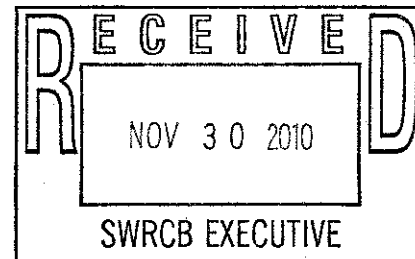




THE CITY OF SAN DIEGO

November 30, 2010



Electronic Delivery to: commentletters@waterboards.ca.gov

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Subject: City of San Diego Comments on the Proposed Approval of an Amendment to the Water Quality Control Plan for the San Diego Region (Basin Plan) to Incorporate the Revised Total Maximum Daily Loads (TMDLs) for Indicator Bacteria, Project I - Twenty Beaches and Creeks in the San Diego Region (Including Tecolote Creek)

Dear Ms. Townsend:

The City of San Diego, Storm Water Department (City) is pleased to provide the State Water Resources Control Board (State Board) with comments regarding the Amendment to the Basin Plan to Incorporate the Revised TMDLs for Indicator Bacteria, Project I - Twenty Beaches and Creeks in the San Diego Region (Revised Bacteria TMDL Project I). We appreciate the opportunity to provide comments on this regionally important amendment. The City is committed to protecting the beneficial uses of our creek, bays, and beaches using best available science and cost-effective approaches. Resources to protect these vital assets need to be directed prudently towards protecting water quality.

The detailed City comments are presented in Attachment 1 together with the original comments submitted to the Regional Water Quality Control Board (Regional Board) and the Regional Board responses. The comments for the State Board address the Regional Board responses deemed inadequate or incorrect. General comments for the overall areas of concern are provided below.

Removal of De-listed Beaches from TMDL (Comment 82)

The Revised Bacteria TMDL Project I contains waterbody/pollutant combinations recommended for de-listing on the draft 2008 State Board Section §303(d) list. The de-listed waterbodies were kept in the TMDL under the premise that they could be re-listed in the future. There is no requirement for pre-emptive TMDLs in the Clean Water Act and this goes against the



Storm Water Department

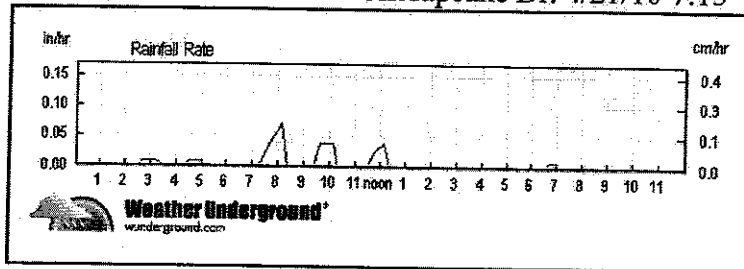
9370 Chesapeake Drive, Suite 100, MS 1900 • San Diego, CA 92123
Hotline (619) 235-1000 Fax (858) 541-4350

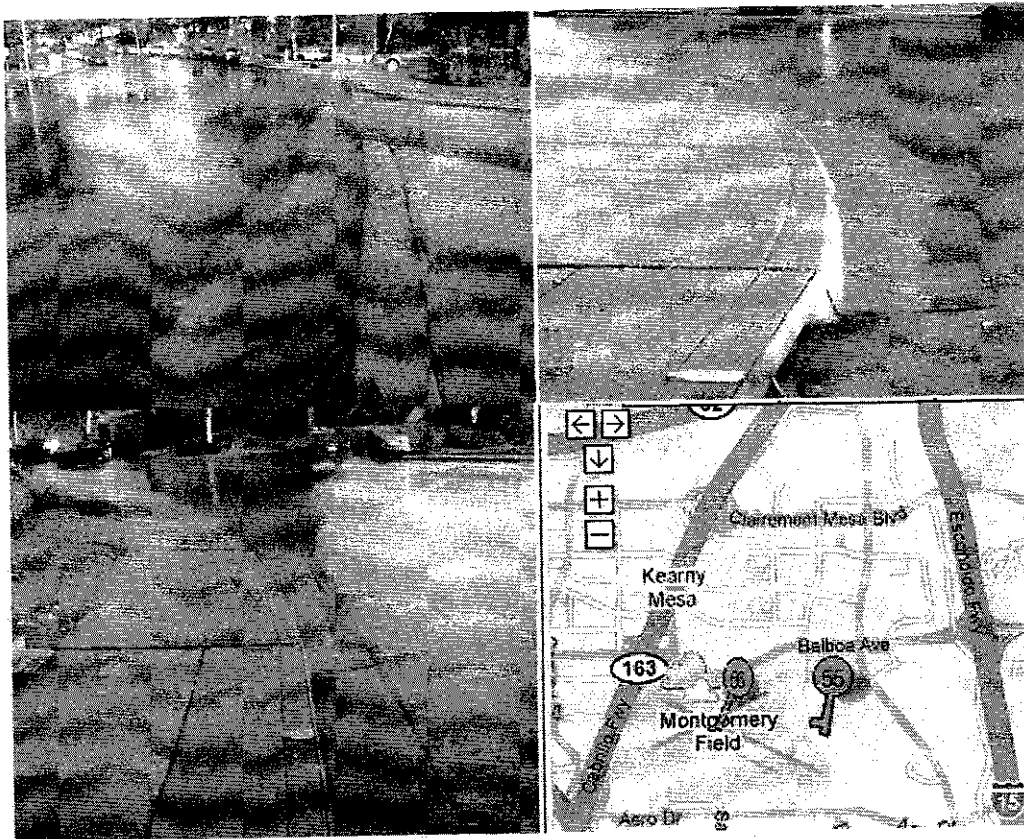
prioritization process. The de-listed waterbodies are meeting water quality standards and should be removed from the TMDL.

Definition of Wet Days (Comment 83)

The definition of wet days in the TMDL is based on rain events of greater than 0.2 inches of rainfall and the following 72 hours. The original reference system study (Santa Monica Bay Beaches Bacteria TMDL), on which this TMDL is based, used a wet day definition of rainfall greater than of 0.1 inch and the following 72 hours. By excluding all rain events between 0.1 and 0.2 inch of rainfall for wet weather the TMDL does not utilize best available science or follow the scientific constrains of the study on which it is based. Photographic evidence of the rainfall attributable to rain events of less than 0.2 inches is provided below and in Attachment 2. The photos demonstrate the volume of runoff associated even with rain events with less than 0.1 inch of rainfall. Including natural runoff from these rain events under dry weather conditions is incongruous with related TMDLs and reference system studies. There is no reasonable assurance that the waste load allocations in the TMDL can be achieved for dry weather conditions when rain water runoff is included for rain events greater than 0.1 inch of rainfall.

0.07 inch Rain Event on Chesapeake Dr. 4/21/10 7:15





Dry Weather Allowable Exceedance Frequency (Comment 83)

The dry weather allowable exceedance frequency does not contain a winter dry exceedance allowance as found in similar TMDLs which used the same scientific basis. Winter dry weather flows are generally higher due to increased base flow from groundwater sources. This increased transport mechanism leads to increased exceedance levels in reference systems. It also incorporates all rain events of less than 0.2 inches which skews exceedance rates under conditions of elevated wet weather flow as demonstrated in the photographic evidence provided in Attachment 1.

TMDL Re-opener (Comment 84)

A clearly defined schedule for the TMDL re-opener has not been included. Specific language is needed for revising the TMDL and the conditions required to amend the Basin Plan. The additional paragraph added to the Basin Plan amendment schedule statement should clearly state the necessary requirements for a TMDL re-opener.

