STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2002 - 0037

APPROVING WITH PARTIAL REMAND AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE COLORADO RIVER BASIN REGION TO ESTABLISH THE ALAMO RIVER SEDIMENTATION/SILTATION TOTAL MAXIMUM DAILY LOAD

WHEREAS:

The Colorado River Basin Regional Water Quality Control Board (Regional Board) adopted a revised Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) on November 17, 1993, which was approved by the State Water Resources Control Board (SWRCB) on February 17, 1994 and by the Office of Administrative Law (OAL) on August 3, 1994.

2. On June 27, 2001, the Regional Board adopted Resolution No. 01-100 (Attachment) amending the Basin Plan by incorporating a total maximum daily load (TMDL) for sedimentation/siltation in the Alamo River.

3. The SWRCB finds that the Basin Plan amendment titled "An amendment to the Water Quality Control Plan for the Colorado River Basin Region to establish the Alamo River sedimentation/siltation total maximum daily load" is in conformance with the requirements for TMDL development specified in section 303(d) of the Federal Clean Water Act (CWA).

4. The SWRCB finds that the adoption of the site-specific water quality objective for total suspended solids in the Alamo River did not meet the requirements of the California Water Code section 13241 and the Administrative Procedures Act, in that the language adopting the objective lacks clarity, and documentation to support the objective is not included in the administrative record as submitted.

5. 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.

6. A Basin Plan amendment does not become effective until approved by the SWRCB, and until the amendment's regulatory provisions are approved by OAL, and in the case of a surface water standards action, by the U.S. Environmental Protection Agency (USEPA).

THEREFORE BE IT RESOLVED THAT:

The SWRCB:

Approves the amendment to the Basin Plan adopted under Regional Board Resolution No. 01-100 (Attachment) with the exception of the paragraph establishing a site-specific water quality objective for total suspended solids in the Alamo River, as indicated by double strike-through in the Attachment, which is remanded.

2. Authorizes the Executive Director to submit the amendment adopted under Regional Board Resolution No. 01-100, as approved by the SWRCB, 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 February 19, 2002.

Maureen Marché
Clerk to the Board

Attachment

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

RESOLUTION NO. 01-100

A Resolution Amending the Water Quality Control Plan
for the Colorado River Basin
to Establish a Total Maximum Daily Load for Sediment/Siltation
for the Alamo River

WHEREAS, the California Regional Water Quality Control Board, Colorado River Basin Region (hereinafter Regional Board), finds that:

1 An updated Water Quality Control Plan for the Colorado River Basin (Basin Plan) was adopted by the Regional Board on November 17, 1993, approved by the State Water Resources Control Board (SWRCB) on February 17, 1994, and approved by the Office of Administrative Law on August 3, 1994.

2. Warm freshwater habitat (WARM), wildlife habitat (WILD), preservation of rare, threatened, and endangered species (RARE), water contact recreation (REC1), non-contact recreation (REC II), and freshwater replenishment (FRSH) are among the beneficial use designations specified in the Basin Plan for the Alamo River.

3. The Basin Plan includes narrative water quality objectives for total suspended solids, sediment, and turbidity for the Alamo River to protect the beneficial uses listed in Finding No. 2, above.

4. Water quality objectives are not being met in the Alamo River because direct and indirect discharges of silt-laden agricultural tailwater into the river and drain maintenance operations are adversely impacting the beneficial uses. The silt carries insoluble pesticides such as DDT and its byproducts, which bioaccumulate in fish tissue.

5. Pursuant to Section 303(d) of the Clean Water Act, the Regional Board, with the concurrence of the State Board, listed the Alamo River as water quality limited because of the sediment impairments. Section 303(d) of the Clean Water Act requires the establishment of the Total Maximum Daily Load (TMDL) of sediment/silt that can be discharged while still ensuring compliance with water quality standards. Section 303(d) also requires the allocation of this TMDL among sources of sediment/silt, together with an implementation plan and schedule that will ensure that the TMDL is met and that compliance with water quality standards is achieved.

