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***Brief Issue Descriptions***

for the

Triennial Review  
of the  
Water Quality Control Plan for the  
Central Coastal Basin  
(Basin Plan)

August 1, 2014

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# Table of Contents

Introduction .....	1
The Basin Plan Amendment Procedure .....	2
Central Coast Water Board Vision - Healthy Watersheds.....	2
Basin Plan Triennial Review Process.....	3
The 2009 Triennial Review.....	3
Public Participation and Triennial Review Schedule .....	6
Issue Ranking Process and Prioritization Criteria.....	7
Format for Issue Descriptions .....	7
Triennial Review Issue Descriptions.....	9
Issue 1: Vision Framework .....	9
Issue 2: Watershed and Integrated Water Resource Protection .....	10
Issue 3: Groundwater Recharge Area Protection .....	12
Issue 4: Revision of Water Quality Objectives for Specific Waterbodies .....	13
Issue 5: Groundwater Basin Configurations Update .....	14
Issue 6: Aquatic Life Protection .....	15
Issue 7: Aquatic Habitat Protection / Riparian Buffer Zone Protections.....	17
Issue 8: Biostimulatory Substances Objective Revision.....	18
Issue 9: Bacteria Objectives for <i>E. coli</i> and <i>Enterococcus</i> .....	19
Issue 10: Designation of Beneficial Uses.....	20
Issue 11: Waste Discharge Prohibitions .....	23
Issue 12: Comprehensive Basin Plan Editorial Revisions .....	25

## Introduction

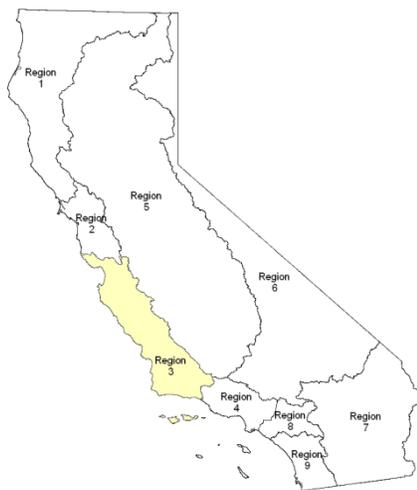
The *Water Quality Control Plan for the Central Coastal Basin* (Basin Plan) was initially adopted by the Central Coast Regional Water Quality Control Board (Central Coast Water Board) in 1975 and has periodically been revised. The Basin Plan explains how the quality of surface and groundwaters in the Central Coastal Basin are managed to provide the highest water quality reasonably possible. The Basin Plan defines and designates beneficial uses of surface waters and groundwaters (i.e., waters of the state), establishes narrative or numeric water quality objectives to protect beneficial uses, and contains provisions to protect high quality waters from degradation (i.e., antidegradation). The Basin Plan also includes a program of implementation for achieving water quality objectives and outlines corrective measures to be implemented when developing discharge limitations. Figure 1 shows the geographic boundary of the Central Coast Region.

Basin Plans fulfill statutory requirements for water quality planning in the California Water Code (Section 13240) and in the federal Clean Water Act (Section 303(c)). The Clean Water Act requires a state's water quality standards to be reviewed every three years.

Consequently, the Central Coast Water Board is now beginning the 2014 Triennial Review of the Basin Plan. The last Triennial Review of the Basin Plan was completed in September 2009. The Triennial Review will identify priority issues to be addressed through subsequent Basin Plan amendment projects. Basin Plan amendment projects serve to update the Basin Plan, increase its utility, and improve its effectiveness as a tool to protect water quality.

In this document, staff has identified a preliminary list of Basin Planning issues for consideration in the Triennial Review. The purpose of this preliminary list is to encourage input from interested parties to assist staff in prioritizing Basin Plan amendment projects that will best address the water quality needs of the Central Coast Region.

**Figure 1.** Central Coast (Region 3) Water Board Boundary



## The Basin Plan Amendment Procedure

Once the Basin Plan Triennial Review process is complete, Central Coast Water Board staff will determine the need for a Basin Plan amendment. Additionally, 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. Basin Plan amendment hearings are advertised to the public in areas affected by the amendment or throughout the Central Coast Region. Basin Plan amendments do not become effective until approved by the Central Coast Water Board, the California State Water Resources Control Board (State Water Board), and the California Office of Administrative Law. Surface water standards also require the approval of the United States Environmental Protection Agency (USEPA) to become effective.

## 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 we conduct business and achieve measurable results in water quality improvement. The Vision structures our work towards our highest water quality priorities and more strategically aligns us with current and future challenges and opportunities in water quality protection.

Consistent with the Vision, the Central Coast Water Board has 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.
- **Proper Land Management** – By 2025, 80 percent of lands within a watershed will be managed to maintain proper 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.

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

[http://www.waterboards.ca.gov/centralcoast/publications\\_forms/publications/vision/index.shtml](http://www.waterboards.ca.gov/centralcoast/publications_forms/publications/vision/index.shtml)

In addition, the Central Coast Water Board refined a list of priorities to facilitate assignment of staff and other financial resources to specific projects and tasks aligned with the Vision and Measurable Goals. These priorities include the following:

- Preventing and Correcting Threats to Human Health
- Preventing and Correcting Degradation of Aquatic Habitat
- Preventing Degradation of Hydrologic Processes
- Preventing/Reversing Seawater Intrusion
- Preventing Further Degradation of Groundwater Basins from Salts

For additional information about the Central Coast Water Board's priorities, please see the following webpage:

The Central Coast Water Board will prioritize Basin Plan amendment projects toward achieving our Vision and goals over the long term.

## Basin Plan Triennial Review Process

As mentioned above, the Clean Water Act (Section 303(c)(1)) requires states to hold public hearings for review of 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. In addition, the California Water Code (Section 13240) requires Basin Plans to be periodically reviewed and possibly may be revised. 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 includes a public workshop, a public comment period, and a public hearing. At the conclusion of the triennial review public hearing, Central Coast Water Board staff will prepare a Staff Report which will include a priority list of issues to be evaluated as Basin Plan amendments.

