

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2009-0030**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE  
SAN DIEGO REGION (BASIN PLAN) TO INCORPORATE IMPLEMENTATION PROVISIONS  
FOR INDICATOR BACTERIA WATER QUALITY OBJECTIVES TO ACCOUNT FOR  
LOADING FROM NATURAL UNCONTROLLABLE SOURCES WITHIN THE CONTEXT OF A  
TOTAL MAXIMUM DAILY LOAD

WHEREAS:

1. On May 14, 2008, the San Diego Regional Water Quality Control Board (San Diego Water Board) adopted Resolution No. R9-2008-0028 ([Attachment](#)) amending the Basin Plan to incorporate implementation provisions for indicator bacteria water quality objectives to account for loading from natural, uncontrollable sources within the context of a total maximum daily load (TMDL).
2. The San Diego Water Board found that the analysis contained in the Final Project Report, including the California Environmental Quality Act (CEQA) Checklist, the staff report, and the responses to comments complies with the requirements of the State Water Resources Control Board's (State Water Board's) certified regulatory CEQA process, as set forth in the California Code of Regulations, Title 23, section 3775 et seq.
3. The San Diego Water Board found the Basin Plan amendment would not have a significant adverse effect on the environment and is consistent with the Statement of Policy with Respect to Maintaining High Quality of Waters in California (State Water Board Resolution No. 68-16) and the federal Antidegradation Policy (40 CFR part 131.12).
4. The State Water Board finds that the Basin Plan amendment is in conformance with the California Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans.
5. The purpose of this Basin Plan is to avoid potential negative effects associated with requiring dischargers to control natural sources of indicator bacteria. Natural sources of indicator bacteria can be accounted for when implementing water quality objectives within the context of TMDLs by using either a "reference system and anti-degradation approach" or a "natural sources exclusion approach."
6. A reference system is a watershed and the beach to which the watershed discharges that is minimally impacted by anthropogenic activities that can affect indicator bacteria densities in the water body.
7. Implementation of indicator bacteria water quality objectives using the "natural sources exclusion approach" requires that dischargers: (1) control all anthropogenic sources of indicator bacteria to a water body, (2) demonstrate that all anthropogenic sources of indicator bacteria to a water body are controlled, and (3) demonstrate that the remaining indicator bacteria densities do not indicate a health risk.

8. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL) and the water quality standards are approved by the U.S. Environmental Protection Agency (U.S. EPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under San Diego Water Board Resolution No. R9-2008-0028.
2. Authorizes the Executive Director or designee to submit the amendment adopted under San Diego Water Board Resolution No. R9-2008-0028 to OAL for approval of the regulatory provisions and to U.S. EPA for approval of the Water Quality Standards revisions.

#### CERTIFICATION

The undersigned Clerk to the 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 March 17, 2009.

AYE: Chair Charles R. Hoppin  
Vice Chair Frances Spivy-Weber  
Arthur G. Baggett, Jr.  
Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



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Jeanine Townsend  
Clerk to the Board