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5. PLANS AND POLICIES

INTRODUCTION



The State Board has adopted several statewide Water Quality Control Plans that are incorporated by reference into the Regional Board Basin Plan.

Additionally, both the State and Regional Boards adopt policies, separate from the plans, that provide detailed direction on the implementation of certain plan provisions. In the event that inconsistencies exist among various plans and policies, the more stringent provisions apply.

This update of the San Diego Region's Basin Plan has been revised to be consistent with all State and Regional Board plans and policies adopted to date. All of the Regional Board plans and policies which implement, interpret, or make specific the Basin Plan and which are listed later in this chapter have been incorporated in this Basin Plan and are superseded. Following are summaries of these plans and policies.

STATE BOARD PLANS AND POLICIES

ANTIDEGRADATION POLICY (STATE BOARD RESOLUTION NO. 68-16)

One of the most significant water quality control policies with respect to the protection of water quality is the *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (State Board Resolution No. 68-16), also known as the State Antidegradation Policy. This policy was adopted on October 28, 1968. It satisfies the federal Clean Water Act antidegradation policy requirement (40 Code of Federal Regulations (CFR) 131.12). The State Antidegradation Policy requires that high quality waters of the state are maintained to the maximum extent possible, even where that quality is better than needed to protect beneficial uses. Specific findings must be made in order to allow any changes in water quality. Changes in water quality are allowed only if the change is consistent with maximum benefit to the people of the State, does not unreasonably affect

present and anticipated beneficial uses, and does not result in water quality less than that prescribed in water quality control plans or policies.

Actions which may adversely affect surface water quality must satisfy both Resolution No. 68-16 and the federal antidegradation policy (40 CFR 131.12). The requirements of the two policies are similar: the federal policy requires that existing instream uses and the level of water quality necessary to protect them must be maintained and protected. In addition, a reduction in water quality can be allowed only if there is a demonstration that such a reduction is necessary to accommodate important economic or social development.

STATE POLICY FOR WATER QUALITY CONTROL

The *State Policy for Water Quality Control* serves as the general basis for water quality control policies and was adopted by the State Board on July 6, 1972. The policy declares the State Board's intent to protect water quality through the implementation of water resources management programs.

The policy provides that water quality control plans adopted by the State Board will include minimum requirements for effluent quality. Water quality control plans will also specifically define the maximum constituent levels acceptable for discharge to various waters of the State. However, the policy allows discretion in the application of the latest available technology for the design and operation of wastewater treatment systems. The policy states that secondary treatment systems are the minimum acceptable level of treatment and that advanced treatment systems will be required where necessary to meet water quality objectives.

The policy contains twelve general principles to implement the provisions and intent of the Porter-Cologne Act. These principles are listed below:

- (1) Water rights and quality control decisions must assure protection of available fresh water and marine water resources for maximum beneficial use.
- (2) Municipal, agricultural, and industrial wastewaters must be considered as a potential integral part of the total available fresh water resource.
- (3) Coordinated management of water supplies and wastewaters on a regional basis must be

promoted to achieve efficient utilization of water.

- (4) Efficient wastewater management is dependent upon a balanced program of source control of environmentally hazardous substances, treatment of wastewaters, reuse of reclaimed water, and proper disposal of effluents and residuals.
- (5) Substances not amenable to removal by treatment systems presently available or planned for the immediate future must be prevented from entering sewer systems in quantities which would be harmful to the aquatic environment, adversely affect beneficial uses of water, or affect treatment plant operation. Persons responsible for the management of waste collection, treatment, and disposal systems must actively pursue the implementation of their objective of source control for environmentally hazardous substances. Such substances must be disposed of such that environmental damage does not result.
- (6) Wastewater treatment systems must provide sufficient removal of environmentally hazardous substances which cannot be controlled at the source to assure against adverse effects on beneficial uses and aquatic communities.
- (7) Wastewater collection and treatment facilities must be consolidated in all cases where feasible and desirable to implement sound water quality management programs based upon long-range economic and water quality benefits to an entire basin.
- (8) Institutional and financial programs for implementation of consolidated wastewater management systems must be tailored to serve each particular area in an equitable manner.
- (9) Wastewater reclamation and reuse systems which assure maximum benefit from available fresh water resources shall be encouraged. Reclamation systems must be an appropriate integral part of the long-range solution to the water resource needs of an area and incorporate provisions for salinity control and disposal of nonreclaimable residues.
- (10) Wastewater management systems must be designed and operated to achieve maximum long-term benefit from the funds expended.

(11) Water quality control must be based on the latest scientific findings. Criteria must be continually refined as additional knowledge becomes available.

(12) Monitoring programs must be provided to determine the effects of discharges on all beneficial water uses including effects on aquatic life and its diversity and seasonal fluctuations.

STATE WATER QUALITY PROTECTION AREAS / AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE

The Regional Boards were required to select areas in coastal waters which contain "*biological communities of such extraordinary, even though unquantifiable, value that no acceptable risk of change in their environments as a result of man's activities can be entertained.*" These areas are known as 'Areas of Special Biological Significance' (ASBS).

ASBS are those areas designated by the State Water Board as ocean areas requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable. All ASBS are also classified as subset of State Water Quality Protection Areas (SWQPAs).

SWQPAs are defined in Public Resources Code, section 36700(f) as "a nonterrestrial marine or estuarine area designated to protect marine species or biological communities from an undesirable alteration in natural water quality, including, but not limited to, areas of special biological significance that have been designated by the State Water Resources Control Board through its water quality control planning process."

In the San Diego Region, Areas of Special Biological Significance ASBS/SWQPAs include the following:

- **La Jolla, San Diego County:** Ocean waters within the boundaries of the City of San Diego, County of San Diego, State of California, as follows: beginning at the most northerly point of Goldfish Point as shown on La Jolla Park Map No. 352 filed in the office of the County Recorder of said county, thence in a northerly direction to a point being the intersection of longitude 117° 16' 15" west with the easterly prolongation of the southerly line of Pueblo Lot 1298 as shown on the map of Pueblo Lands of San Diego made by James Pascoe known as

miscellaneous map No. 36 filed in the office of the County Recorder as said county, thence easterly along said prolongation of the southerly line of Pueblo Lot 1298 to the intersection with the mean high tide line, thence in a generally southerly direction along said mean high tide line to the point of beginning.

