

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

TENTATIVE RESOLUTION NO. R9-2016-0196

APPROVAL OF THE
2014 INTEGRATED REPORT OF FEDERAL CLEAN
WATER ACT SECTION 305(b) AND SECTION 303(d) LIST
OF WATER QUALITY LIMITED SEGMENTS
FOR THE SAN DIEGO REGION

WHEREAS:

1. Section 305(b) of the federal Clean Water Act (CWA) requires each State to monitor, assess, and submit to the United States Environmental Protection Agency (USEPA) a report on the quality of its waters relative to the designated uses of those waters.
2. Section 303(d)(1) of the CWA requires each State to regularly identify surface waters that do not meet applicable water quality standards after technology-based controls have been implemented (referred to as the section 303(d) List) and prioritize such surface waters for the purposes of developing total maximum daily loads (TMDLs). The states are required to submit their section 303(d) List biennially to the USEPA.
3. The section 303(d) List must include a description of the pollutants causing impairment and a priority ranking for all listed water quality limited segments for the purposes of development of TMDLs.
4. By letter dated July 15, 2013, the State Water Resources Control Board (State Water Board) informed USEPA of its strategy for a more efficient and successful CWA 303(d)/305(b) Integrated Report process for California, which divides California into thirds by Regional Water Quality Control Boards. The State of California Integrated Report now occurs on a rotating basis for three Regional Water Quality Control Boards at once. The San Diego Water Board is in the 2014 listing cycle group.
5. The San Diego Water Board has prepared a 2014 "Integrated Report" that incorporates the information satisfying the requirements of CWA sections 305(b) and 303(d).
6. In developing the 2014 Integrated Report for CWA section 305(b) and section 303(d) list, the San Diego Water Board considered all readily available data and information submitted to the State Water Board during the State Water Board data solicitation period of January 14, 2010 to August 30, 2010.
7. By memo dated November 12, 2013, the State Water Board notified the public and USEPA that it would not solicit new data for the 2014 and 2016 cycles due to the volume of data received during the 2010 data solicitation period.

8. In developing the 2014 Integrated Report, the San Diego Water Board staff followed the *Water Quality Control Policy for Developing California's CWA Section 303(d) List* (Resolution No. 2015-0005, amendment of Resolution No. 2004-0063) to assess data and identify those waterbody segments that do not meet applicable water quality standards, are not expected to meet water quality standards, and/or have been restored to meet water quality standards.
9. Because the data solicitation period for this Integrated Report closed in August 2010 (over six years ago), the assessment of conditions may not entirely reflect the status of each surface water body at this time.
10. The San Diego Water Board may conduct CWA Section 305(b) and/or 303(d) list update(s) "off-cycle" from its next regularly scheduled Integrated Report period. To be efficient, off-cycle updates should be limited to priority waterbodies, pollutants, or combinations thereof as identified by the San Diego Water Board, with reallocation of resources as appropriate.
11. The San Diego Water Board staff provided advanced notice and opportunity for public comment on draft recommendations for the 2014 Integrated Report during a 31-day public comment period between July 12, 2016, and August 12, 2016. Then staff conducted a public workshop on July 19, 2016, to solicit and discuss public comments on the draft 2014 Integrated Report. The San Diego Water Board received many written comments on the proposed 2014 Integrated Report, responded to all written comments received, and made a number of changes to the Integrated Report in response to the comments as appropriate.
12. The San Diego Water Board published notification of its intent to convene a public hearing on August 26, 2016. A revised Integrated Report and supporting appendices were posted on the San Diego Water Board web page on September 28, 2016.
13. On October 12, 2016, the San Diego Water Board convened a public hearing, and at this meeting heard and considered all comments pertaining to its consideration and adoption of the 2014 Integrated Report for the San Diego Region.
14. Upon approving the 2014 303(d) List, the San Diego Water Board is required to submit the water body fact sheets, responses to comments, and all other information it considered during the public hearing to the State Water Board. Upon approval by the State Water Board, the statewide 2014 List shall be submitted to USEPA for approval as required by the Clean Water Act.

Only the 303(d) List portion of the California Integrated Report requires approval by the State Water Board and USEPA. Neither agency approves the 305(b) Report portion of the California Integrated Report.

15. The State Water Board has established the following process for public comment of its subsequent approval of the San Diego Region 303(d) List:

The State Water Board will accept comments on the 303(d) List portion of the proposed 2014 California Integrated Report. If any person or entity seeks to have the State Water Board review a listing recommendation made by the San Diego Water Board with respect to one or more waterbodies, the individual or entity must submit a request to the State Water Board to review the specific listing recommendation no later than 30 days after the date of the San Diego Water Board's approval. Send requests for review by emailing the specific listing recommendations and the concerns related to those recommendations to WQAssessment@waterboards.ca.gov (must be no more than 15 megabytes); or mail or hand delivery at:

Surface Water Quality Assessment Unit
State Water Resources Control Board, Division of Water Quality
P.O. Box 100, Sacramento, CA 95812-2000 (mail)
1001 I Street, 15th Floor, Sacramento, CA 95814 (hand delivery)

Please also indicate in the subject line, "Request for Review of specific Regional Board listing recommendation – 303(d) List portion of the 2014 California Integrated Report."

Before the State Water Board approves the 2014 303(d) List, the State Water Board shall provide advance notice and an opportunity for public comment. The public comment will be limited to the listing recommendations that are timely requested for review unless the State Water Board elects to consider recommendations on other waters.

THEREFORE BE IT RESOLVED THAT:

1. The San Diego Water Board approves the 2014 Integrated Report for the San Diego Region.
2. The San Diego Water Board authorizes the Executive Officer to transmit the 2014 Integrated Report for the San Diego Region, and other supporting information included in the Administrative Record to the State Water Board for its consideration and approval.
3. If, during the approval process, the State Water Board or USEPA determine that minor, non-substantive corrections are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the San Diego Water Board of any such changes.

4. The San Diego Water Board directs the Executive Officer to use this Integrated Report as an additional piece of information in an ongoing prioritization process that also includes the San Diego Water Board Practical Vision, an evaluation of key beneficial uses in key areas, and the identification of efforts to attain meaningful net gains in water quality and beneficial uses.

I, David W. Gibson, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Diego Region, on October 12, 2016.

TENTATIVE

David W. Gibson
Executive Officer