

Appendix B  
Regional Board June 2023  
Comment Letter Response

2021-2022 Water Quality Improvement Plan (WQIP)  
Annual Report Review: Carlsbad Watershed  
Management Area (WMA) WQIP

This Appendix contains the letter prepared by the Carlsbad Watershed Responsible Agencies (RAs) in response to comments from the San Diego Regional Water Quality Control Board (Regional Board). The comment letter was sent to the Carlsbad Watershed RAs on June 20, 2023.

This Appendix also contains the following:

- ▶ **Appendix B-1.** The June 20, 2023 Regional Board Comment Letter



September 6, 2023

Ms. Mireille Lecourtois  
Water Resources Control Engineer  
Stormwater Management Unit  
California Regional Water Quality Control Board, San Diego Region  
2375 Northside Drive, Suite 100  
San Diego, CA 92108

**SUBJECT: Response to RWQCB FY2022 Carlsbad Watershed Management Area Water Quality Improvement Plan Annual Report Comment Letter (CW-794838)**

Dear Ms. Lecourtois,

The Cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, Vista, and the County of San Diego (Copermittees) are in receipt of the San Diego Regional Water Quality Control Board (RWQCB) "2021-2022 Water Quality Improvement Plan (WQIP) Annual Report Review: Carlsbad Watershed Management Area (WMA)" letter dated June 19, 2023 (FY2022 Letter). Copermittees appreciate your timely review of the FY2022 Carlsbad Watershed Management Area (WMA) Water Quality Improvement Plan (WQIP) Annual Report.

Several comments and findings compel a response from the Carlsbad WMA Copermittees. Below, in italics, you will find the Submittal Description and Comment from Table 1 of the FY2022 Letter. Beneath each RWQCB comment is the Copermittees' response.

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***Wet Weather 30-day Geometric Mean (GM) Exceedance Frequency Assessment***

*RWQCB Comment: The City of Encinitas FAILED TO PROPERLY CALCULATE Wet Weather 30-day GM Exceedance Frequencies for station EH-420 in Table 3-3 of the 2021-2022 Moonlight Beach Bacteria TMDL Compliance Report. The Wet Weather 30-day GM assessment failed to include the results of all Wet Weather days.*

Based on the attached email, dated August 24<sup>th</sup>, 2023, this comment is no longer applicable. Moving forward, City of Encinitas will calculate and submit wet weather 30-day GM exceedance rates based on existing RWQCB guidance (i.e., that of the FY2021 Carlsbad WMA letter).

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***Revised Reasonable Assurance Demonstration (RAD) Wet Weather – Twenty Beaches and Creeks Bacteria TMDL***

*RWQCB Comment: The WQIP Copermittees submitted the Carlsbad WMA WQIP Update in September 2021, and the San Diego Water Board accepted the update in December 2021. The*

**Public Works Branch**

**Environmental Management Department** | 1635 Faraday Ave. | Carlsbad, CA 92008  
760-602-2799 Storm Water Hotline | [stormwater@carlsbadca.gov](mailto:stormwater@carlsbadca.gov)

*WQIP Update did not include a revised RAD in response to comments from section 4 of the Board's 2017-2018 WQIP Annual Report comment letter, dated November 1, 2019.*

*Utilization of the Bacteria TMDL interim and final compliance pathway in Specific Provision E.6.c.(3)(h) and Specific Provision E.6.b.(3)(f), respectively, of Attachment E is not available. The RAD cannot be used for interim compliance dates that have passed.*

The Carlsbad WMA Copermittees acknowledge that interim compliance pathways E.6.c.(3)(h) and E.6.b.(3)(f) are no longer available due to passed interim compliance dates. Copermittees have elected to utilize E.6.b(2)(a) compliance pathway, which does not require an update to RAD per the FY2018 Carlsbad Watershed Management Area WQIP RWQCB Comment Letter. However, Copermittees do not agree with the finding that this item is "Past Due", but rather that these alternative interim wet weather compliance pathways were simply not selected. Copermittees would like to note that pathways outlined in E.6.b.(3) remain available for final Wet Weather TMDL Compliance Determination.