- **Heisler Park, Orange County:** Ocean waters within a line beginning at the intersection of the line of mean high tide with the westerly boundary line of Heisler Park, as described in a deed to the City of Laguna Beach, recorded in book 1666, page 144, Official Records Orange County, California; thence south 16° 21' west 800 feet more or less to the line of the Laguna Beach Marine Life Refuge, as per Division 7, Chapter 1, Article 2, section 10904, State of California Fish and Game Code; thence along said marine life refuge south 73° 39' east, 2,400 feet more or less to the easterly boundary of said refuge; thence along said easterly boundary north 14° 58' west, 700 feet more or less to the line of mean high tide in a westerly direction to the point of beginning.
- **San Diego - Scripps, San Diego County:** Ocean waters within that portion of Fish and Game District 19 consisting of that certain strip of land lying between the westerly edge of Pueblo Lot No. 1298 of the Pueblo Lands of the City of San Diego, according to the official map of said pueblo lands as made by James Pascoe, and filed in the office of the County Recorder of said County of San Diego, and the mean high tide line opposite to and west of said pueblo lot, which said strip of land is bounded on the north by the northerly boundary line of said pueblo lot extended westerly and on the south by the southerly boundary line of said pueblo lot extended westerly; together with the state waters of the State of California adjacent thereto, being those state waters which lie between said extended northerly and southerly boundaries of said pueblo lot and extend westerly from said mean high tide line for a distance of 1,000 feet.
- **Irvine Coast, Orange County:** Ocean waters within that portion of California state tide and submerged lands adjoining the Newport Beach Marine Life Refuge bounded by a line beginning at the intersection of the southwesterly extension of Lot 141, Tract No. 3357, as shown on a map recorded in Book 107, Page 1 of Miscellaneous Maps on file in the office of the County Recorder, Orange County and the line of ordinary high tide; thence, southeasterly along the line of ordinary high tide

approximately 20,000 feet to its intersection with the southwesterly extension of the northwesterly boundary line of the City of Laguna Beach; thence, southwesterly along such southwesterly extension 1,000 feet or to the 100-foot isobath, whichever distance from shore is greater; thence northwesterly along a line parallel to and 1,000 feet or to the 100-foot isobath, whichever distance from shore is greater southwesterly of the line of ordinary high tide to the southwesterly extension of said Lot 141; thence northeasterly along such southwesterly extension to the point of beginning.

The impact of the adoption of ASBS and SWQPAs on the Basin Plan is that discharges of wastewaters and/or heat must be sufficiently removed spatially from these areas to assure the maintenance of natural water quality conditions in these areas. Existing wastewater and/or heat discharges which influence the natural water quality in these areas shall be prohibited and phased out as promptly as possible, or limited by the imposition of special conditions in accordance with the Porter-Cologne Water Quality Control Act and implementing regulations, including, but not limited to the California Ocean Plan and the California Thermal Plan.

ENCLOSED BAYS AND ESTUARIES POLICY



San Diego Bay

(RESOLUTION NO. 74-43)

The *Water Quality Control Policy for Enclosed Bays and Estuaries of California* (Enclosed Bays and Estuaries Policy) was adopted by State Board Resolution No. 74-43 on May 16, 1974. This policy is designed to prevent water quality degradation and protect beneficial uses in enclosed bays and estuaries. The policy outlines water quality principles and guidelines to achieve these objectives. Decisions by the Regional Board must be consistent with the provisions designed to prevent water quality degradation.

The policy lists principles of management that include the State Board's desire to phase out all discharges of municipal wastewaters and industrial process waters (exclusive of cooling waters) to enclosed bays and estuaries as soon as

practicable. Exceptions to this provision may be granted by a Regional Board only when the Regional Board finds that the wastewater in question would consistently be treated and discharged in such a manner that it would enhance the quality of the receiving waters above that which would occur in the absence of the discharge. Discharge prohibitions are placed on the following:

- New discharges of municipal wastewaters and industrial process waters (exclusive of cooling water, treated ballast water and innocuous nonmunicipal wastewater discharges, such as clear brines, wash water and pool drains) which are not consistently treated and discharged in a manner that would enhance the quality of the receiving waters as defined in the Policy;
- Municipal and industrial waste sludge and untreated sludge digester supernatant, centrate, or filtrate;
- Rubbish or refuse into surface waters or at any place where they would be eventually transported to enclosed bays and estuaries;
- Silt, sand, soil, clay, or other earthen materials from onshore operations including mining, construction, and lumbering in quantities which unreasonably affect or threaten to affect beneficial uses;
- Materials of petroleum origin in sufficient quantities to be visible or in violation of waste discharge requirements (except for scientific purposes);
- Radiological, chemical, or biological warfare agent or high-level radioactive waste; and
- Discharge or by-pass of untreated waste.

POLICY ON THE USE AND DISPOSAL OF INLAND WATERS USED FOR POWERPLANT COOLING (RESOLUTION NO. 75-58)

The *Water Quality Control Policy on the Use and Disposal of Inland Waters Used for Powerplant Cooling* (Policy on the Use and Disposal of Inland Waters Used for Powerplant Cooling) was adopted by State Board Resolution No. 75-58 on June 19, 1975. The purpose of the policy is to provide consistent statewide water quality principles and guidance for adoption of discharge requirements, and implementation actions for powerplants which

depend upon inland waters for cooling. In addition, this policy is intended to protect the beneficial uses of the State's water resources by keeping the consumptive use of freshwater for powerplant cooling to a minimum. The Regional Board is responsible for the enforcement of this policy.

The policy is based on the seven principles listed below:

- (1) It is the State Board's position that from a water quantity and quality standpoint the source of powerplant cooling water should come from the following sources in this order of priority depending on site specifics such as environmental, technical, and economic feasibility consideration:
 - Wastewater being discharged to the ocean;
 - Ocean;
 - Brackish water from natural sources or irrigation return flow;
 - Inland wastewaters of low TDS; and
 - Other inland waters.
- (2) Where the State Board has jurisdiction, use of fresh inland waters for powerplant cooling will be approved by the Board only when it is demonstrated that the use of other water supply sources or other methods of cooling would be environmentally undesirable or economically unsound.
- (3) In considering issuance of a permit or license to appropriate water for powerplant cooling, the Board will consider the reasonableness of the proposed water use when compared with other present and future needs for the water source and when viewed in the context of alternative water sources that could be used for the purpose. The Board will give great weight to the results of studies made pursuant to the Warren-Alquist State Energy Resources Conservation and Development Act and carefully evaluate studies by the Department of Water Resources made pursuant to sections 237 and 462, Division 1 of the California Water Code.
- (4) The discharge of blowdown water from cooling towers or return flows from once-through cooling shall not cause a violation of water quality objectives or waste discharge requirements established by the Regional Boards.

- (5) The use of unlined evaporation ponds to concentrate salts from blowdown waters will be permitted only at salt sinks approved by the Regional and State Boards. Proposals to utilize unlined evaporation ponds for final disposal of blowdown waters must include studies of alternative methods of disposal. These studies must show that the geologic strata underlying the proposed ponds or salt sink will protect usable groundwater.
- (6) Studies of availability of inland waters for use in powerplant cooling facilities to be constructed in Central Valley basins, the South Coastal Basins or other areas which receive supplemental water from Central Valley streams as for all major new uses must include an analysis of the impact of such use on Delta outflow and Delta water quality objectives. The studies associated with powerplants should include an analysis of the cost and water use associated with the use of alternative cooling facilities employing dry, or wet/dry modes of operation.
- (7) The State Board encourages water supply agencies and power generating utilities and agencies to study the feasibility of using wastewater for powerplant cooling. The State Board encourages the use of wastewater for powerplant cooling where it is appropriate. Furthermore, section 25601(d) of the Warren-Alquist Energy Resources Conservation and Development Act directs the water and other advances in powerplant cooling and section 462 of the Waste Water Reuse Law directs the Department of Water Resources to "...conduct studies and investigations on the availability and quality of waste water and uses of reclaimed waste water for beneficial purposes including, but not limited to ... and cooling for thermal electric powerplants."

