California Regional Water Quality Control Board
San Diego Region

Amendment to the *Water Quality Control Plan for the San Diego Basin (9)* to Add Unnamed or Unidentified Waterbodies to the Beneficial Use Tables and Make Water Quality Objective Table Corrections (Basin Plan Issue No. 3)

Technical Report

November 9, 2005

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California Regional Water Quality Control Board
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on November 9, 2005

Approved by the
State Water Resources Control Board
on _____, 2005
and the
Office of Administrative Law
on _____, 2005
and the
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on _____, 2006

Cover Photograph: Crestridge Ecological Reserve, (January 2005) by Linda Pardy

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LIST OF ACRONYMS AND ABBREVIATIONS

Acronym or abbreviation	Definition
AB	Assembly bill
AGR	Agricultural supply
AQUA	Aquaculture
ASBS	Areas of Special Biological Significance
B	Boron
Basin Plan	*Water Quality Control Plan for the San Diego Basin (9)*
BIOL	Preservation of biological habitats of special significance
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
Cl	Chlorides
COLD	Cold freshwater habitat
COMM	Commercial and sport fishing
CP	California fully protected species
CSC	California species of special concern
CWA	Clean Water Act
CWC	California Water Code
EST	Estuarine habitat
F	Fluoride
^{o}F	degrees Fahrenheit
Fe	Iron
FRSH	Freshwater replenishment
GWR	Ground water recharge
HA	Hydrologic area
HSA	Hydrologic subarea
IND	Industrial service supply
MAR	Marine habitat
MBAS	Methylene blue activated substance
MIGR	Migration of aquatic organisms
MMAs	Marine managed areas
Mn	Manganese
MPAs	Marine protected areas
MUN	Municipal and domestic supply
mg/l	milligrams per liter
% Na	Percent sodium
NAV	Navigation
NDDB	Natural diversity data base
NO_3	Nitrate
NPDES	National Pollutant Discharge and Elimination System
NTU	Nephelometric turbidity units
OAL	Office of Administrative Law

Acronym or abbreviation	Definition
POW	Hydropower generation
PRC	Public Resources Code
PROC	Industrial process supply
RARE	Rare, threatened, or endangered species
REC-1	Water contact recreation
REC-2	Non-contact water recreation
SAL	Inland saline water habitat
SB	Senate bill
SHELL	Shellfish harvesting
SO_4	Sulfate
SPWN	Spawning, reproduction, and/or early development
SE	State endangered
ST	State threatened
Regional Board	San Diego Regional Water Quality Control Board
Regional Water Board	San Diego Regional Water Quality Control Board
SHELL	Shellfish harvesting
SWQPAs	State water quality protection areas
State Board	State Water Resources Control Board
State Water Board	State Water Resources Control Board
TDS	Total dissolved solids
Turb	Turbidity
USEPA	United States Environmental Protection Agency
WARM	Warm freshwater habitat
WDRs	Waste discharge requirements
WILD	Wildlife habitat

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EXECUTIVE SUMMARY

The *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan) provides the foundation for regulatory activities, informs the public of regional water quality goals and requirements, and establishes the basis for cooperative watershed management. Some parts of the Basin Plan require revision to keep it current and accurate with respect to applicable laws, policies, technologies, water quality conditions, and priorities in the San Diego Region. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has an obligation to keep the information in the Basin Plan current so that the San Diego Water Board and the public have access to clear, current, and unambiguous information.

This report describes an amendment to revise Chapters 2, 3, 4, 5, and Appendix A of the Basin Plan to make the Basin Plan consistent with new information and current with laws and regulations passed since 1994. The Basin Plan amendment (Appendix 1, Attachment A to Tentative Resolution R9-2005-0239) is the result of an investigation of Issue No. 3 on the *Prioritized List of Basin Plan Issues for Investigation from September 2004 to September 2007* (Attachment 1 to Resolution No. R9-2004-0156) adopted by the San Diego Water Board as part of the 2004 Triennial Review of the Basin Plan.

The amendment makes the following revisions to the Basin Plan. References to Chapter, Table and page numbers refer to the Basin Plan, not this report. In Chapter 2, 'Beneficial Uses' the section entitled, 'Preservation of Biological Habitats of Special Biological Significance' (BIOL) is updated. Also, Table 2-2 'Beneficial Uses of Inland Surface Waters' and Table 2-4 'Beneficial Uses of Reservoirs and Lakes,' respectively, are updated to identify specific names and the beneficial uses for thirteen previously unnamed stream segments and two newly constructed reservoirs. Additional changes for Table 2-2 include identifying waterbody segments where BIOL is designated, identifying the name of a watershed and correcting typographic errors. Other changes in Chapter 2 include adding 'Famosa Slough and Channel' as a distinct waterbody to Table 2-3, 'Beneficial Uses of Coastal Water' to clarify the beneficial uses for this waterbody; adding the inadvertently omitted AGR, PROC, and GWR beneficial uses to Diamond Valley Lake in Table 2-4, 'Beneficial Uses of Reservoirs and Lakes;' clarifying an endnote in Table 2-5, 'Beneficial Uses of Ground Water;' and correcting spelling of two ground water names.

In Chapter 3, 'Water Quality Objectives,' clarifications in Table 3-2 and 3-3 are made. The update in Tables 3-4, 3-5, 3-6, 3-7, and 3-8 are prescriptive regulatory changes in Title 22 of the California Code of Regulations (CCR). Other changes include deleting the obsolete toulene objective, and a spelling change.

In Chapter 4, 'Implementation,' the changes include spelling changes.

In Chapter 5, 'Plans and Policies,' the section entitled, 'Areas of Special Biological Significance' (ASBS) will be updated to change the title of the section and recognize ASBS as a subset of 'State water quality protection areas,' (SWQPAs). Also the section will be updated to make it current.

In Appendix A, 'Glossary,' changes include adding the definition ASBS and SWQPA to the section.

The San Diego Water Board must, under most circumstances, comply with the California Environmental Quality Act (CEQA) when it amends the Basin Plan. The San Diego Water Board is the Lead Agency for evaluating the environmental impacts of Basin Plan amendments pursuant to CEQA. In compliance with the State Water Resources Control Board's CEQA implementation regulations, the San Diego Water Board prepared the environmental documents required for basin planning actions which include an Environmental Checklist Form, a written report disclosing the potentially significant environmental impacts and economic impacts of the reasonably foreseeable methods of compliance with the Basin Plan amendment, and initial draft of the Basin Plan amendment.

There are no potentially significant environmental impacts or economic impacts from the implementation of this Basin Plan amendment. This finding is based on the fact that the amendment merely updates the Basin Plan to make it current. The revisions do not have any direct effect on the environment because the beneficial uses exist, whether or not the beneficial uses are specifically listed in the Basin Plan. Further, this amendment does not change any implementation plans, or policies that affect discharges of waste to waters of the State.

1. INTRODUCTION

The *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan) provides the foundation for regulatory activities, informs the public of regional water quality goals and requirements, and establishes the basis for cooperative watershed management. The Basin Plan fulfills the federal Clean Water Act and the California Porter-Cologne Water Quality Control Act requirement that the San Diego Water Board adopt and maintain a water quality control plan (the Basin Plan) to guide and coordinate the management of water quality in the San Diego Region. The purpose of the Basin Plan is to: (1) designate beneficial uses of the Region's surface and ground waters; (2) designate water quality objectives for the reasonable protection of those uses; and (3) establish an implementation plan to achieve the objectives. The last major revision and update of the Basin Plan was in 1994.

Some parts of the Basin Plan require revision to keep it current and accurate with respect to applicable laws, policies, technologies, water quality conditions, and priorities in the San Diego Region. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has an obligation to keep the information in the Basin Plan current with new information, and consistent with laws, regulations, and policies so that the San Diego Water Board and the public have access to clear, current, and unambiguous information.

This report describes an amendment to revise Chapters 2, 3, 4, 5, and Appendix A of the Basin Plan to add unnamed or unidentified waterbodies to the Beneficial Use Tables, to make corrections to the Water Quality Objectives Tables, and to correct out-of-date information, errors, and ambiguities in the Basin Plan. The Basin Plan amendment (Appendix A, Attachment A to Tentative Resolution R9-2005-0239) is the result of an investigation of Issue No. 3 on the *Prioritized List of Basin Plan Issues for Investigation from September 2004 to September 2007* (Attachment 1 to Resolution No. R9-2004-0156) adopted by the San Diego Water Board as part of the 2004 Triennial Review of the Basin Plan.

