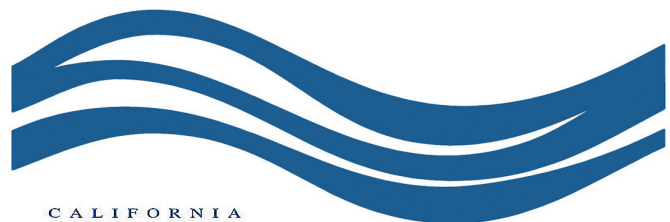


**2009 TRIENNIAL REVIEW OF THE
WATER QUALITY CONTROL PLAN FOR THE
CENTRAL COAST BASIN (BASIN PLAN)**

**Technical Report
and
Priority List of Basin Plan Issues**

**CENTRAL COAST REGIONAL
WATER QUALITY CONTROL BOARD**

July 2009



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Technical Report
for the
2009 Triennial Review of the Water Quality Control Plan for the
Central Coast Basin (Basin Plan)
Central Coast Regional Water Quality Control Board

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INTRODUCTION

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) is conducting the 2009 Triennial Review of the Water Quality Control Plan for the Central Coast (2009 Basin Plan Triennial Review). The last Triennial Review of the Basin Plan was completed in September 2005. The Central Coast Water Board's Basin Plan Triennial Review identifies issues that are considered a priority for addressing through Basin Plan amendment projects. As part of the 2009 Triennial Review Staff has identified a priority list of Basin Planning issues that may lead to Basin Plan amendments within the next three years. The Basin Plan Triennial Review process provides an opportunity for public comment to assist staff in identifying and prioritizing Basin Plan amendment projects that will best address the water quality needs of the Central Coast Region.

In California, water quality standards include designated beneficial uses for surface and groundwaters, narrative or numeric water quality objectives to protect those beneficial uses, and a provision to protect high quality waters from degradation. Basin Plans also include implementation plans for protecting beneficial uses and attaining water quality objectives, consisting of various regulatory programs. Basin Plans fulfill statutory requirements for water quality planning in California Water Code (CWC) section 13240 and the federal Clean Water Act (CWA) section 303(c). Both state and federal laws mandate the periodic review and update of basin plans. Federal law [CWA section 303(c)(1)] requires that a State's water quality standards be reviewed every three years.

The Basin Plan was initially adopted by the Central Coast Water Board in 1975, and has periodically been revised. The objective of the Basin Plan is to "show how the quality of surface and groundwaters in the Central Coastal Basin should be managed to provide the highest water quality reasonably possible" (Basin Plan, Chapter 1, Section I). Figure 1 below shows the geographic boundary of the Central Coast Region.

Figure 1. Central Coast (Region 3) Boundary



CENTRAL COAST WATER BOARD VISION - HEALTHY WATERSHEDS

The Vision for the Central Coast Water Board is Healthy Watersheds. The Vision represents a framework for how the Water Board implements the California Water Code and the Basin Plan and is intended to achieve measurable results in water quality improvement. The Vision creates a structure to focus the Board on the highest water quality priorities and more strategically aligns the Board with current and future challenges and opportunities in water quality.

Consistent with the Vision, the Central Coast Water Board established the following measurable goals:

- **Healthy Aquatic Habitat** – By 2025, 80 percent of aquatic habitat is healthy, and the remaining 20 percent exhibits positive trends in key parameters.
- **Sustainable Land Management** – By 2025, 80 percent of lands within a watershed will be managed to maintain healthy watershed functions, and the remaining 20 percent will exhibit positive trends in key watershed parameters.
- **Clean Groundwater** – By 2025, 80 percent of groundwater will be clean, and the remaining 20 percent will exhibit positive trends in key parameters.

The Central Coast Water Board's intent is to prioritize Basin Plan amendment projects to achieving the Board's Vision and goals and the greatest possible outcome for the Central Coast Region over the long term.

For additional information about the Central Coast Water Board's Vision process, please see the following website:

http://www.waterboards.ca.gov/centralcoast/publications_forms/publications/vision/index.shtml

BASIN PLAN TRIENNIAL REVIEW PROCESS 2009

The federal Clean Water Act (Section 303(c)) requires states to hold a public hearing to review water quality standards at least once every three years. Water quality standards consist of beneficial use designations and water quality criteria (objectives) necessary to protect those uses. The Porter-Cologne Water Quality Control Act [California Water Code Division 7] requires the Water Board to review the entire Basin Plan periodically. While a major part of the review process consists of identifying potential problems, an important part of the review is the reaffirmation of those portions of the Plan where no potential problems are identified.

The Basin Plan Triennial Review process consists of a public comment period and a public workshop to encourage public comments. The 2009 Triennial Review was initiated by a public notice on April 10, 2009 soliciting public comments on the need to revise the Basin Plan. Written comments on water quality standards or other Basin Plan issues were received during the 45-day comment period beginning April 10, 2009 and ending May 26, 2009. Central Coast Water Board staff held a Triennial Review public workshop on April 22, 2009.

The Triennial Review process will conclude with a Public Hearing scheduled for the regular Board meeting on July 10, 2009.

BASIN PLAN AMENDMENT PROCEDURE

Once the Basin Plan Triennial Review process is complete, Water Board staff will evaluate the need for specific Basin Plan amendment projects. Central Coast Water Board staff will develop project charters and/or project plans for those priority issues selected to move forward as Basin Plan amendments. Basin Plan amendments can also occur for issues *not* identified during the Basin Plan Triennial Review. For example, amendments can occur for urgent issues to reflect new legislation. Another example is development of Total Maximum Daily Loads (TMDLs), which are adopted into the Basin Plan along with their implementation plans through a standard procedure. Also, TMDL investigations sometimes result in basin plan amendments such as new water quality objectives or new implementation programs.

Basin Plan amendment hearings are advertised to the public in areas affected by the amendment or throughout the region. Basin Plan amendments do not become effective until approved by the Central Coast Water Board and the California State Water Resources Control Board (State Water Board), and for certain amendments by the California Office of Administrative Law. Surface water quality standards also require the approval of the United States Environmental Protection Agency (USEPA) to become effective.

SUMMARY OF DRAFT ISSUES TO BE DEVELOPED INTO BASIN PLAN AMENDMENTS

Prior to the April 22, 2009 workshop, Water Board staff produced a “Brief Issue Descriptions” report, dated April 2009. This report was distributed to interested persons and posted on the Central Coast Water Board’s Triennial Review website at http://www.waterboards.ca.gov/centralcoast/publications/forms/publications/basin_plan/triennial_review/index.shtml. The Brief Issue Descriptions report described 19 Basin Plan amendment issues. Interested persons were asked to comment on these issues and to identify other potential Basin Plan amendment issues. The draft list of basin planning issues included in the “Brief Issue Descriptions” report for consideration included the following:

- Issue 1: Shellfish Beneficial Use Designation
- Issue 2: Groundwater Basin Configurations Update
- Issue 3: Biostimulatory Substances Objective
- Issue 4: Bacteria Objectives Revision, *Enterococcus* in Saline Waters
- Issue 5: Bacteria Objectives Revision, *E. coli* in Fresh Waters
- Issue 6: Bact Objectives Revision, Fecal coliform Shellfish Harvesting
- Issue 7: Revision and/or Clarification of Groundwater Objectives
- Issue 8: Onsite Wastewater Treat Sys Management
- Issue 9: Oil Field Soil Storage Disposal
- Issue 10: Oil Field Soil Beneficial Reuse
- Issue 11: Nonpoint Source Management and Riparian Corridor Protection
- Issue 12: Tributary Rule
- Issue 13: NPDES Time Schedule
- Issue 14: Comprehensive Basin Plan Editorial Revisions
- Issue 15: Groundwater Recharge Area Protection
- Issue 16: Aquatic Habitat Protection / Riparian Buffer Zone Protection
- Issue 17: Aquatic Life Protection
- Issue 18: Watershed Protection
- Issue 19: Vision Framework

SUMMARY OF COMMENTS RECEIVED

A total of 17 comments were received during the Triennial Review comment period (April 10, 2009 – May 26, 2009) (Table 1). This includes 12 public comment letters, four comment letters from Central Coast Water Board staff, and three verbal comment summaries taken during the April 22, 2009 Triennial Review Public Workshop.

Table 1. Public Comments Received during the 2009 Triennial Review

<u>No.</u>	<u>Commenting Organization</u>	<u>Organization Type</u>	<u>Comment Format</u>	<u>Date</u>
1-3, 5, 14	Internal Water Board Staff Comments			
4	US Fish and Wildlife Service, Ventura Office	Federal	Written	5/22/2009
6	City of Santa Maria Utilities Department	Municipal	Written	5/26/2009
7	City of Santa Barbara, Parks and Recr. Dept.	Municipal	Written	5/26/2009
8	Santa Clara Valley Water District	Municipal	Written	5/26/2009
9	Santa Barbara County Public Works Dept.	Municipal	Written	5/26/2009
10	City of Santa Barbara, Parks and Recr. Dept.	Municipal	Written	6/1/2009
11	USEPA, Region IX Water Division	Federal	Written	6/1/2009
12	City of Goleta Community Services	Municipal	Written	6/1/2009
13	City of Carpinteria Public Works	Municipal	Written	6/1/2009
15	Morro Bay National Estuary Program	Environmental	Verbal (at Workshop)	4/22/2009
16	City of Santa Maria Utilities Department	Municipal	Verbal (at Workshop)	4/22/2009
17	Grower Shipper Association of Santa Barbara and San Luis Obispo Counties	Agriculture	Written	5/26/09

Staff has reviewed all written and verbal public comments received. A summary of comments made by each commenter identified in Table 1 is included in the appropriate issue description. Water Board staff responses are included in the specific issue summary. A detailed listing of all public comments received is provided in Appendix 1.