If you have any questions regarding the Bacteria TMDL related letter content, please contact Paul Maechler at (760) 633-2777 or email at pmaechler@encinitasca.gov.

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**Loma Alta Slough Alternative TMDL Monitoring Data, Reporting, and Assessment**

*RWQCB Comment: With the data collected to comply with Resolution R9-2014-0020, by the next WQIP Annual Report due January 31, 2024, the City of Oceanside shall:*

- 1. Tabulate all collected monitoring data (2016-2022) into a single Excel spreadsheet format,*
- 2. Submit supporting documentation that shows all data collected was uploaded into the California Environmental Data Exchange Network (CEDEN) website,*
- 3. Present data trends from 2016-2022 for nitrogen, phosphorus, dissolved oxygen, macro algae biomass and cover,*
- 4. Show nitrogen and phosphorus ratios for each month where data was collected between 2016-2022, and*
- 5. Analyze/discuss relationships with phosphorus and algae, and nitrogen and algae.*

In response to the Regional Board's request for additional analysis on the Loma Alta Slough Alternative TMDL (Resolution R9-2014-0020), the City of Oceanside will provide these in the next Carlsbad WQIP annual report due January 31, 2024. The submitted analyses will utilize data collected from the 2016-2022 monitoring period established in the Resolution, the project's Final Monitoring Plan, and the Quality Assurance Project Plan (QAPP).

*RWQCB Comment: By the next WQIP Annual Report due January 31, 2024, the City of Oceanside shall identify what adaptive management strategies will be used to periodically check on conditions in Loma Alta Slough now that the monitoring required to comply with R9-2014-0020 has concluded. Since Loma Alta Slough continues to be 303(d) listed for Eutrophication, the City of Oceanside shall assess the effectiveness of actions to date and consider potential revisions to numeric goals, strategies, and schedules for the Loma Alta HA listed in the Carlsbad WQIP.*

The City of Oceanside will continue to implement actions consistent with the Regional MS4 Permit to maintain the health of the Slough. In the January 31, 2024, WQIP Annual Report submittal, the City will identify the actions to check on the conditions of the Slough periodically.

As acknowledged in the comment letter, the City of Oceanside has achieved the final numeric targets established in the Resolution and has satisfied the purpose and intent of Long-Term Water Quality Monitoring at Loma Alta Slough to comply with the Resolution as presented in the previous Carlsbad WQIP Annual Reports. The background and development of the TMDL Alternative and Resolution for Loma Alta Slough provide context on the next steps in the City's adaptive management process of addressing Priority Water Quality Conditions within its jurisdiction in the Carlsbad WMA.

In June of 2014, through Resolution No. R9-2014-0020 (Resolution), the Regional Board approved an alternative process to achieve the water quality objectives for biostimulatory substances in Loma Alta Slough. Under this alternative approach, the Regional MS4 Permit was deemed a more efficient pathway to achieve water quality objectives for the Slough compared to a traditional TMDL (Resolution, Paragraphs 2 and 3 on page 10). The Regional Board found that using the WQIP required by Provision B.2.a of the Regional MS4 Permit, which the Regional Board identified as the "backbone of the Regional MS4 Permit", was a "regulatory structure that allows the reclassification of 303(d) listed waterbodies from Category 5... to Category 4b..." (Resolution, Finding 16.c on page 6 and Finding 21 on page 9.) As explained in the Regional Board's responses to comments leading to the Resolution, the WQIP was a particularly appropriate regulatory vehicle to serve as an alternative approach because the "Board approved 2015 Water Quality Improvement Plan and amendments, will be submitted to the USEPA." (June 26, 2014 Regional Board Supporting Document No. 9, Loma Alta Slough TMDL—Response to Public Comments, Response to Comment 1.)

