



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

OCT 06 2016

John M. Robertson
Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

Dear Mr. Robertson:

The U.S. Environmental Protection Agency (EPA) has reviewed the Central Coast Regional Water Quality Control Board's (Regional Board's) Basin Plan Amendment (BPA) for nitrogen compounds and orthophosphate Total Maximum Daily Loads (TMDLs) in the Pajaro River basin, submitted on May 31, 2016. EPA received the State's complete TMDL submittal on July 25, 2016 and finds that all the federally required elements are adequately addressed, and approves the TMDLs pursuant to CWA Section 303(d)(2). Upon complete implementation, the TMDLs will result in attainment of the applicable water quality standards for nitrate, toxicity associated with un-ionized ammonia, and the biostimulatory substances nitrate, total nitrogen, and orthophosphate, for all waterbodies in the Pajaro River basin. These TMDLs will also address listings for low dissolved oxygen.

The Regional Board, State Water Resources Control Board (State Board), and Office of Administrative Law (OAL) took action on the BPA on the following dates:

- Regional Board adoption on July 30, 2015 (Resolution No. R3-2015-0004)
- State Board adoption on April 5, 2016 (Resolution No. 2016-0018)
- Regional Board signed submittal letter to EPA, dated May 31, 2016, requesting approval of the TMDLs
- OAL approval on July 12, 2016 (2016-0527-04 S)

The State has provided adequate opportunities for public review and comment, and demonstrated how public comments were considered for the final TMDLs. By including TMDLs for waterbodies that are not currently impaired as well as for those that are impaired, the TMDLs, numeric targets, load allocations, and waste load allocations appropriately employ an antidegradation approach to protecting beneficial uses in the identified waters. The TMDLs appropriately consider seasonal variation and critical conditions, and provide an adequate margin of safety.

The TMDL submittal contains the State's implementation strategy and schedule, which is a critical next step to realize improvements in water quality in the watershed. While EPA is not taking action on the implementation strategy, as EPA is not required by CWA Section 303(d) or its implementing regulations to approve or disapprove implementation plans submitted with TMDLs, EPA supports the State's proposed implementation approaches to protect and restore water quality. EPA encourages the Regional Board to continue its work with stakeholders to implement these strategies, when appropriate, consistent with California's Nonpoint Source Management Plan, as approved by EPA under the Clean Water Act Section 319. EPA is available to provide support where possible to assist both the regulated community and the Regional Board in fostering ongoing watershed stewardship to achieve the TMDLs.

If you have any questions concerning this approval, please call me at (415) 972-3337, or have your staff contact Matthew Mitchell at (415) 972-3508.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'T' followed by a horizontal line and a small flourish.

Tomás Torres
Director, Water Division

10/6/2016

cc: Jennifer Epp, CCRWQCB
Peter Osmolovsky, CCRWQCB
Tom Howard, SWRCB
Rik Rasmussen, SWRCB