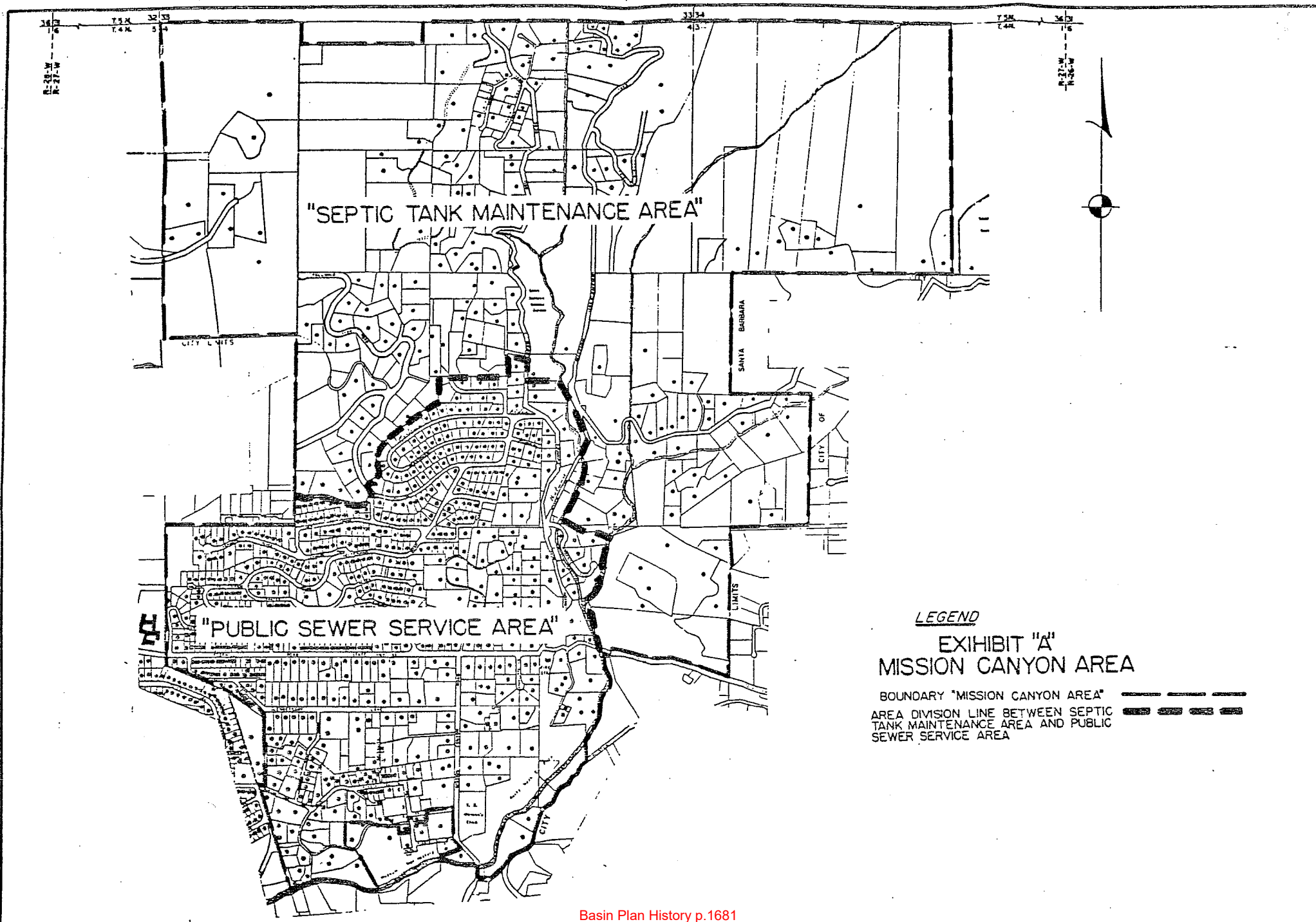
<u>Task</u>	<u>Compliance Date</u>
Draft Operations Manual for the on-site Maintenance District	August 1, 1984
Final Operations Manual	March 1, 1985
Implement on-site Maintenance District	July 1, 1986

BE IT FURTHER RESOLVED, the Regional Board assumes authority for approval of any exemptions to the moratorium, consistent with exemption criteria contained in the Basin Plan.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 13, 1984.



 Executive Officer



LEGEND
 EXHIBIT "A"
 MISSION CANYON AREA
 BOUNDARY "MISSION CANYON AREA" ————
 AREA DIVISION LINE BETWEEN SEPTIC
 TANK MAINTENANCE AREA AND PUBLIC
 SEWER SERVICE AREA - - - - -

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 84-05

Concerning Revisions and Amendment of
Water Quality Control Plan,
Central Coastal Basin,
(Lompoc Basin Objectives and Management)

WHEREAS, The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin (hereafter Basin Plan), on March 14, 1975; and,

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure the reasonable protection of beneficial uses of water and the prevention of nuisance; and,

WHEREAS, the City of Lompoc requested the State Board to review Regional Board "Waste Discharge Requirements for the City of Lompoc;" and,

WHEREAS, the State Water Resources Control Board (State Board) recommended review of the Basin Plan for possible revision and amendment of the sodium objective for the Lompoc ground water basin and ground water objectives at the point of Lompoc's discharge. Furthermore, the State Board requested a determination of continuity between the upper and lower aquifers in the area of Lompoc's discharge; and,

WHEREAS, a 1976 U.S. Department of the Interior Geological Survey (USGS) finalized a report titled: Ground Water Resources in the Lompoc Area, Santa Barbara County, California; and,

WHEREAS, the USGS report was made in cooperation with the Regional Board to more accurately quantify existing and historic changes in ground water quality and to evaluate management alternatives to maintain and improve Lompoc Basin quality; and,

WHEREAS, the USGS provides a basis for revision and amendment of the Basin Plan; and,

WHEREAS, drafts of proposed amendments have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, proposed amendments apply to Chapter 4, "Water Quality Objectives" of said Basin Plan; and,

WHEREAS, Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217) and the Regional Board finds adoption of this individual sewage disposal system policy will not have a significant adverse effect on the environment; and,

WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,

WHEREAS, on October 12, 1984, in the San Luis Obispo City Council Chambers, 990 Palm Street, San Luis Obispo, California, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to said Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

Page 4-15, Table 4-9 "Median Groundwater Objectives, mg/l"
 revise Lompoc objective to read:

	TDS	Cl	SO ₄	B	Na	N ^b
Lompoc						
Lompoc Plain	1250	250	500	0.75	270	10
Lompoc Upland	600	150	100	0.75	100	10

^bMeasured as Nitrate

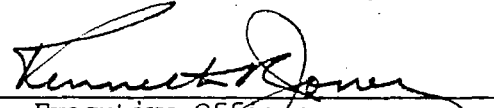
1st paragraph "Lompoc Valley Region" subsection of "Municipal Wastewater Management" section, revise and amend to read:

"Wastewater in the Lompoc Valley Region is treated at (1) the Lompoc Regional Wastewater Treatment Plant (5.0 mgd), (2) La Purisima Canyon and Rucker Road Wastewater Treatment Facilities owned by Mission Hills Community Services District (0.2 mgd), and (3) small wastewater treatment facilities at Vandenberg Air Force Base. Wastewater is also reclaimed by treatment facilities located at the U.S. Penitentiary, Lompoc (0.3 mgd). Parts of Lompoc Valley ground water basin are in a state of adverse salt balance because of municipal and agricultural discharges. It is imperative that impacts of waste discharges to land be reduced by implementing strict salt limitations, source control programs, and other salt management practices.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on October 12, 1984.


Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A LAUREL LANE
SAN LUIS OBISPO, CALIFORNIA 93401

RESOLUTION NO. 84-03

Revision and Amendment of Water Quality Control
Plan by the Addition of a Prohibition of Waste
Discharge from Individual and Community Sewage
Disposal Systems Within the Fruitland Area,
Monterey County

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coast Basin (hereafter Basin Plan) on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of pollution and nuisance; and,
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,
- WHEREAS, Article 5, Chapter 4, Division 7 of the California Water Code defines criteria for such prohibition areas (Section 13240 et seq); and,
- WHEREAS, Fruitland is a subdivision of sixty-eight homes located in the Pajaro Valley (near the City of Watsonville), in Monterey County; and,
- WHEREAS, on-site soil absorption systems are the sole means of wastewater disposal in the Fruitland area; and,
- WHEREAS, the predominate lot size in Fruitland (67% of the lots less than one-half acre in size) is too small to accommodate individual sewage disposal systems; and,
- WHEREAS, sixty-five percent of the property owners in Fruitland have attested to on-site system problems; and,
- WHEREAS, there have been instances of surfacing effluent in the Fruitland area; and,
- WHEREAS, the Soil Conservation Service has designated the soils of Fruitland as poor (due to slow percolation) for septic tank filter fields; and,

WHEREAS, the residents of Fruitland petitioned the Monterey County Board of Supervisors to investigate their septic tank problems; and,

WHEREAS, the County Health Department at the request of the Board of Supervisors conducted a septic tank survey of the Fruitland Subdivision; and,

WHEREAS, the County Health Department has submitted documentation of conditions which constitute contamination and pollution as defined in Section 13050 of the California Water Code; and,

WHEREAS, the Regional Board is obligated to update the Basin Plan's implementation program for achieving water quality objectives; and,

WHEREAS, Fruitland area ground waters are suitable for agricultural, municipal, domestic and industrial water supply; and,

WHEREAS, a Regional Board staff report indicates public health is threatened by the high instances of surfacing effluent; and,

WHEREAS, a County of Monterey Health Department letter cites a public health threat unless sewage is disposed of properly; and,

WHEREAS, drafts of proposed revisions and amendments of the Basin Plan, prohibiting discharges from Fruitland individual and community sewage disposal systems, have been prepared and provided to interested persons and agencies for review and comment, and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds adoption of this prohibition area will not have a significant adverse effect on the environment; and,

WHEREAS, on February 24, 1984, in the Board of Supervisor's Hearing Room, County Administration Building, 105 East Anapamu, Santa Barbara, California, after due notice, the Regional Board conducted a public hearing at which evidence was received pursuant to Section 13281 of the California Water Code concerning the impact of discharges from individual sewage disposal systems on water quality and public health; and,

WHEREAS, pursuant to Section 13280 of the California Water Code, the Regional Board finds that discharges of wastes from new and existing individual and community disposal systems which utilize subsurface disposal in the affected area will result in violation of water quality objectives; will impair beneficial uses of water; will cause pollution, nuisance, or contamination; and will unreasonably degrade the quality of waters of the State; and,

WHEREAS, the Regional Board finds the aforesated conditions in need of remedy to protect present and potential beneficial uses of water and to prevent pollution and nuisance.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be amended as follows:

Page 5-66, after Item 9, following the discussion of discharge limitation (added by Resolution 83-16), insert the following prohibition:

"10. Discharge of waste from additional individual and community sewage disposal systems is prohibited and the discharge of waste from existing individual and community sewage disposal systems is prohibited after July 1, 1987, in Fruitland Sub-division, Monterey County, and more particularly described as:

"Within the boundaries of the Fruitland Subdivision, excluding Assessors Parcel Numbers 117-131-22 and 117-131-23."

BE IT FURTHER RESOLVED, that the above area is consistent with the recommendations of the staff report as shown on "Attachment A."

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria, first paragraph of Page 5-67 of the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that compliance with the above prohibition of existing individual or community sewage disposal systems shall be achieved according to the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
Complete Facility Planning	July 1, 1984
Complete Design	July 1, 1985
Begin Construction	October 1, 1985
Complete Construction	July 1, 1986

BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with schedules shall be submitted to the Regional Board within fourteen days following each scheduled date, unless otherwise specified. Noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment, and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the State Water Resources Control Board is hereby requested to amend forthwith the Clean Water Grant Project Priority List to Recognize the necessary structural solution for Fruitland as a Priority "A" project.

BE IT FURTHER RESOLVED, the Executive Officer of the Regional Board is hereby directed to submit this revision of the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the above prohibition.

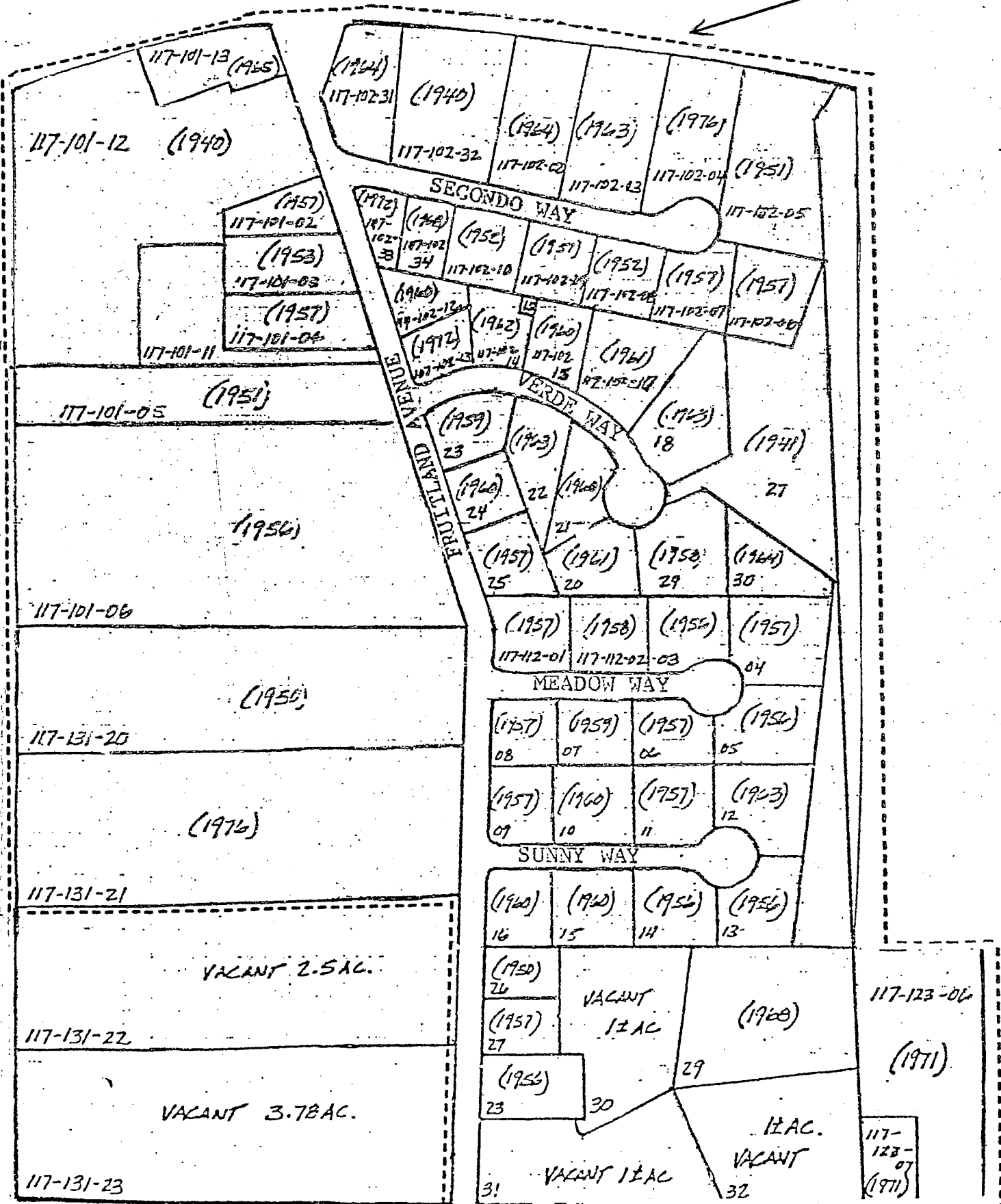
I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 24, 1984.



Executive Officer

SALINAS ROAD

PROHIBITION ZONE



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A Laurel Lane
San Luis Obispo, California 93401

RESOLUTION NO. 84-02

Concerning Revisions and Amendment of
the Water Quality Control Plan,
Central Coastal Basin,
(Nutrient Objective for Pajaro River
and Llagas Creek)

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and,
- WHEREAS, the Regional Board deleted general numerical objectives for nutrients (Table 4-3) in 1977; and,
- WHEREAS, the Environmental Protection Agency (EPA) is concerned that this deletion is an apparent downgrading of the Basin Plan; and,
- WHEREAS, the Regional Board was concerned that general objectives are not attainable because of: (1) variable natural background conditions; (2) irretrievable man-induced conditions; or, (3) effluent limits to attain the beneficial use that would result in substantial and widespread adverse economic and social impacts; and,
- WHEREAS, EPA responded that specific nutrient objectives should be established for several surface waters within the Central Coast Region; and,
- WHEREAS, nutrients are contributing to an algae problem along the Pajaro River and Llagas Creek; and,
- WHEREAS, the Regional Board has determined that nutrient objectives are needed for Pajaro River and Llagas Creek; and,
- WHEREAS, proposed revisions and amendments are to be made to Chapter 4, Water Quality Objectives; and,
- WHEREAS, Regional Board staff prepared documents and followed procedures to comply with environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act; and,
- WHEREAS, drafts of proposed revisions and amendments and the environmental documents have been made available to interested persons and agencies for review and comment; and,

WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within the Region; and,

WHEREAS, on January 20, 1984, in San Luis Obispo City Council Chambers, 990 Palm Street, San Luis Obispo, California, the Regional Board reviewed staff documents pertaining to the amendment, including proposed changes, environmental documents, and written comments and written staff responses, as well as received additional evidence and testimony concerning the proposed amendments to the Basin Plan.

NOW, THEREFORE, BE IT RESOLVED, that pages 4-7, 4-10, 4-11, 4-12, and, 4-13 of the Basin Plan be revised and amended as shown on Attachment A of this resolution.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on January 20, 1984.


Executive Officer

RESOLUTION NO. 84-02
ATTACHMENT A

1. Page 4-7, change "Table 4-4" to "Table 4-3."
2. Page 4-9, 1st column, 3rd paragraph, change "Table 4-4" to "Table 4-3."
3. Page 4-9, 1st column, 4th paragraph, change "Table 4-5" to "Table 4-4."
4. Page 4-9, 2nd column, 1st paragraph, change:
 - (a). "Table 4-6" to "Table 4-5" and,
 - (b). "Table 4-7" to "Table 4-6."
5. Page 4-10, change "Table 4-5" to "Table 4-4."
6. Page 4-11, change "Table 4-6" to "Table 4-5."
7. Page 4-12, change "Table 4-7" to "Table 4-6."
8. Page 4-13, first column, under "Water Quality Objectives for Specific Inland Surface Waters, Enclosed Bays and Estuaries," 1st paragraph; amend to read:

"Certain water quality objectives have been established for selected surface and ground waters; these objectives are intended to serve as a water quality baseline for evaluating water quality management in the basin. Median values, shown in Table 4-~~8~~7 for surface waters, are based on available data. Nutrient objectives have also been established for selected surface waters to control biostimulation. Mean value for nutrients are shown in Table 4-8."

9. Page 4-3, 2nd column, 3rd paragraph, change "Table 4-6" to "Table 4-5."
10. Page 4-13, 2nd column, 4th paragraph, change "Table 4-7" to "Table 4-6."
11. Page 4-13, 2nd column, 7th paragraph change "Table 4-8" to "Table 4-7."
12. Page 4-14, change "Table 4-8" to "Table 4-7."
13. Page 4-15, add new Table 4-8:

TABLE 4-8. WATER QUALITY OBJECTIVES FOR BIOSTIMULANTS

Designated Surface Water	Concentration Not To Be Exceeded ^{1/}		
	Total Available Nitrogen ^{2/} (as N) mg/l	Nitrate (as NO ₃ ⁻) mg/l	Total Orthophosphate (as P) mg/l
Llagas Creek	1.5		0.05
Pajaro River	2.5		0.3
San Lorenzo River		0.25	

^{1/} Monthly mean

^{2/} NH₃ + NH₄⁺ + NO₂⁻ + NO₃⁻

Basin Plan History p.1692

14. Renumber pages 4-15 and 16 to 4-16 and 17, respectively.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

KENNETH R. JONES, Executive Officer
WILLIAM R. LEONARD, Supervising Engineer

CONSIDERATION OF BASIN PLAN
NUTRIENT OBJECTIVES
FOR
PAJARO RIVER
AND
LLAGAS CREEK

Prepared by: Angela Charpentier, WRC Engineer
Under Supervision of: Roger W. Briggs, Senior Engineer

STAFF REPORT
December 15, 1983

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I. Description of Proposed Activity

In 1975, the Regional Water Quality Control Board (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan). In 1977, the Regional Board adopted a resolution which allowed the numerical objectives in Table 4-3 to be waived in waste discharge requirements and National Pollutant Discharge Elimination System Permits on a case-by-case basis where environmental and engineering factors show that less restrictive limits will not unreasonably impair beneficial uses.

The State Board did not approve this amendment. This is because Regional Boards are required to implement the water quality objectives of adopted Basin Plans. There is no general provision or authority within the Water Code allowing adopted and approved water quality objectives to be waived during the preparation and adoption of waste discharge requirements for a particular discharger.

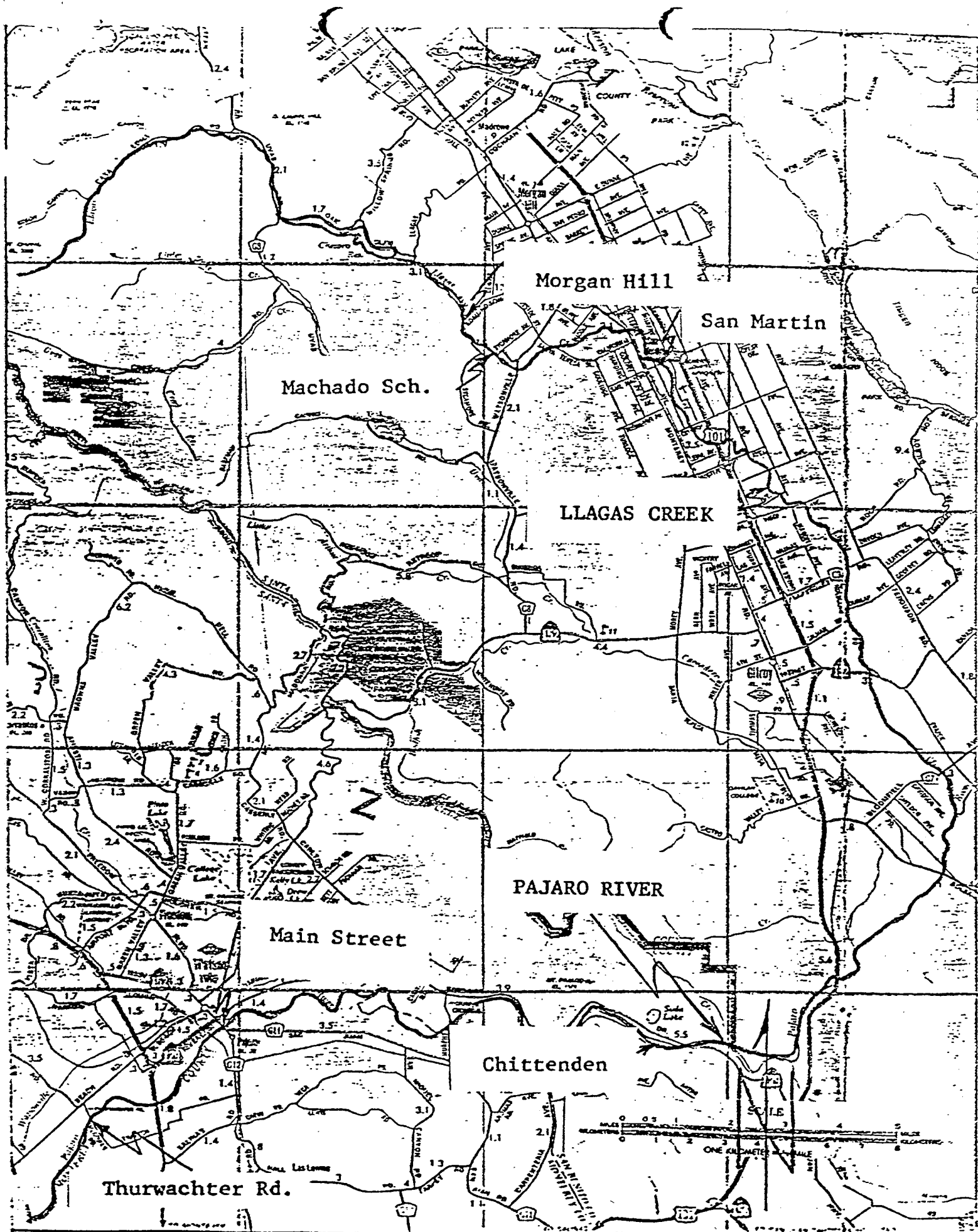
The State Board staff proposed two alternatives for the Regional Board's consideration: (1) adopt revised water quality objectives for specific receiving waters, and (2) prohibit discharges to specific receiving waters. The most practical of the two is the first option. The revisions should consider at least the factors listed in Water Code Section 13241; in particular, economically achievable treatment levels for all point sources. Revised water quality objectives can be established for selected waterbodies, while Table 4-3 would remain applicable to all others. The Regional Board responded by deleting objectives for nutrients specified in Table 4-3. The State Board approved this deletion. However, EPA did not approve this amendment. EPA requested justification of this apparent downgrading of the Approved Water Quality Standards.

The Regional Board reasoned that numerical objectives were not attainable because of: (1) variable natural background conditions; (2) irretrievable man-induced conditions; or, (3) effluent limits to attain a beneficial use that would result in substantial and widespread adverse economic and social impacts.

EPA approved the deletion of Table 4-3 containing the general numerical objectives provided specific numeric objectives would be established for several surface waters. Because the Pajaro River^{2, 12, 15, 21} and Llagas Creek^{15, 21} both have algae problems, nutrient objectives are proposed herein.

The location of Pajaro River and Llagas Creek is shown in Figure 1. The Pajaro River forms part of the borders of Santa Cruz, Monterey, San Benito and Santa Clara Counties. The only major city the Pajaro River flows through is Watsonville. Llagas Creek and the San Benito River flow into the Pajaro River. Land in this area is very fertile and agriculture is abundant. There are no point source discharges to Pajaro River.

During the summer, the Pajaro River is usually dry. Flow that does occur in the Pajaro River during the summer is composed of agricultural return water. The mouth of the Pajaro River is influenced by tides. Seawater may extend as far as two miles inland from the mouth of the river. The mean flow rate of the Pajaro River is approximately 100 cubic feet per second.



Llagas Creek drains the southerly portion of Santa Clara County. Gilroy, San Martin, and Morgan Hill are all in close proximity to Llagas Creek. Carnadero Creek and Uvas Creek are tributaries to Llagas Creek. Surface water from Chesbro Reservoir flows into Llagas Creek. Cropland, orchards, poultry farming, dairies, and pastures are typical types of agricultural usages in the watershed. The only point source discharging to Llagas Creek is the Gilroy Groundwater Dewatering Project. Domestic and industrial waste is discharged to either Gilroy's evaporation/percolation ponds or on-site sewage disposal systems.

Llagas Creek is usually dry during the summer. Summer flow that does occur is agricultural return water. The mean flow rate of the Llagas Creek is approximately 10 cubic feet per second. Beneficial uses of these surface waters includes municipal and domestic water supply, agricultural and industrial service supply and water and non-water contact recreation. The beneficial uses that will first be destroyed due to biostimulation are water contact and non-water contact recreation. Water supply treatment (filtration) can allow continuance of other beneficial uses even with algae present.

Excessively high concentrations of nutrients can result in undesirable biostimulation (algal blooms) which can impair beneficial uses. Biostimulation can result in replacement of diatoms by attached filamentous green or blue-green algae, with possible adverse impacts on the stream as a whole.

Algae is a problem in the Pajaro River and lower Llagas Creek. There are several sources of nutrients that can contribute to biostimulation. These sources may include agricultural practices, septic tanks, seepage and occasional overflows from the Gilroy sewage treatment plant, and sediments released from Chesbro Reservoir. Agriculture operations include composting, manure storage, chicken ranches, several dairies, orchards, crops, and grazing. Management practices can be implemented to control nutrient runoff/discharge. This has been the subject of a great deal of study through Section 208 of the Clean Water Act, Soil Conservation Service, farm advisors, U.S. Ag Extension, and Resource Conservation District.

II. Factors to Consider in Establishing Water Quality Objectives

Section 13241 of the Porter-Cologne Water Quality Control Act (State Water Code) provides a legal basis for establishing water quality objectives. Factors to consider by the Regional Board include:

- (a). Past, present, and probable future beneficial uses of water.
- (b). Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
- (c). Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
- (d). Economic considerations.
- (e). The need for developing housing within the region.

Present and anticipated beneficial uses of Pajaro River and Llagas Creek are summarized within the Water Quality Control Plan, Central Coastal Basin (Basin

Plan). Beneficial uses for the Pajaro River and Llagas Creek include municipal and domestic water supply, agricultural supply, industrial service supply, groundwater recharge, water and non-water contact recreation, cold water habitat, wildlife habitat, and fish spawning. Llagas Creek also provides a warm water habitat for aquatic resources.

Water Quality data presented in Table 1 provide the recent environmental characteristics of Pajaro River and Llagas Creek. Typical historical water quality of Pajaro River is:

<u>Constituent</u>	<u>Units</u>	<u>Range of Values</u>	<u>Years of Record</u>
Turbidity	FTU	0 - 600	1977 - 82
Conductivity	micromho	270 - 3151	1952 - 80
Dissolved Oxygen	mg/l	1.7 - 16.4	1951 - 82
pH		7.2 - 8.8	1951 - 82
$\text{NH}_3 + \text{NH}_4^+$	mg/l N	0 - 0.73	1965 - 82
NO_2^-	mg/l N	0.02 - 7.0	1965 - 78
PO_4^-	mg/l P	0.0 - .99	1965 - 78
Total Hardness	mg/l	102 - 758	1950 - 82
Boron	ug/l	0 - 2600	1952 - 80

Typical water quality of Llagas Creek is:

<u>Constituent</u>	<u>Units</u>	<u>Range of Values</u>	<u>Years of Record</u>
Turbidity	FTU	0.5 - 230	1975 - 82
Conductivity	micromho	234 - 1040	1967 - 82
Dissolved Oxygen	mg/l	1.0 - 16.4	1967 - 82
pH		7.0 - 9.5	1967 - 82
$\text{NH}_3 + \text{NH}_4^+$	mg/l N	0 - 0.74	1979 - 82
NO_2^-	mg/l N	0.02 - 5.9	1979 - 82
PO_4^-	mg/l P	0 - 0.31	1967 - 82
Total Hardness	mg/l	110 - 514	1974 - 82
Boron	ug/l	0 - 2200	1974 - 82

As mentioned earlier in this report, several sources contribute to biostimulation. Control measures can be implemented to reduce algal presence in both surface waters. Guidelines to reduce algal blooms are: (1) California State Water Resources Control Board Minimum Guidelines for Protection of Water Quality from Animal Wastes; (2) California Regional Water Quality Control Board Policy for Enforcement of Guidelines for Waste Disposal from Dairies; and, (3) Regional Board Policy Concerning Individual/Community Sewage Disposal Systems.

Fertilization and irrigation optimization practices can also reduce nutrient input from cropland. Expansion of the Gilroy sewage treatment plant will alleviate wastewater overflows.

Economic considerations of wastewater managers vary depending upon the type of waste that impacts the surface water. Possible costs for controlling animal wastes and dairy wastes include costs for surface water retention facilities, relocating animal/manure confining facilities out of a flood plain, and distribution line between wastewater retention facilities and croplands.

Costs for on-site sewage disposal systems include those necessary to determine site suitability (such as percolation tests, soil borings/excavations, etc.) and those necessary to operate and maintain on-site sewage disposal systems (such as adequate inspection hardware, inspection and pumping costs). In addition, higher costs may be associated with septic tank maintenance districts and Wastewater Management Plans, if established. The City of Gilroy and Morgan Hill will share the local agency portion of the Clean Water Grant Project costs for expanding the Gilroy sewage treatment plant.

The demand for housing is expected to increase within the Santa Clara Valley area due to the expansion of the microelectronics industry. This proposal will not jeopardize the housing need within the area, unless Gilroy's proposed land disposal areas prove to be unsuitable for projected flows.

III. Method of Objective Determination

Literature indicates that nitrogen and phosphorus are the most important nutrients responsible for eutrophication. Other elements such as potassium, magnesium, sulfates, and trace elements (cobalt, copper, iron, manganese, zinc, boron, etc.) are also possible contributors to eutrophication. They are rarely found in natural waters in concentrations low enough to limit aquatic plant growth. Nitrogen is available to algae in the total soluble inorganic nitrogen (TSIN: nitrate, nitrite, and ammonia) forms while phosphorus is available in the orthophosphate form.

A TSIN to orthophosphate (as P) ratio of 10:1 is used to indicate the algal growth limiting element. Algal growth can be minimized by restricting the availability of the limiting element. Thus a water quality objective is provided herein based upon the limiting element. Analysis of water quality data for the Pajaro River indicates that nitrogen is limiting 47% of the time and for the Llagas Creek indicates that nitrogen is limiting 12% of the time. (Please refer to Appendix A for specific data.) Therefore, an objective for both TSIN and orthophosphate (as P) is needed for both surface waters.

Several methods were used within this study to determine a suitable objective. The techniques are: (1) water quality under non-algae conditions; (2) historical approach; and, (3) seasonal approach. Under the first approach, current water quality was analyzed under a "non-algae" condition. The nutrient concentration can serve as a basis for a suitable objective. Table I and Table II show nutrient and other data of interest for single observations during June, 1983, for Pajaro River and Llagas Creek, respectively. At the time of sampling, Pajaro River and the upper Llagas Creek did not exhibit an algae problem. Thus, data obtained by this method may serve as a basis of a nutrient objective.

Under the historical approach, water quality data was plotted versus time. The intent of this method was to evaluate water quality at a much earlier time when anthropogenic factors had not yet contributed to water quality degradation. Unfortunately, this approach was lacking because historical data

simply was not available. The earliest year of data availability was 1965. Furthermore, there was no water quality information available between 1970 and 1976.

The seasonal approach averaged data in each season (fall, winter, spring, summer) for all seasons of data availability. The intent of this method was to evaluate the impact of the various seasons upon nutrient concentrations. This method was used to determine if seasons existed when nutrients were not a problem. Such non-problem seasons could be used to determine "natural background" concentrations. In some cases, natural background concentrations may serve as a basis of a nutrient standard. Unfortunately, no information was available for algal presence with this method.

IV. Results

Recent water quality results presented in Table 1 reveal that algae was not a problem in the Pajaro River at the time of sampling. Although some algae existed in the proximity of Main Street and Chittenden, the amount of algae present is not considered a problem. In addition, algae was not a problem upstream of San Martin in Llagas Creek. Because algae was not a problem at concentrations shown in Table 1 for these locations, these concentrations serve as the primary basis for biostimulant objectives. This is the only data source that can safely be used because it is the only data that also contains algal presence observations.

Data presented in Table 1 indicates that the nutrient objectives for the Pajaro River should be either 2.5 mg/l N ($\text{NH}_3 + \text{NH}_4^+ + \text{NO}_2^- + \text{NO}_3^-$) or 1.5 mg/l PO_4^{3-} (as P). The data presented in Table 1 indicates that nitrogen is the limiting element. Hence the objective selected for N is believed to be sound. If the 10:1 ratio is applied to the N objective, it can be seen that the orthophosphate concentrations shown in Table 1 are much larger than the resulting 0.25 mg/l concentration for orthophosphate. Inspection of historical data indicates that phosphorus is limiting between concentrations of 0.08 - 0.37 mg/l orthophosphate (as P). Therefore, an orthophosphate (as P) objective of 0.3 mg/l is more appropriate than the values shown in Table 1, and would correlate well with a nitrogen objective of 2.5 mg/l.

Data presented in Table II indicates that the nutrient objectives for Llagas Creek should be developed from the non-impacted (relatively unaffected by point and non-point source discharges) upstream data. Therefore, the nutrient objectives should be 1.5 mg/l Total Nitrogen ($\text{NH}_3 + \text{NH}_4^+ + \text{NO}_2^- + \text{NO}_3^-$ as N) and 0.05 mg/l orthophosphate (PO_4^{3-} as P). This 0.05 mg/l PO_4^{3-} (as P) objective also agrees with the generalized phosphate objective discussed in Water Quality Criteria, April 1, 1968, Federal Water Pollution Control Administration. This source states that "50 micrograms per liter total phosphorus (as P) would probably restrict noxious aquatic plant growths in flowing waters and in some standing waters." Although one objective is for phosphate and the other for total phosphorus, they are the same because the only form of phosphorus that algae can utilize is phosphate.^{15,16}

These objectives were compared to seasonal data to determine possible impacts. Seasonal data for available nitrogen and orthophosphate for the Pajaro River is shown in Figures 1 and 2, respectively, and Llagas Creek data is shown in Figures 3 and 4, respectively. For the Pajaro River, nitrogen objective has been exceeded approximately 60% of the time. The phosphate objective has

TABLE I.
WATER QUALITY AND PHYSICAL CONDITIONS
OF PAJARO RIVER
June, 1983

Condition	Pajaro River Station		
	Thurwachter Rd.	Main St.	Chittenden
Water Temp, °F	65	64	65
Riparian Vegetation Cover	Open	Open	Open
Conductivity	Meter Out	1050	1090
pH	7.6	7.4	7.5
Dissolved Oxygen, mg/l	9.6	9.4	10.0
Turbidity (visual inspec)	---	Slight	Slight
Flow (approximate), cfs	---	50	---
Available N, as N ($\text{NH}_3 + \text{NH}_4^+ + \text{NO}_2^- + \text{NO}_3^-$), mg/l	2.51	2.40	2.47
Orthophosphate, as P, mg/l	1.51	1.38	1.22
Algal Presence (visual)	No	Not Much	Not Much

downstream ← → upstream

TABLE II. WATER QUALITY AND PHYSICAL CONDITIONS OF LLAGAS CREEK, JUNE, 1983

Condition	LLAGAS CREEK STATION							
	Bloomfield	Luchessa Rd.	3290 Ft. N. Bloomfield	Hwy. 152	Leavesley Rd.	San Martin	Machado Sch.	Edmunson Ave.
Water Temp., °F	64	65	67	61	60	61	60	60
Riparian Vegetation Cover	open	shaded except station	open	open	open	open	open	tree shade
Conductivity	1700	1060	1060	1050	395	370	350	310
pH	7.1	7.3	7.4	7.1	7.4	7.8	7.5	7.6
Dissolved Oxygen, mg/l	10.1	11.0	11.8	10.4	12.8	10.2	10.6	11.0
Turbidity (visual inspection)	some		some		some			
Flow (approximate), cfs	10-15	slow, smooth	slow	swift	<10	<10	~10	~10
Available N, as N (NH ₃ +NH ₄ ⁺ +NO ₂ ⁻ +NO ₃ ⁻), mg/l	12.83	19.60	4.24	10.91	6.17	2.18	1.49	0.49
Orthophosphate, as P, mg/l	1.03	0.49	0.68	0.47	0.71	<0.02	0.05	0.04
Algal Presence	not much	much	none	much	much	dead algae	not much	not much

downstream ← → upstream

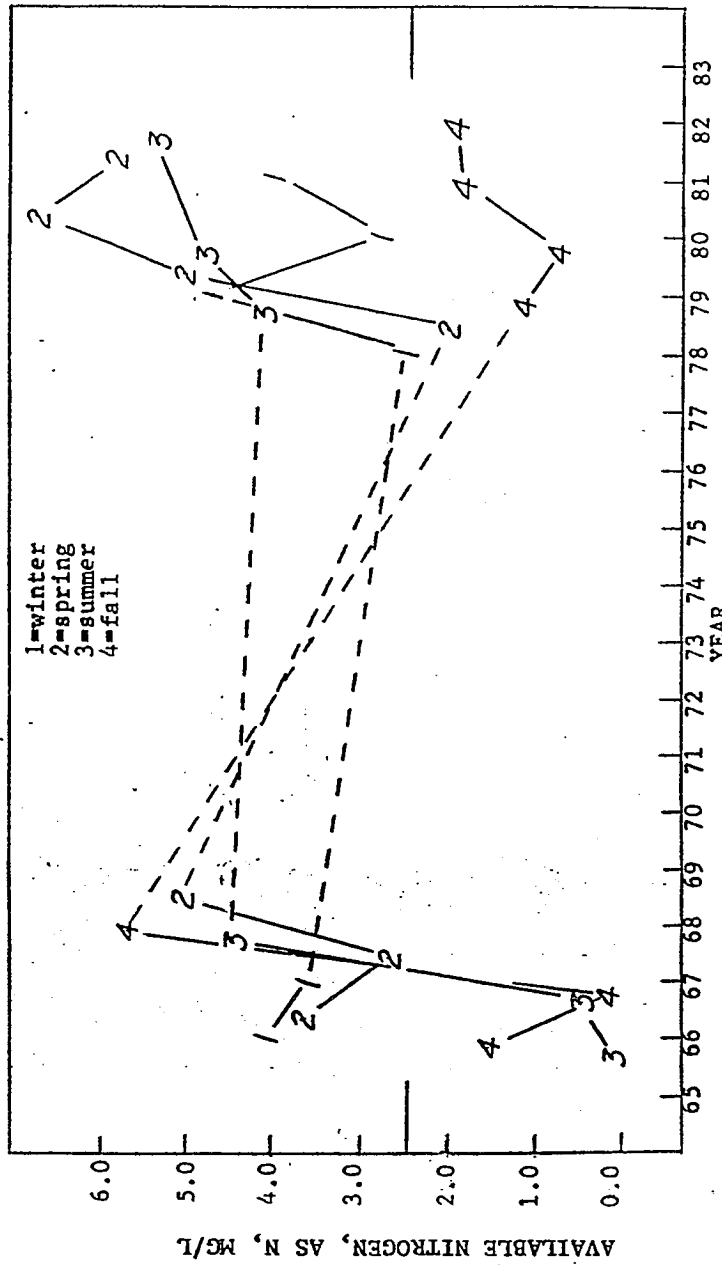


Figure 2. Available Nitrogen Versus Time, Pajaro River @ Chittenden

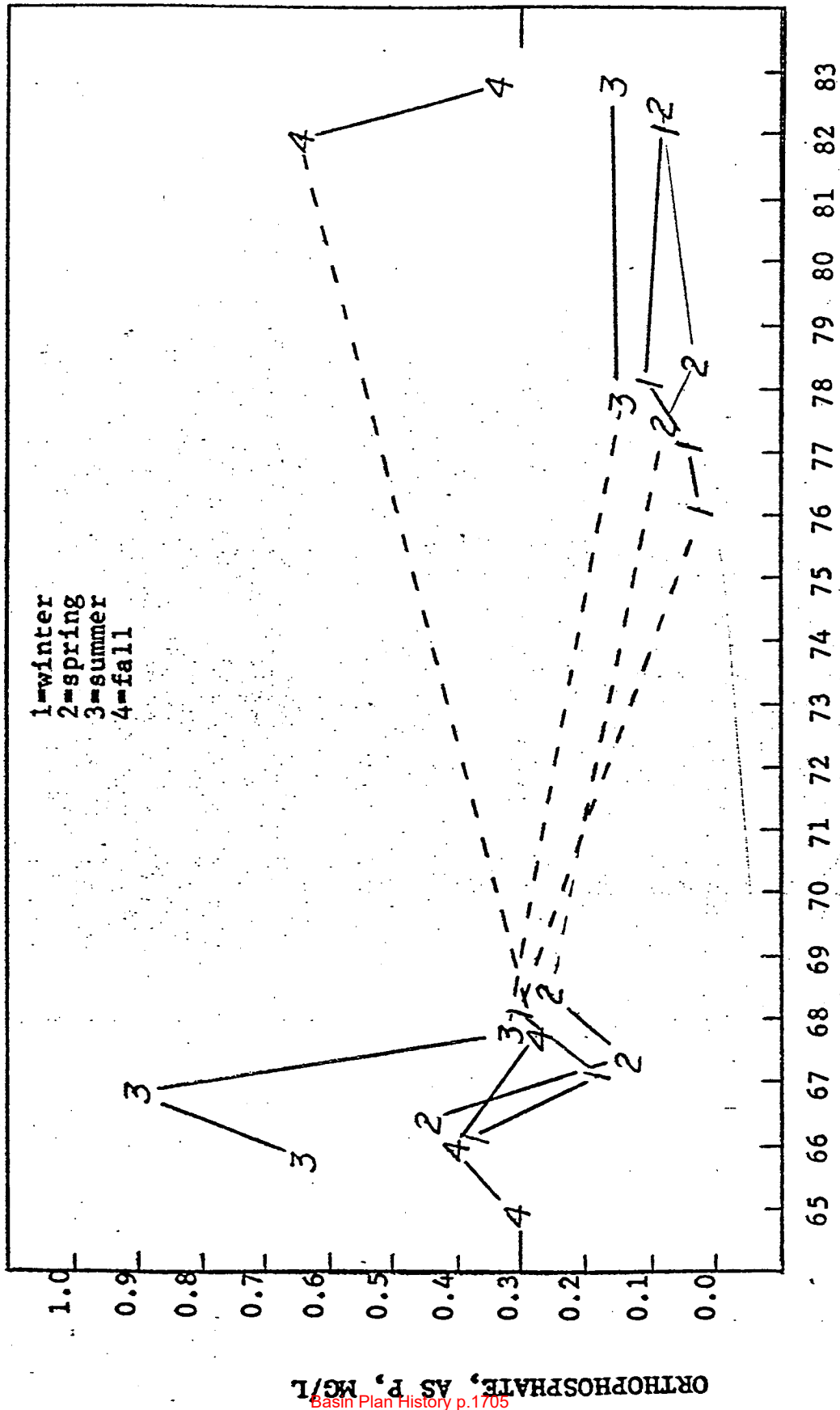


Figure 3. Orthophosphate versus time, Pajaro River @ Chittenden

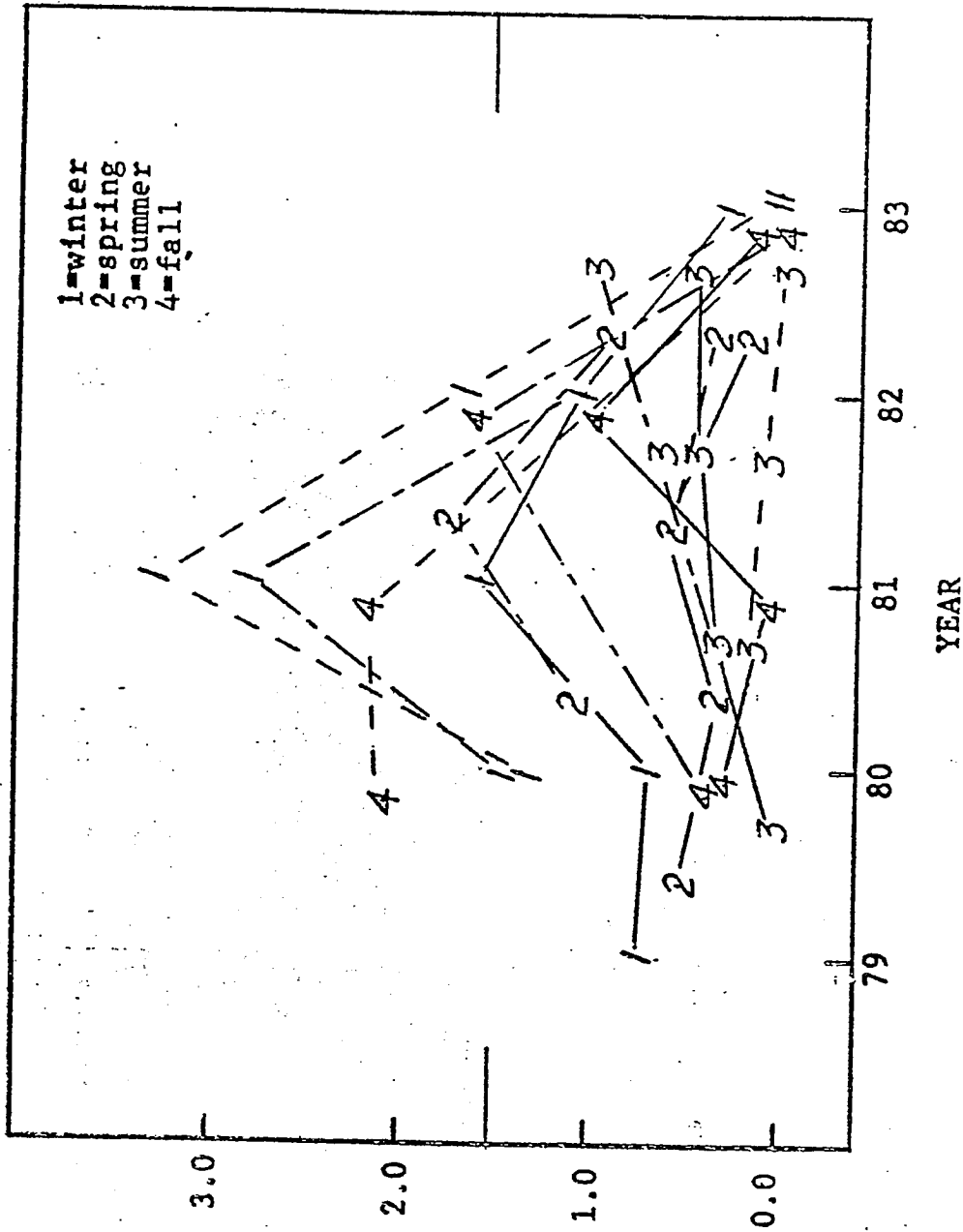


Figure 4. Available Nitrogen Versus Time, Llagas Creek

AVAILABLE NITROGEN, AS N, MG/L

STATIONS

--- @ San Martin

--- @ Machado Sch
Nr Morgan Hill

--- Nr Morgan Hill

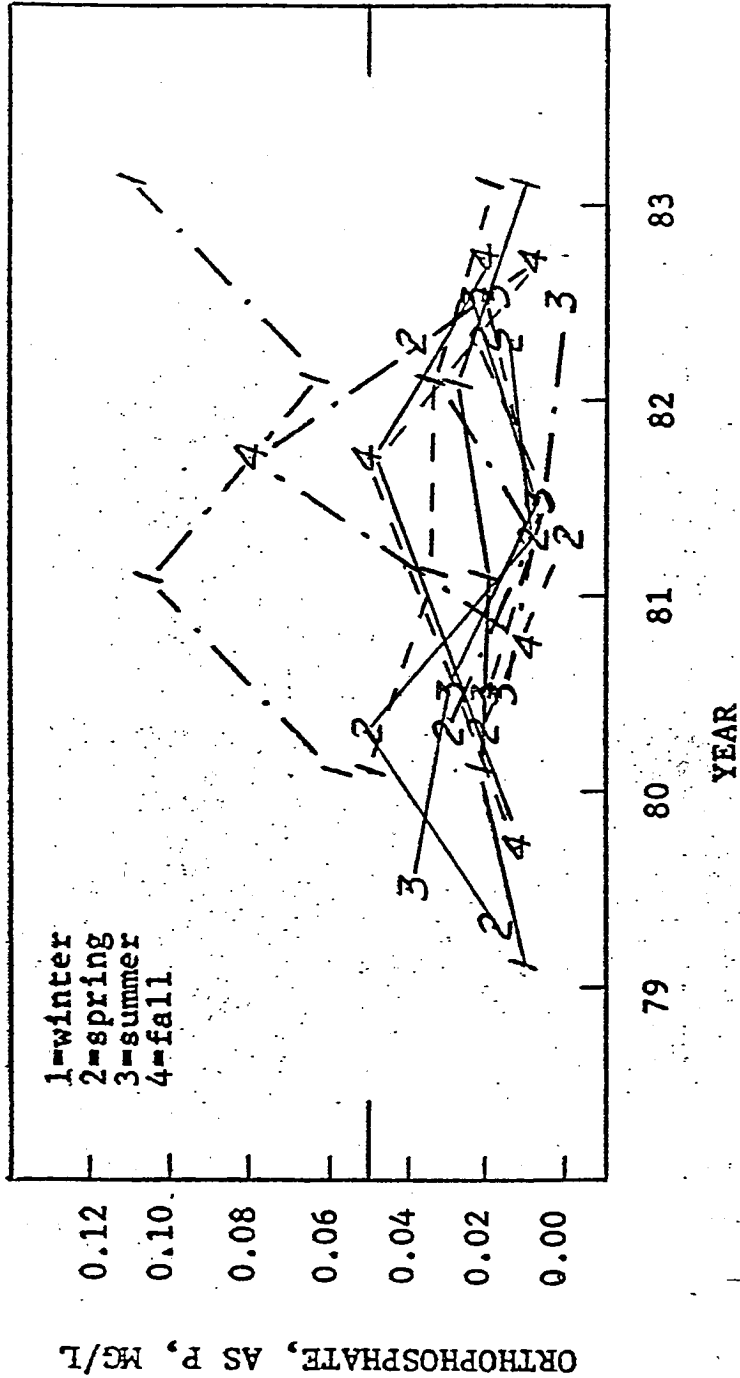


Figure 5. Orthophosphate versus time, Llagas Creek

been exceeded approximately 40% of the time on a seasonal average basis. For Llagas Creek, the nitrogen objective has been exceeded approximately 25% of the time in the upstream portions and the phosphate objective has been exceeded approximately 20% of the time.

According to data shown in Table 1, these proposed objectives will be difficult to meet along lower Llagas Creek.

V. Alternatives to the Proposed Activity

A. No Action

A no action alternative to setting numeric criteria would be adverse to beneficial water uses. Beneficial water uses will be reduced if algae continues to grow. Large mats of filamentous algae are aesthetically displeasing. They may snag fishing gear, make rocks slippery to waders, and cause unpleasant tastes or odors. They may be less palatable than diatoms to "fish food" invertebrates. Algae mats may trap sediment, altering the streambed character which is important both for invertebrate survival and fish spawning. Clumps of algae may break loose and clog water intakes, form sludge deposits, and increase downstream biochemical oxygen demand.

Furthermore, no action would be contrary to the Environmental Protection Agency's position that numerical criteria must be established for some surface waters with algae concentrations harmful to beneficial uses.

B. Establish Different Numeric Criteria

The method used to derive numerical objectives is the best approach because it is the only process that considers algal observations. Another approach could have been taken but there would be no indication that the problem of algal presence would be reduced.

It may be possible that the proposed objective will have to be revised in the future upon receipt of additional information concerning these surface waters. Either upward or downward changes of numeric criteria can be considered as part of the continuing planning process.

I. BACKGROUND

1. Name of Proponent Central Coast Regional Water Quality Control Board
2. Address and Phone Number of Proponent:
 - 1102 A Laurel Lane
 - San Luis Obispo, CA 93401
 - (805) 549-3147
3. Date of Checklist Submitted November 28, 1983
4. Agency Requiring Checklist Resources Agency
5. Name of Proposal, if applicable Nutrient Objectives -- Pajaro River and Llagas Creek; Region 3 Amendment to the Water Quality Control Plan (Basin Plan).

II. ENVIRONMENTAL IMPACTS

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

	YES	MAYBE	NO
1. Earth. Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic substructures?	_____	_____	X
b. Disruptions, displacements, compaction or overcovering of the soil?	_____	_____	X
c. Change in topography or ground surface relief features?	_____	_____	X
d. The destruction, covering or modification of any unique geologic or physical features?	_____	_____	X
e. Any increase in wind or water erosion of soils, either on or off the site?	_____	_____	X
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	_____	_____	X

- | | | | | |
|----|--|-------|-------|---|
| g. | Exposure of people or property to geologic hazards, such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | _____ | _____ | X |
| 2. | Air. Will the proposal result in: | | | |
| a. | Substantial air emissions or deterioration of ambient air quality? | _____ | _____ | X |
| b. | The creation of objectionable odors? | _____ | _____ | X |
| c. | Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? | _____ | _____ | X |
| 3. | Water. Will the proposal result in: | | | |
| a. | Changes in currents, or the course or direction of water movements, in either marine or fresh waters? | _____ | _____ | X |
| b. | Changes in absorption rates, drainage patterns or the rate and amount of surface water runoff? | _____ | _____ | X |
| c. | Alterations to the course or flow of flood waters? | _____ | _____ | X |
| d. | Change in the amount of surface water in any water body? | _____ | _____ | |
| e. | Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? | X | _____ | |
| f. | Alteration of the direction or rate of flow of ground waters? | _____ | _____ | |
| g. | Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? | _____ | _____ | X |
| h. | Substantial reduction in the amount of water otherwise available for public water supplies? | _____ | _____ | X |
| i. | Exposure of people or property to water related hazards such as flooding or tidal waves? | _____ | _____ | X |

4. Plant Life. Will the proposal result in:

- a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)? ___ ___ X
- b. Reduction of the numbers of any unique, rare or endangered species of plants? ___ ___ X
- c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? ___ ___ X
- d. Reduction in acreage of any agricultural crop? ___ ___ X

5. Animal Life. Will the proposal result in:

- a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)? ___ ___ X
- b. Reduction of the numbers of any unique, rare or endangered species of animals? ___ ___ X
- c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? ___ ___ X
- d. Deterioration to existing fish or wildlife habitat? ___ ___ X

6. Noise. Will the proposal result in:

- a. Increases in existing noise levels? ___ ___ X
- b. Exposure of people to severe noise levels? ___ ___ X

7. Light and Glare. Will the proposal produce new light or glare? ___ ___ X

8. Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area? ___ ___ X

9. Natural Resources. Will the proposal result in:

- a. Increase in the rate of use of any natural resources? ___ X ___
- b. Substantial depletion of any nonrenewable natural resource? ___ ___ X

- | | | | | |
|-----|--|-------|-------|-------|
| 10. | Risk of Upset. Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions? | _____ | _____ | _____ |
| 11. | Population. Will the proposal alter the location, distribution, density, or growth rate of the human population in the area? | _____ | _____ | X |
| 12. | Housing. Will the proposal affect existing housing, or create a demand for additional housing? | _____ | _____ | X |
| 13. | Transportation/Circulation. Will the proposal result in: | | | |
| a. | Generation of substantial additional vehicular movement? | _____ | _____ | X |
| b. | Effects on existing parking facilities, or demand for new parking? | _____ | _____ | X |
| c. | Substantial impact upon existing transportation systems? | _____ | _____ | X |
| d. | Alterations to present patterns of circulation or movement of people and/or goods? | _____ | _____ | X |
| e. | Alterations to waterborne, rail or air traffic? | _____ | _____ | X |
| f. | Increase in traffic hazards to motor vehicles, bicyclists or pedestrians? | _____ | _____ | X |
| 14. | Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: | | | |
| a. | Fire protection? | _____ | _____ | X |
| b. | Police protection? | _____ | _____ | X |
| c. | Schools? | _____ | _____ | X |
| d. | Parks or other recreational facilities? | _____ | X | _____ |
| e. | Maintenance of public facilities, including roads? | _____ | _____ | X |
| f. | Other governmental services? | _____ | _____ | X |

- | | | | | |
|-----|---|-------|----------|----------|
| 15. | Energy. Will the proposal result in | | | |
| | a. Use of substantial amounts of fuel or energy? | _____ | _____ | <u>X</u> |
| | b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? | _____ | _____ | <u>X</u> |
| 16. | Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities: | | | |
| | a. Power or natural gas? | _____ | _____ | <u>X</u> |
| | b. Communications systems? | _____ | _____ | <u>X</u> |
| | c. Water? | _____ | _____ | <u>X</u> |
| | d. Sewer or septic tanks? | _____ | _____ | <u>X</u> |
| | e. Storm water drainage? | _____ | _____ | <u>X</u> |
| | f. Solid waste and disposal? | _____ | _____ | <u>X</u> |
| 17. | Human Health. Will the proposal result in: | | | |
| | a. Creation of any health hazard or potential health hazard (excluding mental health)? | _____ | _____ | <u>X</u> |
| | b. Exposure of people to potential health hazards? | _____ | _____ | <u>X</u> |
| 18. | Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view? | _____ | _____ | <u>X</u> |
| 19. | Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities? | _____ | <u>X</u> | _____ |
| 20. | Archeological/Historical. Will the proposal result in an alteration of a significant archeological or historical site, structure, object or building? | _____ | _____ | <u>X</u> |
| 21. | Mandatory Findings of Significance. | | | |

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? _____ X

b. Does the project have the potential to achieve short-term to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time which long-term impacts will endure well into the future.) _____ X

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant). _____ X

d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? _____

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

IV. DETERMINATION

On the basis of this initial evaluation:

X I find the proposed project COULD NOT have a significant effect on the environment.

_____ I find that the proposed project may have a significant adverse impact on the environment. However, there are feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report.

_____ I find that the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

Date _____

(Signature)

VII. Mitigation Measures

In order to meet the proposed objective, actions other than proposed will have to be implemented. This proposal does not consider such additional actions.

Environmental Impact

Mitigation Measures

Item 3e

This amendment may provide additional incentive for control actions that will improve nitrogen and phosphorus concentrations.

This is a beneficial impact and requires no mitigation.

Item 9a, 14d, and 19

This amendment may increase recreational use of the Pajaro River and Llagas Creek.

This is a beneficial impact and requires no mitigation.

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APPENDIX A
SUMMARY OF NUTRIENT DATA/LIMITING CONSTITUENT

Pajaro @ Chittenden

Date	N ($\text{NH}_3 + \text{NH}_4 + \text{NO}_2 + \text{NO}_3$)	P (Ortho PO_4 as P)	N/P	Limiting Constituent
9-1-65	0.13	0.65	1/5	N
11-18-65	1.57	0.32	5/1	N&P
1-13-66	4.07	0.60	7/1	N&P
3-15-66	4.4	0.13	34/1	P
5-3-66	3.5	0.45	8/1	N&P
7-14-66	0.4	0.99	1/2	N
9-15-66	0.55	0.86	1/2	N
11-30-66	0.30	0.40	1/1	N
1-12-67	3.1	0.08	39/1	P
3-9-67	3.85	0.08	48/1	P
5-18-67	2.71	0.21	13/1	P
6-15-67	6.45	0.00	----	-
7-18-67	6.45	0.37	17/1	P
9-6-67	2.15	0.27	8/1	N&P
11-15-67	5.59	0.26	22/1	P
1-17-68	6.92	0.28	25/1	P
3-20-68	2.78	0.23	12/1	P
5-9-68	7.26	0.26	28/1	P
3-17-76		0.04		
1-26-77		0.04		
5-24-77		0.08		
8-24-77		0.14		
1-25-78		0.12		
5-24-78		0.03		
10-24-78		0.09		

Llagas Cr Nr Morgan Hill

4-26-77		0.14		
1-18-79	0.69	0.01	69/1	P
2-15-79	0.62	0.01	62/1	P
3-15-79	0.62	0.01	62/1	P
3-28-79	0.61	0.01	61/1	P
4-25-79	0.47	0.02	24/1	P
5-24-79		0.02		
8-1-79		0.04		
9-5-79	0.10	0.04	2/1	N
11-21-79	0.42	0.01	42/1	P
1-11-80	0.71	0.03	24/1	P
2-20-80	0.60	0	----	
3-7-80	0.51	0.03	17/1	P
5-7-80	0.40	0.05	8/1	N&P
7-17-80	0.29	0.03	10/1	N&P
9-9-80	0.05	0.03	2/1	N
1-30-81	1.89	0.03	63/1	P
3-6-81	0.91	0.01	91/1	P
3-28-81	0.70	0	----	
5-20-81	0.53	0.02	26/1	P
7-15-81	0.89	0.02	44/1	P

<u>Date</u>	<u>N</u> ($\text{NH}_3\text{-NH}_4\text{+NO}_2\text{+NO}_3$)	<u>P</u> (Ortho PO_4 as P)	<u>N/P</u>	<u>Limiting Constitue</u>
<u>Llagas Cr Nr Morgan Hill (cont.)</u>				
9-2-81	0.08	0	-----	
11-18-81	1.06	0.05	21/1	P
12-31-81	0.79	0.02	40/1	P
1-6-82	1.93	0.03	64/1	P
1-22-82	0.74	0.04	18/1	P
2-18-82	0.62	0.02	31/1	P
3-31-82	0.25	0.02	12/1	P
5-19-82	0.23	0.01	23/1	P
7-21-82	0.22	0.02	11/1	P
9-7-82	0.32	0.03	11/1	P
11-17-82	0.25	0.02	12/1	P
1-20-83	0.37	0.01	37/1	P
<u>Pajaro R @ Chittenden, CA</u>				
7-18-73		0.12		
11-17-81		0.64		
1-26-82		0.10		
3-8-82		0.07		
5-18-82		0.08		
7-13-82		0.21		
9-14-82		0.32		
<u>Llagas Cr @ San Martin, CA</u>				
11-21-79	0.21	0.01	21/1	P
1-11-80	1.29	0.13	10/1	N&P
2-20-80	0.89	0.01	89/1	P
3-7-80	1.53	0.03	51/1	P
5-7-80	1.18	0.03	39/1	P
7-17-80	0.14	0.01	14/1	P
9-9-80	0.005	0.02	4/1	N
1-30-81	3.30	0.10	33/1	P
3-28-81	0.85	0.00	-----	
5-20-81	0.36	0.01	36/1	P
7-15-81	0.26	0.01	26/1	P
9-2-81	0.10	0.00	-----	
11-18-81	2.18	0.08	27/1	P
12-31-81	1.74	0.11	16/1	P
1-6-82	4.81	0.09	53/1	P
1-22-82	0.93	0.04	23/1	P
2-18-82	1.20	0.02	60/1	P
3-31-82	0.43	0.07	6/1	N&P
5-19-82	1.50	0.01	50/1	P
7-21-82	0.38	0.01	38/1	P
9-17-82	1.44	0.01	144/1	P
11-17-82	0.40	0.01	40/1	P
1-20-83	1.73	0.11	16/1	P

<u>Date</u>	<u>N</u> ($\text{NH}_3 + \text{NH}_4 + \text{K}_2\text{O}_2 + \text{NO}_3$)	<u>P</u> (Ortho PO_4 as P)	<u>N/P</u>	<u>Limiting Constituent</u>
<u>Llagas C at Machado Sch Nr Morgan Hill</u>				
11-21-79	0.32	0.01	32/1	
1-11-80	2.16	0.11	20/1	
2-20-80	0.76	0.01	76/1	
3-7-80	1.20	0.03	40/1	
5-7-80	1.10	0.01	110/1	
7-17-80	0.35	0.03	12/1	
9-9-80	0.19	0.01	19/1	
1-30-81	3.43	0.05	69/1	
3-6-81	2.03	0.01	203/1	
3-28-81	2.02	0	----	
5-20-81	1.47	0	----	
7-15-81	0.86	0.02	43/1	
9-2-81	0.15	0	----	
11-18-81	1.64	0.05	33/1	
12-31-81	1.77	0.04	44/1	
1-6-82	0.98	0.04	24/1	
1-22-82	0.93	0.04	23/1	
2-18-82	1.03	0.02	52/1	
3-31-82	0.30	0.03	10/1	N&P
5-19-82	1.30	0.01	130/1	
7-21/82	0.53	0.02	26/1	
9-7-82	1.42	0.02	71/1	
11-17-82	1.18	0.01	118/1	
1-20-83	1.96	0.02	98/1	

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A Laurel Lane
San Luis Obispo, California 93401

RESOLUTION NO. 84-01

Concerning Revisions and Amendment of the
Water Quality Control Plan,
Central Coast Basin

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of nuisance; and,
- WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,
- WHEREAS, the Regional Board amended Chapter 2, Present and Anticipated Future Uses of Coastal Waters, Table 2-2, of said Basin Plan on June 11, 1976; and,
- WHEREAS, amendment of Chapter 2 of said Basin Plan on June 11, 1976, did not make a distinction between Elkhorn Slough and Moss Landing Harbor beneficial uses; and,
- WHEREAS, proposed revision and amendment addressed herein apply to Table 2-2 of said Basin Plan, adding Moss Landing Harbor to Table 2-2 and redefining beneficial uses for Elkhorn Slough; and,
- WHEREAS, drafts of proposed revisions and amendments have been prepared and provided to interested persons and agencies for review and comment; and,
- WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,
- WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217); and,
- WHEREAS, on January 20, 1984, in San Luis Obispo, California, after public notice, the Regional Board received evidence and considered all factors concerning proposed revisions and amendments to said Plan.

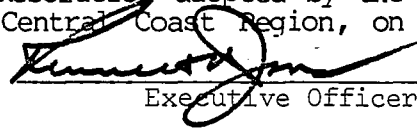
NOW, THEREFORE, BE IT RESOLVED, that Table 2-2 of Chapter 2 of the Water Quality Control Plan, Central Coastal Basin, on page 2-5 be revised as shown on Attachment "A."

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit the above-described portion of said Water Quality Control Plan as revised and amended to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 2 of the Water Quality Control Plan is revised by the amendment of Table 2-2 contained herein.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on January 20, 1984.


Executive Officer

January 20, 1984
Date

Conditional
Shell
for Moss Ldg
See 85-04

Table 2-2. Present and Anticipated Future Uses of Coastal Waters

Coastal Waters	REC-1	REC-2	IND	NAV	MAP	SHELL	COMM	PARK	ASBS	WILD
Pescadero Pt. to Pt. Ano Nuevo	E	E	E	E	E	E	E	E		E
Ano Nuevo to Soquel Pt.	E	E	E	E	E	E	E			E
Pt. Ano Nuevo & Island	E	E						E	E	E
Santa Cruz Harbor	E	E	E	E	E		E			
San Lorenzo Estuary	E	E		E	E	E	E			E
Soquel Pt. to Salinas River	E	E	E	E	E	E	E	E		E
Elkhorn Slough	<u>AE</u>	E	<u>E</u>	<u>E</u>	E	E	E	E		E
<u>Moss Landing Harbor</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>		<u>E</u>	<u>E</u>		<u>E</u>
Salinas River to Pt. Pinos	E	E	E	E	E	E	E			E
Monterey Harbor	A	E	E	E	E	E	A	E		
Pacific Grove Marine Gardens	E	E			E		E	E	E	E
Hopkins Marine Life Refuge	E	E			E		E	E	E	E
Pt. Pinos to Pt. Piedras Blancas	E	E		E	E		E	E		E
Carmel Bay	E	E			E		E	E	E	E
Pt. Lobos State Reserve	E	E			E		E	E	E	E
Pt. Sur	E	E			E	E	E			E
Pfeiffer-Burns State Park	E	E			E			E	E	E
Salmon Creek	E	E			E				E	E
Pt. Piedras Blancas to Pt. Estero	E	E		E	E	E	E	E		E
Estero Bay	E	E	E	E	E	E	E	E		E
Morro Bay	E	E	E	E	E	E	E	E		E
Pt. Buchon to Pt. San Luis	E	E	E	E	E	E	E			E
Pt. San Luis to Pt. Sal	E	E	E	E	E	E	E	E		E
Pt. Sal to Pt. Arguello	E	E		E	E	E	E			E
Pt. Arguello to Coal Oil Pt.	E	E	E	E	E	E	E			
Coal Oil Pt. to Rincon Pt.	E	E	E	E	E	E	E	E		E
Goleta Slough	E	E			E	E		E		E
Santa Barbara Harbor	E	E	E	E	E		E			
Beach Parks	E	E		E	E					
San Miguel Island	E	E		E	E	E	E		E	E
Santa Rosa Island	E	E		E	E	E	E		E	E
Santa Cruz Island	E	E		E	E	E	E		E	E
El Estero	E	E			E	E		E		E

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A Laurel Lane
San Luis Obispo, California 93401

RESOLUTION NO. 83-16

Revision and Amendment of Water Quality Control Plan
by the Addition of a Prohibition of Waste Discharge
from Individual and Community Sewage Disposal
Systems Within the Los Alamos Area,
Santa Barbara County

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (hereafter Basin Plan) on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of pollution and nuisance; and,
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,
- WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code defines criteria for such prohibition areas (Section 13240 et seq.); and,
- WHEREAS, Los Alamos is unincorporated, with a 1980 population of 734 persons located south of Santa Maria, in Santa Barbara County; and,
- WHEREAS, on-site soil absorption systems are the sole means of wastewater disposal in the Los Alamos area; and,
- WHEREAS, the predominate lot size in Los Alamos, 5,000 to 10,000 square feet, is too small to accommodate individual sewage disposal systems; and,
- WHEREAS, many property owners in Los Alamos have attested to on-site system problems; and,
- WHEREAS, ground water sampling has indicated human waste contamination of shallow ground water in the Los Alamos area; and,
- WHEREAS, the Soil Conservation Service has designated the soils of Los Alamos as severe (due to slow percolation) for septic tank filter fields; and,

WHEREAS, the County Board of Supervisors, on May 14, 1974, designated, by ordinance, the Los Alamos Area as a Special Problems Area, due to a concern for ground water degradation from septic systems on small lots and shallow ground water, and a committee was established to review building permit applications; and,

WHEREAS, the County Health Department took surface water samples from San Antonio Creek in January, 1983, which showed fecal coliform in excess of 200/100 milliliters at four different locations within the Los Alamos area; and,

WHEREAS, Los Alamos Community Services District has submitted documentation of conditions which constitute contamination and pollution as defined in Section 13050 of the California Water Code; and,

WHEREAS, the Regional Board is obligated to update the Basin Plan's implementation program for achieving water quality objectives; and,

WHEREAS, present and anticipated future uses of San Antonio Creek include recreation, wildlife and aquatic habitat, ground water recharge, and municipal, domestic, and agricultural supply; and,

WHEREAS, Los Alamos ground waters are suitable for agricultural, municipal, domestic, and industrial water supply; and,

WHEREAS, a Regional Board staff report indicates beneficial uses of Los Alamos ground and surface waters are adversely affected by individual sewage disposal system discharges, and public health is potentially threatened by the presence of fecal coliform in ground and surface waters, with high nitrates also detected in ground water sampling wells; and,

WHEREAS, a County of Santa Barbara Health Care Services letter cites degradation of ground water due to sewage disposal and the County's concern for the potential of a public health threat unless sewage is disposed of properly; and,

WHEREAS, a letter from the California Health and Welfare Agency, Department of Health Services, indicates concern regarding high nitrates in the waters of Los Alamos, and recommends adequate measures be taken to correct these problems to bring the waters into compliance with California Drinking Water Standards; and,

WHEREAS, drafts of proposed revisions and amendments of the Basin Plan, prohibiting discharges from Los Alamos individual and community sewage disposal systems, have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds adoption of this prohibition area will not have a significant adverse effect on the environment; and,

WHEREAS, on November 18, 1983, in the Seaside City Council Chambers, 440 Harcourt Street, Seaside, California, after due notice, the Regional Board conducted a public hearing at which evidence was received pursuant to Section 13281 of the California Water Code concerning the impact of discharges from individual sewage disposal systems on water quality and public health; and,

WHEREAS, pursuant to Section 13280 of the California Water Code, the Regional Board finds that discharges of wastes from new and existing individual and community disposal systems which utilize subsurface disposal in the affected area will result in violation of water quality objectives; will impair beneficial uses of water; will cause pollution, nuisance, or contamination; and will unreasonably degrade the quality of waters of the State; and,

WHEREAS, the Regional Board finds the aforestated conditions in need of remedy to protect present and potential beneficial uses of water and to prevent pollution and nuisance.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be amended as follows:

Page 5-66, after Item 8, following the discussion of discharge limitation (added by Resolution 83-13), insert the following prohibition:

- "9. Discharge of waste from additional individual and community sewage disposal systems is prohibited and the discharge of waste from existing individual and community sewage disposal systems is prohibited after July 1, 1987, in Los Alamos, Santa Barbara County, and more particularly described as:

"Within the boundaries of the Los Alamos
Community Services District extant on
December 26, 1978."

BE IT FURTHER RESOLVED, that the above area is consistent with the recommendations of the staff report as shown on "Attachment A."

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria, first paragraph of Page 5-67 of the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that compliance with the above prohibition of existing individual or community sewage disposal systems shall be achieved according to the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
Complete Design	May 1, 1984
Obtain Construction Funding	September 30, 1984
Begin Construction	March 1, 1985
Complete Construction	July 1, 1987

BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with schedules shall be submitted to the Regional Board within 14 days following each scheduled date unless otherwise specified, where noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

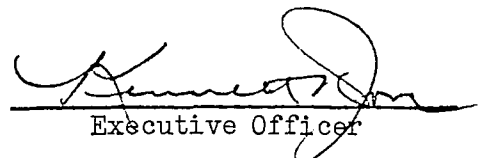
BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the State Water Resources Control Board is hereby requested to amend forthwith the Clean Water Grant Project Priority List to recognize the necessary structural solution for Los Alamos as a Priority "A" project.

BE IT FURTHER RESOLVED, the Executive Officer of the Regional Board is hereby directed to submit this revision of the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the above prohibition.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on November 18, 1983.


Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-14

Concerning Revisions and Amendment of
the Water Quality Control Plan,
Central Coast Basin,
(Revision and Amendment of Table 2-1,
"Existing and Anticipated Uses of Inland Surface Waters")

WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and,

WHEREAS, the United States Environmental Protection Agency (EPA) approved the Water Quality Control Plan, Central Coastal Basin (Basin Plan) in 1975 upon the condition that a water contact recreation (REC-1) designation be added to those waters without a REC-1 designation in Table 2-1, Existing and Anticipated Uses of Inland Surface Waters; and,

WHEREAS, for several years the Regional Board staff regarded this condition as inappropriate because many waters are extremely shallow, drainageways may be dry most of the year, or water contact recreation is prohibited; and,

WHEREAS, Regional Board staff agreed to evaluate the REC-1 designation for those waters not already designated as such as part of the continuing planning process; and,

WHEREAS, EPA states it is appropriate to identify, by means of footnotes to Table 2-1, the physical or legal reasons that water contact recreation cannot take place; and,

WHEREAS, a survey of REC-1 possibilities, for surface waters not already designated as such, has been completed; and,

WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,

WHEREAS, proposed revisions and amendments are to be made to Chapter 2, Beneficial Uses, of said Basin Plan; and

WHEREAS, Regional Board staff prepared documents and followed procedures to satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act; and,

WHEREAS, drafts of proposed revisions and amendments and the environmental documents have been made available to interested persons and agencies for review and comment; and,

WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within the Region; and,

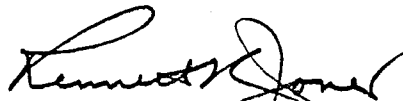
WHEREAS, on September 16, 1983, in the San Luis Obispo City Hall Council Chambers, 990 Palm Street, San Luis Obispo, California, the Regional Board reviewed staff documents pertaining to the amendment, including proposed changes, environmental documents, and written comments and written staff responses, as well as received additional evidence and testimony concerning the proposed revisions and amendments to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that pages 2-3 and 2-4 (Table 2-1) of the Basin Plan be revised and amended as shown on Attachment A and incorporated herein as part of this resolution.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on September 16, 1983.



Executive Officer

ATTACHMENT A

Page 2-4 (as amended 6-11-76), amend to read:

Table 2-1 Existing and Anticipated Uses of Inland Surface Waters

Sub-Basin and Watercourse	REC-I
Santa Cruz Coastal Sub-basin	
Green Oaks Creek	<u>A</u>
Liddel Creek, E. Branch	<u>E</u>
Majors Creek	<u>E</u>
Baldwin Creek	<u>E</u>
Younger's Lagoon	<u>E</u>
Antonelli Pond	<u>E</u>
San Lorenzo River Sub-basin	
Nearys Lagoon <u>b/</u>	-
Carbonera Creek	<u>A</u>
Schwan Lake	<u>E</u>
Soquel-Aptos Sub-basin	
Corcoran Lagoon <u>b/</u>	-
Moran Lake	<u>A</u>
Pajaro River Sub-basin	
Watsonville Slough <u>b/</u>	-
Drew, Kelley, Pinto & Tyman Lakes	<u>E</u>
Pescadero Creek	<u>E</u>
Tequescito Slough <u>c/</u>	-
Salinas River Sub-basin	
Salinas River, downstream of Spreckles Gage <u>d/</u>	<u>I</u>
Pancho Rico Creek <u>e/</u>	-
Salinas River, Nacimiento River to headwaters	<u>I</u>
Carmel River Sub-basin	
El Estero Lake <u>f/</u>	-
San Clemente Reservoir <u>g/</u>	-
Las Padres Reservoir <u>g/</u>	-
San Luis Obispo Cst. Sub-basin	
Old Creek, downstream <u>h/</u>	<u>I</u>
Old Creek, upstream <u>h/</u>	<u>I</u>
Laguna Lake	<u>E</u>
Arroyo Grande Ck., downstream <u>i/</u>	<u>E</u>
Arroyo Grande Ck., upstream <u>i/</u>	<u>I</u>
Oceano Lagoon	<u>E</u>
Dunes Lakes <u>g/</u>	-
Oso Flaco Lake	<u>E</u>

Sub-Basin and Watercourse	REC-I
Soda Lake Sub-basin	
San Diego Creek <u>j/</u>	-
Soda Lake <u>k/</u>	-
Santa Maria River Sub-basin	
Cuyama River, downstream <u>l/</u>	I
Twitchell Reservoir <u>m/</u>	-
Cuyama River, upstream <u>l/</u>	I
Sisquoc River, downstream <u>n/</u>	E
Sisquoc River, upstream <u>n/</u>	E
Santa Ynez River Sub-basin	
Santa Ynez River, downstream <u>o/</u>	I
Santa Ynez River, upstream <u>o/</u>	I
Santa Barbara Cst. Sub-basin	
Goleta Pt. Marsh	E
Devereaux Rch. Lagoon	E
Franklin Creek <u>p/</u>	-
<u>Santa Monica Creek p/</u>	-

FOOTNOTES

- b ~~From Whale Rock Reservoir~~
Swamp
- c ~~From Lopez Reservoir~~
Ephemeral stream, no public access
- d ~~Soda Lake is also a saline water habitat~~
Marine habitat (MAR) exists intermittently in the Salinas Lagoon
- e ~~From Twitchell Reservoir~~
Dry most of year; swift, dangerous flows in winter
- f ~~From San Rafael Wilderness boundary~~
Shallow; Waterfowl habitat precludes water contact
- g ~~From Cachuma Reservoir~~
No public access

FOOTNOTES Cont.

- h From Whale Rock Reservoir
- i From Lopez Reservoir
- j Natural turbidity and mineral content precludes REC-I
- k Shallow; Natural turbidity and mineral content precludes REC-1;
Soda Lake is also a saline water habitat
- l From Twitchell Reservoir
- m Dry most of year; No public access
- n From San Rafael wilderness boundary
- o From Cachuma Reservoir
- P No public access; Flood control channel hazardous

ENVIRONMENTAL
ASSESSMENT
OF
WATER QUALITY
CONTROL PLAN,
CENTRAL COASTAL
BASIN AMENDMENT

Amendment of Beneficial Uses

July 8, 1983

As Required by the California Environmental Quality Act
and Federal Clean Water Act

DESCRIPTION OF THE PROJECT

The Water Quality Control Plan, Central Coastal Region (Basin Plan) is being updated to modify water quality standards for protection of beneficial uses of water resources in the region. The Basin Plan was adopted in April, 1975, according to provisions in the Federal Water Pollution Control Act (amended in 1977, as the Clean Water Act) and the California Water Code. The Clean Water Act requires a review of applicable water quality standards every three years. California Water Code requires periodic review of basin plans. This Basin Plan amendment is one product of the Central Coast Region's first triennial review.

In 1975, the Environmental Protection Agency (EPA) approved the Basin Plan with the condition that a REC-I designation be added to those waters without a REC-I designation in Table 2-1, "Existing and Anticipated Uses of Inland Surface Waters". A REC-I designation pertains to all recreational uses involving actual body contact with water, such as swimming, wading, water skiing, skin diving, surfing, sport fishing, uses in therapeutic spas, and other uses where ingestion of water is reasonably possible.

The Regional Water Quality Control Board (Regional Board) regarded EPA's condition as inappropriate because many waters are extremely shallow, drainageways may be dry most of the year, or water contact recreation is prohibited. However, the Regional Board agreed to reevaluate the REC-I designation for those waters not already designated as such as part of the continuing planning process. Because the Basin Plan is in the midst of the first triennial review, a review of the REC-I designation is in order.

Local agencies were contacted regarding REC-I possibilities for those surface waters not already designated as such. If REC-I uses were not likely, reasons for non-water contact recreation were also obtained. This amendment either designates a surface water with a REC-I beneficial use, where applicable, or states reasons why specific surface waters do not have a REC-I designation.

The proposed Basin Plan amendment must be approved by the Regional Board and the State Board before it becomes effective. In addition, the Environmental Protection Agency will be asked to approve the updated Plan.

ALTERNATIVES TO THE PROJECT

1. No action: The objectives of the Basin Plan amendments are to make the Basin Plan consistent with present Federal and State requirements and make water quality objectives and management practices responsive to water quality problems. If no action is taken, Regional Board staff and other responsible persons will not receive effective direction necessary to implement Federal and State requirements. The intent of the Basin Plan is to protect water quality and public health.

2. Adoption of more or restrictive standards and strategies: The proposed beneficial uses are reasonably achievable through coordinated control of all factors which affect water quality in the area. The proposed beneficial uses are consistent with the State Water Resources Control Board's guidelines and policies, including the nondegradation policy. Adoption of more restrictive beneficial uses would place an inordinate financial burden on those responsible for implementing the plan.
3. Adoption of less restrictive standards and management practices: Less restrictive standards and management practices would not provide adequate protection for water quality and public health.

ENVIRONMENTAL CHECKLIST FORM

I. BACKGROUND

1. Name of Proponent California Regional Water Quality Control Board, Central Coast Region

2. Address and Phone Number of Proponent:

1102-A Laurel Lane

San Luis Obispo, CA 93401

(805) 549-3147

3. Date of Checklist Submitted September 16, 1983

4. Agency Requiring Checklist Resources Agency

5. Name of Proposal, if applicable Revision and Amendment of the Water Quality Control Plan, Central Coastal Basin (Revision and Amendment of Table 2-1, "Existing and Anticipated Uses of Inland Surface Waters")

II. ENVIRONMENTAL IMPACTS

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

1. Earth. Will the proposal result in:

YES MAYBE NO

a. Unstable earth conditions or in changes in geologic substructures? ___ ___ X

b. Disruptions, displacements, compaction or overcovering of the soil? ___ ___ X

c. Change in topography or ground surface relief features? ___ ___ X

d. The destruction, covering or modification of any unique geologic or physical features? ___ ___ X

e. Any increase in wind or water erosion of soils, either on or off the site? ___ ___ X

f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake? ___ ___ X

g.	Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?			X
2.	Air. Will the proposal result in:			
a.	Substantial air emissions or deterioration of ambient air quality?			X
b.	The creation of objectionable odors?			X
c.	Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?			X
3.	Water. Will the proposal result in:			
a.	Changes in currents, or the course or direction of water movements, in either marine or fresh waters?			X
b.	Changes in absorption rates, drainage patterns or the rate and amount of surface water runoff?			X
c.	Alterations to the course or flow of flood waters?			X
d.	Change in the amount of surface water in any water body?			X
e.	Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?		X	
f.	Alteration of the direction or rate of flow of ground waters?			X
g.	Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?			X
h.	Substantial reduction in the amount of water otherwise available for public water supplies?			X
i.	Exposure of people or property to water related hazards such as flooding or tidal waves?			X

4. Plant Life. Will the proposal result in:
- a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)? ___ ___ X
 - b. Reduction of the numbers of any unique, rare or endangered species of plants? ___ ___ X
 - c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? ___ ___ X
 - d. Reduction in acreage of any agricultural crop? ___ ___ X
5. Animal Life. Will the proposal result in:
- a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)? ___ ___ X
 - b. Reduction of the numbers of any unique, rare or endangered species of animals? ___ ___ X
 - c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? ___ ___ X
 - d. Deterioration to existing fish or wildlife habitat? ___ ___ X
6. Noise. Will the proposal result in:
- a. Increases in existing noise levels? ___ ___ X
 - b. Exposure of people to severe noise levels? ___ ___ X
7. Light and Glare. Will the proposal produce new light or glare? ___ ___ X
8. Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area? ___ ___ X
9. Natural Resources. Will the proposal result in:
- a. Increase in the rate of use of any natural resources? ___ X ___
 - b. Substantial depletion of any nonrenewable natural resource? ___ ___ X

- | | | | | |
|-----|--|-------|-------|-------|
| 10. | Risk of Upset. Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions? | _____ | _____ | X |
| 11. | Population. Will the proposal alter the location, distribution, density, or growth rate of the human population in the area? | _____ | _____ | X |
| 12. | Housing. Will the proposal affect existing housing, or create a demand for additional housing? | _____ | _____ | X |
| 13. | Transportation/Circulation. Will the proposal result in: | | | |
| | a. Generation of substantial additional vehicular movement? | _____ | _____ | X |
| | b. Effects on existing parking facilities, or demand for new parking? | _____ | _____ | X |
| | c. Substantial impact upon existing transportation systems? | _____ | _____ | X |
| | d. Alterations to present patterns of circulation or movement of people and/or goods? | _____ | _____ | X |
| | e. Alterations to waterborne, rail or air traffic? | _____ | _____ | X |
| | f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians? | _____ | _____ | X |
| 14. | Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: | | | |
| | a. Fire protection? | _____ | _____ | X |
| | b. Police protection? | _____ | _____ | X |
| | c. Schools? | _____ | _____ | X |
| | d. Parks or other recreational facilities? | _____ | X | _____ |
| | e. Maintenance of public facilities, including roads? | _____ | _____ | X |
| | f. Other governmental services? | _____ | _____ | X |

15. Energy. Will the proposal result in:
- a. Use of substantial amounts of fuel or energy? _____ _____ X
 - b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? _____ _____ X
16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:
- a. Power or natural gas? _____ _____ X
 - b. Communications systems? _____ _____ X
 - c. Water? _____ _____ X
 - d. Sewer or septic tanks? _____ X _____
 - e. Storm water drainage? _____ X _____
 - f. Solid waste and disposal? _____ _____ X
17. Human Health. Will the proposal result in:
- a. Creation of any health hazard or potential health hazard (excluding mental health)? _____ _____ X
 - b. Exposure of people to potential health hazards? _____ _____ X
18. Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view? _____ _____ X
19. Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities? _____ X _____
20. Archeological/Historical. Will the proposal result in an alteration of a significant archeological or historical site, structure, object or building? _____ _____ X
21. Mandatory Findings of Significance.

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? _____ X
- b. Does the project have the potential to achieve short-term to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time which long-term impacts will endure well into the future.) _____ X
- c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant). _____ X
- d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? _____ X

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

IV. DETERMINATION

On the basis of this initial evaluation:

X

I find the proposed project COULD NOT have a significant effect on the environment.

I find that the proposed project may have a significant adverse impact on the environment. However, there are feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report.

I find that the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

Date _____

(Signature) _____

DISCUSSION OF ENVIRONMENTAL

ENVIRONMENTAL IMPACTS

MITIGATION MEASURES

Items 3e, 16d & e

- ° This amendment may provide additional incentive for control actions that may improve fecal coliform concentrations and other water quality constituents

- ° This is a beneficial impact and requires no mitigation

Item 9a

- ° Increased use of surface waters for water contact recreation may result due to improved water quality

- ° This is a beneficial impact and requires no mitigation

Item 14d

- ° Where increase in water contact recreation results, a corresponding increase in demand for recreation facilities may occur

- ° This is a beneficial impact and requires no mitigation

Item 19

- ° Proposal may result in improved quality and quantity of existing recreational opportunities

- ° This is a beneficial impact and requires no mitigation

MITIGATION OF SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

There are no significant adverse environmental impacts which will result from implementation of the amended Basin Plan. The amended Basin Plan is intended to protect water quality and public health.

COMPLIANCE WITH CEQA

The preceding assessment of significant adverse environmental impacts, mitigation measures, and alternatives indicates that the amended Basin Plan complies with CEQA requirements (Public Resources Code 21000 et. seq.).

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-13

Revision and Amendment of Water Quality Control
Plan by the Addition of a Prohibition of Waste
Discharge from Individual Sewage Disposal
Systems Within the Los Osos/Baywood Park Area,
San Luis Obispo County

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (hereafter Basin Plan) on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of pollution and nuisance; and,
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,
- WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code defines criteria for such prohibition areas (Section 13240 et seq.); and,
- WHEREAS, Los Osos/Baywood Park is an unincorporated community, with a 1980 population of 10,933 persons located south of the City of Morro Bay, in San Luis Obispo County; and,
- WHEREAS, current zoning will accommodate a population in excess of 27,000 people and an average residential lot size of about 6600 ft²; and,
- WHEREAS, on-site soil absorption or evapotranspiration systems are the sole means of wastewater disposal in the Los Osos/Baywood Park area; and,
- WHEREAS, the Los Osos/Baywood Park area soil permeability is rapid and there are substantial areas with high groundwater; and,
- WHEREAS, the majority of lots are too small to provide adequate dispersion of individual sewage disposal system effluent; and,

WHEREAS, the San Luis Obispo County Environmental Health Department has provided documentation concerning the problem of liquid waste disposal in the Los Osos/Baywood Park area; and,

WHEREAS, the County of San Luis Obispo is preparing an environmental impact report (EIR) in accordance with the California Environmental Quality Act and a project report that identifies adverse environmental impacts from continued use of septic tanks in the Los Osos/Baywood Park area and discusses alternatives to existing wastewater management practices; and,

WHEREAS, "Los Osos-Baywood Park/Phase I Water Quality Management Study" cites conditions which constitute contamination and pollution as defined in Section 13050 of the California Water Code; and,

WHEREAS, chemical analyses of wells in Los Osos/Baywood Park indicates 38% of the shallow wells tested in the Phase I study, taking water from the Old Dune Sands deposits portion of the aquifer, contain nitrate concentrations which exceed State Health Department Drinking Water Standards of 45 milligrams per liter; and,

WHEREAS, bacterial analyses of 42 wells tested in the Phase I study resulted in 26 wells indicating total coliform in violation of State Health Drinking Water Standards, and 2 wells indicating fecal coliform in violation of Basin Plan limits for groundwater; and,

WHEREAS, surface water bacterial analyses tested in the Phase I study indicated total and fecal coliform levels exceeding Basin Plan recommended limits for water contact recreation (REC-1); and,

WHEREAS, a letter from the California Health and Welfare Agency, Department of Health Services, states their concerns regarding the high nitrate levels in the waters of Los Osos/Baywood Park area, and recommends adequate measures be taken to correct the nitrate problems to bring the waters into compliance with California Drinking Water Standards; and,

WHEREAS, a letter from the San Luis Obispo County Health Agency Director cites violation of the public health limit for nitrates and recommends elimination of shallow groundwater usage and adoption of a discharge prohibition; and,

WHEREAS, the Regional Board is obligated to include a program of implementation for achieving water quality objectives in its Basin Plan; and,

WHEREAS, present and anticipated future beneficial uses of Los Osos/Baywood Park creeks include recreation and aquatic habitat; and,

WHEREAS, Los Osos Basin groundwaters are suitable for agricultural, municipal, domestic, and industrial water supply; and,

WHEREAS, a Regional Board staff report finds beneficial uses of Los Osos ground and surface waters are adversely affected by individual sewage disposal system discharges, there appears to be a trend of increasing degradation, and public health is jeopardized by occurrences of surfacing effluent; and,

WHEREAS, drafts of proposed revisions and amendments of the Basin Plan, prohibiting discharges from Los Osos/Baywood Park individual sewage disposal systems, have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds adoption of this prohibition area will not have a significant adverse effect on the environment; and,

WHEREAS, on September 16, 1983, in the San Luis Obispo City Council Chambers, 990 Palm Street, San Luis Obispo, California, after due notice, the Regional Board conducted a public hearing at which evidence was received pursuant to Section 13281 of the California Water Code concerning the impact of discharges from individual sewage disposal systems on water quality and public health; and,

WHEREAS, pursuant to Section 13280 of the California Water Code, the Regional Board finds that discharges of wastes from new and existing individual disposal systems which utilize subsurface disposal in the affected area will result in violation of water quality objectives; will impair beneficial uses of water; will cause pollution, nuisance, or contamination; and will unreasonably degrade the quality of waters of the State; and,

WHEREAS, the Regional Board finds the aforesated conditions in need of remedy to protect present and potential beneficial uses of water and to prevent pollution and nuisance.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be amended as follows:

Page 5-66, after Item 7, following the legal description for Pasatiempo Pines (added by Resolution 83-09), insert the following prohibitions:

"8. Discharges of waste from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/Baywood Park area, and more particularly described as:

"Groundwater Prohibition Zone

(Legal description to be provided for area prescribed by Regional Board).

"Failure to comply with any of the compliance dates established by Resolution 83-13 will prompt a Regional Board hearing at the earliest possible date to consider adoption of an immediate prohibition of discharge from additional individual and community sewage disposal systems."

Discharges from individual or community systems within the prohibition area in excess of an additional 1150 housing units (or equivalent) are prohibited, commencing with the date of State Water Resources Control Board approval.

BE IT FURTHER RESOLVED, that the above area is consistent with the recommendations of the staff report as shown on "Attachment A."

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria, first paragraph of Page 5-67 of the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that compliance with the above prohibition of existing individual or community sewage disposal systems shall be achieved according to the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
Begin Design	November 1, 1984
Complete Design	November 1, 1985
Obtain Construction Funding	December 1, 1985
Begin Construction	April 1, 1986
Complete Construction	November 1, 1988

BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with schedules shall be submitted to the Regional Board within 14 days following each scheduled date unless otherwise specified, where noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

BE IT FURTHER RESOLVED, the County will continue a monitoring program, approved by the Regional Board staff, that will monitor ground water quality within the prohibition boundaries as set forth in this resolution, and also a monitoring program which covers areas outside the prohibition boundaries but within the urban reserve line as shown in Attachment A.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

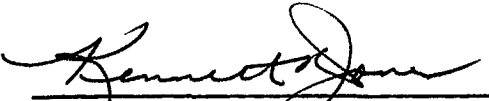
BE IT FURTHER RESOLVED, that the State Water Resources Control Board is hereby requested to amend forthwith the Clean Water Grant Project Priority List to recognize the necessary structural solution for Los Osos/Baywood Park as a Priority "A" project.

BE IT FURTHER RESOLVED, that if the Board holds a hearing and adopts an immediate prohibition as described above, the prohibition is effective as of the date the Regional Water Quality Control Board adopts a prohibition of discharge from additional individual and community sewage disposal systems.

BE IT FURTHER RESOLVED, the Executive Officer of the Regional Board is hereby directed to submit this revision of the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the above prohibition.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on September 16, 1983.


Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-12

Concerning Revisions and Amendment of
Water Quality Control Plan,
Central Coast Basin

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (hereafter Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure the reasonable protection of beneficial uses of water and the prevention of nuisance; and,
- WHEREAS, the Regional Board recognizes increased difficulties in financing and affording major public works systems, such as sewage collection, transport, treatment, and disposal projects; and,
- WHEREAS, properly planned and installed individual on-site sewage disposal systems can provide satisfactory wastewater treatment and disposal at minimal cost; and,
- WHEREAS, occurrence of water quality and public health problems from septic tank operations prompted the Regional Board to include septic tank regulations in the 1975 Basin Plan; and,
- WHEREAS, those regulations need to be updated and revised based upon more experience with on-site systems; and,
- WHEREAS, there is a need for guidelines for alternative on-site sewage disposal systems; and,
- WHEREAS, community on-site sewage disposal system failures have been common in the past; and
- WHEREAS, the Basin Plan does not specifically address community on-site sewage disposal systems; and,
- WHEREAS, guidelines are needed for community on-site sewage disposal systems; and,
- WHEREAS, Regional Board staff completed a study of on-site systems entitled "Individual/Community On-site Sewage Disposal Systems"; and,
- WHEREAS, the Individual/Community Sewage Disposal Systems Study identifies water quality, public health, and other problems resulting from improper siting, design, construction, and operation and maintenance; and,

WHEREAS, the Individual/Community On-site Sewage Disposal Systems Study recommends guidelines and constraints to prevent water quality and public health problems; and,

WHEREAS, drafts of proposed amendments have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, proposed amendments apply to Chapter 5, Implementation Plan, of said Basin Plan, and specifically to non-point source controls by the Regional Board and other authorities; and,

WHEREAS, Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217) and the Regional Board finds adoption of this individual sewage disposal system policy will not have a significant adverse effect on the environment; and,

WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,

WHEREAS, on September 10, 1982, in the Board of Supervisors Hearing Room, 105 East Anapamu Street, Santa Barbara, California; on November 5, 1982, in the Seaside City Council Chambers, 440 Harcourt, Seaside, California; and on December 10, 1982, and September 16, 1983, in the San Luis Obispo City Council Chambers, 990 Palm Street, San Luis Obispo, California, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

Page 5-48, revised version of Chapter 5, revise "Individual Disposal Systems" section to the following:

"INDIVIDUAL, ALTERNATIVE, AND COMMUNITY DISPOSAL SYSTEMS

On-site sewage disposal systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On-site systems can be a viable long-term waste disposal method with proper siting, design, construction, and management. In establishing on-site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.

If on-site sewage treatment facilities are not carefully managed, problems can occur, including:

- ° odors or nuisance;
- ° surfacing effluent;
- ° disease transmission; and,
- ° pollution of surface and ground waters.

Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.

On-site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro-intestinal disorders.

Pollution of surface or ground waters can result from the discharge of on-site system wastes. Typical problem waste con-

stituents are total dissolved solids, phosphates, nitrates, heavy metals, bacteria, and viruses. Discharge of these wastes will, in some cases, destroy beneficial surface and ground water uses.

Subsurface disposal systems may be used to dispose of wastewater from: 1) individual residences; 2) multi-unit residences; 3) institutions or places of commerce; 4) industrial sanitary sources; and, 5) small communities. All individual and multi-unit residential developments are subject to criteria in this section of the Basin Plan. Commercial, institutional, and industrial developments with a discharge flow rate less than 2500 gallons per day generally are not regulated by waste discharge requirements; therefore, they must comply with these criteria. Community systems must also comply with criteria relating to this subject within the Basin Plan. Community systems are defined for the purposes of this Basin Plan as: 1) residential wastewater treatment systems for more than 5 units or more than 5 parcels; or, 2) commercial, institutional or industrial systems to treat sanitary wastewater equal to or greater than 2500 gallons per day (average daily flow). Systems of this type and size may be subject to waste discharge requirements.

Alternatives to conventional on-site system designs have been used when site constraints prevent the use of conventional systems. Examples of alternative systems include mound and evapotranspiration systems. Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes. Alternative and community systems can pose serious water quality problems if improperly managed. Failures have been common in the past and are usually attributed to the following:

- ° Systems are inadequately or improperly sited, designed, or constructed.
- ° Long-term use is not considered.

- ° Inadequate operation and maintenance.

Corrective Actions for Existing Systems

Individual disposal systems can be regulated with relative ease when they are proposed for a particular site. For new systems, regulations generally provide for good design and construction practices. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas. Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, ground water degradation is possible, particularly increases in nitrate concentrations.

Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and ground waters to determine whether problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank maintenance procedures are encouraged to lessen the probability that a few major failures might force sewerage of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could prevent deterioration. Improvements of this kind should be enforced by a local septic tank maintenance district or local governing jurisdiction.

A septic tank subjected to greater hydraulic load can fail due to washout of

solids into percolation areas and plugging of the infiltrative surface. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Dishwashers, garbage grinders, and washing machines could be eliminated. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water use costs may also be structured to encourage more frugal use of water.

Local Governing Jurisdiction Actions

Disclosure and Compliance of Existing Wastewater Disposal System

Local governing jurisdictions should provide programs to assure conformance with this Basin Plan and local regulations. Inspection programs should assure site suitability tests are performed as necessary, and that tests are in accordance with standard procedures. Inspection should also assure proper system installation. Proper design and construction should be certified by the inspector. Concerned homeowners can be a tremendous asset in assuring proper construction. When a septic system permit is issued by the local agency, a handout specifying proper construction techniques should be made available to the general public. Systems must be inspected by the local agency before covering (backfilling).

Local agencies can use either staff inspectors or individuals under contract with the local government. Either way, a standard detailed checklist should be completed by the inspector to certify compliance.

Site suitability determinations should specify: 1) whether approval is for the entire lot or for specific locations of the lot; 2) if further tests are necessary; and, 3) if alternatives are necessary or available.

Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.

Home owners should be aware of the nature and requirements of their wastewater disposal system. Plans should be available in city or county offices showing placement of soil absorption systems. Since this is only feasible for new construction, local agencies should require septic system as-built plans as a condition of new construction final inspection. Plans would be kept on file for future use of property owners.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite period, or a developed parcel may be subject to significant user charges from a future sewer system. Local agencies should have prohibition area terms entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. But system expansion may not be possible if land is not set aside for this purpose. For these reasons, dedicated system expansion areas are also appropriate.

To protect this set-aside area from encroachment, the local agency should require restrictions on future use of the area as a condition of land division or building permit approval. For new subdivisions, Covenants, Conditions, and Restrictions (CC&R's) might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading CC&R's.

All on-site system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions should mount a continuing public education program to provide home owners with on-site system operation and maintenance guidelines. Basin Plan information should be available at local agency health and building departments.

Local agencies should conduct an on-site system inspection program, particularly in areas where system failures are common or where systems with poor soils are approved. An agency inspector should periodically check each septic tank for pumping need and each system for proper operation. Homeowners should be alerted where evidence of system failure exists. Where nuisance or a potential public health hazard exists, a follow-up procedure should insure the situation is corrected. On-site systems should be constructed in a location that facilitates system inspection.

Another approach is periodically to mail homeowners a brochure reminding them how to maintain and inspect their on-site system. Homeowners should be notified that they should periodically check their septic tank for pumping need. Homeowners should also be notified of other problems indicative of system failure. Some examples include wet spots in drainfield area, lush grass growths, slowly draining wastewater, and sewage odors.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems should be done under permit from the local agency. To the extent practicable, the local agency should require failing systems to be brought into compliance with Basin Plan recommendations. This could be a condition of granting a permit for repairs.

Land use changes on properties used for commerce, small institutions, or industries should not be approved by the local agency until the existing on-site system meets criteria of this Basin Plan and

local ordinances. A land use permit or business license could be used to alert the local agency of land use changes.

On-Site Wastewater Management Plans

On-site wastewater management should be implemented in urbanizing areas to investigate long-term cumulative impacts resulting from continued use of individual, alternative, and community on-site disposal systems. A wastewater disposal study should be conducted to determine the best Wastewater Management Plan that would provide site or basin specific wastewater re-use. This study should identify basin specific criteria to prevent water quality degradation and public health hazards and provide an evaluation of the effects of existing and proposed developments and changes in land use. These plans should be a comprehensive planning tool to specify on-site disposal system limitations to prevent ground or surface water degradation. Wastewater management plans should:

- contain a ground/surface water monitoring program;
- identify sites suitable for conventional septic systems;
- project on-site disposal system demand;
- determine sites and methods to best meet demand;
- project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water;
- recommend establishment of septic tank maintenance districts, as needed; and,
- identify alternate means of disposing of sewage in the event of irreversible degradation from on-site disposal systems.

For areas where watershed-wide plans are not developed, conditions could be placed on new divisions of land or community systems to provide monitoring data or geologic information to contribute to the development of a Wastewater Management Plan.

Wastewater disposal alternatives should identify costs to each homeowner. A cost-effectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan.

On-site wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be an appropriate means of implementing on-site Wastewater Management Plans.

On-site Wastewater Management Plans shall be approved by the Regional Board.

Septic Tank Maintenance Districts

It may be appropriate for unsewered community on-site systems to be maintained by local on-site sewage disposal maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, a Community Services District, or a County Service Area.

Septic tank maintenance districts should be responsible for operation and maintenance in conformance with this Water Quality Control Plan. Administrators should insure proper construction, installation, operation, and maintenance of on-site disposal systems. Maintenance districts should establish septic tank surveillance, maintenance and pumping programs; provide repairs to plumbing or leachfields; and encourage water conservation measures.

Criteria for New Systems

On-site sewage disposal system problems can be minimized with proper site loca-

tion, design, installation, operation, and maintenance. The following section recommends criteria for all new individual subsurface disposal systems and community sewage disposal systems.

Recommendations are arranged in sequence under the following categories: site suitability; system design; construction; individual system maintenance; community system design; and local agencies.

Manadatory criteria are listed on page 5--65 in the "Discharge Prohibition" section.

Site Suitability

Prior to permit approval, site investigation should determine on-site system suitability:

1. At least one soil boring or excavation per on-site system should be performed to determine soil suitability, depth to ground water, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. Impervious material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content 60% or greater. The soil boring or excavation should extend at least 10 feet below the drainfield¹ bottom at each proposed location.

2. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drainfield bottom.

3. For leachfields, at least three percolation test locations should be used to determine system acceptability. Tests should be performed at proposed subsurface disposal system sites and depths.

4. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embank-

ment, or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down-gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields should be setback far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, of the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback should be at least 100 feet measured from the top of the cut.

5. Natural ground slope of the disposal area should not exceed 20%.

6. For new land divisions, lot sizes less than 1 acre should not be permitted.

System Design

On-site systems should be designed according to the following recommendations:

1. Septic tanks should be designed to remove nearly 100% of settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.

2. Tank design must allow access for inspection and cleaning. The septic tank must be accessible for pumping.

3. If curtain drains discharge diverted ground water to subsurface soils, the upslope separation from a leachfield or pit should be 20 feet and the downslope separation should be 50 feet.

4. Leachfield application rate should not exceed the following:

Percolation Rate min./in	Loading Rate g.p.d./sq.ft.
1-20	0.8
21-30	0.6
31-60	0.25
61-120	0.10

5. Seepage pit application rate should not exceed 0.3 g.p.d./sq.ft.

¹"Drainfield" refers to either a leachfield or seepage pits.

6. Drainfield design should be based only upon useable permeable soil layers.

7. The minimum design flow rate should be 375 gallons per day per dwelling unit.

8. In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.

9. Distance between drainfield trenches should be at least two times the effective trench depth.¹

10. Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.

11. Dual disposal fields (200% of original calculated disposal area) are recommended. Both drainfields should be constructed initially and diversion valves or boxes installed when access to the disposal system is restricted in such a way that future additions and repairs cannot be made easily.

12. For commercial systems, small institutions, or sanitary industrial systems design should be based on daily peak flow.

13. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.

14. Commercial systems, institutional systems, or domestic industrial systems should reserve an expansion area (i.e. dual drainfields must be installed and area for replacement of drainfield must be provided) to be set aside and protected from all uses except future drainfield repair and replacement.

15. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the

following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.

Design for Engineered Systems

1. Mound systems should be installed in accordance with criteria contained in Guidelines for Mound Systems by the State Water Resources Control Board.

2. Evapotranspiration systems should be installed in accordance with criteria contained in Guidelines for Evapotranspiration Systems by the State Water Resources Control Board. Exceptions are:

- a. For evapotranspiration systems, each month of the highest precipitation year and lowest evaporation year within the previous ten years of record should be used for design.
- b. Systems shall be designed by a registered civil engineer competent in sanitary engineering.

Construction

Water quality problems resulting from improper construction can be reduced by following these practices:

1. Subsurface disposal systems should have a slightly sloped finished grade to promote surface runoff.
2. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.
3. In clayey soils, work should be done only when soil moisture content is low to avoid smeared infiltrative surfaces.

¹ "Effective trench depth" means depth below the bottom of the trench pipe.

4. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.

5. Bottom of trenches or beds should be level throughout to prevent localized overloading.

6. Two inches of coarse sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields. Fine sand should not be used as it may lead to system failure.

7. Surface runoff should be diverted around open trenches/pits to limit siltation of bottom area.

8. Prior to backfilling, the distribution system should be tested to check the hydraulic loading pattern.

9. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes should be placed with extreme care outside the leaching area to insure settling does not occur.

10. Risers to the ground surface and manholes should be installed over the septic tank inspection ports and access ports.

11. Drainfield should include an inspection pipe to check water level.

Additional construction precautions are discussed within the Environmental Protection Agency's Design Manual-On-site Wastewater Treatment and Disposal Systems.

Individual System Maintenance

Individual septic tanks should be maintained as follows:

1. Septic tanks should be inspected every two to five years to determine the need for pumping. If garbage grinders or dishwashers discharge into the septic tank, inspection should occur at least every two years.

2. Septic tanks should be pumped whenever: (1) the scum layer is within three inches of the outlet device; or (2) the sludge level is within eight inches of the bottom of the outlet device.

3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level.

4. Disposal of septage (solid residue pumped from septic tanks) should be accomplished in a manner acceptable to the Executive Officer. In some areas, disposal may be to either a Class I or Class II solid waste site; in others, septage may be discharged to a municipal wastewater treatment facility.

Community System Design

Community systems should be designed and maintained to accommodate the following items:

1. Capacities should accommodate build-out population.

2. Design should be based upon peak daily flow estimates.

3. Design should consider contributions from infiltration throughout the collection system.

4. Septic tanks should be pumped when sludge and scum levels are greater than 1/3 of the depth of the first compartment.

5. Operation and maintenance should be in accordance with accepted sanitary practice.

6. Maintenance manuals should be provided to system users and maintenance personnel.

7. Discharge should not exceed 40 grams per day total nitrogen, on the average, per acre of total development overlying ground water recharge areas, unless local governing jurisdictions adopt Wastewater Management Plans subsequently approved by the Regional Board.

Local Agencies

Recommendations for local governing jurisdictions:

1. Adopt a standard percolation test procedure.

The California State Water Resources Control Board Guidelines for Evapotranspiration Systems provides a percolation test method recommended for use to standardize test results. A twelve inch diameter percolation test hole may be used.

2. Percolation tests should be continued until a stabilized rate is obtained.

3. Percolation test holes should be drilled with a hand auger. A hole could be hand augered or dug with hand tools at the bottom of a larger excavation made by a backhoe.

4. Percolation tests should be performed at a depth corresponding to the bottom of the subsurface disposal area.

5. Seepage pits should be utilized only after careful consideration of site suitability. Soil borings or excavations should be inspected either by permitting agency or individual under contract to the permitting agency.

6. Approve permit applications after checking plans for erosion control measures.

7. Inspect systems prior to covering to assure proper construction.

8. Require replacements or repairs to failing systems to be in conformance with Basin Plan recommendations, to the extent practicable.

9. For new land divisions, protect on-site disposal systems and expansion areas from encroachment by provisions in covenants, conditions, and restrictions.

10. Inform property buyers of the existence, location, operation, and maintenance of on-site disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g. Basin Plan prohibitions) through the County Record.

11. Conduct public education programs to provide property owners with operation and maintenance guidelines.

12. Alternative system owners shall be provided an informational maintenance or replacement document by the appropriate governing jurisdiction. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.

13. Where appropriate, septic tank systems should be maintained by local septic tank maintenance districts.

14. Wastewater Management Plans should be prepared and implemented for urbanizing and high density areas, including applicable portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highlands, Prunedale, Boronda, El Toro, Shandon, Templeton, Santa Margarita/Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, Los Alamos, upper Santa Ynez Valley, Los Olivos/Ballard and Mission Canyon.

15. Ordinances should be updated to reflect Basin Plan criteria.

In addition, the following items should be considered:

1. Water conservation and solids reduction practices are recommended. Garbage grinders should not be used in homes with septic tanks.

2. Metering and water use costs should be used to encourage water conservation.

3. Grease and oil should not be introduced into the system. Bleach, solvents, fungicides, and any other toxic material should not be poured into the system.

4. Reverse osmosis unit blowdown should not be discharged to on-site wastewater treatment systems overlying useable ground water. Offsite (factory regeneration) practices are recommended for water softeners.

5. If onsite water softener regeneration is necessary, minimum salt use in water softeners is recommended. This can be accomplished by minimizing regeneration time or limiting the number of regeneration cycles.

Page 5-63, replace management principle number fourteen with the following:

"14. The Regional Board intends to discourage high density development on septic tank disposal systems and generally will require increased size of parcels with slower percolation rates. Consideration of development will be based upon the percolation rates and engineering reports supplied. In any questionable situation, engineer designed systems will be required."

PROHIBITIONS

Page 5-65, replace paragraph beginning, "In addition, discharge from individual sewage systems, including..." with the following:

"Discharges from new soil absorption systems in sites with any of the following conditions are prohibited:

1. Soils or formations containing continuous channels, cracks, or fractures.¹

2. For seepage pits, soils or formations containing 60% or greater clay (a soil particle less than 2 microns in size) unless parcel size is at least 2 acres.

3. Distances between trench bottom and usable ground water, including perched ground water, less than separation specified by appropriate percolation rate:

Percolation Rate, min/in	Distance, ft
<1	50'
1-4	20'
5-29	8'
> 30	5'

4. For seepage pits, distances between pit bottom and useable groundwater, including perched ground water, less than separation specified by appropriate soil type:

Soil Type	Distance, ft
Gravels ²	50'
Gravels with few fines ³	20'
Other	10'

5. Distances between trench/pit bottom and bedrock or other impervious layer less than 10 feet.

6. For leachfields, where percolation rates are slower than 120 min/in, unless parcel size is at least 2 acres.

7. For leachfields, where soil percolation rates are slower than 60 min/in unless the effluent application rate is 0.1 gpd/ft² or less.

8. Areas subject to inundation from a 10 year flood.

9. Natural ground slope of the disposal area exceeds 30%.

10. Setback distances less than:

	Ft.
Domestic water supply wells in unconfined aquifer	100

Watercourse ⁴ where geologic conditions permit water migration	Ft. 100
Reservoir ⁵ spillway elevation	200
Springs, natural or any part of man made spring	100

11. While new septic tank systems should generally be limited to new divisions of land having a minimum parcel size of one acre, where soil and other physical constraints are particularly favorable, parcel size shall not be less than one half acre.

12. Within a reservoir⁵ watershed where the density for each land division is less than 2.5 acres for areas without approved Wastewater Management Plans.

13. For individual systems on new land divisions, and commercial, institutional, and sanitary industrial systems without an area set aside for dual leachfields (100% replacement area).

14. Commercial, institutional, or sanitary industrial systems not basing design on daily peak flow estimate.

15. Any site unable to maintain subsurface disposal.

1/Unless a set-back distance of at least 250 feet to any domestic water supply well or surface water is assured.

2/Gravels - soils with over 50% by weight coarser than a No. 200 sieve, over half of the coarse fraction is larger than a No. 4 sieve, and 5% or less is finer than a No. 200 sieve.

3/ Gravels with few fines - soils with over 50% by weight coarser than a No. 200 sieve, over half of the coarse fraction is larger than a No. 4 sieve, and 6-10% is finer than a No. 200 sieve.

4/ Watercourse-(1) A natural or artificial channel for passage of water. (2) A running stream of water. (3) A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into some other stream or body of water.

5/ Reservoir-A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control or drinking.

In addition to previous prohibitions, community subsurface disposal systems (serving more than 5 parcels or more than 5 dwelling units) are prohibited unless:

1. Seepage pits have at least 15 feet separation between pit bottom and highest usable ground water, including perched ground water.

2. Sewerage facilities are operated by a public agency, unless a demonstration is made to the Board that an existing public agency is unavailable and formation of a new public agency is unreasonable. If such a demonstration is made, a private entity must be established with adequate financial, legal, and institutional resources to assume responsibility for waste discharges.

3. Dual disposal systems are installed (200% of total of original calculated disposal area).

4. An expansion area is included for replacement of the original system (300% total).

5. Community systems provide duplicate individual equipment components for components subject to failure

6. Discharge from community systems does not exceed 40 grams per day total nitrogen, on the average, per 1/2 acre of total development overlying ground water recharge areas, unless local governing jurisdictions adopt Wastewater Management Plans subsequently approved by the Regional Board.

Prohibition Areas

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health and prevent nuisance the following prohibition areas are necessary:

1. Resolution 78-02, Nipomo discharge prohibition area
2. Resolution 79-07, Las Lomas-Hall discharge prohibition area
3. Resolution 79-08, Moss Landing discharge prohibition area
4. Resolution 82-10, San Lorenzo Valley discharge prohibition area
5. Resolution 83-01, Boronda discharge prohibition area
6. Resolution 83-04, Mission Canyon discharge prohibition area

PROHIBITION EXEMPTIONS

The Board or Executive Officer may grant an exemption to prohibitions for: 1) engineered new on-site disposal systems for sites unsuitable for standard systems; and 2) new or existing on-site systems within the specific prohibition areas cited above. Such exemptions may be granted only after presentation by the discharger of sufficient justification, including geologic and hydrologic evidence

that the continued operation of such system(s) in a particular area will not individually or collectively, directly or indirectly, result in pollution or nuisance, or affect water quality adversely.

Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause: 1) damage to public or private property; 2) ground or surface water degradation; 3) nuisance conditions; or, 4) a public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available.

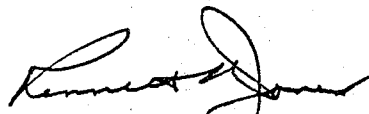
Requests for exemptions will not be considered until the local entity has reviewed the system and submitted the proposal for Regional Board review. Dischargers requesting exemptions must submit a Report of Waste Discharge. Exemptions will be subject to filing fees as established by the State Water Code.

Engineered systems shall be designed only by registered engineers competent in sanitary engineering. Engineers should be responsible for proper system operation. Engineers should be responsible for educating system users of proper operation and maintenance. Maintenance schedules should be established. Engineered systems should be inspected by designer during installation to insure conformance with approved plans.

Some engineered systems may be considered experimental by the Regional Board. Experimental systems will be handled with caution. A trial period of at least one year should be established whereby proper system operation must be demonstrated. Under such an approach, experimental systems are granted a one year conditional approval."

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit said Water Quality Control Plan as revised and amended, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on September 16, 1983.


Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
CENTRAL COAST REGION



102 A LAUREL LANE
SAN LUIS OBISPO, CALIFORNIA 93401
(505) 549-3147

July 8, 1983

SEE MAILING LIST

Gentlemen:

SUBJECT: PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL PLAN, CENTRAL
COASTAL BASIN (BASIN PLAN) FOR INDIVIDUAL/COMMUNITY DISPOSAL
SYSTEMS

The California Regional Water Quality Control Board, Central Coast Region, is proposing an amendment to its 1975 Water Quality Control Plan (Basin Plan) concerning individual/community on-site sewage disposal systems. As specified by the Porter-Cologne Water Quality Control Act, the Regional Water Quality Control Board is to formulate and adopt water quality control plans for all areas within the region. The Basin Plan is a means of regulating any activity or factor which may affect the quality of waters of the state and includes prevention and correction of water pollution or nuisance.

Enclosed are the following items for your review:

- 1) "Resolution 83-12, Concerning Revisions and Amendment of Water Quality Control Plan, Central Coast Basin (1st Draft)"; and,
- 2) California Environmental Quality Act compliance documents.

In addition, a staff report (December 1982) is available upon request. If you are not associated with a governmental agency, you will be charged a copying and mailing fee of \$4.28. It can also be reviewed in the Board Office.

A public hearing concerning the proposed amendment will be held:

Date: September 16, 1983
Time: 9:00 a.m.
Place: San Luis Obispo City Hall Council Chambers
990 Palm Street
San Luis Obispo, California

SEE MAILING LIST

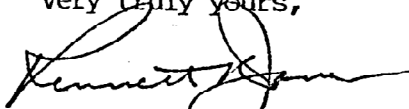
July 8, 1983

Page 2

Written testimony received by this office prior to the public hearing will be considered in formulating an amendment to the Basin Plan on this subject. However, written testimony received by August 3, 1983, will be considered in preparing subsequent drafts of this proposed resolution.

If you have any questions concerning this matter, please contact Angela Charpentier at (805) 549-3147.

Very truly yours,



KENNETH R. JONES
Executive Officer

AGC:sm

Enclosures

cc: Regional Board Members

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

1st Draft 7-5-83

RESOLUTION NO. 83-12

Concerning Revisions and Amendment of
Water Quality Control Plan,
Central Coast Basin

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (hereafter Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure the reasonable protection of beneficial uses of water and the prevention of nuisance; and,
- WHEREAS, the Regional Board recognizes increased difficulties in financing and affording major public works systems, such as sewage collection, transport, treatment, and disposal projects; and,
- WHEREAS, properly planned and installed individual on-site sewage disposal systems can provide satisfactory wastewater treatment and disposal at minimal cost; and,
- WHEREAS, occurrence of water quality and public health problems from septic tank operations prompted the Regional Board to include septic tank regulations in the 1975 Basin Plan; and,
- WHEREAS, those regulations need to be updated and revised based upon more experience with on-site systems; and,
- WHEREAS, there is a need for guidelines for alternative on-site sewage disposal systems; and,
- WHEREAS, community on-site sewage disposal system failures have been common in the past; and
- WHEREAS, the Basin Plan does not specifically address community on-site sewage disposal systems; and,
- WHEREAS, guidelines are needed for community on-site sewage disposal systems; and,
- WHEREAS, Regional Board staff completed a study of on-site systems entitled "Individual Sewage Disposal Systems/Community Systems"; and,
- WHEREAS, the Individual/Community Sewage Disposal Systems Study identifies water quality, public health, and other problems resulting from improper siting, design, construction, and operation and maintenance; and,

WHEREAS, the Individual/Community Sewage Disposal Systems Study recommends guidelines and constraints to prevent water quality and public health problems; and,

WHEREAS, drafts of proposed amendments have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, proposed amendments apply to Chapter 5, Implementation Plan, of said Basin Plan, and specifically to non-point source controls by the Regional Board and other authorities; and,

WHEREAS, Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217) and the Regional Board finds adoption of this individual sewage disposal system policy will not have a significant adverse effect on the environment; and,

WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,

WHEREAS, on September 10, 1982, in the Board of Supervisors Hearing Room, 105 East Anapamu Street, Santa Barbara, California, on November 5, 1982, in the Seaside City Council Chambers, 440 Harcourt, Seaside, California, and on December 10, 1982, and September 16, 1983, in the San Luis Obispo City Council Chambers, 990 Palm Street, San Luis Obispo, California, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

Page 5-48, revised version of Chapter 5, revise "Individual Disposal Systems" section to the following:

"INDIVIDUAL, ALTERNATIVE, AND COMMUNITY DISPOSAL SYSTEMS

On-site sewage disposal systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On-site systems can be a viable long-term waste disposal method with proper siting, design, construction, and management. In establishing on-site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.

If on-site sewage treatment facilities are not carefully managed, problems can occur, including:

- ° odors or nuisance;
- ° surfacing effluent;
- ° disease transmission; and,
- ° pollution of surface and ground waters.

Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.

On-site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro-intestinal disorders.

Pollution of surface or ground waters can result from the discharge of on-site system wastes. Typical problem waste constituents are total dissolved solids, phosphates, nitrates, heavy metals, bacteria, and viruses. Discharge of these wastes will, in some cases, destroy beneficial surface and ground water uses.

Subsurface disposal systems may be used to dispose of wastewater from: 1) individual residences; 2) multi-unit residences; 3) institutions or places of commerce; 4) industrial sanitary sources; and, 5) small communities. All individual and multi-unit residential developments must comply with criteria in this section of the Basin Plan. Commercial, institutional, and industrial developments with a discharge flow rate less than 2500 gallons per day generally are not regulated by waste discharge requirements; therefore, they must comply with these criteria. Community systems must also comply with criteria relating to this subject within the Basin Plan. Community systems are defined for the purposes of this Basin Plan as: 1) residential wastewater treatment systems for more than 5 units or more than 5 parcels; or, 2) commercial, institutional or industrial systems to treat sanitary wastewater equal to or greater than 2500 gallons per day (average daily flow). Systems of this type and size may be subject to waste discharge requirements.

Alternatives to conventional on-site system designs have been used when site constraints prevent the use of conventional systems. Examples of alternative systems include mound and evapotranspiration systems. Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes. Alternative and community systems can pose serious water quality problems if improperly managed. Failures have been common in the past and are usually attributed to the following:

- ° Systems are inadequately or improperly sited, designed, or constructed.
- ° Long-term use is not considered.
- ° Inadequate operation and maintenance.

Corrective Actions for Existing Systems

Individual disposal systems can be regulated with relative ease when they are proposed for a particular site. For new systems, regulations generally provide for good design and construction practices. ~~By~~ ~~the~~ ~~use~~ ~~of~~ ~~these~~ ~~systems~~ ~~can~~ ~~be~~ ~~made~~ ~~in~~ ~~conjunction~~ ~~with~~ ~~the~~ ~~use~~ ~~of~~ ~~these~~ ~~systems~~. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas. Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, ground water degradation is possible, particularly increases in nitrate concentrations.

Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and ground waters to determine whether problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank maintenance procedures are encouraged to lessen the probability that a few major failures might force sewerage of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could correct the system. Improvements of this kind should be en-

forced by a local septic tank maintenance district or local governing jurisdiction.

A septic tank subjected to greater hydraulic load can fail due to washout of solids into percolation areas and plugging of the infiltrative surface. For ~~these~~ ~~systems~~, home Dishwashers, garbage grinders, and washing machines could be eliminated. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water use costs ~~may~~ ~~also~~ ~~be~~ ~~structured~~ ~~to~~ ~~encourage~~ ~~more~~ ~~frugal~~ ~~use~~ ~~of~~ ~~water~~.

Local Governing Jurisdiction Actions

Disclosure and Compliance of Existing Wastewater Disposal System

Local governing jurisdictions should provide programs to assure conformance with this Basin Plan and local regulations. Inspection programs should assure site suitability tests are performed as necessary, and that tests are in accordance with standard procedures. Inspection should also assure proper system installation. Proper design and construction should be certified by the inspector. Concerned homeowners can be a tremendous asset in assuring proper construction. When a septic system permit is issued by the local agency, a handout specifying proper construction techniques should be made available to the general public. Systems must be inspected by the local agency before covering backfilling).

Local agencies can use either agency inspectors or individuals under contract with the local agency. Either way, a standard detailed checklist should be completed by the inspector to certify compliance.

Site suitability determinations should specify: 1) whether approval is for the entire lot or for specific locations of the lot; 2) if further tests are necessary; and, 3) if alternatives are necessary or available.

Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.

Home buyers should be aware of the nature and requirements of their wastewater disposal system. Plans should be available in city or county offices showing placement of soil absorption systems. Since this is only feasible for new construction, local agencies should require septic system as-built plans as a condition of new construction final inspection. Plans would be kept on file for future use of property owners.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite period, or a developed parcel may be subject to significant user charges from a future sewer system. Local agencies ~~County Health Departments~~ should have prohibition area terms entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

Dual leachfields are considered appropriate for all systems. Dual leaching capabilities provide an immediate remedy in the event of system failure. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. But system expansion may not be possible if land is set aside for this purpose. For this reason, dedicated system expansion areas are also appropriate.

~~For the divisions of Land Planning and~~

~~County Health Departments should be notified of property use restrictions by reading CC&R's.~~

To protect this set-aside area from encroachment, the ~~county~~ local agency should require restrictions on future use of the area as a condition of land division approval. Set aside areas can be permanently designated on a parcel or subdivision map. For new subdivisions, Covenants, Conditions, and Restrictions (CC&R's) might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading CC&R's.

All on-site system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions should mount a continuing public education program to provide home owners with on-site system operation and maintenance guidelines. Basin Plan information should be available at local agency ~~county~~ health and building departments.

Local agencies should conduct an on-site system inspection program, particularly in areas where system failures are common or where subdivisions with poor soils are approved. An agency inspector should periodically check each septic tank for pumping need and each system for proper operation. Homeowners should be alerted where evidence of system failure exists. Where nuisance or a potential public health hazard exists, a follow-up procedure should insure the situation is corrected. On-site systems should be constructed in a location that facilitates system inspection.

Another approach is to periodically mail homeowners a brochure reminding them to inspect their on-site system. Homeowners

should be notified that they should periodically check their septic tank for pumping need. Homeowners should also be notified of other problems indicative of system failure. Some examples include wet spots in drainfield area, lush grass growths, slowly draining wastewater, and sewage odors. A convenient mailing opportunity might be with property tax statements.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems should be done under permit from the local agency/county. To the extent practicable, the local agency/county should require failing systems to be brought into compliance with Basin Plan recommendations. This could be a condition of granting a permit for repairs.

Land use changes on properties used for commerce, small institutions, or industries should not be approved by the local agency until the existing on-site system meets criteria of this Basin Plan and local ordinances. A land use permit could be one approach to alert the local agency of land use changes. Use permits cannot be carried over to the new land use.

On-Site Wastewater Management Plans

On-site wastewater management should be implemented in urbanizing areas to investigate long-term cumulative impacts resulting from continued use of individual, alternative, and community on-site disposal systems. A wastewater disposal study should be conducted to determine the best Wastewater Management Plan that would provide site or basin specific wastewater re-use and disposal criteria to prevent water quality degradation and public health hazards. Wastewater management plans should provide an evaluation of the effects of existing and proposed developments and changes in land use. These plans should be a comprehensive planning tool to specify on-site disposal system

limitations to prevent ground or surface water degradation. Wastewater management plans should:

- contain a ground/surface water monitoring program;
- identify sites suitable for conventional septic systems;
- project on-site disposal system use;
- project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water;
- recommend establishment of septic tank maintenance districts, as needed; and,
- identify alternate means of disposing of sewage in the event of irreversible degradation from on-site disposal systems.

For areas where watershed-wide plans are not developed, conditons could be placed on new divisions of land or community systems to provide monitoring data or geologic information to contribute to the development of a Wastewater Management Plan. Wastewater disposal alternatives should identify costs to each homeowner. A costeffectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan. //Plans//should be developed for new divisions of city or community systems and existing high density areas utilizing on-site disposal.

On-site wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be an appropriate means of implementing on-site Wastewater Management Plans.

On-site Wastewater Management Plans shall be approved by the Regional Board.

Septic Tank Maintenance Districts

Site Suitability

It may be appropriate for unsewered community on-site systems to be maintained by local on-site sewage disposal maintenance districts. ~~These special districts could be administered through existing local governments such as County Water Districts, a Community Services District, or a County Service Area.~~

Septic tank maintenance districts should be responsible for determining site suitability in conformance with this Water Quality Control Plan. Administrators should insure proper construction, installation, operation, and maintenance of on-site disposal systems. Maintenance districts should establish septic tank surveillance, maintenance and pumping programs; provide repairs to plumbing or leachfields; and encourage water conservation measures.

Criteria for New Systems

On-site sewage disposal system problems can be minimized with proper site location, design, installation, operation, and maintenance. The following section recommends criteria for all new individual subsurface disposal systems and community sewage disposal systems. ~~These special districts could be administered through existing local governments such as County Water Districts, a Community Services District, or a County Service Area.~~

Recommendations are arranged in sequence under the following categories: site suitability; system design; construction; individual system maintenance; community system design; and local agencies.

Manadatory criteria are listed on page 5--65 in the "Discharge Prohibition" section.

Prior to permit approval, site investigation should determine on-site system suitability:

1. At least one soil boring or excavation per on-site system should be performed to determine soil suitability, depth to ground water, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. Impervious material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content 60% or greater. The soil boring or excavation should extend at least 10 feet below the drainfield¹ ~~bottom~~ at each proposed location.
2. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet ~~below~~ leachfield/seepage pit drainfield bottom.
3. For leachfields, at least three percolation test locations should be used to determine system acceptability. Tests should be performed at proposed subsurface disposal system sites and depths.
4. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment, or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down-gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields should be setback far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, of the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback should be at least 100 feet measured from the top of the cut.

1 "Drainfield" refers to either a leachfield or seepage pit.

5. Natural ground slope of the disposal area should not exceed 20%.

6. For new land divisions, lot sizes less than 1 acre should not be permitted.

System Design

On-site systems should be designed according to the following recommendations:

1. Septic tanks should be designed to remove nearly 100% of settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.

2. Tank design must allow access for inspection and cleaning. The septic tank must be accessible to a vacuum truck for pumping.

3. If curtain drains discharge diverted ground water to subsurface soils, the upslope separation from a leachfield or pit should be 20 feet and the downslope separation should be 50 feet. Discharge to ground surface is discouraged, especially downslope of the leachfield.

4. Leachfield application rate should not exceed the following:

Percolation Rate min./in	Loading Rate g.p.d./sq.ft.
1-20	0.8
21-30	0.6
31-60	0.25
61-120	0.10

5. Seepage pit application rate should not exceed 0.3 g.p.d./sq.ft.

6. ~~Leachfield/seepage/pit~~ Drainfield design should be based only upon useable permeable soil layers.

7. ~~Soil/absorption/system/design/showed~~

~~be based on average daily wastewater flow.~~ The minimum design flow rate should be 375 gallons per day per dwelling unit.

8. In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.

9. Distance between drainfield trenches should be at least two times the effective trench depth.

10. Distance between seepage pits (sidewall to sidewall) should be at least 20 feet.

11. Dual disposal fields (200% of original calculated disposal area) are recommended. Both drainfields should be constructed initially and diversion valves or boxes installed when access to the disposal system is restricted in such a way that future/so/that additions and repairs cannot be made easily.

12. For commercial systems, small institutions, or domestic industrial systems design should be based on daily peak flow. ~~estimates based on the total number of people to be served.~~

13. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.

14. Commercial systems, institutional systems, or domestic industrial systems should reserve an expansion area (i.e. dual drainfields/leachfields must be installed and area for replacement of drainfield leachfield must be provided) to be set aside and protected from all uses except future drainfield leachfield repair and replacement.

15. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the

following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance.

Design for Engineered Systems

1. Mound systems should be installed in accordance with criteria contained in Guidelines for Mound Systems by the State Water Resources Control Board. In cases of conflict with this Basin Plan, the more stringent criteria applies.

2. Evapotranspiration systems should be installed in accordance with criteria contained in Guidelines for Evapotranspiration Systems by the State Water Resources Control Board. In cases of conflict with this Basin Plan, the more stringent criteria applies, with the following exceptions:

a. ~~The highest precipitation rate/the lowest evaporation rate/for each year of the year/for the previous ten years of record should be used for design.~~

a. For evapotranspiration systems, each month of the highest precipitation year and lowest evaporation year within the previous ten years of record should be used for design.

b. Systems shall be designed by a registered civil engineer.