2. BASIN PLAN REVISIONS

The detailed revisions to the Basin Plan included in the amendment are described in this section. The revisions are organized in the order they appear in the Basin Plan starting with Chapter 2. Chapter numbers, table numbers, and page numbers inside brackets "[]" in the headings and text of this section refer to the Basin Plan, not this report.

2.1. Chapter 2, Beneficial Uses

The following revisions are made to Chapter 2, 'Beneficial Uses.' The section entitled, 'Preservation of Biological Habitats of Special Biological Significance' (BIOL) is updated. Also, Table 2-2 'Beneficial Uses of Inland Surface Waters' and Table 2-4 'Beneficial Uses of Reservoirs and Lakes,' respectively, are updated to identify specific names and the beneficial uses for thirteen previously unnamed stream segments and two newly constructed reservoirs.

Additional changes for Table 2-2 include identifying the name of a watershed and correcting a typographic error. Other changes in Chapter 2 include adding a footnote to Table 2-3, 'Beneficial Uses of Coastal Water' to clarify the area considered for a waterbody; and clarifying an endnote in Table 2-5, 'Beneficial Uses of Ground Water.'

Preservation of Habitats of Special Biological Significance [pages 2-4 through 2-5]
The 'preservation of habitats of special biological significance' (BIOL) beneficial use designation includes all areas within the San Diego Region that are 'areas of special biological significance' (ASBS). The proposed Basin Plan amendment updates the section by:

1. Updating the names of specific ASBS to be consistent with the renaming of ASBS by the State Interagency Coordinating Committee (ICC), and to be consistent with the classification system of Marine Managed Areas (MMAs) and Marine Protected Areas (MPAs) in the State's ocean and estuarine waters.

   The State ICC acting under authority of the Public Resources Code (PRC) renamed certain ASBS and 'State water quality protection areas' (SWQPAs) to be consistent with MMAs and MPAs in the State's ocean and estuarine waters. The California Fish and Game Commission also adopted these name changes for certain MMAs and MPAs. The proposed ASBS name changes are administrative in nature, since these proposed name changes will not influence the protection of water quality afforded to the ASBS, and will not change the ASBS as a beneficial use.

   In addition, since January 1, 2003, all ASBS have been classified as a subset of SWQPAs pursuant to PRC section 36750. The proposed ASBS/SWQPA names are shown in Table 1 below:

Table 1. Areas of Special Biological Significance within the San Diego Region

#	ASBS Name	Date Designated	State Water Board Resolution	Proposed ASBS / SWQPA Name
29	San Diego La Jolla Ecological Reserve	3/21/1974	No. 74-28	La Jolla
30	Heisler Park Ecological Reserve	3/21/1974	No. 74-28	Heisler Park
31	San Diego Marine Life Refuge	3/21/1974	No. 74-28	San Diego – Scripps
33	Irvine Coast Marine Life Refuge	4/18/1974	No. 74-32	Irvine Coast

2. Adding the 'Irvine Coast' to the list of coastal waters designated as ASBS in the San Diego Region. The ASBS known as the 'Irvine Coast Marine Life Refuge' in State Water Board Resolution No. 74-32, is renamed 'Irvine Coast' to be consistent with the renaming of ASBS by the State ICC, and to be consistent with the classification system of MMAs and MPAs in the State's ocean and estuarine waters. This ASBS is within the boundaries of both the Santa Ana Region (8) and the San Diego Region (9).

3. Removing the ASBS known as the 'Newport Beach Marine Life Refuge' from the list of ASBS located within the San Diego Region (9) because this ASBS is located within the

boundaries of the Santa Ana Region (8), and outside of the boundaries of the San Diego Region. This revision will reduce confusion about the location of this ASBS.

4. Adding SWQPA to the title of the section, adding a definition of the term SWQPA, and explaining the relationship between SWQPA and ASBS. The inclusion of the term SWQPA in this section is an administrative update because the change has already been made by the State legislature. A SWQPA is a nonterrestrial marine or estuarine area designated to protect marine species or biological communities from an undesirable alteration in natural water quality, including, but not limited to, ASBS that have been designated by the State Water Board through its water quality planning process [PRC, section 36700(f)].

5. Listing SWQPA and ASBS geographically, beginning from the 'Irvine Coast, Orange County' in the northern portion of the San Diego Region to 'San Diego – Scripps, San Diego County' in the southern portion of the San Diego Region.

Marine Protected Areas [pages 2-4 through 2-5]
The proposed amendment updates the 'Preservation of Biological Habitats of Special Significance (BIOL)' section to include and describe 'marine protected areas' (MPAs), and list as BIOL coastal waters designated as MPAs.

A 'marine protected area,' (MPA) is a named, discrete geographic marine or estuarine area seaward of the high tide line or the mouth of a coastal river, including any area of intertidal or subtidal terrain, together with its overlying water and associated flora and fauna that has been designated by law, administrative action, or voter initiative to protect or conserve marine life and habitat [Fish and Game Code, section 2852(c)]. MPAs include State marine reserves, State marine parks, and State marine conservation areas.

A 'State marine reserve,' is a non-terrestrial marine or estuarine area that is designated so the managing agency may achieve one or more of the following [PRC section 36700(a)]:

1. protect or restore rare, threatened or endangered native plants, animals or habitats in marine areas;

2. protect or restore outstanding, representative or imperiled marine species, communities, habitats or ecosystems;

3. protect or restore diverse marine gene pools; or

4. contribute to the understanding and management of marine resources and ecosystems by providing the opportunity for scientific research in outstanding, representative or imperiled marine habitats or ecosystems.

A 'State marine park,' is a non-terrestrial marine or estuarine area that is designated so the managing agency may provide opportunities for spiritual, scientific, educational, and recreational opportunities, as well as one or more of the following [PRC section 36700(b)]:

1. protect or restore outstanding, representative or imperiled marine species, communities, habitats and ecosystems;

2. contribute to the understanding and management of marine resources and ecosystems by providing the opportunity for scientific research in outstanding, representative or imperiled marine habitats or ecosystems;

3. preserve cultural objects of historical, archaeological and scientific interest in marine areas; or

4. preserve outstanding or unique geological features.

A 'State marine conservation area,' is a non-terrestrial marine or estuarine area that is designated so the managing agency may achieve one or more of the following [PRC section 36700(c)]:

1. protect or restore rare, threatened or endangered native plants, animals or habitats in marine areas;

2. protect or restore outstanding, representative or imperiled marine species, communities, habitats or ecosystems;

3. protect or restore diverse marine gene pools;

4. contribute to the understanding and of marine resources and ecosystems by providing the opportunity for scientific research in outstanding, representative or imperiled marine habitats or ecosystems;

5. preserve outstanding or unique geological features; or

6. provide for sustainable living marine resource harvest.

Marine Life Refuges [pages 2-4 through 2-5]
The proposed amendment updates text describing marine life refuges to bring the section up-to-date. Also, the marine life refuges are listed from north to south in order to bring geographical organization to this section. In certain areas marine life refuges may overlap.

The proposed amendment removes the Newport Beach Marine Life Refuge, Orange County from this section because this marine life refuge is not contained within the San Diego Region, and lies entirely within the Santa Ana Region.

Wildlife Area [pages 2-4 through 2-5]
The proposed amendment adds the State wildlife area known as 'Hollenbeck Canyon Wildlife Area, San Diego County' to the list of areas designated BIOL. Hollenbeck canyon wildlife area was designated by the Fish and Game Commission as a State wildlife area on

October 5, 2001 [Mr. John Anderson, DFG, personal communication, June 10, 2005.] The wildlife area was acquired to protect and enhance habitat for wildlife species, and to provide the public with wildlife-related recreational uses. The reason for this revision is to bring this section up-to-date.