The priority list will identify primary issues that can be completed within existing resource allocations over a three-year period and a secondary list of issues requiring additional resources to complete. Placing an issue on the priority list will prompt Central Coast Water Board staff to investigate the need for a Basin Plan amendment; it does not necessarily mean that a Basin Plan amendment will subsequently be made.

### **The 2009 Triennial Review**

The last Triennial Review of the Central Coastal Basin Plan was conducted in 2009. This effort resulted in a list of 13 priority issues for possible Basin Plan amendments (Table 1).

**Table 1: Priority List of Issues from the 2009 Triennial Review.**

Priority	Issue	Description	Progress
1	Vision Framework	Formally incorporate the Central Coast Water Board's Vision of Healthy Watersheds into the Basin Plan.	Some. Staff drafted some Basin Plan amendment language between 2012 and the present.
2	Biostimulatory Substances Objective Revision	Revise the narrative biostimulatory substances objective, replace with numeric objective(s).	Some. State Water Board is developing a statewide nutrient plan/policy with narrative nutrient objectives. The policy will include guidance to translate the narrative objectives into nutrient numeric endpoints.

<b>Priority</b>	<b>Issue</b>	<b>Description</b>	<b>Progress</b>
3	Aquatic Life Protection	Adopt numeric water quality objectives for several Basin Plan narrative water quality objectives, including turbidity and toxicity, which protect aquatic life beneficial uses.	Some. State Water Board is developing a statewide toxicity plan/policy and a Water Quality Control Plan of Implementation for Assessing Biological Integrity in Surface Waters.
4	Watershed Protection	Develop prohibitions on activities that impact watershed processes to improve protection of beneficial uses within the Central Coast Region.	Some. Staff has conducted an assessment of the need for this prohibition. Staff is implementing the post-construction requirements for the Central Coast Region via the NPDES General Municipal Stormwater Permit, which are not a prohibition but explicitly condition new development and redevelopment projects that would otherwise negatively impact watershed processes.
5	Groundwater Recharge Area Protection	Develop prohibitions on activities that impact groundwater recharge areas for the purpose of protecting beneficial uses within the Central Coast Region.	Some. Staff has conducted an assessment of the need for this prohibition.
6	Aquatic Habitat Protection / Riparian Buffer Zone Protections	Amend the Implementation Plan chapter of the Basin Plan to ensure protection of aquatic habitat and riparian areas.	Some. State Water Board is developing a Water Quality Control Plan for wetland area protection and dredged or fill permitting and a Water Quality Control Plan of Implementation for Assessing Biological Integrity in Surface Waters.
7	Revision of Groundwater Objectives	Expand water quality objectives for specific groundwaters 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).	Some. Salt and nutrient management plans are being developed by local agencies.
8	Comprehensive Basin Plan Editorial Revisions	Revise and eliminate outdated paragraphs, tables, figures, references to outdated Policies, and appendices in the Basin Plan.	Some. Staff released a new compilation of amendments to the Basin Plan on our webpage showing all amendments up to June 2011.

Priority	Issue	Description	Progress
9	Designation of Beneficial Uses	Evaluate adequacy of existing Basin Plan beneficial use designations.	Some. Staff has compiled some historical reference documents to evaluate the rationale for existing beneficial use designations. In addition, new beneficial uses may be proposed as part of the State Water Board's Water Quality Control Plan for wetland protection and dredge and fill permitting.
10	Groundwater Basin Configurations Update	Update groundwater basin configurations in Basin Plan Table 2-3 and Figure 2-2 using the 2003 Department of Water Resources Bulletin No.118 and other sources.	Some. Staff has collected supporting documentation and drafted some changes to the map and text in the Basin Plan.
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.	Some. The State Water Board is developing a statewide control program to protect recreational users from the effects of pathogens in California waterbodies. The program may include: (1) new water quality objectives for both fresh and marine waters based on newly released USEPA criteria, and (2) use of a Reference System approach whereby bacteria densities at monitoring points (e.g., beaches) must only be below bacteria densities measured at reference monitoring sites not impacted by human activities.
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).	Some. See progress for Issue 11 above.
13	Tributary Rule	Amend Beneficial Use chapter of the Basin Plan to include a tributary rule that would clarify beneficial uses in tributary streams.	Some. In April 2014, USEPA and the Army Corps of Engineers released a proposed rule (79 FR 22188-22274) which defines the scope of waters protected under the Clean Water Act and defines the term "tributary."

As indicated in Table 1, Central Coast Water Board staff has made measured progress on several of the 2009 issues (e.g., Vision Framework, Watershed Protection, Comprehensive Basin Plan Editorial Revisions, Groundwater Basin Configurations Update) during the past three years. In addition, State Water Board staff, working with *ad hoc* Regional Water Board technical advisory committees or roundtables, has made progress on some of the 2009 priority issues (e.g., Biostimulatory Substances Objective Revision, Bacteria Objectives Revision for *E. coli* in Freshwater).

For the 2009 Triennial Review list, staff projected that we could complete the first six projects in the subsequent three years with the available level of resources in the Basin Planning Program of about two personnel years, and based on other Central Coast Water Board program priorities. Although staff completed some data collection and preliminary analyses related to the top six projects, staff did not complete as much work on the top six projects as planned.

There are several reasons for this. First, staff took advantage of emerging opportunities to work on additional projects on the list (e.g., in collaboration with the state-wide, ad-hoc committees working on plans and policy development that were priorities of the State Water Board). Additionally, some Basin Planning resources were redirected to priority projects aligned with the Vision to make up for overall resource reductions in other Central Coast Water Board programs. Examples of these projects include 1) preparation of the Administrative Record for the Agricultural Order in response to the Petition of the Agricultural Order to the State Water Board, and 2) development of the Central Coast Ambient Monitoring Program Groundwater Assessment Program (specifically collecting and analyzing data, managing grants, and pursuing additional funding for the project). Staff spent about one personnel year, or half of the Basin Planning Program resources, on these other projects. Consequently, staff completed fewer Basin Plan amendment projects than expected from the 2009 Triennial Review Priority List.

