

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

RESOLUTION NO. R3-2015-0004

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

THEREFORE, be it resolved that:

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

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

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

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

Kenneth A. Harris Jr.
Executive Officer

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