

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2006-0026**

REMANDING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE  
SAN DIEGO REGION TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD (TMDL)  
FOR DISSOLVED COPPER, LEAD, AND ZINC IN CHOLLAS CREEK

WHEREAS:

1. The San Diego Regional Water Quality Control Board (San Diego Water Board) adopted a revised Water Quality Control Plan for the San Diego Region (Basin Plan) on September 8, 1994. The adopted Basin Plan was approved by the State Water Resources Control Board (State Water Board) on December 13, 1994 and by the Office of Administrative Law (OAL) on April 26, 1995.
2. On June 29, 2005, the San Diego Water Board adopted Resolution No. R9-2005-0111 amending the Basin Plan to incorporate a TMDL for dissolved copper, lead, and zinc in Chollas Creek.
3. The San Diego Water Board found that the additions of this amendment would result in no adverse effect on wildlife, and the amendment would be consistent with the State Antidegradation Policy (State Water Board Resolution No. 68-16) and federal antidegradation requirements.
4. To the extent that pollutant loadings from indirect atmospheric deposition over land are being conveyed to storm water discharges, these loadings are included in the storm water waste load allocations. Atmospheric deposition of particulates containing trace metals in urban areas may be a substantial source of metals contaminants on land surfaces. The San Diego Water Board should meet with the San Diego County Air Pollution Control District (SDCAPCD) and the California Air Resources Board (CARB) to discuss the findings of any studies that support this assumption. It appears that larger particulates are responsible for the highest loadings of metals in atmospheric deposition and, therefore, pose the greatest risk to water quality. The two agencies should identify the need to (1) expand monitoring of larger particulates in atmospheric deposition to better gauge the potential impact to water quality, and (2) investigate the sources of these metals in order to design a control strategy. The San Diego Water Board and the State Water Board should meet with the SDCAPCD and CARB to pursue these studies and to assist in developing control strategies.
5. The State Water Board encourages local municipalities within the urban watersheds in the San Diego Region also to work with the SDCAPCD and CARB to further the identification and control of sources of trace metals in atmospheric deposition.
6. During the State Water Board's consideration of this item, the City of San Diego raised concerns about the adequacy of the San Diego Water Board's compliance with its certified regulatory program requirements to implement the California Environmental Quality Act. While the State Water Board does not agree that the San Diego Water Board failed to adequately consider the significant environmental points, the State Water Board remands this Basin Plan amendment so that the San Diego Water Board, in the first instance, can consider the comments of interested persons on the substitute environmental document.

THEREFORE BE IT RESOLVED THAT:

1. Pursuant to Water Code section 13245, the State Water Board hereby remands the Basin Plan amendment to implement a metals TMDL for Chollas Creek for further deliberations consistent with the State Water Board's regulations and applicable laws.
2. The State Water Board directs the San Diego Water Board to consider this item within three months.

### CERTIFICATION

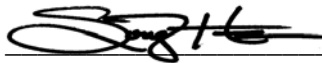
The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 2, 2006.

AYE: Tam M. Doduc  
Gerald D. Secundy

NO: Arthur G. Baggett

ABSENT: None

ABSTAIN: None



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Clerk to the Board