This experience will be informative for prioritizing the new list of projects, based on the current level of resources in the Basin Planning Program (still about two personnel years), and the Central Coast Water Board's continuing need for additional resources for other high priority projects.

For additional information about the 2009 Triennial Review, please see the following webpage: [http://www.waterboards.ca.gov/centralcoast/publications\\_forms/publications/basin\\_plan/triennial\\_review/index.shtml](http://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan/triennial_review/index.shtml)

## Public Participation and Triennial Review Schedule

Public participation is an important part of the Triennial Review. The process includes a public workshop, a public comment period, and a public hearing. The purpose of the workshop is to provide information to and solicit comments from interested parties regarding the Basin Plan Triennial Review. In addition, interested parties also have an opportunity to submit written comments during the 45-day comment period. Staff will assess public comments and incorporate them into a *Staff Report and Prioritized List of Basin Plan Issues* where appropriate, and present that report to the Central Coast Water Board for approval at a subsequent public hearing.

The schedule for the 2014 Basin Plan Triennial Review is as follows:

Public comment period begins	July 30, 2014
Public workshop	August 25, 2014
Public comment period ends	September 15, 2014
Public Hearing & Board meeting	November 13, 2014

The Central Coast Water Board maintains an email subscription list for anyone interested in receiving periodic announcements about the Triennial Review of the Basin Plan. To sign up for these announcements, go to the following webpage and select “Basin Planning Triennial Review”:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg3\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg3_subscribe.shtml)

After the Central Coast Water Board adopts a Prioritized List of Basin Plan Issues, staff will address the highest priority issues as Basin Plan amendment projects. As such, staff will develop a project workplan for a few of the top priority Basin Plan amendment projects, and then determine which and how much of each project can be completed in the next three years, given resource constraints discussed previously, and in coordination with other high priority Central Coast Water Board activities and programs.

## Issue Ranking Process and Prioritization Criteria

Resolution of Basin Plan Triennial Review issues may require the help of stakeholders, scientific research organizations, other agencies (such as municipal discharge authorities), and USEPA. To give detailed attention to each issue concurrently, however, will likely far outstrip available personnel resources.

Central Coast Water Board staff will, therefore, use a ranking process to prioritize all potential Basin Plan amendment issues according to specific criteria. Each potential Basin Plan issue will be assigned a score between 1 (low priority) and 5 (high priority) for each of the criteria listed below. Assignment of these scores will be based on staff experience and input received during the public workshop and comment letters. The proposed ranking criteria are as follows:

- **Vision Alignment** - Does the issue align with the Central Coast Water Board's Vision, Measurable Goals, and priorities (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 1) regulatory and program efficiency, or 2) legal authority to regulate activities that negatively impact water quality and watershed processes?
- **Public Interest** - Does the issue have a high perceived public interest?

Staff will prioritize the potential issues by summing each criteria score into a final score ranging from zero (low priority) to 20 (highest priority). Staff may also consider other factors such as, geographic scope, resources already invested, and availability of additional resources. Staff will rank the potential issues from highest to lowest in relative importance for inclusion in the Triennial Review Priority List.

## Format for Issue Descriptions

Based on previous stakeholder comments, coordination with the statewide Basin Plan roundtable and a review of regulatory program needs, staff has prepared the following list of

initial issue summaries for consideration in the upcoming Triennial Review. Staff has included newly identified Basin Plan issues, as well as issues identified during the 2009 Triennial Review. The purpose of this list is to encourage input from interested parties to assist Central Coast Water Board staff in prioritizing potential Basin Plan amendment projects that will best address the water quality planning needs of the Central Coast Region. The public is encouraged to comment on these issues or on any basin planning issue not previously identified.

Each issue description contains the following sections:

***Issue:***

A general topic name for the issue.

***Discussion:***

A brief description of the issue, including a summary of previous public comments and 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);
- implementation amendment (new or revised);
- new or revised policy;
- water quality surveillance and monitoring amendment; and
- editorial corrections or minor clarifications to the Basin Plan.

***Staff Recommendation:***

A preliminary recommendation from Central Coast Water Board staff for action to be performed for the issue. Possible recommendations are as follows:

- Prioritize this issue during the 2014 Triennial Review;
- Remove this issue from 2014 Triennial Review;
- Remove this issue from 2014 Triennial Review – State Board actively working on this issue.

## Triennial Review Issue Descriptions

### Issue 1: Vision Framework

***Discussion:***

The Basin Plan should be amended 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. Some terms in the vision language may need to be defined, including "proper watershed function," "healthy," and "clean."

This amendment will provide information and transparency to the public as the Basin Plan will include the overarching framework within which the Central Coast Water Board determines how to use the authorities in the Basin Plan so that water quality objectives are met and beneficial uses are supported. This language will also describe how the Central Coast Water Board measures and tracks its effectiveness and achievement of goals, as well as indicate how and where the public can find this information. It will also explain the context in which the Central Coast Water Board prioritizes and selects new projects to work on and decides how to distribute resources to the various priority projects.

Since this was a priority on the 2009 list, staff has drafted language for this amendment. Since it is an editorial correction amendment, staff coordinated development of the language with other editorial corrections. Taken as a group, staff anticipates being able to complete a draft of all these editorial corrections by December 2014 and present to the Board in 2015. If this item is prioritized ahead of the other editorial corrections, staff can complete the draft and present it to the Board sooner. See the Comprehensive Basin Plan Editorial Revisions Issue.

***Type of Action:***

Implementation/Policy  
Water Quality Surveillance and Monitoring

***Staff Recommendation:***

Prioritize this issue during the 2014 Triennial Review.

## **Issue 2: Watershed and Integrated Water Resource Protection**

### ***Discussion:***

The Central Coast Region's watersheds and water resources have been adversely impacted by various land use and land development practices. The current Basin Plan does not comprehensively address all factors and activities that affect the quality of waters of the State, even though Section 13050(i) of the Porter-Cologne Water Quality Control Act specifies that "water quality control" means the regulation of *any activity or factor* which may affect the quality of the waters of the state (*emphasis added*). Furthermore, the Basin Plan does not provide authority and implementation to address all factors and activities in an integrated fashion and with incentives for multi-benefit activities.

