

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

**EXECUTIVE OFFICER SUMMARY REPORT
NOVEMBER 9, 2022**

ITEM 6

SUBJECT

Resolution in Support of the Strategic Water Quality Assessment Approach for San Diego Bay (Tentative Resolution No. R9-2022-0019). (*Wayne Chiu*)

STAFF RECOMMENDATION

Adoption of Tentative Resolution No. R9-2022-0019 (Supporting Document No. 1).

KEY ISSUE

The Strategic Water Quality Assessment Approach for San Diego Bay (Bay Assessment Approach) outlines an approach for assessments that will provide the information necessary for the Board to understand whether the key beneficial uses of San Diego Bay are being protected and restored. This agenda item provides the Board an opportunity to consider taking action to formally endorse the Strategic Water Quality Assessment Approach for San Diego Bay.

PRACTICAL VISION

In June 2015, the San Diego Water Board adopted Resolution No. R9-2015-0086 in support of the implementation of the Strategy for a Healthy San Diego Bay (Healthy Bay Strategy), developed as a pilot project to apply the concepts of Chapter 1 (Strategizing for Healthy Waters) and Chapter 2 (Monitoring and Assessment) from the Practical Vision. The Bay Assessment Approach was developed to provide the information needed for the Healthy Bay Strategy to prioritize issues, set goals, and realign work to protect and restore the key beneficial uses of San Diego Bay.

DISCUSSION

In December 2012, the Board supported a new vision for monitoring and assessment when it adopted Resolution No. R9-2012-0069 in support of A Framework for Monitoring and Assessment in the San Diego Region (Framework). The Framework describes a systematic, logical, problem-solving water body-oriented approach to monitoring and assessment instead of the discharge-oriented approach that traditionally dominates in regulatory actions.

Accordingly, this Strategic Water Quality Assessment Approach for San Diego Bay (Supporting Document No. 2) was developed to identify the information needed to understand the conditions of San Diego Bay for the key beneficial uses and help focus the Board's resources on what is most important to protect and restore those uses. Development of the Bay Assessment Approach began with evaluating the water quality and water body-oriented assessment needs of San Diego Bay's key beneficial uses. Understanding the assessment needs helped determine which data and information are needed and which constituents should be monitored over time.

Between November 2019 and June 2021, Board staff held a series of meetings with the Port of San Diego (Port) and U.S. Department of Navy (Navy) monitoring program managers and staff because their responsibilities overlap with the Board's mission to restore and protect the key beneficial uses of San Diego Bay, with similar needs for assessments and monitoring data. At these meetings, Board staff learned more about the Regional Harbor Monitoring Program (RHMP) implemented in San Diego Bay by the Port and the San Diego Bay Integrated Natural Resource Management Plan (INRMP) implemented by the Port and the Navy. Staff shared our interests and needs for assessing the conditions, stressors, sources, and performance of management actions in San Diego Bay.

These meetings helped staff develop an outline and structure for collecting and analyzing monitoring data for assessments tied to the 2012 Framework that will help the Board identify and focus on what is most important. In turn, it enables the Board and other parties to proactively direct resources to protect and restore the beneficial uses of the Bay.

The Bay Assessment Approach was released for public review and comment from August 8, 2022 to September 9, 2022. Written comments were received from seven parties (Supporting Document No. 3). The comments revealed misunderstandings and concerns with the purpose, implementation, and limitations of the Bay Assessment Approach. Board staff prepared a Responses to Comments Report (Supporting Document No. 4) to help bridge the gap between the purpose, implementation, and limitations of the Bay Assessment Approach with respect to issues raised in the comment letters and the Board's goals for the Healthy Bay Strategy.

To further help members of the public understand the purpose and need for the Bay Assessment Approach, Board staff prepared a fact sheet (Supporting Document No. 5) and held a meeting on October 19, 2022 for commenters to discuss issues with staff.

Commenters were concerned that the Bay Assessment Approach would effectively direct regulated parties to conduct or revise existing monitoring, assessment, or reporting activities, and/or establish de-facto sediment cleanup targets. The Bay Assessment Approach does not do those things. The Resolution does direct the Executive Officer to consider the Bay Assessment Approach in actions involving the various responsibilities and functions of the Board. The Bay Assessment Approach is intended to inform staff and the public of the assessments necessary to best characterize whether water quality conditions in San Diego Bay are safe for swimming, safe for consuming fish and shellfish, and supportive of healthy ecosystems, and it identifies assessments necessary to inform decisions that can help to restore and protect those key beneficial uses.

LEGAL CONCERNS

None.

PUBLIC NOTICE

The agenda notice for today's meeting was posted on the San Diego Water Board's website and sent to subscribers to the email lists for Board meetings and Healthy Waters: San Diego Bay.

The Strategic Water Quality Assessment Approach for San Diego Bay was posted on the San Diego Water Board's Strategy for a Healthy San Diego Bay webpage from August 8, 2022 to September 9, 2022, for public review and comment.

SUPPORTING DOCUMENTS

1. Tentative Resolution No. R9-2022-0019
2. Strategic Water Quality Assessment Approach for San Diego Bay
3. Comment Letters
4. Responses to Comments Report
5. Fact Sheet