In addition, the policy contains three discharge prohibitions. The prohibitions are listed below:

- (1) The discharge to land disposal sites of blowdown waters from inland powerplant cooling facilities shall be prohibited except to salt sinks or to lined facilities approved by the Regional and State Boards for the reception of such wastes.
- (2) The discharge of wastewaters from once-through inland powerplant cooling facilities shall be prohibited unless the discharger can show that such a practice will maintain the existing water quality and aquatic environments of the State's water resources.

- (3) The Regional Boards may grant exceptions to these discharge prohibitions on a case-by-case basis in accordance with exception procedures included in the *Water Quality Control Plan for Control of Temperature In the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California*.

THERMAL PLAN (RESOLUTION NO. 75-89)

The *Water Quality Control Plan for the Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California* (Thermal Plan) was adopted by the State Board in 1971, revised in 1972 and revised again on September 18, 1975. The Thermal Plan specifies water quality objectives and general water quality provisions for new and existing discharges into enclosed bays, estuaries, cold interstate waters, warm interstate waters and coastal waters. The State and Regional Boards administer the plan by establishing waste discharge requirements for elevated temperature wastes. Existing and future dischargers of thermal waste are required to conduct studies to define the effect of the discharge on beneficial uses and, for existing discharges, determine design and operating changes which would be necessary to achieve compliance with the provisions of the Thermal Plan.

Existing waste discharge requirements are required to be reviewed to determine any necessary revisions, changes in monitoring programs and the need for studies of the effect of the thermal discharge on beneficial uses. Proposed thermal dischargers may be required to submit studies prior to the establishment of WDRs. Appropriate post discharge studies are also required by the Regional Board. The Thermal Plan specifies that the Regional Board shall outline the scope and design of any necessary studies to include the following as applicable:

- (1) Existing conditions in the aquatic environment;
- (2) Effects of the existing discharge on beneficial uses;
- (3) Predicted conditions in the aquatic environment with waste discharge facilities designed and operated in compliance with the provisions of the plan;
- (4) Predicted effects of the proposed discharge on beneficial uses;

- (5) An analysis of costs and benefits of various design alternatives; and
- (6) The extent to which intake and outfall structures are located and designed so that the intake of planktonic organisms is at a minimum, waste plumes are prevented from touching the ocean substrate or shorelines, and the waste is dispersed into an area of pronounced along-shore or offshore currents.

The Thermal Plan further specifies that WDRs adopted for discharges of thermal wastes shall be monitored in order to determine compliance with effluent or receiving water temperature requirements. For significant thermal discharges, the State or Regional Boards shall require expanded monitoring programs to assess whether the thermal discharge continues to provide adequate protection to the beneficial uses of the water. The State or Regional Board may require the discharger(s) to pay a public agency or other appropriate person an amount sufficient to carry out the expanded monitoring program if:

- (1) The discharger has previously failed to carry out a monitoring program satisfactory to the State or Regional Board; or
- (2) More than a single facility, under separate ownerships, may significantly affect the thermal characteristics of the body of water, and the owners of such facilities are unable to reach agreement on a cooperative program within a reasonable time period specified by the State or Regional Board.

**POLICY WITH RESPECT
TO WATER RECLAMATION
IN CALIFORNIA
(RESOLUTION NO. 77-1)**

The *Policy with Respect to Water Reclamation in California* (Reclamation Policy) was adopted by the State Board on January 6, 1977. The Reclamation Policy provides that the water resources of the State be put to beneficial use to the fullest extent of which they are capable. The policy provides that water resources shall not be wasted, nor be put to an unreasonable use, nor be used in an unreasonable method.

This policy commits both the State and Regional Board to support reclamation and to undertake all possible steps to encourage the development of water reclamation facilities to reclaim water to supplement existing surface and ground water supplies. It requires the Regional Board to conduct

reclamation surveys and specifies actions to be implemented by the State and Regional Board and other agencies.

The State Board adopted the four following principles in order to implement the Reclamation Policy. These principles are listed below:

- (1) The State and Regional Boards shall encourage, and consider or recommend for funding, water reclamation projects which meet the conditions below and which do not adversely impact vested water rights or unreasonably impair instream beneficial uses or place a unreasonable burden on present water supply systems:
 - (A) Beneficial use will be made of wastewaters that would otherwise be discharged to marine or brackish receiving waters or evaporation ponds,
 - (B) Reclaimed water will replace or supplement the use of fresh water or better quality water,
 - (C) Reclaimed water will be used to preserve, restore, or enhance instream beneficial uses which include, but are not limited to, fish, wildlife, recreation, and aesthetics associated with any surface water or wetlands.
- (2) The State and Regional Boards shall encourage reclamation and reuse of water in water-short areas of the State, encourage water conservation measures which further extend the water resources of the State, and encourage other agencies, in particular the Department of Water Resources, to assist in implementing this policy.
- (3) The State and Regional Boards recognize the need to protect the public health including potential vector problems and the environment in the implementation of reclamation projects.
- (4) In implementing these principles, the State and/or Regional Board shall take appropriate actions, recommend legislation, and recommend actions by other agencies in the areas of planning, project funding, water rights, regulation and enforcement, research and demonstration, and public involvement and information.

This resolution has been reprinted at the end of this Chapter.

POLICY ON THE DISPOSAL OF SHREDDER WASTE (RESOLUTION NO. 887-0622)

The *Policy on the Disposal of Shredder Wastes* (Shredder Waste Disposal Policy) was adopted on ~~February 8, 1988~~, ~~March 19, 1987~~. This policy permits the disposal of shredded wastes produced by the mechanical destruction of car bodies, old appliances and similar castoffs, into certain landfills under specific conditions designated and enforced by the Regional Boards. Hazardous and nonhazardous shredder waste may be disposed of in appropriate Class III landfills where doing so would not cause water quality impairment. —The policy specifies the shredder waste must not exceed PCB levels of 50 milligrams per kilogram (mg/kg). Also, the shredder waste must be disposed ~~on the last and highest lift in a closed disposal cell or~~ in an isolated cell solely designated for the disposal of shredder waste.



Drinking Water

SOURCES OF DRINKING WATER POLICY (RESOLUTION NO. 88-63)

The *Sources of Drinking Water Policy* was adopted by the State Board on May 19, 1988. The policy provides that all surface and ground waters of the State are considered to be suitable or potentially suitable for municipal or domestic water supply and should be so designated by the Regional Boards. Those waters excepted under the policy include the following:

- (1) Surface or ground waters where the total dissolved solids exceed 3,000 milligrams per liter (mg/l) and it is not reasonably expected by the Regional Boards to supply a public water system;
- (2) Surface or ground waters which have been contaminated and can not be reasonably treated for domestic use using either Best Management Practices or best economically achievable treatment practices;
- (3) Surface or ground waters which do not provide sufficient water for extraction of 200 gallons per day;
- (4) Surface waters which are in systems designed or modified to carry municipal,

industrial, agricultural or mining wastewaters, or storm water runoff.