The authority and implementation programs currently provided in the Basin Plan focus primarily on controlling pollutant discharges and support some beneficial uses (e.g., establishing effluent limits in waste discharge requirements that insure receiving waters for the discharge meet municipal and domestic drinking water supply water quality objectives). However, these existing authorities and implementation programs do not focus on other factors and activities even though Section 13000 of the Porter-Cologne Water Quality Control Act specifies that "activities and factors which may affect the quality of the waters of the state shall be regulated to attain the highest water quality which is reasonable..." Many of these other factors and activities have adverse effects on water quality and other beneficial uses that do not have established water quality objectives to indicate an identifiable limit or condition of protection (e.g. wildlife (terrestrial) habitat, freshwater replenishment, groundwater recharge). Activities that affect the quality of waters (e.g., wastewater collection, treatment and reuse; urban runoff pollution control and recapture; stream and wetland restoration; flood management; surface water resource development; and groundwater recharge and use) are generally addressed separately in the Basin Plan and some are minimally addressed. The current authority and implementation programs are inadequate to address activities such as land conversions that reduce infiltration capacity, redirect runoff to receiving water bodies already impaired by pollutants or containing sensitive aquatic species or habitat, and redirect runoff from areas where the water naturally infiltrated to groundwater to areas where the water discharges to a stream or the ocean.

Modifications to Basin Plan prohibitions, objectives, implementation conditions, policies, guidelines, and incentives can address all these factors and activities and can create integrated management and promotion of multi-benefit activities. This would lead to improvements in the Central Coast Water Board's protection and restoration of water quality, water supply and watersheds.

For example, municipal, industrial, and agricultural waste discharge permits include conditions that ensure facilities and projects meet water quality objectives, but such permits do not provide conditions that ensure facilities and projects preserve or restore other factors which may affect the quality of waters, such as biological habitat, stream stability, or groundwater infiltration capacity. These factors must be addressed to protect many of the beneficial uses and specifically to respond to pressure on water supply. This need is increasingly prevalent and likely to expand due to climate change, current drought conditions, and degradation of and competition for reliable water supply for drinking, as well as to support fish and other ecological regimes.

Modifications to the Basin Plan will facilitate improved water management by local water-related agencies, such as those managing urban runoff and flood management in California. These

agencies are faced with necessary infrastructure development and redevelopment to address public health and safety issues, climate change adaptation, and meet clean water goals. Water drainage management to date has created unintended consequences of exacerbating flooding, removing community and ecosystem water resources, and preventing recharge of groundwater basins needed for public water supply; these issues are beginning to be addressed through integrated water management in places such as Santa Ana Watershed Project Authority, Santa Clara Valley Water District, Greater Los Angeles County, Sonoma County Water Agency and others.

Therefore, lack of state authority and lack of requirements and incentives for local agencies have led to disjointed water resource management with unintended consequences such as increased flooding, community loss of water resources, and reduced groundwater recharge. Continuing with status quo is inefficient and will likely lead to increased adverse consequences and emergency expenditures. Moreover, increasing population, aging infrastructure, and increasingly limited water supply will exacerbate the situation. Integrating management of these activities results in multi-benefit projects and is critical to the long-range water resource planning necessary for meeting future water quality and supply needs. For example, integrated multi-benefit wetland restoration projects can improve aquatic habitat, reduce flooding, and enhance groundwater recharge all at the same time.

To ensure the beneficial uses of waters are fully protected and restored, staff proposes to amend the Basin Plan to develop the authority to adequately address all relevant factors and activities that affect waters. Amendments will likely focus on achieving preservation and restoration of watershed processes through implementation of integrated water resource management planning. This will maximize the efficient use of water through capture, recycling, and infiltration, while increasing beneficial use protection and reducing pollution discharges. Staff will investigate the most critical types and locations of resource issues to address and the most appropriate types of Basin Plan amendments to address them. Basin Plan amendments will be tailored to best address the types and locations of resource issues identified as highest priority. These amendments and follow-up actions may include prohibitions, beneficial use definitions water quality objectives, implementation, policies, permit terms, guidelines, and incentives.

***Type of Action:***

Beneficial Uses  
Water Quality Objectives  
Implementation/Policy

***Staff Recommendation:***

Prioritize this issue during the 2014 Triennial Review.

### **Issue 3: Groundwater Recharge Area Protection**

***Discussion:***

Consistent with the Vision of Healthy Watersheds, the Basin Plan should be amended to prohibit land management activities that impact groundwater recharge within the Central Coast Region. Protecting groundwater recharge invariably also protects groundwater from pollution, enhances water supply, and maintains a critical watershed process that supports beneficial uses. Protecting groundwater from pollution is one of the most effective methods for preventing overall water quality degradation, and is especially important where groundwater is the sole or primary source of drinking water.

A more definitive link is needed between the groundwater recharge beneficial use (GWR) and the protection of recharge areas to protect both water supply and water quality. The Basin Plan should identify where groundwater recharge is critical to maintaining beneficial uses (both groundwater and surface water).

Thus, it is critical that we preserve groundwater quality at the source, by identifying and protecting groundwater recharge areas.

The protections described by this issue are now more fully developed in the Watershed and Integrated Water Resource Protection Issue (above).

***Type of Action:***

Implementation/Policy

***Staff Recommendation:***

Remove this issue from 2014 Triennial Review.

#### **Issue 4: Revision of Water Quality Objectives for Specific Waterbodies**

***Discussion:***

There are presently deficiencies in our numeric water quality objectives for salts (namely, for chloride, sulfate, boron, sodium, nitrate, and total dissolved solids). These objectives apply to specific receiving waters for both surface water (Table 3-7, Section II.A.4, Chapter 3) and groundwater (Table 3-8, Section II.A.5, Chapter 3); however, these objectives are not linked to any specific beneficial uses, such as municipal and domestic supply (MUN).

These water quality objectives do not necessarily represent the baseline condition of these particular waters, which makes it difficult to prevent further degradation as required by the Anti-degradation Policy (i.e., maintain the highest water quality that existed since 1968). Ideally, the Basin Plan objectives for specific receiving waters should be based on site-specific, historic data, which does not exist in most cases in the Central Coast Region. Where historic data is lacking, to be protective of water quality, these objectives could be based on data that represents the most recent, statistically-viable baseline.

