

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**TENTATIVE
RESOLUTION NO. R9-2022-0019**

**RESOLUTION IN SUPPORT OF THE
STRATEGIC WATER QUALITY ASSESSMENT APPROACH
FOR SAN DIEGO BAY**

WHEREAS:

1. The Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is responsible for protecting the quality of the waters of the state pursuant to the California state Porter-Cologne Water Quality Control Act (Porter-Cologne) and the federal Water Pollution Control Act (Clean Water Act or CWA). Porter-Cologne and the CWA require the use of water quality data and information to summarize water quality conditions of water bodies and prioritize waters requiring restoration and protection.
2. In 2015, the San Diego Water Board adopted Resolution No. R9-2015-0086 in support of the implementation of the Strategy for a Healthy San Diego Bay (Healthy Bay Strategy)¹ for the restoration and protection of San Diego Bay. The Healthy Bay Strategy is a pilot project applying concepts from the Practical Vision adopted by the San Diego Water Board in 2013.²
3. The Healthy Bay Strategy includes the following seven steps from Chapter 1 (Strategizing for Healthy Waters) of the Practical Vision as they apply to San Diego Bay:
 - 1) Identify key beneficial uses applicable to San Diego Bay and key areas associated with those uses.
 - 2) Assess conditions of San Diego Bay with regard to the key uses and associated areas.
 - 3) Prioritize which issues are most important to address in San Diego Bay.
 - 4) Set measurable goals for meaningful environmental outcomes.
 - 5) Realign the Board's work as necessary to achieve the measurable goals.
 - 6) Track progress of the work identified and outcomes anticipated.
 - 7) Reevaluate priorities, goals, and milestones and make course corrections as necessary.
4. For step 1, the Healthy Bay Strategy identifies key beneficial uses for San Diego Bay as Habitats and Ecosystems, Fish and Shellfish Consumption, and Recreation.

¹ The Strategy for a Healthy San Diego Bay was adopted on [June 24, 2015](#), under Resolution No. [R9-2015-0086](#).

² The Practical Vision was adopted on [November 13, 2013](#), under Resolution No. [R9-2013-0153](#), and updated in [September 8, 2021](#) under Resolution No. [R9-2021-0007](#).

5. For step 2, the Healthy Bay Strategy describes a process for assessing conditions consistent with Chapter 2 (Monitor and Assess) of the 2013 Practical Vision,³ which refers to A Framework for Monitoring and Assessment in the San Diego Region (Framework), endorsed by the Board in 2012.⁴ A goal of the 2012 Framework is to institute a water body-oriented approach to enable better informed decisions instead of relying just on data from discharge effluent or the immediate vicinity of outfalls. Those discharge-oriented data can inform facility- or discharge-specific management actions, but do not necessarily represent the beneficial use conditions throughout a water body, much less the most important areas for the beneficial uses.
6. The 2012 Framework consists of monitoring and assessment to answer questions about I) conditions, II) stressors that impact conditions, III) sources that contribute to stressors, and IV) performance of management actions to improve conditions of a water body. These Framework questions provide a process and structure for the collection and analysis of data for assessments that can provide the information for step 2 of the Healthy Bay Strategy which is needed to make data-driven decisions for steps 3 through 7 of the Strategy.
7. To begin step 2, the Board's 2016 Operational Plan included a project for Board staff to assess conditions of San Diego Bay based on available data related to Habitats and Ecosystems (i.e., Are habitats and ecosystems healthy?), Fish and Shellfish Consumption (i.e., Are fish and shellfish from San Diego Bay safe to eat?), and Recreation (i.e., Is it safe to swim in San Diego Bay?) in 2017. Staff reported the preliminary results and findings to the Board in October 2016⁵ and published results in April 2017⁶:
 - a. An initial assessment of conditions for Habitats and Ecosystems could not be completed due to a lack of available or established methods, metrics, and standards for assessing the health of different habitats and ecosystems.
 - b. There is a potential threat from consuming fish and shellfish caught in the Bay, but without additional data and information about the age of fish analyzed and the population consuming the fish and shellfish, determining whether the potential threat was increasing or decreasing over time could not be fully assessed.
 - c. There is a potential threat to human health from swimming, but without additional data and information about whether there were human sources of waste (i.e. sewage) associated with fecal indicator bacteria measurements, the level of threat to human health could not be fully assessed.

³ Chapter 2 (Monitor and Assess) in the 2021 Practical Vision update has the same title and foundation as the original 2013 Practical Vision.

⁴ A Framework for Monitoring and Assessment in the San Diego Region was adopted on [December 12, 2012](#), under Resolution No. [R9-2012-0069](#).

⁵ Preliminary results reported at the [October 12, 2016](#) Board meeting.

⁶ Published in [April 12, 2017 Executive Officer Report](#).

