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 BENEFICAL 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.

**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.

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

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.

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 *Nonpoint Source Control Implementation Program* 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 *Nonpoint Source Control Implementation Program* 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:

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~~ |

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