These deficiencies create obstacles for staff when:

- 1) controlling discharges by establishing meaningful effluent and/or receiving water limits,
- 2) evaluating compliance with the Antidegradation Policy, and
- 3) evaluating water quality trends over time with respect to scientifically-defensible water quality benchmarks.

In addition, Table 3-8 should be expanded to cover all groundwater basins in the Central Coast Region and to also include minimum and maximum objective values.

***Type of Action:***

Water Quality Objective Amendment  
Policy

***Staff Recommendation:***

Prioritize this issue during the 2014 Triennial Review.

## **Issue 5: Groundwater Basin Configurations Update**

### ***Discussion:***

The Basin Plan should be amended to update groundwater basin configurations in Table 2-3 and Figure 2-2 using new groundwater reference materials including, but not limited to:

- The 2003 Department of Water Resources Bulletin No.118,
- The San Luis Obispo County Paso Robles groundwater basin study, and
- The U.S. Geological Survey Open File Report 00-444 on the Llagas groundwater subbasin in the Gilroy-Hollister groundwater basin.

These may not be the only areas where local water agencies or districts have defined groundwater management areas that differ from DWR Bulletin 118. The emerging programmatic strategies outlined in various recent documents such as the California Water Action Plan and the State Water Board's Strategic Work Plan for groundwater (concept paper) may also influence what the basin "configurations" look like.

A Basin Plan amendment is planned for 2015 to address this issue if it remains a priority in the 2014 Triennial Review. Staff has made progress on this work since the last Triennial Review, and it is included in the Comprehensive Basin Plan Editorial Revisions Issue.

### ***Type of Action:***

Beneficial Use Designations Revision

### ***Staff Recommendation:***

Remove issue from 2014 Triennial Review.

## Issue 6: Aquatic Life Protection

### ***Discussion:***

The Basin Plan should be amended to adopt numeric water quality objectives for several Basin Plan narrative water quality objectives to protect aquatic life beneficial uses.

Basin Plan water quality objectives for turbidity are expressed in Jackson turbidity units (JTU). Jackson turbidity units, however, are no longer commonly used to measure turbidity because Jackson turbidimeters cannot measure turbidity lower than 25 JTU, are cumbersome, and depend on human judgment to determine the extinction point. Nephelometric is now the accepted method to measure turbidity. The Basin Plan should be amended to express the turbidity objective in nephelometric turbidity units (NTU) rather than the existing JTUs.

Additionally, the Basin Plan should be amended to add numeric turbidity objectives to protect COLD and WARM beneficial uses. Turbidity criteria to protect from excessive sedimentation (e.g., 100 NTU) and to ensure that aquatic life can search for food (25 to 40 NTU) are also needed. Numeric turbidity objectives are also needed to protect threatened and endangered anadromous fish in waterbodies designated for spawning (SPWN) and migrating (MIGR). Since turbidity levels naturally fluctuate, such as during storm events, turbidity water quality objectives may be best expressed in ranges, seasonally, and/or with allowable occasions of exceedance, to mimic natural storm conditions.

The Basin Plan needs aquatic life objectives to establish spawning gravel and pool depth sediment criteria; temperature, oxygen, and turbidity duration curves; and flow passage requirements for upstream and downstream migration. The new Federal Recovery Plans provide a wealth of information on these parameters, including some water quality requirements and identification of critical habitat areas.

The Basin Plan needs dissolved oxygen objectives to account for ambient conditions, including daily and seasonal fluctuations. The Basin Plan needs dissolved oxygen objectives for COLD and WARM beneficial uses in percent saturation in addition to the existing objectives expressed in mg/L.

The Basin Plan temperature objectives should be amended to account for ambient conditions, including daily and seasonal fluctuations, including temperature objectives for the protection of COLD and WARM beneficial uses.

The Basin Plan should link water quality objectives for specific waterbodies in Table 3-7 to specific beneficial uses. In addition, the following sentence should be clarified: "Specific water quality objectives for a particular area may not be directly related to the objectives indicated" (Chapter 3, page III-12, Section II.A.3, second paragraph).

The Basin Plan needs a numeric nitrate objective to protect aquatic life (e.g., 10 mg/L as NO<sub>3</sub>). This objective may be distinctly different from a nitrate objective to prevent biostimulation.

The Basin Plan needs a narrative objective to protect aquatic life from additive toxicity, similar to the narrative objective in the Central Valley Basin Plan.

The Basin Plan needs region-wide and site-specific numeric water quality objectives for pesticides, pH, phosphorous, nickel, chromium, and specific salts. Some watersheds in the

Central Coast Region contain naturally high levels of pH, phosphorous, nickel, chromium, sodium, and chloride.

This aquatic life protection amendment would benefit from coordination with the State Water Board's current development of a statewide toxicity plan/policy, nutrient policy, and Water Quality Control Plan for assessing biological integrity.

***Type of Action:***

Water quality objective (new or revised)

***Staff Recommendation:***

Prioritize this issue during the 2014 Triennial Review.

## **Issue 7: Aquatic Habitat Protection / Riparian Buffer Zone Protections**

### ***Discussion:***

Building upon the efforts of statewide and regional riparian and wetland policies and consistent with the Vision of Healthy Watersheds, amendments are needed for present and potential beneficial uses, water quality objectives, and Implementation Plan chapters of the Basin Plan to ensure protection of aquatic habitat and riparian areas.

For example, Chapter 2 could be amended to add several new beneficial use definitions:

Flood Attenuation/Flood Storage (FLD) – beneficial uses of riparian wetlands in flood plain areas and other wetlands that receive natural surface drainage and buffers its passage to receiving waters. Source: Lahontan Basin Plan.

Water Quality Enhancement (WQE) – Uses of waters, including wetlands and other waterbodies, that support natural enhancement or improvement of water quality in or downstream of a waterbody including, but not limited to, erosion control, filtration and purification of naturally occurring water pollutants, streambank stabilization, maintenance of channel integrity, and siltation control.” Source: North Coast Basin Plan.