8. Significant amounts of existing data available for water body-oriented assessment purposes, especially for the Habitats and Ecosystems and Fish and Shellfish Consumption key beneficial uses, come from outside of the Board's discharge-oriented monitoring programs. Some of the most useful data and information come from the Regional Harbor Monitoring Program (RHMP) implemented in San Diego Bay by the Port of San Diego (Port), the San Diego Bay Integrated Natural Resource Management Plan (INRMP) implemented by the Port and the U.S. Department of the Navy (Navy), and special studies by Board staff and research and academic institutions.
9. The Port and the Navy have responsibilities that overlap with the Board's mission to restore and protect the key beneficial uses of San Diego Bay, with similar needs for assessments and monitoring data. Board staff held a series of meetings with Port and Navy monitoring program managers and staff to learn more about monitoring data being collected for the RHMP and INRMP and share the Board's approach for assessing the conditions, stressors, sources, and performance of management actions in San Diego Bay. Board staff held meetings with the Port and Navy once in 2019, three times in 2020, and three times in 2021. Board staff also met with the Port in May and June 2022.
10. The Strategic Water Quality Assessment Approach for San Diego Bay identifies what information would enable the Board to make the most informed decisions. It includes the types and purposes of monitoring data that need to be collected and how those data can be analyzed to answer the Framework questions. The answers, or lack thereof, will inform decisions for determining priorities and goals, allocating resources, and implementing actions to protect, enhance, and restore water quality for the key beneficial uses in the Bay.
11. Staff developed the Strategic Water Quality Assessment Approach for San Diego Bay to provide guidance for collecting and analyzing data and information for assessments critical to the Board's 2015 Healthy Bay Strategy to help focus the Board's resources on what is most important to protect and restore the key beneficial uses of San Diego Bay.
12. The Strategic Water Quality Assessment Approach for San Diego Bay identifies monitoring and assessments that should be considered by the San Diego Water Board when carrying out its responsibilities and functions. The Board may consider and use the information sought and provided by the assessments to prioritize and implement planning, permitting, monitoring, enforcement, public outreach and education, and financial assistance actions within the extent of the Board's priorities, resources, and authority.
13. The Strategic Water Quality Assessment Approach for San Diego Bay does not supersede any established policy or pre-determine any requirements to regulated parties. The Board may implement the Strategic Water Quality Assessment Approach for San Diego Bay as permissible given the limitations on resources and authorities to implement the Healthy Bay Strategy.

14. A combination of regulatory and non-regulatory responsibilities and functions of the Board, including planning, permitting, monitoring, enforcement, public outreach and education, and financial assistance, will be required to collect the data and information needed for the Strategic Water Quality Assessment Approach for San Diego Bay. The Board will also need to collaborate with the regulated community and others to find opportunities and coordinate resources for collecting the data and information that can be used to fully assess the conditions, stressors impacting conditions, sources of stressors, and performance of management actions in the Bay.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The San Diego Water Board endorses the Strategic Water Quality Assessment Approach for San Diego Bay.
2. The San Diego Water Board recognizes the Strategic Water Quality Assessment Approach for San Diego Bay was developed to aid the implementation of the Strategy for a Healthy San Diego Bay, adopted under Resolution No. R9-2015-0086, and in accordance with A Framework for Monitoring and Assessment in the San Diego Region, adopted under Resolution No. R9-2012-0069.
3. The San Diego Water Board is committed to considering the Strategic Water Quality Assessment Approach for San Diego Bay when developing monitoring requirements included in regulatory actions issued to the entities it regulates, where possible and as applicable and appropriate.
4. The San Diego Water Board is committed to collaborating and coordinating with external monitoring programs to implement the Strategic Water Quality Assessment Approach for San Diego Bay, where possible and as applicable and appropriate.
5. The San Diego Water Board is committed to communicating and collaborating with other interested stakeholders (e.g. research and academic institutions, volunteer organizations) to help collect data for assessing conditions or for developing the science for new or additional methods, metrics, and standards that are needed for monitoring and assessment purposes identified in the Strategic Water Quality Assessment Approach for San Diego Bay.
6. The San Diego Water Board hereby directs the Executive Officer to periodically conduct and make public assessments of San Diego Bay water quality in accordance with the Strategic Water Quality Assessment Approach for San Diego Bay, and use the information from the assessments to:
 - Identify and prioritize key areas of San Diego Bay with unsatisfactory conditions for the key beneficial uses, and identify and prioritize issues causing and/or contributing to the unsatisfactory conditions.
 - Develop and set measurable goals for meaningful environmental outcomes that will restore and protect the conditions of San Diego Bay for the key beneficial uses.

- Identify and realign the implementation of the Board’s regulatory and non-regulatory responsibilities and functions, including planning, permitting, monitoring, enforcement, public outreach and education, and financial assistance, consistent with applicable plans, policies, regulations and statutes, in accordance with transparent and public decision-making processes, and as permissible given limitations on resources and authority, to achieve the measurable goals that have been set to restore and protect the key beneficial uses of San Diego Bay.
- Track progress of the Board’s actions toward achieving the measurable goals and meaningful improvements to the conditions of San Diego Bay for the key beneficial uses.
- Reevaluate the identified priorities, measurable goals, and implementation of the Board’s regulatory and non-regulatory responsibilities and functions to determine if course corrections or adjustments are necessary to continue making progress toward achieving a healthy San Diego Bay.

I, David W. Gibson, Executive Officer, do hereby certify that 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 November 9, 2022.

TENTATIVE

David W. Gibson
EXECUTIVE OFFICER