Match Compliance to Risk and Safety (Comment 85)

Multiple comments have been submitted regarding imposing a recreational water quality standard on waterways that have never had this beneficial use. This issue has not been satisfactorily addressed for the following reasons: 1) there is a requirement for provision of "sufficient evidence" prior to reviewing designated beach usage, but no indication of what data

would be acceptable and; 2) many of the creeks listed do not have historical or current functional recreational bathing characteristics and should not be held to a high frequency usage designation.

Misapplication of Basin Plan Water Quality Objectives (WQO) (Comment 85)

The TMDL Amendment states on page A15 that "Since coastal saltwater beaches are downstream of inland freshwater creeks, TMDLs for coastal saltwater beaches are calculated using the more conservative Enterococci REC-1 WQOs applicable to freshwater creeks (61 MPN/100mL and 33 MPN/100mL)". The numeric WQOs for Enterococci in REC-1 saltwater (104 MPN/100mL and 35 MPN/100 mL), established in the Basin Plan to be protective of beneficial uses, should be applied to the coastal saltwater beaches in this TMDL. Freshwater creeks and saltwater beaches have different physical characteristics (salinity, volume, hydrology, etc.) resulting in different loading capacities and the appropriate WQOs should be applied.

Compliance Monitoring Directed at Human Sources (Comment 86)

It is recommended that priority be given to those waterbodies with human sources of fecal contamination rather than sites with elevated indicator bacteria concentrations. In this way, resources can be directed, first and foremost, at areas where there is a higher human health risk. Allowance within the BLRPs and CLRPs should be provided for this human source approach.

Human versus Anthropogenic Sources (Comment 88)

Rapid method development to detect human sources of bacteria, currently underway at EPA, has not been included in the development of this TMDL. Consideration should be given for including these methods in the implementation of the TMDL.

Stated Use of Geometric Mean (Comment 90)

The summer dry weather exceedance criterion is being applied, through the use of the geometric mean, in instances when the monitoring includes winter dry weather flows with rainfall of less than 0.2 inches. Inclusion of wet weather flows with natural sources of bacteria for the geometric mean provides no reasonable assurance that the dry weather exceedance criteria can be met since a rolling average is used for the calculation.

Compliance Monitoring Needs to Account for Diversions (Comment 91)

The TMDL does not take into account diversion structures as they relate to compliance monitoring.

Best Management Practices (BMP) for Reducing Dry and Wet Weather Concentrations (Comment 92)

The TMDL does not allow for compliance through load reduction strategies in either dry or wet weather. In this way, stakeholders will not be able to show progress toward TMDL goals by reducing bacteria loads through tangible BMP implementation such as irrigation control or use of low impact development (LIDs).

November 30, 2010

Compliance Timeline (Comment 93)

The timeline for wet weather compliance has been reduced from 20 years to 10 years. The City recommends this timeline be reverted back to 20 years to provide reasonable assurance that waste load allocations will be met.

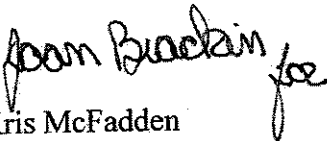
Inclusion of Tecolote Creek Watershed in the TMDL (Comment 94)

Data collected under the Tecolote Creek Bacterial Source Identification Study were not included in the TMDL. Land-use specific data were collected in the study, together with assessments of natural and anthropogenic indicator sources. Data from the Tecolote Creek investigations should be included in the modeled loads and exceedance frequencies for this watershed.

The City supports the development of stakeholder-based TMDLs, and understands that a TMDL is a plan to improve water quality. In order to develop TMDLs with reasonable assurance that waste load allocations will be achieved, the stakeholder process must be followed, and the best available science must be employed. As the TMDL is currently written, the reasonable assurance criteria are not met with the shortened wet weather compliance timeline and the dry weather exceedance limits which include rain water runoff. While the Revised Bacteria TMDL Project I is a solid foundation for the TMDL, further revisions should be made before adoption and implementation in the San Diego Region.

If you have additional questions, please contact Ruth Kolb at (858) 541-4328.

Sincerely,



Kris McFadden
Interim Director

KM/rk

Enclosures: Attachment 1 City San Diego Comment Table
Attachment 2 Rainfall Photographs
Attachment 3 Rain Data Comparison

cc: Ruth Kolb, Program Manager, Storm Water Department
Drew Kleis, Program Manager, Storm Water Department
Bill Harris, Supervising Public Information Officer, Storm Water Department

Table 1: City of San Diego Detailed Comments on the Revised Bacteria TMDL Project 1 (Draft Resolut

Comment #	Comment from City of San Diego to Regional Board	Response from Regional Board
82	<p>Removal of De-listed Beaches from TMDL</p> <p>The Bacteria Project I TMDL Revised Technical Report includes waterbody/pollutant combinations recommended for de-listing on the draft 2008 Regional Board §303(d) list. In accordance with the Clean Water Act (CWA) the State Board §303(d) listing process is used to prioritize waterbodies not subject to effluent limitations and is to be based on scientific data that indicate impairment. This prioritization process allows for focused use of limited resources to address these impairments through TMDL implementation by the Regional Board, municipalities, and other agencies, including the City.</p> <p>Inclusion of de-listed indicator bacteria and waterbodies in the TMDL is counter to this prioritization process and cost-effective use of our community's resources. It is understood that the timing of the draft Bacteria Technical Report did not coincide with the approval of the most recent draft 2008 Regional Board §303(d) listings. To be consistent with the prioritization process, the proposed de-listed indicator bacteria and waterbodies need to be removed from the TMDL.</p>	<p>Several beaches listed on the Segments (303(d) List) have been removed from the 303(d) List, however, some may be added in the future. All the specific beaches on the 303(d) List, or earlier, indicator bacteria remains in the present and future 2008 303(d) List, the majority of the 2002 303(d) List and address these indicator bacteria TMDL all the beaches that fall within a delisted beach is listed again to address the impairment. Like a beach not listed in the past is listed already in place to address the very resource and time intensive. Furthermore, the San Diego TMDL these indicator bacteria TMDL would not be a good use of the resources in the future. By having these TMDL resources and ensuring that CWA boundaries are not able to meet v. Finally, Clean Water Act Section 303(d)(1) boundaries not able to meet v. In addition, section 303(d)(1) identified and prioritized as r of TMDLs as well. Thus, sec variations and margin of safe Clean Water Act Section 303 List is just a list of the watert TMDL implementation plans. The adoption of bacteria TM has a plan in place to address fulfill the requirements of Cl</p>
83	<p>Definition of Wet Days</p> <p>Wet Weather Basis – The TMDL states that the reference condition from Leo Carrillo is applied to estimate the allowable exceedance frequency at beaches and creeks in the TMDL. However, the exceedance frequency at Leo Carrillo is based on a rain event of “0.1 inches and the following 72 hours” (Resolution No. 2002-002). This TMDL defines wet days as “0.2 inch of rain and the following 72 hours.” It is scientifically invalid to use a reference condition for a different storm size, because the exceedance frequency for storm events of 0.2 inch or greater and 72 hours later is not known. To be consistent with the reference system, it is recommended that a storm event or wet day be defined as any instance of a rain event 0.1 inch or greater and the following 72 hours.</p> <p>In addition this TMDL defines the exceedance frequency for the wet weather condition, but not the number of allowable exceedance days based on the critical year. Instead, an allowable exceedance frequency is set. The use of the critical year (90th percentile storm year, 1993) to set the exceedance frequency incorporates</p>	<p>A wet weather day was defined in the original Bacteria TMDLs. This has not been changed. There were no wet weather day, thus no change. January 7, 2010 SAG meeting. calculated based on wet weather following 72 hours.” The Leo Carrillo used to define an allowable exceedance frequency for bacteria TMDLs, the San Diego TMDL defines the exceedance frequency as an initial allowable exceedance or multiple watershed specific data were collected in reference to comments submitted for Bacteria TMDL allowable exceedance frequency based on 0.2 inches rather than 0.1 inches potentially a higher exceedance</p>