18. ~~Removal should be facilitated by drainage systems/should be designed/~~

Construction

Water quality problems resulting from improper construction can be reduced by following these practices:

1. Subsurface disposal systems should have a slightly sloped finished grade to promote surface runoff.

2. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.

3. In clayey soils, work should be done only when soil moisture content is low to avoid smeared infiltrative surfaces.

4. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.

5. Bottom of trenches or beds should be level throughout to prevent localized overloading.

6. Two inches of coarse sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields. Fine sand should not be used as this may facilitate system failure.

7. Surface runoff should be diverted around open trenches/pits to limit siltation of bottom area.

8. Prior to backfilling, the distribution system should be loaded to test the hydraulic loading pattern.

9. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes/fittings should be placed with extreme care outside the leaching area to insure settling does not occur.

10. Risers to the ground surface and manholes should be installed over the septic tank inspection ports and access ports.

11. ~~Drainfields~~ Drainfields should include an inspection pipe to check water level.

12. Additional construction precautions are discussed within the Environmental Protection Agency's Design Manual-On-site Wastewater Treatment and Disposal Systems.

Individual System Maintenance

Individual septic tanks should be maintained as follows:

1. Septic tanks should be inspected every two to five years to determine the need for pumping. If garbage grinders or dishwashers discharge into the septic tank, inspection should occur at least every two years.
2. Septic tanks should be pumped whenever: (1) the ~~bottom of the~~ scum layer is within three inches of the ~~top of the~~ outlet device; or (2) the sludge level is within ~~eighteen~~ inches of the bottom of the ~~first compartment~~ outlet device.
3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level.
4. Disposal of septage (solid residue pumped from septic tanks) should be accomplished in a manner acceptable to the Executive Officer. In some areas, disposal may be to either a Class I or Class II solid waste site; in others, septage may be discharged to a municipal wastewater treatment facility.

Community System Design

Community systems should be designed and maintained to accommodate the following items:

1. Capacities should accommodate build-out population.
2. Design should be based upon peak daily flow estimates.
3. Design should consider contributions from infiltration throughout the collection system.

4. Septic tanks should be pumped when sludge and scum levels are greater than 1/3 of the depth of the first compartment.

5. Operation and maintenance should be in accordance with accepted sanitary practice.

6. Maintenance manuals should be provided to system users and maintenance personnel. Manuals should emphasize that user negligence could result in increased operation and maintenance costs.

Local Agencies

Recommendations for local governing jurisdictions:

1. Adopt a standard percolation test procedure.

The California State Water Resources Control Board Guidelines for Evapotranspiration Systems provides a percolation test method recommended for use to standardize test results. A twelve inch diameter percolation test hole may be used.

2. Percolation tests should be continued until a stabilized rate is obtained.

3. Percolation test holes should be drilled with a hand auger. A hole could be hand augered at the bottom of a larger excavation made by a backhoe.

4. Percolation tests should be performed at a depth corresponding to the bottom of the subsurface disposal area.

5. Seepage pits should be utilized only after careful consideration of site suitability. Soil borings or excavations should be inspected either by permitting agency or individual under contract to the permitting agency.

6. ~~Public Works Departments should~~ Approve permit applications after checking plans for erosion control measures.

Approve permit applications after checking plans for erosion control measures.

7. Inspect systems prior to covering to assure proper construction.

8. Require replacements or repairs to failing systems to be in conformance with Basin Plan recommendations, to the extent practicable.

~~7.1. Before approving systems, assure they are in conformance with the State Map and the Basin Plan.~~

9. For new land divisions, protect on-site disposal systems and expansion areas from encroachment by provisions in covenants, conditions, and restrictions or additions to parcel maps.

10. Inform property buyers of the existence, location, operation, and maintenance of on-site disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g. Basin Plan prohibitions) through the County Record.

11. Conduct public education programs to provide property owners with operation and maintenance guidelines.

12. Alternative system owners shall be provided an informational maintenance or replacement document by the appropriate governing jurisdiction. This document shall stipulate homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.

13. Where appropriate, septic tank systems should be maintained by local septic tank maintenance districts.

14. Wastewater Management Plans should be prepared and implemented for applicable portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highlands, Prunedale, El Toro/ Canyon Del Rey, Shandon, Creston, Templeton, Santa Margarita/Garden Farms, Los Osos/Baywood

Park, Arroyo Grande, Nipomo, Los Alamos, upper Santa Ynez Valley, and Los Olivos/Ballard.

15. Ordinances should be updated to reflect Basin Plan criteria.

In addition, the following items should be considered:

1. Water conservation and solids reduction practices are recommended. Garbage grinders should not be used in homes with septic tanks.

2. Metering and water rates should be used to encourage water conservation.

3. Grease and oil should not be introduced into the system. Bleach, solvents, fungicides, and any other toxic material should not be poured into the system.

4. Reverse osmosis unit blowdown should not be discharged to on-site wastewater treatment systems overlying useable ground water. Offsite (factory regeneration) practices are recommended for water softeners.

5. If onsite water softener regeneration is necessary, minimum salt use in water softeners is recommended. This can be accomplished by minimizing regeneration time or limiting the number of regeneration cycles.

Page 5-63, replace management principle number fourteen with the following:

"14. The Regional Board intends to discourage high density development on septic tank disposal systems and generally will require increased size of parcels with slower percolation rates. Consideration of development will be based upon the percolation rates and engineering reports supplied. In any questionable situation, engineer designed systems will be required."

PROHIBITIONS

Page 5-65, replace paragraph beginning, "In addition, discharge from individual sewage systems, including..." with the following:

"Discharges from non-engineered/~~any~~ soil absorption systems in sites with any of the following conditions are prohibited:

1. For seepage pits, soils or formations containing: a) mostly gravels with few fines (soils with over 50% by weight coarser than a No. 200 sieve, and over half of the coarse fraction larger than No. 4 sieve); b) continuous channels; and/or c) cracks or fractures unless: a) distance between drainfield bottom and highest ground water, including perched ground water, is greater than 50 feet; or, b) a set back distance of 250 feet to any domestic water supply well or surface water is assured.

2. For seepage pits, soils or formations containing 60% or greater ~~100%~~ clay (a soil particle less than 2 microns in size) unless parcel size is at least 5 acres.

3. Distances between trench bottom and highest beneficial ground water, including perched ground water, less than ~~100~~ feet. separation specified by appropriate percolation rate:

Percolation Rate, min/in	Distance, ft
<u>1-29</u>	<u>8</u>
<u>> 30</u>	<u>5</u>

4. For seepage pits, distances between pit bottom and highest beneficial ground water, including perched ground water, less than 10 feet.

5. Distances between trench/pit bottom and bedrock or other impervious layer less than 10 feet.

6. For leachfields in non-gravelly soils without continuous channels, where percolation rates are faster than 1 min/in unless: a) distance between trench bottom and highest beneficial ground water, including perched ground water, is at least 50 feet; or, b) a set back distance of at least 200 feet to any domestic water supply well or surface water is assured.

7. For leachfields, where percolation rates are slower than 120 min/in, unless parcel size is at least 5 acres.

8. For leachfields in non-gravelly soils without continuous channels, where soil percolation rates are faster than 5 min/in unless: a) the distance between trench bottom and highest beneficial ground water is at least 20 feet; or, b) a domestic water supply well or surface water set back distance of at least 200 feet is assured.

9. For leachfields, where soil percolation rates are slower than 60 min/in unless the effluent application rate is 0.1 gpd/ft² or less.

10. Areas subject to inundation from a 10 year flood.

11. Natural ground slope of the disposal area exceeding 30%.

12. Setback distances less than:

	Ft.
Domestic water supply wells in unconfined aquifer	100

Watercourse ¹ where geologic conditions permit water migration	<u>Ft.</u> 100
Spillway elevation of reservoirs ²	200
Springs, natural or any part of man made spring	100

13. For new land divisions without approved Wastewater Management Plans, lot size less than 1/2 acre.

14. Within a reservoir watershed where the density for each land division is less than 2.5 acres for areas without approved Wastewater Management Plans.

15. For new land divisions, individual systems without an area set aside for dual leachfields (100% replacement area).

16. Commercial, institutional, and sanitary industrial systems with dual disposal areas (200 % total of original calculated disposal area) not installed.

17. Commercial, institutional, or sanitary industrial systems not basing design on daily peak flow estimate.

18. Any site unable to maintain subsurface disposal.

In addition to previous prohibitions, community subsurface disposal systems (serving more than 5 parcels or more than 5 dwelling units) are prohibited unless:

1. Seepage pits have at least 15 feet separation between pit bottom and highest beneficial ground water, including perched ground water.
2. Sewerage facilities are operated by a public agency, unless a demonstration is made to the Board that an existing public agency is unavailable and formation of a new public agency is unreasonable. If such a demonstration is made, a private entity must be established with adequate financial, legal, and institutional resources to assume responsibility for waste discharges.
3. Dual disposal systems are installed (200% of total of original calculated disposal area).
4. An expansion area is included for replacement of the original system (300% total).
5. Community systems provide duplicate individual equipment components for components subject to failure.
6. Discharge from community systems does not exceed 40 grams per day total nitrogen, on the average, per acre of total development overlying ground water recharge areas, unless local governing jurisdictions adopt Wastewater Management Plans subsequently approved by the Regional Board.

Prohibition Areas

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health and prevent nuisance the following prohibition areas are necessary:

~~Wastewater Management Plans for the following areas: ...~~

¹ Watercourse-(1) A natural or artificial channel for passage of water. (2) A running stream of water. (3) A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into some other stream or body of water.

² Reservoir-A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control or drinking.

1. Resolution 78-02, Nipomo discharge prohibition area
2. Resolution 79-07, Las Lomas-Hall discharge prohibition area
3. Resolution 79-08, Moss Landing discharge prohibition area
4. Resolution 82-10, San Lorenzo Valley discharge prohibition area
5. Resolution 83-01, Boronda discharge prohibition area
6. Resolution 83-04, Mission Canyon discharge prohibition area

The Executive Officer shall administer these prohibitions. In those cases of question, the Regional Board shall consider exemptions.

The Board may grant an exemption to prohibitions ~~except~~ for: 1) engineered new on-site disposal systems where sufficient justification is provided; 2) new on site disposal systems after presentation of geologic and hydrologic evidence by the proposed discharger that such system(s) will not individually or collectively result in pollution or nuisance; and 3) existing on-site systems if it finds that the continued operation of such system(s) in a particular area will not, individually or collectively, directly or indirectly, affect water quality adversely. Dischargers requesting exemptions must submit a Report of Waste Discharge.

Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause: 1) damage to public or private property; 2) ground or surface water degradation; 3) nuisance conditions; or, 4) a public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available.

Exceptions to prohibitions may be considered for engineered systems where sufficient justification is provided. Public works and recycling systems shall not be permitted for areas where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause damage to public or private property, degradation of water quality, or public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available. Engineered systems shall be designed only by registered engineers. Engineers should be responsible for proper system operation. Engineers should be responsible for educating system users of proper operation and maintenance. Maintenance schedules should be established. Engineered systems should be inspected by designer during installation to insure conformance with approved plans.

Individuals requesting exceptions may be asked to submit a Report of Waste Discharge.

Some engineered systems may be considered experimental by the Regional Board. Experimental systems will be handled with caution. A trial period of at least one year should be established whereby proper system operation must be demonstrated. Under such an approach, experimental systems are granted a one year conditional approval."

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Atascadero, CA 93422

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Sommermeyer & Sommermeyer
173-D El Camino Real
Arroyo Grande, CA 93420

ENVIRONMENTAL CHECKLIST FOR

I. BACKGROUND

1. Name of Proponent California Regional Water Quality Control Board
2. Address and Phone Number of Proponent:
 - 1102 A Laurel Lane
 - San Luis Obispo, CA 93401
 - (805) 543-3147
3. Date of Checklist Submitted July 8, 1983
4. Agency Requiring Checklist Resources Agency
5. Name of Proposal, if applicable Individual/Community
Sewage Disposal System Policy - Region 3 Amendment to Water Quality Control Plan (Basin Plan).

II. ENVIRONMENTAL IMPACTS

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

	YES	MAYBE	NO
1. Earth. Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic substructures?	___	<u>X</u>	___
b. Disruptions, displacements, compaction or overcovering of the soil?	<u>X</u>	___	___
c. Change in topography or ground surface relief features?	___	<u>X</u>	___
d. The destruction, covering or modification of any unique geologic or physical features?	___	<u>X</u>	___
e. Any increase in wind or water erosion of soils, either on or off the site?	___	<u>X</u>	___
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	___	___	<u>X</u>

- | | | | | |
|--|--|-------|-------|-------|
| g. | Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | _____ | _____ | X |
| 2. Air. Will the proposal result in: | | | | |
| a. | Substantial air emissions or deterioration of ambient air quality? | _____ | _____ | X |
| b. | The creation of objectionable odors? | _____ | X | _____ |
| c. | Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? | _____ | _____ | X |
| 3. Water. Will the proposal result in: | | | | |
| a. | Changes in currents, or the course or direction of water movements, in either marine or fresh waters? | _____ | X | _____ |
| b. | Changes in absorption rates, drainage patterns or the rate and amount of surface water runoff? | _____ | X | _____ |
| c. | Alterations to the course or flow of flood waters? | _____ | X | _____ |
| d. | Change in the amount of surface water in any water body? | _____ | _____ | X |
| e. | Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? | _____ | X | _____ |
| f. | Alteration of the direction or rate of flow of ground waters? | _____ | X | _____ |
| g. | Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? | _____ | X | _____ |
| h. | Substantial reduction in the amount of water otherwise available for public water supplies? | _____ | _____ | X |
| i. | Exposure of people or property to water related hazards such as flooding or tidal waves? | _____ | _____ | X |

4. Plant Life. Will the proposal result in:
- | | | | |
|---|-------|--------------|-------|
| a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)? | _____ | <u> X </u> | _____ |
| b. Reduction of the numbers of any unique, rare or endangered species of plants? | _____ | <u> X </u> | _____ |
| c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? | _____ | <u> X </u> | _____ |
| d. Reduction in acreage of any agricultural crop? | _____ | <u> X </u> | _____ |
5. Animal Life. Will the proposal result in:
- | | | | |
|---|-------|-------|--------------|
| a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)? | _____ | _____ | <u> X </u> |
| b. Reduction of the numbers of any unique, rare or endangered species of animals? | _____ | _____ | <u> X </u> |
| c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | _____ | _____ | <u> X </u> |
| d. Deterioration to existing fish or wildlife habitat? | _____ | _____ | <u> X </u> |
6. Noise. Will the proposal result in:
- | | | | |
|---|-------|--------------|--------------|
| a. Increases in existing noise levels? | _____ | <u> X </u> | _____ |
| b. Exposure of people to severe noise levels? | _____ | _____ | <u> X </u> |
7. Light and Glare. Will the proposal produce new light or glare?
- | | | |
|-------|-------|--------------|
| _____ | _____ | <u> X </u> |
|-------|-------|--------------|
8. Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area?
- | | | |
|-------|-------|--------------|
| _____ | _____ | <u> X </u> |
|-------|-------|--------------|
9. Natural Resources. Will the proposal result in:
- | | | | |
|--|--------------|-------|--------------|
| a. Increase in the rate of use of any natural resources? | <u> X </u> | _____ | _____ |
| b. Substantial depletion of any nonrenewable natural resource? | _____ | _____ | <u> X </u> |

- | | | | | |
|-----|--|-----|-----|-----|
| 10. | Risk of Upset. Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions? | ___ | ___ | X |
| 11. | Population. Will the proposal alter the location, distribution, density, or growth rate of the human population in the area? | ___ | X | ___ |
| 12. | Housing. Will the proposal affect existing housing, or create a demand for additional housing? | ___ | X | ___ |
| 13. | Transportation/Circulation. Will the proposal result in: | | | |
| | a. Generation of substantial additional vehicular movement? | ___ | ___ | X |
| | b. Effects on existing parking facilities, or demand for new parking? | ___ | ___ | X |
| | c. Substantial impact upon existing transportation systems? | ___ | ___ | X |
| | d. Alterations to present patterns of circulation or movement of people and/or goods? | ___ | ___ | X |
| | e. Alterations to waterborne, rail or air traffic? | ___ | ___ | X |
| | f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians? | ___ | ___ | X |
| 14. | Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: | | | |
| | a. Fire protection? | ___ | ___ | X |
| | b. Police protection? | ___ | ___ | X |
| | c. Schools? | ___ | ___ | X |
| | d. Parks or other recreational facilities? | ___ | ___ | X |
| | e. Maintenance of public facilities, including roads? | X | ___ | ___ |
| | f. Other governmental services? | X | ___ | ___ |

15. Energy. Will the proposal result in:
- | | | | |
|---|-------|-------|--------------|
| a. Use of substantial amounts of fuel or energy? | _____ | _____ | <u> X </u> |
| b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? | _____ | _____ | <u> X </u> |
16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:
- | | | | |
|------------------------------|--------------|--------------|--------------|
| a. Power or natural gas? | _____ | _____ | <u> X </u> |
| b. Communications systems? | _____ | _____ | <u> X </u> |
| c. Water? | _____ | _____ | <u> X </u> |
| d. Sewer or septic tanks? | <u> X </u> | _____ | _____ |
| e. Storm water drainage? | _____ | <u> X </u> | _____ |
| f. Solid waste and disposal? | _____ | _____ | <u> X </u> |
17. Human Health. Will the proposal result in:
- | | | | |
|--|-------|--------------|--------------|
| a. Creation of any health hazard or potential health hazard (excluding mental health)? | _____ | _____ | <u> X </u> |
| b. Exposure of people to potential health hazards? | _____ | <u> X </u> | _____ |
18. Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?
- | | | | |
|--|-------|--------------|-------|
| | _____ | <u> X </u> | _____ |
|--|-------|--------------|-------|
19. Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?
- | | | | |
|--|-------|--------------|-------|
| | _____ | <u> X </u> | _____ |
|--|-------|--------------|-------|
20. Archeological/Historical. Will the proposal result in an alteration of a significant archeological or historical site, structure, object or building?
- | | | | |
|--|-------|--------------|-------|
| | _____ | <u> X </u> | _____ |
|--|-------|--------------|-------|
21. Mandatory Findings of Significance.

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? _____ X

- b. Does the project have the potential to achieve short-term to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time which long-term impacts will endure well into the future.) _____ X

- c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant). _____ X

- d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? _____ X

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

IV. DETERMINATION

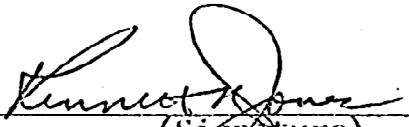
On the basis of this initial evaluation:

_____ I find the proposed project COULD NOT have a significant effect on the environment.

 X I find that the proposed project may have a significant adverse impact on the environment. However, there are feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report.

_____ I find that the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

Date 7/8/83



 (Signature)
 Executive Officer

DISCUSSION OF ENVIRONMENTAL EVALUATION

Systems would be installed with or without this proposed Basin Plan amendment. Consequently, many of the following impacts would occur regardless of the proposed amendment.

Environmental Impacts

Mitigation Measures

Item 1a

Construction of subsurface disposal systems will alter subsurface geology.

None. These impacts will be offset by improvements in water quality.

Item 1b & 1e

Construction of subsurface disposal systems will temporarily disrupt and displace the soil. Temporary soil excavation may be necessary to determine suitability of on-site system. Erosion may occur.

Amendment recommends that local governing agencies check for erosion control measures. Impacts will be offset by improved water quality.

Item 1c

Minimal changes in topography may occur to provide storm water runoff areas.

None. Impacts will be offset by improved water quality.

Item 2b

On-site sewage disposal systems can cause odors.

Local governing jurisdictions enforce a plumbing code that minimizes odors. This amendment should reduce odors from surfacing effluent.

Item 3a, 3f, 3g

Alternative sewage disposal systems with curtain drains may be constructed to lower groundwater in areas of high groundwater. On-site systems discharge to groundwater.

None. Impacts will be offset by improved water quality. This amendment is designed to protect groundwater from discharges.

Item 3b, 3c

Surface drainage control should be provided to divert surface runoff and flood waters from leachfield areas.

None. Impacts will be offset by improved water quality.

Item 3e

This policy will improve surface water quality.

None

Environmental Impacts

Mitigation Measures

Item 6a

Aerated systems and pumps may increase noise levels.

None. Impacts will be offset by improved water quality.

Item 9a

The Construction of on-site sewage treatment facilities will consume mineral resources.

None. Impacts will be offset by improved water quality. On-site systems may require fewer natural resources than public sewers.

Item 11

Population location and density may be altered because of constraints on on-site systems in some locations.

None. Impacts will be offset by improved water quality.

Item 12

In some areas, more stringent regulations may decrease availability of building sites for conventional systems. However, engineered systems may be installed as a substitute to meet water quality concerns. Engineered systems will cost more.

Many different types of innovative and alternative engineered systems can be a suitable substitute. This will result in increased cost to the discharger.

Item 14e, and 14f

Some on-site systems (particularly community systems) may be maintained by a public entity. In addition, local governing jurisdictions should perform public education programs, establish and maintain on-site maintenance districts, determine the need for sewerage, conduct On-Site Management Districts, and conduct Wastewater Management Plans in some areas, and provide adequate inspection and plan checking.

None. Impacts will be offset by improved water quality.

Item 16d

Policy provides guidelines for on-site sewage disposal systems

None. Alterations to on-site sewage disposal system policy will improve water quality.

Environmental Impacts

Mitigation Measures

Item 16e

Policy recommends diverting storm water away from disposal area.

None. Impacts will be offset by improved water quality.

Item 16f

Septage disposal policy remains unchanged.

Item 17b

Periodic inspection of on-site systems can be hazardous to individuals inadequately trained to maintain system.

Provide educational material regarding maintenance of on-site systems to residents.

Item 19

Water Quality improvements may improve the quality of some existing recreational water bodies.

None.

Items 1d, 1e, 4, 18, and 20

These impacts may occur as a result of local government decisions on growth and/or land use. Mitigation of these impacts is appropriately the local government's responsibility.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-09

Revision and Amendment of Water Quality Control
Plan by the Addition of a Prohibition of Waste
Discharge from Individual Sewage Disposal Systems
Within the Pasatiempo Area, Santa Cruz County

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coast Basin (hereafter Basin Plan) on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of pollution and nuisance; and,
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,
- WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code defines criteria for such prohibition areas (Section 13240 et seq.); and,
- WHEREAS, Pasatiempo Pines area consists of about 1,300 persons located in and adjacent to the City of Scotts Valley in Santa Cruz County; and,
- WHEREAS, local groundwater is the only source of water for the area and is beneficially used for domestic and commercial use; and,
- WHEREAS, onsite soil absorption systems are the sole means of wastewater disposal in the Pasatiempo area; and,
- WHEREAS, Pasatiempo area soil permeabilities are rapid to very rapid and there is no impermeable zone between the ground surface and water table; and,
- WHEREAS, the majority of lots are too small to provide adequate dispersion of Individual Sewage Disposal System effluent in the ground water basin and the average lot size is 0.37 acres; and,
- WHEREAS, ground water studies indicate rising nitrate concentrations with increased residential land use; and,
- WHEREAS, the use of two water supply wells (Estrella and Champion) in the Pasatiempo Pines area was discontinued when testing revealed nitrate concentrations exceeded acceptable drinking water concentrations of 45 mg/l as NO₃; and,

- WHEREAS, the San Lorenzo Valley Water District is a public entity and provides water to area residences; and,
- WHEREAS, the State Department of Health Services considers the ground water to be a public health hazard due to nitrate contamination as defined in Section 13050(h) of the California Water code; and,
- WHEREAS, the City of Scotts Valley prepared an environmental impact report (EIR) in accordance with the California Environmental Quality Act and a project report that identifies adverse environmental impacts from continued use of septic tanks in the Pasatiempo Pines area and discusses alternatives to existing wastewater management practices; and,
- WHEREAS, the Regional Board is obligated to include a program of implementation for achieving water quality objectives in its Basin Plan; and,
- WHEREAS, a Regional Board staff report finds beneficial uses of Pasatiempo Pines ground water are adversely affected by individual sewage disposal system discharges, public health is jeopardized by nitrate contamination of domestic water supplies, and there appears to be a trend of increasing degradation; and,
- WHEREAS, drafts of proposed revisions and amendments of the Basin Plan, prohibiting discharges from Pasatiempo Pines area individual sewage disposal systems, have been prepared and provided to interested persons and agencies for review and comment; and,
- WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds adoption of this prohibition area will not have a significant adverse effect on the environment; and,
- WHEREAS, On July 15, 1983, in the City Hall Council Chambers, 7351 Rosanna Street, Gilroy, California, after due notice, the Regional Board conducted a public hearing at which evidence was received pursuant to Section 13281 of the California Water Code concerning the impact of discharges from individual sewage disposal systems on water quality and public health; and,
- WHEREAS, pursuant to Section 13280 of the California Water code, the Regional Board finds that discharges of wastes from new and existing ISDS which utilize subsurface disposal in the affected area will result in violation of water quality objectives; will impair beneficial uses of water; will cause pollution, nuisance, or contamination; and will unreasonably degrade the quality of waters of the State; and,

WHEREAS, the Regional Board finds the aforesated conditions in need of remedy to protect present and potential beneficial uses of water and to prevent pollution.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coast Basin, be amended as follows:

Insert the following prohibition on Page 5-66 (retyped version of Chapter 5), bottom of page after paragraph ending with "...Tornoe Road to the Point of Beginning." (added by Resolution 83-04):

- "6. Discharges from additional individual or on-site sewage disposal systems are prohibited, and discharges from existing individual sewage disposal systems are prohibited effective July 1, 1986, in the areas in the Pasatiempo Pines and Lockwood Lane portion of Santa Cruz County and more particularly described as follows:

(Legal description to be provided for area prescribed by Regional Board)

BE IT FURTHER RESOLVED, that the above area is consistent with the recommendations of the staff report as shown on "Attachment A."

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria, contained in the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that compliance with the above prohibition of existing individual or on-site sewage disposal systems shall be achieved according to the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
Begin Design	September 1, 1983
Complete Design	May 1, 1984
Obtain Construction Funding	September 28, 1984
Begin Construction	March 1, 1985
COMPLETE CONSTRUCTION AND TERMINATE DISCHARGES FROM ONSITE SYSTEMS	July 1, 1986

BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with schedules shall be submitted to the Regional Board within 14 days following each scheduled date unless otherwise specified, where noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the State Water Resources Control Board is hereby requested to amend forthwith all appropriate Clean Water Grant Project Priority Lists to recognize the necessary structural solution for Pasatiempo Pines as a Priority "A" project.

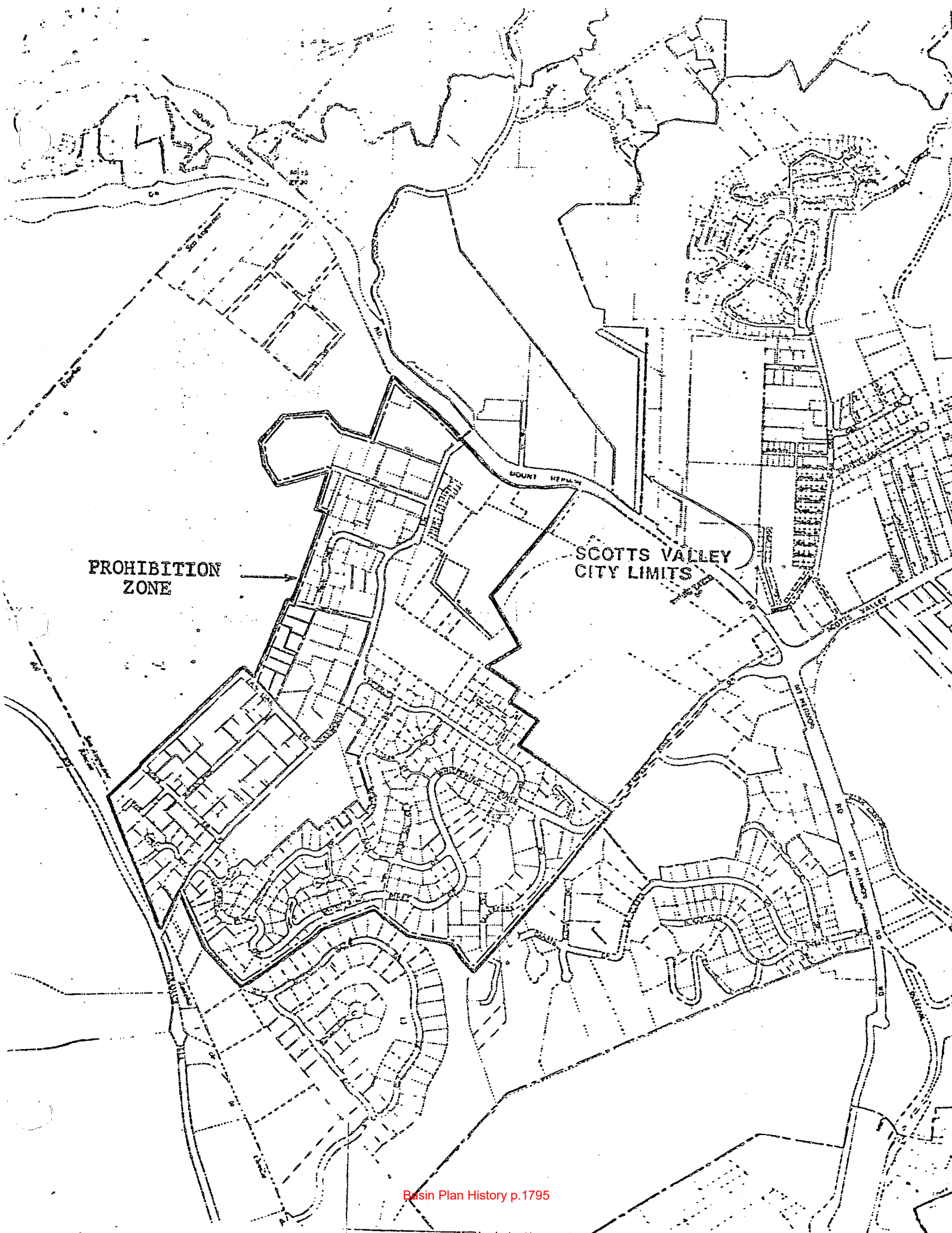
BE IT FURTHER RESOLVED, the Executive Officer of the Regional Board is hereby directed to submit this revision of the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the above prohibition.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 15, 1983.



Executive Officer



PROHIBITION
ZONE

SCOTT VALLEY
CITY LIMITS

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-07

Concerning Revisions and Amendment of the
Water Quality Control Plan,
Central Coastal Basin

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of nuisance; and,
- WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,
- WHEREAS, the Regional Board amended Chapter 5, Recommended Plan of said Basin Plan on July 9, 1982, including portions of the "Municipal Wastewater Management" section and related tables; and,
- WHEREAS, amendments of Chapter 5, Recommended Plan of said Basin Plan on July 9, 1982, did not address portions of municipal wastewater management related to the Salinas River, Carmel River, and Monterey Coastal Sub-Basins; and,
- WHEREAS, proposed revisions and amendments addressed herein apply to Chapter 5, Recommended Plan, of said Basin Plan, particularly municipal wastewater management in the Salinas River, Carmel River, and Monterey Coastal Sub-Basins; and,
- WHEREAS, drafts of proposed revisions and amendments have been prepared and provided to interested persons and agencies for review and comment; and,
- WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,
- WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217; and,

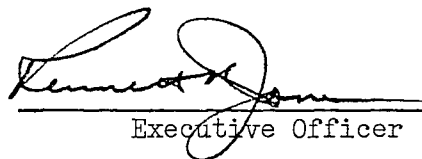
WHEREAS, on April 15, 1983, in San Luis Obispo, California, after public notice, the Regional Board received evidence and considered all factors concerning proposed revisions and amendments to said Plan.

NOW, THEREFORE, BE IT RESOLVED, that portions of Chapter 5, "Recommended Plan," of the Water Quality Control Plan, Central Coastal Basin, beginning on page 5-23, be revised as shown on Attachment "A."

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit the above-described portion of said Water Quality Control Plan as revised and amended to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the revised prohibition contained herein.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.


Executive Officer

ATTACHMENT "A"

Salinas River Sub-Basin

The extensive Salinas River Sub-basin includes the Monterey Peninsula and southern coastal area of Monterey Bay, the City of Salinas, agricultural and small urban centers of the Salinas Valley, and recreational developments in the upper watersheds.

Monterey Peninsula-Salinas Region

The recommended plan for the Monterey Peninsula-Salinas area calls for consolidation of Monterey Peninsula, Salinas, Castroville, and Moss Landing municipal wastewater flows, including flows from a few areas that are not yet sewered. A primary objective of the original planning effort for that area was to identify the most cost-effective alternative for upgrading discharges from several sub-standard facilities in the southern portion of Monterey Bay. This effort eventually evolved into a plan for a consolidated, or regional, facility. As part of the plan, existing sub-standard facilities were improved to an acceptable interim level. The consolidated plan calls for relocation of wastewater discharges from southern Monterey Bay, and from the Salinas River and Tembladero Slough; to an area outside of the zone of prohibition described elsewhere in this plan. The Monterey Regional Water Pollution Control Agency was established to manage and implement regional consolidation. The service area of the Agency is defined by the boundaries of the Monterey Regional County Sanitation District and due to their close working relationship, these two entities are considered as one in this plan. A Facilities Plan completed in January, 1978, under the Clean Water Grant Program substantiates the Regional Project as the most cost-effective, environmentally acceptable, long-term wastewater management system for the study area. The four-stage project is defined in more detail as follows:

Stage 1 - Connect Pacific Grove by interceptor to an enlarged and upgraded Monterey wastewater treatment plant that provides secondary treatment. (This stage was completed in August, 1980.)

Stage 2 - Connect existing Monterey, Seaside, Fort Ord, Castroville, and the Salinas Main WWTP's to a common outfall pipeline that discharges into central Monterey Bay outside the zone of prohibition. The Salinas Alisal WWTP is not connected as part of Stage 2. Its discharge is scheduled to be terminated as part of Stage 3.

Stage 3 - Replace existing WWTP's of Stage 2, plus the Salinas Alisal WWTP, with a single WWTP that provides secondary treatment. This facility should include septage handling and treatment capabilities and, unless a more cost-effective or environmentally sound treatment alternative is determined before then, it should be completed by 1989.

Stage 4 - Implement wastewater reclamation near Castroville on agricultural lands producing edible crops. A wastewater reclamation demonstration project to determine the level of treatment needed to protect public health, as well as to assess marketability, is underway. It must be completed before implementation.

Agencies participating (directly or by contract) in the Regional Project are identified in Table 5-3. Until Stage 2 of the project is complete, wastewater flows from WWTP's serving cities of Monterey, Pacific Grove Seaside, Sand City, and Del Rey Oaks, as well as Fort Ord, will continue to discharge within the southern Monterey Bay zone of prohibition. This chapter prohibits discharge to the zone effective July 1, 1983. In a 1981 enforcement order, the Regional Board recognized that it may take up to April, 1984, to effect compliance with this prohibition.

Continued discharge of municipal wastewater to the Salinas River is essentially prohibited by virtue of designated water contact recreational use along the lower reach of the river (ref: Discharge Prohibitions, Inland Waters, paragraph #2). A discharge may continue if benefits can be realized from a direct discharge, but this has not proven to be the case and further study will be necessary if the recommended plan is to be changed. The domestic wastewater discharges from the Salinas WWTP's must be phased out as soon as completion of the regional system makes it possible to do so. While the Regional Project's most cost-effective plan delayed connection of the Alisal WWTP service area to the regional system until completion of Stage 3, continual delays in scheduling of Stage 3 are prolonging the discharge of municipal wastewater into the Salinas River. Without proof of the benefit of direct discharge and without the level of treatment necessary to assure protection of all beneficial uses of the river, the discharge from the Alisal WWTP must be removed from the river. Accordingly, connection of the Alisal WWTP to the regional system should be made as soon as possible regardless of the timing and future of Stage 3. Discharges of municipal waste to the Salinas River should be terminated as soon as feasible and in no case later than July 1, 1985.

The issue of continued discharge, which reduces to what benefits can be realized from a direct discharge, is based on a concern that termination of the discharge may have an impact on the riparian eco-system. The California Coastal Commission imposed a permit condition and the State Board's Division of Water Quality imposed a clean water grant condition requiring a mitigation study to be performed. The completed report and overseeing technical committee determined there would be no impact on the river downstream of Blanco Drain Outfall and was unable to validate an impact, and subsequent need for mitigation, on the river upstream of the outfall should wastewater discharges be terminated. A plan was subsequently prepared for a study of sufficient refinement to monitor the actual effects of flow reduction on wildlife habitat. The concern for a possible impact has not been validated and no beneficial use of continued discharge

has been established. The study has not included an investigation of nutrient or bacterial impacts should a discharge continue and, consequently, it offers no mitigation of the impact of a continued discharge. Further, it does not address the feasibility of mitigating this impact. Consequently, the Monterey Regional Water Pollution Control Agency has until July 1, 1985, either to validate its concern and implement a mitigation for continued flow or terminate the discharge. If Monterey County's proposed Arroyo Seco water project is realized, a portion of the lower reach of the river will convey municipal drinking water, adding further reason for terminating discharge of wastewater to the reach.

Discharge to Tembladero Slough is not expressly prohibited. However, "Management Principles" of this chapter clearly state discharges to aquatic environments shall be considered temporary. Policy for coastal lagoons, as expressed in the State's "Water Quality Control Policy of the Enclosed Bays and Estuaries of California," is to phase out municipal discharges at the earliest possible date. Consequently, no increase in the existing discharge to the slough should be allowed unless it is determined by Regional Board action to be in the best interest of public health and water quality. Any existing waste discharge to the slough should be considered temporary and should be terminated as soon as Stage 2 of the regional system makes it possible to do so.

While the discharge from the Castroville WWTP must be removed from Tembladero Slough, the existing WWTP is the only viable facility in the interim to receive wastewater from areas outside, but near, the Castroville County Sanitation District. For example, discharges from individual sewage disposal systems within the Moss Landing County Sanitation District are prohibited by this chapter. The best apparent project to achieve compliance with the prohibition is sewerage of the community and transport of all waste to the Castroville WWTP until Stage 3 is completed. Another example is the Castroville expanded service area project scheduled to sewer facilities such as Monte Del Lago Mobilehome Park and North Monterey County High School. It is important this project be completed as soon as possible to eliminate continual sewage discharges to Moro Cojo Slough from Monte Del Lago Mobilehome Park. New developments are not subject to this same urgency and should not be served by the Castroville WWTP until treatment and disposal capacity is available.

Although there are provisions for exception identified elsewhere in this chapter, the consolidated, or regional, WWTP identified as Stage 3 should provide secondary level treatment. All other considerations aside, the potential to provide large-scale reclamation of wastewater on agricultural lands through a relatively minor upgrading of a secondary plant is an opportunity too good, and too rare, to ignore. A multi-year study of viability of using reclaimed water for production of edible crops should demonstrate such use is practical and could prove of national importance. Reclamation would be in accord with goals, principles, and recommendations expressed throughout this chapter.

Since one purpose of consolidation is to reduce the number of independent facilities in order to achieve long-range economic and water quality benefits, facilities or service areas near the service area of the consolidated system should join with the system. This is especially true for facilities or areas that are not meeting terms of this document and that must complete significant capital improvements in order to do so. Table 5-3 identifies public and private facilities not participating in the Regional Project (as of January, 1982) that fall within this category:

Marina CWD - The Marina CWD discharges secondary-treated effluent within the zone of prohibition in southern Monterey Bay. The most cost-effective plan and the recommended alternative is for Marina CWD to join with the Regional Project. It has two other possible options: land disposal and extension of its existing outfall beyond the zone. Whatever it chooses, discharge into the zone must be eliminated by July 1, 1983.

Boronda CWD - This is an unsewered community where failing septic systems resulted in public health concerns and a prohibition of discharges from septic systems effective July, 1986. The area should be annexed to the City of Salinas and sewerred.

Monterey CSA #10 (Laguna Seca Ranch) - CSA #10 operates a community septic system outside the City of Monterey. The system has exhibited problems for years that are likely to continue until replaced. It is recommended that connection be made to the regional project through the City of Monterey or that a more sophisticated treatment and reclamation facility be constructed as a permanent solution by 1986.

Watertek (Oakhills Development) - A pond/spray irrigation system provides sewerage service for this development. The system encroaches on Moro Cojo Slough and is nearing its capacity. Use of the facility may continue until persistent water quality or public health concerns develop. However, any expansion of the facility that will develop on the slough will not be permitted. Development of the system beyond the capacity necessary to serve Oak Hills Development is not recommended. At present, additional development of the spray irrigation system is needed to maximize the system's allowable capacity and provide sufficient wet-weather capability.

Salinas Utility Services - This is a privately operated facility serving residences in part of the Toro area west of Salinas. It has been plagued with inconsistent maintenance, periodic flooding, and washout of the river crossing leading to the disposal area. The long-term goal is to phase out use of this facility in favor of

service by the regional system. In view of the limited capacity of the regional system, use of this facility may continue until persistent water quality or public health concerns develop. A possible interim alternative is to consolidate this facility with nearby major developments presently in the local planning process. A public entity should be formed to operate and maintain this facility: 1. if an increase in system capacity is proposed to accommodate new development or, 2. if ongoing ownership, problems, operation and maintenance problems, or waste discharge requirement violations persist through 1985.

Other areas within the study area of the Regional Project should be connected when feasible or necessary from a public health or water quality perspective. Examples include: Bolsa Knolls-Oak Park; Prunedale; and Spreckels. In the interim, a public management agency should be established to provide sewerage service to the community of Spreckels. Following closure of the Spreckels Sugar refinery in 1982, the community is without a long-term sewerage facility. Consolidation with the Regional Project is impractical at this stage, so the community should consolidate with projects proposed nearby. An interim solution should be completed by July, 1984. Areas served by individual septic systems may be able to defer sewerage indefinitely provided Monterey County implements measures to assure protection of water quality and public health. One such area is El Toro, where local controls based upon a 1981 groundwater report are being implemented to prevent overloading of the underlying groundwater basin.

New major residential developments proposed within the service area of the Regional Project should connect to the regional system unless studies can show that water quality and public health concerns can be properly mitigated. Sewerage feasibility studies and areal ground water studies should continue in this sub-basin to assure that adequate sewage treatment and disposal capabilities are maintained for both existing and proposed development.

Salinas Valley Region

Recommended plans for Salinas Valley communities, the U. S. Army's Fort Hunter Liggett, the California Army National Guard's Camp Roberts, and recreational areas in the upper watershed generally involve separate wastewater treatment and disposal facilities. Municipal facilities in this Region are identified in Table 5-3.

Small Dischargers (less than 0.5 mgd) along the Salinas River, including Guajular, Gonzales, Seledad, Greenfield, and San Miguel, should remain as separate treatment facilities with land disposal to evaporation/percolation systems and land application seasonal (irrigation) reuse systems where possible. Disposal should be managed to provide maximum nitrogen reduction (e.g., through crop irrigation or wet and dry cycle percolation). Future plant expansion and improvements are planned for Gonzales and Greenfield to ensure plans reliability and ability to meet future demands. The State Correctional Facility at Seledad is in the process of making facility improvements to replace worn-out equipment, improve disposal capabilities, and provide flood protection for disposal facilities. Basin. History 1102 City expansions shall include

means for nitrogen reduction. Shallow groundwater monitoring at these facilities will determine if additional improvements are necessary. The recommended plan for King City is to upgrade and expand existing facilities from 0.5 mgd to 0.8 mgd. Land disposal by percolation ponds and spray irrigation will continue. should consider expanding its service area to include Pine Canyon if development continues in that area.

(Note: For sake of brevity, the portions of the Basin Plan amended during July, 1982, concerning facilities from Camp Roberts north to Nacimiento Reservoir are not repeated here, but they do remain in the Basin Plan).

Dischargers in the San Antonio Reservoir watershed include Monterey County's Department of Parks and Recreation and the U. S. Army's Fort Hunter Liggett. There are no recommended changes to facilities operated by the Monterey County Department of Parks and Recreation. Monterey County Department of Parks operates wastewater treatment facilities for both north (Pleyte 0.03 mgd) and south (Lynch Harris Creek and Redenda Vista Recreational Site 0.14 mgd) San Antonio Lake recreational areas. The north site consists of primary treatment and disposal in oxidation/percolation evaporation ponds. The south facility consists of secondary trickling filter treatment with discharge to oxidation/percolation/evaporation ponds for disposal. With proper maintenance, these systems will adequately protect water quality. The U. S. Army, Fort Hunter Liggett, operates wastewater treatment facilities on the military reservation located adjacent to the San Antonio River. Existing treatment facilities consist of aerated treatment pond and spray disposal field. The recommended plan is to maintain the existing facilities with improvement of the spray disposal area.

Carmel River Sub-Basin

The Carmel River Sub-basin includes areas sewered by the Carmel Sanitary District and the Carmel Valley County Sanitation District, and extensive unsewered areas, particularly in the Carmel Highlands and Carmel Valley areas. Table 5-3 identifies recommended facilities in this sub-basin.

The existing Carmel Sanitary District treatment plant and outfall facility should be retained to provide for water quality control until reliable land disposal or reclamation programs are developed in Carmel Valley. Level II treatment is required for ocean disposal. The existing outfall can accommodate wet weather flow discharges during times when reclamation is not feasible.

A special study by the District is underway to determine the adequacy of the existing outfall with respect to State Ocean Plan requirements. The results of this study will outline what changes, if any, are required for the existing outfall.

The Carmel Sanitary District operates a secondary wastewater treatment plant with ocean disposal serving Carmel-by-the-Sea, Del Monte Forest, and a few adjacent areas. The outfall system terminates within a portion of Carmel Bay that is designated an Area of Special Biological Significance (ASBS).

While total removal of the discharge is not required in this special case, elimination of the discharge to the ASBS during summer months (May-October) must be achieved by July, 1989. A Facilities Plan completed in 1979 through the Clean Water Grant Program identifies wastewater reclamation as the appropriate project for compliance. The Pebble Beach Community Services District is participating in the reclamation project by contract. Discharge during summer months should be phased out beginning with partial reclamation in mid-1985 and finishing with full reclamation during summer months by July, 1989. Initial reclamation efforts will rely on water requirements of five golf courses in the area. Four additional years allow the District a total of ten years to find other reclaimed water users or practical land disposal alternatives.

Carmel Highlands and Carmel Valley also were addressed in the 1979 Facilities Plan. Ultimately, Carmel Highlands should be sewerred and connected to Carmel Sanitary District facilities. To prolong use of individual systems as long as possible, it is imperative that operation and maintenance of septic systems in the Carmel Highlands area be closely regulated by the Monterey County Health Department. Within the Carmel Valley, sewerred may be avoidable through judicious control of development and pollutant loading. To this end, the Monterey Peninsula Water Management District has implemented a ground water monitoring program and Monterey County has developed control measures in the Valley (a result of a wastewater study completed and approved in 1982).

~~Carmel-Highlands-wastewaters-should-be-transported-to-the-present-Carmel Sanitary-District-plant-for-treatment.--Comprehensive-studies-to-determine the-feasibility-of-establishing-separate-treatment-plants-should-be-completed before-mid-1976-for-the-Carmel-Valley-area;--these-studies-should-include-consideration-of-septic-tank--maintenance-and-feasibility-of-land-disposal-and wastewater-reclamation-for-areas-sewerred.--It-will-be-important-to-make-sure these-land-disposal-facilities-are-operated-in-conjunction-with-groundwater basin-operations.--Irrigation-possibilities-exist-for-the-upper-and-Mid-Valley-locations.--Land-disposal-in-the-lower-valley-might-best-be-directed toward-protecting-the-groundwater-basin-from-sea-water-intrusion.--More detailed-studies-of-groundwater-and-land-disposal-are-needed-prior-to-shifting-the-existing-discharge-to-Carmel-Vay-to-land-disposal-in-the-lower valley.--Accordingly,the-continual-use-of-ocean-disposal-is-allowable-as an-option-year-round-and-should-be-maintained-for-wet-season-disposal.--In the-event-a-higher-level-of-treatment-than-secondary-is-required,the-plan for-the-region-should-involve-collection-of-treated-effluent-from-the-Carmel Valley.--Effluent-would-be-transported-to-the-upper-valley.--An-advanced treatment-facility-would-be-constructed-at-the-Carmel-SD-facility-to-reclaim waters-for-transport-inland.--The-reclaimed-water-would-be-used-either-for groundwater-recharge-or-for-supplementing-supplies-developed-on-the-Carmel River.~~

~~Carmel-SD-will-continue-its-present-joint-exercise-of-powers-agreement-to treat-and-dispose-of-wastes-pumped-from-Pebble-Beach-SD.--Carmel-SD-should manage-wastewater-facilities-and-programs-in-Carmel-Valley-and-Carmel-Highlands.~~

Carmel Valley County Sanitation District operates three facilities in Carmel Valley. These include a level IV treatment plant with golf course reclamation at Carmel Valley Ranch and community septic tank/subsurface disposal systems at Village Green and White Oaks. No changes are recommended unless public health or water quality concerns develop. Should the need arise for specific septic system maintenance in Carmel Valley, local agencies should be considered for management responsibilities.

Monterey Coastal Sub-Basin

~~The only facility recommended for the Monterey Coastal Sub-basin is the construction of a land disposal system at Pfeiffer Big Sur State Park. Existing facilities at the Point Sur Naval Facility are adequate to meet the water quality control requirements of that discharge.~~

The U. S. Navy's Point Sur wastewater facilities and the State Department of Parks and Recreation, Pfeiffer Big Sur State Park, facilities are the only significant facilities in this sub-basin. Ocean discharge from the U. S. Navy is adequate. No changes are recommended. The subsurface land disposal system at Pfeiffer Big Sur State Park also seems adequate. If expansion to this facility is considered or if ground or surface water degradation from this discharge is detected, other means of disposal, such as reclamation, are recommended.

TABLE 5-3 INSTITUTIONAL ARRANGEMENTS

SUB-BASIN	REGION	TREATMENT FACILITIES	MANAGEMENT AGENCY	PARTICIPATING AGENCY	CONTRACTING AGENCY
SALINAS RIVER	Monterey Peninsula-Salinas	Monterey Regional	MRWPCA	Cities of: Monterey Pacific Grove Salinas Main Salinas-Alisal Seaside Sand City Del Rey Oaks Fort Ord, USA CSD: Seaside Castroville Moss Landing <u>North Monterey County High School (2)</u> <u>Monte Del Lago MHP (2)</u> <u>Marina CWD (3)</u> <u>Boronda CWD (2)</u> <u>Monterey CSA #10-Laguna Seca (2)</u> <u>Watertek-Oakhills (3)</u> <u>Salinas Utility Services(2)</u>	
		Marina	Marina CWD		
		Oak-Hills	Watertek, Inc.		
	Salinas Valley	<u>Spreckels Chualar</u>	<u>To Be Determined (4)</u> Chualar CSD		
		Gonzales	City of Gonzales		
		Soledad	City of Soledad		
		Soledad Prison <u>CTF</u>	Calif. Dept. of Corrections		
		Greenfield	City of Greenfield		
		King City	City of King		

SUB-BASIN	REGION	TREATMENT FACILITIES	MANAGEMENT AGENCY	PARTICIPATING AGENCY	CONTRACTING AGENCY
		San Ardo	San Ardo WD		
		<u>Ft. Hunter Liggett</u>	<u>U. S. Army</u>		
		San Antonio Reservoir (Pleyto & <u>South Areas</u>)	Monterey Co. <u>Parks and Rec.</u>		
		Camp Roberts	CA. Nat'l. Guard		
		San Miguel	San Miguel SD		
		Paso Robles	City of Paso Robles		
		Paso Robles School for Boys and Paso Robles Airport Ind. Park	City of Paso Robles		Calif. Dept. of Youth Auth.
		Atascadero	City of Atasc.		Atasc. State Hospital, Calif. Dept. of Health(5)
<u>CARMEL RIVER</u>		Carmel	Carmel SD		Pebble Beach <u>CSD</u>
		Carmel Valley Ranch	Carmel Valley <u>CSD</u> Co. San. Dist.		
		<u>White Oaks</u>	<u>Carmel Valley CSD</u>		
		<u>Village Green</u>	<u>Carmel Valley CSD</u>		
<u>MONTEREY COASTAL</u>		<u>Pt. Sur</u>	<u>U. S. Navy</u>		
		<u>Pfeiffer-Big Sur St. Park</u>	<u>Calif. Dept. of Parks and Rec.</u>		

- 2) Facilities within the service area of the Regional Project with various institutional arrangements and timing (through Castroville CSD, the City of Monterey, or the City of Salinas, or through contract with the MRWPCA) for joining with the Regional System.
- 3) An entity within the MRWPCA Study Area recommended for participation by this plan, but which declined inclusion in design and construction and is consequently not within the service area of the Regional System. As a result, joining with the Regional System in the future will require additional capacity in that system.
- 4) A management agency must be established for this community.
- 5) Atascadero State Hospital maintains separate treatment facilities but discharges treated effluent to City of Atascadero percolation ponds.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-04

Revision and Amendment of Water Quality Control
Plan by the Addition of a Prohibition of Waste
Discharge from Individual Sewage Disposal
Systems Within the Mission Canyon Area,
Santa Barbara County

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coast Basin (hereafter Basin Plan) on March 14, 1975, and amended the individual sewage disposal section of Chapter Five on December 10, 1982 (Resolution 82-09); and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of pollution and nuisance; and,
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,
- WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code defines criteria for such prohibition areas (Section 13240 et seq.); and,
- WHEREAS, most of Mission Canyon is an unincorporated community of 2400 persons located adjacent to the City of Santa Barbara, in Santa Barbara County; and,
- WHEREAS, on-site soil absorption or evapotranspiration systems are the sole means of wastewater disposal in the Mission Canyon area; and,
- WHEREAS, the Mission Canyon area has slowly percolating soils, steep slopes and shallow depth to bedrock; and,
- WHEREAS, the predominate lot size in Mission Canyon of 6,000 to 10,000 square feet is too small to accommodate individual sewage disposal systems; and,
- WHEREAS, in 1973, the Santa Barbara County Department of Health Care Services prepared a complete compilation of available material in their Environmental Health Services files concerning the problem of liquid waste disposal in the Mission Canyon area of the County; and,
- WHEREAS, the report cites system failures in 25% of the sewage disposal systems, with 25 evapotranspiration (ET) systems, which are considered "last resort" systems. Of the 200 documented complaints, 44% (9% of the total parcels developed) dealt with surfacing effluent; and,

WHEREAS, the County Health Department conducted surface water sampling which indicated human waste contamination of Mission Creek; and,

WHEREAS, the County of Santa Barbara has designated Mission Canyon as a "Special Problems Area" under Resolution No. 78-313 due to poor site conditions that would not be conducive to individual septic systems, and a committee was established to review building permit applications; and,

WHEREAS, complaints have been documented by the County on sewage odors from Mission Creek downstream of the Mission Canyon area; and,

WHEREAS, the County of Santa Barbara is preparing an environmental impact report (EIR) in accordance with the California Environmental Quality Act and a project report that identifies adverse environmental impacts from continued use of septic tanks in the Mission Canyon area and discusses alternatives to existing wastewater management practices; and,

WHEREAS, Mission Canyon's Phase I report cites conditions which constitute contamination and pollution as defined in section 13050 of the California Water Code; and,

WHEREAS, the Regional Board is obligated to include a program of implementation for achieving water quality objectives in its Basin Plan; and,

WHEREAS, present and anticipated future uses of Mission Canyon creeks include recreation and aquatic habitat; and,

WHEREAS, Mission Canyon ground waters are suitable for agricultural, municipal, domestic, and industrial water supply; and,

WHEREAS, a Regional Board staff report finds beneficial uses of Mission Canyon's ground and surface waters are adversely affected by individual sewage disposal system discharges, and public health is jeopardized by occurrences of surfacing effluent; and,

WHEREAS, drafts of proposed revisions and amendments of the Basin Plan, prohibiting discharges from Mission Canyon's individual sewage disposal systems, have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds adoption of this prohibition area will not have a significant adverse effect on the environment; and,

WHEREAS, on February 25, 1983, in the Santa Barbara County Administrative Building, 4th Floor, Board of Supervisors Hearing Room, 105 East Anapamu, Santa Barbara, California, after due notice, the Regional Board conducted a public hearing at which evidence was received pursuant to Section 13281 of the California Water Code concerning the impact of discharges from individual sewage disposal systems on water quality and public health; and,

WHEREAS, pursuant to Section 13280 of the California Water Code, the Regional Board finds that discharges of wastes from new and existing individual disposal systems which utilize subsurface disposal in the affected area will result in violation of water quality objectives; will impair beneficial uses of water; will cause pollution, nuisance, or contamination; and will unreasonably degrade the quality of waters of the State: and,

WHEREAS, the Regional Board finds the aforesated conditions in need of remedy to protect present and potential beneficial uses of water and to prevent pollution and nuisance.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coast Basin, be amended as follows:

Resolution 82-09, Page 10 under "Local Governing Jurisdiction Recommendation" section add "Mission Canyon" to the discussion pertaining to on-site wastewater management plans as follows:

- "13. On-site wastewater management plans should be prepared and implemented by local governing jurisdictions (e.g., County Planning Departments) for applicable portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highlands, Prunedale, El Toro/Canyon Del Rey, Santa Margarita/Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, Los Alamos, upper Santa Ynez Valley, Los Olivos/Ballard, and Mission Canyon."

Page 5-66, after Item 7.c. ending with "...with Boronda Road." (added by Resolution 83-01), insert the following prohibitions:

- "5. Discharge of waste from additional individual sewage disposal systems is prohibited and the discharge of waste from existing individual sewage disposal systems is prohibited after July 1, 1986, in portions of Mission Canyon, Santa Barbara County, and more particularly described as:

Surface Water Prohibition Zone

This zone is 200 (horizontal) feet wide and extends 100 feet either side of Mission Canyon, Rattlesnake Canyon and Lauro (Diablo) Canyon Creeks' surface water flow line. The Mission Canyon Creek 200 foot zone begins at the southwest corner of the county boundary and terminates at the northern-most boundary of Township 4 North, Range 27 West, Section 4 San Bernardino Base and Meridian. The Rattlesnake Canyon Creek 200 foot zone begins at the point of confluence with Mission Canyon Creek and terminates upstream at the city/ county boundary. The Lauro (Diablo) Canyon Creek 200 foot zone applies to the portion of the creek upstream from Lauro Reservoir

Prohibition Area Description

Prohibition area description is included as Attachment A.

BE IT FURTHER RESOLVED, that those parcels with existing systems within the surface water prohibition zone are subject to the conditions of the prohibition. The property owner must relocate the discharge outside the designated zone by July 1, 1986, to a site compatible with Basin Plan siting criteria.

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria, first paragraph of Page 5-67 of the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that compliance with the above prohibition of existing individual or on-site sewage disposal systems shall be achieved according to the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
Begin Design	July 1, 1983
Complete Design	November 1, 1983
Obtain Construction Funding	September 30, 1984
Begin Construction	March 1, 1985
Complete Construction and terminate discharges from on-site systems	July 1, 1986

BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with compliance schedules shall be submitted to the Regional Board within 14 days following each scheduled date unless otherwise specified, where noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the State Water Resources Control Board is hereby requested to amend forthwith the Clean Water Grant Project Priority List to recognize the necessary structural solution for Mission Canyon as a Class "A" project.

BE IT FURTHER RESOLVED, the Executive Officer of the Regional Board is hereby directed to submit this revision of the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the above prohibition.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 25, 1983.

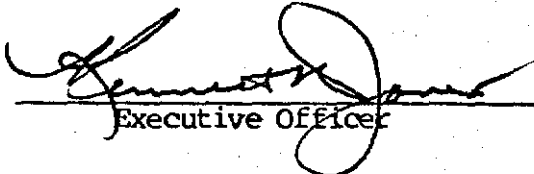
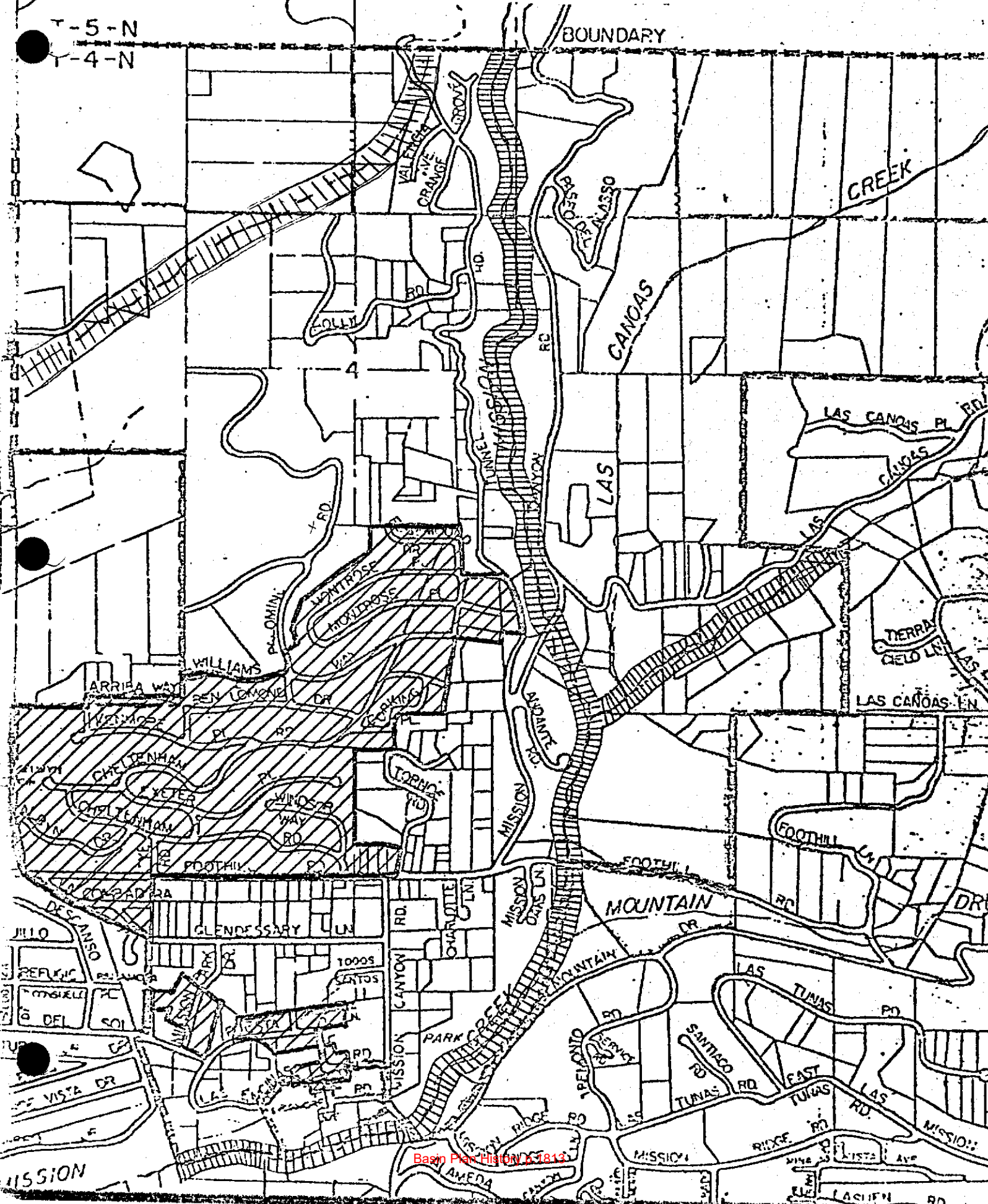

Executive Officer

FIGURE 6 PROHIBITION AREA

T-5-N
T-4-N



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-03

Concerning Revisions and Amendment of
Water Quality Control Plan,
Central Coastal Basin
(Water Quality Objectives for Endrin and Radioactivity)

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and,
- WHEREAS, the Regional Board through adoption of Resolution No. 82-07 on July 9, 1982, and revised several water quality objectives of general application where references and data had been updated, including the standards for endrin and radioactivity; and,
- WHEREAS, Regional Board staff prepared documents and followed procedures to satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the federal Clean Water Act; and,
- WHEREAS, the State Water Resources Control Board did not approve the revisions concerning endrin and radioactivity, but returned them to the Regional Board for reconsideration based on reasons stated in State Board Resolution No. 82-44; and,
- WHEREAS, the Regional Board is concerned that health of Central Coast residents is not adequately protected by Title 22 from adverse impacts from uranium-derived radionuclide concentrations in domestic water supplies and wishes to establish a numerical criteria equivalent to the U.S. Environmental Protection Agency's current advisory limit; and,
- WHEREAS, drafts of proposed revisions and amendments and environmental documents were provided to interested persons and agencies for review and comment; and,
- WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within Monterey and Santa Cruz County; and,
- WHEREAS, on February 25, 1983, in Santa Barbara, California, the Regional Board reviewed staff documents pertaining to the amendment, including written comments and written staff responses, as well as additional evidence and testimony concerning the proposed revisions and amendments to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Basin Plan be revised and amended as follows:

Pages 4-8 and 4-9, Pesticides--amend the limiting concentration for endrin from 0.001 mg/l to 0.0002 mg/l.

Page 4-9, second column, under Radioactivity, amend to read:

Waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of radionuclides in excess of the limits specified in California Administrative Code, Title 22, Chapter 15, Article 5, Sections 64441 and 64443, Table 5, as listed below:

Constituent	Maximum Contaminant Level, pCi/l
Combined Radium-226 and Radium-228	5
Gross Alpha particle activity	15
(including Radium-226 but excluding Radon and Uranium)	
Tritium	20,000
Strontium-90	8
Gross Beta particle activity . . . . .	.50

Until a radionuclide standard for uranium-derived alpha particles in domestic or municipal water supply is promulgated by the U.S. Environmental Protection Agency, waters designated for use as domestic or municipal supply (MUN) should not exhibit uranium-derived gross alpha particle activity in excess of 10 pCi/l, the U.S. Environmental Protection Agency's current advisory limit.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 25, 1983.



Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-01

Revision and Amendment of Water Quality Control Plan by the Addition of a Prohibition of Waste Discharge from Individual Sewage Disposal Systems Within the Boronda County Water District and Virginia Acres Area, Monterey County

WHEREAS, The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coast Basin (hereafter Basin Plan) on March 14, 1975, and amended the section of Chapter Five concerning individual sewage disposal systems on December 10, 1982; and,

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of pollution and nuisance; and,

WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,

WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code defines criteria for such prohibition areas (Section 13240 et seq.); and,

WHEREAS, Boronda (including Virginia Acres) is an unincorporated community of 1200 persons located adjacent to the City of Salinas in Monterey County; and,

WHEREAS, local groundwater is the only source of water for the area and is beneficially used to irrigate crops and for domestic, commercial, and light industrial use; and,

WHEREAS, on-site soil absorption systems are the sole means of wastewater disposal in the Boronda community; and,

WHEREAS, soils in the Boronda area have a low percolation rate; and,

WHEREAS, the majority of lots are 75' x 100' and are too small to accommodate individual sewage disposal systems; and,

WHEREAS, in May, June, and July of 1981, the Monterey County Health Department conducted a survey of 233 on-site individual sewage disposal systems in the Boronda area. The survey found evidence of sewage system failures in 59% of the sewage disposal systems. A second survey in January, 1982, revealed that 51% of the surveyed homes had instances of additions and/or repairs; 21% had had effluent surfacing; and 65% had leach system failures; and,

WHEREAS, the Monterey County Health Department concluded that the Boronda and Virginia Acres area has become a health problem due to failure of on-site sewage disposal systems and nitrate contamination of domestic water supply, and public sewerage is needed; and,

WHEREAS, the Monterey County Health Department had to prohibit use of one of two water supply wells in the Boronda area when testing revealed nitrate concentrations double the acceptable drinking water concentration. The only remaining water supply well failed to meet limitations for bacteria during three specific periods in 1980 and use of this well for domestic use was discontinued in December, 1981; and,

WHEREAS, the Boronda County Water District is a public entity formed on April 30, 1965, to provide water to district residences; and,

WHEREAS, the Boronda CWD prepared an environmental impact report (EIR) in accordance with the California Environmental Quality Act and a project report that identifies adverse environmental impacts from continued use of septic tanks in the Boronda area and discusses alternatives to existing wastewater management practices; and,

WHEREAS, Boronda's EIR and project report cite conditions which constitute contamination and pollution as defined in Section 13050 of the California Water Code; and,

WHEREAS, the Regional Board is obligated to include a program of implementation for achieving water quality objectives in its Basin Plan; and,

WHEREAS, a Regional Board staff report finds beneficial uses of Boronda's ground water are adversely affected by individual sewage disposal system discharges, and public health is further jeopardized by unacceptably high occurrences of surfacing effluent; and,

WHEREAS, drafts of proposed revisions and amendments of the Basin Plan, prohibiting discharges from Boronda's individual sewage disposal systems, have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds adoption of this prohibition area will not have a significant adverse effect on the environment; and,

WHEREAS, on January 14, 1983, in the City Council Chambers, 990 Palm Street, San Luis Obispo, California, after due notice, the Regional Board conducted a public hearing at which evidence was received pursuant to Section 13281 of the California Water Code concerning the impact of discharges from individual sewage disposal systems on water quality and public health; and,

WHEREAS, pursuant to Section 13280 of the California Water Code, the Regional Board finds that discharges of wastes from new and existing individual disposal systems which utilize subsurface disposal in the affected area will result in violation of water quality objectives; will impair beneficial uses of water; will cause pollution, nuisance, or contamination; and will unreasonably degrade the quality of waters of the State: and,

WHEREAS, the Regional Board finds the aforestated conditions in need of remedy to protect present and potential beneficial uses of water and to prevent pollution and nuisance.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coast Basin, be amended as follows:

Page 5-66 (of retyped version of Chapter 5), bottom of page after paragraph ending with "...approval of the Regional Board." (added by Resolution 82-10), insert the following prohibitions:

"7. Discharges from additional individual or on-site sewage disposal systems are prohibited, and discharges from existing individual sewage disposal systems are prohibited effective July 1, 1986, in the area in Monterey County described as follows:

- a. Boronda County Water District.
- b. Virginia Acres (area bounded by Boronda County Water District and Boronda Road).
- c. Parcels bounded by Boronda County Water District and Brooks Road (approximately 250 feet east of intersection with Boronda Road)."

BE IT FURTHER RESOLVED, that areas a, b, and c are consistent with the recommendations of the staff report, as shown on Attachment A.

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria, first paragraph of Page 5-67 of the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that compliance with the above prohibition of existing individual or on-site sewage disposal systems shall be achieved according to the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
Negotiate institutional agreements, as required, among Boronda County Water District, Monterey County, City of Salinas, and Monterey Regional Water Pollution Control Agency.	July 1, 1983
Begin Design	November 1, 1983
Complete Design	August 1, 1984
Obtain Construction Funding	September 30, 1984
Begin Construction	March 1, 1985
Complete Construction and terminate discharges from on-site systems	July 1, 1986

BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with compliance schedules shall be submitted to the Regional Board within 14 days following each scheduled date unless otherwise specified, where noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

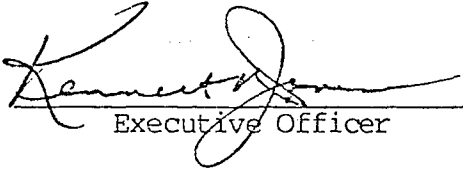
BE IT FURTHER RESOLVED, that the State Water Resources Control Board is hereby requested to amend forthwith all appropriate Clean Water Grant Project Priority Lists to recognize the necessary structural solution for Boronda as a Class "A" project of the highest priority.



BE IT FURTHER RESOLVED, that the State Board is hereby requested to assist the local agencies in finding means to finance the design and construction of the recommended project (e.g., favorable consideration for a State Water Quality Control Fund loan for the local share of project costs).

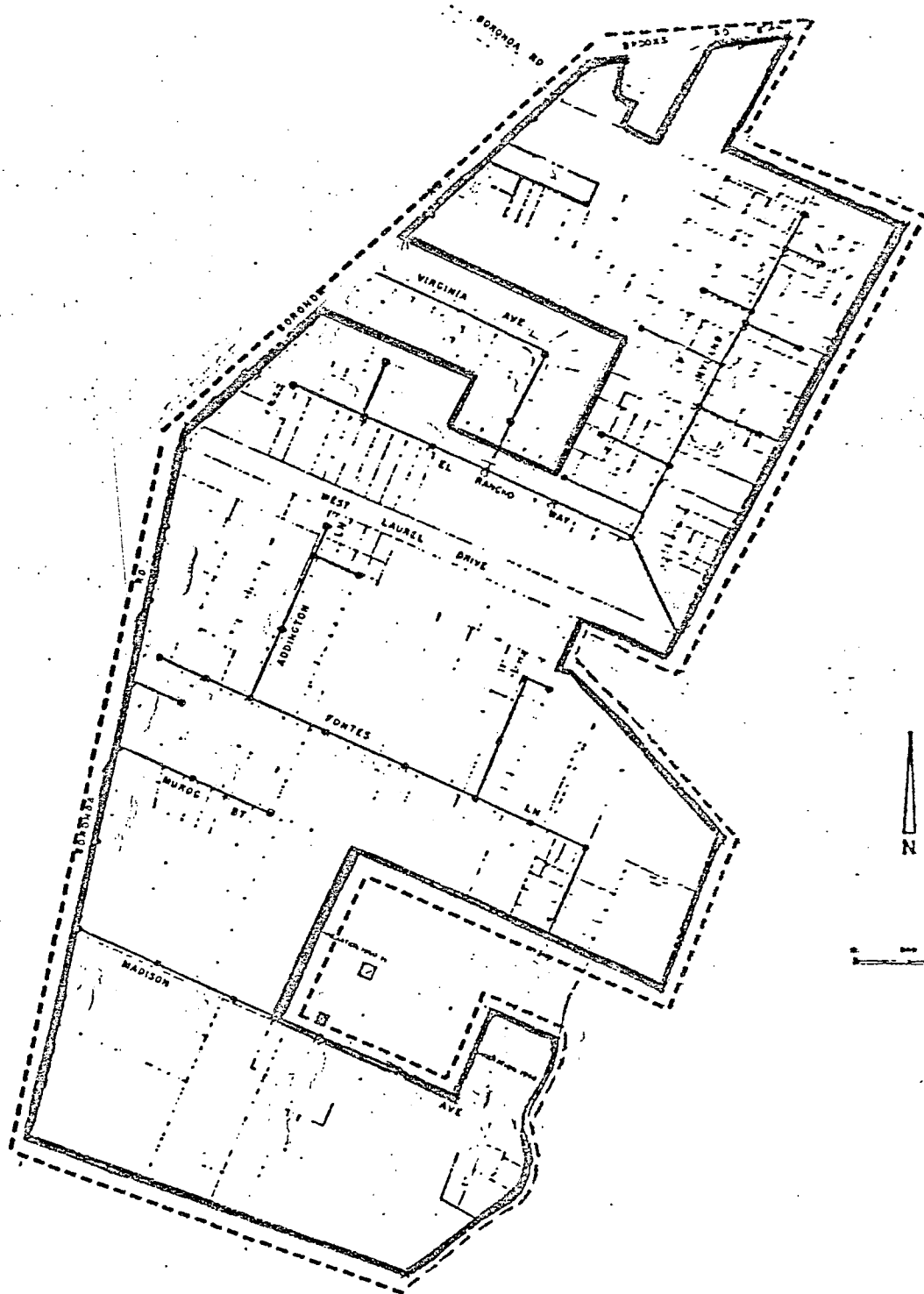
BE IT FURTHER RESOLVED, the Executive Officer of the Regional Board is hereby directed to submit this revision of the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the above prohibition.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on January 14, 1983.


Executive Officer

BORONDA CWD 
PROHIBITION AREA 



ATTACHMENT "A"

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 82-10

Concerning Revisions and Amendment of the Water
Quality Control Plan, Central Coast Basin,
(Prohibition of Individual Sewage Disposal Systems
in the San Lorenzo Valley of Santa Cruz County)
and a
Corresponding Request to Amend
Clean Water Grant Project Priority List)

WHEREAS, The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (hereafter Basin Plan) on March 14, 1975; and,

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure the reasonable protection of beneficial uses of water and the prevention of pollution and nuisance; and,

WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,

WHEREAS, such areas exist within the San Lorenzo River watershed in Santa Cruz County and are identified herein as Class I and Class II areas, which are further shown on Attachment "A", included herein; and,

WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code defines criteria for such prohibition areas; and,

WHEREAS, Surface and subsurface drainage in these areas is tributary to the San Lorenzo River system, a navigable waterway of the United States with identified beneficial uses of municipal and domestic supply, agricultural supply, industrial service supply, groundwater recharge, water contact recreation, non-contact water recreation, wildlife habitat, cold freshwater habitat, and fish migration and spawning; and,

WHEREAS, Beneficial uses of ground waters in San Lorenzo Valley include municipal and domestic water supply, industrial water supply, and agricultural water supply; and,

WHEREAS, the San Lorenzo River system was added to the "California Protected Waterways Plan" in 1975 as a waterway of extraordinary scenic, fishery, wildlife, or recreation values that the Resources Agency and local agencies preserve and enhance through all feasible management and regulatory programs; and,

WHEREAS, The San Lorenzo Valley Water District (hereafter District), 13060 Central Avenue, Boulder Creek, CA, 95006, is an organized California water district with all the powers thereof; and,

WHEREAS, Article 9.5 of Chapter 1, Part 5, Division 7, of the California Water Code was amended during September, 1980, to empower the District to ensure individual sewage disposal systems along the San Lorenzo River do not pollute the river, its tributaries, and groundwater; and,

WHEREAS, the aforementioned powers include performing technical and other investigations, requiring registration of individual sewage disposal systems, assessing fees for use of individual sewage disposal systems, and adopting and enforcing regulations for individual sewage disposal systems located within the San Lorenzo Valley to prevent contamination, nuisance, and pollution of surface and groundwaters; and,

WHEREAS, the County has adopted more stringent regulations for installation of individual sewage disposal systems in recent years; has, in effect, imposed a "prohibition" on new discharges from individual sewage disposal systems on 90 percent of the undeveloped lots in the chronic problem areas of four major communities; and has joined with the District in assessing the magnitude of the problem and in investigating remedies; and,

WHEREAS, other public entities exist or can be created within the San Lorenzo Valley that may wish, or may be created to assume, responsibility for regulation of septic systems in the area or divisions of the area described herein; and,

WHEREAS, the County of Santa Cruz (County) also regulates installation and use of individual sewage disposal systems and protects the public health and safety within San Lorenzo Valley as empowered by provisions of the California Health and Safety Code; and,

WHEREAS, an engineering consultant to the District completed the San Lorenzo Valleywide Wastewater Management Study, Phase I Report, of June, 1981, (201 Report) which implements a recommendation of the Water Quality Control Board, Central Coast Basin, to investigate the necessity of sewerage certain portions of the San Lorenzo Valley in order to protect beneficial uses and public health; and,

WHEREAS, use of individual sewage disposal systems are a primary source of bacteria and other pollutants in surface waters flowing through residential areas, including documented increases in coliform concentrations of 2000 percent and nitrate concentrations that stimulate algal growths that foul the stream's natural ecosystem; and,

- WHEREAS, high density, and threatened high density, development within turn-of-the century subdivisions; unfavorable site characteristics such as shallow groundwaters, impermeable soils, steep slopes, and shallow bedrock; threatened urban buildout over vital aquifer recharge areas; historically poor septic system maintenance practices; and chemical and water imbalances within the watershed all contribute to this water pollution; and,
- WHEREAS, surfacing effluent in individual absorption fields, direct discharges of raw and partially treated sewage to surface streams, and the aforementioned factors are evidence of public health hazards; and,
- WHEREAS, a second engineering consultant to the District completed the first phase of the San Lorenzo Valley 208 On-Site Wastewater Disposal Management Study, in September, 1981, (208 Report) which concludes cumulative use of individual sewage disposal systems is causing adverse effects on quality of surface waters and shallow groundwaters; and,
- WHEREAS, a draft final of the full 208 Report was completed during October, 1982, and it assesses impacts as a function of soil/geologic characteristics, depth to water table, distance of travel, and ground slope and recommends changes to local regulations, whether administered by the County, the District, or both, that will mitigate these cumulative effects; and,
- WHEREAS, five major communities generally identified herein as Felton, Ben Lomond, Wildwood and Lower Kings Creek, Boulder Creek, and West Glen Arbor (Class I areas) have allowed use of individual sewage disposal systems to progress too far for institutional remedies to be effective, now have chronic problem areas where system failure rates are up to 50 percent, and have no available properties hydrogeologically and technically capable of remedying existing violations of water quality objectives, impairments to beneficial uses of water, pollution, nuisance, contamination, and unreasonable degradation of water quality and these areas will necessitate a community structural alternative; and,
- WHEREAS, an engineering consultant to the District completed the San Lorenzo Valley Facilities Plan, Phase II Project Report of September, 1982, that evaluated various alternative projects for class I areas, including, among others, community systems which utilize subsurface disposal and combinations of individual and community systems that utilize subsurface disposal, and identifies the apparent best alternative plan; and,
- WHEREAS, by letter dated October 5, 1981, the County Health Officer determined that conditions within Class I areas constitute a threat to the water supply and therefore to the public health; and,

WHEREAS, fourteen additional communities generally defined herein as Forest Lakes, Mount Hermon, Brook Lomond, Brookdale, East Glen Arbor, Forest Springs, Forest Park, Brackenbrae, Riverside Grove, San Lorenzo Woods, Ramona Woods, San Lorenzo Park, Zayante, and Lompico (Class II areas) have allowed use of individual sewage disposal systems to progress to the point where septic system failure rates in certain areas are up to 45 percent and systems are creating conditions of pollution, nuisance, contamination, violation of water quality objectives, impairment of beneficial uses, and unreasonable degradation of water quality; and,

WHEREAS, public health risks and water pollution may be mitigated in Class II areas, in part, by implementing District and County institutional controls, such as improved siting and design criteria and a management program to assure maintenance for conventional and alternative individual systems; and,

WHEREAS, the Regional Board adopted Cleanup and Abatement Order No. 81-89 on October 10, 1981, ordering the District and County, jointly or severally, to complete a 201 Facilities Plan and EIR for elimination of deficient individual sewage disposal systems and to complete a 208 Report for changes to individual sewage disposal system regulations; and,

WHEREAS, Cleanup and Abatement Order No. 81-89 specified a time schedule to abate discharges from individual sewage disposal systems in chronic problem areas and to implement institutional mitigation measures in other problem areas; and,

WHEREAS, the Regional Board directed staff on October 10, 1981, to advise the State Water Resources Control Board, (hereafter State Board) of its concern over water quality impacts caused, directly and indirectly by water right permits authorizing increased surface water diversions; and,

WHEREAS, the staff of the State Board has completed a draft report for a fact-finding hearing concerning the "Zayante Creek/Lower San Lorenzo and the Upper San Lorenzo River Instream Beneficial Use Protection Program", which proposes the Regional Board establish controls on installation and use of septic systems in the San Lorenzo Valley as one part of an implementation plan to maintain and achieve beneficial uses of water contact recreation and esthetics, among others, and includes a proposal for additional conditions on water rights permits; and,

WHEREAS, there is substantial evidence in the record that discharge of waste from individual sewage disposal systems within Class I and Class II areas causes violation of water quality objectives, impairs present and future beneficial uses of water, causes pollution, nuisance, or contamination, and unreasonably degrades the quality of waters of the state; and,

- WHEREAS, few locations exist in the San Lorenzo Valley that are suitable for disposal of septage from septic systems and of sludge from treatment systems and where acceptable disposal sites outside of the valley are far away and involve considerable individual cost; and,
- WHEREAS, contributions to the aforesaid problems may also originate from systems located outside of the Class I and Class II areas, but within the San Lorenzo Valley north of Henry Cowell State Park, and improved design and siting criteria will reduce this contribution over the long-term; and,
- WHEREAS, the Board has received evidence that certain parcels within Class I areas are owned by persons who expended considerable time and effort progressing through an extremely complex building permit process to a point where they have building allocations and/or preliminary approval of local health authorities; and,
- WHEREAS, the federal Clean Water Grant Program has been amended to decrease cost-sharing ratios and discontinue cost-sharing of collection systems in October, 1984; and,
- WHEREAS, without clean water grant funds, the solution for Class I areas will not be economically feasible for local residents; and,
- WHEREAS, section 205(j) of the Federal Clean Water Act provides funds for local, regional, and state agencies to plan corrective and preventative actions to address pollution of priority water bodies; and,
- WHEREAS, Regional Board staff has prepared documents and followed procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (functional equivalent), and the Federal Clean Water Act; and,
- WHEREAS, drafts of proposed revisions and amendments were prepared and provided to interested persons and agencies for review and comment; and,
- WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within the San Lorenzo Valley area; and,
- WHEREAS, the Regional Board has consulted with and considered the recommendations of affected local agencies; and,
- WHEREAS, on November 5, 1982, in the City Council Chambers, 440 Harcourt, Seaside, California, after due public notice, the Regional Board reviewed staff documents pertaining to the amendment, received evidence and testimony regarding the amendment, and considered all factors concerning the proposed amendment to the Basin Plan; and,
- WHEREAS, the Regional Board finds the aforesaid conditions to be true and in need of remedy to protect beneficial uses of water and to prevent pollution and nuisance.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be amended as follows:

Page 5-66 (of retyped version of Chapter 5), bottom of page, after paragraph ending with "...POINT OF BEGINNING.", insert the following prohibitions:

"4. Discharges from individual sewage disposal systems within the San Lorenzo Valley north of Henry Cowell State Park shall be managed as follows:

a. Additional discharges within five major communities are prohibited where the affected area (Class I Area) is defined by the following Santa Cruz County Assessor's Parcel Numbers:

Ben Lomond Book 77, Pages*04 (Block 1, Lots 15, 16, 17, 20, 21, 27, 28, 29, 30, 31, 36, 37, 40, 41, 42, 47, 48, 50, 51, 52), 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24 (Block 1 only), 25, 26, 27, 28

Book 78, Page 162-03

Boulder Creek Book 81, Pages*06, 07, 08, 09, 11, 12, 13, 14, 15 (all Block 1 and Block 2, Lots 1, 2, 3, 4, 8, 9, 11, 12), 16, 17, 20, 21, 22, 25, 26, 27, 28, 29

Book 82, Pages*20, 21, 22, 23, 27 (Block 1, Lot 12 only)

Book 89, Pages*16 (Block 3, Lot 1 and Block 5, Lots 3, 4, 5), 17 (Block 1, Lots 4, 5), 18

Book 90, Pages*01, 02, 11 (Block 1, Lots 17, 19, 21, 22, 23, 24, 25)

Lower Kings/Wildwood Book 83, Pages*04, 07, 08, 11, 12, 13 (Block 1, Lots 1, 2, 4, 5, 6, 18, 19 and Block 2)

Book 84, Pages*01,02,03,04,05,06,07,08,09,11

Book 85, Pages*13, 14, 16, 17, 18, 19

Glen Arbor Book 72, Pages*07, 11, 14, 15, 17, 18, (Block 1, Lots 25, 26; Block 2, Lots 1, 2, 3)

*Parcel numbers are indicated by complete pages, unless otherwise noted.

Felton Book 65, Pages*01, 02, 03, 04, 05, 06, 07,
08, 09, 11, 12, 13, 14, 15, 16,
17, 18, 21, 22

Book 71, Pages*03 (Block 01 lots 3, 13, 15,
16, 17, 18, 23, 24, 25, 26, 30,
38, 49, 50, 51, 62, 63, 64, 65),
04, 05, 06, 07, 15 (school
district property only), 16, 17,
17, 18, 19, 25, 26, 29

- b. Existing discharges within the Class I Area of subparagraph 4.a. are prohibited effective July 1, 1986.
- c. To preclude prohibition of discharges outside the Class I Area, the County of Santa Cruz shall act as lead agency in coordinating and establishing a program that will assure the Regional Board that:
 - ° additional systems in these areas will be designed, sized, located, spaced, and constructed in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.
 - ° existing systems within specific communities are systematically evaluated and redesigned, resized, relocated, and reconstructed as appropriate to protect and enhance water quality, protect and restore beneficial uses of water, and abate and prevent nuisance, pollution, and contamination, where the specific communities (Class II Area) are defined by the following Santa Cruz County Assessor's Parcel Numbers:

Forest Lakes Book 64, Pages*5,6,7,8,9,10,11,12, 13,14,15,16
(Block 1, lots 1,2,3), 17,22,
29,30 (All Block 1), 31,32,33
34

Book 65, Pages*19,20,23,24,25

Mount Hermon Book 66, Pages*1,2,3

East Glen Arbor Book 72, Pages*12,18 (Block 1, lots 1,2,8,10,
11,12,13,14,18,19,20,21,23,24,
27),19,24,25,27,28,29,30,35,37

Brook Lomond Book 78, Pages*6,7,8

Brookdale Book 79, Pages*9,10 (Block 1, lots 6,8,9,10,
12,13,14,15,18; Block 2, Lots
1, 2, 3, 4)

*Parcel numbers are indicated by complete pages, unless otherwise noted.

Forest Springs/ Forest Park/ Brackenbrae	Book 81, Pages 2 (Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 15), 3 (Block 1, lots 5,6,11,12), 4,5 (Block 1, lots 1, 2)
	Book 82, Pages 1, 2 (Block 1, lots 2, 3, 4, 5, 6, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 24, 26, 27, 28) 3, 4, 5, 7, 12, 31
	Book 83, Pages 16 (Block 1, lots 5, 7, 8, 13, 14, 15, 16, 18), 17 (Block 1, lot 4), 18, 19, 20, 21, 22, 23
Riverside Grove	Book 85, Pages*2, 3, 4, 5, 6, 8
San Lorenzo Woods/ Ramona Woods	Book 87, Pages*16, 18, 19, 20, 21
San Lorenzo Park	Book 87, Pages*7, 8, 9, 10, 11, 12
Zayante	Book 74, Pages*2,3,4,5,7,9,10,12,13,14,15,16
Lompico	Book 75, Pages*1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30

° systems within the Class II Area are regularly inspected and maintained in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.

- d. In fulfilling the responsibility identified in subparagraph 4.c., the County of Santa Cruz shall submit a written report before January 1, 1984, identifying actions which have been taken, and which must be taken, to achieve objectives, including recommendations for appropriate action by any entity, identification of sources of funding, a time schedule for actions to be taken, and a description of surveillance to be undertaken to determine compliance with objectives.

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria, first paragraph of page 5-67 of the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that parcels within the Class I Area and with a Finding of Compliance and/or building permit allocation issued before November 6, 1982, are exempted from the prohibition of additional discharges (subparagraph "4.a." of the amendment), but not the prohibition of discharges that becomes effective July 1, 1986 (subparagraph "4.b." of the amendment).

*Parcel numbers are indicated by complete pages unless otherwise noted.

BE IT FURTHER RESOLVED, that addition to, or replacement and repair of, existing individual sewage disposal systems in the Class I Area is not prohibited before July 1, 1986, if the volume and type of discharge will not differ from that of the existing discharge.

BE IT FURTHER RESOLVED, that compliance with the above prohibition of existing individual sewage disposal systems as described in Prohibition No. 4, above, shall be achieved according to the following time schedule:

<u>TASK</u>	<u>COMPLIANCE DATE</u>
1. Begin Design	April 1, 1983
2. Begin Construction	September 1, 1984
3. Complete Construction	April 1, 1986
4. Abate discharges from individual sewage disposal systems.	July 1, 1986

BE IT FURTHER RESOLVED, that the County of Santa Cruz shall complete the following tasks according to the following time schedule:

<u>TASK</u>	<u>COMPLIANCE DATE</u>
1. Complete the 208 study and publish a report evaluating septic system criteria and proposing appropriate recommendations.	February 1, 1983
2. Adopt improved criteria for design and construction of additional septic systems.	July 1, 1983

BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with compliance schedules shall be submitted to the Regional Board within 14 days following each scheduled date unless otherwise specified, where noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the State Board is hereby requested to amend forthwith all appropriate Clean Water Grant Project Priority Lists to recognize the necessary structural solution to Class I areas as a Class "A" project of the highest priority.

BE IT FURTHER RESOLVED, that the State Board is hereby requested to assist the local agencies in finding means to design and construct a remedy to crucial septage disposal needs in the valley, including Clean Water Grant Program funds.


BE IT FURTHER RESOLVED, that the State Board adopt water rights conditions and controls that are sufficient to protect the instream uses of the San Lorenzo River system.

BE IT FURTHER RESOLVED, that the State Board is hereby requested to approve local planning efforts to correct and prevent pollution of the San Lorenzo River through management alternatives for section 205(j) funding assistance.

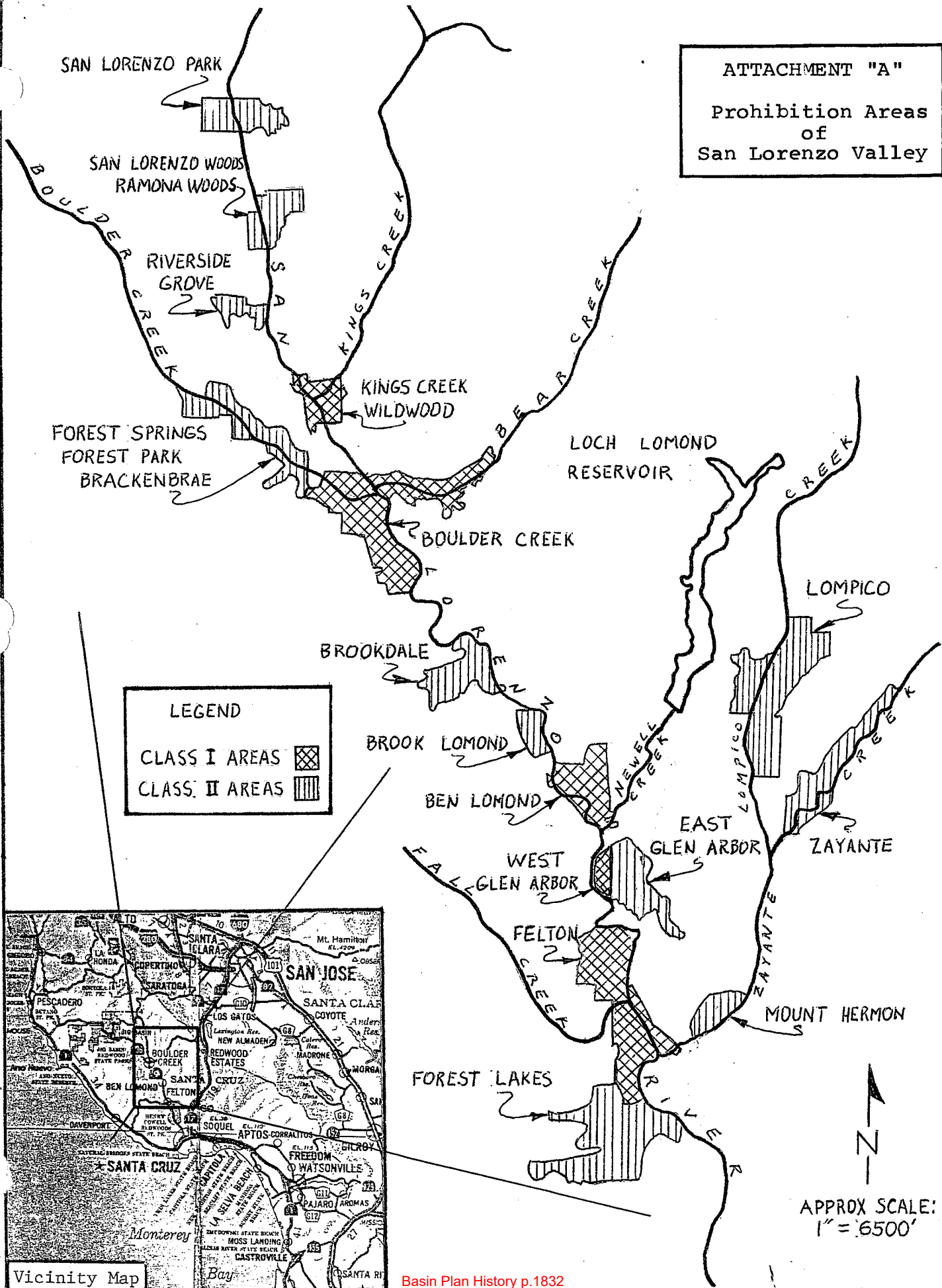
BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit this revision to the Basin Plan to the State Board for approval pursuant to Section 13245 of the California Water Code.

BE IT FURTHER RESOLVED, upon approval of the State Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the revised prohibition contained herein.

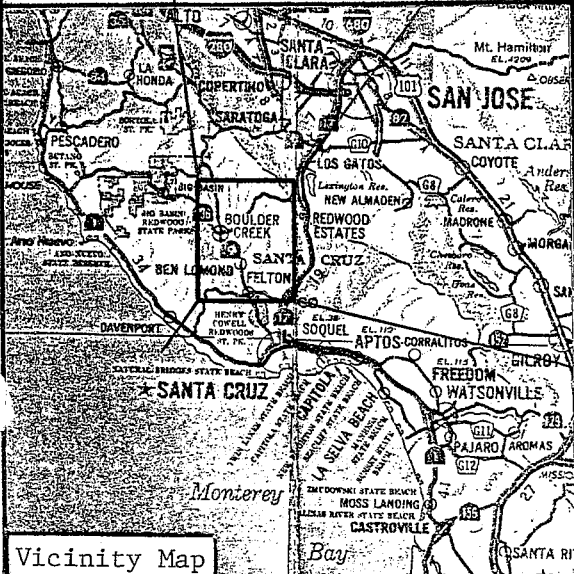
I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on November 5, 1982.


Executive Officer

ATTACHMENT "A"
 Prohibition Areas
 of
 San Lorenzo Valley



LEGEND
 CLASS I AREAS [Cross-hatch symbol]
 CLASS II AREAS [Vertical line symbol]



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 82-09

Concerning Revisions and Amendment of
Water Quality Control Plan,
Central Coast Basin

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (hereafter Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure the reasonable protection of beneficial uses of water and the prevention of nuisance; and,
- WHEREAS, the Regional Board recognizes increased difficulties in financing and affording major public works systems, such as sewage collection, transport, treatment, and disposal projects; and,
- WHEREAS, properly planned and installed individual on-site sewage disposal systems can provide satisfactory wastewater treatment and disposal at minimal cost; and,
- WHEREAS, occurrence of water quality and public health problems from septic tank operations prompted the Regional Board to include septic tank regulations in the 1975 Basin Plan; and,
- WHEREAS, those regulations need to be updated and revised based upon more experience with on-site systems; and,
- WHEREAS, there is a need for guidelines for alternative on-site sewage disposal systems; and,
- WHEREAS, community on-site sewage disposal system failures have been common in the past; and
- WHEREAS, the Basin Plan does not specifically address community on-site sewage disposal systems; and,
- WHEREAS, guidelines are needed for community on-site sewage disposal systems; and,
- WHEREAS, Regional Board staff completed a study of on-site systems entitled "Individual Sewage Disposal Systems/Community Systems"; and,
- WHEREAS, the Individual/Community Sewage Disposal Systems Study identifies water quality, public health, and other problems resulting from improper siting, design, construction, and operation and maintenance; and,

WHEREAS, the Individual/Community Sewage Disposal Systems Study recommends guidelines and constraints to prevent water quality and public health problems; and,

WHEREAS, drafts of proposed amendments have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, proposed amendments apply to Chapter 5, Implementation Plan, of said Basin Plan, and specifically to non-point source controls by the Regional Board and other authorities; and,

WHEREAS, Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217) and the Regional Board finds adoption of this individual sewage disposal system policy will not have a significant adverse effect on the environment; and,

WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,

WHEREAS, on September 10, 1982, in the Board of Supervisors Hearing Room, 105 East Anapamu Street, Santa Barbara, California, on November 5, 1982, in the Seaside City Council Chambers, 440 Harcourt, Seaside, California, and on December 10, 1982, in the San Luis Obispo City Council Chambers, 990 Palm Street, San Luis Obispo, California, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

Page 5-48, revised version of Chapter 5, revise "Individual Disposal Systems" section to the following:

"INDIVIDUAL, ALTERNATIVE, AND COMMUNITY DISPOSAL SYSTEMS

On-site sewage disposal systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On-site systems can be a viable long-term waste disposal method with proper siting, design, construction, and management. In establishing on-site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.

If on-site sewage treatment facilities are not carefully managed, problems can occur, including:

- ° odors or nuisance;
- ° surfacing effluent;
- ° disease transmission; and,
- ° pollution of surface and ground waters.

Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.

On-site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro-intestinal disorders.

Pollution of surface or ground waters can result from the discharge of on-site sys-

tem wastes. Typical problem waste constituents are total dissolved solids, phosphates, nitrates, heavy metals, bacteria, and viruses. Discharge of these wastes will, in some cases, destroy beneficial surface and ground water uses.

Subsurface disposal systems may be used to dispose of wastewater from: 1) individual residences; 2) multi-unit residences; 3) institutions or places of commerce; 4) industrial sanitary sources; and, 5) small communities. All individual and multi-unit residential developments must comply with criteria in this section of the Basin Plan. Commercial, institutional, and industrial developments with a discharge flow rate less than 2500 gallons per day generally are not regulated by waste discharge requirements; therefore, they must comply with these criteria. Community systems must also comply with criteria relating to this subject within the Basin Plan. Community systems are defined for the purposes of this Basin Plan as: 1) residential wastewater treatment systems for more than 5 units or more than 5 parcels; or, 2) commercial, institutional or industrial systems to treat sanitary wastewater equal to or greater than 2500 gallons per day (average daily flow). Systems of this type and size may be subject to waste discharge requirements.

Alternatives to conventional on-site system designs have been used when site constraints prevent the use of conventional systems. Examples of alternative systems include mound and evapotranspiration systems. Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes. Alternative and community systems can pose serious water quality problems if improperly managed. Failures have been common in the past and are usually attributed to the following:

- ° Systems are inadequately or improperly sited, designed, or constructed.

- ° Long-term use is not considered.
- ° Inadequate operation and maintenance.

Corrective Actions for Existing Systems

Individual disposal systems can be regulated with relative ease when they are proposed for a particular site. Regulations generally provide for good design and construction practices and permit systems can be made a condition for building. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas. Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, ground water degradation is possible, particularly increases in nitrate concentrations.

Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and ground waters to determine whether problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank maintenance procedures are encouraged to lessen the probability that a few major failures might force sewerage of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could correct the system. Improvements of this kind should be enforced by a local septic tank maintenance district or local governing jurisdiction.

A septic tank subjected to greater hydraulic load can fail due to washout of solids into percolation areas and plugging of the infiltrative surface. For irreparable systems, home dishwashers, garbage grinders, and washing machines could be eliminated. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water rates may also encourage more frugal use of water.

Local Governing Jurisdiction Actions

Disclosure and Compliance of Existing Wastewater Disposal System

Local governing jurisdictions should provide programs to assure conformance with this Basin Plan and local regulations. Inspection programs should assure site suitability tests are performed as necessary, and that tests are in accordance with standard procedures. Inspection should also assure proper system installation. Proper design and construction should be certified by the inspector. Systems must be inspected before covering.

Local agencies can use either agency inspectors or individuals under contract with the local agency. Either way, a standard detailed checklist should be completed by the inspector to certify compliance.

Site suitability determinations should specify: 1) whether approval is for the entire lot or for specific locations of the lot; 2) if further tests are necessary; and, 3) if alternatives are necessary or available.

Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.

Home buyers should be aware of the nature and requirements of their wastewater disposal system. Plans should be available in city or county offices showing placement of soil absorption systems. Since this is only feasible for new construction, local agencies should require septic system as-built plans as a condition of new construction final inspection. Plans would be kept on file for future use of property owners.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite period, or a developed parcel may be subject to significant user charges from a future sewer system. County Health Departments should have prohibition area terms entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

For new divisions of land proposing to use community leachfields, dual leachfields must be installed and an area must be permanently set aside for 100% expansion of the original leaching area (i.e., 200% of the designed system will be installed and a total of 300% of the designed area will be available for disposal.) To protect this set-aside area from encroachment, the county should require restrictions on future use of the area as a condition of land division approval. Set aside areas can be permanently designated on a parcel or subdivision map. For new subdivisions, Covenants, Conditions, and Restrictions (CC&R's) might provide an appropriate mechanism for protecting a set-aside area. Future buyers of affected property would be notified of property use restrictions by reading CC&R's.

All on-site system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions should mount a continuing public education program to provide home owners

with on-site system operation and maintenance guidelines. Basin Plan information should be available at County Health and Building Departments.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems should be done under permit from the county. To the extent practicable, the county should require failing systems to be brought into compliance with Basin Plan recommendations. This could be a condition of granting a permit for repairs.

Land use changes on properties used for commerce, small institutions, or industries should not be approved by the local agency until the existing on-site system meets criteria of this Basin Plan and local ordinances. A land use permit could be one approach to alert the local agency of land use changes. Use permits cannot be carried over to the new land use.

On-Site Wastewater Management Plans

On-site wastewater management should be implemented in urbanizing areas to investigate long-term cumulative impacts resulting from continued use of individual, alternative, and community on-site disposal systems. A wastewater disposal study should be conducted to determine the best Wastewater Management Plans that would provide site or basin specific wastewater re-use and disposal criteria to prevent water quality degradation and public health hazards. Wastewater management plans should provide an evaluation of the effects of existing and proposed developments and changes in land use. These plans should be a comprehensive planning tool to specify on-site disposal system limitations to prevent ground or surface water degradation. Wastewater management plans should:

- ° contain a ground/surface water monitoring program;

- ° identify sites suitable for conventional septic systems;
- ° project on-site disposal system use;
- ° project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water;
- ° recommend establishment of septic tank maintenance districts, as needed; and,
- ° identify alternate means of disposing of sewage in the event of irreversible degradation from on-site disposal systems.

Wastewater disposal alternatives should identify costs to each homeowner. A cost-effectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan. Plans should be developed for new divisions of land or community systems and existing high density areas utilizing on-site disposal.

On-site wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be an appropriate means of implementing on-site Wastewater Management Plans.

On-site Wastewater Management Plans shall be approved by the Regional Board.

Septic Tank Maintenance Districts

It may be appropriate for unsewered community on-site systems to be maintained by local on-site sewage disposal maintenance districts, preferably as established by County Government. These special districts could be administered through existing local governments such as County Water Districts, a Community Services District, or a County Service Area.

Septic tank maintenance districts should be responsible for determining site suitability in conformance with this Water

Quality Control Plan. Administrators should insure proper construction, installation, operation, and maintenance of on-site disposal systems. Maintenance districts should establish septic tank surveillance, maintenance and pumping programs; provide repairs to plumbing or leachfields; and encourage water conservation measures.

Criteria for New Systems

On-site sewage disposal system problems can be minimized with proper site location, design, installation, operation, and maintenance. The following section recommends criteria for all new individual subsurface disposal systems and community sewage disposal systems. Local governing jurisdictions should require replacements or repairs to failing systems to be in conformance with Basin Plan recommendations, to the extent practicable.

Recommendations are arranged in sequence under the following categories: site suitability; system design; construction; individual system maintenance; community system design; and local agencies.

Manadatory criteria are listed on page 5--65 in the "Discharge Prohibition" section.

Site Suitability

Prior to permit approval, site investigation should determine on-site system suitability:

1. At least one soil boring or excavation per on-site system should be performed to determine soil suitability, depth to ground water, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. Impervious material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content 60% or greater. The soil boring or excavation should be at least 10 feet below drain-

field or leachfield bottom at each proposed location.

2. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below leachfield/seepage pit bottom.

3. For drainfields, at least three percolation test locations should be used to determine system acceptability. Tests should be performed at proposed subsurface disposal system sites.

4. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment, or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down-gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields should be setback far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, of the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback should be at least 100 feet measured from the top of the cut.

5. Natural ground slope of the disposal area should not exceed 20%.

6. For new land divisions, lot sizes less than 1 acre should not be permitted unless percolation rates are between 1 and 30 min/in.

System Design

On-site systems should be designed according to the following recommendations:

1. Septic tanks should be designed to remove nearly 100% of settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.

2. Tank design must allow access for inspection and cleaning. The septic tank

must be accessible to a vacuum truck for pumping.

3. If curtain drains discharge diverted ground water to subsurface soils, the upslope separation from a leachfield or pit should be 20 feet and the downslope separation should be 50 feet.

4. Leachfield application rate should not exceed the following:

Percolation Rate min./in	Loading Rate g.p.d./sq.ft.
1-20	0.8
21-30	0.6
31-60	0.25
61-120	0.10

5. Seepage pit application rate should not exceed 0.3 g.p.d./sq.ft.

6. Soil absorption system infiltrative area should be based on effective sidewall area. Effective sidewall area is based upon vertical trench depth measured from discharge pipe perforations to the bottom of the trench (both sides).

7. Leachfield/seepage pit design should be based only upon useable permeable soil layers.

8. Soil absorption system design should be based on average daily wastewater flow. The minimum design flow rate should be 375 gallons per day per dwelling unit.

9. In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.

10. Distance between drainfield trenches should be at least two times the effective trench depth.

11. Distance between seepage pits (sidewall to sidewall) should be at least 20 feet.

12. Dual disposal fields (200% of original calculated disposal area) are recommended. Both drainfields should be con-

structed initially when access to the disposal system is restricted so that additions and repairs cannot be made easily.

13. For commercial systems, small institutions or domestic industrial systems design should be based on daily peak flow estimates based on the total number of people to be served.

14. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.

15. Commercial systems, institutional systems, or domestic industrial systems should reserve an expansion area (i.e. dual leachfields must be installed and area for replacement of leachfield must be provided) to be set aside and protected from all uses except future leachfield repair and replacement.

16. Mound systems should be installed in accordance with criteria contained in Guidelines for Mound Systems by the State Water Resources Control Board. In cases of conflict with this Basin Plan, the more stringent criteria applies.

17. Evapotranspiration systems should be installed in accordance with criteria contained in Guidelines for Evapotranspiration Systems by the State Water Resources Control Board. In cases of conflict with this Basin Plan, the more stringent criteria applies, with the following exceptions:

- a. The highest precipitation and the lowest evaporation for each month of the year for the previous ten years of record shall be used for design.
- b. Systems shall be designed by a registered civil engineer.

18. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface leachfields.

Construction

Water quality problems resulting from improper construction can be reduced by following these practices:

1. Subsurface disposal systems should have a slightly sloped finished grade to promote surface runoff.

2. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.

3. In clayey soils, work should be done only when soil moisture content is low.

4. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.

5. Bottom of trenches or beds should be level throughout to prevent localized overloading.

6. Sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields.

7. Surface runoff should be diverted around open trenches to limit siltation of bottom area.

8. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Fittings should be placed with extreme care to insure settling does not occur.

9. Risers to the ground surface and man-holes should be installed over the septic tank inspection ports and access ports.

10. Leachfields/seepage pits should include an inspection pipe to check water level.

Individual System Maintenance

Individual septic tanks should be maintained as follows:

1. Septic tanks should be inspected every two to five years to determine the need for pumping. If garbage grinders or dishwashers discharge into the septic tank, inspection should occur at least every two years.

2. Septic tanks should be pumped whenever: (1) the bottom of the scum layer is within three inches of the top of the outlet device; or (2) the sludge level is within eighteen inches of the bottom of the first compartment outlet device.

3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level.

4. Disposal of septage (solid residue pumped from septic tanks) should be accomplished in a manner acceptable to the Executive Officer. In some areas, disposal may be to either a Class I or Class II solid waste site; in others, septage may be discharged to a municipal wastewater treatment facility.

Community System Design

Community systems should be designed and maintained to accommodate the following items:

1. Capacities should accommodate build-out population.

2. Design should be based upon peak daily flow estimates.

3. Design should consider contributions from infiltration throughout the collection system.

4. Septic tanks should be pumped when sludge and scum levels are greater than 1/3 of the depth of the first compartment.

5. Operation and maintenance should be in accordance with accepted sanitary practice.

6. Maintenance manuals should be provided to system users and maintenance personnel.

Manuals should emphasize that user negligence could result in increased operation and maintenance costs.

Local Agencies

Recommendations for local governing jurisdictions:

1. Adopt a standard percolation test procedure.

The California State Water Resources Control Board Guidelines for Evapotranspiration Systems provides a percolation test method recommended for use to standardize test results. A twelve inch diameter percolation test hole may be used.

2. Percolation tests should be continued until a stabilized rate is obtained.

3. Percolation test holes should be drilled with a hand auger. A hole could be hand augered at the bottom of a larger excavation made by a backhoe.

4. Percolation tests should be performed at a depth corresponding to the bottom of the subsurface disposal area.

5. Seepage pits should be utilized only after careful consideration of site suitability. Soil borings or excavations should be inspected either by permitting agency or individual under contract to the permitting agency.

6. Public Works Departments should approve permit applications after checking plans for erosion control measures.

7. Before approving systems, assure lots are in conformance with the State Map Act (particularly small parcels).

8. Inform property buyers of the existence, location, operation, and maintenance of on-site disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g. Basin Plan prohibitions) through the County Record.

9. Protect on-site disposal systems and expansion areas from encroachment by provisions in covenants, conditions, and restrictions or additions to parcel maps.

10. Conduct public education programs to provide property owners with operation and maintenance guidelines.

11. Alternative system owners shall be provided an informational maintenance or replacement document by the appropriate governing jurisdiction. This document shall stipulate homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.

12. Where appropriate, septic tank systems should be maintained by local septic tank maintenance districts.

13. Wastewater Management Plans should be prepared and implemented for applicable portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highlands, Prunedale, El Toro/ Canyon Del Rey, Shandon, Creston, Templeton, Santa Margarita/Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, Los Alamos, upper Santa Ynez Valley, and Los Olivos/Ballard.

14. Ordinances should be updated to reflect Basin Plan criteria.

In addition, the following items should be considered:

1. Water conservation and solids reduction practices are recommended. Garbage grinders should not be used in homes with septic tanks.

2. Metering and water rates should be used to encourage water conservation.

3. Grease and oil should not be introduced into the system. Bleach, solvents, fungicides, and any other toxic material should not be poured into the system.

4. Reverse osmosis unit blowdown should not be discharged to on-site wastewater treatment systems overlying useable ground water. Offsite (factory regeneration) practices are recommended for water softeners.

5. If onsite water softener regeneration is necessary, minimum salt use in water softeners is recommended. This can be accomplished by minimizing regeneration time or limiting the number of regeneration cycles.

Page 5-63, replace management principle number fourteen with the following:

"14. The Regional Board intends to discourage high density development on septic tank disposal systems and generally will require increased size of parcels with slower percolation rates. Consideration of development will be based upon the percolation rates and engineering reports supplied. In any questionable situation, engineer designed systems will be required."

PROHIBITIONS

Page 5-65, replace paragraph beginning, "In addition, discharge from individual sewage systems, including..." with the following:

"Discharges from new soil absorption systems in sites with any of the following conditions are prohibited:

1. Soils or formations containing: a) mostly gravels with few fines (soils with over 50% by weight coarser than a No. 200 sieve, and over half of the coarse fraction larger than No. 4 sieve); b) continuous channels; and/or c) cracks or fractures.

2. Soils or formations containing greater than 60% clay (a soil particle less than 2 microns in size).

3. Distances between trench bottom and highest beneficial ground water, including perched ground water, less than 10 feet.

4. For seepage pits, distances between pit bottom and highest beneficial ground water, including perched ground water, less than 10 feet.

5. Distances between trench/pit bottom and bedrock or other impervious layer less than 10 feet.

6. For leachfields, where percolation rates are faster than 1 min/in and slower than 120 min/in.

7. For leachfields, where soil percolation rates are faster than 5 min/in unless the distance between trench bottom and highest beneficial ground water is at least 20 feet.

8. For leachfields, where soil percolation rates are slower than 60 min/in unless the effluent application rate is 0.1 gpd/ft² or less.

9. Areas subject to inundation from a 10 year flood.

10. Natural ground slope of the disposal area exceeding 30%.

11. Setback distances less than:

	<u>Ft.</u>
Domestic water supply wells in unconfined aquifer	100
Watercourse*, where geologic conditions permit water migration	100
Spillway elevation of reservoirs*	200
Springs, natural or any part of man made spring	100

12. For new land divisions without approved Wastewater Management Plans, lot size less than 1 acre.

13. Within a reservoir watershed where the density for each land division is less than 2.5 acres for areas without approved Wastewater Management Plans.

14. For new land divisions, individual systems without an area set aside for dual leachfields (100% replacement area).

15. Commercial, institutional, and sanitary industrial systems with dual disposal areas (200 % total of original calculated disposal area) not installed.

16. Commercial, institutional, or sanitary industrial systems not basing design on daily peak flow estimate.

17. Any site unable to maintain subsurface disposal.

In addition to previous prohibitions, community (subsurface disposal) systems (serving more than 5 parcels or more than 5 dwelling units) are prohibited unless:

1. Seepage pits have at least 15 feet separation between pit bottom and highest beneficial ground water, including perched ground water.

2. Sewerage facilities are operated by a public agency, unless a demonstration is made to the Board that an existing public agency is unavailable and formation of a new public agency is unreasonable. If such a demonstration is made, a private

*as defined in "Glossary-Water and Wastewater Control Engineering" by the American Society of Civil Engineers (1981)

entity must be established with adequate financial, legal, and institutional resources to assume responsibility for waste discharges.

3. Dual disposal systems are installed (200% of total of original calculated disposal area).

4. An expansion area is included for replacement of the original system (300% total).

5. Community systems provide duplicate individual equipment components for components subject to failure.

6. Discharge from community systems does not exceed 40 grams per day total nitrogen, on the average, per acre overlying ground water recharge areas, unless local governing jurisdictions adopt Wastewater Management Plans subsequently approved by the Regional Board.

The Executive Officer shall administer these prohibitions. In those cases of question, the Regional Board shall consider exemptions for engineered systems.

Exceptions to prohibitions will be considered for engineered systems where sufficient justification is provided. Septic tanks and leaching systems shall not be planned for an area where it appears that the total discharge of leachate to the geological system under fully developed conditions will cause damage to public or private property, degrade ground water, or create a nuisance or public health hazard; interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available. Engineered systems shall be designed only by registered engineers.

Engineers should be responsible for proper system operation. Engineers should be responsible for educating system users of

proper operation and maintenance. Maintenance schedules should be established.

Engineered systems should be inspected by designer during installation to insure conformance with approved plans.

Individuals requesting exceptions may be asked to submit a Report of Waste Discharge.

Some engineered systems may be considered experimental by the Regional Board. Experimental systems will be handled with caution. A trial period of at least one year should be established whereby proper system operation must be demonstrated. Under such an approach, experimental systems are granted a one year conditional approval.

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health and prevent nuisance the following prohibition areas are necessary:

1. Discharges from additional individual/community subsurface disposal systems are prohibited after February 6, 1976, and discharges from existing individual disposal systems are prohibited effective April 1, 1981, in Monterey County Service Area No. 66, Las Lomas-Hall area.

2. Discharges from additional individual/community subsurface disposal systems are prohibited after July 9, 1976, and discharges from existing individual disposal systems are prohibited effective November 1, 1981, in the Moss Landing County Sanitation District.

3. Discharge of waste from additional individual sewage disposal systems is prohibited forthwith and the discharge of waste from existing individual sewage disposal systems is prohibited after July 1, 1982, in portions of the community of Nipomo, San Luis Obispo County and more particularly described as:

BEGINNING at the point of the southernmost property corner of Assessor's Parcel Number (APN) 92-331-8 near the intersection of Southland Street and Orchard Road; thence north-easterly along the northerly boundary line at Southland Street to intersect the easterly boundary line of U.S. Highway 101; thence north-westerly along said line to the westernmost property corner of APN 92-301-12; thence along a bearing approximately N 48° 15' to intersect the easterly boundary line of Oakglen Avenue; thence north-westerly along said line to the southerly boundary line of Division Street; thence along an extension of said line to the easterly boundary line of Thompson Avenue; thence northwesterly along said line to the south property corner of APN 90-081-10; thence northeasterly along southeastern boundary of said parcel to the east property corner; thence north-westerly along an extension of the westerly boundary line of Cedar Street to the northerly boundary line of Tefft Street; thence northeasterly along said line to the easternmost property corner of APN 90-371-58; thence northwesterly along an extension of the boundary of said parcel to the southerly boundary line of Chestnut Street; thence southwestward along said line to the westerly boundary line of Thompson Avenue; thence northwesterly along said line to the easternmost property corner of APN 90-151-13; thence along a bearing approximately S 48° W to intersect the easterly boundary line of Willow Road; thence southeasterly along said line to the southerly boundary line of Juniper Street; thence northeasterly along said line to the westernmost property corner of APN 92-131-06; thence along a bearing S 34° 30'E to the southerly boundary line of Tefft Street; thence southwestward along said line to the west corner of APN 92-132-34; thence along a bearing of S 34° 30'E to the southerly boundary line of Hill Street; thence northeasterly along said line to the west corner of APN 92-133-26; thence along a bearing of S 34° 30'E to intersect the northerly boundary line of Division Street; thence southwestward along said

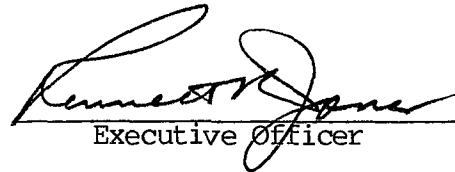
line to the easternmost property corner of APN 92-172-02; thence along a bearing approximately N 67° 28'W to the northernmost property corner of APN 92-454-20; thence along a bearing approximately S 22° 26'W to the westernmost property corner of APN 91-111-25; along a bearing approximately S 67° 28'E to intersect the easterly boundary line of Division Street; thence northeasterly along said line to the westernmost property corner of APN 92-181-13; thence along a bearing approximately S 64° 33'E to the southernmost property corner of APN 92-181-13; thence along a bearing approximately N 37° 30'E to the easterly boundary line of Orchard Road; thence southeasterly along said line to the true POINT OF BEGINNING.

The Board may grant an exemption to prohibition areas for: 1) engineered new on-site disposal systems where sufficient justification is provided; 2) new on site disposal systems after presentation of geologic and hydrologic evidence by the proposed discharger that such system(s) will not individually or collectively result in pollution or nuisance; and 3) existing on-site systems if it finds that the continued operation of such system(s) in a particular area will not, individually or collectively, directly or indirectly, affect water quality adversely. Dischargers requesting exemptions must submit a Report of Waste Discharge.

Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under full developed conditions, will cause: 1) damage to public or private property; 2) ground or surface water degradation; 3) nuisance conditions; or, 4) a public health hazard."

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit said Water Quality Control Plan as revised and amended, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 10, 1982.


Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 82-08

Concerning Revisions and Amendment of the
Water Quality Control Plan,
Central Coastal Basin

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and,
- WHEREAS, Regional Board staff prepared a study entitled "A Review of Water Quality Standards for the San Lorenzo and Salinas Rivers"; and,
- WHEREAS, the aforesaid study identified beneficial uses and water quality objectives for each of the two rivers and cited several water quality objectives of general application where references and data had been updated; and,
- WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,
- WHEREAS, proposed revisions and amendments are specifically for the Salinas River and are to be made to Chapter 2, Beneficial Uses and Chapter 4, Water Quality Objectives of said Basin Plan; and,
- WHEREAS, Regional Board staff prepared documents and followed procedures to satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the federal Clean Water Act; and,
- WHEREAS, drafts of proposed revisions and amendments and the environmental documents have been provided to interested persons and agencies for review and comment; and,
- WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within Monterey and Santa Cruz County; and,
- WHEREAS, on July 9, 1982, in the Watsonville City Council Chambers, 250 Main Street, Watsonville, California, the Regional Board reviewed staff documents pertaining to the amendment, including proposed changes, environmental documents, and written comments and written staff responses, as well as received additional evidence and testimony concerning the proposed revisions and amendments to said Plan; and,

WHEREAS, the Regional Board recognizes Monterey County Flood Control and Water Conservation District has completed the Arroyo Seco Dam Feasibility Study Report and the District has reason to expect future uses of MUN, AGR, PROC, and IND for the lower Salinas River;

NOW, THEREFORE, BE IT RESOLVED, that pages 2-4 and 4-14 of the Basin Plan be revised and amended as shown on Attachment A, consisting of two pages and incorporated herein as part of this resolution.

BE IT FURTHER RESOLVED, that the Regional Board will revise the Basin Plan to reflect and protect uses that are part of the Arroyo Seco Dam Project when Monterey County determines the project is feasible and commits itself to project implementation.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 9, 1982.


Executive Officer

Page 2-4 (as amended 6/11/76), amend to read:

TABLE 2-1 Existing and Anticipated Uses of Inland Surface Waters

	MUN	AGR	PROC	IND	GWR	REC-1	REC-2	WILD	COLD	WARM	MIGR	SPWN
Salinas River, downstream of Spreckels gauge. ^{d.}						<u>I</u>	<u>I</u>	E		I	I	
Salinas River, Spreckels gauge to Chualar	<u>I</u>	A	<u>A</u>	<u>A</u>	<u>I</u>	I	<u>I</u>	E	I	I	I	
Salinas River, Chualar to Nacimiento River	<u>I</u>	<u>A</u>	<u>A</u>	<u>A</u>	E	E	E	E	<u>I</u>	E	I	

d. Marine Habitat (MAR) exists intermittently in the Salinas River Lagoon.

Change footnote of Table 2-1 to read:

"I = Beneficial Water use in a watercourse with intermittant flow characteristics.
Use is concurrent with flow."

RESOLUTION NO. 82-08
ATTACHMENT A
(2 pages)

Page 4-14, amend Table 4-8 to read:

Table 4-8. Median Surface Water Quality Objectives, mg/l^a

Sub-basin/subarea	TDS	Cl	SO ₄	B	Na
Salinas River Salinas River Above Spreckles	600	80	80 <u>125</u>	0.2	70

^a Objectives shown are median annual mean values based on data averages over the referenced study period. Objectives are based on preservation of existing quality or water quality enhancement believed attainable following control of man-made point sources of pollutants.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 82-07

Concerning Revisions and Amendment of the
Water Quality Control Plan,
Central Coastal Basin

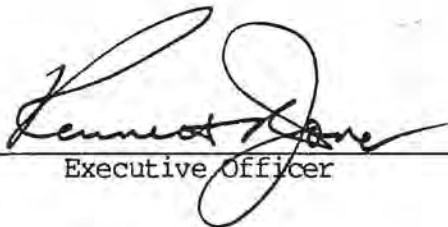
- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and,
- WHEREAS, Regional Board staff prepared a study entitled "A Review of Water Quality Standards for the San Lorenzo and Salinas Rivers"; and,
- WHEREAS, the aforesaid study identified beneficial uses and water quality objectives for each of the two rivers and cited several water quality objectives of general application where references and data had been updated; and,
- WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,
- WHEREAS, proposed revisions and amendments apply to Chapter 2, Beneficial Uses (specifically for the San Lorenzo River) and Chapter 4, Water Quality Objectives (some specific to the San Lorenzo River and some that apply to all inland surface waters), of said Basin Plan; and,
- WHEREAS, Regional Board staff prepared documents and followed procedures to satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the federal Clean Water Act; and,
- WHEREAS, drafts of proposed revisions and amendments and the environmental documents have been provided to interested persons and agencies for review and comment; and,
- WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within Monterey and Santa Cruz County; and,
- WHEREAS, on July 9, 1982, in the Watsonville City Council Chambers, 250 Main Street, Watsonville, California, the Regional Board reviewed staff documents pertaining to the amendment, including proposed changes, environmental documents, and written comments and written staff responses, as well as received additional evidence and testimony concerning the proposed revisions and amendments to said Plan.

NOW, THEREFORE, BE IT RESOLVED, that pages 4-2, 4-4, 4-8, 4-9, 4-13, and 4-14 of the Basin Plan be revised and amended as shown on Attachment A, consisting of five pages and incorporated herein as part of this resolution.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 9, 1982.


Executive Officer

Page 4-2, second column, amend to read:

Thermal Plan

The "Water Quality Control Plan for the Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California", adopted by the State Water Resources Control Board on May 18, 1972, and amended September 18, 1975, specifies water quality objectives, effluent quality limits and discharge prohibitions related to thermal characteristics of enclosed bay and estuary waters and waste discharges.

Ocean Plan

The "Water Quality Control Plan for Ocean Waters of California"; Resolution No. ~~72-45~~ 78-2, was adopted by the State Water Resources Control Board on ~~July 6, 1972~~ January 19, 1978. (This 1978 plan is a major revision of the original plan adopted by State Water Resources Control Board Resolution 72-45 on July 6, 1972.) This 1978 plan establishes beneficial uses and water quality objectives for waters of the Pacific Ocean adjacent to the California Coast outside of enclosed bays, estuaries, and coastal lagoons. Also, the Ocean Plan prescribes effluent quality requirements and management principles for waste discharges and specifies certain waste discharge prohibitions.

The Ocean Plan also provides that the State Water Resources Control Board shall designate Areas of Special Biological Significance (ASBS) and requires wastes to be discharged a sufficient distance from these areas to assure maintenance of natural water quality conditions.

The State Water Resources Control Board declared its intent to periodically revise the Plan to reflect water quality objectives that are necessary to protect beneficial uses of ocean waters and to be consistent with current technology.

RESOLUTION NO. 82-07

ATTACHMENT A

(5 pages)

Page 4-8, second column,
and page 4-9, first column, amend to read:

Waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of pesticides or herbicides in excess of the limiting concentrations set forth in California Administrative Code, Title 17, Chapter 5, Subchapter 1, Group 1, Article 4, Section 7019, Table 4, Title 22, Chapter 15, Article 4, Section 64435, Table 3, and listed below:

<u>Pesticides</u>	<u>mg/l</u>
Aldrin	0.017
Chlordane	0.003
DDT	0.042
Dieldrin	0.017
Endrin	0.001
Heptachlor	0.013
Heptachlor epoxide	0.013
Lindane	0.036
Methoxychlor	0.1
Organophosphorus & Carbamate compounds	0.1
As/parathion/in cholinesterase/inhibitor	
Toxaphene	0.003
<u>Herbicides</u>	
2,4-D plus	
2,4,5-T plus	
2,4,5-TF	0.1

<u>Constituent</u>	<u>Maximum Contaminant Level, mg/l</u>
<u>(a) Chlorinated Hydrocarbons</u>	
Endrin	0.002
Lindane	0.004
Methoxychlor	0.1
Toxaphene	0.005
<u>(b) Chlorophenoxys</u>	
2,4--D	0.1
2,4,5--TP Silvex	0.01

Page 4-4, Table 4-1, add footnote "g" for San Lorenzo River to read:

g. Cadmium concentrations found in organisms in the San Lorenzo River and some tributaries are elevated due to cadmium leached from a geologic formation.

Page 4-9, first column, amend to read:

Chemical Constituents

Waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of chemical constituents in excess of the limits specified in California Administrative Code, Title 17, Chapter 5, Subchapter 1, Group 1, Article 4, Section 7019, Tables 2, 3, and 4 and listed in Table 2 and 4, as listed in Table 4-4.

Page 4-9, second column, amend to read:

Where wastewater effluents are returned to land for irrigation uses, regulatory controls shall be consistent with Title 22 of ~~State Health~~ the California Administrative Code and with relevant controls for local irrigation sources.

Page 4-9, second column, under Radioactivity, amend to read:

Waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of radionuclides in excess of the limits specified in California Administrative Code, ~~Title 17, Chapter 5, Subchapter 1, Group 1, Article 4, Section 7019, Table 5.~~ Title 22, Chapter 15, Article 5, Section 64435, Table 5. (except for uranium and radon) and as listed below:

Constituent	Maximum Contaminant Level, pCi/l
Combined Radium-226 and Radium-228	5
Gross Alpha particle activity	15
<i>(including Radium-226 but excluding Radon and Uranium)</i>	
Tritium	20,000
Strontium-90	8
Gross Beta particle activity . . . . .	.50

Page 4-13, first column, under "Water Quality Objectives for Specific Inland Surface Waters, Enclosed Bays and Estuaries," add new paragraph four to read:

A specific monthly mean objective for Nitrate (as NO₃) of 0.25 mg/l shall apply to both the upper and lower San Lorenzo River to protect beneficial uses from adverse biostimulatory effects. Specific biostimulant objectives for other surface waters will be added to this section in tabular form once they are determined from further studies.

Table 4-4. Inorganic, Organic and Fluoride Concentrations Not To Be Exceeded in Domestic or Municipal Supply

Constituent	Limiting Concentration mg/l		
	Lower	Optimum	Upper
Fluoride*			
53.7 and below	0.9	1.2	1.7
53.8 to 58.3	0.8	1.1	1.5
58.4 to 63.8	0.8	1.0	1.3
63.9 to 70.6	0.7	0.9	1.2
70.7 to 79.2	0.7	0.8	1.0
79.3 to 90.5	0.6	0.7	0.8
Inorganic Chemicals			
Arsenic			0.05
Barium			1.
Cadmium			0.010
Chromium			0.05
Lead			0.05
Mercury			0.002
Nitrate (as NO ₃)			45.
Selenium			0.01
Silver			0.05
Organic Chemicals			
(a) Chlorinated Hydrocarbons			
Endrin			0.002
Lindane			0.004
Methoxychlor			0.1
Toxaphene			0.005
(b) Chlorophenoxy			
2, 4-D			0.1
2,4,5-TP Silvex			0.01

*Annual Average of Maximum Daily Air Temperature, °F based on temperature data obtained for a minimum of five years.

Page 4-14, amend Table 4-8 to read:

Table 4-8. Median Surface Water Quality Objectives, mg/l^a

Sub-basin/subarea	TDS	Cl	SO ₄	B	Na
San Lorenzo River					
San Lorenzo River					
Above Bear Creek	400	80 <u>60</u>	80	0.2	50
At Tait Street	250	80 <u>30</u>	60	0.2	25 <u>25</u>
Check Dam					

^aObjectives shown are ~~median~~ annual mean values ~~based on data averages~~ ~~over the referenced study period~~. Objectives are based on preservation of existing quality or water quality enhancement believed attainable following control of man-made ~~point~~ sources of pollutants.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 82-06

Concerning Revisions and Amendment of the
Water Quality Control Plan,
Central Coastal Basin

WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of nuisance; and,

WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,

WHEREAS, drafts of proposed revisions and amendments have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, proposed revisions and amendments apply to Chapter 5, Recommended Plan, of said Basin Plan; and,

WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217; and,

WHEREAS, on May 13, 1982 in Santa Barbara, California, after public notice, and on July 9, 1982, in Watsonville, California, the Regional Board received evidence and considered all factors concerning proposed revisions and amendments to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that pages 5-1 through 5-27 of the Water Quality Control Plan, Central Coastal Basin, be revised and amended as contained in Attachment A.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit said Water Quality Control Plan as revised and amended, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 9, 1982.


Executive Officer

CHAPTER 5. RECOMMENDED PLAN

This chapter describes recommended water quality control plans for the Central Coastal Basin. The diverse nature of the basin and factors influencing water quality require consideration of geographic sub-basins for most point source measures. Facility plans and other recommended control actions are described. In some cases, several acceptable options are described with preference given to a recommended plan or strategy or implementation approach.

The Central Coastal Basin environment is described in some detail in Chapter 11 (Chapters 8 through 17 are printed in Part II of the Basin Plan). Environmental sensitivity relative to wastewater disposal is discussed in Chapter 6. Land uses and economy are described in Chapter 12. The basin environment and economy can be related to the kinds of water quality problems which predominate this area. Groundwaters are highly mineralized in several sub-basins and most streams are ephemeral. Agricultural and oil extraction activities predominate and each has a potential effect on ground water salinity. These and other water quality problems are described in more detail in Chapter 14. Salt control is emphasized in the recommended plan, particularly as related to municipal dischargers to land, agricultural practices, and conjunctive management of surface and ground water resources. Water resource management is described in Chapter 13.

Selection of recommended plans is based on protection of beneficial uses described in Chapter 2 and water quality objectives and the non-degradation policy contained in Chapter 4. Treatment levels considered necessary for various municipal facility plans have been identified in terms of their relevance to various methods of disposal. Discussions of effluent disposal to ocean, estuary, stream, or land, and wastewater reclamation and sludge disposal are included in following sections. Facility Plans are compared in terms of environmental impacts in Chapter 17.

Recommended plans are provided for industrial wastewater management, solid waste management, and non-point sources such as urban runoff, agricultural wastewater management, soil disturbance activities, and industrial wastewater disposal practices. In addition, policies and prohibitions are described which affect water quality management.

POINT SOURCE MEASURES

Water quality control plans to regulate point source wasteloads in the Central Coastal Basin have been developed to insure protection of beneficial uses of water described in Chapter 2, as well as water quality objectives and non-degradation policies described in Chapter 4. In addition, effluent limits, applicable to various disposal modes, and waste discharge prohibitions, described in this chapter, influenced plan selection. Point source wastes can be generated by residential, commercial, industrial, agricultural, and certain recreational activities, and by solid waste disposal practices. Other wastes are considered under the category of non-point source wasteloads and are discussed in appropriate sections of this chapter.

Effluent Limits

Effluent limitations for disposal of treated point source wastes are based on water quality objectives for the area of effluent disposal, and applicable state and federal policies and effluent limits. Water quality objectives and policies are based on beneficial uses established for receiving waters. Decisions in treatment process selection are discussed for four general disposal modes considered; stream disposal, estuarine disposal, ocean disposal, and land disposal. There is no discussion provided for disposal to lakes or confined sloughs since this is prohibited. Separate discussions of treatment for wastewater reclamation and reuse and sludge processing and disposal are also provided.

The following discussions refer to levels of treatment to be achieved at municipal and industrial wastewater treatment facilities. Table 5-1 describes efficiencies expected from each level of treatment for biochemical oxygen demand, suspended solids, total nitrogen, and total phosphorus.

