



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Quality

1001 I Street • Sacramento, California 95814 • (916) 341-5455
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
FAX (916) 341-5463 • <http://www.waterboards.ca.gov>



Arnold Schwarzenegger
Governor

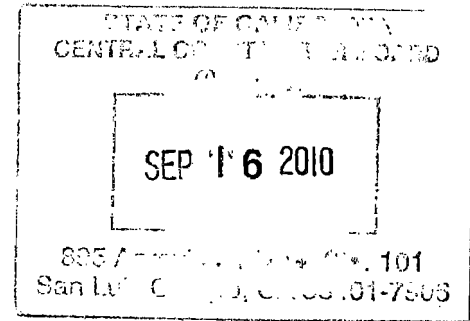
TO: Susan Lapsley, Director
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

E. Haven

FROM: Elizabeth Haven
Assistant Deputy Director
DIVISION OF WATER QUALITY

DATE: SEP 13 2010

SUBJECT: SUBMITTAL OF REGULATORY PROVISIONS OF AN AMENDMENT TO
THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST
REGION



On May 8, 2009, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted Resolution No. R3-2009-0025 amending the Water Quality Control Plan for the Central Coast Region (Basin Plan). The amendment revised the Basin Plan to (1) add the Aptos Creek Watershed to the Human Fecal Material Discharge Prohibition and the Domestic Animal Waste Discharge Prohibition, and (2) establish Total Maximum Daily Loads (TMDLs) for pathogens in Aptos Creek, Valencia Creek, and Trout Gulch (Aptos Creek Watershed). On August 3, 2010, the State Water Resources Control Board (State Water Board) approved the amendment under Resolution No. 2010-0038.

Pursuant to Government Code section 11353, the regulatory provisions of the amendment are being submitted to the Office of Administrative Law (OAL) for approval. As required by that section, this submittal includes:

- Seven copies of OAL Form 400 with the Clear and Concise Summary of Regulatory Provisions attached;
- A summary of the necessity for the regulatory provisions, which will be found in the Central Coast Water Board's staff report;

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- A certification by the Chief Counsel of the State Water Board that the action was taken in compliance with all applicable procedural requirements of the Porter-Cologne Water Quality Control Act, Water Code section 13000 et seq.; and
- The Administrative Record for the Central Coast Water Board and State Water Board proceedings on this matter.

The Central Coast Water Board's authority to adopt amendments to its Basin Plan is contained in Water Code section 13240. In adopting the amendments, the Central Coast Water Board was implementing Water Code sections 13240 through 13243.

We recommend that the regulatory summary be added to Title 23, Division 4, Chapter 1, titled "Water Quality Control Plans, Policies and Guidelines," Article 3, titled "Central Coast Region," as new section 3929.5 " Aptos Creek Watershed Total Maximum Daily Loads and Implementation Plan for Pathogens, Domestic Animal Waste Discharge Prohibition, and Human Fecal Material Discharge Prohibition."

If you have any questions regarding this submittal, you may contact me at (916) 341-5457 (lhaven@waterboards.ca.gov). You may also contact Michael Buckman of the Planning, Standards, and Implementation Unit at (916) 341-5479 (mbuckman@waterboards.ca.gov), who is the lead staff on this matter.

Attachments (4)

cc: (without attachments)

Roger W. Briggs
Executive Officer
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401