

2021 TRIENNIAL REVIEW OF THE WATER
QUALITY CONTROL PLAN FOR THE SAN
DIEGO BASIN
STAFF REPORT AND PRIORITIZED LIST OF
BASIN PLANNING PROJECTS



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2021 TRIENNIAL REVIEW PRELIMINARY LIST

Introduction

The *Water Quality Control Plan for the San Diego Basin* (Basin Plan) designates beneficial uses for water bodies in the San Diego Region and establishes water quality objectives and implementation plans to protect those beneficial uses. State and federal laws require periodic review of the Basin Plan.¹ Because federal law requires review every three years, the Basin Plan review process is referred to as the “triennial review.”

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) initiated its 2021 triennial review of the Basin Plan (Triennial Review) on June 18, 2021. The purpose of the review is to identify necessary updates and revisions to water quality standards and other elements of the Basin Plan. The triennial review assists the San Diego Water Board in identifying potential priority issues to address through subsequent Basin Plan amendment projects.

In this document, San Diego Water Board staff identify a prioritized list of basin planning projects (priority projects) that may lead to projects and/or subsequent revisions or amendments to the Basin Plan. The priority projects represent important basin planning items that also support the goals of the San Diego Water Board’s [Practical Vision](#).

San Diego Water Board Practical Vision – Healthy Waters, Healthy People

The Practical Vision is a strategy that focuses the San Diego Water Board’s limited resources to achieve our region’s highest goals for healthy waters. The Practical Vision furthers our agency’s mission to protect, enhance, and restore the quality of California waters in the San Diego Region so that our communities can use and enjoy these waters. It sets a plan to achieve healthy waters through collaboration, reliance on the latest science, prioritization of issues and actions, and prudent use of our authorities in service to the people of California.

The Practical Vision identifies critical factors necessary to achieve healthy waters throughout the San Diego Region using our core values of leadership, stewardship, communication, and transparency. This Staff Report prioritizes Basin Plan amendment projects that align with our values and the Practical Vision.

¹ State law requires basin plans to be periodically reviewed [Water Code §13240]. Federal law requires water quality standards to be reviewed every three years [Clean Water Act §303(c)(1)].

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Basin Plan Triennial Review Process

Federal law requires a review of water quality standards at least once every three years. Water quality standards consist of beneficial use designations, water quality criteria (referred to as water quality objectives in California) necessary to protect those uses, and an anti-degradation policy. In addition, State law requires periodic review of Basin Plans and revisions if necessary. The last Basin Plan Triennial Review was conducted in 2018.

Federal regulations at 40 CFR 131.20(a) require states to consider, as part of their triennial review process, the adoption of new or revised Clean Water Act section 304(a) water quality criteria recommendations for human health, aquatic health, and recreation as water quality standards (WQS) into their state plans. Criteria published by the United States Environmental Protection Agency (USEPA) since May 30, 2000, are required to be evaluated. One hundred twenty-one pollutants have been added or updated to the 304(a) criteria since May 30, 2000. The State Water Board and San Diego Water Board have both recently adopted one of the section 304(a) criteria as a WQO (Pathogens and Pathogens Indicators). The San Diego Water Board completed a review of the 304(a) criteria in November 2020 and concluded that the remaining 120 pollutants are not unique to the region, have limits already in place by other rules and regulations at the state or federal level, and would unreasonably divert resources allocated for adoption of the highest priority Basin Plan amendments; therefore the recommendation identified in the November 2020 review remain unchanged. While the San Diego Board is not including a priority project to consider adoption of these 120 criteria for the 2021 triennial review cycle, it will look to the authority of the State Water Board to consider these criteria as statewide standards that can be incorporated by reference into the Basin Plan.

The 2021 Basin Plan Triennial Review process included the creation of a preliminary list of priority projects, public workshop, tribal summit, public comment period, and a public hearing. To formally conclude its Basin Plan review process, the San Diego Water Board adopts a resolution approving the review which includes a prioritized list of suggested Basin Plan projects. Placing a project on the priority list will prompt San Diego Water Board staff to investigate the need for and appropriateness of a Basin Plan amendment to meet agency goals. Depending on the outcome of the investigation, a Basin Plan amendment may be developed and adopted.