Stream Disposal

Most streams in the Central Coastal Basin are ephemeral in character. During summer months, there is little or no flow in stream channels. In several instances, flow during the dry season is composed of irrigation runoff or wastewater treatment plant effluent. Usually, these flows infiltrate into the stream bed a short distance downstream of discharges. In such instances, the concept of receiving water assimilative capacity has little meaning. Disposal of wastewater in ephemeral streams must be accomplished in a manner that safeguards public health and prevents nuisance conditions. Where possible, discharges should be beneficial as stream flow augmentation. When recharge of a useful ground water basin occurs through stream channel recharge, impacts on ground water quality must be considered.

There are a few streams in the basin which flow on a year-round basis and support an inland fishery. Disposal of wastewaters to such streams requires that essentially all oxygen demanding substances and toxicity be removed.

Principal factors governing treatment process selection for stream disposal are federal effluent limits, state public health regulations, and water quality requirements for beneficial use protection. As a minimum, secondary treatment, as defined by the Environmental Protection Agency, is required in all cases. EPA guidelines for best practicable treatment would also apply in these cases. Where water contact recreational use is to be protected, the California Administrative Code, Title 22, Section 60315, also requires coagulation, filtration, and disinfection providing a median coliform MPN of 2.2/100 ml. Where rapid percolation occurs, conventional secondary treatment is currently adequate. These regulatory guidelines establish minimum treatment processes for most stream discharges in the Central Coastal Basin, as biological oxidation with nitrification, coagulation, filtration, and disinfection. Detoxification is required where fishery protection is a concern. Detoxification would include effluent limits for identified toxicants, pursuant to Section 307 of the Federal Water Pollution Control Act. Source control of specific toxicants will be necessary to comply with the Act.

Estuarine Disposal

Receiving waters considered estuaries are one of two groups: (1) shallow waters of an open bay and (2) confined tidal estuaries, or lagoons. Flushing action is usually present in a shallow open bay and natural dispersion and dilution is available on a limited scale. In confined waters, flushing action is limited or nonexistent except during high stream inflow or storms. Since these shorelines frequently are heavily developed and waters are extensively used, requirements for wastewater disposal into such areas are the most stringent of any for marine receiving waters. The "Water Quality Control Policy for Enclosed Bays and Estuaries of California," adopted by the State Water Resources Control Board, prohibits discharge of waste to most enclosed bays and estuaries in the state, unless the discharge will enhance water quality.

Water quality objectives prevent discharges that could raise natural nutrient levels to an extent that nuisance algal blooms or other aquatic growths occur. Excessive eutrophication in coastal estuaries of California often is characterized by floating and stranded mats of green marine seaweeds Enteromorpha and Ulva. These algae generally grow on mud or other substrates in estuarine water and can produce nuisance conditions along shorelines. These algae have a high sulfur content and emit foul smelling hydrogen sulfide and mercaptans during decomposition. Caution should be given in determining control measures for estuaries, as many of the seasonal algal growths that occur on mud flats are natural and may not be significantly affected by waste discharges in the watershed. Where eutrophication problems are apparent, secondary treatment with denitrification, phosphorus removal, chlorination, and dechlorination should be provided prior to discharge.

Ocean Disposal

Federal guidelines for secondary treatment apply to ocean discharges. The State Water Resources Control Board's Water Quality Control Plan for Ocean Waters of California (Ocean Plan) establishes effluent limits achievable by alternative processes, such as advanced primary treatment. The Ocean Plan contains water quality objectives, requirements for effluent quality and management of waste discharges, and discharge prohibitions (including Areas of Special Biological Significance). Effluent quality requirements establish limitations for grease and oil, solids, turbidity, pH, and toxicity. Limits are also established for heavy metals, chlorine residual, total chlorinated pesticides, PCB's, and radioactivity outside the zone of initial dilution.

For municipal discharges, the Clean Water Act allows waiver of secondary treatment standards on a case-by-case basis. Secondary treatment waivers are further discussed as they apply to specific discharges in the following section on Municipal Wastewater Management. If full secondary treatment is required but funding is inadequate, treatment levels should be achieved through staged construction. Ocean Plan objectives can be achieved as an interim measure. Secondary treatment should be later added if waivers are not issued or if receiving water monitoring indicates additional treatment is necessary to protect ocean waters. Industrial wastewater management is discussed later in this chapter.

Land Disposal

Principal factors affecting treatment process selection for land disposal are the nature of soils and ground waters in the disposal areas and, where irrigation is involved, the nature of crops. Wastewater characteristics of particular concern are total salt content, nitrate, boron, pathogenic organisms, and toxic chemicals. Where percolation alone is considered, the nature of underlying ground waters is of particular concern. Treatment processes should be tailored to insure that local ground waters are not degraded. Nitrate removal is required in many cases where percolation is to usable ground water basins. Percolation basins operated in alternating wet and dry cycles can provide significant nitrogen removal through nitrification/denitrification processes in the soil column. Finer textured soils are more effective than coarse soils. Nitrate removal would not necessarily be required, and secondary treatment may be adequate where recharge is for other purposes such as prevention of salinity intrusion or where soil percolation constraints do not require further treatment. Monitoring in the immediate vicinity of the disposal site would be required in either case. Where the need for nitrate removal is not clear, removal would be considered at a possible future stage depending on monitoring results. Where irrigation is practiced and well controlled, this method will reduce nitrate concerns in the dry season. Vegetative uptake will utilize soluble nitrates which would otherwise move into ground water under a percolation operation. Demineralization techniques or source control of total dissolved solids is necessary in some inland areas where ground waters have been or may be degraded. Individual basins are discussed in Chapter Six. Presence of excessive salinity, boron, or sodium could be a basis for rejection of crop irrigation with effluent.

State Health Department regulations, described in Title 22 of the California Administrative Code, stipulate disinfection levels required for specific crops. In some cases, such as pasture for milking animals, the California Administrative Code requires oxidation with disinfection to a median number of coliform organisms of 23 MPN/100 ml. Environmental Protection Agency guidelines for secondary treatment do not apply to land disposal cases. However, municipal treatment facilities must provide effective solids removal and some soluble organics removal for percolation bed operations and for reduction of nuisance in wastewater effluent irrigation operations. Disinfection requirements are dictated by the disposal method. Oxidation ponds may be cost-effective in some locations and may be equivalent to secondary treatment.

Reclamation and Reuse

Reclamation and reuse shall be encouraged where feasible and beneficial. Where practicable, land disposal by spray irrigation shall be accomplished by proper reclamation techniques rather than by over-irrigation. This will aid water shortages and maximize nutrient removal.

Treatment process selection for reclamation of wastewater is dependent upon the intended reuse. Where irrigation reuse or ground water recharge is intended, treatment requirements will depend on conditions described under land disposal. Clearly, the nature of the crop to be irrigated, soil percolation,

and ground water characteristics are important considerations. Title 22 of the California Administrative Code provides wastewater reclamation criteria to regulate specific uses of reclaimed water. Where reuse is extended to water contact recreation, secondary treatment with coagulation, filtration, and disinfection is required. Where golf course irrigation is practiced, this level of treatment minus coagulation and filtration may be adequate. However, where more complete reclamation is envisioned, such as creation of recreational lakes for fishing, swimming, and water skiing, nutrient removal may also be required to minimize algae growths and to encourage fish propagation. Comparable treatment may also be needed for industrial water supplies used for cooling and uses where algae growth in transfer channels or cooling towers is of concern. Nitrogen removal and demineralization processes may also be necessary for selected reclamation projects as discussed under land disposal.

The State Department of Health has provided guidelines for reclaimed water uses involving domestic water supply. Three uses of reclaimed water are considered in a department position paper:

1. Groundwater recharge by surface spreading,
2. Direct injection into aquifers suitable for domestic water use,
3. Direct recycling of reclaimed water into a domestic water system or storage facility.

The State Department of Health Services has expressed concern that risks from the use of reclaimed wastewater may arise from pathogenic organisms, toxic chemicals and from long-term health effects associated with stable organic materials which may remain after treatment. Accordingly, a conservative position has evolved which can be summarized as follows:

1. Surface spreading of small amounts of reclaimed water to underground basins has the greatest potential; however, near term proposal plans which involve recharge of substantial volumes of reclaimed water into a small basin are not recommended.
2. Injection of reclaimed water for groundwater replenishment is not recommended as a near term measure; however, injection may be considered as a future option and for saline water repulsion, particularly where injection is to a brackish water zone.
3. Direct recycling to a domestic water supply is not considered acceptable within the next decade because of uncertain health and social implications. The Health Department can be expected to reject such direct recycling alternatives although this may be retained as a future option.

Pretreatment Programs

State and Federal regulations require certain municipalities to develop and administer pretreatment programs to control the discharge of industrial wastes to the treatment plant. All municipal plants with design flows greater than 5.0 MGD (discharged to navigable waters) are required to develop and implement a pretreatment program. Other municipalities may be required to develop a pretreatment program if circumstances warrant such a program. The Environmental Protection Agency has established

specific industrial subcategories of industries which discharge certain quantities or concentrations of pollutants to municipal systems. Pretreatment is required to meet industrial effluent standards established for each category. The objectives of a pretreatment program are to: (1) prevent introduction of pollutants into publicly owned treatment works which will interfere with treatment operations and/or use or disposal of municipal sludge, (2) prevent introduction of pollutants into publicly owned treatment works which will pass through treatment works or be incompatible with treatment techniques, (3) increase feasibility of recycling and reclaiming municipal and industrial wastewaters and sludges, and (4) enforce applicable EPA Categorical Standards. A pretreatment program must include: (1) a local pretreatment ordinance, (2) a use permit system, (3) a program of monitoring and inspection to insure compliance with the ordinance and use permit, and (4) an enforcement program sufficient to obtain compliance with provisions of the ordinance or use permit. Pretreatment programs are further discussed as they apply to specific dischargers in the section on Municipal Wastewater Management.

Sludge Processing and Disposal

Sludge treatment and disposal is usually the most difficult aspect of wastewater treatment. Biological sludges have a higher nutrient content than primary treatment sludges and are thus more desirable as a soil conditioner, but handling problems are compounded. Chemical precipitation will produce a great quantity of sludge that is composed of inorganic material. Such sludges may be digested but require greater digestion tank capacity than is necessary for biological sludges. The large inorganic content of chemical precipitation sludges may also render them less desirable as a soil conditioner. Polymers are widely used to increase settling and thickening efficiencies, and to reduce chemical sludge handling problems. Increasing power costs have made sludge energy recovery projects economically attractive.

Burial of digested sludge or incinerated residues, often mixed with garbage and other solid wastes, has been a common method of disposal. Dewatering is generally economically desirable to reduce weight, volume, and transport costs. Soil conditioning as a means of digested sludge disposal and of returning humus material and nutrients to the soil has been practiced in many parts of the world for many years. Liquid sludge, heat-dried sludge, dewatered sludge, and composted sludge have all been used successfully as soil conditioners. Some means of sterilizing the sludge (such as heat drying or wet combustion) is usually required prior to unrestricted sale to the public. Experience has shown that demand for such a product is generally limited or seasonal and that some disposal method is necessary.

Examples of disposal of liquid or dewatered digested sludge as a soil conditioner are numerous. Some treatment plants have contracts with local farmers for the use of digested sludge in agriculture. This practice is widespread in Great Britain and is becoming more popular in the United States. Dewatered and air-dried sludge cake has also been used in many major city parks. Some municipal sludges are digested, composted, packaged, and sold commercially as soil amendments. Most communities in the Central Coastal Basin dispose of sludge in liquid or dewatered form on land fill, dump sites, or on local farms. Continuation of this practice is recommended where beneficial uses of soil and water are not adversely affected. Wastewater heavy metals tend to concentrate in sludge. Proper application rates are required to avoid unacceptable metal concentrations in the soil (cadmium is of particular concern).

Many of the world's major coastal cities have discharged sludge to the ocean for years. This practice has in some cases resulted in detrimental conditions while in others, significant impacts have not been shown. The federal government and many state governments have banned the use of federal and state monies in any system that returns sludge to the receiving waters. Some states have banned the practice outright. California's Ocean Plan prohibits discharge of municipal and industrial waste sludge directly to the ocean, or into a waste stream that discharges to the ocean. The contention of the regulatory agency is that return of the sludge negates the purpose of the wastewater treatment process. Though controversial, this legal ban has shifted advantages away from ocean disposal to land disposal and reclamation, or to incineration, depending on local conditions. Land is more readily available for sludge disposal or use on agricultural land in the Central Coastal Basin than in more intensively urbanized areas of California.

Funding and Compliance Dates

Funding of municipal wastewater treatment projects under federal-state grant projects proceeds in accordance with State priorities and availability of funds. Needs for upgrading water quality control facilities are established on a case-by-case basis. Higher priority is given for improvements necessary to eliminate documented water quality and/or public health problems. These projects include ocean outfall extensions, treatment efficiency improvements, odor and nuisance control, and increases in plant capacity as appropriate. Those projects which provide for improvement in water quality and provide for wastewater reclamation in areas with documented water shortages shall also receive a high priority. Funds and progress have been too limited for realization of the 1977 deadline for secondary treatment. As a result, the 1977 amendments to the Federal Water Pollution Control Act allow for time extension on a case-by-case basis up to July 1, 1983. Amendments in late 1981 (HR 4503), further extend this date to July 1, 1988. HR 4503 also allows additional time, until December 29, 1982, for municipalities to apply for a waiver from secondary treatment requirements for deep ocean discharges.

Load Reductions

Table 5-2 shows the estimated flowrates and loadings of BOD, suspended solids, nitrogen, and phosphorus for various communities in the basin for 1970, 1980, and 2000. Flows in several service areas have been or will be consolidated and treated at regional facilities as indicated in Table 5-3. Reductions in biochemical oxygen demand (BOD), suspended solids (SS), nitrogen (N), and phosphorus (P) loadings were calculated by applying treatment removal percentages to the influent loadings as presented in Table 5-1. Load reductions shown for 1980 and 2000 levels of development provide for at least the minimum 85 percent BOD and suspended solids removal to comply with federal effluent limit requirements.

Population Projections

Federal regulations require that water quality management plans (Basin Plans) identify population projections for purposes of determining municipal waste treatment facilities needs. For such purposes, this Basin Plan endorses projections based upon current state administrative regulations pertaining to use of population projections for construction of municipal treatment works.

Table 5.1 Treatment Removal Percentages

Treatment level	Percent removal			
	BOD ₅	Suspended solids	Total N	Total P
Primary ^a	30	65	5	5
Advanced Primary ^b	40	75	5	10
Secondary ^c	85	85	10	25
Secondary with denitrification ^d	95	90	90	25
Secondary with nutrient removal ^e	95	95	90	90

- a. Primary treatment includes physical operations such as screening and sedimentation to remove floating and settleable solids.
- b. Advanced primary treatment adds chemically enhanced settling or partial biological treatment.
- c. Secondary treatment adds biological and chemical processes to increase removal of organic constituents of wastewater.
- d. Secondary treatment as described above with the addition of unit operations designed to remove nitrogen gas from wastewater.
- e. Secondary treatment with nitrogen and phosphorous removal.

Municipal Wastewater Management

Municipal wastewater conveyance, treatment, and disposal facilities recommended for the Central Coastal Basin are described in the following pages. Feasibility level planning was used to identify the most economical and environmentally protective water quality management system for each municipal discharger. In many cases, more detailed facilities plans or the facility are now complete. In these cases, the recommended project from the facilities plan is summarized.

Recommended plans for municipal facilities are described in geographic sequence by hydrographic sub-basin and in some cases by regions within a sub-basin. Hydrographic sub-basins are identified in Chapter 1, Figure 1-1. An overview of the plan for major municipal facilities including facility consolidations and disposal operations is provided in Figure 5-1. For each municipal facility within a sub-basin, a brief facility description is provided followed by the recommended plan and implementation responsibilities. Levels of wastewater treatment and treatment efficiencies are defined in Table 5-1. Institutional arrangements for implementing recommended plans are summarized in Table 5-3.

Table 5-3 lists hydrographic sub-basins and, where appropriate, regions within sub-basins. Agencies owning and operating treatment facilities within sub-basins or regions are listed in the column entitled "Treatment Facilities". A management agency column identifies regional agencies that have, or have been recommended for, collection, treatment, disposal, or possibly reclamation responsibility for two or more participating or contracting agencies. Participating agencies have partial responsibility for operations through membership in the management agency. A contracting agency has a formal agreement with a management agency for service. Participating agencies and contracting agencies usually retain responsibility for sewage collection and contract with the management agency for other services. The agency responsible for operation of wastewater treatment and disposal facilities must comply with discharge requirements and permits issued by regulatory agencies. Accordingly, the operating agency must be empowered to provide all water quality related control operations, including source control and monitoring within tributary sewer systems where necessary, to comply with waste discharge requirements.

The following are recommended plans for municipal wastewater facilities for the Central Coast Basin. Numbers in parentheses throughout the chapter refer to design capacity unless otherwise stated. Pretreatment programs and modifications to secondary treatment are discussed as part of the recommended plan where applicable. Further discussion of these topics can be found under the sub-headings "Ocean Disposal" and "Pretreatment Programs" at the beginning of this chapter.

TABLE 5-3 INSTITUTIONAL ARRANGEMENTS

SUB-BASIN	REGION	TREATMENT FACILITIES	MANAGEMENT AGENCY	PARTICIPATING AGENCY	CONTRACTING AGENCY
SANTA CRUZ COASTAL		Davenport	Davenport CSD		
		Big Basin State Park	Calif. Dept. of P. & R.		
		Ben Lomond Conservation Facility	Calif. Dept. of Forestry		
SAN LORENZO RIVER		Santa Cruz	City of Santa Cruz		Santa Cruz CSD Aptos, East Cliff and Capitola (1 City of Scotts Valley(out- fall)
		Scotts Valley	City of Scotts Valley		
		Boulder Creek Golf & CC	Santa Cruz CSA #7 &SLVWD		
		Rolling woods Subdivision	Santa Cruz CSA10		
		Bear Creek Estates	SLVWD		
		Big Basin Woods Subdv.	Big Basin Sanitation Co. SLVWD	Big Basin SD	
APTOS - SOQUEL		Sand Dollar Beach & Canon del Sol	Santa Cruz CSA #5		
		Trestle Beach	Santa Cruz CSA #20		
		Monterey Bay Academy	Monterey Bay Academy		

TABLE 5-3 INSTITUTIONAL ARRANGEMENTS

SUB-BASIN	REGION	TREATMENT FACILITIES	MANAGEMENT AGENCY	PARTICIPATING AGENCY	CONTRACTING AGENCY	
PAJARO	Watsonville	Watsonville	City of Watsonville		Freedom CSD Pajaro CSD Salsipuedes SD	
		Hollister	Hollister	City of Hollister		
			San Juan Bautista	City of SJB		
			Tres Pinos	Tres Pinos Co.Wtr.Dist.		
		San Benito Co. Fac.	City of Hollister		Co. of San Benito	
GILROY		Gilroy-Morgan Hill	City of Gilroy	City of Morgan Hill		
		San Martin (unsewered area)	County of Santa Clara			
SALINAS RIVER	Monterey Peninsula-Salinas	Monterey Regional	MRWPCA	Cities of: Monterey Pacific Grove Salinas Main Salinas Alisal Seaside Sand City Del Rey Oaks CSD: Seaside Castroville Moss Landing Boronda CWD	Fort Ord, USA	

TABLE 5-3 INSTITUTIONAL ARRANGEMENTS

SUB-BASIN	REGION	TREATMENT FACILITIES	MANAGEMENT AGENCY	PARTICIPATING AGENCY	CONTRACTING AGENCY
SALINAS RIVER	Monterey Peninsula (Cont'd)	Marina	Marina CWD		
		Oak Hills	Watertek, Inc.		
	Salinas Valley	Chualar	Chualar SD		
		Gonzales	City of Gonzales		
		Soledad	City of Soledad		
		Soledad Prison	Calif. Dept. of Corrections		
		Greenfield	City of Greenfield		
		San Miguel	San Miguel SD		
		King City	City of King		
		San Ardo	San Ardo WD		
		Paso Robles	City of Paso Robles		
		Paso Robles School for Boys and Paso Robles Airport Ind. Park	City of Paso Robles		Calif. Dept. of Youth Auth.
		Atascadero	City of Atasc.		Atasc. State Hospital, Calif. Dept. of Health (2)
		Camp Roberts	CA. Nat'l. Guard		
		San Antonio Reservoir (Pleyto)	Monterey Co. P. & R.		
CARMEL RIVER		Carmel	Carmel SD		Pebble Beach SD
		Carmel Valley Ranch	Carmel Valley Co. San. Dist.		

TABLE 5-3 INSTITUTIONAL ARRANGEMENTS

SUB-BASIN	REGION	TREATMENT FACILITIES	MANAGEMENT AGENCY	PARTICIPATING AGENCY	CONTRACTING AGENCY	
SAN LUIS OBISPO COASTAL	North Coast	Cambria	Cambria CSD		San Simeon St. Monument, Calif. Dept. of P. & R.	
		San Simeon	San Simeon CSD			
	Morro	Morro Bay-Cayucos	City of Morro Bay	Cayucos SD		
		CMC Baywood/Los Osos (unsewered)	Ca. Dept. of Corrs. SLO CSA 9			
	San Luis Obispo Crk.	San Luis Obispo	City of San Luis Obispo		Cal Poly State Univ., Hidden Hills Mobilodge	
		Avila Beach	Avila Co. Water Dist.			
		Country Club Estates	SLO CSA 18			
	South County	Pismo Beach	City of Pismo Beach			
		South SLO Co.	So. SLO CSD		Pismo Beach (outfall)	
		Lopez Rec.	SLO County			
SODA LAKE		None				

TABLE 5-3 INSTITUTIONAL ARRANGEMENTS

SUB-BASIN	REGION	TREATMENT FACILITIES	MANAGEMENT AGENCY	PARTICIPATING AGENCY	CONTRACTING AGENCY
SANTA MARIA RIVER	Santa Maria Valley	Santa Maria	City of Santa Maria		
		Guadalupe	City of Guadalupe		Co. of Santa Barbara (Gularte)
		Laguna	Laguna CSD		
		Nipomo	Nipomo CSD		SLO CSA 1
<hr/>					
	Cuyama Valley	New Cuyama	Estado Corp.		
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SAN ANTONIO CREEK		Los Alamos (unsewered area)	LACSD		
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SANTA YNEZ	Lompoc Valley	Lompoc Regional	City of Lompoc		Vandenberg AFB Park Wtr.Co. (Vandenberg Village)
		La Purisima/Rucker Road	Mission Hills CSD		
		Vandenberg AFB	U.S.A.F.		
		U.S.Penitentiary	U.S. Dept. of Justice		
	Upper Santa Ynez	Buellton	Buellton CSD		
		Solvang	Solvang MID		Santa Ynez CSD
		Cachuma	Cachuma CSD		

TABLE 5-3 INSTITUTIONAL ARRANGEMENTS

SUB-BASIN	REGION	TREATMENT FACILITIES	MANAGEMENT AGENCY	PARTICIPATING AGENCY	CONTRACTING AGENCY
SANTA BARBARA		El Estero	City of Santa Barbara		Sta. Barbara Co.(Mission Cyn.)
		Goleta	Goleta SD		Isla Vista SD UCSB, S.B.City Airport
		Montecito	Montecito SD		
		Carpinteria	Carpinteria SD		
		Summerland	Summerland SD		

- 1) The flows from the Aptos, East Cliff, and Capitola SD's are transported to the City of Santa Cruz WWTP, although the sanitation district is located in the Aptos-Soquel Sub-basin.
- 2) Atascadero State Hospital maintains separate treatment facilities but discharges treated effluent to City of Atascadero percolation ponds.

Santa Cruz Coastal Sub-basin

The Santa Cruz Coastal Sub-basin contains several small waste dischargers (less than 0.10 mgd) including Davenport County Sanitation District, Big Basin State Park on Waddell Creek, and the Department of Forestry's Ben Lomond Conservation Facility.

Davenport County Sanitation District was created in 1979 to provide sewer and water services to the Davenport-Newtown area located on the coast north of Santa Cruz. The recommended plan for the Davenport-Newtown area is to construct interceptors and an aerated wastewater lagoon on property owned by Lone Star Industries. Disposal will be through evaporation/percolation and industrial reuse. Davenport County Sanitation District will be responsible for wastewater collection, treatment, and disposal. Current Sewer Maintenance District responsibilities will be assumed by DCSD when transport and treatment facilities are completed.

The recommended plan for Big Basin State Park facilities (.04 mgd), located in the upper portion of the sub-basin, stresses upgraded treatment for stream-flow augmentation. Existing secondary treatment with sand filtration will be upgraded to include coagulation and reliability modifications. These improvements will qualify this stream discharge as an acceptable wastewater reclamation project. The discharge is upstream from a popular swimming hole, so the plan emphasizes the need to enhance water quality and protect beneficial uses in Waddell Creek. The State Department of Parks and Recreation is responsible for implementation.

The recommended plan for the Ben Lomond Conservation Facility, located in the upper portion of the sub-basin, is to retain the existing septic tank, evaporation/percolation ponds, and spray field. Existing facilities are adequate so long as operation and maintenance are effective.

San Lorenzo River Sub-Basin

The San Lorenzo River Sub-basin includes discharges from the City of Santa Cruz and the City of Scotts Valley, in addition to unsewered areas and several small waste dischargers (less than 0.10 mgd). Small sewered areas of the San Lorenzo Valley include Santa Cruz County Service Area #7 (Boulder Creek Golf and Country Club) and SCCSA #10 (Rolling Woods Subdivision).

The City of Santa Cruz operates a wastewater collection, primary treatment, and ocean disposal system with a capacity of 21 mgd. Sewerage service is provided to the City of Santa Cruz, Santa Cruz County Sanitation District, and the City of Scotts Valley. The SCCSD serves and represents Aptos and Seacliff, both in the Aptos-Soquel Sub-basin. In September, 1979, the City applied to EPA for a waiver from secondary treatment requirements (see discussion on Ocean Disposal). The recommended plan for the City is to build a new extended outfall and upgrade the existing treatment plant at Neary's Lagoon. If modification of the secondary treatment requirement is granted, facilities will be upgraded from primary to advanced primary. If modification of the

secondary treatment requirement is not granted, facilities will be upgraded to secondary treatment. A determination on the waiver application is expected late 1982. Mitigation measures to reduce impacts to Neary's Lagoon must be resolved before plans can proceed. The City is also preparing a pretreatment program to be implemented by July 1, 1983, by a regional management agency consisting of the City of Santa Cruz, Santa Cruz County Sanitation District, and the City of Scotts Valley.

Wastewaters from sewerred areas of the City of Scotts Valley are transported to Scotts Valley's secondary treatment plant. Effluent is transported through a land outfall to the City of Santa Cruz marine outfall for disposal to the Pacific Ocean. During the dry season, reclaimed wastewater is supplied to several primary users. The recommended plan for Scotts Valley includes: (1) increasing wastewater treatment capacity from 0.45 mgd to 0.79 mgd, (2) providing reclaimed water to Pasatiempo Golf Course for irrigation purposes, (3) transportation of excess reclaimed water through the Scotts Valley Land Outfall to the City of Santa Cruz ocean outfall, and (4) utilization of the Kaiser Pit for emergency disposal of peak wet weather flows to prevent an overflow of treated wastewater onto the beach from the existing Santa Cruz Marine Outfall structure. Use of Kaiser Pit will be terminated upon completion of the new City of Santa Cruz Marine Outfall. Implementation of this plan will be accomplished by the Cities of Scotts Valley and Santa Cruz.

Wastewater management in San Lorenzo Valley is provided by three community treatment and disposal facilities (Bear Creek Estates, Big Basin Woods, and Boulder Creek Golf and Country Club). Remaining areas are served by individually owned septic tank and soil absorption systems. The recommended plan for Bear Creek Estates involves a change in method of treatment and disposal. The existing extended aeration treatment plant and spray field will be replaced by septic tank treatment with disposal to a soil absorption system. Implementation of this plan is the responsibility of San Lorenzo Valley Water District and Bear Creek Estates.

The recommended plan for Big Basin Woods Subdivision is to retain the existing extended aeration treatment facility with leachfield disposal, presently operating at approximately 10 percent of total capacity (.035 mgd). Flow from County Service Area #7 has been diverted to Big Basin Woods' leachfield during equipment repair periods. Leachfield capacity is adequate to serve both Big Basin Woods and CSA #7. Existing facilities are adequate so long as operation and maintenance are effective. This plan will be implemented by Big Basin Sanitation Company, Big Basin Woods Subdivision, and the San Lorenzo Valley Water District.

The recommended plan for Boulder Creek Golf and Country Club is to retain the existing activated sludge treatment facility with irrigation and leachfield disposal, which is operating at 15 percent capacity. Existing facilities are adequate so long as operation and maintenance are effective. Operation and maintenance of the system is the responsibility of the Santa Cruz County Department of Public Works. This plan will be implemented by Santa Cruz County Service Area #7 through Santa Cruz County Department of Public Works and San Lorenzo Valley Water District.

Rolling Woods Subdivision, Santa Cruz County Service Area No. 10, provides treatment with a redwood bark biofilter and disposes treated effluent through percolation pits. This facility should be replaced with an interceptor that would convey wastes to the City of Santa Cruz for treatment and disposal.

Individually owned septic tank leachfield systems in the SLV are being studied closely to identify problem areas and determine the suitability of these problem areas for the continued use of septic systems. Alternatives will be proposed and evaluated to reduce septic system problems. Specific design criteria for conventional and modified septic systems will be developed as part of on-going studies funded under Sections 201 & 208 of the Clean Water Act.

Aptos - Soquel Sub-Basin

Dischargers in the Aptos-Soquel Sub-basin include Santa Cruz County Service Area #5 (Sand Dollar Beach and Canon del Sol), SCCSA #20 (Trestle Beach) and Monterey Bay Academy. Flows from Aptos and East Cliff are conveyed through interceptors and pumping facilities for treatment at the City of Santa Cruz Wastewater Treatment Facilities in the San Lorenzo River Sub-basin.

The recommended plan for SCCSA #5 is to retain the existing extended aeration package treatment plant and disposal to seepage pits. Wastewater treatment and disposal at Canon del Sol will be by the same methods as Sand Dollar Beach. Facilities will be adequate so long as operation and maintenance are effective. This plan will be implemented by SCCSA #5 through Santa Cruz County Department of Public Works.

Wastewater treatment at Trestle Beach (SCCSA #20) will be provided by an extended aeration package treatment plant with disposal to seepage pits. This plan will be implemented by SCCSA #20 through the Santa Cruz County Department of Public Works. It is recommended that CSA #5 and #20 be connected to regional collection systems when service is extended to adjacent areas.

The recommended plan for the Monterey Bay Academy is to retain the existing settling pond with disposal to a series of evaporation-percolation ponds.

Pajaro River Sub-Basin

Developed regions in the Pajaro River Sub-basin include the corridor from Morgan Hill through San Martin to Gilroy in south Santa Clara County, the Hollister area, and Watsonville.

Gilroy Region

The Gilroy region includes the unsewered San Martin area and the City of Gilroy's advanced primary treatment and land disposal facilities serving the cities of Gilroy and Morgan Hill. Present flows of 3.6 mgd constitute 60% of the design capacity of 6.1 mgd. Primary treatment is provided via two recently constructed oxidation ponds with subsurface aeration. Effluent disposal is to a series of evaporation/percolation ponds. Wastewater reclamation facilities were constructed in 1977 to alleviate water shortages during drought conditions. When reclamation facilities are in use (seasonally), primary effluent is provided further treatment in an aeration pond. Effluent is then screened, chlorinated, and pumped through nine miles of distribution pipe to various users (for irrigation purposes). Industrial flows of 6.3 mgd are treated and disposed of in a separate series of sedimentation, oxidation, and percolation ponds.

The recommended plan for the Gilroy-Morgan Hill wastewater treatment facilities is to complete geohydrological assessments to determine impacts of continued effluent disposal by percolation at the Gilroy site. If beneficial uses of surface and ground waters are not adequately protected, other treatment and/or disposal methods must be used. A possible solution is to allow percolation ponds to seal (by eliminating yearly pond bottom ripping operation) and disposing of effluent by evaporation and/or exportation to a suitable disposal or reclamation area. If current percolation practices are not causing receiving water problems, feasibility of existing disposal area expansion should be considered.

Currently, the cities of Gilroy and Morgan Hill are responsible for collection, treatment, and disposal of wastewater. They are also responsible for operating the wastewater reclamation facilities. Santa Clara Valley Water District is responsible for administrative tasks for the reclamation system. In addition, the cities of Gilroy and Morgan Hill must submit a pretreatment program which is to be implemented by July 1, 1983.

The recommended plan for the San Martin area is to retain the use of individual on-site systems for sewage disposal. High nitrate levels have been reported in the area's groundwater, the major water supply source for the area. Recent studies and planning efforts determined that provision of sewage collection and treatment is not a feasible solution to high nitrate levels in the ground water. County consultants recommended the County pursue other methods of providing a water supply that is free of excessive nitrate concentration, and further, that new septic tank discharges should be limited to a minimum parcel size of five acres.

Hollister Region

Small discharges (less than 0.10 mgd) in the Hollister region include flows from San Benito County Facilities, Sunnyslope County Water District, and Tres Pinos County Water District. City of Hollister wastewater is treated at the City of Hollister Wastewater Treatment Facilities (1.2 mgd). San Juan Bautista wastewater is treated at the City of San Juan Bautista Wastewater Treatment Facilities (.15 mgd).

The recommended plan for Tres Pinos is to retain the existing evaporation/percolation ponds. The recommended plan for San Benito County Hospital Facilities is to study the feasibility of constructing interceptors to the Hollister facilities. Existing facilities consisting of aerated pond treatment followed by land disposal to evaporation/percolation ponds may be maintained if project level studies determine this to be the more feasible method of wastewater treatment and disposal. Sunnyslope County Water District owns and operates a wastewater treatment and disposal system serving approximately 300 homes in Ridgemark Estates subdivision located approximately $2\frac{1}{2}$ miles southeast of Hollister. Wastewater is treated in two aerated ponds and disposed of in evaporation/percolation ponds. Effluent may be used in the future to irrigate a golf course.

The recommended plan for the City of Hollister is to retain the existing advanced primary treatment facilities and percolation ponds which started operating in 1979. The Hollister industrial system is to be maintained separately to receive seasonal flows from the spinach and tomato processing operations.

The recommended plan for the City of San Juan Bautista is to evaluate alternatives for improving treatment facilities to meet waste discharge requirements. The City currently discharges secondary effluent to a drainage ditch tributary to Pajaro River.

Land disposal of wastewaters in the Hollister region must be monitored carefully to assure ground water quality is protected. Salt source control is stressed to reduce effluent salinity to levels acceptable for disposal to local ground waters.

Watsonville Region

Wastewaters in the Watsonville region are transported to regional treatment facilities in Watsonville with a design capacity of 13.4 mgd. Collection, primary treatment, and disposal to Monterey Bay is provided for the City of Watsonville, and the local sewerage entities of Freedom County Sanitation District, Pajaro County Sanitation District and Salsipuedes Sanitary District. The City submitted an application to EPA for modification of secondary treatment requirements. Project level studies determined ocean disposal to be the most feasible method of waste disposal. Ocean outfall improvements and a phased approach to secondary treatment are included in Watsonville's Clean Water Grant Project. If a waiver from secondary treatment is granted, the project will only provide advanced primary treatment. Local sewerage entities retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge to interceptors owned and operated by Watsonville. The City must submit a pretreatment program by July 1, 1982, to be implemented by July 1, 1983.

Salinas River Sub-Basin

The extensive Salinas River Sub-basin includes the Monterey Peninsula and southern coastal area of Monterey Bay, the City of Salinas, agricultural and small urban centers of the Salinas Valley, and recreational developments in the upper watersheds.

Salinas Valley Region

Recommended plans for the Salinas Valley communities and recreational areas in the upper watershed generally involve separate wastewater treatment and disposal facilities.

Small dischargers (less than 0.5 mgd) along the Salinas River, including Chualar, Gonzales, Soledad, Greenfield, and San Miguel, are to remain on separate treatment facilities with land disposal to percolation ponds and seasonal irrigation reuse. Disposal should be managed to provide maximum nitrogen reduction (e.g., through crop irrigation or wet and dry cycle percolation). Future plant expansion and improvements are planned for Gonzales and Greenfield to ensure plant reliability and ability to meet future demands. The State Correctional Facility at Soledad is in the process of making facility improvements to replace worn out equipment, improve disposal capabilities, and provide flood protection for disposal facilities.

The recommended plan for King City is to upgrade and expand existing facilities from 0.5 mgd to 0.8 mgd. Land disposal by percolation ponds and spray irrigation will continue.

The City of Paso Robles owns and operates a secondary treatment plant (2.2 mgd) utilizing trickling filtration followed by oxidation ponds. Disposal is by evaporation and percolation from the oxidation ponds and by discharging from the last pond to the Salinas River channel. Use of reclaimed water should be investigated and implemented, if feasible. A reduction of inorganic salt in the effluent would increase its desirability to potential users. A report, "Water Quality in the Paso Robles Area," published by the California Department of Water Resources in 1981 made water quality control recommendations; including a recommendation for more stringent control of total dissolved solids and sodium in the City's wastewater treatment plant discharge. A public hearing on all the Department's recommendations contained in the report will be held by the Board later this year.

The recommended plan for the California Youth Authority - Paso Robles Airport Wastewater treatment plant (.10 mgd) is to retain the recently enlarged and upgraded facilities. Disposal is to a series of oxidation-percolation ponds located adjacent to Huerhuero Creek. Wastewater reclamation uses should be investigated. An effluent pump exists at the plant in case wastewater reclamation potential develops. Implementation of this plan is the responsibility of the City of El Paso de Los Robles.

Atascadero County Sanitation District (.83 mgd) owns and operates a wastewater collection, treatment, and disposal system serving the City of Atascadero. Secondary treatment by the activated sludge process is provided, followed by land disposal to percolation ponds and by irrigation of a golf course and lands surrounding the plant. Flows at or near plant capacity are being treated. San Luis Obispo County Health Department has documented public health problems and water quality problems arising from failing on-site sewage disposal systems in areas within the City. The City plans to construct a new treatment plant (1.4 mgd) near the existing effluent disposal site for Atascadero State Hospital. The recommended plan (and a condition of receiving a grant for construction) is to sewer areas presently served by failing on-site systems. The City of Atascadero will assume responsibility for operation and maintenance of the wastewater facilities in the near future. Atascadero County Sanitation District will be responsible for implementing this plan until the change occurs.

Dischargers in the Nacimiento Reservoir area include San Luis Obispo County Service Area #7A, Oak Shores Development (0.1 mgd); San Luis Obispo County Service Area #19, Heritage Ranch Development (0.35 mgd); Water World Resort, Ltd., Lake Nacimiento Resort (0.036 mgd); and North Shore Ski and Boat Club, Inc. (0.01 mgd). Wastewater facilities for the Oak Shores Development consists of two aerated treatment ponds and spray disposal on pasture land. Part of the collection system is located below the spillway elevation of Nacimiento Reservoir. This has been a source of excessive infiltration in the collection system. The County should make appropriate improvements to remedy this problem. Wastewater at Heritage Ranch is treated in aerated lagoons, discharged to a holding pond, and then to evaporation/percolation beds, both located outside the Nacimiento Reservoir watershed. To protect ground water in the area, it is recommended that the aerated lagoon be lined. Spring water above the lagoons should be intercepted and diverted around the treatment ponds. Waste water

from Lake Nacimiento Resort is piped to septic tanks at several locations. Septic tank effluent is pumped to evaporation/percolation ponds located outside the reservoir watershed. It is planned to add a spray field to the disposal facility. North Shore Ski and Boat Club, Inc., owns and operates a septic tank/leachfield system on the shore of Nacimiento Reservoir. The recommended plan is to maintain separate treatment facilities at Nacimiento Reservoir as described.

Camp Roberts is a U. S. Army installation that is leased by the California National Guard as a major training site. Wastewater flows that vary from 3000 gpd in winter to nearly 1.0 mgd in summer are treated to secondary levels prior to disposal in a series of percolation/evaporation ponds located near the Salinas River. The facility was upgraded in 1980 and there are no additional recommendations.

Dischargers in the San Antonio Reservoir watershed include Monterey County, Department of Parks and U. S. Army, Fort Hunter Liggett. Monterey County Department of Parks operates wastewater treatment facilities for both north (Pleyto-0.03 mgd) and south (Lynch-Harris Creek and Redonda Vista Recreational Site-0.14 mgd) San Antonio Lake recreational areas. The north site consists of primary treatment and disposal in oxidation/percolation/evaporation ponds. The south facility consists of secondary trickling filter treatment with discharge to oxidation/percolation/evaporation ponds for disposal. With proper maintenance, these systems will adequately protect water quality. The U. S. Army, Fort Hunter Liggett operates wastewater treatment facilities on the military reservation located adjacent to San Antonio River. Existing treatment facilities consist of aerated treatment pond and spray disposal field. The recommended plan is to maintain the existing facilities with improvement of the spray disposal area.

San Luis Obispo Coastal Sub-Basin

Municipal wastewater management plans for the San Luis Obispo Coastal Sub-Basin are described for each of four hydrographic regions: North Coast, Morro Bay, San Luis Obispo Creek, and South County Regions.

North Coast Region

Dischargers in the North Coast Region include Cambria Community Services District (1.0 mgd) and San Simeon Acres Community Services District (.15 mgd).

Recent changes to the secondary treatment facilities at Cambria include expansion of design capacity to 1.0 mgd and construction of a land outfall and spray irrigation system for effluent disposal. The recommended plan for Cambria is to construct an effluent holding reservoir. Excess effluent that cannot be spray-irrigated will be pumped to the reservoir for later land disposal or discharged through an aggregate filter to Van Gordon Creek. Implementation of this plan is the responsibility of Cambria Community Services District.

San Simeon Acres Community Services District owns and operates a secondary treatment (activated sludge) plant with design capacity of 0.15 mgd. Wastewater generated at Hearst Castel and within the community is treated and discharged to the Pacific Ocean through a broken ocean outfall. The recommended plan is to retain the treatment plant and repair the outfall.

Morro Region

Dischargers in the Morro Region include the City of Morro Bay and Cayucos Sanitary District (1.7 mgd), California Men's Colony (2 mgd), and Los Osos-Baywood septic tank leachfield systems.

The City of Morro Bay and the Cayucos Sanitary District jointly own secondary treatment facilities with ocean outfall disposal. Wastewater flows at, or near, treatment plant capacity are being treated and discharged through a newly constructed ocean outfall. The recommended plan is to upgrade the existing wastewater collection and treatment systems. Due to a lack of grant funds, construction of much needed improvements is to occur in two phases. The first phase will include construction of treatment plant improvements to meet State Ocean Plan requirements. Facilities improvements include the addition of a secondary clarifier, solids handling equipment, chlorination/dechlorination facilities, and replacement of outdated mechanical and electrical equipment. In order to maximize plant capacity and meet Ocean Plan requirements, part of the effluent will receive primary treatment only and part will receive secondary treatment. Primary and secondary effluent will be blended before disposal to the Pacific Ocean. The second phase will involve upgrading and expansion for full secondary treatment when funds are available (unless the Environmental Protection Agency grants a secondary treatment waiver).

Recently renovated wastewater treatment facilities at California Men's Colony also serve the California National Guard Camp, Cuesta College, the County Educational Center and the County Operational Facility. Secondary treatment with filtration, nutrient removal, and subsequent disposal to Chorro Creek (stream flow augmentation) is provided. Effluent is also used to irrigate fodder crops on nearby lands owned by California State Polytechnic University. The recommended plan for CMC also calls for correction of sewer system infiltration/inflow problems. Studies are being conducted to determine the feasibility of reactivating the West Facility which could house an additional 900 inmates and 200 staff. If this reactivation occurs, treatment plant capacity will need to be expanded. This expansion is the responsibility of the Department of Corrections with cooperative efforts from the California National Guard Camp, Cuesta College, the County Educational Center, and the County Operational Facility.

Development on small lots in Los Osos-Baywood has resulted in one of the most densely populated areas without public sewers on the central coast. Septic tank effluent is discharged in predominantly sandy soil over a ground water basin which is the sole source of water for the area. Some wells have approached and exceeded the public health maximum nitrate concentration limit. The County of San Luis Obispo is conducting a Clean Water Grant funded study of this situation. Phase One will be an analysis of ground water degradation and its causes. If sufficient evidence of wastewater disposal problems exists, various treatment, disposal, and water resources management alternatives will be evaluated (Phase Two).

San Luis Obispo Creek Region

Dischargers in the San Luis Obispo Creek Region include the City of San Luis Obispo (5 mgd), Avila Beach County Water District (0.180 mgd), and San Luis Obispo County Service Area #18, Country Club Estates (0.09 mgd).

The City of San Luis Obispo wastewater treatment facilities will serve as a regional plant for the City and certain proximal unincorporated county areas. Trickling filters provide secondary treatment before disposal to San Luis Obispo Creek. Effluent is also reused on a nearby City-owned pasture. Infiltration and inflow in the wastewater collection system cause excessively high wet weather flows. The treatment plant is unable to handle peak flows. Consequently, waste flows greater than 9.0 mgd are discharged to San Luis Obispo Creek untreated or partially treated. The recommended plan for San Luis Obispo is to improve the treatment facility in order to provide better wastewater treatment and to prevent by-passing of untreated wastes to San Luis Obispo Creek. Design capacity will be increased to 5.23 mgd. Following completion of treatment plant improvements, and if funds become available, the City has proposed to reuse treated wastewater to maintain a constant water level in Laguna Lake and to irrigate a park and golf course. It is further recommended that the City implement a source control program for pretreatment of industrial wastes by July 1, 1983.

The small community of Avila Beach is served by a small primary wastewater treatment plant owned and operated by the Avila Beach County Water District. Design capacity of the plant is 0.18 mgd; current average flow is only 0.06 mgd. Wastewater disposal is through an ocean outfall to the Pacific Ocean. The District is required to meet State Ocean Plan requirements. Monitoring frequency for heavy metals should be increased to determine compliance with six-month median limits based on the Ocean Plan. Additional treatment and/or outfall modification will be necessary if monitoring indicates existing facilities are not sufficient to consistently meet Ocean Plan requirements. Oceanographic studies would be required to determine appropriate modifications (e.g., lengthen the outfall and add a multiport diffuser). Monitoring reports and oceanographic studies (if needed) are the responsibility of Avila Beach County Water District.

Country Club Estates (San Luis Obispo County Service Area #18) is a small subdivision in South San Luis Obispo County which relies on septic tank systems for wastewater treatment and disposal. A septic tank system performance survey was completed in January, 1981, which identified significant public health hazards from numerous failing septic tank systems in the subdivision. The County's facilities plan for CSA #18 is to construct a small secondary treatment plant (.09 mgd) with effluent disposal via golf course irrigation and evaporation-percolation ponds.

South County Region

Dischargers in the South County Region include the City of Pismo Beach (1.2 mgd), South San Luis Obispo County Sanitation District (2.5 mgd), and Lopez Recreation Area Wastewater Treatment Plant (0.10 mgd). These dischargers provide secondary treatment of wastewater through three separate activated sludge plants. The recommended plan for Pismo Beach is to expand the existing treatment plant and construct a land outfall to the South San Luis Obispo County Sanitation District ocean outfall. Future treatment plant enlargements should provide duplicate process units for improved operation and maintenance.

South San Luis Obispo County Sanitation District disposes of secondary effluent through a new ocean outfall to the Pacific Ocean. The recommended plan for South San Luis Obispo County Sanitation District is to enlarge the existing treatment facilities to 3.0 mgd, since daily flows are at or near design capacity. Addition of polymers or ferric chloride to the activated sludge may help improve process performance in the meantime. A reclamation feasibility study is underway and should be completed. Both Pismo Beach and South San Luis Obispo County Sanitation District could apply for secondary treatment waivers. "Phased" expansion projects similar to Morro Bay's strategy should be considered. That is, an initial phase of construction could provide Ocean Plan level treatment (e.g., blended primary and secondary effluent). A subsequent phase could provide additional process unit capacity to provide full secondary treatment, if required.

The recommended plan for Lopez Recreation Area consists of minor wastewater treatment plant upgrading to ensure reliable operation and to prevent sewage overflows from the collection system into Lopez Lake. Lopez Lake serves as a municipal water supply for downstream coastal communities. It is further recommended that land disposal of wastes and reclamation of water for spray irrigation be continued. Ground water quality monitoring should be used to provide warning of any potential ground water problems downstream of the disposal area. Implementation of this plan is the responsibility of the County of San Luis Obispo.

Soda Lake Sub-Basin

There are no municipal sewerage systems in the Soda Lake Sub-Basin; recommended practices for individual disposal systems will pertain to this area.

Santa Maria River Sub-Basin

The municipal wastewater management plans for the Santa Maria Valley and the Cuyama Valley Region are described separately as follows:

Santa Maria Valley Region

It is recommended that separate wastewater treatment and disposal/reclamation facilities be maintained by the City of Guadalupe (0.5 mgd), the City of Santa Maria (7.8 mgd), and the Laguna County Sanitation District (2.4 mgd). Discharge will be to land in each case. Also included in this sub-basin is the unsewered community of Nipomo.

The City of Guadalupe provides primary treatment with aeration. The existing plant is being replaced by an aerated lagoon system to improve wastewater treatment. An unincorporated neighborhood known as the Gularte tract is located adjacent to Guadalupe. A lift station and interceptor are recommended to transport Gularte's wastewater to the City's collection system. The recommended plan for Guadalupe is to complete treatment plant construction and to continue effluent discharge to land. Use of reclaimed water to irrigate nearby pasture lands is encouraged and should be maximized. Implementation of this plan is the responsibility of the City of Guadalupe. The County of Santa Barbara will be responsible for wastewater collection and transport systems for Gularte tract up to the point of discharge to interceptors owned and operated by Guadalupe.

The City of Santa Maria provides wastewater collection, treatment, and disposal services to the City of Santa Maria, Santa Maria Airport District, and part of Laguna County Sanitation District. Biological secondary treatment is provided with disposal to percolation ponds and irrigation lands. The recommended plan for Santa Maria is to retain the existing treatment and disposal facilities. Since the Santa Maria ground water basin is in a state of adverse dissolved solids balance, it is imperative that quantities of total dissolved solids, sodium, chloride, nitrogen, and nitrogen compounds be kept to a minimum by implementing a strict source control ordinance. Additional measures - importing better quality water, drilling new wells, partial desalting, etc. - may be required in the future to provide a suitable water supply for the area. Laguna County Sanitation District retains ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into interceptors owned and operated by the City of Santa Maria.

A secondary wastewater treatment plant owned and operated by Laguna County Sanitation District treats most of the wastewater generated within the District. The recommended plan for Laguna is to improve plant performance and increase capacity through a staged construction plan. Recommended improvements include increasing capacity and reliability of the Orcutt Lift Station, increasing sludge drying bed area, and expanding effluent pumping, storage, and conveyance facilities. Funding of future improvements and plant expansions would be through connection and user charges. Laguna County Sanitation District is responsible for implementation of the recommended plan.

Failing individual on-site sewage disposal systems in the community of Nipomo have been documented by the San Luis Obispo County Health Department. Failing septic systems are a threat to ground water quality and public health. A draft facilities plan to solve sewage disposal problems in the community suggested creation of an On-Site Maintenance District (OSMD) responsible for "approving the installation of new systems, as well as ensuring that faulty (failing) systems are repaired or replaced." Due to small lot sizes and poor soils in Nipomo Valley, this solution does not appear to be an acceptable water quality management practice for the entire area. Adequate treatment and disposal facilities are recommended. Implementation is the responsibility of the Nipomo Community Services District working in cooperation with concerned agencies. Financial hardship is evident in Nipomo and implementation will depend on the extent of sewerage and grant availability.

Cuyama Valley Region

Existing facilities at the New Cuyama Wastewater Treatment Plant provide primary treatment of wastewater, with some aeration. Effluent is chlorinated before discharge to Salisbury Creek. The recommended plan for New Cuyama is to study existing facilities, determine future needs of the community, and, since water is in short supply, explore wastewater reclamation alternatives. The Estado Corporation is legally responsible for wastewater facilities. The Cuyama Valley Community, Incorporated is the responsible part for water supply in New Cuyama. It is recommended that exploratory wells be drilled to find a higher quality water supply. If a lower salt content water is not available, the existing water supply should be partially demineralized.

San Antonio Creek Sub-Basin

There are no municipal wastewater treatment facilities in this sub-basin. Wastewater disposal in the community of Los Alamos is through individual on-site systems, which are discussed later in this chapter. Sewerage feasibility studies have been initiated in the community of Los Alamos to determine if a central collection, treatment, and disposal system is required to protect water quality and public health. Implementation of any recommendations from these studies is the responsibility of Los Alamos Community Services District.

Filter and water softener backwash water from the water supply facility operated by Vandenberg Air Force Base is disposed to ponds overlying poor quality ground water.

Santa Ynez River Sub-Basin

Municipal wastewater management plans for the Santa Ynez River Sub-Basin are described separately for Lompoc Valley and Upper Santa Ynez Region.

Lompoc Valley Region

Wastewater in the Lompoc Valley Region is treated at: (1) the Lompoc Regional Wastewater Treatment Plant (5.0 mgd), (2) La Purisma Canyon and Rucker Road Wastewater Treatment Facilities owned by Mission Hills Community Services District (0.2 mgd), and (3) small wastewater treatment facilities at Vandenberg Air Force Base. Wastewater is also reclaimed by treatment facilities located at the U. S. Penitentiary, Lompoc (0.3 mgd). Parts of Lompoc Valley ground water basin are in a state of adverse salt balance. It is imperative that impacts of waste discharges to land be reduced by implementing strict salt limitations and source control programs.

The City of Lompoc operates a secondary treatment facility and discharges treated effluent to Santa Ynez River. The City also provides service to sewered areas of Vandenberg Air Force Base, and Park Water Company (Vandenberg Village Subdivision). The recommended plan for Lompoc is to control mineral concentrations in the effluent by enforcing strict limits on discharges to the sewer system and to develop and implement a pretreatment program. Implementation of this plan is the responsibility of the City of Lompoc. Vandenberg Air Force Base and Park Water Company retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into the wastewater treatment plant and/or interceptors owned and operated by the City of Lompoc.

Existing facilities owned by Mission Hills Community Services District consist of wastewater treatment and disposal in oxidation-percolation ponds. Presently, sewage treatment ponds occupy two sites: the La Purisma Canyon Plant and Rucker Road Plant. Overflow from La Purisma Canyon Plant is diverted by pipeline to the lower Rucker Road Plant. The Facilities Plan for Lompoc (1972) recommended construction of an interceptor from the community of Mission Hills to Lompoc's collection system. In 1980, the Mission Hills Community Services District was formed, assuming ownership and responsibility for water supply and sewage disposal in Mission Hills. Facilities planning efforts by MHCS D

determined that the interceptor project was not cost-effective. MHCS is currently studying treatment and disposal/reclamation alternatives. Expansion and upgrading of the La Purisima Plant and elimination of the Rucker Road Plant is planned. Waste Discharge Requirements prohibit discharge of untreated wastewater to ground water. The District proposes to reclaim effluent by irrigation. The District has received funding for the project from Farmers Home Administration.

There are isolated areas of Vandenberg Air Force Base that are not served by the Base's collection system. Separate treatment and disposal systems exist to serve these areas. Due to the isolation of these systems, it is recommended that they be retained. However construction of evaporation/percolation ponds is needed in some cases. Efficient operation and maintenance of these systems is imperative to protect public health and water quality.

Existing facilities at the U. S. Penitentiary provide secondary treatment of wastewater. Treated wastewater is reclaimed for irrigation of forage crop land. The recommended plan for the penitentiary is to complete construction of treatment facilities to expand plant capacity to 0.6 mgd. The new facilities may be operated in parallel or series with the existing plant. All treatment ponds must be sealed to prevent percolation of wastewaters to underlying ground waters. The U. S. Department of Justice is responsible for implementation of this plan.

Upper Santa Ynez Region

It is recommended that enlarged, upgraded wastewater treatment and disposal facilities be maintained separately at Buellton Community Services District (.3 mgd), Solvang Municipal Improvement District (.8 mgd), and Cachuma County Sanitation District (.22 mgd). Secondary treatment prior to land disposal coupled with a strict source control program will be necessary to protect local ground waters in these three areas.

The recommended plan for Buellton Community Services District is to expand plant capacity to 0.65 mgd by constructing a two-stage extended aeration plant. Facilities planning by the District determined this alternative to be least costly, simplest to operate, and to involve less new construction than any other alternative considered. It is further recommended that studies be conducted to determine whether or not additional evaporation/percolation ponds will be required for effluent disposal. Buellton Community Services District will implement this plan.

Solvang Municipal Improvement District operates secondary wastewater treatment facilities with effluent disposal to evaporation-percolation ponds. Since the disposal ponds are located in a flood-prone area, it is imperative that sufficient disinfection capacity be available to disinfect effluent during wet weather. The recommended plan for SMID is to expand plant capacity to 1.2 mgd immediately for wasteflows within the District and to accommodate wasteflows from the nearby community of Santa Ynez, which has had a public health problem due to failing septic tank systems. Further expansion of capacity should then be considered for ongoing growth in areas adjacent to present District boundaries. Implementation of this plan is the responsibility

of both Solvang Municipal Improvement District and Santa Ynez Community Services District. Need for, and feasibility of providing, sewerage facilities for the Los Olivos-Ballard areas should be investigated by the County of Santa Barbara. It is recommended that treatment and disposal service for this area be contracted with Solvang Municipal Improvement District.

The recommended plan for Cachuma County Sanitation District is to continue to treat and dispose of wastewater in percolation ponds and spray fields outside the Cachuma Reservoir watershed. Since ground waters downgradient from the spray field are used for domestic water supply, sampling of the nearest down-gradient well is recommended to insure that water supply quality is not adversely affected by the discharge.

Santa Barbara Coastal Sub-Basin

Municipal wastewater treatment and disposal agencies in the Santa Barbara Coastal Sub-Basin are: Goleta Sanitary District (10.5 mgd), City of Santa Barbara (11.0 mgd), Montecito Sanitary District (1.0 mgd), Carpenteria Sanitary District (2.0 mgd), and Summerland Sanitary District (.15 mgd).

Goleta Sanitary District operates a wastewater collection system within the District and a treatment and ocean disposal system to provide service to Goleta Sanitary District, Isla Vista Sanitary District, University of California at Santa Barbara, Santa Barbara Municipal Airport, and a small part of Santa Barbara County owned property. EPA recently granted the District a waiver from secondary treatment requirements. As a condition of this waiver, EPA will require that the District reactivate its existing trickling filter and that the plant be operated at a maximum flow of 7.3 mgd. In order to meet EPA's conditions and Ocean Plan criteria, part of the effluent will receive primary treatment only and part will receive secondary treatment. Primary and secondary effluent will be blended before disposal to the Pacific Ocean. The District is also responsible for preparing and implementing a pretreatment program by July 1, 1983. Isla Vista Sanitary District, University of California at Santa Barbara, Santa Barbara Municipal Airport, and Santa Barbara County retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into interceptors owned and operated by Goleta Sanitary District.

The recommended plan for the City of Santa Barbara is to retain El Estero Wastewater Treatment Plant, with disposal to the Pacific Ocean, but to improve sludge treatment and disposal techniques. The City must prepare and implement a pretreatment program by July 1, 1983.

An unincorporated community in Mission Canyon above the City of Santa Barbara utilizes individual disposal systems on small lots. On-site system failures have been excessive due to poor soil conditions and steep terrain. Densely populated areas of Mission Canyon should be sewered and served by the City's El Estero plant. A county service area or special district should be formed to implement this plan.

The recommended plan for Montecito Sanitary District is to upgrade and expand the District's existing secondary treatment facilities to 1.5 mgd. Construction is to begin in mid-1982. Improvements to the plant will include addition of dechlorination facilities, standby power, and dual processes. Disposal to the Pacific Ocean will continue.

The recommended plan for Carpenteria Sanitary District is to retain existing secondary treatment facilities with disposal to the Pacific Ocean. In order to reduce effluent chlorine residual, dechlorination should be provided.

The recommended plan for Summerland Sanitary District is to expand and upgrade existing facilities to insure reliable plant operations. Recommended improvements are addition of dechlorination facilities, standby power, and dual processes.

Because the Santa Barbara sub-basin is a water-short area, wastewater reclamation and reuse programs have been investigated. Reclamation was determined to be non-cost-effective at this time for the City of Santa Barbara. The Department of Water Resources has determined that reclamation of Goleta Sanitary District wastewater by the Goleta Water District may be feasible as part of the state water project. As economics and water supplies fluctuate, feasibility studies should be reevaluated. Coordination with agricultural interests is encouraged as there are demands for irrigation water, particularly in the western part of the sub-basin. Strict salt source control programs would improve potential for wastewater reuse.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 82-04

Concerning Revisions and Amendment of Water
Quality Control Plan, Central Coast Basin
(Mushroom Farm Operations)

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (hereafter Basin Plan) on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure the reasonable protection of beneficial uses of water and the prevention of nuisance; and,
- WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,
- WHEREAS, drafts of proposed revisions and amendments have been prepared and provided to interested persons and agencies for review and comment; and,
- WHEREAS, proposed revisions and amendments apply to Chapter 5, Implementation Plan, of said Basin Plan, and specifically to non-point source controls by the Regional Board and other authorities; and,
- WHEREAS, Regional Board staff completed a study entitled "Special Investigation-Mushroom Farms (Mushroom Farms Study); and,
- WHEREAS, the Mushroom Farms Study identifies water quality problems resulting from improper management of mushroom farm waste discharges and recommends guidelines to mitigate water quality problems; and
- WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217) and the Regional Board finds adoption of this mushroom farm operations policy will not have a significant adverse effect on the environment; and,
- WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,

WHEREAS, on March 19, 1982, in the Municipal Center Board Room, 1644 Oak Street, Solvang, California and July 9, 1982, in the City Hall Council Chambers, 250 Main Street, Watsonville, California, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to said plan;

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

Page 5-48, following "Improved Salt Management Techniques" section add the following:

"MUSHROOM FARM OPERATIONS

Mushroom farm operations present surface or groundwater problems if not properly managed.

Typical Mushroom Farm Operation: Compost is needed as a growing base medium to produce mushrooms. Typically compost is produced onsite from straw, horse manure, cottonseed meal, or other organic matter. During composting, the organic material breaks down into a useable protein source for mushrooms. Water, added to assist the composting process, is constantly leaching through compost piles. Once compost is ready for use, it is placed in mushroom growing trays. After mushroom harvesting, steaming and fumigation sterilize the growing house and spent compost. Spent compost is then removed to "spent compost storage areas" and marketed as a soil additive or disposed of in some other manner.

Types of Wastes Discharged: Composting operations are typically carried out on concrete composting slabs. Compost is frequently sprayed with water. Excess water typically drains into a sump. Normally, excess water is recycled by pumping it back to spray the pile. In summer very little runoff or leachate is produced from composting. During the rainy season the sump collects more runoff from the compost slab than is recycled. Discharge to drainageways or containment sumps may result.

When mushroom beds are irrigated, excess water drains from concrete floors to drainageways or disposal sumps. This water contains peat moss, soluble substances from beds, salt from salt pans (used to "sanitize" the footwear of persons entering the cultivating room), and whatever is on the floor, such as pesticide residues and mushroom stems, at the time the floor is washed.

Steam is used for tray sterilization and to heat and sterilize growing houses. Prior to entering boilers, water is softened and treated with an organic or inorganic corrosion and scale inhibitors. Salt is used as a water softener regenerant. Discharge of water softener regenerant and boiler blowdown to drainageways or disposal sumps may occur.

Solid wastes consisting of pesticide bags, mushroom roots and stumps, cardboard boxes, spent compost, and general debris are generated by mushroom farms.

Some of the disinfectants, fungicides, and pesticides being sprayed on the floor, walls, and mushrooms are occasionally washed off during washdown of the facility. Generally, pesticides used in this business have a relatively short life.

Possible Water Quality Problems: Compost leachate and irrigation/washwater is high in biochemical oxygen demand (B.O.D.). BOD is generally considered high if the concentration exceeds 30 mg/l, but this can vary from situation to situation. If discharged to surface waters, these wastes may depress dissolved oxygen to a critical level, and provide a nutrient source for undesirable aquatic growth. Improper disposal may also cause impacts on ground water. Nitrates are a particular concern.

Discharges of water softener regenerant and boiler blowdown may degrade surface and ground waters if improperly disposed. These wastes are high in Total Dissolved Solids, Sodium, and Chloride concentrations. Boiler blowdown may also contain organic or inorganic corrosion and scale inhibitors which could present toxicity problems if improperly disposed.

Solid wastes can be a problem if improperly disposed.

Disinfectants, fungicides, and pesticides do not appear to present water quality problems based on inspections and limited sampling. These biocides can be a problem if handled improperly.

Surface water runoff entering mushroom farm operations can become contaminated if runoff contacts any of the sources described above.

Additional Concerns:

Wastes can create a nuisance. Public health can be jeopardized if vectors develop among solid wastes. Further, odors resulting from storage of wastes can become offensive and may obstruct the free use of neighboring property.

Recommendations:

1. Spent irrigation/washwater and compost leachate may be reused to spray compost piles.
2. Spent irrigation/washwater, compost leachate, and contaminated surface water runoff should be collected for treatment, storage, and disposal in lined ponds, unless shown by geohydrologic analysis that ground water will not be affected. If needed, aeration should be provided to stabilize organic substances and prevent odor problems. Dissolved oxygen of 1.0 mg/l or more is recommended for storage ponds.

3. Mushroom farm wastes, excluding water softener regenerant, may be used to irrigate farm crops during dry weather months. When salt is properly handled, the sodium and chloride content of these waters should be suitable for this purpose. The discharger must demonstrate to the Regional Board that irrigation water will not degrade beneficial water uses.
4. When irrigation is utilized, application rates and irrigation practices should be suitable to the crops irrigated.
5. Water softener regenerant and boiler blowdown should be disposed of separately from spent irrigation/washwater. Since its volume is small and concentration of pollutants is high, it is best to evaporate the liquid on a lined drying bed, or provide a documented test by a registered Engineer or laboratory that the soils permeability in the disposal area is 10^{-6} cm/sec or less. Two drying beds should be used for the purpose of holding salt/regenerant liquid and boiler blowdown waste. Discharges to beds are alternated to allow sufficient drying time.
6. Drying bed residue from any disposal pond should be disposed at a suitable solid waste disposal site.
7. As an alternative, water softener regenerant and boiler blowdown can be hauled in liquid form to a suitable disposal site, or discharged to the ocean through a suitable outfall.
8. Chemical alternatives for sanitizing footwear to replace salt pans should be investigated by farm operators.
9. If used, salt sanitation pans should be at least 4 inches deep and elevated to prevent contact between salt and water. Salt solution should remain in pans until disposed. Spent salt should be dumped into a sealed container and disposed at a suitable site.
10. Solid waste should be routinely collected and disposed at a suitable site.

Mushroom farm discharge prohibitions are on page 5-65."

Page 5-65, following inland waters prohibition No. 6, insert the following prohibitions:

"Mushroom farm operators shall comply with the following prohibitions by October 1, 1983:

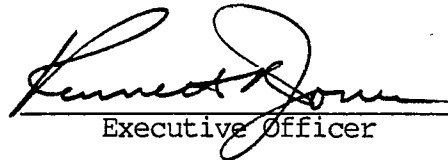
1. Discharge of inadequately treated waste, including leachate, high B.O.D., high nutrient waste, and contaminated surface water runoff to drainageways, surface waters, and ground waters is prohibited.
2. Discharge of untreated water softener regenerant and boiler blowdown waste in a manner that pollutes any non-saline surface or groundwater is prohibited.

3. Discharge and/or storage of waste including spent compost, in a manner promoting nuisance and vector development is prohibited.
4. Disposal of sludges, salt residues, pesticide residues, and solid waste in a manner not accepted by the Regional Board is prohibited.

Any mushroom farm operators unable to meet these prohibitions may be required to file a report of waste discharge."

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit said Water Quality Control Plan as revised and amended, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 9, 1982.


Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 79-12

Concerning Revisions and Amendment of the Water
Quality Control Plan, Central Coast Basin

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and,
- WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,
- WHEREAS, drafts of proposed revisions and amendments have been prepared and provided to interested persons and agencies for review and comment; and,
- WHEREAS, proposed revisions and amendments apply to Chapter 5, Implementation Plan, of said Basin Plan, and specifically to nonpoint source controls by other authorities; and,
- WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,
- WHEREAS, the State Water Resources Control Board has prepared negative declarations in accordance with the California Environmental Quality Act (Public Resources Code, Section 21108) and State Guidelines, and determined there will be no substantial adverse change in the environment as a result of the project; and,
- WHEREAS, a hearing was held by this Board on November 9, 1979, to receive testimony concerning the proposed revisions and amendment to said Plan;
- NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

Page 5-37, 2nd column, beginning with the eighth line:

"Construction debris should not be left in the flood plain; revegetation of cuts and fills should be encouraged. California Department of Transportation (CALTRANS) has prepared a document entitled 'Best Management Practices for Control of Water Pollution (Transportation activities)', that sets forth procedures used by CALTRANS to address transportation activities which might impact water quality.

These procedures are summarized under 'Control Actions' in the latter part of this chapter. Past and potential impacts from CALTRANS activities may result from the above problems and may include impacts resulting from questionable maintenance practices, chemical spills, and discharges of silt and cement. Land development projects in sensitive areas."

Page 5-44, top of second column, insert the following, prior to "Recommended Actions by Other Authorities":

"CALIFORNIA DEPARTMENT OF TRANSPORTATION

"Water Quality Studies

"In developing control measures for CALTRANS projects, three basic types of studies are conducted for water quality protection:

"1. Transportation System Planning - Emphasizes broad scale water quality problems. The focus is on regional factors such as variations in regional surface and groundwater hydrology, existing water quality, and land use. Such studies are not site-specific.

"2. Project Level Planning - Emphasis is on runoff associated problems (erosion and sedimentation). Detailed hydrologic and hydraulic analyses are made where warranted. Information is used in selecting project alternatives.

"3. Construction - This type is usually associated with waste discharge requirements (issued by Regional Board). The intent is to monitor and control the contractor's operations.

"Construction Control

"Standard specifications for water pollution control have been prepared by CALTRANS, are set forth in the CALTRANS' BMP document, and are incorporated as part of project design. Where warranted, special specifications are prepared by CALTRANS on a project-by-project basis. For every project, contractors must submit a plan for water pollution control to the CALTRANS resident engineer. During the course of any construction project, operations may be temporarily halted if inadequate provision has been made for water quality protection. Remedial work may be required.

"In addition to CALTRANS specifications, Federal and State permits (including waste discharge requirements) are made a part of project requirements.

"Operation and Maintenance

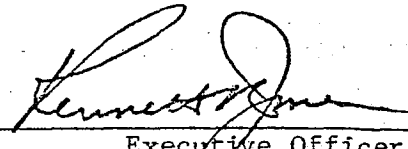
- "1. Accidental Chemical Spills - A procedural manual has been developed by each CALTRANS district to standardize cleanup procedures. CALTRANS maintenance personnel are equipped and trained to handle such situations.
- "2. Erosion Control - Where slopes show evidence of erosion, remedial stabilization measures must be taken. Debris is disposed of at approved disposal sites."

Page 5-44, revise next to last paragraph prior to "Recommended Actions by Other Authorities" as follows:

"Practices and procedures in the Forest Service's ~~and~~, BLM's, and CALTRANS' 208 reports constitute proper management for water quality protection and are considered BMP's. Further, these agencies have expressed a willingness and capability to implement practices and to revise practices which are currently inadequate. Management agency agreements have been prepared between the State Board and each of these agencies which designates BLM, ~~and~~ the Forest Service, and CALTRANS as management agencies responsible for implementing BMP's for water quality protection on lands under the control of each of these respective agencies. The management agency agreements (etc.) . . ."

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit said Water Quality Control Plan as revised and amended, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on November 9, 1979.


Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 79-09

Concerning Revisions and Amendment of the Water
Quality Control Plan, Central Coast Basin

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure the reasonable protection of beneficial uses of water and the prevention of nuisance; and,

WHEREAS, the Regional Board has determined that discharge of sediment from land disturbance activities within the Central Coast Region is, in some instances, altering the quality of the waters of the state to a degree which unreasonably affects such waters for beneficial uses or facilities which serve such uses, and is, in some instances, creating a nuisance; and,

WHEREAS, the Regional Board and other water quality planning agencies within the Region have undertaken studies pursuant to Section 208 of the Clean Water Act of 1977 to assess the erosion and sediment problems, determine needs, establish priorities, schedule corrective actions, describe regulatory programs, and identify implementing agencies as necessary to ensure reasonable protection; and,

WHEREAS, the Basin Plan presently contains various recommendations and prohibitions for control of sediment; and,

WHEREAS, the California Association of Resource Conservation Districts, under the Section 208 Program and under contract with the Regional Board and State Water Resources Control Board, completed a study entitled "Erosion and Sediment in California Central Coastal Watersheds", (Erosion Study); and,

WHEREAS, the Erosion Study identifies some water quality problems due to sediments, identifies contributory sources of erosion, finds existing control programs inadequate, and recommends certain remedial measures, including recommendations that the Regional Board:

1. adopt a clear policy on control of non-point sources of pollutants, particularly erosion,
2. take an active role in organizing and coordinating the efforts of agencies with the organization and expertise, or institutional influence, to effect control of non-point sources of pollution, including integration of land and water programs,

3. develop methods and criteria for problem assessment, and

4. undertake a public information program; and,

WHEREAS, to implement these recommendations, the Regional Board must revise and amend the Basin Plan, specifically, Chapter 5, Implementation Plan, relating to non-point source controls by the Regional Board and other authorities; and,

WHEREAS, drafts of proposed revisions and amendments have been prepared and provided to interested persons and agencies for review and comment and due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and,

WHEREAS, on September 14, 1979, in the City Hall Rotunda, 200 Lincoln Avenue, Salinas, California; on October 12, 1979, in the Board of Supervisors' Hearing Room, 105 East Anapamu Street, Santa Barbara, California; and on November 9, 1979, in the City Council Chambers, 990 Palm Street, San Luis Obispo, California, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to said Plan; and,

WHEREAS, the Regional Board has determined there is a need for an erosion and sediment control policy as embodied in this resolution; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalence), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds adoption of this erosion and sediment control policy will not have a significant adverse affect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

Page 5-29, last paragraph under Non-point Source Measures, revise to read:

(NOTE: This portion of the Basin Plan discusses the causes of various types of non-point source pollution problems and makes general recommendations on how such problems may be prevented. This merely updates the introduction.)

"Effluent limits and facility requirements are not readily applicable to most non-point wastewater sources. ~~Most controls are accomplished through upgraded practices or by prohibition of polluting activities.~~ Controls emphasize use of upgraded on-site practices; improved regulatory controls such as performance standards, policies, and inspection programs; and first-line implementation by local agencies. Topical discus-

sions of significant non-point source measures applicable to the Central Coastal Basin are provided for urban runoff management, agricultural wastewater management, individual waste disposal practices and construction and logging land disturbance activities."

Page 5-37, first column, under "Land Disturbance Activities", (as amended 6/8/79); amend to read:

(NOTE: This portion of the Basin Plan discusses various non-point source discharges by type, e.g., individual sewage disposal systems and urban runoff management; and makes various recommendations for regulation and/or siting constraints that would mitigate problem occurrence, e.g., recommended maximum 30% slope and one acre minimum parcel size for individual systems.)

"Construction, mining, and associated other soil disturbance activities which may disturb or expose soil or otherwise increase susceptibility of land areas to erosion are difficult to regulate effectively. Construction or logging may often begin and end with no obvious impairment of stream quality; however, erosion or land slides the following winter may be directly related to earlier land disturbance or tree cutting. Mining and quarrying activities are generally longer in duration. Land sensitivity to erosion can be assessed before land disturbances are permitted, environmental constraints could be identified for use in screening construction or logging permits and could be a basis for adding special conditions to waste discharge requirements where applicable.

Under contract with the Regional Board, the California Association of Resource Conservation Districts completed a study entitled, 'Erosion and Sediment in California Central Coast Watersheds - A Study of Best Management Practices' (Erosion Study), dated June, 1979. This Erosion Study, funded under Section 208 of the Clean Water Act, assesses impacts of erosion and sedimentation on water quality and beneficial uses in nondesignated planning areas (San Benito, San Luis Obispo, and Santa Barbara Counties) of the Central Coast Region. This Erosion Study and supporting documents have been used by the Regional Board in developing erosion and sedimentation control policy.

Non-point source pollution in the remainder of the Region is addressed by designated planning agencies through their respective Areawide Waste Treatment Management Plans. Designated agencies and the areas affected within this Region include: Association of Bay Area Governments (portions of San Mateo and Santa Clara Counties), Association of Monterey Bay Area Governments (Santa Cruz and Monterey Counties), and Ventura County Board of Supervisors (portion of Ventura County). The policy herein described is compatible with those plans and within the scope of Regional Board authority.

The Erosion Study and Areawide Waste Treatment Management Plans identify examples of accelerated erosion resulting from insufficient land management of soil cultivation, grazing, silvaculture, construction, and off-road vehicle activities, as well as wild-fires.

Adverse impacts of sediment are identified, in part, as: impairment of water supplies and groundwater recharge, siltation of streams and reservoirs, impairment of navigable waters, loss of fish and wildlife habitat, degradation of recreational waters, transport of pathogens and toxic substances, increased flooding, increased soil loss, and increased costs associated with maintenance and operation of water storage and transport facilities. Recommendations based on conclusions of the Erosion Study and practices recommended in Areawide Waste Treatment Management Plans are a means to reduce unnecessary soil loss due to erosion and to minimize adverse water quality impacts resulting from sediment. When a practice or combination of practices is found to be the most effective, practical (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by non-point sources to a level compatible with water quality goals, it is designated a Best Management Practice (BMP).

General recommendations based on conclusions of the Erosion Study are:

1. Soil conservation control measures should be used to minimize impacts that would otherwise result from soil erosion. Control measures are identified according to systems, which are then broken down into subsystems of erosion control techniques or component measures. For example, a system for control of erosion from construction sites would identify component measures such as debris basins, access roads, hillside ditches, etc. Other conservation control systems include: conservation cropping, conservation irrigation, roadside erosion control, critical area treatment, diversions and ditches, grade stabilization, pasture and range management, runoff and sediment control ponds and basins, streambank and channel protection, and watershed, wildlife, and recreation land improvement. These control measures are comparable to the USDA Soil Conservation Services' Resource Management Sub-system approach as referenced in AMBAG's 'Water Quality Management Plan for the Monterey Bay Region', dated July 1978, and in ABAG's 'Handbook of Best Management Practices', dated October 1977.

Experience has shown that no one control measure best solves an existing, or prevents a potential, pollution problem - - - especially in the area of soil erosion and sedimentation. As land use, the land user, and various situations change, so does the need for control measures. Before application, an on-site investigation with the land user is necessary to determine which practice or set of practices will be most effective and acceptable.

2. Erosion control should be implemented in a reasonable manner with as much implementation responsibility remaining with existing local entities and programs as is possible and consistent with water quality goals.
3. The Regional Board and local units of government should establish a clear policy for control of erosion, including consideration of off-site and cumulative impacts and the imposition of performance standards according to the sensitivity of the area where land is to be disturbed.
4. Effective ordinances and regulatory programs should be adopted by local units of government. Effective programs would allow only land disturbance activities consistent with the waste load capacity of the watershed, require preparation of erosion and sediment control plans with specific contents and with attention to both off-site/onsite impacts, identify performance standards, be at least comparable to the model ordinance in the 'Erosion and Sediment Control Handbook', dated May 1978, and have provisions for inspection follow-up, enforcement, and referral.
5. Watersheds with critical erosion and sediment problems should be identified by one or more concerned agencies such as the California Department of Fish and Game, the Regional Board, the local Environmental Health, Planning, or Engineering Departments, the local Flood Control District, or the local Resource Conservation District, and then referred to the remaining agencies by a designated local coordinating agency for determining the scope, nature, and significance of the identified problem. The designated local agency would evaluate the adequacy and appropriateness of the total assessment, including an assessment of the problem and causes, alternatives considered, recommended interim and permanent control measures, and the amount and sources of funding,. The evaluation would then be submitted as an Impact Findings Report for consideration and decision by the local governing body.
6. Comprehensive and continuous training should be mandatory for building and grading inspectors, engineers, and planners involved in approving, designing, or inspecting erosion control plans and on-site control measures. The training program would preferably be conducted on an inter-county/agency basis and be administered through a USDA Soil Conservation Service cooperative training arrangement or through seminars conducted by the USDA Soil Conservation Service and University of California Cooperative Extension seminars. The Soil Conservation Society of America should be requested to assist in establishing an effective training program, including public education to heighten awareness of the adverse affects of erosion and sediment on soil and water resources.

7. More intensive erosion controls should be considered within four watersheds (Lauro Reservoir and Devereaux Ranch Slough in Santa Barbara County and Pismo Lake and Morro Bay in San Luis Obispo County) with apparent critical erosion and sediment problems. Alternative practices that may be implemented to effect the necessary level of control are assigned a relative priority."

5-40, under Regional Water Quality Control Board, Goals, add:

"6. Reduce and prevent accelerated (man-caused) erosion to the level necessary to restore and protect beneficial uses of receiving waters now significantly impaired or threatened with impairment by sediment."

Page 5-41-1, under "Management Principles", add the following:

(NOTE: Management principles provide guidelines for the regulation of waste treatment and disposal. For example, other principles refer to zero discharge of pollutants by 1985 and to pretreatment.)

- ✓ "15. Property owners are considered ultimately responsible for all activities and practices that could result in adverse affects on water quality from waste discharges and surface runoff.
16. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary. impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the state.
17. General recommendations for erosion control, numbered one through six under 'Land Disturbance Activities', are considered by the Regional Board to be Best Management Practices (BMP's), as are those BMP's identified in approved areawide Water Quality Management Plans.
18. In implementing BMP's through local units of government, or through state and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the areawide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually to reflect recent achievements, new information and new concerns.
19. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.

20. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger are exempt from this chapter providing such exemption is in the public interest.
21. Regulation of sediment discharges from routine annual agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.
22. Regulation of discharges from state and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance."

Page 5-42-1, following individual sewage disposal system prohibitions, insert the following paragraph:

(NOTE: Basin Plan Prohibitions provide the Regional Board's "bottom line" performance standard. They are not subject to staff discretion unless explicitly stated otherwise. Prohibitions are directly enforceable through cease and desist orders. In this instance, all five prohibitions can be satisfied by planning for necessary erosion control with the appropriate agency before initiating a sediment-generating activity. Regional Board enforcement would be by exception and would likely occur only where water quality was threatened and a cooperative remedy was not forthcoming.)

"Significant soil disturbance activities not exempted pursuant to Regional Board 'Management Principles' are prohibited:

1. In geologically unstable areas,
2. On slopes in excess of thirty percent (excluding agricultural activities), and
3. On soils rated a severe erosion hazard by soil specialists (as recognized by the Executive Officer) where water quality may be adversely impacted;

unless,

1. In the case of agriculture, operations comply with a Farm Conservation or Farm Management Plan approved by a Resource Conservation District or the USDA Soil Conservation Service;
2. In the case of construction and land development, an erosion and sediment control plan or its equivalent (e.g., EIR, local ordinance) prescribes best management practices to minimize erosion during the activity, and the plan is certified

or approved, and will be enforced by a local unit of government through persons trained in erosion control techniques; or,

3. There is no threat to downstream beneficial uses of water, as certified by the Executive Officer of the Regional Board."

Page 5-44, first column, revise the title and add the following after "~~Recommended~~ Control Actions", item No. 27.":

(NOTE: This section sets forth performance criteria or the regulatory posture of the Regional Board regarding recommendations made earlier in the chapter. For example, this is where the plan specifies that new animal confinement facilities shall be protected from 100-year peak stream flows.

These control actions do not have the strength of prohibitions in that they are not directly enforceable. However, they may be enforced if there is a threat to water quality and they would be placed in waste discharge requirements if requirements were adopted.)

- "28. Erosion from non-point pollution sources shall be minimized through implementation of BMP's (identified under 'Management Principles', page 5-41-1, and described under 'Land Disturbance Activities', page 5-47).
29. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be installed prior to November 15 each year.
30. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.
31. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.
32. Design and maintenance of erosion and sediment control structures, e.g., debris and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practices.
33. Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion.
34. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded

slope length shall not be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.

35. Use of soil sterilants is discouraged and should be minimized."

Page 5-44, top of second column, under "Other Agencies' Programs" (added June 8, 1979), revise first paragraph as indicated below:

(NOTE: This section was added to describe the role of other key agencies as they pertain to water quality.)

"To insure that impacts on water quality from non-point sources of pollution are held to a minimum and that goals and management principles of the Regional Board are met, water quality management programs for implementation by land managing agencies have been developed through the areawide planning process. For non-point sources of pollution, this requires identification of Best Management Practices (BMP's). *BMP's are defined as a practice or a combination of practices that is found to be the most effective practicable (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals. BMP's are determined only after problem assessment, examination of alternative practices, and appropriate public participation in the BMP development process*".

and at the end of section, add:

"Resource Conservation Districts (RCD's) and the U. S. D. A. Soil Conservation Service are organizations that assist property owners in applying effective conservation and land management practices. The program includes technical, educational, and planning services to property owners and local governments who request assistance. It has been relatively successful considering its voluntary nature and resource limitations. The Soil Conservation Service has a major role in the Rural Clean Water Program.

The U. S. D. A. Agricultural Stabilization and Conservation Service administers the cost-sharing aspects of the Agricultural Conservation Program, allocating available monies to farmers and ranchers for erosion and sedimentation control and water conservation projects.

Cities and Counties, as general purpose governments, have broad powers to adopt specific and general plans; to regulate land use, subdividing, grading, and private construction; and to construct and operate public works facilities. Local authority to regulate existing and potential discharges of sediment has been exercised to varying degrees throughout the region.

Many Cities and Counties within the coastal zone are developing Local Coastal Programs. Programs may include land use and grading

restrictions designed to reduce erosion and sediment problems to a level necessary to protect long-term productivity of soils and waters within the coastal zone. Regulation by the California Coastal Commission and Regional Coastal Commissions provide this protection now. Local Coastal Programs should be certified by the California Coastal Commission by June 30, 1981.

The State Department of Fish and Game promotes the protection and improvement of streams, lakes, and natural habitat areas for fish and wildlife; regulates stream alteration; and compels cleanup of fouled streams."

Page 5-45, under "~~Recommended~~ Actions by Other Authorities", add:

(NOTE: This section has previously been limited to conceptual recommendations for other governmental entities that would benefit the water quality program. Because of their general nature, they are not enforceable. The following amendments relating to submittal of reports are more specific and are enforceable in that they comply with provisions of the California Water Code where the Regional Board may request reports.)

- "11. The federal government should increase its support of erosion and sediment control programs by increasing its technical staffs, increasing cost-share funds, increasing the availability of low-interest loans, and changing its income tax laws to encourage the use of best management practices for erosion and sediment control.
12. The State of California should establish an erosion and sediment control program that includes incentives for the individual - such as cost-sharing, changes in state law that would reduce property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.
13. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of best management practices to correct existing erosion and sediment problems and to prevent new problems from occurring.
14. Local units of government should improve land use plans to establish a clear policy, and shall adopt or improve ordinances to include definitive performance standards, for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices identified under Regional Board 'Management Principles'.
15. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with best management practices by January 31, 1981, for their land areas within the Coastal Zone.

16. Resource Conservation Districts, the U. S. D. A. Soil Conservation Service, the California Department of Transportation, and the Extension Service, in conjunction with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who review erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.
17. Counties and cities should work with the Regional Board to mutually identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation by January 31, 1981.
18. Review and assessment of erosion and sediment control plans for new land developments in those counties and cities that have signed management agency agreements with the Regional Board will be processed entirely by that county or city."

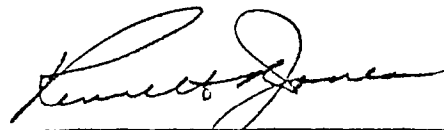
Renumber paragraphs 9. and 10. to 19. and 20., respectively (regarding offshore oil and salt control).

BE IT FURTHER RESOLVED THAT Counties and Cities within the nondesignated area shall submit a report to the Regional Board by July 1, 1980, comparing existing programs with BMP's, identifying costs and limitations and proposing a time schedule for meeting the terms of the Basin Plan.

BE IT FURTHER RESOLVED THAT governments having jurisdiction within Lauro Reservoir, Deveraux Ranch Slough, and Pismo Lake Watersheds evaluate the recommendations and procedures described in Chapter VI of the Erosion Study and report back to this Board by July 1, 1980, on whether these recommendations are, in whole or in part, Best Management Practices.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit said Water Quality Control Plan as revised and amended, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on November 9, 1979.



Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1122-A Laurel Lane
San Luis Obispo, California 93401

RESOLUTION NO. 79-08

CONCERNING REVISION AND AMENDMENT OF
WATER QUALITY CONTROL PLAN
CENTRAL COAST BASIN

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coast Basin (Basin Plan) on March 14, 1975; and,

WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste is prohibited; and,

WHEREAS, one such area is the Community of Moss Landing and surrounding area, which is governed by the Moss Landing County Sanitation District, and located in the County of Monterey about 12 miles northwest of the City of Salinas, as identified herein and on the attached vicinity map; and,

WHEREAS, surface drainage and subsurface drainage is tributary to Elkhorn Slough (an estuarine sanctuary) and Moss Landing Harbor, both navigable waterways of the United States with identified beneficial uses of industrial service supply, wildlife habitat, non-contact water recreation, and water contact recreation; and,

WHEREAS, in about 1968, the Monterey County Department of Environmental Health identified water pollution and a public health hazard in the Moss Landing area and imposed a building ban and posted the harbor and Elkhorn Slough as unsafe for harvesting shellfish and water contact recreation; and,

WHEREAS, the aforementioned condition and measures caused a 1976 survey by the Monterey County Department of Environmental Health, which documented a septic tank system failure rate that averaged 50 percent between 1970 and 1975; and,

WHEREAS, septic tank failures are defined as sewage overflows, system repairs, system replacement, and pumping more than once every three years; and,

WHEREAS, the Monterey County Department of Environmental Health attributes failure to small lots, shallow groundwater tables, land gradients, and/or poor soil percolation; and,

WHEREAS, continued installation and usage of individual leaching and percolation systems in the affected area will increase the threat to public health and will further unreasonably impair water quality; and,

WHEREAS, on July 9, 1976, and December 10, 1976, after due public notice and in accordance with Section 13244 of the California Water Code, the Regional Board conducted public hearings and considered all evidence concerning discharges from individual disposal systems within

and near the community of Moss Landing, and adopted Basin Plan amendments prohibiting discharges from new individual disposal systems forthwith, and prohibiting discharges from existing individual disposal systems effective July 1, 1979; and,

WHEREAS, Moss Landing County Sanitation District is receiving Clean Water Grant funding and following Clean Water Grant regulations to identify and complete the project necessary to comply with the prohibition; and,

WHEREAS, unforeseen and unavoidable delays in the project have caused violation of the July 1, 1979, deadline and Monterey County Department of Public Works, on behalf of Moss Landing County Sanitation District, has requested an extension of the prohibition date in a letter dated April 24, 1979; and,

WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code became effective in 1977 and defines criteria for such prohibition areas, including promulgation of standard language by the State Water Resources Control Board and the Regional Board finds that discharge of waste from new and existing individual sewage disposal systems will result in violation of water quality objectives, will impair beneficial uses of water, will cause pollution, nuisance, or contamination, or will unreasonably degrade the quality of waters of the state; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (CEQA functional equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds this action will not have a significant adverse affect on the environment; and,

WHEREAS, on September 14, 1979, in the City Council Rotunda, 200 Lincoln Street, Salinas, California, after due public notice, the Board received evidence and considered all factors concerning the above amendments.

NOW, THEREFORE, BE IT RESOLVED THAT *Chapter 5, Discharge Prohibitions section, be amended by adding the following:*

the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

Revise text on pages 5-42 and 5-42-1, "Discharge Prohibitions" to read (cross-outs are deletions and underlined portions are additions, except as otherwise noted)

"2. *3/* Discharges from additional individual disposal systems are prohibited after July 9, 1976, and discharges from existing individual disposal systems are prohibited effective *July 1, 1979, in the area described as follows:* November 1, 1981, in the Moss Landing County Sanitation District."

(NOTE: See Attachment B for reference and delete prohibition area description of Parcel A and Parcel B contained in paragraph 3. on pages 5-42 and 5-42-1)

"Exception to the above prohibitions may be granted whenever the board finds that the continued operation of individual disposal systems in a particular area will not, individually or collectively, directly or indirectly, adversely affect water quality."

"The Board may grant an exemption to the prohibition for; (1) new individual disposal systems after presentation of geologic and hydrologic evidence by the proposed discharger that such system(s) will not individually or collectively result in a pollution or nuisance, and (2) existing individual disposal systems if it finds that the continued operation of such system(s) in a particular area will not, individually or collectively, directly or indirectly, affect water quality adversely."; and,

BE IT FURTHER RESOLVED, compliance with the above prohibition shall be achieved according to the following time schedule:

<u>TASK</u>	<u>COMPLIANCE DATE</u>
1. Begin Construction	6-1-78 <u>11-1-80</u>
2. Complete Construction	7-1-79 <u>and, 11-1-81; and,</u>

BE IT FURTHER RESOLVED the ~~Community~~ of Moss Landing County Sanitation District, its agents or assigns, shall submit written proof to the Regional Board within 15 days after each specified date; and,

BE IT FURTHER RESOLVED, the Moss Landing County Sanitation District shall take all possible and necessary action to correct, minimize, and prevent any individual disposal system failure which occurs within its boundary of control until such time individual disposal systems are eliminated; and,

BE IT FURTHER RESOLVED, the Executive Officer of this Regional Board is hereby directed to submit this revision to the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code; and,

BE IT FURTHER RESOLVED, upon approval of the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the revised prohibition contained herein.

I, KENNETH R. JONES, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the California Regional Water Quality Control Board, Central Coast Region, on September 14, 1979.



Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1122-A Laurel Lane
San Luis Obispo, California 93401

RESOLUTION NO. 79-07

CONCERNING REVISION AND AMENDMENT OF
WATER QUALITY CONTROL PLAN
CENTRAL COAST BASIN

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted a Water Quality Control Plan, Central Coast Basin, (Basin Plan), on March 14, 1975; and,
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,
- WHEREAS, in April 1975, the Monterey County Department of Environmental Health surveyed 232 individual sewage disposal systems in the Community of Las Lomas-Hall and found 141, or 60 percent, unsatisfactory; and,
- WHEREAS, unsatisfactory systems exhibit sewage overflow to the ground surface, seepage from the absorption field to natural drainage courses, inadequate capacity, and irreparable damage; and,
- WHEREAS, this area of concern is bounded by Monterey County Service Area No. 66 (CSA #66), as established by local election on March 2, 1976; and,
- WHEREAS, CSA #66 is located in northern Monterey County about three miles southeast of the City of Watsonville, Santa Cruz County, in Sections 22 and 27 of T12S, R2E, MDB&M, as shown on the attached maps; and,
- WHEREAS, surface drainage and subsurface drainage is tributary to Elkhorn Slough, a navigable waterway and estuarine sanctuary with beneficial uses of industrial service supply, wildlife habitat, water contact recreation, and non-water contact recreation; and,
- WHEREAS, continued use of existing individual disposal systems in the affected area unreasonably threatens public health and beneficial uses; and,
- WHEREAS, on February 6, 1976, and May 13, 1976, after due public notice and in accordance with Section 13244 of the California Water Code, the Regional Board conducted public hearings and considered all evidence concerning discharges from individual disposal systems within and near boundaries of CSA #66, and adopted Basin Plan amendments prohibiting discharges from additional individual waste discharges after February 6, 1976, and discharges from all individual disposal systems in CSA #66 after July 1, 1979, as shown on Attachment "B"; and,
- WHEREAS, CSA #66 is receiving State Clean Water Grant funding and following Clean Water Grant regulations to identify and complete the project necessary to comply with the prohibition; and,

WHEREAS, unforeseen and unavoidable delays in the project have caused violation of the July 1, 1979, deadline and Monterey County Department of Public Works, on behalf of CSA #66, has requested an extension of the prohibition date in a letter dated May 14, 1979, and a reduction of prohibition boundaries so they coincide with those of CSA #66; and,

WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code became effective in 1977 and defines criteria for such prohibition areas, including promulgation of standard language by the State Water Resources Control Board and the Regional Board finds that discharge of waste from new and existing individual sewage disposal systems will result in violation of water quality objectives, will impair beneficial uses of water, will cause pollution, nuisance, or contamination, or will unreasonably degrade the quality of waters of the state; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (CEQA functional equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds this action will not have a significant adverse affect on the environment; and,

WHEREAS, on September 14, 1979, in the City Council Rotunda, 200 Lincoln Street, Salinas, California, after due public notice, the Regional Board received evidence and considered all factors concerning the above amendments.

NOW, THEREFORE, BE IT RESOLVED THAT the Water Quality Control Plan, Central Coast Basin, be revised and amended as follows:

Revise text on Page 5-42, "Discharge Prohibitions" to read (cross-outs are deletions and underlined portions are additions, except as otherwise noted)

"In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance:

- 1/ ~~The use of individual disposal systems is prohibited in Monterey County Service Area No. 66, Las Lomas-Hall, after July 1, 1979.~~
- 2/ ~~Additional waste discharges are prohibited after February 6, 1976, in that portion of Monterey County commonly known as Las Lomas-Hall, note particularly described as: 1/1~~

(Note: See Attachment "B" for reference, and delete Additional Individual Disposal System Prohibition Area description contained in Paragraph 2, page 5-42)

- "1. Discharges from additional individual disposal systems are prohibited after February 6, 1976, and discharges from existing individual disposal systems are prohibited effective April 1, 1981, in Monterey County Service Area No. 66, Las Lomas-Hall area."

(Note: shown on Attachment "C".)

"Exception to the above prohibitions may be granted whenever the Board finds that the continued operation of individual disposal systems in a particular area will not, individually or collectively, directly or indirectly, adversely affect water quality!"

"The Board may grant an exemption to the prohibition for (1) new individual disposal systems after presentation of geologic and hydrologic evidence by the proposed discharger that such system(s) will not individually or collectively result in a pollution or nuisance, and (2) existing individual disposal systems if it finds that the continued operation of such system(s) in a particular area will not, individually or collectively, directly or indirectly, affect water quality adversely."; and,

BE IT FURTHER RESOLVED, compliance with the above prohibition shall be achieved according to the following time schedule:

		<u>Compliance Date</u>
	<i>1/ Complete Project Report</i>	<i>4-1-77</i>
<u>1.</u>	<i>2/ Complete Plans & Specifications</i>	<i>10-1-77 9-1-79</i>
<u>2.</u>	<i>3/ Begin Construction</i>	<i>4-1-78 3-15-80</i>
<u>3.</u>	<i>4/ Complete Compliance with Prohibition</i>	<i>7-1-78; and 4-1-81; and,</i>


BE IT FURTHER RESOLVED, Monterey County Service Area No. 66, its agents or assigns, shall submit written proof of compliance to the Regional Board within 15 days after each specified date; and,

BE IT FURTHER RESOLVED, Monterey County Service Area No. 66 shall take all possible and necessary action to correct, minimize, and prevent any individual disposal system failure which occurs within its boundary of control, until such time individual disposal systems are eliminated; and,

BE IT FURTHER RESOLVED, the Executive Officer of this Regional Board is hereby directed to submit this revision to the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code; and,

BE IT FURTHER RESOLVED, upon approval of the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the revised prohibition contained herein.

I, Kenneth R. Jones, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the California Regional Water Quality Control Board, Central Coast Region, on September 14, 1979.



Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 79-06

Resolution Regarding Marina County Water District's
Petition to Delete the Southern Monterey Bay Discharge
Prohibition Zone from the Basin Plan

WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (hereafter Basin Plan) on March 25, 1975, pursuant to Section 13240, et. seq. of the California Water Code and,

WHEREAS, The Basin Plan was reviewed and approved by the California State Water Resources Control Board and the United States Environmental Protection Agency; and,

WHEREAS, The Basin Plan prohibits waste discharges to the southern extreme of Monterey Bay, inshore from an imaginary line extending from Point Pinos (36°-38.3' N., 121°-56.0' W.) to the mouth of the Salinas River (36°-44.9' N., 121°-48.3' W.), effective July 1, 1983, and

WHEREAS, the Marina County Water District discharges treated wastewater to the southern Monterey Bay prohibition zone, and

WHEREAS, in April, 1979, Marina County Water District challenged the southern Monterey Bay prohibition zone, as contained in the Basin Plan, and waste discharge requirements and enforcement orders based on this prohibition, and

WHEREAS, during a public hearing on June 18, 1979, the Regional Board received testimony and reconsidered factors which prompted prohibition zone establishment, including:

1. Weak ocean currents and sluggish circulation
2. High ammonia concentrations and nutrient build-up
3. Adverse affects on designated Areas of Biological Significance
4. History of beach contamination
5. Importance of water-contact recreation and marine habitat
6. Projected wastewater flow increases
7. Political, social, and economic concerns, and

NOW, THEREFORE, be it resolved, that the Regional Board finds the following:

1. The establishment of the southern Monterey Bay prohibition zone in the Basin Plan was appropriate, based on information available at that time.
2. Data available since Basin Plan adoption supports the southern Monterey Bay discharge prohibition.

3. Amendment of the Basin Plan with respect to the southern Monterey Bay discharge prohibition zone is unwarranted.

I, Kenneth R. Jones, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted by the California Regional Water Quality Control Board, Central Coast Region, on June 18, 1979.



Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 79-05

Concerning Revisions and Amendment of the Water
Quality Control Plan, Central Coast Basin

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and

WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and

WHEREAS, drafts of proposed revisions and amendments have been prepared and provided to interested persons and agencies for review and comment; and

WHEREAS, proposed revisions and amendments apply to Chapter 5, Implementation Plan, of said Basin Plan, and specifically to ocean discharge criteria, and nonpoint source controls by other authorities; and

WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and

WHEREAS, the State Water Resources Control Board has prepared negative declarations in accordance with the California Environmental Quality Act (Public Resources Code, Section 21108) and State Guidelines, and determined there will be no substantial adverse change in the environment as a result of the project; and,

WHEREAS, a hearing was held by this Board on June 8, 1979, to receive testimony concerning the proposed revisions and amendment to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

Page 5-4, revise to read:

"Ocean Disposal

"Process selection for ocean discharge is less clear than either the stream or estuary disposal cases. The present Federal guidelines for secondary treatment (level II) apply to ocean discharges; the State Ocean Plan establishes ~~different~~ effluent limits achievable by alternative processes, such as ~~physical chemical~~ primary treatment (level I). Effluent quality requirements in the State Ocean Plan stress control of coliform organisms, toxicants, solids and floatables. ~~solids and floatables~~ There is opposition to the direct order for secondary treatment in the

case of discharge through long deep outfalls to marine waters. Relevant treatment may well be other than secondary and more cost-effective alternatives may be apparent. A recent report to the President by the National Water Commission voices such concern. Such concern may lead to a change in the Federal Water Pollution Control Act. The 1977 amendments to the Federal Water Pollution Control Act allows for modification of secondary treatment standards on a case-by-case basis. The details of such modification have not yet been established by the Federal Government."

"Accordingly, where treatment plant upgrading is underway, secondary treatment is accepted; where treatment plant upgrading is not yet underway achievement of the secondary treatment (level II) requirement now mandated by federal guidelines should be achieved by means of staging levels of treatment. Primary treatment (level I) should be achieved as an interim measure; secondary treatment (level II) should be later achieved as this issue is clarified and more grant funds become available. Funding of treatment projects under federal-state grant projects can be expected to proceed with reference to State priorities wherein limited funds will be applied to the most needed projects. Upgrading of water quality control facilities discharging to the ocean should be directed clearly to established needs on a case-by-case basis. Higher priority is suggested for such improvements as ocean necessary to eliminate documented water quality and/or public health problems, including ocean outfall extensions; enhanced removal of coliform organisms, toxicants, solids, or floatables; odor and nuisance control; outfall extensions, odor control, enhanced removal of toxicity of floatables, and increase in plant capacity as appropriate. Those projects which provide for improvement in water quality and provide for wastewater reclamation in areas with documented water shortages shall also receive a high priority. Lower priority should be given for cases of plant upgrading from primary to secondary treatment for deep ocean discharge unless alternatives explored clearly indicate this is cost-effective or existing treatment for ocean disposal is believed to be satisfactory. It is probable that funds will be too limited for realization of the 1977 goal for secondary treatment known to be marginal. Funds have been too limited for realization of the 1977 goal for secondary treatment requirements. As a result, the 1977 amendments to the Federal Water Pollution Control Act allow for time extension on a case-by-case basis up to, but in no event later than, July 1, 1973."

Page 5-6, first column, before MUNICIPAL WASTEWATER MANAGEMENT insert:

"Population Projections

"Federal regulations require that water quality management plans identify population projections for purposes of determining municipal waste treatment facilities needs. For such purposes this plan endorses the projections based upon current state administrative regulations pertaining to use of population projections for construction of municipal treatment works."

Page 5-37, first column, amend section title to read:

"LAND DISTURBANCE CONSTRUCTION, MINING AND LOGGING ACTIVITIES"

Page 5-38, first column, add the following section before the "Control Actions" subtitle:

"Agency Activities

"The United States Forest Service has prepared a report entitled, 'Water Quality Management Plan for the National Forest Systems Lands Within the Nondesignated Planning Areas of California', dated April, 1979. The report assesses water quality problems, evaluates current practices, and sets forth procedures used by the Forest Service to address activities that might affect water quality. About 72 percent of Los Padres National Forest (which encompasses 1,964,408 gross acres) is within the Central Coast Region. Water and watershed protection were the chief reasons the forest was established. Approximately 1.5 million acre feet of water per year are used by people living adjacent to the forest for domestic and agricultural purposes. Less than five percent of the area is commercial forest land and most wood production is fuel wood sales."

"A qualitative assessment of water quality problems on National Forest lands within the Central Coast Region was conducted primarily from information gathered by Forest Service and Regional Board staff. Fire management and recreation are activities with the greatest influence on water quality. Other major activities with potential impact on water quality include road construction, road maintenance, and grazing. Fire management can cause degradation from sediments, nutrients, and bacteria, but the major cause might well be off-road vehicles and misuse of unimproved roads by all vehicles. Road construction has been a source of problems along the Cuyama River. No significant effects from overgrazing or silvicultural practices were noted."

"The United States Department of the Interior, Bureau of Land Management (BLM), has management responsibility for approximately 320,000 acres within the Central Coast Region. Management activities occurring on this land have potential for significantly affecting water quality (e.g., mining, grazing, recreation, road construction, off-road vehicles, etc.). The BLM prepared and submitted to the State a report entitled, 'BLM California 208 Report'. The report includes (a) a discussion of existing or potential water quality problems on BLM lands, (b) a discussion of current BLM practices and policies including a description of the BLM planning process, (c) a description of the 'decision-making process' which leads to the actual selection of management solutions on a project-specific basis, and (d) general policies."

"The problem assessment identifies nonpoint sources of water pollution originating on lands administered by the BLM. Problems were qualitatively assessed by BLM with information provided primarily by Regional Board staff. Most of the identified water quality problems on BLM lands within the Central Coast Region result from recreation. There is improper grazing management on the Temblor range in eastern San Luis Obispo County (BLM's Bakersfield District) that is causing sedimentation of retention structures for beneficial uses. In BLM's Folsom District, off-road vehicles, recreation roads, and natural erosion in the Clear Creek drainage are causing asbestos-laden sediment to impact downstream beneficial uses. In the same area, abandoned and active mines are causing similar impacts."

Page 5-38, first column, revise the first paragraph under "Control Actions" to read as follows:

"In order to ensure that the beneficial uses of water resources are preserved, the State Water Resources Control Board, ~~and~~ the Central Coast Regional Water Quality Control Board, and other agencies have adopted a number of policies and plans to serve as a foundation for water quality management and/or guidelines for facilities development . . ."

Page 5-39, revise to read:

"Ocean Plan

"The 'Water Quality Control Plan - Ocean Waters of California', adopted by ~~the State Water Resources Control Board~~ on July 6, 1972, and amended on January 19, 1978, by the State Water Resources Control Board, is designed to protect the ocean waters for use and enjoyment by the people through the control of waste discharges to the ocean. The plan sets forth water quality objectives for ocean waters. The objectives impose limits on bacteriological, physical, chemical, biological, toxic, and radioactive characteristics for ocean waters in numerical and descriptive terms. The plan describes requirements for management and design of systems discharging wastewaters to the ocean and effluent quality requirements for discharges. Systems must be designed and operated in a manner that will maintain the indigenous marine life and a healthy and diverse marine community. Effluent quality limitations and toxic material limitations are numerical. Discharge prohibitions are placed on hazardous substances, warfare agents and high level radioactive wastes, sludge and digester supernatant, and bypassed untreated waste discharges. Areas of Special Biological Significance are to be designated in which maintenance of natural quality conditions must be assured. Discharge requirements must include maximum allowable daily mass emission rates and maximum allowable monthly mass emission rates for each effluent quality constituent included therein specify effluent requirements in terms of mass emission rate limits."

Page 5-40, first column, revise to read:

- "1. The State Water Quality Control Plan ~~for~~ - Ocean Waters ~~should be~~ was revised and updated in ~~1973~~ 1978. following final publication of Water Quality Criteria for Water Quality and Information for the Restoration and Maintenance of Aquatic Integrity, and the Measurement and Classification of Water Pursuant to Section 304(A)1 of 21 Public Law 92-500
- "2. State policies for surface waters and for bays and estuaries should be further considered in light of information cited in 1/ above the revised Ocean Plan of 1978."
- "4. Erosion control policies to enforce improved practices and applicable prohibitions to land development, road construction, mining and logging activities should be formulated for statewide application; these policies should contain regionalized factors or be provided as guidelines for final formulation by the Regional Water Quality Control Boards!"
- "4. Erosion and sedimentation control policies should be established based on (a) pilot studies conducted by the U. S. Soil Conservation Service which recommended best management practices for erosion problems, (b) a state-wide study by

the California Association of Resource Conservation Districts on institutional solutions to sedimentation problems, and (c) findings of erosion studies conducted in the Central Coast Region as part of nondesignated area 208 planning."

Page 5-42-1, revise last paragraph as follows:

"The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for ~~from~~ logging, construction, and other soil disturbance activities of associated activity of whatever nature into any stream in the basin and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited."

Page 5-42-2, revise first paragraph as follows:

"The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from ~~any~~ logging, construction, and ~~associated activity of whatever nature~~ other soil disturbance activities at locations above the anticipated high water line of any stream in the basin where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited."

Page 5-42-2, delete prohibition number 3 under "Waters Subject to Tidal Action":

"3/ Tidal waters within 1000 feet of the coast and 100-foot depth contour, measured from mean low water. An exception to this prohibition may be allowed by the Board in prescribing waste discharge requirements after finding that all beneficial water uses will otherwise be protected."

Page 5-44, top of second column, insert the following, prior to "Recommended Actions by Other Authorities":

"Other Agencies Programs"

"To insure that impacts on water quality from non-point sources of pollution are held to a minimum and that goals and management principles of the Regional Board are met, water quality management programs for implementation by land managing agencies have been developed through the areawide planning process. For non-point sources of pollution, this requires identification of Best Management Practices (BMP's). BMP's are defined as a practice or a combination of practices that is found to be the most effective practicable (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by non-point sources to a level compatible with water quality goals. BMP's are determined only after problem assessment, examination of alternative practices, and appropriate public participation in the BMP development process."

"Within the Central Coast Region, federal and state agencies control substantial portions of land. All retain their own land management programs, but are required by regulation to cooperate and give support to state planning agencies in formulating and implementing water quality management plans. Federal Law also directs

federal agencies to comply with requirements formulated to meet the objectives of the federal act. Federal and State implementing agencies and appropriate best management practices are:

"BUREAU OF LAND MANAGEMENT"

"The 'BLM California 208 Report; which was presented to the Regional Board on June 8, 1979; primarily defines a method for developing and applying BMP's. However, it does identify specific BMP's for grazing and recreation."

"The process for determining management practices on a site-specific basis applies to all BLM activities and is divided into three major phases: (1) consideration of site characteristics and water quality concerns, (2) definition and application of BMP's through contract clauses, leases, stipulations, etc., and (3) evaluation of BMP effectiveness and practice modification, if necessary."

"UNITED STATES FOREST SERVICE"

"During preparation of the Forest Service's 'Water Quality Management Plan for National Forest Systems Lands Within the Nondesignated Planning Area of California', adopted April, 1979, Forest Service manuals, guidelines, regulations, etc., were reviewed for identification of those practices which are directly or indirectly for the purpose of protecting water quality. The report identifies and discusses ninety-eight such practices in eight activity categories (i.e., timber harvesting, road and building site construction, mining, recreation, vegetative manipulation, fire supervision and prescribed burning, watershed management, and grazing). Ninety-four of the practices are presented as BMP's, while four practices need improvement, and four practices need development. A course of action for improving inadequacies of current practices and for development of new practices is identified."

"The practices/procedures contained in the Forest Service 208 plan are at a level of detail appropriate for all Forest Service operations statewide. These practices must be flexible to account for varying geographic conditions. The plan also includes a description of the 'decision-making' process which leads to the actual selections of management solutions on a project-specific basis. There are several steps in this process at which Regional Boards can be involved and there is a public involvement program to identify and respond to concerns of interested public. The most critical point of involvement is Step 1, identification of issues, concerns, and opportunities. Once this step is completed, the need for and time of future involvement in subsequent steps can be identified."

"Practices and procedures in the Forest Service's and BLM's 208 reports constitute proper management for water quality protection and are considered BMP's. Further, these agencies have expressed a willingness and capability to implement practices and to revise practices which are currently inadequate. Management agency agreements have been prepared between the State Board and each of these agencies which designates BLM and the Forest Service as management agencies responsible for implementing BMP's for water quality protection on lands under the control of each of these respective agencies. The management agency agreement further provides for State/Regional Board working relationships with each agency and establishes

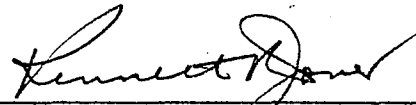
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a mechanism by which the State and Regional Boards will, on a continuing basis and in conjunction with each of these agencies, identify and address water quality management issues of concern to all parties."

"The Management agency agreements, as approved by the State Water Resources Control Board and each of the agencies, are a part of this Water Quality Control Plan by reference. Management agency agreements will be reviewed and updated annually to reflect recent achievements, new information, and new concerns."

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit said Water Quality Control Plan as revised and amended, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on June 8, 1979.



Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 78-02

Revision and Amendment of Water Quality Control Plan by the Addition of a Prohibition of Waste Discharge from Individual Sewage Disposal Systems Within the Nipomo Area, San Luis Obispo County.

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (hereafter Regional Board) adopted the Water Quality Control Plan for the Central Coast Basin (hereafter Basin Plan) on March 14, 1975; and,
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,
- WHEREAS, the Regional Board may amend said Basin Plan to prohibit certain waste discharges in a documented problem area; and,
- WHEREAS, Nipomo is an unincorporated community of about 5,250 persons located in southern San Luis Obispo County in Section 21, T12N, R34W, SBB&M, as shown on Attachment "A"; and,
- WHEREAS, the Basin Plan recommends that failing individual disposal systems be phased out where public health and water quality is threatened and that new Individual Sewage Disposal Systems be sited on a minimum lot size of one (1) acre; and,
- WHEREAS, local groundwaters are beneficially used for domestic and agricultural water supply and groundwater levels are approximately 50 feet below ground surface in the northeast to approximately 250 feet below ground surface in the southwest; and,
- WHEREAS, soils in the northeastern part of Nipomo have a high clay content and low percolation rate, while soils in the southwestern part consist of sand with high percolation rates; and,
- WHEREAS, lot sizes in the northeastern part of Nipomo are too small to accommodate individual sewage disposal systems, while some dwellings in the southwestern part of Nipomo are connected to community septic tank/leach field systems that are too small for long term use; and,
- WHEREAS, in March, 1975, the San Luis Obispo County Health Department conducted a survey of 271 on-site individual sewage disposal systems in the Nipomo area. The survey found evidence of sewage system failures in 149 (55%) of the sewage disposal

systems, including 107 (40%) instances of addition and/or repairs to the original systems; 79 (29%) instances of sluggish or inoperative plumbing; 69 (38%) instances of leach line failures; and 68 (37%) instances of excessive pumping (defined as more than once in three years); and,

WHEREAS, the San Luis Obispo County Health Department has found several water supply wells in the Nipomo area that are located near septic tank leach fields and which exhibit levels of coliform and fecal coliform bacteria, nitrates, chlorides, and/or total dissolved solids that violate Basin Plan water quality objectives and threaten beneficial uses described above; including one instance of a typhoid epidemic; and,

WHEREAS, the Nipomo Community Services District is a public entity formed for the purpose of supplying acceptable quality water supply and wastewater disposal service to the community of Nipomo; and

WHEREAS, on March 17, 1978, after due notice, the Regional Board conducted a public hearing at which evidence was received pursuant to Section 13281 of the California Water Code concerning the impact of discharges from Individual Sewage Disposal System's on water quality and public health; and,

WHEREAS, the Nipomo Community Services District prepared a final environmental impact report in accordance with the California Environmental Quality Act that discusses construction and use of a community wastewater collection, treatment, and disposal system and identifies adverse environmental impacts from continued use of septic tanks in the Nipomo area that will be mitigated if the terms of this resolution are met; and,

WHEREAS, pursuant to Section 13280 of the California Water Code, the Regional Board finds that discharges of wastes from new and existing individual disposal systems and community collection and disposal systems which utilize subsurface disposal in the affected area will result in violation of water quality objectives; will impair beneficial uses of water; will cause pollution, nuisance, or contamination; or will unreasonably degrade the quality of waters of the state;

NOW, THEREFORE, BE IT RESOLVED, that Chapter 5, Discharge Prohibitions Section of the Basin Plan, be amended by adding the following:

"In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health and prevent nuisance, discharge of waste from additional individual sewage disposal systems is prohibited forthwith and the discharge of waste from existing individual sewage disposal systems is prohibited after July 1, 1982, in portions of the community of Nipomo, San Luis Obispo County, shown on the Attachment "A" and more particularly described as:

BEGINNING at the point of the southernmost property corner of
Basin Plan History p.1925

Assessor's Parcel Number (APN) 92-331-8 near the intersection of Southland Street and Orchard Road; thence north-easterly along the northerly boundary line at Southland Street to intersect the easterly boundary line of U. S. Highway 101; thence northwesterly along said line to the westernmost property corner of APN 92-301-12; thence along a bearing approximately $N 48^{\circ} 15'$ to intersect the easterly boundary line of Oakglen Avenue; thence northwesterly along said line to the southerly boundary line of Division Street; thence along an extension of said line to the easterly boundary line of Thompson Avenue; thence northwesterly along said line to the south property corner of APN 90-081-10; thence northeasterly along southeastern boundary of said parcel to the east property corner; thence northwesterly along an extension of the westerly boundary line of Cedar Street to the northerly boundary line of Tefft Street; thence northeasterly along said line to the easternmost property corner of APN 90-371-58; thence northwesterly along an extension of the boundary of said parcel to the southerly boundary line of Chestnut Street; thence southwesterly along said line to the westerly boundary line of Thompson Avenue; thence northwesterly along said line to the easternmost property corner of APN 90-151-13; thence along a bearing approximately $S 48^{\circ} W$ to intersect the easterly boundary line of Willow Road; thence southeasterly along said line to the southerly boundary line of Juniper Street; thence northeasterly along said line to the westernmost property corner of APN 92-131-06; thence along a bearing $S 34^{\circ} 30'E$ to the southerly boundary line of Tefft Street; thence southwesterly along said line to the west corner of APN 92-132-34; thence along a bearing of $S 34^{\circ} 30'E$ to the southerly boundary line of Hill Street; thence northeasterly along said line to the west corner of APN 92-133-26; thence along a bearing of $S 34^{\circ} 30'E$ to intersect the northerly boundary line of Division Street; thence southwesterly along said line to the easternmost property corner of APN 92-172-02; thence along a bearing approximately $N 67^{\circ} 28'W$ to the northernmost property corner of APN 92-454-20; thence along a bearing approximately $S 22^{\circ} 26'W$ to the westernmost property corner of APN 91-111-25; along a bearing approximately $S 67^{\circ} 28'E$ to intersect the easterly boundary line of Division Street; thence northeasterly along said line to the westernmost property corner of APN 92-181-13; thence along a bearing approximately $S 64^{\circ} 33'E$ to the southernmost property corner of APN 92-181-13; thence along a bearing approximately $N 37^{\circ} 30'E$ to the easterly boundary line of Orchard Road; thence southeasterly along said line to the true POINT OF BEGINNING."

BE IT FURTHER RESOLVED THAT Chapter 5, Discharge Prohibitions Section of the Basin Plan, be amended by adding the following:

"In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and

prevent nuisance, discharge of waste from additional individual sewage disposal systems proposed on parcels of less than one (1) acre is prohibited in a portion of the community of Nipomo, San Luis Obispo County, as shown on Attachment "B" and more particularly described as:

"BEGINNING at the point of the southernmost property corner of Assessor's Parcel Number (APN) 92-331-8 near the intersection of Southland Street and Orchard Road; thence northeasterly along said line to the northeasterly boundary line of Oak Glen Avenue; thence northwesterly along said line to the southerly boundary line of Division Street; thence along an extension of said line to the easterly boundary line of Thompson Avenue; thence northwesterly along said line to the south property corner of APN 90-081-10; thence northeasterly along southeastern boundary of said parcel to the east property corner; thence northwesterly along an extension of the westerly boundary line of Cedar Street to the northerly boundary line of Tefft Street; thence northeasterly along said line to the easternmost property corner of APN 90-371-58; thence northwesterly along an extension of the boundary of said parcel to the southerly boundary line of Chestnut Street; thence southwestwardly along said line to the westerly boundary line of Thompson Avenue, thence northwesterly along said line to the northernmost property corner of APN 90-155-13; thence along a bearing approximately S 48° W to the westerly boundary line of Willow Road; thence southeasterly long said line to the northernmost corner of APN 92-121-2; thence along a bearing approximately S 22° 30' W to the southerly boundary line of Las Flores Road; thence southeasterly along said line to the northernmost property corner of APN 92-443-2; thence along a bearing approximately S 22° 30' W to the westernmost property corner of APN 92-441-1; thence southeasterly along the southerly property boundary line of APN's 92-441-1 through 92-441-10; thence along an imaginary line to the westernmost property corner of APN 92-181-1; thence southeasterly along the southerly property boundary line of APN's 92-181-1 and 92-181-18 to the southernmost corner of APN 92-181-18; thence along a bearing approximately N 37° 30' E to the northerly boundary line of Orchard Road; thence northwesterly along said line to the true POINT OF BEGINNING."

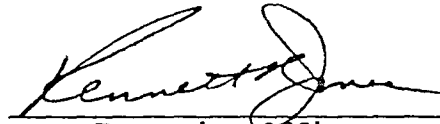
BE IT FURTHER RESOLVED THAT, the Regional Board may grant an exemption to these prohibitions for (1) new individual sewage disposal systems that will not individually or collectively result in a pollution or nuisance, and (2) existing individual sewage disposal systems in a particular area that will not, individually or collectively, directly or indirectly, adversely affect water quality.

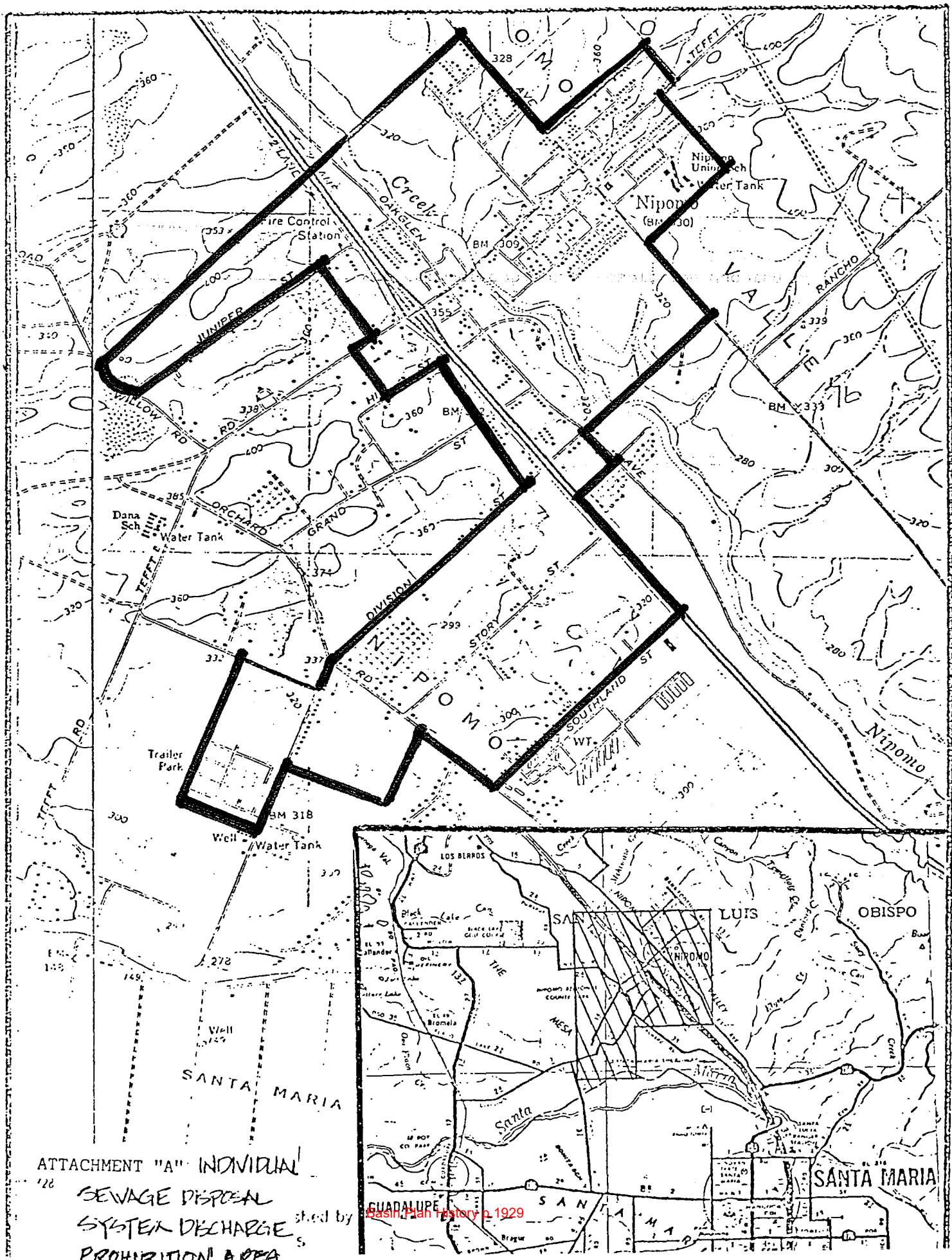
BE IT FURTHER RESOLVED THAT, the Regional Board may grant a conditional exemption to these prohibitions where an authorized public agency provides satisfactory assurance to the Regional Board that individual disposal systems in a particular area will be

appropriately designed, located, sized, spaced, constructed, and maintained to protect water quality; protect beneficial uses; and prevent nuisance, pollution, and contamination.

BE IT FURTHER RESOLVED THAT, the Executive Officer of the Regional Board is hereby directed to submit this revision of the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

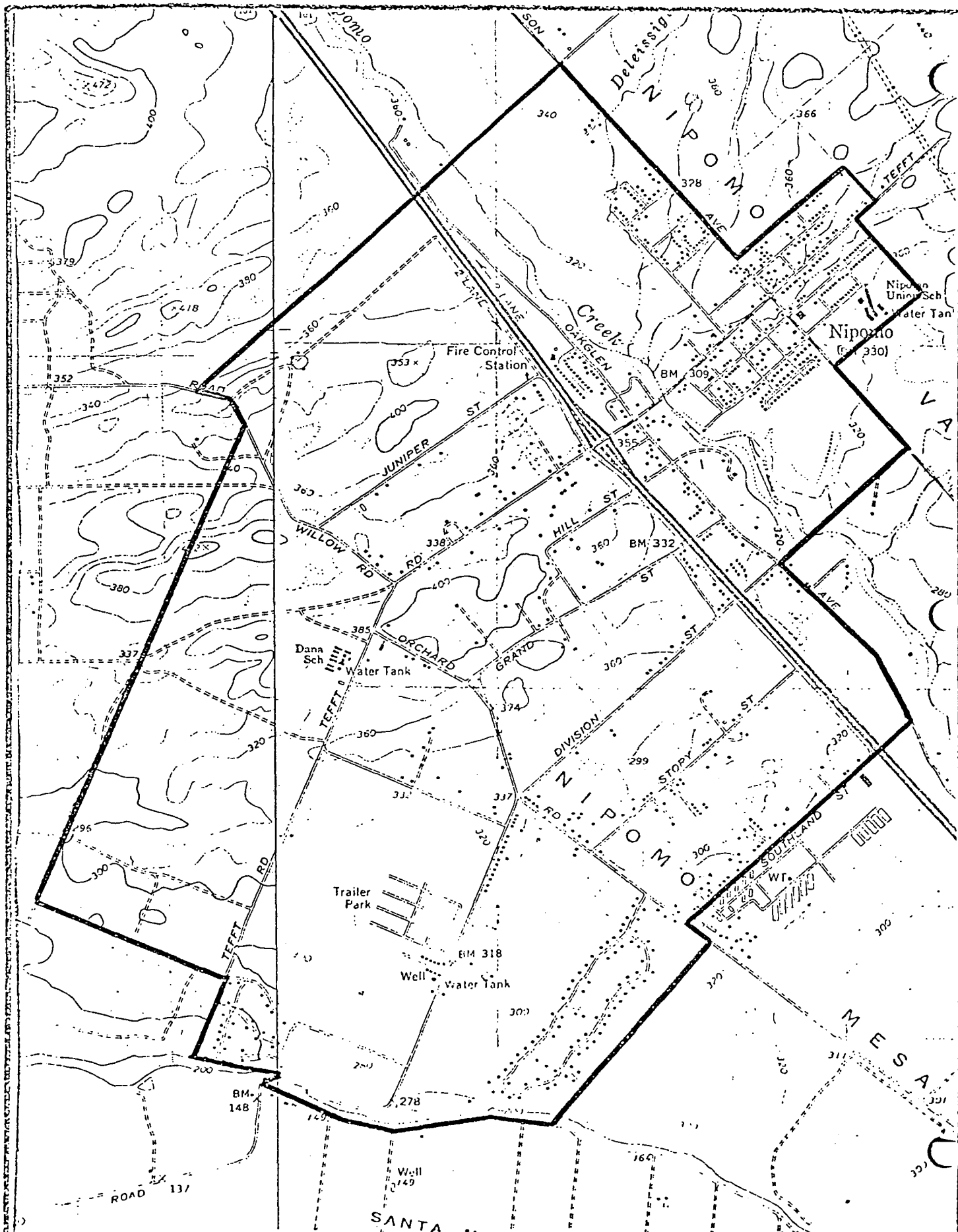
I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on March 17, 1978.


Executive Officer



ATTACHMENT "A" INDIVIDUAL
 SEWAGE DISPOSAL
 SYSTEM DISCHARGE
 PROHIBITION AREA

San Luis Obispo County, California
 Basin Plan History p. 1929



Basin Plan History p. 1930

ATTACHMENT "B" - AREA OF ONE ACRE MINIMUM FOR ON-SITE SEWAGE DISPOSAL SYSTEMS

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

Resolution No. 77-04

Concerning Revisions and Amendment of the Water
Quality Control Plan, Central Coastal Basin

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin (Basin Plan), on March 14, 1975; and

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and

WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and

WHEREAS, drafts of proposed revisions and amendments have been prepared and submitted to interested persons and agencies for review and comment; and

WHEREAS, proposed revisions and amendments apply to Chapter 4, Water Quality Objectives, and Chapter 5, Implementation Plan, of said Basin Plan, and specifically to inland surface water quality objectives for biostimulants and prohibitions effecting inland surface and tidal waters; and

WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and

WHEREAS, a hearing was held by this Board on June 10, 1977, to receive testimony concerning the proposed revisions and amendment to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be revised and amended as follows:

"FOREWORD", beginning with the last paragraph of the first page, revise to read:

"Although the intent of this comprehensive planning effort has been to provide positive and firm direction for water quality control for many years into the future, it is recognized that adequate provision must be made for changing conditions and technology. Thus, a major premise in the development of the basin plans has been that these plans will be maintained current. Revisions will be made at least annually. Unlike traditional plans which often become obsolete within a few years after their preparation, the comprehensive water quality control plans will be updated as deemed necessary to maintain pace with technology, policies, and physical changes in the basin. In addition, an up-to-date inventory of dischargers and information pertaining to treatment and disposal methods, waste

discharge requirements, effluent quality, and compliance schedules are available upon request by writing:

California Regional Water Quality Control Board
Central Coast Region
1122-A Laurel Lane
San Luis Obispo, California 93401"

Page 4-6, under "Objectives for Inland Surface Waters, Enclosed Bays and Estuaries", delete Table 4-3 and change the following to read:

"Biostimulatory Substances

Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses. ~~Numerical objectives for nutrients are specified in Table 4-3.~~

Page 5-39, under CONTROL ACTIONS, update to read:

"Thermal Plan

The State Water Resources Control Board adopted on May 18, 1972, a 'Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries in California', referred to as the 'Thermal Plan'. The plan, amended on September 18, 1975, specifies limiting conditions of temperature in wastewaters discharged into interstate and coastal waters, estuaries and enclosed bays... The plan requires the earliest possible compliance, but not later than ~~January 1, 1976~~ July 1, 1977."

Page 5-42, "Discharge Prohibitions, Inland Waters" revise as follows and move to Page 5-41, "Discharge Prohibitions, All Waters":

✓ "The Discharge of wastes which do not comply with the following conditions are toxic or hazardous pollutants to community waste treatment systems is prohibited in concentrations that:

1. Wastes discharged to surface waters shall be essentially free of toxic substances, grease, oil, and phenolic compounds, Exceed applicable federal pre-treatment standards,
2. Wastes discharged to groundwaters shall be free of toxic substances in excess of accepted drinking water standards, taste, odor, or color producing substances and nitrogenous compounds in quantities which could result in a ground water nitrate concentration above 43 mg/L, Endanger safe and continuous operation of wastewater treatment facilities,
3. Waste discharges shall not contain materials in concentrations which are hazardous to human, plant, animal, or

aquatic life, endanger public health and safety, and

4. Cause violation of applicable water quality objectives.

"The Discharge of elevated temperature wastes in excess of the liquids specified in Chapter 4, Water Quality Objectives, into COLD intrastate waters is prohibited where it may cause the natural temperature of the receiving water to exceed limits specified in Chapter 4, Water Quality Objectives.

* * * * *

"The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from any logging, construction or associated similar activity of whatever nature at locations above the anticipated high waterline of any stream in the basin where they it may be washed discharged into said state waters by rainfall or runoff in quantities deleterious to fish, wildlife and other beneficial uses from less than a 25-year, 24-hour rainfall event is prohibited."

"Waters Subject to Tidal Action. Waste dischargers to the following areas are prohibited:

- "1. Effective July 1, 1977 1979, in the northern extreme of Monterey Bay, northern and southern extremes within the following areas, inshore from an imaginary line extending from Santa Cruz Point (36°-57.0'N, 122°-01.5'W) to the mouth of the Pajaro River (36°-51.0'N, 121°-48.6'W) and inshore from a line extending from Point Pinos to the mouth of the Salinas River, and the offshore area within a three-mile radius of Point Pinos, in ocean waters within a three (3) mile radius of Point Pinos (36°-38.3'N, 121°-56.0'W), excepting the area described in No. 2 below.
- "2. Carmel Bay, within 1000 feet from the Point Lobos Preserve of the State Department of Parks. Effective July 1, 1983, in the southern extreme of Monterey Bay, inshore from an imaginary line extending from Point Pinos (36°-38.3'N, 121°-56.0'W) to the mouth of the Salinas River (36°-44.9'N, 121°-48.3'W)."

"The Discharge of wastes into Areas of Special Biological Significance or close enough to such areas to such areas to is prohibited where it will alter their natural water quality conditions is prohibited in Areas of Special Biological Significance. Areas of Special Biological Significance are:

- "1. Ano Nuevo Point and Island, San Mateo County, including ocean waters within three nautical miles offshore and defined by extensions of Cascade Creek on the north and the Santa Cruz-San Mateo County line on the south.

- "2. Pacific Grove Marine Gardens Fish Refuge and Hopkins Marine Life Refuge, Monterey County, including Monterey Bay waters bounded by Point Alones on the east, by Point Pinos on the west, and extending offshore to the 60-foot depth contour (about 0.7 miles).
- "3. Carmel Bay, Monterey County, including all bay waters enclosed by an imaginary line extending between Pescadero Point and Granite Point.
- "4. Point Lobos Ecological Reserve, Monterey County, including ocean waters within one-quarter (0.25) mile offshore from Granite Point southerly to the southernmost boundary of Point Lobos Reserve State Park.
- "5. Julia Pfeiffer Burns Underwater Park, Monterey County, including ocean waters within an area extending about one (1.0) mile offshore and about two and one-half (2.5) miles south of Partington Point.
- "6. Salmon Creek, Monterey County, including ocean waters within one-thousand (1000) feet or more offshore, bounded on the south by an extension of the Monterey-San Luis Obispo County line, and extending northward about three (3) miles.
- "7. San Miguel, Santa Rosa, and Santa Cruz Islands, Santa Barbara County, including ocean waters within about one (1) nautical mile offshore."

* * * * *

"No person, whether engaged in commerce or otherwise, shall place, throw, deposit or discharge, or cause to be placed, thrown, deposited or discharged on or in tidal waters any untreated waste or waste matter, except vessel wash-down water, from any vessel. Excepting vessel wash-down waters, disposal or waste matter or untreated waste from vessel to tidal water is prohibited."