Additionally, as stated in the Resolution, the alternative approach was consistent with the San Diego Regional Board's Practical Vision. It was the ultimate result of a robust stakeholder and public participation process. (Resolution, Finding 22, page 9.)

Since the adoption of the Resolution approximately nine years ago, the City of Oceanside has fully implemented its Resolution requirements via the Carlsbad WMA WQIP. This undertaking has proved successful, as evidenced by the City not only achieving but also maintaining the numeric targets outlined by the Resolution and extensive stakeholder process.

As the Regional Board acknowledged in the FY2022 Letter, the "final numeric targets for macroalgal biomass and macroalgal cover have been achieved." This accomplishment confirms that the City of Oceanside has effectively executed the alternative process as identified by the Resolution, thereby addressing the impairment.

Furthermore, the Regional Board's Draft Phosphorus TMDL report (May 2014), which informed the Resolution process with macroalgae-based numeric targets as a valid interpretation of the San Diego Basin Plan's water quality objectives for biostimulatory substances, specifically stated under Section 11. – Implementation, Monitoring and Compliance: **"Once the numeric targets are met, the San Diego Water Board will take the necessary actions to delist the Slough from the 303(d) list for eutrophic conditions."**

Considering the above accomplishments and the regulatory framework established by the Resolution, the City requests that the Regional Board initiate the process to delist the Slough. The current 303(d) list expressly recognizes the existence of the alternative process as the vehicle to address the impairment. It is appropriate for the Regional Board to now coordinate with the State Board to complete the removal of the Slough from the 303(d) list as intended by the Resolution upon successfully attaining the numeric targets. If not an immediate delisting, we request the Board fulfill the commitment to reclassify the Slough to Category 4b.

In researching the Slough's 303(d) listing, neither the City of Oceanside, San Diego Regional Board, nor the State Water Board could identify the data used in the original 1996 303(d) impaired waters lines of evidence for Eutrophic conditions at Loma Alta Slough (Decision ID 34649). Under the California Public Records Act, the City of Oceanside requested copies of data used in the 1996 listing decision from the San Diego Regional Board and State Water Board on July 10, 2023, and August 2, 2023, respectively. The State Water Board did not have copies of the requested listing data and referred City staff to the Regional Board. Regional Board staff provided copies of converted data files from an antiquated database format. However, to date, City and Regional Board staff have not identified any relevant data and/or information within the files directly applicable to the Slough's listing under the States' Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List.

Despite these inconsistencies, both the City of Oceanside and the Regional Board should be proud of the successful completion of the alternative process and the achievement of the agreed upon final numeric targets. With the successful delisting of the Slough for eutrophic conditions, the alternative process, via the Resolution, should be heralded as a success for achieving water quality objectives without the need for a resource intensive TMDL.

After achieving the final numeric targets for the Loma Alta Slough, the City of Oceanside is embarking on a process to evaluate other Priority Water Quality Conditions within the City's jurisdiction. The City expects to collaborate with other watershed Copermittees in this endeavor. Based on the outcome of this adaptive management process, proposed changes to the City's Highest Priority Water Quality Condition, numeric goals, strategies, and schedules will be forthcoming.

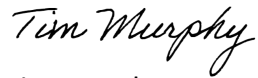
Ms. Lecourtois  
September 6, 2023  
Page 5

If you have any questions regarding the Loma Alta related letter content, please contact Justin Gamble at (760) 433-5093 or email at [JGamble@oceansideca.org](mailto:JGamble@oceansideca.org).

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If you have any general questions, please contact me at (760) 602-2799 or email [stormwater@carlsbadca.gov](mailto:stormwater@carlsbadca.gov).

Sincerely,

A handwritten signature in cursive script that reads "Tim Murphy".