BASIN PLAN ISSUE RANKING PROCESS AND PRIORITIZATION CRITERIA

The Water Board's intent is to prioritize Basin Plan issues (to be evaluated for potential Basin Plan amendment projects) in compliance with the California Water Code and consistent with the Board's Vision of Healthy Watersheds leading to the greatest possible outcome for water quality improvement in the Central Coast Region over the long term. Successful completion of Basin Plan amendments may require the participation of stakeholders, scientific research organizations, and other agencies, such as municipal discharge authorities, and the USEPA. In addition, to give detailed attention to each Triennial Review issue concurrently, will likely far outstrip available personnel resources. Central Coast Water Board staff has, therefore, used a ranking process to prioritize all potential Basin Plan issues according to specific ranking criteria.

Each potential Basin Plan issue was assigned an integer value between 0 and 5 for each of the four criteria listed below. The ranking criteria are as follows:

- **Vision Alignment** - Does the issue align with the Central Coast Water Board's Vision and Measurable Goals (stated above)?
- **Water Quality Standards Improvement** - Will the issue improve water quality standards through new or revised beneficial uses or water quality objectives?
- **Effectiveness** - Will the issue advance water quality protection by improving clarity, consistency, coordination, and performance measurement by staff and programs at the Central Coast Water Board?
- **Public Interest** - Does the issue have a high perceived public interest?

Assignment of these scores was based on staff experience and input received during the public workshop and comment letters. Higher scores (e.g., 4 or 5) indicate that the issue meets the intent of the ranking criterion. Staff prioritized the Triennial Review issues by summing each of the four criteria scores into a final evaluation score ranging from zero (lower priority) to 20 (highest priority). Staff also considered overriding factors such as, geographic scope, resources already invested, and availability of additional resources in assigning evaluation scores. The 2009 Triennial Review Priority List (Table 3, below) is the result of this prioritization process. Note that TMDLs are addressed independently based on State policy and regional priorities separate from this process and therefore, are not included in this prioritization.

FORMAT USED TO DESCRIBE ISSUES

For each issue presented in the next section, Water Board staff prepared a summary of the issue containing the following sections:

Priority Number and Issue Title:

A general topic descriptor for the issue.

Evaluation Score:

A numeric score, based on the specified ranking criteria, ranging from 0 (lowest priority) to 20 (highest priority).

Discussion:

A brief description of the issue, including previous progress made toward issue resolution, if appropriate.

Type of Action:

Identifies the type of regulatory action necessary to address or resolve the issue. Possible types of action are as follows:

- beneficial use amendment (new or revised);
- water quality objective amendment (new or revised);
- amendment to the implementation chapter of the Basin Plan;
- new or revised policy;
- water quality surveillance and monitoring amendment;
- editorial corrections or minor clarifications to the Basin Plan;

Commenter List:

List of public commenters for this issue using the commenter number assigned in Table 1.

Public Comment Summary:

A summary of the commenter's testimony and comments.

Staff Response and Recommendation:

Central Coast Water Board staff response to the public comment and a recommended action to be performed for this issue. Possible recommendations include:

- Add Issue to 2009 Triennial Review Priority List;
- Remove Issue from 2009 Triennial Review.

Estimated Personnel Years (PY):

An estimate of PYs needed to complete the Basin Plan amendment.

BASIN PLAN TRIENNIAL REVIEW ISSUES

The following issue descriptions are in priority order, starting with the highest priority issues per staff's review and ranking process and prioritization criteria as discussed previously.

1. Vision Framework

Evaluation Score: 17

Discussion:

The Central Coast Water Board developed the Vision of Healthy Watersheds to improve the Board's focus on meaningful environmental outcomes, to measure and track achievement of those outcomes, and to insure staff does the highest priority work. This Vision of Healthy Watersheds is more comprehensive and a better articulation of the nature and scale of the Board's opportunities and challenges. The Vision of Healthy Watersheds integrates multiple beneficial uses and water quality parameters and problems. Previously, we focused on protection of individual beneficial uses and removing single-pollutant discharges, from individual facilities. This is the first time Water Board staff have reviewed the Basin Plan with this integrated focus on Healthy Watersheds. Staff anticipates that adding an explanation of this context to the Basin Plan as an implementation policy explicitly will improve how the Board protects existing beneficial uses and implements water quality objectives, and will also provide a context for the designation of new beneficial uses and adoption of appropriate water quality objectives necessary to achieve Healthy Watersheds. Staff recommends that the Board amend the Basin Plan to formally incorporate the Central Coast Water Board's Vision of Healthy Watersheds, associated measurable goals, and data assessment and management methodology to support tracking progress toward achieving these measurable goals.

Type of Action:

Implementation/Policy
Water Quality Surveillance and Monitoring

Commenter List:

15

Public Comment Summary:

Commenters were generally in favor of a Basin Plan amendment that will formally establish the Central Coast Water Board's Vision of Healthy Watersheds.

Staff Response and Recommendation:

Amendment of the Basin Plan to add the Central Coast Regional Water Board's Vision of Healthy Watersheds will align the Board's work to achieve specific tangible goals and establish key measures to track the Board's progress.

Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

0.3

2. Biostimulatory Substances Objective Revision

Evaluation Score: 17

Discussion:

The Central Coast Water Board is charged with protecting all beneficial uses, including those related to aquatic life. Excessive nutrient concentrations stimulate algal growth and create conditions unsuitable for aquatic life. Eutrophication results from a complex interaction of multiple nutrients, sunlight, substrate, water velocity, and other factors. Consequently, the Central Coast Basin Plan narrative objective for biostimulatory substances is as follows:

Waters shall not contain bio-stimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.

Understanding how to manage surface waters for biostimulation is complex, as interactions and effects of excessive nutrients are not always readily apparent. For example, a site that has excessive concentrations of phytoplankton or other algae may not display elevated concentrations of dissolved nutrients, as the nutrients may have already been taken up by plant material. This interplay of chemical, physical, and biological factors complicates assessment of overall water quality.

As part of the 2008 Integrated Report, including the 303(d) List of Impaired Water bodies, staff identified 1.0 mg/L nitrate as N as a screening value to protect for aquatic life. This value is based on a broad evaluation of regional data collected by the Central Coast Ambient Monitoring Program (CCAMP) and using the California Nutrient Numeric Endpoint (NNE) technical approach (Creager, et al., 2006), including the California Benthic Biomass Spreadsheet Tool (Version 13, Tetrattech,2007).

In addition, CCAMP staff has developed a “Biostimulatory Risk Index” to serve as a screening tool to simultaneously consider factors which serve as stimuli (nutrients), in parallel with those which act as responders (algal and plant cover, pH, dissolved oxygen and water column chlorophyll concentrations). The index is intended to characterize both in-situ monitoring site response to biostimulatory substances and the capacity of monitoring site water quality parameters to induce adverse biostimulatory responses in downstream areas.

Staff is advancing efforts to develop a region-wide, numeric, biostimulation objective that will address the issue of nuisance conditions and impacts to aquatic life. The numeric biostimulation objective will further supplement the existing narrative biostimulation objective and should be consistent with federal Regional Technical Advisory Group (RTAG) and State Regional Technical Advisory Group (STRTAG):

- Revise the narrative biostimulatory substances objective, replace with numeric objective(s). Assign the numeric objective to protect specific beneficial uses.

In conjunction with this effort, additional water quality objectives for specific nutrients or nutrient-loading indicators should be added to the Basin Plan:

- Ammonia
- Nitrite

- Nitrate
- Organic Nitrogen
- Phosphate
- Chlorophyll a

Finally, various water quality objectives related to biostimulation in Chapter 3 of the Basin Plan need reevaluation or revision:

- Dissolved Oxygen
- Temperature
- Turbidity
- pH

This issue was included in the 2005 Triennial Review Priority List (Surface Water 1).

Type of Action:

Water Quality Objective Amendment

Commenter List:

4, 11, 17

Public Comment Summary:

US Fish and Wildlife Service, Ventura Office: US Fish and Wildlife Service supports the prioritization of this issue and believe that measureable objectives for biostimulatory substances will help stakeholders understand what water quality parameters are necessary to prevent biostimulation and will help the Central Coast Water Board monitor compliance with the biostimulatory substances objective. Establishing numeric objectives for biostimulatory substances may also help achieve the recovery of two federally endangered plant species, *Arenaria paludicola* (marsh sandwort) and *Nasturtium gambelii* [*Rorippa gambellii*] (Gambel's watercress) found in the Oso Flaco watershed, on the Central Coast. Service biologists have hypothesized that nutrient biostimulation in the Oso Flaco watershed has caused the rapid growth of common wetland species, which are now crowding out sensitive species that have not become similarly vigorous. US Fish and Wildlife Service agree that numeric objectives for biostimulatory substances, additional nutrients, and nutrient-loading indicators would help stakeholders reduce biostimulation in Central Coast watersheds because measurable targets would be established that a narrative objective cannot provide. (4)

US EPA comment: USEPA recommends development of a specific water quality objective for turbidity that will account for both acute and chronic affects of turbidity for protection of the most sensitive beneficial uses (11).

US EPA comment: USEPA recommends development and adoption of specific temperature numeric water quality objectives for protection of both cold water and warm water species (11).

Grower Shipper Association: The Association does not support efforts to establish numeric biostimulatory objectives for specific nutrients in the Basin Plan. Biostimulation is complex involving multiple interactions. There is considerable controversy involving the use of models and numeric end points as regulatory targets for aquatic health. Water Board Staff is attempting to include biostimulatory numeric objectives within both the Agricultural Conditional Waiver Program and TMDLs that are 20 times lower than drinking water standards (0.5 mg/l for nitrates). The Association urges the Board to continue the flexible narrative standard and not

prematurely attempt to place specific numeric standards in the Basin Plan simply to regulate agricultural discharges. (17)

Staff Response and Recommendation:

New or revised water quality objectives may need to be developed independently prior to the development of the numeric biostimulation objective and/or related pollutant specific objectives. For example, the Basin Plan water quality objectives for turbidity uses outdated Jackson turbidity units (JTU) rather than the more commonly used Nephelometric turbidity units.

The existing Basin Plan narrative objective stating that “waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses” may not contain enough specificity to be fully protective of beneficial uses. Excessive nutrient concentrations stimulate algal growth, which can create nuisance conditions for water use and recreation, but more importantly, can remove oxygen from water, creating conditions unsuitable for aquatic life. Some algal blooms are also toxic to aquatic life, wildlife, and even humans. Waters that contain excessive algal growth are characterized by wide swings in dissolved oxygen concentrations, typically dropping below concentrations set to protect for aquatic life at night, and often rising above fully saturated levels during mid-day.

