

State of California
Regional Water Quality Control Board
San Diego Region

SUPPLEMENTAL
EXECUTIVE OFFICER SUMMARY REPORT
February 10, 2010

- ITEM: 6
- SUBJECT: Revised Total Maximum Daily Loads (TMDLs) for Indicator Bacteria Project I – Twenty Beaches and Creeks in the San Diego Region (including Tecolote Creek). (Tentative Resolution No. R9-2010-0001) (*Wayne Chiu*)
- PURPOSE: The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will deliberate and consider adopting the amendment to incorporate the Revised Total Maximum Daily Loads for Indicator Bacteria, Project I – Twenty Beaches and Creeks in the San Diego Region (including Tecolote Creek) into the Water Quality Control Plan for the San Diego Basin (9) (Basin Plan).
- PUBLIC NOTICE: Public noticing was described in the original Executive Officer Summary Report (EOSR).
- DISCUSSION: This Supplemental EOSR provides the written responses to written public comments received on or before January 25, 2010 (Supporting Document 7). An errata sheet with revisions to the documents (Tentative Resolution, Attachment A to the Tentative Resolution, and draft Technical Report), based on the comments, is also provided (Supporting Document 8).
- In addition to responding to over 200 individual comments, a “Key Issues” summary has also been prepared. The summary addresses/clarifies each of the six key issues listed below, as well as a few additional common themes found throughout the public comments. The Key Issues summary is presented as Section 2 of the Responses to Comments (Supporting Document 7) and is intended to augment the individual responses by presenting all of the relevant factors together in a single discussion.
- KEY ISSUES: Summary responses to the following key issues are available in Section 2 of the Responses to Comments (Supporting Document 7):

1. Delisted Beaches –Several municipalities are opposed to including certain beaches in these TMDLs that were recently delisted from the 2008 303(d) List. Similar concerns were raised and addressed in the previously adopted *Bacteria TMDLs Project I*.
2. Definition of Wet Days – Several commenters noted that the allowable exceedance frequency for the wet weather TMDLs should be based on wet weather days defined as days with 0.1-inches of rainfall and the following 72 hours, instead of 0.2-inches and the following 72 hours, as defined in these TMDLs. The 0.2-inch definition of wet days was included in the previously adopted *Bacteria TMDLs Project I* and has not been changed.
3. Allowable Exceedances for Dry Weather – Several municipalities assert that the dry weather TMDLs should include an allowable exceedance frequency. There was no allowable exceedance frequency included in the dry weather TMDLs in the previously adopted *Bacteria TMDLs Project I*.
4. Dry Weather Surface Runoff Assumption – Several municipalities disagree the assumption that surface runoff during dry weather conditions is generated only by anthropogenic activities. This assumption was included and the concerns addressed in the previously adopted *Bacteria TMDLs Project I*.
5. Water Code Section 13241 – Several municipalities assert that this TMDL Basin Plan amendment should be subject to the requirements of Water Code section 13241. Similar concerns were raised and addressed in the previously adopted *Bacteria TMDLs Project I*.
6. Re-opener – Several municipalities assert that there should be a commitment and a specific timeline for re-opening the TMDLs for revisions. Similar concerns were raised and addressed in the previously adopted *Bacteria TMDLs Project I*.

LEGAL CONCERNS: None.

SUPPORTING DOCUMENTS: 7. Responses to Comments (includes Key Issues summary)
8. Errata Sheet

RECOMMENDATION(S): Adoption of Tentative Resolution No. R9-2010-0001 with errata is recommended.