

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

**EXECUTIVE OFFICER SUMMARY REPORT
DECEMBER 8, 2020**

ITEM 8

SUBJECT

Tentative Resolution Adopting Non-Regulatory Updates to the Water Quality Control Plan for the San Diego Basin (Tentative Resolution No. R9-2020-0254). (Michelle Santillan).

STAFF RECOMMENDATION

Staff recommend adoption of Tentative Resolution No. R9-2020-0254 (Supporting Document No. 1).

KEY ISSUE

The proposed changes to the Water Quality Control Plan for the San Diego Basin (Basin Plan) add water quality standards that have been previously adopted by the State Water Resources Control Board (State Water Board) and therefore do not constitute a rule-making update.

PRACTICAL VISION

This project advances the goals of the Practical Vision in support of Chapter 4, Proactive Outreach and Communication. The proposed updates increase the readability of the Basin Plan and help effectively communicate regional and statewide plans, policies, and regulations.

DISCUSSION

The Water Quality Control Plan for the San Diego Region (Basin Plan) designates uses for water bodies in the San Diego Region and establishes water quality objectives, policies, and implementation plans to protect those beneficial uses. State and federal laws require periodic review of the Basin Plan. Because federal law requires review every three years, the Basin Plan review is also referred to as the “triennial review.”

The Basin Plan triennial review workplan adopted by the San Diego Water Board in October 2018 directed staff to complete two projects that required editorial, non-regulatory changes to the Basin Plan (see Projects 3 and 6 in the [2018 Staff Report and Prioritized List](#)). The proposed Basin Plan amendment focuses on non-regulatory changes to Chapters 2, 3, and 4 of the Basin Plan. Some of the changes include:

- An update of the Preservation of Biological Habitats of Special Significance (BIOL) Beneficial Use;
- Incorporation of three new beneficial uses for Tribal Traditional Culture (CUL), Tribal Subsistence Fishing (T-SUB), and Subsistence Fishing (SUB);
- An update of references to statewide plans and policies;
- Incorporation of newly adopted statewide bacteria water quality objectives; and

- General formatting changes that improve overall readability.

The proposed updates to Chapters 2, 3, and 4 of the Basin Plan were previously adopted by the San Diego Water Board at its March 5, 2020 Board Meeting through Resolution No. R9-2020-0036 (Resolution). The Resolution grants the Executive Officer the authority to make minor, non-substantive modifications to the language or formatting of the adopted Basin Plan amendment. Since then, significant formatting changes have been added to make the Basin Plan chapters compliant with the Americans with Disabilities Act. Those changes and several additional non-substantive edits are still considered to be “non-regulatory” in nature. However, in order to be transparent, staff recirculated the updates for a second public review period prior to submitting them to the State Water Board for further approval.

PUBLIC NOTICE

The proposed updates to Chapters 2, 3, and 4 (Supporting Documents 2-4) to the Basin Plan were made available to the public on October 16, 2020. The Staff Report (Supporting Document 5) was made available to the public with the agenda for the December 8, 2020 San Diego Water Board meeting. Interested persons had an opportunity to submit written comments on the proposed updates during a 45-day comment period which extended from October 16, 2020 through November 30, 2020 (Supporting Document No. 6). No comments have been received as of the date of this agenda packet. Should comments be received, staff will provide copies of comment letters and a response to comments document to the San Diego Water Board in a supplemental agenda packet.

The proposed updates to Chapters 2, 3, and 4 were noticed and released for public review and comment on October 16, 2020. The Notice of Public Hearing and Opportunity to Comment was posted on the San Diego Water Board website at the beginning of the comment period, sent to all interested persons through the electronic subscription email list, and published in newspapers of general circulation within San Diego County, south Orange County, and Riverside County. Notice of the public hearing on the Tentative Resolution was also provided in the Meeting Notice and Agenda for the December 8, 2020, San Diego Water Board meeting.

SUPPORTING DOCUMENTS

1. Tentative Resolution No. R9-2020-0254
2. Proposed Chapter 2 Basin Plan Updates
3. Proposed Chapter 3 Basin Plan Updates
4. Proposed Chapter 4 Basin Plan Updates
5. Staff Report
6. Notice of Public Hearing and Public Solicitation