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The San Diego Water Board is allocated limited resources annually (in the form of personnel years (PYs))² from the General Fund to oversee Basin Plan review and maintenance, which includes the process of implementing Triennial Review projects. This prioritized list is based on an expectation that resources from the General Fund will remain consistent for the next three years.

Previous Triennial Review

The last Basin Plan Triennial Review was conducted in 2018 and identified six priority projects. The following section contains a summary of the 2018 Triennial Review priority projects and progress made by staff during the period of 2018 through 2021.

- **Project 1: Tijuana River Valley Water Quality Restoration**
 - **Description:** To develop TMDLs to address solid waste and the impairments of contact recreation or REC-1 beneficial uses.
 - **Progress:** Substantial progress. An initial draft of the TMDL staff report is under management review. Staff anticipates submitting materials to the State Water Board for external scientific peer review during Fall 2021.

- **Project 2: Biological Objectives for Water Bodies in the San Diego Region**
 - **Description:** Continue to develop targeted biological water quality objectives for the attainment of beneficial uses of surface waters.
 - **Progress:** Task completed. In December 2020, the San Diego Water Board adopted a Basin Plan amendment to incorporate general narrative guidance for the development of biological objectives and incorporate a numerical biological water quality objective for perennial and seasonal streams, where applicable, using benthic macroinvertebrates and the California Stream Condition Index (CSCI). The second phase of this project is included as a priority project in the 2021 Triennial Review. The second phase of the project will take the amendment to the State Water Board for consideration and if approved, submit it to the Office of Administrative Law (OAL) and USEPA for review and approval.

² A personnel-year (PY) is equivalent to one staff member working full time for one year.

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- **Project 3: Contact Water Recreation (REC-1) Water Quality Objectives**
 - **Description:** To implement short term actions that could be completed within three years that were identified in the [recommendations report](#) for the 2014 Triennial Review REC-1 project.
 - **Progress:** Some progress. The San Diego Water Board continues to implement recommendations within its various programs, as appropriate. Furthermore, staff continue to communicate and collaborate across the various implementing programs.
- **Project 4: Climate Change Readiness: Sustainable Local Water Supply**
 - **Description:** Evaluate and possibly revise water quality objectives (WQOs) for Total Dissolved Solids (TDS) in specific groundwater basins for continuing and expanding recycled water uses and evaluate Basin Plan language as it relates to reservoirs.
 - **Progress:** Some progress. Board staff are reviewing the Salt and Nutrient Management Plan (SNMP) for the San Juan Creek Watershed/Mission Viejo Hydrologic Area. If the updated SNMP is accepted in its current form a Basin Plan amendment will not be needed.
- **Project 5: Clean Water Act Section 304(a) Criteria Recommendations**
 - **Description:** Evaluate USEPA recommended water quality criteria and identify any necessary revisions to the Basin Plan
 - **Progress:** Task completed. The San Diego Water Board completed a review of the 304(a) criteria in November 2020 and is not considering adoption of the criteria, but instead looks to the authority of the State Water Board to consider these criteria as statewide standards that can be incorporated by reference into the Basin Plan.
- **Project 6: Editorial Revisions, Minor Clarifications or Corrections**
 - **Description:** Amend the Basin Plan to make editorial non-regulatory changes that clarify, update, or eliminate outdated paragraphs, tables, figures, references, and correct other minor errors
 - **Progress:** Task completed. In December 2020, the San Diego Water Board adopted a Basin Plan amendment making non-regulatory updates to the Basin Plan.

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Public Participation and Basin Plan Review Schedule

Public participation is an important part of each Basin Plan Triennial Review. The Board and staff are committed to transparency and communication. Interested persons had an opportunity to participate during a public workshop, Tribal Summit, written comment period, and hearing. The purpose of the workshop and Tribal Summit was to inform participants about the triennial review process, facilitate discussion and obtain feedback on the preliminary list of projects, and identify additional potential projects from all interested persons.

Interested persons also had an opportunity to submit written comments during the 60-day comment period. Staff assessed written comments and incorporated them, where appropriate, into the final report prepared for San Diego Water Board approval at a subsequent public hearing.

