Attachment A of Resolution R3-2022-0001
Revised Basin Plan (strikeout/underline of amended pages only)

Water Quality Control Plan

for the

Central Coastal Basin

June 2019 Edition

Regional Water Quality Control Board, Central Coast Region
State Water Resources Control Board
California Environmental Protection Agency

Note –this document shows proposed Basin Plan amendments in red font. Removed text is shown in ~~strikeout~~; new text is shown with an underline.

The following page in this document includes text beginning on page 44 of the 2019 Central Coast Basin Plan.

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.

4.5.1.4 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.

4.5.1.5 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 These discharge prohibitions may be revised, rescinded, or adopted as necessary.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.~~ in the following sections:

Section – Prohibition Subject

4.6.4.1 - Solid Waste Discharge Prohibitions
4.8.3.5.6 - Mushroom Farm Operation - Prohibitions
4.8.4.2 - Individual, Alternative, and Community Onsite Wastewater Systems -Discharge Prohibitions
4.8.5.1 - Land Disturbance Prohibitions
5.3.1 (item 2) - Regional Water Quality Control Board Management Principles - General
5.4.1 - Discharge Prohibitions - All Waters
5.4.1.1 - Discharge Prohibitions - All Waters - Toxic or Hazardous Pollutants
5.4.2 - Discharge Prohibitions - Inland Waters
5.4.2.1 - Discharge Prohibitions - Inland Waters - Domestic Animal Waste Discharge Prohibition
5.4.2.2 - Discharge Prohibitions - Inland Waters - Human Fecal Material Discharge Prohibition
5.4.3 - Discharge Prohibitions - Waters Subject to Tidal Action
5.4.3.1 - Discharge Prohibitions - Waters Subject to Tidal Action - Areas of Special Biological Significance
5.4.4 - Discharge Prohibitions - Groundwaters
5.4.5 - Discharge Prohibitions - Other Specific Prohibition Subjects

4.5.1.6 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~~ and Abatement Order

A Cleanup ~~or~~ and 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~~ and Abatement Order can be issued by the Regional Board or by ~~the Regional Board Executive Officer~~ its delegee. Cleanup ~~or~~ and 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~~ The Regional Board establishes the acceptable level of cleanup in the Cleanup ~~or~~ and 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.

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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 wasteload capacity of the watershed, require preparation of erosion and sediment control plans with specific contents and with attention to both offsite/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 Wildlife, 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 onsite 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.

4.8.5.1 Land Disturbance Prohibitions

Unless authorized or exempt, the ~~The~~ discharge or threatened discharge of sand ~~soil~~, silt, clay, bark, slash, sawdust, or other organic or ~~and~~ earthen materials into any ~~stream in the basin~~ waters of the State ~~in violation of best management practices for timber harvesting, construction, and other~~ from soil disturbance activities ~~and~~ in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

Unless authorized or exempt, ~~The~~ placing or disposal of sand ~~soil~~, silt, clay, bark, slash, sawdust, or other organic or ~~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~~ waters of the State 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 Water Quality Control Board Management Principles contained in Chapter Five (section 5.3) 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;~~

a.~~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,

b.~~c.~~ There is no threat to downstream beneficial uses of water, as certified by the Executive Officer of the Regional Board.

Pajaro River Watershed

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 ~~state~~ within the Pajaro River watershed, as approved by the Executive Officer.

This Land Disturbance Prohibition takes effect three years following approval of the TMDL for sediment in the Pajaro River watershed (see section 4.9.6) by the U.S. Environmental Protection Agency.

4.8.5.2 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 wasteloads 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.

4.8.5.3 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

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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 California Department of Fish and Wildlife 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.

~~4.8.5.6 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:~~

~~1. 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~~

~~2. 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~~

~~3. Is regulated under Waste 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 of the TMDL by the U.S. Environmental Protection Agency.~~

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4.9.7 TMDL for Pathogens in Watsonville Slough

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 September 21, 2006.
The California Office of Administrative Law on November 20, 2006 (effective date).
The U.S. Environmental Protection Agency on July 19, 2007.

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

...

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 4.9.7-1). 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~~ Watsonville Slough Watershed Domestic Animal 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~~ Watsonville Slough Watershed Domestic Animal 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 California Water Code, 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~~ Watsonville Slough Watershed Domestic Animal 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~~ Watsonville Slough Watershed Domestic Animal 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~~ Watsonville Slough Watershed Domestic Animal 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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The following page in this document includes text beginning on page 260 of the 2019 Central Coast Basin Plan and contains proposed amendments for pages 260-263.