- (5) Surface waters in systems designed or modified for the primary purpose of conveying or holding agricultural drainage waters, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards.
- (6) Ground waters where the aquifer is regulated as a geothermal energy producing source or has been exempted administratively pursuant to 40 CFR, section 146.4 for the purpose of underground injection of fluids associated with the production of hydrocarbon or geothermal energy, provided that these fluids do not constitute a hazardous waste under 40 CFR, section 261.3. This resolution has been reprinted at the end of this Chapter.

NONPOINT SOURCE MANAGEMENT PLAN (RESOLUTION NO. 88-123)

The *Nonpoint Source Management Plan* was adopted by the State Board on November 15, 1988, pursuant to section 319 of the federal Clean Water Act. Section 319 requires each state to prepare a Nonpoint Source Management Plan and to conduct an assessment of the impact nonpoint sources have on the state's waterbodies. In response to these requirements, the State Board adopted the Nonpoint Source Management Plan (NPSMP) in 1988 and the Water Quality Assessment in 1990. The NPSMP established a statewide policy for managing polluted runoff in California. The plan identifies three management approaches which are used by the State and Regional Boards to address nonpoint source problems:

- (1) Voluntary implementation of best management practices;
- (2) Regulatory-based encouragement of best management practices; and
- (3) Effluent requirements.

The primary goal of the program is to measurably improve water quality and/or implementation of Best Management Practices by meeting several objectives specified in the plan.

The Nonpoint Source Management Plan outlines steps to initiate systematic management of nonpoint sources in California. These steps include:

- (1) An explicit long-term commitment by the State and Regional Board;
- (2) More effective coordination of existing State and Regional Board nonpoint-source related programs;
- (3) Greater use of Regional Board regulatory authorities coupled with non-regulatory programs;
- (4) Stronger links between the local, State and Federal agencies which have powers that can be used to manage nonpoint sources;
- (5) Development of new funding sources; and
- (6) Implementation of the requirements of the 1990 Reauthorization of the Coastal Zone Management Act (CZMA) which requires the State Board and the California Coastal Commission to develop and implement an enforceable nonpoint source program in the coastal zone.

The reauthorization of the CZMA, together with specific guidance from the USEPA and the National Oceanic & Atmospheric Administration (NOAA), requires coastal states to develop coastal nonpoint pollution control programs. These programs are to implement management measures for the control of land uses which contribute nonpoint source pollution to coastal waters. Management measures, which include specific measures for mitigating water quality impacts, are specified for the following land uses: agriculture; grazing; confined animal facilities; forestry; urban development; roads; marinas and recreational boating; hydromodification; and mines. The state's coastal program is to be considered for approval by the USEPA and NOAA in July 1995.

Revision of the State Nonpoint Source Management Plan (NPSMP) has been initiated. The State Board intends to consider the requirements of the Coastal Zone Act Reauthorization Amendments (CZARA) during the review and revision of the NPSMP. There will also be more of an emphasis placed on watershed based nonpoint source controls in the revised NPSMP. To develop these management measures, the State Board is forming Task Force Committees composed of experts in the various nonpoint source categories. The management measures developed by the Task Force Committees will be reviewed by an Oversight Committee made up of State and Regional Board staff prior to inclusion in the revised NPSMP. The anticipated date of completion of the revised NPSMP is in 1995.

The plan describes an implementation project entitled the "Southern California Coastal Lagoon Urban Runoff Management." This project requires land developers to incorporate low flow sand filters into project designs and to implement street sweeping programs. The performance of the filters and programs are monitored to incorporate design modifications as needed to improve performance.

Other implementation actions specified in the plan for Region 9 include the following regulatory and non-regulatory program(s):

Regulatory Programs

- **Dairies:** The Regional Board issues Waste Discharge Requirements which limit the amount of manure that can be applied per acre to agricultural land.
- **Erosion Control:** The Regional Board implements policies requiring cities and counties to adopt erosion control ordinances. Thus, the Regional Board adopted Resolution No. 92-21, A Resolution Concerning the Agreement Between the California Regional Water Quality Control Board, San Diego Region, and the Resource Conservation Districts of San Diego County Regarding the Erosion and Sediment Control Policy (Resource Conservation Districts of San Diego County Erosion and Sediment Control Policy. In addition, staff reviews ordinances and assists with enforcement.
- **Subsurface Disposal Policy:** Regional Board staff will develop criteria for minimum lot sizes for septic systems.

Non-regulatory program

- **San Diego Bay Study:** The Regional Board will continue a five year study to identify the sources and extent of water quality pollution in San Diego Bay. Possible nonpoint sources such as storm water runoff and past point source pollutants now bound to bottom sediments will be investigated.



Pacific Ocean, Scripps Pier

CALIFORNIA OCEAN PLAN (RESOLUTION NO. 90-27)

The *Water Quality Control Plan for Ocean Waters of California* (California Ocean Plan) was adopted

by the State Board in 1972, and later revised in 1978, 1983, 1988 and 1990. The revision in effect at the time of this writing is Resolution No. 90-27, which was adopted by the State Board on March 22, 1990. The California Ocean Plan is applicable to all point source discharges to the ocean.

The California Ocean Plan is designed to protect the quality of the ocean waters for use and enjoyment by the people through the control of waste discharges to the ocean. The plan sets forth water quality objectives for ocean waters which impose limits on bacteriological, physical, chemical, biological, toxic, and radioactive characteristics for ocean waters in numerical and descriptive terms to ensure the reasonable protection of beneficial uses and the prevention of nuisance. Also, the plan describes requirements for management and design of systems discharging wastewaters to the ocean and effluent quality requirements for discharges. Systems must be designed and operated in a manner that will maintain the indigenous marine life and a healthy and diverse marine community. In addition, discharge prohibitions are placed on hazardous substances, warfare agents and high level radioactive wastes, sludge and digester supernatant, and bypassed untreated waste discharges. Furthermore, the plan states that "*Areas of Special Biological Significance*" shall be designated by the State Board. In these areas the maintenance of natural water quality conditions must be assured. Waste discharges to ASBS are prohibited unless the State Board finds that there would be no adverse impact to beneficial uses. Lastly, discharge requirements within the California Ocean Plan include the maximum allowable monthly mass emission rates for each effluent quality constituent included therein.

The California Ocean Plan declares the State Board's intent to require continual monitoring of the marine environment to assure that the California Ocean Plan reflects the latest available data and that the water quality objectives are adequate to fully protect indigenous marine species and to protect human health.

CALIFORNIA WETLANDS CONSERVATION POLICY

The California Wetlands Conservation Policy was established by the Governor on August 23, 1993. The goal of the California Wetlands Conservation Policy is to establish a policy framework and strategy that will:

- Ensure no overall net loss and achieve a long-term net gain in the quantity, quality, and

permanence of wetlands acreage and values in California in a manner that fosters creativity, stewardship, and respect for private property;

- Reduce procedural complexity in the administration of State and Federal wetlands conservation programs; and
- Encourage partnerships to make landowner incentive programs and cooperative planning efforts the primary focus of wetlands conservation and restoration.

Three measures are identified to achieve these objectives, these include: (1) statewide policy initiatives; (2) regional strategies; and an (3) interagency wetlands task force.