6. The Alamo River Sediment/Siltation TMDL Report (hereafter "TMDL Report") and the proposed Basin Plan amendment (hereafter "Attachment 2") to establish the TMDL are hereto made part of this Resolution by reference.

7. The TMDL Report and related Basin Plan amendment attached to this resolution meet the requirements of Section 303(d) of the Clean Water Act. The amendment requires, in part, that nonpoint sources implement Best Management Practices (BMPs) to control sediment/silt inputs to provide a reasonable assurance that water quality standards will be met.

8. The Regional Board prepared and distributed written reports regarding adoption of the Basin Plan amendment in compliance with applicable state and federal environmental regulations (Title 23, California Code of Regulations, Section 3775 et seq.; and Title 40, Code of Federal Regulations, Parts 25 and 131).

filed after the SWRCB and OAL have acted on this matter. The SWRCB will forward the approved amendment to the U.S. Environmental Protection Agency for review and approval.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Regional Board adopts the amendment to the Water Quality Control Plan for the Colorado River Basin as set forth in Attachment 2.

2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the SWRCB in accordance with the requirement of Section 13245 of the California Water Code.

3. The Regional Board requests that the State Water Resources Control Board approve the Basin Plan amendments in accordance with Sections 13245 and 13246 of the California Water Code and forward it to the Office of Administrative Law and United States Environmental Protection Agency for approval.

4. The Executive Officer is directed to file a Notice of Decision with the California Secretary for Resources after final approval of the Basin Plan amendment, in accordance with Section 21080.5(d) (2)(E) of the Public Resources Code and Title 23, California Code of Regulations, Section 3781.

5. Resolved that, if during its approval process the SWRCB 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, Phil Gruenberg, 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, Colorado River Basin Region, on June 27, 2001.

PHIL GRUENBERG
Executive Officer

~~management~~ approach to NPS water quality control whereby the following ~~strategies~~ tiers are implemented ~~in order~~ as needed:

1. ~~Voluntary implementation~~ Self-determined implementation of Best Management Practices (BMPs);

2. Regulatory-based encouragement of Best Management Practices; and

3. Effluent requirements.

Sequential movement through the tiers (e.g. Tier 1 to Tier 2 to Tier 3) is not required of the Regional Board. Depending on the water quality impacts and severity of the NPS problem, the Regional Board may move directly to the full regulatory and complementary enforcement actions specified in Tier 3. It is the preference of the Regional Board to regulate nonpoint sources of pollution using the least stringent tier possible, while attaining water quality standards.

Page 4-6, edit the first sentence in the previous to last paragraph under "III. NONPOINT SOURCES CONTROLS" as follows:

~~The State's Water Quality Assessment adopted in May 1992, lists the Salton Sea and all agricultural drains in the Colorado River Basin Region as being impacted by nonpoint source discharges, primarily of agricultural origin.~~ The Regional Board adopted an updated Clean Water Act Section 303(d) list, which, in part, identifies the quality of the waters of the Salton Sea, Alamo River, New River, and Imperial Valley agricultural drains as being impaired by discharges of wastes from nonpoint sources, primarily of agricultural origin.

Page 4-6, following the last paragraph under "III. NONPOINT SOURCES CONTROLS" and before "A. AGRICULTURE" add the following paragraph:

Consistent with the 1999 State NPS Program, the Regional NPS Management Program includes:

- Implementation of the "Plan for California's Nonpoint Source Pollution Control Program"
- Implementation of this Basin Plan
- Implementation of other applicable statewide plans and policies
- Development and implementation of Total Maximum Daily loads for impaired and threatened surface waters

~~pesticides and silt from agricultural return flows. The Regional Board is overseeing the implementation of this project in its role as contract manager for the federal funds.~~

