



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

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DEC 14 2000

Mr. Edward C. Anton
Acting Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Mr. Anton:

Thank you for submitting the Basin Plan Amendment containing a total maximum daily load (TMDL) for trash and associated implementation plan for East Fork San Gabriel River. The TMDL and implementation plan submittal, which contained copies of the State Board and Regional Board administrative records, was dated November 7, 2000. Based on EPA's review of the submittal, I have concluded that the TMDLs adequately address the pollutant of concern and, upon implementation, will result in attainment of water quality standards. This TMDL includes allocations as needed, takes into consideration seasonal variations and critical conditions, and provides an adequate margin of safety. The State has provided adequate opportunities for public review and comment on the TMDL and demonstrated how public comments were considered in the final TMDL. All required elements are adequately addressed; therefore, the TMDL is hereby approved pursuant to Clean Water Act Section 303(d)(2).

I also hereby determine that the implementation measures for the TMDL which are contained in the Basin Plan amendment are consistent with the provisions of Clean Water Act Section 303(e) and 40 CFR 130.6(c) and (e). Consistent with EPA's national policy concerning TMDL implementation (Robert Perciasepe memorandum, August 8, 1997), the implementation plans described in the submittals provide reasonable assurance that the TMDLs will be implemented and will result in attainment of water quality standards within a reasonable period of time.

Although I appreciate the State's efforts to assist EPA in meeting TMDL consent decree obligations, I'd like to note my concern about the pace of State adoption of TMDLs required under the existing decrees in Regions 1, 4, and 8. The East Fork San Gabriel River TMDL was due for submission for EPA approval by March 22, 2000 under the terms of the consent decree established to settle the *Heal the Bay, et al v. Browner* litigation. For TMDLs covered by this decree, we are fortunate that the decree provides extra time for EPA to establish or approve the required TMDLs after the deadline has passed without being in violation of the decree. However, I am concerned that more than one year passed between the time the Regional Board approved the TMDL and EPA's receipt of a State-approved TMDL. In addition, as we discussed last week, EPA has had to establish 16 of the 18 TMDLs required to date by the TMDL consent decrees affecting Regions 1 and 8 in order to meet the consent decree deadlines. I am pleased by the recent progress each Regional Board has made in initiating TMDL development. However, we would like to work with you and the Regional Boards to ensure that future TMDLs are adopted on schedule and, in particular, ensure that TMDLs required under these decrees are adopted by the State in time to meet the relevant deadlines.

The enclosed review discusses the basis for this decision in greater detail. I appreciate the State and Regional Boards' work to complete and adopt these TMDLs and look forward to our continuing partnership in TMDL development. If you have questions concerning this approval, please call me at (415) 744-1860 or David Smith at (415) 744-2012.

Sincerely,



Alexis Strauss
Director
Water Division

enclosure

cc: Dennis Dickerson