

State of California
Regional Water Quality Control Board
San Diego Region

SUPPLEMENTAL
EXECUTIVE OFFICER SUMMARY REPORT
May 14, 2008

ITEM:

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SUBJECT:

PUBLIC HEARING: Amendment to the Water Quality Control Plan for the San Diego Basin to incorporate Implementation Provisions for Indicator Bacteria Water Quality Objectives to Account for Loading from Natural Uncontrollable Sources Within the Context of a Total Maximum Daily Load. The San Diego Water Board will hear testimony and comments on the proposed Basin Plan amendment. The San Diego Water Board may deliberate on and consider adoption of the Basin Plan amendment at the close of this public hearing. (Tentative Resolution No. R9-2008-0028) (Amy Mecklenborg)

PURPOSE:

To hear testimony, deliberate on, and consider adoption of the subject tentative Basin Plan amendment (see original report).

PUBLIC NOTICE:

All state and federal public noticing requirements have been fully satisfied as described in the Executive Officer Summary Report. A 75 day public review and comment period was provided (see original report).

DISCUSSION:

The purpose of this Supplemental Executive Officer Summary Report is to (1) provide responses to San Diego Coastkeeper's letter dated April 29, 2008 (which was provided with the original packet as Supporting Document 5); (2) provide a second Errata Sheet; (3) correct an error in the original Executive Officer Summary Report; and (4) provide a comment letter from Caltrans dated May 7, 2008. Items (1), (2), and (4) are attached here as supporting documents. Item (3) is corrected below.

Correction to Original Executive Officer Summary Report

The error in the Executive Officer Summary Report (located in the Discussion Section, Implementation of RSAA and NSEA subsection, fourth paragraph of page 4) is corrected as follows:

In contrast, the natural source exclusion approach will most likely be employed after initial TMDLs have been adopted and controls have been implemented to reduce ~~natural~~ anthropogenic sources of indicator bacteria.

KEY ISSUES:

3. Language to the draft Basin Plan amendment and Technical Report has been modified/augmented to clarify the definition of anthropogenic; recognize that some anthropogenic sources of bacteria are infeasible, impractical, or inappropriate to control; and make clear what is and is not meant by the requirement “to control all anthropogenic sources of indicator bacteria” (in the context of this Basin Plan amendment and associated TMDLs).
4. Consistent with the State Board’s CEQA regulations for Basin Plan amendments, public comments on this tentative resolution and Basin Plan amendment may continue to be submitted up to, and including, today’s public hearing. Oral responses to significant comments raised at (or just before) the hearing will be provided before you take an action to consider adoption.
5. Your December 12, 2007 adoption of a Basin Plan amendment establishing Total Maximum Daily Loads for Indicator Beaches and Creeks in the San Diego Region (TMDLs for Indicator Bacteria Project I – Beaches and Creeks in the San Diego Region) pursuant to Resolution R9-2007-004 was made *contingent* upon your adoption of the Basin Plan amendment and resolution before you today.

LEGAL CONCERNS:

None.

SUPPORTING DOCUMENTS:

7. Responses to Comments II dated May 9, 2008 (responding to San Diego Coastkeeper’s letter dated April 29, 2008).
8. Errata Sheet II dated May 9, 2008 to Tentative Resolution No. R9-2008-0028 and Attachment A, draft Basin Plan Amendment (dated February 29, 2008) and Draft Technical Report (dated February 29, 2008)
9. Letter from Caltrans dated May 7, 2008 (responses to be provided at the public hearing).

RECOMMENDATION(S):

Adoption of tentative Resolution No. R9-2008-0028 is recommended.