~~In the future, the Regional Board will carry out additional nonpoint source control activities as resources allow. These may include investigating the water quality impacts from drain maintenance and dredging, and developing and implementing BMPs to reduce the resulting water quality impact; investigating the use of biological treatment for agricultural pollution control; and overseeing the testing and development of BMPs to control selenium levels in agricultural return flows. Activities will also be directed in the future, as resources allow, to the other three Regional watersheds affected by agricultural pollution (the Bard Valley, the Palo Verde Valley, the Coachella Valley).~~

Page 4-13, immediately prior to the Section "V. ACTIONS OF OTHER AUTHORITIES," add the following new Section and renumber the subsequent Section accordingly:

V. TOTAL MAXIMUM DAILY LOADS

A. New River Pathogen TMDL

B. Alamo River Sedimentation/Siltation TMDL

SUMMARY

This TMDL was adopted by:
The California Regional Water Quality Control Board, Colorado River Basin Region on June 27, 2001.
The California State Water Resources Control Board on {insert date}.
The Office of Administrative Law on {insert date}.
The U.S. Environmental Protection Agency on {insert date}.

Table 4-1: Alamo River Sedimentation/Siltation TMDL Elements[1]

ELEMENT	
	Excess delivery of sediment to the Alamo River has resulted in degraded conditions that impair the following designated beneficial uses: warm freshwater habitat; wildlife habitat; preservation of threatened, rare, and endangered species habitat; contact- and non-contact recreation; freshwater replenishment

Table 4-1: Alamo River Sedimentation/Siltation TMDL Elements[1] (continued)

ELEMENT			
Load Allocations and Wasteload Allocations	**Load Allocations:** • Natural sources of sediment to the Alamo River, including erosion and wind deposition, are allocated 8,737 tons/year. • Waste discharges from nonpoint sources into the Alamo River shall not exceed the load allocations specified below:		
	River Reach	# of IID Drains Identified within Reach	Sediment Load Allocation (tons/year)[5,6]
	Alamo River immediately downstream of the International Boundary, at the IID gauging station just north of the All American Canal, a point identified hereafter at "AR-0"	None	146
	Reach 1: Downstream from the International Boundary to a point approximately 100 feet downstream of the Ninth Street Drain outfall into the river, a point identified hereafter as "AR-1"	8	17,488
	Reach 2: This reach encompasses the river from AR-1 to a point downsteam of the Pomello Drain outfall into the river and upstream of the Graeser Drain outfall into the river, a point hereafter referred to as "AR-2".	7	25,255
	Reach 3: This reach covers the river from AR-2 to a point downstream of the Holtville Main Drain outfall into the river and upstream of the Olive Drain outfall into the river, a point hereafter referred to as "AR-3";	8	24,501

Table 4.1A[1] : Waste Load Allocations for Point Sources in the Alamo River Watershed

Facility	NPDES #	Discharge Location	NPDES Permit Limits as of 6-2001[2] (tons of suspended solids per year)	Waste Load Allocation[3] (tons of suspended solids per year)
City of Calipatria WWTP	CA 0105015	G Drain	246.0	491.9
City of El Centro WWTP			365.5	731.1
City of Holtville WWTP		Pear (Palmetto) Drain	38.8	77.7
City of Imperial MWTP	CA 0104400	Rose Drain	64.0	127.9
Heber Public Utilities District WWTP	CA 0104370	Central Drain	20.6	41.1
Imperial Community College District WWTP	CA 104299	Central Drain	4.6	9.1
Sunset Mutual Water Co	CA 104345	Central Drain	2.3	4.6
Country Life MHP	CA 0104264	Central Drain	5.7	
Covanta Heber Geothermal	CA 0104965	Central Drain	195.6	
El Centro Steam Plant	CA 104248	Central Drain	NA	95.0
New Charleston Power Plant	CA 101990	Rose Drain	6.9	13.7
IID Grass Carp Hatchery	CA 700 04	Central Drain	NA	182.8
Rockwood Gas Turbine Station	CA 0104949	Bryant Drain	1.3	2.6
Imperial Valley Resources Biomass Waste Fuel Power Plant	CA 0105066	Rose Drain	NA	15.5
Future Point Sources	NA	NA	NA	1000.0
TOTAL			1098	3196

Footnotes for Table No. 4-1A:

Does not include volatile suspended solids determination.

