Comments Summary and Responses

Comment Deadline: October 23, 2023

Staff Responses to Comments on the TMDLs for Nitrogen Compounds in the Santa Ynez River Basin[1]

List of Commenters: Comment Reference	Organization	Representative
1	Santa Barbara Flyfishers	Winston Hurst

Response to Comments: No.	Author	Comment	Response
1.1	Winston Hurst	"… our concerns revolve around the proposed TMDL of 8mg/L for total nitrogen. This concentration exceeds the range typically considered healthy for aquatic habitats, as indicated in the TMDL Report (WQCB 2023, page 39, Textbox 5-1), which suggests an	The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) shares your commitment to protecting the water quality and aquatic life uses of the Estuary, now and into the future. Consequently, this TMDL Project proactively proposes to establish a total nitrogen TMDL of 8 mg/L to provide for an additional measure of safety for the Santa Ynez River Estuary,[2] even though the Estuary is not

[1] In accordance with section 3779, subdivision (f) of Title 23 of the California Code of Regulations, any person submitting a comment "must include either a statement that each of the comments was timely raised before the regional board, or an explanation of why the commenter was unable to raise the specific comment before the regional board." This language was included in the Notice of Opportunity for Public Comment on this matter. The Central Coast Water Board did not receive any comments on this TMDL when it was adopted, and the commenter failed to include any explanation of why it failed to raise this issue at the regional board level. The State Water Board may therefore decline to accept the comments into the record.

[2] The methodology applied a 20 percent margin of safety to the human health thresholds for nitrogen in drinking water (10 mg/L). This methodology was scientifically peer reviewed as part of the Lower Salinas Watershed Nutrient TMDL (2010), available at https://www.waterboards.ca.gov/centralcoast/water_issues/programs/tmdl/docs/salinas/nutrients/

Response to Comments: No.	Author	Comment	Response
		optimal range of 2-6 mg/L. The argument put forward is that the elevated nutrient levels are not biostimulatory, as evidenced by the absence of excessive algal growth (WQCB 2023, page 66). However, we do not accept this as sufficient justification in light of the critical status of the Southern California Steelhead, an endangered species found in the Santa Ynez River. In particular, the estuary has historically provided crucial habitat for the species…"	listed on the Clean Water Act section 303(d) List of impaired waters. The available data do not support a lower total nitrogen TMDL for the Estuary. This conclusion is based on data and visual observations collected monthly from the monitoring station located at the confluence of the Santa Ynez River and the Estuary (Santa Ynez River at 13th Street). Since the City of Lompoc completed upgrades at their regional wastewater treatment plant in 2009, monthly data from this monitoring site show nitrate levels have been below 8 mg/L (and often below 5 mg/L) with few exceptions, as shown in Figure 14 on page 56 of the *Santa Ynez River Basin Nutrients Compounds TMDL Report*[3] (TMDL Report). In addition, visual observations from this monitoring site document low density of floating algal mat coverage (a biostimulatory response indicator), see Figure 17 on page 67 of the TMDL Report. Please note that the USEPA guidance values of 2 to 6 mg/L referenced in the TMDL Report are examples of non-regulatory guideline values protective against biostimulatory effects and the USEPA recommends evaluating these guideline values in the context of tribal, state, and federal standards. Here, the regulation that applies is the one set forth in the Central Coastal Basin Plan section 3.3.2.1: the narrative water quality objective for biostimulatory substances (i.e., nutrients). In the

[3] Santa Ynez River Basin Nutrients Compounds TMDL Report: https://www.waterboards.ca.gov/centralcoast/water_issues/programs/tmdl/docs/santa_ynez/nutrient/2023/attachment2_tmdl_report.pdf

Response to Comments: No.	Author	Comment	Response
			absence of water quality data for the Estuary, staff established a TMDL to be protective of this narrative water quality objective using the scientifically peer reviewed approach to apply a 20% margin of safety to the numeric water quality objective for drinking water supply (see footnote 2). **Future actions to address concerns about potential biostimulation estuary:** The Central Coast Water Board can reopen the TMDLs to incorporate new data and information (as described in the Tracking and Evaluation section of the Basin Plan amendment). For example, ongoing and future monitoring options that could inform such an effort include the following: a) Two ambient monitoring programs currently conduct long-term trend monitoring in the Santa Ynez River watershed (i.e., the Regional Water Board's Central Coast Ambient Monitoring Program (CCAMP), and the Cooperative Monitoring Program (CMP) for Agriculture). Both programs collect data monthly from the confluence of the River with the Estuary, at the 13th Street bridge. These data are available in the state's surface water quality database (California Environmental Data Exchange Network or CEDEN)[4] and on the CCAMP

[4] CEDEN database website: http://ceden.org/

Response to Comments: No.	Author	Comment	Response
			Data Navigator website[5] where data are compared to relevant water quality standards and displayed using maps, graphs, and summary tables. b) The Central Coast Water Board welcomes third party data submitted to CEDEN to help us assess ongoing or future conditions in the Estuary. Staff at the Central Coast Water Board and the CEDEN help desk are available to assist third parties in planning for water quality monitoring and submitting data to CEDEN. If the commentor is aware of any additional water quality monitoring efforts or would like more information about submitting data, please contact the CEDEN helpdesk at ceden@waterboards.ca.gov or the Central Coast Water Board's Daniel Ellis at Daniel.Ellis@waterboards. c) The CCAMP Program periodically funds special studies and has funded estuary studies in the past. There may be opportunities in the future to include special studies for the Santa Ynez River Estuary and this comment has been shared with the Central Coast Water Board's CCAMP program staff for their consideration in future monitoring plans. d) Grant funding may be available to support water quality monitoring and nutrient management actions in the watershed. This includes funds from the Clean Water

[5] CCAMP Data Navigator website (www.ccamp.org). To view nitrogen and biostimulatoy indicator data for the Santa Ynez River, use the pull-down menu's to select "Data Type = Basin Water Quality", then select analytes, waterbodies, and monitoring stations of interest to view the data.

