



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

OCT 30 2014

David W. Gibson
Executive Officer
San Diego Regional Water Quality Control Board
2375 Northside Drive, Suite 100
San Diego, California 92108

Dear Mr. Gibson:

Thank you for submitting the complete San Diego Regional Water Quality Control Board (Regional Board) Basin Plan Amendment (BPA) for the Total Maximum Daily Load (TMDL) for sediment in the Los Peñasquitos Lagoon, San Diego, on August 6, 2014, for approval by the U.S. Environmental Protection Agency (EPA). We find that all the federal required elements are adequately addressed and approve the sediment TMDL pursuant to CWA section 303(d)(2). The TMDL, upon complete implementation, will result in attainment of the applicable water quality standard in the Los Peñasquitos Lagoon.

The Regional Board, State Water Resources Control Board (State Board), and Office of Administrative Law (OAL) took action on the BPA on the following dates:

- Regional Board adoption on June 13, 2012 (Resolution No. R9-2012-0033)
- State Board adoption on January 21, 2014 (Resolution No. 2014-0001)
- OAL approval on July 14, 2014 (2014-0603-02S)
- Regional Board signed submittal letter, dated July 28, 2014, to EPA requesting approval of the TMDL

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.

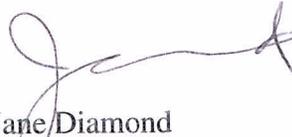
The TMDL appropriately uses an antidegradation approach to develop numeric targets and load and wasteload allocations to protect beneficial uses in the waters identified. The TMDL includes a sediment numeric target that is based on the mid-1970's historical sediment load to the watershed and a lagoon numeric target to ensure that at least 346 acres of tidal and non-tidal saltmarsh are maintained and protected. The TMDL focuses on reducing watershed sediment loads and restoring lost habitat to provide long-term protection of the Lagoon's beneficial uses. The TMDL appropriately considers seasonal variation and critical conditions, and provides an adequate margin of safety.

The TMDL submittal contains the State's implementation strategy and schedule for the TMDL which informed EPA's approval of the TMDL. Implementation of the TMDL is a critical next step to realize improvements in water quality in the watershed. While EPA is not taking action on the implementation strategy specifically, as we are not required by section 303(d) or its implementing regulations to approve or disapprove implementation plans submitted with TMDLs, we support the State's proposed implementation approaches, including use of regulatory authorities, to protect and restore water quality.

We encourage the Regional Board to continue its work with stakeholders to implement these strategies consistent with California's Nonpoint Source Management Plan as approved by EPA under the Clean Water Act Section 319, when appropriate. We remain available to provide support where possible to assist both the regulated community and the Regional Board in fostering ongoing watershed stewardship to achieve the TMDL.

If you have any questions concerning this approval, please call me at (415) 972-3275 or Cindy Lin at (213) 244-1803.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jane Diamond', with a long horizontal flourish extending to the right.

Jane Diamond
Director, Water Division

cc: Rik Rasmussen, SWRCB