



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

JUN 11 2012

Roger Briggs
Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

Dear Mr. Briggs:

Thank you for submitting the Total Maximum Daily Load (TMDL) for nitrate impairment in the Los Berros Creek subwatershed. Based on the U.S. Environmental Protection Agency's review of the TMDL submittal under Clean Water Act (CWA) section 303(d), I have concluded the TMDL adequately addresses the pollutant of concern and, upon implementation, will result in attainment of the applicable water quality standards for the Los Berros Creek subwatershed. All required elements are adequately addressed; therefore, the TMDL is hereby approved pursuant to CWA section 303(d)(2).

EPA received the Central Coast Regional Water Quality Control Board's (Regional Board's) complete TMDL package for approval on May 17, 2011. Under State Board Resolution 2005-0050, a Basin Plan Amendment is not required for single-vote implementation actions which resolve impairments; accordingly, the Regional Board directly requested EPA to approve this TMDL.

The TMDL includes load allocations and wasteload allocations as needed. This TMDL 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.

The TMDL submittal also contains details of the implementing actions for the TMDL. 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.

If you have any questions concerning this approval, please call me at (415) 972-3409 or Janet Parrish at (415) 972-3456.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Nancy Woo", with a stylized flourish extending to the right.

Nancy Woo
Acting Director, Water Division

cc: Rik Rasmussen, SWRCB