Ecological Reserves, Natural Preserves, and National Wildlife Areas [pages 2-4 through 2-5]

The proposed amendment updates text describing ecological reserves, natural preserves, and national wildlife refuges. Also, the proposed amendment adds to the list of areas designated BIOL those areas that have recently been designated as ecological reserves, natural preserves, or national wildlife refuges. The reason for these revisions is to bring this section up-to-date.

Table 2-2, Beneficial Uses of Inland Surface Waters

Table 2-2, Beneficial Uses of Inland Surface Waters is updated to add thirteen waterbody segments unnamed or unknown at the time of the previous Basin Plan update in 1994. Additional revisions correct spelling errors, add a watershed name, and clarify a footnote.

The thirteen stream segments added to Table 2-2 [pages 2-12 through 2-46] are listed by their locally known names as shown below along with the hydrologic subareas (HSA) in which they are located.

1. Live Oak Creek (HSA 3.12),
2. Moonlight Creek (HSA 4.51),
3. Cottonwood Creek (HSA 4.51),
4. Kit Carson Creek (HSA 5.21),
5. East Branch Kit Carson Creek (HSA 5.24),
6. West Branch Kit Carson Creek (HSA 5.24),
7. Felicita Creek (HSA 5.23),
8. East Fork Felicita Creek (HSA 5.23),
9. West Fork Felicita Creek (HSA 5.23),
10. Green Valley Creek (HSA 5.21),
11. Green Valley Creek (HSA 5.22),
12. Cloverdale Creek (HSA 5.32), and
13. Aqueduct Arm Creek (HSA 7.21).

Maps of the stream segments are shown in Appendix 3, and field notes on and pictures of the segment are shown in Appendix 4. Specifying the locally known names for these waterbody segments in Table 2-2 will facilitate the ease with which stakeholders will be able to identify and determine the beneficial uses for these waterbodies.

Beneficial uses were assigned to the waterbodies based on different rules, laws, and policies, as well as information on and observations of the waterbodies. The following sections describe the San Diego Water Board's authority to designate beneficial uses, the definitions of the beneficial uses in the Basin Plan, and the beneficial uses assigned to the thirteen stream segments and along with the principles and information used to designate the beneficial uses.

Designation of Beneficial Uses of Surface Waters

Beneficial uses for surface waters are designated by the Regional Water Board under federal Clean Water Act section 303 in accordance with regulations contained in Title 40 of the Code of Federal Regulations (CFR), section 131 [40 CFR 131] and in accordance with considerations in Water Code (CWC) sections 13050(f), and 13241(a) and (c). Pursuant to these laws and regulations, water uses are categorized as either designated, or existing, or as both.

Designated beneficial uses are those uses specified for each waterbody or segment whether or not they are being attained [40 CFR 6 131.3(f)]. Designated uses include both 'existing' or 'potential' beneficial uses. A use is existing if it was actually attained in the waterbody on or after November 28, 1975 [40 CFR 131.3(e)]. In general, federal regulations prohibit the removal of an existing use[1] and the state must ensure the maintenance of that level of water quality necessary to protect and maintain existing use. [See 40 CFR 131.10(h)(l) and 131.12(a)(l)].

Clean Water Act section 101(a)(2) establishes a national goal, wherever attainable, of water quality for surface waters "which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water..." Clean Water Act, section 303 (c), requires the State to establish water quality standards[2] which protect the public health or welfare, enhance the quality of water and serve the purposes of Clean Water Act. Pursuant to Clean Water Act sections 101 and 303 the State must establish water quality standards for surface waters that protect beneficial uses for protection and propagation of fish, shellfish and wildlife and recreation in and on the water, wherever such water quality is attainable. The State must also further consider the use and value of surface waters for public water supplies, and agricultural, industrial and navigational purposes in designating beneficial uses. Designated beneficial uses are generally, but not always, present throughout the entire reach of a particular hydrologic unit, area, subarea, or waterbody. Designated beneficial uses may not be present throughout the year.

Beneficial uses are designated for (a) native waters, and (b) imported waters stored in a reservoir. They do not represent the use of water directly imported into the hydrologic basin, unless storage of the imported water occurs within the basin. The lack of a beneficial use listed for any given area does not rule out the possibility of existing or potential beneficial uses. Existing beneficial uses that have not been formally designated in the Basin Plan are protected as well as designated uses.

"Potential beneficial use" refers to waters that have the characteristics and quality, absent pollution, to support the beneficial use even if the beneficial use does not currently exist. Beneficial uses are designated as 'potential' for a variety of reasons, including:

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[1] See 40 CFR 131.10(h)(1). There is one exception authorizing removal of a designated use which is an existing use, if a use requiring more stringent criteria is added.

[2] Water quality standards include the designated uses for a waterbody, as well as criteria (referred to as water quality objectives in California) to protect those uses and an antidegradation policy.

1. Plans are proposed to put the water to a future use;
2. Potential exists to put the water to a future use;
3. The public desires to put the water to future use;
4. The water is potentially suitable for municipal or domestic water supply under the terms of the 'Sources of Drinking Water Policy' (State Water Board Resolution No. 88-63); or
5. The San Diego Water Board has designated a beneficial use as a regional water quality goal.

In the beneficial use tables, a "●" indicates a rebuttable presumption that the beneficial use is an existing beneficial use that was actually attained in the surface water on or after November 28, 1975, and a "○" indicates a potential beneficial use that may develop in future years. A "+" indicates that the waterbody has been exempted by the San Diego Water Board from the municipal use designation under the terms and conditions of State Water Board Resolution No. 88-63, *Sources of Drinking Water Policy*.

Beneficial Use Definitions in the Basin Plan

Basin Plan Tables 2-2, 2-3, and 2-4 list specific waterbodies by name along with their beneficial uses. The beneficial uses and their definitions are specified in Chapter 2 of the Basin Plan and summarized in Table 2 below:

Table 2. Beneficial Uses and Beneficial Use Definitions

Beneficial Use	Definition
Agricultural Supply (AGR)	Includes uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.
Aquaculture (AQUA)	Includes the uses of water for aquaculture or mariculture operations including, but not limited to, propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes.
Cold Freshwater Habitat (COLD)	Includes uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish or wildlife, including invertebrates.
Commercial and Sport Fishing (COMM)	Includes the uses of water for commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to, uses involving organisms intended for human consumption or bait purposes.

Beneficial Use	Definition
Contact Water Recreation (REC-1)	Includes uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and SCUBA diving, surfing, white water activities, fishing, or use of natural hot springs.
Estuarine Habitat (EST)	Includes uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds.)
Freshwater Replenishment (FRSH)	Includes uses of water for natural or artificial maintenance of surface water quantity or quality (e.g., salinity.)
Ground Water Recharge (GWR)	Includes uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.
Hydropower Generation (POW)	Includes uses of water for hydropower generation.
Industrial Process Supply (PROC)	Includes uses of water for industrial activities that depend primarily on water quality.
Industrial Service Supply (IND)	Includes uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well re-pressurization.
Inland Saline Water Habitat (SAL)	Includes uses of water that support inland saline water ecosystems including, but not limited to, preservation or enhancement of aquatic saline habitats, vegetation, fish, or wildlife, including invertebrates.
Marine Habitat (MAR)	Includes uses of water that support marine ecosystems including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (e.g., marine mammals, shorebirds.)
Migration of Aquatic Organisms (MIGR)	Includes uses of water that support habitats necessary for migration, acclimatization between fresh and salt water, or other temporary activities by aquatic organisms, such as anadromous fish.