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit said Water Quality Control Plan as revised and amended, to the State Water Resources Control Board for approval pursuant to Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on June 10, 1977.



Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

Resolution No. 77-01

Concerning Amendment of the
Water Quality Control Plan, Central Coastal Basin

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin (Basin Plan), on March 14, 1975; and

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, may amend the Basin Plan; and

WHEREAS, drafts of a proposed amendment have been prepared and submitted to interested persons and agencies for review and comment; and

WHEREAS, the proposed amendment applies to Chapter 4, Water Quality Objectives, of said Basin Plan and specifically to inland surface water quality objectives for biostimulants and bacteria; and

WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and

WHEREAS, a hearing was held by the Regional Board on January 14, 1977, to receive testimony concerning proposed amendment to said Basin Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Basin Plan be amended as follows:

- "1. Add to the water quality objective for biostimulants, page 4-6, the following paragraph:

'Numerical objectives in Table 4-3 may be waived in waste discharge requirements and National Pollutant Discharge Elimination Permits on a case-by-case basis where environmental and engineering factors show that less restrictive limits will not unreasonably impair beneficial uses.'

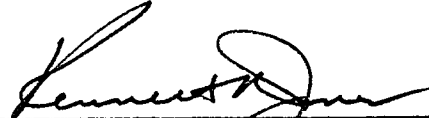
- "2. Change Paragraph 2 of the water quality objective for bacteria, page 4-8, to read:

'In waters designated for noncontact recreation (REC-2) and not designated for contact recreation (REC-1), the fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 2000/100 ml, nor shall more than ten percent of samples collected during any 30-day period exceed 4,000/100 ml.'

BE IT FURTHER RESOLVED, that the Executive Officer of the Regional Board submit said amendment to the Basin Plan to the State Water Resources Control Board for approval pursuant to Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full,

true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on January 14, 1977.



Executive Officer

*Rescinded
9-4-87*

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1122-A Laurel Lane
San Luis Obispo, California 93401

RESOLUTION NO. 76-08

CONCERNING REVISION AND AMENDMENT OF
WATER QUALITY CONTROL PLAN
CENTRAL COAST REGION

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, adopted a Water Quality Control Plan (Basin Plan) for the Central Coast Basin on March 14, 1975; and,
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,
- WHEREAS, the Board may amend said Basin Plan to prohibit certain waste discharges in a documented problem area; and,
- WHEREAS, one such problem area is the Community of Moss Landing and surrounding area, located in the County of Monterey about 12 miles northwest of the City of Salinas and identified herein, as well as on the attached vicinity map; and,
- WHEREAS, surface drainage and subsurface drainage is tributary to Elkhorn Slough and Moss Landing Harbor, navigable waterways of the United States with identified beneficial uses of industrial service supply, wildlife habitat, and non-contact water recreation; and water contact recreation is an anticipated beneficial use, and
- WHEREAS, in about 1968, the Monterey County Department of Environmental Health identified water pollution and a public health hazard in the Moss Landing area and imposed a building ban and posted the harbor and Elkhorn Slough as unsafe for harvesting shellfish and water contact recreation; and,
- WHEREAS, the aforementioned condition and measures caused a 1976 survey by the Monterey County Department of Environmental Health which documented a septic tank system failure rate that averaged 50 percent between 1970 and 1975;
- WHEREAS, septic tank failures are defined as sewage overflows, system repairs, system replacement, and pumping more than once every three years; and
- WHEREAS, the Monterey County Department of Environmental Health attributes failure to small lots, shallow groundwater tables, land gradients, and/or poor soil percolation; and,
- WHEREAS, continued installation and usage of individual leaching and percolation systems in the affected area will increase the threat to public health and will further unreasonably impair water quality; and,

WHEREAS, on July 9, 1976, in the City Council Chambers, 440 Harcourt Avenue, Seaside, California, after due public notice, the Board conducted a public hearing, in accordance with Section 13244 of the California Water Code, received evidence, and considered all factors concerning the prohibition of individual disposal systems in and near the Community of Moss Landing;

NOW, THEREFORE, BE IT RESOLVED THAT Chapter 5, Discharge Prohibitions section, be amended by adding the following:

"In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health and prevent nuisance, additional individual disposal systems are prohibited forthwith and existing individual disposal systems are prohibited effective July 1, 1979, in the area described as follows:

Parcel A -- BEGINNING at the intersection of the southerly prolongation of Potrero Road and the mean high tide line of the Pacific Ocean; thence East along said southerly line to the intersection of the easterly line of California State Highway Number One; thence north along said easterly line to the intersection of the northerly bank of the Elkhorn Slough; thence easterly along said bank for a distance of 250 feet; thence northerly leaving said northerly bank for a distance of 300 feet; thence westerly for a distance of 250 feet to the easterly line of said State Highway; thence northerly along said easterly line to the intersection of the prolongation of the southerly boundary of Assessor's Parcel 413-022-02; thence easterly leaving said easterly line for a distance of 700 feet; thence northerly to the intersection of a line, said line being a distance of 150 feet south of the northerly line of Assessor's Parcel 413-022-04; thence westerly along said line to the intersection of said easterly line of said State Highway; thence northerly along said easterly line to the intersection of the easterly prolongation of the northerly line of Jetty Road; thence westerly along said northerly line to a point of intersection with the easterly boundary of Jetty Beach State Park; thence northerly and westerly along said boundary and its prolongation to said mean high tide line; thence southerly along said high tide line and crossing the mouth of the Elkhorn Slough to the PLACE OF BEGINNING.

Parcel B -- BEGINNING at the point of the southerly corner of Assessor's Parcel Number 413-012-02, said corner being on the westerly line of California State Highway Number One; thence northerly along the westerly line of said Assessor's Parcel to the intersection of the southerly line of Struve Road; thence westerly along said southerly line and its

prolongation to the intersection of the westerly line of Section 5, T. 13S., R. 2E; thence northerly to the intersection of the prolongation of the northerly line of Springfield Park No. 1 Subd.; thence easterly along said northerly line to the northeast corner of Lot 34 of said subd.; thence northeasterly and northerly along the westerly line of Assessor's Parcel Numbers 413-061-36, 37 and 413-051-26 and the latter's prolongation to an intersection with the southerly line of Assessor's Parcel Number 413-051-17; thence westerly along said southerly line and its prolongation to its intersection with the easterly line of said parcel; thence northerly along said westerly line to the intersection of the northerly line of said parcel; thence easterly along said northerly line to the intersection of the westerly line of the aforementioned State Highway; thence southerly along said westerly line to the POINT OF BEGINNING."

"An exception to this prohibition may be granted whenever the Board finds that the continued operation of individual disposal systems in a particular area will not, individually or collectively, directly or indirectly, adversely affect water quality."

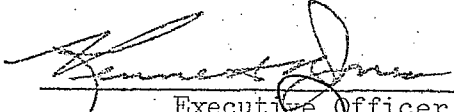
BE IT FURTHER RESOLVED THAT compliance with the above prohibition shall be achieved according to the following time schedule:

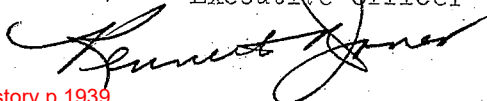
	<u>Compliance Date</u>
1. Complete Plans & Specifications	12-1-77
2. Begin Construction	6-1-78
3. Complete Compliance with Prohibition	7-1-79; and,

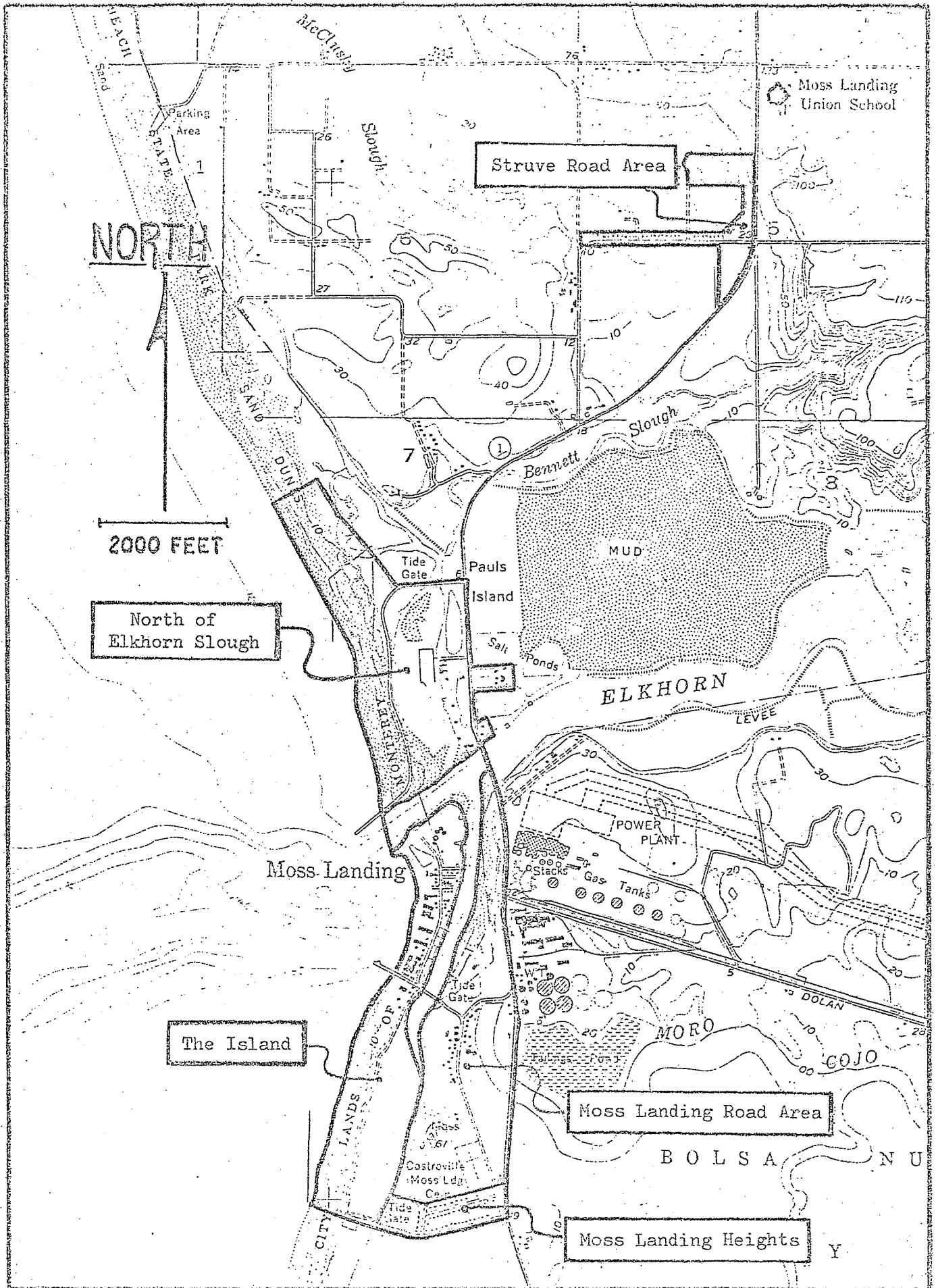
BE IT FURTHER RESOLVED, the Community of Moss Landing, its agents or assigns, shall submit written proof of compliance to the Regional Board within 15 days after each specified date; and,

BE IT FURTHER RESOLVED, the Executive Officer of this Regional Board is hereby directed to submit this revision to the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code; and,

I, KENNETH R. JONES, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the California Regional Water Quality Control Board, Central Coast Region on July 9, 1976.



 Executive Officer




CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1122-A Laurel Lane
San Luis Obispo, California 93401

RESOLUTION NO. 76-08

Amended Resolution

CONCERNING REVISION AND AMENDMENT OF
WATER QUALITY CONTROL PLAN
CENTRAL COAST REGION

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, adopted a Water Quality Control Plan (Basin Plan) for the Central Coast Basin on March 14, 1975; and,
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,
- WHEREAS, the Board may amend said Basin Plan to prohibit certain waste discharges in a documented problem area; and,
- WHEREAS, one such problem area is the Community of Moss Landing and surrounding area, located in the County of Monterey about 12 miles northwest of the City of Salinas and identified herein, as well as on the attached vicinity map; and,
- WHEREAS, surface drainage and subsurface drainage is tributary to Elkhorn Slough and Moss Landing Harbor, navigable waterways of the United States with identified beneficial uses of industrial service supply, wildlife habitat, and non-contact water recreation, and water contact recreation is an anticipated beneficial use; and
- WHEREAS, in about 1968, the Monterey County Department of Environmental Health identified water pollution and a public health hazard in the Moss Landing area and imposed a building ban and posted the harbor and Elkhorn Slough as unsafe for harvesting shellfish and water contact recreation; and,
- WHEREAS, the aforementioned condition and measures caused a 1976 survey by the Monterey County Department of Environmental Health which documented a septic tank system failure rate that averaged 50 percent between 1970 and 1975;
- WHEREAS, septic tank failures are defined as sewage overflows, system repairs, system replacement, and pumping more than once every three years; and
- WHEREAS, the Monterey County Department of Environmental Health attributes failure to small lots, shallow groundwater tables, land gradients, and/or poor soil percolation; and,
- WHEREAS, continued installation and usage of individual leaching and percolation systems in the affected area will increase the threat to public health and will further unreasonably impair water quality; and,

WHEREAS, on July 9, 1976, in the City Council Chambers, 440 Harcourt Avenue, Seaside, California, after due public notice, the Board conducted a public hearing, in accordance with Section 13244 of the California Water Code, received evidence, and considered all factors concerning the prohibition of individual disposal systems in and near the Community of Moss Landing;

WHEREAS, on November 18, 1976, in the City Council Chambers, 440 Harcourt Avenue, Seaside, California, after due public notice, a Panel of the Board conducted a public hearing, in accordance with Section 13244 of the California Water Code, received evidence, and considered all factors concerning the prohibition of individual disposal systems in and near the Community of Moss Landing; and

WHEREAS, on December 10, 1976, in the City Council Chambers, 990 Palm Street, San Luis Obispo, California, the Board received the recommendation of the Hearing Panel and reviewed the record of the hearing;

NOW, THEREFORE, BE IT RESOLVED THAT Chapter 5, Discharge Prohibitions section, be amended by adding the following:

"In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health and prevent nuisance, discharges from additional individual disposal systems are prohibited forthwith and discharges from existing individual disposal systems are prohibited effective July 1, 1979, in the area described as follows:

Parcel A -- BEGINNING at the intersection of the southerly prolongation of Potrero Road and the mean high tide line of the Pacific Ocean; thence East along said southerly line to the intersection of the easterly line of California State Highway Number One; thence north along said easterly line to the intersection of the northerly bank of the Elkhorn Slough; thence easterly along said bank for a distance of 250 feet; thence northerly leaving said northerly bank for a distance of 300 feet; thence westerly for a distance of 250 feet to the easterly line of said State Highway; thence northerly along said easterly line to the intersection of the prolongation of the southerly boundary of Assessor's Parcel 413-022-02; thence easterly leaving said easterly line for a distance of 700 feet; thence northerly to the intersection of a line, said line being a distance of 150 feet south of the northerly line of Assessor's Parcel 413-022-04; thence westerly along said line to the intersection of said easterly line of said State Highway; thence northerly along said easterly line to the intersection of the easterly prolongation of the northerly line of Jetty Road; thence westerly along said northerly line to a point of intersection with the easterly boundary of Jetty Beach State Park; thence northerly and westerly along said boundary and its prolongation to said mean high tide line; thence southerly along said high tide line and crossing the mouth of the Elkhorn Slough to the PLACE OF BEGINNING.

Parcel B -- BEGINNING at the point of the southerly corner of Assessor's Parcel Number 413-012-02, said corner being on the westerly line of California State Highway Number One; thence northerly along the westerly line of said Assessor's Parcel to the intersection of the southerly line of Struve Road; thence westerly along said southerly line and its prolongation to the intersection of the westerly line of Section 5, T. 13S., R. 2E; thence northerly to the intersection of the prolongation of the northerly line of Springfield Park No. 1 Subd.; thence easterly along said northerly line to the northeast corner of Lot 34 of said subd.; thence northeasterly and northerly along the westerly line of Assessor's Parcel Numbers 413-061-36, 37 and 413-051-26 and the latter's prolongation to an intersection with the southerly line of Assessor's Parcel Number 413-051-17; thence westerly along said southerly line and its prolongation to its intersection with the easterly line of said parcel; thence northerly along said westerly line to the intersection of the northerly line of said parcel; thence easterly along said northerly line to the intersection of the westerly line of the aforementioned State Highway; thence southerly along said westerly line to the POINT OF BEGINNING."

"An exception to this prohibition may be granted whenever the Board finds that the continued operation of individual disposal systems in a particular area will not, individually or collectively, directly or indirectly, adversely affect water quality."


BE IT FURTHER RESOLVED THAT compliance with the above prohibition shall be achieved according to the following time schedule:

	<u>Compliance Date</u>
1. Complete Plans & Specifications	12-1-77
2. Begin Construction	6-1-78
3. Complete Compliance with Prohibition	7-1-79; and,

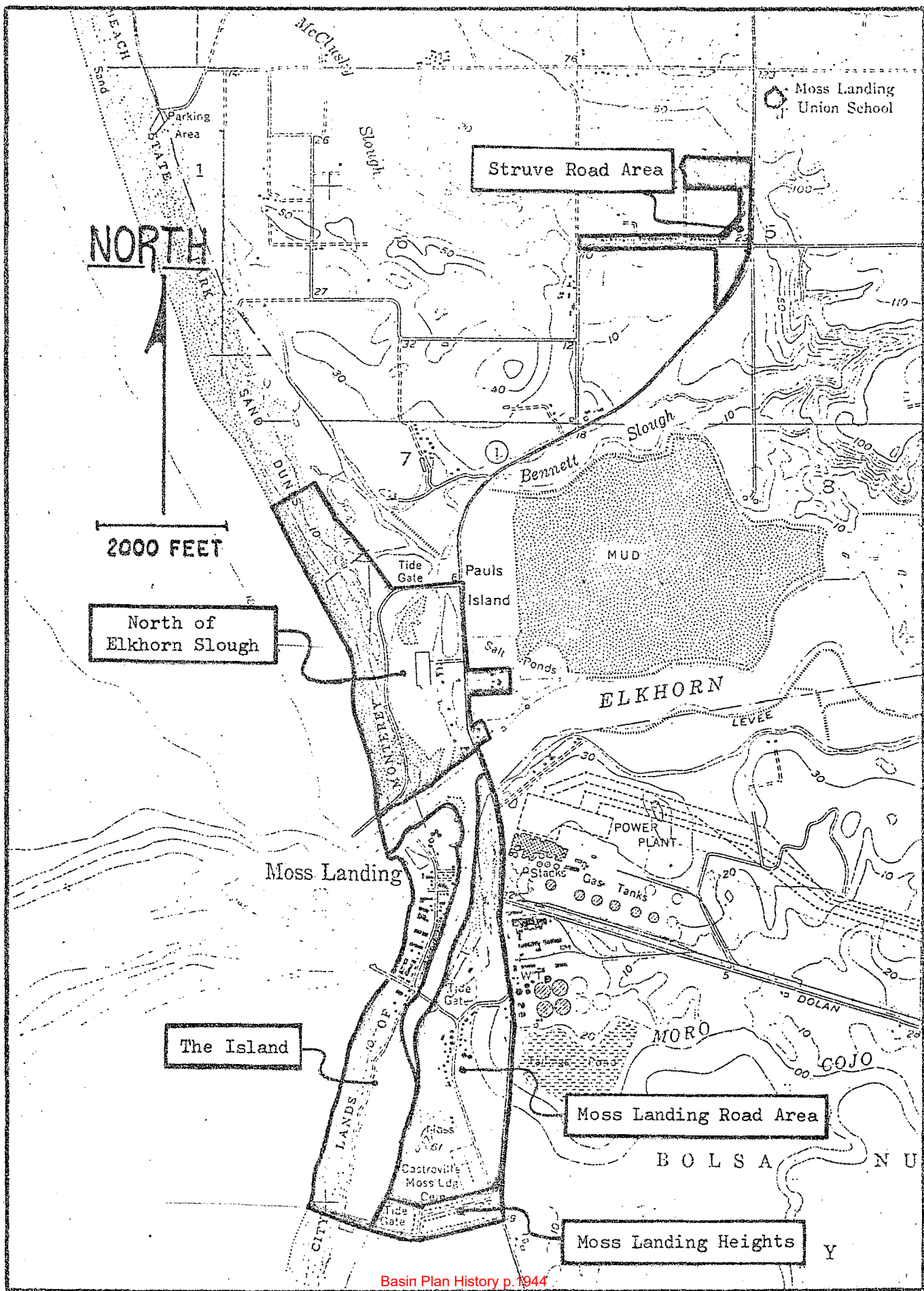
BE IT FURTHER RESOLVED, the Community of Moss Landing, its agents or assigns, shall submit written proof of compliance to the Regional Board within 15 days after each specified date; and,

BE IT FURTHER RESOLVED, the Executive Officer of this Regional Board is hereby directed to submit this revision to the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code; and,

I, KENNETH R. JONES, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the California Regional Water Quality Control Board, Central Coast Region on July 9, 1976, and amended on December 10, 1976.



Executive Officer



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

Resolution No. 76-05

Concerning Revisions and Amendment of the Water
Quality Control Plan, Central Coastal Basin

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, did on March 14, 1975, adopt a Water Quality Control Plan, Central Coastal Basin; and
- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, after due notice and public hearing in accordance with Water Code Section 13244, has determined that said Plan requires further revision and amendment; and
- WHEREAS, drafts of proposed revisions and amendments have been prepared and submitted to interested persons and agencies for review and comment; and
- WHEREAS, proposed revisions and amendment apply specifically to Chapter 2, Present and Potential Beneficial Uses, of said Basin Plan; and
- WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and
- WHEREAS, a hearing was held by this Board on June 11, 1976, to receive testimony concerning the proposed revisions and amendment to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that the revisions and amendment to the Water Quality Control Plan, Central Coastal Basin, consisting of the attached Table 2-1, Present and Anticipated Future Uses of Inland Surface Waters, and Table 2-2, Present and Anticipated Future Uses of Coastal Waters, considered by the Board on June 11, 1976, are hereby adopted.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit said Water Quality Control Plan as revised and amended, to the State Water Resources Control Board for approval pursuant to Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on June 11, 1976.

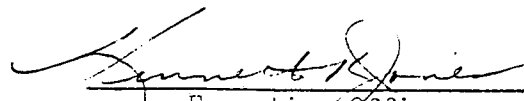

Executive Officer

Table 2-1. EXISTING AND ANTICIPATED USES OF INLAND SURFACE WATERS^a

Sub-basin and watercourse	MUN	AGR	PROC	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN
Santa Cruz Coastal Sub-basin												
Galos Creek		E			E	E	E	E	E		E	E
Green Oaks Creek					E	E	E	E		E		E
Madison Creek	E	E		E	E	E	E	E	E		E	E
Scott Creek	E	E		E	E	E	E	E	E		E	E
Little Creek	I	I		I	I	I	I	I	I			
Big Creek	I	I		I	I	I	I	I	I			
Mill Creek	I	I		I	I	I	I	I	I			
San Vicente Creek	E	E		E	E	E	E	E	E		E	E
Liddel Creek, E. Branch	I	I		I	E	E	E	E	E			
Laguna Creek	E	E		E	E	E	E	E	E		E	E
Majors Creek	I	I		I	I	I	I	I	I			
Baldwin Creek					E	E	E	E	E			
Younger's Lagoon					E	E	E	E		E		E
Antonelli Pond					E	E	E	E		E		E
San Lorenzo River Sub-basin												
Nearys Lagoon							E	E				
San Lorenzo River	E	E		E	E	E	E	E	E		E	E
Carbonera Creek	E	E		E		E	E	E	E			
Branciforte Creek	E	E			E	E	E	E	E		E	E
Bean Creek	E	E		E	E	E	E	E	E		E	E
Zayante Creek	E	E		E	E	E	E	E	E		E	E
Lompico Creek	E	E			E	E	E	E	E			
Fall Creek	E	E		E	E	E	E	E	E		E	E
Newell Creek	E	E		E	E	E	E	E	E			
Newell Creek Res.	E	E		E	E	E	E	E	E	I		
Boulder Creek	E	E			E	E	E	E	E		E	E
Bear Creek	E	E			E	E	E	E	E		E	E
Doyle Gulch	I	I		I	I	I	I	I	I			
Schwan Lake							E	E		E		E
Soquel-Aptos Sub-basin												
Corcoran Lagoon							E	E		E		E
Moran Lake							E	E		E		E
Soquel Creek	E	E		E	E	E	E	E	E		E	E
Hinckley Creek	I	I		I	I	I	I	I	I			
Aptos Creek	E	E		E	E	E	E	E	E		E	E
Pajaro River Sub-basin												
Watsonville Slough							E	E				
Drew, Kelley, Pinto & Tyman Lakes					E		E	E		E		E
Pajaro River	I	I		E	I	I	E	E	I		I	E
Corralitos Creek	E	E		E	E	E	E	E	E		E	E
Brown's Creek	E	E		E		E	E	E	E		E	E
Pescadero Creek	A	E			E	E	E	E	E		E	E
Uvas Creek	E	E		E	E	E	E	E	I		E	E
Bodfish Creek	E	E			E	E	E	E	E		E	E
Uvas Reservoir		E			E	E	E	E	E		E	E
Llagas Creek	E	E		E	E	E	E	E	I		E	E
Chesbro Reservoir		E			E	E	E	E	E		E	E
San Benito River		I		E	I	I	E	E	E		E	E
Tres Pinos Creek	I	I		E	I	I	E	E	E		E	E
Hernandez Reservoir	E	E			E	E	E	E	E		E	E
Tequesquito Slough					E		E	E	E			
Pacheco Creek	I	I			I	I	E	E	I		I	I
Pacheco Lake		E			E	E	E	E		E		E

^a See Fig. 1-1 for general location. This table lists selected streams and water bodies. It is not a complete inventory for the Central Coast Region. Unlisted streams and water bodies have implied beneficial use designations for protection of both recreation and aquatic life.

NOTES: E - Existing beneficial water use.
 A - Anticipated beneficial water use.
 I - Beneficial water use in a watercourse with intermittent flow characteristics.

Table 2-1. EXISTING AND ANTICIPATED USES OF INLAND SURFACE WATERS^a

Sub-Basin and Watercourse	MUN	AGR	PROC	IND	GWR	REG-1	REG-2	WILD	COLD	WARM	MISC	SPWN
Salinas River Sub-basin												
Gabilan Creek		I			I	I	E	E		I		I
Alisal Creek		I			I	I	E	E		I		I
Salinas River, downstream of Spreckles Gage							A	E		I	I	
Salinas River, Spreckles Gage to Chular	I	A		E	E	I	E	E	I	I	I	
Salinas River, Chular to Nacimiento River	I	E		E	E	E	E	E		E	I	
Arroyo Seco	I	I		I	I	I	E	E	I		I	I
Abbott Lakes							E	E		E		E
Santa Lucia Creek	I	I			I	I	E	E		I		
Tassajara Creek	E	E			E	E	E	E		E		
San Lorenzo Creek		I			I	I	E	E		I		I
Pancho Rico Creek	I	I			I	I	E	E		I		I
San Antonio River	I	I		I	I	I	E	E	I	I		I
San Antonio Reservoir	A	E			E	E	E	E		I		I
Nacimiento River	E	E		E	E	E	E	E	I	E		E
Nacimiento Reservoir	E	E			E	E	E	E	E	E		E
Las Tablas Creek	I	I			I	I	E	E		I		I
Salinas River, Nacimiento River to headwaters	I	I		E	E		E	E		E		
Estrella River	I	I			I	I	E	E		I		I
San Marcos Creek	I	I			I	I	E	E		I		
Santa Rita Creek	I	I		I	I	I	E	E		E		
Atascadero Lake							E	E		E		E
Santa Margarita Lake	E	I		E	I	E	E	E	E	E		E
Laguna del Rey						A	E	E				
Carmel River Sub-basin												
El Estero Lake							E	E				
Carmel River	I	I		I	I	I	E	E	I		I	I
Tularcitos Creek	I	I			I	I	E	E		I		
San Clemente Reservoir	E						E	E	E		E	E
San Clemente Creek	I	I			I	I	E	E		I		
Cachagua Creek	I	I	I	I	I	I	E	E	I	I	I	I
Las Padres Reservoir	E						E	E	E		E	E
Monterey Coastal Sub-basin												
San Jose Creek	I	I			I	I	E	E		I		
Palo Colorado Canyon	I	I			I	I	E	E		I		
Little Sur River	E				E	E	E	E	E		E	E
Big Sur River					E	E	E	E	E		E	E
Linekiln Creek	E	E			E	E	E	E	E		E	E
San Luis Obispo Cst. Sub-basin												
San Carpoforo Creek	I	I		I	I	I	E	E	I	I	I	I
Arroyo de la Cruz Creek	I	I		I	I	I	E	E	I	I	I	I
Burnett Creek	I	I			I	I	E	E		I		
Pico Creek	I	I			I	I	E	E	I	I	I	I
San Simeon Creek	I	I		I	I	I	E	E	I	I	I	I
Steiner Creek	I	I			I	I	E	E		I		
Santa Rosa Creek	I	I		I	I	I	E	E	I	I	I	I
Cayucos Creek	I	I			I	I	E	E	I	I	I	I
Old Creek, downstream					I	I	E	E		I		
Whale Rock Reservoir	E	E	E	E	E	A	A	E	E	E		E
Old Creek, upstream	I	I	I	I	I	I	E	E	I	I		
Toro Creek	I	I			I	I	E	E		I		I
Morro Creek	I	I			I	I	E	E	I	I	I	I
Chorro Creek	I	I			I	I	E	E	I	I	I	I
Los Osos Creek	A	E			A	E	E	E	E	E	E	E
Laguna Lake					E		E	E		E		E
San Luis Obispo Creek		I			I	I	E	E	I	I	I	I
Pismo Creek	E	E		E	E	E	E	E	E	E	E	E
Arroyo Grande Ck., dwnstrm	E	E		E	E	E	E	E	E	E	E	E
Lopez Reservoir	E	E	E	E	E	E	E	E	E	E	E	E
Arroyo Grande Ck., upstrm	I	I	I	I	I	I	E	E	I	I	I	I
Oceano Lagoon							E	E		E		E
Dunes Lakes							E	E		E		E
Oso Flaco Lake							E	E		E		E

^bFrom Whale Rock Reservoir.

^cFrom Lopez Reservoir.

NOTES: E = Existing beneficial water use.
 A = Anticipated beneficial water use.
 I = Beneficial water use in a watercourse with Basin Plan history characteristics.

Table 2-1. EXISTING AND ANTICIPATED USES OF INLAND SURFACE WATERS^a

Sub-Basin and Watercourse	M/N	AR	PROD	IND	AGR	REC-1	REC-2	WILD	COLD	WARM	MIR	SPAN
Soda Lake Sub-basin												
Sandiego Creek					I			E			I	
Soda Lake ^d				I				E			I	
Santa Maria River Sub-basin												
Santa Maria River	I	I		I	I	I		E			I	I
Cuyama River, downstream ^e	I	I			I	I		E			I	
Twitchell Reservoir					I			E			I	
Cuyama River, upstrm. ^e	I	I		E	I			E			I	
Huasna River	I	I				I		E			I	
Alamo Creek					I	I		E			I	
Sisquoc River, dwnstrm. ^f		E			E	E		E		E	E	E
Sisquoc River, upstrm. ^f	E				E	E		E		E	E	E
San Antonio Creek Sub-basin												
San Antonio Creek	I	I			I	I		E			I	
Santa Ynez River Sub-basin												
Santa Ynez River, dwnstrm. ^g	I	I			I			E			I	I
Lompoc Canyon	I	I		I	I	I		E			I	I
Oak Canyon	I	I		I	I			E			I	
Salsiguedes Creek	E	E		E	E	E		E		I	I	I
El Jaro Creek	I	I		I	I	I		E		E	E	E
Santa Rita Creek	I	I		I	I	I		E			I	
Alamo Pintado Creek	I	I		I	I	I		E			I	
Cachuma Reservoir	E	E	E		E	E		E		E	E	
Santa Cruz Creek	E	E		E	E	E		E			E	E
Santa Ynez River, upstrm. ^g	I	I	I	I	I	I		E		I	I	I
Gibraltar Reservoir	E	E	E		E	E		E		E	E	
Indian Creek	I	I		I		I		E			I	I
Mono Creek	I	I		I	I	I		E		I	I	I
Agua Caliente Canyon	I	I		I	I	I		E			I	
Jameson Lake	E	E	E		E	E		E		E	E	
Santa Barbara Cst. Sub-basin												
Tecolote Creek					I	I		E			I	
Goleta Pt. Marsh								E			I	I
Devereaux Rch Lagoon								E			I	
Glen Anne Creek	I	I			I	I		E			I	
Atascadero Creek	I	I			I	I		E			I	I
San Jose Creek	I	I			I	I		E			I	I
San Antonio Creek	I	I			I	I		E			I	I
Franklin Creek					I			E			I	
Carpinteria Creek					I	I		E			I	I
Rincon Creek	I	I			I	I		E			I	I

^dSoda Lake is also a saline water habitat.

^eFrom Twitchell Reservoir.

^fFrom San Rafael wilderness boundary.

^gFrom Cachuma Reservoir.

NOTES: E = Existing beneficial water use.
 A = Anticipated beneficial water use.
 I = Beneficial water use in a watercourse with intermittent flow characteristics.

Table 2-2. EXISTING AND ANTICIPATED USES OF COASTAL WATERS^a

Coastal Water	REC1	REC2	IND	NAV	MAR	SHELL	COMM	RARE	ASBS	WILD
Pescadero Pt. to Pt. Ano Nuevo	E	E	E	E	E	E	E	E		E
Pt. Ano Nuevo to Soquel Pt.	E	E	E	E	E	E	E			E
Pt. Ano Nuevo & Island	E	E			E			E	E	E
Santa Cruz Harbor	E	E	E	E	E		E			
San Lorenzo Estuary	E	E		E	E	E	E			E
Soquel Pt. to Salinas River	E	E	E	E	E	E	E	E		E
Elkhorn Slough	A	E	E	E	E	E	E	E		E
Salinas River to Pt. Pinos	E	E	E	E	E	E	E			E
Monterey Harbor	A	E	E	E	E	E	A	E		
Pacific Grove Marine Gardens	E	E			E		E	E	E	E
Hopkins Marine Life Refuge	E	E			E		E	E	E	E
Pt. Pinos to Pt. Piedras Blancas	E	E		E	E		E	E		E
Carmel Bay	E	E			E		E	E	E	E
Pt. Lobos State Reserve	E	E			E			E	E	E
Pt. Sur	E	E			E	E	E			E
Pfeiffer-Burns State Park	E	E			E			E	E	E
Salmon Creek	E	E			E				E	E
Pt. Piedras Blancas to Pt. Estero	E	E		E	E	E	E	E		E
Estero Bay	E	E	E	E	E	E	E	E		E
Morro Bay	E	E	E	E	E	E	E	E		E
Pt. Buchon to Pt. San Luis	E	E	E	E	E	E	E			E
Pt. San Luis to Pt. Sal	E	E	E	E	E	E	E	E		E
Pt. Sal to Pt. Arguello	E	E		E	E	E	E			E
Pt. Arguello to Coal Oil Pt.	E	E	E	E	E	E	E			E
Coal Oil Pt. to Rincon Pt.	E	E	E	E	E	E	E	E		E
Goleta Slough	E	E			E	E		E		E
Santa Barbara Harbor	E	E	E	E	E		E			
Beach Parks	E	E		E	E					
San Miguel Island	E	E		E	E	E	E	E	E	E
Santa Rosa Island	E	E		E	E	E	E		E	E
Santa Cruz Island	E	E		E	E	E	E	E	E	E
El Estero	E	E			E	E		E		E

NOTES: E - Existing beneficial water use.
 A - Anticipated beneficial water use.
 I - Beneficial water use in a watercourse with intermittent flow characteristics.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1122-A Laurel Lane
San Luis Obispo, California 93401

Rescinded
9-11-87

RESOLUTION NO. 76-03

CONCERNING REVISION AND AMENDMENT OF
WATER QUALITY CONTROL PLAN
CENTRAL COAST BASIN

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, adopted a Water Quality Control Plan (Basin Plan) for the Central Coast Basin on March 14, 1975; and
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and
- WHEREAS, in April 1975, the Monterey County Department of Environmental Health surveyed 232 individual sewage disposal systems in one such area and found 141, or 60 percent, unsatisfactory; and
- WHEREAS, unsatisfactory systems exhibit sewage overflow to the ground surface, seepage from the absorption field to natural drainage courses, inadequate capacity, and irreparable damage; and
- WHEREAS, this area of concern includes the Monterey County Community Service Area No. 66 (CSA #66) established by local election March 2, 1976, which includes the Community of Las Lomas-Hall; and
- WHEREAS, CSA #66 is located in northern Monterey County about three miles southeast of the City of Watsonville, Santa Cruz County, in Sections 22 and 27 of T12S, R2E, MDB&M; and
- WHEREAS, surface drainage and subsurface drainage is tributary to Elkhorn Slough, a navigable waterway with beneficial uses of industrial service supply, wildlife habitat, and water contact and non-water contact recreation; and
- WHEREAS, after considering all factors and evidence presented at a public hearing on February 6, 1976, the Regional Board adopted Resolution No. 76-01 prohibiting additional individual disposal systems in Las Lomas-Hall, as defined therein; and
- WHEREAS, continued use of existing individual disposal systems in the affected area unreasonably threatens public health and beneficial uses; and
- WHEREAS, on May 13, 1976, in the City Hall Conference Room, 440 Harcourt Avenue, Seaside, California, after due public notice, the Board conducted a public hearing, in accordance with Section 13244 of the California Water Code, received evidence, and considered all factors concerning the prohibition of individual disposal systems in CSA #66;

NOW, THEREFORE BE IT RESOLVED, Chapter 5, discharge prohibitions section, of said Basin Plan is hereby amended, as follows:

"In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health and prevent nuisance, the use of individual disposal systems is prohibited in Monterey County Service Area No. 66, Las Lomas-Hall, after July 1, 1979."; and

BE IT FURTHER RESOLVED, that compliance with the above prohibition shall be achieved according to the following time schedule:

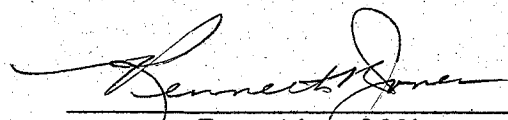
	<u>Compliance Date</u>
1. Complete Project Report	4-1-77
2. Complete Plans & Specifications	10-1-77
3. Begin Construction	4-1-78
4. Complete Compliance with Prohibition	7-1-79; and

BE IT FURTHER RESOLVED, Monterey County Service Area No. 66, its agent or assignee, shall submit written proof of compliance to the Regional Board within 15 days after each specified date; and

BE IT FURTHER RESOLVED, the Executive Officer of this Regional Board is hereby directed to submit this revision to the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code; and

BE IT FURTHER RESOLVED, upon approval of the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the prohibition contained herein.

I, Kenneth R. Jones, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the California Regional Water Quality Control Board, Central Coast Region, on May 13, 1976.



 Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 76-01

CONCERNING REVISION AND AMENDMENT OF
WATER QUALITY CONTROL PLAN
CENTRAL COASTAL BASIN

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, adopted the Water Quality Control Plan for the Central Coastal Basin (hereafter Basin Plan) on March 14, 1975; and
- WHEREAS, said Basin Plan was approved by the State Water Resources Control Board on March 20, 1975; and
- WHEREAS, a sanitary survey conducted during April 1975 by the Monterey County Department of Environmental Health indicated that 141 or 60 percent of 232 individual sewage systems surveyed were declared unsatisfactory; and
- WHEREAS, unsatisfactory systems include those experiencing sewage overflows to the ground surface, those experiencing seepage from absorption fields into natural drainage courses, and those requiring pumping more frequently than once every two years, and those impossible to repair; and
- WHEREAS, the area of concern is the entire area enclosed by the heavy dashed line on the attached Vicinity Map of the Las Lomas Hall area; and
- WHEREAS, continued installation and usage of individual leaching and percolation systems will increase the threat to public health and will further unreasonably impair water quality; and
- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, after due notice and public hearing in accordance with Section 13244 of the California Water Code, has determined that said Basin Plan requires revision and amendment;

NOW, THEREFORE BE IT RESOLVED, that said Basin Plan is hereby revised and amended in the following particulars:

CHAPTER 5, Discharge Prohibitions section:

Add new paragraphs as follows:

"In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health and prevent nuisance, additional waste discharges are prohibited after February 6, 1976, as follows.

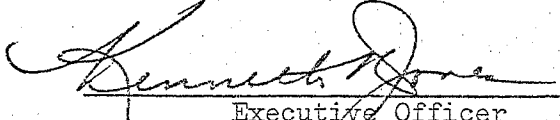
In that portion of Monterey County commonly known as Las Lomas - Hall, more particularly described as... beginning at the Section corner common to Sec. 22, 23,

26, 27 in said Township and Range; thence north along the Section line to a point where an extended east-west line will connect with the northeast property corner of assessor's parcel #119-261-20; thence westerly along said northern property line to the first property corner common to the south property line of those parcels having frontage on Garin Road; thence westerly along the south property line of the Garin Road parcels to the intersection with the east property line of assessor's parcel #119-011-15; thence southerly along said line until its intersection with a line extended north from Bloom Road; thence southerly along said line until its intersection with a line extended north from Bloom Road; thence southerly along that line and Bloom Road to its intersection with the boundary of Rancho Balsa de San Cayetano; thence easterly along said boundary to the east Section line of Section 27; thence north along said line to the point of beginning."

"An exception to this prohibition may be granted whenever the Board finds that the continued operation of individual sewage disposal systems in a particular area will not, individually or collectively, directly or indirectly, adversely affect water quality."

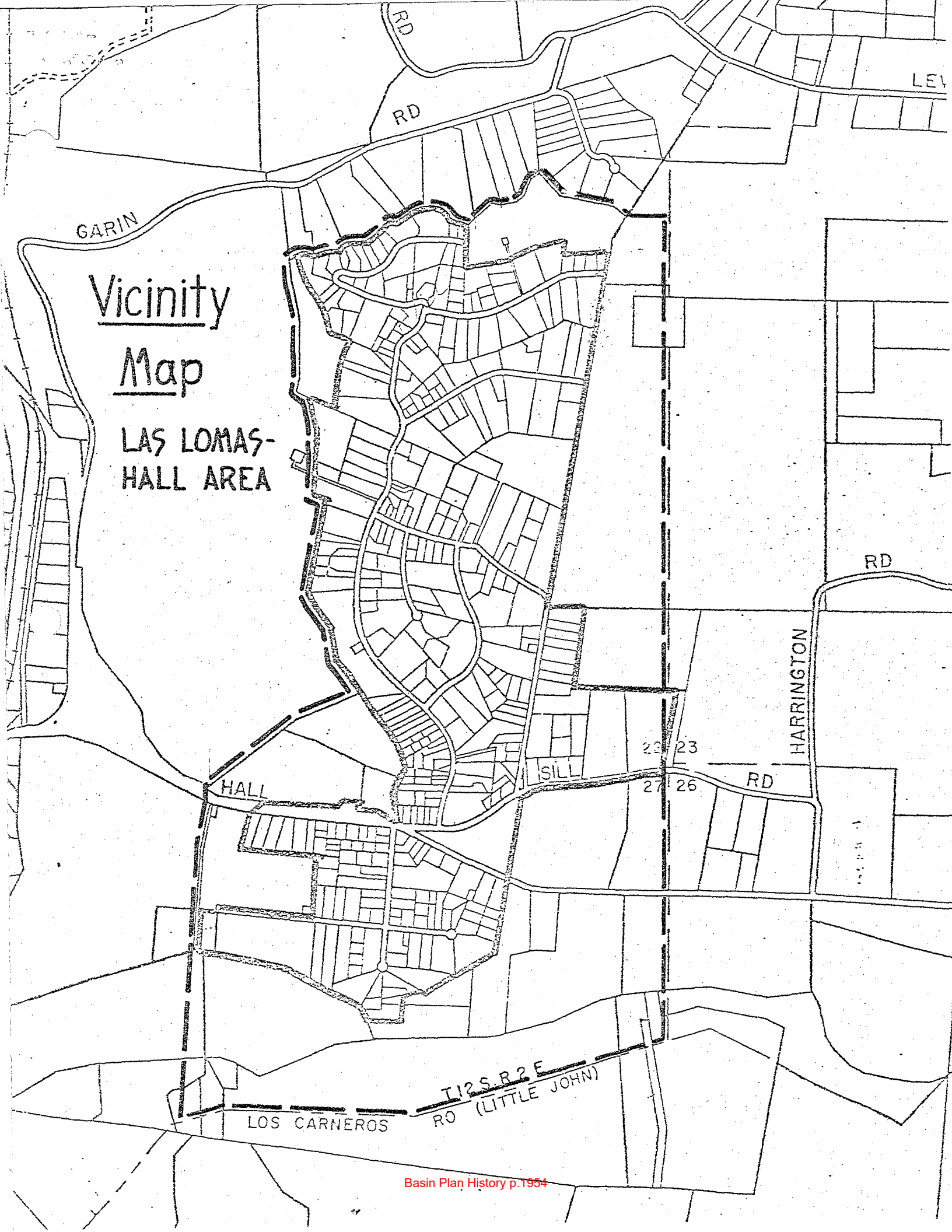
BE IT FURTHER RESOLVED that the Executive Officer of this Regional Board is hereby directed to submit said Basin Plan, as amended and revised, to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

I, KENNETH R. JONES, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 6, 1976.


Executive Officer

Vicinity
Map

LAS LOMAS-
HALL AREA



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

Resolution No. 75-2

Concerning Revisions and Amendment of Water
Quality Control Plan, Central Coastal Basin No. 3

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, did on September 13, 1974, adopt a Water Quality Control Plan, Central Coastal Basin; and

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, after due notice and public hearing in accordance with Water Code Section 13244, has determined that said Plan requires further revision and amendment, and

WHEREAS, drafts of proposed revisions and amendment have been prepared and submitted to interested persons and agencies for review and comment, and

WHEREAS, proposed revisions and amendment apply specifically to Chapters 4, 5 and 7 of said Basin Plan, and

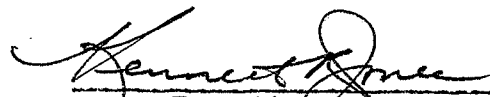
WHEREAS, due notice of public hearing was given by advertising in newspapers of general circulation within the Central Coast Region; and

WHEREAS, a hearing was held by this Board on March 14, 1975, to receive testimony concerning the proposed revisions and amendment to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that the revisions and amendment to the Water Quality Control Plan, Central Coastal Basin included in the "Recommendations of Regional Board Staff for Amendments to Water Quality Control Plan Report, Central Coastal Basin, for Consideration of Regional Board No. 3 at the March 14, 1975, Meeting" are hereby adopted.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board is hereby directed to submit said Water Quality Control Plan as revised and amended, to the State Water Resources Control Board for approval pursuant to Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on March 14, 1975.


Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

Summary of Amendments to Water Quality Control Plan,
Central Coastal Basin

Chapter 4 - Water Quality Objectives

The State Water Resources Control Board has directed that water quality objectives be established for reasonable regulation of controllable water quality factors, that general objectives be assigned to the waters of the Basin as a whole rather than by beneficial use, and that statewide plans and policies be uniformly and accurately applied throughout the state. Based on this premise much of the proposed format and language has been developed at the State Board level, modified by a census of regional staff representatives, tentatively approved by EPA staff, and forwarded to regions for final preparation.

Specific changes include:

1. Addition of a maximum 3-year period between public hearings for the purpose of updating and revision of the water quality objectives.
2. Deletion of the former table 4-1, "Water Quality Criteria for Beneficial Uses".
3. Inclusion by reference of all existing statewide plans and policies which include or relate to water quality objectives.
4. Supersession of all previously existing water quality objectives.
5. Categorical establishment of the nondegradation policy as the prevailing objective for all waters of the Basin.
6. Application of maximum and minimum acceptable values for dissolved oxygen and pH to Basin ocean waters, which were not provided for in the existing Ocean Plan.
7. Application of uniform language principle to objectives for inland surface waters, enclosed bays and estuaries, with the following additions:
 - a. Turbidity objective includes a contingency for necessary dredging operations and is extended to include bays and estuaries.
 - b. pH objectives have been revised and are specified as two major pH ranges.
 - c. Thermal objectives have been expanded beyond the provisions of the Thermal Plan to include intrastate waters.
 - d. Toxicity objectives have been applied to enclosed bays and estuaries in addition to surface waters. This objective, as stated, has been accepted by EPA.

- e. Pesticide objectives are as specified in SWRCB memo dated 11/8/74.
 - f. Chemical objectives are as prescribed by the SWRCB. Table 4-4 has been expanded to reflect the latest data from Water Quality Criteria 1972.
 - g. Objectives for "other organics" have been retained and updated.
 - h. Radionuclide narrative prepared by SWRCB adds a general radionuclide objective.
 - i. Table 4-7 "Median Surface Water Quality Objectives", has been expanded to include additional inland surface waters and more constituents.
8. Groundwater objectives incorporate SWRCB recommendations including expansion of Table 4-8, "Median Groundwater Objectives".

Chapter 5 - Implementation Plan

Chapter 5 has been revised in accordance with the recommendations of the SWRCB to distinguish between advisory and control actions. Specifically the proposed revisions, commencing with page 5-29, "Nonpoint Source Measures", include:

1. Addition of detailed summations of pertinent State Board Plans and Policies adopted to facilitate statewide control of water quality.
2. Distinction between the above mentioned control actions and the endorsed state-level advisory actions.
3. Incorporation of the Regional Goals and Management Principles heretofore contained in Chapter V of the Interim Water Quality Control Plan for the Central Coastal Basin and adopted by this Board on June 10, 1971.
4. Clearer separation of existing Regional Board control actions and actions to be taken under advisement by the Board.
5. Categorization of actions by Other Authorities and Legislation as actions to be taken under advisement.

Chapter 7 - Surveillance

The State Water Resources Control Board has provided the regions with a standard descriptive narrative of the surveillance program in an attempt to provide for accuracy and uniformity. The revised chapter appropriately emphasizes the importance of an adequate surveillance program to the enforcement and planning programs.

No conceptual revisions are involved; general changes being limited to addition or expansion of program task descriptions. Specific changes include:

1. References to Sections of PL 92-500,(Federal Water Pollution Control Act) that are dependent upon a thorough surveillance program have been amended.

2. Program Objectives 7 and 8 have been extended to include water quality segments and waste discharge requirements respectively.

3. Program Tasks have been revised to include the separate tasks of Complaint Monitoring, Surveillance System Design, and Groundwater Network. In contrast, former tasks 9 and 10 were incorporated into the remaining tasks.

4. Estuarine Monitoring has been updated as provided in the "Water Quality Control Policy for the Enclosed Bays and Estuaries of California".

5. An addendum to Table 7-3 "Dischargers with Monitoring Programs", has been included to reflect the additions and deletions since adoption of the Basin Plan Report in September 1974.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 74-1

CONCERNING REVISION AND AMENDMENT OF
WATER QUALITY CONTROL PLAN (Interim)
CENTRAL COASTAL, BASIN 3

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, did on June 10, 1971, adopt a Water Quality Control Plan (Interim), Central Coastal, Basin 3, (hereafter "Interim Plan"), which Interim Plan has been heretofore amended; and

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, after public hearing in accordance with Water Code Section 13244, has determined that said Interim Plan, as amended, requires further revision and amendment;

NOW, THEREFORE, BE IT RESOLVED that said Interim Plan is hereby revised and amended in the following particulars:

1. Chapter VI, DISCHARGE PROHIBITIONS section:

"Waters Subject to Tidal Action

Waste discharges to the following areas are prohibited:

1. Effective July 1, 1977, in Monterey Bay, northern and southern extremes within the following areas: inshore from a line extending from Santa Cruz Point to the mouth of the Pajaro River; inshore from a line extending from Point Piños to the mouth of the Salinas River; and the offshore area within a three-mile radius of Point Piños."

2. Chapter VII, SALINAS SUB-BASIN section:

Substitute the following paragraph for the second paragraph:

"Several possible wastewater treatment and disposal schemes are available to the Castroville, Salinas, and Marina areas. Marina could join a Monterey Peninsula system and export effluent via a common transmission line to the Salinas Valley for disposal and eventual reclamation. Salinas could consolidate and upgrade its existing plants and/or join with the Monterey Peninsula system for treatment and disposal in the Salinas Valley area. Reclamation and reuse for irrigation or groundwater recharge in the Salinas Valley would be a prime objective for the future. Castroville could develop a reclamation facility near its present plant or consolidate with a regional system."

3. Chapter VII, CARMEL-POINT PINOS SUB-BASIN, section:

Substitute the following paragraphs:

"Complete protection of the waters of Monterey and Carmel Bays and the Carmel River will require the construction of interceptor lines, consolidated treatment plants, and several wastewater reclamation projects. Ultimately, all of the urbanized areas of the sub-basin could be served by sewers which terminate exclusively in reclamation projects. It may be possible to use effluent from the present Carmel Sanitary District treatment plant and another plant to be built in Carmel Valley for either percolation or injection into the Carmel Valley ground water basin."

"Wastewater from Pacific Grove will be transported to the existing Monterey plant for treatment. Effluent from existing plants at Monterey, Seaside, and Fort Ord will be collected in a common transmission line and transported north to the central portion of Monterey Bay near the Salinas River. Ultimately a lower Salinas Valley regional treatment plant will be constructed which may serve the Monterey Peninsula as well as northern Monterey County. Disposal options available include consolidation and reclamation and reuse. Effluent from the existing Salinas plant can be disposed of either through an outfall to the Bay or to the Salinas River, or by reclamation and reuse for irrigation in the lower Salinas Valley. The initial phases of a consolidated project are scheduled for completion in 1976. Local reclamation projects could take a portion of sewage produced on the peninsula and provide a source of water to irrigate some of the numerous golf courses, located nearby or be injected in the ground water basin near Seaside.

"In addition to the treatment and disposal facilities already mentioned, this sub-basin will require the construction of sewage collection systems in several rapidly developing areas. The Laguna Seca-Hidden Hills area can be served by extensions to the present Monterey or Seaside systems, or by the system which will be built to serve Carmel Valley."

BE IT FURTHER RESOLVED that the Executive Officer of this Regional Board is hereby directed to submit said Interim Plan, as amended and revised, to the State Water Resources Control Board for approval pursuant to Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on January 11, 1974.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 72-4

CONCERNING REVISION AND AMENDMENT OF
WATER QUALITY CONTROL PLAN (Interim),
CENTRAL COASTAL, BASIN 3

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, did on June 10, 1971, adopt a Water Quality Control Plan (Interim), Central Coastal, Basin 3, (hereafter "Interim Plan"), which Interim Plan has been heretofore amended; and

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region, after public hearing in accordance with Water Code Section 13244, has determined that said Interim Plan, as amended, requires further revision and amendment;

NOW, THEREFORE, BE IT RESOLVED that said Interim Plan is hereby revised and amended in the following particulars:

1. Appendix A of said Interim Plan is revised to read in accordance with Appendix A attached hereto and incorporated herein.
2. Chapters V, VI and VII of said Interim Plan are revised to read in accordance with Chapters V, VI and VII attached hereto and incorporated herein.

BE IT FURTHER RESOLVED that the Executive Officer of this Regional Board is hereby directed to submit said Interim Plan, as amended and revised, to the State Water Resources Control Board for approval pursuant to Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 8, 1972.



Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

CENTRAL COAST REGION

RESOLUTION NO. 71-3

ADOPTING AN

INTERIM WATER QUALITY CONTROL PLAN

for

CENTRAL COASTAL BASIN

WHEREAS it is the intent of the California Regional Water Quality Control Board, Central Coast Region, to establish controls for factors affecting water quality in the Central Coastal Basin; and

WHEREAS the Board conducted a public hearing on May 5, 1971, after notice to all interested persons in accordance with Section 13244 of the Water Code, and has considered the evidence introduced at that hearing with regard to this Water Quality Control Plan; now therefore be it

RESOLVED that the Water Quality Control Plan for Central Coastal Basin as set forth in the attached copy is hereby adopted; and be it

FURTHER
RESOLVED that all water quality control plans adopted prior to this date are hereby repealed; and be it

FURTHER
RESOLVED that the Project List which is titled "Appendix A" is recommended for adoption by the State Water Resources Control Board.

June 10, 1971

WILLARD T. BRANSON
Chairman

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 70-2

WATER QUALITY CONTROL PLAN TO REGULATE DISCHARGES FROM WASTE DISPOSAL
SYSTEMS WITHIN NACIMIENTO RESERVOIR WATERSHED, SAN LUIS OBISPO COUNTY

WHEREAS, Article 3, California Water Code, defines Regional Water Quality Control Plans; and

WHEREAS, Section 13240, California Water Code states that "each regional board shall formulate and adopt water quality control plans for all areas within the region. Such plans shall conform to the policies set forth in Chapter 1 (commencing with Section 13000) of this division and any state policy for water quality control. During the process of formulating such plans the regional boards shall consult with and consider the recommendations of affected state and local agencies. Such plans shall be periodically reviewed and may be revised."; and

WHEREAS, Section 13243, California Water Code, states that "A regional board, in a water quality control plan or in waste discharge requirements, may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted."; and

WHEREAS, the Nacimiento Reservoir Watershed, including all major and minor tributaries to the Nacimiento River and all underlying ground waters lies within the jurisdiction of the California Regional Water Quality Control Board, Central Coast Region; and

WHEREAS, adequate notice and review has been made and public hearings held in which the Board has heard all persons present and desiring to be heard concerning this matter; and

WHEREAS, both surface and ground water in the Nacimiento River Basin are subject to extensive uses which are to be protected, including municipal, domestic, industrial and agricultural water supply, recreation, fish and wildlife habitat, swimming, boating, aesthetic enjoyment and ground water recharge; and

WHEREAS, it is the intent of the California Regional Water Quality Control Board, Central Coast Region, to establish policy such that the water resources of the region be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented; now, therefore, be it

RESOLVED that the Board does hereby adopt the attached Water Quality Control Plan to Regulate Discharges from Waste Disposal Systems Within Nacimiento Reservoir Watershed, San Luis Obispo County; and be it further

RESOLVED, that the Board does fully intend to protect the quality of Nacimiento Reservoir and underlying ground waters by implementing this water quality control plan through surveillance and enforcement programs; and be it further

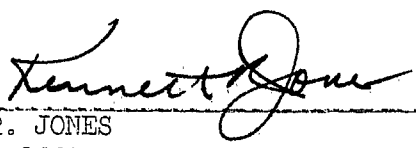
RESOLVED that copies of this Resolution and attached statement be transmitted to the State Water Resources Control Board for review, in accordance with Section 13245 of the California Water Code; and be it further

RESOLVED, that copies of the statement be transmitted to all interested persons.

Adopted by the California Regional Water Quality Control Board, Central Coast Region, on January 23, 1970.

EUGENE E. BRENDLIN
Chairman

ATTEST:



KENNETH R. JONES
Executive Officer

CENTRAL COASTAL REGIONAL WATER QUALITY CONTROL BOARD

RESOLUTION NO. 69-5

WATER QUALITY CONTROL POLICY FOR SALINAS RIVER BASIN
AND UNDERLYING GROUND WATERS, SAN LUIS OBISPO AND MONTEREY COUNTIES.

WHEREAS, Section 13052(e) of the California Water Code states that each regional board, with respect to its region, shall:

"Formulate and adopt long-range plans and policies with respect to water pollution control and water quality control within the region in conformity with the policies set forth in Chapter 1 (commencing at Section 13000) and any water quality control policy adopted at any time by the state board."; and,

WHEREAS, the Salinas River Basin, including all major and minor tributaries to the Salinas River and all underlying ground waters lies within the jurisdiction of the Central Coastal Regional Water Quality Control Board; and

WHEREAS, adequate notice and review has been made and public hearings held in which the Board has heard all persons present and desiring to be heard concerning this matter; and,

WHEREAS, both surface and ground water in the Salinas River Basin are subject to extensive uses which are to be protected, including municipal, domestic, industrial and agricultural water supply, recreation, fish and wildlife habitat, swimming, boating, aesthetic enjoyment and ground water recharge; and,

WHEREAS, it is the intent of the Central Coastal Regional Water Quality Control Board to establish policy such that the water resources of the region be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented; therefore, be it

RESOLVED, that the Board does hereby adopt the attached Water Quality Control Policy for the Salinas River Basin and Underlying Ground Waters, and be it further

RESOLVED, that the Board does fully intend to protect the quality of the Salinas River Basin and underlying ground waters by implementing this water quality control policy through surveillance and enforcement programs; and be it further

RESOLVED, that this policy statement supersedes the Policy Statement for the Discharge of Sewage Effluents and Industrial Wastes in the Salinas River Basin, adopted June 9, 1961; and be it further

RESOLVED, that copies of this Resolution and attached statement be transmitted to the State Water Resources Control Board for review, in accordance with Section 13052.2 of the California Water Code; and be it further

RESOLVED, that copies of the statement be transmitted to all interested persons.

Adopted by the Central Coastal Regional Water Quality Control Board on June 15, 1969.

EUGENE E. BRENDLIN
Chairman

ATTEST:

KENNETH R. JONES
Executive Officer

CENTRAL COASTAL REGIONAL WATER QUALITY CONTROL BOARD

RESOLUTION NO. 68-6

ADOPTING WATER QUALITY CONTROL POLICY FOR SAN LORENZO RIVER BASIN
AND UNDERLYING GROUND WATERS, SANTA CRUZ COUNTY

WHEREAS, Section 13052(e) of the California Water Code states that each regional board, with respect to its region, shall:

"Formulate and adopt long-range plans and policies with respect to water pollution control and water quality control within the region in conformity with the policies set forth in Chapter 1 (commencing at Section 13000) and any water quality control policy adopted at any time by the state board."; and,

WHEREAS, the San Lorenzo River Basin, including all major and minor tributaries to the San Lorenzo River and all underlying ground waters, Santa Cruz County, lies within the jurisdiction of the Central Coastal Regional Water Quality Control Board; and

WHEREAS, adequate notice and review has been made and public hearings held in which the Board has heard all persons present and desiring to be heard concerning this matter; and,

WHEREAS, both surface and ground water in the San Lorenzo River Basin are subject to extensive uses which are to be protected, including municipal, domestic, industrial and agricultural water supply, recreation, fish and wildlife habitat, swimming, boating, aesthetic enjoyment and ground water recharge; and,

WHEREAS, it is the intent of the Central Coastal Regional Water Quality Control Board to establish policy such that the water resources of the region be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented; therefore, be it

RESOLVED, that the Board does hereby adopt the attached Water Quality Control Policy for the San Lorenzo River Basin and Underlying Ground Waters, and be it further

RESOLVED, that the Board does fully intend to protect the quality of the San Lorenzo River Basin and underlying ground waters by implementing this water quality control policy through surveillance and enforcement programs; and be it further

RESOLVED, that this policy statement supersedes the Policy Statement for the Discharge of Sewage Effluents in the San Lorenzo River Basin, adopted October 31, 1963; and be it further

RESOLVED, that copies of this Resolution and attached statement be transmitted to the State Water Resources Control Board for review, in accordance with Section 13052.2 of the California Water Code; and be it further

RESOLVED, that copies of the statement be transmitted to all interested persons.

Adopted by the Central Coastal Regional Water Quality Control Board on December 13, 1968.

BERTRAM H. MUDGETT
Chairman

ATTEST:

KENNETH R. JONES
Executive Officer

CENTRAL COASTAL REGIONAL WATER QUALITY CONTROL BOARD

RESOLUTION NO. 68 - 3

ADOPTING WATER QUALITY CONTROL POLICY FOR PAJARO RIVER BASIN, SOUTHERN SANTA CLARA, SAN BENITO, SANTA CRUZ, AND NORTHERN MONTEREY COUNTIES.

WHEREAS, Section 13052(e) of the California Water Code states that each regional board, with respect to its region, shall:

"Formulate and adopt long-range plans and policies with respect to water pollution control and water quality control within the region in conformity with the policies set forth in Chapter 1 (commencing at Section 13000) and any water quality control policy adopted at any time by the state board."; and,

WHEREAS, the Pajaro River Basin, including all major and minor tributaries to the Pajaro River and all underlying ground water sub-basins, Southern Santa Clara, San Benito, Santa Cruz and Northern Monterey Counties, lies within the jurisdiction of the Central Coastal Regional Water Quality Control Board; and,

WHEREAS, adequate notice and review has been made and public hearings held in which the Board has heard all persons present and desiring to be heard concerning this matter; and,

WHEREAS, both surface and ground water in the Pajaro River Basin are subject to extensive uses which are to be protected, including domestic, industrial and agricultural water supply, recreation, fish and wildlife habitat, swimming, boating, aesthetic enjoyment and ground water recharge; and,

WHEREAS, it is the intent of the Central Coastal Regional Water Quality Control Board to establish policy such that the water resources of the Region be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented; therefore, be it

RESOLVED, that the Board does hereby adopt the attached Water Quality Control Policy for the Pajaro River Basin and Underlying Ground Waters, and be it further

RESOLVED, that the Board does fully intend to protect the quality of the Pajaro River Basin and underlying ground waters by implementing this water quality control policy through surveillance and enforcement programs; and be it further

RESOLVED, that this policy statement supersedes the tentative Statement of Policy for Ground and Surface Waters in Southern Santa Clara County, dated September 1954, and the Statement of Policy for Tidal Waters in the Moss Landing-Mouth of Pajaro River Area, dated November 1955; and be it further

RESOLVED, that copies of this Resolution and attached statement be transmitted to the State Water Resources Control Board for review, in accordance with Section 13052.2 of the California Water Code; and be it further

RESOLVED, that copies of the statement be transmitted to all interested persons.

Adopted by the Central Coastal Regional Water Quality Control Board on June 21, 1968.

BERTRAM H. MUDGETT
Chairman

ATTEST:

KENNETH R. JONES
Executive Officer

CENTRAL COASTAL REGIONAL WATER QUALITY CONTROL BOARD

RESOLUTION NO. 67-2

ADOPTING WATER QUALITY CONTROL POLICY FOR PACIFIC OCEAN COASTAL WATERS, (POINT PIEDRAS BLANCAS TO PESCADERO POINT) NORTHERN SAN LUIS OBISPO, MONTEREY, SANTA CRUZ AND SAN MATEO COUNTIES.

WHEREAS the Central Coastal Regional Water Quality Control Board adopted Resolution No. 66-1, Announcing the Intent of the Central Coastal Regional Water Quality Control Board to Adopt Water Quality Objectives for All Interstate Waters Within the Central Coastal Region as provided in Section 10 of the Federal Water Pollution Control Act; and

WHEREAS Section 13052(e) of the California Water Code authorizes and directs the regional water quality control boards to formulate and adopt policy for water pollution and water quality control; and

WHEREAS Pacific Ocean Coastal waters of Northern San Luis Obispo, Monterey, Santa Cruz and San Mateo Counties are interstate waters; and

WHEREAS such waters lie within the jurisdiction of the Central Coastal Regional Water Quality Control Board; and

WHEREAS adequate notice and review has been made and public hearings held in which the Board has heard all persons present and desiring to be heard concerning this matter; now, therefore, be it,

RESOLVED, That the Board adopt the attached Water Quality Control Policy for Pacific Ocean Coastal Waters (Point Piedras Blancas to Pescadero Point), and be it further

RESOLVED, That the Board declares its intent to protect quality of coastal waters of Northern San Luis Obispo, Monterey, Santa Cruz and San Mateo Counties by enforcing this policy through conduct of surveillance and enforcement programs; and be it further

RESOLVED, That copies of this Resolution and attached statement be transmitted to the State Water Quality Control Board for its review, in accordance with Section 13052.2, California Water Code; and be it further

RESOLVED, That copies of the statement be transmitted to all interested persons.

Adopted by the Central Coastal Regional Water Quality Control Board on April 14, 1967.

KENNETH R. JONES
Executive Officer

CENTRAL COASTAL REGIONAL WATER QUALITY CONTROL BOARD

RESOLUTION NO. 67-1

ADOPTING WATER QUALITY CONTROL POLICY FOR PACIFIC OCEAN
COASTAL WATERS, (POINT ARGUELLO TO POINT PIEDRAS BLANCAS),
NORTHERN SANTA BARBARA AND SAN LUIS OBISPO COUNTIES,

WHEREAS the Central Coastal Regional Water Quality Control Board adopted Resolution No. 66-1 Announcing the Intent of the Central Coastal Regional Water Quality Control Board to Adopt Water Quality Objectives for all Interstate Waters Within the Central Coastal Region as Provided in Section 10 of the Federal Water Pollution Control Act; and

WHEREAS Section 13052(e) of the California Water Code authorizes and directs the regional water quality control boards to formulate and adopt policy for water pollution and water quality control; and

WHEREAS Pacific Ocean Coastal waters of Northern Santa Barbara and San Luis Obispo Counties, (Point Arguello to Point Piedras Blancas) are interstate waters; and

WHEREAS such waters lie within the jurisdiction of the Central Coastal Regional Water Quality Control Board; and

WHEREAS adequate notice and review has been made and public hearings held in which the Board has heard all persons present and desiring to be heard concerning this matter; now, therefore, be it

RESOLVED, That the Board adopt the attached Water Quality Control Policy for Pacific Ocean Coastal Waters (Point Arguello to Point Piedras Blancas), as amended at its hearing on March 10, 1967; and be it further

RESOLVED, That the Board declares its intent to protect quality of coastal waters of Northern Santa Barbara and San Luis Obispo Counties by enforcing this policy through conduct of surveillance and enforcement programs; and be it further

RESOLVED, That copies of this Resolution and attached statement be transmitted to the State Water Quality Control Board for its review, in accordance with Section 13052.2, California Water Code; and be it further

RESOLVED, That copies of the statement be transmitted to all interested persons.

Adopted by the Central Coastal Regional Water Quality Control Board on
March 10, 1967.

KENNETH R. JONES
Executive Officer

CENTRAL COASTAL REGIONAL WATER QUALITY CONTROL BOARD

RESOLUTION NO. 66-6

ADOPTING WATER QUALITY CRITERIA AND STATEMENT OF POLICY
FOR SALINE WATERS, SOUTH COASTAL PORTION SANTA BARBARA COUNTY
(POINT ARGUELLO TO RINCON POINT)

WHEREAS the Central Coastal Regional Water Quality Control Board adopted Resolution No. 66-1, Announcing the Intent of the Central Coastal Regional Water Quality Control Board to Adopt Water Quality Objectives for All Interstate Waters Within the Central Coastal Region as Provided in Section 10 of the Federal Water Pollution Control Act; and

WHEREAS Section 13052(e) of the California Water Code authorizes and directs the regional water quality control boards to formulate and adopt policy for water pollution and water quality control; and

WHEREAS saline waters of the South Coastal portion of Santa Barbara County (Point Arguello to Rincon Point) are interstate waters; and

WHEREAS such waters lie within the jurisdiction of the Central Coastal Regional Water Quality Control Board; and

WHEREAS adequate notice and review has been made and a public hearing held in which the Board has heard all persons present and desiring to be heard concerning this matter; now, therefore, be it

RESOLVED, That the Board adopt the attached Water Quality Criteria and Statement of Policy for Saline Waters, South Coastal Portion Santa Barbara County (Point Arguello to Rincon Point); and be it further

RESOLVED, That the Board declares its intent to protect quality of saline waters of South Coastal portion of Santa Barbara County by enforcing this policy and criteria through conduct of surveillance and enforcement programs; and be it further

RESOLVED, That copies of this Resolution and attached statement be transmitted to the State Water Quality Control Board for its review, in accordance with Section 13052.2, California Water Code; and be it further

RESOLVED, That copies of the statement be transmitted to all interested persons.

Adopted by the Central Coastal Regional Water Quality Control Board on September 15, 1966.

Kenneth R. Jones, Executive Officer

Appendix 2. Basin Plan amendments approved by the California State Water Resources Control Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2016-0018**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COASTAL BASIN (BASIN PLAN) TO ADOPT TOTAL MAXIMUM DAILY
LOADS FOR NITROGEN COMPOUNDS AND ORTHOPHOSPHATE IN STREAMS
OF THE PAJARO RIVER BASIN

WHEREAS:

1. On July 30, 2015, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted [Resolution No. R3-2015-0004](#) amending the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) to establish total maximum daily loads (TMDLs) and an associated implementation plan for nitrogen compounds and orthophosphate in streams of the Pajaro River basin.
2. The Central Coast Water Board found the Basin Plan amendment was consistent with the provisions of the State Water Resources Control Board (State Water Board) [Resolution No. 68-16](#), "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR section 131.12.
3. The elements of a TMDL are described in 40 CFR sections 130.2 and 130.7 and section 303(d) of the federal Clean Water Act and U.S. Environmental Protection Agency guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR §130.2). The Central Coast Water Board has determined that the TMDLs for nitrogen compounds and orthophosphate in streams of the Pajaro River basin are set at levels necessary to attain and maintain the applicable water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR §130.7(c)(1)). The regulations in 40 CFR section 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR §130.2(i)). Expressing the nitrogen compounds and orthophosphate TMDLs as units of concentration in this Basin Plan amendment is appropriate because attaining concentration-based water quality targets will result in the restoration and protection of relevant beneficial uses.
4. The Central Coast Water Board concurred with the analyses contained in the final TMDL Report, the California Environmental Quality Act (CEQA) "Substitute Environmental Documents" for the Basin Plan amendments (including the CEQA Checklist and Analysis), the staff report, and responses to comments, and found that these analyses comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. The Central Coast Water Board's environmental analysis has taken into account a reasonable range of environmental, economic, and technical factors.

5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that regional water quality control boards may revise water quality control plans; with section 13242, which requires a program of implementation to achieve water quality objectives; and with section 13243, which authorizes regional water quality control boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of CLEAN WATER ACT section 303(d).
6. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subd. (b). The necessity of developing these TMDLs is established in the TMDL project report, the section 303(d) list, and the data contained in the administrative record documenting nutrient-related water quality impairments of the Pajaro River basin.
7. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the California Office of Administrative Law. The TMDLs must also receive approval from the U.S. Environmental Protection Agency.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2015-0004.
2. Authorizes and directs the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2015-0004 and the administrative record for this action to the California Office of Administrative Law and the TMDLs to the U.S. Environmental Protection Agency for approval.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 5, 2016.

AYE: Chair Felicia Marcus
 Vice Chair Frances Spivy-Weber
 Board Member Tam M. Doduc
 Board Member Steven Moore
 Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2014-0003**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COASTAL BASIN TO REVISE THE ONSITE WASTEWATER SYSTEM
IMPLEMENTATION PROGRAM

WHEREAS:

1. On June 19, 2012, the State Water Resources Control Board (State Water Board) adopted Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy). The OWTS Policy was approved by the California Office of Administrative Law on November 13, 2012, and became effective on May 13, 2013.
2. On May 30, 2013, the Regional Water Quality Control Board, Central Coast Region adopted [Resolution R3-2013-0005](#), an amendment to the Water Quality Control Plan for the Central Coastal Basin to revise the onsite wastewater implementation sections of the Basin Plan and to incorporate by reference the OWTS Policy into the Basin Plan. Resolution R3-2013-0005 also rescinds three resolutions related to onsite systems that were not approved by the State Water Board ([Resolution No. R3-2008-0005](#), [Resolution No. R3-2009-0012](#), and [Resolution No. R3-2011-0004](#)).
3. A Substitute Environmental Document (SED) was prepared by the State Water Board for the OWTS Policy in accordance with the Water Board's certified regulatory program (Cal. Code Regs., tit. 23 §§3777-3781). The State Water Board approved the OWTS Policy and the SED on June 19, 2012. The Basin Plan amendment removes existing Basin Plan provisions regulating onsite systems and incorporates the OWTS Policy. No substantive changes or modifications to the previously approved OWTS Policy are proposed, no substantial changes with respect to circumstances under which the project will be undertaken have occurred, and no new information triggers the need for supplemental or subsequent CEQA analysis.
4. Central Coast Water Board found the Basin Plan amendment to be completely within the scope of the OWTS Policy as analyzed by the State Water Board in the SED. As such, the recommended actions do not require further environmental review pursuant to the certified regulatory program or CEQA (Pub. Res. Code §21166; Cal. Code Regs. tit. 14, §§15161, 15163).
5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that regional water quality control boards may revise basin plans; section 13242, which requires a program of implementation to achieve water quality objectives; and section 13243 which authorizes regional water quality control boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted.
6. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the California Office of Administrative Law.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2013-0005.
2. Authorizes and directs the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2013-0005 and the administrative record for this action to the California Office of Administrative Law.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 21, 2014.

AYE: Chair Felicia Marcus
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc
Board Member Steven Moore
Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2014-0033**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE
CENTRAL COASTAL BASIN TO ADOPT TOTAL MAXIMUM DAILY LOADS FOR TOXICITY
AND PESTICIDES IN THE SANTA MARIA RIVER WATERSHED
(RESOLUTION NO. R3-2014-0009)

WHEREAS:

1. On January 30, 2014, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted [Resolution No. R3-2014-0009](#) amending the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) to establish Total Maximum Daily Loads (TMDLs) and an associated implementation plan for toxicity and pesticides in the Santa Maria River watershed.
2. The Central Coast Water Board found the Basin Plan amendment was consistent with the provisions of the State Water Resources Control Board (State Water Board) [Resolution No. 68-16](#), "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR section 131.12.
3. The elements of a TMDL are described in 40 CFR sections 130.2 and 130.7 and section 303(d) of the CWA and U.S. Environmental Protection Agency guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR §130.2). The Central Coast Water Board has determined that the TMDLs for toxicity and pesticides in the Lower Santa Maria River Watershed are set at levels necessary to attain and maintain the applicable narrative water quality objectives, taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR §130.7(c)(1)). The regulations in 40 CFR section 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as toxicity or another appropriate measure (40 CFR §130.2(i)). Expressing these TMDLs in terms of toxicity and concentration is appropriate in this case because these measures demonstrate attainment of applicable narrative water quality objectives for toxicity and pesticides.
4. The Central Coast Water Board concurred with the analyses contained in the Final Project Report, the California Environmental Quality Act "Substitute Environmental Document" for the Basin Plan amendments (including the CEQA Checklist), the staff report, and responses to comments, and found that these analyses comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. The Central Coast Water Board's environmental analysis has taken into account a reasonable range of environmental, economic, and technical factors.

5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that regional water quality control boards may revise Basin Plans, section 13242, which requires a program of implementation to achieve water quality objectives, and section 13243, which authorizes regional water quality control boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of CWA section 303(d).
6. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subd. (b). The necessity of developing the TMDL is established in the TMDL project report, the section 303(d) list, and the data contained in the administrative record documenting the toxicity and pesticide impairments of the Santa Maria River watershed.
7. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by California Office of Administrative Law. The TMDL must also receive approval from the U.S. Environmental Protection Agency.
8. The Executive Officer of the Central Coast Water Board may propose approval of revised TMDL numeric targets, consistent with requirements necessary for such an approval, if the Executive Officer determines that the revised TMDL numeric targets are more appropriate than those approved in this resolution.
9. The TMDL numeric targets predict the conditions necessary to achieve the TMDLs assigned to the impaired waterbodies. The timeline anticipated to achieve the TMDLs following approval by the Office of Administrative Law is 30 years for organochlorine pesticides, 15 years for pyrethroid pesticides, 15 years for malathion pesticides, and by October 2016 for chlorpyrifos and diazinon pesticides. The timeline to achieve the TMDL numeric targets is the same as the timeline to achieve the TMDLs.
10. The State Water Board staff is presently developing a statewide approach for toxicity that contemplates the use of the test of significant toxicity (TST). This statewide approach will be considered by the State Water Board at a future meeting. While a Central Coast Water Board technical report references the TST, neither this board's approval of the basin plan amendment nor the basin plan amendment require the use of the TST.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2014-0009.
2. Authorizes and directs the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2014-0009 and the administrative record for this action to the California Office of Administrative Law and the TMDL to the U.S. Environmental Protection Agency for approval.

3. Expects the Central Coast Water Board to follow the evolving regulation of pyrethroids in the Central Valley region, engage as appropriate in that process, conduct further stakeholder process locally within the Central Coast region, and to consider revisions consistent with whereas 8.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 2, 2014.

AYE: Chair Felicia Marcus
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc
Board Member Steven Moore
Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2014-0009**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE
CENTRAL COASTAL BASIN TO ADOPT TOTAL MAXIMUM DAILY LOADS FOR NITROGEN
COMPOUNDS AND ORTHOPHOSPHATE IN THE LOWER SANTA MARIA RIVER
WATERSHED AND TRIBUTARIES TO OSO FLACO LAKE

WHEREAS:

1. On May 30, 2013, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted [Resolution No. R3-2013-0013](#) amending the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) to establish total maximum daily loads (TMDLs) and an associated implementation plan for nitrogen compounds and orthophosphate in the Lower Santa Maria River Watershed and Tributaries to Oso Flaco Lake.
2. The Central Coast Water Board found the Basin Plan amendment was consistent with the provisions of the State Water Resources Control Board (State Water Board) [Resolution No. 68-16](#), "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR section 131.12.
3. The elements of a TMDL are described in 40 CFR sections 130.2 and 130.7 and section 303(d) of the CWA and U.S. Environmental Protection Agency guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR §130.2). The Central Coast Water Board has determined that the TMDLs for nitrogen compounds and orthophosphate in the Lower Santa Maria River Watershed and Tributaries to Oso Flaco Lake are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR §130.7(c)(1)). The regulations in 40 CFR section 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR §130.2(i)). Expressing these TMDLs as units of concentration is appropriate in this case because an existing concentration-based water quality objective was used as the basis for determining the impairment and the basis for the TMDL numeric targets.
4. The Central Coast Water Board concurred with the analyses contained in the Final Project Report, the California Environmental Quality Act "Substitute Environmental Document" for the Basin Plan amendments (including the CEQA Checklist), the staff report, and responses to comments, and found that these analyses comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. The Central Coast Water Board's environmental analysis has taken into account a reasonable range of environmental, economic, and technical factors.

5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that regional water quality control boards may revise Basin Plans, section 13242, which requires a program of implementation to achieve water quality objectives, and section 13243, which authorizes regional water quality control boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of CWA section 303(d).
6. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subd. (b). The necessity of developing the TMDL is established in the TMDL project report, the section 303(d) list, and the data contained in the administrative record documenting the nutrient-related impairments of the Lower Santa Maria River Watershed and Tributaries to Oso Flaco Lake.
7. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL must also receive approval from the U.S. Environmental Protection Agency.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2013-0013.
2. Authorizes and directs the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2013-0013 and the administrative record for this action to the California Office of Administrative Law and the TMDL to the U.S. Environmental Protection Agency for approval.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 4, 2014.

AYE: Chair Felicia Marcus
 Vice Chair Frances Spivy-Weber
 Board Member Tam M. Doduc
 Board Member Steven Moore
 Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2014-0008**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL BASIN TO ADOPT TOTAL MAXIMUM DAILY LOADS FOR NITROGEN COMPOUNDS AND ORTHOPHOSPHATE IN THE LOWER SALINAS RIVER AND RECLAMATION CANAL BASIN, AND THE MORO COJO SLOUGH SUBWATERSHED

WHEREAS:

1. On March 14, 2013, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted [Resolution No. R3-2013-0008](#) amending the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) to establish total maximum daily loads (TMDLs) and an associated implementation plan for nitrogen compounds and orthophosphate in the Lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed.
2. The Central Coast Water Board found the Basin Plan amendment was consistent with the provisions of the State Water Resources Control Board (State Water Board) [Resolution No. 68-16](#), "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR section 131.12.
3. The elements of a TMDL are described in 40 CFR sections 130.2 and 130.7 and section 303(d) of the CWA and U.S. Environmental Protection Agency guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR §130.2). The Central Coast Water Board has determined that the TMDLs for nitrogen compounds and orthophosphate in the Lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR §130.7(c)(1)). The regulations in 40 CFR section 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR §130.2(i)). Expressing these TMDLs as units of concentration is appropriate in this case because an existing concentration-based water quality objective was used as the basis for determining the impairment and the basis for the TMDL numeric targets.
4. The Central Coast Water Board concurred with the analyses contained in the Final Project Report, the California Environmental Quality Act "Substitute Environmental Document" for the Basin Plan amendments (including the CEQA Checklist), the staff report, and responses to comments, and found that these analyses comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. The Central Coast Water Board's environmental analysis has taken into account a reasonable range of environmental, economic, and technical factors.

5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that regional water quality control boards may revise Basin Plans, section 13242, which requires a program of implementation to achieve water quality objectives, and section 13243, which authorizes regional water quality control boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of CWA section 303(d).
6. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subd. (b). The necessity of developing the TMDL is established in the TMDL project report, the section 303(d) list, and the data contained in the administrative record documenting the fecal indicator bacteria impairments of the Santa Maria River Watershed.
7. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL must also receive approval from the U.S. Environmental Protection Agency.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2013-0008.
2. Authorizes and directs the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2013-0008 and the administrative record for this action to the California Office of Administrative Law and the TMDL to the U.S. Environmental Protection Agency for approval.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 4, 2014.

AYE: Chair Felicia Marcus
 Vice Chair Frances Spivy-Weber
 Board Member Tam M. Doduc
 Board Member Steven Moore
 Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2012-0055**

APPROVING AMENDMENTS THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST REGION (BASIN PLAN) TO: 1) ADOPT TOTAL MAXIMUM DAILY LOADS FOR FECAL INDICATOR BACTERIA IN THE SANTA MARIA RIVER WATERSHED; AND 2) ADD THE SANTA MARIA RIVER WATERSHED (INCLUDING THE OSO FLACO SUBWATERSHED) TO THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION.

WHEREAS:

1. On March 15, 2012, the Central Coast Water Board adopted [Resolution No. R3-2012-0002](#) amending the Basin Plan to establish a Total Maximum Daily Load (TMDL) and implementation plan for fecal indicator bacteria in the Santa Maria River Watershed and add the Santa Maria River Watershed (including Oso Flaco subwatershed) to the Domestic Animal Waste Discharge Prohibition.
2. The Central Coast Water Board found the Basin Plan amendment was consistent with the provisions of the State Water Resources Control Board (State Water Board) [Resolution No. 68-16](#), "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR section 131.12.
3. The Central Coast Water Board may, pursuant to California Water Code section 13243, specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (i.e., prohibitions). The Implementation Plan for the TMDLs for the Santa Maria River Watershed requires compliance with the Domestic Animal Waste Discharge Prohibition for discharges in the Santa Maria River Watershed. Supporting documentation for adding the Santa Maria River Watershed to the above-named prohibition is provided in the Final Project Report for Total Maximum Daily Loads for Fecal Indicator Bacteria in the Santa Maria River Watershed. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Santa Maria River Watershed to the Domestic Animal Waste Discharge Prohibition.
4. The elements of a TMDL are described in 40 CFR sections 130.2 and 130.7 and section 303(d) of the CWA and U.S. Environmental Protection Agency guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR §130.2). The Central Coast Water Board has determined that the TMDLs for fecal indicator bacteria in the Santa Maria River Watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR §130.7(c)(1)). The regulations in 40 CFR section 130.7 also

state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR §130.2(i)). Expressing these TMDLs as units of concentration is appropriate in this case because an existing concentration-based water quality objective was used as the basis for determining the impairment and the basis for the TMDL numeric targets.

5. The Central Coast Water Board concurred with the analyses contained in the Final Project Report, the California Environmental Quality Act "Substitute Environmental Document" for the Basin Plan amendments (including the CEQA Checklist), the staff report, and responses to comments, and found that these analyses comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. The Central Coast Water Board's environmental analysis has taken into account a reasonable range of environmental, economic, and technical factors.
6. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that regional water quality control boards may revise Basin Plans, section 13242, which requires a program of implementation to achieve water quality objectives, and section 13243, which authorizes regional water quality control boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of CWA section 303(d).
7. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subd. (b). The necessity of developing the TMDL is established in the TMDL project report, the section 303(d) list, and the data contained in the administrative record documenting the fecal indicator bacteria impairments of the Santa Maria River Watershed.
8. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL must also receive approval from the U.S. Environmental Protection Agency.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2012-0002.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2012-0002 as approved and the administrative record for this action to the Office of Administrative Law and the TMDL to the U.S. Environmental Protection Agency for approval.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on October 16, 2012.

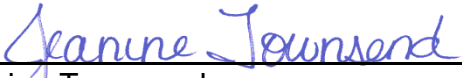
AYE: Chairman Charles R. Hoppin
Vice Chair Frances Spivy-Weber
Board Member Steven Moore
Board Member Felicia Marcus

NAY: None

ABSENT: None

ABSTAIN: None

Board Member Doduc did not participate in this item



Jeanine Townsend
Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2011-0040**

APPROVING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST REGION (BASIN PLAN) TO: 1) ADOPT TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN LOWER SALINAS RIVER WATERSHED; 2) ADD THE LOWER SALINAS RIVER WATERSHED TO THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION; AND 3) ADD THE LOWER SALINAS RIVER WATERSHED TO THE HUMAN FECAL MATERIAL DISCHARGE PROHIBITION.

WHEREAS:

1. On September 2, 2010, the Central Coast Water Board adopted [Resolution No. R3-2010-0017](#) amending the Basin Plan to establish a Total Maximum Daily Load (TMDL) and implementation plan for fecal coliform in the Lower Salinas River Watershed, add the Lower Salinas River Watershed to the Domestic Animal Waste Discharge Prohibition, and add the Lower Salinas River Watershed to the Human Fecal Material Discharge Prohibition.
2. The Central Coast Water Board found the Basin Plan amendment was consistent with the provisions of State Water Resources Control Board (State Water Board) [Resolution No. 68-16](#), "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR section 131.12.
3. The Central Coast Water Board may, pursuant to California Water Code section 13243, specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (i.e., prohibitions). The Implementation Plan for the TMDLs for the Lower Salinas River Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the Lower Salinas River Watershed. Supporting documentation for adding the Lower Salinas River Watershed to the above-named prohibitions is provided in the Final Project Report for Total Maximum Daily Loads for Fecal Coliform in the Lower Salinas River Watershed. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Lower Salinas River Watershed to the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions.
4. The elements of a TMDL are described in 40 CFR sections 130.2 and 130.7 and section 303(d) of the CWA and U.S. Environmental Protection Agency guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR §130.2). The Central Coast Water Board has determined that the TMDLs for fecal coliform in the Lower Salinas River Watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR §130.7(c)(1)). The regulations in 40 CFR section 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR §130.2(i)). Expressing these TMDLs as units of concentration is appropriate in this case because an existing concentration-based water quality objective was used as the basis for determining the impairment.

5. The Central Coast Water Board concurred with the analyses contained in the [Final Project Report, the California Environmental Quality Act "Substitute Environmental Document"](#) for the Basin Plan amendments (including the CEQA Checklist), the staff report, and responses to comments, and found that these analyses comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. The Central Coast Water Board's environmental analysis has taken into account a reasonable range of environmental, economic, and technical factors.
6. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that regional water quality control boards may revise Basin Plans, section 13242, which requires a program of implementation to achieve water quality objectives, and section 13243, which authorizes regional water quality control boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of CWA section 303(d).
7. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subd. (b). The necessity of developing the TMDL is established in the TMDL project report, the section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the Lower Salinas River Watershed.
8. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL must also receive approval from the U.S. Environmental Protection Agency.
9. Central Coast Water Board staff determined that minor, non-substantive changes to the language of the Basin Plan amendment were necessary to correct minor clerical errors, to improve clarity, and to ensure that the amendment is consistent with the Basin Plan update adopted under Resolution No. R3-2010-0017. The Central Coast Water Board's Executive Officer submitted these minor changes in a memorandum dated October 7, 2010.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2010-0017.

2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2010-0017 as approved and the administrative record for this action to the Office of Administrative Law and the TMDL to the U.S. Environmental Protection Agency for approval.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 19, 2011.

AYE: Chairman Charles R. Hoppin
 Vice Chair Frances Spivy-Weber
 Board Member Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2011-0019**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR
THE CENTRAL COAST REGION (BASIN PLAN) TO 1) ADD THE
CORRALITOS/SALSIPUEDES CREEK WATERSHED TO
THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION AND
THE HUMAN FECAL MATERIAL DISCHARGE PROHIBITION, AND
(2) ESTABLISH TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM
IN CORRALITOS/SALSIPUEDES CREEK WATERSHED

WHEREAS:

1. On March 20, 2009, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted [Resolution No. R3-2009-0009](#) amending the Basin Plan to: (1) add the Corralitos/Salsipuedes Creek Watershed (Corralitos Creek Watershed including its subwatershed, Salsipuedes Creek Watershed)(Watershed) as an area subject to the Domestic Animal Waste Discharge Prohibition and the Human Fecal Material Discharge Prohibition and (2) establish Total Maximum Daily Loads for fecal coliform in Corralitos/Salsipuedes Creek Watershed.
2. The Central Coast Water Board may, pursuant to California Water Code section 13243, specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (i.e., prohibitions). The Implementation Plan for the TMDLs for the Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the Watershed. Supporting documentation for adding the Watershed to the above-named prohibitions is provided in the Final Project Report for Total Maximum Daily Loads for fecal coliform in Corralitos and Salsipuedes Creeks. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Watershed to the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions.
3. The elements of a TMDL are described in 40 CFR sections 130.2 and 130.7 and section 303(d) of the CWA, and U.S. EPA guidance documents. A TMDL is defined as “the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background” (40 CFR §130.2). The Central Coast Water Board has determined that the TMDLs for fecal coliform in the Watershed have been set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR §130.7 (c) (1)). The regulations in 40 CFR section 130.7 also state that TMDLs must take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR §130.2(i)). Expressing these TMDLs as units of concentration is appropriate because an existing concentration-based water quality objective is used as the basis for the TMDLs numeric target.

4. The Central Coast Water Board found that the establishment of these TMDLs is consistent with the provisions of the State Water Resources Control Board (State Water Board) [Resolution No. 68-16](#), "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR section 131.12. Adoption of these TMDLs will result in improved water quality throughout the region and maintain the level of water quality necessary to protect present and potential beneficial uses.
5. The Central Coast Water Board concurred with the analysis contained in the Final Project Report, the California Environmental Quality Act "substitute environmental documentation" for the Basin Plan amendment, including the CEQA Checklist, the staff report and the responses to comments, and found that these analyses comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code.
6. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans; section 13242, which requires a program of implementation to achieve water quality objectives; and section 13243 which authorizes Regional Water Quality Control Boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of federal Clean Water Act (CWA) section 303(d).
7. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subd. (b). The necessity of developing the TMDLs is established in the TMDLs staff report, the section 303(d) list, and the data contained in the administrative record documenting the fecal coliform impairments of the Corralitos/Salsipuedes Creek Watershed.
8. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The TMDLs must also receive approval from the U.S. Environmental Protection Agency.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2009-0009.

2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2009-0009, as approved, and the administrative record for this action to the OAL and the TMDLs to the U.S. Environmental Protection Agency for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 19, 2011.

AYE: Chairman Charles R. Hoppin
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2011-0010**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST REGION (BASIN PLAN) TO: (1) REMOVE THE SHELLFISH HARVESTING BENEFICIAL USE FOR SAN LORENZO RIVER ESTUARY, (2) ADD THE SAN LORENZO RIVER WATERSHED TO THE HUMAN FECAL MATERIAL DISCHARGE PROHIBITION AND THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION, AND (3) ESTABLISH TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SAN LORENZO RIVER ESTUARY, SAN LORENZO RIVER, BRANCIFORTE CREEK, CAMP EVERS CREEK, CARBONERA CREEK, AND LOMPICO CREEK

WHEREAS:

1. On May 8, 2009, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted Resolution No. R3-2009-0023 ([Attachment I](#)) amending the Basin Plan to: (1) remove the Shellfish Harvesting (SHELL) beneficial use for San Lorenzo River Estuary, (2) add the San Lorenzo River Watershed to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and (3) establish Total Maximum Daily Loads (TMDLs) for pathogens in San Lorenzo River Watershed.
2. The federal regulations at 40 Code of Federal Regulations (CFR) section 131.10(g) allow the Central Coast Water Board to remove a designated use, which is not an “existing” use, if the state can demonstrate that achieving the use is not feasible based on the factors set forth in that section. Shellfish harvesting is not an “existing use” as that term is defined in 40 CFR section 131.3 because the shellfish harvesting use has not been attained in the water body on or after November 28, 1975. The removal of the SHELL beneficial use is based on the results of a Use Attainability Analysis (UAA) in the San Lorenzo River Estuary. Central Coast Water Board staff developed the UAA in 2004 and 2005 to determine the historic, actual, and potential shellfish harvesting activities in the San Lorenzo River Estuary. The UAA is necessary to conform to 40 CFR section 131.10(j) because the action involves a designated use specified in Clean Water Act (CWA) section 101(a)(2). The amendment and the UAA only address the fishable goal (“protection and propagation of fish, shellfish, and wildlife”) as it pertains to shellfish harvesting and does not address other fishable goals or the swimmable goal included in the water contact recreation designation contained in section 101(a)(2) of the CWA. The fishable goal of the CWA is also protected under other beneficial uses (including cold fresh water habitat) designated in the Basin Plan for the San Lorenzo River Estuary.
3. The Central Coast Water Board found that the removal of the shellfish harvesting beneficial use from the San Lorenzo River Estuary and the establishment of these TMDLs and Basin Plan amendments for the San Lorenzo River Watershed were consistent with the provisions of State Water Resources Control Board (State Water Board) [Resolution No. 68-16](#), “Statement of Policy with Respect to Maintaining High Quality of Waters in California” and 40 CFR section 131.12.

4. The Central Coast Water Board may, pursuant to California Water Code section 13243, specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (i.e., prohibitions). The Implementation Plan for the TMDLs for the San Lorenzo River Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the San Lorenzo River Watershed. Supporting documentation for adding the San Lorenzo River Watershed to the above-named prohibitions is provided in the Final Project Report for Total Maximum Daily Loads for Pathogens in San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the San Lorenzo River Watershed to the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions.
5. The elements of a TMDL are described in 40 CFR sections 130.2 and 130.7 and section 303(d) of the CWA, and U.S. Environmental Protection Agency guidance documents. A TMDL is defined as “the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background” (40 CFR §130.2). The Central Coast Water Board has determined that the TMDLs for pathogens in the San Lorenzo River Watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR §130.7(c)(1)). The regulations in 40 CFR section 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR §130.2(i)). Expressing these TMDLs as units of concentration is appropriate in this case because an existing concentration-based water quality objective was used as the basis for determining the impairment, and the basis for the numeric targets in the TMDLs numeric target.
6. The Central Coast Water Board concurred with the Use Attainability Analysis and the analysis contained in the Final Project Report, the California Environmental Quality Act “Substitute Environmental Document” for the Basin Plan Amendments (including the CEQA Checklist), the staff report, responses to comments, and found that these analyses comply with the requirements of the State Water Board’s certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board’s obligations attendant with the adoption of regulations “requiring the installation of pollution control equipment, or a performance standard or treatment requirement,” as set forth in section 21159 of the Public Resources Code. The Central Coast Water Board’s environmental analysis has taken into account a reasonable range of environmental, economic, and technical factors.
7. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans; section 13242, which requires a program of implementation to achieve water quality objectives; and section 13243 which authorizes Regional Water Quality Control Boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of CWA section 303(d).

8. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subd. (b). The necessity of developing a TMDL is established in the TMDLs staff report, the CWA section 303(d) List of Water Quality Limited Segments, and the data contained in the administrative record documenting the pathogen impairments of the San Lorenzo River Watershed.
9. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The TMDLs and SHELL de-designation must also receive approval from the U.S. Environmental Protection Agency.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2009-0023.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2009-0023, as approved, and the administrative record for this action to the OAL and the TMDLs and shellfish harvesting de-designation to the U.S. Environmental Protection Agency for approval.

CERTIFICATION


The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 1, 2011.

AYE: Chairman Charles R. Hoppin
 Vice Chair Frances Spivy-Weber
 Board Member Tam M. Doduc
 Board Member Dwight P. Russell

NAY: None

ABSENT: None

ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2010-0038**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST REGION (BASIN PLAN) TO (1) ADD THE APTOS CREEK WATERSHED TO THE HUMAN FECAL MATERIAL DISCHARGE PROHIBITION AND THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION, AND
(2) ESTABLISH TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN APTOS CREEK, VALENCIA CREEK, AND TROUT GULCH

WHEREAS:

1. On May 08, 2009, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted Resolution No. R3-2009-0025 ([Attachment I](#)) amending the Basin Plan to add the Aptos Creek Watershed to the Human Fecal Material Discharge Prohibition, add the Aptos Creek Watershed to the Domestic Animal Discharge Prohibition, and establish Total Maximum Daily Loads (TMDLs) for pathogens in Aptos Creek, Valencia Creek, and Trout Gulch.
2. The elements of a TMDL are described in 40 Code of Federal Regulations (CFR) sections 130.2 and 130.7 and section 303(d) of the Clean Water Act (CWA), and U.S. Environmental Protection Agency guidance documents. A TMDL is defined as “the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background” (40 CFR §130.2). The Central Coast Water Board has determined that the TMDLs for pathogens in the Aptos Creek Watershed have been set at levels necessary to attain and maintain the applicable numeric water quality objectives, taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR §130.7 (c)(1)). The regulations in 40 CFR section 130.7 also state that TMDLs must take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR §130.2(i)). Expressing these TMDLs as units of concentration is appropriate because in this case an existing concentration-based water quality objective was used as the basis for the TMDLs’ numeric target.
3. The Central Coast Water Board may, pursuant to California Water Code section 13243, specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (i.e., prohibitions). The Implementation Plan for the TMDLs for the Aptos Creek Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the Aptos Creek Watershed. Supporting documentation for adding the Aptos Creek Watershed is provided in the Final Project Reports for Total Maximum Daily Loads for Pathogens in Aptos Creek, Valencia Creek and Trout Gulch. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Aptos Creek Watershed to the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions.

4. The Central Coast Water Board found that the establishment of these TMDLs is consistent with the provisions of the State Water Resources Control Board (State Water Board) Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12. Adoption of these TMDLs will result in improved water quality throughout the region and maintain the level of water quality necessary to protect present and potential beneficial uses.
5. The Central Coast Water Board concurred with the analysis contained in the Final Project Report, the California Environmental Quality Act substitute environmental documentation for the Basin Plan Amendment, including the CEQA Checklist, the staff report and the responses to comments, and found that these analyses comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. The Central Coast Water Board's environmental analysis has taken into account a reasonable range of environmental, economic, and technical factors.
6. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans; section 13242, which requires a program of implementation to achieve water quality objectives; and section 13243 which authorizes Regional Water Quality Control Boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the three TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of federal CWA section 303(d).
7. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subd. (b). The necessity of developing a TMDL is established in the TMDLs staff report, the CWA section 303(d) List of Water Quality Limited Segments, and the data contained in the administrative record documenting the pathogen impairments of the Aptos Creek Watershed.
8. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The TMDLs must also receive approval from the U.S. Environmental Protection Agency (U.S. EPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2009-0025.

2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2009-0025, as approved, and the administrative record for this action to the OAL and the TMDLs to the U.S. Environmental Protection Agency for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 3, 2010.

AYE: Chairman Charles R. Hoppin
 Vice Chair Frances Spivy-Weber
 Board Member Arthur G. Baggett, Jr.
 Board Member Tam M. Doduc
 Board Member Walter G. Pettit

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2010-0031**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST REGION (BASIN PLAN) TO: (1) REMOVE THE SHELLFISH HARVESTING BENEFICIAL USE FOR SOQUEL LAGOON, (2) ADD THE SOQUEL LAGOON WATERSHED TO THE HUMAN FECAL MATERIAL DISCHARGE PROHIBITION AND THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION, AND (3) ESTABLISH TOTAL MAXIMUM DAILY LOADS FOR PATHOGENS IN SOQUEL LAGOON, SOQUEL CREEK, AND NOBLE GULCH

WHEREAS:

1. On May 8, 2009, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted Resolution No. R3-2009-0024 ([Attachment I](#)) amending the Basin Plan to: (1) Remove the Shellfish Harvesting Beneficial Use for Soquel Lagoon, (2) Add the Soquel Lagoon Watershed to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and (3) establish Total Maximum Daily Loads (TMDLs) for Pathogens in Soquel Lagoon, Soquel Creek, and Noble Gulch.
2. The federal regulations at 40 Code of Federal Regulations (CFR) section 131.10(g) allow the Central Coast Water Board to remove a designated use, which is not an “existing” use, if the state can demonstrate that achieving the use is not feasible based on the factors set forth in that section. Shellfish harvesting is not an “existing use” as that term is defined in 40 CFR 131.3 because the shellfish harvesting use has not been attained in the water body on or after November 28, 1975. The removal of the SHELL beneficial use is based on the results of a Use Attainability Analysis (UAA) in Soquel Lagoon. Central Coast Water Board staff developed the UAA in 2004 and 2005 to determine the historic, actual, and potential shellfish harvesting activities in Soquel Lagoon. The UAA is necessary to conform to 40 CFR section 131.10(j), because the action involves a designated use specified in Clean Water Act (CWA) section 101(a)(2). The amendment and the UAA only addresses the fishable goal (“protection and propagation of fish, shellfish, and wildlife”) as it pertains to shellfish harvesting and does not address other fishable goals or the swimmable goal included in the water contact recreation designation contained in section 101(a)(2) of the CWA. The fishable goal of the CWA is also protected under other beneficial uses (including cold fresh water habitat) designated in the Basin Plan for the Soquel Lagoon.
3. The Central Coast Water Board found that the removal of the shellfish harvesting beneficial use from the Soquel Lagoon and the establishment of these TMDLs and Basin Plan amendments for the Soquel Lagoon Watershed were consistent with the provisions of State Water Resources Control Board (State Water Board) Resolution No. 68-16, “Statement of Policy with Respect to Maintaining High Quality of Waters in California” and 40 CFR section 131.12.

4. The Central Coast Water Board may, pursuant to California Water Code section 13243, specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (i.e., prohibitions). The Implementation Plan for the TMDLs for the Soquel Lagoon Watershed requires compliance with the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition for discharges in the Soquel Lagoon Watershed. Supporting documentation for adding the Soquel Lagoon Watershed to the above-named prohibitions is provided in the Final Project Report for Total Maximum Daily Loads for Fecal Coliform in Soquel Lagoon, Soquel Creek, and Noble Gulch. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for adding the Soquel Lagoon Watershed to the Human Fecal Material Discharge and the Domestic Animal Waste Discharge Prohibitions.
5. The elements of a TMDL are described in 40 CFR sections 130.2 and 130.7 and section 303(d) of the CWA, and U.S. Environmental Protection Agency guidance documents. A TMDL is defined as “the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background.” (40 CFR §130.2). The Central Coast Water Board has determined that the TMDLs for pathogens in the Soquel Lagoon Watershed have been set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality. (40 CFR §130.7(c)(1)). The regulations in 40 CFR section 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate. (40 CFR §130.2(i)). Expressing these TMDLs as units of concentration is appropriate because in this case an existing concentration-based water quality objective was used as the basis for the TMDLs numeric target.
6. The Central Coast Water Board concurred with the Use Attainability Analysis and the analysis contained in the Final Project Report, the California Environmental Quality Act “Substitute Environmental Document” for the Basin Plan amendments (including the CEQA Checklist), the staff report, responses to comments, and found that these analyses comply with the requirements of the State Water Board’s certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board’s obligations attendant with the adoption of regulations “requiring the installation of pollution control equipment, or a performance standard or treatment requirement,” as set forth in section 21159 of the Public Resources Code. The Central Coast Water Board’s environmental analysis has taken into account a reasonable range of environmental, economic, and technical factors.
7. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans; section 13242, which requires a program of implementation to achieve water quality objectives; and section 13243 which authorizes Regional Water Quality Control Boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of federal CWA section 303(d).

8. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subd. (b). The necessity of developing a TMDL is established in the TMDLs staff report, the CWA section 303(d) List of Water Quality Limited Segments, and the data contained in the administrative record documenting the pathogen impairments of the Soquel Lagoon Watershed.
9. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The TMDLs and SHELL de-designation must also receive approval from the U.S. Environmental Protection Agency.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2009-0024.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2009-0024, as approved, and the administrative record for this action to the OAL and the TMDLs and shellfish harvesting de-designation to the U.S. Environmental Protection Agency for approval.

CERTIFICATION


The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 6, 2010.

AYE: Vice Chair Frances Spivy-Weber
Board Member Arthur G. Baggett, Jr.
Board Member Walter G. Pettit

NAY: None

ABSENT: Chairman Charles R. Hoppin
Board Member Tam M. Doduc

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2010-0015**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST REGION (BASIN PLAN) TO (1) ADD TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN THE PAJARO RIVER WATERSHED (INCLUDING PAJARO RIVER, SAN BENITO RIVER, LLAGAS CREEK, TEQUISQUITA SLOUGH, SAN JUAN CREEK, CARNADERO/UVAS CREEK, BIRD CREEK, PESCADERO CREEK, TRES PINOS CREEK, FURLONG (JONES) CREEK, SANTA ANA CREEK, AND PACHECHO CREEK); (2) ADD A DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION; AND (3) ADD A HUMAN FECAL MATERIAL DISCHARGE PROHIBITION

WHEREAS:

1. On March 20, 2009, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted Resolution No. R3-2009-0008 ([Attachment I](#)) amending the Basin Plan to: (1) add Total Maximum Daily Loads (TMDLs) for fecal coliform in the Pajaro River Watershed; (2) add a domestic animal waste discharge prohibition; and (3) add a human fecal material discharge prohibition.
2. The Central Coast Water Board may prohibit certain types of waste discharge pursuant to California Water Code section 13243. The implementation plan for the TMDLs for the Pajaro River Watershed requires compliance with two prohibitions for fecal material pollution discharges. Supporting documentation for creation of the domestic animal waste discharge prohibition and human fecal material discharge prohibition is provided in the Final Project Reports for Total Maximum Daily Load for fecal coliform in Pajaro River, San Benito River, Llagas Creek, Tequisquita Slough, San Juan Creek, Carnadero/Uvas Creek, Bird Creek, Pescadero Creek, Tres Pinos Creek, Furlong (Jones) Creek, Santa Ana Creek, and Pachecho Creek. Consistent with California Water Code section 13244, the Central Coast Water Board complied with public notice and hearing requirements for the prohibitions.
3. The Central Coast Water Board found that the adoption of these TMDLs for the Pajaro River Watershed were consistent with the provisions of State Water Board [Resolution No. 68-16](#), "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12.
4. The elements of a TMDL are described in 40 CFR 130.2 and 130.7, section 303(d) of the Clean Water Act, and U.S. EPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board determined that the TMDLs for fecal coliform in the Pajaro River Watershed are set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge or uncertainty concerning the relationship between effluent limitations and water quality (40 CFR 130.7 (c) (1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading, and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing these TMDLs as units of concentration is

appropriate because an existing concentration-based water quality objective is used as the basis for the TMDLs numeric target.

5. The Central Coast Water Board concurred with the analysis contained in the Final Project Report, the California Environmental Quality Act (CEQA) "Substitute Environmental Document" for the Basin Plan Amendments, including the CEQA Checklist, the staff report and the responses to comments, and found that these analyses comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board found that these analyses fulfill the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. The Central Coast Water Board's environmental analysis has taken into account a reasonable range of environmental, economic, and technical factors.
6. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans; section 13242, which requires a program of implementation to achieve water quality objectives; and section 13243 which authorizes Regional Water Quality Control Boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDLs, as reflected in the Basin Plan amendment, are consistent with the requirements of federal Clean Water Act (CWA) section 303(d).
7. The regulatory action meets the "Necessity" standard of the Administrative Procedure Act, Government Code, section 11353, subdivision (b). The necessity of developing a TMDL is established in the TMDLs project report, the section 303(d) list, and the data contained in the administrative record documenting the pathogen impairments of the Pajaro River Watershed.
8. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The TMDLs must also receive approval from the U.S. Environmental Protection Agency.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2009-0008.

2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2009-0008, as approved, and the administrative record for this action to the OAL and the TMDLs to the U.S. Environmental Protection Agency for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 20, 2010.

AYE: Chairman Charles R. Hoppin
 Vice Chair Frances Spivy-Weber
 Board Member Arthur G. Baggett, Jr.
 Board Member Tam M. Doduc
 Board Member Walter G. Pettit

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

RESOLUTION NO. R3-2005-0132

**AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST BASIN
TO INCLUDE PAJARO RIVER TOTAL MAXIMUM DAILY LOADS AND IMPLEMENTATION
PLAN FOR SEDIMENT INCLUDING LLAGAS CREEK, RIDER CREEK, AND SAN BENITO
RIVER AND A LAND DISTURBANCE PROHIBITION**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region hereby finds that:

1. The California Regional Water Quality Control Board, Central Coast Region (Water Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Water Board periodically revises and amends the Basin Plan. The Water Board has determined the Basin Plan requires further revision and amendment to incorporate Pajaro River Total Maximum Daily Loads (TMDL) and Implementation Plan for Sediment, including Llagas Creek, Rider Creek, and San Benito River and a Land Disturbance Prohibition.
3. The Water Board proposes to amend the Basin Plan by inserting amendments into Chapter Four, Section IX (Total Maximum Daily Loads) and Chapter Four, Section VIII.E.1 (Land Disturbance Prohibitions).
4. Section 303(d) of the Clean Water Act (CWA) requires states to identify and prepare a list of water bodies that do not meet water quality standards and to establish TMDLs for listed waterbodies.
5. The Pajaro River, Llagas Creek, Rider Creek, and San Benito River were identified on California's 2002 303(d) list as impaired by sedimentation/siltation.
6. The Pajaro River watershed lies within the central coast of California and includes the counties of San Benito, Santa Clara, Santa Cruz, and Monterey. Major tributaries to the Pajaro River are the San Benito River, Tres Pinos Creek, Santa Ana Creek, Pacheco Creek, Llagas Creek, Uvas Creek, and Corralitos Creek. Rider Creek is tributary to Corralitos Creek. The Pajaro River watershed encompasses approximately 1,300 square miles and drains into Monterey Bay.
7. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the CWA, as well as USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Water Board has determined that the Pajaro River TMDL for Sediment is set at levels necessary to attain and maintain the applicable narrative water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading and water quality

parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)).

8. Upon establishment of TMDLs by the State or USEPA, the state is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1), 130.7; CWC sections 13050(j), 13242). The Basin Plan, and applicable statewide plans, serves as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Water Board.
9. The TMDL implementation plan requires compliance with a new land disturbance prohibition for sediment within the Pajaro River watershed. The Water Board may prohibit certain types of waste discharge pursuant to CWC 13243. Dischargers may demonstrate compliance with the prohibition by submitting and implementing a Nonpoint Source Pollution Control Implementation Program that is consistent with the Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program or documentation that demonstrates there is no activity that may cause discharges of sediment. Consistent with CWC 13244, the Water Board conducted public notice and hearing requirements for the proposed land disturbance prohibition.
10. Pursuant to CWC section 13241, the Water Board considered, in adopting the Land Disturbance Prohibition in the Pajaro River watershed: (a) past, present, and probable future beneficial uses of water. (b) Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto. (c) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area. (d) Economic considerations. (e) The need for developing housing within the region. (f) The need to develop and use recycled water. The Water Board finds that: the prohibition will protect and enhance present and probable future beneficial uses of the Pajaro River watershed; the prohibition is a reasonable and necessary part of coordinated actions to achieve improved water quality conditions in the area; considering all cost information that the Water Board has received, costs to achieve compliance with the prohibition are reasonable relative to the benefit of improved water quality; the need for developing housing within the region is not relevant; and the need to develop and use recycled water is not relevant.
11. The Water Board's goal for establishing these TMDLs is to protect cold fresh water habitat, migration of aquatic organisms, and spawning, reproduction, and/or early development beneficial uses (COLD, MIGR, and SPWN, respectively) as defined in the Basin Plan.
12. The suspended sediment numeric targets are based on concentration and duration, which provides an exposure-based approach. This numeric target approach is new for Sediment TMDLs in California and has not been used before.
13. Water Board staff submitted a TMDL report to an external scientific review panel on April 12, 2005, as required by Health & Safety Code Section 57004. Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendment. The scientific portions of the TMDL and implementation plan are based on sound scientific knowledge, methods, and practices in accordance with Section 57004.
14. Interested persons and the public have been informed of TMDL progress from the early stages of TMDL development. Efforts to inform the public and solicit public comment included public meetings, presentations to special interest groups, several individual meetings with vested stakeholders, and a number of telephone conversations with interested parties. Public notification of

the amendment to the Basin Plan occurred 45 days preceding the Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Water Board staff responded to oral and written comments received from the public.

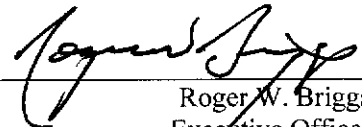
15. The Water Board considered costs of implementing measures to achieve these TMDLs. The costs to implement these TMDLs will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from implementing the TMDLs.
16. Implementation of this TMDL will require the identification of numerous landowners and operators across a diverse landscape and subsequent notification to comply with the conditional prohibition or submit nonpoint source implementation program plans. The Water Board intends to identify and notify these parties. However, the level of effort and a schedule to complete the identification and notification remains uncertain at this time, and will depend on staff availability, budget, and relationship to other water quality priorities.
17. Anti-Degradation – This order is consistent with the provisions of the State Water Resources Control Board Resolution No. 68-16, “Statement of Policy with Respect to Maintaining High Quality of Waters in California” and 40 CFR 131.12. The TMDL will result in improved water quality throughout the region and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.
18. The Water Board concurs with the analysis contained in the Final Project Report; the California Environmental Quality Act “Substitute Document” Report for Basin Plan Amendment, including the CEQA Checklist; the staff report and responses to comments; and finds that the analysis complies with the requirements of the State Water Resources Control Board’s (State Board) certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Water Board finds that the analysis fulfills the Water Board’s obligations attendant with the adoption of regulations “requiring the installation of pollution control equipment, or a performance standard or treatment requirement,” as set forth in section 21159 of the Public Resources Code. All public comments were considered.
19. The Basin Plan amendment incorporating TMDLs for sediment for the Pajaro River including, Llagas Creek, Rider Creek, and San Benito River and a Land Disturbance Prohibition must be submitted for review and approval by the State Board, the State Office of Administrative Law (OAL), and the US Environmental Protection Agency (USEPA). The Basin Plan amendment will become effective upon approval by OAL.
20. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
21. On December 2, 2005 in San Luis Obispo, California, the Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13242, 13243, and 13244 of the California Water Code, the Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment on “Attachment-Proposed Basin Plan Amendments.”

2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Water Board requests that the State Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward it to OAL and the USEPA. The Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL and USEPA.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If, during its approval process, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Water Board of any such changes.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on December 2, 2005.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2005-0132

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

AMENDMENT NO. 1. Revise the September 8, 1994 Basin Plan, Chapter 4 as follows:

Add the following to Chapter 4 after IX. G.:

IX. H. PAJARO RIVER TOTAL MAXIMUM DAILY LOADS FOR SEDIMENT INCLUDING LLAGAS CREEK, RIDER CREEK, AND SAN BENITO RIVER

The Regional Water Quality Control Board adopted this TMDL on December 2, 2005.

This TMDL was approved by:

The State Water Resources Control Board on _____.

The California Office of Administrative Law on _____. (*Effective date*)

The U.S. Environmental Protection Agency on _____.

Problem Statement

Anthropogenic watershed disturbances have accelerated the natural processes of erosion and sedimentation in the Pajaro River, including Llagas Creek, Rider Creek, and San Benito River. Special studies have identified a variety of watershed conditions that have lead to excessive sedimentation. Excessive sedimentation has caused an exceedance of the narrative, general water quality objective for sediment because sediment load and rate have interfered with the beneficial uses of these waterbodies including, fish and wildlife (COLD, MIGR, and SPWN).

The narrative objective states, "the suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses."

Numeric Targets (interpretation of the narrative water quality objective)

This TMDL establishes numeric targets as indicators of the narrative, general water quality objective for sediment. This TMDL uses two types of numeric targets: suspended sediment concentration-duration and streambed characteristics. Numeric targets for suspended sediment concentration-duration are presented in Table 1. Numeric targets for streambed characteristics are presented in Table 2.

Table 1 - Numeric Targets for Suspended Sediment Concentrations

Major Subwatershed ^b	Duration (Days)	Maximum Concentration of Exposure Category Range (mg/L)	Numeric Targets ^a	
			Number of Instances Greater than Maximum Concentration.	Maximum Duration of Instances (days)
Tres Pinos	1	1808	15	22
	2	665	42	44
	6	244	36	51
	14	244	20	51
	49	90	5	108
San Benito	1	1808	9	9
	2	665	30	21
	6	244	29	35
	14	244	14	35
	49	90	2	60
Llagas	1	1808	0	0
	2	665	0	1
	6	244	9	15
	14	244	1	15
	49	90	0	28
Uvas	1	1808	1	3
	2	665	12	8
	6	244	12	15
	14	244	1	15
	49	90	0	18
Upper Pajaro	1	1808	0	1
	2	665	3	3
	6	244	2	9
	14	244	0	9
	49	90	0	33
Corralitos (includes Rider Creek)	1	1808	0	1
	2	665	0	2
	6	244	8	11
	14	244	0	11
	49	90	0	36
Mouth of Pajaro	1	1808	0	1
	2	665	0	2
	6	244	8	11
	14	244	0	11
	49	90	0	36

^a Targets based on a 15-year model run for the period from 1986 to 2000.

^b Major subwatersheds of the Pajaro River.

Table 2 - Numeric Targets for Streambed Characteristics

Parameter	Numeric Target ¹
Residual Pool Volume ²	V* = Mean values ≤ 0.21 Max values ≤ 0.45
Median Diameter (D ₅₀) of Sediment Particles in Spawning Gravels	D ₅₀ = Mean values ≥ 69 mm Minimum values ≥ 37 mm
Percent of Fine Fines (< 0.85 mm) in Spawning Gravels	Percent fine fines $\leq 21\%$
Percent of Coarse Fines (< 6.0 mm) in Spawning Gravels	Percent coarse fines $\leq 30\%$

¹ Target values are for sampling reach(es) within an individual waterbody.

² Residual Pool Volume refers to the portion of a pool in a stream that is available for fish to occupy. Pool habitat is the primary habitat for steelhead in summer. Overwintering habitat requirements include deeper pools, undercut banks, side channels, and especially large, unembedded rocks, which provide shelter for fish against the high flows of winter. V* gives a direct measurement of the impact of sediment on pool volume. It is the ratio of the amount of *pool volume filled by fine, mobile sediment*, to *total pool volume*. Qualifying pools are defined by Regional Board sampling protocol (2002).

Source Analysis

Sources of sediment include the following nonpoint and point source discharge activities occurring within the respective land use source categories. Nonpoint sources include irrigated agriculture activities upon crop, fallow and orchard lands; timber harvesting activities upon forested lands; grazing activities upon pasture and range lands; urban and rural residential development, roads, farm animal and livestock boarding upon urban lands; unpaved roads in the San Benito watershed, and paved and unpaved roads in the Corralitos Creek and Rider Creek watersheds upon lands in the roads landuse category; hydromodification-related activities upon all types of land use; off-road recreational vehicle areas; sand and gravel mining; as well as natural erosion and landslides. Point sources include the small Municipal Separate Storm Sewer Systems (MS4s) of Watsonville, Hollister, Gilroy, and Morgan Hill.

TMDLs and Allocations

TMDLs and load allocations are assigned to sources for seven watersheds as represented in Table 3. These allocations are modeled load values that are necessary to meet the suspended sediment concentration-duration targets. The Regional Board will determine that the TMDL is attained when the numeric targets are achieved. When numeric targets are achieved, the Regional Board will assume that these loads are met.

Margin of Safety

The total load includes an implicit margin of safety that was derived through conservative assumptions.

Table 3 – TMDLs and Load Allocations

Major Subwatershed	Allocations ¹ (LA/WLA)	Source Category							Total Load
		Crop, Fallow, and Orchard	Forest ²	Pasture and Range	Urban Lands ³	Roads	Barren ²	Sand and Gravel Mining	
Tres Pinos	LA	477	352	41085	312		11551		53,778
	WLA				1				
San Benito	LA	1971	2083	19863	327	1180	14128	27	39,679
	WLA				100				
Llagas	LA	596	326	6978	354		144	0	9,185
	WLA				787				
Uvas	LA	946	989	12454	280		369		15,177
	WLA				139				
Upper Pajaro	LA	4114	1228	37664	356		425	3	43,951
	WLA				161				
Corralitos (including Rider Creek)	LA	3544	4536	2427	443	79	73	2	11,389 ⁴
	WLA				284				
Mouth of Pajaro	LA	3047	58	3055	383		500	35	7,268 ⁴
	WLA				191				

Notes:

¹ Annual load allocations (LA) and waste load allocations (WLA) expressed in metric tones (1 metric ton equals 1,000 kilograms). Blank cells indicate no allocations for specified source category.

² Forest includes loads from natural sources and from timber harvesting operations; Barren includes loads from natural sources only.

³ Load allocations for urban lands outside of NPDES Phase 2 urban boundaries. Waste load allocations for urban lands within NPDES Phase 2 urban boundaries.

⁴ Number rounded.

Implementation

The following actions will be taken to reduce sediment discharges from activities that occur within each of the land use source categories (headings) below. Regional Board staff intends to identify and notify the parties responsible for the activities according to the schedule below; however, if staff resources are insufficient or other water quality priorities emerge, this schedule will be modified.

Crop, Fallow, and Orchard Lands

Landowners and operators of crop, fallow, and orchard lands, where irrigated agricultural activities are conducted, will implement agricultural management measures and perform monitoring and reporting pursuant to the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated

Lands and the Monitoring and Reporting Program, Order No. R3-2004-0117. This is an existing, on-going activity.

Forest Lands

Landowners and operators of forest lands, where timber harvest activities are conducted, will implement timber harvest management measures and perform monitoring and reporting pursuant to the General Conditional Waiver of Waste Discharge Requirements for Timber Harvest Activities and the Monitoring and Reporting Program, Order No. R3-2005-0066. This is an existing, on-going activity.

Pasture and Range

Owners and operators of pasture and range lands, where grazing activities occur, must comply with the land disturbance prohibition.

Within one year following approval of the TMDLs by the Office of Administrative Law, the Executive Officer will notify the owners and operators of pasture and range lands of the prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Nonpoint Source Pollution Control Implementation Program (Program) or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition.

Urban Lands

Urban lands include the small communities of Watsonville, Hollister, Gilroy, and Morgan Hill (cities), rural properties throughout the watershed with farm animals or livestock boarding (rural properties), and roads throughout the watershed. These lands do not include unpaved roads in San Benito River watershed, and paved and unpaved roads within the Corralitos Creek and Rider Creek subwatersheds (See Roads below).

The cities must obtain a Municipal Separate Storm Sewer System (MS4) permit. Their Storm Water Management Programs must include specific actions to reduce sediment discharges pursuant to Clean Water Act Section 402(p)(3)(B) and Section D of State Board Order No. 2003-005, NPDES General Permit No. CAS000004 for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems. The cities will then describe the actions taken as part of their annual report. If necessary, the Regional Board's Executive Officer can require more stringent sediment controls. This is an existing requirement and an on-going activity.

Owners and operators of rural properties and roads must comply with the land disturbance prohibition.

Within one year following approval of the TMDLs by the Office of Administrative Law, the Executive Officer will notify the owners and operators of rural properties and roads of the prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Program or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition.

Roads

Within one year following approval of the TMDLs by the Office of Administrative Law, the Executive Officer will notify the owners and operators of unpaved roads within the San Benito River watershed and paved and unpaved roads within the Corralitos Creek and Rider Creek watersheds of the prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Program or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition.

Sand and Gravel Mining

Within six months following approval of the TMDLs by the Office of Administrative Law and pursuant to Section 13263(e) of the CWC, Regional Board staff will review existing waste discharge requirements (WDRs) for sand and gravel mining operations and revise or require activities to: 1) assess cumulative impacts, including fluvial geomorphic impacts, upon the beneficial uses of the San Benito River; 2) mitigate the impacts identified; and 3) monitor the effectiveness of mitigation activities. One year following approval of the TMDLs by the Office of Administrative Law, pursuant to Section 13267 of the CWC, the Executive Officer will require owners and operators of sand and gravel mining operations to submit a plan to assess cumulative impacts, including fluvial geomorphic impacts, upon the beneficial uses of the San Benito River. The Executive Officer will comply with the requirements of section 13267 when issuing the orders. Regional Board staff will encourage sand and gravel mining operators to conduct the cumulative impacts assessment cooperatively.

Streambank Erosion

Owners and operators of properties where hydromodification activities occur must comply with the land disturbance prohibition.

Within one year following approval of the TMDLs by the Office of Administrative Law, the Executive Officer will notify the owners and operators of properties where hydromodification activities occur of the prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Program or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition.

Monitoring

Regional Board staff will develop a monitoring program to measure in-stream numeric targets within five years following TMDL approval. The program will be consistent with other Central Coast Region sediment TMDLs, regional sediment monitoring programs, and in cooperation with implementing parties. If Regional Board staff concludes that sediment contributions from individual landowners should be monitored in addition to in-stream numeric targets, the Executive Officer will establish such monitoring requirements in compliance with section 13267.

Tracking and Evaluation

Regional Board staff will conduct a review every three years beginning three years after TMDL approval by the Office of Administrative Law. Regional Board staff will utilize required reports, as well as other available information, to review implementation efforts of responsible parties and progress being made towards achieving the allocations. Regional Board staff will also review numeric target monitoring (see above) to determine progress towards TMDL achievement in the waterbody. The numeric targets, not

actual loads or reductions in loads, will be measured, as they are a more direct indicator of beneficial use protection. Regional Board staff may conclude and articulate that ongoing implementation efforts may ultimately be insufficient to achieve the allocations and numeric targets. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either by the Executive Officer (e.g. pursuant to CWC section 13267 or section 13383) or by the Regional Board (e.g. through revisions of existing permits and/or a Basin Plan Amendment). At any particular date, Regional Board staff may conclude and articulate that implementation efforts and results are likely to result in achieving the allocations and numeric target, in which case existing and anticipated implementation efforts should continue.

Three-year reviews will continue until the TMDLs are achieved. The target date to achieve the TMDLs is forty-five years after implementation commences.

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan, Chapter 4 as follows:

Add the following to the end of Chapter 4 in VIII.E.1, Land Disturbance Prohibitions:

The controllable discharge of soil, silt, or earthen material from any grazing, farm animal and livestock, hydromodification, road, or other activity of whatever nature into waters of the State within the Pajaro River watershed is prohibited.

The controllable discharge of soil, silt, or earthen material from any grazing, farm animal and livestock, hydromodification, road, or other activity of whatever nature to a location where such material could pass into waters of the State within the Pajaro River watershed is prohibited.

The above two prohibitions do not apply to any discharge regulated by National Pollutant Discharge Elimination System permits, Waste Discharge Requirements or waivers of Waste Discharge Requirements.

The above two prohibitions do not apply to any grazing, farm animal and livestock, hydromodification, or road activity if the owner or operator:

- i. Submits a Nonpoint Source Pollution Control Implementation Program, consistent with the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program, May 20, 2004*, that is approved by the Executive Officer, or
- ii. Demonstrates there is no activity that may cause soil, silt, or earthen material to pass into waters of the state within the Pajaro River watershed, as approved by the Executive Officer.

This Land Disturbance Prohibition takes effect three years following approval by the U.S. Environmental Protection Agency.

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2006 - 0068**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST REGION (BASIN PLAN) TO ESTABLISH
TOTAL MAXIMUM DAILY LOADS (TMDLs)
AND A LAND DISTURBANCE PROHIBITION FOR SEDIMENT IN PAJARO RIVER
(INCLUDING LLAGAS CREEK, RIDER CREEK, AND SAN BENITO RIVER)

WHEREAS:

1. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted a revised Basin Plan on February 11, 1994, which was approved by the State Water Resources Control Board (State Water Board) on May 18, 1994 and by the Office of Administrative Law (OAL) on September 7, 1994.
2. On December 2, 2005, the Central Coast Water Board adopted Resolution No. R3-2005-0132 ([Attachment](#)) amending the Basin Plan to establish TMDLs and a land disturbance prohibition for sediment in the Pajaro River.
3. Central Coast Water Board staff prepared documents and followed procedures satisfying environmental documentation requirements of the California Environmental Quality Act.
4. Central Coast Water Board staff found that the adoption of this amendment would result in no adverse effect on wildlife, and the amendment would be consistent with the State Antidegradation Policy (State Water Board Resolution No. 68-16) and federal antidegradation requirements.
5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans, and section 13242, which requires a program of implementation of water quality objectives. The State Water Board also finds that the TMDLs and land disturbance prohibition as reflected in the Basin Plan amendment are consistent with the requirements of federal Clean Water Act section 303(d).
6. The State Water Board finds, for purposes of clarifying the Central Coast Water Board's TMDL language, that, for the purposes of assessing success of the TMDL, the "Numeric Targets for Suspended Sediment Conditions" must be met within 15 years of development of the monitoring program. The Central Coast Water Board will use compliance with these targets, among other factors, in evaluating the need to revise any of the assumptions in the TMDL.
7. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDLs must also be approved by the U.S. Environmental Protection Agency (USEPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2005-0132, subject to the Central Coast Water Board Executive Officer making non-substantive amendments to Footnote 'c' of Table 1 to ensure consistency with Finding 6. In the amendment to Table I, Footnote c, the first sentence should read: Numeric targets are comprised of two components: a maximum number of exceedance events that may occur in any consecutive 15 years after development of the monitoring program and the maximum duration (consecutive days) in which the maximum SSC value for each range can be exceeded in 15 years."
2. Authorizes the Executive Director or designee to submit the amendment adopted pursuant to Central Coast Water Board Resolution No. R3-2005-0132, as approved, and the administrative record for this action to OAL and the TMDLs to USEPA for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 21, 2006.

AYE: Tam M. Doduc
Gerald D. Secundy
Arthur G. Baggett, Jr.
Charles R. Hoppin
Gary Wolff, P.E., Ph.D.

NO: None

ABSENT: None

ABSTAIN: None



Song Her
Clerk to the Board

March 24, 2006

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

RESOLUTION NO. R3-2006-0025
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN TO INCLUDE
WATSONVILLE SLOUGH TOTAL MAXIMUM DAILY LOAD
AND IMPLEMENTATION PLAN FOR PATHOGENS,
WATSONVILLE SLOUGH WATERSHED LIVESTOCK WASTE DISCHARGE PROHIBITION,
AND REMOVAL OF THE SHELLFISH HARVESTING BENEFICIAL USE FROM
WATSONVILLE SLOUGH AND TRIBUTARIES

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region hereby finds that:

1. The California Regional Water Quality Control Board, Central Coast Region (Water Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Water Board periodically revises and amends the Basin Plan. The Water Board has determined the Basin Plan requires further revision and amendment to incorporate a Total Maximum Daily Load (TMDL) and Implementation Plan for Pathogens for Watsonville Slough.
3. The Water Board proposes to amend the Basin Plan by inserting amendments into the following section:
 - a. Chapter Two, Table 2-1: "Identified Uses of Inland Surface Waters"
 - b. Chapter Four, Sections VIII (Nonpoint Source Measures) and IX (Total Maximum Daily Loads)
 - c. Chapter Five, Section IV.E (Other Specific Prohibition Subjects)
4. Section 303(d) of the Clean Water Act (CWA) requires states to identify and prepare a list of water bodies that do not meet water quality standards and to establish TMDLs for listed waterbodies.
5. Watsonville Slough is listed on California's 303(d) list as impaired due to non-attainment of existing Basin Plan water quality objectives for pathogens.
6. Watsonville Slough is located in Santa Cruz County, California. The watershed area drains approximately 13,000 acres generally north of the Slough itself, which flows into the mouth of the Pajaro River at Monterey Bay, ultimately draining into the Pacific Ocean. Tributaries to Watsonville Slough include Struve Slough, Hanson Slough, and Harkins Slough. Gallighan Slough flows into Harkins Slough.
7. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the CWA, as well as USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Water Board has determined that the Watsonville Slough Pathogen TMDL is set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40

- CFR 130.7(c)(1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing this TMDL as units of concentration is appropriate because an existing concentration based water quality objective is used as the basis for the numeric target.
8. Upon establishment of TMDLs by the State or USEPA, the state is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1), 130.7; California Water Code (CWC) sections 13050(j), 13242). The Basin Plan, and applicable statewide plans, serve as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Water Board.
 9. The TMDL implementation plan requires compliance with a new livestock waste discharge prohibition within the Watsonville Slough Watershed. The Water Board may prohibit certain types of waste discharge pursuant to CWC 13243. Consistent with CWC 13244, the Water Board conducted public notice and hearing requirements for the proposed waste discharge prohibition.
 10. Pursuant to CWC section 13241, the Water Board considered several factors in developing the livestock waste discharge prohibition in Watsonville Sloughs. The Board concludes the following:
 - a. The prohibition will not affect past, present, or probable future beneficial uses of Watsonville Sloughs.
 - b. Environmental characteristics of the waterbody will not be affected.
 - c. Improved water quality conditions can reasonably be achieved through the coordinated control of all factors that affect water quality in the area, as provided in the Implementation Plan.
 - d. Costs to achieve compliance with the prohibition are reasonable relative to the benefit of improved water quality.
 - e. The need for developing housing within the region is not relevant.
 - f. The need to develop and use recycled water is not relevant.
 11. The Water Board's goal for establishing the above mentioned TMDL is to protect the contact and non-contact water recreation beneficial uses (REC-1 and REC-2, respectively) as defined in the Basin Plan.
 12. The Water Board has determined that the shellfish harvesting (SHELL) beneficial use designation as it pertains to Watsonville, Harkins, Gallighan, Struve, and Hanson Sloughs should be removed.
 13. The proposed removal of the SHELL beneficial use is based on the results of a Use Attainability Analysis (UAA) of this beneficial use in Watsonville Slough and its tributaries, performed by Water Board staff. Staff conducted this analysis in Spring 2005 to determine actual and potential SHELL use of the Sloughs. The UAA is necessary to conform to 40 Code of Federal Regulations, section 131.10(j) because the action involves a designated use specified in CWA section 101(a)(2). The proposed amendment and the UAA only address the fishable goal ("protection and propagation of fish, shellfish, and wildlife") as it pertains to shellfish harvesting and do not address other fishable goals or the swimmable goal included in the REC-1 designation contained in section 101(a)(2) of the CWA. The fishable goal of the CWA is also protected under other beneficial uses (including WARM) designated in the Basin Plan for the affected waterbodies.
 14. CWA factors for allowing a State to remove a designated use are listed in Section 131.10(g). Based on staff's UAA, three factors preclude attainment of SHELL in Watsonville Slough and its tributaries. These factors are as follows:
 - a. Natural, ephemeral, intermittent, or low flow conditions or water levels prevent the attainment of the beneficial use.