2 Calculated using design flows and 30-day mean TSS limits.

3 Determined using double the current effluent limits to allow for facility expansion. For the three energy generating facilities without current TSS limits, a 30 mg/L TSS limit is used for current effluent limit in this calculation.

1.1.1 Farmers/growers Water Quality Management Plans

The farmers/growers shall submit self-determined sediment control programs to the Regional Board **by {insert the date that corresponds 15 months following the date of USEPA TMDL approval}**. A sediment control program may be submitted by an individual farmer/grower (hereafter "Individual Program") or by a group of farmers/growers (hereafter "Group Program"). In either case, the program shall, at a minimum, address the following components:

1. Name of farm owner, business address, mailing address, and phone number
2. Name of farm operator/grower, business address, mailing address, and phone number
3. Problem assessment (site location by address and township-range coordinates; site condition(s), crop(s) typically grown in a five-year cycle and typical irrigation method for each crop; and potential or current NPS problems)
4. Statement of sediment control goals (measurable outcomes or products)
5. Existing and/or alternative sediment management practices (technical/economic feasibility, desired outcome, etc.)
6. Timetable for implementation of management practices (measured in either water quality improvement or level of implementation)
7. Monitoring for tailwater quality improvements, progress toward goals, and effectiveness of management decisions
8. Mechanism for reporting planned and completed implementation actions to the Regional Board

A group program may address Item Nos. 1 through 6, above, for the individuals enrolled in the program as a group. The program shall nevertheless provide sufficient information so that the Regional Board can: (a) determine at a minimum on a drain- or drainshed-basis which responsible parties are enrolled in the program; (b) the types of sediment problems (i.e., severity, magnitude, and frequency) either the group as a whole or the drain/drainshed face; (c) the proposed sediment management practices for the group; and (d) the time table for implementation of the management practices (measured in either water quality improvement and/or level of implementation). Regarding Item Nos. 7 and 8, a single monitoring and reporting plan may also be proposed for a group provided that the monitoring and reporting will provide results that are representative of the efficiency of various control practices within the group and representative enough to measure overall water quality improvements. Reported implementation of BMPs shall be submitted to the Regional Board under the penalty of perjury.

All programs and reports specified herein are requested pursuant to Section 13267 of the California Water Code. In accordance with Section 13267(b)(2) of the California Water Code, when requested by the responsible party or group furnishing a program, the portions of a program, which might disclose trade secrets or secret processes, shall not be made available for inspection by the public but shall be made available to governmental agencies for use in making studies. However, these portions of a program shall be available for use by the Regional Board or any state agency in judicial review or enforcement proceedings involving the person or group of persons furnishing the report.

Note: Upon USEPA TMDL approval, this parenthetical "formula" will be replaced by the date certain, based on the date of approval. The Executive Officer shall be responsible for determining proportional sediment load allocations amongst the agricultural drains.

gates serving each field, the drop boxes draining each field and the drains to which these drop boxes drain, and the crops being cultivated on each field.. The above information should be submitted in an electronic, tabular, and easily geo-referenced format.

No later than 60 days following the Executive Officer's approval of the revised DWQIP, the IID shall submit to the Executive Officer a Quality Assurance Project Plan (QAPP) prepared in accordance with *Requirements for Quality Assurance Project Plans for Environmental Data Operations*, EPA QA/R-5, 1994 for the revised DWQIP. The QAAP is subject to the approval of the Executive Officer. No later than 30 days following the Executive Officer's approval of the QAPP, the IID shall implement the QAPP and submit monthly, quarterly, and annual monitoring reports to the Executive Officer. The monthly reports shall be due on the 15th day of the month and shall transmit the previous month's monitoring results, progress towards implementation of control practices, and performance of control practices. The quarterly reports shall be due on the 15th day of the month following the calendar's quarter and shall transmit a quarterly summary of the results for the previous three months. The annual reports shall be due on February 15 and summarize the year's data, quality control reports, and any trends in the data.