Tim Murphy  
Sr. Program Manager, Watershed Protection Division  
[stormwater@carlsbadca.gov](mailto:stormwater@carlsbadca.gov)

Attachment

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**Subject:** Wet Weather 30-day Geometric Mean Revised Guidance from May 16, 2023, Clarification of Requirements for Bacteria TMDL Compliance Assessments Letter

**Date:** Thursday, August 24, 2023 at 3:41:38 PM Pacific Daylight Time

**From:** Lecourtois, Mireille@Waterboards

**To:** Tim Murphy, Harry, James, Dela Rosa, Ruth, Chris Helmer, Funk, Andrew, Rivers, Cindy, Sharp, Grant, Tolchin, Christine

**CC:** Walsh, Laurie@Waterboards, Ryan, Erica@Waterboards, Taylor, Jessica@Waterboards, Paul Maechler, Mikhail Ogawa, Brianna Menke, Chelsea.McGimpsey

Good Afternoon watershed leads,

On May 16, 2023, San Diego Water Board staff shared the *Clarification of Requirements for Bacteria TMDL Compliance Assessments* letter which included guidance for calculating the Wet Weather 30-day Geometric Mean. On June 22, 2023, San Diego Water Board staff met with the Copermittees as a follow up to further discuss the Bacteria TMDL requirements. After further consideration of the discussions regarding wet weather 30-day geometric mean calculations, San Diego Water Board staff plans to send out revised guidance for calculating the Wet Weather 30-day Geometric Mean exceedance frequencies to ensure calculations are consistent with the requirements in Specific Provision 6.d.(1).(c)(iii)[e] for Beach segments and Specific Provision 6.d.(2).(c)(iii)[e] for Creek segments in Attachment E of the Regional MS4 Permit. Revised guidance will require the use of only dry and wet weather samples collected in the wet season and not the use of non-sampled wet weather days. A formal letter signed by the Regional Board Executive Officer with revised guidance will be forthcoming in the following weeks. In the meantime, you may consider this information as part of your planning process for responding to the May 16, 2023 letter or for the 22-23 WQIP Annual Reports.

If you have any questions, you may contact me via email at [Mireille.Lecourtois@waterboards.ca.gov](mailto:Mireille.Lecourtois@waterboards.ca.gov) or via phone call at (619) 521-8041.

Respectfully,

**Mireille Lecourtois, M.S.**  
**Water Resource Control Engineer**  
Stormwater Management Unit  
San Diego Regional Water Quality Control Board  
2375 Northside Drive, Suite 100  
San Diego, CA 92108  
Phone: (619) 521-8041



Appendix B-1  
Regional Board June 2023  
Comment Letter



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## San Diego Regional Water Quality Control Board

June 19, 2023

Tim Murphy  
Senior Program Manager  
City of Carlsbad  
1635 Faraday Ave.  
Carlsbad, CA 92008  
[Tim.Murphy@carlsbadca.gov](mailto:Tim.Murphy@carlsbadca.gov)

In reply refer to/ attn:  
**CW-794838:MGarcia**

**Subject: 2021-2022 Water Quality Improvement Plan (WQIP) Annual Report  
Review: Carlsbad Watershed Management Area (WMA)**

Tim Murphy:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) received the 2021-2022 Carlsbad WMA WQIP Annual Report (WQIP Annual Report). The WQIP Annual Report was timely submitted on or before January 31, 2023, by the Carlsbad WMA Copermittees, as required by Order R9-2013-0001, as amended (Order).<sup>1</sup> The Carlsbad WMA Copermittees include the County of San Diego and the cities of Carlsbad, Escondido, Oceanside, San Marcos, Vista, Encinitas, and Solana Beach (WQIP Copermittees).

The San Diego Water Board did not review every aspect of the 2021-2022 WQIP Annual Report for compliance with the Order. As allowed under Provisions II.A.4.a(3), F.1.b(6), and F.2 of the Order, the San Diego Water Board may identify and require the WQIP Copermittees to either update, modify, or correct any deficiencies in the Carlsbad WMA WQIP at any time.

