

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 82-37

STUDY PROPOSAL MADE BY THE SAN DIEGO REGIONAL BOARD TO RECONSIDER NUTRIENT OBJECTIVES IN COMPLIANCE WITH STATE BOARD ORDER NO. WQ 81-11

WHEREAS:

1. On July 16, 1981, the State Water Resources Control Board adopted Order No. WQ 81-11, in response to the petition of the County of San Diego for review of inaction of the San Diego Regional Water Quality Control Board, regarding implementation of water reclamation goals.
2. State Board Order No. WQ 81-11 was adopted with the premise that data developed from a two-year demonstration project at Lux Canyon would be useful in evaluating nutrient objectives for San Elijo Lagoon.
3. Order No. 81-11 required, in part, that "Within three months of the date of the Order, the Regional Board in cooperation with the County, shall provide the State Board with a memorandum explaining what information it feels is necessary, in addition to the data that will be generated from the demonstration project, in order for it to reconsider the numerical objectives. This memorandum should summarize the existing data relative to this issue."
4. On January 25, 1982, the Regional Board considered the following alternatives:
 - "1. Implementation of an intensive data collection program in conjunction with the discharge of treated wastewater from the Lux Canyon reclamation plant to San Elijo Lagoon.
 - "2. Implementation of the intensive data collection program described in Alternative 1, above, in conjunction with the discharge of varying volumes of treated effluent from the City of Escondido's Hale Avenue Wastewater Treatment Plant.
 - "3. Contract with Scripps Institution of Oceanography for review of the Basin Plan numerical nutrient objectives and, if appropriate, development of alternative objectives.
 - "4. Conduct a comprehensive literature survey to determine nutrient objectives."

At that time County staff requested that the Regional Board recommend Alternative 1 to the State Board as the preferred alternative. However, County staff concurred that Alternative 4 was also a reasonable approach. The Regional Board concurred with their staff's recommendation that Alternative 4 is the alternative that should be pursued in evaluating Basin Plan numerical nutrient objectives. The Regional Board also directed their staff to submit their recommendation and the discussion to the State Board.

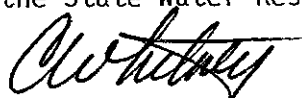
5. On January 27, 1982, in compliance with State Board Order No. 81-11 the Regional Board submitted its recommendation to the State Board. After review of the alternatives and the information submitted, the State Board staff agreed with the Regional Board's recommendation that the comprehensive literature survey should be conducted in order to determine appropriate nutrient objectives, and recommended that some nutrient-related monitoring is necessary to complement any finding that may result from the literature survey.
6. By a letter dated March 4, 1982 the Regional Board staff concurred with the State Board's staff recommendation.
7. At the State Board Workshop on April 7, 1982, none of the State Board members objected to the recommendation that the Division of Technical Services advise the Regional Board to proceed with their preferred alternative.
8. The Division of Technical Services, by memorandum dated May 11, 1982, advised the Regional Board of the State Board's concurrence with the Regional Board's preferred alternative and to proceed with its implementation.
9. At its May 24, 1982 meeting the Regional Board instructed its Executive Officer to request formal State Board action (1) approving the concept of a literature review for evaluating nutrient objectives for coastal lagoons and (2) directing the Regional Board to conduct the literature review.
10. By a letter dated June 14, 1982 the Regional Board has asked for clarification of State Board Order No. 81-11 on whether they had been ordered to develop the information necessary for recommendation of the Basin Plan objectives for nutrients. The letter states that previous State Board decisions clearly establish that once a Basin Plan is adopted the burden of providing such information is on the proponent of the change. However, in this instance, the Regional Board staff feel that it would be appropriate for either the State and/or Regional Boards to develop the information, if resources allow. The Regional Board has already invested a significant amount of time and estimates it will require an additional 0.5 man years to complete the literature survey.
11. The State Board staff has been informed that the voters have rejected construction of the Lux Canyon Treatment Plant. This should not have any impact on the completion of the literature review for evaluating nutrient objectives of the coastal lagoons.

THEREFORE BE IT RESOLVED:

That the State Board approves the concept of a literature review for evaluating nutrient objectives for coastal lagoons and directs the Regional Board to proceed with such review.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 19, 1982.


Executive Director