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	critical conditions, but does not define the waste load allocations based on those critical conditions. It is recommended that the Regional Board use the reference condition exceedance frequency and the number of wet days in the critical year at each location within the TMDL to define a set allowance of exceedance days for each year.	allowable exceedance frequency is developed. This, however, Approach Basin Plan amendment with using a reference system conservative wet weather allocation region specific wet weather allocation Board supports developing a during wet weather condition Region. Until a region specific weather exceedance frequency TMDLs.
83	<p>Dry Weather Allowable Exceedance Frequency</p> <p>Dry Weather Basis – The Leo Carrillo reference system was also used to establish the dry weather exceedance frequency limits in the Los Angeles area bacteria TMDLs (Resolution No. 2002-004). However, TMDL Section 4.2.1 states that “little data are available regarding exceedances of WQOs in a reference system....the reference system approach may be an option that would allow an exceedance frequency to be included with the dry weather numeric targets in the dry weather TMDLs.” It is unclear why a reference system approach is appropriate for wet weather but not for dry weather. The data are presented in the Santa Monica Bay Beaches Dry Weather Bacteria TMDL. It is recommended that the reference condition for dry weather at Leo Carrillo beach be used in this TMDL. Additionally, to reopen the TMDL and incorporate any potential future dry weather data, it is recommended that a process should be defined and included in the TMDL.</p> <p>In the TMDL, dry weather exceedance frequency limits are set at zero. However, in other TMDLs where the Leo Carrillo system was used as a dry weather reference, the dry weather TMDL is split into summer dry and winter dry seasons. This is an important distinction because during the winter months, the reference system exhibited exceedance days.</p> <p>Therefore, instead of setting the dry weather exceedance frequency limit to zero during all dry periods, it is recommended that the TMDL should split the dry period into summer and winter seasons. The allowable exceedance frequency at Leo Carrillo is 3% during winter dry weather, and therefore that standard should apply in San Diego County. The wet weather reference condition applies and therefore so should the dry weather reference condition. The summer dry weather exceedance frequency limit would remain zero. The issue of the compliance point monitoring during dry weather conditions is discussed in following general responses.</p>	This comment was raised during the Leo Carrillo Beach reference study. The reference study identified a reference frequency specifically for the exceedance frequency of the dry weather (3 percent), and the San Diego Water Board decided to use that exceedance frequency for the dry weather allowable exceedance maximum and 30-day geometric reference system that is not a dry weather allowable exceedance. The dry weather allowable exceedance is being developed and establishing a based on data collected from the reference study (reference frequency that is developed in the reference conditions) if the data support the reference system. If not developed, a 0% allowable exceedance for dry weather TMDLs.
84	<p>TMDL Reopener</p> <p>The TMDL (Section 4.1.3) states that “if watershed specific exceedance frequencies are determined for any of the watersheds addressed in the TMDL, the wet weather TMDLs can be re-calculated based on these watershed specific exceedance frequencies.” However, a specific process for amending the TMDL is not included in the technical report or the Tentative Resolution No. R9-2010-0001 (Tentative Resolution). A process for Basin Plan amendments is included in the Tentative Resolution, but no reopener dates are specified. The specific process for amending the TMDL, as well as TMDL re-opener dates, should be incorporated into the TMDL. Possible language to include in the Tentative Resolution could include language from the Attachment A to Resolution No. 2002-022 (Santa Monica Bay Beaches Wet Weather TMDL);</p> <ul style="list-style-type: none"> • Four years after the effective date of the TMDL, the Regional Board shall reconsider the TMDL. • The four areas of consideration when reconsidering the TMDL shall 	Written response: A similar concern was raised during Project I before it was adopted in the Technical Report. The Basin Plan TMDL, as necessary. See page 10 of the Technical Report. This section amends the Basin Plan. In addition to amendments to “the Basin Plan dischargers and/or other entities,” please see item 21 Final Technical Report Part III V-6 in the TMDL Implementation amendment (and Table 11-9 of these TMDLs may take place if there is evidence that warrant a revision).

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	<p>include:</p> <ul style="list-style-type: none"> ○ Refine allowable wet weather exceedance days based on additional data on bacterial indicator densities in the wave wash and an evaluation of site-specific variability in exceedance levels, ○ Re-evaluate the reference system selected to set allowable exceedance levels, including a reconsideration of whether the allowable number of exceedance days should be adjusted annually dependent on the rainfall conditions and an evaluation of natural variability in exceedance levels in the reference system(s), ○ Re-evaluate the reference year used in the calculation of allowable exceedance days, and ○ Re-evaluate whether there is a need for further clarification or revision of the geometric mean implementation provision. 	<p>make every effort to amend t is not necessary.</p> <p>Adjustment to language in</p> <p>Language was added to the t</p> <p>"...within 5 years from the et</p> <p>"If no Basin Plan amendment Basin Plan amendment, and t that insufficient data exist to Plan amendment to revise the TMDLs will not be initiated i are met."</p>
85	<p>Match Compliance to Risk and Safety</p> <p>To meet the beneficial use goals and use the City's resources cost effectively, compliance to the TMDL needs to focus on river segments and coastal areas where the recreational benefit is consistent with actual and potential use. The City is committed to this goal and through its ongoing bacteria reduction and public outreach efforts has been able to reduce beach postings by 76% during the first half of the last decade. However, certain concrete-lined flood channel sections of creeks and streams are not subject to recreational use; however, they are still designated as REC-1 waterbodies. These sections should not be part of the compliance monitoring, as safety to the public prohibit access during storm events.</p>	<p>Similar concerns were raised in December 2007 (see comm Report). The REC-1 designat noted: If there is evidence to be required. If it becomes a p may consider creating subcat Dischargers can propose such safety considerations during i</p>
86	<p>Compliance Monitoring Directed at Human Sources</p> <p>To use the City's funds cost effectively, compliance monitoring during wet weather events should focus on follow-up source tracking of human sources.</p>	<p>The BLRPs or CLRPs that ar taken to reduce bacteria load: to be included in the BLRPs. be helpful, other anthropoger Furthermore, the health risk a understood at this time. Spec monitoring requirements can by the San Diego Water Boar</p>

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87	<p>Compliance Based on Relevant Science</p> <p>Preliminary data presented in the Tecolote Bacteria Source Study (Weston Solutions, 2009) have suggested that storm water is characterized by fecal bacteria associated with a greater health risk during the initial first flush and an increasing predominance of lower risk species of enterococcus bacteria associated with plant matter and re-growth. Compliance needs to have a greater focus on applicable risk-based criteria and sound science in order that measures to be implemented for risk reduction are done in a cost-effective manner.</p>	<p>The BLRPs or CLRPs that are taken to reduce bacteria loads to be included in the BLRPs could be helpful, other anthropogenic. Furthermore, the health risk is understood at this time. Specific monitoring requirements can be by the San Diego Water Board.</p>
88	<p>Human versus Anthropogenic</p> <p>Compliance should be measured by addressing human sources of bacteria detected above objectives in wet weather flows at appropriate compliance points. If the purpose of the TMDL is to protect REC-1 beneficial use so the public can swim, the use of the United States Environmental Protection Agency (EPA) bathing standards should not be allowed because they are based on the protection of human health from human sewage sources. Therefore, monitoring should focus on human sources rather than a broad category of anthropogenic sources that may not be associated with an unacceptable human health risk threshold. Without focusing these monitoring efforts to human sources, extensive public resources could be used to track sources of little or no risk, instead of using limited funds to track and implement source controls from known high-risk human sources. It is therefore recommended that a tracking program be implemented to find sources using Quantitative PCR (QPCR) techniques along with monitoring at appropriate compliance points where recreational use has been recorded or access and safety ordinances could allow for future recreational use.</p> <p>The assumption in the TMDL that all dry weather exceedances may be attributed to the municipal separate storm sewer system (MS4) is invalid, as shown in the Mission Bay, PB Point, and San Diego River studies, which were conducted for the California State Water Resources Quality Control Board (State Board). The results of these studies showed that birds and other wildlife are often the source of indicator bacteria exceedances during dry weather at beaches. Holding the City (and other MS4 dischargers) accountable for indicator bacteria exceedances caused by natural sources is invalid.</p> <p>The assumption that all dry weather flows are due to anthropogenic influence is invalid. Many of the streams in Southern California flow naturally during the dry season. Southern California Coastal Water Research Project (SCCWRP) studies have shown that in reference systems, including San Mateo creek in San Diego County, natural flows occur during the dry season. Additionally, during winter dry conditions, nearly all streams in San Diego County exhibit flow because of storm events that raise the groundwater table and cause infiltration into the creeks.</p>	<p>Please see the responses to Comments 87 and 89.</p>