Statewide policy initiatives: These policy initiatives include a statewide wetlands inventory, support for wetlands planning, improved administration of existing wetland's regulatory programs, development and adoption of a consistent wetlands definition for state regulatory programs, development and adoption of a state policy regarding Army Corps of Engineers nationwide permits, development and adoption of consistent wetlands standards and guidelines, enhancing efficiency of and coordination in the wetland permitting process, encouragement of regulatory flexibility in situations in which wetlands are created unintentionally or incidentally to other activities, encouragement of regulatory flexibility to allow public agencies and water districts to create wetlands but later remove them if the wetlands are found to conflict with the primary purpose to which the property is devoted, strengthened landowner incentives to protect wetlands, support for mitigation banking, development and expansion of other wetlands programs, and integration of wetlands policy and planning with other environmental and land use processes.

Regional strategies: These include three geographically based regional strategies in which wetlands programs can be implemented, refined, and combined in unique ways to achieve the goals and objectives of the wetlands policy. These three strategies are to be implemented in the Central Valley, the San Francisco Bay area, and Southern California. For Southern California, the regional strategy is to initiate better coordination and communication among diverse interests in southern California by establishing a "*Southern California Wetlands Joint Venture*." This group would set long-term goals and priorities for the conservation of wetlands and develop a policy to achieve those goals, and would encourage a variety of demonstration projects designed to enhance the

State's ability to constructively address regional wetlands issues.

Interagency wetlands task force: This task force is to be created to direct and coordinate administration and implementation of the Wetlands Policy. This task force will be advisory to the Governor and help resolve inter-agency conflicts on wetlands. The task force will appoint an advisory committee of stakeholders and may seek additional technical advice as necessary.

CLEANUP AND ABATEMENT POLICIES AND PROCEDURES (RESOLUTION NO. 92-49)

The *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code section 13304* (Cleanup and Abatement Policies and Procedures)(the Policy) was adopted by State Board Resolution No. 92-49 on June 18, 1992, and amended on April 21, 1994. The Policy describes the procedures the State Board and the Regional Board follow in making decisions on investigations to determine the vertical and horizontal extent of a discharge, and the appropriate cleanup and abatement methods. The Policy applies to all investigations and cleanup and abatement activities, for all types of discharges subject to California Water Code (Water Code) section 13304.

Section 13304 applies to any person who discharges or who has discharged waste into waters of the State in violation of any waste discharge requirement or other order or prohibition issued by a Regional Board or the State Board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the State and creates, or threatens to create, a condition of pollution or nuisance. Section 13304 authorizes the Regional Board to require complete cleanup of all waste discharged and to require restoration of affected water to background conditions (i.e., the water quality that existed before the discharge). The Policy requires dischargers to clean up and abate the effects of discharges in a manner that promotes attainment of either background water quality, or the best water quality which is reasonable, if background levels of water quality cannot be restored. Cleanup levels prescribed by the State Board or Regional Boards must:

- Be consistent with maximum benefit to the people of the State; and
- Be established in a manner consistent with CCR, Title 23, Chapter 15 regulations.

Dischargers are required to carry out a phased investigation to determine the nature and extent of soil and ground water pollution at a site. The Policy describes various procedures to ensure that dischargers have the opportunity to select cost-effective methods, for detecting discharges, and for cleanup and abatement. The Policy also contains criteria for development of reasonable schedules for investigation and cleanup and abatement, or other remedial action at a site.

For further details about the Policy, the reader should refer to State Board Resolution No. 92-49.

WATER QUALITY ENFORCEMENT POLICY

The Water Quality Enforcement Policy became effective on May 20, 2010. This Policy addresses the enforcement component (i.e. actions that take place in response to a violation) of the Regional and State Boards' regulatory framework, which is a critical element of a successful regulatory program. Without a strong enforcement program to follow through on non-compliance, the entire regulatory framework would be in jeopardy. Enforcement is a critical ingredient in creating the deterrence needed to encourage the regulated community to anticipate, identify, and correct violations. The Policy includes a process for ranking of enforcement priorities, a methodology for calculating civil liability, and requires recording and reporting of enforcement data to the public and regulated community.

POLICY ON SUPPLEMENTAL ENVIRONMENTAL PROJECTS

The Policy on Supplemental Environmental Projects became effective on February 3, 2009. This Policy guides the process of the Regional or State Board accepting a Supplemental Environmental Project (SEP) that may allow a discharger to satisfy part of the monetary assessment imposed in an administrative civil liability (ACL). California Water Code section 13385(i) allows limited use of SEPs associated with mandatory minimum penalties and provides criteria and reporting requirements for qualifying SEPs.

ONSITE WASTEWATER TREATMENT SYSTEMS POLICY (RESOLUTION NO. 2012-0032)

The purpose of the *Water Quality Control Policy for Siting, Design, and Maintenance of Onsite Wastewater Treatment Systems*¹ (OWTS Policy) is to allow the continued use of OWTS, while protecting water quality and public health. The OWTS Policy was adopted by the State Board on June 19, 2012. The OWTS Policy recognizes that responsible local agencies can provide the most effective means to manage OWTS on a routine basis. It is the intent of the OWTS Policy to efficiently utilize and improve coordination between the State and local agencies to improve the implementation of the OWTS Policy for the protection of water quality. To accomplish this purpose, the OWTS Policy establishes a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements, and sets the level of performance and protection expected from OWTS. The OWTS Policy also allows Regional Boards to conditionally waive issuing Waste Discharge Requirements (WDRs) for OWTS that meet requirements specified in the Policy.

The regulation of OWTS is organized into five separate implementation tiers (tiers outlined in Chapter 4). An OWTS that meets the criteria of one of the five tiers is eligible for the conditional waiver of WDRs, with regulation of the qualifying OWTS deferred to the appropriate local agency.

RECYCLED WATER POLICY (RESOLUTION NO. 2009-0011)

The main goals of the Recycled Water Policy are to provide direction to the Regional Boards, proponents of recycled water projects, and the public regarding the appropriate criteria to be used in issuing permits for recycled water projects; increase the use of recycled water from municipal wastewater sources; and streamline and expedite permitting of recycled water projects by the Regional Boards. These goals will help promote long-term protection of regional groundwater supplies. The Recycled Water Policy² was adopted by the State Board on February 9, 2009 and amended on January 22, 2013.

The Policy requires that by May 2014 individual salt and nutrient management plans (SNMPs) be developed for every groundwater basin in California. The SNMPs required by the Recycled Water Policy are to be developed by local stakeholder driven processes led mainly local water

purveyors and wastewater agencies. The development of SNMPs allows for a more comprehensive approach to management of all contributors of salt and nutrient loading to groundwater on a basin-wide or watershed-basis; and in a manner that ensures attainment of water quality objectives and protection of beneficial uses.

The Recycled Water Policy specifies permitting criteria for landscape irrigation and groundwater recharge projects, and includes criteria for streamlined permitting. Irrigation projects that meet criteria specified in the Recycled Water Policy are entitled to a streamlined permitting process. The Recycled Water Policy also establishes a program to evaluate the risks of constituents of emerging concern to public health and the environment; and promotes incentives to encourage and facilitate recycled water use.