The schedule for the 2021 Basin Plan Triennial Review was as follows:

| | |
|---------------------------------------|------------------|
| Public Comment Period Begins | June 18, 2021 |
| Public Workshop (virtual) | July 20, 2021 |
| Tribal Summit (virtual) | August 4, 2021 |
| Public Comment Period Ends | August 17, 2021 |
| Public Hearing on Final Priority List | December 8, 2021 |

The San Diego Water Board maintains an email subscription list for persons interested in receiving announcements about the Basin Plan triennial review. To sign up for the announcements please visit the following webpage and select "Basin Planning Issues": http://www.waterboards.ca.gov/resources/email_subscriptions/reg9_subscribe.shtml.

There is no need to re-subscribe to the electronic mailing list if you are subscribed to the previous triennial review e-mail list for the San Diego Region.

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Project Descriptions for 2021 Basin Plan Review

San Diego Water Board staff has prepared the following prioritized list of projects for consideration in the 2021 Triennial Review. Given that the number of potential Basin Plan amendments identified exceeds expected available personnel resources, the prioritized project list is divided into priority categories (1-4). Resource allocations are based on a project's priority status, with Priority 1 and 2 projects receiving the highest ranking. Priority categories 3 and 4 are considered for project development if resources and readiness allow. In developing this list, staff considered projects identified in the Practical Vision, the key beneficial uses and key areas concept of [Resolution R9-2017-0030](#), projects identified as priority projects for the 2018 Basin Plan Triennial Review, and projects that address challenges, obstacles, or opportunities arising since the 2018 review. In addition, the following criteria were also taken into consideration when evaluating proposed projects:

- Protection and Restoration – The project advances the mission of protecting and restoring healthy waters in the San Diego Region.
- Reasonable and Efficient – The San Diego Water Board has or can leverage resources (e.g., expertise, technology, and data) that are able to achieve the project goals within a reasonable timeframe. The project advances the San Diego Water Board's goal of ensuring limited resources are put to the best possible use.
- Community Involvement – The project is of high public interest and is appropriately addressed through a Basin Plan amendment.

The prioritized list of projects represents water quality issues that are important to the San Diego Water Board and consistent with the Practical Vision.

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Project 1: Designation of Tribal Tradition and Culture (CUL), Tribal Subsistence Fishing (T-SUB), and Subsistence Fishing (SUB) Beneficial Uses to Surface Waters in the San Diego Region

Priority: 1

Goal:

Establish new tribal beneficial use designations, where appropriate.

Discussion:

This project would designate surface water bodies, where appropriate, with the CUL, T-SUB (tribal), and SUB beneficial uses. This is the second phase of the project. Phase one was completed with the adoption of Resolution No. R9-2020-0254, which incorporated these beneficial uses into the San Diego Region Basin Plan. During Phase two of the project, the San Diego Water Board will work with tribes to identify water bodies appropriate to designate with tribal beneficial uses. This project will most likely extend beyond the 2021 triennial review cycle.

This is a timely project because the San Diego Water Board has been selected as a pilot region for the Surface Water Ambient Monitoring Program (SWAMP), Bioaccumulation Monitoring Program Realignment. The goal of the realignment is to consider subsistence and tribal uses when selecting SWAMP bioaccumulation monitoring sites and species. The process includes the development of advisory committees to facilitate the identification and prioritization of sites and species in the Region to be added to future sampling efforts. Additionally, in July 2020, the Southern California Tribal Chairmen's Association (SCTCA) was awarded a \$50,000 CalEPA Environmental Justice Small Grant to identify watersheds within the San Diego Water Board's jurisdiction where Native American cultural uses are occurring and where water quality standards are needed to ensure vulnerable populations are protected.

Practical Vision:

This project supports the goals of Chapter 1 (Strategize for Healthy Waters), Chapter 2 (Monitor and Assess), and Chapter 5 (Partner and Consult with Tribal Nations) of the Practical Vision.

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Project 2: Tijuana River Valley Water Quality Restoration

Priority: 1

Goal:

Develop Total Daily Maximum Loads (TMDLs) with implementation plans for REC-1 and solid waste in the Tijuana River Valley.