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<p>90</p>	<p>Stated Use of Geometric Mean</p> <p>Attachment A of the Tentative Resolution (page A54) states that the wet weather and dry weather samples will be used together to calculate the wet weather 30-day geometric mean and that no exceedances of the wet weather 30-day geometric mean are allowed. The allowable exceedance of single sample criteria is zero during dry weather periods, but there is a frequency allowance for wet weather samples. Using the two sets of samples together will likely result in an exceedance of the 30-day geometric mean, and no exceedances of the geometric mean are allowed. This methodology is not scientifically defensible. The 30-day geometric mean should not be applied to wet weather samples but only to the dry weather condition.</p> <p>Page A66 of Attachment A of the Tentative Resolution (Section (2) Compliance Schedule) states that "at the end of the wet weather TMDL compliance schedule, the receiving waters must not exceed the single sample maximum REC-1 WQOs more than the wet weather allowable exceedance frequency." There is no mention of a wet weather 30-day geometric mean. Additionally, item 28 of the Tentative Resolution states that, "at the end of the wet weather TMDL compliance schedule, the single sample maximum and 30-day geometric mean REC-1 WQOs must not be exceeded in the receiving water more frequently than the allowable exceedance frequencies." Please clarify the use of the wet weather 30-day geometric mean and whether or not it will be used as a measure of compliance.</p>	<p>The goal of any TMDL is to : the water quality objectives ti the water quality objectives a corrected. The water quality maximum and a geometric m objectives are applicable to th the San Diego Water Board f single sample maximum wat exceedance frequency great an allowable exceedance freq weather or dry weather TMD the single sample maximum MS4s dischargers must meet to be considered "in complia MS4s are identified as causin not causing or contributing to compliance. The receiving w. objectives (from Ocean Plan maximum and 30-day geome</p> <p>Compliance with Wet Weath a. Single Sample Maximum I all wet weather days between b. 30-day Geometric Mean R wet and dry weather days bet Compliance with Dry Weath a. Single Sample Maximum I all dry weather days during ti b. 30-day Geometric Mean R all dry weather days during ti</p> <p>At this time, compliance will will be assessed on a watersh later than 10 years from effec and implement Bacteria Load to no later than 20 years if th addition, the San Diego Wate watershed specific allowable mean based on data collected exceedance frequencies deve seasons) if support by the dat</p>
<p>91</p>	<p>Compliance Monitoring Needs to Account for Diversions</p> <p>The City has invested in dry weather diversion at the base of the Tecolote Watershed to reduce potential health issues and protect the recreational use of Mission Bay. With no dry weather flows entering Mission Bay from Tecolote Creek, compliance to protect the beneficial use of the waterbody that is accessible and actually used for recreational purposes should be directed at monitoring the effectiveness of the diversions rather than any periodic flows in the flood control channel.</p>	<p>Please see the responses to C Mission Bay from the dischar Tecolote Creek. The TMDLs</p>

92	<p>Best Management Practices for Reducing Dry and Wet Weather Concentrations</p> <p><i>Reducing Dry Weather Concentration</i> – The TMDL applies a concentration-based compliance goal, however many BMPs, including low impact development (LID) and irrigation controls, can effectively reduce loads but not concentration (City of Laguna). The compliance goals of the TMDL state that progress toward TMDL implementation will be based on exceedance frequency reduction. It is also important to include mechanisms to show progress toward TMDL compliance using load reductions.</p> <p><i>Reducing Wet Weather Concentrations</i> – LID BMPs may be used to reduce runoff volume during storm events, but this will not likely result in decreased concentrations of bacteria. LID can be part of an integrated suite of BMPs to reduce the volume of runoff and pollutant loading including bacteria, but if compliance is focused on concentration, this may discourage the innovative use of these and other more sustainable approaches. If the TMDL allows load reduction goals to show progress toward TMDL compliance, then these approaches would be more widely implemented to address bacteria.</p> <p>This TMDL has been revised to use a reference system exceedance frequency approach instead of a load reduction approach for improving bacteria densities at beaches and creeks. However, the allowable loads are presented in the Technical Report and in the Tentative Resolution. This is confusing and does not follow EPA guidelines. EPA federal guidance states that all TMDLs include daily load calculations. This recommendation is based on the outcome of <i>Friends of the Earth v. EPA</i> (446 F.3d 140 (D.C. Cir 2006)), which states that the intent of the Congress was to establish daily loads and not seasonal or annual loads. If allowable loads will be included in the Technical Report and Tentative Resolution, then they should be estimated for the daily case. Additionally, if loads are presented in the TMDL, then dischargers should be allowed to make progress toward load reduction to show progress toward TMDL compliance.</p>	<p>The goal of any TMDL is to meet the water quality objectives of the water quality objectives are corrected. The mass-load based sources with bacteria loads that quality objectives measured in receiving waters, the assumption. If, however, the receiving water demonstrate that they are not causing or LA. The most straightforward or contributing to the exceedance concentration) if their discharge objectives and allowable exceedance also provide evidence that up sources can demonstrate they water limitations, then the applicable TMDLs may be warranted. Also, please see the response</p>
93	<p>Compliance Timeline (Integrated Approach)</p> <p>The compliance schedule was 20 years in the previous version of the TMDL but is now ten years for all waterbodies, excepting Chollas Creek. It is stated in the TMDL and Tentative Resolution that if dischargers submit a Comprehensive Load Reduction Plan (CLRP), they may set the compliance schedule greater than ten years for wet weather but must meet dry weather compliance goals within ten years. It is recommended that the compliance deadline should be 20 years for both wet and dry compliance.</p>	<p>Please see the response to Comment 92. The timelines for the compliance amendment adopted in December underline/strikeout version of schedules and interim milestones. No change in the compliance</p>