- b. Diversions, and other types of hydrologic modifications preclude the attainment of the beneficial use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use.
 - c. Physical conditions related to the natural features of the water body, including lack of a proper substrate, preclude attainment of aquatic life protection uses.
15. Pursuant to CWC section 13241, the Water Board considered several factors in deciding to remove the SHELL beneficial use in Watsonville Sloughs. Staff concluded that shellfish harvesting is not a past, present, or probable future beneficial use of Watsonville Sloughs. In removing the SHELL beneficial use, staff concluded the following:
 - a. Environmental characteristics of the waterbody will not be affected.
 - b. Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area will not be affected.
 - c. De-designation of the SHELL beneficial use does not impose any costs other than the Water Board's costs of preparing the amendment.
 - d. The need for developing housing within the region is not relevant.
 - e. The need to develop and use recycled water is not relevant.
16. The removal of the SHELL beneficial use is consistent with the Antidegradation Policy, as it will not lower the water quality of the Watsonville Slough and its tributaries relative to existing conditions. In assigning water quality objectives to the uses that exist, the Basin Plan Amendment fulfills the requirement of protecting the level of water quality necessary to protect existing and anticipated beneficial uses.
17. The Water Board's goal in de-designating the SHELL beneficial use is to assign bacterial water quality objectives that accurately reflect the existing and potential uses of Watsonville Slough and tributaries. For this purpose, "existing uses" means those uses actually attained on or after November 28, 1975 (40 CFR §131.3(e)).
18. Water Board staff submitted a TMDL report, including the proposed waste discharge prohibition and proposed removal of the SHELL beneficial use in Watsonville Slough and tributaries, to an external scientific review panel in October of 2005 as required by Health & Safety Code Section 57004. Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendment. The scientific portions of the TMDL and implementation plan, the waste discharge prohibition, and the proposed removal of the SHELL beneficial use, are based on sound scientific knowledge, methods, and practices in accordance with Section 57004.
19. Water Board staff implemented a process to inform interested persons and the public about the TMDL, the waste discharge prohibition, and removal of the SHELL beneficial use designation for Watsonville Slough and tributaries. Water Board staff's efforts to inform the public and solicit comment include public meetings, presentations to special interest groups, individual meetings with vested stakeholders, and numerous telephone conversations with interested parties. Public notification of the amendment to the Basin Plan occurred 45 days preceding the Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Water Board staff responded to oral and written comments received from the public.
20. The Water Board considered costs of implementing measures to achieve the TMDL. The costs to implement the TMDL will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from implementing the TMDL.

21. Anti-Degradation — This order is consistent with the provisions of the State Water Resources Control Board (State Board) Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12. The TMDL will result in improved water quality throughout the region and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.
22. The Water Board concurs with the analysis contained in the Final Project Report, including the Use Attainability Analysis, the California Environmental Quality Act "Substitute Document" Report for Basin Plan Amendment, including the CEQA Checklist, the staff report and the responses to comments, and finds that these analyses comply with the requirements of the State Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Water Board finds that these analyses fulfill the Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. All public comments were considered.
23. The Water Board must submit the Basin Plan amendment incorporating a TMDL for pathogens for Watsonville Slough, the livestock waste discharge prohibition, and the removal of the SHELL beneficial use for Watsonville Slough and tributaries to the State Board, the State Office of Administrative Law (OAL), and the US Environmental Protection Agency (USEPA), for approval. The TMDL and Implementation Plan will become effective upon approval by OAL. The prohibition and the de-designation of the SHELL beneficial use will become effective upon approval by USEPA.
24. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
25. On March 24, 2006 in San Luis Obispo, California, the Water Board held a public hearing and heard and considered all public comments and evidence in the record.

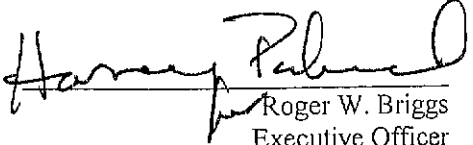
THEREFORE, be it resolved that:

1. Pursuant to sections 13240, 13242, 13243, and 13244 of the CWC, the Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment in "Attachment-Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the CWC.
3. The Water Board requests that the State Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the CWC and forward it to OAL and the USEPA. The Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL and USEPA.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If, during its approval process, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Water Board of any such changes.

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March 24, 2006

I, **Roger W. Briggs, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on March 24, 2006.



Roger W. Briggs
Executive Officer

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RESOLUTION NO. R3-2006-0025

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

AMENDMENT NO. 1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to Chapter 4 after IX. H.:

IX. I. TOTAL MAXIMUM DAILY LOAD FOR PATHOGENS FOR WATSONVILLE SLOUGH

The Regional Water Quality Control Board adopted this TMDL on March 24, 2006.

This TMDL was approved by:

The State Water Resources Control Board on _____.

The California Office of Administrative Law on _____, (*Effective date*)

The U.S. Environmental Protection Agency on _____.

Problem Statement

The beneficial uses of water contact recreation (REC-1) and non-contact water recreation (REC-2) are not supported in Watsonville Slough or its tributaries, Struve, Hanson, Harkins and Gallighan Sloughs, because fecal coliform concentrations there exceed existing Basin Plan numeric water quality objectives protecting these beneficial uses.

Numeric Target

Fecal coliform concentration, based on a minimum of five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100mL, nor shall more than ten percent of total samples collected during any 30-day period exceed 400 MPN per 100mL.

Source Analysis

Controllable sources of fecal coliform bacteria in Watsonville Slough and its tributaries include humans, pets, livestock, and land-applied non-sterile manure in irrigated agriculture. Genetic data indicate that the major sources of fecal coliform causing exceedance of the REC-1 standard are natural avian populations. Genetic analysis of Watsonville Slough water samples from both winter and summer periods confirmed birds, cows, and dogs (with birds contributing the most and dogs the least); human fecal coliform bacteria was confirmed in Harkins and Struve Sloughs, but in lower amounts than cow, bird and dog fecal coliform.

TMDL and Allocations

The TMDL for pathogens in Watsonville Slough is a receiving water concentration equal to the numeric target for fecal coliform. The allocation to each responsible party is the receiving water fecal coliform concentration equal to the TMDL. These allocations focus on reducing or eliminating the controllable sources of fecal coliform. The table below shows the allocations with respect to responsible party and waterbody.

The allocation to background (including natural sources from birds) is also the receiving water fecal coliform concentration equal to the TMDL. The parties responsible for the allocation to controllable sources are not responsible for the allocation to natural sources.

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ALLOCATIONS AND RESPONSIBLE PARTIES

WASTE LOAD ALLOCATIONS		Receiving Water Fecal Coliform (MPN/100mL) ¹
Waterbody	Responsible Party	
Watsonville, Struve, Harkins Sloughs	Santa Cruz County (Urban Stormwater)	≤ 200
Watsonville, Struve, Harkins, Gallighan, Hanson Sloughs	City of Watsonville (Urban Stormwater)	≤ 200
Harkins Slough	Santa Cruz Co. Freedom Sanitation District (Sanitary Sewer Collection System)	≤ 200
Watsonville & Struve Sloughs	City of Watsonville (Sanitary Sewer Collection System)	≤ 200
Gallighan Slough	Santa Cruz County (Landfill Stormwater)	≤ 200
LOAD ALLOCATIONS		Receiving Water Fecal Coliform (MPN/100mL) ¹
Watsonville & Harkins Sloughs	Operators or owners of irrigated lands who land-apply non-sterile manure	≤ 200
Watsonville & Harkins Sloughs	Operators or owners of livestock facilities and animals	≤ 200
¹ As log mean of five (5) samples taken in a 30-day period occurring within each season.		

The TMDL is considered achieved when the allocations assigned to the controllable and natural sources are met, or when the numeric targets are consistently met in all tributaries and Watsonville Slough.

Margin of Safety

A margin of safety is incorporated in the TMDL through conservative assumptions.

Implementation and Monitoring

Landfill Stormwater Monitoring

Within six months following adoption of this TMDL by the Office of Administrative Law, the Executive Officer will require the County of Santa Cruz to include fecal coliform monitoring in the Buena Vista Landfill Waste Discharge Requirements (Order No. 94-29), per Section 13267 of the CWC.

THE FOLLOWING ACTIONS WILL REDUCE FECAL COLIFORM BACTERIA LOADING FROM HUMANS AND PETS:

Urban Stormwater

The City of Watsonville (City) and County of Santa Cruz (County) must revise their Stormwater Management Plans to indicate how and when they will conduct public participation and outreach regarding specific actions that individuals can take to reduce pathogen loading and to indicate how and when they will develop and implement an enforceable means of reducing fecal coliform loading from pet waste (e.g., an ordinance). Within six months following adoption of this TMDL by the Office of Administrative Law, the Executive Officer will (i) issue a letter pursuant to Section 13383 of the California Water Code (CWC), requiring these changes to be described in the annual report required by the Small MS4 Permit (State Board Order No. 2003-005, NPDES General Permit No.CAS000004 for Municipal Separate Storm Sewer Systems) and (ii) require appropriate modifications to the Stormwater Management Plans pursuant to Section G of the General Permit.

The City and County public participation and outreach efforts must include the following tasks:

- a. Educating the public about sources of fecal coliform and its associated health risks in surface waters.

- b. Identifying and promoting specific actions that responsible parties can implement to reduce pathogen loading from sources such as homeless encampments, agricultural field workers, and homeowners who contribute waste from domestic pets.

The City and County must monitor receiving water and stormwater outfalls that may be contributing fecal coliform to the sloughs. Within six months following adoption of this TMDL by the Office of Administrative Law, the Executive Officer will issue a letter pursuant to Section 13267 and/or 13383 of the CWC, requiring a technical report that describes a monitoring plan and schedule that includes sampling sites in receiving water and at stormwater outfalls. The City and County may submit the monitoring results in subsequent annual reports already required by the Small MS4 Permit or submit them in a separate technical report.

Sanitary Sewer Collection System

The City and County are required to improve maintenance of their sewage collection systems, including identification, correction, and prevention of sewage leaks, in portions of the collection systems that run through, or adjacent to, tributaries to Watsonville Slough (Action 1B, Table 1). Within six months following adoption of this TMDL by the Office of Administrative Law, the Executive Officer will issue a letter pursuant to Section 13267 of the CWC, requiring a technical report that describes how and when they will conduct improved system maintenance in portions of the system most likely to affect the Sloughs. One year following adoption of this TMDL by the Office of Administrative Law, Water Board staff will evaluate proposed sewer system maintenance for the City and the County of Santa Cruz Freedom Sanitation District as described in the technical report and determine whether appropriate changes to the maintenance have been made or whether any changes to the Waste Discharge Requirements (currently, Order No. R3-2003-0041, and No. R3-2003-0040, respectively) are warranted.

THE FOLLOWING ACTIONS WILL REDUCE FECAL COLIFORM BACTERIA LOADING FROM LIVESTOCK AND LAND-APPLIED NON-STERILE MANURE:

Livestock Sources

Operators or owners of livestock facilities and animals must comply with the proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition to implement their load allocations. Within one year following approval of the TMDL by the Office of Administrative Law, the Executive Officer will notify the owners and operators of livestock facilities, and the owners of animals, of the proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Nonpoint Source Pollution Control Implementation Program (Program) or documentation submitted in compliance with the prohibition within six months of the submittal date. Should the Program or documentation require modification, or if a party fails to submit a Program or documentation, the Executive Officer may issue a civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements to assure compliance with the prohibition. Alternatively, dischargers may comply by immediately ceasing all discharges in violation of the Prohibition.

Responsible parties must submit monitoring data or other evidence that demonstrates compliance with the Watsonville Slough Watershed Livestock Waste Discharge Prohibition. The Executive Officer will determine whether the information submitted demonstrates compliance.

Irrigated Land Sources

Operators or owners of irrigated lands where non-sterile manure is applied must comply with the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands to implement their load allocations. Staff expects management measures implemented pursuant to this waiver for irrigated lands will be adequate to reduce or eliminate pathogen discharges where farmers apply non-sterile manure to the land. However, compliance with the conditions in the waiver does not meet all of the requirements of the proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition. Since the Conditional Waiver does

March 24, 2006

not include any regulation or monitoring of pathogen discharges, operators or owners of irrigated lands where non-sterile manure is applied must also submit reports that demonstrate that they do not discharge pathogens, or explain how pathogen discharges are being addressed.

Within six months following approval of the TMDL by the Office of Administrative Law, the Executive Officer will notify responsible parties of the proposed Watsonville Slough Watershed Livestock Waste Discharge Prohibition and conditions for compliance with the prohibition. The Executive Officer will review and approve, or request modification of, the Nonpoint Source Pollution Control Implementation Program (Program), or other documentation submitted in compliance with the prohibition, within six months of the submittal date. Should the Program or documentation require modification, or if a responsible party fails to submit a Program or documentation, the Executive Officer may issue an administrative civil liability complaint pursuant to section 13268 or 13350 of the CWC, or alternatively, propose individual or general waste discharge requirements or conditional waivers to assure compliance with the prohibition. Alternatively, dischargers may comply by immediately ceasing all discharges in violation of the Prohibition.

Tracking and Evaluation

Water Board staff will conduct a review every three years beginning three years after TMDL approval by the Office of Administrative Law. Water Board staff will use Annual Reports and any other available information to determine progress toward compliance. Water Board staff may conclude that ongoing implementation efforts are insufficient to ultimately achieve the allocations and numeric target. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either through authority of the Executive Officer (e.g. pursuant to CWC section 13267 or section 13383) or the Water Board (e.g. through revisions of existing permits and/or a Basin Plan Amendment). Water Board staff may also conclude that implementation efforts are likely to achieve compliance, and therefore existing implementation efforts should continue.

Responsible parties will continue monitoring according to this plan for at least three years, at which time Water Board staff will determine the need for continuing or otherwise modifying the monitoring requirements. Responsible parties may also demonstrate that controllable sources of pathogens are not contributing to exceedance of water quality objectives in receiving waters. If this is the case, staff may consider re-evaluating the targets and allocations. For example, staff may propose a site-specific objective for Watsonville Sloughs, to be approved by the Water Board. The site-specific objective would be based on evidence that natural, or "background" sources alone were the cause of exceedances of the Basin Plan water quality objective for fecal coliform.

Three-year reviews will continue until the TMDL is achieved. The target date to achieve the TMDL is ten years after implementation commences.

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Table 1 IMPLEMENTATION ACTIONS OF RESPONSIBLE PARTIES

Responsible Party	Source Category	Management Measure	Action
County of Santa Cruz and City of Watsonville	1A Human	Public Participation and Outreach	Educate the public, including the homeless, regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters of the Watsonville Slough Watershed. Educate the public regarding actions that individuals can take to reduce pathogen loading in the Watershed. Revise Stormwater Management Plan and submit to Water Board for approval, monitor, and report.
	1B Human	Human Source Elimination and Prevention	Maintain the sewage collection system, including identification, correction, and prevention of sewage leaks into tributaries to Watsonville Slough. Revise Sewer System Management Plan and submit to Water Board for approval, monitor, and report.
	1C Pets	Pet Waste Management	Develop and implement enforceable means (e.g., an ordinance) of reducing/eliminating fecal coliform loading from pet waste. Educate the public regarding actions that individuals can take to reduce loading in the Watershed. Revise Stormwater Management Plan and submit to Water Board for approval, monitor, and report.
Operators or owners of livestock facilities and animals	2A Livestock	Farm Animal and Livestock Facilities Management	Develop and implement strategies to reduce/eliminate fecal coliform loading from farm animal and livestock facilities (e.g., pens, corrals, barns) into surface waters of the Watsonville Slough Watershed. Submit <i>Nonpoint Source Control Implementation Program</i> to the Executive Officer of the Water Board and monitor and report, or, document and report to the Water Board that no discharge is occurring from animal facilities.
	2B Livestock	Grazing Management	Protect sensitive areas (including streambanks, sloughs, wetlands, and riparian zones) by reducing direct loadings of animal wastes from grazing areas into surface waters of the Watsonville Slough Watershed. Submit <i>Nonpoint Source Control Implementation Program</i> to the Executive Officer of the Water Board and monitor and report, or, document and report to the Water Board that no discharge is occurring from grazing activities.
Operators or owners of irrigated lands who land-apply non-sterile manure	3 Land-Applied Non-Sterile Manure on Irrigated lands	Irrigated Land Management	Develop, implement and report on measures to reduce/eliminate fecal coliform loading from land-applied non-sterile manure into surface waters of the Watsonville Slough Watershed. Document and report to the Water Board that measures are in place and monitor to demonstrate effectiveness.

AMENDMENT NO. 2. Revise the September 8, 1994 Basin Plan as follows:

Add the following at the end of Chapter 4

VIII.E.6. WATSONVILLE SLOUGH WATERSHED LIVESTOCK WASTE DISCHARGE PROHIBITION

1. The direct or indirect discharge of livestock animal waste from any grazing operations, non-sterile manure application, farm animal and livestock facilities including paddocks, pens, corrals, barns, sheds, or other activity of whatever nature into waters of the State within the Watsonville Slough Watershed is prohibited.

The above prohibition does not apply to any farm animal or livestock facility and/or any facility where non-sterile manure is applied if the owner or operator:

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- i. Submits a Nonpoint Source Pollution Control Implementation Program, consistent with the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program*, that is approved by the Executive Officer, or
- ii. Demonstrates to the satisfaction of the Executive Officer that its activities do not cause livestock waste to pass into waters of the state within the Watsonville Slough Watershed, or
- iii. Is regulated under Waster Discharge Requirements or an NPDES permit, or a conditional waiver of waste discharge requirements that explicitly addresses compliance with the Watsonville Slough TMDL for Pathogens.

This Livestock Waste Discharge Prohibition takes effect two years following approval by the U.S. Environmental Protection Agency.

Add the following at the end of Chapter 5, IV.E. Other Specific Prohibition Subjects:

Watsonville Slough Watershed Livestock Waste Discharge Prohibition

AMENDMENT NO. 3. Revise the September 8, 1994 Basin Plan, Chapter Two, as follows:

Amend portion of Table 2-1. Identified Uses of Inland Surface Waters, pertaining to Watsonville Slough and tributaries:

Waterbody Names	MUN	AGR	PRO	IND	GWR	REC1	REC2	WILD	COLD	WARM	MIGR	SPWN	BIOL	RARE	EST	FRESH	NAV	POW	COMM	AQUA	SAL	SHELL
Watsonville Slough						X	X	X		X		X	X	X	X				X			X
Struve Slough						X	X	X		X		X	X	X	X				X			X
Hanson Slough						X	X	X		X		X	X	X	X				X			X
Harkins Slough						X	X	X		X		X	X	X	X				X			X
Gallighan Slough						X	X	X		X		X		X	X				X			X

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2006 - 0067**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST REGION (BASIN PLAN) TO ESTABLISH A WATSONVILLE SLOUGH TOTAL MAXIMUM DAILY LOAD (TMDL) FOR PATHOGENS, ESTABLISH A WATSONVILLE SLOUGH WATERSHED LIVESTOCK WASTE DISCHARGE PROHIBITION, AND REMOVE THE SHELLFISH HARVESTING BENEFICIAL USE FROM WATSONVILLE SLOUGH AND TRIBUTARIES

WHEREAS:

1. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted a revised Basin Plan on February 11, 1994, which was approved by the State Water Resources Control Board (State Water Board) on May 18, 1994 and by the Office of Administrative Law (OAL) on September 7, 1994.
2. On March 24, 2006, the Central Coast Water Board adopted Resolution No. R3-2006-0025 ([Attachment 1](#)) amending the Basin Plan to establish a TMDL for Pathogens, establish a Livestock Waste Discharge Prohibition, and remove the SHELL beneficial use from the Watsonville Slough and its tributaries.
3. Central Coast Water Board found that the analysis contained in the Final Project Report, including the Use Attainability Analysis, the California Environmental Quality Act (CEQA) "Substitute Document" Report for Basin Plan Amendment, including the CEQA Checklist, the staff report and the responses to comments prepared by Central Coast Water Board staff, complies with the requirements of the State Water Board's certified regulatory CEQA process, as set fourth in the California Code of Regulations, Title 23, section 3775 et seq.
4. Central Coast Water Board found that adoption of this amendment would result in no adverse effect on wildlife, and the amendment would be consistent with the State Antidegradation Policy (State Water Board Resolution No. 68-16) and federal antidegradation requirements.
5. State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans, and section 13242, which requires a program of implementation of water quality objectives. The State Water Board also finds that the TMDL, livestock waste discharge prohibition, and removal of the SHELL beneficial use dedesignation as reflected in the Basin Plan amendment are consistent with the requirements of federal Clean Water Act section 303(c)(d).
6. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL and SHELL dedesignation must also be approved by the U.S. Environmental Protection Agency (USEPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2006-0025.
2. Authorizes the Executive Director or designee to submit to OAL the amendment adopted under Central Coast Water Board Resolution No. R3-2006-0025, as approved, and the administrative record for this action and to submit to USEPA for approval the TMDL and SHELL dedesignation.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 21, 2006.

AYE: Tam M. Doduc
Gerald D. Secundy
Arthur G. Baggett, Jr.
Charles R. Hoppin
Gary Wolff, P.E., Ph.D.

NO: None

ABSENT: None

ABSTAIN: None



Song Her
Clerk to the Board

September 9, 2005

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

**RESOLUTION NO. R3-2005-0106
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN TO INCLUDE THE
SAN LUIS OBISPO CREEK TOTAL MAXIMUM DAILY LOAD AND
IMPLEMENTATION PLAN FOR NITRATE-NITROGEN**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region hereby finds that:

The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), adopted the Water Quality Control Plan for the Central Coast Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.

2. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board has determined the Basin Plan requires further revision and amendment to incorporate the San Luis Obispo Creek Total Maximum Daily Load (TMDL) for Nitrate-Nitrogen (Nitrate-N).
3. The Central Coast Water Board proposes to amend the Basin Plan by inserting amendments into Chapter Four, Section IX (Total Maximum Daily Loads).
4. Section 303(d) of the Clean Water Act (CWA) requires states to identify and prepare a list of water bodies that do not meet water quality standards and to establish TMDLs for listed waterbodies.
5. San Luis Obispo Creek was identified on California's 1994 303(d) list as impaired by nutrients due to exceedence of the existing Basin Plan objective protecting the municipal and domestic supply (MUN) beneficial use.
6. San Luis Obispo Creek is located in San Luis Obispo County, California. The headwaters are located immediately north-east of the City of San Luis Obispo and flow southwest for approximately 17 miles towards Avila Beach, California, ultimately draining into the Pacific Ocean at Avila Bay.

7. The Final Project Report contains a Problem Statement, Numeric Targets, Source Analysis, Total Maximum Load, Linkage Analysis, Load Allocations, Margin of Safety, an Implementation Plan, and a Monitoring Plan.
8. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the CWA, as well as USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Central Coast Water Board has determined that the San Luis Obispo Creek Nitrate-N TMDL is set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)).
9. Upon establishment of TMDLs by the State or US Environmental Protection Agency (USEPA), the State is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1), 130.7; CWC sections 13050(j), 13242). The Basin Plan, and applicable statewide plans, serves as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Central Coast Water Board.
10. The Central Coast Water Board's goal for establishing the above mentioned TMDL is to protect the municipal and domestic water supply beneficial use (MUN) as defined in the Basin Plan.
11. Central Coast Water Board staff submitted a TMDL Project Report to an external scientific review panel on March 16, 2005 as required by Health & Safety Code Section 57004. Central Coast Water Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendment. The scientific portions of the TMDL and implementation plan are based on sound scientific knowledge, methods, and practices in accordance with Section 57004.
12. Interested persons and the public have been informed of TMDL progress from the early stages of TMDL development. Efforts to inform the public and solicit public comment include public meetings, presentations to special interest groups, several individual meetings with vested stakeholders, and a number of telephone conversations with interested parties. Water Board staff provided public notification of the amendment to the Basin Plan 45 days preceding the Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Central Coast Water Board staff responded to oral and written comments received from the public.

13. The Central Coast Water Board considered costs of implementing measures to achieve the TMDL. The costs to implement the TMDL will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from implementing the TMDL.
14. Anti-Degradation – This Resolution is consistent with the provisions of the State Water Resources Control Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12. The TMDL will result in improved water quality and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.
15. The Central Coast Water Board concurs with the analysis contained in the Final Project Report, California Environmental Quality Act "Substitute Document" Report for Basin Plan Amendment, including the CEQA Checklist, the staff report and the responses to comments and finds that the analysis complies with the requirements of the State Water Resources Control Board's (State Water Board) certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Central Coast Water Board finds that the analysis fulfills the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. All public comments were considered.
16. The Basin Plan amendment incorporating a TMDL for nitrate-N for San Luis Obispo Creek must be submitted for review and approval by the State Water Board, the State Office of Administrative Law (OAL), and the USEPA. The Basin Plan amendment will become effective upon approval by OAL.
17. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
18. On September 9, 2005, in San Luis Obispo, California, the Central Coast Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

- 1 Pursuant to sections 13240 and 13242 of the California Water Code, the Central Coast Water Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment: "Attachment A: Attachment -Proposed Basin Plan Amendments."
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Water Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the

September 9, 2005

California Water Code and forward it to OAL and the USEPA. The Central Coast Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL and USEPA.

4. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If, during its approval process, the State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed, the Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

I, **Roger W. Briggs, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on September 9, 2005.



for Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2005-0106

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to Chapter 4 after IX. F.

IX. G. SAN LUIS OBISPO CREEK TOTAL MAXIMUM DAILY LOAD AND IMPLEMENTATION PLAN FOR NITRATE-NITROGEN

The Regional Water Quality Control Board adopted this TMDL on September 9, 2005.

This TMDL was approved by:

The State Water Resources Control Board on _____

The California Office of Administrative Law on _____ (*Effective date*)

The U.S. Environmental Protection Agency on _____

Problem Statement

The municipal and domestic supply of water beneficial use (MUN) is not being supported because nitrate-N concentrations in San Luis Obispo Creek exceed the existing Basin Plan numeric objective protecting the MUN beneficial use.

Numeric Target

The numeric target used to calculate the TMDL is a nitrate-N concentration of 10 mg/L-N.

Source Analysis

Nitrate-N sources contributing to the problem identified in the Problem Statement are, in decreasing order of contribution: City of San Luis Obispo Water Reclamation Facility (WRF), croplands, background, reservoirs, and residential areas.

TMDL and Allocations

The TMDL is a receiving water nitrate-N concentration equal to the numeric target. The following allocations are necessary to achieve the TMDL.

Wasteload Allocations:

City of San Luis Obispo WRF effluent: The monthly mean nitrate-N concentration of effluent shall not exceed 10 mg/L-N.

Load Allocations:

- Croplands in Prefumo Creek Watershed: shall not cause nitrate-N concentration in receiving waters to exceed 10 mg/L-N.
- Background: Nitrate concentration of 0.1 mg/L-N.

Load and wasteload allocations to sources currently meeting water quality standards:

- The following wasteload and load allocations ensure that the receiving water will achieve compliance with water quality standards at the earliest possible date, continue to meet

water quality standards after the above wasteload and load allocations are attained, and comply with state and federal anti-degradation requirements.

- Residential Sources Wasteload Allocation:
 - Storm water discharge shall not cause an increase in receiving water nitrate-N concentration greater than the current increase in nitrate-N concentration resulting from the discharge.
- Reservoir Sources Load Allocation (Laguna Lake):
 - Reservoir discharge shall not cause an increase in receiving water nitrate-N concentration greater than the current increase in nitrate-N concentration resulting from the discharge.

Margin of Safety: Nitrate concentration of 2.2 mg/L-N.

IMPLEMENTATION

The following actions will be taken to implement the TMDL.

WRF Source:

The Central Coast Water Board will incorporate an effluent limit for nitrate-N in the City of San Luis Obispo's National Pollutant Discharge Elimination System permit (NPDES permit) for the WRF, consistent with the allocations described in the Wasteload Allocations section above. The effluent limit will be incorporated in the NPDES permit at the first permit renewal following TMDL approval by the Central Coast Water Board (expected in May 2007).

The Central Coast Water Board intends to issue a Cease and Desist Order (CDO) or Time Schedule Order to the WRF concurrently with the NPDES permit, requiring the WRF to reduce nitrate-N concentration in the effluent. The CDO will contain a time schedule establishing the time allowed to comply with the order.

The Central Coast Water Board will consider a revision of the wasteload allocation and corresponding effluent limit for the WRF if an amendment to the Basin Plan removing or revising the MUN beneficial use and corresponding numeric objective for nitrate is approved by USEPA.

Residential Source (Storm water):

- The City of San Luis Obispo, the County of San Luis Obispo, and Cal Poly State University will implement management practices consistent with and required by Small MS4 Permits regulating storm water discharge in San Luis Obispo Creek watershed, and will submit annual reports as required by such permits. If implementation actions are insufficient to achieve the TMDL, additional implementation actions will be required through approval by the Executive Officer (e.g., pursuant to CWC section 13267 or section 13383) or by the Central Coast Water Board (e.g., by requiring revisions of existing storm water management plans and/or a Basin Plan Amendment).

Reservoir Source

- Implementation measures to achieve the allocation to the reservoir source are carried out through the Residential Source (Storm water) implementation actions.

Cropland Source:

- Landowners and operators of irrigated lands in Prefumo Creek watershed will implement actions needed to achieve the allocations to croplands pursuant to the Conditional Waiver of Waste Discharge Requirements for Discharges to Irrigated Lands (Conditional Waiver). Implementation and monitoring requirements for parties engaged in agricultural activities are consistent with, and rely upon, the Conditional Waiver.
- Monitoring reports and data associated with the Conditional Waiver, as well as other information, will be used to determine whether management measures being taken are sufficient to achieve the TMDL by the year 2012. Central Coast Water Board staff will make this determination every three years as described in the Tracking and Monitoring section below. If implementation actions are insufficient to achieve the TMDL, additional implementation actions will be required through approval by the Executive Officer (e.g., pursuant to CWC section 13267 or section 13383) or by the Central Coast Water Board; the Executive Officer or the Central Coast Water Board will approve of additional actions as soon as practicable.

Monitoring

The following actions will be taken to implement monitoring requirements.

The Executive Officer (EO) or the Central Coast Water Board will amend the Monitoring and Reporting Program (M&RP) of the City's NPDES permit for the WRF to incorporate effluent and stream monitoring for nitrate-N, and to incorporate reporting of these monitoring activities. The City of San Luis Obispo will comply with the amended M&RP as soon as the EO or the Water Board issues the revised program (anticipated to occur at the next permit renewal following TMDL approval by the Central Coast Water Board [expected in May 2007]).

Implementation and monitoring requirements for parties engaged in agricultural activities are consistent with, and rely upon, the Conditional Waiver.

Tracking and Monitoring

- Central Coast Water Board staff will conduct a review of implementation activities every three years, beginning three years after TMDL approval by the Office of Administrative Law, unless funding is unavailable. Central Coast Water Board staff will utilize annual reports associated with Small MS4 permits, as well as other available information, to review water quality data and implementation efforts of implementing parties and progress being made towards achieving the allocations and the numeric target. Central Coast Water Board staff may conclude that ongoing implementation efforts may be insufficient to ultimately achieve the allocations and numeric target. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either through approval by the Executive Officer (e.g.,

pursuant to CWC section 13267 or section 13383) or by the Central Coast Water Board (e.g., through revisions of existing permits and/or a Basin Plan Amendment). Central Coast Water Board staff may conclude that to date, implementation efforts and results are likely to result in achieving the allocations and numeric target, in which case existing and anticipated implementation efforts will continue.

Three-year reviews will continue until the TMDL is achieved, unless funding is unavailable. The target date to achieve the TMDL is during or before the year 2012.

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2006 - 0045**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST REGION (BASIN PLAN) TO ESTABLISH A
TOTAL MAXIMUM DAILY LOAD (TMDL) FOR
NITRATE-NITROGEN (NO₃-N) IN SAN LUIS OBISPO CREEK

WHEREAS:

1. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted a revised Basin Plan on February 11, 1994, which was approved by the State Water Resources Control Board (State Water Board) on May 18, 1994 and by the Office of Administrative Law (OAL) on September 7, 1994.
2. On September 9, 2005, the Central Coast Water Board adopted Resolution No. R3-2005-0106 ([Attachment](#)) amending the Basin Plan to establish a TMDL for NO₃-N in San Luis Obispo Creek.
3. Central Coast Water Board staff prepared documents and followed procedures satisfying the requirements of the California Environmental Quality Act.
4. The Central Coast Water Board found that this amendment would result in no adverse effect on wildlife, and the amendment would be consistent with the State Antidegradation Policy (State Water Board Resolution No. 68-16) and federal antidegradation requirements.
5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans, and section 13242, which requires a program of implementation of water quality objectives. The State Water Board also finds that the TMDL as reflected in the Basin Plan amendment is consistent with the requirements of federal Clean Water Act section 303(d).
6. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL must also be approved by the U.S. Environmental Protection Agency (USEPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan to establish a TMDL for NO₃-N in San Luis Obispo Creek as adopted under Central Coast Water Board Resolution No. R3-2005-0106.

2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2005-0106, as approved, and the administrative record for this action to OAL and the TMDL to USEPA for approval.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 21, 2006.

AYE: Tam M. Doduc
 Gerald D. Secundy
 Arthur G. Baggett, Jr.
 Charles R. Hoppin

NO:

ABSENT:

ABSTAIN:



Song Her
Clerk to the Board

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

RESOLUTION NO. R3-2005-0013
AMENDING THE WATER QUALITY CONTROL PLAN
REPEAL BASIN PLAN RESOLUTION NO. 73-05 AND SECTION 5(F) OF
BASIN PLAN RESOLUTION NO. 89-04

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Water Board) finds:

1. The Water Board adopted a policy regarding beneficial use of oil field waste materials in the Santa Maria Valley (Resolution No. 73-05) on December 14, 1973.
2. The Water Board expanded the beneficial use of oil field waste materials policy to apply throughout the region (Resolution No. 89-04) on November 17, 1989.
3. The Water Board adopted the current Water Quality Control Plan, Central Coastal Basin (Basin Plan) on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies. Resolution Nos. 73-05 and 89-04 are included in the Basin Plan as Appendix A-16 and A-17, respectively.
4. The Water Board periodically revises and amends the Basin Plan. Water Board staff determined the Basin Plan requires further revision and amendment to repeal the reuse policy for oil field waste materials throughout the region. The Water Board will regulate oil field waste materials using waste discharge requirements (WDRs) or waiver of WDRs on oil field leases and fee-properties. The Water Board will consider regulation of oil field waste materials on oil field lease and fee properties using waivers of WDRs at the September 9, 2005 Water Board meeting in San Luis Obispo.
5. In January 2005, Water Board staff contacted State Water Resources Control Board (State Water Board) staff to inquire if repeal of Appendix A-16 and Section 5(f) of Appendix A-17 of the Basin Plan required external scientific review to comply with Health and Safety Code Section 57004. State Water Board staff indicated that external scientific review was not required for repeal of the Water Board policy for reuse of oil field wastes.
6. Interested persons and the public have been informed of the Water Board's intent to repeal Appendix A-16 and Section 5(f) of Appendix A-17 of the Basin Plan. Efforts to inform the public and solicit public comment include a public meeting/ workshop, several individual meetings with vested stakeholders, and a number of telephone conversations with interested parties. Notice of public hearing was given by advertising in newspapers

requesting such notice and applicable government agencies. Water Board staff responded to oral and written comments received from the public.

7. The Water Board considered costs of repealing Resolution No. 73-05 and Section 5(f) of Resolution No. 89-04. If repealed, the Water Board will need to adopt waivers of WDRs for the storage and re-use of petroleum waste materials. Dischargers will be required to submit a Report of Waste Discharge and appropriate filing fee, based on the level of complexity and threat to water quality. The Water Board has considered the costs of implementing the amendment to dischargers, and finds these costs to be reasonable relative to the water quality benefits derived from implementing the Basin Plan amendment.
8. Anti-Degradation – This Resolution is consistent with the provisions of the State Water Board Resolution No. 68-16, “Statement of Policy with Respect to Maintaining High Quality of Waters in California” and 40 Code of Federal Regulations (CFR) 131.12. Regulation of oil field wastes using WDRs or a WDR waiver provides more regulatory oversight compared to the re-use policy described in Resolution No. 73-05 and Section 5(f) of Resolution No. 89-04. Therefore, the Basin Plan amendment will result in improved water quality throughout the region and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.
9. The Water Board concurs with the analysis contained in the Environmental Checklist, the staff report, and the responses to comments and finds that the analysis complies with the requirements of the State Board’s regulations, as set forth in the California Code of Regulations (CCR), Title 23, section 3775 et seq. Adoption of this Resolution is a ministerial act that is not subject to the California Environmental Quality Act (CEQA). Adoption of this Resolution is also not a “project” that requires compliance with the CEQA (California Public Resources Code §21000 et seq.). The Water Board is not directly undertaking an activity, funding an activity or issuing a permit or other entitlement for use (Public Resources Code section 21065; 14 CCR. §15378). Due to the Executive Officer’s October 22, 2002 letter, no one can legally discharge pursuant to Resolution Nos. 73-05 or 89-04. The Water Board is not approving any activity (14 CCR. §15352). This is a clerical amendment to bring the Basin Plan into compliance with current law. Water Board staff has also prepared a general waiver to regulate waste piles (Waste Pile Waiver), and a general waiver to regulate beneficial reuse of oily waste (Reuse Waiver). The general waivers supercede the outdated Resolutions. Water Board staff has prepared documentation to comply with the CEQA for those two projects (Waste Pile and Reuse Waivers).
10. The proposed amendment will be to repeal Resolution No. 73-05 and section 5(f) noted in Resolution No. 89-04, which amended Resolution No. 73-05 to apply throughout the Region. References to the above-noted resolutions will be deleted in the Basin Plan’s Table of Contents and text. The strikethrough version of the Basin Plan text, which references Resolutions Nos. 73-05 and 89-04 (Section VI.C, page V-17), is included as Attachment 1. The strikethrough version of Resolution No. 73-05 is included as

Attachment 2. The strikethrough version of Resolution No. 89-04 is included as Attachment 3.

11. The effect of the amendment will be throughout the Region, but more specifically in Monterey, San Luis Obispo and Santa Barbara Counties, where active oil fields that generate petroleum waste materials are located.
12. The Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board (State Board) and the State Office of Administrative Law (OAL). The Basin Plan amendment will become effective upon approval by OAL. The subject Resolution will become effective immediately.
13. The amendment to the Basin Plan will result in no potential for adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
14. On September 9, 2005 in San Luis Obispo, California, the Water Board held a public hearing and heard and considered all public comments and evidence in the record.

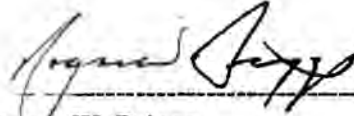
THEREFORE, BE IT RESOLVED, that:

- 1 Pursuant to CWC sections 13240, the Water Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the Basin Plan amendments attached as Attachments 1, 2, and 3.
2. The Water Board's Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of CWC Section 13245.
3. The Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of CWC sections 13245 and 13246, and forward it to OAL for approval. The Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If, during its approval process, the State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Water Board of any such changes.

Resolution No. R3-2005-0013

September 9, 2005

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the Resolution adopted by the Central Coast Water Board, on September 9, 2005.



Roger W. Briggs
Executive Officer

Attachments:

- Attachment 1: Strikethrough version of Basin Plan text (Section VLC, page V-17)**
- Attachment 2: Strikethrough version of Resolution No. 73-05.**
- Attachment 3: Strikethrough version of Resolution No. 89-04.**
- Attachment 4: Report for Basin Plan Amendment**

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Resolution No. R3-2005-0013, Attachment 1:

Resolution No. R3-2005-0013: Amending the Water Quality Control Plan, Central Coast Region (Basin Plan) – Repeal Basin Plan Resolution No. 73-05 and Section 5(f) of Basin Plan Resolution No. 89-04

1. Table of Contents will remove references to Section VI.C, page V-17 and Appendices A-16 and A-17.
2. Please note strikethrough text for Section VI.C, page V-17 as follows:

~~VI.C OIL FIELD WASTES~~

- ~~1. a. Resolution 73-05: Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County.~~
- ~~b. Resolution 89-04: Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Central Coast Region~~

~~The above policies require oil field waste materials to be deposited at an appropriate and approved Class I or Class II disposal site. Other disposal sites may be used for disposal under certain conditions. Executive Officer approval is necessary for other sites. A procedure to obtain Executive Officer approval is specified.~~

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Resolution No. R3-2005-0013, Attachment 2:
Amending the Water Quality Control Plan, Central Coast Region (Basin Plan) –
Repeal Basin Plan Resolution No. 73-05 and Section 5(f) of Basin Plan
Resolution No. 89-04

~~APPENDIX A-16~~

~~Policy Regarding beneficial Use of Oil Field Waste Materials in the Santa Maria
Oil fields, Santa Barbara County~~

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05\APPENDIX A16 - bpa.DOC

~~CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION~~

~~RESOLUTION NO. 73-5~~

~~ADOPTING POLICY REGARDING BENEFICIAL USE OF
OIL FIELD WASTE MATERIALS IN THE SANTA
MARIA VALLEY OIL FIELDS, SANTA BARBARA COUNTY~~

~~WHEREAS, Water Code Section 13224 states:~~

~~“Each Regional Board may issue policy statements relating to any water quality matter within its jurisdiction.”; and~~

~~WHEREAS, oil field waste materials, including but not limited to “drilling muds”, oily wastes and brines, generally contain toxic substances and materials which could significantly impair the quality of usable waters and generally constitute Group I wastes as defined by California Administrative Code, Title 23, Chapter 3, Subchapter 15, Article 3, Section 2520; and~~

~~WHEREAS, Group I wastes, such as oil field waste materials, may ordinarily be deposited only at a Class I or Class II 1 disposal site; and~~

~~WHEREAS, California Administrative Code, Title 23, Chapter 3, Subchapter 15, Article 5, Section 2540, provides:~~

~~“The Regional Board may waive the reporting of solid waste discharges, or approval and classification of disposal sites or types of sites, or the establishment of waste discharge requirements as provided by Section 13269 of the Water Code when an operation will not unreasonably affect water quality because of the type of waste and disposal operation, or an operation is in compliance with ordinances or regulations of other governmental agencies which adequately protect water quality. Such waivers shall be conditional and may be terminated by the Regional Board at any time.”; and~~

~~WHEREAS, Water Code Sections 14040 and 14041 state:~~

~~“Each Regional Board shall approve sites suitable for the disposal of different kinds of liquid wastes, consistent with the classifications that shall be adopted by the state board, and may adopt regulations for disposal of liquid waste at such approved sites that it deems are necessary for the protection of the quality of the waters of the state.”~~

~~“The hauler of liquid waste shall dispose of liquid waste in accordance with the regulations adopted by the Regional Board and shall dispose of only such type of waste as was designated for a particular site.”; and~~

Draft Resolution No. R3-2005-0013, Attachment 2

~~WHEREAS, under appropriate circumstances, certain clean fresh water “drilling muds” may be usable for beneficial purposes such as sealing of agricultural reservoir sites, improving tillability of certain solids, and stabilizing sandy soils without causing water quality problems or nuisance conditions; and,~~

~~WHEREAS, under appropriate circumstances, certain oily wastes may be usable for beneficial purposes such as dust control, weed abatement and road construction without causing water quality problems or nuisance conditions; and~~

~~WHEREAS, in the Santa Maria Valley oil fields, it appears possible, with appropriate care, to separate these oil field waste materials which may be appropriate for beneficial uses from those materials not suitable for beneficial uses;~~

~~NOW THEREFORE BE IT RESOLVED that the following shall constitute the policy of this Board regarding beneficial use of oil field waste materials in the Santa Maria Valley oil fields, Santa Barbara County:~~

- ~~1. Except as hereafter expressly provided, all oil field waste materials, including but not limited to “drilling muds”, oily wastes, and brines, shall be deposited at an appropriate and approved Class I or Class II 1 disposal site.~~
- ~~2. The following oil field waste materials may be deposited for an appropriate beneficial use at sites other than a Class I or Class II 1 disposal site provided that such site has been approved in advance by the Executive Officer of this Board, the amount of oil field waste material to be deposited and used at such site is reasonable, and adequate use practices for the control of oil field waste materials on such site are assured:
 - ~~(a) Clean, fresh water drilling mud removed from the drilling of an oil well prior to the time that the first production string of casing is installed.~~
 - ~~(b) Clean oil, not mixed with contaminants such as salt brines or toxic materials.~~~~
- ~~3. The Executive Officer may, upon written request, approve a site for a specified use or uses of those oil field waste materials specified in Paragraph 2 above, when the Executive Officer is reasonably assured that use of such site in the manner and for the purpose proposed will not adversely affect water quality or lead to nuisance conditions. Requests for site approval shall contain such information as may be required by the Executive Officer, and at a minimum shall contain:
 - ~~(a) A description of the site at which deposit and use of oil field waste materials will be made, and assurance that such materials will be used solely at and retained on such site~~
 - ~~(b) A description of the type of oil field waste material which will be used, the purpose or purposes for which it will be used, and the maximum quantity or quantities which will be used.~~~~

Draft Resolution No. R3-2005-0013, Attachment 2

- ~~(c) Assurance that the applicant or a competent agent, will be present at the time of each delivery of oil field waste material.~~
 - ~~(d) A proposed plan of use, specifically including cultivation practices and/or other appropriate control uses and measures, which will be taken to protect water quality and prevent nuisance.~~
 - ~~(e) Certification that the proposed use or uses of oil field waste materials comply with all city, county, or other local use and zoning requirements and that all necessary use permits will be obtained and maintained.~~
 - ~~(f) Certification that the applicant will submit such monitoring and technical reports as may be required by the Executive Officer.~~
 - ~~(g) Certification that the applicant is the owner of the site at which deposit and use of oil field waste materials will be made, or written consent of the owner of such site to the proposed use.~~
- ~~4. In the event that the Executive Officer determines that there is reasonable assurance that the use of oil field waste materials at the site proposed and in the manner proposed will not adversely affect water quality or lead to nuisance conditions, the Executive Officer may, in writing, approve such site. The approval shall be contingent upon full and exact compliance with all statements, representations and assurances contained in the request, and shall further provide that:~~
- ~~(a) Site approval may be withdrawn at any time, in the discretion of the Executive Officer, upon a determination that further use of the site for deposit or use of oil field waste materials will or may adversely affect water quality or create nuisance conditions.~~
 - ~~(b) Site approval does not relieve the landowner, or any other person, from otherwise complying with all state and local laws, rules, regulations and ordinances, and specifically does not constitute a license for use of oil field waste materials except in strict accord with the request and approval.~~
- ~~5. The Executive Officer shall remove site approval in the event of violation of any of the statements, representations, and assurances contained in the request.~~

~~I, Kenneth R. Jones, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 14, 1973.~~

Resolution No. R3-2005-0013, Attachment 3:
Amending the Water Quality Control Plan, Central Coast Region (Basin Plan) –
Repeal Basin Plan Resolution No. 73-05 and Section 5(f) of Basin Plan
Resolution No. 89-04

APPENDIX A-17

~~Policy amending “Policy Regarding beneficial Use of Oil Field Waste Materials in the
Santa Maria Oil fields, Santa Barbara County” to apply Region Wide~~

**Adopting Amendments to the Water Quality Control Plan
And Requesting Approval From the
State Water Resources Control Board**

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05\APPENDIX A17-bpa.doc

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 89-04

ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS:

The Water Quality Control Plan, Central Coastal Basin (Basin Plan) was approved by the State Water Resources Control Board (State Board) on March 20, 1975.

2. Since March 20, 1975, thirty-seven Basin Plan amendments have been approved by the Regional Water Quality Control Board (Regional Board) and the State Board.
- 3 Since 1975, several changes in water quality regulations and administrative procedures have occurred.
4. An updated Basin Plan incorporating all previously approved amendments, updated regulations, and procedures is needed.
5. Several significant new Basin Plan amendments are needed:
 - a. Revise PCB and Phthalate Ester objective for all Inland Surface Waters, Enclosed Bays, and Estuaries in the Water Quality Objectives chapter.
 - b. Update "Municipal Wastewater Management Plans" in the Implementation Plan chapter.
 - c. Update "Solid Waste Management" in the Implementation Plan Chapter.
 - d. Add "Water Quality Limited Segments" designation in the Plans and Policies chapter.
 - e. Add general toxic or hazardous materials discharge prohibition to all waters in the Plans and Policies chapter.
 - f. ~~Amend Resolution 73-05, "Adopting Policy Regarding beneficial Use of Oil Field Waste Materials in the Santa Maria Valley Oil Fields, Santa Barbara county" to apply Regionwide.~~

Draft Resolution No. R3-2005-0013, Attachment 3

- g. Add Regional Board policy for Highway Grooving Residues in the Plans and Policies chapter.
 - h. Add Regional Board Policy for Waiver of Regulation of Specific Types of Waste Dischargers in the Plans and Policies chapter.
 - i. Add Water Bodies Needing Intensive surveillance in the Surveillance and Monitoring chapter.
6. Several additional changes (as described in Attachment "A") are necessary to update the 1975 Basin Plan.
7. Several minor wording changes are necessary to improve the readability of the Basin Plan.
8. Drafts of the proposed Basin Plan have been prepared and distributed to interested persons and agencies for review and comment.
9. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent) and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of these objectives will not have a significant adverse effect on the environment.
10. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
11. On September 8, 1989, and November 17, 1989, in the Salinas City Council Chamber Rotunda, 200 Lincoln Avenue, Salinas, California, and in the Embassy Suites-Edna Room, 333 Madonna Road, San Luis Obispo, California, respectively, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to the Plan.

THEREFORE BE IT RESOLVED:

1. All amendments mentioned above and in Attachment "A", will not have a significant adverse impact on the environmental and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.
2. All amendments mentioned above and in Attachment "A" are adopted.

Resolution No. R3-2005-0013, Attachment 3

3. Any minor editorial changes to correct data or grammar and/or clarify meaning in the final copy which may not be included in Attachment "A", are also adopted.
4. Staff responses which propose specific Basin Plan changes provided in the Regional Water Quality Control Board letter dated October 12, 1989, are adopted.
5. The State Board is requested to approve the proposed updated Basin Plan with amendments in accordance with Sections 13245 and 13246 of the California Water Code.
6. Upon approval, the State Board is requested to transmit the updated Basin Plan to the U.S. Environmental Protection Agency for approval.

I, WILLIAM R. LEONARD, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on November 17, 1989.

(ORIGINAL SIGNED BY WILLIAM R. LEONARD)

Resolution No. R3-2005-0013, Attachment 4

REPORT FOR BASIN PLAN AMENDMENT

(RESOLUTION NO. R3-2005-0013)

The Central Coast Regional Water Quality Control Board (Water Board) is proposing an amendment to the Water Quality Control Plan (Basin Plan). The Basin Plan serves as the cornerstone for water quality protection through identification of beneficial uses of surface and groundwaters, establishment of water quality objectives to protect beneficial uses, and establishment of an implementation plan to achieve those objectives.

The project consists of a ministerial clerical amendment and is exempt from the California Environmental Quality Act (CEQA). The environmental analysis contained in this Report for Basin Plan Amendment and accompanying documents, including the Environmental Checklist, the staff report and the responses to comments complies with the requirements of the State Water Board's certified regulatory process, as set forth in California Code of Regulations (CCR), Title 23, section 3775 et seq. All public comments were considered.

DESCRIPTION OF PROPOSED ACTIVITY

This section describes the changes proposed and alternatives to this proposal. The purpose of this amendment is to rescind Resolution No. 73-5 and the applicable section of Resolution No. 84-04.

On December 14, 1973, the Central Coast Water Board adopted a policy regarding beneficial use of oil field waste materials in the Santa Maria Valley (Resolution No. 73-5, Basin Plan Appendix A-16). Subsequently, on November 17, 1989, the Water Board expanded that policy to apply throughout the region (Resolution No. 89-04, Basin Plan Appendix A-17).

Resolution No. 73-5 limited oil field waste material reuse to:

- (a) clean, fresh-water drilling mud removed from the drilling of an oil well prior to the time that the first production string of casing is installed, and
- (b) clean oil, not mixed with contaminants such as salt brines or toxic materials.

More than a waiver of waste discharge requirements (WDRs), provisions in Resolution No. 73-05 included (1) requiring regional boards to approve sites suitable for disposal of different kinds of liquid waste (based on former, now repealed, California Water Code [CWC] sections 14040 and 14041); (2) a mandate that all oil field waste be disposed of at Class I or Class II facilities; and (3) identification of a specific procedure under which the Executive Officer may waive waste discharge requirements for beneficial use of fresh-water drilling mud and clean oil.

Staff recommends repealing Resolution No. 73-05 and the applicable portion of Resolution No. 89-04, because staff is proposing adoption of updated general waiver of waste discharge requirements that supercede the older resolutions. The key findings of the old resolutions are out of date and conflict with newer laws and regulations. The subject Basin Plan resolutions limit the reuse of oil field waste more stringently than needed to protect water quality. Additionally, other provisions of the Basin Plan, as well as other applicable laws and regulations, provide the water quality protection provided by Resolution No. 73-05.

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Alternatives to this proposal include:

1. Incomplete adoption of the proposed amendment.

For example, the Water Board could amend only a portion of Resolution No. 73-05, such as deleting references to the now repealed, former CWC sections 14040 and 14041. This alternative is not recommended, because adequate water quality protection from discharges of oil field waste is provided under other provisions of the Basin Plan, laws and regulations. Basin Plan provisions must be implemented in waste discharge requirements and waivers of waste discharge requirements. Some Basin Plan water quality objectives that protect ground water and fresh surface waters from oil field waste include prohibition of discharge of toxic chemicals in toxic amounts, discharge of hazardous wastes in excess of maximum contaminant levels and discharge of chemicals imparting undesirable tastes and odors. Ocean Water Quality is protected by water quality objectives in the State Water Board's Ocean Plan, which is incorporated into the Basin Plan. The Basin Plan contains other water quality protections, including a prohibition against the discharge of oil or any residual products of petroleum except in accordance with waste discharge requirements or other provisions of the Porter-Cologne Act. (Basin Plan, Chapter V., section IV.A.)

In addition, the Toxic Pits Cleanup Act stringently regulates discharges of liquid hazardous wastes to surface impoundments. CCR Title 23, Chapter 15 and Title 27 provide detailed regulation for storage and disposal of hazardous and non-hazardous wastes to land.

In the case that the Water Board would authorize the reuse of specific kinds of petroleum wastes, the intent is that there not be a disposal or discharge to ground or surface waters. Any waste discharge requirements or waiver would be drafted to assure that reuse is carried out so that there will be no discharges in violations of water quality objectives and prohibitions.

2. Take no action.

This alternative is not recommended, because Resolution No. 73-05 is sorely outdated and conflicts with newer laws and regulations, and the proposed waste discharge requirements and waiver that Water Board staff is separately recommending. Staff has prepared appropriate CEQA documents for those actions. In addition, Resolution No. 73-05 should be repealed because its waiver portion has already be repealed by statute. The remaining requirement that all oil field waste be disposed at a Class I or Class II facility is too rigid and is not necessary to reasonably protect water quality.

II. APPLICABLE INFORMATON:

1. Lead Agency Name and Address:

Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

2. Contact Person and Phone Number:

Sheila Soderberg (805) 549-3592

3. Project Location:

Central Coast Region

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4. Project Sponsor's Name and Address:

Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

5. Other Public Agencies whose Approval is Required:

U.S. Environmental Protection Agency; U.S. Fish and Wildlife Service; U.S. Army Corps of Engineers, Interstate Oil and Gas Compact Commission; California Department of Fish & Game; California Department of Conservation, Division of Oil, Gas and Geothermal Resources Santa Maria and Coalinga Offices; California Department of Transportation; California Department of Toxic Substances Control; California Office of Health Hazard Assessment; California Air Resources Board; Santa Barbara County Planning and Development; Santa Barbara County Energy Division; Santa Barbara County Petroleum Division; Santa Barbara County Fire Protection Division; Santa Barbara County Health Department; Santa Barbara County Air Pollution Control District; San Luis Obispo County Planning and Building; San Luis Obispo County Fire Department; San Luis Obispo County Health Department; San Luis Obispo County Air Pollution Control District; Monterey County Planning and Building; Monterey County Fire Department; Monterey County Health Department; Monterey County Air Pollution Control District; Santa Clara County Planning and Building; Santa Clara County Fire Department; Santa Clara County Health Department; Santa Clara County Air Pollution Control District; San Benito County Planning and Building; San Benito County Fire Department; San Benito County Health Department; San Benito County Air Pollution Control District; City of Santa Maria Planning Department; City of Santa Maria Fire Department; City of Goleta Planning Department; City of Goleta Fire Department; Santa Barbara City Planning Department and Santa Barbara City Fire Department.

ENVIRONMENTAL CHECKLIST

II. EVALUATION OF ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
1. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, But not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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3. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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b) Substantially deplete ground water supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. LAND USE AND PLANNING Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. MINERAL RESOURCES -- Would the project				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally -important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. NOISE Would the project result in				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

13. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. **ENVIRONMENTAL EVALUATION** (of checklist questions answered Potentially Significant Impact, Less than Significant with Mitigation Incorporation, or Less than Significant Impact): not applicable.

See Resolution No. R3-2005-0013 attached.

Signature

Date

Printed name

Title

X:\SLIC\Non-site specific Issues\HC soils reuse\Basin Plan Amendment\Final Oily BPA 09-09-05\Environmental Checklist-bpa.doc

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2006-0029**

**APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST REGION (BASIN PLAN)
INCORPORATING NON-REGULATORY REVISIONS**

WHEREAS:

1. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted an updated Basin Plan on February 11, 1994, which was approved by the State Water Resources Control Board (State Water Board) on May 18, 1994 and by the Office of Administrative Law (OAL) on September 7, 1994.
2. In 1999, Senate Bill 390 (Chapter 686, Statutes of 1999) amended the Water Code, section 13269, to require all waivers of waste discharge requirements to expire on January 1, 2003 unless reissued.
3. On September 9, 2005, the Central Coast Water Board adopted a general waiver of waste discharge requirements for petroleum impacted soil waste piles on oil field properties and reuse of crude oil impacted soil and non-hazardous sandblasting aggregate at oil field properties.
4. On September 9, 2005, the Central Coast Water Board adopted Resolution No. R3-2005-0013 ([Attachment](#)) incorporating non-regulatory revisions to the Basin Plan. The amendment imposes no new regulatory requirements. The changes are intended solely to bring the Basin Plan into compliance with current law.
5. Central Coast Water Board staff prepared documents and followed procedures satisfying State laws and regulations.
6. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans.
7. A non-regulatory Basin Plan amendment does not become effective until approved by the State Water Board and until OAL has concurred on its non-regulatory status.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2005-0013.

2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2005-0013 to OAL for concurrence on its non-regulatory status and to the U.S. Environmental Protection Agency for informational purposes.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 15, 2006.

AYE: Tam M. Doduc
Gerald D. Secundy
Arthur G. Baggett

NO: None

ABSENT: None

ABSTAIN: None



Song Her
Clerk to the Board

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2006 - 0008

REVISION TO SOURCES OF DRINKING WATER POLICY TO
ESTABLISH A SITE-SPECIFIC EXCEPTION FOR OLD ALAMO CREEK

WHEREAS:

1. The State Water Resources Control Board (State Water Board) adopted the Sources of Drinking Water Policy (Policy) in 1988 in Resolution No. [88-63](#).
2. In 2002, the State Water Board reviewed waste discharge requirements for the City of Vacaville's Easterly Wastewater Treatment Plant on the State Water Board's own motion and adopted Water Quality Order [2002-0015](#) (Vacaville Order). Vacaville discharges treated effluent from the Easterly plant to Old Alamo Creek. In the Vacaville Order, the State Water Board concluded that drinking water supply (MUN) is not an existing beneficial use for Old Alamo Creek and that it probably cannot be feasibly attained in the future. The State Water Board committed to consider a site-specific exception from State Water Board Resolution No. 88-63 (Source of Drinking Water Policy) for the creek if the Central Valley Regional Water Quality Control Board (Central Valley Water Board) amended its Water Quality Control Plan (Basin Plan) to dedesignate MUN as a beneficial use for the creek.
3. On April 28, 2005, the Central Valley Water Board adopted Resolution No. [R5-2005-0053](#), which amended its Basin Plan to dedesignate the MUN use for Old Alamo Creek.
4. The Central Valley Water Board's Final Staff Report (April 2005) for the amendment indicates that ephemeral, intermittent, or low flows together with hydrologic modifications prevent MUN from being attained in Old Alamo Creek. Further, releasing additional treated sewage effluent from Vacaville's treatment plant will not allow MUN to be attained. The State Department of Health Services classifies Old Alamo Creek as an extremely impaired source for drinking water supply. Both quality concerns and the public's general unwillingness to accept the use of effluent for direct potable supply make it unlikely that the creek will support MUN in the future.
5. The Policy states that all State waters are considered suitable or potentially suitable for MUN with certain exceptions. The State Water Board concluded in the Vacaville Order that none of the Policy's exceptions specifically applied to Old Alamo Creek.
6. Nevertheless, a site-specific exception to the Policy is appropriate because MUN is not an existing use for the creek nor can this use be feasibly attained in the future. Although the Policy's exceptions do not specifically apply, the circumstances for Old Alamo Creek

are similar to the bases for several exceptions in the Policy (e.g., the exceptions for modified channels and for sources with low yield).

7. On January 18, 2006, the State Water Board held a public hearing on the proposed revision to the Policy.
8. The State Water Board found that the action under consideration is not a “project” within the meaning of Public Resources Code section 21065, in that it has no potential to result in either a direct or reasonably foreseeable indirect change to the physical environment, and, therefore, this action is exempt from the requirements of the California Environmental Quality Act.

THEREFORE BE IT RESOLVED THAT:

The State Water Board revises the Policy as indicated in the attached copy of the Policy.

CERTIFICATION

The undersigned, Acting Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on February 1, 2006.

AYE: Tam M. Doduc
Richard Katz
Gerald D. Secundy

OPPOSED: None

ABSENT: Arthur G. Baggett, Jr.

ABSTAIN: None



Selica Potter
Acting Clerk to the Board

STATE WATER BOARD
RESOLUTION NO. 2005-0050

ADOPTION OF THE WATER QUALITY CONTROL
POLICY FOR ADDRESSING IMPAIRED WATERS:
REGULATORY STRUCTURE AND OPTIONS (POLICY)

WHEREAS:

1. Section 303(d) of the federal Clean Water Act (CWA) requires states to identify waters that do not meet applicable water quality standards and prioritize such waters for the purposes of developing Total Maximum Daily Loads (TMDLs) [40 Code of Federal Regulations 130.7(b)(6)(1)].
2. Section 13191.3(a) of the California Water Code (CWC) requires the State Water Resources Control Board (SWRCB) to prepare guidelines to be used by SWRCB and the Regional Water Quality Control Boards (RWQCBs) in listing, delisting, developing, and implementing TMDLs pursuant to section 303(d) of the federal CWA [33 United States Code (USC) section 1313(d)].
3. The California Assembly Bill 982 Public Advisory Group (PAG) was established in 2000 to assist in the evaluation of SWRCB's water quality programs' structure and effectiveness as it relates to the implementation of section 303(d) of CWA [33 USC section 1313(d)] and applicable federal regulations.
4. CWC section 13191.3(b) also requires SWRCB to consider the consensus recommendations adopted by PAG when preparing the guidelines.
5. SWRCB issued the draft Policy (Attachment 1) and draft Guidance for Addressing Impaired Waters in California (Guidance Document) (Attachment 2) for public comment in December 2003 and issued revised documents for public comment in November 2004.
6. SWRCB, in compliance with CWC section 13147, held a public hearing in Sacramento, California on February 2, 2005 on the Policy and carefully considered all testimony and comments received. A "Preface" was added to the document to further clarify the SWRCB's intent as well as several clarifications. The changes are minor and non-substantive.
7. SWRCB finds that adoption of the Policy and the Guidance Document is not subject to the California Environmental Quality Act (CEQA) because it is not a "project" as defined in section 15378 of title 14 of the California Code of Regulations (CCR). Furthermore, even if it was a project, section 15308 of title 14 of the CCR categorically exempts from CEQA actions taken by a regulatory agency to assure the maintenance, restoration, enhancement, or protection of the environment "where the regulatory process involves procedures for protection of the environment." Adoption of the Policy and the Guidance Document has no potential to result in a foreseeable direct or indirect change on the environment. The drafts merely document and formalize existing procedures to implement TMDLs, based upon existing law, regulations, and practice. While the application of the Policy or the Guidance

Document in any specific instance may well constitute a "project," formally documenting the procedures to be employed does not.

8. The regulatory provisions of the Policy do not become effective until they are approved by the Office of Administrative Law.


THEREFORE BE IT RESOLVED THAT:

The SWRCB:

1. Approves the final Guidance Document;
2. Adopts the Policy; and
3. Authorizes the Executive Director to submit the Policy to the Office of Administrative Law for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on June 16, 2005.


Debbie Irvin
Clerk to the Board

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

**RESOLUTION NO. R3-2004-0142
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN TO INCLUDE
SAN LUIS OBISPO CREEK TOTAL MAXIMUM DAILY LOAD
AND IMPLEMENTATION PLAN FOR PATHOGENS**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region hereby finds that:

1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Regional Board periodically revises and amends the Basin Plan. The Regional Board has determined the Basin Plan requires further revision and amendment to incorporate a Total Maximum Daily Load (TMDL) and Implementation Plan for Pathogens for San Luis Obispo Creek.
3. The Regional Board proposes to amend the Basin Plan by inserting amendments into Chapter Four, Section IX (Total Maximum Daily Loads).
4. Section 303(d) of the Clean Water Act (CWA) requires states to identify and prepare a list of water bodies that do not meet water quality standards and to establish TMDLs for listed waterbodies.
5. San Luis Obispo Creek was identified on California's 1996 303(d) list as impaired by pathogens due to exceedence of existing Basin Plan objectives protecting water contact and non-contact water recreation beneficial uses.
6. San Luis Obispo Creek is located in San Luis Obispo County, California. The headwaters are located immediately north-east of the City of San Luis Obispo and flow southwest for approximately 17 miles towards Avila Beach, California, ultimately draining into the Pacific Ocean at Avila Bay.
7. The elements of a TMDL are described in 40 CFR 130.2 and 130.7 and section 303(d) of the CWA, as well as USEPA guidance documents. A TMDL is defined as "the sum of individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). The Regional Board has determined that the San Luis Obispo Creek Pathogen TMDL is set at levels necessary to attain and maintain the applicable numeric water quality objectives taking into account seasonal variations and any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)). The regulations in 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading and water quality parameters. TMDLs are often expressed as a mass load of the pollutant but can be expressed as a unit of concentration if appropriate (40 CFR 130.2(i)). Expressing this TMDL as units of concentration is appropriate because an existing concentration based water quality objective is used as the basis for the numeric target.

8. Upon establishment of TMDLs by the State or USEPA, the state is required to incorporate the TMDLs, along with appropriate implementation measures, into the State Water Quality Management Plan (40 CFR 130.6 (c)(1), 130.7; CWC sections 13050(j), 13242). The Basin Plan, and applicable statewide plans, serves as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Regional Board.
9. The Regional Board's goal for establishing the above mentioned TMDL is to protect the contact and non-contact water recreation beneficial uses (REC-1 and REC-2, respectively) as defined in the Basin Plan.
10. Regional Board staff submitted a TMDL report to an external scientific review panel on May 25, 2004 as required by Health & Safety Code Section 57004. Regional Board staff edited the Project Report or provided a written response that explained the basis for not incorporating the comments, or the comments did not result in any changes to the proposed Basin Plan Amendment. The scientific portions of the TMDL and implementation plan are based on sound scientific knowledge, methods, and practices in accordance with Section 57004.
11. Interested persons and the public have been informed of TMDL progress from the early stages of TMDL development. Efforts to inform the public and solicit public comment include public meetings, presentations to special interest groups, several individual meetings with vested stakeholders, and a number of telephone conversations with interested parties. Public notification of the amendment to the Basin Plan occurred 45 days preceding the Board hearing. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Regional Board staff responded to oral and written comments received from the public.
12. The Regional Board considered costs of implementing measures to achieve the TMDL. The costs to implement the TMDL will be incurred by identified responsible parties. These costs are reasonable relative to the water quality benefits to be derived from implementing the TMDL.
13. Anti-Degradation – This order is consistent with the provisions of the State Water Resources Control Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12. The TMDL will result in improved water quality throughout the region and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.
14. The Regional Board concurs with the analysis contained in the Final Project Report, California Environmental Quality Act "Substitute Document" Report for Basin Plan Amendment, including the CEQA Checklist, the staff report and the responses to comments and find that the analysis complies with the requirements of the SWRCB's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the Regional Board finds that the analysis fulfills the Regional Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. All public comments were considered.
15. The Basin Plan amendment incorporating a TMDL for pathogens for San Luis Obispo Creek must be submitted for review and approval by the State Water Resources Control Board (State Board), the State Office of Administrative Law (OAL), and the US Environmental Protection Agency (USEPA). The Basin Plan amendment will become effective upon approval by OAL.

December 3, 2004


16. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
17. On December 3, 2004 in San Luis Obispo, California, the Regional Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, be it resolved that:

Pursuant to sections 13240 and 13242 of the California Water Code, the Regional Board, after considering the entire record, including the oral testimony at the hearing, hereby adopts the amendment on "Attachment-Proposed Basin Plan Amendments."

2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Regional Board requests that the State Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward it to OAL and the USEPA. The Regional Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL and USEPA.
4. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
5. If, during its approval process, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Regional Board of any such changes.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on December 3, 2004.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2004-0142

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to Chapter 4 after IX. F.

IX. G. TOTAL MAXIMUM DAILY LOAD FOR PATHOGENS FOR SAN LUIS OBISPO CREEK

The Regional Water Quality Control Board adopted this TMDL on December 3, 2004.

This TMDL was approved by:

The State Water Resources Control Board on _____.

The California Office of Administrative Law on _____ (*Effective date*)

The U.S. Environmental Protection Agency on _____.

Problem Statement

The beneficial uses of non-contact water recreation and water contact recreation are not being supported because fecal coliform concentration in San Luis Obispo Creek exceeds existing Basin Plan numeric objectives protecting these beneficial uses.

Numeric Target

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100mL, nor shall more than ten percent of total samples collected during any 30-day period exceed 400 MPN per 100mL.

Source Analysis

The fecal coliform sources contributing to the problems identified in the Problem Statement are, in decreasing order of contribution: urban, human, birds and bats roosting in the tunnel, livestock, and background. DNA analysis of samples drawn between sites 10.3 and 10.9 (see map in Figure-1) in San Luis Obispo Creek indicate that the following sources and corresponding frequencies are present: human (41%), avian (17%), combined sewer overflow (15%), canine (11%), rodent (5%), dog (4%), raccoon (3%), feline (3%), opossum (1%).

TMDL and Allocations

The TMDL is a receiving water concentration equal to the numeric target. The TMDL is considered achieved when the allocations assigned to individual reaches are consistently met or numeric targets are consistently met in all reaches.

Allocations are expressed as receiving water fecal coliform concentration. Table-1 shows the allocations with respect to location and responsible party. The reaches referred to in Table-1 are illustrated in Figure-1.

Locations of the sites illustrated in Figure-1 are described as follows:

- Site 10.0: located along the main stem of San Luis Obispo Creek (Creek) at the bridge crossing the Creek on Marsh Street. This location is downstream of the confluence of the main stem of the Creek with Stenner Creek.
- Site 10.3: located along the main stem of the Creek at Mission Plaza, immediately downstream of the downstream end of the tunnel.
- Site 10.9: located along the main stem of the Creek at the upstream end of the tunnel.
- STEN0.0: located at the mouth of Stenner Creek before its confluence with San Luis Obispo Creek.
- STEN1.5: located in Stenner Creek at its crossing with Highland Drive on the campus of Cal Poly.
- BRIZ1.0: located in Brizziolari Creek at its crossing with Via Carte Drive on Cal Poly campus; this site is located downstream of the bull-test animal unit.

- **Site 12.5:** located along the main stem of the Creek at Cuesta Park near the Highway 101 bridge.

Waste Load Allocations: Allocations to the City of San Luis Obispo are waste load allocations (WLAs). The WLAs will be implemented by the City's NPDES permit for the Water Reclamation Facility for control of sewer sources. The WLAs will also be implemented by the City's General Municipal Stormwater permit for the control of urban sources as well as animal sources from the tunnelized area of the Creek.

Allocations to the County of San Luis Obispo are WLAs. The WLAs will be implemented by the County's General Municipal Stormwater permit for the control of urban sources.

A portion of the total allocation to California Polytechnic State University, San Luis Obispo (Cal Poly) is a WLA. The allocation at site STEN1.5 shown in Table-1 is a WLA. The WLA will be implemented by Cal Poly's General Municipal Stormwater permit for the control of urban sources.

Load Allocations: Cal Poly is allocated a load allocation (LA) for the livestock sources along Brizzolari Creek. The LA will be implemented by Cal Poly's WDR permit for the control of animal sources (see site BRIZ1.0 in Table-1).

Allocation for Background: The allocation to Background is included in the WLAs and LA. The background allocation is a receiving water concentration of 81 MPN/100 mL. Therefore, the allocations in Table-1 include the allocation to background.

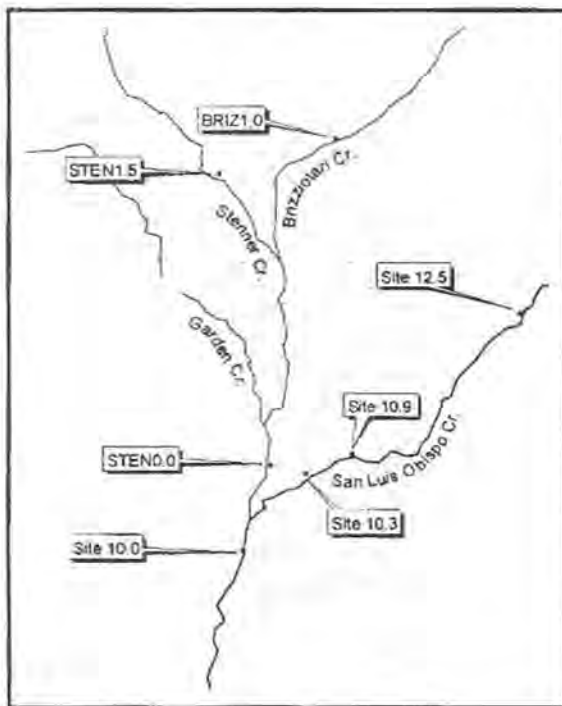


Figure-1: Allocation Sites

Table-1 ALLOCATIONS AND RESPONSIBLE PARTIES				
Allocations in San Luis Obispo Creek				Receiving Water Fecal Coliform Concentration (MPN/100mL)¹
From Site:	To Upstream Site:	Responsible Party^{2,3,4}	Allocation Type⁵	
12.5	All upstream sites	County	WLA	≤ 200
10.9	12.0	City	WLA	≤ 200
10.0	10.9	City	WLA	≤ 200
Allocations in Stenner and Brizzolari Creeks				Receiving Water Fecal Coliform Concentration (MPN/100mL)¹
From Site:	To Upstream Site:	Responsible Party^{2,3,4}	Allocation Type⁵	
STEN1.5	All upstream sites	Cal Poly	WLA	≤ 200
STEN0.0	STEN1.5	City	WLA	≤ 200
BRIZI.0	All upstream sites	Cal Poly	LA	≤ 200
Allocations for reaches not specifically noted above:				
For stream reaches not specifically noted above, the allocation for any discharge loading fecal coliform into San Luis Obispo Creek or any of its tributaries is as follows:				
<ul style="list-style-type: none"> Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100mL, nor shall more than 10% of the total samples during any 30-day period exceed 400 MPN per 100mL. 				
¹ As log mean of 5 samples taken in a 30-day period occurring within each season. ² County implies County of San Luis Obispo ³ City implies City of San Luis Obispo ⁴ Cal Poly implies California Polytechnic State University, San Luis Obispo Campus ⁵ WLA implies Waste Load Allocation, LA implies Load Allocation				

Margin of Safety

A margin of safety is incorporated in the TMDL through conservative assumptions. The conservative assumptions include: 1) assumption of zero bacterial die-off, 2) TMDL and allocation calculations are predominantly based on data collected during low-flow conditions, which, in the case of San Luis Obispo Creek, skews towards a worst-case scenario.

IMPLEMENTATION

The following actions will occur within one year of TMDL approval by the Office of Administrative Law.

HUMAN SOURCES

The City will implement actions described in Table 3, item 1F, to control human sources as currently required by the NPDES permit for the Water Reclamation Facility (WRF).

The Executive Officer (EO) or the Regional Board will amend the Monitoring and Reporting Program (M&RP) of the City's NPDES permit for the WRF to incorporate stream monitoring for fecal coliform. The EO or Regional Board will also amend the M&RP to incorporate reporting of such stream monitoring activities.

URBAN SOURCES

The City will amend its Storm Water Management Plan (SWMP) to include actions described in Table-3, items 1A, 1B, 1C, 1D, and 1E, pursuant to Section D of State Board Order No. 2003-005, NPDES General Permit No. CAS000004 for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Small MS4 Permit). The City will then describe the actions taken in Table-3 as part of its annual report

required by the Small MS4 Permit. If the City does not make these changes by submittal of the next annual report, the Executive Officer will require such changes.

The Executive Officer or the Regional Board will amend the Monitoring and Reporting Program of the City's small MS4 Permit to incorporate stream monitoring of fecal coliform and reporting of such monitoring, if additional monitoring-beyond that amended to the Monitoring and Reporting Program for the City's NPDES Permit for the WRF-is necessary.

Cal Poly will amend their SWMP to include specific actions described in Table-3, items 3A, 3B, and 3D. Cal Poly will then describe actions taken in Table-3 as part of their annual report required by the Small MS4 Permit. If Cal Poly does not make these changes by submittal of next annual report for this permit, the Executive Officer will require such changes.

The County of San Luis Obispo (County) will amend its SWMP to include specific actions described in Table-3, items 2A, 2B, 2C, and 2D, pursuant to Section D of the Small MS4 Permit. The County will then describe actions taken in Table-3 as part of its annual report required by the Small MS4 Permit. If the County does not make these changes by submittal of next annual report for this permit, the Executive Officer will require such changes.

LIVESTOCK SOURCES

Cal Poly will eliminate discharges of animal waste from seepage to surface waters from irrigated wastewater and flow to surface waters from confined animal operations, as currently required by Cal Poly's Waste Discharge Requirements.

Cal Poly has agreed to use management practices described in Table-3, item 3C, as described in its Water Quality Management Plan.

Cal Poly will conduct stream monitoring and report results as currently required by the M&RP of Cal Poly's Waste Discharge Requirements.

Additionally, the EO will amend the M&RP associated with Cal Poly's Waste Discharge Requirements to require annual reporting of specific measures that have been identified in the Water Quality Management Plan and have been and/or will be taken to reduce fecal coliform loading from livestock and urban sources.

THREE-YEAR REVIEWS

Regional Board staff will conduct a review every three years beginning three years after TMDL approval by the Office of Administrative Law. Regional Board staff will utilize Annual Reports, as well as other available information, to review water quality data and implementation efforts of responsible parties and progress being made towards achieving the allocations and the numeric target. Regional Board staff may conclude and articulate that ongoing implementation efforts may be insufficient to ultimately achieve the allocations and numeric target. If staff makes this determination, staff will recommend that additional reporting, monitoring, or implementation efforts be required either through approval by the Executive Officer (e.g. pursuant to CWC section 13267 or section 13383) or by the Regional Board (e.g. through revisions of existing permits and/or a Basin Plan Amendment). Regional Board staff may conclude and articulate that to date, implementation efforts and results are likely to result in achieving the allocations and numeric target, in which case existing and anticipated implementation efforts should continue.

Three-year reviews will continue until the TMDL is achieved. The target date to achieve the TMDL is ten years after implementation commences.

Table-3 IMPLEMENTATION ACTIONS OF RESPONSIBLE PARTIES			
Responsible Party	Item	Best Management Practice	Discussion
City of San Luis Obispo	1A	Public Participation and Outreach	Educate the public regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters. Educate the public regarding actions that individuals can take to reduce loading.
	1B	Pet Waste Management	Develop and implement enforceable means (e.g. an ordinance) of reducing/eliminating fecal coliform loading from pet waste.
	1C	Wild Animal Waste Management	Develop and implement strategies to reduce/eliminate fecal coliform loading from wild animals inhabiting the tunnelized area of the Creek.
	1D	Illicit Discharge Detection and Elimination	Develop and implement strategies to detect and eliminate illicit discharges (whether mistaken or deliberate) of sewage to the Creek.
	1E	Pollution Prevention and Good Housekeeping	Develop and implement strategies to reduce/eliminate fecal coliform loading from streets, parking lots, sidewalks, and other urban areas potentially collecting and discharging fecal coliform to the Creek.
	1F	Human Source Elimination and Prevention	Maintain the sewage collection system, including identification of sewage leaks, the correction of sewage leaks, and prevention of sewage leaks.
County of San Luis Obispo	2A	Public Participation and Outreach	Educate the public regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters. Educate the public regarding actions that individuals can take to reduce loading.
	2B	Pet Waste Management	Develop and implement enforceable means (e.g. an ordinance) of reducing/eliminating fecal coliform loading from pet waste.
	2C	Illicit Discharge Detection and Elimination	Develop and implement strategies to detect and eliminate illicit discharges (whether mistaken or deliberate) of sewage to the Creek.
	2D	Pollution Prevention and Good Housekeeping	Develop and implement strategies to reduce/eliminate fecal coliform loading from streets, parking lots, sidewalks, and other urban areas potentially collecting and discharging fecal coliform to the Creek.
Cal Poly State University	3A	Public Participation and Outreach	Educate the public regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters. Educate the public regarding actions that individuals can take to reduce loading.
	3B	Pet Waste Management	Develop and implement enforceable means of reducing/eliminating fecal coliform loading from pet waste.
	3C	Grazing Management	Develop and implement strategies to reduce/eliminate fecal coliform loading from livestock grazing.
	3D	Pollution Prevention and Good Housekeeping	Develop and implement strategies to reduce/eliminate fecal coliform loading from streets, parking lots, sidewalks, and other urban areas potentially collecting and discharging fecal coliform to the Creek.

STATE WATER BOARD
RESOLUTION NO. 2005 - 0037

APPROVING AN AMENDMENT TO THE WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COAST REGION
INCORPORATING A TOTAL MAXIMUM DAILY LOAD
FOR PATHOGENS IN SAN LUIS OBISPO CREEK

WHEREAS:

1. The Central Coast Water Board adopted a revised Water Quality Control Plan for the Central Coast Region (Basin Plan) on February 11, 1994, which was approved by the State Water Resources Control Board (State Water Board) on May 18, 1994, by the Office of Administrative Law (OAL) on September 7, 1994, and by the U.S. Environmental Protection Agency (USEPA) on May 29, 2000.
2. On December 3, 2004, the Central Coast Water Board adopted Resolution No. R3-2004-0142 (Attachment) amending the Basin Plan to incorporate a Total Maximum Daily Load (TMDL) for pathogens in San Luis Obispo Creek.
3. Central Coast Water Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act and other State laws and regulations.
4. The Central Coast Water Board found that the additions of this amendment would result in no adverse effect on wildlife, and the amendment would be consistent with the State Antidegradation Policy (State Water Board Resolution No. 68-16) and federal antidegradation requirements.
5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans, and section 13242, which requires a program of implementation of water objectives.
6. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL must also be approved by USEPA.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Central Coast Water Board Basin Plan to incorporate a TMDL for pathogens in San Luis Obispo Creek as approved in Central Coast Water Board Resolution [No. R3-2004-0142](#).
2. Authorizes the Executive Director to transmit the amendment and administrative record for this action to OAL and the TMDL to USEPA for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on May 19, 2005.

/s/ _____
Debbie Irvin
Clerk to the Board

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Suite 200
San Luis Obispo, California 93401-5427

RESOLUTION NO. R3-2002-0094

Amending the Water Quality Control Plan (Basin Plan) for the Central Coast Region to include a revised and updated Monitoring and Assessment Chapter (Chapter 6)

And requesting approval from the State Water Resources Control Board

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board) finds:

1. *WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Region (Basin Plan), on September 8, 1994;*
2. *The Regional Board periodically revises and amends the Basin Plan; and*
3. *The proposed amendment to the Basin Plan was developed in accordance with section 13240 et seq. of the California Water Code, and the Regional Board considered the appropriate factors identified therein;*
4. *The amendment will replace the existing Surveillance and Monitoring Chapter of the Basin Plan,*
5. *The Basin Plan amendment incorporating a revised and updated Monitoring and Assessment Chapter must be submitted for review and approval by the State Water Resources Control Board.*
6. *The amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code §11353(b); and*
7. *Staff has made the finding that the proposed amendment is an administrative update of editorial nature only and contains no new or altered regulatory provisions; therefore, CEQA requirements do not apply; and*
8. *Drafts of the staff report and proposed amendment have been prepared and distributed to interested persons and agencies for review and comment; and*
9. *Notice of public hearing was given by advertising in newspapers of general circulation within the Region; and*
10. *On December 13, 2002, in San Luis Obispo, California, the Regional Board held a public hearing and heard and considered all public testimony; and*
11. *The proposed amendments to the Basin Plan were developed in accordance with Water Code Section 13240 et seq.; and*

000142

12. *The amendment results in no potential for adverse effect, either individually or cumulatively, on wildlife;*

THEREFORE, BE IT RESOLVED, that

1. *Pursuant to sections 13240 and 13241 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment shown in "Attachment B - Proposed Basin Plan Amendment". The amendment will not take effect until approved by the State Board.*

The Regional Board's Executive Officer is authorized to submit the amendment to the State Water Resources Control Board in accordance with the requirements of section 13245 of the California Water Code.

3. *The Regional Board requests that the State Water Resources Control Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code.*
4. *The environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified following approval of the revised Basin Plan by the State Board.*
5. *The Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results in a "De Minimus" impact finding.*
6. *If during the approval process, the State Board determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.*

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region.

Adopted on 12-24-02
Date



Roger W. Briggs
Executive Officer

000143

Chapter 6. Surveillance and Monitoring and Assessment

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I. INTRODUCTION

The effectiveness of a water quality control program cannot be judged without the information supplied by a comprehensive and systematic surveillance and monitoring and assessment program. This chapter describes statewide and regional monitoring and assessment programs designed to provide scientific information on water quality in the Central Coast Region. The Regional Board uses information produced by these programs to satisfy requirements of both the federal Clean Water Act

(<http://www.swrcb.ca.gov/rwqcb3/>) and applicable portions of the state's Porter-Cologne Water Quality Control Act.

Historically, a wide variety of interested State, federal, and local agencies have sampled, analyzed, and tracked water quality. The State Board monitoring program coordinates existing information, gathering and supplementing it where necessary to meet data needs.

The State Board is the lead agency in California directing surveillance and monitoring of water

~~quality. A routine program of systematic sampling of the State's waters is now in existence. The activity is coordinated through and assisted by the California Department of Water Resources (DWR) and Health Services (DOHS) as well as the United States Geologic Survey (USGS) and the Environmental Protection Agency (EPA).~~

~~This chapter contains a discussion of the objectives and various elements of the State and Regional Boards' programs.~~

Monitoring information is presented for both regulatory and ambient monitoring programs at the State and Regional level. Regulatory monitoring programs address compliance issues related to discharges to waters of the State. Ambient monitoring programs address overall quality of waters of the State, generally without regard to specific dischargers.

II. PROGRAM OBJECTIVES

~~The overall~~General objectives of an adequate surveillance and of statewide and regional monitoring and assessment programs are:

To measure the achievement of water quality goals and objectives specified in this plan.

2. To measure specific effects of water quality changes on the established beneficial uses.
3. To measure background conditions of water quality and long-term trends in water quality.
4. To locate and identify sources of water pollution that pose an acute, accumulative, and/or chronic threat to the environment.
5. To provide information needed to correlate receiving water quality to mass emissions of pollutants by waste dischargers.
6. To provide data for determining waste discharger compliance with permit conditions.
7. To measure waste loads discharged to receiving waters and to identify the limits of their effect, and in water quality limited segments to, prepare

waste load allocations necessary to achieve water quality control.

8. To provide documentation necessary to support enforcement of permit conditions and waste discharge requirements.
9. To provide data needed to carry on the continuing planning process.
10. To measure the effects of water rights decisions on water quality and to guide the State Board in its responsibility to regulate unappropriated water for the control of quality.
11. To provide a clearinghouse for the collection and dissemination of water quality data gathered by other agencies and private parties cooperating in the program.
12. To prepare reports on water quality conditions as required by federal and State regulations and other users requesting water quality data.

III. QUALITY CONTROL AND DATA MANAGEMENT

Federal regulations and State policy require the preparation and implementation of Quality Assurance/Quality Control Plans for most monitoring carried out by the Regional Board's staff or its contractors. Regional Board monitoring activities are usually conducted under the Quality Assurance Program Plan developed for the Surface Water Ambient Monitoring Program (SWAMP).

Sample analysis Dischargers generally must be conducted by use a State-certified laboratoryies approved by the Regional Board's Executive Officer and/or Regional Board's laboratory. The ;the laboratory must have an approved Quality Assurance/Quality Control program and must be certified under the California Department of Health Services (DHS) Accreditation Program. In some instances, DHS certification may not be required, provided the laboratory has appropriate performance based standards.

~~Discharger monitoring reports are kept in the Regional Board's files; older files are microfiched.~~

~~The Board has increasingly sophisticated computer facilities for analysis of data collected in special studies. "Raw" data are periodically made available to the State Board for entry into the statewide Water Quality Information System database for use by other agencies.~~

~~The results of special studies are generally summarized in the Regional Board staff reports and are discussed at public meetings of the Regional Board. The results of complaint monitoring are provided to the person or agency submitting the complaint. Copies of the Regional Board planning documents and special studies reports are provided to public and university libraries.~~

~~III. STATE WATER RESOURCES CONTROL BOARD PROGRAM TASKS~~

IV. REGULATORY MONITORING AND ASSESSMENT

IV.A. COMPLIANCE MONITORING

~~A significant component of the State's regulatory monitoring relates specifically to discharges of pollutants from known sources. All entities holding Regional Board Discharge Orders must conduct regular sampling and analysis of waste released to surface and ground waters. Entities granted a discharge waiver may also be subject to monitoring requirements as a condition of the waiver.~~

~~The specific chemical and physical parameters to monitor, types of sampling and analyses (e.g., waste stream sampling, toxicity tests, etc.), frequency, and other specific requirements are determined on a case-by-case basis according to the nature of the discharge and potential environmental effects. Each Order or waiver issued by the Regional Board describes the specific compliance monitoring requirements for that Order or waiver holder.~~

~~Monitoring data collected by point source dischargers and nonpoint pollution control programs are used to:~~

- ~~• Determine compliance with and provide documentation to support enforcement of Order or waiver conditions;~~
- ~~• Provide information needed to relate receiving water quality to mass emission of pollutants by dischargers.~~

~~Discharger self-monitoring reports, generated as a result of an Order, are collected and reviewed by Regional Board staff for compliance. Any necessary enforcement actions are the responsibility of, and are carried out by, the Regional Board. Self-monitoring reports are normally submitted by the discharger on a regular basis (monthly, quarterly, or semi-annually) as specified by the Order conditions.~~

~~Compliance monitoring includes a control procedure whereby Regional Board personnel periodically visit each discharger on both an announced and unannounced "Facility Inspection" basis. The intent of announced visits is to work with the discharger to review his procedures in order to assure quality control. The intent of the unannounced inspections is to survey the operation, inspect the discharge area, and collect, check, or reference samples. Data from self-monitoring may also be supplemented with information obtained by Regional Board staff through special studies, such as those characterizing the variability of the discharge, pollutant levels in nearby receiving water and biota, and characterization of pollutant loads attributable to urban runoff.~~

IV.B. COMPLAINT INVESTIGATION

~~Complaint Monitoring involves investigation of complaints of citizens and public or governmental agencies on the discharge of pollutants or creation of nuisance conditions. It is the responsibility of the Regional Board to address the complaint, including preparation of reports, letters, or other follow-up actions, to document the observed conditions, and to inform the State Board, complainant, and discharger of the observed conditions.~~

IV.C. AERIAL SURVEILLANCE

Aerial surveillance is used primarily to gather photographic records of discharges, water quality conditions, and conditions at solid waste disposal sites in the Region. Aerial surveillance is particularly effective because of the overall view of a facility that is obtained and because many facilities can be observed in a short period of time.

V. AMBIENT MONITORING AND ASSESSMENT

III.AV.A. STATE-WIDE SURFACE WATER MONITORING PROGRAMS

Section 13160 of the Porter-Cologne Water Quality Control Act delegates primary responsibility for coordination and control of water quality in California to the State Board. Section 13163 of the Act states that in conducting this mission, the State Board is to coordinate water quality investigations, recognizing that other State agencies may have primary statutory responsibility for such investigations.

~~Pursuant to these mandates, the State Board developed and in April 1976 established a coordinated Primary Water Quality Monitoring Network for California~~ has established multiple water quality monitoring programs for California. Other agencies that conduct water-quality monitoring include Participants in the Coordinated Network included the California Departments of Health Services (DHS), California Department of Water Resources (DWR), and California Department of Fish and Game (DFG), California Department of Pesticide Regulation (DPR), California Department of Toxic Substances Control (DTSC), and the United States Department of the Interior, Federal Bureau of Reclamation; the U.S. United States Geological Survey (USGS); and, the United States Environmental Protection Agency (USEPA).

V.A.1. SURFACE WATER AMBIENT MONITORING PROGRAM

The Porter-Cologne Water Quality Control Act and the federal Clean Water Act (CWA) direct water quality programs to implement efforts intended to protect and restore the integrity of waters of the State. Ambient monitoring is independent of regulatory water quality programs and serves as a measure of the overall quality of water resources and the overall effectiveness of the Regional Board's prevention, regulatory, and remedial actions.

The Surface Water Ambient Monitoring Program (SWAMP) is designed as an ongoing program to assess the effectiveness of State and Regional Board regulatory water quality programs, to develop a statewide picture of the status and trends in surface water quality, and to develop site-specific information in areas that are known or suspected to have water quality problems. In particular, SWAMP is intended to meet four goals:

1. Identify specific problems preventing the State Board, the Regional Board, and the public from realizing beneficial uses in targeted watersheds.
2. Create an ambient monitoring program that addresses all hydrologic units of the state using consistent and objective monitoring, sampling and analysis methods; consistent data quality and assurance protocols; and centralized data management.
3. Document ambient water quality conditions in potentially clean and polluted areas.
4. Provide data to evaluate the effectiveness of water quality regulatory programs in protecting beneficial uses of waters of the State.

In achieving these goals, each of the State and Regional Board monitoring programs (e.g., State Mussell Watch, Toxic Substances Monitoring) are incorporated into SWAMP to ensure a coordinated approach without duplication. Fiscal Year (FY) 00-01 marked the first year of implementation of the SWAMP Program. The Central Coast Ambient Monitoring Program (CCAMP), which has been underway since 1997, represents the Central Coast Region's participation in the statewide SWAMP Program. More detailed information on the SWAMP program can be found at the State Board website (<http://www.swrcb.ca.gov>). A summary of the CCAMP program is contained in this chapter.

~~The goal of the Primary Network is to provide an overall, continuing assessment of water quality in the State. This goal is to be achieved by statewide~~

~~monitoring of water quality parameters that can affect beneficial uses of State waters. Among such parameters, toxic substances have received increasing attention in federal and State water pollution control activities; accordingly, Toxic Substances Monitoring and the State Mussel Watch program are included in the Primary Network.~~

III.A.1.V.A.2. TOXIC SUBSTANCE MONITORING PROGRAM

~~One alternative in monitoring for toxic substances (toxic elements and organic compounds) is to collect and analyze water samples. A major problem with this approach is that toxic discharges are likely to occur in an intermittent fashion and are thus likely to be missed with "grab" sampling of the water. Another limitation to analyzing water samples is that, generally, harmful toxicants are present in low concentrations in the water. The process of bioaccumulation acts to concentrate toxicants through the aquatic food web. Therefore, in the Toxic Substances Monitoring Program the flesh of fish and other aquatic organisms is analyzed for toxic metals and synthetic organic compounds.~~

The Toxic Substance Monitoring (TSM) Program was initiated in 1976 by the State Board to provide a uniform statewide approach to the detection and evaluation of toxic substances in organisms found in fresh, estuarine, and marine waters of the State. The TSM program uses resident fish and other aquatic organisms (primarily crayfish) to monitor pollutant levels through tissue analysis. Results of tissue analyses reflect exposure to contaminants over extended periods of time and therefore provide a field-based estimate for long-term exposure of people, fish, and other wildlife to pollutants in the food chain. This approach also allows for capture of potentially toxic discharges that occur on an intermittent basis that might otherwise be missed with "grab" sampling of water.

~~The Toxic Substances Monitoring (TSM) portion of the Primary Network has been integrated with other Primary Network Monitoring. Streams and lakes were ranked according to various criteria established to indicate their importance to the State in terms of water quality. From this process, the water bodies ranked Priority 1, or highest priority, were included in the Primary Network; routine chemical and biological water monitoring is performed by DWR and/or the USGS; and toxic substances monitoring of resident~~

~~organisms is performed by the Department of Fish and Game.~~

The primary objectives of the Primary Network TSM program are:

- ~~To develop statewide baseline data and to demonstrate trends in the occurrence of toxic elements and organic substances in the aquatic biota.~~
- To assess impacts of accumulated toxicants upon the usability of State waters by man.
- To assess impacts of accumulated toxicants upon the aquatic biota.
- Where problem concentrations of toxicants are detected, to attempt to identify sources of toxicants and to relate concentrations found in the biota to concentrations found in the water.

TSM reports have been published periodically since 1977. The samples collected in the TSM program are benthic invertebrates and predator fish. Tissue samples are analyzed for important metals, including arsenic, cadmium, chromium, copper, lead, nickel, silver, and zinc and fish flesh is analyzed for mercury. In addition, both invertebrate and fish flesh tissue samples are analyzed for 55 synthetic organic compounds, most of which are pesticides (Table 6VI-1). TSM reports have been published annually since 1977. Both TSM and State Mussel Watch (SMW) Program publications and data can be found at the State Board website (<http://www.swrcb.ca.gov>).

TABLE 6-1. SYNTHETIC ORGANIC COMPOUNDS ANALYZED IN THE TOXIC SUBSTANCES MONITORING AND STATE MUSSEL WATCH PROGRAMS

<u>COMPOUND</u>	<u>COMPOUND</u>	<u>COMPOUND</u>
Aldrin	DDMU pp	Nitrofen (TOK)
Benefin	DDT pp	Oxychlorance
BHC α	Dialifor	Parathion, ethyl
BHC β	Diazinon	Parathion, methyl
BHC γ (lindane)	Dichlofenthion	PCB 1248
BHC δ	Dicofol (Kelthane)	PCB 1254
Carbophenothion	Dieldrin	PCB 1260
CDEC (Vege dex)	Endosulfan I (Thiodan I)	PCNB (Quintozene)
Chlorbenside	Endrin	Perthane
cis-Chlordane	EPN	Phenkapton
trans-Chlordane	Ehtion	Phorate (Thimet)
Chloroneb	Fenitrothion	Ronnel
Chlorpyrifos (Dursban)	Fonofos (Dyfonate)	Strobane
Dacthal	Heptachlor	Tetradifon (Tedion)
DDE op	Heptachlor epoxide	Toxaphene
DDE pp	Hexachlorobenzene (HCB)	2,4-D isopropyl ester
DDD op	Methoxychlor pp '	2,4-D isobutyl ester
DDMS pp	Mirex	2,4-D n-butyl ester

III.A.2.V.A.3. STATE MUSSEL WATCH PROGRAM

The State Mussel Watch (SMW) program has been integrated with the Primary Network Monitoring to provide documentation of the quality of coastal marine and estuarine waters. The SMW program fulfills the goal of providing the State with long-term trends in the quality of these waters. is a long-term marine water-quality monitoring program initiated in 1977. The SMW program uses resident and transplanted bivalves (e.g., mussels and clams) to monitor pollutant levels at coastal reference stations and selected sites in bays and estuaries to identify or confirm potential toxic substance pollution.

Mussels were chosen are used as the indicator-sentinel organisms for trace metals and synthetic organic compounds in the coastal and estuarine waters. Although the mussel populations of bays and estuaries are of a different species than those found in the open coast, their suitability as sentinels for monitoring the presence of toxic pollutants stems from several factors including: (1) their ubiquity along the California coast; (2) their ability to concentrate pollutants above ambient sea water levels and to provide a time-averaged sample; and (3) their non-motile nature which permits a localized measurement of water quality.

The primary goals of the SMW program are as follows:

1. To provide long-term monitoring of selected toxic substances in coastal waters;
2. To provide an important element in a comprehensive water quality monitoring strategy;
3. To identify on a year-to-year basis specific areas where concentrations of toxic materials are higher than naturally occurring background levels.

Tissue samples are analyzed for The trace metals analyzed for in mussel tissues including aluminum, cadmium, chromium, copper, lead, manganese, mercury, nickel, silver and zinc. and for sSynthetic organic compounds analyzed for are summarized listed in Table 6VI-1. When compared with alternative sampling designs, such as seawater and sediment sampling, SMW is a more cost effective

~~program. Reports have been published annually since 1978.~~

During the 1977 and 1978 sampling periods, the focus of the SMW program was, for the most part, on open coast monitoring of sites outside the vicinity of known pollutant point sources. Monitoring water quality in the State Board's designated Water Quality Protection Areas (formerly known as Areas of Special Biological Significance (ASBS)), to establish baseline conditions relating to the range of typical conditions in water, sediment and biota, was given prime importance in the early years of the program.

Based on identification of "hot spot" areas during 1977 and 1978, intensive sampling of these areas was implemented in 1979. Such a sampling strategy was intended to confirm previous findings, establish the magnitude of the potential problem and identify pollutant sources. The program has since evolved to include transplanting M. californianus mussels into selected California bays and estuaries at specific sites to confirm potential toxic substance pollution, i.e.g., in the vicinity of dischargers. In some cases the SMW program deploys freshwater clams or other organisms into fresh water streams and rivers to provide information about toxic substance pollution in watershed systems.

As with the TSM, statewide SMW reports are published periodically, available at the State Board website (<http://www.swrcb.ca.gov>).

III.B. LAKE SURVEILLANCE

~~This element is responsive to the requirements set forth in Section 314 of PL 92-500 and applicable federal regulations. The State is required to identify and determine the present trophic condition of all publicly owned fresh water lakes. The lakes inventory is updated on a two-year cycle to include additional data as it becomes available and to indicate changes in trophic conditions.~~

V.A.4. GROUNDWATER AMBIENT MONITORING AND ASSESSMENT

The State Board, pursuant to provisions of the 1999 Budget Act, has developed a statewide Groundwater Ambient Monitoring and Assessment (GAMA) Program, which includes the collaborative efforts of

other state and federal agencies also charged with groundwater monitoring responsibilities. The goal of GAMA is to provide information on the quality of California's groundwater and assess relative susceptibility of groundwater resources in California, especially those used as a drinking water supply. The GAMA program has two primary components: the California Aquifer Susceptibility (CAS) Assessment, which addresses public drinking water wells, and the Voluntary Domestic Well Assessment Project which addresses private domestic drinking water wells.

V.A.4.a. CALIFORNIA AQUIFER SUSCEPTIBILITY ASSESSMENT

The State Board, in coordination with the DHS, DWR, and local water districts and purveyors, is implementing the California Aquifer Susceptibility (CAS) Assessment to determine water quality and relative susceptibility of groundwater that serves as a source for public water supplies to possible contaminants. CAS employs a groundwater age dating technique (tritium-helium analysis) and low-level detection (microgram/liter range) of volatile organic compounds (VOCs) to assess aquifer susceptibility. A fundamental premise of the CAS assessment is that groundwater age can be used as a guide for assessing aquifer susceptibility, i.e., young groundwater age implies relatively rapid recharge of surface water to the aquifer, and therefore potentially rapid migration of surface contaminants to the aquifer. Low-level VOC detection is used to corroborate age-dating data and to also identify public supply wells that are already impacted by contaminants, but are still below action levels. This provides an "early warning system" for potentially significant VOC contamination.

In coordination with the USGS and Lawrence Livermore National Laboratory (LLNL), the CAS assessment is designed to sample the approximately 16,000 public supply wells statewide, beginning with more urbanized areas. Sampling began in September 2000 and will continue for the next several years over the entire state, depending on the availability of funding. General constituents sampled by the USGS and LLNL for low-level VOC analysis are available at the State Board website (<http://www.swrcb.ca.gov>). Additional constituents may be chosen based upon specific site or land-use conditions.

Groundwater quality, age-dating, and hydrogeologic data collected as part of the CAS assessment are managed utilizing the Geographical and

Environmental Information Management System (GEIMS)/GeoTracker system, an internet-accessible geographic information system (GIS) that provides access to water quality data. GeoTracker can be found at <http://geotracker.swrcb.ca.gov/>.

V.A.4.b. VOLUNTARY DOMESTIC WELL ASSESSMENT

The Voluntary Domestic Well Assessment Program consists of sampling domestic wells for various constituents that may be found in domestic well water, including nitrates, total and fecal coliform bacteria, Methyl tert-Butyl Ether (MTBE), and various minerals. This information is provided to domestic well owners and groundwater agencies. The Voluntary Domestic Well Assessment Program focuses on specific areas, as resources permit and are chosen based upon existing knowledge of water quality and land use, in coordination with local environmental agencies. The State Board incurs the costs of sampling and analysis.

V.A.5. GROUNDWATER QUALITY MONITORING ACT OF 2001

Assembly Bill 599 (AB 599), effective January 1, 2002, established the Groundwater Quality Monitoring Act of 2001 (sections 10780-10782.3 of the California Water Code). The Act requires the State Board to integrate existing monitoring programs with new program elements, as necessary, for the purpose of establishing a comprehensive groundwater monitoring program capable of assessing each groundwater basin in the state, either through direct or other statistically reliable sampling approaches. A second fundamental component of this Act is to increase the availability of water quality data and information to the public.

AB 599 requires the State Board to create an Interagency Task Force (ITF) to identify actions necessary to establish a groundwater-quality monitoring program, and to identify measures that would increase coordination among agencies that collect groundwater quality information. In addition, the State Board is also to convene a Public Advisory Committee (PAC) to the ITF. The AB 599 PAC is to consist of representatives from federal agencies, public water systems, environmental organizations, local water agencies, agriculture, groundwater

management entities, and the business community. In coordination with the ITF and the PAC, the State Board must submit to the Governor and the Legislature, on or before March 1, 2003, a report that includes a description of a comprehensive groundwater-quality monitoring program for the State.

V.B. REGIONAL MONITORING PROGRAMS

V.B.1 CENTRAL COAST AMBIENT MONITORING PROGRAM

In 1998, the Central Coast Ambient Monitoring Program (CCAMP) was formally established by the Regional Board to provide integrated and systematic information on surface water quality in the Region, in order to evaluate the effectiveness of Regional Board efforts to meet Basin Plan water quality objectives and protect beneficial uses. CCAMP's general program objectives are to:

- 1) Acquire and evaluate existing monitoring data and other information, from agencies, volunteer programs, and other sources.
- 2) Collect ambient monitoring data for the Region's watersheds, coastal confluences, and nearshore areas.
- 3) Conduct periodic detailed assessments of the Region's watersheds, groundwater basins, coastal confluences, and nearshore areas.
- 4) Utilize monitoring data and other information to maintain and update the Region's Water Quality Assessments and list of impaired waterbodies and beneficial uses.
- 5) Provide information presentations through the use of geographic information systems technology and other forms of graphic visualization.
- 6) Provide data and information dissemination services through the Internet.
- 7) Conduct periodic assessments of other programs' activities to eliminate gaps, overlaps, and duplications of effort, and utilize external information whenever possible as a component of the Ambient Monitoring Program.

- 8) Work with other monitoring programs, including volunteer programs, to develop consistent monitoring protocols and methods, quality control standards, data management procedures, and to encourage efforts consistent with regionwide monitoring goals.
- 9) Coordinate data management activities with other programs to maximize accessibility and usability of data.

The CCAMP monitoring strategy calls for dividing the Region into five watershed rotation areas and conducting synoptic, tributary-based sampling each year in one of the areas. Over a five-year period, each of the major Hydrologic Units in the Region are monitored and evaluated. In addition to the tributary-based site selection approach, additional monitoring sites are established in each rotation area to provide focused attention on watersheds and waterbodies known to have water quality impairments or other issues of interest.

The CCAMP strategy for establishing and maintaining permanent long-term monitoring sites provides a framework for trend analysis and detection of emergent water quality problems. CCAMP uses a variety of monitoring approaches to characterize water quality conditions and trends in coastal watersheds, including:

- Rapid bioassessment using benthic invertebrates
- Conventional water quality analysis
- Analysis of tissue, water, and sediment for organic chemicals and metals
- Toxicity evaluations
- Habitat assessments

To develop a broad picture of the overall health of waters in the Region, a similar baseline monitoring study design is applied in each rotation area. This provides for compatibility across the Region and allows for prioritization of problems across a relatively large spatial scale. The CCAMP strategy also allows for incorporation of watershed-specific knowledge so that questions which are narrower in focus can be addressed. For example, in watersheds where TMDL assessments are being conducted, additional information is collected as necessary to support development of the analysis. Special studies are undertaken as funding and staffing permits to further focus monitoring on questions of interest specific to individual watersheds.

Coastal Confluences monitoring is another CCAMP program component that focuses on monitoring "integrator sites" at the lower ends of rivers and creeks at their outflow to the ocean. Sampling at these sites is conducted continuously, rather than in a five-year rotation. These sites aid in long-term trend detection, regional priority setting, and understanding inputs to the nearshore environment.

CCAMP nearshore monitoring activities are varied. In the Monterey Bay area, CCAMP has worked with ocean dischargers to redesign and combine receiving water monitoring programs to form the Central Coast Long-term Environmental Assessment Network (CCLEAN). This program characterizes loading of organic pollutants, nutrients and pathogen indicators from discharges and river mouths to the ocean. It also documents associated nearshore conditions, including chemical concentrations in mussel tissue, and nearshore nutrient and toxic phytoplankton concentrations. The CCAMP program directs funding and other support to other marine monitoring activities, including sand crab, mussel, and sea otter tissue analysis for organic chemicals, polynuclear aromatic hydrocarbons, metals, toxic phytoplankton and specific pathogens. CCAMP staff are also working with the local research community to expand the network of instrumented moorings in nearshore areas, with particular focus on nitrate, chlorophyll, and toxic phytoplankton.

More information on the CCAMP program can be found at <http://www.swrcb.ca.gov/rwqcb3/>. The CCAMP program is conducted in coordination with the TSM and SMW monitoring programs, and satisfies Regional Board requirements for participation in the statewide SWAMP program.

V.C. ASSESSMENTS

III.C. V.C.1. BIENNIAL WATER QUALITY INVENTORY STATE WATER QUALITY INVENTORY (305(b)) REPORT

Pursuant to Section 305(b) of the Federal Clean Water Act (PL 92-500), the State Board is required to submit a report on the status of the State's water quality to the USEPA at least every two years. The CWA establishes a process for States to use to develop information on the quality of their water

resources (see USEPA 305(b) reporting guidelines). Specific requirements for this process are also found in Sections 106(e), 204(a), 303(d), and 314(a) of the CWA. Section 305(b) of the CWA specifies that each state must develop a program to monitor the quality of its surface waters and prepare a report describing the status of its water quality; Section 106(e) requests, but does not require, that each state also include the status of ground waters of the state in the report.

Section 305(b) of PL 92-500 requires the State to prepare and submit biennially to EPA the Water Quality Inventory. This report includes: The 305(b) process is the principal means by which the USEPA, Congress, and the public evaluate: 1) whether U.S. waters meet water quality standards; 2) progress made in maintaining and restoring water quality; and 3) the extent of remaining problems. Water quality assessment information from California's nine Regional Boards is compiled and presented in conformance with USEPAs 305(b) reporting guidelines through tabulation of a description of the general water quality of major navigable waters in of the State during the preceding years, including (b) an analysis of the extent to which significant navigable waters provide for the protection and propagation of a balanced population of shellfish, fish and wildlife, and allow recreational activities in and on the water; a summary of current designated use support, individual beneficial use support, major causes and sources impacting designated beneficial uses, and associated public health concerns. The Report also contains (e) an analysis of the extent to which elimination of the discharge of pollutants is being employed or will be needed; and (d) an estimate of the environmental impact, the economic, and social costs necessary to achieve the "no discharge" objective of PL 92-500, the economic and social benefits of such achievement and estimate of the date of such achievement. Recommendations as to the programs which must be taken to control them are provided, along with estimates of the cost, a brief description of water pollution control policies and programs designed to manage water quality.

Data collection and analyses already being carried out by the State in the permits, planning, facilities, monitoring and enforcement programs is utilized in preparing the reports on the quality of the waters of California. The first report was published in 1975 with subsequent reports in 1977 and 1979. The next biennial report is due in 1990. Assessment information used for compiling and reporting the

305(b) report is contained in the State's Geospatial Waterbody System (GeoWBS) database, structured for the purpose of producing the 305(b) Report.

IV.V.C.2. STATE WATER QUALITY ASSESSMENT REPORT

~~The State Board has been preparing "Section 305(b) Reports" since the mid 1970's. Most of these reports have been fairly general in nature, highlighting a few significant problem areas and estimating total area or stream mileage of waters statewide which were classified as "good", "medium", or "poor" quality. In 1989, the State Board began a more detailed Water Quality Assessment process to fulfill U.S. EPA reporting requirements and to provide the basis for prioritizing funding under the State's Clean Water Strategy.~~

~~The Water Quality Assessment is a computer database. It includes a table which lists water bodies of each region alphabetically by water body type (lakes, streams, ground water, etc). Initially, Regional Boards were directed to include at least all water bodies mentioned by name in their Basin Plans in the Water Quality Assessment table. Additional water bodies are to be added in future updates of the Water Quality Assessment, with the eventual goal of including all waters of the region. The 1992 Water Quality Assessment for the Central Coast Region includes approximately 400 entries.~~

~~For each water body, the Water Quality Assessment table identifies the wetland, lake, or ground water basin area or the stream mileage classified as having "good", "intermediate", "impaired", or "unknown" water quality. The table includes space for brief narrative problem descriptions. It identifies problem sources as point, nonpoint, or both. It also indicates whether the water body is included on one or more of the following federal "lists" (numbers refer to sections of the Clean Water Act):~~

~~131.11 Segments which may be affected by toxic pollutants, or segments with concentrations of toxic pollutants that warrant concern.~~

~~303(d) List of Water Quality Limited Segments where objectives or goals of the Clean Water Act are not attainable with the Best~~

~~Available Treatment/Best Control Technology.~~

~~304(M) A "mini list" of waters not meeting State adopted numeric water quality objectives due to toxic point sources and/or nonpoint sources after implementation of Best Available Treatment/Best Control Technology.~~

~~304(S) A "short list" of waters not achieving water quality standards due to point source implementation of Best Available Treatment/Best Control Technology.~~

~~304(L) A "long list" of waters not meeting water quality goals of the Clean Water Act after implementation of Best Available Treatment/Best Control Technology due to either point sources or nonpoint source discharges.~~

~~314 A list of lake priorities for restoration.~~

~~319 A list of impaired surface water bodies from nonpoint source problems due to both toxic and nontoxic pollutants.~~

~~The information used by Regional Board staff in compiling and revising the Water Quality Assessment table includes the type of monitoring data discussed in this chapter, records of past Regional Board enforcement actions, professional judgment of Regional Board scientists and engineers, and public comments.~~

~~The Water Quality Assessment database also includes the capability to print out a more detailed "Fact Sheet" for each water body in the table. Fact Sheets can include longer problem descriptions, information on threatened or impaired beneficial uses, and summaries of current and projected remedial actions by the State Board and/or the Regional Board. Due to time constraints and, in many cases, lack of information, detailed Fact Sheets have not been prepared for all water bodies in the Central Coast Region's Water Quality Assessment table. Additional Fact Sheets will be added during the ongoing Water Quality Assessment update process.~~

~~The Water Quality Assessments adopted by the nine Regional Boards were combined into a statewide Water Quality Assessment which was formally adopted by the State Board. The State Board is using the system to print out statewide "reports", statistical~~

~~tables, graphs, and charts summarizing the total numbers or percentages of water bodies affected by different types of water quality problems. The State Board also uses information in the Water Quality Assessment to prioritize proposals affecting specific water bodies.~~

The Water Quality Assessment (WQA) report is a biennial compilation of water quality information similar to the biennial Water Quality Inventory (305(b)) report; however, the WQA report contains specific information for individual water bodies of the region rather than generalized summaries for waterbody types of the region. Specifically, the WQA categorizes the water quality of each water body by reporting the degree to which beneficial uses are supported (see Basin Plan Chapter 2 for beneficial uses). The levels of beneficial use support are described as: fully supporting, fully supporting but threatened, partially supporting, not supporting, and not assessed. In addition to a description of the level of beneficial use support for each water body, the WQA contains narrative assessment (comments) for selected water bodies of the Region and identifies water bodies included on the Federal 303(d) "list" (numbers refer to sections of the Clean Water Act). The 303(d) list is a list of impaired waters where objectives or goals of the Clean Water Act are not attainable through standard regulatory controls. States are required to prioritize these water bodies for Total Maximum Daily Load (TMDL) development.

As with the 305(b) report, the information used by Regional Board staff in compiling and revising the WQA includes the type of monitoring data discussed in this chapter, records of past Regional Board enforcement actions, professional judgment of Regional Board scientists and engineers, and public comment. WQA information is stored in the GeoWBS database system.

V.C.3. CLEAN WATER ACT SECTION 303(d) LIST OF IMPAIRED WATERS

Section 303(d) of the Federal Clean Water Act requires states to identify waterbodies that do not meet water quality objectives and are not supporting their beneficial uses. Each state must submit an updated list, called the 303(d) list, to the USEPA every two years. In addition to identifying the waterbodies that are not supporting beneficial uses, the list also identifies the pollutant or stressor causing

impairment, and establishes a schedule for developing a control plan to address the impairment.

To develop the list of impaired waters, Regional Board staff relies on data and information collected in the Central Coast Ambient Monitoring Program and other State monitoring programs, along with data and information available from local government or citizen organizations. Staff consider the quality, quantity, timing, and location of data and information for each specified waterbody and the pollutant or stressor potentially causing impairment in that waterbody. Typically, staff compares the levels of the pollutant or stressor to established legal water quality limits (e.g., water quality objectives or other criteria indicating acceptable water quality conditions).

If a waterbody is found to be impaired for a particular pollutant or stressor, it is placed on the list. Once a waterbody and associated stressor pollutant are placed on the list, specific and focused monitoring and assessment efforts are conducted to more fully characterize the nature of the impairment, including identification of the pollutant source(s), and to develop solutions to address the impairment.

V.C.4. CENTRAL COAST AMBIENT MONITORING PROGRAM ASSESSMENTS

Water quality data collected in the CCAMP program is compiled and analyzed to produce watershed assessment reports for the Region. Reports are generated for both surface waters and groundwaters in each watershed, following the CCAMP 5-year rotation monitoring schedule discussed above.

V.C.4.a. SURFACE WATER ASSESSMENTS

Surface water assessments are developed using data collected through the CCAMP program and other available information sources, including water quality data from the California Department of Health Services (DHS), United States Geological Survey (USGS), Department of Fish and Game (DFG), Department of Pesticide Regulation (DPR), Toxic Substance Monitoring (TSM) program, National Pollutant Discharge Elimination System (NPDES) discharge data, county data, city data, relevant water quality reports, and any other available literature. Water quality data is also combined with

hydrogeomorphic data, land use data, etc., to develop watershed scale assessments, which are, in turn, used to update the 305(b) report and support TMDL development.

V.C.4.b. GROUNDWATER ASSESSMENTS

CCAMP does not actively collect groundwater data, but uses existing sources of data and other available water quality information to develop assessments of groundwater conditions. Data and other information are compiled from the DHS, USGS, California Department of Water Resources (DWR), DPR, and city or county information sources.

Data for both surface and groundwater assessments are evaluated for pollutants of concern, water quality standards exceedances, pollutant levels that warrant attention, beneficial use impairment, spatial and temporal trends, data gaps, and other pertinent information. General evaluations of relationships between surface water and groundwater pollutants are also included in the assessments. Assessment information is then used to develop recommendations for action, to assess future research and monitoring needs, to update the 305(b) report and support TMDL development, and to support permit review activities.

Watershed assessment reports and associated water quality data are available at the CCAMP website (see <http://www.swrcb.ca.gov/rwqcb3/> and click on CCAMP).

V. REGIONAL WATER QUALITY CONTROL BOARD PROGRAM TASKS

V.A. COMPLIANCE MONITORING

This task determines permit compliance, validates self monitoring reports, checks receiving water standards compliance, and provides data for enforcement actions. Data obtained are added to the water quality supply data for regulation, enforcement,

planning, and facilities development activities. Discharger compliance monitoring and enforcement actions are the responsibility of, and will normally be carried out wholly by, the Regional Board staff. Standards Compliance Monitoring will be coordinated by the State Board and use data available from other program tasks.

The scope of the Waste Discharger Compliance Monitoring Program for the basin will be dependent on the number and complexity of Waste Discharger Requirements (NPDES and other Permits) issued by the Regional Board. Waste discharge requirements may or may not include a specific discharger self-monitoring and reporting requirement on the effluent and receiving water.

The program includes a specific procedure whereby each discharger is regularly visited by Regional Board staff on both an announced and an unannounced "Facility Inspection" basis. The intent of announced visits is to work with the discharger through personal contact and communication to review his procedures in order to assure quality control. The intent of the unannounced inspections is to survey the operation, inspect the discharge area, and collect, check, or reference samples.

V.B. SELF-MONITORING REPORT REVIEW

Discharger self monitoring reports generated as a result of permits and waste discharge requirements are collected and reviewed by the Regional Board for obvious errors or omissions and entered into the data bank for checking. Significant reports of noncompliance are made immediately upon detection. Other data desired by the Regional or State Board will be rendered on a routine basis. Self monitoring reports are normally submitted by the discharger on a monthly or quarterly basis as required by the permit conditions.

V.C. COMPLAINT INVESTIGATION

The Complaint Monitoring task involves the investigation of complaints received from the general public and other interested parties. It is a Regional Board responsibility which includes preparation of

reports, letters, or taking other follow up actions to document observed conditions and to inform the State Board and complainant and discharger of the observed conditions.

V.D. AERIAL SURVEILLANCE

Aerial surveillance is used primarily to obtain photographic records of discharge conditions and to identify discharge sources. Aerial surveillance is particularly effective because of the overall view of a facility that is obtained and because many facilities can be observed in a short period of time.

V.E. V.D. NONPOINT SOURCE INVESTIGATIONS, OTHER MONITORING AND ASSESSMENT ACTIVITIES

The objective in this task is Nonpoint source investigations are conducted to (a) identify the location and nature of the sources of nonpoint pollutants; (b) develop information on the quantity, strength, character, and variability of nonpoint source pollutants; (c) evaluate impacts on receiving water quality and biota; (d) provide information useful in management of nonpoint source pollution; and (e) monitor results of any control plan. Investigations will be typically undertaken on a statewide priority basis through local agency and watershed group efforts, funded by Federal Clean Water Act grants and other sources.

V.F. INTENSIVE SURVEYS

Special studies and intensive monitoring surveys are conducted to provide obtain detailed information about a specific water quality problem which, in turn, can be used to data to locate and evaluate violations of receiving water standards, and make waste load allocations. They These studies usually involve are usually localized, intermittent sampling at a higher than normal frequency. These surveys are specially designed to evaluate problems in impaired

waterbodies water quality class segments, areas of special biological significance Water Quality Protection Areas (formerly known as Areas of Special Biological Significance), or hydrologic units requiring sampling in addition to routine monitoring programs. Surveys are repeated at appropriate intervals depending on parameters involved, variability of conditions, and changes in hydrologic or effluent regimes. Results from these special studies may be used for addressing impairments identified on the 303(d) List, including Total Maximum Daily Load development, Water Quality Assessment and 305(b) Report updates, and other waterbody assessment activities.

Intensive surveys are needed for several water bodies. The data are needed for one or more of the following reasons:

- a. A water quality problem is suspected, however, little data is available to substantiate the existence or degree of a problem;
- b. A water quality screening is needed to verify the Regional Board's judgment of the water quality status, or;
- c. A water body is suspected to be water quality limited.

Table 6-2 lists each water body, the constituent needing sampling, and the reason it should be sampled. The Regional Board urgently requests the State Board to make money available for intensive surveys.

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2003 - 0063

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL
PLAN FOR THE CENTRAL COAST REGION TO REVISE AND UPDATE
CHAPTER 6, MONITORING AND ASSESSMENT

WHEREAS:

1. The Central Coast Regional Water Quality Control Board (Regional Board) revised its Water Quality Control Plan for the Central Coast Region (Basin Plan) by Resolution No. 94-01 on February 11, 1994 which was approved by the State Water Resources Control Board (SWRCB) on May 18, 1994, the Office of Administrative Law (OAL) on September 7, 1994, and the U.S. Environmental Protection Agency (USEPA) on May 29, 2000.
2. On December 24, 2002, the Regional Board adopted Resolution No. R3-2002-0094 ([Attachment](#)) amending the Basin Plan by revising and updating Chapter 6, Monitoring and Assessment.
3. The amendment is merely descriptive of existing programs and requirements and therefore is not subject to the California Environmental Quality Act.
4. This Basin Plan amendment does not become effective until approved by SWRCB and until the regulatory provisions are approved by OAL.

THEREFORE BE IT RESOLVED THAT:

SWRCB:

1. Approves the amendment to the Basin Plan replacing Chapter 6, Monitoring and Assessment, as adopted under Regional Board Resolution No. R3-2002-0094.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Regional Board Resolution No. R3-2002-0094 and the administrative record for this action to OAL for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board Meeting held on September 16, 2003.


Debbie Irvin
Clerk to the Board

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

RESOLUTION NO. R3-2002-0051
(REVISED FEBRUARY 7, 2003)
(REVISED MAY 16, 2003)
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN
TO INCLUDE
MORRO BAY TOTAL MAXIMUM DAILY LOAD AND IMPLEMENTATION PLAN
FOR SEDIMENT INCLUDING
CHORRO CREEK, LOS OSOS CREEK AND THE MORRO BAY ESTUARY

The California Regional Water Quality Control Board, Central Coast Region hereby finds:

1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on March 14, 1975. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Regional Board periodically revises and amends the Basin Plan. The Regional Board has determined the Basin Plan requires further revision and amendment to incorporate a Total Maximum Daily Load (TMDL) and Implementation Plan for Sediment including Chorro Creek, Los Osos Creek and the Morro Bay Estuary.
3. The Regional Board proposes to amend the Basin Plan by inserting amendments into Chapter Four, Section IX Total Maximum Daily Loads.
4. Section 303(d) of the Clean Water Act requires States to identify and to prepare a list of water bodies that do not meet water quality objectives and then to establish load and waste load allocations, or a TMDL, for each water body, which will ensure attainment of water quality objectives, and then to incorporate those allocations into their Basin Plans.
5. Chorro Creek, Los Osos Creek, and the Morro Bay Estuary were identified as impaired by sediment on the 1998 Clean Water Act Section 303(d) list of impaired water bodies. Therefore, the Regional Board is required to adopt a TMDL for those water bodies and incorporate the TMDL and associated Implementation Plan into the Basin Plan (40 CFR 130.6(c)(1), 130.7, Water Code section 13242).
6. Chorro Creek, Los Osos Creek, and the Morro Bay Estuary are located entirely within San Luis Obispo County.
7. The TMDL contains a Problem Statement, Source Analysis, Numeric Targets, Total Maximum Load, Load Allocations, an Implementation Plan, and a Monitoring Plan.
8. The Problem identified in the TMDL is summarized as follows: Over time all estuaries eventually fill with sediment due to the natural processes of erosion and sedimentation. However, the concern with

Morro Bay is that these natural processes have been accelerated due to anthropogenic watershed disturbances. Studies conducted by various authors over the past 25 years have concluded that the rate of sedimentation to Morro Bay has rapidly increased. These studies have also documented and quantified the loss of Morro Bay's acreage, volume, and tidal prism, as well as an increase in sedimentation in Chorro and Los Osos Creeks. These results imply that encroachment from the margins and aggradation of the shallowest areas within the Bay are the processes causing the decrease in volume. The narrative objective for sediment in the Basin Plan has been exceeded resulting in adverse impacts to several beneficial uses of these waterbodies including, Fish and Wildlife (RARE, MIGR, SPWN, WILD), Estuarine and Marine Habitat (EST, MAR, BIOL), Water Contact and Non-Contact Recreation, and Navigation (REC1, REC2, NAV).

9. The TMDL characterizes sources of sediment by land use categories, erosion categories, and subwatersheds. Contributing land uses include rangeland, brushland, woodland, cropland, and urban, due to grazing, row crop and land development activities (e.g., roads, homes). Erosion categories include sheet and rill, streambanks, roads, and gullies. Sheet and rill contribute the most sediment by erosion category. The Chorro and Los Osos Creeks subwatersheds deliver an average of approximately 70,000 tons per year of sediment into the estuary. The Chorro Creek watershed is estimated to contribute 86 percent of the total sediment produced in the Morro Bay watershed. These subwatersheds contain the vast majority of the upland areas of the Morro Bay watershed—areas of steepest slope and highest rainfall intensity and are the most significant source of sediment loading to Morro Bay. Virtually all sediment loading comes from non-point sources, although there is minor contribution from other land uses subject to regulation under NPDES stormwater permits, Waste Discharge Requirements, and clean up and abatement order.
10. The numeric targets and TMDL is summarized as follows: Because the sediment objectives in the Basin Plan are narrative, rather than numeric, this TMDL establishes numeric targets as indicators of water quality that are supportive of beneficial uses. The numeric targets serve to interpret the narrative water quality objectives and provide a measure with which to determine if the objectives and the TMDL are being met. This TMDL uses multiple numeric targets. For Chorro and Los Osos Creeks these targets are assigned to Residual Pool Volume, and Median Diameter of Sediment Particles in Spawning Gravels. In Morro Bay Estuary a numeric target is established for Tidal Prism Volume. The combination of these parameters is considered an effective approach in lieu of directly measuring sediment loading to Morro Bay from Chorro and Los Osos Creeks. Furthermore, direct measurement of loads would not characterize the *effect* of those loads on beneficial uses. The parameters selected do characterize effect by targeting specific habitat requirements for aquatic organisms. The selection of these targets does not preclude efforts to directly measure loading, however the natural variability inherent in annual sediment loads in this region is large enough to suggest that clear trends could not readily be identified from results of loading data collected in the near term.
11. The Regional Board Staff assigned sediment load allocations to subwatersheds of the Morro Bay Watershed, and achievement of these numeric targets will indicate when load allocations are met.
12. The Implementation Plan relies on the State Water Resource Control Board's Plan for California's Nonpoint Source Pollution Control Program, (Resolution 99-114, adopted December 14, 1999) and on existing or anticipated regulatory activities where responsible dischargers are identified. The Nonpoint Source Plan guides the Regional Board in its control of nonpoint source pollution by implementing the "Three-Tiered Approach." Self-determined actions will be relied on to achieve the water quality goals being established in this TMDL as long as proposed actions are implemented and interim targets set forth in this TMDL are being achieved. The specific self-determined projects for the first three years of TMDL implementation are set forth in detail in the list of Trackable Implementation Actions. At this time the Implementation Plan relies principally on the activities of the Morro Bay National Estuary Program and the Coastal San Luis Resource Conservation District and other public and private groups, that are not dischargers responsible for causing erosion, to implement the self-

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determined projects identified as items 1 through 11 in the list of Trackable Implementation Actions in the Amendment. This portion of the implementation program currently relies on voluntary compliance and so is not regulatory. If, in future years, evaluation of progress indicates regulatory mechanisms are needed to implement actions that will result in attainment of the numeric targets, this will be achieved on a case-by-case basis using existing authority or, if necessary, by amending the TMDL implementation program through a Basin Plan amendment.

13. The TMDL Implementation Plan calls for monitoring the four numeric targets specified in finding 10, above, as well as tracking progress in implementation of voluntary and required implementation actions. Responsibility for tracking and reporting status and effectiveness of voluntary implementation actions, and some monitoring of numeric targets, rests with the Morro Bay National Estuary Program. The Regional Board will consult with the MBNEP regarding monitoring numeric targets and progress on implementation actions. If voluntary implementation action projects are not implemented, or if numeric targets are not achieved, Regional Board staff may identify responsible dischargers and recommend regulatory mechanisms. Also, as more information is obtained concerning sources, locations and rates of sedimentation, TMDL numeric targets and implementation projects may be amended or modified.
14. The Regional Board Staff conducted TMDL outreach by coordinating with forums and events of the Morro Bay National Estuary Program and Farm Bureau, as well as direct outreach to an Estuary Program technical committee (Implementation Committee) and a TMDL steering committee of stakeholders for review and comment. Public review and comment were solicited after completion of the TMDL report and during the public meeting of this Regional Board on May 31, 2002.
15. The Morro Bay National Estuary Program's Comprehensive Conservation and Management Plan for Morro Bay Estuary advocates Total Maximum Daily Loads for siltation, as a means to protect Morro Bay Estuary.
16. The Regional Board submitted the TMDL and a corresponding proposed Basin Plan amendment to an external scientific review panel. On September 17, 2001, the review panel submitted its response to the Regional Board, which stated that in general, the TMDL and proposed Basin Plan amendment presented a sound and scientifically justifiable program for decreasing the rate of sediment filling Morro Bay and improving stream channel conditions as habitat for fish. In addition, the review panel identified several specific areas of concern. The Regional Board revised the proposed Basin Plan amendment in response to the comments submitted by the review panel.
17. Water Code section 13141 mandates that prior to implementation of any agricultural water quality control program, an estimate of the total cost of such a program, together with an identification of potential sources of financing, shall be indicated in any regional water quality control plan. The TMDL and Implementation Plan, in Chapter 8.7, contain an estimate of the cost of preventing erosion and sedimentation via implementation of Best Management Practices. The cost of implementing the Best Management Practices in the TMDL Implementation Plan will be incurred by the implementers and offset with grants, loans, in-kind donations, and matching funds as much as possible.
18. This Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board, the State Office of Administrative Law (OAL), and the USEPA. The Basin Plan amendment will become effective upon approval by the State Board OAL and USEPA.
19. This amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code §11353(b).
20. The Regional Board has determined that the TMDL for sediment for Chorro Creek, Los Osos Creek and Morro Bay Estuary, is set at levels necessary to attain and maintain the applicable narrative water

quality objectives (there are no applicable numeric objectives) with seasonal variations and margin of safety that takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)). The TMDL also takes into account critical conditions for stream flow, loading and water quality parameters.

21. The basin planning process has been certified as functionally equivalent to the California Environmental Quality Act requirements for preparing environmental documents (Public Resources Code, Section 21000 et seq.) and as such, the required environmental documentation has been prepared. Drafts of the Notice of Filing, staff report, environmental checklist, and alternatives analysis proposed amendment have been prepared and distributed to interested persons and agencies for review and comment in accordance with Title 23 California Code of Regulations section 3777. All public comments were considered. No significant environmental impacts will result from approval of this Basin Plan amendment.
22. The proposed amendments to the Water Basin Plan were developed in accordance with California Water Code Section 13240 et seq.
23. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies.
24. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and so is exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
25. On May 31, 2002 in San Luis Obispo, California, the Regional Board held a public hearing and heard and considered all public comments and evidence in the record and adopted Resolution R3-2002-0051.
26. In preparing to present this Basin Plan Amendment to the State Board, State Board technical and legal staff reviewed the resolution and identified several concerns that caused Regional Board Staff to propose revisions to the resolution.
27. On February 7, 2003, in San Luis Obispo, the Regional Board considered public comments on the revisions and re-adopted resolution no. R3-2002-0051.
28. On March 17, 2003, State Board returned the Administrative Record to the Regional Board with a memo stating that Regional Board adoption procedures did not comply with section 3777 of Title 23 California Code of Regulations, which requires consideration of reasonable alternatives to the proposed amendment that would achieve the stated goal.
29. On May 16, 2003, in Watsonville, California, the Regional Board held a public meeting and re-heard this item to correct the omission stated above. The Regional Board provided 45-days public notice of this meeting and filing of an environmental document. The Regional Board heard and considered all public comments and evidence in the record.