Beneficial Use	Definition
Municipal and Domestic Supply (MUN)	Includes uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.
Navigation (NAV)	Includes uses of water for shipping, travel, or other transportation by private, military, or commercial vessels.
Non-contact Water Recreation (REC-2)	Includes the uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.
Preservation of Biological Habitats of Special Significance (BIOL)	Includes uses of water that support designated areas or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources requires special protection.
Rare, Threatened, or Endangered Species (RARE)	Includes uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened or endangered.
Shellfish Harvesting (SHELL)	Includes uses of water that support habitats suitable for the collection of filter-feeding shellfish (e.g., clams, oysters and mussels) for human consumption, commercial, or sport purposes.
Spawning, Reproduction, and/or Early Development (SPWN)	Includes uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish. This use is applicable only for the protection of anadromous fish.
Warm Freshwater Habitat (WARM)	Includes uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish or wildlife, including invertebrates.
Wildlife Habitat (WILD)	Includes uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

Principles for Designation of Beneficial Uses for the Stream Segments and Reservoirs added to Tables 2-2 and 2-4

Beneficial uses were designated for the thirteen stream segments and two reservoirs based on the principles discussed below:

- the tributary rule;
- Hydrologic Area beneficial use designations in the original Basin Plan (*Comprehensive Water Quality Control Plan Report, San Diego Basin (9),* adopted in 1975);
- the Clean Water Act section 101(a)(2) "fishable/swimmable" goal;
- State Water Board Resolution No. 88-63, *Sources of Drinking Water Policy*;
- the Department of Fish and Game Natural Diversity Data Base; and
- Information on and field observations of the waterbodies.

Tributary Rule

The "tributary rule" was used to designate beneficial uses in Live Oak Creek (HSA 3.12) and Cloverdale Creek (HSA 5.32). These stream segments are designated with the same beneficial uses as the streams to which they are tributary. The tributary rule ascribes to a tributary, on which surface water quality standards have not been established, the water quality standards applicable to the downstream receiving water. The rationale for designating the beneficial uses of a stream segment to upstream tributaries is primarily based upon the definition of "waters of the United States," the requirements of section 303 of the Clean Water Act, and the requirements of USEPA regulations [40 CFR 131] governing the activities of the states in designating uses for waters of the United States. Most surface waters of the San Diego Region are considered waters of the United States. The term "waters of the United States" includes tributaries of waters of the United States [40 CFR 122.2]. Clean Water Act section 303 requires states to adopt water quality standards (i.e., water uses and water quality criteria for those uses) for all waters of the United States including tributaries to such waters. Further, federal regulations [40 CFR 131.10(b)] provide that in designating uses and criteria for those uses, the states are required to take into consideration the quality of downstream waters and to ensure that water quality standards provide for the attainment and maintenance of downstream water quality. Since the states are required to adopt water quality standards for tributaries, the San Diego Water Board has taken the approach that standards applicable to the downstream receiving water will be applied to the tributary in the absence of site specific standards. The Basin Plan has a footnote which accomplishes this purpose. The footnote states "Beneficial uses apply to all tributaries to the indicated waterbody, if not listed separately." This footnote is used to identify beneficial uses for tributary streams which are not specifically designated in the Basin Plan.

Beneficial Use Designations Based Upon 'Comprehensive Water Quality Control Plan Report, San Diego Basin (9)' adopted in 1975

The first version of the Basin Plan was adopted in 1975, and titled *Comprehensive Water Quality Control Plan for the San Diego Basin* (1975 Basin Plan). In the 1975 Basin Plan and subsequent amendments adopted before 1994, beneficial uses were designated by hydrologic

area and subarea rather than by waterbody or stream segment.[3] These beneficial uses are still applicable, although in 1994, the Basin Plan was updated to list individual waterbodies and their beneficial uses in Table 2-2.

The following beneficial uses were assigned to stream segments based on the beneficial uses designated in the original 1975 Basin Plan [*Comprehensive Water Quality Control Plan Report, San Diego Basin (9)*] and amendments thereof before 1994 for the hydrologic areas in which the segments are located.

The beneficial uses of AGR, IND, REC-1, REC-2, WARM, and WILD, and the exception from MUN were designated for Live Oak Creek (HSA 3.12), Cottonwood Creek (HSA 4.51), and Moonlight Creek (HSA 4.51).

The beneficial uses of MUN, AGR, IND, PROC, REC-2, WARM, WILD, and potential REC-1 were designated for Cloverdale Creek (HSA 5.32).

The beneficial uses of MUN, AGR, IND, PROC, REC-1, REC-2, WARM, WILD, and potential GWR were designated for Kit Carson Creek (HSA 5.21), West Branch Kit Carson Creek (HSA 5.24), East Branch Kit Carson Creek (HSA 5.24), Green Valley Creek (HSA 5.21), Green Valley Creek (HSA 5.22), Felicita Creek (HSA 5.23), West Fork Felicita Creek (HSA 5.23) and Aqueduct Arm Creek (HSA 7.21).

Waterbodies with a 'cold freshwater habitat' (COLD) beneficial use designation support cold freshwater ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates. The COLD beneficial use is not designated for the thirteen newly named waterbody segments because the 1975 Basin Plan did not designate COLD beneficial uses for the Bonsall (3.10), San Marcos (4.50), Hodges (5.20), nor San Pasqual (5.30) hydrologic areas.

Although Aqueduct Arm Creek (HSA 7.21) is in a HSA designated with COLD beneficial uses in the 1975 Basin Plan, it is not designated with COLD beneficial uses in this amendment.[4] The hydrologic area and subarea scale used in the 1975 Basin Plan for designating surface water beneficial uses sometimes led to incorrect beneficial use designations for certain water bodies or stream segments as is the case for Aqueduct Arm

[3] There are three levels of watershed subdivision used for water quality planning purposes in the San Diego Region. Hydrologic units are generally comprised of total river basins, contiguous small watersheds having similar hydrologic characteristics or a closed drainage area. Hydrologic areas are subdivisions of hydrologic units and are generally comprised of a major tributary stream within a hydrologic unit. Hydrologic subareas are subdivisions of hydrologic areas and are generally comprised of smaller tributary streams or segments of major tributary streams in a hydrologic area.

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Creek. In 1997,[5] the Basin Plan was amended to delete COLD beneficial uses designated for waterbodies and stream segments where available evidence and field observations indicated the COLD use was not an existing use on or after November 28, 1975 or designated use (as defined in federal regulations); and attaining the use was not feasible due to stream flow levels or other natural physical habitat conditions. San Diego Water Board field observations of Aqueduct Arm Creek did not reveal the presence of habitat or flow conditions necessary to support COLD uses, or the presence of the rainbow trout (*Oncorhynchus mykiss*), the cold freshwater fish used for the COLD designation (David Gibson, personal communication, August 2005). Thus, COLD beneficial uses are not an existing use in Aqueduct Arm Creek.

Beneficial Use Designations Based Upon Clean Water Act Section 101(A)(2) "Fishable/Swimmable" Goal

All of the thirteen stream segments were designated with 'water contact recreation' (REC-1), 'non-contact water recreation' (REC-2), 'warm freshwater habitat' (WARM), and 'wildlife habitat' (WILD) beneficial uses. These beneficial use designations are necessary to conform to the "fishable/swimmable" goal of the Clean Water Act. As previously discussed, the Clean Water Act section 101(a)(2) establishes an interim goal that, "wherever attainable…water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water be achieved…" Further, section 101(a)(2) states that the objective of the Clean Water Act is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." To be consistent with Clean Water Act section 101(a)(2) states must provide water quality for the protection and propagation of fish, shellfish, and wildlife, and provide for recreation in and on the water where attainable.[6]

Sources of Drinking Water Policy and Incorporation of "Sources Of Drinking Water" Into The Water Quality Control Plan

Designation of 'Municipal And Domestic Supply' (MUN) beneficial uses for the thirteen stream segments is based on the State Water Board's *Sources of Drinking Water Policy* (Resolution No. 88-63) and the San Diego Water Board's *Incorporation of "Sources of Drinking Water" Policy Into the Water Quality Control Plan* (Resolution No. 89-33). The *Sources of Drinking Water Policy* states that all waters of the State are to be protected as existing or potential sources of 'municipal and domestic supply' (MUN) water, and should be so designated by the San Diego Water Board.

Resolution No. 89-33 identifies surface and ground water hydrologic units, areas, and subareas where the MUN beneficial use is not supported. The following stream segments are designated with an existing MUN beneficial use: Kit Carson Creek (HSA 5.21); East Branch Kit Carson Creek (HSA 5.24); West Branch Kit Carson Creek (HSA 5.24); Felicita Creek

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[5] See Resolution No. 97-04. Adopted March 12, 1997. *A Resolution Adopting Amendments to the Water Quality Control Plan for the San Diego Region for the Designation of COLD and SPWN Beneficial Uses.*

[6] See 40 CFR 131.10(j). The statute and regulations create a rebuttable presumption that all waters support these uses. If the designated uses specified by the state do not include the uses specified in Section 101(a) (2) of the Clean Water Act, or if the state wants to remove a use specified in Section 101 (a) (2), the state must conduct a "use attainability analysis." The use attainability analysis must demonstrate that attaining the uses is not feasible based on at least one of six use removal factors described in 40 CFR 131.10(g).