A numeric biostimulatory water quality objective will supplement, but not replace, the narrative biostimulatory objective. A numeric biostimulatory objective allows water quality investigators a method to objectively interpret the narrative standard. This approach can integrate the complex interactions of biostimulatory substance. Furthermore, a numeric biostimulatory objective will support the development of numeric water quality objectives for nutrients to protect for aquatic life beneficial uses. Numeric biostimulatory approaches, such as the California Nutrient Numeric Endpoint (NNE), are scientifically-based, peer reviewed, and protective of beneficial uses.

Numeric biostimulatory objectives may also be useful to measure progress toward developing a sustainable salt/nutrient management plan as required by the State Water Board’s Recycled Water Policy Resolution No. 2009-0011.

Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

1.0

3. Aquatic Life Protection

Evaluation Score: 16

Discussion:

The Central Coast Water Board is charged with protecting *all* beneficial uses of the waters of the state. In most waterbodies, protection and enhancement of aquatic life will also protect other beneficial uses of water, such as recreation, agricultural supply, and industrial supply.

The Basin Plan currently contains several narrative water quality objectives that protect aquatic life beneficial uses, for example, **turbidity** (*waters shall be free of changes in turbidity that*

*cause nuisance or adversely affect beneficial uses, III-3, first sentence) and **toxicity** (all waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life).*

Staff has initiated studies through the development of numeric targets in Total Maximum Daily Loads and through the Central Coast Ambient Monitoring Program (CCAMP) to determine numeric indicators that could be adopted as numeric water quality objectives. As an illustration, scientific literature can provide nitrate concentrations that produce adverse, toxic effects in fish and frogs. These nitrate concentrations could be used to numerically express water quality objectives that are currently narrative in the Basin Plan.

A Basin Plan amendment is needed to establish numeric water quality objectives based on the protection of aquatic life for narrative objectives now in the Basin Plan, including turbidity and toxicity.

Type of Action:

Water quality objective (new or revised)

Commenter List:

4, 8, 17

Public Comment Summary:

US Fish and Wildlife Service, Ventura Office comment: U.S. Fish and Wildlife Service staff support the prioritization of this issue and are interested in working with Central Coast Water Board staff to identify projects and policies that would benefit sensitive species and habitats throughout the central coast (4).

Santa Clara Valley Water District comment: District staff support the adoption of Issues 16: Aquatic Habitat Protection / Riparian Buffer Zone Protections, Issue 17: Aquatic Life Protection, Issue 18: Watershed Protection (8).

Grower-Shipper Association comment: The Water Board staff proposes to elevate aquatic habitat over all beneficial uses in the Basin Plan. The Grower-Shipper Association urges the Board not to support this effort. Protecting aquatic habitat and riparian corridors involve restrictions on land use activities as opposed to addressing the quality of waters of the state. Local communities and cities, with land use and zoning powers, are the forums to implement land use restrictions. Regional Water Quality Control Board staff, through TMDLs and the Agricultural Waiver Program is attempting to impose numeric objectives protective of aquatic habitat that are 20 times lower than drinking water standards. They have also proposed mandatory 30-foot filter strips around aquatic habitats where agricultural activities would be precluded. The Association urges the Board to not support this type of land use regulation. (17)

Staff Response and Recommendation:

As stated above, the Water Board must protect all beneficial uses of water. This Basin Plan amendment will not involve elevating aquatic habitat over all other beneficial uses. Water quality objectives based on the protection of aquatic life are often the most stringent objectives because these objectives are based on sensitive species or on the sensitive life stages of aquatic organisms. Expanded numeric water quality objectives for the protection of aquatic life are needed in the Basin Plan and will, in addition, protect other beneficial uses.

Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

0.6

4. Watershed Protection

Evaluation Score: 15

Discussion:

One of the most important issues in the Central Coast region is watershed degradation due to urban sprawl. The Pew Oceans Commission report, *Coastal Sprawl: The Effects of Urban Design on Aquatic Ecosystems in the United States*, describes how watersheds break down and stop functioning due to pollutant loading, impervious surfaces, and habitat consumption. Thus, the Central Coast Water Board has made watershed protection a top priority to reduce urban pollutant loading, erosion, sedimentation, and stream modifications, and to maintain the natural recharge of groundwater. To ensure the protection of watersheds in the Central Coast Region, staff proposes to amend the Basin Plan Implementation Plan chapter. This amendment will require local municipalities to base development and resource management plans on protecting watersheds.

Type of Action:

Implementation/Policy

Commenter List:

4, 8, 15

Public Comment Summary:

US Fish and Wildlife Service, Ventura Office and Santa Clara Valley Water District comments: Both the US Fish and Wildlife Service and the Santa Clara Valley Water District support the prioritization of this issue (4, 8).

US Fish and Wildlife Service, Ventura Office comment: US Fish and Wildlife Service believe that encouraging municipalities to incorporate watershed protection into development plans and resource management plans will provide benefits for species within the target watersheds and may contribute to conservation and recovery efforts for threatened and endangered species (4).

Morro Bay National Estuary Program comment: How do you actually implement these issues in the Basin Plan? It is not immediately obvious what regulatory power the Regional Board has to implement these amendments. For example how will the Water Board regulate cities and counties in land use planning? (15)

Staff Response and Recommendation:

Staff will investigate the regulatory options for improving watershed protection, specifically related to opportunities and constraints of city and county land use planning and development responsibilities and authorities. Staff will present the preferred options and alternatives to regulate and implement any new regulations in the future Basin Plan amendment. To ensure healthy watersheds, the future amendment may require performance measures when making land use decisions.

Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

1.0

5. Groundwater Recharge Area Protection

Evaluation Score: 14

Discussion:

Consistent with the Vision of Healthy Watersheds, a Basin Plan amendment is needed to develop land use guidelines and/or prohibitions for the purpose of protecting groundwater recharge areas within the Central Coast Region. Protecting groundwater from pollution is one of the most effective methods to preventing overall water quality degradation, and is especially important where groundwater is the sole or primary source of drinking water. Thus, it is critical that we preserve groundwater quality at the source, by identifying and protecting groundwater recharge areas.

Type of Action:

Implementation/Policy

Commenter List:

8

Public Comment Summary:

Santa Clara Valley Water District comment: The District strongly supports a basin plan amendment that provides land use guidelines and/or prohibitions to protect groundwater recharge areas. By properly focusing land use guidelines/prohibitions to the most vulnerable areas of the groundwater basins, groundwater will be better protected. The District is currently completing a groundwater vulnerability study, which includes the Llagas subbasin. This study is expected to be completed in August 2009. The District believes that this study may be beneficial when addressing this basin plan revision (8).

Staff Response and Recommendation:

Comment noted. Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

1.0

6. Aquatic Habitat Protection / Riparian Buffer Zone Protections

Evaluation Score: 13

Discussion:

Building upon the efforts of statewide and regional riparian and wetland policies and consistent with the Vision of Healthy Watersheds, staff recommends amending the Implementation Plan chapter of the Basin Plan to ensure protection of aquatic habitat and riparian areas. Aquatic habitat and riparian lands adjacent to streams, lakes, or other surface water bodies that are

adequately vegetated provide important habitat, environmental protection and water quality benefits. It is critical to protect and maintain the biological and physical integrity and function of riparian areas in the Central Coast region by implementing broad-scale specifications for the establishment, protection, and maintenance of riparian vegetation. This is especially important for areas known to be salmonid rearing habitat. To achieve this goal, staff may also need to amend the Basin Plan present and potential beneficial uses and water quality objectives chapters to provide the basis for requiring amendments to the Implementation Plan chapter.

Type of Action:

Beneficial use amendment (new or revised).
Water quality objective amendment (new or revised).
Implementation/Policy.

Commenter List:

4, 8, 17

Public Comment Summary:

U.S. Fish and Wildlife Service, Ventura office comment: The US Fish and Wildlife Service support the prioritization of this issue and are interested in working with Central Coast Water Board staff to identify projects and policies that would benefit sensitive species and habitats throughout the central coast (4).

Santa Clara Valley Water District comment: District staff support the adoption of Issues 16: Aquatic Habitat Protection / Riparian Buffer Zone Protections, Issue 17: Aquatic Life Protection, Issue 18: Watershed Protection. The District has a history of supporting and practicing stream stewardship activities in the Uvas, Llagas, Pacheco and Pajaro Watersheds. District staff does believe that action levels should be used rather than numeric water quality objectives in a basin plan to allow for greater flexibility to implement Best Management Practices to combat the water quality challenges. Numeric water quality objectives are best left to the TMDL process. The District does also strongly support the idea that development and resource management plans should allow ample consideration to protecting watersheds (8).

Grower-Shipper Association: Water Board staff proposes to elevate aquatic habitat over all beneficial uses in the Basin Plan. The Grower-Shipper Association urges the Board not to support this effort. Protecting aquatic habitat and riparian corridors involve restrictions on land use activities as opposed to addressing the quality of waters of the state. Local communities and cities, with land use and zoning powers, are the forums to implement land use restrictions. Regional Water Quality Control Board staff, through TMDLs and the Agricultural Waiver Program is attempting to impose numeric objectives protective of aquatic habitat that are 20 times lower than drinking water standards. They have also proposed mandatory 30-foot filter strips around aquatic habitats where agricultural activities would be precluded. The Association urges the Board to not support this type of land use regulation. (17)

Staff Response and Recommendation:

Protection of aquatic habitat and riparian areas is an essential link to the protection and enhancement of water quality and healthy watershed functions within the Region. Protection of the aquatic life beneficial uses will also protect several other beneficial uses. The Water Board has an interest and statutory requirement “to exercise its full power and jurisdiction to protect the quality of waters in the state from degradation” (CA Water Code § 13000). This Basin Plan amendment will supplement local municipalities having land use and zoning authorities, by

providing a consistent framework throughout the entire Region and by establishing common performance measures to protect aquatic habitat and riparian areas.