Wetland Habitat (WET) – Uses of water that support natural and man-made wetland ecosystems, including, but not limited to, preservation or enhancement of unique wetland functions, vegetation, fish, shellfish, invertebrates, insects, and wildlife habitat. Source: North Coast Basin Plan.

(The Wetland Habitat (WET) beneficial use definition may be more fully developed in the State Water Board’s statewide policy for wetland area protection. If so, staff will defer to the statewide policy.)

The Basin Plan needs a description of riparian and wetland functions. This could include the concepts of avoiding, minimizing, or mitigating impacts to waters. Minimum wetland/riparian mitigation ratios currently being developed in the Lahontan Regional Board Basin Plan could serve as an example for the Central Coast Region.

The State Water Board is currently developing a statewide Water Quality Control Plan for wetland area protection and dredged or fill permitting.

The protections described by this issue are now more fully developed in the Watershed and Integrated Water Resource Protection Issue (above).

### ***Type of Action:***

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

### ***Staff Recommendation:***

Remove this issue from 2014 Triennial Review.

## **Issue 8: Biostimulatory Substances Objective Revision**

### ***Discussion:***

The Basin Plan should be amended to revise the narrative biostimulatory substances objective, and possibly replace it with numeric objective(s). Numeric water quality objectives for biostimulatory objectives will provide definitive benchmarks for clean-up of waterbodies impacted by biostimulatory substances. The numeric objectives developed should be linked to protection of specific beneficial uses.

The State Water Board is currently developing a statewide nutrient policy with narrative nutrient objectives. This policy will include guidance to translate the narrative objectives into nutrient numeric endpoints.

### ***Type of Action:***

Water Quality Objective Amendment

### ***Staff Recommendation:***

Remove this issue from 2014 Triennial Review – State Board actively working on this issue.

## **Issue 9: Bacteria Objectives for *E. coli* and *Enterococcus***

### ***Discussion:***

The Basin Plan should be amended to revise existing bacteria objectives to incorporate an *E. coli* objective for water contact recreation in fresh water surface waters. Such an amendment would include acceptable analytical methods.

The Basin Plan should be revised 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.

The State Water Board is currently developing a statewide control program to protect recreational users from the effects of pathogens in California waterbodies. The program may include the following:

- new water quality objectives for both fresh and marine waters based on newly released USEPA criteria
- use of a Reference System approach whereby bacteria densities at monitoring points (e.g., beaches) must only be below bacteria densities measured at reference monitoring sites not impacted by human activities.

### ***Type of Action:***

Water Quality Objective Amendment

### ***Staff Recommendation:***

Remove this issue from 2014 Triennial Review – State Board actively working on this issue.

## **Issue 10: Designation of Beneficial Uses**

### ***Discussion:***

Amendments of the Basin Plan are needed to improve the adequacy of present and potential beneficial uses for surface and groundwaters in Chapter 2. Amendments are needed 1) to add or change assignments of beneficial uses to specific waterbodies, 2) to clarify which beneficial uses are designated for all waterbodies in the Central Coast Region, 3) to establish a tributary rule, and 4) to clarify the designation of groundwater beneficial uses.

### **Beneficial Uses for Specific Water Bodies**

Several commenters during the 2009 Triennial Review identified the need to reassess specific beneficial use designations (see the above section titled “The 2009 Triennial Review”):

#### **South Coast Hydrologic Unit**

- Remove beneficial uses to Santa Maria River: MUN, REC1, REC2
- Remove beneficial uses to Sycamore Creek: AGR
- Remove beneficial uses to Glen Annie Canyon: AGR
- Remove beneficial uses to Atascadero Creek (SB Co.): AGR
- Remove beneficial uses to Maria Ygnacio Creek: AGR
- Remove beneficial uses to San Jose Creek (SB Co.): AGR
- Remove beneficial uses to San Pedro Creek: AGR
- Remove beneficial uses to Franklin Creek: AGR
- Remove beneficial uses to Carpenteria Creek: AGR

In addition, staff has identified the need to reassess beneficial use designations based on field monitoring and analysis of water quality monitoring data of specific waterbodies:

#### **Bolsa Nueva Hydrologic Unit**

- Add beneficial uses to Carneros Creek: AGR & WARM

#### **Salinas Hydrologic Unit**

- Add “Old Salinas River” to Table 2-1
- Add beneficial uses to Old Salinas River: AGR, GWR, REC1, REC1, WILD, COLD, WARM, BIGR, SPWN, BIOL, RARE, COMM, SHELL
- Add beneficial uses to Tembladero Slough: AGR & GWR
- Add beneficial uses to Espinosa Lake: AGR & GWR
- Add beneficial uses to Espinosa Slough: AGR & GWR
- Add beneficial uses to Salinas Reclamation Canal: AGR & GWR
- Add beneficial uses to Blanco Drain: AGR & GWR

#### **Santa Maria Hydrologic Unit**

- Add beneficial use to Orcutt Creek: WARM

### **Clarification of Beneficial Use Designation for All Water Bodies**

Basin Plan language in Chapter 2, Section 1 - Present and Potential Beneficial Uses has created some limitations on Central Coast Water Board staff’s ability to interpret water quality conditions and apply protective water quality targets. Additionally, the language has led to differing interpretations, internally and with external stakeholders, regarding which beneficial

uses and water quality objectives apply to which surface waterbodies. Consequently, the Central Coast Water Board should consider clarifying this language.

For example, the following sentence in Chapter 2,

Surface water bodies within the Region that do not have beneficial uses designated for them not listed in Table 2-1 are assigned the following designations:

- Municipal and Domestic Water Supply
- Protection of both recreation and aquatic life.

could be amended as follows to better indicate which of several possible beneficial are specifically meant by the text:

Surface waterbodies within the Region that are not listed in Table 2-1 are designated the following beneficial uses:

- Municipal and Domestic Water Supply (MUN),
- Protection of recreation (REC-1 and REC-2),
- Protection of aquatic life (COLD or WARM).