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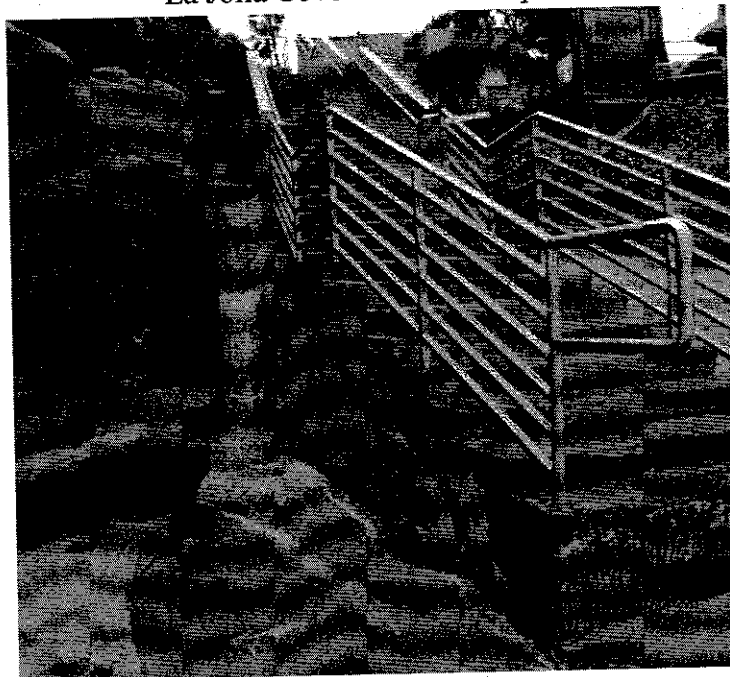
94	<p>Inclusion of Tecolote Watershed in the TMDL</p> <p>The City activity worked with the Regional Board to develop the Tecolote TMDL; however, it was included in the Bacteria Project I after the City's efforts to gather additional data for the indicated TMDL. Specifically the City met with Regional Board staff beginning in the first quarter of 2008 to coordinate data collection and assessment for the purpose of improving the Tecolote Creek bacteria TMDL. These data were not incorporated into the TMDL, and the process for inclusion in the TMDL or a future re-opener of the TMDL have not been included. Please include specific guidance for TMDL revisions and a TMDL re-opener date that will allow dischargers to refine the TMDL to assure that the TMDL is based on sound science that can then lead to cost-effective, practical solutions.</p> <p>Comments from the 2006 version of the TMDL indicate that old land use data were identified as a potential issue. The response to the comment indicated that if it was possible to update the land use data, it would be done. It does not appear that the land use data were updated. Because load estimates were based on land use information, if loads will be included in the TMDL, then they should be based on the most up-to-date and accurate information. As new information becomes available, it should be incorporated into the TMDL. Setting a firm re-opener deadline (e.g., three to four years after TMDL implementation) would allow dischargers to update information and improve the TMDLs. It is recommended that a TMDL re-opener date be set to allow for future updates to the TMDL.</p> <p>The Storm Water Department supports the use of sound science to improve and protect water quality. This policy can best be observed at the City's beaches, which have shown a 76% reduction in beach closure days during the second half of the last decade. The City also supports the use of the reference system approach for development of bacteria TMDLs. To assure the City's resources are used cost effectively to improve water quality, we have provided these comments based on sound science approaches. Compliance with the proposed TMDL will require significant amounts of City resources, and it is important that waterbodies recommended for de-listing from the draft 2008 Regional §303(d) list be removed from the TMDL. Secondly, while the City supports the use of the reference system approach, it must be used appropriately. The wet weather definition in the reference system is 0.1 inch of rain, but this TMDL defines a wet day as 0.2 inch of rain. This inconsistency is scientifically invalid, and it is recommended that the definition of a wet day be changed to 0.1 inch of rain or greater. Thirdly, the TMDL states that the Regional Board is open to modifying the implementation of the TMDL to account for additional data, newly defined reference conditions, or special studies submitted by the dischargers. However, there is no timeline laid out in the TMDL implementation section. It is recommended that a date be set for a TMDL re-opener, at which time the TMDL may be modified.</p>	<p>The San Diego Water Board studies undertaken by the City encourages and would like to develop region or watershed natural sources exclusion. Identify anthropogenic and focused.</p> <p>The resources available to the greatly reduced. Additionally TMDLs Project I can be applied including Tecolote Creek as use of the limited available resources and the expectation to complete and one waterbody combination Creek into this project. Even not invalidate or nullify any of the work done by the City and the City Hopefully the City of and include their plans for future please see the response in Section</p>
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Attachment 2
City of San Diego
Photographs of Runoff from Rain Events with Less Than 0.2 inch of Rainfall

Rain Event 1: April 5, 2010 La Jolla with **0.11 inch** of rainfall

MON APR 5 2010 RAINFALL STORM TOTAL SUMMARY
NATIONAL WEATHER SERVICE SAN DIEGO CA
SAN DIEGO LINDBERGH FIELD **0.11 INCH**

La Jolla Cove 4/5/10 12:21 pm



Ravina, La Jolla 4/5/10 12:40 pm



Attachment 2

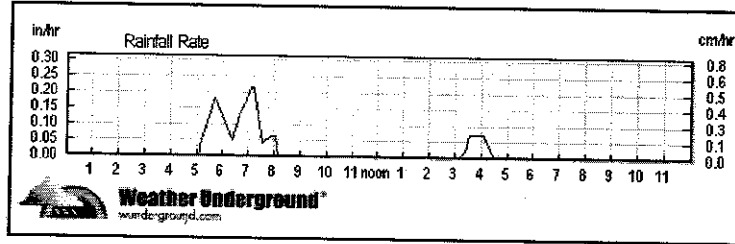
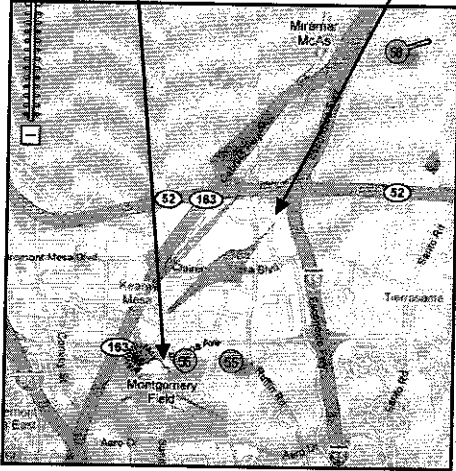
City of San Diego

Photographs of Runoff from Rain Events with Less Than 0.2 inch of Rainfall

Rain Event 2: April 12, 2010 Kearny Mesa 15:00-16:00 pm **0.07 inch** rainfall

Montgomery Field Station

Photos



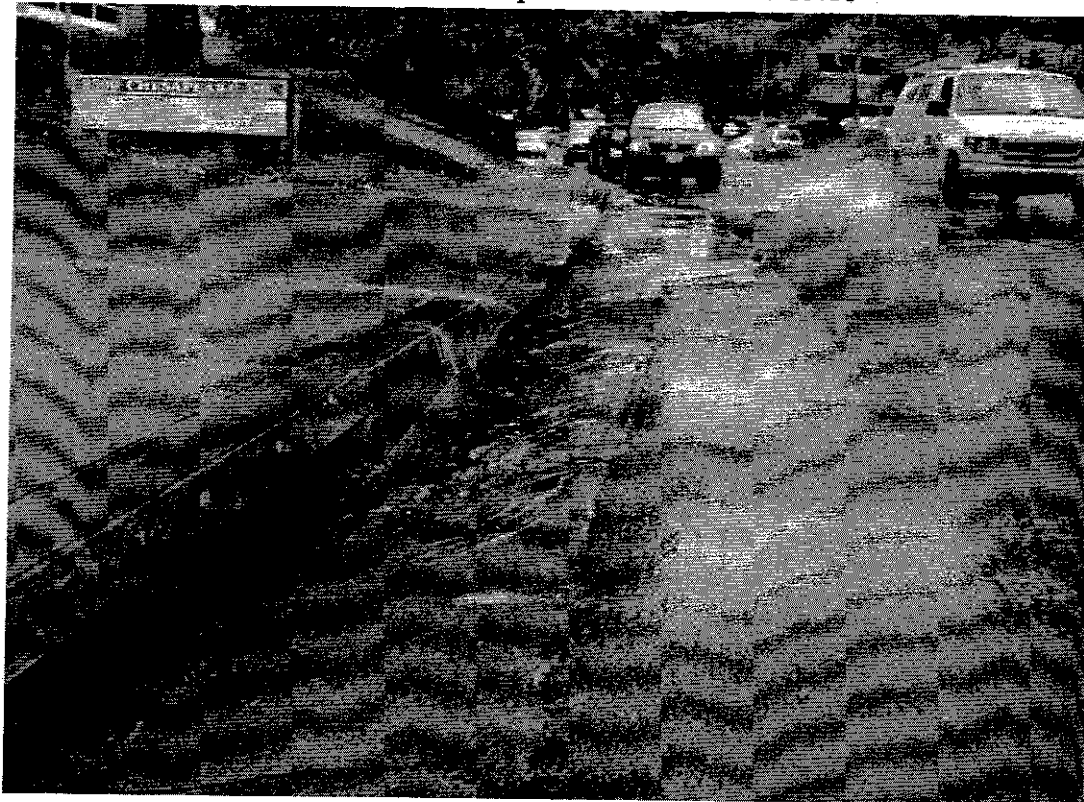
Station History - Weather Underground - RWIS via Internet - Online

http://www.underground.com/weatherstation/W/DailyHistory.aspx?ID=4047&month=4&day=12&year=2010

