This action amends the Water Quality Control Plan for the Central Coastal Basin to establish total maximum daily loads for nitrogen and phosphorus compounds in the Franklin Creek watershed.

OAL approves this regulatory action pursuant to section 11353 of the Government Code.

Date: March 4, 2019

Nicole C. Carrillo
Attorney

For: Debra M. Cornez
Director

Original: Eileen Sobeck, Executive Director
Copy: Larry Harlan
A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE

2. REQUESTED PUBLICATION DATE

3. NOTICE TYPE

4. AGENCY CONTACT PERSON

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATIONS

Title(s) First Section Affected

3. TYPE OF FILING

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE

5. EFFECTIVE DATE OF CHANGES

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

7. CONTACT PERSON

Larry Harlan

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

Signature of Agency Head or Designee

Typed Name and Title of Signatory

John M. Roberson, Executive Officer, Central Coast Water Board
CONCISE SUMMARY OF REGULATORY PROVISIONS

TITLE 23. Waters
     Division 4. Regional Water Quality Control Boards
     Chapter 1. Water Quality Control Plans, Policies, and Guidelines
     Article 3. Central Coast Region

The following section 3929.17 is to be added to Title 23, Division 4., Chapter 1., Article 3. of the California Code of Regulations:

§ 3929.17 — Total Maximum Daily Loads for Nitrogen and Phosphorus Compounds in Streams of the Franklin Creek Watershed

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted Resolution No. R3-2018-0006 on March 23, 2018, amending the Water Quality Control Plan for the Central Coastal Basin (Basin Plan). The State Water Resources Control Board approved the amendment under Resolution No. 2018-0049 on November 6, 2018. TMDLs are a requirement of the federal Clean Water Act. Waterbodies assigned TMDLs by this action include Franklin Creek and tributary surface waterbodies as identified in the Basin Plan amendment.

The Central Coast Water Board’s goal for establishing TMDLs in the Franklin Creek watershed is to rectify water quality impairments related to nitrogen and phosphorus compounds. The impairments are based on surface waters not meeting the Basin Plan numeric water quality objective for drinking water supply and the narrative water quality objective for biostimulatory substances. Resolution No. R3-2018-0006 establishes total maximum daily loads (TMDLs), numeric targets, and an implementation plan for nitrogen and phosphorus compounds for streams in the Franklin Creek watershed.

Responsibility for achieving pollutant load reductions falls upon several entities as described in Attachment A to Resolution No. R3-2018-0006 (Basin Plan amendment). The Central Coast Water Board is relying on existing regulatory measures (i.e., the Agricultural Order and stormwater permits) to ensure implementation actions are carried out by implementing parties to address the impairments.

Milestones are established for achieving the TMDLs and the Central Coast Water Board will track progress towards achieving the TMDLs through review of implementation actions and monitoring conducted by the implementing parties. If existing efforts are not expected to achieve the TMDLs as scheduled, the Executive Officer or the Water Board may require changes to existing monitoring, reporting, or implementation efforts pursuant to California Water Code Sections 13263, 13267 or 13383.