REGIONAL BOARD RESOLUTIONS

The San Diego Regional Board has adopted many resolutions which, in addition to the State Board Resolutions described previously, are important to the Regional Board's implementation of the Basin Plan. The Regional Board Resolutions that implement, interpret, or make specific the Basin Plan are incorporated into the Basin Plan are listed below.

~~All of the Regional Board Resolutions which implement, interpret, or make specific the Basin Plan and which are listed below have been incorporated in this Basin Plan and are therefore superseded by this Basin Plan.~~

Resolution No. 78-6. Adopted February 27, 1978. *A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region. This resolution deleted water quality objectives and beneficial uses for certain portions of basins 1.10, 1.20, 1.30, 1.40, 1.50, 2.10, 3.10, 4.10, 4.20, 4.30, 4.40, 4.50, 4.60, 5.10, 6.10, 7.10, and 11.10.*

Resolution No. 79-25. Adopted March 26, 1979. *A Resolution Concerning the 'Agreement Between the California Regional Water Quality Control Board, San Diego Region and the Elsinore-Murrieta-Anza Resource Conservation District Regarding the Sediment Control Ordinance.'*

Resolution No. 79-44. Adopted June 25, 1979. *A Resolution Concerning 'Guidelines for New Community and Individual Sewerage Facilities.'*

¹ The OWTS Policy online at <http://www.waterboards.ca.gov/>

² Recycled Water Policy: <http://www.waterboards.ca.gov/>

Resolution No. 80-48. Adopted September 22, 1980. A Resolution Concerning the San Diego County Department of Health Services Minimum Criteria for the Design and Construction of Evapotranspiration and Evapotranspiration-Infiltration Systems.

Resolution No. 81-16. Adopted March 23, 1981. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region. This resolution amended the beneficial uses and water quality objectives for the Aliso, Carlsbad, Agua Hedionda, Batiquitos and Telegraph hydrographic subareas.

Resolution No. 83-04. Adopted January 24, 1983. A Resolution Adopting an Amendment to the Comprehensive Water Quality Control Plan for the San Diego Region. This resolution amended the water quality objectives for nutrients in coastal lagoons.

~~**Resolution No. 83-21.** Adopted July 18, 1983. A Resolution Conditionally Waiving Adoption of Waste Discharge Requirements for Certain Specific Types of Discharges.~~

~~**Resolution No. 83-21, Addendum No 1.** Adopted November 15, 1993. An Addendum Conditionally Waiving Adoption of Waste Discharge Requirements for Temporary Discharge of Specified Contaminated Soils.~~

~~**Resolution No. 83-21, Addendum No 2.** Adopted November 15, 1993. An Addendum Conditionally Waiving Adoption of Waste Discharge Requirements for Disposal / Reuse of Dredge Spoils in Industrial or Commercial Applications.~~

~~**Resolution No. 83-21, Addendum No 3.** Adopted November 15, 1993. An Addendum Conditionally Waiving Adoption of Waste Discharge Requirements for Green Waste Composting Facilities.~~

Resolution No. 83-27. Adopted October 3, 1983. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region, San Elijo Hydrographic Subarea.

Resolution No. 83-28. Adopted August 29, 1983. A Resolution Supporting the County of San Diego's Moratorium on Subsurface Disposal Systems in the Valley Center Area.

Resolution No. 84-20. Adopted August 27, 1984. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the

San Diego Region, Mission San Diego Hydrographic Subarea.

Resolution No. 85-89. Adopted December 16, 1985. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region, Mission San Diego Hydrographic Subarea and Sycamore Canyon Subarea, and a portion of the Santee Hydrographic Subarea.

Resolution No. 85-92. Adopted December 16, 1985. Designation of Class III Landfills Within the San Diego Region to Accept Shredder Wastes as Required by Section 25143.6 of the Health and Safety Code.

Resolution No. 86-06. Adopted March 24, 1986. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region. This resolution established a goal and action plan for encouraging and promoting water reclamation.

Resolution No. 87-71. Adopted November 16, 1987. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region. This resolution established a policy on dairy waste management.

Resolution No. 87-91. Adopted December 21, 1987. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region. This resolution established a policy on erosion and sediment control.

Resolution No. 88-06. Adopted February 8, 1988. Policy on the Disposal of Shredder Waste. The policy specifies the shredder waste must not exceed PCB levels of 50 milligrams per kilogram (mg/kg). Also, the shredder waste must be disposed on the last and highest lift in a closed disposal cell or in an isolated cell solely designated for the disposal of shredder waste.

Resolution No. 88-25. Adopted March 14, 1988. A Resolution Regarding the Proposed State Water Resources Control Board Policy for Water Quality Control Defining 'Sources of Drinking Water' for the Purposes of Discharge Prohibitions.

Resolution No. 88-49. Adopted April 25, 1988. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region for a Portion of the Otay Hydrographic Subunit.

Resolution No. 88-97. Adopted October 3, 1988. A Resolution Supporting the Proposed Interim Solution to the Tijuana Sewage Problem Consisting

of a Sewage Treatment Plant Within the United States and an Ocean Outfall.

Resolution No. 89-33. Adopted April 10, 1989. Incorporation of 'Sources of Drinking Water' Policy into the Water Quality Control Plan (Basin Plan) of the San Diego Region.

Resolution No. 89-53. Adopted July 10, 1989. Addition of Portions of the Otay Valley Hydrologic Area to the List of Waters Excepted From the 'Sources of Drinking Water' Policy.

Resolution No. 90-27. Adopted April 23, 1990. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region, for the Mission San Diego and a Portion of the Santee Hydrologic Subareas. This resolution establishes a biostimulatory substances water quality compliance methodology for part of the San Diego River.

Resolution No. 90-28. Adopted March 12, 1990 April 23, 1990. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region, for a Portion of the San Clemente Hydrologic Subunit.

Resolution No. 90-53. Adopted September 24, 1990. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for Portions of the Santa Margarita Hydrologic Unit (2.00), San Diego Region. This resolution establishes a biostimulatory substances water quality compliance methodology for part of the Santa Margarita River.

Resolution No. 90-61. Adopted November 5, 1990. A Resolution Amending Resolution No. 90-40, A Regionwide Groundwater Amendment to the Comprehensive Water Quality Control Plan for the San Diego Region. This resolution revised the language regarding use of reclaimed water contained in Resolution No. 90-40, A Resolution Reconsidering and Amending Resolution No. 90-26, 'A Regionwide Groundwater Amendment to the Comprehensive Water Quality Control Plan for the San Diego Region', and Resolution No. 90-26, A Resolution Adopting A Regionwide Groundwater Amendment to the Comprehensive Water Quality Control Plan for the San Diego Region.

Resolution No. 91-23. Adopted March 11, 1991. A Resolution Amending Resolution No. 90-27, 'A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region, for the Mission San Diego and a Portion of the Santee Hydrologic Subareas.'

Resolution No. 91-46. Adopted May 20, 1991. A Resolution Rescinding and Replacing Resolution No. 88-91 and Addenda, and Establishing a Regional Board Drought Policy.

Resolution No. 91-79. Adopted December 9, 1991. A Resolution Amending Resolution No. 90-55, 'Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region.' This resolution establishes revised Basin Plan chapters for beneficial uses and water quality objectives.