San Diego, California (92123) - 4 Weather Station History ... X

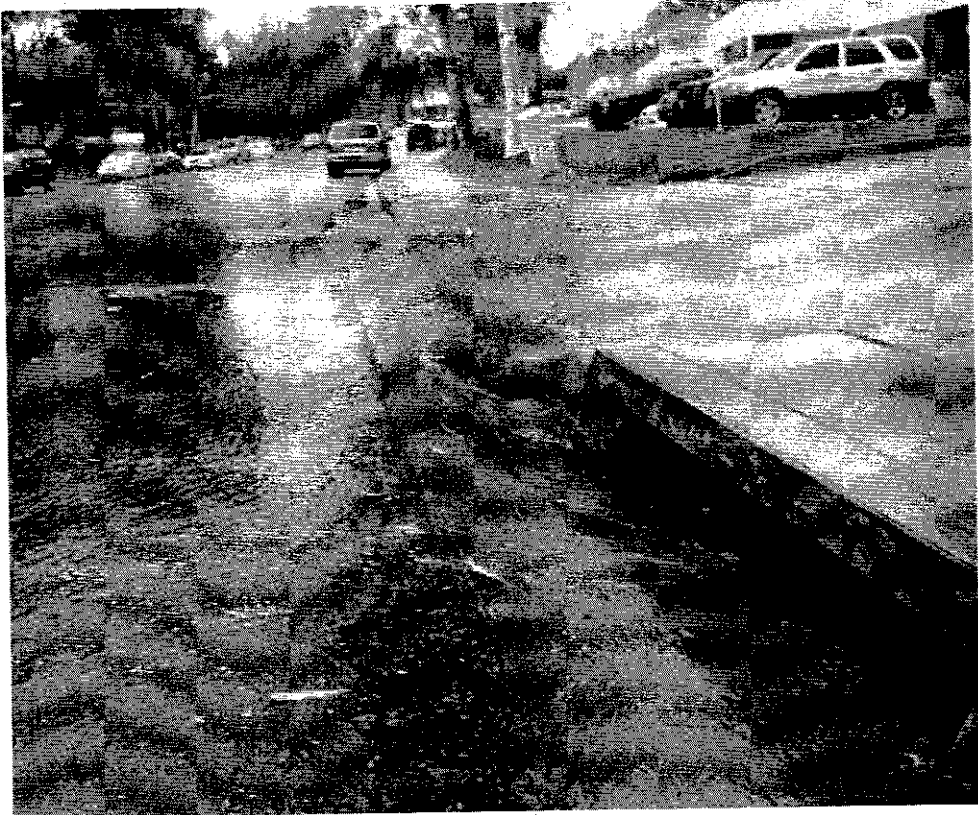
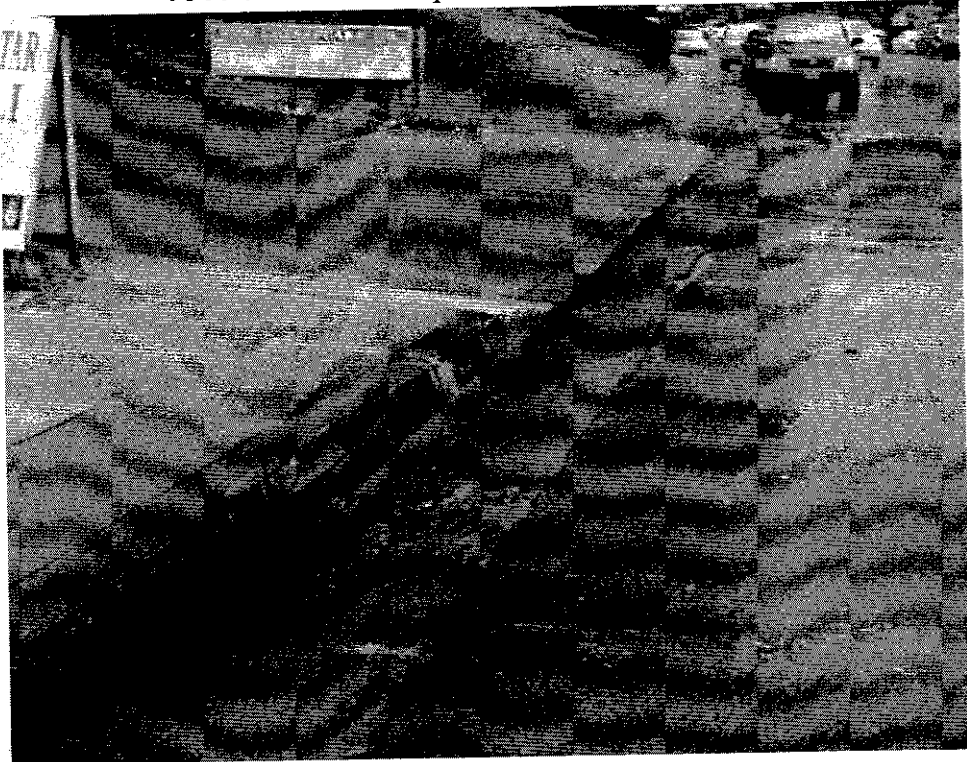
Time	Temp (F)	Temp (C)	Wind Dir	Wind Spd (mph)	Wind Spd (km/h)	Humidity (%)	Precip (in)
11:52	61.0	46.0	West	10.0	16.0	59%	0.00
12:32	63.0	46.0	WNW	13.0	20.9	55%	0.00
12:52	61.0	46.0	WNW	13.0	20.9	59%	0.00
13:08	61.0	46.0	WNW	6.0	9.7	58%	0.00
13:22	61.0	46.0	West	6.0	9.7	58%	0.00
13:52	63.0	46.0	WSW	9.0	14.5	55%	0.00
14:07	63.0	48.0	SW	14.0	22.5	59%	0.00
14:32	61.0	48.0	WSW	14.0	22.5	53%	0.00
14:32	61.0	48.0	SW	10.0	16.0	53%	0.00
14:42	63.0	48.0	SW	14.0	22.5	59%	0.00
15:07	63.0	48.0	WSW	13.0	20.9	59%	0.00
15:22	57.0	48.0	WNW	14.0	22.5	76%	0.07
15:52	57.0	50.0	WNW	7.0	11.3	78%	0.07
15:52	61.0	50.0	West	15.0	24.1	67%	0.07
16:04	61.0	48.0	West	14.0	22.5	53%	0.07
16:32	61.0	46.0	NW	16.0	25.7	59%	0.00

9300 block of Chesapeake Drive 4/12/10 15:11



Attachment 2
City of San Diego
Photographs of Runoff from Rain Events with Less Than 0.2 inch of Rainfall

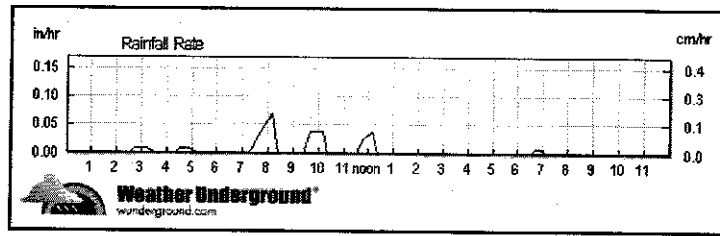
9300 block of Chesapeake Drive 4/12/10 15:11