All plans and reports requested herein are requested pursuant to Section 13267 of the California Water Code and shall be prepared under the direct supervision of a California registered civil engineer and/or agricultural engineer, with experience in the preparation of this type of program.

1.1.3. United States Environmental Protection Agency (USEPA) and U.S. Section of the International Boundary and Water Commission (IBWC)

By {insert the date that corresponds to 15 months following the date of USEPA TMDL approval}*, the USEPA and/or the U.S. Section of the IBWC shall submit to the Regional Board a technical report pursuant to Section 13225 of the California Water Code describing the proposed control measures, monitoring plan and reporting procedures, and quality assurance procedures the U.S. Government proposes to take to ensure that discharges of wastes from Mexico do not violate or contribute to a violation of this TMDL, particularly a violation of the Load Allocation immediately downstream of the International Boundary, at the point identified as "AR-0.". The report shall be prepared under the direct supervision of a California registered civil engineer, with experience in the preparation of these types of reports and shall include a time schedule for implementation.

1.2 RECOMMENDED MANAGEMENT ACTIONS FOR FARMERS/GROWERS AND DRAINAGE MANAGEMENT

Implementation of BMPs should normally include: (1) consideration of specific site conditions; (2) monitoring to assure that practices are properly applied and are effective; (3) improvement of a BMP or implementation of additional BMPs or other management practices when needed to resolve a deficiency and; (4) mitigation of a problem where the practices are not effective. The practices listed herein are a compilation of BMPs recommended by the Technical Advisory Committee for the Silt TMDL for the Alamo River (Silt TAC), the Natural Resources Conservation Services Field Office Technical Guide (NRCS FOTG), the IID, and the University of California Cooperative Extension (Holtville Field Station). Inclusion of practices herein is not meant to imply or establish a prescriptive list of 'one size fits all' preferred practices for the drainage basins tributary to the Alamo River. These recommendations do not preclude

steeper slopes. They increase the cross section of the stream of water, decrease the water velocity and reduce erosion, and may cause sediment already in the water to settle out. Tailwater Ditch Checks can be constructed of plastic, concrete, fiber, metal or other suitable material. If plastic sheets are used, care must be taken not to allow pieces of the plastic to be carried downstream with the water. In order to be effective, this BMP must be utilized in condition where water velocities will not wash out the check dams or the sides of the tailwater ditch around the dams. Tailwater ditch checks or check dams are expected to work best in wide "pan ditches" where the width of tailwater stream can be effectively increased.

Field to Tailditch Transition

This practice involves use of spillways or pipes where water moves from fields into tailwater ditches, allowing the tailwater to fall down into the tailwater ditch from the field without washing across and eroding the soil. Spillways might be constructed of plastic, concrete, metal, or other suitable material. If plastic sheets are used, care must be taken not to allow deterioration to cause pieces of the plastic to be carried downstream with the water. This procedure may be useful on fields irrigated in bordered-strips and furrows. Care must be taken to address erosion that may be caused in the tailditch at the location where the spillway discharges to the tailditch.

Irrigation Land Leveling

This practice involves maintaining or adjusting field slope so as to avoid excessive slopes or low spots at the tail end of a field. In some cases it might be advantageous to maintain a reduced main or cross slope, which facilitates more uniform distribution of irrigation water and can result in reduced salt build-up in the soil, increased production, reduced tailwater, and decreased erosion. See also: NRCS FOTG Conservation Practice "Irrigation Land Leveling" (Code 464).

