



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

NOV 17 2010

Tom Howard
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Mr. Howard:

Thank you for submitting the Basin Plan Amendment containing the Total Maximum Daily Loads (TMDLs) for fecal coliform impairments in the Soquel Lagoon watershed, including Soquel Lagoon, Soquel Creek, and Noble Gulch. Based on EPA's review of the TMDL submittal under Clean Water Act (CWA) Section 303(d), I have concluded the TMDLs adequately address the pollutant of concern and, upon implementation, will result in attainment of the applicable water quality standards for the Soquel Lagoon watershed. The required elements are adequately addressed; therefore, the TMDLs are hereby approved for the REC-1 beneficial use (human contact recreation) pursuant to CWA Section 303(d)(2).

The State Water Resources Control Board's Request for Approval is dated September 2, 2010. The State Office of Administrative Law approval memo is dated September 15, 2010, and EPA received it on September 27, 2010. The TMDLs include wasteload and load allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State has provided adequate opportunities for public review and comment on the TMDLs, and demonstrated how public comments were considered in the final TMDLs.

The TMDL submittal also contains a detailed plan for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with this TMDL. However, EPA concurs with the State's proposed implementation approaches.

The submittal includes information on the State's intention to remove the shellfish harvesting (SHELL) beneficial use, as well as waste discharge prohibitions for human fecal material and animal waste. EPA is not taking action on these items. We encourage the State to continue to expedite its statewide review of the shellfish harvesting beneficial use, and to determine the appropriate applicability of this use along the California coastline.

If you have any questions concerning this approval, please call me at (415) 972-3572 or Janet Parrish at (415) 972-3456.

Sincerely yours,

Laura Bore

for Alexis Strauss
Director, Water Division

Enclosure

cc: Roger Briggs, Executive Officer, CCRWQCB