Attachment 2
 City of San Diego

Photographs of Runoff from Rain Events with Less Than 0.2 inch of Rainfall

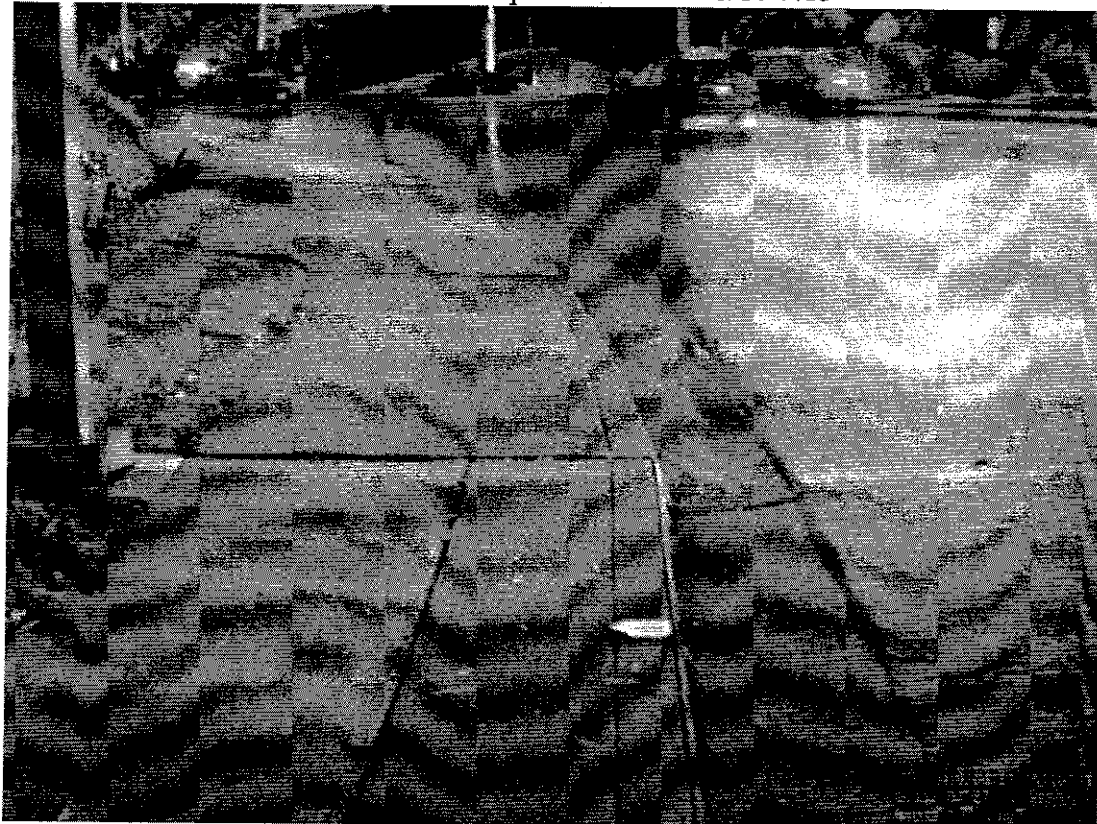
Rain Event 3: April 21, 2010 Kearny Mesa 7:15 am **0.04-0.07 inch** rainfall



http://www.weatherunderground.com/weatherstation/WXDailyHistory.asp?ID=MKMYPMonID=1&day=21&year=2010

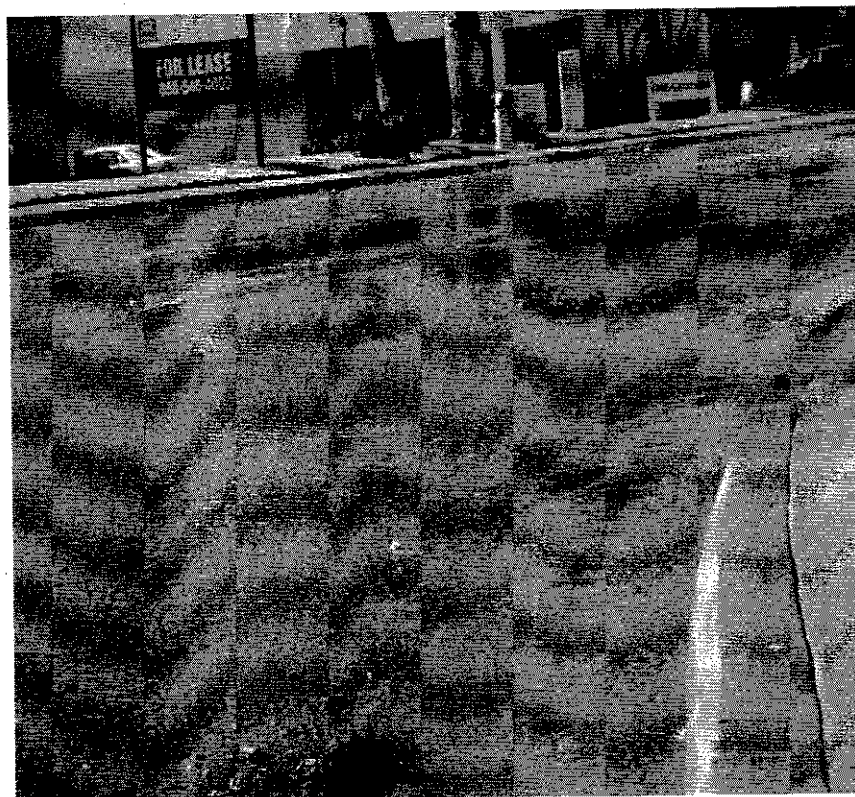
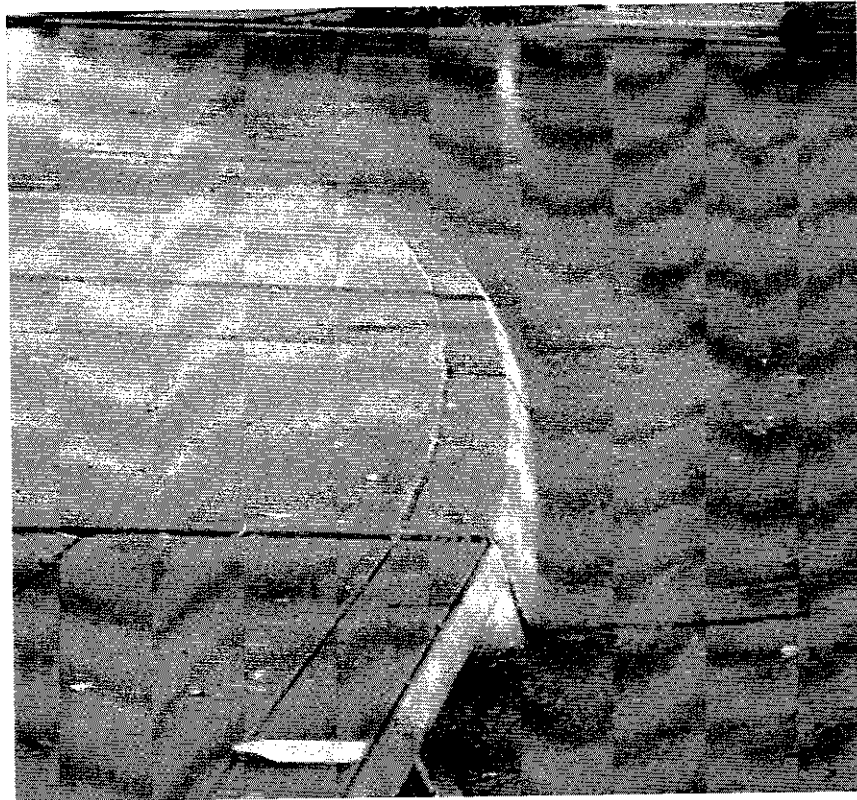
Time	Temp	Humidity	Pressure	Wind Dir	Wind Spd	Wind Gust	Rel Hum	Rainfall
03:00	52.0 °F	45.0 %	29.91in	West	10.0mph	0.0mph	75%	0.00in
03:42	54.0 °F	43.0 %	29.90in	West	10.0mph	0.0mph	66%	0.00in
03:59	52.0 °F	43.0 %	29.90in	WNW	12.0mph	0.0mph	73%	0.00in
04:22	54.0 °F	43.0 %	29.89in	WNW	14.0mph	0.0mph	66%	0.00in
04:32	52.0 °F	45.0 %	29.89in	WNW	10.0mph	0.0mph	74%	0.01in
04:43	52.0 °F	43.0 %	29.89in	WNW	10.0mph	0.0mph	71%	0.01in
04:53	52.0 °F	43.0 %	29.89in	West	7.0mph	0.0mph	71%	0.01in
05:22	52.0 °F	43.0 %	29.88in	West	9.0mph	0.0mph	71%	0.00in
05:33	52.0 °F	41.0 %	29.88in	West	12.0mph	0.0mph	66%	0.00in
05:43	52.0 °F	43.0 %	29.88in	West	9.0mph	0.0mph	71%	0.00in
05:53	52.0 °F	41.0 %	29.88in	West	10.0mph	0.0mph	66%	0.00in
06:09	52.0 °F	43.0 %	29.88in	West	8.0mph	0.0mph	71%	0.00in
06:22	52.0 °F	43.0 %	29.87in	West	10.0mph	0.0mph	71%	0.00in
06:32	52.0 °F	39.0 %	29.87in	West	9.0mph	0.0mph	61%	0.00in
06:42	52.0 °F	39.0 %	29.87in	West	7.0mph	0.0mph	61%	0.00in
07:08	50.0 °F	43.0 %	29.89in	WNW	21.0mph	0.0mph	76%	0.00in
07:22	46.0 °F	43.0 %	29.88in	West	9.0mph	0.0mph	81%	0.00in
07:42	48.0 °F	45.0 %	29.88in	NW	5.0mph	0.0mph	87%	0.04in
08:09	52.0 °F	45.0 %	29.90in	WNW	13.0mph	0.0mph	76%	0.07in
08:22	50.0 °F	45.0 %	29.89in	WNW	5.0mph	0.0mph	81%	0.00in