Note that drinking water standards are derived for a different purpose, using a different methodology, than water quality objectives specifically established for the protection of aquatic life or the protection of human health.

Also, see response to Issue 3. Aquatic Life Protection

Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

1.0

7. Revision and/or Clarification of Groundwater Objectives

Evaluation Score: 13

Discussion:

Chapter 3 of the Basin Plan contains selected objectives for all groundwater (Section II.A.4) and for specific groundwater basins (Section II.A.5). The water quality objectives in Section II.A.5, established for specific groundwater basins, should be expanded to all groundwater basins.

Staff recommends development of a region-wide nutrient policy and a region-wide salts policy (also consider water softener use policy)

This issue was included in the 2005 Triennial Review Priority List (Groundwater 2a, 2b).

Additional water quality objectives are needed for groundwaters, including a toxicity objective.

Type of Action:

Water Quality Objective Amendment. Policy.

Commenter List:

8

Public Comment Summary:

Santa Clara Valley Water District comment: Issue #8 calls for developing a region-wide salts policy. The District recommends that this issue be modified to include the development of a region-wide salt and nutrient policy that provides flexibility to respond to local conditions. While salts are an increasing concern, it is well established that nitrate has impacted groundwater resources throughout the Central Coast Region. Providing clear guidance through a region-wide salt and nutrient policy will help ensure groundwater quality objectives are met and will assist groundwater management agencies and other stakeholders in the development of salt and nutrient management plans in accordance with the State Water Resources Control Board recycled water policy adopted in February 2009 (Resolution 2009-0011) (8).

Staff Response and Recommendation:

Comment noted. Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

1.0

8. Comprehensive Basin Plan Editorial Revisions
--

Evaluation Score: 11

Discussion:

As necessary, revise and eliminate outdated paragraphs, tables, figures, references to outdated Policies, and appendices in the Basin Plan. Create maps of water body location as part of the beneficial uses Table 2.1. This includes update of references (e.g. Title 22, CTR, etc.). Incorporate amendments adopted since 1994.

This issue was included in the 2005 Triennial Review Priority List (Surface Water 2).

The last comprehensive compilation of the Basin Plan is the September 8, 1994 edition. Basin plan amendments made after 1994 are available as inserts to the September 8, 1998 edition on the Regional Water Board's website. A new comprehensive edition of the Basin Plan incorporating all previous amendments is needed. Once the comprehensive Basin Plan edition is made it should be posted on the Regional Water Board Basin Plan website. This will benefit all users of the Basin Plan.

Type of Action:

Editorial

Commenter List:

4

Public Comment Summary:

U.S. Fish and Wildlife Service, Ventura comment: The Fish and Wildlife Service supports the prioritization of this issue, especially the creation of maps that identify the 303(d) status and designated beneficial uses of water bodies throughout the central coast. Such maps would enhance our understanding of water quality issues in sensitive habitat areas, and would facilitate our review of designated beneficial uses to ensure that the habitat value of water bodies that support sensitive species are reflected in the beneficial use designations (4).

Staff Response and Recommendation:

Comment noted. Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

0.5

9. Designation of Beneficial Uses
--

Evaluation Score: 10

Discussion:

Several comments identified the need to address specific beneficial use designations.

Type of Action:

Beneficial Use designation or dedesignation

Commenter List:

6, 10, 12, 13

Public Comment Summary:

New Issue.

City of Santa Maria comment: Blosser, Bradley and West Main Street Channels do not specifically have beneficial uses assigned in the Basin Plan. Therefore, they are automatically assigned 1) Municipal and Domestic Water Supply and 2) Protection of both recreation and aquatic life. These BUs have no relevance to these channels. These flood control channels should be removed from the listed water bodies in the Basin Plan and should have no related BUs assigned to them (6).

City of Santa Maria comment: Municipal and Domestic Water Supply and Water Contact Recreation are not appropriate Beneficial Use designations for the Santa Maria River and these Bus should be deleted from the Basin Plan designations (6).

City of Santa Barbara comment: The City of Santa Barbara requests that the Board reassess the 303(d) listing for Sycamore Creek for Sodium and Chloride because the listing is based on the beneficial use of agriculture. The City is not aware of any agriculture in Sycamore Creek watershed that draws (or has drawn in the past) water from the creek. Additional queries were made upon the release of the Integrated Report and no agricultural use has been identified (10).

City of Goleta comment: The City of Goleta requests that the Board remove the proposed 303(d) listings for sodium and, if applicable, chloride at Atascadero Creek, Glen Annie Canyon, Maria Ygnacio Creek, San Jose Creek, and San Pedro Creek because the listings are based on an agricultural supply beneficial use that is inappropriate and not representative of actual uses of these largely ephemeral surface water bodies. The City is not aware of any current or future agricultural uses of surface waters (e.g., for irrigation via diversion) in these watersheds (12).

City of Carpinteria comment: The City of Carpinteria requests that the Board remove the proposed listings for sodium at Carpinteria Creek and Franklin Creek because the listings are based on an agricultural supply beneficial use that is inappropriate and not representative of actual uses of these largely ephemeral surface water bodies. The City is not aware of any current or future agricultural uses of surface waters (e.g., for irrigation via diversion) in these watersheds (13).

Staff Response and Recommendation:

Comment noted. If beneficial use designations are modified, those changes will be reflected in the next 303(d) List of Impaired Waterbodies, as appropriate.

Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

1.0

10. Groundwater Basin Configurations Update

Evaluation Score: 10

Discussion:

Update groundwater basin configurations in Basin Plan Table 2-3 and Figure 2-2 using new groundwater reference materials, including the 2003 Department of Water Resources Bulletin No.118 and the San Luis Obispo County Paso Robles groundwater basin study.

This issue was included in the 2005 Triennial Review Priority List (Groundwater 1).

Some progress was made on this issue by staff since the last Triennial Review, but no Basin Plan Amendments have been proposed.

Type of Action:

Beneficial Use Revision

Commenter List:

8

Public Comment Summary:

Santa Clara Valley Water District comment: The District concurs with the goal of updating the groundwater basin configurations. The references proposed to be used for this process are the Department of Water Resources Bulletin 118 and the San Luis Obispo County Paso Robles groundwater basin study. The District recommends the follow additional reference be used in updating the groundwater basin configuration for the Llagas groundwater subbasin in the Gilroy-Hollister groundwater basin: US Geological Survey Open File Report 00-444 (8).

Staff Response and Recommendation:

Comment noted. Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

0.5

11. Bacteria Objectives Revision, *E. coli* in Freshwater

Evaluation Score: 9

Discussion:

Revise existing bacteria objectives to incorporate an *E. coli* objective for water contact recreation in surface waters and identify acceptable monitoring methods for bacteria.

This issue was included in the 2005 Triennial Review Priority List (Surface Water 5c).

The State Water Board held two CEQA scoping meetings on statewide bacterial objectives for water contact recreation in fresh waters on October 2008. Any effort to revise or develop bacteria objectives will take place in coordination with the related State Water Board efforts.

Type of Action:

Water Quality Objective Amendment

Commenter List:

15

Public Comment Summary:

Which E. coli monitoring methods will be acceptable for use (i.e. IDEXX)? (15).

Staff Response and Recommendation:

Comment noted, monitoring methods will be determined as part of Basin Plan amendment project. Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

0.5

12. Bacterial TMDL Implementation
--

Evaluation Score: 8

Discussion:

Comments were received related to the Central Coast Water Board's approach to Bacteria Total Maximum Daily Loads (TMDLs), including TMDLs for beaches.

Type of Action:

Amendment to the implementation chapter of the Basin Plan

Commenter List:

7, 9

Public Comment Summary:

New Issue.

City and County of Santa Barbara comments: Both the City of Santa Barbara and the County of Santa Barbara requests that highest priority be given in the Triennial Review to the development of a Basin Plan Amendment outlining a rational, contemporary approach to Bacteria TMDLs, including TMDLs for beaches, in advance of beginning the Santa Barbara Beaches Bacteria TMDL process in earnest. Such an amendment will allow flexibility as new data are generated and could be modeled on the recent San Diego Basin Plan amendment: "A Resolution Amending the Water Quality Control Plan for the San Diego Basin to Incorporate Implementation Provisions for Indicator Bacteria Water Quality Objectives to Account for Loading from Natural Uncontrollable Sources Within the Context of a Total Maximum Daily Load (7,9).

Staff Response and Recommendation:

Comment noted and forwarded to the Water Board TMDL Program Manager. This project can and should be addressed through TMDL development. Staff routinely evaluates best approaches to addressing one or more listing during the early phases of TMDL development.

During the early phases, staff scopes and determines the nature of the TMDL project that best addresses the new listings under consideration. Staff may and does recommend development of implementation strategies in parallel with or in lieu of TMDL development and establishment. Staff considers the example cited above in the comment from the San Diego Region as a good example of an alternative approach to bacteria TMDLs. Similarly, staff has evaluated implementation of the Central Coast Region's Conditional Waiver of Waste Discharge Requirements for Irrigated Agriculture as an alternative approach to nutrient and pesticide TMDLs in watersheds where irrigated agriculture is the primary or only source of nutrients and pesticides.

Remove Issue from the 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

None

13. Bacteria Objectives Revision, <i>Enterococcus</i> in Saline Waters

Evaluation Score: 8

Discussion:

Revise existing bacteria objectives to incorporate an *Enterococcus* objective for water contact recreation in enclosed bays and estuaries (saline waters). The Basin Plan currently has objectives only for total coliform.

This issue was included in the 2005 Triennial Review Priority List (Surface Water 5b).

Type of Action:

Water Quality Objective Amendment

Commenter List:

None.

Public Comment Summary:

Not applicable.

Staff Response and Recommendation:

Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

0.5

14. Tributary Rule

Evaluation Score: 7

Discussion:

Questions exist as to how beneficial uses apply to upstream tributaries. Surface waters within the Central Coast Region that do not currently have beneficial uses specifically designated for them in Table 2-1 of the Basin Plan are assigned the following default designations:

- Municipal and domestic water supply
- Protection of both recreation and aquatic life.