Discussion:

The San Diego Water Board 2018 Triennial Review identified the Tijuana River Valley Water Quality Restoration as a priority project. On October 10, 2018, the San Diego Water Board adopted Resolution No. R9-2018-0123, which directed staff to begin work on the development of an amendment to the Basin Plan to establish an implementation plan for TMDLs for indicator bacteria and trash in the Tijuana River.

During this next phase of the project, the San Diego Water Board will continue work on development and approval of TMDLs for indicator bacteria and trash in the lower Tijuana River. Specifically, as part of this triennial review project, staff will complete the peer and public review processes, continue to coordinate with stakeholders, and prepare a Basin Plan amendment for adoption by the San Diego Water Board, State Water Board, Office of Administrative Law, and the USEPA. It is anticipated draft documents will be available to the public in Fall 2021.

Practical Vision:

This project supports the goals of Chapter 3 (Recover Stream, Wetland and Riparian Areas) and Chapter 4 (Implement Racial Equity and Environmental Justice Measures) of the Practical Vision.

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Project 3: Biological Objectives for Water Bodies in the San Diego Region

Priority: 1

Goal:

Incorporate biological water quality objectives into the Basin Plan.

Discussion:

The San Diego Water Board 2014 triennial review identified the amendment of the Basin Plan to incorporate biological water quality objectives as a high priority project to protect and restore beneficial uses associated with aquatic and aquatic dependent wildlife for the Region's streams. On May 13, 2015, the San Diego Water Board adopted Resolution R9-2015-0043, which directed staff to begin working on the project to amend the Basin Plan to incorporate biological water quality objectives. In December 2020, the San Diego Water Board adopted Resolution No. R9-2020-0234 which amended the Basin Plan to incorporate general narrative guidance for the development of biological objectives and to incorporate a numerical biological water quality objective for perennial and seasonal streams, where applicable, using benthic macroinvertebrates and the California Stream Condition Index (CSCI).

During this phase of the project, the amendments adopted in December 2020 by the San Diego Water Board will be brought before the State Water Board for consideration, which includes an additional public review process. If adopted by the State Board, the amendments would then be submitted to the Office of Administrative Law and USEPA for review and approval.

Practical Vision:

This project supports the goals of Chapter 2 (Monitor and Assess) and Chapter 3 (Recover Stream, Wetland and Riparian Areas) of the Practical Vision.

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Project 4: Contact Water Recreation (REC-1) Water Quality Objectives

Priority: 2

Goal:

Initiate the development of a narrative objective that would allow the use of human specific markers while being protective of the REC-1 beneficial use.

Discussion:

This project was first introduced during the 2014 Triennial Review. At the time, the focus of the project was to determine whether and to what extent data supported amending the objectives, implementation provisions for applicable bacteria TMDLs, or the TMDLs themselves. [Bacteria TMDLs](#) were adopted in June 2008 and February 2010. In July 2018, San Diego Water Board staff prepared a [summary report](#) of the 2014 REC-1 Triennial Review Project that made recommendations for next steps. Recommendations were based on discussions and feedback from external and internal workgroups as well as the various technical studies that had been completed to date. During the 2018 Triennial Review, the focus for the project shifted towards implementation of actions that were identified in the 2018 recommendations report. The short-term actions included updates to the existing storm water permit, audits of Illicit Discharge Detection and Elimination programs, updates to waste discharge requirements for sanitary sewer systems, and updates to Chapter 3 in the Basin Plan.

The goals of this phase of the project are:

1. Initiate the development of a narrative risk-based objective that would be protective of the REC-1 beneficial use; this work would also establish a numeric translator for HF183 (a human-specific bacteria indicator) to implement the narrative objective.
2. Initiate a Basin Plan amendment project to revise the requirements and/or provisions for implementing the bacteria TMDLs in the San Diego Region. The bacteria TMDLs currently include Revised Project I - Twenty Beaches and Creeks in San Diego Region (including Tecolote Creek) and Project II - Baby Beach in Dana Point Harbor and Shelter Island Shoreline Park in San Diego Bay; however, this project would focus on amending the 20 Beaches and Creeks Bacteria TMDL.