9300 block Chesapeake Drive 4/21/10 7:15



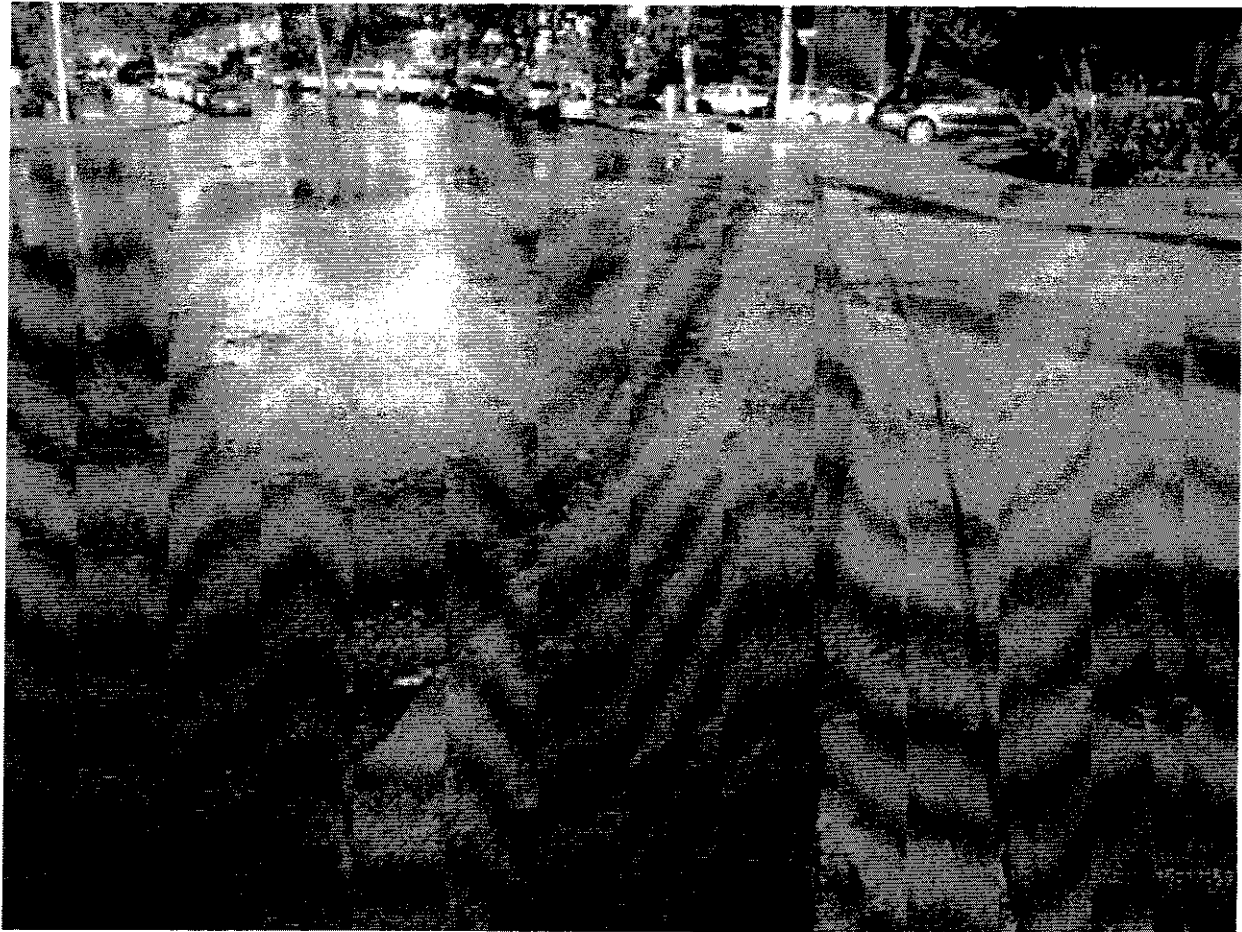
Attachment 2
City of San Diego
Photographs of Runoff from Rain Events with Less Than 0.2 inch of Rainfall

9300 block Chesapeake Drive 4/21/10 7:15



Attachment 2
City of San Diego
Photographs of Runoff from Rain Events with Less Than 0.2 inch of Rainfall

9300 block Chesapeake Drive 4/21/10 7:15



Attachment 3
 City of San Diego
 Number of Wet Days Comparison from Monitored Rainfall Data 1998-2008

Table 1. Comparison of Number of Wet Days with Different Rainfall Amounts					
Season	Total Rainfall (inches)	Number of Wet Days (including the following 72 hours)		Difference between Wet Days	Rain
		0.1 inch or greater	0.2 inch or greater		
1998-1999	8.23	63	47	16	Fashic
1999-2000	5.81	31	24	7	Lir
2000-2001	8.54	53	45	8	Lir
2001-2002	3.08	38	18	20	Lir
2002-2003	10.85	51	46	5	Combined (Fash
2004-2005	24.21	70	63	7	Fashic
2005-2006	6.82	48	44	4	Fashic
2006-2007	4.80	45	23	22	Fashic
2007-2008	9.07	52	38	14	Weston Install
2008-2009	9.66	38	33	5	Weston Install
Average	9.11	49	38	11	