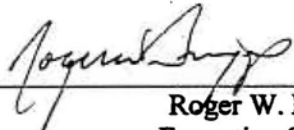
THEREFORE, BE IT RESOLVED,

1. The Basin Plan is hereby amended by adding to Chapter Four, Section IX Total Maximum Daily Loads by reference the TMDL and Implementation Plan entitled Morro Bay Total Maximum Daily Load for Sediment (including Chorro Creek, Los Osos Creek and the Morro Bay Estuary), dated April 24, 2002. Because this document is approximately 100 pages long, it is too cumbersome to be

reproduced in its entirety in the Basin Plan. While the entire document is incorporated by reference, key elements, as presented in Exhibit A to this resolution, will be reproduced in the Basin Plan.

2. The Regional Board requests that the State Water Resources Control Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code, and that upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.
3. The environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified.
4. The Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results from adoption of this Basin Plan amendment.
5. The Regional Board shall file a CEQA Notice of Decision with the Secretary for Resources, following approval of the revised Basin Plan by the State Board, California Office of Administrative Law, and the U.S. Environmental Protection Agency. A Certificate of Fee Exemption will be included with the Notice of Decision.
6. If during approval process the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, **Roger W. Briggs, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on May 16, 2003.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2002-0051

ATTACHMENT—PROPOSED BASIN PLAN AMENDMENTS

Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to chapter 4 under IX TOTAL MAXIMUM DAILY LOADS:

IX.A MORRO BAY TOTAL MAXIMUM DAILY LOAD FOR SEDIMENT (INCLUDING CHORRO CREEK, LOS OSOS CREEK AND THE MORRO BAY ESTUARY)

This TMDL was adopted by the Regional Water Quality Control Board on [insert date].

This TMDL was approved by:

The State Water Resources Control Board on [insert date].

The California Office of Administrative Law on [insert date] (effective date).

The U.S. Environmental Protection Agency on [insert date].

TMDL ELEMENTS

Element	
Problem Statement	Over time, all estuaries eventually fill with sediment due to the natural processes of erosion and sedimentation. In Morro Bay these natural processes have been accelerated due to anthropogenic watershed disturbances, resulting in impairment of Beneficial Uses, principally biological resources, but also recreational uses, including: RARE, MIGR, SPWN, WILD, EST, MAR, BIOL, REC1, REC2, NAV. This impairment indicates an exceedance of the Basin Plan narrative objective for sediment, which states that: "the suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses."

Element		
Numeric Targets	Parameter	Numeric Target
	Chorro and Los Osos Creeks and Tributaries Streambed Sediment	
	Residual Pool Volume ¹	V* (a ratio) = Mean values ≤ 0.21 (mean of at least 6 pools per sampling reach) Max values ≤ 0.45
	Median Diameter (D ₅₀) of Sediment Particles in Spawning Gravels	D ₅₀ = Mean values ≥ 69 mm Minimum values ≥ 37 mm
	Percent of Fine Fines (< 0.85 mm) in Spawning Gravels	Percent fine fines ≤ 21%
	Percent of Coarse Fines (all fines < 6.0 mm) in Spawning Gravels	Percent coarse fines ≤ 30%
	Morro Bay and Estuary	
Tidal Prism Volume	4,200 acre-feet	
Loading Allocations ² (TMDL expressed as annual load)	Watershed	Total (tons/year, rounded to nearest ton)
	Chorro Creek at Reservoir	6,541
	Dairy Creek	440
	Pennington Creek	966
	San Luisito Creek	7,315
	San Bernardo Creek	10,270
	Minor Tributaries	4,489
	Chorro Creek	30,021
	Los Osos Creek	3,052
	Warden Creek and Tributaries	1,812
	Los Osos Creek	4,864
Morro Bay Watershed	34,885	

¹ Residual Pool Volume refers to the portion of a pool in a stream that is available for fish to occupy. Pool habitat is the primary habitat for steelhead in summer. Overwintering habitat requirements include deeper pools, undercut banks, side channels, and especially large, unembedded rocks, which provide shelter for fish against the high flows of winter. V* gives a direct measurement of the impact of sediment on pool volume. It is the ratio of the amount of pool volume filled in with fine, mobile sediment, to total scour pool volume. Qualifying pools are those having a gradient less than 5%, a minimum depth twice the riffle-crest depth, a fairly even spacing between tributaries, and are located on streams fifth order or smaller.

² These loading allocations are 50% of the estimated current sediment loading to Morro bay.

<p>Implementation</p>	<p>The sediment load to Morro Bay, Los Osos Creek and Chorro Creek derives from nonpoint sources (NPS) and point sources. As such, implementation will rely on the State's Plan for NPS pollution control (CWC §13369) and continued implementation of existing regulatory controls as appropriate for point sources, including storm water pursuant to NPDES surface water discharge regulations and Waste Discharge Requirements (Porter Cologne).</p> <p>At this time, implementation emphasizes the activities of the Morro Bay National Estuary Program, Coastal San Luis Resources Conservation District, and other public and private groups that are not currently identified as dischargers responsible for sediment loading, to implement self-determined activities (see Table: Trackable Implementation Actions). Other actions, currently required because of another program, will be evaluated to make sure progress is taking place (see Table: Trackable Implementation Actions identifying Responsible Dischargers). Regional Board Staff will meet annually with the implementing parties identified in the list of Trackable Implementation Actions to provide technical assistance and to evaluate and track progress (see Implementation Schedule for details). If at the end of year three, implementing parties fail to complete these self-determined activities or resulting management practices fail to reduce sediment loads, then Regional Board staff may conduct inspections and investigations to identify individual responsible dischargers (e.g., landowners or public agencies). Regional Board staff may rely on Section 13267 of the California Water Code or other appropriate authorities for investigation and identification of individual responsible dischargers. Regional Board staff will also rely on Section 13267 of the California Water Code to require reporting and/or monitoring to determine the level of implementation of identified activities to reduce erosion and sediment. If necessary, the Regional Board may rely on enforcement authority, pursuant to California Water Code Section 13304, to require dischargers to clean-up and abate sediment discharges and/or prevent the threat of discharges on a case-by case basis. Additionally, Implementation Actions (in the Table of Implementation Actions) may be required as conditions of compliance with storm water permits and Waste Discharge Requirements.</p> <p>If at the end of the third year, self-determined actions have not been completed, staff will develop a regulatory approach (rather than a self-determined approach) and present a revised implementation plan to the Regional Board as a Basin Plan Amendment.</p> <p>Direct measurement of sediment loading is not proposed for this TMDL. Numeric Targets, which characterize the effect of loading are to be measured in lieu of loadings. The 50-year schedule for achieving the TMDL acknowledges that implementation actions taken in the near term are expected to take years to produce a response as measured through Numeric Target monitoring. Allocations will achieve the targets because over the long term, these allocated sediment loads are expected to result in changes in sediment distributions in the channel and the estuary that meet water quality objectives.</p> <p>Numeric targets and other parameters will be monitored to ensure that numeric targets are met. The Regional Board will rely on existing or planned efforts for this monitoring (e.g., Morro Bay National Estuary Program, Central Coast Ambient Monitoring Program).</p>
<p>Margin of Safety</p>	<p>An implicit margin of safety has been incorporated into this TMDL through the use of conservative assumptions throughout the source analysis and characterization of beneficial use impacts. The margin of safety is required due to uncertainty in calculations of sediment loading and of the effects of this loading on beneficial uses of the Morro Bay Estuary, Chorro Creek and Los Osos Creek.</p>

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Trackable Implementation Actions

PROJECT NAME		ACTION	SCHEDULE	IMPLEMENTING PARTY
1	Hollister Ranch Acquisition	Design and construct floodplain restoration project	January 2002-May 2005	CSLRCD and MBNEP
2	Los Osos Creek Wetland Restoration Project	Design and construct Los Osos Creek wetland restoration project	Fall 2000-Spring 2004	CSLRCD and MBNEP
3	Watershed Crew Curriculum	Develop a curriculum that will provide training for a year-round crew of Civilian Conservation Corps	Winter 2001-Fall 2001	CCC
4	Catalogue of Erosion Control Projects	Develop a list of areas in need of erosion control projects	Spring 2001-Fall 2001; on-going	MBNEP
5	Project Clearwater	Provide technical assistance and cost sharing to install BMPs	2001-June 2004; on-going	CSLRCD
6	Agricultural Water Quality Program	Develop and implement a voluntary, cost-effective, and landowner/manager-directed program	2001-2002; on-going	Farm Bureau
7	Land Acquisitions and Conservation Easements	Acquire or otherwise protect lands in cooperation with willing land owners	2000-2010; on-going	MBNEP
8	Fire Management Plan	Develop and implement a Fire Management Plan	2001-2006; on-going	CDF
9	Maintenance of Sediment Basins Above Chorro Reservoir	Continue maintenance of the sediment basins above Chorro Reservoir	on-going	California Army National Guard
10	Road Maintenance	Increase the use of management measures for road maintenance and construction	2001-2006; on-going	County of San Luis Obispo, Public and Private Landowners; California Department of Transportation
11	Sediment Traps	Install sediment traps	2000-2007; on-going	CSLRCD; Natural Resource Conservation Service; DFG; Public and Private Land Owners
PROJECT NAME		ACTION	SCHEDULE	RESPONSIBLE DISCHARGERS
12	Primera Mine Rehabilitation and Erosion Control	Remediation of Primera Mine	2003	California Army National Guard
13	Stormwater Sediment Control on Roads	Include specific road sediment control measures in County stormwater management plan prior to enrollment in Stormwater Permit; track implementation of BMPs	Prior to March 2003; on-going	County of San Luis Obispo
14		Track implementation of BMPs in Stormwater Permit	On-going	Caltrans
15	Water Quality Management Plans on Chorro Creek Ranches	Implement Waste Discharge Requirements to address Chorro Creek Ranches	Fall 2002-Fall 2003	California Polytechnic State University

Implementation Schedule

At End of Implementation Year:	IMPLEMENTATION MILESTONE			MONITORING ACTIVITY		
	<i>Chorro Creek</i>	<i>Los Osos Creek</i>	<i>Morro Bay</i>	<i>Chorro Creek</i>	<i>Los Osos Creek</i>	<i>Morro Bay</i>
1	RB and MBNEP Staff meet to review progress. RB and County Staff meet to review inclusion of road erosion control measures in Stormwater Management Plan.			Baseline Streambed Parameters ³ , Turbidity		
2	<i>As above</i> RB and MBNEP Staff meet to review progress; RB requests implementation tracking report from Implementing Parties if not provided; RB staff consider modifications to Trackable Implementation Actions			Baseline Streambed Parameters, Turbidity		
4	RB and MBNEP Staff meet to review progress			Baseline Streambed Parameters, Turbidity		
5	RB and MBNEP Staff meet to review progress	RB Staff calculate: 5-year changes to Bay area and volume		Baseline Streambed Parameters, Turbidity		Bathymetry survey
6	RB and MBNEP Staff meet to review progress; RB request implementation tracking report from Implementing Parties if not provided; RB staff consider modifications to Trackable Implementation Actions			Baseline Streambed Parameters, Turbidity		
7	RB and MBNEP Staff meet to review progress			Baseline Streambed Parameters, Turbidity		
8	<i>As above</i>					
9	RB and MBNEP Staff meet to review progress; RB request implementation tracking report from Implementing Parties if not provided; RB staff consider modifications to Trackable Implementation Actions					
10	RB and MBNEP Staff meet to review progress; RB Staff calculate 10-year rolling average of Streambed Sediment data	RB Staff calculate: 5-year changes to Bay area and volume				Bathymetry survey
11	RB and MBNEP Staff meet to review progress; RB Staff calculate 10-year rolling average of Streambed Sediment data					

³ Streambed Parameters, which are the Numeric Targets, include Residual Pool Volume, Median Diameter of Sediment Particles, Percent Fine Sediment, and Percent Coarse Sediment.

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At End of Implementation Year:	IMPLEMENTATION MILESTONE		MONITORING ACTIVITY	
12	RB and MBNEP Staff meet to review progress; RB Staff calculate 10-year rolling average of Streambed Sediment data; RB request implementation tracking report from Implementing Parties if not provided; RB staff consider modifications to Trackable Implementation Actions		Streambed Parameters, Turbidity	
13	RB and MBNEP Staff meet to review progress; RB Staff calculates 10-year rolling average of Streambed Sediment data		Streambed Parameters, Turbidity	
14	<i>As above</i>			
15	RB and MBNEP Staff meet to review progress; RB Staff calculate 10-year rolling average of Streambed Sediment data; RB request implementation tracking report from Implementing Parties if not provided; RB staff consider modifications to Trackable Implementation Actions	RB Staff calculate: 5-year changes to Bay area and volume	Streambed Parameters Turbidity	Bathymetry survey
16-49	<i>Repeat as above with 3-, 5- and 10-year milestones.</i> Numeric targets achieved; load reduction achieved			

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STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2003 - 0062

APPROVING AN AMENDMENT TO THE WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COAST REGION INCORPORATING
A TOTAL MAXIMUM DAILY LOAD FOR SEDIMENT FOR
CHORRO CREEK, LOS OSOS CREEK, AND THE MORRO BAY ESTUARY

WHEREAS:

1. The Central Coast Water Quality Control Board (Regional Board) adopted a revised Water Quality Control Plan for the Central Coast Region (Basin Plan) on February 11, 1994 which was approved by the State Water Resources Control Board (SWRCB) on May 18, 1994, by the Office of Administrative Law (OAL) on September 7, 1994, and by the U.S. Environmental Protection Agency (USEPA) on May 29, 2000.
2. On May 31, 2002, the Regional Board adopted Resolution No. R3-2002-051 amending the Basin Plan by establishing a Total Maximum Daily Load (TMDL) for sediment in Chorro Creek, Los Osos Creek and the Morro Bay Estuary. On May 16, 2003, the Regional Board re-adopted Resolution No. R3-2002-051 ([Attachment](#)) amending the TMDL.
3. SWRCB finds that the sediment TMDL is in conformance with the requirements for TMDL development specified in section 303(d) of the federal Clean Water Act, and SWRCB Resolution No. 68-16.
4. Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act and other State laws and regulations.
5. This Basin Plan amendment does not become effective until approved by SWRCB and until the regulatory provisions are approved by the OAL. USEPA must also approve the TMDL.

THEREFORE BE IT RESOLVED THAT:

SWRCB:

1. Approves the amendment to the Basin Plan as adopted under Regional Board Resolution No. R3-2002-051.
2. Authorizes the Executive Director or designee to submit the amendment and administrative record for this action to OAL and the TMDL to USEPA for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 16, 2003.


Debbie Irvin
Clerk to the Board

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906**

**RESOLUTION NO. R3-2002-0063
(REVISED MAY 16, 2003)
AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN
TO INCLUDE
SAN LORENZO RIVER TOTAL MAXIMUM DAILY LOAD AND IMPLEMENTATION PLAN
FOR SEDIMENT INCLUDING
CARBONERA CREEK, LOMPICO CREEK AND SHINGLE MILL CREEK**

The California Regional Water Quality Control Board, Central Coast Region hereby finds:

1. The California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies.
2. The Regional Board periodically revises and amends the Basin Plan. The Regional Board has determined the Basin Plan requires further revision and amendment to incorporate a San Lorenzo River Total Maximum Daily Load (TMDL) and Implementation Plan for Sediment, including Carbonera Creek, Lompico Creek, and Shingle Mill Creek.
3. The Regional Board proposes to amend the Basin plan by inserting amendments into Chapter Four, Section IX Total Maximum Daily Loads.
4. Section 303(d) of the Clean Water Act requires States to identify and to prepare a list of water bodies that do not meet water quality objectives and then to establish load and waste load allocations, or a TMDL, for each water body, which will ensure attainment of water quality objectives, and then to incorporate those allocations into their Basin Plans.
5. The San Lorenzo River, Carbonera Creek, Lompico Creek, and Shingle Mill Creek were identified as impaired by sediment on the 1998 Clean Water Act Section 303(d) list of impaired water bodies. Therefore, the Regional Board is required to adopt a TMDL for those water bodies and incorporate the TMDL and associated Implementation Plan into the Basin Plan. (40 CFR 130.6(c)(1), 130.7, Water Code section 13242).
6. The San Lorenzo River, Carbonera Creek, Lompico Creek, and Shingle Mill Creek are located entirely within Santa Cruz County.
7. The TMDL report contains a Problem Statement, Source Analysis, Numeric Targets, Total Maximum Load, Load Allocation, an Implementation Plan, and a Monitoring Plan.
8. The Problem is as follows: The natural processes of erosion and sedimentation in the San Lorenzo River Watershed have been accelerated due to anthropogenic watershed disturbances. The San Lorenzo

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River and its tributaries, Carbonera Creek, Lompico Creek and Shingle Mill Creek exceed narrative water quality objectives for settleable materials because beneficial uses associated with anadromous fisheries have been adversely impacted by sediment. Studies conducted by various authors have concluded that erosion rates are accelerated beyond natural rates. These studies have also documented and quantified the decline in anadromous fisheries and the quality of fish habitat. Excessive sedimentation has interfered with the beneficial uses of these waterbodies including, Fish and Wildlife (RARE, MIGR, SPWN, WILD).

9. The Source of sediment can be described by source category, and by subwatershed. Contributing sources include: Timber Harvest Plan (THP) Roads, Public and Private Roads, Active and Recent THP Parcels, Other Urban and Rural Lands, Mass Wasting, and Channel/Bank Erosion. Sediment loading in the 15 subwatersheds ranges from an estimated 877 to 54,836 tons per year. Sediment loading to the San Lorenzo River is approximately 419,369 tons per year. The Upper San Lorenzo River, Kings Creek, Ben Lomond, Bear Creek, and Zayante Creek subwatersheds each contribute more than ten percent of the total loading. Virtually all controllable sediment comes from non-point sources, as well as land uses subject to regulation under NPDES stormwater permits, and Waste Discharge Requirements.
10. The TMDL is: The overall target for the San Lorenzo River Watershed is a 27 percent reduction in the estimated current loading. This results in TMDLs for the San Lorenzo River of 306,139 tons/year; for Shingle Mill Creek, 857 tons/year; for Carbonera Creek, 11,728 tons/year; and for Lompico Creek, 9,542 tons/year. The TMDL for each waterbody is allocated to the source categories identified in finding 9, above. The allocations are based on source reductions attainable through implementation of management practices and other related measures.
11. Because the sediment objectives in the Basin Plan are narrative, rather than numeric, the TMDL report establishes numeric targets as indicators of water quality that are supportive of beneficial uses. The numeric targets serve to interpret the narrative water quality objectives and provide a measure with which to determine if the objectives and the TMDL are being met. Targets are assigned to Residual Pool Volume, Percentage of Fine Particles and Median Diameter of Sediment Particles in Spawning Gravels. The combination of these parameters is considered an effective approach in lieu of directly measuring sediment loading to the listed waterbodies. Furthermore, direct measurement of loads would not characterize the *effect* of those loads on beneficial uses. The parameters selected do characterize effect by targeting specific habitat requirements for aquatic organisms. The selection of these targets does not preclude efforts to directly measure loading, however the natural variability inherent in annual sediment loads in this region is large enough to suggest that clear trends could not readily be identified by data collection in the near term.
12. The TMDL will be achieved by implementing the State Water Resource Control Board's Nonpoint Source Pollution Control Program Plan, Resolution 99-114, adopted December 4, 1999, and on existing or anticipated regulatory activities where responsible dischargers are identified. The Nonpoint Source Plan guides the Regional Board in its control of nonpoint source pollution by implementing the "Three-Tiered Approach." For nonpoint source discharges, the Regional Board will rely upon Tier 1 (self-determined cooperative efforts) to achieve this TMDL as long as proposed actions are implemented and sufficient progress toward attaining the numeric targets is being achieved. At this time implementation emphasizes the activities of the Santa Cruz County Departments of Planning and Public Works, of the Santa Cruz County Resource Conservation District, and of other public and private groups, not currently identified as dischargers responsible for causing erosion, to implement Tier 1, self-determined activities (Implementation Actions C through R in the list of Trackable Implementation Actions in the Amendment). These entities' failure to implement Tier 1, self-determined activities to reduce sedimentation could trigger Board actions, authorized through Section 13267 of the California Water Code, including investigation and identification of individual responsible dischargers (e.g., landowners or public agencies). If necessary, the Regional Board may

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rely on enforcement authority, pursuant to California Water Code Section 13304, to require dischargers to clean up and abate sediment discharges and/or prevent the threat of discharges. This portion of the implementation program currently relies on voluntary compliance and so is not regulatory. If, in future years, evaluation of progress indicates regulatory mechanisms are needed to implement actions that will result in attainment of the numeric targets, this will be achieved on a case-by-case basis using existing authority or if necessary, by amending the TMDL implementation program through a Basin Plan amendment.

13. To regulate sediment discharges derived from storm water, implementation relies on National Pollutant Discharge Elimination System (NPDES) general permits, anticipated to be in place by March 2003, covering municipalities and construction activities. Implementation Actions T, U, and V (see following list of Trackable Implementation Actions) identify actions that will be required of entities enrolling in these general permits. These actions will be required pursuant to the terms of the general permits, so this portion of the implementation program also does not impose any new regulatory requirements. If the management practices are not included in these Plans, the Regional Board will work with dischargers to condition the Plans on an individual basis, will consider issuing individual Storm Water permits, or waste discharger requirements, and/or, if necessary take actions to enforce the terms of the permits or waste discharge requirements. The Regional Board will take any such actions on a case-by-case basis using existing authority or if necessary, by amending the TMDL implementation program through a Basin Plan amendment.
14. The TMDL will be evaluated by monitoring the four numeric targets specified in finding 11, above, as well as by tracking progress in implementation of voluntary and required implementation actions. Responsibility for tracking, reporting status, and evaluating the effectiveness of voluntary implementation actions, is shared by the Regional Board and participating members of the San Lorenzo River Technical Advisory Committee. Initially the Regional Board will be responsible for monitoring numeric targets and progress on implementation actions in consultation with the Committee. As more information is obtained concerning sources, locations and rates of sedimentation, TMDL numeric targets and implementation projects may be amended or modified thorough an amendment to the Basin Plan, as appropriate.
15. The Regional Board Staff conducted outreach by coordinating with the San Lorenzo River Technical Advisory Committee and Interested Parties for review and comment on the TMDL report. Public review and comment were solicited after completion of the TMDL report and during the public meeting of this Regional Board on September 20, 2002.
16. The Regional Board submitted the TMDL Report to an external scientific review panel on March 29, 2002 as required by Health and Safety Code Section 57004. The review panel submitted its response to the Regional Board on April 29, 2002. The review panel commented on several specific areas of concern. The Regional Board revised the proposed Basin Plan amendment in response to the comments submitted by the review panel, or prepared a written response, which explained its basis for not incorporating their comments.
17. The TMDL report contains an estimate of the cost of preventing erosion and sedimentation via implementation of Implementation Actions and management practices, pursuant to Public Resources Code, Section 21159 (a)(3)(c). The cost of implementation will be incurred by the implementers and offset with grants, loans, in-kind donations, and matching funds as much as possible.
18. This Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board and the State Office of Administrative Law (OAL). The TMDL must further be approved by the USEPA. The Basin Plan amendment will become effective upon approval by the State Board and OAL.

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19. This amendment meets the "Necessity" standard of the Administrative Procedure Act, Government Code §11353(b).
20. The Regional Board has determined that the TMDL for sediment for the San Lorenzo River, Carbonera Creek, Lompico Creek, and Shingle Mill Creek, is set at levels necessary to attain and maintain the applicable narrative water quality objectives (there are no applicable numeric objectives) with seasonal variations and a margin of safety that takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality (40 CFR 130.7(c)(1)).
21. The basin planning process has been certified as functionally equivalent to the California Environmental Quality Act requirements for preparing environmental documents (Public Resources Code, Section 21000 et seq.) and as such, the required environmental documentation and CEQA environmental checklist have been prepared. Drafts of the Notice of Filing, staff report, environmental checklist, and proposed amendment have been prepared and distributed to interested persons and agencies for review and comment in accordance with Title 23 California Code of Regulations section 3777. All public comments were considered. No significant environmental impacts will result from approval of this Basin Plan amendment.
22. The proposed amendments to the Basin Plan were developed in accordance with California Water Code Section 13240 et seq.
23. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies.
24. The amendment to the Basin Plan will result in no potential adverse effect, either individually or cumulatively, on wildlife and so is exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.
25. On September 20, 2002 in Salinas, California, the Regional Board held a public hearing and heard and considered all public comments and evidence in the record and adopted Resolution no. R3-2002-0063.
26. On March 17, 2003, State Board returned the Administrative Record to the Regional Board with a memo stating that Regional Board adoption procedures did not comply with section 3777 of Title 23 California Code of Regulations, which requires consideration of reasonable alternatives to the proposed amendment that would achieve the stated goal.
27. On May 16, 2003, in Watsonville, California, the Regional Board held a public meeting and reheard this item to correct the omission stated above. The Regional Board gave 45 days public notice for this meeting and filing of an environmental document. The Regional Board heard and considered all public comments and evidence in the record.

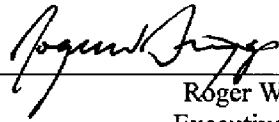
THEREFORE, BE IT RESOLVED,

1. The Regional Board, after considering the entire record, including oral testimony, adopts the Basin Plan amendment shown on "Attachment-Proposed Basin Plan Amendments." The amendment will not take effect until approved by the State Board and the California Office of Administrative Law.
2. The Board's Executive Officer is authorized to submit the amendment to the State Water Resources Control Board (State Board). The State Board is requested to approve the Basin Plan amendment in

accordance with the requirements of sections 13245 and 13246 of the California Water Code, and upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law for approval.

3. The environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. The Regional Board shall file a CEQA Notice of Decision with the Secretary for Resources. Following approval of the revised Basin Plan by the State Board and the California Office of Administrative Law. A Certificate of Fee Exemption will be included with the Notice of Decision.
4. The Regional Board's Executive Officer is authorized to sign a Certificate of Fee Exemption, since no adverse effect on wildlife results from adoption of this Basin Plan amendment.
5. If during approval process the State Board or the Office of Administrative Law determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on May 16, 2003.



Roger W. Briggs
Executive Officer

RESOLUTION NO. R3-2002-0063**ATTACHMENT—PROPOSED BASIN PLAN AMENDMENTS**

1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to chapter 4 under the section, IX A:

**IX.B SAN LORENZO RIVER TOTAL MAXIMUM DAILY LOAD FOR SEDIMENT
(INCLUDING CARBONERA CREEK, LOMPICO CREEK, AND SHINGLE MILL CREEK)**

This TMDL was adopted by the Regional Water Quality Control Board on May 16, 2003.

This TMDL was approved by:

The State Water Resources Control Board on insert date.

The California Office of Administrative Law on insert date (effective date).

The U.S. Environmental Protection Agency on insert date.

TMDL ELEMENTS**Problem Statement:**

The natural processes of erosion and sedimentation in the San Lorenzo River Watershed have been accelerated due to anthropogenic watershed disturbances. Studies conducted by various authors have concluded that erosion rates were two to four times natural rates. These studies have also documented and quantified the decline in anadromous fisheries and the quality of fish habitat. Excessive Sedimentation has interfered with the beneficial uses of these waterbodies including, Fish and Wildlife (RARE, MIGR, SPWN, WILD).

Numeric Targets (interpretation of the narrative water quality objectives for settleable solids and sediment):

Because the sediment objectives in the Basin Plan are narrative, rather than numeric, this Basin Plan amendment establishes numeric targets as indicators of water quality that are supportive of beneficial uses. The numeric targets serve to interpret the narrative water quality objectives and provide a measure with which to determine if the objectives and the TMDL are being met. The combination of these parameters is considered an effective approach in lieu of directly measuring sediment loading to the listed waterbodies. Attainment of Numeric Targets will be measured over a ten-year rolling time period. Numeric targets for the listed waterbodies and compliance points on tributaries are as follows:

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Parameter	Numeric Target ¹
Residual Pool Volume (V^*) ²	$V^* =$ Mean values ≤ 0.21 Max values ≤ 0.45
Median Diameter (D_{50}) of Sediment Particles in Spawning Gravels	$D_{50} =$ Mean values ≥ 69 mm Minimum values ≥ 37 mm
Percent of Fine Fines (< 0.85 mm) in Spawning Gravels	Percent fine fines $\leq 21\%$
Percent of Coarse Fines (< 6.0 mm) in Spawning Gravels	Percent coarse fines $\leq 30\%$

¹ Target values are for sampling reach(es) within an individual waterbody.

² Residual Pool Volume refers to the portion of a pool in a stream that is available for fish to occupy. Pool habitat is the primary habitat for steelhead in summer. Overwintering habitat requirements include deeper pools, undercut banks, side channels, and especially large, unembedded rocks, which provide shelter for fish against the high flows of winter. V^* gives a direct measurement of the impact of sediment on pool volume. It is the ratio of the amount of *pool volume filled by fine, mobile sediment*, to *total pool volume*. Qualifying pools are those having a gradient less than 5%, a minimum depth twice the riffle-crest depth, a fairly even spacing between tributaries, and are located on streams fifth order or smaller.

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Total Maximum Daily Load and Load Allocations

The Total Maximum Daily Load (expressed here as an annual load) was based on reductions necessary to achieve desired conditions of streambed sediment parameters (embeddedness and fraction of sediment particles less than 4mm in diameter). Desired conditions taken from values published in the scientific literature were 27% lower on average for the San Lorenzo River, Carbonera Creek and Shingle Mill Creek, and 24% lower on Lompico Creek, than measured values in these waterbodies, respectively. Load allocations were based on percent attainable reductions in each sediment source category.

Natural background sediment load was not calculated as a separate allocation of the TMDL. The Mass Wasting and Channel/Bank Erosion categories account for natural and anthropogenic loads associated with these processes. The load from Timber Harvest Plan Roads, Public/Private Roads, Timber Harvest Plan Lands and Other Urban and Rural Lands is assumed to be entirely anthropogenically derived and controllable.

Sediment Source Category	Allocations (tons/year)			
	Shingle Mill Creek	Carbonera Creek	Lompico Creek	San Lorenzo River
Upland Timber Harvest Plan (THP) Roads	0	419	362	25,215
Streamside THP Roads on Steep Slopes	0	182	164	10,949
Upland Public/Private Roads	146	1,235	367	13,835
Streamside Public/Private Roads on Steep Slopes	77	135	239	6,178
THP Land	0	23	16	1,057
Other Urban and Rural Land	310	2,622	965	43,368
Mass Wasting	0	4,082	6,440	157,388
Channel/Bank Erosion	324	3,030	989	48,149
Total Allocation = TMDL³	857	11,728	9,542	306,139

Implementation Plan

The sediment load to the San Lorenzo River, Lompico Creek, Carbonera Creek, and Shingle Mill Creek derives from nonpoint sources (NPS) and point sources. As such, implementation to achieve the TMDL will rely on the State's Plan for NPS pollution control (CWC §13369) and on existing and anticipated independent regulatory programs for regulated storm water discharges.

At this time implementation emphasizes the activities of the Santa Cruz County Departments of Planning and Public Works, the Santa Cruz County Resource Conservation District, and other public and private groups, not currently identified as dischargers responsible for causing erosion, to implement self-determined activities (Implementation Actions C through R, see following list, Trackable Implementation Actions). Regional Board staff will meet annually with these "Implementing Parties" identified in the list of Trackable Implementation Actions to provide technical assistance, and to evaluate and track progress (See following Implementation Compliance Schedule). By the end of the first year of implementation, the Regional Board and the implementing parties will establish a time schedule for completion of Trackable Implementation Actions C

³ The term "Total Maximum Daily Load" or "TMDL" is used here for familiarity. The allowable loads for the San Lorenzo River and its tributaries are actually expressed as a Total Annual Loads (tons/year). This expression of load accounts for seasonal variation in sediment loads explained by the seasonality of rainfall in this region of the Central Coast.

through R. If the Regional Board along with implementing parties do not establish the time schedule by the end of year one, Regional Board Staff will present a time schedule for completion of these actions as a Basin Plan Amendment. If the Regional Board determines that the implementing parties have failed to complete these self-determined activities and/or resulting management practices have failed to reduce sedimentation per the time schedule established, Regional Board staff intends to conduct inspections and investigations to identify individual responsible dischargers (e.g., landowners or regulated public agencies). Regional Board staff may rely on Section 13267 of the California Water Code and other appropriate authorities for investigation and identification of individual responsible dischargers. Regional Board staff will also rely on Section 13267 of the California Water Code to require reporting and/or monitoring to determine the level of implementation of management practices to reduce sedimentation. If necessary, the Regional Board may rely on enforcement authority, pursuant to California Water Code Section 13304, to require dischargers to clean up and abate sediment discharges and/or prevent the threat of discharges. The Implementation Actions identified in this Implementation Plan do not identify the specific management practices that will result in sediment reduction. As such the management practices developed through pursuit of the Implementation Actions are not intended to be independently enforceable by the Regional Board. Therefore, the Regional Board will rely on scheduled 3-year reviews to track Implementation Actions and the effectiveness of management practices to determine whether to continue with Tier 1, self-determined implementation. This portion of the implementation program currently relies on voluntary compliance and so is not regulatory. If, in future years, self-determined actions have not been completed, staff will develop a regulatory approach (rather than a self-determined approach) and present a revised implementation plan to the Regional Board as a Basin Plan amendment.

To regulate sediment discharges derived from regulated storm water discharges, implementation relies on National Pollutant Discharge Elimination System (NPDES) general permits covering municipalities and construction activities anticipated to be in place by March 2003. Implementation Actions S, T and U (see following list, Trackable Implementation Actions) identify actions that will be required of entities enrolling in these general permits. These entities are identified as "Responsible Dischargers" on this list. These actions will be required pursuant to the terms of the general permits, so this portion of the implementation program also does not impose any new regulatory requirements. To the extent the discharge is addressed by a Storm Water Permit, the Regional Board anticipates that management practices developed from any of the Implementation Actions (in the list of Trackable Implementation Actions) will be included in Storm Water Management Plans and Storm Water Pollution Prevention Plans. If the management practices are not included in these Plans, the Regional Board will work with dischargers to condition the Plans on an individual basis, will consider issuing individual Storm Water permits or waste discharge requirements, and/or, if necessary take actions to enforce the terms of the permits or waste discharge requirements. The Regional Board will take any such actions on a case-by-case basis using existing authority or if necessary, by amendment of the TMDL implementation program.

Margin of Safety

A margin of safety has been established implicitly in the TMDL calculation through conservative assumptions used in establishing the percent reduction from existing loads necessary to protect beneficial uses.

Monitoring

The TMDL will be evaluated by monitoring the four numeric targets specified above, as well as by tracking progress in implementation of voluntary and required implementation actions. Responsibility for tracking, reporting status, and evaluating the effectiveness of voluntary implementation actions, is shared by the Regional Board and participating members of the San Lorenzo River Technical Advisory Committee. Initially the Regional Board will be responsible for monitoring numeric targets. Any monitoring besides that for numeric targets, including turbidity monitoring by the San Lorenzo Valley Water District and the City of Santa Cruz Water Agency, as well as "comprehensive" monitoring of parameters affecting cold water fisheries conducted by various agencies, will be on a voluntary basis. Monitoring efforts pursuant to existing or anticipated regulatory programs or other voluntary efforts will be evaluated along with monitoring for numeric

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targets. The Board will evaluate progress on implementation actions in consultation with the San Lorenzo River Technical Advisory Committee. As more information is obtained concerning sources, locations and rates of sedimentation, TMDL numeric targets and implementation projects may be amended or modified through an amendment to the Basin Plan, as appropriate.

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Trackable Implementation Actions to Address Sources of Erosion and Sedimentation

Source: 2001/2002	Implementation Action	Implementing Party
<p>Roads: Upland and Streamside Timber Harvest Plans</p>	<p>A Increase presence at Pre-Harvest Inspections to 100% of Class I and Class II watercourses (watercourses supporting use for domestic water supply, fish, and/or aquatic habitat for non-fish aquatic species).</p>	<p>Regional Water Quality Control Board (RWQCB)</p>
	<p>B Perform Post-Harvest Inspections 3 to 5 years after harvest on Timber Harvest Plans with Class I and Class II watercourse crossings.</p>	<p>RWQCB</p>
	<p>C Convene a Working Group of federal, state, and local agencies, and timberland owners and foresters to develop specific timber harvesting management practices for the San Lorenzo River Watershed.</p>	<p>National Marine Fisheries Service (NMFS), California Department of Forestry and Fire Protection (CDF), Santa Cruz County (County) Planning, RWQCB, Timber Owners and Foresters</p>
	<p>D Enforce erosion control ordinance following 3-year Timber Harvest Plan maintenance period.</p>	<p>County Planning</p>
	<p>E Develop strategy for more effective enforcement of County code violations pertaining to erosion control and sedimentation prevention throughout the San Lorenzo Watershed.</p>	<p>County Planning</p>
	<p>F RWQCB will review evidence of Timber Harvest Plan Best Management Practices developed pursuant to Section 916.9 of 2001 Forest Practices Act during Pre-Harvest and Post-Harvest inspections.</p>	<p>CDF, Timber Harvest Plan Submitter, RWQCB</p>
<p>Roads: Upland and Streamside Public/Private</p>	<p>E <i>See above</i></p>	
	<p>G Create public road database to inventory and prioritize problems for correction.</p>	<p>County Public Works, Caltrans, Cities of Santa Cruz and Scotts Valley</p>
	<p>H Develop a Public Road Maintenance Best Management Practices (BMP) Program.</p>	<p>County Public Works and Planning</p>
	<p>I Improve public road spoils management and disposal: develop spoils disposal site(s) in or near the San Lorenzo Watershed.</p>	<p>County Public Works and Caltrans</p>
	<p>J Assess State Park roads and trails for erosion into San Lorenzo River and tributaries. Develop a program for funding and addressing any identified problems.</p>	<p>California Department of Parks and Recreation</p>
<p>K Develop and implement private road improvement program.</p>	<p>Santa Cruz Resource Conservation District (RCD)-lead, Natural Resources Conservation Service, County Department of Environmental Health, RWQCB, California Department of Fish and Game, landowners</p>	
<p>Developed Parcels: THP Lands</p>	<p>A-F <i>See above</i></p>	
<p>Developed Parcels: Other Urban and Rural Land</p>	<p>E <i>See above</i></p>	
	<p>L Evaluate need to revise erosion control provisions in County Grading Regulations and Erosion Control Ordinance to better protect sandy-soil areas.</p>	<p>County Planning</p>
	<p>M Evaluate need to revise erosion control provisions in City of Scotts Valley Grading Regulations and Erosion Control Ordinance to better protect sandy-soil areas.</p>	<p>City of Scotts Valley</p>

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Source Category	Implementation Action	Implementing Party
	N Evaluate need to revise erosion control provisions in City of Santa Cruz Grading Regulations and Erosion Control Ordinance to better protect sandy-soil areas.	City of Santa Cruz
	O Promote improved livestock management practices to reduce discharge of sediment.	RCD, Santa Cruz Horsemen, County Planning, County Environmental Health Services, Livestock Owners
	P Implement education programs and modify policies and procedures to improve riparian corridor protection, maintain channel integrity, implement alternatives to hard bank protection, and retain woody material.	County Planning, DFG, Cities
Mass Wasting	Q Develop strategy to reduce erosion from discrete sources, including Mount Hermon slide, Bean Creek Road slides, McEnery Road, Skypark, Rancho Rio and Monte Fiore.	County, City of Scotts Valley
	R Develop strategy to address accelerating the mitigation of quarry impacts at Hanson Aggregates site.	County Planning, California Division of Mines and Geology
Streambanks	A-H, J-N, P <i>See above</i>	
Source Category	Implementation Action	Responsible Dischargers
All Roads, Developed, and Developing Parcels	S Develop and implement Storm Water Management Plans (SWMPs) and Storm Water Pollution Prevention Plans (SWPPPs) consistent with NPDES Phase II Storm Water regulations.	County Planning and Public Works, City of Santa Cruz, City of Scotts Valley, construction site operators and owners.
	T Identify the San Lorenzo River Watershed as a priority for site inspection and enforcement of control measures in SWMPs and SWPPPs. Establish mechanism by which operators and owners of one-acre and greater construction projects are notified of the requirement to prepare SWPPPs.	County Planning and Public Works, City of Santa Cruz, City of Scotts Valley, construction site operators and owners.
	U Consider incorporation of sediment control programs/projects into SWMPs and SWPPPs.	County Planning and Public Works, City of Santa Cruz, City of Scotts Valley, construction site operators and owners.

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Implementation Compliance Schedule

IMPLEMENTATION YEAR	IMPLEMENTATION MILESTONE	MONITORING ACTIVITY
	<i>San Lorenzo River Mainstem and Tributaries</i>	<i>San Lorenzo River Mainstem and Tributaries</i>
1	Regional Board (RB) staff and San Lorenzo River Technical Advisory Committee (SLR TAC) meet to: a) review progress on implementation actions; b) adopt Comprehensive Monitoring Program; and c) establish time schedules for Implementation Actions. RB and County staff meet to review inclusion of high priority status of San Lorenzo Watershed in Stormwater Management Plan.	Refine sampling strategy for comprehensive monitoring plan; Turbidity by water agencies.
2	RB staff and SLR TAC meet to review progress on implementation actions and monitoring.	Full suite of Numeric Target Parameters at compliance points; Turbidity by water agencies.
3	Implementing Parties submit report on progress of actions; RB staff and SLR TAC meet to review progress on implementation actions and monitoring; RB staff consider modifications to Trackable Implementation Actions; RB requests implementation tracking report from Implementing Parties if not provided;	Turbidity by water agencies.
4	RB staff and SLR TAC meet to review progress on implementation actions;	Turbidity by water agencies.
5	RB staff and SLR TAC meet to review progress on implementation actions;	Full suite of Numeric Target Parameters at compliance points; Turbidity by water agencies.
6	Implementing Parties submit report on progress of actions; RB staff and SLR TAC meet to review progress on implementation actions and monitoring; RB staff consider modifications to Trackable Implementation Actions; RB requests implementation tracking report from Implementing Parties if not provided;	Turbidity by water agencies.
7	RB staff and SLR TAC meet to review progress on implementation actions;	Turbidity by water agencies.
8	RB staff and SLR TAC meet to review progress on implementation actions;	Full suite on compliance points; Turbidity by water agencies.
9	Implementing Parties submit report on progress of actions; RB staff and SLR TAC meet to review progress on implementation actions and monitoring; RB staff consider modifications to Trackable Implementation Actions; RB requests implementation tracking report from Implementing Parties if not provided;	Turbidity by water agencies.
10	RB staff and SLR TAC meet to review progress on implementation actions;	Turbidity by water agencies.
11	RB staff and SLR TAC meet to review progress on implementation actions; RB staff calculate 10-year rolling average of streambed sediment data and turbidity;	Full suite of Numeric Target Parameters at compliance points; Turbidity by water agencies.

⁴ Direct measurement of sediment loading is not proposed for this TMDL. Parameters characterizing the effect of loading are to be measured instead, and are identified as Numeric Targets. This 25-year schedule for achieving the TMDL acknowledges that implementation actions taken in the near term are expected to take years to produce a response as measured through Numeric Target monitoring.

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A. End of Implementation Year	IMPLEMENTATION MILESTONE	MONITORING ACTIVITY
12	Implementing Parties submit report on progress of actions; RB staff and SLR TAC meet to review progress on implementation actions and monitoring; RB staff consider modifications to Trackable Implementation Actions; RB requests implementation tracking report from Implementing Parties if not provided; RB staff calculate 10-year rolling average of streambed sediment data and turbidity;	Turbidity by water agencies.
13	RB staff and SLR TAC meet to review progress on implementation actions; RB staff calculate 10-year rolling average of streambed sediment data and turbidity;	Turbidity by water agencies.
14	RB staff and SLR TAC meet to review progress on implementation actions; RB staff calculate 10-year rolling average of streambed sediment data and turbidity;	Full suite of Numeric Target Parameters at compliance points; Turbidity by water agencies.
15	Implementing Parties submit report on progress of actions; RB staff and SLR TAC meet to review progress on implementation actions and monitoring; RB staff consider modifications to Trackable Implementation Actions; RB requests implementation tracking report from Implementing Parties if not provided; RB staff calculate 10-year rolling average of streambed sediment data and turbidity;	Turbidity by water agencies.
16-24	<i>Repeat as above with 1- and 3-year milestones</i>	
25	Numeric Targets Achieved; Load reduction Achieved	

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STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2003 - 0061

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL
PLAN FOR THE CENTRAL COAST REGION TO INCORPORATE A
TOTAL MAXIMUM DAILY LOAD AND IMPLEMENTATION
PLAN FOR SEDIMENT IN THE SAN LORENZO RIVER, INCLUDING
CARBONERA CREEK, LOMPICO CREEK, AND SHINGLE MILL CREEK

WHEREAS:

1. The Central Coast Regional Water Quality Control Board (Regional Board) revised its Water Quality Control Plan for the Central Coast Region (Basin Plan) by Resolution No. 94-01 on February 11, 1994, which was approved by the State Water Resources Control Board (SWRCB) on May 18, 1994, by the Office of Administrative Law (OAL) on September 7, 1994, and by the U.S. Environmental Protection Agency (USEPA) on May 29, 2000.
2. On September 20, 2002, the Regional Board adopted Resolution No. R3-2002-0063 ([Attachment](#)) amending the Basin Plan to incorporate a Total Maximum Daily Load (TMDL) and Implementation Plan for Sediment in the San Lorenzo River, including Carbonera Creek, Lompico Creek, and Shingle Mill Creek, and on May 16, 2003 the Regional Board re-adopted the TMDL adding a California Environmental Quality Act (CEQA) consideration of alternative actions to the administrative record.
3. SWRCB finds that the Basin Plan amendment to incorporate a TMDL and Implementation Plan for Sediment in the San Lorenzo River, including Carbonera Creek, Lompico Creek, and Shingle Mill Creek is in conformance with the requirements for TMDL development specified in Section 303(d) of the federal Clean Water Act, and with Water Code section 13240 which specifies that Regional Water Quality Control Boards shall periodically review and may revise Basin Plans.
4. Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with CEQA and all other applicable State laws and regulations.
5. A Basin Plan amendment does not become effective until approved by SWRCB and until the regulatory provisions are approved by OAL. A TMDL must also be approved by USEPA.

THEREFORE BE IT RESOLVED THAT:


SWRCB:

1. Approves the amendment to the Central Coast Basin Plan to incorporate a TMDL and Implementation Plan for Sediment in the San Lorenzo River, including Carbonera Creek, Lompico Creek, and Shingle Mill Creek.

2. Authorizes the Executive Director or designee to transmit the amendment and administrative record for this action to OAL, and to transmit the TMDL to USEPA for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 16, 2003.


Debbie Irvin
Clerk to the Board

ATTACHMENT - PROPOSED BASIN PLAN AMENDMENTS

1. Revise the September 8, 1994 Basin Plan, Chapter Four, as follows:

Add the following to chapter 4 after IX. D.:

RESOLUTION NO. R3-2002-0117

IX. E. TOTAL MAXIMUM DAILY LOAD FOR PATHOGENS FOR MORRO BAY AND CHORRO AND LOS OSOS CREEKS

The Regional Water Quality Control Board adopted this TMDL on insert date.

This TMDL was approved by:

The State Water Resources Control Board on insert date.

The California Office of Administrative Law on insert date. (*Effective date*)

The U.S. Environmental Protection Agency on insert date.

TMDL Elements

Element													
Problem Statement	<p>Numeric water quality objectives for fecal coliform set by the Regional Board and standards enforced by the California Department of Health Services (DHS) pursuant to the United States Department of Health Services Food and Drug Administration's National Shellfish Sanitation Program have been exceeded for shellfish harvesting and water contact recreation in Morro Bay. Elevated levels of fecal coliform in Morro Bay and Chorro and Los Osos Creeks indicate that pathogens are impairing water contact recreation and shellfish harvesting in these water bodies. High levels of pathogens may cause disease in humans and may also adversely affect marine animals. Portions of Morro Bay have been closed by DHS for commercial shellfish harvesting since 1996, and advisories have been posted to warn the public to avoid water contact activities. Morro Bay was identified as impaired for pathogens on the 1998 Clean Water Act Section 303(d) list of impaired water bodies.</p>												
Numeric Targets	<p>Numeric targets for <u>Morro Bay</u>, based on regulations¹ that DHS follows</p> <table border="1" data-bbox="460 1173 1252 1266"> <tr> <th colspan="2" data-bbox="460 1173 1252 1205">Fecal Coliform</th> </tr> <tr> <th data-bbox="460 1205 855 1236">Geometric Mean</th> <th data-bbox="855 1205 1252 1236">Maximum</th> </tr> <tr> <td data-bbox="460 1236 855 1266">14 MPN/100 mL^a</td> <td data-bbox="855 1236 1252 1266">43 MPN/100 mL^b</td> </tr> </table> <p>a: Based on the geometric mean of monthly sampling b: No more than 10% of total samples may exceed this number</p> <p>Numeric targets for Chorro and Los Osos Creeks and fresh water seeps² to Morro Bay, based on Basin Plan objective</p> <table border="1" data-bbox="460 1402 1252 1495"> <tr> <th colspan="2" data-bbox="460 1402 1252 1434">Fecal Coliform</th> </tr> <tr> <th data-bbox="460 1434 855 1465">Geometric Mean</th> <th data-bbox="855 1434 1252 1465">Maximum</th> </tr> <tr> <td data-bbox="460 1465 855 1495">200 MPN/100 mL^a</td> <td data-bbox="855 1465 1252 1495">400 MPN/100 mL^b</td> </tr> </table> <p>a: Geometric mean of not less than five samples over a period of 30 days b: Not more than 10% of total samples during a period of 30 days exceed</p>	Fecal Coliform		Geometric Mean	Maximum	14 MPN/100 mL ^a	43 MPN/100 mL ^b	Fecal Coliform		Geometric Mean	Maximum	200 MPN/100 mL ^a	400 MPN/100 mL ^b
Fecal Coliform													
Geometric Mean	Maximum												
14 MPN/100 mL ^a	43 MPN/100 mL ^b												
Fecal Coliform													
Geometric Mean	Maximum												
200 MPN/100 mL ^a	400 MPN/100 mL ^b												

¹ National Shellfish Sanitation Program, Model Ordinance, Chapter IV, 0.02, D

² Seeps are defined as any surfacing ground water flowing into Morro Bay from the east shore of the Bay, south of Los Osos Creek.

Element	
Allocations and TMDL	<p>This TMDL is expressed as concentrations that are equal to the numeric targets. For Bay waters, a geometric mean of 14 MPN/100 mL must be achieved and no more than 10% of the samples may be over 43 MPN/100 mL for <u>fecal coliform</u>. For tributaries (Chorro and Los Osos Creeks and fresh water seeps) to the Bay, the geometric mean shall not exceed 200 MPN/100 mL over a 30-day period nor shall 10% of the samples exceed 400 MPN/100 mL over any 30-day period for <u>fecal coliform</u>. Point and nonpoint sources cannot exceed the concentrations specified above. Therefore, the wasteload allocations and load allocations, which include background levels, are also equal to the numeric targets.</p>
Margin of Safety	<p>A margin of safety has been established implicitly through the use of protective numeric targets.</p>
Linkage Analysis	<p>Allocations are equal to the numeric targets which equal the water quality objectives.</p>
Implementation	<p>The bacterial load to Morro Bay derives from nonpoint sources (NPS) and point sources. As such, implementation will rely on the State's Plan for NPS pollution control (CWC §13369) and continued implementation of existing regulatory controls as appropriate for point sources, including storm water pursuant to NPDES surface water discharge regulations and Waste Discharge Requirements (Porter Cologne).</p> <p>Implementation emphasizes the activities of the Morro Bay National Estuary Program, Coastal San Luis Resources Conservation District, Farm Bureau, University of California Cooperative Extension, Natural Resources Conservation Service, Public/Private Landowners, Morro Bay Harbor Department, California Department of Fish and Game, City of Morro Bay, United States Coast Guard, San Luis Obispo County, Division of Animal Services, all of whom are not currently identified as dischargers responsible for bacterial loading, to implement self-determined activities (see Table: Trackable Implementation Actions (self-determined)). Other actions, currently required because of another Regional Water Quality Control Board (Regional Board) regulatory program, will be evaluated to make sure progress is taking place (see Table: Trackable Implementation Actions identified under existing regulatory programs). Regional Board Staff will meet annually with the implementing parties identified in the list of Trackable Implementation Actions Tables to provide technical assistance and to evaluate and track progress (see Table: Morro Bay TMDL for Pathogens Implementation Schedule for details). If at the end of year three, implementing parties fail to initiate these self-determined activities and/or resulting management practices fail to reduce bacterial loads and/or the numeric targets are not being met, then Regional Board staff will conduct inspections and investigations to identify individual responsible dischargers (e.g., landowners or public agencies). Regional Board staff may rely on Section 13267 of the California Water Code and other appropriate authorities for investigation and identification of individual responsible dischargers. Regional Board staff will also rely on Section 13267 of the California Water Code to require reporting and/or monitoring to determine the level of implementation of identified activities to reduce bacteria. If necessary, the Regional Board may rely on enforcement authority, pursuant to California Water Code Section 13304, to require dischargers to clean-up and abate bacterial discharges and/or prevent the threat of discharges on a case-by case basis. Additionally, Implementation Actions (in the Table of Implementation Actions) may be identified as conditions of compliance with storm water permits and Waste Discharge Requirements.</p> <p>If at the end of the third year, self-determined actions have not been initiated, staff will develop a regulatory approach (rather than a self-determined approach) and present a revised implementation plan to the Regional Board as a Basin Plan Amendment.</p>
Monitoring	<p>Monitoring will be performed and evaluated by the DHS according to their regulations, the Morro Bay National Estuary Volunteer Program and the Regional Board to ensure that numeric targets are met and implementation actions are taking place. Should the Morro Bay National Estuary Volunteer Program be unable to sample, the Regional Board will sample to the extent practicable. Regional Board staff will review data on a triennial basis, at a minimum, and determine if progress towards fecal coliform reduction is adequate and whether changes to implementation actions are warranted (as described above).</p>

Trackable Implementation Actions (self-determined)

PROJECT NAME	ACTION	SCHEDULE	IMPLEMENTING PARTIES
Grazing Management	Implement grazing management measures that reduce bacterial levels	Ongoing - 2012	MBNEP, CSLRCD, Farm Bureau, UCCE, NRCS, Public/Private Landowners
Boat Management, Pump-outs	Upgrade pump-out facilities, provide new facilities, improve accessibility	2002-2005	MBHD
Remove unpermitted moorings	Remove illegal moorings and prevent future ones	Ongoing - 2007	CDFG, MBNEP
Remove derelict boats	Remove abandoned, derelict boats and vessels in back bay	Ongoing - 2007	CDFG, MBNEP
Manage live aboard boating situation	Continue issuing permits to live aboards, continue with inspections	Ongoing - 2012	City of Morro Bay, USCG, CDFG, MBHD
Educate Public about proper boat waste disposal	Educate public about proper waste disposal	Ongoing - 2012	MBNEP, MBHD
Pet waste management	Create an off leash dog park, provide supplies to pick-up pet waste, ordinance	Ongoing -2012	MBNEP, City of Morro Bay, San Luis Obispo County
Septic System Maintenance	Inspect and maintain all septic systems throughout the watershed	2004 - continuous	San Luis Obispo County, LOCSO
Spay/neuter pets	Educate public to promote spaying and neutering pets	Ongoing -2012	Division of animal services
Reduce the number of feral dogs/cats	Reduce the number of feral dogs/cats	Ongoing - 2012	Division of animal services, feral cat caretakers

CDFG – California Department of Fish and Game
 CSLRCD – Coastal San Luis Resources Conservation District
 MBHD – Morro Bay Harbor Department
 MBNEP – Morro Bay National Estuary Program
 NRCS – Natural Resources Conservation Service
 UCCE – University of California Cooperative Extension
 USCG – United States Coast Guard
 LOCSO – Los Osos Community Services District

Trackable Implementation Actions (under existing regulatory programs)

PROJECT NAME	ACTION	SCHEDULE	RESPONSIBLE DISCHARGERS
Phase II stormwater permit	Incorporate actions to reduce bacteria loading into Morro Bay by implementing a stormwater management plan for the City of Morro Bay and the Community of Los Osos	March 2003 - 2008	City of Morro Bay LOCSO. San Luis Obispo County
Los Osos Community Waste Water Treatment Plant	Construct and maintain a wastewater treatment plant pursuant to Waste Discharge Requirements, R3-2003-0007, Waste Discharge Identification no. 3 401078001	Ongoing - 2007	LOCSO

Implementation Schedule for Morro Bay TMDL for Pathogens

At End of Implementation Year:	IMPLEMENTATION MILESTONE	MONITORING ACTIVITY	Chorro Creek TMDL	Los Osos Creek TMDL	Morro Bay TMDL
1	<ul style="list-style-type: none"> RWQCB evaluates data collected over past year, evaluates progress on actions Meet with VMP, MBNEP, LOCSO, City of MB, County of SLO, DHS, MBHD, State Parks, CDFG, Farm Bureau to discuss progress LOCSO waste water treatment plant WDR issued Submittal of stormwater management plan and permit coverage (City of MB, LOCSO) 	Fecal coliform ↓	↓	↓	↓
2	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions 				
3	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions Regional Board evaluates the monitoring of septic system maintenance in the watershed with the County of San Luis Obispo RWQCB, MBNEP, VMP, LOCSO, City of MB, County of SLO, DHS, MBHD, State Parks, CDFG, Farm Bureau meet to determine TMDL progress. 				
4	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions 				
5	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions 				
6	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions LOCSO sewer installed RWQCB, MBNEP, VMP, LOCSO, City of MB, County of SLO, DHS, MBHD, State Parks, CDFG, Farm Bureau meet to determine TMDL progress 				
7	<ul style="list-style-type: none"> RWQCB evaluates data collected; evaluates progress on actions 				
8	<ul style="list-style-type: none"> RWQCB evaluates data collected and evaluates progress on actions 				
9	<ul style="list-style-type: none"> RWQCB evaluates data collected and evaluates progress on actions RWQCB, MBNEP, VMP, LOCSO, City of MB, County of SLO, DHS, MBHD, State Parks, CDFG, Farm Bureau meet to determine TMDL progress 				
10	<ul style="list-style-type: none"> RWQCB evaluates data collected and evaluates progress on actions 				
Load Reduction Achieved; Numeric Targets Achieved			REC-1 standards achieved	REC-1 standards achieved	DHS Standards, SHELL achieved

CDFG – California Department of Fish and Game
DHS – Department of Health Services
LOCSO – Los Osos Community Services District
MB – Morro Bay
MBHD – Morro Bay Harbor Department
MBNEP – Morro Bay National Estuary Program
RWQCB – Regional Water Quality Control Board
SLO – San Luis Obispo
VMP – Volunteer Monitoring Program
WDR – Waste Discharge Requirements

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2003 - 0060

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR
THE CENTRAL COAST REGION TO ESTABLISH A TOTAL MAXIMUM DAILY LOAD FOR PATHOGENS FOR
MORRO BAY AND CHORRO AND LOS OSOS CREEKS

WHEREAS:

1. The Central Coast Regional Water Quality Control Board (Regional Board) adopted a revised Water Quality Control Plan (Basin Plan) on February 11, 1994, which was approved by the State Water Resources Control Board (SWRCB) on May 18, 1994, by the Office of Administrative Law (OAL) on September 7, 1994, and by the U.S. Environmental Protection Agency (USEPA) on May 29, 2000.
2. Morro Bay was identified in 1998 as water quality limited by pathogens for Shellfish Harvesting and Water Contact Recreation.
3. On December 13, 2002, the Regional Board adopted Resolution No. R3-2002-0117 to incorporate a Total Maximum Daily Load (TMDL) for pathogens in Morro Bay, Chorro and Los Osos Creeks, and freshwater seeps into the Basin Plan; and on May 16, 2003, the Regional Board adopted revisions to the TMDL ([Attachment 1](#)).
4. SWRCB finds that the Basin Plan amendment titled "A total maximum daily load and implementation plan for pathogens for Morro Bay and Chorro and Los Osos Creeks" is in conformance with the requirements for TMDL development specified in section 303(d) of the Federal Clean Water Act.
5. Regional Board Resolution No. 2002-0117 delegated to the Regional Board Executive Officer authority to make minor, non-substantive corrections to the adopted amendment, if needed, for clarity or consistency. By memorandum dated August 12, 2003, the Regional Board Executive Officer has made the necessary corrections to the amendment ([Attachment 2](#)).
6. The Regional Board prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act and other State laws and regulations.
7. A Basin Plan amendment does not become effective until approved by SWRCB and until the amendment's regulatory provisions are approved by OAL.

THEREFORE BE IT RESOLVED THAT:

SWRCB:

1. Approves the amendment to the Regional Board Basin Plan adopted under Regional Board Resolution No. R3-2002-0117 as corrected by the Executive Officer.
2. Authorizes the Executive Director or designee to transmit the amendment and administrative record for this action to OAL and the TMDL to USEPA for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 16, 2003.


Debbie Irvin
Clerk to the Board

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2001 - 125

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST REGION
REMOVING A NITRATE OBJECTIVE FOR THE SAN LORENZO RIVER

WHEREAS:

1. The Central Coast Regional Water Quality Control Board (Central Coast Regional Board) revised its Water Quality Control Plan (Basin Plan) on April 14, 1995 and the amendments to that plan took effect on November 2, 1995.
2. On June 2, 2000, the Central Coast Regional Board adopted Resolution 00-001 (attached) amending the Basin Plan to remove a numeric nitrate objective of 0.25 mg/L for the San Lorenzo River.
2. The Central Coast Regional Board staff followed appropriate procedures to satisfy the environmental documentation requirement of the California Environmental Quality Act (PL 92-500 and PL 95-217) and other State laws and regulations. The Central Coast Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment.
3. The State Water Resources Control Board (SWRCB) finds that the Basin Plan amendment to remove the numeric nitrate objective for the San Lorenzo River is in conformance with Water Code Section 13240 which specifies that Regional Water Quality Control Boards shall periodically review and may revise Basin Plans.
4. A Basin Plan amendment does not become effective until approved by the SWRCB and until the regulatory provisions are approved by the Office of Administrative Law (OAL) and provisions related to surface water standards are approved by the U.S. Environmental Protection Agency (USEPA).

THEREFORE BE IT RESOLVED THAT:

The SWRCB:

1. Approves the amendment to the Central Coast Regional Board Basin Plan to remove the numeric nitrate objective for the San Lorenzo River.
2. Authorizes the Executive Director or designee to transmit the amendment and administrative record for this action to OAL and USEPA for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 15, 2001.

/s/
Maureen Marché
Clerk to the Board

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
San Luis Obispo, California**

RESOLUTION NO.00-001

**ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN AND
REQUESTING APPROVAL FROM THE STATE WATER RESOURCES CONTROL
BOARD TO**

REMOVE THE NITRATE OBJECTIVE FOR SAN LORENZO RIVER

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin (Basin Plan), on March 14, 1975.

WHEREAS, the Regional Board periodically revises and amends the Basin Plan,

WHEREAS, the current nitrate objective for the San Lorenzo River is not reasonable. For example, the existing objective is below background concentrations,

WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment,

WHEREAS, water quality will be protected by the narrative water quality objectives. Regional Board Resolution 95-04 also encourages the County to implement reduced nitrate discharge measures contained within the San Lorenzo Nitrate Management Plan, Phase II Final Report, February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service. Water quality will also be protected by the nitrate target contained within the draft San Lorenzo River nitrate TMDL once it is approved by the U.S. EPA,

WHEREAS, drafts of the proposed amendment have been prepared and distributed to interested persons and agencies for review and comment,

WHEREAS, Regional Board staff followed appropriate procedures to satisfy the environmental documentation requirement of the California Environmental Quality Act (PL 92-500 and PL 95-217). The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment,

WHEREAS, notice of public hearing was given by advertising in newspapers of general circulation within the Region,

***AND WHEREAS**, on June 2, 2000, in San Luis Obispo, California, the Regional Board held a public hearing and heard and considered all public testimony.*

THEREFORE, BE IT RESOLVED that based on the draft Basin Plan amendment. The environmental checklist, accompanying written documentation, and public comments received, the Regional Board finds that there is no substantial evidence in the record that adoption of the proposed Basin Plan amendment will have a significant adverse effect on the environment,

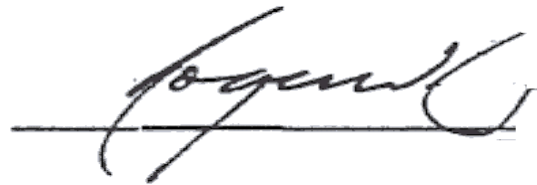
THEREFORE, BE IT RESOLVED that the environmental document prepared by Regional Board staff pursuant to Public Resource Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the Executive Officer shall file a Notice of Decision with the State Clearinghouse,

THEREFORE, BE IT RESOLVED that when appropriate, the Regional Board shall replace the nitrate objective with a TMDL nitrate target for San Lorenzo River or U.S. EPA nutrient criteria,

THEREFORE, BE IT RESOLVED that the Basin Plan amendment shown on “Attachment A—Basin Plan Amendment” is approved. The amendment will not take effect until approved by the State Board, the Office of Administrative Law, and the United States Environmental Protection Agency,

AND THEREFORE, BE IT RESOLVED that upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval.

I, ROGER W. BRIGGS, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on June 2, 2000.

A handwritten signature in black ink, appearing to read "Roger W. Briggs", is written over a horizontal line.

June 2, 2000

Date

RESOLUTION NO. 00-001
ATTACHMENT A -- BASIN PLAN AMENDMENT

The following Basin Plan amendment is proposed. New language is shown in **bold** and deleted language is ~~stuck out~~.

1. Revise the September 8, 1998 Basin Plan, Chapter Three, page III-14 as follows:

~~A specific monthly mean objective for Nitrate (as NO₃) of 0.25 mg/l shall apply to both the upper and lower San Lorenzo River to protect beneficial uses from adverse biostimulatory effects. Specific biostimulant objectives for other surface waters will be added to this section in tabular form once they are determined from further studies.~~

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 95-53

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COAST BASIN
REGARDING ON-SITE SEPTIC SYSTEMS

WHEREAS:

1. The Regional Water Quality Control Board, Central Coast Region (CCRWQCB), adopted a revised Water Quality Control Plan for the Central Coast Basin (Basin Plan) on February 11, 1994, under Resolution No. 94-01, and the Basin Plan was approved by the State Water Resources Control Board (SWRCB) in May 1994 and by the Office of Administrative Law (OAL) in September 1994.
2. On April 14, 1995, the CCRWQCB adopted Resolution No. 95-04 (Attachment) revising the Basin Plan by rescinding an on-site septic system prohibition and replacing it with regulation of on-site systems through implementation of a Wastewater Management Plan for the San Lorenzo River Watershed, Santa Cruz County.
3. In adopting the amendment, two statements (stated in Resolved No. 1 of this Resolution) were incorporated which introduced clarity problems and, therefore, cannot be approved.
4. Section 303(c) of the Federal Clean Water Act requires that water quality standards be reviewed and revised, if appropriate, at least every three years, and Section 13240 of the California Water Code provides that Basin Plans be periodically reviewed and, if appropriate, revised.
5. The CCRWQCB prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.).
6. The CCRWQCB Resolution No. 95-04 was adopted in accordance with State laws and regulations.
7. Basin Plan amendments do not become effective until approved by the SWRCB and until regulatory provisions are approved by OAL.

THEREFORE BE IT RESOLVED THAT:

The SWRCB:

1. Approves the Basin Plan amendment adopted by CCRWQCB Resolution No. 95-04 on April 14, 1995, with the exception of the portions shown below in "strikeout" format which are disapproved:
 - a. Attachment A, item 1, middle of paragraph
"Alternatives have been evaluated and solutions proposed to reduce septic system problems and to respond to this Plan's discharge prohibition in certain areas of the valley."
 - b. Attachment A, item 1, final sentence
"~~Implementation of the Wastewater Management Plan precludes the Regional Board from reestablishing the discharge prohibition.~~"
2. Authorizes staff to submit the approved revision of the Basin Plan to OAL for approval.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 17, 1995.



Maureen Marché
Administrative Assistant to the Board

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 94-115

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COAST REGION

WHEREAS:

1. The Regional Water Quality Control Board, Central Coast Region (RWQCB), adopted a revised Water Quality Control Plan for the Central Coast Region (Basin Plan) on February 11, 1994, and the State Water Resources Control Board (SWRCB) approved the revised Basin Plan on May 18, 1994 under Resolution No. 94-44.
2. Section 303(c) of the Federal Clean Water Act requires that water quality standards be reviewed and revised, if appropriate, at least every three years, and Section 13240 of the California Water Code provides that Basin Plans be periodically reviewed and may be revised.
3. On September 8, 1994, the RWQCB adopted Resolution No. 94-06 (Attachment) revising Basin Plan Table 2-1, Identified Uses of Inland Surface Waters, in the following areas:
 - a. Added eight beneficial use categories not previously listed in Table 2-1 for inland surface waters, and assigned the uses to appropriate water bodies.
 - b. Added 29 water bodies not previously listed in Table 2-1, and assigned appropriate beneficial uses to them.
 - c. Revised several beneficial use definitions.
 - d. Revised two beneficial use designations for Struve Slough which were assigned in error when the Basin Plan was revised on February 11, 1994.
 - e. Replaced existing "E" and intermittent "I" listings with an "X" to indicate that a beneficial use is present in the water body.
4. The RWQCB prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.).
5. The SWRCB will work with the Department of Fish and Game to ensure that threatened or endangered species are protected, pursuant to Fish and Game Code Section 2055.
6. The RWQCB Resolution No. 94-06 was adopted in accordance with State laws and regulations.

7. Basin Plan amendments do not become effective until approved by the SWRCB and until regulatory provisions are approved by the Office of Administrative Law (OAL).

THEREFORE BE IT RESOLVED THAT:

The SWRCB:

1. Approves the Basin Plan amendment adopted by RWQCB Resolution No. 94-06 on September 8, 1994 with the understanding that:
 - a. The RWQCB shall continue to implement provisions of existing State and federal laws regarding the discharge of toxic pollutants. In particular, the RWQCB shall issue National Pollutant Discharge Elimination System permits in compliance with the Porter-Cologne Water Quality Control Act and applicable State and federal regulations, including, but not limited to, 40 CFR, Section 122.44(d).
 - b. Within three years after the Department of Fish and Game (DFG) notifies the RWQCB that specific water bodies support threatened or endangered species and that scientific evidence indicates that certain existing water quality objectives for these water bodies do not adequately protect such species, the RWQCB shall determine, in consultation with DFG, whether these objectives are adequately protective. In cases where such existing objectives do not provide adequate protection for threatened and endangered species, the RWQCB shall develop and adopt adequately protective site-specific objectives for these constituents.
2. Authorizes staff to forward the Basin Plan amendment to the U.S. Environmental Protection Agency and the regulatory provisions of the Basin Plan amendment to OAL for approval.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 17, 1994.


Maureen Marché
Administrative Assistant to the Board

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 94-06

ADOPTING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS:

1. The California Water Code directs the Regional Water Quality Control Boards (Regional Boards) to adopt Water Quality Control Plans (Basin Plans) and to revise them as necessary.
2. This Regional Board, at the February 11, 1994 Board Meeting, directed staff to include the latest Beneficial Use categories approved by the State Water Resources Control Board in Table 2-1 of the Basin Plan.
3. The Regional Board, and others, proposed waters not previously listed in Table 2-1 for designation of beneficial uses.
4. Regional Board staff proposes that the Existing "E" and Intermittent "I" designations are confusing; and that all water body designations in Table 2-1 be identified with an "X" indicating that the beneficial use occurs, at least part of the year and/or in some segment of the water body.
5. Regional Board staff was advised of at least one error in the current Table 2-1 which should be corrected.
6. Drafts of the proposed revisions have been prepared and distributed to interested persons and agencies for review and comment.
7. The specific amendment proposed is shown in Attachment "A - Appendix One and Two".
8. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent) and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of this amendment will not have a significant adverse effect on the environment.
9. Amendment of the Administrative Procedure Act, Government Code Section 11340, requires Basin Plan amendments be submitted to the California Office of Administrative Law.
10. Regional Board staff consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and on threatened and endangered plant and animal species. The draft amendment has been revised in response to comments by Department of Fish and Game staff. The Department of Fish and Game has made a conditional finding of "no jeopardy" pursuant to the California Endangered Species Act.
11. The Department of Fish and Game conditions their approval with the understanding that: "Within three years after the Department notifies the California Regional Water Quality Control Board that specific water bodies support threatened or endangered species, and that scientific evidence indicates that certain water quality objectives for these water bodies protect such species, the Board shall determine, in consultation with the Department, whether these objectives are adequately protective. In cases where such objective do not provide adequate protection for listed species, the Board shall develop and adopt adequately protective site-specific objectives for those constituents."

12. Due notice of public hearing was given by advertising in eight newspapers of general circulation within the Region.
13. On September 8, 1994, the Regional Board held a public hearing and heard and considered all public testimony.

THEREFORE BE IT RESOLVED:

1. Based on the draft Basin Plan amendment, the environmental checklist, accompanying written documentation, and public comments received, the Regional Board finds that there is no substantial evidence in the record that adoption of the proposed Basin Plan amendment will have a significant effect on the environment.
2. The environmental document prepared by Regional Board staff pursuant to Public Resources Code Section 21080.5 is hereby certified. Following approval of this amendment by the State Board, the Executive Officer shall file a Notice of Decision with the State Clearinghouse.
3. Within three years after the Department notifies the California Regional Water Quality Control Board that specific water bodies support threatened or endangered species, and that scientific evidence indicates that certain water quality objectives for these water bodies protect such species, the Board shall determine, in consultation with the Department, whether these objectives are adequately protective. In cases where such objective do not provide adequate protection for listed species, the Board shall develop and adopt adequately protective site-specific objectives for those constituents.
4. The Basin Plan amendment shown on Attachment "A - Appendix One and Two" is approved. The amendment will not take effect until approved by the State Board and the Office of Administrative Law.
5. Upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the Environmental Protection Agency for approval.

I, ROGER W, BRIGGS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on September 8, 1994.


Executive Officer

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 94-44

APPROVAL OF A REVISED WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COAST REGION

WHEREAS:

1. The Regional Water Quality Control Board, Central Coast Region (RWQCB), adopted a revised Water Quality Control Plan for the Central Coast Region (Basin Plan) on November 17, 1989, and the State Water Resources Control Board (SWRCB) approved the revised Basin Plan on August 16, 1990 under Resolution No. 90-87.
2. Section 303(c) of the Federal Clean Water Act requires that water quality standards be reviewed and revised if appropriate at least every three years, and Section 13240 of the California Water Code provides that Basin Plans be periodically reviewed and may be revised.
3. On February 11, 1994, RWQCB adopted Resolution No. 94-01 (Attachment) further revising the Basin Plan in the following areas:
 - a. Revised beneficial use definitions to be consistent with statewide format,
 - b. Designated beneficial uses for approximately 300 additional water bodies and revised beneficial use designations for approximately 150 water bodies,
 - c. Updated water quality objectives for organic chemicals,
 - d. Added water quality objectives for the Paso Robles ground water basin,
 - e. Updated RWQCB program descriptions,
 - f. Updated the list of SWRCB and RWQCB Plans and Policies,
 - g. Added a new section on Quality Control and Data Management, and
 - h. Added a description of the Water Quality Assessment.
4. A proposed amendment to footnote "a", pages II-2 through II-5, of the Basin Plan would violate provisions of the Federal Clean Water Act and, therefore, is not approvable.

5. RWQCB prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.).
6. RWQCB Resolution No. 94-01 was adopted in accordance with State laws and regulations.
7. Basin Plan amendments do not become effective until approved by SWRCB and until regulatory provisions are approved by the Office of Administrative Law (OAL).

THEREFORE BE IT RESOLVED:

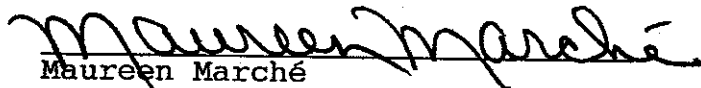
That SWRCB:

1. Accepts RWQCB Resolution No. 94-01 as fulfillment of its Triennial Review.
2. Approves the revised Basin Plan, with the exception of proposed amendment to footnote "a", pages II-2 through II-5, adopted by RWQCB Resolution No. 94-01 on February 11, 1994 with the understanding that:
 - a. RWQCB shall continue to implement provisions of existing State and Federal law regarding the discharge of toxic pollutants. In particular, the RWQCB shall issue National Pollutant Discharge Elimination System permits in compliance with the Porter-Cologne Water Quality Control Act and applicable State and Federal regulations, including, but not limited to, 40 CFR, Section 122.44(d).
 - b. Within four months of SWRCB approval of the Central Coast Basin Plan, RWQCB shall initiate consultation with the Department of Fish and Game (DFG) under the California Endangered Species Act regarding the need for future Basin Plan amendments.
 - c. Within three years after DFG notifies RWQCB that specific water bodies support threatened or endangered species and that scientific evidence indicates that certain existing water quality objectives for these water bodies do not adequately protect such species, RWQCB shall determine, in consultation with DFG, whether these objectives are adequately protective. In cases where such existing objectives do not provide adequate protection for threatened and endangered species, RWQCB shall develop and adopt adequately protective site-specific objectives for these constituents.

3. Authorizes staff to forward the revised Basin Plan to the U.S. Environmental Protection Agency and the regulatory provisions to OAL for approval.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 18, 1994.



Maureen Marché
Administrative Assistant to the Board

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 94-01

ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS:

1. The Federal Clean Water Act directs states to adopt water quality standards and to review them on a triennial basis. The California Water Code directs the Regional Water Quality Control Board (Regional Board) to adopt Water Quality Control Plans (Basin Plans) and to update them periodically.
2. The Water Quality Control Plan, Central Coastal Basin (Basin Plan) was approved by the State Water Resources Control Board (State Board) on March 20, 1975 and a revised Basin Plan was approved by the State Board on August 16, 1990.
3. The State Board identified the need for comprehensive update of all Regional Board Basin Plans statewide and provided contract funding for a variety of studies to facilitate this process.
4. Several major Basin Plan amendments are proposed herein to partially satisfy Basin Plan Update Program requirements:
 - a. Revise Beneficial Use definitions to statewide consistent format.
 - b. Assign Beneficial Uses to approximately 300 water bodies and revise Beneficial Uses for approximately 150 water bodies.
 - c. Update organic chemicals objectives.
 - d. Add ground water objectives for the Paso Robles ground water basin.
 - e. Update Regional Board program descriptions.
 - f. Update State/Regional Board Plans and Policies.
 - g. Add description of Quality Control and Data Management.
 - h. Add description of Water Quality Assessment.

The specific amendment proposed is shown in Attachment "A".

5. Several additional minor changes (as described in Attachment "A") are also necessary to update the Basin Plan. Changes are proposed to clarify, edit, or correct the current Basin Plan.
6. This Basin Plan revision update process satisfies the federal triennial review requirements of Section 303 (c) of the Clean Water Act and the periodic review requirements of Water Code Act Section 12340.
7. Drafts of the proposed amendments have been prepared and distributed to interested persons and agencies for review and comment.
8. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional

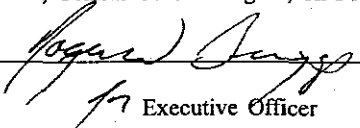
Equivalent) and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment.

9. The State Board is required to adopt numerical water quality objectives for toxics in accordance with Section 303(C)(2)(b) of the Clean Water Act. The State Board adopted objectives in the California Inland Surface Waters Plan, April 1992, and the California Enclosed Bays and Estuaries Plan, April, 1991. These Plans are currently implemented by the Regional Board. These Plans are being contested in court. It is uncertain whether the Plans will be upheld in their current form.
10. State Board Plans are in effect after approval by the California Office of Administrative Law. These Plans supersede Basin Plans to the extent of any conflict. State Board Plans must be implemented by the Regional Board whether the Plans are referenced in the Basin Plan or not.
11. Amendment of the Administrative Procedure Act, Government Code Section 11340, requires Basin Plan amendments be submitted to the California Office of Administrative Law.
12. A "Summary of Necessity for the Regulatory Provisions (Attachment D)", has been prepared as required by the California Office of Administrative Law.
13. Regional Board staff consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and on threatened and endangered plant and animal species. The draft amendment has been revised in response to comments by Department of Fish and Game staff. The Department of Fish and Game has made a conditional determination of "no jeopardy" pursuant to the California Endangered Species Act. A finding of "no jeopardy" is conditioned upon the Regional Board implementing water quality objectives in accordance with Section 303(C)(1) of the Clean Water Act by June 1, 1995.
14. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
15. On February 11, 1994, in the Regional Board held a public hearing and heard and considered all public testimony.

THEREFORE BE IT RESOLVED:

1. Based on the draft Basin Plan amendment, the environmental checklist, accompanying written documentation, and public comments received, the Regional Board finds that there is no substantial evidence in the record that adoption of the proposed Basin Plan amendment will have a significant effect on the environment.
2. The environmental document prepared by Regional Board staff pursuant to Public Resources Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the Executive Officer shall file a Notice of Decision with the State Clearinghouse.
3. The Basin Plan amendment shown on Attachment "A" is approved. The amendments will not take effect until approved by the State Board and the Office of Administrative Law.
4. The Regional Board intends to implement water quality objectives adopted by the State Board in accordance with Section 303(C)(1) of the Clean Water Act by June 1, 1995.
5. Upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the Environmental Protection Agency for approval.

I, **WILLIAM R. LEONARD**, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on February 11, 1994.



Executive Officer

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 91-9

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COAST BASIN
PROVIDING A WAIVER TO THE MONTEREY BAY
PROHIBITION ZONE FOR DISCHARGES FROM
DESALINIZATION AND CIRCULATING SEAWATER SYSTEMS

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region (Central Coast Regional Board), adopted the Water Quality Control Plan for the Central Coast Basin (Basin Plan) on March 14, 1975.
2. Division 7 of the Water Code specifies that basin plans be periodically reviewed and, if appropriate, revised.
3. On September 14, 1990, following a public hearing, the Central Coast Regional Board adopted Resolution No. 90-05 (Attachment) amending the Basin Plan to add on page V-9 under "Waters Subject to Tidal Action":

"Discharges to the Monterey Bay Prohibition Zone from desalinization units and circulating seawater system discharges may be permitted after each proposal satisfies California Environmental Quality Act Requirements and completes the National Pollutant Discharge Elimination System process."
4. The Pacific Grove Marine Gardens Fish Refuge and Hopkins Marine Life Refuge Area of Special Biological Significance (ASBS) is located within the Monterey Bay Prohibition Zone, and point source discharges to the ASBS continue to be prohibited unless a specific exception is approved by the State Water Resources Control Board (State Board), pursuant to the Water Quality Control Plan for Ocean Waters of California (Ocean Plan).
5. The Central Coast Regional Board prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.).
6. The Central Coast Regional Board Resolution No. 90-05 was adopted in accordance with State laws and regulations.
7. Basin Plan amendments do not become effective until approved by the State Board.

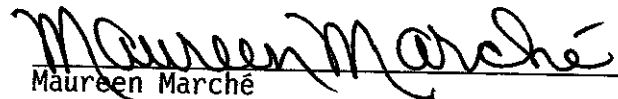
THEREFORE BE IT RESOLVED:

That the State Board:

1. Approves the Basin Plan amendment adopted by Central Coast Regional Board Resolution No. 90-05 on September 14, 1990 with the condition that any discharge to the ASBS is prohibited unless an exception to the Ocean Plan is approved by the State Board.
2. Directs staff to submit the Basin Plan amendment and this State Board Resolution to the U.S. Environmental Protection Agency for approval.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 24, 1991.


Maureen Marché
Administrative Assistant to the Board

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
 1102 A Laurel Lane
 San Luis Obispo, CA 93401

RESOLUTION NO. 90-05

**Adopting Monterey Bay Desalinization Discharge Waiver
 Amendment to the Water Quality Control Plan
 and Requesting Approval From the
 State Water Resources Control Board**

WHEREAS:

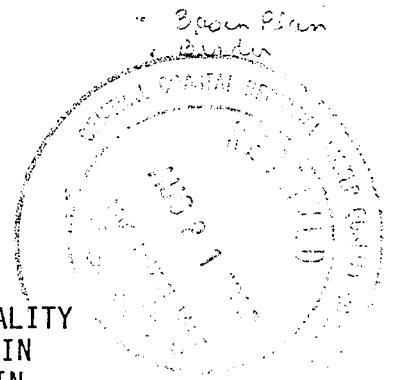
1. The Water Quality Control Plan for the Central Coastal Basin (Basin Plan) prohibits "waste discharges" into the northern and southern extremities of Monterey Bay (Prohibition Zone). (This prohibition is contained in the Plans and Policies Discharge Prohibitions section of the Basin Plan.)
2. The Prohibition Zone was established because sluggish circulation in the Bay's extremities caused waste parameters to accumulate. The zone was established to reduce accumulation of ammonia nitrogen and bacteria in the northern and southern corners of the Bay.
3. Desalinization discharges do not contribute the type of pollutants which are of concern in the Prohibition Zone.
4. Circulating seawater systems from aquariums and marine labs may contribute some pollutants of concern. However, these are generally of minor amounts and can be regulated through the NPDES process.
5. Sufficient regulatory mechanisms exist to protect Monterey Bay from desalinization and circulating seawater discharges.
6. A Basin Plan Amendment is necessary to allow desalinization and circulating seawater discharges in Monterey Bay.
7. Drafts of the proposed amendment have been prepared and distributed to interested persons and agencies for review and comment.
8. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent) and Federal Clean Water Act of 1977 (PL 92-500 and PL 95217). The Regional Board finds adoption of this amendment will not have a significant adverse effect on the environment.
9. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
10. On September 14, 1990 in the Seaside City Council Chambers, 440 Harcourt Avenue, Seaside, California after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to the Plan.

THEREFORE BE IT RESOLVED:

1. The Basin Plan for the Central Coast Region be amended as follows on Page V-9 under "Waters Subject to Tidal Action" but before "Areas of Special Biological Significance" (November or July, 1989 draft):

Ample
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STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 90-87



APPROVAL OF AN AMENDMENT TO THE WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COAST BASIN
RESULTING IN COMPREHENSIVE REVISIONS IN
CONTENT AND FORMAT

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region (Central Coast Regional Board), adopted the Water Quality Control Plan for the Central Coast Basin (Basin Plan) on March 14, 1975.
2. Division 7 of the Water Code specifies that basin plans be periodically reviewed and, if appropriate, revised.
3. The Central Coast Regional Board prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.).
4. On November 17, 1989, following a public hearing, the Central Coast Regional Board adopted Resolution No. 89-04 (Attachment) amending the Basin Plan to:
 - a. Revise PCB and phthalate ester water quality objectives for all inland surface waters, enclosed bays, and estuaries in the Water Quality Objectives chapter.
 - b. Update "Municipal Wastewater Management Plans" in the Implementation Plan chapter.
 - c. Update "Solid Waste Management" in the Implementation Plan chapter.
 - d. Add "Water Quality Limited Segments" designations in the Plans and Policies chapter.
 - e. Add general toxic or hazardous materials discharge prohibition to all waters in the Plans and Policies chapter.
 - f. Amend Resolution No. 73-05, "Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Valley Oil Fields, Santa Barbara County" to apply regionwide.

- g. Add Central Coast Regional Board "Policy for Highway Grooving Residues" in the Plans and Policies chapter.
 - h. Add Central Coast Regional Board "Policy for Waiver of Regulation of Specific Types of Waste Dischargers" in the Plans and Policies chapter.
 - i. Add a list of Water Bodies Needing Intensive Surveillance in the Surveillance and Monitoring chapter.
 - j. Add changes as described in Resolution No. 89-04 Attachment A, as necessary, to reformat and update the 1975 Basin Plan.
 - k. Include several minor wording changes necessary to improve the readability of the Basin Plan.
5. The State Water Resources Control Board (State Board) finds that the proposed interim PCB and phthalate ester objectives are not adequately substantiated and need to be reconsidered after adoption of the State Board's Statewide Inland Surface Water Plan and receipt of technical guidance on appropriate phthalate ester objectives.
 6. The State Board finds that the water quality limited segment list (item 4.d above) proposed for inclusion in the revised Basin Plan is inconsistent with the Statewide Water Quality Assessment adopted by the State Board on April 4, 1990.
 7. The Central Coast Regional Board Resolution No. 89-04 was adopted in accordance with State laws and regulations.
 8. Basin Plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

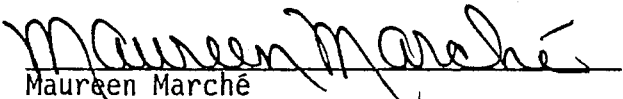
That the State Board:

1. Approves the Basin Plan amendment adopted by Central Coast Regional Board Resolution No. 89-04 on November 17, 1989 with the following provisions:
 - a. The proposed interim PCB and phthalate ester objectives are not approved and further action on the objectives is deferred until the State Board adopts the Statewide Inland Surface Waters Plan and provides technical guidance on appropriate phthalate ester objectives.
 - b. The water quality limited segment list proposed for inclusion in the Plans and Policies chapter of the Basin Plan is not approved.

2. Directs staff to submit the Basin Plan amendment and this State Board Resolution to the U.S. Environmental Protection Agency for approval.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 16, 1990.


Maureen Marché
Administrative Assistant to the Board

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 89-04

ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS:

1. The Water Quality Control Plan, Central Coastal Basin (Basin Plan) was approved by the State Water Resources Control Board (State Board) on March 20, 1975.
2. Since March 20, 1975, thirty-seven Basin Plan amendments have been approved by the Regional Water Quality Control Board (Regional Board) and the State Board.
3. Since 1975, several changes in water quality regulations and administrative procedures have occurred.
4. An updated Basin Plan incorporating all previously approved amendments, updated regulations, and procedures is needed.
5. Several significant new Basin Plan amendments are needed:
 - a. Revise PCB and Phthalate Ester objective for all Inland Surface Waters, Enclosed Bays, and Estuaries in the Water Quality Objectives chapter.
 - b. Update "Municipal Wastewater Management Plans" in the Implementation Plan chapter.
 - c. Update "Solid Waste Management" in the Implementation Plan chapter.
 - d. Add "Water Quality Limited Segments" designation in the Plans and Policies chapter.
 - e. Add general toxic or hazardous materials discharge prohibition to all waters in the Plans and Policies chapter.
 - f. Amend Resolution 73-05, "Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Valley Oil Fields, Santa Barbara County" to apply Regionwide.
 - g. Add Regional Board policy for Highway Grooving Residues in the Plans and Policies chapter.

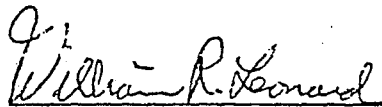
- h. Add Regional Board Policy for Waiver of Regulation of Specific Types of Waste Dischargers in the Plans and Policies chapter.
- i. Add Water Bodies Needing Intensive Surveillance in the Surveillance and Monitoring chapter.
6. Several additional changes (as described in Attachment "A") are necessary to update the 1975 Basin Plan.
7. Several minor wording changes are necessary to improve the readability of the Basin Plan.
8. Drafts of the proposed Basin Plan have been prepared and distributed to interested persons and agencies for review and comment.
9. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent) and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of these objectives will not have a significant adverse effect on the environment.
10. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
11. On September 8, 1989, and November 17, 1989, in the Salinas City Council Chamber Rotunda, 200 Lincoln Avenue, Salinas, California, and in the Embassy Suites-Edna Room, 333 Madonna Road, San Luis Obispo, California, respectively, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to the Plan.

THEREFORE BE IT RESOLVED:

1. All amendments mentioned above and in Attachment "A," will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.
2. All amendments mentioned above and in Attachment "A" are adopted.
3. Any minor editorial changes to correct data or grammar and/or clarify meaning in the final copy which may not be included in Attachment "A", are also adopted.

4. Staff responses which propose specific Basin Plan changes provided in the Regional Water Quality Control Board letter dated October 12, 1989, are adopted.
5. The State Board is requested to approve the proposed updated Basin Plan with amendments in accordance with Sections 13245 and 13246 of the California Water Code.
6. Upon approval, the State Board is requested to transmit the updated Basin Plan to the U.S. Environmental Protection Agency for approval.

I, WILLIAM R. LEONARD, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on November 17, 1989.


Executive Officer

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ATTACHMENT A
MINOR BASIN PLAN AMENDMENTS
CENTRAL COASTAL BASIN

CHAPTER 1. Revise Basin Plan Format:

- a) Add Introduction Chapter
- b) Continuing Planning Section added to Introduction Chapter
- c) Delete Historical Beneficial Uses Chapter
- d) Delete Historical Water Quality Objectives
- e) Revise format of Water Quality Objectives Chapter (chapter arranged by beneficial uses and water body type)
- f) Plan Assessment Chapter deleted
- g) Add Plans and Policies chapter (Chapter 5)

CHAPTER 2. Present and Potential Beneficial Uses Chapter

- a) "Selection Considerations" section deleted (this section discussed conditions by which "historical beneficial uses" could be deleted.)
- b) "Present Uses" section deleted (information summarized in current Chapter 1)
- c) "Projected Water Demands" deleted (Section is out of date)
- d) Reorganized Table 2-1 to coordinate with 1986 Hydrologic Basin Map prepared by the State Water Resources Control Board
- e) Add footnote to Table 2-1 Municipal Beneficial Use Column reading "In accordance with State Water Resources Control Board Resolution 88-63".
- f) "Newell Creek Res." changed to "Loch Lomond Res." in Table 2-1
- g) Changed footnote "b" Table 2-1 from "swamp" to "wetland"
- h) Addition of table listing ground water basins and map showing ground water basins from DWR Bulletin 118.
- i) Definition of "Water Contact Recreation" amended to include "sail boarding" and "jet skiing".
- j) Delete "The Ocean Plan, and hence the designation of areas of special biological significance, is not applicable to vessel wastes, the control of dredging, or the disposal of dredging spoil." (Ocean Plan already includes this statement; redundant in Basin Plan).

- k) Delete "The staff will advise other agencies to whom the list of designated areas is to be provided, that the basis for this action by the Board is limited to considerations related to protection of marine life from waste discharges." (This statement is superfluous; Agencies are aware of designated ASBS areas.)
- l) Carmel Bay added to ASBS areas in accordance with past State Water Resources Control Board approval.
- m) "Recommended Beneficial Uses" section deleted. ("Present and Potential Beneficial Uses" adequately covers this section).
- n) Minor word changes made throughout chapter to improve readability.

CHAPTER 3. Water Quality Objectives Chapter (Formerly Chapter 4)

- a) Delete following section, "For planning purposes there are three basic long-term strategies for water pollution control. These are to be applied to specific geographic areas or to be compared in terms of their relative impact on an area of designated use, whichever is deemed appropriated. The strategies are defined as follows:
 - i) Elimination of all waste discharges from both point sources and diffuse sources,
 - ii) Elimination of direct point source waste discharges and regulation of diffuse sources,
 - iii) Elimination of discharge of pollutants into navigable waters.

Strategy number one, in effect, restricts land use and is consistent with policies to protect wilderness areas, selected water supply catchments, and some areas of special biological significance. Strategy two is consistent with maintenance of certain wild rivers and protection of sensitive aquatic habitats where no allocation of stream assimilation capacity can be provided for controllable discharges unless water reclamation concepts are applied. Strategy three is consistent with the long-term national goals of the Federal Water Pollution Control Act with the understanding that pollutants will be defined in relevant terms and that best

practicable treatment would be consistently applied on a case-by-case basis depending on the physical character of the receiving water and the beneficial uses to be protected."

b) "Non-Degradation Policy" changed to "Anti-Degradation Policy"

c) Paragraph added:

"Several water quality objectives listed herein originate from the California Code of Regulations, Title 22, If Title 22 concentrations are amended, Basin Plan objectives are automatically amended to correspond with the new regulations."

d) Tables 4-1 and 4-2 deleted:

These tables compare 1970 water quality to planning criteria. These tables are not used to regulate dischargers.

e) Water quality objectives changed to comply with California Code of Regulations, Title 22.

f) Table 3-2 (previously Table 4-6) "Sodium Absorption Ration (SAR)" corrected to "SAR, adj"; correction was made according to L.V. Wilcox, U.S. Salinity Lab, memo Dec. 30, 1966.

g) Table 3-2 (previously Table 4-6) footnote "c" clarified to refer to Appendix A-23 for calculation support material.

h) Soda Lake removed from Table 3-6 (previously Table 4-8). No median surface water quality objectives were provided in original Basin Plan. Table 3-6 referenced a footnote "b" but no footnote "b" was provided.

i) Minor word changes made throughout chapter to improve readability.

CHAPTER 4. Implementation Plan Chapter 4 (Formerly Chapter 5)

a) Introductory paragraphs eliminated; brief introduction and outline provided instead.

b) Table 5-1 eliminated

- c) Introduction paragraph added to "Reclamation and Reuse" chapter
- d) Paragraph added to "Sludge Processing and Disposal" section (last paragraph)
- e) Introductory Paragraphs under "Municipal Wastewater Management" deleted
- f) Figure 5-1 deleted-not used in implementation program
- g) Table 5-2 deleted-out of date
- h) Table 5-3 deleted-not necessary
- i) Table 5-4 deleted-out of date
- j) Table 5-5 deleted-out of date
- k) Municipal Wastewater Management Plan section updated
- l) 1st paragraph under "Industrial Wastewater Management" deleted. Paragraph referred to alternative industrial management plans in Chapter 16. This reference is unnecessary.
- m) Last sentence in second paragraph under "Industrial Wastewater Management" deleted. This sentence was not necessary.
- n) Last paragraph under "Industrial Wastewater Management" section deleted. This paragraph is not necessary.
- o) "Solid Waste Management" section updated
- p) "Storm Water Management" section added
- q) "Irrigation Operations-Need for Salt Management" Section, add to end of paragraph beginning "Compromises and trade-offs will be necessary": "5. Change Crops Grown"
- r) "Improved Salt Management Techniques" Section, second paragraph, change last sentence to read "Present Statewide efficiency of water use may average 50 to 60 percent, but individual uses will vary from an estimated low of 30 percent where water is plentiful and inexpensive to a high of 95 percent where water quantity is limited and/or the price is high."
- s) Changes made in "Individual, Alternative, and Community Systems":

- i) Change last sentence under "Septic Tank Maintenance Districts" to: "Maintenance districts should establish septic tank surveillance, maintenance and pumping programs, where appropriate; provide repairs..."
- ii) Sentence added to first paragraph under "Criteria for New Systems":
"Local governing jurisdictions should incorporate these guidelines into their local ordinances. These recommendations will be used by the Regional Board for Regional Board regulated systems and exemptions."
- iii) Dual disposal field recommendation changed from: ~~"Both drainfields should be constructed initially and diversion valves or boxes installed when access to the disposal system is restricted in such a way that future additions and repairs cannot be made easily"~~ to "Dual disposal fields (200% of original calculated area) are recommended."
- iv) Definition of "gravels" and "gravels w/few fines" clarified.
- v) Section (d) of San Lorenzo Valley prohibition eliminated. The prohibition was historical and unnecessary.
- vi) Last paragraph of Baywood Park/Los Osos prohibition deleted. This prohibition was historical and unnecessary.
- t) Land disturbance prohibition changed from: "The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or similar activity where it may be discharged into State waters by runoff from less than a 25-year, 24-hour rainfall event is prohibited" to:

"The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from logging, construction, and other soil disturbance activities at locations above the

anticipated high water line of any stream in the basin where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited."

- u) "Legislation" section deleted. This section was obsolete.
- v) Minor word changes made throughout chapter to improve readability.

CHAPTER 5. Plans and Policies Chapter 5
(Formerly Part of Chapter 4)

- a) Delete State Water Resources Control Board Recommended Control Action #10. Action-read:

"The non-degradation policy of 1968 should be revised or clarified to recognize short-term and long-term aspects of ground water management as affected by irrigated agriculture and an environmental impact assessment should be prepared on this policy."

This revision never occurred.

- b) Delete Regional Water Quality Control Board Management Principle #7:
"Applicants for state and federal grants for construction of waste treatment facilities shall be required to submit proof of implementation of source control and industrial waste ordinances, including an equitable system of cost recovery."

The grant program no longer exists.

- c) Add to "Recommended State Water Resources Control Board Control Actions" section to read:
"The State Water Resources Control Board should consider water quality effects when reviewing water rights permits."
- d) Revise Regional Water Quality Control Board Management Principle #12 to read: "The discharge of pollutants into surface fresh waters shall be discontinued."

e) Discharge Prohibition for Toxic or Hazardous Pollutants for all Waters--"community waste treatment systems" changed to "publicly owned treatment works"

f) Regional Water Quality Control Board Control Action #1 deleted:

"The Regional Water Quality Control Board should implement water quality control plan provisions through establishment of requirements and timetables for compliance with plan actions."

This action is unnecessary since the Regional Water Quality Control Board must accomplish this action according to Porter-Cologne Water Quality Control Act requirements. This policy is redundant.

g) Delete Regional Water Quality Control Board Control Action #9:

"Industrial schedules of compliance with the State Ocean Plan and PL92-500 including time tables, should be established by mid-1976. Dischargers should effect compliance with the 1977 and 1983 effluent limitations."

This action is unnecessary since Porter-Cologne Water Quality Control Act requires compliance. This policy is redundant.

h) Delete Regional Water Quality Control Board Action #21:

"Designate temporary or permanent salt sinks within each water basin that can accept waters of quality too poor for reuse in agriculture. As a minimum step, designate the Pacific Ocean and Soda Lake as acceptable salt sinks."

This policy conflicts with State Water Resources Control Board Resolution 88-63, Sources of Drinking Water Policy.

- i) Actions by Other Authorities #1 changed to read: "The Association of Monterey Bay Area Governments (AMBAG) should coordinate with local agencies and the Regional Board relative to implementation of water quality control plans in that area.
- j) Regional Board policies added

Several policies were previously adopted by the Regional Board. These policies are included for public information regarding Regional Board policies. New policies (or old policies never formally adopted) are adopted by this resolution (Resolution 89-04).
- k) Minor word changes made throughout chapter to improve readability.

CHAPTER 6. Surveillance and Monitoring Chapter 6
(Formerly Chapter 7)

- a) Introduction rewritten
- b) "Program Tasks" section deleted-unnecessary
- c) Surveillance Section rewritten; now titled "State Water Resources Control Board Program Tasks" and "Regional Water Quality Control Board Program Tasks"

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STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 89-75

APPROVAL OF THE AMENDMENTS TO THE WATER QUALITY
CONTROL PLANS INCORPORATING THE SOURCES OF DRINKING
WATER POLICY

WHEREAS:

1. California Water Code Section 13140 provides that the State Water Resources Control Board (State Board) shall formulate and adopt State policy for water quality control.
2. California Water Code Section 13240 provides that Water Quality Control Plans (Basin Plans) shall conform to any State policy for water quality control.
3. The State Board adopted Resolution No. 88-63 entitled Sources of Drinking Water Policy (Policy) on May 19, 1988 as State policy for water quality control (Attachment No. 1).
4. The Policy declares that, with certain exceptions that may be designated by the Regional Boards, all waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Water Quality Control Boards (Regional Boards).
5. The Policy indicates that Regional Boards may apply the exceptions by designating beneficial uses that do not include municipal or domestic water supply for any specific waterbodies which meet the criteria.
6. A waterbody listed in the Basin Plan which has a current beneficial use designation(s) other than municipal or domestic supply retains such a designation unless the applicable Regional Board acts to change such designation(s).
7. Incorporation of State Board Resolution No. 88-63 into the Basin Plans will conform the Basin Plans to the Policy.
8. The basin planning process has been determined to be functionally equivalent to the CEQA process in accordance with Section 21000 et seq., of the Public Resources Code and appropriate notices and waiting periods have been complied with.
9. All Regional Boards held public hearings and considered all testimony and comments received on this matter and determined that adoption of the proposed Basin Plan amendments will not have a significant adverse effect on the environment.

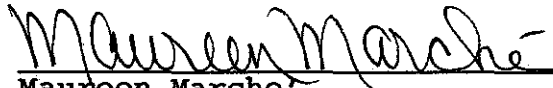
10. All Regional Boards adopted resolutions incorporating the Sources of Drinking Water Policy (Attachment No. 2).
11. Copies of the Regional Board resolutions, along with other appropriate materials, were submitted to the State Board for approval.
12. Basin Plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

That the State Board approves the amendments regarding incorporation of the Sources of Drinking Water Policy (State Board Resolution No. 88-63) in all Basin Plans as indicated in Attachment No. 2 to this Resolution.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a policy duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 17, 1989.



Maureen Marche
Administrative Assistant to the Board

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 88-94

CONSIDERATION OF APPROVAL OF WASTE DISCHARGE REQUIREMENT WAIVER POLICIES ADOPTED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARDS, NORTH COAST (RESOLUTION NO. 87-113), SAN FRANCISCO BAY (RESOLUTION NOS. 83-3 AND 88-088), CENTRAL COAST (REGIONAL BOARD AGENDA ITEM NO. 7 DATED APRIL 15, 1983), CENTRAL VALLEY (RESOLUTION NO. 82-036), LAHONTAN (RESOLUTION NO. 6-88-18), COLORADO RIVER BASIN (RESOLUTION NO. 83-1), SANTA ANA (RESOLUTION NO. 84-48), AND SAN DIEGO (RESOLUTION NO. 83-21) REGIONS

WHEREAS:

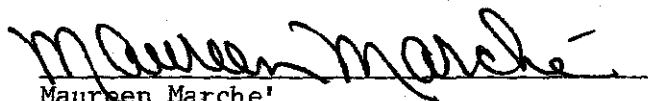
1. California Water Code (CWC), Section 13245.5 requires that the State Board approve Regional Board guidelines before those guidelines can become effective.
2. The Office of Chief Counsel has determined that Regional Board waste discharge requirement waiver policies (waiver policies) constitute guidelines.
3. State Board Resolution No. 73-42 also required that the State Board approve Regional Board waiver policies.
4. Pursuant to CWC, Section 12345.5 and State Board Resolution No. 73-42, the California Regional Water Quality Control Boards, North Coast, San Francisco Bay, Central Coast, Central Valley, Lahontan, Colorado River Basin, Santa Ana, and San Diego Region have submitted the attached waiver policies for State Board consideration.
5. These waiver policies are consistent with all applicable laws, regulations, and the Administrative Procedures Manual.

THEREFORE BE IT RESOLVED:

That the State Board approves waste discharge requirement waiver policies adopted by the California Regional Water Quality Control Boards, North Coast (Resolution No. 87-113), San Francisco Bay (Resolution Nos. 83-3 and 88-088), Central Coast (Regional Board Agenda Item No. 7 dated April 15, 1983), Central Valley (Resolution No. 82-036), Lahontan (Resolution No. 6-88-18), Colorado River Basin (Resolution No. 83-1), Santa Ana (Resolution No. 84-48), and San Diego (Resolution No. 83-21) Regions.

CERTIFICATION

The undersigned, Administrative Assistant to the State Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 18, 1988.


Maureen Marche
Administrative Assistant to the Board

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 88-63
(as revised by Resolution No. 2006-0008)

ADOPTION OF POLICY ENTITLED
"SOURCES OF DRINKING WATER"

WHEREAS

- 1 California Water Code section 13140 provides that the State Board shall formulate and adopt State Policy for Water Quality Control; and,
2. California Water Code section 13240 provides that Water Quality Plans "shall conform" to any State Policy for Water Quality Control; and,
3. The Regional Boards can conform the Water Quality Control Plans to this policy by amending the plans to incorporate the policy; and,
4. The State Board must approve any conforming amendments pursuant to Water Code section 13245; and,
5. "Sources of drinking water" shall be defined in the Water Quality Control Plans as those water bodies with beneficial uses designated as suitable, or potentially suitable, for municipal or domestic water supply (MUN); and,
6. The Water Quality Control Plans do not provide sufficient detail in the description of water bodies designated MUN to judge clearly what is, or is not, a source of drinking water for various purposes.
7. On February 1, 2006, the State Board adopted Resolution No. 2006-0008, which amended this policy to establish a site-specific exception for Old Alamo Creek.

THEREFORE BE IT RESOLVED:

All surface and ground waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Boards¹ with the exception² of:

¹ This policy does not affect any determination of what is a potential source of drinking water for the limited purposes of maintaining a surface impoundment after June 30, 1988, pursuant to Section 25208.4 of the Health and Safety Code.

² This policy contains general categories for exceptions from the policy. On February 1, 2006, the State Board adopted Resolution No. 2006-0008, which established a site-specific exception from the policy for Old Alamo Creek. The rationale for the site-specific exception is contained in the resolution and in State Board Order WQO 2002-0015, II.A.2.d.

1. Surface and ground waters where:

- a. The total dissolved solids (TDS) exceed 3,000 mg/L (5,000 uS/cm, electrical conductivity) and it is not reasonably expected by Regional Boards to supply a public water system, or
- b. There is contamination, either by natural processes or by human activity (unrelated to the specific pollution incident), that cannot reasonably be treated for domestic use using either Best Management Practices or best economically achievable treatment practices, or
- c. The water source does not provide sufficient water to supply a single well capable of producing an average, sustained yield of 200 gallons per day.

2. Surface Waters Where:

- a. The water is in systems designed or modified to collect or treat municipal or industrial wastewaters, process waters, mining wastewaters, or storm water runoff, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards; or,
- b. The water is in systems designed or modified for the primary purpose of conveying or holding agricultural drainage waters, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards.

3. Ground water where:

The aquifer is regulated as a geothermal energy producing source or has been exempted administratively pursuant to 40 Code of Federal Regulations, section 146.4 for the purpose of underground injection of fluids associated with the production of hydrocarbon or geothermal energy, provided that these fluids do not constitute a hazardous waste under 40 CFR, section 261.3.

4. Regional Board Authority to Amend Use Designations:

Any body of water which has a current specific designation previously assigned to it by a Regional Board in Water Quality Control Plans may retain that designation at the Regional Board's discretion. Where a body of water is not currently designated as MUN but, in the opinion of a Regional Board, is presently or potentially suitable for MUN, the Regional Board shall include MUN in the beneficial use designation.

The Regional Boards shall also assure that the beneficial uses of municipal and domestic supply are designated for protection wherever those uses are presently being attained, and assure that any changes in beneficial use designations for waters of the State are

consistent with all applicable regulations adopted by the Environmental Protection Agency.

The Regional Boards shall review and revise the Water Quality Control Plans to incorporate this policy.

CERTIFICATION

The undersigned, Acting Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a policy duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 19, 1988, and amended on February 1, 2006.

A handwritten signature in black ink, appearing to read "Selica Potter", written in a cursive style. The signature is positioned above a horizontal line.

Selica Potter
Acting Clerk to the Board

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 88- 63

ADOPTION OF POLICY ENTITLED
"SOURCES OF DRINKING WATER"

WHEREAS:

1. California Water Code Section 13140 provides that the State Board shall formulate and adopt State Policy for Water Quality Control; and,
2. California Water Code Section 13240 provides that Water Quality Control Plans "shall conform" to any State Policy for Water Quality Control; and,
3. The Regional Boards can conform the Water Quality Control Plans to this policy by amending the plans to incorporate the policy; and,
4. The State Board must approve any conforming amendments pursuant to Water Code Section 13245; and,
5. "Sources of drinking water" shall be defined in Water Quality Control Plans as those water bodies with beneficial uses designated as suitable, or potentially suitable, for municipal or domestic water supply (MUN); and,
6. The Water Quality Control Plans do not provide sufficient detail in the description of water bodies designated MUN to judge clearly what is, or is not, a source of drinking water for various purposes.

THEREFORE BE IT RESOLVED:

All surface and ground waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Boards¹ with the exception of:

1. Surface and ground waters where:
 - a. The total dissolved solids (TDS) exceed 3,000 mg/L (5,000 uS/cm, electrical conductivity) and it is not reasonably expected by Regional Boards to supply a public water system, or

- b. There is contamination, either by natural processes or by human activity (unrelated to a specific pollution incident), that cannot reasonably be treated for domestic use using either Best Management Practices or best economically achievable treatment practices, or
- c. The water source does not provide sufficient water to supply a single well capable of producing an average, sustained yield of 200 gallons per day.

2. Surface waters where:

- a. The water is in systems designed or modified to collect or treat municipal or industrial wastewaters, process waters, mining wastewaters, or storm water runoff, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards; or,
- b. The water is in systems designed or modified for the primary purpose of conveying or holding agricultural drainage waters, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards.

3. Ground water where:

The aquifer is regulated as a geothermal energy producing source or has been exempted administratively pursuant to 40 Code of Federal Regulations, Section 146.4 for the purpose of underground injection of fluids associated with the production of hydrocarbon or geothermal energy, provided that these fluids do not constitute a hazardous waste under 40 CFR, Section 261.3.

4. Regional Board Authority to Amend Use Designations:

Any body of water which has a current specific designation previously assigned to it by a Regional Board in Water Quality Control Plans may retain that designation at the Regional Board's discretion. Where a body of water is not currently designated as MUN but, in the opinion of a Regional Board, is presently or potentially suitable for MUN, the Regional Board shall include MUN in the beneficial use designation.

The Regional Boards shall also assure that the beneficial uses of municipal and domestic supply are designated for protection wherever those uses are presently being attained, and assure that any changes in beneficial use designations for waters of the State are consistent with all applicable regulations adopted by the Environmental Protection Agency.

The Regional Boards shall review and revise the Water Quality Control Plans to incorporate this policy.

-
- 1 This policy does not affect any determination of what is a potential source of drinking water for the limited purposes of maintaining a surface impoundment after June 30, 1988, pursuant to Section 25208.4 of the Health and Safety Code.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a policy duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 19, 1988.



Maureen Marche'

Administrative Assistant to the Board

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 87- 36

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL BASIN TO: (1) REVISE NUMERICAL RADIOACTIVITY STANDARDS AND ADOPT RADIOACTIVITY STANDARDS FOR ALL WATERS, (2) DESIGNATE SURFACE WATERS AS COLD OR WARM HABITATS WITH CONSEQUENT PROTECTION FOR AQUATIC LIFE, (3) REVISE PHENOL, PHTHALATE ESTERS, AND POLYCHLORINATED BIPHENYLS OBJECTIVES, AND (4) ADD AN EXCEPTION PROVISION

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region (Central Coast Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) on March 14, 1975.
2. Division 7 of the California Water Code specifies that basin plans be periodically reviewed and, if appropriate, revised.
3. The Central Coast Regional Board's staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act.
4. On February 14, 1986, following a public hearing, the Central Coast Regional Board adopted Resolution No. 86-01 (attached) amending the Basin Plan to: (a) revise numerical radioactivity standards and adopt radioactivity standards for all waters; (b) designate surface waters as cold or warm habitats with consequent protection for aquatic life; (c) revise phenol, phthalate esters, and polychlorinated biphenyls objectives; and (d) add an exception provision.
5. The State Board, after review of the proposed Basin Plan amendment, finds that the revision of numerical radioactivity standards and adoption of radioactivity standards for all waters as well as designation of surface waters as cold or warm habitats with consequent protection for aquatic life are appropriate.
6. The State Board finds that the proposed revised objectives for phenol, phthalate esters, and polychlorinated biphenyls will not protect beneficial uses. The State Board will provide recommended criteria for phenols, phthalate esters, and polychlorinated biphenyls. The State Board will provide substantiation for the criteria and provide a time line when substantiation can be provided.
7. The State Board also finds that the addition of an exception provision is approvable. Exceptions to the Basin Plan may be adopted only if the same procedures established for Basin Plan amendments are followed, including EPA standards regulation and public participation requirements. As an exception will not be effective until approved by the State Board and EPA (if necessary), any Waste Discharge Requirement or NPDES permit implementing such an exception shall not be adopted until after such needed approval.

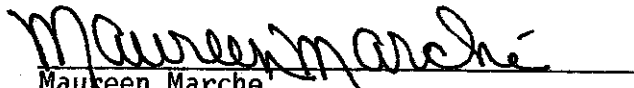
8. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

1. That revision of numerical radioactivity standards and adoption of radioactivity standards for all waters, and designation of surface waters as cold or warm habitats with consequent protection for aquatic life as described in Central Coast Regional Board Resolution No. 86-01 adopted on February 14, 1986, be approved.
2. That the revision of phenol, phthalate esters, and polychlorinated biphenyls objectives be remanded to the Central Coast Regional Board for further consideration.
3. That the exception provision be approved, and that any exception adopted by the Regional Board shall be adopted according to the same procedures established for Basin Plan amendments. These procedures are set forth in the memorandum and attachments from the Office of Chief Counsel to the Regional Board Executive Officers dated July 15, 1983 regarding "Basin Plan Amendment Procedures", EPA standards regulation, and EPA public participation regulations. That such exception will not be effective until approval by the State Board and EPA (if necessary), and that any Waste Discharge Requirement or NPDES permit implementing such an exception shall not be adopted until after such needed approval.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 16, 1987.


Maureen Marche
Administrative Assistant to the Board

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 87-26

AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL
COASTAL BASIN TO REVISE GROUND WATER QUALITY OBJECTIVES AND
MANAGEMENT WITHIN THE LOMPOC SUB-BASIN

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region (Central Coast Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) on March 14, 1975.
2. Division 7 of the California Water Code specifies that basin plans be periodically reviewed and, if appropriate, revised.
3. The State Board, after review of the Central Coast Regional Board Waste Discharge Requirements for the City of Lompoc, recommended a review of the Basin Plan for possible revision of the ground water quality objectives for the Lompoc ground water basin and further study to ascertain the continuity between the upper and lower aquifers in the area of the City of Lompoc's discharge.
4. In 1976, the U. S. Geological Survey (USGS) in cooperation with the Central Coast Regional Board prepared a report which describes the existing and historic changes in ground water quality and evaluates management alternatives to maintain and improve Lompoc's ground water basin quality.
5. The USGS report served as the basis for the revisions to the Basin Plan and for a Central Coast Regional Board staff report entitled "Water Quality Objectives and Management Plan for the Lompoc Ground Water Basin" (August 1984).
6. The August 1984 staff report evaluated data to justify median ground water objectives for the plain and upland portions of the Lompoc subarea.
7. On October 12, 1984, after satisfying public notice requirements in accordance with the California Water Code and after a public hearing, the Central Coast Regional Board adopted Resolution No. 84-05 (Attachment A) revising Table 4-9, "Median Ground Water Objectives", and the Lompoc Valley Region subsection in the "Municipal Wastewater Management Implementation Plan", Chapter 5.
8. Central Coast Regional Board Resolution No. 84-05 omitted median water quality objectives applicable to the terrace portion of the Lompoc subarea pending consideration of well data not available at the time Resolution No. 84-05 was adopted.
9. On April 11, 1986, the Central Coast Regional Board adopted, after due public notice and public hearing process in accordance with the California Water Code, Resolution No. 86-04 (Attachment B) establishing median ground water quality for the Lompoc terrace.

10. Central Coast Regional Board Resolution No. 86-04 restated the ground water objectives previously adopted for the plain and upland portions of the Lompoc subarea.
11. In order to be consistent with other nitrate objectives in Table 4-9, the nitrate median ground water objectives originally adopted in Resolution No. 84-05 for the plain and upland portions of the Lompoc subarea were changed in Resolution No. 86-04 from 10 milligrams per liter (mg/l) measured as nitrate to 2 mg/l measured as nitrogen.
12. Central Coast Regional Board Resolution No. 86-04 supersedes Central Coast Regional Board Resolution No. 84-05 as it pertains to the proposed numerical median ground water and amends Table 4-9 to read as follows:

	TDS	CL	SO ₄	B	Na	NO ₃ ^b
Lompoc Plain	1250	250	500	.75	270	2
Lompoc Upland	600	150	100	.75	100	2
Lompoc Terrace	750	210	100	.3	130	1

^b measured as Nitrogen

13. Central Coast Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements of both the California Environmental Quality Act under Public Resources Code, Section 21080.5 (functional equivalent), and the federal Clean Water Act.
14. Basin plan amendments do not become effective until approved by the State Board.
15. The State Board, after review of the proposed Basin Plan amendment and the Central Coast Regional Board's records, finds that the revision to the first paragraph of the "Lompoc Valley Region" subsection of the "Municipal Wastewater Management Implementation Plan" section in Chapter 5 of the Basin Plan to read as stated in Central Coast Regional Board Resolution No. 84-05 adopted on October 12, 1984 is appropriate. The State Board also finds that the median ground water objective for nitrate is also acceptable. The objectives proposed for boron and sodium as it pertains to the plain region as well as the boron median objective as it pertains to the upland portions of the Lompoc subarea may not be sufficiently justified and may encourage further degradation of the ground water system.

THEREFORE BE IT RESOLVED:

1. That revision of the first paragraph of the "Lompoc Valley Region" subsection of the "Municipal Wastewater Management Implementation Plan" section in Chapter 5 of the Basin Plan as stated in Central Coast Regional Board Resolution No. 84-05 adopted on October 12, 1984 be approved.

2. That the median ground water objectives for the plain, upland, and terrace regions of the Lompoc subarea be approved as adopted in Central Coast Regional Board Resolution No. 86-04 adopted on April 11, 1986.
3. That the median ground water quality objectives for sodium and boron for the plain region as well as the boron objective for the upland region of the Lompoc subarea in the Basin Plan amendment as adopted in Central Coast Regional Board Resolution No. 86-04 be remanded to the Central Coast Regional Board.
4. That the Central Coast Regional Board develop a map to be incorporated into the Basin Plan delineating the plain, upland, and terrace regions of the Lompoc subarea.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 16, 1987.


Maureen Marche
Administrative Assistant to the Board

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 87- 25

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE
CENTRAL COASTAL BASIN TO REVISE GROUND WATER QUALITY OBJECTIVES FOR
THE SANTA MARIA GROUND WATER BASIN

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region (Central Coast Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) on March 14, 1975.
2. Division 7 of the California Water Code specifies that basin plans be periodically reviewed and, if appropriate, revised.
3. The Central Coast Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act.
4. On February 14, 1986, following a public hearing, the Central Coast Regional Board adopted Resolution No. 86-03 amending the Basin Plan by revising the ground water quality objectives for the Santa Maria Ground Water Basin.
5. Regional Board staff indicates that the proposed long-term values for the constituents represent existing water quality. With this understanding of the proposed objectives, it is recommended to approve only the long-term objectives. This presents a uniform approach recognizing existing water quality where the long-term objective would be applicable with the exception of five values set at Maximum Contaminant Level (MCL) which conflicts with criteria set in the California Administrative Code Title 22. This conflict results from the inclusion of MCLs into a median ground water objective table, which would lead to violations of secondary drinking water standards. For these five cases, the MCL would be the highest value set, and no values set at short-term MCLs (three proposed). A footnote to clarify this case would be added to the ground water objective table.

Santa Maria ground water objectives would be as follows:

		<u>TDS</u>	<u>Cl</u>	<u>SO₄</u>	<u>B</u>	<u>Na</u>	<u>NO₃</u>
I	Upper Guadalupe	1000	165	500	0.5	230	6
II	Lower Guadalupe	1000	85	500	0.2	90	9
III	Lower Nipomo Mesa	710	95	250	0.15	90	25
IV	Orcutt	740	65	300	0.1	65	10
V	Santa Maria	1000	90	510	0.2	105	35

6. The increase in the number of sub-basins (from two to five) to accurately describe local ground water quality requires the incorporation of a map into the Basin Plan depicting the newly defined sub-basins.

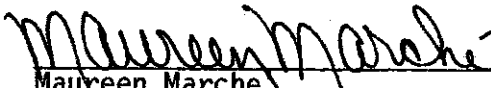
7. Basin Plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

1. That the amendment of the Basin Plan, as described in Central Coast Regional Board Resolution No. 86-03 adopted on February 14, 1986, be approved with the exception of the short-term objectives. The long-term objectives, which represent existing water quality, are approved as water quality objectives. In five cases where an upper MCL is indicated (three TDS values set at 1,000 mg/l and two sulfate values set at 500 mg/l), a footnote explaining that these values are maximums is added to the ground water objective table.
2. That the Regional Board shall include a map in the Basin Plan to accurately describe the newly defined ground water sub-basins.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 16, 1987.


Maureen Marche
Administrative Assistant to the Board

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 85-88

APPROVAL OF REVISIONS AND AMENDMENTS TO THE WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COASTAL BASIN CONCERNING
BENEFICIAL USES OF CERTAIN WATERS

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region (Central Coast Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin (Basin Plan), on March 14, 1975.
2. The Central Coast Regional Board amended Chapter 2, Table 2-1, Existing and Anticipated Uses of Inland Surface Waters of the Basin Plan on July 9, 1982. The amendment omitted the correction of municipal uses for San Antonio Reservoir from anticipated to existing use and for Nacimiento Reservoir from existing to anticipated use.
3. The Central Coast Regional Board amended Chapter 2, Table 2-2, Existing and Anticipated Future Uses of Coastal Waters, of the Basin Plan on January 20, 1984. The amendment omitted shellfish harvesting as an existing beneficial use for Moss Landing Harbor.
4. The Central Coast Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act.
5. On March 8, 1985, following a public hearing, the Central Coast Regional Board adopted Resolution No. 85-04 amending their Basin Plan concerning the beneficial uses of certain waters within the Central Coastal Basin.
6. The State Board has reviewed the revisions and amendment adopted by the Central Coast Regional Board Resolution No. 85-04.

THEREFORE, BE IT RESOLVED THAT:

Amendment of the Water Quality Control Plan for the Central Coastal Basin as described in Central Coast Regional Board Resolution No. 85-04 adopted by the Central Coast Regional Board on March 8, 1985 be approved.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 19, 1985.

Raymond Walsh

Raymond Walsh
Interim Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 85-11

CONSIDERATION OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COASTAL BASIN TO INCORPORATE NUTRIENT OBJECTIVES
FOR THE PAJARO RIVER AND LLAGAS CREEK

WHEREAS:

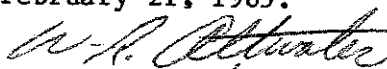
1. The California Regional Water Quality Control Board, Central Coast Region, (Central Coast Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water code specifies that basin plans be periodically reviewed and, if appropriate, revised.
3. In 1977, the Central Coast Regional Board deleted Table 4-3, "Water Quality Objectives for Biostimulants", from the basin plan.
4. The U. S. Environmental Protection Agency, Region 9, (EPA) approved the deletion of Table 4-3 provided the Central Coast Regional Board established specific nutrient objectives for several surface waters within the Central Coast region.
5. Central Coast Regional Board staff prepared a report which recommends nutrient objectives for the Pajaro River and Llagas Creek.
6. Central Coast Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements of both the California Environmental Quality Act under Public Resources Code Section 21080.5 (Functional Equivalent) and the Federal Clean Water Act.
7. On January 20, 1984, after a public hearing, the Central Coast Regional Board adopted Resolution No. 84-02, "Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coastal Basin--Nutrient Objectives for the Pajaro River and Llagas Creek".
8. Basin plan amendments do not become effective until approved by the State Board.
9. The State Board, after review of the basin plan amendments and the Central Coast Regional Board's record, finds that the proposed nitrogen and phosphorus objectives for the Pajaro River and Llagas Creek are based on an insufficient data base.

THEREFORE BE IT RESOLVED:

That the water quality objectives for nitrogen and phosphorus in the basin plan amendment as adopted in Central Coast Regional Board Resolution No. 84-02 be remanded to the Central Coast Regional Board for further data collection and consideration.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 21, 1985.



Michael A. Campos
Executive Director

FILE

Basin Planning

STATE WATER RESOURCES CONTROL BOARD
WORKSHOP--DIVISION OF TECHNICAL SERVICES
JANUARY 4 AND 5, 1984

ITEM: 21

SUBJECT: CONSIDERATION OF AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL BASIN BY THE ADDITION OF A PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL SEWAGE DISPOSAL SYSTEMS WITHIN THE LOS OSOS/BAYWOOD PARK AREA, SAN LUIS OBISPO COUNTY

DIS- In March 1975, the California Regional Water Quality Control Board, CUSSION: Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan). It was approved by the State Board in April 1975.

On September 16, 1983, the Regional Board adopted an amendment to Chapter 5 of the basin plan in Resolution No. 83-13 (attached) calling for a prohibition of individual and community waste disposal systems in the Los Osos/Baywood Park area effective November 1, 1988.

The Regional Board staff report and Resolution No. 83-13 provides a thorough dissertation of the facts justifying the prohibition action. Following is a summary of information from that report and Regional Board Resolution No. 83-13:

- o The prohibition area is an unincorporated area south of the City of Morro Bay, with current population at less than one-half its projected residential zoning, which would accommodate in excess of 27,000 people. The area's growth rate between 1970 and 1980 was 212 percent of the 1970 population. This population increase has led to a problem of increasing degradation of the upper ground water aquifer from wastewater discharged from private disposal systems. Housing units numbered 4,749 in 1980, all of which utilize some form of private waste disposal system. Water supply is entirely from ground water within the Los Osos ground water basin.
- o The prohibition area's ground water is being contaminated by septic tank/leachfield wastewater disposal systems. These systems contribute an estimated 91 percent of the nitrogen going to ground water, leading to nitrate concentrations which exceed safe drinking water standards, causing a hazard to public health. In 1978, County Service Area #9's municipal well was abandoned due to nitrate concentrations exceeding 45 mg/l. Since then, ground water degradation has been increasing in the upper reaches of the basin. There are preliminary indications that ground water is also being contaminated by fecal coliform; 50 percent of the

wells tested showed total coliform counts exceeding the safe drinking water standards. It is the opinion of the Regional Board staff that with population growth, the lower, purer aquifer may become contaminated.

- o Surface water sampling also indicates total coliform in violation of the basin plan limits for contact recreation. Numerous complaints of surfacing effluent, foul odors, slime buildup, and system failures have been documented.
- o The Regional Board requests the State Board to recognize the problem as qualifying for an "A" priority on the Clean Water Grant Project Priority list.
- o The Regional Board staff assessed proposed alternative measures to prevent further degradation of the ground water and the environmental ramifications of each. The alternatives included (a) regional treatment at Morro Bay, (b) community treatment with ocean disposal, (c) community treatment with land disposal, and (d) no action.
- o Resolution No. 83-13 calls for continued ground water monitoring within the prohibition area by San Luis Obispo County.

Consideration of the Regional Board's draft resolution at the September 16, 1983 public hearing resulted in the adopted version (Resolution No. 83-13). The changes were due largely to public comment and a consensus of the nine Regional Board Members. The most notable adopted changes were:

- a. Resolution No. 83-13 prohibits discharges of waste from all on-site and community sewage disposal systems effective November 1, 1988; the draft version prohibited additional systems immediately and existing systems after July 1, 1987.
- b. Resolution No. 83-13 allows the addition of 1,150 housing units to the prohibition area until full prohibition commences on November 1, 1988. This figure is based on a population projection representing a 20 percent allowable community growth over the next five years. Although the additional systems would result in an increase in nitrogen loading to the ground water, it was the conclusion of the Regional Board that the increase would not result in the degradation of the quality of the lower ground water aquifer.

In reviewing the records and evidence presented by the Regional Board in its staff report, the Brown and Caldwell Phase I Report, the Department of Water Resources' Los Osos/ Baywood Groundwater Protection Study, data and geologic/geohydrologic analysis prepared by the State Board staff, and San Luis Obispo County Environmental Health Department files, the State Board staff concludes that the Regional Board action

of establishing a waste discharge prohibition in the Los Osos/Baywood Park area is justified. The record cites conditions which constitute contamination and pollution as defined in Section 13050 of the Water Code.

The State Board staff further concludes that the Regional Board prepared documents and followed appropriate procedures to satisfy the California Environmental Quality Act and the federal Clean Water Act requirements.

POLICY Should the State Board approve the Regional Board's amendment to
ISSUE: Chapter 5 of the basin plan?

FISCAL This activity is budgeted within existing programs, and no additional
IMPACT: fiscal requirements will occur as a result of approving this item.

STAFF That the State Board approve the prohibition as set forth in Regional
RECOMMEN- Board Resolution No. 83-13 amending the basin plan.
DATION:

Policy
Legal
Fiscal

ELL 7-23
[Signature]
[Signature]

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO.

CONSIDERATION OF AMENDMENT TO THE WATER QUALITY CONTROL
PLAN FOR THE CENTRAL COASTAL BASIN BY THE ADDITION OF A
PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL SEWAGE
DISPOSAL SYSTEMS WITHIN THE LOS OSOS/BAYWOOD PARK AREA,
SAN LUIS OBISPO COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) in March 1975. The basin plan was approved by the State Board in April 1975.
2. Division 7, Section 13240 et seq., of the California Water Code, specifies that basin plans shall be periodically reviewed and may be revised; and on September 16, 1983, after a public hearing, the Regional Board adopted Resolution No. 83-13 amending the basin plan.
3. The amendment revises Chapter 5 to add a prohibition of individual and community waste disposal systems in the Los Osos/Baywood Park area of San Luis Obispo County, effective November 1, 1988 and specifying an acceptable 1,150 additional on-site systems in the interim.
4. Water supply to the prohibition area is entirely from the Los Osos ground water basin. The Los Osos ground water basin appears to consist of a single, saturated, unconfined aquifer system with a few isolated confined areas.
5. Recent population growth (212 percent from 1970 to 1980) has resulted in a population of 10,993 persons (1980). Current zoning will accommodate a population of excess of 27,000 persons.
6. On-site soil absorption or evapotranspiration systems are the sole means of wastewater disposal.
7. Chemical analysis of shallow wells indicated that 38 percent of the wells tested contained nitrate concentrations which exceed State Drinking Water Standards.
8. Bacterial analyses of 42 wells disclosed that coliform concentrations exceeded State drinking water standards in 26 of the wells tested.
9. Surfacing effluent, foul odors, and disposal system failures have been documented and inspected by the San Luis Obispo County Health Agency and the California Department of Health Services.
10. The Los Osos basin ground waters have been designated as suitable for agricultural, municipal, industrial, and domestic water supply. The Regional

Board has concluded that beneficial uses of the ground water and surface waters are adversely affected by the continued use of individual sewage disposal systems and that there appears to be a trend of increasing degradation of the upper ground water aquifer and a threat to the lower, purer aquifer.

11. The Regional Board concluded that although an additional 1,150 septic systems would increase nitrogen loading to the ground water, the increase would not result in the degradation of the quality of the lower ground water aquifer.
12. The Regional Board requests the State Board to recognize the problem as qualifying for an "A" priority on the Clean Water Grant Project Priority list.
13. Regional Board staff prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act (Public Resources Code, Section 21080.5) and the federal Clean Water Act; the Regional Board found that adoption of this prohibition will not have a significant adverse affect on the environment.
14. The Regional Board satisfied the public notice requirements of the California Water Code, Section 13244, and has responded to comments received.
15. The State Board finds, consistent with the California Water Code, Section 13280, that there is substantial evidence in the record that the continued discharge of waste from individual on-site sewage disposal systems will unreasonably degrade water quality.
16. In satisfaction of the requirements of the California Water Code, Section 13283, the State Board finds that the record includes a review of possible alternatives to prohibiting discharges from individual on-site disposal systems.
17. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

1. That the basin plan amendment be approved as adopted by Regional Board Resolution No. 83-13 and the basin plan be amended as follows:
 - "8. Discharges of waste from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/Baywood Park area, and more particularly described as:

'Groundwater Prohibition Zone'
(Legal description to be provided for area prescribed by Regional Board)

009295

"Failure to comply with any of the compliance dates established by Resolution No. 83-13 will prompt a Regional Board hearing at the earliest possible date to consider adoption of an immediate prohibition of discharge from additional individual and community seware (SIC) disposal systems.

"Discharges from individual or community systems within the prohibition area in excess of an additional 1150 housing units (or equivalent) are prohibited, commencing with the date of State Water Resources Control Board approval."

2. State Board approval of the prohibition does not constitute a commitment to amend the Clean Water Grant Project Priority list, nor does it ensure federal and/or state funding of any project construction.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 19, 1983.