5.3.4 Municipal and Industrial Sewering Entities

1. Municipal and industrial sewering 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.

5.3.5 Groundwater

1. Groundwater recharge with high quality water shall be encouraged.

2. In all groundwater 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 groundwaters shall be of such quality at the point where they enter the ground so as to assure the continued usability of all groundwaters of the basin.

5.3.6 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~~6. 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.

5.4 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.

California Water Code section 13243 provides that a Regional Board, in a water quality control plan, may specify certain conditions or areas where the discharge of waste, or certain types of waste is prohibited. The following discharge prohibitions are applicable to any person, as defined by section 13050(c) of the California Water Code, including but not limited to, any city, county, district, the state, and the United States, to the extent authorized by federal law, whose activities in California could affect the quality of waters of the State within the boundaries of the Central Coastal Basin.

5.4.1 All Waters

1. Waste discharges shall not contain materials in concentrations which are hazardous to human, plant, animal, or aquatic life.

2. 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.

3. 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.

4. Unless authorized or exempt, the discharge of sediment, well development water, or construction dewatering water, to waters of the State in a manner causing or threatening to cause a condition of pollution, contamination, or nuisance is prohibited.

5. Any discharge to a stormwater conveyance system that is not composed entirely of stormwater is prohibited unless authorized by the Regional Board. [Federal regulations, 40 CFR section 122.26(b)(13), define stormwater as stormwater runoff, snow melt runoff, and surface runoff and drainage. 40 CFR section 122.26(b)(2) defines an illicit discharge as any discharge to a stormwater conveyance system that is not composed entirely of stormwater except discharges pursuant to a NPDES permit and discharges resulting from fire fighting activities.]

6. Unless authorized, the discharge of treated or untreated sewage to waters of the State or to a stormwater conveyance system is prohibited.

5.4.1.1 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-11] 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.

5.4.2 Inland Waters

Wastes discharged to inland surface waters of the State shall be essentially free of toxic substances, grease, oil, and phenolic compounds.

Unless authorized, ~~W~~waste discharges to the following inland surface waters of the State are prohibited:

1. All surface fresh water impoundments and their immediate tributaries.

2. All surface waters within the San Lorenzo Hydrologic Subarea, the Aptos-Soquel Hydrologic Subarea, and the San Antonio Hydrologic Unit 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 Big Basin, Santa Lucia, Estero Bay (from the Monterey County line to the northern boundary of San Luis Obispo Creek drainage), and the South Coast Hydrologic Units 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 saltwater barrier.

5.4.2.1 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.

2. Soquel Lagoon Watershed.

3. Aptos Creek Watershed.

4. San Lorenzo River Watershed.

5. Corralitos/Salsipuedes Creek Watershed.

6. Lower Salinas River Watershed (the watershed area of the Salinas River from Gonzales Road downstream to its confluence with Moss Landing Harbor).

7. Santa Maria River Watershed (including Oso Flaco Creek subwatershed).

8. Watsonville Slough Watershed

For the Watsonville Slough watershed, 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 Waste 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.

5.4.2.2 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.

2. Soquel Lagoon Watershed.

3. Aptos Creek Watershed.

4. San Lorenzo River Watershed.

5. Corralitos/Salsipuedes Creek Watershed.

6. Lower Salinas River Watershed (the watershed area of the Salinas River from Gonzales Road downstream to its confluence with Moss Landing Harbor).

5.4.3 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.