Some Regional Water Boards (e.g., the Central Valley Region), however, have established a “tributary rule” which designates the beneficial uses of upstream water bodies with the same beneficial uses in downstream waters. Tributary rule language for the Central Valley Region Basin Plan is as follows:

“The beneficial uses of any specifically identified water body generally apply to its tributary streams, except as provided below...”

Adoption of a tributary rule by the Central Coast Water Board would necessitate a revision of all designated beneficial uses in Table 2-1.

This issue was included in the 2005 Triennial Review Priority List (Surface Water 8).

Type of Action:
Policy

Commenter List:
4, 8, 17

Public Comment Summary:

US Fish and Wildlife Service, Ventura Office comment: In the absence of a tributary rule, the default beneficial uses for waters without designations are municipal and domestic water supply, protection of recreation, and protection of aquatic life. There are multiple beneficial uses that may apply for the protection of recreation and the protection of aquatic life. The US Fish and Wildlife Service recommends that the basin plan explicitly list which beneficial uses would apply to waterbodies without specifically designated beneficial uses until a tributary rule can be established (4).

Santa Clara Valley Water District comment: District staff believe the tributary rule may be counter productive in large watersheds as lower reaches may identify WARM as a beneficial use and the upper reaches may identify COLD as a beneficial use and both uses applied to an entire river system could be problematic to implement and would likely lead to some enforcement challenges (8).

Grower-Shipper Association comment: The Association does not support expanding the definition of “water bodies” to include tributaries. Many of the tributaries proposed to be included as water bodies are also listed in the 303(d) revisions are nothing more than man-made agricultural ditches and flood control channels that convey runoff from farms and cities. They are regularly maintained to be free from accumulated debris and in some cases are lined with concrete or rock revetments. These ditches are not used as a water supply or for swimming. Flows are seasonal and they do not typically support any form of aquatic life. The Association does favor Basin Plan amendments that would expressly exclude tributaries such as agricultural ditches and regularly maintained flood control channels from default drinking water and/or recreational beneficial use designations. In most cases, these waters simply

recharge groundwater. Again, staff is attempting to expand the definition of water bodies in the Basin Plan so they can regulate each and every individual agricultural discharge. We urge the Board to reject that concept and not initiate work expanding the tributary rule. (17)

Staff Response and Recommendation:

Water Code §13050(j)(1) requires Basin Plans to designate “beneficial uses to be protected.” Staff agree that the Basin Plan should explicitly list the default beneficial uses that apply to surface waters not cited in Table 2-1 and Table 2-2. For example, “Municipal and domestic water supply” should include the MUN beneficial use, while “Protection of both recreation and aquatic life” should include beneficial uses for recreation (REC1, REC2, COMM, SHELL) and aquatic life (WARM, COLD, SAL, EST, MAR, WILD, BIOL, ASBS, RARE, MIGR, SPWN).

State Water Board Resolution No. 88-63 provides the basis for designating surface water bodies within the Region for municipal and domestic water supply (i.e., MUN beneficial use). This Resolution also provides exceptions to the default MUN designation for certain surface water conveyance systems for agricultural drainage waters.

Pursuit of a Tributary Rule Basin Plan amendment will not expand the definition of water bodies in the Basin Plan. The Regional Water Quality Control Board is obligated to provide the reasonable protection and enhancement of all waters of the state. Water Code §13050(e) defines “Waters of the State” as “any surface water or groundwater, including saline waters, within the boundaries of the state.” A tributary rule would clarify the application of beneficial uses designations to upstream tributaries.

Add Issue to 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

0.5

15. Bacteria Objectives Revision, Fecal Coliform Shellfish Harvesting
--

Evaluation Score: 7

Discussion:

Revise existing bacteria objectives to incorporate a fecal coliform objective for commercial shellfish harvesting in enclosed bays and estuaries (saline waters).

This issue was included in the 2005 Triennial Review Priority List (Surface Water 5d).

At the March 21, 2008 meeting of the Central Coast Water Board, resolutions were approved to remove the shellfish harvesting beneficial use for the San Lorenzo River Estuary and the Soquel Lagoon.

Type of Action:

Water Quality Objective Amendment

Commenter List:

None.

Public Comment Summary:

None.

Staff Response and Recommendation:

The State Water Board is undertaking a state-wide effort to evaluate and confirm SHELL designations. This effort may also result in a statewide fecal coliform standard for all shellfish harvesting areas. Central Coast Water Board staff is participating in this effort.

Remove from 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

None.

16. Onsite Wastewater Treatment System Management
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Evaluation Score: 6

Discussion:

Revise Basin Plan Section VIII.D.2.b. "On-site Wastewater Management Plans" to require management by local permitting agencies of onsite wastewater treatment systems. The Basin Plan encouraged local permitting agency management as an option for onsite wastewater disposal in unsewered areas.

This issue was included in the 2005 Triennial Review Priority List (Surface Water 6).

On May 9, 2008, the Central Coast Water Board approved a Basin Plan amendment for onsite wastewater system criteria. On March 20, 2009, The Board approved a Basin Plan amendment to add a general conditional waiver of waste discharge requirements for onsite wastewater systems when they are installed and operating in an area with a local permitting agency management plan.

The State Water Board has proposed statewide Onsite Wastewater Regulations (Septic Tanks), including a statewide waiver of waste discharge requirements, under AB 885. A draft environmental impact report (EIR) was released and State Water Board staff is planning to propose final rules to the State Water Board by August 2009.

Type of Action:

Implementation/Policy

Commenter List:

None.

Public Comment Summary:

None.

Staff Response and Recommendation:

Remove from 2009 Triennial Review Priority List when approved by the State Water Board. If statewide regulations are promulgated, amend Basin Plan appropriately.

Estimated Personnel Years (PY):

None

17. Nonpoint Source Management and Riparian Corridor Protection

Evaluation Score: 5

Discussion:

This two part issue would require (1) a revision of region-wide nonpoint source management measures and (2) the development of a riparian corridor protection policy.

The State Water Board approved the “Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program” on May 20, 2004. This policy was subsequently approved by the California Office of Administrative Law on August 27, 2004. This action addressed the first part of this issue.

The second part of this issue is addressed in the Aquatic Habitat Protection / Riparian Buffer Zone Protection Issue, described above.

This issue was included in the 2005 Triennial Review Priority List (Surface Water 7).

Type of Action:

Policy

Commenter List:

None.

Public Comment Summary:

None.

Staff Response and Recommendation:

Remove from 2009 Triennial Review Priority List.

Proceed with editorial Basin Plan amendment that will update all portions of the Basin Plan that reference the outdated 1988 Nonpoint Source Management Plan, including Appendix A-10. Instead, the Basin Plan should reference the 2004 statewide Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program.

Consider riparian buffer zone protections in Aquatic Habitat Protection / Riparian Buffer Zone Issue, above.

Estimated Personnel Years (PY):

None.

18. Shellfish Beneficial Use Designation

Evaluation Score: 4

Discussion:

Review and revise waterbodies designated for shellfish harvesting (SHELL) beneficial use in Basin Plan Table 2-1 "Identified Uses of Inland Surface Waters." A number of small coastal lagoons are identified as supporting shellfish as a beneficial use; however, no harvestable shellfish species are known to utilize these habitats.

This issue was included in the 2005 Triennial Review Priority List (Surface Water 5a).

At the March 24, 2006 meeting of the Central Coast Regional Board, a resolution was adopted to remove the shellfish harvesting beneficial use from Watsonville Slough and its tributaries. Similarly, at the March 21, 2008 meeting of the Central Coast Regional Board, resolutions were approved to remove the shellfish harvesting beneficial use for the San Lorenzo River Estuary and the Soquel Lagoon. Staff is currently reviewing the results of a study of the Salinas Lagoon are to determine the feasibility of removing the shellfish harvesting beneficial use from that water body.

The State Water Board is also undertaking a state-wide effort to evaluate and confirm proper SHELL designations. Central Coast Water Board staff is participating in this effort.

Type of Action:

Beneficial Use Revision

Commenter List:

None.

Public Comment Summary:

Not Applicable.

Staff Response and Recommendation:

Issue partially completed and will be addressed at statewide level. In coordination with the State Water Board, continue assessing all coastal lagoons within region to determine if the shellfish harvesting beneficial use is appropriately designated.

Remove Issue from 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

None.

19. Oil Field Soil Beneficial Reuse
--

Evaluation Score: 3

Discussion:

On September 9, 2005 the Central Coast Water Board adopted Resolution No. R3-2005-0013 [Repeal Basin Plan Resolution No. 73-05 and Section 5(f) of Basin Plan Resolution No. 89-04 for the Reuse of Petroleum Wastes throughout the Central Coast Region].

This issue was included in the 2005 Triennial Review Priority List (Surface Water 4).

Type of Action:

Policy

Commenter List:

None

Public Comment Summary:

Not applicable

Staff Response and Recommendation:

Remove Issue from 2009 Triennial Review Priority List.

Estimated Personnel Years (PY):

None.

20. Oil Field Soil Storage and Disposal

Evaluation Score: 2

Discussion:

On September 9, 2005 the Central Coast Water Board adopted Resolution No. R3-2005-0013 [Repeal Basin Plan Resolution No. 73-05 and Section 5(f) of Basin Plan Resolution No. 89-04 for the Reuse of Petroleum Wastes throughout the Central Coast Region].

This issue was included in the 2005 Triennial Review Priority List (Surface Water 3).

Type of Action:

Policy

Commenter List:

None.

Public Comment Summary:

Not applicable.

Staff Response and Recommendation:

Remove Issue from 2009 Triennial Review Priority List. Issue Completed

Estimated Personnel Years (PY):

None.

21. NPDES Time Schedule

Evaluation Score: 2

Discussion:

The Basin Plan does not have a discussion or guidance on the issuance of time schedules for National Pollutant Discharge Elimination System (NPDES) compliance.

This issue was included in the 2005 Triennial Review Priority List (Surface Water 9).

The State Water Board adopted Resolution No. 2008-0025 “Policy for Compliance Schedules in National Pollutant Discharge Elimination System Permits” on April 15, 2008.

Type of Action:

Policy

Staff Recommendation:

Commenter List:

None.

Public Comment Summary:

None.