Michael A. Campos
Executive Director

009296

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-13

Revision and Amendment of Water Quality Control
Plan by the Addition of a Prohibition of Waste
Discharge from Individual Sewage Disposal
Systems Within the Los Osos/Baywood Park Area,
San Luis Obispo County

- WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (hereafter Basin Plan) on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of pollution and nuisance; and,
- WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,
- WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code defines criteria for such prohibition areas (Section 13240 et seq.); and,
- WHEREAS, Los Osos/Baywood Park is an unincorporated community, with a 1980 population of 10,933 persons located south of the City of Morro Bay, in San Luis Obispo County; and,
- WHEREAS, current zoning will accommodate a population in excess of 27,000 people and an average residential lot size of about 6600 ft²; and,
- WHEREAS, on-site soil absorption or evapotranspiration systems are the sole means of wastewater disposal in the Los Osos/Baywood Park area; and,
- WHEREAS, the Los Osos/Baywood Park area soil permeability is rapid and there are substantial areas with high groundwater; and,
- WHEREAS, the majority of lots are too small to provide adequate dispersion of individual sewage disposal system effluent; and,

- WHEREAS, the San Luis Obispo County Environmental Health Department has provided documentation concerning the problem of liquid waste disposal in the Los Osos/Baywood Park area; and,
- WHEREAS, the County of San Luis Obispo is preparing an environmental impact report (EIR) in accordance with the California Environmental Quality Act and a project report that identifies adverse environmental impacts from continued use of septic tanks in the Los Osos/Baywood Park area and discusses alternatives to existing wastewater management practices; and,
- WHEREAS, "Los Osos-Baywood Park/Phase I Water Quality Management Study" cites conditions which constitute contamination and pollution as defined in Section 13050 of the California Water Code; and,
- WHEREAS, chemical analyses of wells in Los Osos/Baywood Park indicates 38% of the shallow wells tested in the Phase I study, taking water from the Old Dune Sands deposits portion of the aquifer, contain nitrate concentrations which exceed State Health Department Drinking Water Standards of 45 milligrams per liter; and,
- WHEREAS, bacterial analyses of 42 wells tested in the Phase I study resulted in 26 wells indicating total coliform in violation of State Health Drinking Water Standards, and 2 wells indicating fecal coliform in violation of Basin Plan limits for groundwater; and,
- WHEREAS, surface water bacterial analyses tested in the Phase I study indicated total and fecal coliform levels exceeding Basin Plan recommended limits for water contact recreation (REC-1); and,
- WHEREAS, a letter from the California Health and Welfare Agency, Department of Health Services, states their concerns regarding the high nitrate levels in the waters of Los Osos/Baywood Park area, and recommends adequate measures be taken to correct the nitrate problems to bring the waters into compliance with California Drinking Water Standards; and,
- WHEREAS, a letter from the San Luis Obispo County Health Agency Director cites violation of the public health limit for nitrates and recommends elimination of shallow groundwater usage and adoption of a discharge prohibition; and,
- WHEREAS, the Regional Board is obligated to include a program of implementation for achieving water quality objectives in its Basin Plan; and,
- WHEREAS, present and anticipated future beneficial uses of Los Osos/Baywood Park creeks include recreation and aquatic habitat; and,

009296

- WHEREAS, Los Osos Basin groundwaters are suitable for agricultural, municipal, domestic, and industrial water supply; and,
- WHEREAS, a Regional Board staff report finds beneficial uses of Los Osos ground and surface waters are adversely affected by individual sewage disposal system discharges, there appears to be a trend of increasing degradation, and public health is jeopardized by occurrences of surfacing effluent; and,
- WHEREAS, drafts of proposed revisions and amendments of the Basin Plan, prohibiting discharges from Los Osos/Baywood Park individual sewage disposal systems, have been prepared and provided to interested persons and agencies for review and comment; and,
- WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds adoption of this prohibition area will not have a significant adverse effect on the environment; and,
- WHEREAS, on September 16, 1983, in the San Luis Obispo City Council Chambers, 990 Palm Street, San Luis Obispo, California, after due notice, the Regional Board conducted a public hearing at which evidence was received pursuant to Section 13281 of the California Water Code concerning the impact of discharges from individual sewage disposal systems on water quality and public health; and,
- WHEREAS, pursuant to Section 13280 of the California Water Code, the Regional Board finds that discharges of wastes from new and existing individual disposal systems which utilize subsurface disposal in the affected area will result in violation of water quality objectives; will impair beneficial uses of water; will cause pollution, nuisance, or contamination; and will unreasonably degrade the quality of waters of the State; and,
- WHEREAS, the Regional Board finds the aforestated conditions in need of remedy to protect present and potential beneficial uses of water and to prevent pollution and nuisance.
- NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be amended as follows:

Page 5-66, after Item 7, following the legal description for Pasatiempo Pines (added by Resolution 83-09), insert the following prohibitions:

"8. Discharges of waste from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/ Baywood Park area, and more particularly described as:

"Groundwater Prohibition Zone

(Legal description to be provided for area prescribed by Regional Board).

"Failure to comply with any of the compliance dates established by Resolution 83-13 will prompt a Regional Board hearing at the earliest possible date to consider adoption of an immediate prohibition of discharge from additional individual and community sewage disposal systems."

Discharges from individual or community systems within the prohibition area in excess of an additional 1150 housing units (or equivalent) are prohibited, commencing with the date of State Water Resources Control Board approval.

BE IT FURTHER RESOLVED, that the above area is consistent with the recommendations of the staff report as shown on "Attachment A."

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria, first paragraph of Page 5-67 of the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that compliance with the above prohibition of existing individual or community sewage disposal systems shall be achieved according to the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
Begin Design	November 1, 1984
Complete Design	November 1, 1985
Obtain Construction Funding	December 1, 1985
Begin Construction	April 1, 1986
Complete Construction	November 1, 1988

BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with schedules shall be submitted to the Regional Board within 14 days following each scheduled date unless otherwise specified, where noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

009300

BE IT FURTHER RESOLVED, the County will continue a monitoring program, approved by the Regional Board staff, that will monitor ground water quality within the prohibition boundaries as set forth in this resolution, and also a monitoring program which covers areas outside the prohibition boundaries but within the urban reserve line as shown in Attachment A.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.


BE IT FURTHER RESOLVED, that the State Water Resources Control Board is hereby requested to amend forthwith the Clean Water Grant Project Priority List to recognize the necessary structural solution for Los Osos/Baywood Park as a Priority "A" project.

BE IT FURTHER RESOLVED, that if the Board holds a hearing and adopts an immediate prohibition as described above, the prohibition is effective as of the date the Regional Water Quality Control Board adopts a prohibition of discharge from additional individual and community sewage disposal systems.

BE IT FURTHER RESOLVED, the Executive Officer of the Regional Board is hereby directed to submit this revision of the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the above prohibition.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on September 16, 1983.


Executive Officer

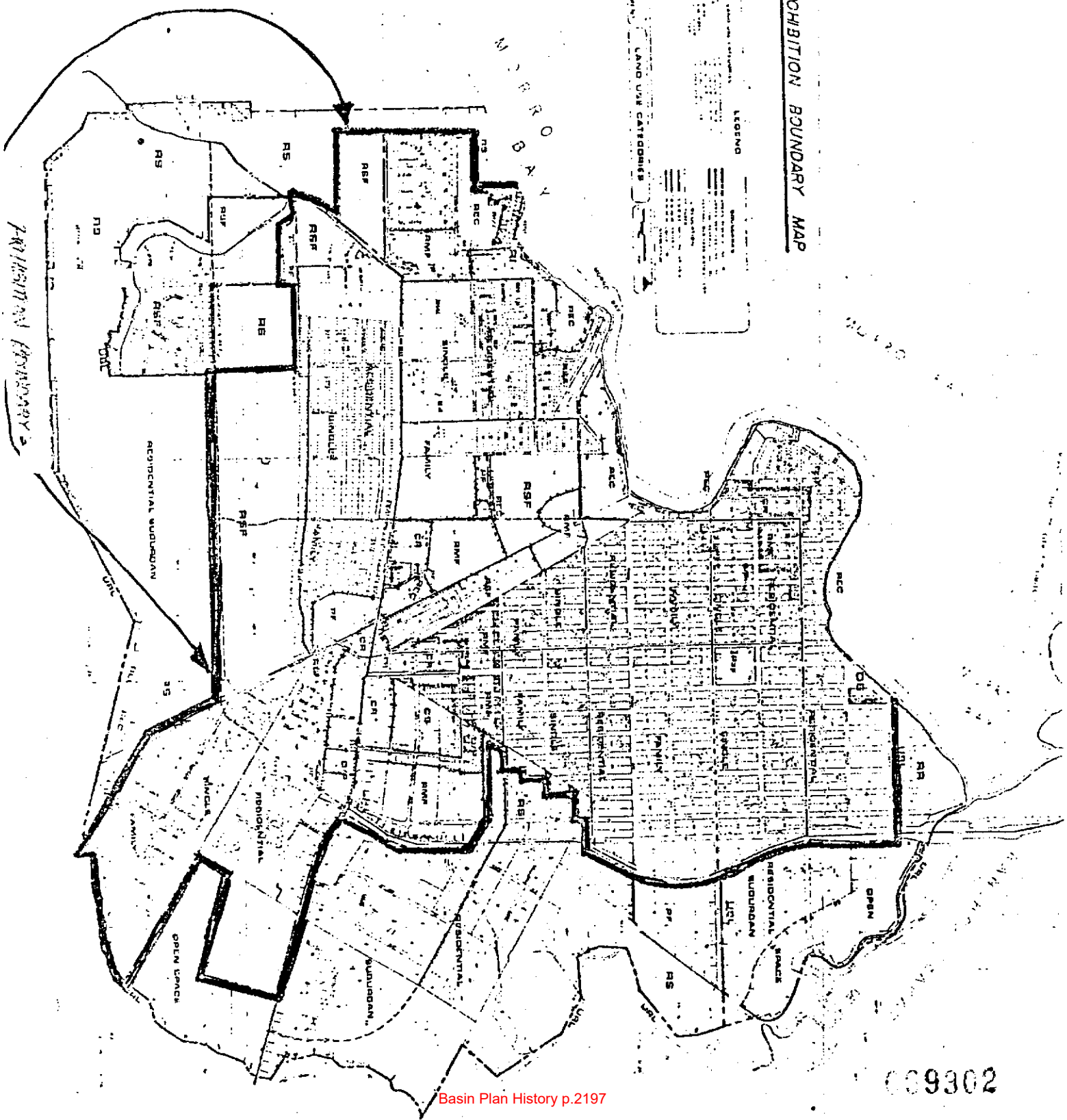
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EXHIBITION BOUNDARY MAP

LEGEND

LAND USE CATEGORIES

[Symbol]	RESIDENTIAL SUBURBAN
[Symbol]	RESIDENTIAL SPACE
[Symbol]	OPEN SPACE
[Symbol]	INDUSTRIAL
[Symbol]	COMMERCIAL
[Symbol]	OFFICE
[Symbol]	RECREATION
[Symbol]	UNDEVELOPED
[Symbol]	WATER
[Symbol]	RAILROAD
[Symbol]	ROAD
[Symbol]	UTILITY



STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 84- 83

REMANDING RESOLUTION NO. 84-10 OF THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, CENTRAL COAST REGION, AMENDING THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL BASIN REVISING BOUNDARIES FOR PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL SEWAGE DISPOSAL SYSTEMS IN THE SAN LORENZO VALLEY

WHEREAS :

1. The California Regional Water Quality Control Board, Central Coast Region, (Central Coast Regional Board) adopted its Water Quality Control Plan for the Central Coastal Basin (basin plan) which was approved by the State Board in April 1975.
2. On January 20, 1983, the State Board approved Central Coast Regional Board Resolution No. 82-10 adopting a prohibition of individual sewage disposal systems within identified boundaries in the San Lorenzo Valley area specifying tasks to be performed in conjunction with the prohibition and establishing a prohibition of waste discharge date of July 1, 1986.
3. On September 21, 1984, the Central Coast Regional Board adopted Resolution No. 84-10 (attached) which supersedes the Central Coast Regional Board's prior action by further amending the prohibition criteria for San Lorenzo Valley and adding a wastewater treatment project completion date of April 1, 1986.
4. The Central Coast Regional Board's action was supported by documentation of property inspections, written requests from affected citizens, and an assumption that a pending application for federal funding for treatment plant construction would be approved.
5. On September 30, 1984, the federal fiscal year ended without approval having been given for a construction grant. The State Board realizes that Resolution No. 84-10 was adopted prior to denial of the project grant application.
6. The citizens within the San Lorenzo Valley Water District, Santa Cruz County, are required to comply with the discharge prohibition without federal or State assistance.
7. The State Board finds, consistent with the California Water Code, Section 13280, et seq., that there is substantial evidence in the record that the continued discharge of waste from on-site sewage disposal systems will unreasonably degrade water quality.
8. The Central Coast Regional Board satisfied the public notice requirements of Section 113244 of the California Water Code and did not receive adverse testimony during the public hearing. Central Coast Regional Board staff responded to all written comments received prior to the hearing.

9. Central Coast Regional Board staff prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the Environmental Quality Act (California Public Resources Code) and the Federal Clean Water Act; the Central Coast Regional Board found that adoption of this prohibition will not have a significant adverse effect on the environment.
10. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

That the State Board remand Resolution No. 84-10 to the Central Coast Regional Board for the following actions:

1. Provide rationale and justification for the revision of the boundaries between Class I and Class II as adopted by the Central Coast Regional Board in Resolution No. 84-10.
2. Consider and address alternatives to the July 1, 1986 discharge prohibition date within the Class I area to achieve water quality standards.
3. Reconsider the April 1, 1986 compliance date for completion of plant construction as adopted by the Central Coast Regional Board in Resolution No. 84-10.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 20, 1984.

for *Walter Pettit*
Michael A. Campos
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 84-52

CONSIDERATION OF AN AMENDMENT BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, CENTRAL COAST REGION, TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL BASIN REGARDING BENEFICIAL USE DESIGNATIONS FOR ELKHORN SLOUGH

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Central Coast Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) in March 1975 which was approved by the State Board on March 20, 1975.
2. Division 7, Section 13240, et. seq., of the California Water Code specifies that basin plans shall be periodically reviewed and may be revised.
3. On January 20, 1984, the Central Coast Regional Board, after a public hearing, adopted the proposed amendment in its Resolution No. 84-01 (attached).
4. The Central Coast Regional Board staff satisfied the public notice requirements in accordance with California Water Code Section 13244 and has responded to comments received.
5. Resolution No. 84-01, adopted by the Central Coast Regional Board, has separated Moss Landing Harbor and Elkhorn Slough into two separate beneficial use designations.
6. The above amendment revises Table 2-2 by establishing beneficial uses for Moss Landing Harbor, but does not identify shellfishing as an existing beneficial use.
7. The Department of Fish and Game's Marine Resources Administrative Report No. 82-11 (J. D. Spratt, 1982) states that Elkhorn Slough is one of the more popular recreational clamming areas in Central California, especially the area on the north bank west of the Highway One bridge; and that from a biological viewpoint, Moss Landing Harbor and Elkhorn Slough are considered one continuous community sharing the same waters and habitat.
8. Separation of the waters into two distinct communities has resulted in the absence of shellfishing as a beneficial use in Moss Landing Harbor. The Central Coast Regional Board administrative records submitted to the State Board do not contain the factor(s) considered by the Central Coast Regional Board to support their decision not to include the shellfishing beneficial use designation in Moss Landing Harbor in the basin plan.
9. Central Coast Regional Board staff prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, Public Resources Code, Section 21080.5,

and the federal Clean Water Act. The Central Coast Regional Board found that adoption of this amendment will not have a significant adverse affect on the environment.

10. The State Board may approve the amendment or remand it to the Regional Board for reconsideration. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

1. That the amendment to the Water Quality Control Plan for the Central Coastal Basin as adopted by Central Coast Regional Board Resolution No. 84-01 be approved with the exception of the absence of shellfishing as a beneficial use in Moss Landing Harbor.
2. That the portion of Table 2-2 in the amendment which addresses designated beneficial uses in Moss Landing Harbor be remanded to the Central Coast Regional Board for review and reconsideration of the absence of shellfishing as a beneficial use.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 19, 1984.

for *Walter G. Pettit*
Michael A. Campos
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 84-36

APPROVAL OF AN AMENDMENT OF THE WATER QUALITY CONTROL PLAN FOR
THE CENTRAL COASTAL BASIN BY THE ADDITION OF A PROHIBITION OF WASTE
DISCHARGE FROM INDIVIDUAL AND COMMUNITY SEWAGE DISPOSAL SYSTEMS
WITHIN THE FRUITLAND AREA, MONTEREY COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Central Coast Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code specifies that basin plans will be periodically reviewed and may be revised.
3. Fruitland is a subdivision of 68 homes located in the Pajaro Valley (near the City of Watsonville) in Monterey County.
4. On-site soil absorption systems are the sole means of wastewater disposal in the Fruitland area.
5. The Monterey County Health Department, at the request of the Monterey County Board of Supervisors, has conducted a septic tank survey of the Fruitland subdivision.
6. The results of this survey indicate that 65-percent of the property owners in Fruitland have attested to on-site waste disposal system problems.
7. The Monterey County Health Department has submitted documentation of conditions which constitute contamination and pollution as defined in Section 13050 of the California Water Code.
8. Over 67-percent of the lots in the Fruitland subdivision are one-half acre or less in size.
9. The U. S. Soil Conservation Service has designated the soils of the Fruitland subdivision as poor (due to slow percolation) for septic tank filter fields.
10. On February 24, 1984, based on the above facts and findings, after a public hearing, the Central Coast Regional Board adopted Resolution No. 84-03 revising Chapter 5 of the basin plan to include a discharge prohibition of the Fruitland subdivision.
11. On March 7, 1984, the Central Coast Regional Board submitted a request for State Board consideration of approval for the above-titled basin plan amendment in accordance with Section 13245 of the California Water Code.

12. In satisfaction of the requirements of California Water Code Section 13283, the State Board finds that the record includes a review of possible alternatives to prohibiting discharges from on-site sewage disposal systems.
13. Central Coast Regional Board staff has prepared documents and followed procedures to satisfy environmental documentation requirements of both the California Environmental Quality Act under Public Resources Code Section 21080.5 (Functional Equivalent) and the Federal Clean Water Act.
14. The Central Coast Regional Board has followed appropriate procedures to satisfy all relevant State statutes.
15. The State Board finds, consistent with the California Water Code, Section 13280, that there is substantial evidence in the record that the continued discharge of waste from individual or community on-site sewage disposal systems will unreasonably degrade water quality.
16. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

1. That the basin plan be amended as follows:

Page 5-66, after Item 9, following the discussion of discharge limitation (added by Resolution No. 83-16), insert the following prohibition:

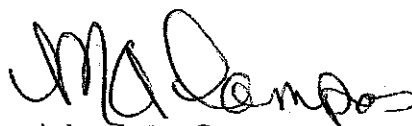
"10. Discharge of waste from additional individual and community sewage disposal systems is prohibited and the discharge of waste from existing individual and community sewage disposal systems is prohibited after July 1, 1987, in the Fruitland Subdivision, Monterey County, and more particularly described as:

'Within the boundaries of the Fruitland Subdivision excluding Assessors Parcel Numbers 117-131-22 and 117-131-23.'"

2. State Board approval of the prohibition does not constitute a commitment to change the Clean Water Grant Project Priority List or provide other assistance.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 17, 1984.



Michael A. Campos
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 84-13

CONSIDERATION OF AMENDMENT TO THE WATER QUALITY CONTROL
PLAN FOR THE CENTRAL COASTAL BASIN BY THE ADDITION OF A
PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL SEWAGE
DISPOSAL SYSTEMS WITHIN THE LOS OSOS/BAYWOOD PARK AREA,
SAN LUIS OBISPO COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) in March 1975. The basin plan was approved by the State Board in April 1975.
2. Division 7, Section 13240 *et seq.*, of the California Water Code, specifies that basin plans shall be periodically reviewed and may be revised; and on September 16, 1983, after a public hearing, the Regional Board adopted Resolution No. 83-13 amending the basin plan.
3. The amendment revises Chapter 5 to add a prohibition of individual and community waste disposal systems in the Los Osos/Baywood Park area of San Luis Obispo County, effective November 1, 1988 and specifying an acceptable 1,150 additional on-site systems in the interim.
4. Water supply to the prohibition area is entirely from the Los Osos ground water basin. The Los Osos ground water basin appears to consist of a single, saturated, unconfined aquifer system with a few isolated confined areas.
5. Recent population growth (212 percent from 1970 to 1980) has resulted in a population of 10,993 persons (1980). Current zoning will accommodate a population of excess of 27,000 persons.
6. On-site soil absorption or evapotranspiration systems are the sole means of wastewater disposal.
7. Chemical analysis of shallow wells indicated that 38 percent of the wells tested contained nitrate concentrations which exceed State Drinking Water Standards.
8. Bacterial analyses of 42 wells disclosed that coliform concentrations exceeded State drinking water standards in 26 of the wells tested.
9. Surfacing effluent, foul odors, and disposal system failures have been documented and inspected by the San Luis Obispo County Health Agency and the California Department of Health Services.
10. The Los Osos basin ground waters have been designated as suitable for agricultural, municipal, industrial, and domestic water supply. The Regional

Board has concluded that beneficial uses of the ground water and surface waters are adversely affected by the continued use of individual sewage disposal systems and that there appears to be a trend of increasing degradation of the upper ground water aquifer and a threat to the lower, purer aquifer.

11. The Regional Board concluded that although an additional 1,150 septic systems would increase nitrogen loading to the ground water, the increase would not result in the degradation of the quality of the lower ground water aquifer.
12. The Regional Board requests the State Board to recognize the problem as qualifying for an "A" priority on the Clean Water Grant Project Priority list.
13. Regional Board staff prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act (Public Resources Code, Section 21080.5) and the federal Clean Water Act; the Regional Board found that adoption of this prohibition will not have a significant adverse affect on the environment.
14. The Regional Board satisfied the public notice requirements of the California Water Code, Section 13244, and has responded to comments received.
15. The State Board finds, consistent with the California Water Code, Section 13280, that there is substantial evidence in the record that the continued discharge of waste from individual or community on-site sewage disposal systems will unreasonably degrade water quality.
16. In satisfaction of the requirements of the California Water Code, Section 13283, the State Board finds that the record includes a preliminary review of possible alternatives to prohibiting discharges from individual on-site disposal systems.
17. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

1. That the basin plan amendment be approved as adopted by Regional Board Resolution No. 83-13 and the basin plan be amended as follows:
 - "8. Discharges of waste from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/Baywood Park area, and more particularly described as:

'Groundwater Prohibition Zone'
(Legal description to be provided for area prescribed
by Regional Board)

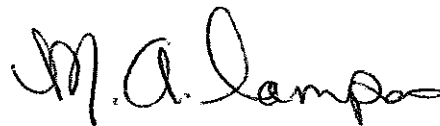
"Failure to comply with any of the compliance dates established by Resolution No. 83-13 will prompt a Regional Board hearing at the earliest possible date to consider adoption of an immediate prohibition of discharge from additional individual and community seware (SIC) disposal systems.

"Discharges from individual or community systems within the prohibition area in excess of an additional 1150 housing units (or equivalent) are prohibited, commencing with the date of State Water Resources Control Board approval."

2. State Board approval of the prohibition does not constitute a commitment to amend the Clean Water Grant Project Priority list, nor does it ensure federal and/or state funding of any project construction.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 19, 1984.



Michael A. Campos
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 84-12

CONSIDERATION OF AN AMENDMENT OF THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL BASIN BY THE ADDITION OF A PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL AND COMMUNITY SEWAGE DISPOSAL SYSTEMS WITHIN THE LOS ALAMOS AREA, SANTA BARBARA COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code specifies that basin plans will be periodically reviewed and may be revised.
3. Los Alamos is an unincorporated community of 734 persons located south of the City of Santa Maria in Santa Barbara County.
4. On-site soil adsorption or evapotranspiration systems are the sole means of wastewater disposal in the Los Alamos area.
5. The predominate lot size in Los Alamos of 5,000 to 10,000 square-feet is too small to accommodate individual sewage disposal systems.
6. Many property owners in Los Alamos have attested to on-site system problems.
7. Ground water sampling has indicated human waste contamination of shallow ground water in the Los Alamos area.
8. The U. S. Soil Conservation Service has designated the soils of Los Alamos as severe (due to slow percolation) for septic tank filter fields.
9. On May 14, 1974, the Santa Barbara County Board of Supervisors designated, by ordinance, the Los Alamos area as a Special Problems Area due to a concern for ground water degradation from septic systems on small lots and shallow ground water; and a committee was established to review building permit applications.
10. The Santa Barbara County Health Care Services Department took surface water samples from San Antonio Creek in January 1983, which showed fecal coliform in excess of 200/100 milliliters at four different locations within the Los Alamos area.
11. Los Alamos Community Services District has submitted documentation of conditions which constitute contamination and pollution as defined in Section 13050 of the California Water Code.
12. A Regional Board staff report indicates beneficial uses of Los Alamos ground and surface waters are adversely affected by individual sewage disposal

system discharges, and public health is potentially threatened by the presence of fecal coliform in ground and surface waters, with high nitrates also detected in ground water sampling wells.

13. On November 18, 1983, based on the above facts and findings, after a public hearing, the Regional Board adopted Resolution No. 83-16 revising Chapter 5 of the basin plan to include a discharge prohibition of the Los Alamos area.
14. On November 22, 1983, the Regional Board submitted a request for State Board consideration of approval for the above-titled basin plan amendment in accordance with Section 13245 of the California Water Code.
15. In satisfaction of the requirements of California Water Code Section 13283, the State Board finds that the record includes a review of possible alternatives to prohibiting discharges from on-site sewage disposal systems.
16. The Regional Board has followed appropriate procedures to satisfy all relevant State statutes.
17. The State Board finds, consistent with the California Water Code, Section 13280, that there is substantial evidence in the record that the continued discharge of waste from individual or community on-site sewage disposal systems will unreasonably degrade water quality.
18. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

1. That the basin plan be amended as follows:

Page 5-66, after Item 8, following the discussion of discharge limitations (added by Resolution No. 83-13), insert the following prohibition:

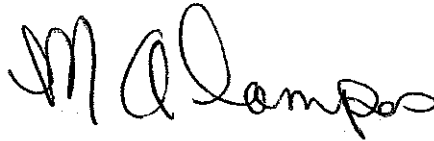
- "9. Discharge of waste from additional individual and community sewage disposal systems is prohibited and the discharge of waste from existing individual and community sewage disposal systems is prohibited after July 1, 1987, in Los Alamos, Santa Barbara County, and more particularly described as:

"Within the boundaries of the Los Alamos Community Services District extant on December 26, 1978."

2. State Board approval of the prohibition does not constitute a commitment to change the Clean Water Grant Project Priority List or provide other assistance.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 19, 1984.



Michael A. Campos
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 84- 11

CONSIDERATION OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COASTAL BASIN (REVISION AND AMENDMENT OF TABLE 2-1,
"EXISTING AND ANTICIPATED USES OF INLAND SURFACE WATERS")

WHEREAS:

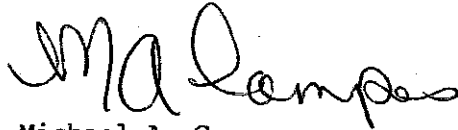
1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan, Central Coastal Basin (basin plan) on March 14, 1975.
2. Chapter 2, Present and Potential Beneficial Uses, of the basin plan includes Table 2-1, Existing and Anticipated Uses of Inland Surface Waters.
3. In 1975, the U. S. Environmental Protection Agency (EPA) approved the basin plan upon the condition that a water contact recreation (REC-1) designation be added to those waters without a REC-1 designation in Table 2-1.
4. Many waters in the Central Coastal Basin are not accessible because of physical or legal reasons.
5. EPA deemed it appropriate to identify, by footnotes to Table 2-1, the physical or legal reasons that water contact recreation cannot take place.
6. The Regional Board conducted a survey of some of the waters listed in Table 2-1 to update REC-1 designations as part of the continuing planning process.
7. On September 16, 1983, the Regional Board adopted Resolution No. 83-14, Concerning Revisions and Amendment of the Water Quality Control Plan, Central Coastal Basin, (Revision and Amendment of Table 2-1, "Existing and Anticipated Uses of Inland Surface Waters").
8. Basin plan amendments do not become effective until approved by the State Board.
9. The State Board, after a thorough review of the Regional Board record, concludes that Resolution No. 83-14 is well documented, will protect water quality, and complies with EPA's conditions for approval.

THEREFORE BE IT RESOLVED:

That Table 2-1 of the basin plan be revised and amended as shown on Attachment A to Regional Board Resolution No. 83-14.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 19, 1984.

A handwritten signature in cursive script that reads "Michael A. Campos".

Michael A. Campos
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 83-94

CONSIDERATION OF AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE
CENTRAL COASTAL BASIN CONCERNING CHAPTER 5, IMPLEMENTATION PLAN FOR
INDIVIDUAL, ALTERNATIVE, AND COMMUNITY DISPOSAL SYSTEMS

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code mandates that basin plans shall be periodically reviewed and may be revised.
3. The basin plan contains a policy regarding non-point source wastewater disposal practices.
4. The Regional Board recognizes that properly planned and installed individual on-site sewage disposal systems can provide satisfactory wastewater treatment and disposal at minimal costs.
5. The Regional Board completed a study entitled "Individual/Community On-Site Sewage Disposal Systems".
6. The aforesaid report identifies water quality, public health, and related problems resulting from on-site disposal system failures and concludes that provisions relating to on-site systems in the basin plan need updating.
7. After three public hearings, the Regional Board adopted Resolution No. 82-09 amending Chapter 5, Implementation Plan for Individual, Alternative, and Community Disposal Systems, on December 10, 1982.
8. The State Board remanded Resolution No. 82-09 back to the Regional Board for reconsideration and further public input.
9. The Regional Board conducted a public workshop on August 3, 1983; and following a public hearing, the Regional Board adopted Resolution No. 83-12 on September 16, 1983.
10. Resolution No. 83-12 applies to Chapter 5, Implementation Plan for Individual, Alternative, and Community Disposal Systems, and specifically to non-point source controls by the Regional Board and other authorities.
11. The Regional Board submitted a request for State Board consideration of approval for Resolution No. 83-12 in accordance with Section 13245 of the California Water Code.

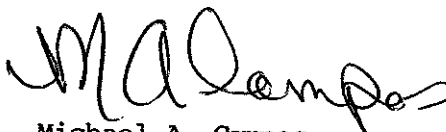
12. The State Board has analyzed the procedures for public review followed by the Regional Board to determine compliance with Federal and State regulations governing the basin planning process.
13. The State Board has determined said procedures are in compliance with the Federal and State regulations.
14. The basin plan process has been certified as a "functional equivalent" to the California Environmental Quality Act (Division 13, Public Resources Code) for preparing environmental documents and is, therefore, exempt from those requirements under regulations contained in Section 15108, Title 14, of the California Administrative Code.
15. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

That the State Board approve the basin plan amendment as revised in Regional Board Resolution No. 83-12.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 15, 1983.



Michael A. Campos
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 83-79

CONSIDERATION OF REVISION AND AMENDMENT OF THE WATER QUALITY CONTROL PLAN, CENTRAL COASTAL BASIN, BY THE ADDITION OF A PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL SEWAGE DISPOSAL SYSTEMS WITHIN THE PASATIEMPO AREA, SANTA CRUZ COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code specifies that basin plans shall be periodically reviewed and may be revised.
3. Pasatiempo Pines is an area of the City of Scotts Valley, and Lockwood Lane is an adjacent unincorporated area in Santa Cruz County.
4. Ground water is the sole source of water, and domestic water supply is designated beneficial use.
5. On-site subsurface disposal systems are the exclusive means of wastewater disposal in Pasatiempo Pines/Lockwood Lane.
6. High population density and unfavorable hydrogeology have resulted in ground water contamination.
7. The San Lorenzo Valley County Water District has discontinued using two wells because nitrate levels exceed public drinking standards.
8. The City of Scotts Valley, in conjunction with the Clean Water Grant Program, has prepared a report entitled "Pasatiempo Pines Wastewater Facilities Planning Study" which documents these effluent disposal and ground water problems.
9. Regional Board staff prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (P. L. 92-500 and P. L. 95-217); the Regional Board found that adoption of this prohibition area will not have a significant adverse effect on the environment.
10. Based on the above facts and findings, on July 15, 1983 after a public hearing, the Regional Board revised Chapter 5 of the basin plan to include a discharge prohibition in Pasatiempo Pines and Lockwood Lane.

11. The State Board finds, consistent with Water Code Section 13280, there is substantial evidence in the record that the continued discharge of waste from individual or on-site sewage disposal systems will unreasonably degrade water quality.
12. The State Board finds, in satisfaction of the requirements of Water Code Section 13283, that the record includes a review of possible alternatives to prohibiting discharges from individual or on-site sewage disposal systems.
13. The State Board concurs that effluent disposal and ground water conditions are in need of remedy to protect present and potential beneficial uses of water and to prevent pollution and nuisance.
14. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

That the basin plan be amended as follows:

1. Insert the following prohibition on Page 5-66 (retyped version of Chapter 5), bottom of page, after paragraph ending with "...Tornoe Road to the Point of Beginning," (added by Resolution No. 83-04):

"6. Discharges from additional individual or on-site sewage disposal systems are prohibited, and discharges from existing individual sewage disposal systems are prohibited effective July 1, 1986, in the areas in the Pasatiempo Pines and Lockwood Lane portion of Santa Cruz County and more particularly described as follows:

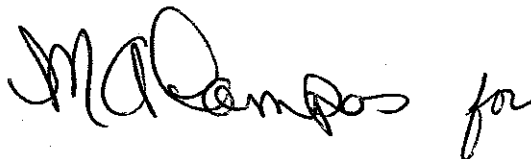
(Legal Description)"

2. That the above area is consistent with the recommendations of the staff report as shown in Attachment A.

3. That the Regional Board does intend standard exemption criteria, contained in the basin plan, to apply to this action.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Board held on October 20, 1983.

A handwritten signature in cursive script that reads "M. Campos for". The signature is written in black ink and is positioned above the printed title.

Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 83- 48

CONSIDERATION FOR APPROVAL OF CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, CENTRAL COAST REGION, RESOLUTION NO. 83-07, CONCERNING REVISIONS AND AMENDMENT OF THE WATER QUALITY CONTROL PLAN, CENTRAL COASTAL BASIN, CHAPTER 5, RECOMMENDED PLAN

WHEREAS:

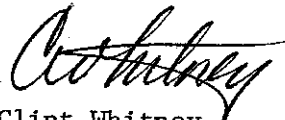
1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan, Central Coastal Basin (basin plan) on March 14, 1975.
2. The State Board approved Part I of the basin plan on March 20, 1975, with the understanding that the stipulated control actions set forth in Chapter 5 are to be implemented, but that identified actions set forth in Chapter 5 other than control actions are recommendations to be taken under consideration by the State Board, Regional Board, and other appropriate agencies.
3. Division 7 of the California Water Code mandates that basin plans shall be periodically reviewed and may be revised.
4. On July 9, 1982, the Regional Board adopted Resolution No. 82-06 amending portions of Chapter 5, Recommended Plan, of the basin plan, which was approved by the State Board on December 16, 1982 (Resolution No. 82-65).
5. On April 15, 1983, after a public hearing, the Regional Board adopted Resolution No. 83-07 amending those portions of Chapter 5, Recommended Plan, which address municipal wastewater management related to the Salinas River, Carmel River, and Monterey Coastal Sub-Basins.
6. On April 25, 1983, the Regional Board submitted a request for State Board consideration of approval for said basin plan amendment in accordance with Section 13245 of the California Water Code.
7. A review of the record by State Board staff resulted in general agreement with the amendment.
8. In regard to Footnote 3, Table 5-3, Institutional Arrangements, it is the engineering judgment of Division of Water Quality staff there will not be excess capacity in most of the Monterey Regional Water Pollution Control Agency (MRWPCA) Regional Plant system; however, there may be excess capacity in parts of the interceptor system and in the outfall pipeline which discharges into central Monterey Bay outside the zone of prohibition.
9. The basin plan amendment is consistent with all federal and state statutes.

THEREFORE BE IT RESOLVED:

1. That those portions of Chapter 5, Recommended Plan, which address municipal wastewater management as shown in Attachment A to Regional Board Resolution No. 83-07 are approved.
2. That if excess capacity is found to be available in the MRWPCA's outfall and parts of the interceptor system, Footnote 3, Table 5-3, Institutional Arrangements, should not serve to limit the ability of MRWPCA to utilize that capacity.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 21, 1983.



Clint Whitney
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 83-41

CONSIDERATION OF AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COASTAL BASIN CONCERNING CHAPTER 5, IMPLEMENTATION
PLAN FOR INDIVIDUAL, ALTERNATIVE, AND COMMUNITY DISPOSAL SYSTEMS

WHEREAS:

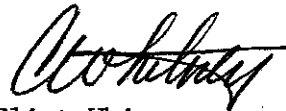
1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code mandates that basin plans shall be periodically reviewed and may be revised.
3. The Regional Board recognizes that properly planned and installed individual on-site sewage disposal systems can provide satisfactory wastewater treatment and disposal at minimal costs.
4. The Regional Board completed a study entitled "Individual/Community On-Site Sewage Disposal Systems".
5. The aforesaid report identifies water quality, public health, and related problems resulting from on-site disposal system failures and concludes that provisions relating to on-site systems in the basin plan need updating.
6. After two public hearings, the Regional Board adopted Resolution No. 82-09, "Concerning Revisions and Amendment of Water Quality Control Plan, Central Coastal Basin", on December 10, 1982.
7. Resolution No. 82-09 applies to Chapter 5, Implementation Plan, and specifically to non-point source controls by the Regional Board and other authorities.
8. The Regional Board submitted a request for State Board consideration of approval for Resolution No. 82-09 in accordance with Section 13245 of the California Water Code.
9. The State Board has analyzed the procedures for public review followed by the Regional Board to determine compliance with State and Federal regulations governing the basin planning process.
10. The State Board has determined said procedures were not in compliance with the State and Federal regulations and finds that due process is best served by remanding Resolution No. 82-09 to the Regional Board.

THEREFORE BE IT RESOLVED:

That Resolution No. 82-09 be remanded to the Regional Board for additional public input and consideration of comments directed to and provided by the State Board during the review process.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 1, 1983.



Clint Whitney
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 83-34

CONSIDERATION OF AN AMENDMENT OF THE WATER QUALITY CONTROL
PLAN FOR THE CENTRAL COASTAL BASIN BY THE ADDITION OF A
PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL SEWAGE DIS-
POSAL SYSTEMS WITHIN THE MISSION CANYON AREA, SANTA BARBARA
COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code specifies that basin plans will be periodically reviewed and may be revised.
3. Most of Mission Canyon is an unincorporated community of 2,400 persons located adjacent to the City of Santa Barbara in Santa Barbara County.
4. On-site soil absorption or evapotranspiration systems are the sole means of wastewater disposal in the Mission Canyon area.
5. The Mission Canyon area has soils with low percolation capacity, steep slopes, and shallow depth to bedrock.
6. The predominate lot size in Mission Canyon of 6,000 to 10,000 square-feet is too small to accommodate individual sewage disposal systems under such adverse geologic conditions.
7. In 1978, the Santa Barbara County Department of Health Care Services completed a report which included a 1958 survey of 294 residences. On-site investigations revealed 32 problem disposal systems. Of those interviewed, 174 residents alluded to the potential of having problems if they were not water-conservation minded.
8. In updating of the County Department of Health Care Services' records in 1982, 172 separate well-documented system failures were counted from 1955 to 1982. Of the 200 documented complaints for the period 1955 to 1982, 44 percent (9 percent of the total parcels developed) dealt with surfacing effluent.
9. The Santa Barbara County Department of Health Care Services conducted surface water sampling which indicated human waste contamination of Mission Creek.
10. The Regional Board has evaluated a draft project report that identifies adverse environmental impacts from continued use of septic tanks in the Mission Canyon area and discusses alternative wastewater management plans. Alternatives evaluated include individual and community subsurface disposal systems, establishing an on-site maintenance district, and conventional sewerage systems.

12. Mission Canyon's Phase I report cites conditions which constitute contamination and pollution as defined in Section 13050 of the California Water Code.
13. Based on the above facts and findings, on February 25, 1983, after a public hearing, the Regional Board adopted Resolution No. 83-04 revising Chapter 5 of the basin plan to include a discharge prohibition of the Mission Canyon area.
14. On March 14, 1983, the Regional Board submitted a request for State Board consideration of approval for the above-titled basin plan amendment in accordance with Section 13245 of the California Water Code.
15. The Regional Board has followed appropriate procedures to satisfy all relevant State statutes.
16. The State Board concurs that effluent disposal and ground water conditions are in need of remedy to protect present and potential beneficial uses of water and to prevent pollution and nuisance problems.
17. Basin plan amendments do not become effective until approved by the State Board. The State Board may approve the amendments or remand them to the Regional Board for reconsideration.

THEREFORE BE IT RESOLVED:

That the basin plan be amended as follows:

- o Under "Local Governing Jurisdiction Recommendation" section, add "Mission Canyon" to the discussion pertaining to on-site wastewater management plans as follows:

"On-site wastewater management plans should be prepared and implemented by local governing jurisdictions (e.g., County Planning Departments) for applicable portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highlands, Prunedale, El Torro/Canyon Del Rey, Santa Margarita/Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, Los Alamos, upper Santa Ynez Valley, Los Olivos/Ballard, and Mission Canyon." *

- o Insert the following prohibition:

"Discharge of waste from additional individual sewage disposal systems is prohibited and the discharge of waste from existing individual sewage disposal systems is prohibited after July 1, 1986, in portions of Mission Canyon, Santa Barbara County, and more particularly described as:

* The language contained in this paragraph was proposed in Regional Board Resolution No. 82-09 dated December 10, 1982. This resolution has not yet been approved by the State Board. Therefore, approval of the language pertaining to on-site wastewater management plans is contingent upon further State Board action.

Surface Water Prohibition Zone

This zone is 200 (horizontal) feet wide and extends 100 feet either side of Mission Canyon, Rattlesnake Canyon and Lauro (Diablo) Canyon Creeks' surface water flow line. The Mission Canyon Creek 200 foot zone begins at the southwest corner of the county boundary and terminates at the northernmost boundary of Township 4 North, Range 27 West, Section 4 San Bernardino Base and Meridian. The Rattlesnake Canyon Creek 200 foot zone begins at the point of confluence with Mission Canyon Creek and Terminates upstream at the city/county boundary. The Lauro (Diablo) Canyon Creek 200 foot zone applies to the portion of the creek upstream from Lauro Reservoir.

Prohibition Area Description

Prohibition area description is included as Attachment A.

Those parcels with existing systems within the surface water prohibition zone are subject to the conditions of the prohibition. The property owner must relocate the discharge outside the designated zone by July 1, 1986 to a site compatible with the basin plan siting criteria."

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 24, 1983.



Clint Whitney
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 83-33

CONSIDERATION OF REVISION TO AMENDMENT TO THE WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COASTAL BASIN CONCERNING WATER
QUALITY STANDARDS FOR ENDRIN AND RADIOACTIVITY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) by Resolution No. 82-07, adopted "Amendments to the Water Quality Control Plan for the Central Coastal Basin Concerning Water Quality Standards for the San Lorenzo River, Santa Cruz County".
2. On July 21, 1982, in compliance with California Water Code Section 13245, the Regional Board submitted a request to the State Board for approval of the Water Quality Control Plan for the Central Coast Basin (basin plan), and the State Board took the Regional Board's basin plan amendment under consideration at its October 21, 1982 regular Board meeting.
3. The State Board adopted Resolution No. 82-44 which approved, in part, the basin plan amendment and remanded a portion back to the Regional Board for reconsideration.
4. Specifically, the exceptions to the approval requested the Regional Board to do the following:
 - a. Correct an error which would have set the maximum contaminant level for endrin at 0.002 mg/l which is above the Federal standard of 0.0002 mg/l;
 - b. Correct a mis-citing of Title 22, California Administrative Code, of the section dealing with radioactivity; and
 - c. Revise the gross alpha particle activity of 15 picocuries per liter (pCi/l) to exclude radon and uranium and include in accordance with Title 22.
5. On February 25, 1983, the Regional Board complied with all State Board recommendations in its Resolution No. 83-03 and requested State Board reconsideration and approval.
6. Regional Board Resolution No. 83-03 further amends the basin plan (page 4-9) by inserting a supplemental paragraph under "Radioactivity" which specifies a standard for uranium-derived alpha particles, as follows:

"Until a radionuclide standard for uranium-derived alpha particles in domestic or municipal water supply is promulgated by the U. S. Environmental Protection Agency, waters designated for use as domestic or municipal supply (MUN) should not exhibit uranium-derived gross alpha particle activity in excess of 10 pCi/l, the U. S. Environmental Protection Agency's current advisory limit."

7. EPA staff advises 10 pCi/l as a safe limit for uranium in drinking water and that field tests of methods of removing excessive uranium are currently being conducted.
8. In adopting a numerical limit, the Regional Board stated its opinion that a limit would provide some guidance for public health and safety.
9. The State Board is desirous of recognizing the above addendum to the basin plan as an expression of the Regional Board's concern for public health and safety. The State Board recognizes that 10 pCi/l is an advisory limit for uranium and not an enforceable safe drinking water quality standard.

THEREFORE BE IT RESOLVED:

1. That the State Board approve the basin plan amendment as revised in Regional Board Resolution No. 83-03 for pages 4-8 and 4-9, Pesticides, and page 4-9, Radioactivity (excluding radon and uranium and including radium-226 in the gross alpha particle activity contaminant level).
2. That the addendum specifying a numerical contribution from uranium to the gross alpha particle activity be accepted as an advisory limit, but not as an enforceable standard.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 24, 1983.



Clint Whitney
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 83-16

CONSIDERATION OF AN AMENDMENT OF THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL BASIN BY THE ADDITION OF A PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL SEWAGE DISPOSAL SYSTEMS WITHIN THE BORONDA COUNTY WATER DISTRICT AND VIRGINIA ACRES AREA, MONTEREY COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code specifies that basin plans shall be periodically reviewed and may be revised.
3. Boronda (including Virginia Acres) is an unincorporated community located adjacent to the City of Salinas, Monterey County.
4. Local ground water is the sole source of water; and beneficial uses include agricultural, municipal, industrial, and domestic water supplies.
5. On-site soil absorption systems are the exclusive means of wastewater disposal in Boronda.
6. The soils in the Boronda area have a low percolation rate, and the majority of land parcels are too small to accommodate individual disposal systems.
7. The Monterey County Health Department has concluded that the Boronda and Virginia Acres area is a health problem due to failure of on-site disposal systems and nitrate contamination of domestic water supply.
8. The Boronda County Water District (BCWD) has prepared a waste management study and an Environmental Impact Report which effectively document the aforesaid effluent disposal and ground water problems. BCWD's waste management study also evaluates alternative solutions to the problem.
9. Based on the above facts and findings, on January 14, 1983, after a public hearing, the Regional Board revised Chapter 5 of the basin plan to include a discharge prohibition in Boronda and Virginia Acres.
10. The Regional Board has followed appropriate procedures to satisfy all relevant state and federal statutes.
11. The State Board concurs that effluent disposal and ground water conditions are in need of remedy to protect present and potential beneficial uses of water to prevent pollution and nuisance.
12. Water Quality Control Plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

That the basin plan be amended as follows:

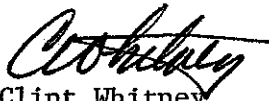
1. Insert the following prohibitions in Chapter 5:

"Discharges from additional individual or on-site sewage disposal systems are prohibited, and discharges from existing individual sewage disposal systems are prohibited effective July 1, 1986, in the areas in Monterey County described as follows:

- a. Boronda County Water District.
 - b. Virginia Acres (area bounded by Boronda County Water District and Boronda Road).
 - c. Parcels bounded by Boronda County Water District and Brooks Road (approximately 250 feet east of intersection with Boronda Road)."
2. Areas a, b, and c are consistent with the recommendations of the staff report as shown on Attachment A.
 3. The Regional Board does intend standard exemption criteria, first paragraph of page 5-67 of the basin to apply to this section.*

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 17, 1983.


Clint Whitney
Executive Director

* The criteria referenced are contained in a basin plan amendment that has not yet been approved by the State Board. Until amended criteria are approved by the State Board, existing basin plan exemption criteria shall apply.

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 83-6

CONSIDERATION OF AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR
THE CENTRAL COASTAL BASIN CONCERNING THE PROHIBITION OF INDIVIDUAL
SEWAGE DISPOSAL SYSTEMS IN THE SAN LORENZO VALLEY OF SANTA CRUZ
COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan, Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code mandates that basin plans shall be periodically reviewed and may be revised.
3. The Regional Board staff prepared a report entitled "San Lorenzo Valley Basin Plan Amendment".
4. The aforesaid report identifies beneficial uses and water quality objectives for the San Lorenzo River and documents the need to prohibit discharges from new and existing individual sewage disposal systems within certain chronic problem areas (Class I) of San Lorenzo Valley.
5. In addition, that report also documents the need to prohibit discharges from new systems within certain other specified communities (Class II) unless a public agency assumes responsibility and initiates a program to assure adequate design, location, sizing, spacing, and construction of all systems and proper maintenance of existing and new systems.
6. Based on the findings of the aforesaid report, the Regional Board has determined that Chapter 5, Recommended Water Quality Management Plan, of the basin plan requires revision.
7. The Regional Board, after a public hearing, adopted Resolution No. 82-10, Consideration of Amendments to the Water Quality Control Plan for the Central Coastal Basin Concerning Water Quality Standards for the San Lorenzo River, Santa Cruz County, on November 5, 1982.
8. On November 16, 1982, the Regional Board submitted a request for State Board consideration of approval for the above-titled basin plan amendment in accordance with Section 13245 of the California Water Code.
9. A review of the record finds reasonable justification of the basin plan amendment.
10. The basin plan amendment is consistent with Section 13000 of the California Water Code which mandates that waters of the State shall be regulated to attain the highest quality water which is reasonable.

THEREFORE BE IT RESOLVED:

That the State Board approve the following amendment to the basin plan.

Page 5-66 (of retyped version of Chapter 5), bottom of page, after paragraph ending with "...POINT OF BEGINNING...", insert the following prohibitions:

"4. Discharges from individual sewage disposal systems within the San Lorenzo Valley north of Henry Cowell State Park shall be managed as follows:

a. Additional discharges within five major communities are prohibited where the affected area (Class I Area) is defined by the following Santa Cruz County Assessor's Parcel Numbers:

--Ben Lomond

Book 77, Pages*04 (Block 1, Lots 15, 16, 17, 20, 21, 27, 28, 29, 30, 31, 36, 37, 40, 41, 42, 47, 48, 50, 51, 52), 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24 (Block 1 only), 25, 26, 27, 28

Book 78, Page 162-03

--Boulder Creek

Book 81, Pages*06, 07, 08, 09, 11, 12, 13, 14, 15 (all Block 1 and Block 2, Lots 1, 2, 3, 4, 8, 9, 11, 12), 16, 17, 20, 21, 22, 25, 26, 27, 28, 29

Book 82, Pages*20, 21, 22, 23, 27 (Block 1, Lot 12 only)

Book 89, Pages*16 (Block 3, Lot 1; Block 5, Lots 3, 4, 5), 17 (Block 1, Lots 4, 5), 18

Book 90, Pages*01, 02, 11 (Block 1, Lots 17, 19, 21, 22, 23, 24, 25)

--Lower Kings/
Wildwood

Book 83, Pages*04, 07, 08, 11, 12, 13 (Block 1, Lots 1, 2, 4, 5, 6, 18, 19; Block 2)

Book 84, Pages*01, 02, 03, 04, 05, 06, 07, 08, 09, 11

Book 85, Pages*13, 14, 16, 17, 18, 19

--Glen Arbor

Book 72, Pages*07, 11, 14, 15, 17, 18 (Block 1, Lots 25, 26; Block 2, Lots 1, 2, 3)

* Parcel numbers are indicated by complete pages, unless otherwise noted.

--Brookdale	Book 79, Pages*9, 10 (Block 1, Lots 6, 8, 9, 10, 12, 13, 14, 15, 18; Block 2, Lots 1, 2, 3, 4)
--Forest Springs/ Forest Park/ Brackenbrae	Book 81, Pages 2 (Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 15, 3 (Block 1, Lots 5, 6, 11, 12), 4, 5 (Block 1, Lots 1, 2) Book 82, Pages 1, 2 (Block 1, Lots 2, 3, 4, 5, 6, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 24, 26, 27, 28), 3, 4, 5, 7, 12, 31 Book 83, Pages 16 (Block 1, Lots 5, 7, 8, 13, 14, 15, 16, 18), 17 (Block 1, Lot 4), 18, 19, 20, 21, 22, 23
--Riverside Grove	Book 85, Pages*2, 3, 4, 5, 6, 8
--San Lorenzo Woods/ Ramona Woods	Book 87, Pages*16, 18, 19, 20, 21
--San Lorenzo Park	Book 87, Pages*7, 8, 9, 10, 11, 12
--Zayante	Book 74, Pages*2, 3, 4, 5, 7, 9, 10, 12, 13, 14, 15, 16
--Lompico	Book 75, Pages*1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30

o Systems within the Class II Area are regularly inspected and maintained in a manner that will protect water quality, protect beneficial uses of water, and prevent nuisance, pollution, and contamination.

- d. In fulfilling the responsibility identified in subparagraph 4.c, the County of Santa Cruz shall submit a written report before January 1, 1984, identifying actions which have been taken and which must be taken to achieve objectives, including recommendations for appropriate action by any entity, identification of sources of funding, a time schedule for actions to be taken, and a description of surveillance to be undertaken to determine compliance with objectives.

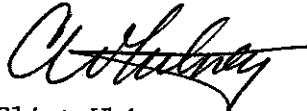
* Parcel numbers are indicated by complete pages, unless otherwise noted.

BE IT FURTHER RESOLVED, that the State Board approve the following exemption provision from Regional Board Resolution No. 82-10:

"Parcels within the Class I Area and with a Finding of Compliance and/or building permit allocation issued before November 6, 1982, are exempted from the prohibition of additional discharges (subparagraph '4.a.' of the amendment), but not the prohibition of discharges that becomes effective July 1, 1986 (subparagraph '4.b.' of the amendment)."

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 20, 1983.



Clint Whitney
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 82-65

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN,
CENTRAL COASTAL BASIN, POLICY FOR MUNICIPAL WASTEWATER
MANAGEMENT

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan, Central Coastal Basin, (basin plan) on March 14, 1975.
2. The Regional Board has determined the basin plan requires further revision and amendment.
3. Proposed revisions and amendments apply to Chapter 5, Recommended Plan, of said basin plan.
4. The State Board approved Part I of the basin plan on March 20, 1975, with the understanding that the stipulated control actions set forth in Chapter 5 are to be implemented, but that identified actions set forth in Chapter 5 other than control actions are recommendations to be taken under consideration by the State Board, Regional Board, and other appropriate agencies.
5. The Regional Board, on July 9, 1982, adopted Resolution No. 82-06 delineating revisions and amendments to pages 5-1 through 5-27 of the basin plan.
6. The amendments contained in Regional Board Resolution No. 82-06 pertain to identified actions other than control actions and are, therefore, recommendations to be taken under consideration by the State Board, Regional Board, and other appropriate agencies.
7. Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217).

THEREFORE BE IT RESOLVED:

That the State Water Resources Control Board approves the amendment to the Water Quality Control Plan for the Central Coastal Basin contained in Regional Board Resolution No. 82-06 acknowledging that the recommended plans specify stringent discharge requirements for municipal dischargers. Timing of implementation may be dependent upon evaluations of the effectiveness of each project in solving documented water quality problems.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 16, 1982.



Clint Whitney
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 82- 64

CONSIDERATION OF AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COASTAL BASIN CONCERNING WATER QUALITY STANDARDS
FOR THE SALINAS RIVER

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan, Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code mandates that basin plans shall be periodically reviewed and may be revised.
3. In 1981, the Regional Board prepared and published a report entitled "A Review of Water Quality Standards for the San Lorenzo and Salinas Rivers".
4. The aforesaid report identifies beneficial uses and water quality objectives for the two rivers and cites some general water quality objectives for all inland surface waters in the Central Coast region where references and data have been updated.
5. Based on the findings of the aforesaid report, the Regional Board has determined that Chapter 2, Present and Potential Beneficial Uses, and Chapter 4, Water Quality Objectives, of the basin plan require revision.
6. The Regional Board after a public hearing adopted Resolution No. 82-08, Consideration of Amendments to the Water Quality Control Plan for the Salinas River, on July 9, 1982.
7. On July 21, 1982, the Regional Board submitted a request for State Board consideration of approval for the above-titled basin plan amendment in accordance with Section 13245 of the California Water Code.
8. The basin plan amendment revises beneficial use designations and adds two footnotes to Table 2-1, Existing and Anticipated Uses of Inland Surface Waters.
9. The basin plan amendment also revises the water quality objective for sulfate in the reach of the Salinas River above Spreckels to 125 mg/l.
10. The aforementioned 1981 Water Quality Standards Report is the basis for a number of these revisions.
11. A review of the record finds that the Regional Board agenda item attached to Resolution No. 82-08 provides reasonable discussion and justification for the remaining revisions.

12. The basin plan amendment is consistent with all federal and state statutes including State Board Water Quality Control Plans.

THEREFORE BE IT RESOLVED:

That pages 2-4 and 4-14 of the basin plan be revised and amended as shown on Attachment A of Regional Board Resolution No. 82-08.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 16, 1982.



Clint Whitney
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION No. 82- 63

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR
THE CENTRAL COASTAL BASIN (BASIN PLAN) POLICY ON WASTE DISCHARGES
FROM MUSHROOM FARM OPERATIONS

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the basin plan on March 14, 1975.
2. The Regional Board has determined the basin plan required further revision and amendment.
3. The Regional Board staff completed a study entitled "Special Investigation--Mushroom Farms" (Mushroom Farm Study).
4. The Mushroom Farm Study identifies existing and potential water quality problems resulting from improper management of mushroom farm waste discharges and recommends guidelines to control water quality problems.
5. On March 19, 1982, after due public notice, the Regional Board received evidence and considered all factors concerning the proposed revisions and amendments to the basin plan.
6. The Regional Board, on July 9, 1982, adopted a basin plan amendment (Order No. 82-04) establishing policy on waste discharges from mushroom farm operations.
7. On August 11, 1982, the Regional Board submitted a request for State Water Resources Control Board (State Board) consideration for approval of the above titled basin plan amendment in accordance with Section 13245 of the California Water Code.
8. A review of the record shows that a basin plan amendment is justified.

THEREFORE BE IT RESOLVED:

That the State Board approves the amendment to the basin plan contained in Regional Board Resolution No. 82-04.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 16, 1982.



Clint Whitney
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 82-44

CONSIDERATION OF AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST BASIN CONCERNING WATER QUALITY STANDARDS FOR THE SAN LORENZO RIVER AND UPDATING SOME GENERAL OBJECTIVES WHICH APPLY TO ALL INLAND AND SURFACE WATERS

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the "Water Quality Control Plan, Central Coastal Basin" (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code mandates that basin plans shall be periodically reviewed and may be revised.
3. The Regional Board staff prepared a report entitled "A Review of Water Quality Standards for the San Lorenzo and Salinas Rivers".
4. The aforesaid report identifies beneficial uses and water quality objectives for the two rivers and cites some general water quality objectives for all inland surface waters in the Central Coast region where references and data have been updated.
5. Based on the findings of the aforesaid report, the Regional Board has determined that Chapter 4, Water Quality Objectives, of the basin plan requires revision.
6. The Regional Board, after a public hearing, adopted Resolution No. 82-07, Consideration of Amendments to the Water Quality Control Plan for the Central Coast Basin Concerning Water Quality Standards for the San Lorenzo River, Santa Cruz County, on July 9, 1982.
7. On July 21, 1982, the Regional Board submitted a request for State Board consideration of approval for the above-titled basin plan amendment in accordance with Section 13245 of the California Water Code.
8. The basin plan amendment updates certain general water quality objectives to reflect revisions and recodification of the California Administrative Code, revises Table 4-8 of Chapter 4, Water Quality Objectives, to present specific water quality objectives in terms of mean values rather than median values, and revises allowable chloride and sodium concentrations to reflect current water quality conditions of the San Lorenzo River.
9. The basin plan amendment proposes a new specific water quality objective for nitrate of .25 mg/l because of a documented problem of algal growth in the San Lorenzo River.
10. The report entitled "A Review of Water Quality Standards for the San Lorenzo and Salinas Rivers" is the basis for a number of the aforementioned revisions.

11. A review of the record finds reasonable justification of the basin plan amendment with the following two exceptions:
 - a. The Regional Board replicated an error in Title 22, Chapter 15, Article 4, Section 64435, Table 3, of the California Administrative Code. The concentration for endrin listed in Title 22 is 0.002 mg/l; the federal standard is 0.0002 mg/l.
 - b. The Regional Board mis-cited the proper section in Title 22 concerning radioactivity. Sections 64441 and 64442 should be cited instead of Section 64435. The inclusion of uranium and radon as a contributor to alpha particle activity is not consistent with Title 22, Chapter 15, Table 5.
12. The basin plan amendment, with these two exceptions, is consistent with Section 13000 of the California Water Code which mandates that waters of the State shall be regulated to attain the highest quality water which is reasonable.

THEREFORE BE IT RESOLVED THAT:

The following pages of the Central Coastal Basin Plan be revised and amended as shown in Attachment A to Regional Board Resolution No. 82-07:

1. Page 4-2, Thermal Plan and Ocean Plan
2. Page 4-4, Table 4-1, Selected Comparisons of Existing Surface Water Quality with Water Quality Planning Criteria.
3. Pages 4-8 and 4-9, Pesticides (excluding limiting concentration for endrin).
4. Page 4-9, Chemical Constituents, including Table 4-4, Inorganic, Organic, and Fluoride Concentrations not to be Exceeded in Domestic or Municipal Supply.
5. Page 4-13, Water Quality Objectives for Specific Inland Waters, Enclosed Bays, and Estuaries.
6. Page 4-14, Table 4-8, Median Surface Water Quality Objectives.

That the following pages of said basin plan as described in Attachment A to Regional Board Resolution No. 82-07 not be revised and those portions of Resolution No. 82-07 be returned to the Regional Board for reconsideration:

1. Pages 4-8 and 4-9, Pesticides--the limiting concentration for endrin.
2. Page 4-9, Radioactivity.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on October 21, 1982.

A handwritten signature in cursive script, appearing to read "Clint Whitney".

Clint Whitney
Executive Director

TE WATER RESOURCES CONTROL BOA
RESOLUTION NO. 80-29

APPROVAL OF WATER QUALITY CONTROL PLAN AMENDMENTS FOR THE
CENTRAL COASTAL AND LAHONTAN BASINS AND CERTIFICATION OF A
PORTION OF THE STATE'S WATER QUALITY MANAGEMENT PLAN

WHEREAS:

1. The State Board is responsible for approving water quality control plans promulgated by the Regional Water Quality Control Boards pursuant to the State Porter-Cologne Act.
2. Caltrans has prepared a document which sets forth its current practices and procedures to ensure that water quality is not adversely affected by State highway construction and maintenance activities.
3. The Central Coast and Lahontan Regional Boards have prepared basin plan amendments based on the document prepared by Caltrans which reference these practices and procedures for State transportation system activities.
4. Public hearings on the basin plan amendments were held by the Central Coast Regional Board on November 9, 1979, and by the Lahontan Regional Board on March 13, 1980.
5. The basin plan amendments, as modified by the public comments, were adopted by the Central Coast and Lahontan Regional Boards on November 9, 1979, and March 13, 1980, respectively.

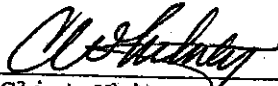
THEREFORE BE IT RESOLVED:

That the Board:

1. Finds the practices and procedures set forth in the Caltrans document are a positive and beneficial step in water quality control.
2. Approves the amendments to the Water Quality Control Plans for the Central Coastal and Lahontan Basins adopted by the Central Coast and Lahontan Regional Boards in Resolution Nos. 79-12 and 80-1.
3. Directs the Executive Director to inform the Central Coast and Lahontan Regional Boards of the Board's action.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 15, 1980.



Clint Whitney
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 80- 6

APPROVAL OF BASIN PLAN AMENDMENT FOR THE CENTRAL COAST REGION
AND PARTIAL CERTIFICATION OF THE NONDESIGNATED AREA 208 PLAN

WHEREAS:

1. The State Board is the responsible agency for conducting water quality management planning in the State's nondesignated area pursuant to Section 208 of PL 92-500 and subsequent amendments.
2. A nondesignated area 208 workplan, approved by the State Board in March 1978, identified planning issues to be addressed which included development of an erosion/sediment control program in the Central Coast Region.
3. Based on 208 planning activities, the Central Coast Regional Board has adopted a basin plan amendment which addresses water quality protection from erosion/sediment causing activities. This basin plan amendment has been submitted to the State Board for approval and certification as partial completion of the Nondesignated Area 208 Plan.
4. A public hearing on the proposed basin plan amendment was held by the Regional Board on September 14, 1979, October 12, 1979, and November 9, 1979.
5. A CEQA functional equivalent document has been prepared and adopted by the Regional Board pursuant to Public Resources Code Section 21080.5 and the Federal Clean Water Act (PL 92-500 and 95-217) and the State Board concurs that the basin plan amendment will not have a significant adverse effect on the environment.

THEREFORE BE IT RESOLVED:

That the Board:

1. Approves Resolution No. 79-9, amending the Basin Water Quality Control Plan for the Central Coast Region with respect to erosion/sediment control.
2. Certifies, pursuant to 40 CFR, Part 35.1523-2 and 35.1523-3, the basin plan amendments as representing partial completion of the State Nondesignated Area 208 Plan.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 24, 1980.


Executive Director

Marian

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 79- 69

APPROVAL OF AMENDMENTS TO BASIN WATER QUALITY CONTROL PLANS
FOR REGIONS 1, 3, 5, 6, AND 7 AND FINAL CERTIFICATION OF
PORTIONS OF THE STATE NONDESIGNATED AREA 208 PLAN

WHEREAS:

1. The State Board is the responsible agency for conducting water quality management planning in the State's nondesignated area pursuant to Section 208 of PL 92-500 and subsequent amendments.
2. A workplan was prepared which set forth regional and interregional issues to be addressed in the nondesignated area and a grant was received from EPA (\$3,175,316) for conduct of the program.
3. Basin plan amendments have been adopted by each of the nondesignated area Regional Boards based on information developed from a portion of the issues addressed in the 208 planning program.
4. These basin plan amendments and other supporting information have been submitted to the State Board for consideration of approval and final certification as partial completion of the Nondesignated Area 208 Plan.
5. The State Board held public workshops on June 21 and July 9, 1979, to consider the basin plan amendments/208 plan issues and the Regional Boards held public hearings prior to the adoption of each basin plan amendment. Public comments and responses are contained in the attached public response summary.
6. The State Board, in Resolution No. 79-59 (June 26, 1979), conditionally certified certain issues as representing partial completion of the State 208 Nondesignated Area Plan and indicated its intent to (a) determine the appropriateness of adopting individual 208 plan elements or portions thereof into existing basin water quality control plans and (b) determine the need to further condition the planning issues being considered.

THEREFORE BE IT RESOLVED:

That the Board:

1. Approves Resolution Nos. 79-3, 79-4, and 79-5 (North Coast Region); 79-05 (Central Coast Region); 79-149 and 79-180 (Central Valley Region); 79-6 and 79-7 (Lahontan Region); and 79-59 and 79-82 (Colorado River Basin Region), amending Water Quality Control Plans for those Regions with respect to the following issues:

All Regions

- o Water Quality Management on U. S. Forest Service Lands
- o Water Quality Management on U. S. Bureau of Land Management Lands

Region 1

- o Individual Waste Disposal Systems Policy

Region 5

- o Erosion/Sediment Control Policy
- o Disposal Guidelines for Pesticide Rinsewaters
- o Abandoned Mines
- o Amador County Sewage Disposal Needs

Region 6

- o Pollution Abatement from Leviathan Mines

Region 7

- o Agricultural Drains
- o Coachella Valley Groundwater Management
- o Pollution of New and Alamo Rivers
- o Colorado River Salinity Control
- o Disposal of Class II-1 Wastes

2. Conditionally certifies, pursuant to 40 CFR, Part 35.1523-2 and 35.1523-3, basin plan amendments as representing partial completion of the State 208 Nondesignated Area Plan and directs the following actions with respect to that conditional certification:

A. Water Quality Management - U. S. Forest Service (USFS) Lands

- (1) Directs the State Board Executive Director to negotiate and execute a Management Agency Agreement (MAA) with the USFS which reflects the concerns and recommendations set forth in Regional Board adoption resolutions.
- (2) Withholds approval of BMPs for pesticide application (Forest Service management practices 5.8 through 5.14) pending completion of related studies by the Board of Forestry for State and private forest lands.
- (3) Designates the Forest Service as the management agency for all activities on National Forest System lands effective upon execution of the MAA.

B. Water Quality Management - Bureau of Land Management (BLM) Lands

- (1) Directs the State Board Executive Director to negotiate and execute a Management Agency Agreement (MAA) with BLM which reflects the concerns and recommendations set forth in Regional Board adoption resolutions.
- (2) Designates BLM as the management agency for all activities on BLM lands effective upon execution of the MAA.

- C. Individual Waste Disposal Systems Policy - North Coast Region
 - (1) Directs staff to submit the policy to other Regional Boards for consideration of adoption.
 - (2) Directs staff to consider addition of a water conservation element to this policy.
 - D. Disposal Guidelines for Pesticide Rinsewaters - Central Valley Region
 - (1) Directs staff to submit the guidelines to other Regional Boards for consideration of adoption.
 - E. Leviathan Mine (Lahontan Region) and Abandoned Mines (Central Valley Region)
 - (1) To encourage implementation of needed corrective actions in these problem areas, directs staff to give high priority to Leviathan Mine and selected mines in the Central Valley in the allocation of State Clean Water and Water Conservation Bond Funds.
 - F. Agricultural Drains (Colorado River Basin Region)
 - (1) Directs staff to prepare, for Board consideration, policy guidelines regarding water quality control and beneficial use protection in agricultural drains, sloughs, and canals.
3. Directs staff to prepare, by February 1, 1980, a comprehensive statewide policy on nonpoint source control which addresses, at a minimum, State/Regional Board regulatory approach, criteria for defining water quality problems, BMP implementation strategy (sanctions/incentives), and State/local agency relationships.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 16, 1979.



Larry F. Walker
Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 78-27

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN,
CENTRAL COAST BASIN (NIPOMO AREA, SAN LUIS OBISPO COUNTY)

WHEREAS:

1. At its March 17, 1978, meeting, the Central Coast Regional Water Quality Control Board, by Resolution No. 78-02, adopted an amendment to the Water Quality Control Plan, Central Coast Basin which (a) prohibits the discharge of waste from new individual waste disposal systems in part of the Nipomo area of San Luis Obispo County, (b) prohibits the discharge of waste from existing individual disposal systems in the prohibition area after July 1, 1982, and (c) requires a one-acre minimum lot size for new individual disposal systems in less densely populated sections of the Nipomo community and allows for exemption to demonstrated functional individual waste disposal systems.
2. With respect to the prohibition of discharge from new and existing individual disposal systems, adoption of Resolution No. 78-02 by the Regional Board meets the criteria set forth in Water Code Section 13280, et seq.
3. There is insufficient hydrogeologic evidence provided in the Regional Board Staff Report on the Nipomo Prohibition to warrant establishing a one-acre minimum lot size requirement in designated areas of Nipomo.

THEREFORE BE IT RESOLVED:

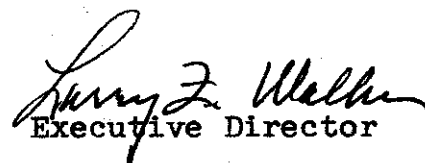
That the State Board:

1. Approves those portions of Resolution No. 78-02 of the Central Coast Regional Water Quality Control Board which revises the Water Quality Control Plan to (a) prohibit the discharge from new leaching or percolation systems within designated areas of the Nipomo community, (b) prohibit discharge of waste from existing leaching or percolation systems in the prohibition area after July 1, 1982, and (c) grants exemptions which meet the criteria described under Section 13282 of the Water Code.
2. Remands, to the Central Coast Regional Board for reconsideration, those portions of Resolution No. 78-02 which would prohibit the discharge from new leaching or percolation systems on lots less than one acre in designated areas of the Nipomo community.

3. Recommends the Central Coast Regional Board conduct, with the assistance of staff of the State Board Hydrogeologic/Geotechnical Section, a more detailed study of the western Nipomo hydrogeologic characteristics affecting water quality in order to determine appropriate lot size criteria.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 18, 1978.


Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 77-73

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY
CONTROL PLAN, CENTRAL COASTAL BASIN (3)

WHEREAS:

1. At its June 10, 1977, meeting, and after noticing a proposed resolution in its agenda for that meeting, the Central Coast Regional Water Quality Control Board adopted Resolution No. 77-04 which amends the Water Quality Control Plan, Central Coastal Basin.
2. Amended portions of the plan include deletion of numerical water quality objectives for nitrogen and phosphorus, a prohibition of discharge of toxic substances to community waste treatment systems, and revisions to prohibitions pertaining to solid waste from logging and construction practices and discharges to portions of Monterey Bay.
3. The prohibition pertaining to solid wastes from logging, construction, and similar activities is inappropriate in that language relating to prohibition to deleterious impacts on beneficial uses has been deleted and that use of a 25-year, 24-hour rainfall event criterion is difficult to define for the broad range of activities subject to the prohibition.
4. The State Board finds that the proposed basin plan revisions are appropriate with the exception of the two aforementioned prohibitions.

THEREFORE BE IT RESOLVED:

That the State Board:

1. Remands to the Central Coast Regional Board, for further consideration, those portions of its Resolution No. 77-04 which pertain to the prohibition pertaining to solid waste from logging construction and similar activities, and
2. Approves, with exception above, Resolution No. 77-04 of the Central Coast Regional Board which amends the Water Quality Control Plan, Central Coastal Basin.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 18, 1977.



Executive Director

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 77-37

PROPOSED APPROVAL OF A RESOLUTION REGARDING
AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN,
CENTRAL COASTAL BASIN (3), AND AN AMENDMENT TO
THE CLEAN WATER GRANTS PRIORITY LIST FOR F.Y.
1976-77

WHEREAS:

1. At its December 10, 1976, meeting, the Central Coast Regional Water Quality Control Board adopted Amended Resolution No. 76-08, which partially revised the Discharge Prohibitions Section, Chapter 5, of the Water Quality Control Plan for Basin 3 by prohibiting discharge of waste from new individual leaching and percolation systems subsequent to State Board approval of the amendment and prohibits the discharge of waste from existing systems after July 1, 1979, in and near the community of Moss Landing, Monterey County.
2. These prohibitions are reasonable and necessary in light of the evidence of a serious health hazard and the high incidence of failures from the use of individual disposal systems in this area.
3. A Step I project for the community of Moss Landing was placed on the Clean Water Grants Priority List for F.Y. 1976-77.
4. The facilities plan for the community of Moss Landing has shown that a community collection system, with treatment at the Dolan Road site and disposal through the Kaiser outfall, is the most appropriate method of controlling wastes to protect water quality and public health.
5. Construction of the proposed collection system without Clean Water Grant funding would place a severe financial hardship on the community.

THEREFORE BE IT RESOLVED:

1. That the State Board approves Amended Resolution No. 76-08 of the Central Coast Regional Water Quality Control Board amending the Water Quality Control Plan, Central Coastal Basin (3).
2. That the State Board waives Section 2108(f) of the Clean Water Grant Regulations.

3. That the State Board approves the amendment of the F.Y. 1976-77 Clean Water Grant Priority List to add the community of Moss Landing, Monterey County, wastewater collection project to the Class B priority.

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 21, 1977.

Bill B. Dendy
Bill B. Dendy
Executive Officer

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 77- 17

APPROVING AMENDMENT OF THE WATER QUALITY
CONTROL PLAN, CENTRAL COASTAL BASIN (3)

WHEREAS:

1. On January 14, 1977, the California Regional Water Quality Control Board, Central Coast Region, adopted Resolution No. 77-01, which amends Chapter 4 of the Water Quality Control Plan for the Central Coastal Basin.
2. The amendments contained in Resolution No. 77-01 are intended to revise the water quality objectives of the Water Quality Control Plan for the Central Coastal Basin such that:
 - a. The objective for fecal coliform bacteria in waters designated for noncontact recreation (REC-2) will be consistent in format and method for determining compliance with the objective for waters designated for water contact recreation (REC-1).
 - b. Applicability of numerical objectives for biostimulatory substances (nitrogen and phosphorus) as receiving water limitations in waste discharge requirements and National Pollutant Discharge Elimination System permits will be considered on a case-by-case basis. Less restrictive limitations will be allowed in requirements and permits where the beneficial uses will not be unreasonably impaired.
3. The amendment described in Item 2b above does not comply with Water Code Section 13263(a), because the amendment would not properly implement the basin water quality control plan or water quality objectives contained therein.

THEREFORE BE IT RESOLVED:

1. That the State Board approves the amendment to the objective for fecal coliform bacteria in the Water Quality Control Plan, Central Coastal Basin (3), as prescribed in Resolution No. 77-01 of the Central Coast Regional Water Quality Control Board.
2. That the State Board does not approve the amendment to the objective for biostimulatory substances in the Water Quality Control Plan, Central Coastal Basin (3), as prescribed in Resolution No. 77-01 of the Central Coast Regional Water Quality Control Board.
3. That the State Board authorizes and directs its Executive Officer to apprise the Central Coast Regional Water Quality Control Board regarding the legal question of the amendment to the objective for

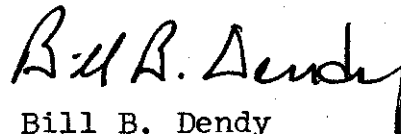
Resolution No. 77-17

biostimulatory substances. In this response, the Executive Officer shall recommend alternative measures to alleviate the problems that prompted adoption of this amendment.

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 17, 1977.

Dated: MAR 17 1977



Bill B. Dendy
Executive Officer

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 76-105

REGARDING RESOLUTION NO. 76-08 OF THE REGIONAL WATER
QUALITY CONTROL BOARD, CENTRAL COAST REGION,
THAT AMENDED THE WATER QUALITY CONTROL PLAN,
CENTRAL COAST BASIN (3)

WHEREAS:

1. On July 9, 1976, the California Regional Water Quality Control Board, Central Coast Region, adopted Resolution No. 76-08 which partially revised Chapter 5 of the Basin Water Quality Control Plan for Basin 3 by prohibiting installation of individual disposal systems in and near Moss Landing, Monterey County.
2. The California Regional Water Quality Control Board, Central Coast Region, in cooperation with the Monterey County Department of Environmental Health, found that a public health hazard exists because of failing septic tank and leach field systems in the area covered by the adopted prohibition.
3. The prohibition contained in Resolution No. 76-08 is overly restrictive in that it prohibits individual disposal systems rather than discharges therefrom and thereby limits consideration of alternative individual disposal systems as a means of correcting the problem.

THEREFORE BE IT RESOLVED:

1. That the State Board concurs in the Central Coast Regional Board's finding that a public health hazard exists as a result of failure of existing individual disposal systems.
2. That the State Board remands Resolution No. 76-08 to the Regional Board for consideration of revision of the prohibition to permit utilization of any appropriate disposal alternative including, but not limited to, traditional community wastewater collection and treatment facilities.
3. That the State Board authorizes and directs its Executive Officer to forward suggested language that accomplishes Resolved No. 2 above to the Regional Board Executive Officers for Regional Board guidance in adopting uniform future prohibitions to permit consideration of alternative systems.

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 16, 1976.

Bill B. Dendy

Bill B. Dendy
Executive Officer

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 76-101

APPROVING RESOLUTION NO. 76-05 OF THE CALIFORNIA REGIONAL
WATER QUALITY CONTROL BOARD, CENTRAL COAST REGION, AMENDING
THE WATER QUALITY CONTROL PLAN, CENTRAL COASTAL BASIN (3)

WHEREAS:

1. On June 11, 1976, the California Regional Water Quality Control Board, Central Coast Region, adopted Resolution No. 76-05, which partially revised Chapter 2 of the Water Quality Control Plan for Basin 3.
2. The amendments contained in Resolution No. 76-05:
 - a. Utilize the letter symbols E, I, and A to indicate whether the designated beneficial uses are Existing, Intermittent, or Anticipated, respectively.
 - b. List significant water bodies within subbasins in order from north to south.
 - c. List the Region's seven Areas of Special Biological Significance individually.
 - d. Designate beneficial uses for water bodies which were omitted inadvertently during development of the Water Quality Control Plan (3).
 - e. Divide the Salinas River, the Region's most diverse water course, into four reaches in order to describe more accurately its beneficial uses.

THEREFORE BE IT RESOLVED:

That the State Board approves Resolution No. 76-05 of the California Regional Water Quality Control Board, Central Coast Region, amending the Water Quality Control Plan, Central Coastal Basin (3).

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 19, 1976.

Bill B. Dendy
Bill B. Dendy
Executive Officer

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 76-99

APPROVING RESOLUTION NO. 76-03 OF THE CENTRAL
COAST REGIONAL WATER QUALITY CONTROL BOARD
AMENDING THE WATER QUALITY CONTROL PLAN, CENTRAL
COASTAL BASIN PLAN (3)

WHEREAS:

1. At its May 13, 1976, meeting, the Central Coast Regional Water Quality Control Board adopted an amendment to the Water Quality Control Plan, Central Coastal Basin (Resolution No. 76-03), which prohibits the discharge of waste from existing individual leaching or percolation systems in the Monterey County Community Service Area No. 66, Las Lomas-Hall, after July 1, 1979.
2. The discharge prohibition is reasonable and necessary in light of the documented high incidence of individual disposal system failures.

THEREFORE BE IT RESOLVED:

1. That the State Board approves Resolution No. 76-03 of the Central Coast Regional Water Quality Control Board amending the Water Quality Control Plan, Central Coastal Basin.

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 19, 1976.

Bill B. Dendy
Bill B. Dendy
Executive Officer

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 76-27

APPROVING RESOLUTION NO. 76-01 OF THE CENTRAL
COAST REGIONAL WATER QUALITY CONTROL BOARD

WHEREAS:

1. At its February 6, 1976, meeting, the Central Coast Regional Water Quality Control Board adopted an amendment to the Water Quality Control Plan, Central Coastal Basin (Resolution No. 76-01), which will prohibit the discharge of waste from individual leaching or percolation systems in the Las Lomas-Hall Area in Monterey County.
2. The discharge prohibition is reasonable and necessary in light of the documented high incidence of individual disposal system failures.

THEREFORE BE IT RESOLVED:

That the State Board approves Resolution No. 76-01 of the Central Coast Regional Water Quality Control Board amending the Water Quality Control Plan, Central Coastal Basin.

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 15, 1976.

Bill B. Dendy

Bill B. Dendy
Executive Officer

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 75-21

APPROVAL OF WATER QUALITY CONTROL PLANS FOR THE CENTRAL
COASTAL BASIN (3), SANTA CLARA RIVER BASIN (4A), LOS
ANGELES RIVER BASIN (4B), AND SAN DIEGO BASIN (9)

WHEREAS:

1. It is the responsibility of the State Board and the California Regional Water Quality Control Boards to regulate the activities and factors which affect or may affect the quality of the waters of the State in order to attain the highest water quality which is reasonable considering all demands being made and to be made on those waters and the beneficial uses involved.
2. Regulation 40 CFR 131.202, pursuant to the Federal Water Pollution Control Act Amendments of 1972 (PL 92-500), requires each state to submit water quality control plans for all basin planning areas within the state by July 1, 1975.
3. The respective California Regional Water Quality Control Boards have conducted public hearings after notice to all interested persons in accordance with PL 92-500 and the California Water Code, and have considered the evidence introduced at those hearings. Those Boards subsequently adopted the water quality control plans for the Central Coastal Basin (3), Santa Clara River Basin (4A), Los Angeles River Basin (4B), and San Diego Basin (9).
4. Section 13245 of the Water Code provides that the State Board must approve all water quality control plans and revisions thereof before they become effective.
5. The water quality control plans are a part of the State's continuing planning process and will be updated annually to reflect changing conditions.
6. Issues, particularly those noted in the water quality control plans and identified in public hearings, which are not fully resolved in the plans at this time will be considered during the scheduled revisions of the plans.
7. Part I of the water quality control plans includes all necessary elements of a water quality control plan in accordance with Sections 13241 and 13242 of the Water Code and federal requirements, and Part II consists of supportive planning information.

8. The approval of water quality control plans is categorically exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) in accordance with Section 21084 of the Public Resources Code, Section 15108 of the State EIR Guidelines (California Administrative Code, Title 14, Division 6, Chapter 3), and Section 2714(d), Subchapter 17, Chapter 3, Title 23, California Administrative Code.

THEREFORE BE IT RESOLVED:

1. That the State Board approves Part I of the water quality control plans for the Central Coastal Basin (3), Santa Clara River Basin (4A), Los Angeles River Basin (4B), and San Diego Basin (9) in accordance with Section 13245 of the Water Code with the understanding that the stipulated control actions set forth in Chapter V are to be implemented, but that identified actions set forth in Chapter V other than control actions are recommendations to be taken under consideration by the State Board, Regional Boards, and other appropriate agencies.
2. That approval of Part I of the plans does not mandate the construction of facilities or mandate activities outside of the State Board's jurisdiction.
3. That the State Board shall file a notice of exemption in accordance with Section 15074 of the State EIR Guidelines.
4. That the Executive Officer is directed to forward copies of the water quality control plans for the Central Coastal Basin (3), Santa Clara River Basin (4A), Los Angeles River Basin (4B), and San Diego Basin (9) to the Environmental Protection Agency in fulfillment of the requirements of PL 92-500.

CERTIFICATION

The State Water Resources Control Board has determined that there is no state mandate for a new program or increased level of service on any unit of local government as a result of the foregoing resolution because such resolution is not an executive regulation pursuant to Revenue and Taxation Code, Section 2209.

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 20, 1975.

Bill B. Dendy
Bill B. Dendy
Executive Officer

gmc

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 74- 23

APPROVING RESOLUTION NO. 74-1 OF THE CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD, CENTRAL
COAST REGION, REVISING THE INTERIM WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COASTAL BASIN

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, did on June 10, 1971, adopt a Water Quality Control Plan (Interim) for the Central Coastal Basin, which plan has been heretofore amended; and
2. The California Regional Water Quality Control Board did on January 11, 1974, adopt Resolution No. 74-1 revising said plan, subject to approval of the State Water Resources Control Board as required by Water Code Section 13245; and
3. Resolution No. 74-1 and the revision of the Water Quality Control Plan (Interim) for the Central Coastal Basin contained therein has been reviewed by the State Board and found to be appropriate and proper and necessary for the protection of water quality and beneficial uses.

THEREFORE BE IT RESOLVED:

That the State Board hereby approves Resolution No. 74-1 adopted by the California Regional Water Quality Control Board on January 11, 1974.

CERTIFICATIONS

The State Water Resources Control Board has determined that there is no mandate for a new program or increased level of service on any unit of local government as a result of the foregoing resolution, and that there will be no cost to any unit of local government as a result of any new program or increased level of service of an existing program mandated by state executive regulation.

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 7, 1974.

Bill B. Dendy
Bill B. Dendy
Executive Officer

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 71-20

APPROVAL OF INTERIM WATER QUALITY
CONTROL PLANS FOR THE
STATE OF CALIFORNIA

WHEREAS, the Environmental Protection Agency has required that basin plans be developed to evaluate projects which may be eligible for financial assistance and that said plans must be adopted by July 1, 1971, by the State, or financial assistance will not be available; and

WHEREAS, the nine California Regional Water Quality Control Boards conducted public hearings during May 1971 after notice to all interested persons in accordance with the Water Code, have considered evidence introduced at those hearings and subsequently adopted sixteen water quality control plans encompassing the entire state; and

WHEREAS, the State Water Resources Control Board at its regular meeting of June 17, 1971, heard comments concerning the Water Quality Control Plans; and

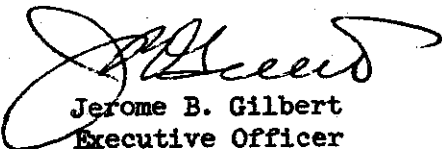
WHEREAS, the time for development, adoption and review of these sixteen plans was limited, considering the scope and nature of the subjects considered in the plans and as a result the title "Interim" indicates that these plans will be subject to modification as a result of new information from local, regional or statewide studies at any time; and

WHEREAS, certain changes or modifications of the plans are being submitted to the regional boards for consideration and action;

NOW, THEREFORE, BE IT RESOLVED, (1) that sixteen Interim Water Quality Control Plans for the State of California are hereby approved by the State Water Resources Control Board for the above purposes and in the above context, including the purposes of Article 3 of Chapter 4 of Division 7 of the Water Code; (2) that the Executive Officer is directed to immediately forward copies of all sixteen interim plans to the Environmental Protection Agency.

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 30, 1971.


Jerome B. Gilbert
Executive Officer

Appendix 3. Basin Plan amendments approved by the United States Environmental Protection Agency



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

OCT 06 2016

John M. Robertson
Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

Dear Mr. Robertson:

The U.S. Environmental Protection Agency (EPA) has reviewed the Central Coast Regional Water Quality Control Board's (Regional Board's) Basin Plan Amendment (BPA) for nitrogen compounds and orthophosphate Total Maximum Daily Loads (TMDLs) in the Pajaro River basin, submitted on May 31, 2016. EPA received the State's complete TMDL submittal on July 25, 2016 and finds that all the federally required elements are adequately addressed, and approves the TMDLs pursuant to CWA Section 303(d)(2). Upon complete implementation, the TMDLs will result in attainment of the applicable water quality standards for nitrate, toxicity associated with un-ionized ammonia, and the biostimulatory substances nitrate, total nitrogen, and orthophosphate, for all waterbodies in the Pajaro River basin. These TMDLs will also address listings for low dissolved oxygen.

The Regional Board, State Water Resources Control Board (State Board), and Office of Administrative Law (OAL) took action on the BPA on the following dates:

- Regional Board adoption on July 30, 2015 (Resolution No. R3-2015-0004)
- State Board adoption on April 5, 2016 (Resolution No. 2016-0018)
- Regional Board signed submittal letter to EPA, dated May 31, 2016, requesting approval of the TMDLs
- OAL approval on July 12, 2016 (2016-0527-04 S)

The State has provided adequate opportunities for public review and comment, and demonstrated how public comments were considered for the final TMDLs. By including TMDLs for waterbodies that are not currently impaired as well as for those that are impaired, the TMDLs, numeric targets, load allocations, and waste load allocations appropriately employ an antidegradation approach to protecting beneficial uses in the identified waters. The TMDLs appropriately consider seasonal variation and critical conditions, and provide an adequate margin of safety.

The TMDL submittal contains the State's implementation strategy and schedule, which is a critical next step to realize improvements in water quality in the watershed. While EPA is not taking action on the implementation strategy, as EPA is not required by CWA Section 303(d) or its implementing regulations to approve or disapprove implementation plans submitted with TMDLs, EPA supports the State's proposed implementation approaches to protect and restore water quality. EPA encourages the Regional Board to continue its work with stakeholders to implement these strategies, when appropriate, consistent with California's Nonpoint Source Management Plan, as approved by EPA under the Clean Water Act Section 319. EPA is available to provide support where possible to assist both the regulated community and the Regional Board in fostering ongoing watershed stewardship to achieve the TMDLs.

If you have any questions concerning this approval, please call me at (415) 972-3337, or have your staff contact Matthew Mitchell at (415) 972-3508.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'T' followed by a horizontal line that extends to the right and then curves back up.

Tomás Torres
Director, Water Division

10/6/2016

cc: Jennifer Epp, CCRWQCB
Peter Osmolovsky, CCRWQCB
Tom Howard, SWRCB
Rik Rasmussen, SWRCB



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

MAR 08 2016

Lisa Horowitz McCann
Interim Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

Dear Ms. McCann:

The U.S. Environmental Protection Agency (EPA) has reviewed the Central Coast Regional Water Quality Control Board's (Regional Board's) Basin Plan Amendment (BPA) for nitrogen compounds and orthophosphate Total Maximum Daily Loads (TMDLs) in the Lower Santa Maria River watershed and tributaries to Oso Flaco Lake in Santa Barbara and San Luis Obispo Counties, submitted on June 9, 2014. EPA finds that all the federal required elements are adequately addressed and approve the TMDLs pursuant to CWA section 303(d)(2). Upon complete implementation, the TMDLs will result in attainment of the applicable water quality standards for nitrate, toxicity associated with unionized ammonia, and the biostimulatory substances nitrate and orthophosphate for all waterbodies in the Lower Santa Maria River watershed and tributaries to Oso Flaco Lake. These TMDLs will also address listings for low dissolved oxygen.

The Regional Board, State Water Resources Control Board (State Board), and Office of Administrative Law (OAL) took action on the BPA on the following dates:

- Regional Board adoption on May 30, 2013 (Resolution No. R3-2013-0013)
- State Board adoption on February 4, 2014 (Resolution No. 2014-0009)
- OAL approval on May 22, 2014 (2014-04010-01S)
- Regional Board signed submittal letter to EPA, dated June 9, 2014, requesting approval of the TMDLs

The State has provided adequate opportunities for public review and comment, and demonstrated how public comments were considered for the final TMDLs. By including TMDLs for waterbodies that are not currently impaired as well as for those that are impaired, the TMDLs, numeric targets, load allocations, and waste load allocations appropriately employ an antidegradation approach to protecting beneficial uses in the identified waters. The TMDLs appropriately consider seasonal variation and critical conditions, and provide an adequate margin of safety.

The TMDL submittal contains the State's implementation strategy and schedule, which is a critical next step to realize improvements in water quality in the watershed. While EPA is not taking action on the implementation strategy, as EPA is not required by section 303(d) or its implementing regulations to approve or disapprove implementation plans submitted with TMDLs, EPA supports the State's proposed implementation approaches to protect and restore water quality. EPA encourages the Regional Board to continue its work with stakeholders to implement these strategies, consistent with California's Nonpoint Source Management Plan as approved by EPA under the Clean Water Act Section 319, when appropriate. EPA is available to provide support where possible to assist both the regulated community and the Regional Board in fostering ongoing watershed stewardship to achieve the TMDLs.

If you have any questions concerning this approval, please call me at (415) 972-3337, or Janet Hashimoto at (415) 972-3452.

Sincerely,



Tomás Torres
Director, Water Division

cc: Rik Rasmussen, SWRCB
Jennifer Epp, CCRWQCB
Larry Harlan, CCRWQCB
Mary Hamilton, CCRWQCB



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

OCT 13 2015

RECEIVED

OCT 13 2015

State of California
Central Coast Water Board

Kenneth A. Harris, Jr.
Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

Dear Mr. Harris:

Thank you for submitting the complete Central Coast Regional Water Quality Control Board (Regional Board) Basin Plan Amendment (BPA) for the Total Maximum Daily Loads (TMDLs) for nitrogen compounds and orthophosphate compounds in the Lower Salinas River watershed, Reclamation Canal Basin, and Moro Cojo Slough subwatershed, on June 9, 2014, for approval by the U.S. Environmental Protection Agency (EPA). We find that all the federal required elements are adequately addressed, and we approve the TMDLs pursuant to CWA section 303(d)(2). The TMDLs, upon complete implementation, will result in attainment of the applicable water quality standards for nitrate, unionized ammonia, total nitrogen and orthophosphate for all waterbodies in the Lower Salinas River watershed, Reclamation Canal Basin, and Moro Cojo Slough subwatershed. These TMDLs will also address impairments for low dissolved oxygen, biostimulatory substances, microcystins, and chlorophyll-*a*.

The Regional Board, State Water Resources Control Board (State Board), and Office of Administrative Law (OAL) took action on the BPA on the following dates:

- Regional Board adoption on March 14, 2013 (Resolution No. R3-2013-0008)
- State Board adoption on February 4, 2014 (Resolution No. 2014-0008)
- OAL approval on May 7, 2014 (2014-0325-01S)
- Regional Board signed submittal letter, dated June 9, 2014, to EPA requesting approval of the TMDLs

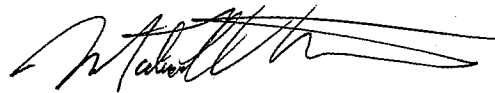
The State has provided adequate opportunities for public review and comment on the TMDLs and demonstrated how public comments were considered in the final TMDL. By including TMDLs for waterbodies that are not currently impaired as well as for those that are impaired, the TMDLs and allocations appropriately use an antidegradation approach to develop numeric targets, load allocations and waste load allocations to protect beneficial uses in the waters identified. The TMDLs appropriately consider seasonal variation and critical conditions, and provide an adequate margin of safety.

The TMDL submittal contains the State's implementation strategy and schedule. Implementation of the TMDLs is a critical next step to realize improvements in water quality in the watershed. While EPA is not taking action on the implementation strategy specifically, as we are not required by section 303(d) or its implementing regulations to approve or disapprove implementation plans submitted with TMDLs, we support the State's proposed implementation approaches to protect and restore water quality, including use of regulatory authorities. We encourage the Regional Board to continue its work with stakeholders

to implement these strategies consistent with California's Nonpoint Source Management Plan as approved by EPA under the Clean Water Act Section 319, when appropriate. We remain available to provide support where possible to assist both the regulated community and the Regional Board in fostering ongoing watershed stewardship to achieve the TMDLs.

If you have any questions concerning this approval, please call me at (415) 972-3438, or Terry Fleming at (415) 972-3462.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Montgomery", with a long horizontal flourish extending to the right.

Michael Montgomery
Acting Director, Water Division

cc: Rik Rasmussen, SWRCB
Jennifer Epp, CCRWQCB
Peter Osmolovsky, CCRWQCB



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

AUG 31 2015

Kenneth A. Harris, Jr.
Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

Dear Mr. Harris:

Thank you for submitting the complete Central Coast Regional Water Quality Control Board (Regional Board) Basin Plan Amendment (BPA) for pesticides Total Maximum Daily Loads (TMDLs) in the Santa Maria River watershed on November 4, 2014, for approval by the U.S. Environmental Protection Agency (EPA). We find that all the federal required elements are adequately addressed, and we approve the pesticides TMDLs pursuant to CWA section 303(d)(2). The TMDLs, upon complete implementation, will result in attainment of the applicable water quality standards in the Santa Maria River watershed.

The Regional Board, State Water Resources Control Board (State Board), and Office of Administrative Law (OAL) took action on the BPA on the following dates:

- Regional Board adoption on January 30, 2014 (Resolution No. R3-2014-0009)
- State Board adoption on July 2, 2014 (Resolution No. 2014-0033)
- OAL approval on October 29, 2014 (2014-0017-02S)
- Regional Board signed submittal letter on November 4, 2014, to EPA requesting approval of the TMDLs

The State has provided adequate opportunities for public review and comment on the TMDLs and demonstrated how public comments were considered in the final TMDL. By including TMDLs for waterbodies that are not currently impaired, as well as for those that are impaired, the TMDLs appropriately used an antidegradation approach to develop numeric targets and load and wasteload allocations to protect beneficial uses in the waters identified. The TMDLs appropriately considered seasonal variation and critical conditions, and provided an adequate margin of safety.

The TMDL submittal contains the State's implementation strategy and schedule. Implementation of the TMDLs is a critical next step to realize improvements in water quality in the watershed. While EPA is not taking action on the implementation strategy specifically, as we are not required by section 303(d) or its implementing regulations to approve or disapprove implementation plans submitted with TMDLs, we support the State's proposed implementation approaches to protect and restore water quality, including use of regulatory authorities. We encourage the Regional Board to continue its work with stakeholders to implement these strategies consistent with California's Nonpoint Source Management Plan as approved by EPA under the Clean Water Act Section 319, when appropriate. We remain available to

provide support where possible to assist both the regulated community and the Regional Board in fostering ongoing watershed stewardship to achieve the TMDLs.

If you have any questions concerning this approval, please call me at (415) 972-3438, or Janet Hashimoto at (415) 972-3452.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Montgomery", with a long horizontal flourish extending to the right.

Michael Montgomery
Acting Director, Water Division

cc: Rik Rasmussen, SWRCB
Jennifer Epp, CCRWQCB
Peter Meertens, CCRWQCB



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

April, 24, 2013

Kenneth A. Harris, Jr.
Interim Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

Dear Mr. Harris:

Thank you for submitting the Basin Plan Amendment containing the Total Maximum Daily Loads (TMDLs) for fecal indicator bacteria impairments for the Santa Maria River watershed, which includes Alamo Creek, Blosser Channel, Bradley Canyon Creek, Bradley Channel, Cuyama River (upstream of Twitchell Reservoir to Highway 33), La Brea Creek, Little Oso Flaco Creek, Main Street Canal, Nipomo Creek, Orcutt Creek, Oso Flaco Creek, Oso Flaco Lake, Santa Maria River Estuary, and the Santa Maria River. Based on the U.S. Environmental Protection Agency's review of the TMDL submittal under Clean Water Act (CWA) section 303(d), I have concluded the TMDLs adequately address the pollutants of concern and, upon implementation, will result in attainment of the applicable water quality standards for fecal coliform, *E. coli*, and total coliform for all waterbodies in the Santa Maria River watershed. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to CWA section 303(d)(2).

EPA received the State Water Resources Control Board's complete TMDL package for approval on March 21, 2013. The TMDLs include waste load and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State has provided adequate opportunities for public review and comment on the TMDLs, and demonstrated how public comments were considered in the final TMDLs.

The TMDL submittal contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with these TMDLs. However, EPA concurs with the State's proposed implementation approaches.

If you have any questions concerning this approval, please call me at (213) 244-1832 or Janet Parrish at (415) 972-3456.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Kemmerer", with a long horizontal flourish extending to the right.

John Kemmerer
Acting Director, Water Division

cc: Paul Hann, SWRCB
Christopher Rose, CCRWQCB



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

JAN 31 2012

Roger Briggs
Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

Dear Mr. Briggs:


Thank you for submitting the Basin Plan Amendment containing the Total Maximum Daily Loads (TMDLs) for fecal coliform impairments for the Lower Salinas River watershed, including Lower Salinas River, Old Salinas River, Tembladero Slough, Salinas Reclamation Canal, Alisal Creek, Gabilan Creek, Natividad Creek, Salinas River Lagoon (North), Santa Rita Creek, Quail Creek, Chualar Creek, and Towne Creek. Based on the U.S. Environmental Protection Agency's review of the TMDL submittal under Clean Water Act (CWA) section 303(d), I have concluded the TMDLs adequately address the pollutants of concern and, upon implementation, will result in attainment of the applicable water quality standards for fecal coliform for Lower Salinas River. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to CWA section 303(d)(2).

EPA received the State Water Resources Control Board's complete TMDL package for approval on January 5, 2012. The TMDLs include waste load and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State has provided adequate opportunities for public review and comment on the TMDLs, and demonstrated how public comments were considered in the final TMDLs.

The TMDL submittal contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with these TMDLs. However, EPA concurs with the State's proposed implementation approaches.

If you have any questions concerning this approval, please call me at (415) 972-3572 or Janet Parrish at (415) 972-3456.

Sincerely,

 31 Jan. 2012
Alexis Strauss
Director, Water Division

cc: Vicky Whitney, State Board



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

JAN 17 2012

Thomas Howard
Executive Director
California State Water Resources Control Board
P.O. Box 100
Sacramento, California 95812-0100

Dear Mr. Howard:


Thank you for submitting the Basin Plan Amendment containing the Total Maximum Daily Loads (TMDLs) for fecal coliform impairments for the Corralitos and Salsipuedes watersheds, including Corralitos and Salsipuedes Creeks. Based on the U.S. Environmental Protection Agency's review of the TMDL submittal under Clean Water Act (CWA) section 303(d), I have concluded the TMDLs adequately address the pollutants of concern and, upon implementation, will result in attainment of the applicable water quality standards for fecal coliform for Corralitos and Salsipuedes Creeks. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to CWA section 303(d)(2).

EPA received the State Water Resources Control Board's complete TMDL package for approval on October 11, 2011. The TMDLs include waste load and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State has provided adequate opportunities for public review and comment on the TMDLs, and demonstrated how public comments were considered in the final TMDLs.

The TMDL submittal contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with these TMDLs. However, EPA concurs with the State's proposed implementation approaches.

If you have any questions concerning this approval, please call me at (415) 972-3572 or Janet Parrish at (415) 972-3456.

Sincerely,


Alexis Strauss
Director, Water Division

cc: Roger Briggs, Executive Officer
California Regional Water Quality Control Board, Central Coast Region



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

JUL 20 2011

Thomas Howard
Executive Director
California State Water Resources Control Board
P.O. Box 100
Sacramento, California 95812-0100

Dear Mr. Howard:

Thank you for submitting the Basin Plan Amendment containing the Total Maximum Daily Loads (TMDLs) for pathogens impairments in the San Lorenzo River watershed, including San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek and Lompico Creek. Based on the U.S. Environmental Protection Agency's review of the TMDL submittal under Clean Water Act (CWA) section 303(d), I have concluded the TMDLs adequately address the pollutants of concern and, upon implementation, will result in attainment of the applicable water quality standards for the San Lorenzo River watershed. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to CWA section 303(d)(2).

EPA received the State Water Resources Control Board's complete TMDL package for approval on June 9, 2011. The TMDLs include waste load and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State has provided adequate opportunities for public review and comment on the TMDLs, and demonstrated how public comments were considered in the final TMDLs.

The submittal includes information on the State's intention to remove the shellfish harvesting (SHELL) beneficial use, as well as waste discharge prohibitions for human fecal material and animal waste. EPA is not taking action on these items. We encourage the State to continue to expedite its statewide review of the shellfish harvesting beneficial use, and to determine the appropriate applicability of this use along the California coastline.

The TMDL submittal also contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with these TMDLs. However, EPA concurs with the State's proposed implementation approaches.

If you have any questions concerning this approval, please call me at (415) 972-3572 or Janet Parrish at (415) 972-3456.

Sincerely,

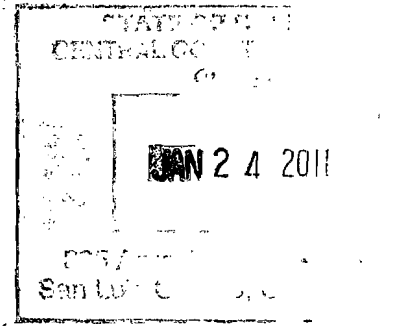
 20 July 2011
Alexis Strauss
Director, Water Division

cc: Roger Briggs, Executive Officer
California Regional Water Quality Control Board, Central Coast Region



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Tom Howard
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100



Dear Mr. Howard:

Thank you for submitting the Basin Plan Amendment containing the Total Maximum Daily Loads (TMDLs) for pathogen impairments in the Aptos Creek watershed, including Aptos Creek, Valencia Creek, and Trout Gulch. Based on EPA's review of the TMDL submittal under Clean Water Act (CWA) Section 303(d), I have concluded the TMDLs adequately address the pollutants of concern and, upon implementation, will result in attainment of the applicable water quality standards for the Aptos Creek watershed. The required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to CWA Section 303(d)(2).

EPA received the State Water Resources Control Board's complete TMDL package for approval on November 8, 2010. The TMDLs include waste load and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State provided adequate opportunities for public review and comment on the TMDLs, and demonstrated how public comments were considered in the final TMDLs.

The TMDL submittal also contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with this TMDL. However, EPA concurs with the State's proposed implementation approaches.

If you have any questions concerning this approval, please call me at (415) 972-3572 or Janet Parrish at (415) 972-3456.

Sincerely yours,

Alexis Strauss 20 January 2011
Alexis Strauss
Director, Water Division

Enclosure

cc: Roger Briggs, Executive Officer, Central Coast RWQCB

TMDL Review Checklist

State: California, Central Coast Region

Water Bodies: Aptos Creek, Valencia Creek, and Trout Gulch

Pollutant(s): Pathogens

Date of Letter Requesting EPA Approval: October 19, 2010

Date EPA Received Complete Submission: November 8, 2010

EPA Reviewer: Janet Parrish

1. Submittal Letter: *Letter indicates final TMDL(s) for specific water(s)/pollutant(s) were adopted by the State and submitted to EPA for approval under 303(d).*

The State Water Resources Control Board's (State Board) submittal letter, dated October 19, 2010 from Elizabeth Haven to Alexis Strauss, describes an amendment to the Central Coast Regional Water Quality Control Board's (Regional Board) Basin Plan to: (1) add the Aptos Creek watershed to the human fecal material discharge prohibition and the domestic animal waste discharge prohibition; and (2) adopt TMDLs for pathogens in Aptos Creek, Valencia Creek, and Trout Gulch in the Aptos Creek watershed.

The Basin Plan Amendment was adopted by the Regional Board on May 8, 2009. The Amendment was approved by the State Board on August 3, 2010. On November 8, 2010, EPA received a copy of California's OAL approval document OAL File No. 2010-0921-03 S, dated October 29, 2010. EPA considers the State's submittal complete as of the date of receipt of the OAL approval document, November 8, 2010.

The submittal letter requests EPA to approve the TMDLs under Clean Water Act (CWA) section 303(d)(2). This 303(d)(2) approval applies only to the pathogens TMDLs. EPA is taking no action regarding the two discharge prohibitions included in the Regional Board Resolution, which are permitted under State law.

The States submittal package includes: (1) the Aptos Creek Watershed Pathogens Total Maximum Daily Load (TMDL) Final Project Report (Project Report) dated May 8, 2009; (2) the Proposed Basin Plan Amendment and Final Regional Board Resolution No. R3-2009-0025, dated May 8, 2009, adopting the Proposed Basin Plan Amendment; (3) State Board Resolution No. 2010-0038, dated August 3, 2010, approving the Regional Board Basin Plan Amendment; and (4) OAL approval document, File No. 2010-0921-03 S, dated October 29, 2010.

The TMDLs were originally adopted on March 21, 2008, under Regional Board Resolution No. R3-2008-0003. These were forwarded to the State Board for adoption. On November 6, 2008, the Central Coast Regional Board's Executive Officer withdrew the TMDLs for Pathogens in

Aptos Creek, Valencia Creek, and Trout Gulch from consideration for adoption by the State Board, due to State Board staff recommendation to clarify language in the TMDLs and corresponding amendments before submittal to the State Board for approval. The clarifications included changing the allocations to human sources to zero, simplifying the prohibition language, and changing some classifications from nonpoint to point sources. The submitted TMDLs include the recommended clarifications, and were adopted, following an additional public comment period on May 8, 2009, under Regional Board Resolution No. R3-2009-0025.

2. TMDLs Included: *The submittal clearly identifies the water segments and pollutants or stressors for which TMDLs were developed. The submittal should distinguish TMDLs adopted for listed water/pollutant combinations from TMDLs adopted for water/pollutant combinations not identified on the current Section 303(d) list.*

The State submittal includes TMDLs for pathogens in the Aptos Creek Watershed, including Aptos Creek, Valencia Creek, and Trout Gulch. Aptos Creek and Valencia Creek are listed as impaired for pathogens on California's 2006 303(d) list. They were originally listed in 1994. TMDLs were also included for the following new impairments identified as part of the TMDL analysis: Trout Gulch, which is not included on California's 2006 303(d) List (Project Report, p. 1).

EPA concurs with the State's finding of new impairments for the additional waterbody, and concludes that it is appropriate for the State to include TMDLs for all these waters within the Aptos Creek watershed.

3. Water Quality Standards Attainment: *TMDL(s) and associated allocations are set at levels adequate to result in attainment of applicable standards.*

The TMDL submittal addresses the applicable water contact recreation (REC-1) beneficial use in the Aptos Creek watershed. Applicable water quality objectives for REC-1 for pathogens are as follows: fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean (geomean) of 200 MPN/100 ml, nor shall more than ten percent of single samples collected during any 30-day period exceed 400 MPN/100 ml. The uses and objectives are contained in the current Regional Board Basin Plan (Project Report, p. 4).

EPA concurs with the State's analysis, and concludes that the numeric targets, TMDLs and associated allocations are set at levels necessary to attain applicable water quality standards.

4. Numeric Target(s): *Submittal describes applicable water quality standards, including beneficial uses, applicable numeric and/or narrative criteria. Numeric water quality target(s) for TMDL identified, and adequate basis for target(s) as interpretation of water quality standards is provided.*

The TMDL numeric targets are set at the water quality objectives for water contact recreation (see values above). (Project Report, p. 4, p. 32).

EPA concludes the State's use of these numeric targets in the TMDL analyses to be reasonable and appropriate, and finds there is an adequate basis for the targets.

5. Source Analysis: *Point, non-point, and background sources of pollutants of concern are described, including the magnitude and location of sources. Submittal demonstrates all sources have been considered.*

The source analysis was based on existing water quality data, wastewater spill data, microbial source data, land use, flow estimates, ribotyping analysis, and discussions with staff at various public health agencies in Santa Cruz County (Project Report, pp. 21-30). Ribotyping analysis indicated a significant contribution of fecal indicator bacteria from natural sources such as birds, rodents and other wildlife. A portion of fecal indicator bacteria loading from natural sources was determined to be uncontrollable.

Controllable, non-natural sources of concern in the Aptos Creek watershed include (in relative order of contribution): storm drain discharges to MS4s; pet waste in areas that do not drain to MS4s; County of Santa Cruz sanitary sewer collection system spills and leaks; private sewer laterals; and farm animals and livestock discharges (Project Report, p. 28).

There are no waste water treatment plants (WWTPs) in the watershed, but there is a collection system that conveys wastewater from Santa Cruz County within the watershed's boundaries to the City of Santa Cruz's WWTP. The Santa Cruz County Sanitation District's (SCCSD's) Waste Discharge Requirements (WDR No. R3-2005-0043) addresses the County's collection system. Areas of the Aptos Creek watershed not connected to the SCCSD collection system have on-site (septic) wastewater disposal systems. Homeless persons and encampments were not suspected to contribute to the pathogens in the Aptos Creek watershed. Likewise, staff did not consider on-site wastewater disposal systems to be a contributing source, as the ribotyping analysis did not indicate any human contribution at any of the source tracking sites, except for Aptos Creek at the mouth. Staff concluded that if the pathogen contribution from these systems were contributing to the impairment, the ribotyping data would likely have shown some human contribution at any of the four upstream sites (Project Report, p. 28).

EPA finds the State's source analysis to be complete, reasonable and appropriate.

6. Linkage Analysis: *Submittal describes relationship between numeric target(s) and identified pollutant sources.*

The loading capacity is equal to the numeric target for pathogens, which is also set equal to the water quality standard for pathogen indicator organisms (Project Report, p. 33).

Since water contact recreation is the applicable beneficial use for these TMDLs, setting the loading capacity to achieve this use is appropriate, and will ensure that other, less stringent uses (such as REC-2) are attained. The submittal sufficiently describes the relationship between numeric targets, pollutant sources, and loading capacities.

EPA finds the State's analysis reasonable and appropriate.

7. TMDL and Allocations: *Submittal identifies the total allowable load, waste load allocations for all point sources and load allocations for non-point sources. The TMDL must be set equal to or less than the loading capacity. If no point sources are present, waste load allocations are zero. If no non-point sources are present, load allocations are zero. TMDLs and allocations should be expressed in terms of daily time steps. If the TMDL and/or allocations are also expressed in terms other than mass loads per day, the submittal explains why it is reasonable and appropriate to express the TMDL in those terms.*

TMDLs: The TMDLs are set equal to the loading capacity, which is the numeric target and water quality objective for fecal coliform concentration, to meet the water contact recreation (REC-1) use. The TMDLs are set at a fecal coliform concentration geomean of ≤ 200 MPN/100 ml (minimum of 5 samples over a 30 day period), and 90th percentile ≤ 400 MPN/100 ml (over any 30 day period). For all sources containing human fecal material, the TMDLs are set at pathogens concentration of 0 MPN per 100 ml (Project Report, p. 33).

EPA concurs with the State's analysis and concludes the TMDLs are set at levels necessary to attain applicable water quality standards.

Waste Load and Load Allocations

All waste load allocations and load allocations are concentration-based and are set equal to or less than the loading capacity, which is the fecal coliform water quality objective for water contact recreation. TMDLs are established for all waters of Aptos Creek, Aptos Creek from the mouth and upstream to the bridge at Porter Street, and all reaches of Noble Gulch (Project Report, p. 33-36).

For all sources not containing human fecal material, waste load allocations and load allocations are set at a geomean of ≤ 200 MPN/100 ml (minimum of 5 samples over a 30 day period), and 90th percentile ≤ 400 MPN/100 ml (over any 30 day period). In the submittal, this is also referred to as "Allocation 1." For all sources containing human fecal material, the waste load and load allocations are: fecal coliform concentration shall not exceed zero MPN per 100 ml. This is referred to as "Allocation 2."

Waste Load Allocation 1 applies to discharges to MS4s, required to be covered by an NPDES permit, as well as Storm Water General Permit NPDES No. CAS000004 for Santa Cruz County (Project Report, p. 35).

Waste load allocations of zero ("Allocation 2" in the Project Report) are set for the Santa Cruz County Sanitation District and for sanitary sewer collection and treatment systems (WDR Order R3-2003-0043).

Load allocations for (nonpoint source) runoff from owners and operators of land used for/containing pets (pet waste not draining to MS4s), for owners and operators of land used for/containing farm animals and livestock (farm animals and domestic livestock discharges), and discharges from natural sources, are set at Allocation 1.

Should all control measures be in place, pathogen indicator organism concentrations remain high, and allocations are not met, staff may investigate options, such as genetic studies to isolate sources, or other appropriate monitoring, to determine if the high level of indicator organisms is due to uncontrollable sources. Responsible parties may demonstrate that controllable sources of pathogen indicator organisms are not contributing to exceedences of water quality objectives in receiving waters, and Regional Board staff may consider re-evaluating the numeric targets and allocations, including such options as a site-specific objective to be approved by the Regional Board (Project Report, pp. 35-36).

EPA concludes the TMDL analysis includes load allocations and waste load allocations that are consistent with the provisions of the CWA and federal regulations.

8. Margin of Safety (MOS): *Submittal describes explicit and/or implicit margin of safety for each pollutant.*

The State's submittal includes an implicit margin of safety "through the use of protective numeric targets, which are the water quality objectives" for the Aptos Creek watershed's REC-1 beneficial uses. The ability to distinguish controlled (man-made) versus natural sources is the main uncertainty in these TMDLs. Ribotyping is one of the best analytic methods currently available to determine the distinction between man-made versus natural sources. (Project Report, p. 36.)

EPA finds the State's analysis to be reasonable.

9. Seasonal Variations and Critical Conditions: *Submittal describes method for accounting for seasonal variations and critical conditions in the TMDL(s).*

The submittal states that monitoring data did not show significant seasonal variations, and critical conditions are related to uncertainties inherent in identifying the relative contributions of the identified sources. There are no definitive critical conditions. (Project Report, page 44)

EPA finds the State's analysis to be reasonable.

10. Public Participation: *Submittal documents provision of public notice and public comment opportunity; and explains how public comments were considered in the final TMDL(s).*

The Regional Board and State Board held several public workshops and hearings, beginning in 2005, and adequately responded to written and oral public comment.

The Regional Board held stakeholder meetings beginning on November 16, 2005 and June 26, 2006. On May 8, 2009, the Regional Board held its final public hearing on the TMDLs following a 45-day comment period, and considered all public comments and evidence in the record.

The State's submittal includes the State's Notice of Opportunity for Public Comment, dated June 8, 2010. There were no comments submitted for that action. The Regional Board's record

includes Notices of Opportunity for Public Comment, as well as Scientific Peer Review Comments, and staff responses to comments.

EPA finds the State provided sufficient opportunities for public comment and adequately responded to public comments.

11. Technical Analysis: *Submittal provides appropriate level of technical analysis supporting TMDL elements.*

The TMDL submittal provides an appropriate level of technical analysis supporting all TMDL elements.

12. Reasonable Assurances: *If waste load allocations are made less stringent based on the inclusion of load allocations that reflect non-point source reductions, submittal describes how there are reasonable assurances that necessary non-point source reductions will occur.*

N/A



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

NOV 17 2010

Tom Howard
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Mr. Howard:

Thank you for submitting the Basin Plan Amendment containing the Total Maximum Daily Loads (TMDLs) for fecal coliform impairments in the Soquel Lagoon watershed, including Soquel Lagoon, Soquel Creek, and Noble Gulch. Based on EPA's review of the TMDL submittal under Clean Water Act (CWA) Section 303(d), I have concluded the TMDLs adequately address the pollutant of concern and, upon implementation, will result in attainment of the applicable water quality standards for the Soquel Lagoon watershed. The required elements are adequately addressed; therefore, the TMDLs are hereby approved for the REC-1 beneficial use (human contact recreation) pursuant to CWA Section 303(d)(2).

The State Water Resources Control Board's Request for Approval is dated September 2, 2010. The State Office of Administrative Law approval memo is dated September 15, 2010, and EPA received it on September 27, 2010. The TMDLs include wasteload and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State has provided adequate opportunities for public review and comment on the TMDLs, and demonstrated how public comments were considered in the final TMDLs.

The TMDL submittal also contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with this TMDL. However, EPA concurs with the State's proposed implementation approaches.

The submittal includes information on the State's intention to remove the shellfish harvesting (SHELL) beneficial use, as well as waste discharge prohibitions for human fecal material and animal waste. EPA is not taking action on these items. We encourage the State to continue to expedite its statewide review of the shellfish harvesting beneficial use, and to determine the appropriate applicability of this use along the California coastline.

If you have any questions concerning this approval, please call me at (415) 972-3572 or Janet Parrish at (415) 972-3456.

Sincerely yours,

Laura Bore

for Alexis Strauss
Director, Water Division

Enclosure

cc: Roger Briggs, Executive Officer, CCRWQCB



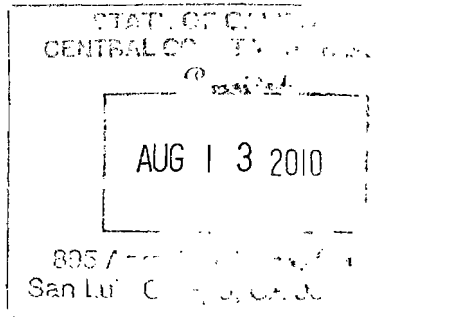
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

AUG 3 2010

Dorothy Rice
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100



Dear Ms. Rice:

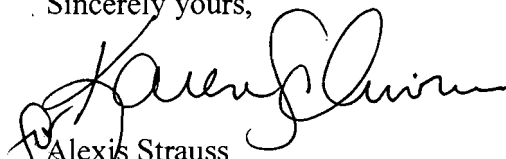
Thank you for submitting the Basin Plan Amendment containing the Total Maximum Daily Loads (TMDLs) for fecal coliform impairments in the Pajaro River watershed. The submittal contains allocations for fecal coliform in 12 waterbodies which are identified in the enclosure. Based on EPA's review of the TMDL submittal under Clean Water Act (CWA) Section 303(d), I have concluded the TMDLs adequately address the pollutant of concern and, upon implementation, will result in attainment of the applicable water quality standards for the Pajaro River watershed. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to CWA Section 303(d)(2).

The TMDL submittal is dated June 16, 2010. Additional information clarifying the submittal was provided to EPA on July 29, 2010. The TMDLs include wasteload and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State has provided adequate opportunities for public review and comment on the TMDLs, and demonstrated how public comments were considered in the final TMDLs.

The TMDL submittal also contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with this TMDL. However, EPA concurs with the State's proposed implementation approaches.

If you have any questions concerning this approval, please call me at (415) 972-3572 or Janet Parrish at (415) 972-3456.

Sincerely yours,


Alexis Strauss
Director, Water Division

Enclosure

cc: Roger Briggs, Executive Officer, CCRWQCB



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

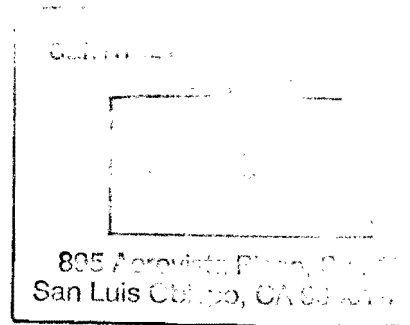
75 Hawthorne Street

San Francisco, CA 94105-3901

file: TMDL

July 16, 2007

Roger Briggs
Executive Officer
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401



Dear Mr. Briggs:

Thank you for submitting total maximum daily loads (TMDLs) to address nutrients and dissolved oxygen in Chorro Creek. The TMDLs were submitted and received by EPA on September, 15 2006, supplemental information was provided on July 16, 2007. The State of California adopted the TMDLs to address nutrients and dissolved oxygen in Chorro Creek as identified on the State's 2004-06 Clean Water Act (CWA) Section 303(d) list.

Based on EPA's review, I have concluded the TMDLs adequately address the pollutants of concern and, upon implementation, will result in attainment of applicable water quality standards. The TMDLs include waste load allocations and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State provided adequate opportunities for the public to review and comment on the TMDLs. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to Clean Water Act Section 303(d)(2).

The State's submittal also contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plans or compliance schedules provided with the TMDLs. EPA generally concurs with the State's proposed implementation approaches. If the Regional Board contemplates including schedules of compliance in NPDES permits, it can only do so if they are consistent with a compliance schedule-authorizing provision that has been submitted to EPA under CWA Section 303(c) and approved by EPA.

The enclosed review discusses the basis for this approval decision. We appreciate the State and Regional Boards' work to complete and adopt the TMDLs and we look forward to our continuing partnership in TMDL development. If you have questions concerning this approval, please call me at (415) 972-3572 or Lynn Suer at (415) 972-3148.

Sincerely yours,

Alexis Strauss 18 July 2007

Alexis Strauss
Director, Water Division

Enclosure

TMDL Review Checklist

State: California

Waterbodies: Chorro Creek

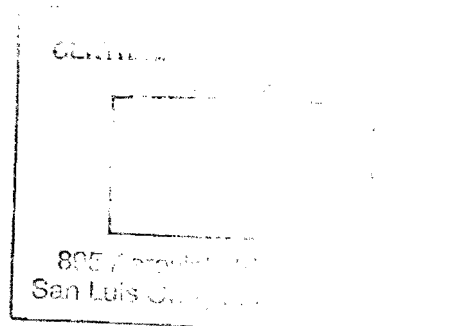
Pollutant(s): Nutrients, Dissolved Oxygen

Date of Initial Submission: September 25, 2006

Date Received By EPA: September 25, 2006

Dates of Supplemental Submission(s) and Receipt by EPA: July 16, 2007

EPA Reviewer: Peter Kozelka



1. Submittal Letter:

State submittal letter indicates final TMDL(s) for specific water(s)/pollutant(s) were adopted by state and submitted to EPA for approval under 303(d). Acknowledge if any supplemental material was provided and receipt date.

TMDL Submittal letter dated September 25, 2006. The Central Coast Regional Water Quality Control Board (Regional Board) adopted the TMDLs on July 7, 2006 under Resolution No. RB3-2006-0044. (Approval by SWRCB and OAL was not required as part of state approval process.) The TMDL submittal addresses impairments in Chorro Creek due to elevated nutrients and low dissolved oxygen as identified on the State's 2006 303(d) List. The submittal contained the Central Coast Regional Board resolution and Final Project Report (TMDL Report) which described the TMDL elements. Supplemental information was provided by Regional Board to EPA to clarify certain aspects of the TMDL submittal (email from Chris Rose dated July 16, 2007).

EPA finds the State's analysis concerning water body impairment associated with nutrients and factors causing low dissolved oxygen in Chorro Creek watershed is reasonable and consistent with the requirements of Section 303(d).

2. TMDLs Included:

The submittal clearly identifies the water segments and pollutants or stressors for which TMDLs were developed. The submittal should include the water segment identifier (e.g., NHD code) for each segment addressed. The submittal should clearly identify the TMDLs adopted for currently 303(d) listed waterbody-pollutant combinations. It should also clarify if TMDLs were adopted for new impairment findings (by waterbody-pollutant combinations) that do not exist on the current 303(d) list. If appropriate, the submittal should describe any assessment decisions that may have resulted in non-impairment status for water/pollutant combinations that exist on State's most current 303(d) list.

(Resolution, p. 1)

These TMDLs address nutrients and dissolved oxygen and are set at levels necessary to attain and maintain the applicable water quality standards. TMDLs were adopted for the following impaired segments identified on the State's 2006 303d list: Chorro Creek –nutrients and dissolved oxygen.

3. Water Quality Standards Attainment: *TMDL and associated allocations are set at levels adequate to result in attainment of applicable water quality standards.*

(Resolution, p. 1)

The TMDLs are designed to implement existing water quality objectives that are identified in the Basin Plan. There is a numeric objective for dissolved oxygen, whereas for nutrients there are numeric objectives for nitrate to protect freshwaters designated for municipal drinking water supplies. There is also a narrative objective for biostimulatory substances (i.e., nutrients) to address excess aquatic plant growth that "cause nuisance or adversely affects beneficial uses." These objectives will protect the applicable beneficial uses, including municipal and domestic water supply (MUN) and warm water habitat (WARM) and cold water habitat (COLD) in the Chorro Creek watershed. The submittal describes the impairment of the biostimulatory objective occurs in the lower reaches of Chorro Creek, downstream from Canet Road.

The State reasonably concluded that implementation of the TMDLs, load allocations, and waste load allocations will result in elimination of the adverse effects associated with elevated nutrients and low dissolved oxygen and bring about attainment of the applicable water quality standards.

4. Numeric Target(s): *Submission describes applicable water quality standards, including beneficial uses, applicable numeric and/or narrative criteria. Numeric water quality target(s) for TMDL identified, and adequate basis for target(s) as interpretation of water quality standards is provided.*

(Resolution, p. 1; Staff Report pp. 8-20)

The TMDLs establish multi-part numeric water quality targets, which are specific to the impairments and applicable beneficial uses described in item 3 above. The dissolved oxygen numeric target is consistent with the Basin Plan water quality objectives for COLD beneficial use, since these are more stringent than WARM. This includes a minimum objective (7 mg/L) and daily median value (>85% saturation). The numeric targets for biostimulatory substances is the combination of a numeric target for dissolved oxygen and a numeric value for benthic algae expressed as aerial cover of less than 40%, as a monthly median from May through September, measured at mid-channel stream with continuous flow.

EPA concludes the State's approach to developing these TMDLs upon the existing numeric water quality objectives and interpretation of narrative water quality objectives for beneficial uses in these waters is reasonable, environmentally protective, and consistent with existing standards.

5. Source Analysis: *Point, non-point, and background sources of pollutants of concern are described, including the magnitude and location of sources. Submittal demonstrates all significant sources have been considered. Point, nonpoint, and background sources of pollutants of concern are described, including the magnitude and location of sources. The submittal demonstrates all significant sources have been considered.*

(Resolution, p. 1; Staff Report pp. 12-32)

The TMDL submittal conducted an assessment of all readily available data and information concerning the sources of nutrients and oxygen. The primary point source is discharge from the California Men's Colony, wastewater treatment plant. Non-point sources include run-off from agricultural and undeveloped lands in the surrounding watershed.

The TMDL submittal adequately considered all significant sources of nutrients and related causative agents of low dissolved oxygen in the Chorro Creek watershed.

6. Loading Capacity Linkage Analysis: *Submittal describes relationship between numeric target(s) and identified pollutant sources. Submittal clearly identifies loading capacity. For each pollutant, describes analytical basis for conclusion that sum of allocations and margin of safety does not exceed the loading capacity of the receiving water(s).*

(Staff Report, pp. 31-33)

The TMDL submittal describes a clear linkage between pollutant sources (both point and non-point sources) and ambient stream water quality in Chorro Creek. Low dissolved oxygen is related to the imbalance of oxygen input as well as oxygen demand based on presence of other parameters. Causes of low dissolved oxygen are: lack of turbulent flow thereby minimizing oxygen re-aeration, reduced oxygen solubility due to elevated total salts (TDS and sodium), elevated stream temperatures and lack of riparian shading, and presence of benthic algae. Causes of excessive algae are: elevated nutrient levels, lack of scouring due to elevated stream flow during algal growing season, increased stream temperatures, and excessive light availability due to lack of riparian canopy (shading) in lower reaches of the creek. When shading is less than 70%, the in-stream algal cover exceeds 40%.

The State's analysis sufficiently describes the link between the numeric targets and the pollutant sources in the Chorro Creek watershed.

7. TMDL and Allocations:

TMDL—Submittal identifies the total allowable load, which is set equal to or less than the loading capacity. TMDL is expressed in terms of mass-based, concentration-based or other equivalent approaches that are consistent with federal requirements. If TMDL has seasonal features then please describe. TMDLs and allocations should be expressed in terms of daily time steps. If the TMDL and/or allocations are also expressed in terms other than mass loads per day, the submittal explains why it is reasonable and appropriate to express the TMDL in those terms.

Allocations—Submittal identifies appropriate waste load allocations for all point sources and load allocations for all non-point sources. Allocations are expressed in terms of mass-based, concentration-based or other equivalent approaches, the submittal explains why it is reasonable and appropriate to express in those terms. If point sources are present, submittal identifies existing NPDES permits by name and number. More discussion of point sources in watershed. If no point sources are present, waste load allocations are zero. More discussion of non-point sources. If no non-point sources are present, then load allocations are zero.

(Basin Plan Amendment Resolution, p. 2; Staff Report pp. 31-36)

The TMDL or loading capacity for these waters is defined as concentration-based criteria, which are equivalent to the numeric targets for dissolved oxygen, sodium, TDS and water temperature.

The biostimulatory substances TMDLs are defined for nutrients (rolling median value for N and P from May through September) and related constituents: Nitrate-nitrogen shall not exceed 1.5 mg/L; ortho-phosphorus shall not exceed 0.4 mg/L; no increase in receiving water temperatures by more than 5 degrees Fahrenheit, median shading shall not fall below 70% along Chorro Creek downstream from Canet Road. Also, the benthic algae shall not exceed median aerial cover of 40% from the months of May through September downstream from Canet Road.

The nutrients and dissolved oxygen TMDLs are defined on daily basis, although monitoring and implementation may occur at different durations.

Waste Load Allocations (WLAs)

TMDL submittal identifies one point source in the watershed, California Men's Colony Wastewater Treatment Plant (NPDES # CA 0047856). Waste load allocations for this point source are expressed as concentration-based values. The dissolved oxygen related WLAs are equivalent to the TMDL values described for sodium, total dissolved solids, and receiving water temperature as described above. The

biostimulatory related WLAs are: median ortho-phosphorus concentrations shall not exceed current levels (approx. 0.4 mg/L as measured by comparison to effluent levels in 2005 and 2005) and monthly maximum nitrate-nitrogen concentrations shall not exceed 10 mg/L. (Note: The submittal acknowledges the CMC facility is scheduled for an upgrade/improvement in nutrient removal processes and this is expected to result in single digit nitrate-nitrogen conc. and ten-fold lower conc. of phosphorus discharges. The Regional Board confirmed the CMC upgrade installation occurred on May 30, 2007. See supplemental information.)

Load Allocations (LAs)

TMDL submittal identifies load allocations for land owners along Chorro Creek downstream of Canet Road: median stream shading shall not fall below 70%. The submittal does not explicitly define load allocations for nitrogen and phosphorus discharges from other non-point sources; e.g., agricultural runoff and natural sources (open space and undeveloped forest land); however it does summarize existing monitoring results (approx. 300 data points) for upstream watersheds and implies the existing nitrogen and phosphorus loads are minimal and likely to decline upon additional agricultural activities regulated through the State's Ag Waiver program. See discussion in supplemental information.

Based on the information in the Basin Plan Amendment and the attachment, EPA concludes the State's approach of setting TMDLs and allocations on a concentration basis is appropriate for the water and pollutants of concern and consistent with the provisions of CWA and federal regulations. See 40 CFR 130.2(i). These allocations are suitable for daily load evaluations.

8. Margin of Safety: *Submission describes explicit and/or implicit margin of safety for each pollutant.*

(Basin Plan Amendment Resolution, p.2; Staff Report, p. 36)

The TMDL submittal utilizes the existing water quality standards and an implicit margin of safety. The TMDLs for nitrate-nitrogen and shade are based on local information and thus also presumed to be more conservative and therefore provide an implicit margin of safety.

EPA considers this a permissible and appropriate way of dealing with uncertainties in addressing water quality in Chorro Creek.

9. Seasonal Variations and Critical Conditions: *Submission describes method for accounting for seasonal variations and critical conditions in the TMDL(s).*

(Basin Plan Amendment Resolution, p. 2; Staff Report, p. 33)

The submittal identifies that the TMDLs and allocations apply year round to the CMC plant discharge, although the critical condition is late summer when little or no natural flow is present in waters upstream of the CMC discharge point. The critical season is established as May through September when shading should be equal to or more than 70%.

The State's analysis adequately accounts for the seasonal variations and critical conditions by establishing TMDLs and allocations that vary in response to differences in flow conditions.

10. Public Participation: *Submittal documents include provision of public notice and public comment opportunity; and explain how public comments were considered in the final TMDL(s).*

The Regional Board provided adequate opportunities for public comment on the TMDLs through direct mailings, public meetings, and formal hearings. Public comments were received in writing and in oral testimony. The State demonstrated how it considered these comments in its final decision by providing reasonably detailed responsiveness summaries.

The Regional Board held three public meetings in 2000 and 2001. Another meeting (March 2006) was held with CMC representatives. In April 2006, the Regional Board sent notification of public hearing to stakeholder; the hearing was held on July 7, 2006.

The State demonstrated how it provided sufficient opportunities for public comment.

11. Technical Analysis: *Submission provides appropriate level of technical analysis supporting TMDL elements.*

The TMDL analysis provides a thorough review and summary of available information concerning nutrient and dissolved oxygen impairments in the Chorro Creek watershed.

EPA concludes the State was reasonably diligent and appropriate in its technical analysis of nutrients and related constituents contributing to impairments in Chorro Creek.

12. Reasonable Assurances: *[may require EPA review] If wasteload allocations are made less stringent based on inclusion of load allocations that reflect nonpoint source reductions, submission describes how there are reasonable assurances necessary nonpoint source reductions will occur.*

NOT APPLICABLE

13. Other: *Table for clarifying submittal for TMDL waterbody-combinations for corresponding 303(d) listing, new impairment findings or non-impairment findings.*

TMDLS for 303d list	Listed Year
Chorro Creek - nutrient	2002
Chorro Creek – dissolved oxygen	2006
TMDLS for new impairments	N/A



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

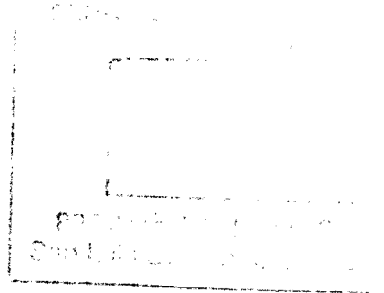
REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

file: TMDL

JUL 19 2007

Dorothy Rice
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100



Dear Ms. Rice:

Thank you for submitting total maximum daily loads (TMDLs) to address pathogens in Watsonville Slough. The TMDLs were submitted on December 28, 2006 and received by EPA on ~~January 4, 2007~~. Concurrent with the submitted TMDLs, the State included a Use Attainability Analysis (UAA) to amend the water quality standards for Watsonville Slough and its tributaries by removing shellfish harvesting as a designated use. EPA approved the UAA on March 28, 2007.

Watsonville Slough is included on California's 2004-2006 Clean Water Act Section 303(d) list for impairment due to pathogens. During the TMDL development process, the State identified four tributaries: Harkins Slough, Gallighan Slough, Struve Slough and Hanson Slough that also exceeded the State's fecal coliform standards associated with recreational contact. Pursuant to the requirements of Section 303(d)(1), the State adopted TMDLs to address fecal coliform, an indicator of potentially harmful pathogens, in Watsonville Slough and four tributaries.