Filter Strips

This practice involves elimination of borders on the last 20 to 200 feet of the field. Planted crop is maintained to the end of the field and tailwater from upper lands is used to irrigate the crop at the ends of the adjacent lower lands. It is important that the main slope on the lower end of the field is no greater than on the balance of the field. A reduced slope might be better. With no tailwater ditch, there should be very little erosion as the water slowly moves across a wide area of the field to the tailwater box. Some sediment might settle out as the crop slows the water while it moves across the field. This could be used with water tolerant crops or special soil conditions. See also: NRCS FOTG Conservation Practice "Filter Strip" (Code 393).

Irrigation Water Management

Irrigation Water Management is defined as determining and controlling the rate, amount, and timing of irrigation water in a planned manner. Effective implementation of this practice can result in minimizing on-farm soil erosion and the subsequent transport of sediments into receiving waters. S Specific methods of Irrigation Water Management include: Surge Irrigation, Cut-Back Irrigation, Irrigation Scheduling, and the Runoff Reduction Method. In some cases, irrigation water management could include the employment of an additional irrigator to assist in better monitoring and managing irrigation water and addressing potential erosion problems. Irrigator Water Quality Training could provide irrigators with the knowledge necessarily to implement IWM and other sediment control practices. See also:

1.2.3 ESTIMATED COST OF IMPLEMENTATION AND SOURCES OF FINANCING

The estimated total cost or implementing BMPs range from $5.00 to $52.50 per acre per year, which is generally estimated to be less than 2% of production cost. The development of Farm Water Quality Management Plans are estimated to be less than $200.00 per field. Monitoring costs are estimated to range from $100.00 to $500.00 depending on the monitoring program. The preparation of the IID monitoring plan is estimated to be $25,000. Implementation of the IID monitoring plan is estimated to be $70,000 per year, and the characterization of dredging impacts is estimated to be $20,000.

Potential sources of financing are: Private financing by individual sources; Bond indebtedness or loans from government institutions; Surcharge on water deliveries to lands contributing to the sediment pollution problem; Taxes and fees levied by the Irrigation District that provides drainage management; State and/or Federal grants and low-interest loans, including State Proposition 13 (Costa-Machado Act of 2000) grant funds and Federal Clean Water Act Section 319(h) grant funds; and, Single purpose appropriations from Federal and/or state legislative bodies.

1.3. RECOMMENDED ACTIONS FOR COOPERATING AGENCIES

1.3.1. IMPERIAL COUNTY FARM BUREAU VOLUNTARY WATERSHED PROGRAM

The Imperial County Farm Bureau (ICFB) initiated a "Voluntary Watershed Program" in 1999, in which it committed to development of program elements, including "outreach programs and mechanisms to encourage and foster an effective self-determined approach to attainment of TMDL load applications." To implement the program, the ICFB has committed to make contact with every farm landowner, renter/leaser, and operator, within one year, and to supply material related to the TMDL process, its ramifications, and implementation alternatives. The specific goals of the Voluntary Watershed Program include: (1) coordination of workshops with local technical assistance agencies, (2) development of local subwatershed ("drainshed") groups, (3) identification of leaders, within each of the local subwatershed groups, who will provide demonstration implementation sites for field-testing of BMPs, (4) cooperation with Regional Board staff to develop a process for the subwatershed groups to track and report planned and implemented on-the-ground implementation and effectiveness of BMPs, and (5) provide linkage to technical assistance agencies for BMP implementation assistance. The ICFB has designated the geographical areas for ten (10) subwatershed groups, each covering approximately 50,000 acres of irrigated land. These geographical designations are to be utilized in the ICFB Voluntary Watershed Program's approach to education and implementation. Although the Imperial County Farm Bureau is not a regulatory agency, it has committed to develop and implement a "Voluntary Watershed Program" that can play a vital role in achieving TMDL waste load allocations. Therefore, it is appropriate to recommend that the ICFB prepare, submit, and implement the following:

a. ICFB WATERSHED PROGRAM PLAN

The Imperial County Farm Bureau should:

- **By {insert the date that corresponds to 13 months following the date of USEPA TMDL approval}***, issue letters to all potential program participants within the Alamo River watershed that describes the ICFB Voluntary Watershed Program.