(HSA 5.23); East Fork Felicita Creek (HSA 5.23); West Fork Felicita Creek (HSA 5.23); Green Valley Creek (HSA 5.21); Green Valley Creek (HSA 5.22); Cloverdale Creek (HSA 5.32); and Aqueduct Arm Creek (HSA 7.21).

Kit Carson Creek (HSA 5.21), East Branch Kit Carson Creek (HSA 5.24), West Branch Kit Carson Creek (HSA 5.24), Felicita Creek (HSA 5.23), East Fork Felicita Creek (HSA 5.23), West Fork Felicita Creek (HSA 5.23), Green Valley Creek (HSA 5.22), and Cloverdale Creek (HSA 5.32) are tributary to Lake Hodges, and Aqueduct Arm Creek (HSA 7.21) is tributary to San Vicente Reservoir. Both Lake Hodges and San Vicente reservoir maintain the beneficial use of municipal and domestic water supply and are sources of drinking water.

Waterbodies exempted by the San Diego Water Board from the MUN beneficial use designation by Resolution No. 89-33 include, but are not limited to waterbodies in hydrologic areas (HAs) 3.10 and 4.50. Live Oak Creek (HSA 3.12) is contained within HA 3.10, while Moonlight Creek (HSA 4.51) and Cottonwood Creek (HSA 4.51) are contained within HA 4.50. Waterbodies contained within HA 3.10 and 4.50 are exempted from MUN because the San Diego Water Board has previously determined that these hydrologic areas do not support the MUN or 'Sources of Drinking Water' designation. Hydrologic units, areas, and subareas that do not support the MUN or 'Sources of Drinking Water' designation are listed in Table 2-2 and 2-4 with a "+" indicating that the waterbody has been exempted by the San Diego Water Board from the municipal use designation under the terms and conditions of the 'Sources of Drinking Water' policy.

Designation of 'Rare, Threatened, or Endangered Species' (RARE) Beneficial Use

The RARE beneficial use designation was based, in large part, on the information contained within RareFind. RareFind is the personal computer application of the California Department of Fish and Game's, 'Natural Diversity Data Base' (NDDB). The NDDB tracks the location and condition of California's rare, threatened, endangered, and sensitive plants, animals and natural communities. The NDDB is the most complete single source of information on California's rare, endangered, threatened and sensitive species, and natural communities. However, the absence of a special animal, plant or natural community from the RareFind report does not necessarily mean that they are absent from the area in question, only that no occurrence data are currently entered in the NDDB inventory. The RARE designation is added only where there is 'substantial evidence' that the waterbody supports 'water-dependent' State or federally listed 'threatened' or 'endangered' species and that sightings of the species have occurred since November 28, 1975.

According to the RareFind report on the thirteen stream segments, rare, threatened, endangered, and/or sensitive plants, animals and natural communities are present in three of the stream segments including Live Oak Creek (HSA 3.12), Kit Carson Creek (HSA 5.21), and Cloverdale Creek (HSA 5.32). Therefore, the RARE beneficial use designation is assigned to these stream segments. The remaining ten stream segments are not designated with the RARE beneficial use.

Under the Fish and Game Code, as well as the California Environmental Quality Act, a State lead agency is required to consult with the Department of Fish and Game to determine

whether a project under consideration (e.g., this Basin Plan amendment or a permitting process) will adversely affect any threatened or endangered species. The consultation process is important in identifying bodies of water that support threatened or endangered species. During the Basin Plan amendment consultation process, the Department of Fish and Game provided RareFind information on the thirteen waterbody segments and two reservoirs proposed for addition to the beneficial use tables in the Basin Plan.

Water-dependent threatened or endangered species which were considered in determining if the RARE beneficial use designation applied to the thirteen waterbody segments and two reservoirs proposed for listing in the beneficial uses tables for this amendment include those species listed in Basin Plan Table 2-1. Species listed in Basin Plan Table 2-1 include the following: bald eagle, *Haliaeetus leucocephalus*; humpback whale, *Megaptera novaeangliae*; willowy monardella, *Monardella linoides* ssp. *Viminea*; Belding's savannah sparrow, *Passerculus sandwichensis beldingi*); California brown pelican, *Pelecanus occidentalis californicus*; light-footed clapper rail, *Rallus longirostris levipes*; California least tern, *Sterna antillarum browni*; least Bell's vireo, *Vireo bellii pusillus*; blue whale, *Balaenoptera musculus*; western snowy plover, *Charadrius alexandrinus nivosus* (breeding); Pacific green sea turtle, *Chelonia mydas*; salt-marsh bird's beak, *Cordylanthus maritimus* ssp. *Maritimus*; southwestern willow flycatcher, *Empidonax traillii extimus*; and tidewater goby, *Eucyclogobius newberryi* (Girard).

A water-dependent amphibian known as the arroyo southwestern toad, *Bufo microscaphus californicus* was listed by the U.S. Fish and Wildlife Service as an endangered species under the Endangered Species Act on December 16, 1994, effective January 17, 1995. Table 2-1(a) below is added to the Basin Plan to include the arroyo southwestern toad as a species used to designate RARE beneficial uses in this update of the Basin Plan.

Table 2-1(a). Water-dependent threatened or endangered species considered in the 2005 Basin Plan update of the RARE beneficial use designation.

Name	Status [1]	Type	Habitat Remarks
Arroyo southwestern toad *Bufo microscaphus californicus*	FE	amphibian	shallow, gravelly pools adjacent to sandy stream terraces

Designation of 'Spawning, Reproduction and/or Early Development' (SPWN) Beneficial Use

The SPWN beneficial use is not designated for the thirteen stream segments because the SPWN beneficial use designation is assigned only to waterbodies with MAR and/ or COLD beneficial uses. Since none of the thirteen stream segments were designated with MAR or COLD beneficial uses, likewise, they were not designated with SPWN uses.

Designation of 'Preservation of Biological Habitats of Special Significance' (BIOL) Beneficial Use

The 'preservation of biological habitats of special significance' (BIOL) beneficial use designation applies to waterbodies which includes uses of water that support designated areas

or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or 'areas of special biological significance,' (ASBS) where the preservation or enhancement of natural resources requires special protection. None of the thirteen stream segments are designated with BIOL beneficial uses because these waterbodies do not lie within geographic areas designated as BIOL.

Hierarchy of Listing Waterbodies in Table 2-2, 'Inland Surface Waters'

The name of a creek can appear more than once in Basin Plan Table 2-2 if the creek crosses a hydrologic unit or subunit boundary. This is because of the hierarchy used to list waterbodies in Table 2-2. In the Basin Plan, waterbodies are grouped in Table 2-2 by hydrologic unit and watershed. Individual waterbodies are then listed by mainstream and tributary. Thus, Table 2-2 lists the waterbodies at the coastal northern regional boundary of the San Diego region with the Santa Ana region, starting with the San Juan hydrologic unit (HU 1.00). The last hydrologic unit listed in Table 2-2 is the Tijuana (HU 11.00) at the southern regional boundary of the San Diego Region with the country of Mexico. Within each hydrologic unit, waterbodies are subgrouped by watersheds. For example, within the San Juan HU are the following seven distinct watersheds: Orange County coastal streams, hydrologic area (HA) 1.10; Aliso Creek watershed, HA 1.13; Dana Point watershed, HA 1.14; San Juan Creek watershed, HA1.20; Orange County coastal streams, HA 1.30; San Mateo Creek watershed, HA 1.40; and the San Onofre Creek watershed, HA 1.50.

Basin Plan Table 2-2 lists the waterbody name, watershed, and hydrologic unit basin number (i.e., area or subarea) for each waterbody segment. Within each watershed, waterbodies are listed in Basin Plan Table 2-2 first by the mainstream waterbody name, followed next by their upstream tributaries. Thus the mainstream waterbody name is placed first and flush left in Table 2-2, while the names of upstream tributaries are placed below and slightly to the right of the mainstream waterbody. This hierarchical placement of waterbody names follows through for tributaries upstream of the each waterbody.

