

State of California
Regional Water Quality Control
Board San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT
October 12, 2016

- ITEM: 11
- SUBJECT: Public Hearing: Resolution Adopting the 2014 Clean Water Act Section 303(d) and 305(b) Integrated Report. (Tentative Resolution No. R9-2016-0196). (Helen Yu and Chad Loflen)
- PURPOSE: The San Diego Water Board will conduct a public hearing, hear public testimony on modifications to the draft Clean Water Act (CWA) section 305(b)/303(d) 2014 Integrated Report (Integrated Report) for the San Diego Region, and consider adoption of the tentative Resolution No. R9-2016-0196.
- RECOMMENDATIONS: It is recommended that the San Diego Water Board receive public testimony at today's hearing, close the public hearing, and adopt the tentative Resolution.
- KEY ISSUES: The following key issues were identified during the preparation of the 2014 Integrated Report and review of public comment letters:
1. Only water quality data through August 2010 were evaluated per State Water Board procedures. This limits the meaningful representation of current waterbody conditions and reinforces the importance for staff to continue to use other data assessments to prioritize work and communicate waterbody conditions to the public.
 2. The next Integrated Report for the San Diego Region is scheduled for 2022. Certain stakeholders and/or key Water Board initiatives (such as triennial Basin Plan review projects) may benefit if the Board conducts a targeted "off-cycle" update for priority waterbodies or beneficial uses.
 3. The current reporting format required by the California Water Quality Assessment (CalWQA) database focuses on reporting impaired waterbodies, without adequate acknowledgement of waterbodies that support

all or some beneficial uses. For example, San Diego Bay is listed as impaired due to the elevated human health risk from fish consumption, but many beaches in the bay are safe for water contact recreation. The CalWQA database infrastructure defaults to identification of the waterbody impairment and does not allow for identification of where other beneficial uses assessed are met, or if other beneficial uses were assessed.

PRACTICAL VISION:

Water quality assessment provides critical information regarding beneficial use status and performance measures of water quality management actions, and thus closely relates to all Practical Vision chapters. Correct understanding of water quality conditions in the San Diego Region through appropriate assessment is essential for the San Diego Water Board to make informed operational and regulatory decisions and to have effective communication with the public and other agencies.

PUBLIC NOTICE:

The draft Integrated Report and supporting appendices were posted on the Regional Board web site on July 12, 2016. A Public Notice of the release of the draft Integrated Report and written comment period was sent out through LYRIS email distribution list on July 12, 2016.

Announcement of a public hearing, scheduled for October 12, 2016, was provided to interested parties via the LYRIS email list on August 26, 2016, and posted on the San Diego Water Board website.

DISCUSSION:

Resolution R9-2016-0165 (Supporting Document No. 1) approves the 2014 Integrated Report (Supporting Document No. 2), which addresses the CWA Section 305(b) requirement for states to report biennially to USEPA on the water quality conditions of its surface waters and the CWA section 303(d) requirement for states to identify impaired surface water body segments to USEPA. Placement on the 303(d) List generally triggers requirements to develop Total Maximum Daily Loads (TMDLs). The 303(d) List of impaired waters must ultimately be approved by USEPA. This 2014 Integrated Report updates the 2008 San Diego Region Integrated Report and the 303(d) List approved by USEPA in 2010.

A complete copy of the 2014 Integrated Report is available on-line at:
http://www.waterboards.ca.gov/sandiego/water_issues/programs/303d_list/

California complies with the federal reporting requirements by integrating the relevant information into one comprehensive report, called the 305(b)/303(d) Integrated Report. The Integrated Report update process is coordinated by the State Water Board, which collates Regional Board reports into a single, statewide list update for submittal to the USEPA. Development of the 303(d) List is done pursuant to *the Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List*.

Facing considerably increasing volumes of data for the preparation of a biennial Integrated Report, the State Water Board, under an agreement with USEPA, decided starting from the 2012 cycle to prepare and submit to USEPA Integrated Reports on a rotating basis with three Regional Boards at once. The San Diego Water Board is in the 2014 listing cycle group.

Data and Results

Pursuant to the State Water Board's directive, data post August 30, 2010 were not included in the 2014 cycle of assessment. Thus, this Integrated Report does not necessarily represent current water quality conditions and cannot be solely relied upon by the Water Board and other parties to prioritize regional water quality protection and restoration efforts.