Response to Comments: No.	Author	Comment	Response
			Act section 319(h) Grant Program specifically earmarked for projects that implement nonpoint source control actions with focus on impaired waterbodies. Please contact Daniel Ellis or visit our Grants Program website[6] for more information.
1.2	Winston Hurst	"…1. Importance of Estuarine Habitat for Southern California Steelhead: Estuaries play a critical role in the life history Southern California steelhead, and in the most recent five-year review of the endangered Southern California Steelhead published by NMFS in 2023, the "degradation of estuarine habitat through input of urban and agricultural runoff" in the Santa Ynez is listed as a key ongoing habitat concern (NMFS 2023, pages 55 & 58). To our understanding, no water quality measurements related to the proposed amendment have been conducted in the estuary itself. When the sandbar closes off the river from the ocean during the summer and fall, concentrations of	The Central Coast Water Board can confirm a lack of readily available water quality data (in the CEDEN database) for the Santa Ynez River Estuary. Please see responses to comment 1.1 regarding possible future actions to address potential biostimulation in the Estuary, including additional water quality monitoring and grant funding.

[6] Central Coast Water Board's Grants Program website: https://www.waterboards.ca.gov/centralcoast/water_issues/programs/grants/

Response to Comments: No.	Author	Comment	Response
		nitrogen may increase due to evaporation, potentially rendering the proposed 8mg/L as a lower-bound estimate of actual nitrogen concentrations."	
1.3	Winston Hurst	"2. Impact of Recent Regulation: With the issuance of the State Water Resources Control Board's Order WR 2019-0148, which points the way towards fish passage over Bradburry dam, we anticipate increased presence of Southern California Steelhead in the river system in the near future. This adds greater urgency to our water quality concerns."	Please see responses to comment 1.1 regarding ongoing monthly monitoring throughout the watershed, availability of data on our websites, and possible future actions to address ongoing concerns about potential biostimulation in the Estuary.
1.4	Winston Hurst	"3. Management in Light of Climate Change: The TMDL Report states, "protection of existing high-quality waters and *prevention of any further water quality degradation should be identified as a high-priority goal* [emphasis added]." (WQCB 2023, page 43) The concern here is that while the elevated nitrogen levels may currently not be biostimulatory, changing weather	The Central Coast Water Board agrees that climate change poses risks and challenges for surface waters in the Santa Ynez River basin. At this time, staff do not have data supporting a lower total nitrogen TMDL for the Estuary. Please see response to comment 1.1 regarding how staff proactively used a margin of safety methodology to propose total nitrogen TMDLs to protect the Estuary from biostimulatory substances (e.g. nitrogen). This is aligned with our goals for protecting existing water quality and preventing degradation.

Response to Comments: No.	Author	Comment	Response
		patterns and increased evaporation due to climate change could alter this balance. Thus, the TMDL should be reduced to hedge against potential shifts in environmental conditions."	
1.5	Winston Hurst	"4. Potential Wider Impacts: Elevated nitrogen levels in the estuary and beyond may have broader environmental consequences. For instance, the occurrence of red tides in the region suggests a need to explore whether elevated nitrogen levels exacerbate such occurrences (Kurtz 2023). The potential ripple effects on the local ecosystem must not be underestimated. In light of these concerns, we request that the California State Water Resources Control Board conducts a thorough and transparent review of the proposed amendment, taking into account	Harmful algal blooms (HABs), such as red tides, are a priority for the State and Regional Water Boards. However, monitoring and assessment of the nearshore areas is limited. There are not currently data and information for coastal waters at Surf Beach or other areas surrounding the Santa Ynez River mouth but information on the State's monitoring programs can be found at the California HAB Monitoring and Alert Program website[7] and California Department of Public Health's Marine Biotoxin Monitoring Program[8] webpages. As new data and information become available, we will evaluate the effectiveness of the total nitrogen TMDL as described in our responses to comment 1.1 and can take actions to address biostimulation in the Estuary accordingly.

[7] California HABMAP – A Statewide HAB Network and Forecasting System (calhabmap.org)
[8] Marine Biotoxin Monitoring Program: https://www.cdph.ca.gov/Programs/CEH/DRSEM/Pages/EMB/Shellfish/Marine-Biotoxin-Monitoring-Program.aspx

Response to Comments: No.	Author	Comment	Response
		the considerations we have raised. It is vital that we prioritize the protection of the Southern California Steelhead and the preservation of the estuary's historical importance. We appreciate your attention to this matter and look forward to your response, addressing the concerns outlined herein. The health of our waterways and the species that depend on them is of paramount importance, and we trust that the California State Water Resources Control Board shares this commitment.”	