For example, this Basin Plan amendment proposes to place Cloverdale Creek (HSA 5.32) within Table 2-2 as shown below:

Inland Surface Waters **1, 2**	Hydrologic Unit Basin Number	**BENEFICIAL USE**															
		MUN	AGR	IND	PROC	GWR	FRSH	POW	REC1	REC2	BIOL	WARM	COLD	WILD	RARE	SPWN
San Dieguito River Watershed																	
San Dieguito River	5.32	●	●	●	●				○	●		●		●	●	
Cloverdale Creek	5.32	●	●	●	●				○	●		●		●	●	

Waterbody names that appear more than once in the table will have a separate hydrologic unit basin number for each appearance. In most instances, the most discrete hydrologic unit basin number is the hydrologic subarea, so surface waters are subdivided into reaches at hydrologic

subarea boundaries. In some instances, such as where there are no hydrologic subarea boundaries, surface waters are subdivided into reaches at hydrologic area boundaries.

List Pueblo San Diego as the Watershed Name for Waterbodies within Hydrologic Unit (HU) 908 in Basin Plan [pages 2-37 through 2-38]

This Basin Plan amendment adds the watershed name of Pueblo San Diego in hydrologic unit (HU) 908 to Basin Plan Table 2-2, 'Beneficial Uses of Inland Surface Waters.' Adding this watershed name within Table 2-2 facilitates the ease with which interested persons would be able to identify, find and locate this watershed, and identify waterbodies and beneficial uses associated with the watershed.

Correct Spelling of Waterbody Names [pages 2-10 and 2-39]

This Basin Plan amendment corrects typographic errors in Basin Plan Table 2-2, 'Beneficial Uses of Inland Surface Waters.' "Denesa Valley" in HSA 909.23 should be corrected to read "Dehesa Valley;" "Carol Canyon" in HSA 906.10 should be corrected to read "Carroll Canyon;" "Las Coches Creek" in HSA 907.14 should be corrected to read "Los Coches Creek."

Table 2-3, Beneficial Uses of Coastal Waters [page 2-47]

This Basin Plan amendment adds 'Famosa Slough and Channel' to Table 2-3 as a distinct coastal waterbody hydrologically connected to the 'Mouth of the San Diego River' in hydrologic subarea (HSA) 7.11. The listing of 'Famosa Slough and Channel' in Table 2-3 provides recognition of this important coastal waterbody and facilitates the ease with which interested persons will be able to locate and determine the beneficial uses for 'Famosa Slough and Channel.'

This Basin Plan amendment adds the BIOL beneficial use to Agua Hedionda Lagoon because each 'State Marine Reserve' or 'Ecological Reserve' in the San Diego Region is designated BIOL. Agua Hedionda Lagoon contains both 'Agua Hedionda Lagoon State Marine Reserve' and 'Agua Hedionda Lagoon Ecological Reserve.' Also, this amendment corrects a typographic error in spelling, "Aqua Hedionda Lagoon" which is corrected to read "Agua Hedionda Lagoon."

In addition, this amendment corrects a typographic error in table 2-3 to show San Elijo Lagoon within HSA 4.61.

Table 2-4, 'Beneficial Uses of Reservoirs and Lakes' [page 2-49]

This amendment proposes to add two new reservoirs, known as 'Diamond Valley Lake' and 'Olivenhain Reservoir' to Basin Plan Table 2-4, 'Beneficial Uses of Reservoirs and Lakes,' and assign these waterbodies the beneficial uses as shown in the Table 3 of this report.

Diamond Valley Lake (HSA 2.35 and HSA 2.36) and Olivenhain Reservoir (HSA 5.21) are designated with COLD beneficial uses because both Diamond Valley Lake and Olivenhain Reservoir contain cold freshwater habitat. Rainbow trout are present in both Diamond Valley Lake and Olivenhain Reservoir. The reservoirs are not designated with SPWN beneficial uses

because the rainbow trout are stocked. The San Diego Water Board has no evidence of the presence of spawning habitat at the reservoirs or in the tributaries to the reservoirs.

According to the RareFind report on the two reservoirs, neither Diamond Valley Lake nor Olivenhain Reservoir contain presence of water dependent threatened or endangered species considered in Basin Plan Table 2-1 or in Table 2-1(a) of this technical report. Therefore, the RARE beneficial use designation is not assigned to either Diamond Valley Lake or Olivenhain Reservoir.

Diamond Valley Lake (HSA 2.35 and 2.36)

The reservoir known as 'Diamond Valley Lake' has three dams; these dams are the east dam, the west dam and the saddle dam. Dam construction for the reservoir began in September 1995 and was completed in December 1999. Water was first pumped into Diamond Valley lake on November 8, 1999. The filling of Diamond Valley Lake inundated portions of both the Domenigoni (2.35), and Diamond (2.36) hydrologic subareas. Diamond Valley Lake has a capacity of 800,000 acre-feet. The reservoir was dedicated on March 18, 2000, and is operated by the Metropolitan Water District of Southern California. The reservoir was fully operational in March 2003. Water sources for Diamond Valley Lake are the Colorado River aqueduct through the San Diego canal, and the California State Water Project from Lake Silverwood pumped or fed by gravity through the inland feeder and the San Diego canal (Metropolitan Water District of Southern California, 2004).

Table 3. Proposed beneficial uses for Diamond Valley Lake and Olivenhain Reservoir.

Beneficial Use	**Definition**	**Diamond Valley Lake**	**Olivenhain Reservoir**
Municipal and Domestic Supply (MUN)	Includes uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.	●	●
Agricultural Supply (AGR)	Includes uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.	●	● [7]
Industrial Service Supply (IND)	Includes uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well re-pressurization.	●	●
Industrial Process Supply (PROC)	Includes uses of water for industrial activities that depend primarily on water quality.	●	

[7] The agricultural supply beneficial use for Olivenhain Reservoir added by board directive at 11-9-2005 board meeting, through request of board member Mr. Richard Anderson.

Beneficial Use	Definition	Diamond Valley Lake	Olivenhain Reservoir
Ground Water Recharge (GWR)	Includes uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.	●	
Contact Water Recreation (REC-1)* ~~~~~~~~~~~~ * see footnote #1	Includes uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and SCUBA diving, surfing, white water activities, fishing, or use of natural hot springs. ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~ Footnote #1: Fishing from shore or boat permitted, but other water contact recreation (REC-1) uses are prohibited.	●	●
Non-contact Water Recreation (REC-2)	Includes the uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.	●	●
Warm Freshwater Habitat (WARM)	Includes uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish or wildlife, including invertebrates.	●	●
Cold Freshwater Habitat (COLD)	Includes uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish or wildlife, including invertebrates.	●	●
Wildlife Habitat (WILD)	Includes uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.	●	●

Beneficial Use	Definition	Diamond Valley Lake	Olivenhain Reservoir
Hydropower Generation (POW)	Includes uses of water for hydropower generation.	●	●

The construction of Diamond Valley Lake's east dam causes streamflow and stormwater from Goodhart Canyon Creek (HSA 902.36) in Region 9 to be directed into the Salt Creek (HSA 802.12) drainage in Region 8 (Santa Ana Region) instead of the Warm Springs Creek drainage (HSA 902.36) in Region 9. By re-routing the natural drainage, one of Region 9's watersheds now drains to Region 8, creating a need to revise boundaries between the Santa Ana Region (8) and the San Diego Region (9); and hydrologic subarea, area, and unit boundaries between and within the Regional Water Boards. Revision of these hydrologic boundaries will be undertaken as a part of basin planning issue no. 4, Basin Plan map.

Olivenhain Reservoir (HSA 5.21)

This reservoir is operated by the San Diego County Water Authority. Construction of Olivenhain Dam began in 2000 and was completed on October 31, 2002. Water first flowed into Olivenhain Reservoir on August 6, 2003. Olivenhain Reservoir has a storage capacity of 24,000 acre-feet (San Diego County Water Authority, 2004). Olivenhain Reservoir is wholly contained within the Del Dios hydrologic subarea (HSA) 5.21.