Practical Vision:

This project supports the goals of Chapter 1 (Strategize for Healthy Waters), Chapter 2 (Monitor and Assess) and Chapter 8 (Provide Effective Community Engagement and Communication) of the Practical Vision.

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Project 5: Evaluation of Water Quality Objectives for Total Dissolved Solids in the Middle San Juan and Middle Trabuco Groundwater Basins

Priority: 3

Goal:

Evaluate and potentially revise the Water Quality Objectives (WQOs) for total dissolved solids (TDS) in specific groundwater basins identified in the Salt and Nutrient Management Plan (SNMP) for South Orange County.

Discussion:

The Water Quality Control Policy for Recycled Water (Policy) was adopted by the State Water Board to encourage the safe use of recycled water from wastewater sources while protecting public health and the environment. Salt and Nutrient Management Plans (SNMPs) are included in the Policy to achieve or ensure compliance with water quality objectives for salts and nutrients and ensure protection of beneficial uses by implementing basin-wide management of salts and nutrients in groundwater.

If a regional water board accepts, through a Board Resolution, a final SNMP that includes a modification of a water quality objective in its implementation plan, the Policy directs the regional board to initiate a process to amend the basin plan based on the accepted SNMP and any other associated documentation.

The proposed project will evaluate and possibly revise WQOs for TDS in the Middle San Juan and Middle Trabuco groundwater basins. The goal of the project is to determine if relaxing groundwater WQOs to accommodate an increase in recycled water use will be necessary and protective of beneficial uses in the subareas. The evaluation findings may result in Basin Plan amendments to groundwater WQOs. Increasing the amount of recycled water use in an area often causes a corresponding decrease in the quality of the water. In order to accommodate a recycled water use increase in the region, the San Diego Water Board may need to evaluate if a change to water quality objectives will still be protective of all current and potential beneficial uses in the area.

Specifically, as part of this project, staff would evaluate available data in the SNMP and other associated reports or documents to determine if a change in WQOs would be protective of beneficial uses. The timeline for this project is dependent on 1) the submittal of a Salt and Nutrient Management Plan (SNMP), which is expected in Summer 2021 and 2) acceptance of the submitted SNMP by the San Diego Water Board.

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Practical Vision:

This project supports the goals of Chapter 6 (Strategize to Achieve Resilient Local Water Supply) of the Practical Vision.

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Project 6: Santa Margarita River Nutrient Total Maximum Daily Loads, Water Quality Restoration Plan

Priority: 3

Goal:

Adoption of a Water Quality Restoration Plan or Total Maximum Daily Loads.

Project Description:

The Santa Margarita River was added to the 303(d) list for nutrients (nitrogen and phosphorus) in 2012. Excessive nutrient loading to the Santa Margarita River and its tributaries causes and/or contributes to exceedances of Water Quality Objectives and adversely impacts the Cold Freshwater Habitat (COLD), Warm Freshwater Habitat (WARM), and Rare, Threatened, or Endangered Species (RARE) beneficial uses designated to the Santa Margarita River. Excessive discharge of nutrients also has the potential to adversely impact the Municipal and Domestic Supply (MUN) beneficial use through impact to large groundwater basins in the Santa Margarita watershed. Furthermore, nutrients discharged to the surface waters and groundwater in the Santa Margarita watershed have been shown to contribute to the impairment of the Santa Margarita River Estuary.

To address the impairment for nutrients and resulting eutrophication, the San Diego Water Board is currently developing a Water Quality Restoration Plan (Restoration Plan) for the Santa Margarita River with numerous stakeholders to ensure that discharges to the Santa Margarita River do not exceed the capacity (or total maximum daily load) the river can assimilate while still providing its designated beneficial uses. This project follows the Water Quality Restoration Project for the Santa Margarita River Estuary, which led to Investigative Order No. R9-2019-0007.³ If the Restoration Plan does not attain Water Quality Objectives in the Water Quality Control Plan for the San Diego Basin, formal total maximum daily loads will be adopted.