Staff Response and Recommendation:

Remove Issue from 2009 Triennial Review Priority List.

Issue completed *at State level*. Reference to the State Compliance Policy will be included as part of future editorial Basin Plan revisions.

Estimated Personnel Years (PY):

None.

SUMMARY OF ISSUE EVALUATIONS

Table 2 shows the evaluation score for each Triennial Review Issue considered in this report. Issues recommended for removal from the 2009 Triennial Review Priority List are indicated.

Table 2. Evaluation Criteria Scores for each Triennial Review Issue

Issue No.	Issue Description	Evaluation Criteria Score				Total Score	Remove from Priority List?
		Vision Alignment	Water Qual. Stand. Improvement	Effective-ness	Public Interest		
1	Vision Framework	5	3	5	4	17	
2	Biostimulatory Substances Objective Revision	5	5	4	3	17	
3	Aquatic Life Protection	5	4	4	3	16	
4	Watershed Protection	5	3	4	3	15	
5	Groundwater Recharge Area Protection	5	2	4	3	14	
6	Aquatic Habitat Protection / Riparian Buffer Zone Protections	5	3	4	1	13	
7	Revision of Groundwater Objectives	4	4	4	1	13	
8	Comprehensive Basin Plan Editorial Revisions	2	3	5	1	11	
9	Designation of Beneficial Uses	2	3	1	4	10	
10	Groundwater Basin Configurations Update	3	3	2	2	10	
11	Bacteria Objectives Revision for <i>E. coli</i> in Freshwater	3	3	2	1	9	
12	Bacteria TMDL Implementation	2	2	3	1	8	Y
13	Bacteria Objectives Revision for <i>Enterococcus</i> in Saline Waters	3	3	2	0	8	
14	Tributary Rule	1	3	3	0	7	
15	Bacteria Objectives Revision, fecal coliform shellfish harvesting	3	2	1	1	7	Y
16	Onsite Wastewater Treatment System Management	2	2	2	0	6	Y
17	Nonpoint Source Management and Riparian Corridor Protection	3	1	1	0	5	Y
18	Shellfish Beneficial Use Designation	1	2	1	0	4	Y
19	Oil Field Soil Beneficial Reuse	1	1	1	0	3	Y
20	Oil Field Soil Storage Disposal	1	0	1	0	2	Y
21	NPDES Time Schedule	0	1	1	0	2	Y

2009 TRIENNIAL REVIEW PRIORITY LIST

Table 3. Recommended Priority List of Issues to be Evaluated as Basin Plan Amendments

Priority	Issue	Description	Estimated Resource Needs (PY) ¹
1	Vision Framework	Formally incorporate the Central Coast Water Board's Vision of Healthy Watersheds, associated measurable goals, and data assessment and management methodology to support tracking progress toward achieving these measurable goals.	0.3
2	Biostimulatory Substances Objective Revision	Revise the narrative biostimulatory substances objective, replace with numeric objective(s). Assign the numeric objective to protect specific beneficial uses. In conjunction with this effort, additional water quality objectives for specific nutrients or nutrient-loading indicators should be added to the Basin Plan (Ammonia, Nitrite, Nitrate, Organic Nitrogen, Phosphate, Chlorophyll a). Various water quality objectives related to biostimulation in Chapter 3 of the Basin Plan need reevaluation or revision (Dissolved Oxygen, Temperature, Turbidity, and pH).	1.0
3	Aquatic Life Protection	Adopt numeric water quality objectives for several Basin Plan narrative water quality objectives, including turbidity and toxicity that protect aquatic life beneficial uses.	0.6
4	Watershed Protection	Consistent with the Vision of Healthy Watersheds, amend the Implementation chapter of the Basin Plan to require local municipalities and other entities with landuse authority to incorporate performance measures in their landuse decisions that will ensure healthy watersheds.	1.0
5	Groundwater Recharge Area Protection	Consistent with the Vision of Healthy Watersheds, develop land use guidelines and/or prohibitions for the purpose of protecting groundwater recharge areas within the Central Coast Region. Guidelines should include controls on chemigation and fertigation operations to protect the contamination of aquifers. Develop a numeric nitrate water quality objective to protect groundwater recharge areas.	1.0
6	Aquatic Habitat Protection / Riparian Buffer Zone Protections	Building upon the efforts of statewide and regional riparian and wetland policies and consistent with the Vision of Healthy Watersheds, amend the Implementation Plan chapter of the Basin Plan to ensure protection of aquatic habitat and riparian areas. To achieve this goal, staff may also need to amend the Basin Plan present and potential beneficial uses and water quality objectives chapters to provide the basis for requiring amendments to the Implementation Plan chapter.	1.0

¹ Estimated personnel years (PY) required to accomplish the project over the next three years. Based on available Basin Planning resources of approximately 2 PY/year, it is anticipated that Water Board staff will complete Basin Plan Issue Priorities 1 – 6 in the next 3 years.

7	Revision of Groundwater Objectives	Chapter 3 of the Basin Plan contains selected objectives for all groundwater (Section II.A.4) and for specific groundwater basins (Section II.A.5). The water quality objectives in Section II.A.5, established for specific groundwater basins, should be expanded to all groundwater basins. Develop a region-wide salt and nutrient policy in accordance with the State Water Resources Control Board recycled water policy adopted in February 2009 (Resolution 2009-0011).	1.0
8	Comprehensive Basin Plan Editorial Revisions	Revise and eliminate outdated paragraphs, tables, figures, references to outdated Policies, and appendices in the Basin Plan. Create maps of water body location as part of the beneficial uses Table 2.1. This includes update of references (e.g. Title 22, CTR, etc.). Incorporate amendments adopted since the last comprehensive compilation of the Basin Plan, the September 8, 1994 edition. Post revised Basin Plan on the Regional Water Board Basin Plan website.	0.5
9	Designation of Beneficial Uses	Evaluate adequacy of existing Basin Plan beneficial uses for the following water bodies in Santa Barbara County: Blosser, Bradley and West Main Street Channels; Santa Maria River; Sycamore Creek; Atascadero Creek; Glen Annie Canyon; Maria Ygnacio Creek; San Jose Creek; and San Pedro Creek.	1.0
10	Groundwater Basin Configurations Update	Update groundwater basin configurations in Basin Plan Table 2-3 and Figure 2-2 using new groundwater reference materials, including the 2003 Department of Water Resources Bulletin No.118 and the San Luis Obispo County Paso Robles groundwater basin study, and the Llagas groundwater subbasin in the Gilroy-Hollister groundwater basin.	0.5
11	Bacteria Objectives Revision for <i>E. coli</i> in Freshwater	Revise existing bacteria objectives to incorporate an <i>E. coli</i> objective for water contact recreation in surface waters. Include acceptable analytical methods.	0.5
12	Bacteria Objectives Revision for <i>Enterococcus</i> in Saline Waters	Revise existing bacteria objectives to incorporate an <i>Enterococcus</i> objective for water contact recreation in enclosed bays and estuaries (saline waters). The Basin Plan currently has objectives only for total coliform.	0.5
13	Tributary Rule	Amend Beneficial Use chapter of the Basin Plan to include a tributary rule that would clarify beneficial uses in tributary streams.	0.5

Appendix 1. Triennial Review Comments

<p>Comment No. 4a Date Received 05/22/2009 Comment Filename 05_usfws_dellith.pdf Author Chris Dellith Comment Doc. No. 4 Organization US Fish and Wildlife Service, Ventura Office Issue Title Issue 3: Biostimulatory Substances Objective (ranked as issue 2) Comment Issue 3 proposes the replacement of the narrative objective for biostimulatory substances with numeric objective(s) and suggests the incorporation of additional water quality objectives for specific nutrients or nutrient-loading indicators into the Basin Plan. We support the prioritization of this issue and believe that measureable objectives for biostimulatory substances will help stakeholders understand what water quality parameters are necessary to prevent biostimulation and will help the Central Coast Water Board monitor compliance with the biostimulatory substances objective. Establishing numeric objectives for biostimulatory substances may also help achieve the recovery of two federally endangered plant species, <i>Arenaria paludicola</i> (marsh sandwort) and <i>Nasturtium gambelii</i> [<i>Rorippa gambelii</i>] (Gambel's watercress) found in the Oso Flaco watershed, on the Central Coast. Service biologists have hypothesized that nutrient biostimulation in the Oso Flaco watershed has caused the rapid growth of common wetland species, which are now crowding out sensitive species that have not become similarly vigorous. We agree that numeric objectives for biostimulatory substances, additional nutrients, and nutrient-loading indicators would help stakeholders reduce biostimulation in Central Coast watersheds because measurable targets would be established that a narrative objective cannot provide.</p> <p>Response See issue response in main report, Issue #2.</p>
<p>Comment No. 4b Date Received 05/22/2009 Comment Filename 05_usfws_dellith.pdf Author Chris Dellith Comment Doc. No. 4 Organization US Fish and Wildlife Service, Ventura Office Issue Title Issue 12: Tributary Rule (ranked as Issue 13) Comment Issue 12 includes the potential adoption of a tributary rule that would consider the beneficial uses of water bodies that do not have designated beneficial uses to be the same as downstream waters. In the absence of a tributary rule, the default beneficial uses for waters without designations are municipal and domestic water supply, protection of recreation, and protection of aquatic life. There are multiple beneficial uses that may apply for the protection of recreation and the protection of aquatic life. We recommend that the basin plan explicitly list which beneficial uses would apply to waterbodies without specifically designated beneficial uses until a tributary rule can be established.</p> <p>Response See issue response in main report, Issue #14</p>
<p>Comment No. 4c Date Received 05/22/2009 Comment Filename 05_usfws_dellith.pdf Author Chris Dellith Comment Doc. No. 4 Organization US Fish and Wildlife Service, Ventura Office Issue Title Issue 14: BP Editorial Revisions (ranked as Issue 8) Comment Issue 14 includes comprehensive editorial revisions to the Basin Plan. We support the prioritization of this issue, especially the creation of maps that identify the 303(d) status and designated beneficial uses of water bodies throughout the central coast. Such maps would enhance our understanding of water quality issues in sensitive habitat areas, and would facilitate our review of</p>