Note: Upon USEPA TMDL approval, this parenthetical "formula" will be replaced by the date certain, based on the date of approval.

Page 6-3, in between the first and second paragraphs under "B. COMPLIANCE MONITORING", add the following heading:

1. Recommended Biomonitoring (Toxicity Monitoring) Programs

Page 6-4, following the last paragraph under "B. COMPLIANCE MONITORING", add the following:

2. New River Pathogen TMDL

3. Alamo River Sedimentation/Siltation TMDL

3.1 Compliance Assurance and Enforcement
As provided in the State Board's Water Quality Enforcement Policy, prompt, consistent, predictable, and fair enforcement are necessary to deter and correct violations of water quality standards, violations of the California Water Code, and to ensure that responsible parties carry out their responsibilities for meeting the TMDL allocations. This is particularly necessary to adequately deal with those responsible parties who fail to implement self-determined or regulatory-encouraged sediment control measures, which are essentially the cornerstone of the State's NPS Program. To this end, the Regional Board may use use, as the circumstances of the case may warrant, any combination of the following:

- Implementation and enforcement of Section 13267 of the California Water Code to ensure that all responsible parties submit, in a prompt and complete manner, the Water Quality Management Plan defined in Chapter 4, Section V(B)(1.1.1).
- Consideration of adoption of waste discharge requirements, pursuant to Section 13263 of the California Water Code, as appropriate (i.e., for any responsible party who fails to implement voluntary or regulatory-encouraged sediment controls).
- Consideration of adoption of an enforcement orders pursuant to Section 13304 of the California Water Code against any responsible party who violates Regional Board waste discharge requirements and/or fails to implement voluntary or regulatory-encouraged sediment control measures to prevent and mitigate sediment pollution or threatened pollution of surface waters.
- Consideration of adoption of enforcement orders pursuant to Section 13301 of the California Water Code against those who violate Regional Board waste discharge requirements and/or prohibitions.
- Consideration of Administrative Civil Liability Complaints, as provided for by the California Water Code, against any responsible party who fails to comply with Regional Board orders, prohibitions, and requests.
- Consideration of adoption of referrals of recalcitrant violators of Regional Board orders and prohibitions to the District Attorney or Attorney General for criminal or civil prosecution, respectively.

From the standpoint of measuring progress, any cropland discharge with a concentration of suspended solids, measuring more than 375 mg/l (or about 270 NTU for turbidity) and absent reasonable implementation of BMPs would be considered unsatisfactory. Samples will be analyzed for volatile suspended solids at locations where organic loading represent a significant

Regular Review

The Regional Board shall hold public hearings at least every three years to review the level of implementation of BMPs, effectiveness of the BMPs, and overall progress of the sediment control practices. At these hearings, the following shall be considered:

- Monitoring results to date
- Progress toward attainment of milestones
- Changes or trends in implementation of BMPs
- Modification/addition of management practices for the control of sediment discharges
- Revision of TMDL components and/or development of site-specific water quality objectives

Review of subcategories of water quality standards related to this TMDL and/or attainability of the TMDL may also be appropriate after the parties responsible for TMDL implementation submit appropriate documentation that sediment control practices (e.g., BMPs) are being implemented on a widespread-basis in the Alamo River Subwatershed, that the control practices are being properly implemented and maintained, and that additional controls would result in substantial and widespread economic and social impact. The Regional Board 303(d) listing of the silt/sediment impairment for the Alamo River and tributary drains shall also be re-evaluated.

The first public hearing shall be scheduled by no later than three years after the date following USEPA TMDL approval of this Basin Plan amendment.