Resolution No. 92-21. Adopted April 6, 1992. A Resolution Concerning the Agreement Between the California Regional Water Quality Control Board, San Diego Region, and the Resource Conservation Districts of San Diego County Regarding the Erosion and Sediment Control Policy.

Resolution No. 93-02. Adopted February 1, 1993. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region for the Escondido Hydrologic Subarea (4.62).

Resolution No. 94-09. Adopted February 10, 1994. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region, Portions of the Pauba (2.51) and Wolf (2.52) Hydrologic Subareas.

Resolution No. 94-10. Adopted September 8, 1994. A Resolution Adopting an Update to the Water Quality Control Plan for the San Diego Basin.

Resolution No. 94-25. Adopted February 10, 1994. A Resolution Adopting Amendments to the Comprehensive Water Quality Control Plan for the San Diego Region for the Laguna (1.10), Mission Viejo (1.20), and San Clemente (1.30) Hydrologic Areas.

Resolution No. 94-139. Adopted October 13, 1994. A Resolution Adopting Amendments to the Water Quality Control Plan for a portion of the Poway Hydrologic Area (6.20).

~~Regional Board Water Quality Management Policy.~~ This policy consists of five general water quality policy statements and is described in Chapter 4 of this Basin Plan.

Resolution No. 95-48. Adopted May 16, 1995. A Resolution Adopting Amendments to the Water Quality Control Plan for the Alluvial Aquifer of the Moosa (903.13) and the Valley Center (903.14) Hydrologic Subareas.

~~Resolution No. 95-95. Adopted October 12, 1995. A Resolution Adopting An Amendment to the Water~~

~~Quality Control Plan, San Diego Region. Types of Discharges Identified for Conditional Waiver of Waste Discharge Requirements. (See Appendix D).~~

Resolution No. 95-115. Adopted October 12, 1995. A Resolution Adopting Amendments to the Water Quality Control Plan for the San Diego Basin (9), Table 4-4. Types of Discharges Identified for Conditional Waiver of Waste Discharge Requirements. ~~(See Appendix D).~~

Resolution No. 96-30. Adopted May 9, 1996. A Resolution Adopting an Amendment to the Water Quality Control Plan for the San Diego Region Providing an Exception to the Prohibition of Discharges of Recycled Wastewater to Surface Water Bodies Used for Municipal Water Supply. ~~(See pages 4-16 thru 4-17).~~

Resolution No. 96-34. Adopted August 8, 1996. A Resolution Adopting an Amendment to the Water Quality Control Plan for the San Diego Region, Table 4-4, Item 24, Composting and Processing, Mulching, or Grinding Waste Management Units. ~~(See Appendix D).~~

Resolution No. 97-04: Adopted March 12, 1997. A Resolution Adopting Amendments to the Water Quality Control Plan for the San Diego Basin for the Designation of COLD and SPWN Beneficial Uses. ~~(See pages 2-9, 2-11, and 2-16 thru 2-55).~~

Resolution No. R9-2002-0123: Adopted August 14, 2002. Total Maximum Daily Load (TMDL) for Diazinon in Chollas Creek Watershed, San Diego County. ~~(See Chapter 7).~~

~~**Resolution No. R9-2002-0186:** Adopted September 11, 2002. Amendment to the Water Quality Control Plan for the San Diego Region (9) to Incorporate a Waste Discharge Requirement Waiver Policy for Certain Specific Types of Discharges. (See pages 4-11 thru 4-14).~~

Resolution No. R9-2005-0019: Adopted February 9, 2005. Total Maximum Daily Load for Dissolved Copper in the Shelter Island Yacht Basin, San Diego Bay. ~~(See Chapter 7).~~

~~NEW REGIONAL BOARD RESOLUTIONS~~

~~The following Basin Plan amendments have been adopted since the September 8, 1994 update.~~

~~**Resolution No. R9-2005-0036:** Adopted February 9, 2005. A Resolution Adopting an Amendment to the Water Quality Control Plan for the San Diego Region (9) to Incorporate Total~~

~~Maximum Daily Loads (TMDLs) for Total Nitrogen and Total Phosphorus in the Rainbow Creek Watershed, San Diego County.~~

~~**Resolution No. R9-2005-0238.** Adopted November 9, 2005. Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) to Incorporate Authorization for Compliance Time Schedules in National Pollutant Discharge Elimination System Requirements (Basin Plan Issue No. 6).~~

~~**Resolution No. R9-2005-0239.** Adopted November 9, 2005. A Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) to Add Unnamed or Unidentified Waterbodies to the Beneficial Use Tables and Make Water Quality Objective Table Corrections (Basin Plan Issue No. 3).~~

~~**Resolution No. R9-2006-0029.** Adopted April 12, 2006. Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) to Edit and Reformat Text, and Update Graphics; and Reinstating Text on “Controllable Water Quality Factors” (Basin Plan Issue No. 1)~~

~~**Resolution No. R9-2007-0043:** Adopted June 13, 2007. A Resolution Adopting an Amendment to the Water Quality Control Plan for the San Diego Basin (9) to Incorporate Total Maximum Daily Loads for Dissolved Copper, Lead and Zinc in Chollas Creek, Tributary to San Diego Bay, and to Revise the Toxic Pollutants Section of Chapter 3 to Reference the California Toxics Rule.~~

~~**Resolution No. R9-2008-0027:** Adopted June 11, 2008. A Resolution to Adopt an Amendment to the Water Quality Control Plan for the San Diego Basin (9) to Incorporate Total Maximum Daily Loads for Indicator Bacteria, Baby Beach in Dana Point Harbor and Shelter Island Shoreline Park in San Diego Bay.~~

~~**Resolution No. R9-2008-0028.** Adopted May 14, 2008. A Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) 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.~~

~~**Resolution No. R9-2010-0001:** Adopted February 10, 2010. A Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) to Incorporate Revised Total Maximum Daily Loads for Indicator Bacteria, Project I – Twenty Beaches and Creeks in the San Diego Region (Including Tecolote Creek).~~

Resolution No. R9-2012-0033: Adopted June 13, 2012. A Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) to Incorporate the Total Maximum Daily Load for Sedimentation in Los Peñasquitos Lagoon.

REPRINT OF RESOLUTION NO. 77-1

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 77-1 POLICY WITH RESPECT TO WATER RECLAMATION IN CALIFORNIA

WHEREAS:

1. The California Constitution provides that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that waste or unreasonable use or unreasonable method of use of water be prevented, and that conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare;
2. The California Legislature has declared that the State Water Resources Control Board and each Regional Water Quality Control Board shall be the principal state agencies with primary responsibility for the coordination and control of water quality;
3. The California Legislature has declared that the people of the State have a primary interest in the development of facilities to reclaim water containing waste to supplement existing surface and underground water supplies;
4. The California Legislature has declared that the State shall undertake all possible steps to encourage the development of water reclamation facilities so that reclaimed water may be made available to help meet the growing water requirements of the State;
5. The Board has reviewed the document entitled "*Policy and Action Plan for Water Reclamation in California*," dated December 1976. This document recommends a variety of actions to encourage the development of water reclamation facilities and the use of reclaimed water. Some of these actions require direct implementation by the Board; others require implementation by the Executive Officer and the Regional Boards. In addition, this document recognizes that action by many other state, local, and federal agencies and the California State Legislature would also encourage construction of water reclamation facilities and the use of reclaimed water. Accordingly, the Board recommends for its consideration a number of actions intended to coordinate with the program of this Board;
6. The Board must concentrate its efforts to encourage and promote reclamation in water-short areas of the State where reclaimed water can supplement or replace other water supplies without interfering with water rights or instream beneficial uses or placing an unreasonable burden on present water supply systems; and
7. In order to coordinate the development of reclamation potential in California, the Board must develop a data collection, research, planning, and implementation Program for water reclamation and reclaimed water uses.