Response	designated beneficial uses to ensure that the habitat value of water bodies that support sensitive species are reflected in the beneficial use designations. See issue response in main report, Issue #8.
Comment No. Date Received Comment Filename Author Comment Doc. No. Organization Issue 2: Groundw Basin Configs Issue Title Comment Response	4d 05/22/2009 05_usfws_dellith.pdf Chris Dellith 4 US Fish and Wildlife Service, Ventura Office Issue 16: Aquatic Habitat Protection / Riparian Buffer Zone Protection (ranked as Issue 6) Issue 16 includes amending the Implementation Plan chapter of the Basin Plan to include policies that would ensure the protection of aquatic habitat and riparian areas. We support the prioritization of this issue and are interested in working with Central Coast Water Board staff to identify projects and policies that would benefit sensitive species and habitats throughout the central coast See issue response in main report, Issue #6.
Comment No. Date Received Comment Filename Author Comment Doc. No. Organization Issue Title Comment Response	4e 05/22/2009 05_usfws_dellith.pdf Chris Dellith 4 US Fish and Wildlife Service, Ventura Office Issue 17: Aquatic Life Protection (ranked as Issue 3) Issue 17 includes the identification of numeric indicators, to replace the current narrative water quality objectives, for the protection of aquatic life beneficial uses. We support the prioritization of this issue, and are interested in working with Central Coast Water Boardstaff to ensure that numeric objectives are protective of sensitive aquatic species that are commonly found throughout the central coast. See issue response in main report, Issue #3.
Comment No. Date Received Comment Filename Author Comment Doc. No. Organization Issue Title Comment Response	4f 05/22/2009 05_usfws_dellith.pdf Chris Dellith 4 US Fish and Wildlife Service, Ventura Office Issue 18: Watershed Protection (ranked as Issue 4) Issue 18 includes a proposed amendment to the Basin Plan that would require local municipalities to base development plans and resource management plans on protecting watersheds. We support the prioritization of this issue and believe that encouraging municipalities to incorporate watershed protection into development plans and resource management plans will provide benefits for species within the target watersheds and may contribute to conservation and recovery efforts for threatened and endangered species. See issue response in main report, Issue #4.

Comment No.	4g
Date Received	05/22/2009
Comment Filename	05_usfws_dellith.pdf
Author	Chris Dellith
Comment Doc. No.	4
Organization	US Fish and Wildlife Service, Ventura Office
Issue Title	Issue 19: Vision Framework (ranked as Issue 1)
Comment	Issue 19 includes a proposed amendment to the Basin plan that would formally incorporate the Central Coast Water Board's Vision of Healthy Watersheds into the Basin Plan. We support the prioritization of this issue and believe that a watershed-based approach to water quality management will provide benefits above and beyond improved water quality, including improved habitat conditions and improved connectivity between habitat areas.
Response	See issue response in main report, Issue #1)
Comment No.	6a
Date Received	05/26/2009
Comment Filename	04_cityasantamaria_sweet.pdf
Author	Richard G. Sweet
Comment Doc. No.	6
Organization	City of Santa Maria Utilities Department
Issue Title	Issue 20: Beneficial Use Designation (ranked as Issue 9)
Comment	Two concrete-lined flood control channels, Blosser & Bradley, and one unlined roadside ditch, West Main Street Channel have been mistakenly referred to as natural water bodies. All of these channels are straight, engineered drainages designed to convey storm flows from the City of Santa Maria and adjacent agricultural areas. They were constructed upland for the specific purpose of flood control; no historic, relic water courses or waters of the State were involved in their designs. The definition of Blosser, Bradley and West Main Street Channels as surface waters is inaccurate and problematic.
Response	See issue response in main report, Issue #9
Comment No.	6b
Date Received	05/26/2009
Comment Filename	04_cityasantamaria_sweet.pdf
Author	Richard G. Sweet
Comment Doc. No.	6
Organization	City of Santa Maria Utilities Department
Issue Title	Issue 20: Beneficial Use Designation (ranked as Issue 9)
Comment	Blosser, Bradley and West Main Street Channels do not specifically have beneficial uses assigned in the Basin Plan. Therefore, they are automatically assigned 1) Municipal and Domestic Water Supply and 2) Protection of both recreation and aquatic life. These BUs have no relevance to these channels. These flood control channels should be removed from the listed water bodies in the Basin Plan and should have no related BUs assigned to them.
Response	See issue response in main report, Issue #9.
Comment No.	6c
Date Received	05/26/2009
Comment Filename	04_cityasantamaria_sweet.pdf

Author	Richard G. Sweet
Comment Doc. No.	6
Organization	City of Santa Maria Utilities Department
Issue Title	Issue 20: Beneficial Use Designation (ranked as Issue 9)
Comment	Municipal and Domestic Water Supply and Water Contact Recreation are not appropriate Beneficial Use designations for the Santa Maria River and these Bus should be deleted from the Basin Plan designations.
Response	See issue response in main report, Issue #9.
Comment No.	6d
Date Received	05/26/2009
Comment Filename	04_citysantamaria_sweet.pdf
Author	Richard G. Sweet
Comment Doc. No.	6
Organization	City of Santa Maria Utilities Department
Issue Title	Issue 21: Watershed approach to TMDLs
Comment	City agrees with Water Board's possible use of a watershed TMDL approach to maximize efforts and address multiple related constituents in multiple waterbodies in the watershed.
Response	Comment noted and forwarded to TMDL Program Manager. See comment related to Issue #12 (Bacteria TMDL Implementation). Removed from Priority List.
Comment No.	7a
Date Received	05/26/2009
Comment Filename	06_citystabarbara_benson.pdf
Author	Cameron Benson
Comment Doc. No.	7
Organization	City of Santa Barbara, Parks & Rec Dept
Issue Title	Issue 23: Bacteria TMDL Implementation (ranked as Issue 12)
Comment	The City of Santa Barbara requests that highest priority be given in the Triennial Review to the development of a Basin Plan Amendment outlining a rational, contemporary approach to Bacteria TMDLs, including TMDLs for beaches, in advance of beginning the Santa Barbara Beaches Bacteria TMDL process in earnest. Such an amendment will allow flexibility as new data are generated and could be modeled on the recent San Diego Basin Plan amendment: "A Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) to Incorporate Implementation Provisions for Indicator Bacteria Water Quality Objectives to Account for Loading from Natural Uncontrollable Sources Within the Context of a Total Maximum Daily Load"
Response	See issue response in main report, Issue #12. Comment noted and forwarded to TMDL Program Manager. Removed from Priority List.
Comment No.	8a
Date Received	05/26/2009
Comment Filename	07_staclaravalleywdistr_calhoun.pdf
Author	Brett Calhoun
Comment Doc. No.	8
Organization	Santa Clara Valley Water District
Issue Title	Issue 12: Tributary Rule (Ranked as Issue 13)
Comment	District staff believe the tributary rule may be counter productive in large watersheds as lower reaches may identify WARM as a

Response	beneficial use and the upper reaches may identify COLD as a beneficial use and both uses applied to an entire river system could be problematic to implement and would likely lead to some enforcement challenges. See issue response in main report, Issue #14.
Comment No. Date Received Comment Filename Author Comment Doc. No. Organization	8b 05/26/2009 07_staclaravalleywdistr_calhoun.pdf Brett Calhoun 8 Santa Clara Valley Water District Issue 16: Aquatic Habitat Protection / Riparian Buffer Zone Protection (ranked as Issue 6) Issue 17: Aquatic Life Protection (ranked as Issue 3) Issue 18: Watershed Protection
Comment	District staff support the the adoption of Issues 16: Aquatic Habitat Protection / Riparian Buffer Zone Protections, Issue 17: Aquatic Life Protection, Issue 18: Watershed Protection. The District has a history of supporting and practicing stream stewardship activities in the Uvas, Llagas, Pacheco and Pajaro Watersheds. District staff do believe that action levels should be used rather than numeric water quality objectives in a basin plan to allow for greater flexibility to implement Best Management Practices to combat the water quality challenges. Numeric water quality objectives are best left to the TMDL process. The District does also strongly support the idea that development and resource management plans should be allow ample consideration to protecting watersheds.
Response	See issue response in main report.
Comment No. Date Received Comment Filename Author Comment Doc. No. Organization Issue Title Comment	8c 05/26/2009 07_staclaravalleywdistr_calhoun.pdf Behzad Ahmadi 8 Santa Clara Valley Water District Issue 2: Groundwater Basin Configurations Update (ranked as Issue 10) The District concurs with the goal of updating the groundwater basin configurations. The references proposed to be used for this process are the Department of Water Resources Bulletin 118 and the San Luis Obispo County Paso Robles groundwater basin study. The District recommends the follow additional reference be used in updating the groundwater basin configuration for the Llagas groundwater subbasin in the Gilroy-Hollister groundwater basin: US Geological Survey Open File Report 00-444, PRELIMINARY MAPS OF QUATERNARY DEPOSITS AND LIQUEFACTION SUSCEPTIBILITY, NINE-COUNTY SAN FRANCISCO BAY REGION, CALIFORNIA: A DIGITAL DATABASE. See http://pubs.usgs.gov/of/2000/of00-444/of00-444_7b.pdf
Response	See issue response in main report, Issue #10.
Comment No. Date Received Comment Filename Author Comment Doc. No. Organization Issue Title Comment	8d 05/26/2009 07_staclaravalleywdistr_calhoun.pdf Behzad Ahmadi 8 Santa Clara Valley Water District Issue 7: Revision of Groundwater Objectives (ranked as Issue 7) Issue #7 calls for developing a region-wide salts policy. The District recommends that this issue be modified to include the