Nonetheless, whereas prior Integrated Reports focused on the impaired waters portion (the 303(d) List), this 2014 Integrated Report has begun to identify high-quality waters using multiple lines of evidence of biological data in wadeable streams. Additionally, this Integrated Report has included a physical assessment for a subset of waterbodies where benthic macroinvertebrate and chemistry data were also evaluated. This allows for better transparency and understanding of where waterbodies may face challenges from impaired chemistry or physical conditions, alone or in combination. That, in turn, allows for better identification of restoration and protection priorities than afforded by prior Integrated Reports.

For the 2014 assessment, staff evaluated approximately 5,000 waterbody/pollutant combinations (Supporting Document No. 2, Appendix I) resulting in 404 waterbody segments being placed into one or more of five beneficial use support categories, as shown in the following table.

Category	Description	Waterbody Segments*
1	All assessed beneficial uses supported and no beneficial uses known to be impaired.	116
2	At least one, but not necessarily all, core beneficial use is supported.	111**
3	There is insufficient data and/or information to make a beneficial use support determination but information and/or data indicates beneficial uses may be potentially threatened.	72
4	At least one beneficial use is not supported but a TMDL is not needed.	
4a	A TMDL has been developed and approved by USEPA for a waterbody-pollutant combination and the approved implementation plan is expected to result in full attainment of the water quality standard within a specified time frame.	34
4b	Another regulatory program is reasonably expected to result in attainment of the water quality standard within a reasonable, specified time frame.	16
4c	The non-attainment of any applicable water quality standard for the waterbody segment is the result of pollution and not caused by a pollutant. ¹	29
5	At least one beneficial use is not supported and a TMDL is needed.	166

* In accordance with the U.S. EPA guidance (2005 and 2015), some waterbody segments were placed into more than one category as appropriate.

**See Revised Draft 2014 Integrated Report

Overall, the data supports adding 239 new waterbody/pollutant combinations to the impaired waters list and removing (delisting) 9 waterbody/pollutant combinations (Supporting Document No. 2, Appendix A).

Public Participation and Comments

Public participation began with the initial call for data by the State Water Board in 2010. A public workshop was held on July 19, 2016, and a public comment period on the draft Integrated Report was provided from July 12-August 12, 2016. Fifteen parties submitted written comments (Supporting Document 3 attached CD) during the public comment period. Supporting Document No. 4 includes responses to written comments.

¹ Defined under the CWA as "the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water" (Section 502(19)). Examples of pollution not caused by a pollutant include hydrologic or habitat alteration.

Any changes to the draft Integrated Report in response to public comments since the initial release on July 12, 2016 are highlighted in Supporting Document 5.

State Water Board Public Process

After the three Regional Boards on the 2014 cycle complete their regional Integrated Reports, the State Water Board will compile them into a single, statewide draft CWA Sections 305(b)/303(d) Integrated Report. The State Water Board will conduct a public review and comment period, develop written responses to comments, conduct public workshop(s), and conduct a public hearing(s) to consider adoption of the draft statewide 2014 Integrated Report. The statewide Integrated Report will then be submitted to the USEPA in the form of the State's biennial report on water quality. This information will in turn be submitted by USEPA to Congress pursuant to Section 305 of the Clean Water Act (33 USC 1315).

LEGAL CONCERNS:

None

SUPPORTING DOCUMENTS:

1. Tentative Resolution R9-2016-0196.
2. Revised Draft 2014 Integrated Report
 - Appendix A: New and Revised Decisions
 - Appendix B: Category 1 Water Body Segments
 - Appendix C: Category 2 Water Body Segments
 - Appendix D: Category 3 Water Body Segments
 - Appendix E: Category 4A Water Body Segments
 - Appendix F: Category 4B Water Body Segments
 - Appendix G: Category 4C Water Body Segments
 - Appendix H: Category 5 Water Body Segments
 - Appendix I: Supporting Information Fact Sheets for Each Water Body/Pollutant Combination (on CD)
 - Appendix J: Miscellaneous Changes
 - Appendix: K: References
3. Comment Letters
4. Responses to Public Comments
5. Table of Listing Changes to Integrated Report since July 12, 2016