Table 2-5, Beneficial Uses of Ground Water [pages 2-52, 2-53, and 2-54]
This Basin Plan amendment proposes to acknowledge and insert "Cottonwood Creek" within Table 2-5, endnote 7, because Cottonwood Creek has been specifically named in Table 2-2, 'Beneficial Uses of Inland Surface Waters' of the Basin Plan, and consequently should be acknowledged and inserted in Table 2-5, 'Beneficial Uses of Ground Water' endnote 7. This correction is not a substantive revision, it is intended to improve the clarity of the endnote. Also, the spelling of the ground water "Auld" in HA 2.40 and "Agua Hedionda" in HA 4.30 is corrected.

2.2 Chapter 3, Water Quality Objectives

This section describes the changes to the tables and text of Chapter 3, Water Quality Objectives.

Table 3-2, Water Quality Objectives, Inland Surface Waters [page 3-26]
This Basin Plan amendment updates Table 3-2, endnote d by specifying the township as "14." Endnote d should state: "These objectives apply to the Lower Sycamore Canyon portion of the Santee Hydrologic Subarea described as all of the Sycamore Canyon watershed except that part which drains north of the boundary between sections 28 and 33, Township 14 South, Range 1 West." This corrects a clerical mistake, as it was not the intent of the San Diego Water Board to omit the township number. This correction is not a substantive revision.

Table 3-3, Water Quality Objectives, Ground Water [page 3- 32 and 3-33]
This Basin Plan amendment updates Table 3-3, 'Water Quality Objectives, Ground Water,' endnote e, as follows: "The water quality objectives do not apply to hydrologic subareas 4.51 and 4.52 between Highway 78 and El Camino Real and to all lands which drain to Moonlight Creek, Cottonwood Creek, and to Encinitas Creek and this area is excepted from the sources of drinking water policy. The objectives for the remainder of the Hydrologic Area are as shown." This amendment specifies Cottonwood Creek in table 2-2, 'Beneficial Uses for Inland Surface Waters,' and modifies endnote e in table 3-3 to specifically list Cottonwood Creek. This correction is not a substantive revision. It is intended to improve the clarity of the endnote.

This Basin Plan amendment revises endnote r in Table 3-3, 'Water Quality Objectives, Ground Water, Lower San Luis Rey Hydrologic Area.' Endnote r is replaced by two new rows in Table 3-3 specifying the water quality objectives for Moosa hydrologic subarea 903.13; and Valley Center hydrologic subarea 903.14. Former endnote r states, "These objectives apply to the Lower San Luis Rey Hydrologic Area (903.10). The objective for the alluvial aquifer in the Moosa Hydrologic Subarea (903.13) is 1,200 mg/l. The objective for the alluvial aquifer in the Valley Center Hydrologic Subarea (903.14) is 1,100 mg/l." This correction is not a substantive revision, it is intended to clarify the water quality objectives for these hydrologic subareas.

Table 3-4,'Maximum Contaminant Levels for Inorganic Chemicals specified in Table 64431-A of Section 64431 of Title 22 of the California Code of Regulations as amended January 3, 1995' [page 3-9]
The Basin Plan water quality objective for Inorganic Chemicals – Primary Standards incorporates by reference, 'Maximum Contaminant Levels for Inorganic Chemicals specified in Table 64431-A of section 64431 of Title 22 of the California Code of Regulations as amended January 3, 1995.' The incorporation by reference is prospective and includes "future changes to the incorporated reference as the changes take effect." This Basin Plan amendment deletes Table 3-4, and replace it with a new Table 3-4 entitled, 'Maximum Contaminant Levels for Inorganic Chemicals specified in Table 64431-A of section 64431 of Title 22 of the California Code of Regulations as amended June 12, 2003.' The replacement of Table 3-4 with an updated Table 3-4 is in accord with the prospective incorporation by reference described in the water quality objective.

Organic Chemicals – Primary Standards [page 3-10]
This Basin Plan amendment deletes the second and third paragraphs referring to toulene in the section entitled 'Organic Chemicals – Primary Standards' because the second and third paragraphs are obsolete. Basin Plan Table 3-6 entitled, 'Maximum Contaminant Levels for Organic Chemicals specified in Table 64444-A of section 64444 of Title 22 of the California Code of Regulations as amended June 12, 2003' contains a more stringent water quality objective for toulene of 0.15 mg/l. The second paragraph states, "Water designated for use as domestic or municipal supply (MUN) shall not contain concentrations of toulene in excess of 1 mg/l." The third paragraph states, "The United States Environmental Protection Agency established a maximum contaminant level for toluene of 1 mg/l in drinking water in Title 40,

Code of Federal Regulations, Part 141.61, (40 CFR 141.61), EPA National Primary Drinking Water Regulations (40 CFR 141.61 as revised 40 FR 59570, July 1, 1991)." These updates are prescriptive regulatory changes.

Table 3-5, 'Limiting and Optimum Concentrations of Fluoride Specified in Table 64431-B of Section 64431 of Title 22 of The California Code of Regulations as Amended January 3, 1995' [page 3-10]
The Basin Plan water quality objective for Inorganic Chemicals – Primary Standards incorporates by reference limiting and optimum concentrations for fluoride specified in table 64431-B of section 64431 of Title 22 of the California Code of Regulations as amended January 3, 1995'. The incorporation by reference is prospective and includes "future changes to the incorporated reference as the changes take effect." This Basin Plan amendment deletes Table 3-5 because Table 64431-B was repealed on April 22, 1998. This Basin Plan amendment also deletes the sentence referring to 'Table 3-5' and to 'Table 64431-B' in the section entitled, 'Inorganic Chemicals – Primary Standards, Water Quality Objective for Domestic or Municipal supply' [page 3-8] and replaces it with a new sentence omitting reference to Table 64431-B and Table 3-5. These changes are in accord with the prospective incorporation by reference described in the water quality objective.

Table 3-6, 'Maximum Contaminant Levels (MCLs) for Organic Chemicals Specified In Table 64444-A of Section 64444 of Title 22 of the California Code of Regulations'
[page 3-11]
The Basin Plan water quality objective for Organic Chemicals – Primary Standards incorporates by reference MCLs for organic chemicals specified in Table 64444-A of section 64444 of Title 22 of the California Code of Regulations. The incorporation by reference is prospective and includes "future changes to the incorporated reference as the changes take effect." This Basin Plan amendment updates Basin Plan Table 3-6 to include changes in Table 64444-A of section 64444 of Title 22 of the California Code of Regulations as amended on June 12, 2003. This revision to Table 3-6 is in accord with the prospective incorporation by reference described in the water quality objective.

Water Quality Objective for Radionuclides and Table 3-7, Maximum contaminant levels for radioactivity specified in table 4 of section 64443 of Title 22 of the California Code of Regulations as amended January 3, 1995 [pages 3-13 and 3-14.]
The Basin Plan water quality objectives for radionuclides incorporate by reference maximum contaminant levels for man-made radioactivity specified in Table 4 of section 64443 of Title 22 of the California Code of Regulations as amended on January 3, 1995. Table 4 was removed from section 64443 on December 8, 2003. The Basin Plan amendment proposes to revise the water quality objective for radionuclides to delete the reference to Table 4 of section 64443 and to delete Table 3-7.

Table 3-8, Entitled 'Secondary Maximum Contaminant Levels for Consumer Acceptance Limits Specified in Table 64449-A of Section 64449 of Title 22 of the California Code of Regulations as Amended January 3, 1995' [page 3-14]
The Basin Plan water quality objective for Secondary Drinking Water Standards incorporates by reference secondary MCLs for consumer acceptance limits specified in Table 64449-A of

section 64449 of Title 22 of the California Code of Regulations as amended January 3, 1995. This Basin Plan amendment proposes to delete Table 3-8, entitled, 'Secondary maximum contaminant levels for consumer acceptance limits specified in table 64449-A of section 64449 of Title 22 of the California Code of Regulations as amended January 3, 1995' and replace it with a new Table 3-8 entitled 'Secondary maximum contaminant levels for consumer acceptance limits specified in table 64449-A of section 64449 of Title 22 of the California Code of Regulations as amended January 7, 1999.' This revision to Table 3-8 is in accord with the prospective incorporation by reference described in the water quality objective.