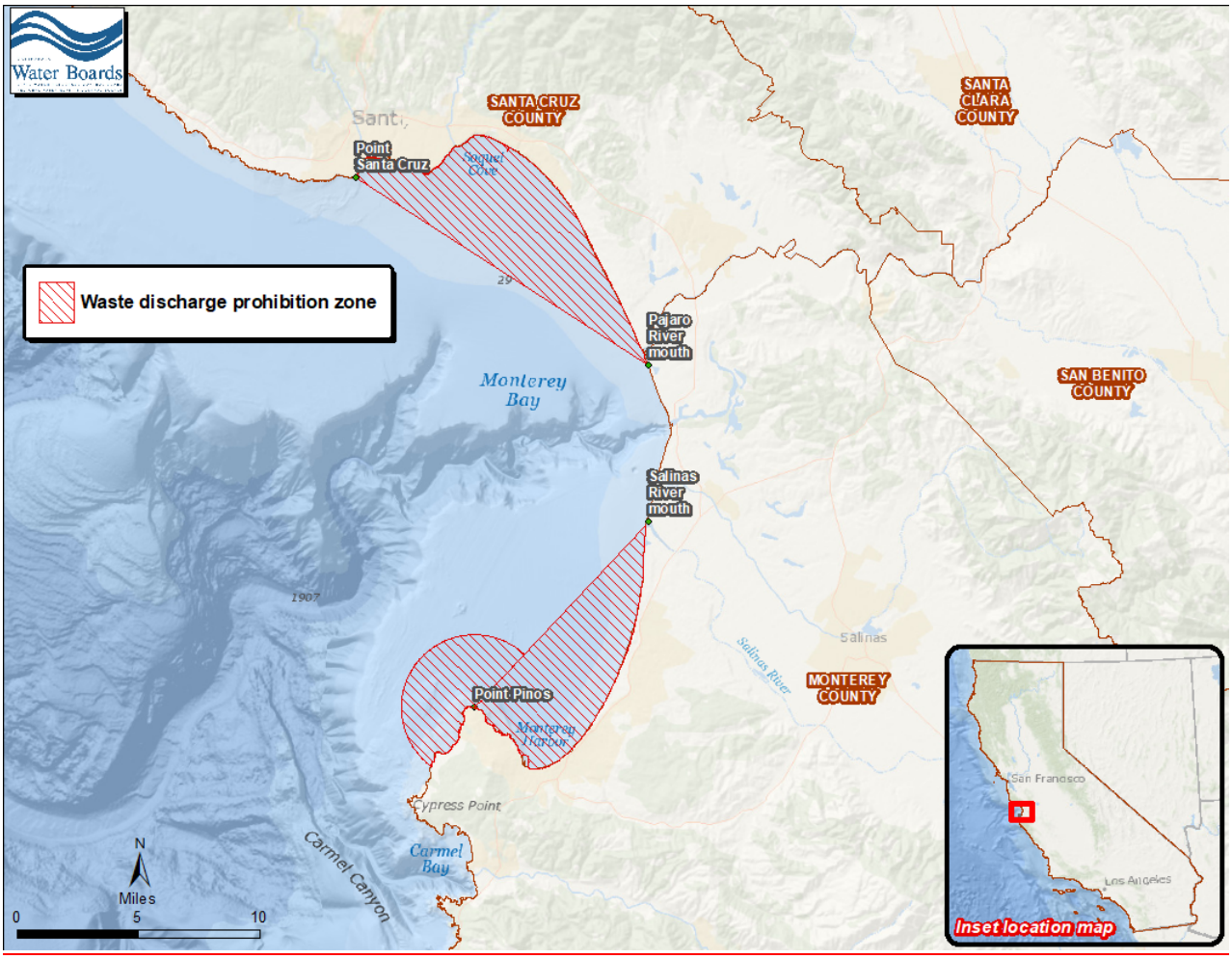
Waste discharges to the following Monterey Bay Prohibition Zone areas (Figure 5-1) are prohibited.

1. In the northern extreme of Monterey Bay, inshore from an imaginary line extending from Santa Cruz Point (36.95134, -122.026351 ~~36°-57.0'N, 122°-01.5'W~~) to the mouth of the Pajaro River (36.842587, -121.805719 ~~36°-51.0'N, 121°-48.6'W~~) and in ocean waters within a three (3) mile radius of Point Piñ~~n~~os (36.636975, -121.930424 ~~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 Piñ~~n~~os (36.636975, -121.930424 ~~36°-38.3'N, 121°-56.0'W~~) to the mouth of the Salinas River (36.749402, -121.803562 ~~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.

Figure 5-1. Monterey Bay Prohibition Zone Areas.



5.4.3.1 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. Año 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.

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.

5.4.4 Groundwaters

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 groundwater nitrate concentration above 45 mg/L.

5.4.5 Other Specific Prohibition Subjects

Other prohibitions exist which pertain to the following topics. These prohibitions can be found in the following sections ~~under the respective heading~~ in the Chapter Four Implementation Plan:~~.~~

Mushroom Farms Operation Prohibitions (section 4.8.3.5.6);

Individual, Alternative, and Community Sewage Disposal Systems Prohibitions (section 4.8.4.2);

Land Disturbance Prohibitions (section 4.8.5.1); and

Solid Waste Discharge Prohibitions (section 4.6.4.1).

~~Watsonville Slough Watershed Livestock Waste Discharge Prohibition~~

5.4.6 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.

5.5 Control Actions Specific actions can be taken to control water quality. These are specified below.

5.5.1 Waste Discharge Requirements

1. The Regional Water Quality Control Board will implement water quality control plan provisions through establishment or 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.

5.5.2 State Clean Water Grants or Loans

1. Priorities for State Clean Water Grants or Loans will be ordered by the Regional Water Quality

The text above ends on page 263 of the 2019 Central Coast Basin Plan.