THEREFORE, BE IT RESOLVED:

1. That the State Board adopts the following Principles:
 - I. The State Board and the Regional Boards shall encourage, and consider or recommend for funding, water reclamation projects which meet Condition 1, 2, or 3 below and which do not adversely impact vested water rights or unreasonably impair instream beneficial uses or place an unreasonable burden on present water supply systems;
 - (1) Beneficial use will be made of wastewaters that would otherwise be discharged to marine or brackish receiving waters or evaporation ponds,
 - (2) Reclaimed water will replace or supplement the use of fresh water or better quality water,
 - (3) Reclaimed water will be used to preserve, restore, or enhance instream beneficial uses which include, but are not limited to, fish, wildlife, recreation and esthetics associated with any surface water or wetlands.
 - II. The State Board and the Regional Boards shall (1) encourage reclamation and reuse of water in water-short areas of the State, (2) encourage water conservation measures which further extend

- the water resources of the State, and (3) encourage other agencies, in particular the Department of Water Resources, to assist in implementing this policy.
- III. The State Board and the Regional Boards recognize the need to protect the public health including potential vector problems and the environment in the implementation of reclamation projects.
 - IV. In implementing the foregoing Principles, the State Board or the Regional Boards, as the case may be, shall take appropriate actions, recommend legislation, and recommend actions by other agencies in the areas of (1) planning, (2) project funding, (3) water rights, (4) regulation and enforcement, (5) research and demonstration, and (6) public involvement and information.
2. That, in order to implement the foregoing Principles, the State Board:
 - (a) Approves Planning Program Guidance Memorandum No. 9, "*PLANNING FOR WASTEWATER RECLAMATION*,"
 - (b) Adopts amendments and additions to Title 23, California Administrative Code sections 654.4, 761, 764.9, 783, 2101, 2102, 2107, 2109, 2109.1, 2109.2, 2119, 2121, 2133(b)(2), and 2133(b)(3),
 - (c) Approves Grants Management Memorandum No. 9.01, "*WASTEWATER RECLAMATION*,"
 - (d) Approves the Division of Planning and Research, Procedures and Criteria for the Selection of Wastewater Reclamation Research and Demonstration Project,
 - (e) Approves "*GUIDELINES FOR REGULATION OF WATER RECLAMATION*,"
 - (f) Approves the Plan of Action contained in Part III of the document identified in Finding Five above,
 - (g) Directs the Executive Officer to establish an Interagency Water Reclamation Policy Advisory Committee. Such Committee shall examine trends, analyze implementation problems, and report annually to the Board the results of the implementation of this policy, and
 - (h) Authorizes the Chairperson of the Board and directs the Executive Officer to implement the foregoing Principles and the Plan of Action contained in Part III of the document identified in Finding Five above, as appropriate.
 3. That not later than July 1, 1978, the Board shall review this policy and actions taken to implement it, along with the report prepared by the Interagency Water Reclamation Policy Advisory Committee, to determine whether modifications to this policy are appropriate to more effectively encourage water reclamation in California.
 4. That the Chairperson of the Board shall transmit to the California Legislature a complete copy of the "*Policy and Action Plan for Water Reclamation in California*."

CERTIFICATION

The undersigned, Executive Officer 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 special meeting of the State Water Resources Control Board held on January 6, 1977.

Original signed by
Bill B. Dendy
Executive Officer
State Water Resources Control Board

REPRINT OF RESOLUTION NO. 88-63

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 88-63 ADOPTION OF POLICY ENTITLED "SOURCES OF DRINKING WATER"

WHEREAS:

1. California Water Code section 13140 provides that the State Board shall formulate and adopt State Policy for Water Quality Control; and,
2. California Water Code section 13240 provides that Water Quality Control Plans "*shall conform*" to any State Policy for Water Quality Control; and,
3. The Regional Boards can conform the Water Quality Control Plans to this policy by amending the plans to incorporate the policy; and,
4. The State Board must approve any conforming amendments pursuant to Water Code section 13245; and,
5. "*Sources of drinking water*" shall be defined in Water Quality Control Plans as those water bodies with beneficial uses designated as suitable, or potentially suitable, for municipal or domestic water supply (MUN); and,
6. The Water Quality Control Plans do not provide sufficient detail in the description of water bodies designated MUN to judge clearly what is, or is not, a source of drinking water for various purposes.

THEREFORE BE IT RESOLVED:

All surface and ground waters of the state are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Boards 1 with the exception of:

1. Surface and ground waters where:
 - a. The total dissolved solids (TDS) exceed 3,000 mg/l (5,000 µS/cm, electrical conductivity) and it is not reasonably expected by Regional Boards to supply a public water system, or
 - b. There is contamination, either by natural processes or by human activity (unrelated to a specific pollution incident), that cannot reasonably be treated for domestic use using either Best Management Practices or best economically achievable treatment practices, or
 - c. The water source does not provide sufficient water to supply a single well capable of producing an average sustained yield of 200 gallons per day.
2. Surface waters where:
 - a. The water is in systems designed or modified to collect or treat municipal or industrial wastewaters, process waters, mining wastewaters, or storm water runoff, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards; or,
 - b. The water is in systems designed or modified for the primary purpose of conveying or holding agricultural drainage waters, provided that the discharge from such systems is monitored to assure compliance with all relevant water quality objectives as required by the Regional Boards.
3. Ground water where:

The aquifer is regulated as a geothermal energy producing source or has been exempted administratively pursuant to 40 CFR, section 146.4 for the purpose of underground injection of fluids associated with the production of hydrocarbon or geothermal energy, provided that these fluids do not constitute a hazardous waste under 40 CFR, section 261.3.

4. Regional Board Authority to Amend Use Designations:

Any body of water which has a current specific designation previously assigned to it by a Regional Board in Water Quality Control Plans may retain that designation at the Regional Board's discretion. Where a body of water is not currently designated as MUN but, in the opinion of a Regional Board, is presently or potentially suitable for MUN, the Regional Board shall include MUN in the beneficial use designation.

The Regional Boards shall also assure that the beneficial uses of municipal and domestic supply are designated for protection wherever those uses are presently being attained, and assure that any changes in beneficial use designations for waters of the State are consistent with all applicable regulations adopted by the Environmental Protection Agency.

The Regional Boards shall review and revise the Water Quality Control Plans to incorporate this policy.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a policy duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 19, 1988.

Original signed by
Maureen Marche
Administrative Assistant to the Board

¹ This policy does not affect any determination of what is a potential source of drinking water for the limited purposes of maintaining a surface impoundment after June 30, 1988, pursuant to section 25208.4 of the Health and Safety Code.

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