This was the subject of a comment during the 2009 Triennial Review by the City of Santa Maria. The City suggested that the following flood control channels not specifically identified in Table 2-1 should not automatically be assigned 1) Municipal and Domestic Water Supply and 2) Protection of both recreation and aquatic life beneficial uses: Blosser, Bradley and West Main Street Channels.

### Tributary Rule

Additionally, the Central Coast Water Board can better protect water quality by expanding the designation of beneficial uses from waterbodies with explicitly designated beneficial uses to the tributaries that drain into these waterbodies. This could be done by amending Chapter 2 of the Basin Plan to add a rule that states that beneficial uses designated for any waterbody also apply to that waterbody's upstream tributary.

An example of a tributary rule was that could serve as a basis for a Basin Plan amendment was proposed by the USEPA and the Army Corps of Engineers in April 2014 in the *Federal Register*. The proposed rule (79 FR 22188-22274) defines the scope of waters protected under the Clean Water Act and defines the term "tributary" as follows:

33 CFR 328.3 Definitions. (proposed)

(5) Tributary. The term tributary means a water physically characterized by the presence of a bed and banks and ordinary high water mark, as defined at 33 CFR 328.3(e), which contributes flow, either directly or through another water, to a water identified in paragraphs (a)(1) through (4) of this section. In addition, wetlands, lakes, and ponds are tributaries (even if they lack a bed and banks or ordinary high water mark) if they contribute flow, either directly or through another water to a water identified in paragraphs (a)(1) through (3) of this section. A water that otherwise qualifies as a tributary under this definition does not lose its status as a tributary if, for any length, there are one or more man-made breaks (such as bridges, culverts, pipes, or dams), or one or more natural breaks (such as

wetlands at the head of or along the run of a stream, debris piles, boulder fields, or a stream that flows underground) so long as a bed and banks and an ordinary high water mark can be identified upstream of the break. A tributary, including wetlands, can be a natural, man-altered, or man-made water and includes waters such as rivers, streams, lakes, ponds, impoundments, canals, and ditches not excluded in paragraph (b)(3) or (4) of this section.

The proposed rule is located at:

<https://www.federalregister.gov/articles/2014/04/21/2014-07142/definition-of-waters-of-the-united-states-under-the-clean-water-act>

### Groundwater Beneficial Uses

The Basin Plan currently states "Ground water throughout the Central Coastal Basin, except for that found in the Soda Lake Sub-basin, is suitable for agricultural water supply, municipal and domestic water supply, and industrial use." This language was originally adopted in the 1975 edition of the Basin Plan. In 1988, the State Water Board adopted the "Sources of Drinking Water" policy, State Board Resolution No. 88-63, which specified that all surface and groundwaters of the State are suitable or potentially suitable for the beneficial use of municipal and domestic water supply (MUN). Resolution No. 88-63 allows the Regional Board some discretion in making MUN determinations. Specifically, exceptions to the Sources of Drinking Water Policy are allowed in groundwater for high total dissolved solids (1a), untreatable contamination (1b), or insufficient gallons per day yield (1c).

It is clear that the 1975 Basin Plan language designates all groundwaters for MUN in the Central Coast Region (except for the Soda Lake Sub-basin, i.e., the Carrizo Plain groundwater basin). The Basin Plan should be clarified to emphasize that the exceptions listed in Resolution 88-63 are only applicable through the Basin Plan amendment process. Thus, exceptions (1a), (1b), and (1c) in Resolution 88-63 may not be used to remove the MUN beneficial use, and the associated effluent limitations, in specific waste discharge requirements.

Chapter 2 should be amended to designate all surface waters that percolate to groundwater in Table 2-1 for groundwater recharge (GWR). Notable exceptions would be waterbodies that are impermeable for their entire reach, such as concrete-lined conveyances. At the very least, all waterbodies that overlay groundwater basins in Figure 2-2 should include the GWR beneficial use. Chapter 2 should include lists and maps of clearly-defined GWR areas.

The Basin Plan groundwater recharge beneficial use definition should be revised to include maintenance of instream flows, riparian habitat, and wetland habitat.

#### ***Type of Action:***

Beneficial Use Designation Revision  
Policy

#### ***Staff Recommendation:***

Prioritize this issue during the 2014 Triennial Review.

## Issue 11: Waste Discharge Prohibitions

### **Discussion:**

The California Water Code provides authority to the Regional Water Boards to specify certain conditions or areas where the discharge of waste, or certain types of waste, is not permitted (Section 13243). Additionally, the California Water Code provides authority to the Regional Water Boards to take enforcement actions in response to violations of Basin Plan prohibitions (Section 13350). Currently, staff cannot take effective enforcement for some cases due to absence of adequate prohibitions.

The main example of a case for which the absence of a prohibition limits enforcement authority for the Central Coast Water Board is the following: if a person is found discharging waste without a permit, the Central Coast Water Board can only take enforcement after written notification and with the first day of the violation when the notice is provided (pursuant to the California Water Code, Section 13260). If the Basin Plan contained a prohibition against discharging without a permit, the Central Coast Water Board could take enforcement action that accounts for the time period the person was discharging without a permit.

The Basin Plan could be amended to add additional prohibitions to enhance the Central Coast Water Boards' authority to use enforcement for more cases that would result in better protection and/or mitigations for illegal discharges. Central Coast Water Board staff could consider the prohibitions currently found in the San Diego Region Basin Plan. For example, prohibitions in the San Diego Region Basin Plan that prohibit discharges of waste without a permit are as follows:

- The discharge of waste to land, except as authorized by WDRs or the terms described in Water Code section 13264 is prohibited.
- The discharge of pollutants or dredged or fill material to waters of the United States except as authorized by an NPDES permit or a dredged or fill material permit (subject to the exemption described in Water Code section 13376) is prohibited.

The prohibitions in the San Deigo Region Basin Plan are in Chapter 4, Page 16, and can be found on the webpage for the San Diego Regional Water Quality Control Board at this link: [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/docs/update082812/Chpt\\_4\\_2012.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/docs/update082812/Chpt_4_2012.pdf)

In addition, an amendment to the Basin Plan is needed in the Land Disturbance Prohibition in Chapter 4 (Section VII.E.1):

The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices...and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

'Stream' in the previous sentence should be changed to '*waters of the state.*'

This would expand Central Coast Water Board authority to apply this prohibition to many waterbodies not currently afforded such. This change would allow the Central Coast Water Board to prohibit these discharges to wetlands, lakes, estuaries and the ocean – not just to streams.