³ [Investigative Order](#) for the cities of Murrieta, Temecula, and Wildomar, the counties of San Diego and Riverside, the Riverside Flood Control and Water Conservation District, and the United States Marine Corps Base Camp Pendleton to Design and Implement a Water Quality Improvement Monitoring and Assessment Program for Eutrophic Conditions in the Santa Margarita River Estuary and Watershed, California.

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Major sources of nutrients to the river and estuary include Municipal Separate Storm Sewer Systems (MS4s) located in San Diego and Riverside counties and U.S. Marine Corps Camp Pendleton, leaking septic systems, and irrigated lands. The Santa Margarita River Restoration Plan is being developed in collaboration with a stakeholder process which involves coordination with the Santa Margarita River Nutrient Initiative Group (SMRNIG). San Diego Water Board staff and SMRNIG are currently running technical analyses necessary to develop management and implementation plans. Staff expects to bring the Santa Margarita River Restoration Plan for the San Diego Water Board's consideration in 2023.

Practical Vision:

This project supports the goals of Chapter 2 (Monitor and Assess) and Chapter 3 (Recover Stream, Wetland and Riparian Areas) of the Practical Vision.

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Project 7: Review of Shelter Island Yacht Basin (SIYB) Copper TMDL and/or Implementation Plan

Priority: 4

Goal:

Evaluate data to determine whether revisions to the TMDL or its implementation plan are needed.

Discussion

SIYB is a popular recreational marina located in north San Diego Bay. In 2017, the Board recognized San Diego Bay as a key area for habitats and ecosystems. Key areas are waters and places where protection and restoration of the chemical, physical, and biological integrity of waters are most important for a key beneficial use. Key beneficial uses are the individual beneficial uses and categories that are most critical to protecting human and environmental health in the region.

The Shelter Island Yacht Basin Dissolved Copper TMDL was adopted by the San Diego Water Board in 2004 and established a final target date to achieve the WQO at the end of 2022. The Unified Port of San Diego (Port District) has been taking steps to achieve the SIYB TMDL through its Copper Reduction Program. For instance, the Port District began regulating commercial hull paint cleaning and has actively worked with Shelter Island Yacht Basin boaters to convert copper hull paint to non-biocide alternatives. The Department of Pesticide Regulation (DPR) is the agency responsible for regulating pesticides, including antifouling paints, throughout the State of California. In 2017, DPR adopted new regulations to limit the amount of copper in recreational hull paints in order to protect water quality. DPR recognized the new copper levels were unlikely to achieve the water quality objective in the Shelter Island Yacht Basin because of the basin's hydrologic characteristics and boat density.

Although the Port District has implemented reduction measures, annual monitoring indicates the WQO may not be achieved by the final target date. Specifically, this project would evaluate all available information to determine the appropriateness amending the TMDL or its implementation plan.

Practical Vision:

This project supports the goals of Chapter 1 (Strategize for Healthy Waters) of the Practical Vision.

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Project 8: Impediments to Sustainable Local Water Supplies

Priority: 4

Goal:

Determine the need for a Basin Plan amendment to facilitate sustainable local water supply projects.

Discussion

As described in Chapter 6 of the Practical Vision, the creation of a sustainable local water supply includes three aspects: the environmentally responsible use of groundwater and surface water, the creation of new sources of fresh water such as desalination, indirect and direct potable reuse of recycled water, and conservation efforts to reduce water demand.

Specifically, as part of this project, the San Diego Water Board will focus on evaluation of the following:

- **Implementation of salt and nutrient management plans**
Consistent with the State Water Board Recycled Water Policy, the Board shall consider adoption of a Basin Plan amendment, when implementation of a salt and nutrient management plan involves adoption and/or modification of water quality objectives, beneficial uses, or programs of implementation consistent with Water Code sections 13240, 13241, and 13242.
- **Facilitating potable reuse**
The board may consider Basin Plan amendments where current water quality objectives, beneficial uses, or programs of implementation are determined by the Board to unreasonably impede the production and use of recycled water.

Additionally, staff would prepare an issue paper that would identify impediments to sustainable local water supplies and how challenges can be addressed.

Practical Vision:

This project supports the goals of Chapter 6 (Strategize to Achieve Resilient Local Water Supply) of the Practical Vision.