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<sup>1</sup> Order No. R9-2013-0001, as amended by Order Nos. R9-2015-0001 and R9-2015-0100, NPDES No. CAS0109266, National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems Draining the Watersheds within the San Diego Region, San Diego Water Board, adopted May 8, 2013, available on the San Diego Water Board website at [https://www.waterboards.ca.gov/sandiego/water\\_issues/programs/stormwater/docs/2015-1118\\_AmendedOrder\\_R9-2013-0001\\_COMPLETE.pdf](https://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/2015-1118_AmendedOrder_R9-2013-0001_COMPLETE.pdf)

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CELESTE CANTÚ, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

Table 1 below provides a summary of submittals required either by the Order, an adopted Resolution, or the San Diego Water Board. WQIP Annual Reports must include all information and assessments required by the Order. Assessments, reports, monitoring, and data identified in Table 1 as Past Due are late and may result in further enforcement.

Please submit written correspondence in response to this letter to [SanDiego@waterboards.ca.gov](mailto:SanDiego@waterboards.ca.gov). Each electronic document must be submitted as a single file, in Portable Document Format (PDF) format, and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages or other acceptable electronic signature format. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: **PIN: 794838:MGarcia**. For questions pertaining to the subject matter, please contact Mireille Garcia at (619) 521-8041 or [Mireille.Garcia@waterboards.ca.gov](mailto:Mireille.Garcia@waterboards.ca.gov).

David W. Gibson  
Executive Officer

DG:kd:law:mg

cc: Carlsbad WMA WQIP Copermittees via email

**Table 1: Summary of WQIP Annual Report Submittals**

<b>Submittal Description</b>	<b>Order Provision(s)</b>	<b>Past Due Yes/No</b>	<b>Comment</b>
Jurisdictional Runoff Management Plan (JRMP) Annual Reports for All WQIP Copermittees	F.2.b	No	The County of San Diego and the cities of Carlsbad, Escondido, Oceanside, San Marcos, Vista, Encinitas, and Solana Beach submitted JRMP Annual Reports in Appendix C of the WQIP Annual Report and to the San Diego Water Board separately on or before 1/31/2023.
Outfall and Receiving Water Wet and Dry Weather monitoring data, reporting and assessment	D.1.b, D.1.c, D.1.d, D.1.e, D.2.b, and D.2.c	No	The WQIP Copermittees submitted Receiving Water Monitoring Data and Outfall Monitoring Data for Dry and Wet Weather in the "Monitoring Data Files" folder of the WQIP Annual Report. The outfall monitoring assessments for Dry and Wet Weather were provided in Attachment 4 of the WQIP Annual Report. Other receiving water monitoring assessments were provided in the "Attachments" folder of the WQIP Annual Report.
Sediment monitoring data, reporting, and assessment	D.1.e(2)	No	The Agua Hedionda Lagoon, Batiquitos Lagoon, and San Elijo Lagoon are subject to the Sediment Quality Monitoring requirements of Provision D.1.e(2). The WQIP Copermittees have relied on the Bight '13 and Bight '18 monitoring programs to fulfill the requirements in Section VII.D and VII.E of the Sediment Control Plan.

<b>Submittal Description</b>	<b>Order Provision(s)</b>	<b>Past Due Yes/No</b>	<b>Comment</b>
			By January 31, 2024, the WQIP Copermittees must assess if the Bight '23 monitoring program also meets the monitoring requirements for the State Sediment Control Plan required under D.1.e(2) according to the San Diego Water Board's email sent to all Copermittees dated 1/27/23.
<b>Twenty Beaches and Creeks Bacteria TMDL monitoring data, reporting, and assessment</b>	Attachment E, Specific Provision E.6		
Dry Weather Monitoring Data	Specific Provision E.6.d.(1)(b)(iii)	No	The City of Encinitas submitted Dry Weather monitoring data for station EH-420 in Attachment 9 of the WQIP Annual Report.
Dry Weather Single-Sample Maximum (SSM) Exceedance Frequency Assessment	Specific Provision E.6.d.(1)(c)(i)	No	The City of Encinitas reported Dry Weather SSM Exceedance Frequencies for station EH-420 in Table 3-7 of the 2021-2022 Moonlight Beach Bacteria TMDL Compliance Report. The 2021-2022 Moonlight Beach Bacteria TMDL Compliance Report is in Attachment 9 of the WQIP Annual Report.
Dry Weather 30-day Geometric Mean (GM) Exceedance Frequency Assessment	Specific Provision E.6.d.(1)(c)(ii)	No	The City of Encinitas reported Dry Weather 30-day GM Exceedance Frequencies for station EH-420 in Table 3-5 of the 2021-2022 Moonlight Beach Bacteria TMDL Compliance Report.