During the decision-making process, the State clearly identified these additional water body-pollutant combinations as water quality limited waters for which TMDLs are required. The State provided sufficient documentation to support its determination of pathogen impairment and provided opportunities for public review and comment on the additional water body-pollutant identifications. The State's decision to concurrently identify additional water quality limited segments and adopt TMDLs for those segments is consistent with the provisions of the Clean Water Act and federal regulations. As the State's decision to identify the additional water body-pollutant combinations is consistent with the requirements of Section 303(d) and federal regulations at 40 CFR 130.7, EPA hereby approves the identification of these additional combinations pursuant to Section 303(d)(2).

Based on EPA's review, I have concluded the TMDLs adequately address the pollutant of concern and, upon implementation, will result in attainment of applicable water quality standards. The TMDLs include waste load allocations and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State provided adequate opportunities for the public to review and comment on the TMDLs. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to Clean Water Act Section 303(d)(2).

The State's submittal also contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan or compliance schedule provided with the TMDLs. EPA generally concurs with the State's proposed implementation approaches. If the Regional Board contemplates including schedules of compliance in NPDES permits, it can only do so if they are consistent with a compliance schedule-authorizing provision that has been submitted to EPA under CWA Section 303(c) and approved by EPA.

The enclosed review discusses the basis for this approval decision. We appreciate the State and Regional Boards' work to complete and adopt the TMDLs and we look forward to our continuing partnership in TMDL development. If you have questions concerning this approval, please call me at (415) 972-3572 or Lynn Suer at (415) 972-3148.

Sincerely yours,


Alexis Strauss
Director, Water Division

Enclosure

cc: Roger Briggs, Central Coast RWQCB

TMDL Review Checklist

State: California

Water bodies: Watsonville Slough and tributaries

Pollutant(s): Pathogens

Date of Initial Submission: December 28, 2006

Date Received by EPA: January 4, 2007

Dates of Supplemental Submission(s) and Receipt by EPA: March 28, 2007 (UAA approval by EPA), June 30, 2007 (email from Central Coast RWQCB)

EPA Reviewer: Karen Irwin

1. Submittal Letter:

State submittal letter indicates final TMDL(s) for specific water(s)/pollutant(s) were adopted by state and submitted to EPA for approval under 303(d). Acknowledge if any supplemental material was provided and receipt date.

The TMDLs were submitted on December 28, 2006 and received on January 4, 2007. As supplemental material concurrently submitted with the TMDLs, the State provided a Use Attainability Analysis (UAA) to amend the water quality standards for the Watsonville Slough and its tributaries by removing Shellfish Harvesting as a designated use. (Note: EPA separately approved the UAA under Clean Water Act Section 303(c) on March 28, 2007.) On June 30, 2007, we received supplemental clarification of the TMDLs from Lisa McCann, Central Coast Regional Water Quality Control Board (Regional Board).

The Regional Board adopted TMDLs for the Watsonville Slough and tributaries on March 24, 2006 (Regional Board Resolution R3-2006-0025). The Resolution contains the Basin Plan amendment and describes elements of the TMDLs. The California State Board (SWRCB) approved the TMDLs on September 21, 2006 (SWRCB Resolution 2006-0067) and the State Office of Administrative Law approved them on November 20, 2006 (OAL file # 06-1102-02 S).

EPA finds the State's analysis concerning water body impairment associated with pathogens in the Watsonville Slough and tributaries to be reasonable and consistent with the requirements of Section 303(d).

2. TMDLs Included:

The submittal clearly identifies the water segments and pollutants or stressors for which TMDLs were developed. The submittal should include the water segment identifier (e.g., NHD code) for each segment addressed. The submittal should clearly identify the TMDLs adopted for currently 303(d) listed waterbody-pollutant combinations. It should also clarify if TMDLs were adopted for new impairment findings (by waterbody-pollutant combinations) that do not exist on the current 303(d) list. If appropriate, the submittal should describe any assessment decisions that may have resulted in non-impairment status for water/pollutant combinations that exist on State's most current 303(d) list.

Watsonville Slough was included on the State's 1998 and 2002 Section 303(d) lists as impaired due to

pathogens, as well as on the current 2004-2006 Section 303(d) list. (The current list describes Watsonville Slough as a Water Quality Limited Segment Being Addressed by a USEPA-approved TMDL, however, EPA has requested the State to re-categorize it as a Water Quality Limited Segment Still Needing a TMDL since EPA has not yet approved the Watsonville Slough TMDLs. EPA 2004-06 303(d) List decision letter to SWRCB, June 28, 2007, pg. 18.)

The State's submittal addresses pathogens in the Watsonville Slough Watershed, which includes four tributaries to the Watsonville Slough: Harkins Slough, Gallighan Slough, Struve Slough and Hanson Slough. The submittal demonstrates that these four tributary sloughs exceed Basin Plan numeric water quality objectives for fecal coliform, which are pathogen-indicator organisms, thus documenting the State's finding of impairment. [Basin Plan Amendment Resolution ("Resolution"), Attachment 1, p. 6] The Regional Board confirms that the public had opportunity to comment on the data that supported the Regional Board's decision to consider these water bodies impaired, therefore, TMDLs were required. (June 30, 2007 email from Lisa McCann.)

EPA concurs with the State's finding of impairment for the four water body-pollutant combinations not included on the State's 2004-2006 Section 303(d) list. The State's adoption of pathogen TMDLs for these water bodies as part of the Watsonville Slough watershed is appropriate.

3. Water Quality Standards Attainment: *TMDL and associated allocations are set at levels adequate to result in attainment of applicable water quality standards.*

The TMDLs identify water contact recreational use (REC-1) and non-contact recreational use (REC-2) as beneficial uses related to fecal coliform in the Watsonville Slough Watershed. [Final Project Report, p. 3] The numeric TMDLs for the five sloughs are concentration-based and equal to the REC-1 fecal coliform standards contained in the Basin Plan: 200 most probable number (MPN)/100ml (geometric mean) and 400MPN/100ml (maximum). The waste load allocations and load allocations for each responsible discharger or group of dischargers cannot exceed 200 MPN/100ml and 400 MPN/100ml. [Resolution, Attachment 1, p. 75 ("the allocation to each responsible party is the receiving water fecal coliform concentration equal to the TMDL").] Protecting to the level of the REC-1 standards will also result in attainment of the less stringent fecal coliform REC-2 standards.

The State reasonably concluded that attainment of the numeric targets and associated TMDLs, waste load allocations, and load allocations will result in attainment of the applicable numeric water quality objectives [Resolution, Attachment 2, pp. 56-57]. This finding is supported by monitoring requirements in the TMDLs for responsible parties to provide data representing their respective fecal coliform loadings. [Resolution, Attachment 1, pp. 7-9 and Attachment 2, p. 69] While genetic analysis suggests that some exceedences could be due to natural background sources (bird feces), the CCRWCQB does not believe the analysis supports a conclusion that the sloughs will not achieve the REC-1 standards if controllable sources are removed. Furthermore, future hydrological improvements resulting from implementing elements of the proposed Watershed Conservation Plan could improve circulation and reduce natural background bacteria loads. (June 30, 2007 email from Lisa McCann.)

4. Numeric Target(s): *Submission describes applicable water quality standards, including beneficial uses, applicable numeric and/or narrative criteria. Numeric water quality target(s) for TMDL identified, and adequate basis for target(s) as interpretation of water quality standards is provided.*

The numeric TMDL targets are equal to the applicable fecal coliform water quality standards in the REC-1 designation. Fecal coliform are pathogen-indicator organisms. The applicable water quality standards are:

- 1) Water Contact Recreation (REC-1): Fecal coliform concentration, based on a minimum of not less

than five samples for any 30-day period, shall not exceed a log mean of 200 per 100ml, nor shall more than 10% of total samples during any 30-day period exceed 400 per 100ml.

2) Non-Contact Water Recreation (REC-2): Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 2000 per 100ml, nor shall more than 10% of samples collected during any 30-day period exceed 4000 per 100ml.

[Resolution, Attachment 2, p. 3]

EPA concludes that the State's approach to apply the existing numeric water quality objectives for recreational uses as the allocations in these waters is reasonable, environmentally protective, and consistent with existing standards.

5. Source Analysis: *Point, non-point, and background sources of pollutants of concern are described, including the magnitude and location of sources. Submittal demonstrates all significant sources have been considered. Point, nonpoint, and background sources of pollutants of concern are described, including the magnitude and location of sources. The submittal demonstrates all significant sources have been considered.*

The submittal contains an assessment of all readily available data and information concerning sources of pathogens in the Watsonville Slough watershed. Point sources include the Santa Cruz County urban and landfill stormwater systems and sanitary sewer collection system; the City of Watsonville urban stormwater and sanitary sewer collection systems, and; other miscellaneous facilities with industrial stormwater permits which are "not expected to be sources of pathogens" in the Watsonville Slough watershed. [Resolution, Attachment 2, pp. 47-49 and 56] Nonpoint sources include humans, pets, livestock, land-applied manure in irrigation agriculture, and uncontrollable (natural background) bird sources. [Resolution, Attachment 2, p. 52]

The submittal adequately considered all significant sources of pathogens in Watsonville Slough and tributaries.

6. Loading Capacity Linkage Analysis: *Submittal describes relationship between numeric target(s) and identified pollutant sources. Submittal clearly identifies loading capacity. For each pollutant, describes analytical basis for conclusion that sum of allocations and margin of safety does not exceed the loading capacity of the receiving water(s).*

The TMDLs do not apply load-based limits based on the reasoning that 1) they are not practical to establish in this watershed system due to both the natural hydrologic functioning of the sloughs and their extensive alteration; and 2) defining and controlling bacteria levels on a mass basis is impractical due to the potential for bacteria re-growth and die-off. [Resolution, Attachment 2, p. 52]

The link between pollutant loads and water quality objectives is established because the numeric WLAs and LAs are the REC-1 fecal coliform water quality objectives. Fecal coliform are pathogen-indicator organisms.

7. TMDL and Allocations:

TMDL—Submittal identifies the total allowable load, which is set equal to or less than the loading capacity. TMDL is expressed in terms of mass-based, concentration-based or other equivalent approaches that are consistent with federal requirements. If TMDL has seasonal features then please describe. TMDLs and allocations should be expressed in terms of daily time steps. If the TMDL and/or allocations are also expressed in terms other than mass loads per day, the submittal explains why it is reasonable and appropriate to express the TMDL in those terms.

Allocations—Submittal identifies appropriate waste load allocations for all point sources and load allocations for all non-point sources. Allocations are expressed in terms of mass-based, concentration-based or other equivalent approaches, the submittal explains why it is reasonable and appropriate to express in those terms. If point sources are present, submittal identifies existing NPDES permits by name and number. More discussion of point sources in watershed. If no point sources are present, waste load allocations are zero. More discussion of non-point sources. If no non-point sources are present, then load allocations are zero.

TMDLs for Watsonville Sloughs:

The concentration-based TMDL numeric targets for pathogens are set at the same level as the REC-1 water quality objectives in the Basin Plan; these concentration based values apply to the TMDLs, the wasteload allocations for point sources and load allocations for nonpoint sources:

Fecal Coliform:

Geometric Mean: ≤ 200 MPN/100ml (not less than 5 samples over a 30-day period)

Maximum: 400 MPN/100ml (not more than 10% of total samples during a 30-day period)

The natural background allocation equals the TMDL numeric targets. [Resolution, Attachment 1, p. 6]

Receiving water fecal coliform is set to the level of the REC-1 fecal coliform standards for the following sources and water bodies. [Resolution, Attachment 2, p. 56]

Waste Load Allocations for Point sources:

Santa Cruz County (urban stormwater) - Watsonville, Struve and Harkins Sloughs. (NPDES General Permit No. CAS000004)

City of Watsonville (urban stormwater) - Watsonville, Struve and Harkins, Gallighan, and Hanson Sloughs. (NPDES General Permit No. CAS000004)

Santa Cruz County Freedom Sanitation District (Sanitary Sewer Collection System) - Harkins Slough.

City of Watsonville (Sanitary Sewer Collection System) - Watsonville and Struve Sloughs.

Santa Cruz County (landfill stormwater) - Gallighan Slough.

Load Allocations for Nonpoint sources:

Operators or owners of irrigated lands who land-apply manure - Watsonville and Harkins Sloughs.

Operators or owners of livestock facilities and animals - Watsonville and Harkins Sloughs.

Based on the information in the Basin Plan Amendment and the attachment, EPA concludes that the State's approach of setting TMDLs and allocations on a concentration basis is appropriate for the water bodies and pollutants of concern and is consistent with the provisions of CWA and federal regulations. See 40 CFR 130.2(i). These allocations are suitable for daily load evaluations.

8. Margin of Safety: *Submission describes explicit and/or implicit margin of safety for each pollutant.*

The TMDL submittal states: "A margin of safety has been established implicitly through the use of the protective numeric targets, which are in this case the water quality objectives for the beneficial uses of the Sloughs. The pathogen TMDL for Watsonville Sloughs is the water quality objective for REC-1. The Central Coast Regional Water Quality Control Plan states that 'Controllable water quality shall conform to the water quality objectives... When other conditions cause degradation of water quality beyond the levels or limits established as water quality objectives, controllable conditions shall not cause further degradation of water quality.' Because the allocation for controllable sources is set at the water quality objective, if achieved these allocations will by definition achieve the water quality objectives. Thus, in

this TMDL there is no uncertainty relative to the effect of loads from controlled sources on water quality.” [Resolution, Attachment 2, p. 57]

EPA considers this an appropriate approach for dealing with uncertainty concerning the relationship between TMDL, waste load allocations, load allocations, and water quality conditions.

9. Seasonal Variations and Critical Conditions: *Submission describes method for accounting for seasonal variations and critical conditions in the TMDL(s).*

These TMDLs and allocations apply year-round. The submittal compared data from the summer and winter sampling periods; while genetic analysis supports a preliminary conclusion that impairment is more likely during winter, exceedence data provide no clear pattern of seasonal variation. The submittal identifies critical conditions in the Watsonville Slough and tributaries necessary for pathogen impairment. [Resolution, Attachment 2, pp. 53-54]

The State’s analysis adequately accounts for seasonal variations and critical conditions.

10. Public Participation: *Submission documents provision of public notice and public comment opportunity; and explains how public comments were considered in the final TMDL(s).*

The Regional Board held a public hearing on March 24, 2006 and received and responded to public comments. [Resolution, Attachment 7] The SWRCB also held a public hearing on September 21, 2006 and received and responded to public comments.

The State demonstrated that it provided sufficient opportunities for public comments and considered public comments in its final decision by providing reasonably detailed responsiveness summaries.

11. Technical Analysis: *Submission provides appropriate level of technical analysis supporting TMDL elements.*

The technical analysis provides a thorough review and summary of available information concerning pathogen impairments in the Watsonville Slough watershed. EPA concludes that the State was reasonably diligent and appropriate in its technical analysis.

12. Reasonable Assurances: *If waste load allocations are made less stringent based on inclusion of load allocations that reflect nonpoint source reductions, submission describes how there are reasonable assurances that necessary nonpoint source reductions will occur.*

Not Applicable.

13. Other: *table for clarifying submittal for TMDL waterbody-combinations for corresponding 303(d) listing, new impairment findings or non-impairment findings.*

TMDLS for 303d list	Listed Year
Watsonville Slough – pathogens	2002
TMDLS for new impairments	N/A
Harkins Slough – pathogens	
Gallighan Slough – pathogens	
Struve Slough – pathogens	
Hanson Slough – pathogens	

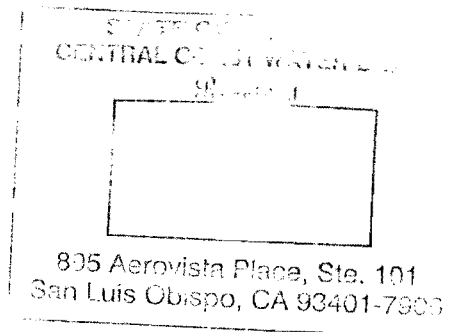


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

MAY 03 2007



Ms. Dorothy Rice
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Ms. Rice:

Thank you for submitting the total maximum daily loads (TMDLs) to address sediment in the Pajaro River. The submission was dated December 28, 2006 and was received on January 4, 2007. The State of California adopted the TMDLs to address suspended sediment in the following water quality limited segments as identified on the State's 2002 Clean Water Act Section 303(d) list: Pajaro River, Llagas Creek, Rider Creek Gulch and San Benito River.

Based on EPA's review, I have concluded the TMDLs adequately address the pollutant of concern, and will, upon implementation, result in attainment of applicable water quality standards. The TMDLs include allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State provided adequate opportunities for the public to review and comment on these TMDLs. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to Clean Water Act Section 303(d)(2).

The State's submittal also contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan or compliance schedules provided with the TMDLs. EPA generally concurs with the State's proposed implementation approaches. If the Regional Board contemplates including schedules of compliance in NPDES permits, it can only do so if they are consistent with a compliance schedule-authorizing provision that has been submitted to EPA under Clean Water Act Section 303(c) and approved by EPA.

The enclosed review discusses the basis for this approval decision. We appreciate the State and Regional Boards' work to complete and adopt the TMDLs and we look forward to our continuing partnership in TMDL development. If you have questions concerning this approval, please call me at (415) 972-3572 or Janet Parrish at (415) 972-3456.

Sincerely yours,

Janet Hashimoto
for Alexis Strauss, Director
Water Division

Enclosure

cc: Robert Briggs, Central Coast RWQCB

TMDL Review Checklist

State: California

Waterbodies: Pajaro River, Llagas Creek, Rider Creek, and San Benito River

Pollutant(s): Sediment/Siltation

Date of Initial Submission: December 28, 2006

Date Received By EPA: January 4, 2007

Dates of Supplemental Submission(s) and Receipt by EPA: N/A

EPA Reviewer: Janet Parrish

1. Submittal Letter:

State submittal letter indicates final TMDL(s) for specific water(s)/pollutant(s) were adopted by state and submitted to EPA for approval under 303(d). Acknowledge if any supplemental material was provided and receipt date.

Submittal letter dated December 28, 2006 and received January 4, 2007.

The Central Coast RWQCB adopted the sediment TMDL for Pajaro River on December 2, 2005 (RWQCB Resolution # R3-2005-0132). The California State Board (SWRCB) approved the sediment TMDL on November 16, 2005 (SWRCB Resolution # 2005-0086). The Basin Plan amendment was approved by the SWRCB on September 21, 2006 under Resolution No. 2006-0068. The State Office of Administrative Law approved the TMDL on November 27, 2006 (OAL file # 06-1102-01 S). The submittal addresses four waterbodies: the Pajaro River, including Llagas Creek, Rider Creek and the San Benito River (TMDL Final Project Report, p. 1), all of which were identified on the State's 2002 CWA Section 303(d) list for sedimentation/siltation (TMDL Final Project Report, p. 3)

The submittal contained the TMDL Final Project Report (TMDL Report) dated November 2005, and the Central Coast RWQCB Resolution, including the Basin Plan Amendment dated September 8, 2006.

2. TMDLs Included:

The submittal clearly identifies the water segments and pollutants or stressors for which TMDLs were developed. The submittal should include the water segment identifier (e.g., NHD code) for each segment addressed. The submittal should clearly identify the TMDLs adopted for currently 303(d) listed waterbody-pollutant combinations. It should also clarify if TMDLs were adopted for new impairment findings (by waterbody-pollutant combinations) that do not exist on the current 303(d) list. If appropriate, the submittal should describe any assessment decisions that may have resulted in non-impairment status for water/pollutant combinations that exist on State's most current 303(d) list.

The submittal addresses the Pajaro River (32 mi), including Llagas Creek (15 mi), Rider Creek (1.8 mi) and the San Benito River (86 mi) (TMDL Final Project Report, pp. 1,3).

3. Water Quality Standards Attainment: *TMDL and associated allocations are set at levels adequate to result in attainment of applicable water quality standards.*

(TMDL report, pp. 6-21)

Narrative water quality objectives exist for sediment in the Central Coast RWQCB Basin Plan. Two

categories of numeric targets have been developed for the Pajaro River TMDLs: suspended sediment concentration/durations and streambed characteristics. Together, these are designed to protect the most sensitive beneficial uses of the watershed, which are those related to cold and warm water habitat. The State relied on well-known literature sources to supporting the values selected; those values are protective of the most sensitive beneficial uses.

The State reasonably concluded that attainment of the numeric targets and associated TMDLs, waste load allocations, and load allocations will result in attainment of the applicable numeric water-quality objective.

4. Numeric Target(s): *Submission describes applicable water quality standards, including beneficial uses, applicable numeric and/or narrative criteria. Numeric water quality target(s) for TMDL identified, and adequate basis for target(s) as interpretation of water quality standards is provided.*

(TMDL report, pp.8-13)

The numeric targets were developed from narrative water quality objectives to protect the most sensitive beneficial uses in the Pajaro River watershed, which are those related to cold and warm water habitat, including spawning, migration, and rearing. Data on steelhead trout and local warm water fish communities (e.g., threespine stickleback, pikeminnow, prickly sculpin, sucker, California roach, speckled dace, carp, and Sacramento blackfish) in the Pajaro River were assembled to identify sediment characteristics protective of those species.

The suspended sediment targets were based on a "Severity of Ill Effects" (SEV) framework (Newcombe & Jensen, 1996, in TMDL Report p. 9) combined with a watershed model developed to evaluate current suspended sediment loading a scenario of sediment reductions (based on a model run from 1986-2000). The sediment reduction scenario, identified as the TMDL conditions, evaluated reductions of 100% in road erosion in three subbasins; an 80% decrease of sediment from cropland, fallow fields and mines; a 60 % decrease from orchards and pastureland; and a 20% decrease from rangeland. The results of the model under these conditions were used as the numeric targets for suspended sediment concentration. Targets for each of seven subwatersheds were developed (TMDL report, p. 16).

Streambed characteristic targets for residual pool volume, median diameter of spawning gravels, and distribution of sediments in spawning gravels from two size fractions were identified based on targets established for other Central Coast sediment TMDLs. These characteristics were identified to ensure that sediment accumulation in streambed habitat does not degrade the spectrum of beneficial uses.

This TMDL submittal adequately defines the beneficial uses and the numeric water quality objectives to be achieved.

5. Source Analysis: *Point, non-point, and background sources of pollutants of concern are described, including the magnitude and location of sources. Submittal demonstrates all significant sources have been considered. Point, nonpoint, and background sources of pollutants of concern are described, including the magnitude and location of sources. The submittal demonstrates all significant sources have been considered.*

(TMDL report, pp. 22-25)

The TMDL report summarizes the sediment sources contributing to the impairment. They are primarily nonpoint, and include agricultural operations, silviculture, urban land use, rangeland and grazing activities, sand and gravel mining operations, streambank erosion, roads, and natural erosion processes. There are no large MS4s (Municipal Separate Storm Sewer Systems) covered by Phase I of the NPDES stormwater program, but the cities of Watsonville, Hollister, Gilroy and Morgan Hill are designated as small MS4s, and are required to develop and implement stormwater management plans.

6. Loading Capacity Linkage Analysis: *Submittal describes relationship between numeric target(s) and identified pollutant sources. Submittal clearly identifies loading capacity. For each pollutant, describes analytical basis for conclusion that sum of allocations and margin of safety does not exceed the loading capacity of the receiving water(s).*

(TMDL report, pp. 26-36)

The TMDL is the sediment loading that would be expected if all the land uses were similar to more natural conditions as a result of optimal reductions in anthropogenic sources (TMDL report, p. 34). The load analysis was used to determine time-variable nonpoint source contributions from subwatersheds using the Soil and Water Assessment Tool (SWAT) model. Establishing the relationship between the in-stream water quality targets and source loading is a critical component of the TMDL development. The SWAT model was applied to the Pajaro River watershed to determine existing sediment loads and evaluate optimal TMDL load reductions. The targets and loading capacity are closely linked, as the numeric targets for suspended sediment concentration were developed by running the watershed model using existing conditions, and sediment reduction conditions as follows (TMDL report p. 14): 100% reductions in road erosion in three subbasins where roads are known to contribute significantly to sediment loading (TMDL Report p. 26); an 80% decrease of sediment from cropland, fallow fields and mines; a 60 % decrease from orchards and pastureland; and a 20% decrease from rangeland. This was considered to be the "controllable anthropogenic sources." This determined the loading capacity. After these reductions, loading rates from the anthropogenic sources are comparable to loading rates from shrubland and grassland areas (TMDL report pp. 14, 33). These reductions translated to numeric targets for suspended sediment concentration in each of seven watersheds (TMDL report, p. 16).

The linkage analysis for this TMDL (TMDL report, p. 38-39) is intended to demonstrate that waste load allocations and load allocations will result in attainment of the water quality objectives. The SWAT model was used to analyze the total and land use specific sediment loads. Available monitoring data was used to calibrate the model, and then used to estimate existing conditions and conditions following sediment reductions; conditions under reductions were set as targets. A direct, numeric linkage between sediment loadings and streambed characteristics targets cannot be established, but previous studies of northern California streams has demonstrated that a linkage exists.

The submittal adequately describes the relationship between the numeric targets, pollutant sources and the total assimilative capacity (loading capacity) of the waterbody.

7. TMDL and Allocations:

TMDL—Submittal identifies the total allowable load, which is set equal to or less than the loading capacity. TMDL is expressed in terms of mass-based, concentration-based or other equivalent approaches that are consistent with federal requirements. If TMDL has seasonal features then please describe. TMDLs and allocations should be expressed in terms of daily time steps. If the TMDL and/or allocations are also expressed in terms other than mass loads per day, the submittal explains why it is reasonable and appropriate to express the TMDL in those terms.

Allocations—Submittal identifies appropriate waste load allocations for all point sources and load allocations for all non-point sources. Allocations are expressed in terms of mass-based, concentration-based or other equivalent approaches, the submittal explains why it is reasonable and appropriate to express in those terms. If point sources are present, submittal identifies existing NPDES permits by name and number. More discussion of point sources in watershed. If no point sources are present, waste load allocations are zero. More discussion of non-point sources. If no non-point sources are present, then load allocations are zero.

Loading Capacity

By setting the TMDL to the sediment load that would be expected if all the land uses were similar to more natural conditions as a result of optimal reductions in anthropogenic sources (TMDL report, p. 34), the TMDL is set equal to loading capacity.

Waste Load Allocations for Point Sources and Load Allocations for Nonpoint Sources

Load allocations and waste load allocations are identified by land use for each of seven subwatersheds, and they are expressed in metric tonnes (TMDL report, p. 36). Land use categories are crop, fallow and orchard; forest; pasture and range; urban lands; roads; barren; and sand and gravel mining. The time period is expressed on an annual basis (TMDL report, p. 36). It is implied that the expression of allocations on an annual basis is appropriate based on the statements about the natural fluctuations of sediment loading throughout the year and from year-to-year.

The TMDLs were set by determining sediment source and load reduction categories based on land use. Urban/residential areas are included as both point source (NPDES stormwater) and nonpoint source (TMDL report, p. 34). For urban lands, the allocations are waste load allocations if the area falls within NPDES Phase 2 urban boundaries (TMDL report, p. 36). There are small MS4s that fall within these boundaries in Watsonville, Hollister, Gilroy and Morgan Hill (TMDL report, pp. 24-25). These cities are required to develop an implement stormwater management plans that address water quality related issues.

For every other land use category not within the NPDES Phase 2 urban boundaries, the allocations are load allocations. These land use categories include crop, fallow, orchard, forest, pasture, range, roads, barren land, sand and gravel mining, and urban lands outside of NPDES Phase 2 boundaries.

EPA concludes that the State's approach of defining the TMDLs and allocations in terms of tonnes of sediment per day and allocating by land use type is appropriate for the pollutant of concern and is consistent with the provisions of CWA and federal regulations. See 40 CFR 130.2(j)

8. Margin of Safety: *Submission describes explicit and/or implicit margin of safety for each pollutant.*

(TMDL report, p.37)

The submittal incorporates an implicit margin of safety by: 1) using a multiple-year simulation period to consider varied hydrologic conditions, seasonality and critical conditions; 2) exposure category methodology incorporating a range of suspended sediment concentrations and durations of exposure associated with a given response level; applying the exposure category methodology separately to each subwatershed, incorporating differences among them; calibrating the model to minimize the uncertainty of loading relationships; and applying more protective numeric targets to the San Benito River to account for the uncertainty of whether suspended sediment from the San Benito River is transported directly to the Pajaro River

EPA considers this an appropriate approach for dealing with uncertainty concerning the relationship between TMDL, wasteload allocations, load allocations, and water quality conditions.

9. Seasonal Variations and Critical Conditions: *Submission describes method for accounting for seasonal variations and critical conditions in the TMDL(s).*

(TMDL report, p. 40)

Sediment concentration data for the Pajaro River watershed show that the largest loading of sediment to the watershed typically occurs during the winter months at high-flow periods. Sediment loading generally can also be sporadic over long periods; for example, 80 percent of the total loading over a 10-year period could be delivered in one wet year. This TMDLs account for seasonal variations and critical

conditions by modeling a long-term simulation period covering a variety of hydrologic and rainfall conditions, and calibrating the model to observations over long periods to capture the variability.

10. Public Participation: *Submission documents provision of public notice and public comment opportunity; and explains how public comments were considered in the final TMDL(s).*

(TMDL report, p. 53, RWQCB Administrative Record pp. 00734 ff., pp. 1342 ff.)

During the course of TMDL development, staff from the Central Coast RWQCB initiated a public participation process that included forming, in 2001, a Pajaro River TDL Advisory Committee comprised of staff and watershed stakeholders. The committee met several times in 2003 and 2004. Staff presented highlights of the sediment TMDL report in August 2004. A public comment period on the draft TMDL was open from August 26, 2005 to October 10, 2005, and the public notice was published August 26, 2005. A public hearing was held December 2, 2005, and the notification of that meeting was published on August 27, 2005. An additional public comment period occurred from October 15, 2005 to December 1, 2005; Notice was published on October 15, 18, and 19, 2005. Staff adequately responded to comments (RWQCB Administrative Record pp. 1342 ff.). The SWRCB also provided an opportunity for public comment (notice dated August 4, 2006, according to SWRCB Administrative Record).

The State demonstrated how it provided sufficient opportunities for public comment and adequately responded to public comments.

11. Technical Analysis: *Submission provides appropriate level of technical analysis supporting TMDL elements.*

The TMDL analysis provides an acceptable review and summary of available information about sediment in the watershed, and a sufficiently clear discussion of analytical methods used to calculate this TMDL.

EPA concludes the State was reasonably diligent in its technical analysis of the sediment loading in the watershed to set the TMDL at a level that will achieve water quality standards.

12. Reasonable Assurances: *If waste load allocations are made less stringent based on inclusion of load allocations that reflect nonpoint source reductions, submission describes how there are reasonable assurances that necessary nonpoint source reductions will occur.*

not applicable

13. Other: *Table for clarifying submittal for TMDL waterbody-combinations for corresponding 303(d) listing, new impairment findings or non-impairment findings.*

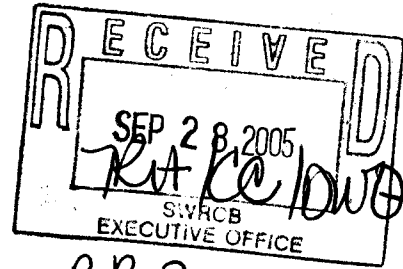
not applicable



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901



RB3-

SEP 23 2005

Ms. Celeste Cantú
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Ms. Cantú:

Thank you for submitting the total maximum daily load (TMDL) for pathogens in San Luis Obispo Creek, California. The submission letter to EPA was dated August 18, 2005. Based on our review, EPA concludes the TMDL adequately addresses the pollutant of concern and upon implementation will result in attainment of applicable water quality standards. The TMDL includes allocations as needed, takes into consideration seasonal variations and critical conditions, and provides an adequate margin of safety. The State has provided adequate opportunities for public review of the TMDL. All required elements are adequately addressed; therefore, the TMDL is hereby approved pursuant to Clean Water Act Section 303(d)(2).

The attached review discusses the basis for this approval decision in greater detail. I appreciate the State and Regional Boards' work to complete and adopt the TMDL and look forward to our continuing partnership in TMDL development. If you have questions concerning this approval, please call me at (415) 972-3572 or Cheryl McGovern at (415) 972-3415.

Sincerely yours,

Alexis Strauss
Alexis Strauss
Director
Water Division

23 September 2005

Enclosure

cc: ✓ Roger Briggs, Executive Officer, Central Coast Regional Water Quality Control Board

**Staff Report Supporting Approval of TMDL:
Pathogens for Contact Recreation – San Luis Obispo Creek
September, 2005**

Background

This TMDL and implementation plan were adopted by the Central Coast Regional Water Quality Control Board on December 3, 2004 (Resolution No. R3-2004-0142) and by the State Water Resources Control Board on May 19, 2005 (Resolution No. 2005-0037). The TMDL addresses bacterial contamination of San Luis Obispo Creek due to discharges from point and nonpoint sources.

TMDL Review

On August 18, 2005, the State Water Resources Control Board submitted the final TMDL to EPA for approval. EPA received the package on August 23, 2005. Pursuant to Clean Water Act Section 303(d) and 40 CFR 130.2 and 130.7, EPA reviewed the TMDL submittal package to ensure that all required TMDL elements have been adequately addressed. EPA is taking no action with respect to the implementation plan as federal regulations do not provide for federal approval or disapproval of state TMDL implementation plans.

EPA's review is presented in the attached checklist, which documents EPA's findings that all required elements and an adequate level of technical justification for each element are included in the TMDL submission. Therefore, the TMDL should be approved.

TMDL Checklist

State: California

Waterbodies: San Luis Obispo Creek

Pollutant(s): Pathogens

Date of State Submission: August 18, 2005

Date Received: August 23, 2005

EPA Reviewer: Cheryl McGovern

Review Criteria	Comments
<p>1. Submittal Letter: State submittal letter indicates final TMDL(s) for specific water(s)/pollutant(s) were adopted by state and submitted to EPA for approval under 303(d).</p>	<p>The State submittal letter of August 18, 2005 indicates the TMDL for pathogens in San Luis Obispo Creek was approved by the Regional Board on December 3, 2004 and by the SWRCB on May 19, 2005. The submittal letter requests EPA approval pursuant to Section 303(d) (2) of the Clean Water Act.</p>
<p>2. Water Quality Standards Attainment: TMDL and associated allocations are set at levels adequate to result in attainment of applicable water quality standards.</p>	<p>The TMDL and associated allocations are set equal to the applicable concentration based water quality standards for fecal coliform bacteria and will therefore result in attainment of those standards. (Administrative Record, pages 729-804; basin plan amendment, pp. 4-7).</p>
<p>3. Numeric Target(s): Submission describes applicable water quality standards, including beneficial uses, applicable numeric and/or narrative criteria. Numeric water quality target(s) for TMDL identified, and adequate basis for target(s) as interpretation of water quality standards is provided.</p>	<p>The applicable concentration based water quality objectives for fecal coliform bacteria were selected as the numeric targets appropriate to ensure protection of water contact recreation (REC-1) as the primary beneficial use of concern. (Basin Plan Amendment, p. 4). Although the water quality standard for protection of shellfish harvesting for human consumption is more stringent than for REC-1, the most downstream reaches of the creek at the confluence of the ocean where shellfish harvesting occurs consistently meet this more restrictive standard. Therefore, a more stringent target was unnecessary to ensure attainment of water quality standards.</p>
<p>4. Source Analysis: Point, nonpoint, and background sources of pollutants of concern are described, including the magnitude and location of sources. Submittal demonstrates all significant sources have been considered.</p>	<p>The source analysis is described in the final TMDL staff report (p. 18 et seq.). Sources were characterized through evaluation of available water quality data, flow data, biological source tracking analysis, land-use information, and GIS coverages. The TMDL includes estimates of bacteria loadings associated with point sources (wastewater treatment discharges and regulated municipal stormwater sources) and nonpoint sources (humans, livestock, birds, and other animal sources).</p>
<p>5. Allocations: Submittal identifies appropriate wasteload allocations for point sources and load allocations for nonpoint sources. If no point sources are present, wasteload allocations are zero. If no nonpoint sources are</p>	<p>Wasteload and Load Allocations are described in Table 8.1 on page 38 of the Final TMDL Staff Report along with Table 1 in the basin plan amendment. Specific wasteload allocations are assigned to wastewater and stormwater sources. Specific load</p>

<p>present, load allocations are zero.</p>	<p>allocations are provided to address livestock managed by Cal Poly and to background sources. A general load allocation is also made to address all stream reaches and sources not covered by the specific individual wasteload and load allocations.</p>
<p>6. Link Between Numeric Target(s) and Pollutant(s) of Concern: Submittal describes relationship between numeric target(s) and identified pollutant sources. For each pollutant, describes analytical basis for conclusion that sum of wasteload allocations, load allocations, and margin of safety does not exceed the loading capacity of the receiving water(s).</p>	<p>Page 40 of the Final TMDL Staff Report describes the relationship between the sources and the numeric target. Because the numeric targets, TMDL, and allocations are identical, it was unnecessary to provide a sophisticated linkage analysis in this case.</p>
<p>7. Margin of Safety: Submission describes explicit and/or implicit margin of safety for each pollutant.</p>	<p>As described on p. 44 of the Final TMDL Staff Report, the TMDL provides an implicit margin of safety by incorporating concentration based allocations equal to the numeric targets, careful analysis of worst case scenarios during low flow conditions, and by taking a very conservative approach to considering pathogen die-off (i.e., the TMDLs assumed no pathogen die-off, which results in an environmentally conservative set of allocations).</p>
<p>8. Seasonal Variations and Critical Conditions: Submission describes method for accounting for seasonal variations and critical conditions in the TMDL(s)</p>	<p>Since the TMDL and wasteload/load allocations are equal to the water quality standard they must be met regardless of season or flow conditions. As discussed on p. 41 of the Final TMDL Staff Report, this approach ensures attainment of water quality standards in all seasons and under all flow conditions.</p>
<p>9. Public Participation: Submission documents provision of public notice and public comment opportunity; and explains how public comments were considered in the final TMDL(s).</p>	<p>The Regional Board provided public notice of the proposed TMDL decision through newspaper advertisements and web site postings. Public meetings and hearings were held at both the Regional Board and State Board levels. The Regional Board provided written responses to public comments demonstrating how public input was considered (See Administrative Record, pages 721-728.)</p>

WTR-4

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

75 HAWTHORNE STREET
SAN FRANCISCO, CALIFORNIA 94105-3901

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Ms. Celeste Cantú
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

95812#0100



File: San Lorenzo River Sediment TMDL



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901



Ms. Celeste Cantú
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Ms. Cantú:

Thank you for submitting the total maximum daily load (TMDL) to address sediment impairment of San Lorenzo River, Carbonera Creek, Lompico Creek, and Shingle Mill Creek, California. The submission letter to EPA was dated January 29, 2004. Based on our review, EPA concludes that the TMDL adequately addresses the pollutant of concern and that upon implementation will result in attainment of applicable water quality standards. The TMDL includes allocations as needed, takes into consideration seasonal variations and critical conditions, and provides an adequate margin of safety. The State has provided adequate opportunities for public review of the Basin Plan Amendments that include all of the components of the TMDL. All required elements are adequately addressed; therefore, the TMDL is hereby approved pursuant to Clean Water Act Section 303(d)(2).

The attached review discusses the basis for this approval decision in greater detail. I appreciate the State and Regional Boards' work to complete and adopt the TMDL and look forward to our continuing partnership in TMDL development. If you have questions concerning this approval, please call me at (415) 972-3572 or Cheryl McGovern at (415) 972-3415.

Sincerely,

Alexis Strauss
Director
Water Division

19 February 2004

Enclosure

cc: Roger Briggs, Executive Officer, Central Coast Regional Board



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

File in: Alameda Sediment TMDL

*CT 2345- mail log
only/NO assignment
Ken Harwood*

*JAN 26
EXECUTIVE*

Ms. Celeste Cantú
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Ms. Cantú:

Thank you for submitting the total maximum daily loads (TMDLs) for pathogens and sediments in Morro Bay, Los Osos Creek, and Chorro Creek, California. The pathogen TMDLs were submitted for EPA review in a letter dated December 10, 2003, and the sediment TMDLs were submitted in a letter dated December 20, 2003. Based on our review, EPA concludes that the TMDLs adequately address the pollutants of concern and that upon implementation will result in attainment of applicable water quality standards. The TMDLs include allocations as needed, take into consideration seasonal variations and critical conditions, and provide adequate margins of safety. The State has provided adequate opportunities for public review of the Basin Plan Amendments that include all of the components of the TMDLs. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to Clean Water Act Section 303(d)(2).

The attached review checklists discuss the basis for this approval decision in greater detail. I appreciate the State and Regional Boards' work to complete and adopt the TMDLs and look forward to our continuing partnership in TMDL development. If you have questions concerning this approval, please call me at (415) 972-3572 or Cheryl McGovern at (415) 972-3415.

Sincerely,

Alexis Strauss 20 Jan. 2004
Alexis Strauss
Director
Water Division

Enclosure

cc: Roger Briggs, Executive Officer, Central Coast Regional Board

TMDL Checklist

State: California

Waterbodies: Morro Bay, Los Osos and Chorro Creeks

Pollutant(s): Pathogens

Date of State Submission: December 10, 2003

EPA Reviewer: Cheryl McGovern

Review Criteria	Comments
<p>1. Submittal Letter: State submittal letter indicates final TMDL(s) for specific water(s)/pollutant(s) were adopted by state and submitted to EPA for approval under 303(d).</p>	<p>Submittal letter, p. 1: TMDL is for pathogens in Morro Bay, Los Osos Creek and Chorro Creek.</p> <p>Submittal letter enclosure, p. 17: Morro Bay and Chorro and Los Osos Creeks were listed on the State's 1998 303(d) list for impairment due to pathogens.</p>
<p>2. Water Quality Standards Attainment: TMDL and associated allocations are set at levels adequate to result in attainment of applicable water quality standards.</p>	<p>1. Submittal letter enclosure, p. 7: " This TMDL is expressed as concentrations that are equal to the numeric targets. For Bay waters, a geometric mean of 14 MPN/100mL must be achieved and no more than 10% of the samples may be over 43 MPN/100mL for fecal coliform. For tributaries (Chorro and Los Osos Creeks and fresh water seeps) to the Bay, the geometric mean shall not exceed 200 MPN/100mL over a 30-day period nor shall 10% the samples exceed 400 MPN/100nL over any 30-day period for fecal coliform. Point and nonpoint sources cannot exceed the concentrations specified above. Therefore, the wasteload allocations and load allocations, which include background levels, are also equal to the numeric targets.</p> <p>2. Submittal letter enclosure, p. 17: The applicable basin plan standard for the protection of Water Contact Recreation which was previously approved by EPA is "Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200/100 ml, nor shall more than ten percent of total samples during any 30-day period exceed 400/100 ml." Morro Bay is also listed for impairment of Shellfish Harvesting from pathogens but the Regional Board does not have a standard established for fecal coliform for the protection of Shellfish Harvesting.</p> <p>3. Submittal letter enclosure, p. 25. Targets for protection of Shellfish Harvesting in Morro Bay are based on regulations that Department of Health Services follows. Numeric water quality objectives for fecal coliform bacteria are set by the US Department of Health Services Food and Drug Administration's National Shellfish Sanitation Program.</p>

3. Numeric Target(s): Submission describes applicable water quality standards, including beneficial uses, applicable numeric and/or narrative criteria. Numeric water quality target(s) for TMDL identified, and adequate basis for target(s) as interpretation of water quality standards is provided.

See above under #2.

	waste management, septic system maintenance and improved central treatment facilities, and feral dog/cat reductions are included in the Implementation Plan. (p.1285)
7. Margin of Safety: Submission describes explicit and/or implicit margin of safety for each pollutant.	TMDL Report, located in the Administrative Record, on p. 1282 states: "A margin of safety has been established implicitly through the use of protective numeric targets." The level of uncertainty is minimized through the approach of setting the TMDLs equal to the concentration based water quality standards.
8. Seasonal Variations and Critical Conditions: Submission describes method for accounting for seasonal variations and critical conditions in the TMDL(s)	TMDL Report , located in the Administrative Record, on p. 1282 provides an assessment of wet weather bacteria concentrations and dry weather bacteria concentrations and the sources for each of these seasonal variations. Although Chorro Creek has the highest concentrations of bacteria during dry weather, during wet weather conditions Los Osos Creek and ground water contributions increase and percentage of bacteria from Chorro Creek decreases.
9. Public Participation: Submission documents provision of public notice and public comment opportunity; and explains how public comments were considered in the final TMDL(s).	The Regional Board held public workshops and hearings for a 2002 and 2003 Basin Plan Amendment to incorporate a TMDL and implementation plan for Morro Bay, Los Osos Creek, and Chorro Creek. The State Board also held approval hearings. The State provided ample opportunities for public review of and comment on the TMDL provisions as contained in the Administrative Record. Public comments were adequately addressed in staff reports prepared by Regional Board in preparation for numerous public hearings
10. Technical Analysis: Submission provides appropriate level of technical analysis supporting TMDL elements.	Staff report and responsiveness summaries provided detailed technical justifications for each TMDL element.
Note: The following criteria do not apply to all TMDLs, but must be applied in the situations noted.	
11. Monitoring Plan for TMDLs Under Phased Approach (where phased approach is used): TMDLs developed under phased approach identify implementation actions, monitoring plan and schedule for considering revisions to TMDL.	The monitoring plan is identified on p. 1296-1301 of the Administrative Record, with follow-up actions described if lack of compliance is not achieve.
12. Reasonable Assurances (for waters affected by both point and nonpoint sources): Where point source(s) receive less stringent wasteload allocations because nonpoint source reductions are expected and reflected in load allocations, implementation plan provides reasonable assurances that nonpoint implementation actions are	The Basin Plan Amendment adopted by the Regional Board contains an implementation plan for attainment of the numeric targets, wasteload and load allocations with a concentration target that meets the appropriate water quality standard for protection of each beneficial use impacted by fecal coliform..

<p>4. Source Analysis: Point, nonpoint, and background sources of pollutants of concern are described, including the magnitude and location of sources. Submittal demonstrates all significant sources have been considered.</p>	<p>The Source Analysis is described in the staff report. The TMDL Administrative Record, Volume 1, p. 1-82 describes the study, report, technical advisory committee meeting notes, conclusions, recommendations, and staff report that used DNA fingerprinting to identify sources of pathogens to the impaired waterbodies. Funding of \$260,000 was directed to this effort and Regional Board resources of 1.5 person years, in addition to participation by US EPA staff. The TMDL identifies all sources of pathogens as nonpoint and point source. The study matched samples of DNA from local samples to the site-specific library which was developed for this purpose. Although "false positives" and "no match" findings cluttered the background of readings, the number of samples taken and QA resulted in the findings being accepted by the TAC and peer reviewers.</p>
<p>5. Allocations: Submittal identifies appropriate wasteload allocations for point sources and load allocations for nonpoint sources. If no point sources are present, wasteload allocations are zero. If no nonpoint sources are present, load allocations are zero.</p>	<p>As stated above, wasteload allocations and load allocations are expressed as concentrations which is consistent with other pathogen TMDL's developed for California waterbodies. This approach is appropriate for bacteria because bacterial concentrations are a more discriminating indicator of human health risks associated with bacterial exposure than mass loads. This approach is also consistent with the requirements of 40 CFR130.2(i), which provides that TMDLs may be expressed in terms of "other appropriate measures." The Morro Bay National Estuary Program's volunteer monitoring program and the CA Department of Health Services monitoring program will be used to measure compliance with TMDL targets.</p>
<p>6. Link Between Numeric Target(s) and Pollutant(s) of Concern: Submittal describes relationship between numeric target(s) and identified pollutant sources. For each pollutant, describes analytical basis for conclusion that sum of wasteload allocations, load allocations, and margin of safety does not exceed the loading capacity of the receiving water(s).</p>	<p>TMDL as provided in the Administrative Record enclosed with the submittal letter, p. 1256 reports that concentration based targets are more logical because public health risks related to recreating in waters, or eating shellfish from contaminated waters are greater with organism concentrations and that the sources of this contamination are not easily controlled on a mass basis. Volume three of the Administrative Record includes historical studies that implicate pathogens with human illness from consumption of shellfish from Morro Bay. The Administrative Record, p. 1281 states a model was developed to understand the relative change in bacteria concentrations, rather than absolute percentages due limited data set information. Reductions in all non-natural sources is required. Targets will be included in the one NPDES permit in the Chorro Creek subwatershed basin. Voluntary grazing management measures, boat management, pet</p>

sufficient to result in attainment of load allocations in a reasonable period of time. Reasonable assurances may be provided through use of regulatory, non-regulatory, or incentive based implementation mechanisms as appropriate.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

**75 Hawthorne Street
San Francisco, CA 94105-3901**

AUG 22 2003

CENTRAL REGIONAL
WATER QUALITY CONTROL BOARD
SAN FRANCISCO, CA 94105-3901

AUG 20 PM 1:52

REPLY TO: 93401

WTR-5

Celeste Cantú
Executive Director
California State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Ms. Cantú:

The U.S. Environmental Protection Agency (EPA) has reviewed an amendment to the *Water Quality Control Plan, Central Coast Region (Basin Plan)*. In today's action we approve the amendment to remove the nitrate objective for the San Lorenzo River from Chapter 3, *Water Quality Objectives*, of the Basin Plan, in association with the November 4, 2002 request for EPA approval of the Total Maximum Daily Load (TMDL) for nitrate in the San Lorenzo River which EPA has already approved.

This amendment was adopted by the Central Coast Regional Water Quality Control Board (Regional Board Resolution No. 00-001) on June 2, 2000 and approved by the State Water Resources Control Board and State Office of Administrative Law on November 15, 2001 and February 13, 2002, respectively. Section 303(c) of the Clean Water Act (CWA) requires EPA to approve or disapprove new or revised state-adopted water quality standards. EPA's action on the amendment to the Basin Plan is further detailed below.

ESA Consultation with the Services on EPA's Action

We have determined that our approval of this amendment will have no effect on federally listed threatened or endangered species, and is not likely to result in the adverse modification of critical habitat.

Scope of EPA's Approval

Section 303(c) requires EPA to review and approve or disapprove new or revised water quality standards submitted by a state. For purposes of section 303(c), water quality standards generally include designated uses, water quality criteria (or "beneficial uses" and "water quality objectives," respectively under California law), an antidegradation policy, and associated implementation policies.

In a previous action EPA concluded that the Total Maximum Daily Load (TMDL) for San Lorenzo River, Carbonera Creek, Lompico Creek, and Shingle Mill Creek adequately addresses the pollutant of concern, and upon implementation, will result in attainment of the water quality standard for nitrate in the listed water bodies. EPA approved the TMDL pursuant to Clean Water Act Section 303(d)(2).

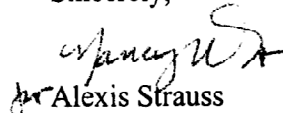
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We have concluded that the removal of the nitrate objective for the San Lorenzo River will protect the respective beneficial uses for the River. Our conclusion is based on our review of the Complete Administrative Record for this action, the presence of general objectives in the Basin Plan (including provisions related to taste and odors, biostimulatory substances, and dissolved oxygen) and the existence of an adopted TMDL and implementation plan.

The record also indicates that the State provided adequate opportunity for public review and comment and demonstrated how public comments were considered in the final decision to remove the nitrate objective for the San Lorenzo River and replace it with a numeric target contained in the TMDL. All required elements have been adequately addressed; therefore the amendment of the Basin Plan to remove the nitrate objective for the San Lorenzo River is hereby approved.

If there are any questions regarding our action on the Basin Plan amendment, please contact Gary Sheth, of my staff, at (415) 972-3516. As always, we look forward to continued cooperation with the State in achieving our mutual environmental goals.

Sincerely,



Alexis Strauss
Director, Water Division

cc: Roger W. Briggs, Central Coast Regional Water Quality Control Board
Stan Martinson, State Water Resources Control Board, Division of Water Quality
Catherine Kuhlman, North Coast Regional Water Quality Control Board
Loretta K. Barsamian, San Francisco Bay Regional Water Quality Control Board
Dennis Dickerson, Los Angeles Regional Water Quality Control Board
Thomas R. Pinkos, Central Valley Regional Water Quality Control Board, Sacramento Office
Harold J. Singer, Lahontan Regional Water Quality Control Board
Phil Gruenberg, Colorado River Basin Regional Water Quality Control Board
Gerard J. Thibeault, Santa Ana Regional Water Quality Control Board
John Robertus, San Diego Regional Water Quality Control Board
Diane Noda, U.S. Fish and Wildlife Service, Ventura Office
Jim Bartel, U.S. Fish and Wildlife Service, Carlsbad Office
James Lecky, National Marine Fisheries Service, Southwest Region
Jennifer Wigal, U.S. Environmental Protection Agency, Office of Water
Claudia Fabiano, U.S. Environmental Protection Agency, Office of Water

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

MAY 30 2000

Edward C. Anton
Acting Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Mr. Anton:

The Environmental Protection Agency (EPA) has reviewed the Water Quality Control Plan for the Central Coast Region (Basin Plan), September 8, 1994, including the amendments adopted since EPA's previous action on June 27, 1988. EPA has reviewed the portions of the amendments related to water quality standards, consisting of antidegradation, beneficial uses, water quality criteria and implementation of those standards in surface waters. EPA's action here is therefore related to two amendments as well as chapters 2 and 3 and the relevant sections of chapter 4 of the Basin Plan. This review is being conducted pursuant to section 303 (c) of the Clean Water Act (CWA) and the implementing federal regulations at 40 CFR 131.

EPA is hereby approving the water quality standards adopted by the State of California and by the Central Coast Regional Water Quality Control Board (Regional Board 3) Resolutions Numbers 94-01, 94-06 and 95-04 pursuant to Section 303(c) of the CWA and the implementing federal regulations at 40 CFR 131. These Regional Board 3 Resolutions, which have been approved by the State Water Resources Control board (SWRCB) as Resolution Number 94-44, on May 19, 1994, SWRCB Resolution Number 94-115, on November 17, 1994, and SWRCB Resolution Number 95-53, on August 17, 1995, are currently in force.

EPA apologizes for the delay in taking action on these amendments. As you know, we have been immersed in developing the California Toxics Rule (CTR) since 1994. The CTR provides the basis for addressing the critical issues relating to toxic pollutants and also facilitates our ability to conduct endangered species consultation on the Basin Plans. We have now completed that effort and are now concluding our review of the pending Basin Plans. The CTR was published in the Federal Register on May 18, 2000.

EPA compliments the State on its efforts to include the public in the development and review of new and revised water quality standards. Such involvement on the part of the public is an integral component of a successful water quality program. EPA finds that the public participation procedures followed by the State in the development and adoption of Regional Board 3 Resolutions Numbers 94-01, 94-06 and 95-04 are consistent with the procedural requirements of 40 CFR 131.20(b).

Please note that EPA found, pursuant to Section 7 of the Endangered Species Act and 50 CFR Part 402, that EPA's approval of this amendment will have no effect on threatened or endangered species or their designated critical habitat.

I. Regional Board 3 Resolutions Nos. 94-01 and 94-06: Regional Board 3 Resolutions Nos. 94-01 and 94-06 are considered together, below. The detailed basis for EPA's approval follows.

Regional Board Resolution Number 94-01: This amendment was adopted by the Regional Board 3 as Resolution Number 94-01, February 11, 1994, and approved by the SWRCB on May 19, 1994 as SWRCB Resolution Number 94-44. It includes the results of a California Polytechnic University contract investigation that assigned beneficial uses to approximately 300 water bodies and revised beneficial uses for approximately 150 water bodies. Modifications in this amendment are listed as follows:

1. Revise Beneficial Use definitions to statewide consistent format.
2. Assign Beneficial Uses to approximately 300 water bodies and revise Beneficial Uses for approximately 150 water bodies.
3. Updated organic chemicals objectives.
4. Add groundwater objectives for the Paso Robles ground water basin.
5. Update Regional Board program descriptions.
6. Update State/Regional Board Plans and Policies.
7. Add description of Quality Control and Data Management.
8. Add description of Water Quality Assessment.

Regional Board Resolution Number 94-06: This amendment was adopted by Regional Board 3 as Resolution Number 94-06, September 8, 1994, and approved by the SWRCB on November 17, 1994 as SWRCB Resolution Number 94-115. This amendment was created in response to a SWRCB revision of Beneficial Uses that was completed too late to be considered by the Cal Poly investigators as a part of Regional Board 3 Resolution Number 94-01.

Changes to Chapter 2, Beneficial Uses: These amendments consist of revisions to Table 2.1 to:

1. Add eight beneficial use categories not previously listed.
2. Add 29 water bodies not previously listed.
3. Correct errors previously noted in the Struve Slough designations.
4. Replace existing "E" and intermittent "I" listings with "X" to note that a beneficial use is present in the water body.

The beneficial use definitions were revised to be consistent with State-wide. As a result, ten new beneficial use categories were added to the existing 12 so that there are now 22 beneficial use categories that are commonly used throughout the state. Minor language revisions were included although no appreciable change resulted from these revisions. No previous categories were dropped. These beneficial use changes do not affect any of the underlying water quality criteria.

Relevant beneficial use categories have been added to Table 2-1. The changes include adding: "Estuarine Habitat" (EST), "Preservation of Biological Habitats of Special Significance" (BIOL), "Rare, Threatened or Endangered Species" (RARE), "Freshwater Replenishment" (FRESH), "Hydropower Generation" (POW) and "Aquaculture" (AQUA) beneficial use categories which were not previously listed in the Basin Plan. The "Navigation" (NAV), "Commercial and Sportfishing" (COMM) and "Shellfish Harvesting" (SHELL) beneficial uses, which were previously included in Table 2-2 (Uses of Coastal Waters), were expanded to include freshwater bodies and are now included in Table 2-1. Although a "Saline Habitat" definition was previously listed in the Basin Plan, it was not listed in either Table 2-1 or 2-2 because Soda Lake is the only water body identified for this beneficial use. It is now included in Table 2-1.

All waters listed in Table 2-1 are designated as fishable/swimmable, based on the beneficial use designations of Water Contact Recreation (REC1) and either Inland Saline Water Habitat (SAL), Spawning, Reproduction or Early Development (SPWN), EST, Marine Habitat (MAR), Wildlife Habitat (WILD), Warm Fresh Water Habitat (WARM) or Cold Fresh Water Habitat (COLD), as required by the CWA with the exceptions of Warner Lake in the Pajaro River Hydrologic Unit (HU), Big Pocket Lake in the Estero Bay HU, Soda Lake in the Carrizo Plain HU, and the Twitchell Reservoir in the Santa Maria HU. REC1 use designations for the above listed waters are not included in the 1994 current standards. An explanation or some basis for these omissions should be supplied in the staff report.

Modifications to Chapter 3, Water Quality Criteria: Revisions to existing water quality criteria (referred to as "objectives" in the basin plan) are limited to human health criteria for certain organic constituents contained in Table 3-1 (page III-6): Organic Concentrations Not to be Exceeded in Domestic or Municipal Supply. The Region added thirteen new constituents without changing any other previously listed constituents or concentrations. The following list of 13 new constituents was added and is consistent with EPA's Maximum Contaminant Levels (MCLs) at CFR 40, Part 141: Bentazon, Carbofuran, Chlordane, 1,1-Dichloroethane, cis-1,2-Dichloroethylene, trans-1,2-Dichloroethylene, 1,2-Dichloropropane, Di(2-ethylhexyl) phthalate, Glyphosate, Heptachlor, Heptachlor epoxide, Trichlorofluoromethane and 1,1,2-Trichloro-1,2,2-Trifluoroethane.

Pursuant to Section 303(c) of the CWA, and the implementing federal regulations at 40 CFR 131, EPA hereby approves the water quality standards amendments to the Basin Plan that were approved by the SWRCB in Resolutions Numbers 94-44 and 94-115.

II. Regional Board Resolution Number 95-04: Entitled: Adopting Amendments to the Water Quality Control Plan and Requesting Approval from the State Water Resources Control Board to Rescind On-site System Prohibition and add Waste Water Management Plan for the San Lorenzo

River Watershed, Santa Cruz County.

This amendment was adopted by Regional Board 3 as Resolution Number 95-04, April 14, 1995. This amendment requests approval from the SWRCB to rescind on-site system prohibition and add a waste water management plan (including a nitrate management plan component) for the San Lorenzo River watershed in Santa Cruz County, California. The SWRCB approved the amendment as SWRCB Resolution Number 95-53 on August 17, 1995, after amending Regional Board 3's language as follows (disapproved portions are in << >>):

A. Attachment A, item 1, middle of paragraph

"Alternatives have been evaluated and solutions proposed to reduce septic system problems <<to respond to this Plan's discharge prohibition>> in certain areas of the valley."

B. Attachment A, item 1, final sentence

<< "Implementation of the Wastewater management Plan precludes the Regional Board from reestablishing the discharge prohibition." >>

These modifications by the SWRCB effectively return the option to the Regional Board of prohibiting discharge in the area.

The Nitrate Management Plan for the San Lorenzo River implementation plan section of this amendment includes, in general:

- A. One acre minimum parcel size for new development served by septic systems.
- B. Implement the *Wastewater Management Plan for the San Lorenzo Wastewater*.
- C. Improve treatment at Boulder Creek Country Club Treatment Plant to reduce nitrate discharge by using wastewater reclamation on the golf course.
- D. Shallow leachfield requirements for new and repaired septic systems.
- E. Implement enhanced technology for ~50% nitrogen removal for septic systems in sandy soils.

Regional Board 3 Resolution Number 95-04 partially satisfies Total Daily Maximum Load (TMDL) requirements with the Nitrate Management Plan. The Nitrate Management Plan identifies the nitrate problem, some sources and adds implementation measures.

Pursuant to Section 303(c) of the CWA, and the implementing federal regulations at 40 CFR 131, EPA hereby approves this water quality standards amendment to the Basin Plan that was approved by SWRCB as Resolution Number 95-53.

III. Federally-Approved Water Quality Standards

The federally-approved Water Quality Standards applicable to Regional Board 3 presently include:

1. The "Water Quality Control Plan for Central Coastal California", Chapters 2 and 3, and pertinent sections of Chapter 4, September 8, 1994.

2. The "Water Quality Control Plan for Ocean Waters of California", July 23, 1997.
3. The "Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California", September 18, 1975, as amended.
4. The "Water Quality Control Policy for the Enclosed Bays and Estuaries of California", May, 1974.
5. Resolution 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California", as supplemented by State Water Resources Control Board Order No. WQ 86-17.
6. Memorandum to Regional Board Executive Officers from State Water Resources Control Board, Subject: Federal Antidegradation Policy, Oct. 7, 1987.

The federally promulgated National Toxics Rule (NTR) and California Toxics Rule (CTR) are also applicable to these waters.

IV. Issues to be addressed in the next Triennial Review

EPA notes that the standing Basin Plan, which is not a part of the amendments discussed above and therefore is not subject to today's action, contains several aspects that should be addressed in the upcoming triennial review. EPA recognizes that many of these issues have already been discussed by Regional Board 3 as priorities in the Regional Board 3 work plan, and EPA supports the Regional Board's efforts and shares those priorities. These issues are itemized below.

A. General Criteria for Toxic Substances in the Basin Plan

We have reviewed the standing basin Plan and have identified water quality criteria for certain toxic priority pollutants that are less stringent than EPA's recommended criteria and CA Title 22 recommendations. These are as follows:

Municipal and Domestic Supply, contained in Table 3-1: The criteria listed for lindane, methoxychlor, toxaphene, simazine and 1,1,2-trichloroethane are inconsistent with California Title 22, which is included in the water quality standards by reference. These numbers are also less stringent than EPA's MCLs.

Inorganic and Fluoride Concentrations not to be Exceeded in the Domestic or Municipal Supply, Table 3.2: Criteria are listed for 10 inorganic chemicals. Eight of the listed criteria

meet EPA's MCLs: arsenic, barium, chromium, lead, mercury, nitrate (as NO₃), selenium and silver. The MCLs for aluminum and cadmium, however, are less stringent than EPA's recommended criteria.

Toxic Metal Concentrations not to be Exceeded in Aquatic Life Habitats, mg/l, Table 3.5: The criteria for the seven constituents (cadmium, chromium, copper, lead, mercury, nickel and zinc (for hard waters) listed for the protection of Cold Freshwater Habitat (COLD), Warm Freshwater Habitat (WARM) and Shellfish Harvesting (SHELL) are less protective than EPA's criteria to protect aquatic life.

The criteria for the constituents identified above as less stringent than EPA's recommended criteria or CA's Title 22 recommendations should be updated during the next triennial review. It should also be noted that the California Toxics Rule (CTR) is currently in effect so the more stringent criteria will apply for CWA purposes, such as 401(c) certifications and NPDES permits. It may also be necessary to apply the more stringent California Title 22 requirements or the National Toxics Rule criteria in situations where the Basin Plan narrative criteria are not being met with the application of the less stringent criteria discussed above.

B. Beneficial Use designations needing clarification or other modifications

Municipal and Domestic Supply (MUN): According to SWRCB Resolution Number 88-63: Sources of Drinking Water, all surface and ground waters of California are considered MUN unless exempted due to (in brief) pollution, insufficient water, high salinity, treatment/process water, or agricultural drainage waters. EPA notes that some waters are not designated as MUN, with no apparent basis documented. Such documentation should be provided to EPA.

C. Water Quality Criteria Issues

Temperature: These objectives should be evaluated in light of recent advances in optimal temperatures for salmonids in California. EPA's present guidance is geared towards protecting the most sensitive species in the water body by season. Optimal temperature values are available in technical and scientific literature for various species for growth and survival of all life stages.

Bacteria: These objectives should be updated. The present Basin Plan water quality standards include only total and fecal coliform bacteria as indicators. In 1986, EPA published its 304(a) water quality criteria for bacteria which recommends the use of *Escherichia coli* and Enterococci rather than fecal coliforms for the protection of primary contact recreation. The epidemiological data upon which the national criteria are based suggest that these bacterial indicators are better correlated to water contact-exposure related health effects. In addition, EPA's Action Plan for Beaches and Recreational Waters (EPA/600/R-98/079, March 1999) calls for all states to adopt bacterial standards that are consistent with current EPA guidance by 2003. Regional Board 1 may continue the use of total and fecal coliform in addition to *E. coli* and Enterococci. The Basin Plan should be revised to include these criteria.

Dissolved oxygen: These objectives should be updated in the Basin Plan. The optimal levels of

DO at various life stages of salmonids need to be taken into account. Criteria recommended by EPA in 1986 include DO values for warm and cold water for embryo, larval and other life stages of salmonids. Values are available for salmonid waters with criteria ranging from "no production impairment" to "limit to avoid acute mortality". EPA recommends that attention to salmonids be incorporated into the Basin Plan DO objectives.

Antidegradation: At present the Basin Plan includes, by reference, SWRCB Resolution Number 68-16 (Statement of Policy with Respect to Maintaining High Quality of Water in California) as the Antidegradation policy. The discussion of implementation of the State's antidegradation policy should be expanded to clarify that the State has, in SWRCB Order 86-17, interpreted Resolution 68-16 to be fully consistent with federal antidegradation policy. An October 7, 1987 guidance memorandum provides procedures for implementing the antidegradation policy. This discussion also needs to be expanded to more fully address how the antidegradation policy will be applied to non-point sources. EPA will work with the State and Regional Boards to ensure that the State's procedures are consistent with federal antidegradation requirements.

Ammonia and Total Residual Chlorine: Objectives for these two pollutants should be developed for the next triennial review. An announcement in the Federal Register of the availability of EPA's latest revised national criteria guidance for ammonia was published on December 22, 1999, with a time-frame for expected state adoption of numeric ammonia criteria that will be applicable to all state waters. As noted in the announcement, EPA will likely promulgate criteria for any state that does not adopt such criteria into its water quality standards, in order to ensure that ammonia criteria are in effect in all states by 2004. EPA's water quality criteria guidance for chlorine is titled *Ambient Water Quality Criteria for Chlorine - 1984* (EPA 440/5-84-030), and was published in January 1985.

Priority toxic pollutant numeric criteria: The Basin Plan currently lacks adequate priority toxic pollutant numeric objectives. EPA recognizes that this issue is considerably resolved with the completion of the California Toxics Rule (CTR). However, as you are likely aware, EPA is committed to a schedule for re-evaluating the criteria included in the CTR for selenium, mercury, PCP and some metals over the next two years. Once that process has been completed, EPA is committed to propose criteria to amend those in the CTR within a year after completion of revised criteria guidance for these pollutants. EPA will have to amend the CTR unless the state and/or the Regional Board adopts new objectives based on the new criteria. In the meantime, the information and/or the revised criteria guidance, used with State narrative standards, would provide the Regional Boards a basis to develop more current water-quality based effluent limitations.

Toxicity standards: The Basin Plan currently includes a narrative toxicity standard. When the State Water Resources Control Board completes its action on the proposed Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California, statewide implementation procedures for chronic toxicity will be available to the regions. As part of subsequent triennial reviews, the Board should evaluate the combined requirements for acute and chronic toxicity, along with EPA's *Technical Support Document* (1991) and the *EPA Regions 9 and 10 Guidance for Implementing Whole Effluent Toxicity*


Testing Programs, to determine whether further actions are needed to update or supplement basin plan standards to ensure that beneficial uses are fully protected.

Biocriteria: We strongly encourage the Regional Board to develop and adopt biological criteria for inclusion in the Basin Plan. Development of biocriteria is identified in EPA's May 1998 "Water Quality Criteria and Standards Plan" as one of six priority objectives for the water quality standards program over the next decade. EPA Region IX's biocriteria plan, consistent with these priorities, seeks to work with states and tribes through grants and technical assistance to ensure progress to realize the full potential of bioassessments and biocriteria for managing water quality and protecting aquatic life in all water bodies.

Nutrients: Regional Board 3 should be aware that EPA is currently undertaking development of numeric nutrient criteria guidance applicable to lakes, streams and rivers, wetlands, and estuaries and near coastal waters as protection against eutrophication. The Agency's plan is to complete development of these criteria guidance by the end of the year 2000. Once water body-specific guidance and criteria are established, EPA anticipates that States will adopt nutrient criteria for waters that are not already covered by nutrient standards for over-enrichment into water quality standards no later than the end of the year 2003. We look forward to working with the Regional Board to accomplish this goal in the next triennial review of the Basin Plan.

EPA intends to continue to work closely with Regional Board 3 during the next triennial review process. Our aim is to take prompt action on any further Basin Plan amendments as well as to provide whatever assistance the Regional Board needs. Once again, EPA commends Regional Board 3 for its diligent efforts in revising the Basin Plan. If there are any questions regarding this action, please call me at (415) 744-1860, or have your staff contact Suesan Saucerman at (415) 744-1911 at EPA Region IX. As always, EPA looks forward to continued cooperation with the State in achieving our mutual environmental goals.

Sincerely,


Alexis Strauss
Director, Water Division

Cc:

Paul Lillebo, SWRCB
Lee Michlin, Executive Officer, NC RWQCB
Larry Kolb, Acting Executive Officer, SFB RWQCB

Roger Briggs, Executive Officer, CC RWQCB
Dennis Dickerson, Executive Officer, LA RWQCB
Gary M. Carlton, Executive Officer, CV RWQCB
Harold Singer, Executive Officer, L RWQCB
Phil Gruenberg, Executive Officer, CRB RWQCB
Gerald J. Thibeault, Executive Officer, SA RWQCB
John Robertus, Executive Officer, SD RWQCB
Steve Schwarzbach, Chief of Contaminants, U.S.F.W.S.
Walt Sadinski, Supervisory Wildlife Biologist, U.S.F.W.S.
Miles Croom, Chief, Endangered Species, N.M.F.S.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

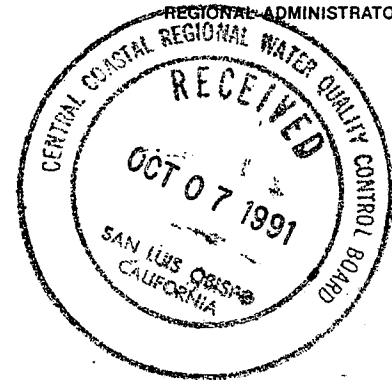
FILE COPY

- Basin Plan
K
o Monterey Sanct.

September 10, 1991

OFFICE OF THE
REGIONAL ADMINISTRATOR

Mr. W. Don Maughan, Chairman
State Water Resources Control Board
Paul R. Bonderson Building
901 P. Street, Box 100
Sacramento, CA 95801



Dear Mr. Maughan,

The Environmental Protection Agency (EPA) has reviewed the amendment to the Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board, Central Coast Region, as adopted by the State Water Resources Control Board (State Board) under Resolution No. 91-9 on January 24, 1991. It is my pleasure to approve this amendment, based on the finding that it is consistent with the protection of the public health and welfare, the protection of water quality, and the intent and purposes of the Clean Water Act (CWA). EPA's authority for approval is derived from §303(c) of the CWA and its implementing provisions in 40 CFR Part 131.

State Board Resolution No. 91-9 amends the Basin Plan for the Central Coast Region to allow discharges from desalination and circulating seawater systems into the Monterey Prohibition Zone.

EPA looks forward to continued partnership and cooperation with the State on these issues so that our mutual water quality goals are achieved.

Sincerely,

for Daniel W. McGovern
Regional Administrator

cc: Mr. William Leonard, Executive Officer
Central Coast Region
California Regional Water Quality Control Board

John Ladd, Chief
Basin Planning Unit
Division of Water Quality
State Water Resources Control Board



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

(In Response Refer to: W-3)



August 15, 1989

Ms. Angela Carpenter
California Regional Water Quality
Control Board - Central Coast Region
1102-A Laurel Lane
San Luis Obispo, CA 93401

Dear Ms. *Angela* Carpenter:

I have completed my review of the proposed new edition of the Central Coastal Water Quality Control Plan as submitted by your office to EPA, July 25, 1989.

My comments are presented in the following enclosure. These comments address those chapters in the basin plan pertinent to beneficial uses, water quality objectives, and implementation (Chapters 2, 3, and 4, respectively).

Please keep in mind that these comments are preliminary and should be the basis for discussion at the staff level. Some comments are meant to be simple, or naive inquiries about the Basin's water quality and, as I am not as well acquainted with your basin plan as I would like to be, your responses may be as plain and simple. On the other hand, some comments are intended to raise issues that should be addressed State-wide and should involve the State Water Resources Control Board. After your review and responses, we should be able to identify what the real issues are.

Therefore, please review the comments as enclosed and let me know if you feel a meeting is warranted. Please call me at 415/974-0895.

Sincerely,
Jovita
Jovita Pajarillo
California Sec. 106 Project Officer
Water Quality Standards Section
Water Quality Branch
Water Management Division

cc: Phil Zentner, Division of Water Quality, SWRCB

08/15/89	ENCLOSURE	Page: 1
Comments on CENTRAL COASTAL WATER QUALITY CONTROL PLAN		

I. CHAPTER 2, PRESENT AND POTENTIAL BENEFICIAL USES

Discussion:

The State Water Resources Control Board recognizes Areas of Special Biological Significance (ASBS) as a designated beneficial use and those areas so designated require protection of unique species or biological communities. The Basin Plan lists seven ASBSs in the Central Coastal Basin and describes what an ASBS designation implies with regard to the Regional Board's policy on allowable discharges.

Comment:

Will the Regional Board designate a beneficial use much like the ASBS to those coastal waters recognized by the Federal Government as a National Marine Sanctuary? The Basin Plan identifies Elkhorn Slough as a Federally recognized National Estuary Sanctuary designee and EPA is aware that Monterey Bay is a candidate for National Marine Sanctuary designation by the end of this year. The criteria used by the National Oceans and Atmospheric Administration in considering special and unique waters for such a designation is very similar to those for the ASBSs. Will the Regional Board recognize these waters in the Basin Plan and assign special protection via a new beneficial use category or combine it with the ASBS use designation?

II. CHAPTER 3, WATER QUALITY OBJECTIVES

Discussion:

In reviewing the section titled "Objectives for all Inland Surface Waters, Enclosed Bays and Estuaries" (page III-3), I compared the Central Coastal Basin Plan with the recently adopted and approved revised basin plans for the North Coastal Region and the San Francisco Bay Region. Specifically in reviewing the general objectives, I noted a few omissions of basic objectives not included in the Central Coastal Basin Plan that were contained in these others. I will mention them and other comments here.

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Comments on CENTRAL COASTAL WATER QUALITY CONTROL PLAN		

Comment:

1. The Central Coastal Basin Plan lacks a general objective for salinity as follows:

"Controllable water quality factors shall not increase the total dissolved solids or salinity of waters of the State so as to adversely affect beneficial uses, particularly fish migration and estuarine habitat."

2. The Central Coastal Basin does not include a general objective for bacteria. However, the Basin Plan does provide fecal coliform objectives for specific beneficial uses (e.g., REC-1, REC-2 and SHELL) but lacks objectives for total coliform. The Regional Board may want to consider a total coliform objective as well as identifying the sources of objectives (i.e., National Shellfish Sanitation Program, Department of Health Services, or EPA criteria).

EPA bacteriological criteria for water contact recreation should also be considered for freshwater (enterococci and E. coli) and salt water (enterococci only).

Lastly, the municipal supply beneficial use does not have an objective for coliform bacteria. For surface water, DOHS recommends for fecal coliform (MPN/100 ml) a log mean ≤ 20 and for total coliform (MPN/100 ml) a log mean < 100 .

3. In the Basin Plan, waters designated for use as domestic or municipal supply have a water quality objective for radioactivity (page III-6). The objective includes the following statement:

"Waters shall not contain concentrations of radionuclides in excess of limits specified in California Code of Regulations, Title 22, Chapter 15, Article 5, Sections 64441 and 64443, Table 5."

Is it possible to include the actual limits in the Basin Plan and cite its source, rather than citing a

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Comments on CENTRAL COASTAL WATER QUALITY CONTROL PLAN		

source and not providing what the limits are? I, for one, am not familiar with the source or know what the limits include. Also, consider for example, that the San Francisco Bay Basin Plan cites in its radioactivity objective:

"All other inland surface waters shall not exceed the limits specified in Section 30269 of the California Administrative Code."

Are the two "Codes" related? Consistent? One and the same? This is confusing to me.

Consider also that the North Coast and San Francisco Bay Basin Plans have included objectives for radioactivity for municipal supply waters as follows:

MUN

Radioactivity:

Combined Radium -226 and Radium -228 (pCi/l).....	5
Gross Alpha Particle Activity (pCi/l).....	15 (includes Radium -226 but excludes Radon and Uranium)
Tritium (pCi/l).....	20,000
Strontium -90 (pCi/l).....	8
Gross Beta Particle Activity (pCi/l).....	50

What is the Regional Board's rationale for not including these limits for radioactivity? Or more importantly, what is the State Board's position for requiring some consistency among the Regional Boards? Would the Regional Board consider updating its radioactivity objective?

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Comments on CENTRAL COASTAL WATER QUALITY CONTROL PLAN		

4. It may be a matter of concern for reasons of overall consistency to the State Water Resources Control Board to know that the general water quality objective for turbidity is quite diverse among the various water quality control plans. Based on my review of the Central Coast, North Coast and San Francisco Bay Basin Plans, each contains quite different objectives. EPA criteria for suspended solids or turbidity is contained in the Gold Book.
5. With regard to the general objective for toxicity, and I am conscious that this may be somewhat premature, but it is expected that the States will comply with section 303(c)(2)(B) of the Clean Water Act. Should the Regional Board insert some boilerplate language in Chapter 3 with regards to complying with the requirements of the Act? Perhaps, this question should rather be directed to the State Board for general guidance to the Regional Boards on how to address this in the Basin Plan.
6. The revised Basin Plan contains a table which represents the median surface water quality objectives (mg/l) for specific sub-basins/sub-areas (page III-14, Table 3-6). It is not clear whether the median values reflect the 50 percentile values of the monthly means for a calendar year.
7. The Basin plan should be updated to reflect changes in the 1987 Clean Water Act, specifically section 319 - the nonpoint source management program. Furthermore, the State Board has completed, and EPA has acted on, the State Nonpoint Source Assessment Report (SAR) and State Management Program (SMP). The basin plans should reflect the goals, findings and content of the SAR and SMP as appropriate. Again, the State Board should consider providing guidance to all the Regional Boards for updating basin plans to reflect the latest in nonpoint source assessment, controls and management.



June 27, 1988



Mr. W. Don Maughan
Chairman
State Water Resources Control Board
P.O. Box 100
901 P Street
Sacramento, CA 95801

Dear Mr. Maughan:

The U.S. Environmental Protection Agency has reviewed the water quality standards amendments contained in the revisions to the Water Quality Control Plan for the Central Coastal Basin as submitted by your office in a letter dated December 15, 1987 from James L. Easton, Executive Director. It is my pleasure to approve these amendments, based on the finding that they are consistent with the protection of the public health and welfare, the protection of water quality and the intent and purposes of the Clean Water Act. EPA's authority for approval is derived from Section 303(c) of the Clean Water Act and its implementing regulations embodied in 40 CFR Part 131.

These amendments:

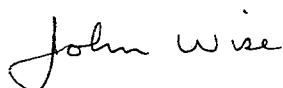
- 1) Revise numerical radioactivity standards and adopt radioactivity standards for all waters; and
- 2) Designate surface waters as COLD or WARM habitats with consequent protection for aquatic life.

In addition to these water quality standards amendments, the basin plan is amended by adding an exception provision to Chapter 5. These amendments are approvable under 40 CFR Part 130.

The State Water Resources Control Board approved these amendments in Resolution No. 87-36 on April 16, 1987.

EPA looks forward to working with the State to achieve this very important goal of protecting the environment. I commend the State for its cooperation in working with EPA to protect and enhance the quality of California's waters.

Sincerely,



for Daniel W. McGovern
Regional Administrator

cc: Mr. William Leonard
Executive Officer
Central Coast Region
California Regional Water Quality Control Board

Mr. John Norton
Chief, Water Quality Standards and Policy Unit
Division of Water Quality
State Water Resources Control Board



March 21, 1986

Raymond Walsh
Interim Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, California 95801



Dear Mr. Walsh:

I am pleased to inform you that the Environmental Protection Agency (EPA) has reviewed and approved the State Water Resources Control Board Resolution 85-88 as an amendment to the Water Quality Control Plan for the Central Coast Basin. The Resolution is titled as follows:

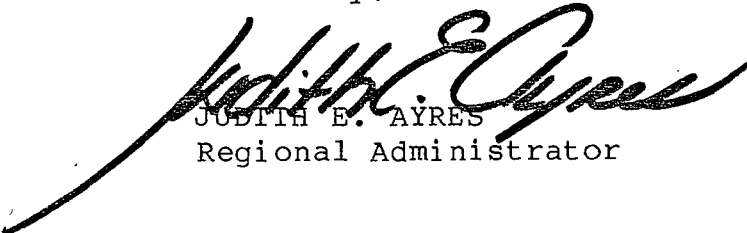
Resolution 85-88 - Approval of Revisions and Amendments to the Water Quality Control Plan for the Central Coast Basin Concerning Beneficial Uses of Certain Waters

This approval is based upon my determination that the water quality standards/beneficial uses are consistent with the protection of public health and welfare, the protection of the quality of the water, and the purposes of Section 303 (c) of the Clean Water Act.

I would like to commend the State Water Resources Control Board and the Central Coast Regional Board for their efforts in the preparation of these revisions and amendments to the basin plan regarding beneficial uses. The efforts of the California Department of Fish and Game are also greatly appreciated.

It is our pleasure to work with the State to protect and enhance the quality of California's waters.

Sincerely,


JUDITH E. AYRES
Regional Administrator

✓ cc: Kenneth R. Jones
Executive Officer
California Regional Water Quality
Control Board-Central Coast Region

United States
Environmental Protection
Agency

Regional Administrator
215 Fremont Street
San Francisco CA 94105

Region 9
Arizona, California
Hawaii, Nevada
Pacific Islands

FILE
Basin Planning



April 17, 1984



Carole Onorato, Chairwoman
State Water Resources Control Board
P. O. Box 100
Sacramento, CA 95801

Dear Ms. Onorato:

I am pleased to inform you that the Environmental Protection Agency (EPA) has reviewed and approved State Water Resources Control Board (SWRCB) Resolution 84-11 as an amendment to the Water Quality Standards for waters of the Central Coast Region. This Resolution is titled as follows:

Resolution Number 84-11 - Consideration of an Amendment to the Water Quality Control Plan for the Central Coastal Basin (Revision and Amendment of Table 2-1, "Existing and Anticipated Uses of Inland Surface Waters").

This approval is based on my determination that the Water Quality Standards are consistent with the protection of public health and welfare, the protection of the quality of the water and the purposes of the Clean Water Act as provided by Section 303(c) of the Act.

The Water Quality Standards regulations require that a State conduct a use attainability analysis for those waters that have designated uses that do not include the uses specified in Section 101(a)(2) of the Clean Water Act (40 CFR 131.10(j)(1)). It is our understanding that as part of the next triennial review, the Central Coast Regional Water Quality Control Board will review the use attainability of its waters to reaffirm or update its currently designated beneficial uses.

I would like to commend the State Water Resources Control Board and the Regional Water Quality Control Board for their efforts in the preparation of this amendment. With this approval, the current Federally approved water quality standards for the Central Coast Region (3), along with those approved today, are the standards approved by our letters of October 24, 1975, January 9, 1980, December 10, 1981, and August 4, 1983.

-2-

In continuing toward refinement of these standards, it will be our pleasure to work with the State to protect the quality of California's waters.

Sincerely,

John Wise

for Judith E. Ayres
Regional Administrator

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE: APR 12 1984

SUBJECT: Amendment to the Water Quality Standards for the Central Coast Basin (3), SWRCB Resolution Number 84-11

FROM: Brian McKeown *Brian McKeown*
California Branch

TO: Files EXR 5-3-3 Basin 3

We have reviewed the amendment to the water quality standards adopted by the California Water Quality Control Board, Central Coast Region, as Resolution Number 83-14 (Attachment 1). The State Water Resources Control Board approved the amendment as Resolution Number 84-11 (Attachment 2). EPA finds that this Amendment is approvable pursuant to Section 303(c) of the Clean Water Act. This action is based on the determination that this Amendment is consistent with the protection of public health and welfare, the protection of the quality of the water and the purposes of the Clean Water Act.

History

On March 20, 1975, the State Board approved the Water Quality Control Plan (Basin Plan) for the Central Coast Region. The Basin Plan was approved with conditions and interpretations by the Environmental Protection Agency on October 24, 1975. One approval condition gave the State the choice of: 1) revising the REC-2 (non-contact water recreation) coliform objective to be at least as stringent as that recommended in the Green Book, or 2) adding the designation of REC-1 (water contact recreation) to those waters now without a REC-1 designation. In addition, Section 101(a)(2) of the Clean Water Act states:

"...it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water be achieved by July 1, 1983."

As part of the continuing planning process, the staff of the Central Coast Regional Water Quality Board (CCRWQCB) agreed to re-evaluate those water bodies which were not designated for water contact recreation (REC-1). A survey was conducted where local agencies and the public were asked to provide input about the current and anticipated uses of each water body. From the information obtained, the Regional Board is proposing that additional water bodies be designated for REC-1. This provides a greater degree of protection, since the REC-1 numerical bacteria objective is more stringent than that for REC-2. Those that did not receive a REC-1 designation were waters where:

PCW
16 Apr 84

- 1) "There is no public access";
- 2) "Water contact is prohibited by law and water quality protection is otherwise assumed by being designated for municipal water use";
- 3) "Flow only occurs during intense storms or storms of long duration that make water contact unlikely or unwise"; or
- 4) "Natural turbidity and mineral content preclude the use".

Approval

It has been EPA's position that any water body that can support REC-1 should be designated as such. If the use is prohibited, we recommended that the water body be designated anyway, or as an alternative, with footnotes explaining the restriction. This would protect the ability of the waterway to support the use without condoning or promoting the activity.

The Regional Board did not feel that it was appropriate to designate water bodies for water contact recreation if the use was prohibited. However, in lieu of REC-1 designation in Table 2-1, they did footnote the reasons why a REC-1 designation was not made. At this time we consider that the adopted amendment sufficiently protects the waters of the Central Coast Region and is approvable. In making this determination, it is our understanding that 3) above refers solely to true ephemeral streams and 4) refers to marshy or muddy areas that are physically unsuitable for REC-1.

On December 8, 1983, the new Water Quality Standards Regulations (40 CFR Part 131, dated November 8, 1983) became effective. These new regulations require the State to conduct a use attainability analysis when it has designated uses which do not comply with Section 101(a)(2) of the Act. ~~Therefore, as part of the next Triennial Review, the Central Coast Regional Board must re-examine the beneficial use designations where REC-1 or an aquatic life designation is not indicated and update them as appropriate by means of use attainability analyses.~~

EPA Headquarters has reviewed the amendment and found it to be approvable provided that it is based on all currently existing uses (Attachment 3). This condition has been met and the amendment is considered approvable. Public hearings were held as part of the regular Board meetings that were routinely noticed. The public was afforded the opportunity to comment, and responses were provided for all concerns.

Economic Considerations

There are no dischargers on any of the surface waters which were just designated for water contact recreation. These revisions were made merely to reflect existing uses. Therefore, no economic impact should occur due to the adoption of this amendment.

Recommendation

State Board Resolution Number 84-11 should be approved as an amendment to the water quality standards of the Central Coast Region as contained in the Water Quality Control Plan, Central Coast Region.

United States
Environmental Protection
Agency

Regional Administrator
215 Fremont Street
San Francisco CA 94105

Region 9
Arizona, California
Hawaii, Nevada
Pacific Islands

Basin Planning



August 4, 1983

Mrs. Carole Onorato, Chairwoman
State Water Resources Control Board
P. O. Box 100
Sacramento, CA 95801



Dear Mrs. Onorato:

I am pleased to inform you that the Environmental Protection Agency (EPA) has reviewed and approved State Water Resources Control Board (SWRCB) Resolutions 82-44, 82-64 and 83-33 as amendments to the Water Quality Standards for waters of the Central Coast Region. These Resolutions are as follows:

Resolution 82-44 - Amendments to the Water Quality Control Plan for the Central Coastal Basin Concerning Water Quality Standards for the San Lorenzo River and Updating Some General Objectives Which Apply to All Inland and Surface Waters.

Resolution 82-64 - Amendments to the Water Quality Control Plan for the Central Coastal Basin Concerning Water Quality Standards for the Salinas River.

Resolution 83-33 - Revision to Amendment to the Water Quality Control Plan for the Central Coastal Basin Concerning Water Quality Standards for Endrin and Radioactivity.

This approval is based on my determination that the Water Quality Standards are consistent with the protection of public health and welfare, the protection of the quality of the water and the purposes of the Clean Water Act.

I would like to commend the State Water Resources Control Board and the Regional Water Quality Control Board for their efforts in the preparation of these amendments. With this approval, the current Federally approved water quality standards for the Central Coast Region (3), along with those approved today, are the standards approved by our letters of October 24, 1975, January 9, 1980 and December 10, 1981. The current amendments satisfy in part our 1975 approval conditions.

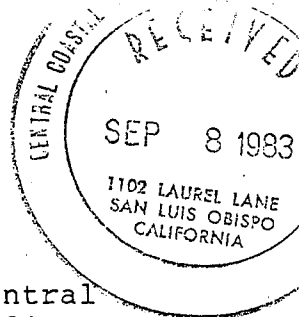
In continuing toward refinement of these standards, it will be our pleasure to continue to work together with the State to protect the quality of California's waters.

Sincerely,

John Wise

John Wise
Acting Regional Administrator

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



DATE: JUL 28 1983

SUBJECT: Amendments to the Water Quality Standards for the Central Coast Basin (3), SWRCB Resolution Numbers 82-44, 82-64, and 83-33

FROM: Brian McKeown *Brian McKeown*
Water Quality Standards
California Branch

Phil Woods *P. Woods*
Water Quality Standards Coordinator
Region 9

TO:

Files EXR 5-3-3 Basin 3

We have reviewed the amendments to the water quality standards adopted by the California Water Quality Control Board, Central Coast Region, as Resolution Numbers 82-07, 82-08 and 83-03. The State Water Resources Control Board approved these amendments as Resolution Numbers 82-44, 82-64, and 83-33, respectively. EPA finds that these water quality standards are approvable pursuant to Section 303(c) of the Clean Water Act. This action is based on the determination that these water quality standards are consistent with the protection of public health and welfare, the protection of the quality of the water and the purposes of the Clean Water Act.

These standards amendments apply to the Central Coast Region of California (Basin 3). They revise beneficial uses and water quality objectives in the San Lorenzo and Salinas Rivers in addition to updating general water quality objectives to reflect revisions and recodifications of the California Administrative Code.

History

On March 20, 1975, the State Board approved the Water Quality Control Plan (Basin Plan) for the Central Coast Region. The Basin Plan was approved with conditions and interpretations by the Environmental Protection Agency on October 24, 1975. One approval condition gave the State the choice of 1) revising the REC-2 objective for fecal coliform to be at least as stringent as that recommended in the Green Book, or 2) adding the designation of REC-1 to those waters now without a REC-1 designation. This condition of the approval has not yet been fully met. However, the Regional Board has been gradually updating beneficial use designations. (It is EPA's opinion that all water bodies that can support REC-1 should be designated as such. Even if these activities are prohibited (e.g., domestic water supply) or the area is inaccessible, the water bodies should be designated as REC-1, with footnotes explaining the restrictions.) This would protect the ability of the waterway to support the use without condoning or promoting the activity. If a waterway is not designated as REC-1,

it should be footnoted to explain why it is not possible to have contact recreation there (e.g., ephemeral stream, marsh etc.). Regional Board 3 (RB3) has been reviewing its beneficial use designations gradually (See Resolutions and RB3 letter of July 7, 1983).

Another 1975 approval condition required that numerical radioactivity objectives be established for all waters. Since all ocean waters and fresh waters designated as domestic water supplies (MUN) were and are protected by numeric radioactivity objectives, our 1975 condition applied to very few waters in Basin 3. These waters which do not have numerical limits established are covered by existing narrative objectives for radioactivity. EPA staff feels that these objectives provide adequate protection for beneficial uses, and considers this approval condition satisfied.

The last approval condition required that waters not designated to provide protection for Aquatic Life (cold, warm, marine, etc.) shall be designated COLD, WARM or MAR as a minimum, unless an individual detailed justification for an exception is included in the Basin Plan for each water segment. The Regional Board has been gradually updating Beneficial Uses and complying with this condition.

In addition to these conditions, the 1975 Approval Letter contained EPA's interpretations of the revisions to assure that they were consistent with the State's views (Attachment A). Since a generally positive reply was received from the State, these interpretations conform to the State and EPA policy.

While the current amendments do not directly address the conditional approval, RB3 has updated some beneficial use designations for the Salinas River and several basinwide water quality objectives. Other changes are also included in these amendments and are discussed in the subsequent sections.

Approval

The SWRCB conditionally approved Resolution 82-44 on October 21, 1982, [RB3 Resolution Number 82-08-approved 7/9/82 (Attachment B)]. This resolution includes changes to the Basin Plan which incorporate some revisions and

recodifications of the California Administrative Code. The State has also revised their thermal plan (9/18/75) and ocean plan (1/19/78) and these changes are included in the Basin Plan Amendments. For the San Lorenzo River, a new water quality objective for nitrate has been established to control algal growth. In addition, the allowable sodium and chloride concentrations have been revised to reflect current water quality conditions. The resolution also changes water quality objectives from median to mean values since most of the current data is reported in this manner. The State conditions on the approval required the regional board to revise some specific items: 1) the concentration of endrin as listed in Title 22 should be set at .0002 mg/l to be consistent with the Federal guidelines, and 2) correct the Radioactivity Objectives to be consistent with Title 22 of the California Administrative Code.

The SWRCB approved Resolution Number 82-64 on December 16, 1982 [RB3 Resolution Number 82-08-approved 7/9/82 (Attachment C)]. This resolution revises beneficial use designations for the Salinas River, including a REC-1 designation as an intermittent beneficial use in certain reaches. In addition, it revises (increases) the water quality objective for sulfate in the reach of the Salinas River above Spreckles.

The SWRCB approved Resolution Number 83-33 on May 24, 1983. [RB3 Resolution Number 83-03-approved 2/25/83 (Attachment D)]. This resolution incorporates the conditions required by the SWRCB for their approval of Resolution Number 82-44. In addition, the Regional Board further amended the Basin Plan by inserting a supplemental paragraph under "Radioactivity" which specifies an advisory standard for uranium-derived alpha particles.

While the Regional Board has not yet fully complied with EPA's 1975 conditional approval of the Basin Plan, it has been slowly meeting EPA's request that the Regional Board add REC-1 and aquatic life designations to all appropriate waters. In addition to updating beneficial use designations, work is being done to limit biostimulants and set toxic limits. The recent amendments are consistent with these goals. [See RB3 letter of July 7, 1983 outlining their current program for review and revision of WQS. (Attachment E)].

Headquarters has reviewed the amendments and has found them to be consistent with EPA guidance. Also, a special public hearing was held on June 11, 1982 in Watsonville,

California to discuss the amendments to the Basin Plan. Public hearings on these amendments were also held as part of the regular board meetings that were routinely noticed. The public was afforded the opportunity to comment, and responses were provided for all concerns.

Economic Considerations

The Regional Board's environmental document reviews the alternatives to the project and concludes that there are three areas which may be environmentally impacted: sewer or septic tanks, storm water drainage, and solid waste disposal. The new nitrate limit for the San Lorenzo River is consistent with basin plan requirements to improve management of septic tank discharges and/or possibly provide wastewater treatment in addition to controlling storm water discharges. The REC-1 designation for the lower Salinas River recognizes an existing beneficial use there and is consistent with the discharge prohibition that currently exists for that reach. Leachate from landfills reaching these two rivers has not yet been documented; however, after the more obvious point sources are controlled, landfills may be required to incorporate design and/or operational changes. Therefore, it appears that the current changes will not require water pollution control expenditures in addition to those already required by the basin plan.

Recommendation

State Board Resolution Numbers 82-44, 82-64, and 83-33 should be approved as amendments to the water quality standards for the waters of the Central Coast Region as contained in the Water Quality Control Plan, Central Coast Region.

Attachments

APPENDIX A

ENVIRONMENTAL PROTECTION AGENCY
October 10, 1975

EPA INTERPRETATIONS OF WATER QUALITY STANDARDS
Central Coastal Basin 3

1. If two numerical values in the water quality objectives conflict, the more stringent value will prevail.
2. The last paragraph of the submitted pesticide objective for Inland Surface Waters, Enclosed Bays and Estuaries applies to all of these waters where beneficial uses include MUN or a use involving aquatic habitat.
3. With respect to the turbidity objective, zones of dilution will only be permitted for dredging operations as suggested by the preface to the minimum criteria set forth on page 4, Attachment B of the State Board's January 22, 1975 memorandum on Revisions in Water Quality Objectives.
4. Until explicitly clarified otherwise, it is assumed that all waters in Basin 3 are protected by beneficial uses and objectives. It is assumed that, on the basis of a footnote to Table 2-1, all minor streams and tributaries not specifically named in the Table are presently designated to protect both recreation and aquatic life.
5. Notwithstanding the wording used in the last two paragraphs on page 2-6, it is our understanding that Areas of Special Biological Significance will be fully protected from all controllable water quality factors in accordance with the Ocean Plan and Thermal Plan as indicated in Chapter 4 of this Basin Plan.
6. Consistent with the Thermal Plan objectives for cold interstate waters and based on paragraph 1, page 4-11 and Appendix C responses to Fish and Game comment, it is our understanding that the natural receiving water temperature of intrastate waters supporting COLD, MIGRATION, and SPAWNING shall not be altered.

APPENDIX B

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 82-44

CONSIDERATION OF AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COAST BASIN CONCERNING WATER QUALITY STANDARDS
FOR THE SAN LORENZO RIVER AND UPDATING SOME GENERAL OBJECTIVES
WHICH APPLY TO ALL INLAND AND SURFACE WATERS

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the "Water Quality Control Plan, Central Coastal Basin" (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code mandates that basin plans shall be periodically reviewed and may be revised.
3. The Regional Board staff prepared a report entitled "A Review of Water Quality Standards for the San Lorenzo and Salinas Rivers".
4. The aforesaid report identifies beneficial uses and water quality objectives for the two rivers and cites some general water quality objectives for all inland surface waters in the Central Coast region where references and data have been updated.
5. Based on the findings of the aforesaid report, the Regional Board has determined that Chapter 4, Water Quality Objectives, of the basin plan requires revision.
6. The Regional Board, after a public hearing, adopted Resolution No. 82-07, Consideration of Amendments to the Water Quality Control Plan for the Central Coast Basin Concerning Water Quality Standards for the San Lorenzo River, Santa Cruz County, on July 9, 1982.
7. On July 21, 1982, the Regional Board submitted a request for State Board consideration of approval for the above-titled basin plan amendment in accordance with Section 13245 of the California Water Code.
8. The basin plan amendment updates certain general water quality objectives to reflect revisions and recodification of the California Administrative Code, revises Table 4-8 of Chapter 4, Water Quality Objectives, to present specific water quality objectives in terms of mean values rather than median values, and revises allowable chloride and sodium concentrations to reflect current water quality conditions of the San Lorenzo River.
9. The basin plan amendment proposes a new specific water quality objective for nitrate of .25 mg/l because of a documented problem of algal growth in the San Lorenzo River.
10. The report entitled "A Review of Water Quality Standards for the San Lorenzo and Salinas Rivers" is the basis for a number of the aforementioned revisions.

11. A review of the record finds reasonable justification of the basin plan amendment with the following two exceptions:
 - a. The Regional Board replicated an error in Title 22, Chapter 15, Article 4, Section 64435, Table 3, of the California Administrative Code. The concentration for endrin listed in Title 22 is 0.002 mg/l; the federal standard is 0.0002 mg/l.
 - b. The Regional Board mis-cited the proper section in Title 22 concerning radioactivity. Sections 64441 and 64442 should be cited instead of Section 64435. The inclusion of uranium and radon as a contributor to alpha particle activity is not consistent with Title 22, Chapter 15, Table 5.
12. The basin plan amendment, with these two exceptions, is consistent with Section 13000 of the California Water Code which mandates that waters of the State shall be regulated to attain the highest quality water which is reasonable.

THEREFORE BE IT RESOLVED THAT:

The following pages of the Central Coastal Basin Plan be revised and amended as shown in Attachment A to Regional Board Resolution No. 82-07:

1. Page 4-2, Thermal Plan and Ocean Plan
2. Page 4-4, Table 4-1, Selected Comparisons of Existing Surface Water Quality with Water Quality Planning Criteria.
3. Pages 4-8 and 4-9, Pesticides (excluding limiting concentration for endrin).
4. Page 4-9, Chemical Constituents, including Table 4-4, Inorganic, Organic, and Fluoride Concentrations not to be Exceeded in Domestic or Municipal Supply.
5. Page 4-13, Water Quality Objectives for Specific Inland Waters, Enclosed Bays, and Estuaries.
6. Page 4-14, Table 4-8, Median Surface Water Quality Objectives.

That the following pages of said basin plan as described in Attachment A to Regional Board Resolution No. 82-07 not be revised and those portions of Resolution No. 82-07 be returned to the Regional Board for reconsideration:

1. Pages 4-8 and 4-9, Pesticides--the limiting concentration for endrin.
2. Page 4-9, Radioactivity.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on October 21, 1982.

A handwritten signature in cursive script, appearing to read "Clint Whitney".

Clint Whitney
Executive Director

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RECEIVED

RESOLUTION NO. 82-07

SEP 10 1982

Concerning Revisions and Amendment of the
Water Quality Control Plan,
Central Coastal Basin.DIVISION OF
TECHNICAL SERVICES

WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and,

WHEREAS, Regional Board staff prepared a study entitled "A Review of Water Quality Standards for the San Lorenzo and Salinas Rivers"; and,

WHEREAS, the aforesaid study identified beneficial uses and water quality objectives for each of the two rivers and cited several water quality objectives of general application where references and data had been updated; and,

WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,

WHEREAS, proposed revisions and amendments apply to Chapter 2, Beneficial Uses (specifically for the San Lorenzo River) and Chapter 4, Water Quality Objectives (some specific to the San Lorenzo River and some that apply to all inland surface waters), of said Basin Plan; and,

WHEREAS, Regional Board staff prepared documents and followed procedures to satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the federal Clean Water Act; and,

WHEREAS, drafts of proposed revisions and amendments and the environmental documents have been provided to interested persons and agencies for review and comment; and,

WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within Monterey and Santa Cruz County; and,

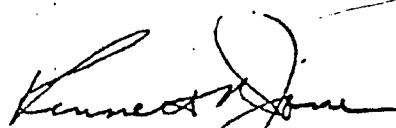
WHEREAS, on July 9, 1982, in the Watsonville City Council Chambers, 250 Main Street, Watsonville, California, the Regional Board reviewed staff documents pertaining to the amendment, including proposed changes, environmental documents, and written comments and written staff responses, as well as received additional evidence and testimony concerning the proposed revisions and amendments to said Plan.

NOW, THEREFORE, BE IT RESOLVED, that pages 4-2, 4-4, 4-8, 4-9, 4-13, and 4-14 of the Basin Plan be revised and amended as shown on Attachment A, consisting of five pages and incorporated herein as part of this resolution.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 9, 1982.


Executive Officer

Page 4-2, second column, amend to read:

Thermal Plan

The "Water Quality Control Plan for the Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California", adopted by the State Water Resources Control Board on May 18, 1972, and amended September 18, 1975, specifies water quality objectives, effluent quality limits and discharge prohibitions related to thermal characteristics of enclosed bay and estuary waters and waste discharges.

Ocean Plan

The "Water Quality Control Plan for Ocean Waters of California", Resolution No. ~~72-45~~ 78-2, was adopted by the State Water Resources Control Board on ~~7/17/66/1972~~ January 19, 1978. (This 1978 plan is a major revision of the original plan adopted by State Water Resources Control Board Resolution 72-45 on July 6, 1972.) This 1978 plan establishes beneficial uses and water quality objectives for waters of the Pacific Ocean adjacent to the California Coast outside of enclosed bays, estuaries, and coastal lagoons. Also, the Ocean Plan prescribes effluent quality requirements and management principles for waste discharges and specifies certain waste discharge prohibitions.

The Ocean Plan also provides that the State Water Resources Control Board shall designate Areas of Special Biological Significance (ASBS) and requires wastes to be discharged a sufficient distance from these areas to assure maintenance of natural water quality conditions.

The State Water Resources Control Board declared its intent to periodically revise the Plan to reflect water quality objectives that are necessary to protect beneficial uses of ocean waters and to be consistent with current technology.

RESOLUTION NO. 82-C7
ATTACHMENT A
(5 pages)

Page 4-8, second column,
and page 4-9, first column, amend to read:

Waters designated for use as domestic or municipal supply (MUI) shall not contain concentrations of pesticides or herbicides in excess of the limiting concentrations set forth in California Administrative Code, Title 22, Chapter 15, Article 4, Section 64435, Table 3, and listed below:

Pesticides	mg/l
Aldrin	0.017
Chlordane	0.003
DDT	0.017
Dieldrin	0.017
Endrin	0.001
Heptachlor	0.013
Heptachlor epoxide	0.013
Lindane	0.053
Methoxychlor	1.0
Organophosphorus/Carbamate compounds	0.7
As/parathion/in prolinesterase/inhibition	
Toxaphene	0.003
Herbicides	
2,4-D plus	
2,4,5-T plus	
2,4,6-TF	0.1

Constituent	Maximum Contaminant Level, mg/l
<u>(a) Chlorinated Hydrocarbons</u>	
Endrin	0.002
Lindane	0.004
Methoxychlor	0.1
Toxaphene	0.005
<u>(b) Chlorophenoxy</u>	
2,4-D	0.1
2,4,5-TP Silvex	0.01

Page 4-4, Table 4-1, add footnote "g" for San Lorenzo River to read:

g. Cadmium concentrations found in organisms in the San Lorenzo River and some tributaries are elevated due to cadmium leached from a geologic formation.

Page 4-9, first column, amend to read:

Chemical Constituents

Waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of chemical constituents in excess of the limits specified in California Administrative Code, Title 17, Chapter 5, Subchapter 1, Article 1, Sections 111111/11, Section 11019, Tables 2, 3, and 4 and Tables 22, Article 4, Chapter 15, Section 64435, Tables 2 and 4, as listed in Table 4-4.

Page 4-9, second column, amend to read:

Where wastewater effluents are returned to land for irrigation uses, regulatory controls shall be consistent with Title 17 22 of State Health the California Administrative Code and with relevant controls for local irrigation sources.

Page 4-9, second column, under Radioactivity, amend to read:

Waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of radionuclides in excess of the limits specified in California Administrative Code, Title 17, Chapter 5, Subchapter 1, Article 1, Section 11019, Table 5, Title 22, Chapter 15, Article 5, Section 64435, Table 5, (except for uranium and radon) and as listed below:

Constituent	Maximum Contaminant Level, pCi/l
Combined Radium-226 and Radium-228	5
Gross Alpha particle activity	15
<i>(including Radium-226 but excluding Radium and Uranium)</i>	
Tritium	20,000
Strontium-90	8
Gross Beta particle activity . . . . .	.50

Page 4-13, first column, under "Water Quality Objectives for Specific Inland Surface Waters, Enclosed Bays and Estuaries," add new paragraph four to read:

A specific monthly mean objective for Nitrate (as NO₃) of 0.25 mg/l shall apply to both the upper and lower San Lorenzo River to protect beneficial uses from adverse biostimulatory effects. Specific biostimulant objectives for other surface waters will be added to this section in tabular form once they are determined from further studies.

Table 4-4. Inorganic, Organic and Fluoride Concentrations Not To Be Exceeded in Domestic or Municipal Supply

Constituent	Limiting Concentration mg/l		
	Lower	Optimum	Upper
Fluoride*			
53.7 and below	0.9	1.2	1.7
53.8 to 58.3	0.8	1.1	1.5
58.4 to 63.8	0.8	1.0	1.3
63.9 to 70.6	0.7	0.9	1.2
70.7 to 79.2	0.7	0.8	1.0
79.3 to 90.5	0.6	0.7	0.8
Inorganic Chemicals			
Arsenic			0.05
Barium			1.
Cadmium			0.010
Chromium			0.05
Lead			0.05
Mercury			0.002
Nitrate (as NO ₃)			45.
Selenium			0.01
Silver			0.05
Organic Chemicals			
(a) Chlorinated Hydrocarbons			
Endrin			0.002
Lindane			0.004
Methoxychlor			0.1
Toxaphene			0.005
(b) Chlorophenoxy			
2, 4-D			0.1
2,4,5-TP Silvex			0.01

*Annual Average of Maximum Daily Air Temperature, °F based on temperature data obtained for a minimum of five years.

page 4-14, amend Table 4-8 to read:

Table 4-8. Median Surface Water Quality Objectives, mg/l^a

Sub-basin/subarea	TDS	Cl	SO ₄	B	Na
San Lorenzo River					
San Lorenzo River					
Above Bear Creek	400	80 60	80	0.2	50
At Tait Street	250	80 30	60	0.2	70 25
Check Dam					

^aObjectives shown are ~~median~~ annual mean values ~~based on data averages~~ over the ~~selected~~ study period. Objectives are based on preservation of existing quality or water quality enhancement believed attainable following control of man-made ~~point~~ sources of pollutants.

APPENDIX C

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 82-64

CONSIDERATION OF AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
FOR THE CENTRAL COASTAL BASIN CONCERNING WATER QUALITY STANDARDS
FOR THE SALINAS RIVER

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan, Central Coastal Basin (basin plan) on March 14, 1975.
2. Division 7 of the California Water Code mandates that basin plans shall be periodically reviewed and may be revised.
3. In 1981, the Regional Board prepared and published a report entitled "A Review of Water Quality Standards for the San Lorenzo and Salinas Rivers".
4. The aforesaid report identifies beneficial uses and water quality objectives for the two rivers and cites some general water quality objectives for all inland surface waters in the Central Coast region where references and data have been updated.
5. Based on the findings of the aforesaid report, the Regional Board has determined that Chapter 2, Present and Potential Beneficial Uses, and Chapter 4, Water Quality Objectives, of the basin plan require revision.
6. The Regional Board after a public hearing adopted Resolution No. 82-08, Consideration of Amendments to the Water Quality Control Plan for the Salinas River, on July 9, 1982.
7. On July 21, 1982, the Regional Board submitted a request for State Board consideration of approval for the above-titled basin plan amendment in accordance with Section 13245 of the California Water Code.
8. The basin plan amendment revises beneficial use designations and adds two footnotes to Table 2-1, Existing and Anticipated Uses of Inland Surface Waters.
9. The basin plan amendment also revises the water quality objective for sulfate in the reach of the Salinas River above Spreckels to 125 mg/l.
10. The aforementioned 1981 Water Quality Standards Report is the basis for a number of these revisions.
11. A review of the record finds that the Regional Board agenda item attached to Resolution No. 82-08 provides reasonable discussion and justification for the remaining revisions.

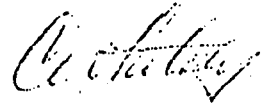
12. The basin plan amendment is consistent with all federal and state statutes including State Board Water Quality Control Plans.

THEREFORE BE IT RESOLVED:

That pages 2-4 and 4-14 of the basin plan be revised and amended as shown on Attachment A of Regional Board Resolution No. 82-08.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 16, 1982.



Clint Whitney
Executive Director

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 82-08

Concerning Revisions and Amendment of the
Water Quality Control Plan,
Central Coastal Basin

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and,
- WHEREAS, Regional Board staff prepared a study entitled "A Review of Water Quality Standards for the San Lorenzo and Salinas Rivers"; and,
- WHEREAS, the aforesaid study identified beneficial uses and water quality objectives for each of the two rivers and cited several water quality objectives of general application where references and data had been updated; and,
- WHEREAS, the Regional Board has determined the Basin Plan requires further revision and amendment; and,
- WHEREAS, proposed revisions and amendments are specifically for the Salinas River and are to be made to Chapter 2, Beneficial Uses and Chapter 4, Water Quality Objectives of said Basin Plan; and,
- WHEREAS, Regional Board staff prepared documents and followed procedures to satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the federal Clean Water Act; and,
- WHEREAS, drafts of proposed revisions and amendments and the environmental documents have been provided to interested persons and agencies for review and comment; and,
- WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within Monterey and Santa Cruz County; and,
- WHEREAS, on July 9, 1982, in the Watsonville City Council Chambers, 250 Main Street, Watsonville, California, the Regional Board reviewed staff documents pertaining to the amendment, including proposed changes, environmental documents, and written comments and written staff responses, as well as received additional evidence and testimony concerning the proposed revisions and amendments to said Plan; and,

WHEREAS, the Regional Board recognizes Monterey County Flood Control and Water Conservation District has completed the Arroyo Seco Dam Feasibility Study Report and the District has reason to expect future uses of MUN, AGR, PROC, and IND for the lower Salinas River;

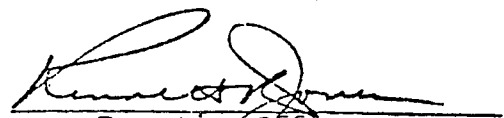
NOW, THEREFORE, BE IT RESOLVED, that pages 2-4 and 4-14 of the Basin Plan be revised and amended as shown on Attachment A, consisting of two pages and incorporated herein as part of this resolution.

BE IT FURTHER RESOLVED, that the Regional Board will revise the Basin Plan to reflect and protect uses that are part of the Arroyo Seco Dam Project when Monterey County determines the project is feasible and commits itself to project implementation.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan, to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 9, 1982.


Executive Officer

Page 4-14, amend Table 4-8 to read:

Table 4-8. Median Surface Water Quality Objectives, mg/l^a

Sub-basin/subarea	TDS	Cl	SO ₄	B	Na
Salinas River					
Salinas River Above Spreckles	600	80	80 125	0.2	70

^a Objectives shown are median annual mean values based on data averages over the referenced study period. Objectives are based on preservation of existing quality or water quality enhancement believed attainable following control of man-made point sources of pollutants.

Page 2-4 (as amended 6/11/76), amend to read:

TABLE 2-1 Existing and Anticipated Uses of Inland Surface Waters

	MUN	AGR	PROC	IND	GWR	REC-1	REC-2	WILD	COLD	WARM	MIGR	SPWN
Salinas River, downstream of Spreckels gauge. ^{d.}						<u>I</u>	<u>I</u>	E		I		I
Salinas River, Spreckels gauge to Chualar	X	A	<u>A</u>	<u>A</u>	<u>I</u>	I	<u>I</u>	E	I	I		I
Salinas River, Chualar to Nacimiento River	X	<u>A</u>	<u>A</u>	<u>A</u>	E	E	E	E	<u>I</u>	E		I

d. Marine Habitat (MAR) exists intermittently in the Salinas River Lagoon.

Change footnote of Table 2-1 to read:

"I = Beneficial Water use in a watercourse with intermittant flow characteristics.
Use is concurrent with flow."

RESOLUTION NO. 82-08
 ATTACHMENT A
 (2 pages)

ATTACHMENT 1A

APPENDIX D

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 83-33

CONSIDERATION OF REVISION TO AMENDMENT TO THE WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COASTAL BASIN CONCERNING WATER
QUALITY STANDARDS FOR ENDRIN AND RADIOACTIVITY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) by Resolution No. 82-07, adopted "Amendments to the Water Quality Control Plan for the Central Coastal Basin Concerning Water Quality Standards for the San Lorenzo River, Santa Cruz County".
2. On July 21, 1982, in compliance with California Water Code Section 13245, the Regional Board submitted a request to the State Board for approval of the Water Quality Control Plan for the Central Coast Basin (basin plan), and the State Board took the Regional Board's basin plan amendment under consideration at its October 21, 1982 regular Board meeting.
3. The State Board adopted Resolution No. 82-44 which approved, in part, the basin plan amendment and remanded a portion back to the Regional Board for reconsideration.
4. Specifically, the exceptions to the approval requested the Regional Board to do the following:
 - a. Correct an error which would have set the maximum contaminant level for endrin at 0.002 mg/l which is above the Federal standard of 0.0002 mg/l;
 - b. Correct a mis-citing of Title 22, California Administrative Code, of the section dealing with radioactivity; and
 - c. Revise the gross alpha particle activity of 15 picocuries per liter (pCi/l) to exclude radon and uranium and include in accordance with Title 22.
5. On February 25, 1983, the Regional Board complied with all State Board recommendations in its Resolution No. 83-03 and requested State Board reconsideration and approval.
6. Regional Board Resolution No. 83-03 further amends the basin plan (page 4-9) by inserting a supplemental paragraph under "Radioactivity" which specifies a standard for uranium-derived alpha particles, as follows:

"Until a radionuclide standard for uranium-derived alpha particles in domestic or municipal water supply is promulgated by the U. S. Environmental Protection Agency, waters designated for use as domestic or municipal supply (MUN) should not exhibit uranium-derived gross alpha particle activity in excess of 10 pCi/l, the U. S. Environmental Protection Agency's current advisory limit."

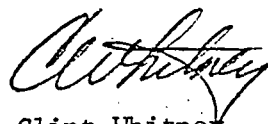
7. EPA staff advises 10 pCi/l as a safe limit for uranium in drinking water and that field tests of methods of removing excessive uranium are currently being conducted.
8. In adopting a numerical limit, the Regional Board stated its opinion that a limit would provide some guidance for public health and safety.
9. The State Board is desirous of recognizing the above addendum to the basin plan as an expression of the Regional Board's concern for public health and safety. The State Board recognizes that 10 pCi/l is an advisory limit for uranium and not an enforceable safe drinking water quality standard.

THEREFORE BE IT RESOLVED:

1. That the State Board approve the basin plan amendment as revised in Regional Board Resolution No. 83-03 for pages 4-8 and 4-9, Pesticides, and page 4-9, Radioactivity (excluding radon and uranium and including radium-226 in the gross alpha particle activity contaminant level).
2. That the addendum specifying a numerical contribution from uranium to the gross alpha particle activity be accepted as an advisory limit, but not as an enforceable standard.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 24, 1983.



Clint Whitney
Executive Director

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-03

Concerning Revisions and Amendment of
Water Quality Control Plan,
Central Coastal Basin
(Water Quality Objectives for Endrin and Radioactivity)

- WHEREAS, The California Regional Water Quality Control Board, Central Coast Region, (Regional Board), adopted the Water Quality Control Plan, Central Coastal Basin, (Basin Plan), on March 14, 1975; and,
- WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan; and,
- WHEREAS, the Regional Board through adoption of Resolution No. 82-07 on July 9, 1982, and revised several water quality objectives of general application where references and data had been updated, including the standards for endrin and radioactivity; and,
- WHEREAS, Regional Board staff prepared documents and followed procedures to satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the federal Clean Water Act; and,
- WHEREAS, the State Water Resources Control Board did not approve the revisions concerning endrin and radioactivity, but returned them to the Regional Board for reconsideration based on reasons stated in State Board Resolution No. 82-44; and,
- WHEREAS, the Regional Board is concerned that health of Central Coast residents is not adequately protected by Title 22 from adverse impacts from uranium-derived radionuclide concentrations in domestic water supplies and wishes to establish a numerical criteria equivalent to the U.S. Environmental Protection Agency's current advisory limit; and,
- WHEREAS, drafts of proposed revisions and amendments and environmental documents were provided to interested persons and agencies for review and comment; and,
- WHEREAS, a public hearing was duly noticed by advertising in newspapers of general circulation within Monterey and Santa Cruz County; and,
- WHEREAS, on February 25, 1983, in Santa Barbara, California, the Regional Board reviewed staff documents pertaining to the amendment, including written comments and written staff responses, as well as additional evidence and testimony concerning the proposed revisions and amendments to said Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Basin Plan be revised and amended as follows:

Pages 4-8 and 4-9, Pesticides—amend the limiting concentration for endrin from 0.001 mg/l to 0.0002 mg/l.

Page 4-9, second column, under Radioactivity, amend to read:

Waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of radionuclides in excess of the limits specified in California Administrative Code, Title 22, Chapter 15, Article 5, Sections 64441 and 64443, Table 5, as listed below:

Constituent	Maximum Contaminant Level, pCi/l
Combined Radium-226 and Radium-228	5
Gross Alpha particle activity	15
(including Radium-226 but excluding Radon and Uranium)	
Tritium	20,000
Strontium-90	8
Gross Beta particle activity . . . . .	.50

Until a radionuclide standard for uranium-derived alpha particles in domestic or municipal water supply is promulgated by the U.S. Environmental Protection Agency, waters designated for use as domestic or municipal supply (MUN) should not exhibit uranium-derived gross alpha particle activity in excess of 10 pCi/l, the U.S. Environmental Protection Agency's current advisory limit.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment.

BE IT FURTHER RESOLVED, that the Executive Officer of this Regional Board also is hereby directed to submit these amendments to the Basin Plan to the State Water Resources Control Board for approval pursuant to California Water Code Section 13245.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 25, 1983.



Executive Officer

APPENDIX E

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
CENTRAL COAST REGION1102 A LAUREL LANE
SAN LUIS OBISPO, CALIFORNIA 93401
(805) 549-3147

July 7, 1983

Mr. Phillip Woods
United States Environmental
Protection Agency
215 Fremont Street
San Francisco, CA 94105

Dear Mr. Woods:

SUBJECT: BASIN PLAN WATER QUALITY OBJECTIVES

In November of 1981, we began our triennial review of our Water Quality Control Plan for the Central Coastal Basin (Basin Plan). By April, 1982, the Regional Board agreed on a list of Basin Plan topics which should be investigated for possible plan amendment. Since that time, the Board has adopted several amendments from our triennial review list.

We are now beginning work on biostimulant objectives for specific surface waters. We note that you wrote to the State Water Resources Control Board on December 10, 1981, and approved their Resolutions 77-17 and 77-73, concerning amendments of our Basin Plan, based on an understanding that your interpretations (enclosed with your letter) were correct. Consistent with your interpretations, we will proceed as summarized in the following paragraphs.

Fecal Coliform Bacteria Objective

(1) Add a REC-1 designation for waters where water contact recreation currently can take place; (2) identify, by means of footnotes to Table 2-1, the physical reasons that water contact recreation cannot take place (e.g., ephemeral stream or marsh) for waters or reaches of waters not covered by (1); and, (3) identify by means of footnotes to Table 2-1, those water bodies where water contact recreation could physically take place but is prohibited.

Biostimulants Objectives

Nutrient objectives for the San Lorenzo River have been approved by the Regional Board. Nutrient objectives for other surface waters will be developed as well.

For the short-term, we plan to develop nutrient objectives for the Pajaro River, Llagas Creek, Uvas Creek, and San Luis Obispo Creek. We hope to have nutrient objectives adopted for Pajaro River, Llagas Creek, and Uvas Creek by December, 1983.

Mr. Phillip Woods
Page 2
July 7, 1983

For the long-term, we plan to develop nutrient objectives for the lower Salinas River, Perfumo Creek/Laguna Lake, Franklin Creek, Santa Monica Creek, Waddell Creek, Soquel Creek/Lagoon, and Lopez Lake. If discharge from the Salinas treatment plant ceases, no nutrient objective will be developed. Nutrient objectives will be developed once enough monitoring data is available.

If you have any comments or questions concerning this matter, please contact Angela Charpentier of this office.

Very truly yours,



KENNETH R. JONES
Executive Officer

AGC:bf

cc: Regional Board Members
Walter G. Pettit, SWRCB

ENVIRONMENTAL PROTECTION AGENCY
October 10, 1975

EPA INTERPRETATIONS OF WATER QUALITY STANDARDS
Central Coastal Basin 3

1. If two numerical values in the water quality objectives conflict, the more stringent value will prevail.
2. The last paragraph of the submitted pesticide objective for Inland Surface Waters, Enclosed Bays and Estuaries applies to all of these waters where beneficial uses include MUN or a use involving aquatic habitat.
3. With respect to the turbidity objective, zones of dilution will only be permitted for dredging operations as suggested by the preface to the minimum criteria set forth on page 4, Attachment B of the State Board's January 22, 1975 memorandum on Revisions in Water Quality Objectives.
4. Until explicitly clarified otherwise, it is assumed that all waters in Basin 3 are protected by beneficial uses and objectives. It is assumed that, on the basis of a footnote to Table 2-1, all minor streams and tributaries not specifically named in the Table are presently designated to protect both recreation and aquatic life.
5. Notwithstanding the wording used in the last two paragraphs on page 2-6, it is our understanding that Areas of Special Biological Significance will be fully protected from all controllable water quality factors in accordance with the Ocean Plan and Thermal Plan as indicated in Chapter 4 of this Basin Plan.
6. Consistent with the Thermal Plan objectives for cold interstate waters and based on paragraph 1, page 4-11 and Appendix C responses to Fish and Game comment, it is our understanding that the natural receiving water temperature of intrastate waters supporting COLD, MIGRATION, and SPAWNING shall not be altered.

Central Coast Basin
Plan Files:
March '73 - April '74

Comments of the
Environmental Protection Agency, Region IX
on the
Comprehensive Water Quality Control Plan for the Central Coast Basin

(Only Part I and the Abstract were available to us for review. Experience with review of other proposed basin plans suggests that many planning elements required by Federal regulations will probably be included in Part II and the Appendices of this plan. Accordingly, upon receipt of the remaining portions of this plan, we will conduct a review that concentrates on the following planning elements: inventory of sources; analysis of significant discharges; segment priority ranking; total maximum daily loads; individual point source load allocations; and identification of relationship to other plans. The comments below pertain to Part I.)

I. Schedules of Compliance

The applicable regulation, 40 CFR 131.302, calls for inclusion in the plan of schedules of compliance or target dates of abatement for significant dischargers. Presently, the plan is only partially complete in this regard. Accordingly, at the time the plan is submitted for EPA approval, it must contain the schedules of compliance for dischargers that have been issued NPDES permits, including the major interim and final completion dates necessary to assure an adequate tracking of progress towards compliance. Where dischargers are required to obtain an NPDES permit, but no permit has been issued as of the date that the plan is submitted, the plan must contain target dates when the dischargers must obtain a permit, as well as other target abatement dates that will enable an adequate tracking of progress.

II. Facility Requirements: Recommended Wastewater Management Plans for Municipal Systems

Since the plan goes into considerable detail in terms of municipal facility requirements, particular attention should be given to the fact that any proposed facilities to be funded by a Federal construction grant must conform to the plan. Attention to this requires two considerations:

(1) The development of a proposed construction grant project must not be restricted solely to the facility as recommended in the plan; all feasible alternatives must be evaluated;

(2) If a proposed construction grant project does not conform with the facility recommended in the plan, a revision of the plan may be considered. However, the proposed project must

bear the burden of proof for the need to amend the plan. While we recognize that the basin plan, as an output of the State's continuous planning process, should not be considered a static end-product, it nonetheless is the State's water quality management guide for the region, and should lead the way to specific actions, including municipal facilities construction.

On another matter, the recommended plan for ocean disposal indicates that, where treatment plant upgrading to secondary treatment is not presently underway, it should be deferred. This approach is inconsistent with the 1972 Amendments of the Federal Water Pollution Control Act. Plans prepared, adopted and approved pursuant to the Act must express attainment of the Congressionally mandated secondary treatment requirement. However, recognizing the plethora of needs compared to available resources, the lower priority (suggested in the plan) for plant upgrading to secondary treatment for ocean discharges would not be inappropriate. Therefore, we suggest that the plan's discussion of priorities be retained, but the discussion of deferring the secondary treatment requirement should be revised to express the present goal of attainment of the requirement. If or when the Act's requirement in this regard is amended, the plan may be revised accordingly.

III. Animal Confinement Operations

On page 5-32, the goal for animal confinement facilities is expressed as containment of process wastes and run-off from a once-in-ten-year storm. Final EPA effluent guidelines set this goal as the 1977 target for Best Practicable Control Technology Currently Available. However, the effluent guidelines also set a 1983 goal for Best Available Treatment Economically Attainable, which is based on a once-in-twenty-five-year storm. The plan should include recognition of the 1983 goal.

IV. Establishment of Residual Waste Control Process

Our review did not uncover any identification, as such, of necessary controls to be established over the disposition of residual wastes from municipal, industrial, or other water or waste water treatment processing, as required by 40 CFR 131.307 whenever the processing or disposal occurs within the basin. The plan to be submitted for EPA approval should include such identification. It is conceivable that various parts, in aggregate, of the present plan fulfill this requirement. If so, a short discussion that pulls together such parts of the plan should be included.

V. Water Quality Standards

The following comments pertain to Chapter 2, "Present and Potential Beneficial Uses."

1. It should be clearly shown that all waters of the Basin have designated beneficial uses; Table 2-1 should give reference to minor streams and tributaries not specifically named. Unless justification to the contrary can be given, all surface waters should have beneficial use designations such that both recreation and aquatic life are protected. In many cases there is a notable absence of COLD, WARM, WILD, or REC designations. In several instances beneficial uses which appear in the Interim Plan do not appear here; no justification is given for such omissions. Cachaqua Creek (Carmel River Sub-Basin), which appears in the Interim Plan, is missing from the Table.

2. In Table 2-2 Pt. Sur lacks REC and MAR designations. Areas of Special Biological Significance which are shown in the Table as being located within stretches of coast (such as Soquel Pt. to Salinas River) should be more clearly specified.

3. One of the major deficiencies of this submission is the absence of beneficial use designations for ground waters of the Basin.

4. Many streams have been divided into segments for the purpose of designating beneficial uses. Often times a beneficial use which appears in the Interim Plan as applying to an entire stream has been omitted for a particular segment in this report. Justification for such omissions should be given.

The following comments pertain to Chapter 4, "Recommended Water Quality Objectives."

1. Objectives for biostimulants, water temperature, toxicity, and radioactivity should be included under general additional objectives. The Thermal Plan objectives should be clearly shown to apply to all waters of the Basin (not just interstate waters). Objectives for biostimulants should be stated relative to particular beneficial use designations - WARM, COLD, MAR. Reservoirs should be included with lakes in recommending biostimulants objectives.

2. Tables 4-1, 4-2, 4-3 and 4-7 are inappropriate in this chapter unless they are being recommended as objectives.

3. Objectives for REC-1:

a. Bacteria: Numerical objectives consistent with guidelines should be specified for REC-1 waters.

b. An objective for pH should be included.

4. Objectives for WARM, MAR, BIOL, RARE, SHELL, SPWN, and SAL:

- a. The beneficial use COLD should be included as having these objectives.
- b. Numerical bacteria objectives should be recommended consistent with these beneficial uses. Special attention should be given to waters designated SHELL.
- c. Dissolved Oxygen: Waters designated SPWN, COLD, and MAR should be clearly shown to have a minimum D.O. objective of 7.0 mg/l.
- d. pH: Minimum and maximum pH values should also be recommended.
- e. Metals: Units should be specified in Table 4-4. Objectives for several other significant metals should be included. Several of the footnotes to Table 4-4 recommend objectives which differ according to the aquatic habitat to which they apply. Such differences should be clearly shown, preferably in the Table, as applying to waters according to the beneficial use designations WARM, COLD, and MAR.
- f. Other Organics: The recommended objective for pcb's is high. Units for the phthalate esters objective should be ug/l rather than mg/l.

5. Objectives for AGR:

- a. Since in classifying the waters of the Basin the beneficial use AGR has not been broken down into irrigation supply and livestock watering, Table 4-6 presents a potential problem of objectives being inadequate to protect the actual use. Either the more stringent objective for a particular constituent should be recommended for all AGR waters or all such waters should be further designated as irrigation supply and/or livestock watering.
- b. Objectives for nitrate + nitrite and nitrite in Table 4-6 should be shown as being given in terms of N.
- c. Specific dissolved solids and sodium objectives should be included for all AGR waters based on guidelines and the non-degradation policy.

6. Objectives for MUN: Objectives for MUN are inadequate. Objectives should be recommended for raw water used for public water supplies.

7. A bacteria objective should be included for REC-2 waters.

8. Morro Bay and Estuary Waters:

- a. Objectives should be specifically included here. Reference to a previous chapter is inappropriate. Many of the referenced objectives in Chapter 3 needlessly duplicate those given in Chapter 4.
- b. It is unclear whether Morro Bay is the only enclosed bay covered by these objectives. Also, those estuarine waters covered by additional objectives should be clearly specified.

9. Specific Inland Waters:

- a. Since these objectives "...are intended to serve as a water quality baseline for evaluating water quality management....", their status as objectives for water quality is unclear.
- b. A clear statement should be made as to the applicability of these "objectives" to all waters of the indicated sub-basins.
- c. Several objectives given in Tables 4-8 and 4-9, where they can be compared to Tables 4-2 and 4-3, do not conform to the non-degradation policy. Many specific objectives (Lorenzo River Sub-Basin and Upper Salinas River and Salinas River Sub-Basins) which were adopted in the Interim Plan have been omitted here without justification. Ninety percentile objectives for these parameters should also be included.

Chloride, boron, and nitrogen objectives in Tables 4-9 should be more clearly defined (units, median/maximum, time period).

- d. Phosphorus objectives in Table 4-8 exceed guidelines in several cases. Many units in Table 4-9 lack nitrogen objectives.

10. Objectives for groundwaters are inadequate. Ostensible beneficial uses (none appear in Chapter 2) of the Basin's groundwaters are not adequately protected by the minimal objectives of Table 4-9.

VI. Monitoring and Surveillance

Various aspects of the discussion in Chapter 7 require comments, which follow:

(1) The plan recommends the 1973-74 surveillance and monitoring program to be in operation within one year after the adoption of the plan. The primary monitoring network element of this program is based entirely on existing stations being sampled by the Department of Water Resources. It does not reflect the requirements of Appendix A of the regulations for Section 106. Because of this, the State Water Resources Control Board staff is reworking the primary monitoring network to more closely approximate the requirements, and consequently, we will not comment on the primary monitoring network as outlined in the plan. The plan should incorporate the reworked network.

(2) The plan indicates that the estuarine and marine portions of the primary monitoring network will rely heavily on monitoring as required by the State's Ocean Plan. However, the description of ocean waters in the Ocean Plan does not include the waters of enclosed bays and estuaries, and the Ocean Plan delineates only what the water quality shall be -- it does not contain a requirement for monitoring. Clarification is required.

(3) In regard to discharger self-monitoring, the plan states that self-monitoring information will be collected, screened, and then entered into the data bank. The State has previously indicated that a computerized program would be used for screening. This apparent conflict should be clarified. Also, the plan does not specify with what frequency the Regional Board will check the self-monitoring data; a notation of the frequency should be made in the plan.

(4) EPA's revised water quality management basin planning regulations, published June 3, 1974, indicate that the water quality segment intensive surveys shall be repeated at appropriate intervals, depending on the variability of conditions in the segment. The plan indicates that the interval is to be at five years, which is apparently based on the previous regulations. A re-evaluation of the interval may be warranted.

(5) The due date for the submission of the material required under "Classification of Inland Lakes" (page 7-7) should be changed to April 15, 1975.

(5) The due date for the 305(b) report has been revised from January 1, 1975, to April 15, 1975. Also, the plan indicates that the report will be prepared from data collected only through the surveillance and monitoring program. While this program will address the problems of the quality of the region's waters and provide a description of non-point source pollution along with a recommended control strategy, it will only provide a portion of the information to project the water quality to 1983. The 305(b) report also must analyze the extent to which "no discharge" technology is being employed or will be needed, as well as assess the economic and environmental costs and benefits of achieving the objectives of the FWPCA Amendments of 1972. These latter objectives will require information from NPDES, municipal facilities planning and water quality control planning, at a minimum. The plan should be revised to reflect these additional information requirements.

(7) In terms of data storage, retrieval and reports, the plan does not deal with the immediate requirement of inputting water quality data to STORET. The plan should give recognition to the requirement that the data should be submitted to EPA in a STORET-compatible format within the following time limits: data from the intensive monitoring surveys are due within six months of the completion of the survey; data from the primary monitoring network are due within ninety days of collection; data from the groundwater monitoring network are also due within ninety days of collection.

(8) Beginning on page 7-2, Appendix D and Chapter 7 are presented as an approach to the optimum surveillance system for the basin, and will be implemented over a five-year period. This schedule would have the monitoring networks finalized in 1979, two years after the January 1, 1977 date set forth in Appendix A. Therefore, some priorities will have to be established within the plan to indicate how much of the surveillance and monitoring system will be implemented by January 1, 1977.