***Type of Action:***

Implementation amendment (new or revised);

***Staff Recommendation:***

Prioritize this issue during the 2014 Triennial Review.

## Issue 12: Comprehensive Basin Plan Editorial Revisions

### ***Discussion:***

The Basin Plan should be amended to revise and eliminate outdated paragraphs, tables, figures, references to outdated Policies, and appendices in the Basin Plan. This includes updates of references (e.g., Title 22, CTR, etc.). Editorial amendments (including revising structure, grammar, punctuation, or citation of changed statutes) to the Basin Plan are considered “nonregulatory” and would not be subject to the California Environmental Quality Act (CEQA) regulations for the State Water Board’s Certified Regulatory Programs (CA Code of Regulations, title 23, sections 3775-3781).

The last comprehensive compilation of the Basin Plan is the June 2011 edition. Basin Plan amendments made after June 2011 are posted on the Central Coast Water Board’s Basin Planning webpage at:

[http://www.waterboards.ca.gov/centralcoast/publications\\_forms/publications/basin\\_plan/](http://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan/)

Based on the Priority List of Issues from the 2009 Triennial Review, the following editorial amendments to the Basin Plan are currently underway:

- Add Vision of Healthy Watersheds and Measurable Goals Language (See Issue: Vision Framework)
- Delete 1988 Triennial Review Language, including Table 1-1
- Revise Groundwater Basins Map (Figure 2-2) and Table 2-2 (See Issue: Groundwater Basin Configurations)
- Correct beneficial use of Salinas River downstream of Spreckles by adding REC-1, which was inadvertently omitted from Table 2-1 in the 1994 Basin Plan
- Correct beneficial use of Soda Lake by adding SAL, which was inadvertently omitted from Table 2-1 in the 1994 Basin Plan
- Correct mercury objective footnote in Tables 3-5 and 3-6
- Add list of TMDLs approved through non-BP amendment processes
- Remove reference to road spreading policy
- Remove language related to the onsite wastewater system implementation program that was not removed under R3-2013-0005
- Revise Description of the State Water Board Groundwater Ambient Monitoring and Assessment Program (GAMA)
- Change “basin” to “region” unless referring to a specific groundwater basin
- Change references to “Chapter 15” to “Title 27” for solid waste disposal
- Correct California Code of Regulations, Title 22 section numbers for drinking water standards cited in Chapter 3. Alternatively, incorporate drinking water standards, prospectively by reference into the Basin Plan
- Replace references to *CA Dept. Fish and Game* to *CA Dept. Fish and Wildlife*
- Add citations in BP for appendices
- Correct typographical errors
- Correct compound word inconsistencies

In addition to the above edits, the Basin Plan needs further amendments to improve the readability and utility of the document. Staff is interested to receive comments on style and formatting issues such as the number of columns per page or the use of Roman numerals for section headings. Other editorial amendments to the Basin Plan might include:

- Add an Index to guide the reader in locating information
- Add a Glossary having definitions of commonly used regulatory words
- Move discharge requirements from the definition of the Areas of Special Biological Significance (ASBS) beneficial use and put in Chapter 4.
- Add clarification sentence in Chapter 3 – “A distinction is made here between the terms ‘water quality objectives’ and ‘water quality standards’. A possible clarifying sentence could be: “Water quality standards (WQS) consist of beneficial uses (BU) plus narrative or numeric water quality objectives (WQO), WQS = BU + WQO.”
- Clarify that the objectives for Nitrate and Nitrite objectives in Table 3-4 are *measured as nitrogen*.
- Spell out chemical names in the header of Table 3-7.
- Delete the no longer used three tiered approach for addressing nonpoint source control in Chapter 4, Section V.B, Nonpoint Source Program.
- Delete the outdated Tables 3-1 and 3-2, which reproduce Title 22 drinking water standards.
- Delete historical and outdated descriptions of municipal wastewater dischargers in Chapter 4, VI.B, Municipal Wastewater Management.
- Delete historical and outdated description of the Bay Protection and Toxic Cleanup Program, Chapter 4, VI.F.
- Update Chapter 4 sections on solid waste (IV.K) to reflect correct sections in the California Code of Regulations. For example, “Title 23, Chapter 15” should be amended to “Title 27, Division 2. Subdivision 1 - (Consolidated Regulations for Treatment, Storage, Processing or Disposal of Solid Waste)”; “Title 23, Chapter 15, Article 6” should be amended to “Title 27, Division 2, Subdivision 1, Chapter 7, Subchapter 2 – (Confined Animals)”; “Title 23, Chapter 15, Article 7” should be amended to “Title 27, Division 2, Subdivision 1, Chapter 7, Subchapter 1 – Mining Waste Management”).
- Update Chapter 4 sections on nonpoint source measures (VIII) that contain tasks that have already been implemented or are severely out-of-date.
- Grazing nonpoint source management in Chapter 4, VIII.C.6.a should be updated, for example, it should reference the July 1995 California Rangeland Water Quality Management Plan.
- Update all references in Chapter 5 to current State Plans and Policies.
- Move last five paragraphs of Chapter 5, Section IV.C.1 so these requirements apply to all ocean dischargers not just ASBS. These five paragraphs should be moved to Chapter 5, Section IV.C, Waters Subject to Tidal Action.
- Delete Chapter 5, Section VI.G regarding San Lorenzo Valley loan certification.
- Delete Chapter 5, Section VI.H regarding highway grooving residues and VI.K because these waivers are now covered by Resolution R3-2008-0010 (General Waiver of Waste Discharge Requirements for Specific Types of Discharges in the Central Coast Region).
- Update outdated descriptions of the Central Coast Region and water quality problems in Chapter 1.

**Type of Action:**

Editorial

**Staff Recommendation:**

Prioritize this issue during the 2014 Triennial Review.