Response	development of a region-wide salt and nutrient policy that provides flexibility to respond to local conditions. While salts are an increasing concern, it is well established that nitrate has impacted groundwater resources throughout the Central Coast Region. Providing clear guidance through a region-wide salt and nutrient policy will help ensure groundwater quality objectives are met and will assist groundwater management agencies and other stakeholders in the development of salt and nutrient management plans in accordance with the State Water Resources Control Board recycled water policy adopted in February 2009 (Resolution 2009-0011). See issue response in main report, Issue #7.
Comment No. Date Received Comment Filename Author Comment Doc. No. Organization Issue Title Comment Response	8e 05/26/2009 07_staclaravalleywdistr_calhoun.pdf Behzad Ahmadi 8 Santa Clara Valley Water District Issue 15: Groundwater Recharge Area Protection (ranked as Issue 5) The District strongly supports a basin plan amendment that provides land use guidelines and/or prohibitions to protect groundwater recharge areas. By properly focusing land use guidelines/prohibitions to the most vulnerable areas of the groundwater basins, groundwater will be better protected. The District is currently completing a groundwater vulnerability study, that includes the Llagas subbasin. This study is expected to be completed in August 2009. The District believes that this study may be beneficial when addressing this basin plan revision See issue response in main report.
Comment No. Date Received Comment Filename Author Comment Doc. No. Organization Issue Title Comment Response	9a 05/26/2009 08_stabarbarco_hufshmid.pdf Joy Hufschmid 9 Santa Barbara County Public Works Department Issue 23: Bacteria TMDL Implementation (ranked as Issue 12) Same as Comment Letter # 6 from City of Santa Barbara See issue response in main report, Issue #12. Comment noted and forwarded to TMDL Program Manager. Removed from Priority List.
Comment No. Date Received Comment Filename Author Comment Doc. No. Organization Issue Title Comment Response	10a 06/01/2009 14_citystabarbarabenson.pdf Cameron Benson 10 City of Santa Barbara, Parks & Rec Dept Issue 20: Beneficial Use Designation (ranked as Issue 9) The City requests that the Board reassess the listing for Sycamore Creek for Sodium and Chloride because the listing is based on the beneficial use of agriculture. The City is not aware of any agriculture in Sycamore Creek watershed that draws (or has drawn in the past) water from the creek. Additional queries were made upon the release of the Integrated Report and no agricultural use has been identified. See issue response in main report, Issue #9.

Comment No.	11a
Date Received	06/01/2009
Comment Filename	15_usepa_kozelka.pdf
Author	Peter Kozelka
Comment Doc. No.	11
Organization	USEPA, Region IX Water
Issue Title	Issue 3: Biostimulatory Substances Objective (ranked as Issue 2)
Comment	We recommend development and adoption of specific temperature numeric water quality objectives for protection of both cold water and warm water species."
Response	See issue response in main report, Issue #2.
Comment No.	11b
Date Received	06/01/2009
Comment Filename	15_usepa_kozelka.pdf
Author	Peter Kozelka
Comment Doc. No.	11
Organization	USEPA, Region IX Water
Issue Title	Issue 3: Biostimulatory Substances Objective (ranked as Issue 2)
Comment	We also recommend development of a specific water quality objective for turbidity that will account for both acute and chronic affects of turbidity for protection of the most sensitive beneficial uses."
Response	See issue response in main report, Issue #2.
Comment No.	12a
Date Received	06/01/2009
Comment Filename	16_citygoleta_wagner.pdf
Author	Steve Wagner
Comment Doc. No.	12
Organization	City of Goleta, Community Services
Issue Title	Issue 20: Beneficial Use Designation (ranked as Issue 9)
Comment	The City of Goleta requests that the Board remove the proposed listings for sodium and, if applicable, chloride at Atascadero Creek, Glen Annie Canyon, Maria Ygnacio Creek, San Jose Creek, and San Pedro Creek because the listings are based on an agricultural supply beneficial use that is inappropriate and not representative of actual uses of these largely ephemeral surface water bodies. The City is not aware of any current or future agricultural uses of surface waters (e.g., for irrigation via diversion) in these watersheds.
Response	See issue response in main report, Issue #9.
Comment No.	13a
Date Received	06/01/2009
Comment Filename	17_citycarpenteria_ebling.pdf
Author	Charlie Ebling
Comment Doc. No.	13
Organization	City of Carpenteria, Public Works
Issue Title	Issue 20: Beneficial Use Designation (ranked as Issue 9)

Comment	The City of Carpenteria requests that the Board remove the proposed listings for sodium at Carpenteria Creek and Franklin Creek because the listings are based on an agricultural supply beneficial use that is inappropriate and not representative of actual uses of these largely ephemeral surface water bodies. The City is not aware of any current or future agricultural uses of surface waters (e.g., for irrigation via diversion) in these watersheds.
Response	See issue response in main report, Issue #9.
Comment No.	15a
Date Received	04/222009
Comment Filename	12_trirev_workshopnotes_042209.pdf
Author	Dan Berman
Comment Doc. No.	15
Organization	Morro Bay National Estuary Program
Issue Title	Issue 5: Bacteria Objectives Revision for E.Coli in Freshwater (ranked as Issue 11)
Comment	Since EPA Adopted an E.coli criteria for Water Contact Recreation in 1986 why is it taking State Board so long to adopt this number? Concern that his organization is currently collecting E. coli data but is does not directly translate to a Basin Plan Objective (anything enforceable).
Response	See issue response in main report, Issue #11.
Comment No.	15b
Date Received	04/222009
Comment Filename	12_trirev_workshopnotes_042209.pdf
Author	Dan Berman
Comment Doc. No.	15
Organization	Morro Bay National Estuary Program
Issue Title	Issue 5: Bacteria Objectives Revision for E.Coli in Freshwater (ranked as Issue 11)
Comment	Which E. coli monitoring methods will be acceptable for use (i.e. IDEXX)?
Response	See issue response in main report, Issue #11.
Comment No.	15c
Date Received	04/222009
Comment Filename	12_trirev_workshopnotes_042209.pdf
Author	Dan Berman
Comment Doc. No.	15
Organization	Morro Bay National Estuary Program
Issue Title	Issue 1 Vision Framework and Issue 18: Watershed Protection (ranked Issue 1 and Issue 4)
Comment	Supportive of Vision of Healthy Watersheds. How do you actually implement these issues in the Basin Plan? It is not immediately obvious what regulatory power the RB has to implements theses amendments. For example how will we regulate cities and counties in land use planning?
Response	See issue response in main report, Issue #1 and Issue #4.
Comment No.	16a
Date Received	04/222009
Comment Filename	12_trirev_workshopnotes_042209.pdf
Author	Ellen Pritchett

Comment Doc. No.	16
Organization	City of Santa Maria Utilities Department
Issue Title	Issue 18: Watershed Protection (ranked as Issue 4)
Comment	Why is farming allowed in the Santa Maria River bed when it is an impaired waterbody? Especially when there is discharge from the farms. Why is the flood control system not incorporated into the SB County Maintenance plan (annual document)? It is an appendix in the plan but it is not addressed. Shouldn't the County also be addressing the issue of farming in the River! Will the city be held responsible for uses that they do not control like Agriculture and groundwater loading?
Response	See issue response in main report, Issue 4. Comment noted and forwarded to Agricultural Regulatory (Ag) Program. Issue of farming in the Santa Maria River bed will be addressed as part of Ag Program implementation in the Santa Maria River Watershed.
Comment No.	17a
Date Received	5/26/2009
Comment Filename	18_growershipper_quandt.pdf
Author	Richard S. Quandt
Comment Doc. No.	17
Organization	Grower Shipper Association SB SLO Co
Issue Title	Issue 3: Biostimulatory Substances Objective (ranked as Issue 2)
Comment	The Association does not support efforts to establish numeric biostimulatory objectives for specific nutrients in the Basin Plan. Biostimulation is complex involving multiple interactions. There is considerable controversy involving the use of models and numeric end points as regulatory targets for aquatic health. Staff is attempting to include biostimulatory numeric objectives within both the Agricultural Conditional Waiver Program and TMDLs that are 20 times lower than drinking water standards (0.5 mg/l for nitrates). We urge the Board to continue the flexible narrative standard and not prematurely attempt to place specific numeric standards in the Basin Plan simply to regulate agricultural discharges.
Response	See issue response in main report, Issue #2.
Comment No.	17b
Date Received	5/26/2009
Comment Filename	18_growershipper_quandt.pdf
Author	Richard S. Quandt
Comment Doc. No.	17
Organization	Grower Shipper Association SB SLO Co
Issue Title	Issue 12: Tributary Rule (ranked as Issue #13)
Comment	The Association does not support expanding the definition of "water bodies" to include tributaries. Many of the tributaries proposed to be included as water bodies are also listed in the 303(d) revisions are nothing more than man-made agricultural ditches and flood control channels that convey runoff from farms and cities. They are regularly maintained to be free from accumulated debris and in some cases are lined with concrete or rock revetments. These ditches are not used as a water supply or for swimming. Flows are seasonal and they do not typically support any form of aquatic life. The Association does favor Basin Plan amendments that would expressly exclude tributaries such as agricultural ditches and regularly maintained flood control channels from default drinking water and/or recreational beneficial use designations. In most cases, these waters simply recharge groundwater. Again, staff is attempting to expand the definition of water bodies in the Basin Plan so they can regulate each and every individual agricultural discharge. We urge the Board to reject that concept and not initiate work expanding the tributary rule.
Response	See issue response in main report, Issue #14
Comment No.	17c

Date Received	5/26/2009
Comment Filename	18_growershipper_quandt.pdf
Author	Richard S. Quandt
Comment Doc. No.	17
Organization	Grower Shipper Association SB SLO Co
Issue Title	Issue 16: Aquatic Habitat Protection / Riparian Buffer Zone Protection (ranked as Issue 6) Issue 17: Aquatic Life Protection (ranked as Issue 3)
Comment	Board staff proposes to elevate aquatic habitat over all beneficial uses in the Basin Plan. We urge the Board not to support this effort. Protecting aquatic habitat and riparian corridors involve restrictions on land use activities as opposed to addressing the quality of waters of the state. Local communities and cities, with land use and zoning powers, are the forums to implement land use restrictions. Regional Water Quality Control Board staff, through TMDLs and the Agricultural Waiver Program is attempting to impose numeric objectives protective of aquatic habitat that are 20 times lower than drinking water standards. They have also proposed mandatory 30-foot filter strips around aquatic habitats where agricultural activities would be precluded. We urge the Board to not support this type of land use regulation.
Response	See issue response in main report, Issue #3 and Issue #6.

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