

TOTAL MAXIMUM DAILY LOAD (TMDL) PROGRAM

Clean Water Act section 303(d) requires that the SDRWQCB develop a list of waters that do not or are not expected to meet water quality standards after implementation of technology based controls [e.g., best practicable technology (BPT) and best available technology (BAT)] required under Clean Water Act Sections 301(b) and 306. This so-called "303(d) list" is compiled as part of the Water Quality Assessment Program. Waters on the 303(d) list are classified as "water quality limited." The SDRWQCB is required to establish "Total Maximum Daily Loads" (TMDLs) for "water quality limited" waters. TMDLs establish pollutant load allocations for each source of pollutants as necessary so water quality standards can eventually be attained. The following information is included on the 303(d) list:

- Water body name;
- Total size of water body, in acres or miles;
- Size of water body "not supporting" beneficial uses, in acres or miles;
- Impairment;
- Beneficial uses affected;
- Total Maximum Daily Load (TMDL) development priority;
- Level (1, 2, or 3) which indicates the timing for initiating TMDL development; and
- Anticipated start and completion dates for TMDL development.

Level 1 waters are targeted for TMDL development over the next two years, even if the TMDL is not scheduled for completion until after the next two years. Level 2 waters are targeted for TMDL activities to be initiated over the next five years. The SDRWQCB will actively seek funding for these TMDLs, and/or funding is reasonably likely to become available through other state, federal, or third party (e.g., discharger) sources. Level 3 waters are targeted for TMDL activities to be initiated over a period not to exceed thirteen years. These schedules are based on TMDL activities for which the SDRWQCB is planning to seek funding support. These schedules are provisional and dependent on resource availability and further evaluation of TMDL applicability and feasibility.

In response to lawsuits and threats of lawsuits for alleged failure to develop TMDLs in a timely manner, the TMDL Program has recently been given high priority. As part of an effort to provide adequate funding for the TMDL program, virtually all funding for the Basin Planning Program has been redirected to the TMDL program. As discussed previously in the section on the Basin Planning Program, this is an unsatisfactory arrangement. Adequate resources must be provided to the TMDL program without sacrificing other programs.

Appendix C Section 1 summarizes the current schedule for TMDL development. **Appendix C Section 2** is a detailed schedule of TMDL activities that are planned over the next five years. **Appendix C Section 3** provides additional information about TMDL activities in the next several fiscal years.