Water Quality Objectives for Sulfate [page 3-15]
This amendment proposes to correct the spelling of the word "sulphate" with the standard spelling of "sulfate" within Chapter 3, 'Water Quality Objectives,' section entitled 'Water Quality Objectives for Sulfate.' This correction is a non-substantive administrative change.

Table renumbering and Table reference revisions
With the deletion of Table 3-5 and 3-7, the Basin Plan amendment proposes to renumber Table 3-6 to Table 3-5, and Table 3-8 to Table 3-6. Text and Table of Contents references in the Basin Plan will be revised to reflect the new table numbering.

2.3 Chapter 4, Implementation

This section describes the corrections of typographical errors made to Chapter 4, Implementation.

Table 4-6, 'Water Reclamation Projects as of March, 1993' [page 4-32]
This amendment proposes to correct the spelling of the word 'Nicholls Institute' to read 'Nichols Institute' in Table 4-6. This correction is a non-substantive administrative change.

Other Industrial Processes (Elsewhere) [page 4-47]
To improve the clarity of the Basin Plan, the spelling of the word 'patternmaking' will be corrected to read as two separate words 'pattern making' in the subsection entitled 'Other Industrial Processes (Elsewhere).' This correction is a non-substantive administrative change.

Table 4-9, 'Highway Runoff Constituents And Their Primary Sources' [page 4-76]
To improve clarity of the Basin Plan, the spelling of the word "sulphate" will be changed to the standard spelling of "sulfate" within Chapter 4, 'Implementation,' table 4-9, entitled, 'Highway Runoff Constituents and their Primary Sources.' This correction is a non-substantive administrative change.

2.4 Chapter 5, Plans and Policies

This section describes the changes to the tables and text of Chapter 5, Plans and Policies.

Areas of Special Biological Significance (Resolution No. 74-28) [pages 5-2 thru 5-3]
To make the Basin Plan current by acknowledging that all ASBS are a subset of SWQPAs, the section will be retitled 'State Water Quality Protection Areas/ Areas of Special Biological Significance.' Also, the section is updated to define SWQPAs, to recognize SWQPAs as a subset of ASBS, to add the Irvine Coast, Orange County as an ASBS, to update ASBS to reflect name changes, and to describe the impact of adoption of ASBS and SWQPAs on the Basin Plan.

2.5 Appendix A, Glossary

This amendment proposes to add definitions for the terms 'Areas of Special Biological Significance' (ASBS) and 'State Water Quality Protection Areas' (SWQPAs) in Appendix A to improve the clarity of the Basin Plan. Adding these terms to the glossary is considered to be an administrative revision.

3. ENVIRONMENTAL REVIEW

This section presents the San Diego Water Board's environmental analysis of the Basin Plan amendment. The San Diego Water Board must, under most circumstances, comply with the California Environmental Quality Act (CEQA) when the San Diego Water Board amends the Basin Plan.[8] The CEQA process requires the San Diego Water Board to analyze and disclose the potential adverse environmental impacts of a Basin Plan amendment it is initiating or approving. The San Diego Water Board process must consider alternatives, develop proposals to mitigate or avoid impacts to the extent feasible, and involve the public and other public agencies in the evaluation process.

The San Diego Water Board is the Lead Agency for evaluating the environmental impacts of Basin Plan amendments pursuant to CEQA. Although subject to CEQA, the San Diego Water Board's basin planning process is certified by the Secretary for Resources as "functionally equivalent to" and therefore exempt from CEQA's requirement for preparation of an environmental impact report or negative declaration and initial study [14 CCR 15251(g)]. The State Water Board's CEQA implementation regulations [23 CCR 3720 *et seq*.] describe the environmental documents required for Regional Water Board basin planning actions. These documents include a written report, an initial draft of these Basin Plan amendments, and an Environmental Checklist Form [23 CCR 3776]. Pursuant to these regulations [23 CCR 3777(a)] the Regional Water Boards must:

- Describe the proposed Basin Plan amendments. The proposed amendments are described in Appendix A (Attachment A to Tentative Resolution No. R9-2005-0239);

- Identify reasonable alternatives to the proposed Basin Plan amendments;

[8] See Public Resources Code section 21080

- Identify the environmental impacts of the reasonably foreseeable methods of compliance with the Basin Plan amendments in the Environmental Checklist Form [23 CCR 3777]; and

- Identify mitigation measures to minimize any significant adverse environmental impacts of the reasonably foreseeable methods of compliance with the Basin Plan amendments.

As shown in the Environmental Checklist Form (Appendix 4), there are no potentially significant environmental impacts from the implementation of this Basin Plan amendment. Therefore, an analysis of alternatives is not needed to lessen or mitigate impacts. The finding of no environmental impacts is based on the fact that the amendment merely update the Basin Plan to make it current. The revisions do not have any direct effect on the environment because the beneficial uses exist and must be protected, whether or not the beneficial uses are specifically listed in the Basin Plan. Further, this amendment does not change any implementation plans, or policies.

The Basin Plan amendment lists the commonly known names of thirteen waterbodies and their beneficial uses in Table 2-2, and lists the commonly known name of two reservoirs and their beneficial uses in Table 2-4. Also, the proposed amendment lists the commonly known name of a watershed in Table 2-2, and clarifies Table 2-3. Adding these waterbodies to the tables will simply clarify the existing beneficial uses. There are no potentially significant environmental impacts or economic impacts associated with compliance with this revision since the beneficial uses of the waterbodies are protected whether or not they are specifically listed in the Basin Plan.

The proposed amendment updates ASBS to reflect recent name changes, and updates the BIOL beneficial use to reflect additions or changes in geographical areas designated as either 'marine protected areas,' 'ecological reserves,' 'wildlife area,' 'natural preserves,' or 'national wildlife refuges.' The proposed revisions simply designate BIOL beneficial uses in geographical areas where there is an existing BIOL beneficial use. There are no potentially significant environmental impacts or economic impacts associated with compliance with this revision since the BIOL beneficial uses of these waterbodies are protected whether or not they are specifically listed in the Basin Plan.

The proposed amendment clarifies Tables 3-2, 3-3 and Chapter 3 text; and updates Tables 3-4, 3-5, 3-6, 3-7, and 3-8 to include prescriptive regulatory changes. The proposed revisions either do not change the existing water quality objectives, or are prescriptive regulatory changes already in effect. There are no potentially significant environmental impacts or economic impacts associated with compliance with this revision since these water quality objectives are legally applicable to waters of the State whether or not they are specifically listed in the Basin Plan.

The proposed amendment revises Chapters 2, 5, and Appendix A to recognize and add information about the classification of ASBS as SWQPAs. The proposed revisions are prescriptive regulatory changes that are already in effect. In addition, the proposed

amendment corrects spelling errors. These changes are expected to improve the clarity of the Basin Plan. Because these changes update and clarify information in the Basin Plan, there are no potentially significant environmental impacts or economic impacts associated with compliance with these revisions.

4. NECESSITY OF REGULATORY PROVISIONS

The Office of Administrative Law (OAL) is responsible for reviewing administrative regulations proposed by State agencies for compliance with standards set forth in California's Administrative Procedure Act, Government Code section11340 *et seq*., for transmitting these regulations to the Secretary of State, and for publishing regulations in the California Code of Regulations. Following State Water Board approval of this Basin Plan amendment, any regulatory portions of the amendment must be approved by OAL [Government Code section 11352]. The State Water Board must include in its submittal to OAL a summary of the necessity[9] for the regulatory provision.

This Basin Plan amendment meets the "necessity standard" of Government Code section 11353(b). The amendment is necessary because the San Diego Water Board must have clear, current, and unambiguous information in the Basin Plan for the purposes of carrying out its regulatory activities, informing the public of regional water quality goals and requirements, and establishing the basis for cooperative watershed management.

[9] "Necessity" means the record of the rulemaking which demonstrates by substantial evidence the need for a regulation to effectuate the purpose of the statute, court decision, provision of law that the regulation implements, interprets, or makes, taking into account the totality of the record. For purposes of this standard, evidence includes, but is not limited to, facts, studies, and expert opinion [Government Code section 11349(a)].

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