<b>Submittal Description</b>	<b>Order Provision(s)</b>	<b>Past Due Yes/No</b>	<b>Comment</b>
Wet Weather Monitoring Data	Specific Provision E.6.d.(1)(b)(iii)	No	The City of Encinitas submitted Wet Weather monitoring data for station EH-420 in Attachment 9 of the WQIP Annual Report.
Wet Weather Single-Sample Maximum (SSM) Exceedance Frequency Assessment	Specific Provision E.6.d.(1)(c)(iii)	No	The City of Encinitas reported Wet Weather SSM Exceedance Frequencies for station EH-420 in Table 3-1 of the 2021-2022 Moonlight Beach Bacteria TMDL Compliance Report.
Wet Weather 30-day Geometric Mean (GM) Exceedance Frequency Assessment	Specific Provision E.6.d.(1)(c)(iii)	Yes	The City of Encinitas FAILED TO PROPERLY CALCULATE Wet Weather 30-day GM Exceedance Frequencies for station EH-420 in Table 3-3 of the 2021-2022 Moonlight Beach Bacteria TMDL Compliance Report. The Wet Weather 30-day GM assessment failed to include the results of all Wet Weather days.
Inclusion of AB411 Monitoring Data	Specific Provisions E.6.d.(1)(a), E.6.d.(1)(c)(ii)[a], E.6.d.(1)(c)(iii)[e], and 2020-2021 WQIP Annual Report Comment Letter	No	In September 2021, San Diego Department of Environmental Health and Quality (DEHQ) began accepting weekly samples collected for TMDL compliance monitoring to be used instead of DEHQ-sampled AB411 data at Moonlight Beach (compliance site EH-420). For the 2021-2022 monitoring year, the TMDL compliance and AB411 datasets are the same, and AB411 data is therefore included in the TMDL dataset

Submittal Description	Order Provision(s)	Past Due Yes/No	Comment
			submitted in Attachment 9 of the WQIP Annual Report.
Investigation to Compare AB 411 Method and TMDL Monitoring Method Discrepancies	Comment 3.d.ii of 2020-2021 WQIP Annual Report Comment Letter	No	The City of Encinitas submitted the findings of a special study comparing the AB411 and TMDL Monitoring Methods and Analysis Results. The findings of the special study are in Section 2.4, 4.2 and Appendix A of the 2021-2022 Moonlight Beach Bacteria TMDL Compliance Report.
Response to Comments: Lower San Marcos Hydrologic Area – Indicator Bacteria at the Pacific Ocean Shoreline at Moonlight Beach	Comment 3.c.i-iii of 2020-2021 WQIP Annual Report Comment Letter	No	The WQIP Copermittees revised the WQIP Annual Report to match the requirements of Attachment E of the Order. Section 3.3.1.1 of the WQIP Annual Report was revised to address this comment. The WQIP goal Table 6 reflects the Bacteria TMDL compliance targets.
Revised Reasonable Assurance Demonstration (RAD) Wet Weather – Twenty Beaches and Creeks Bacteria TMDL	B.3.c, Specific Provisions E.6.b(3)(f)(ii) and (iii), E.6.c(3)(h), E.6.b(2)(a), E.6.b(2)(b)	Yes	The WQIP Copermittees submitted the Carlsbad WMA WQIP Update in September 2021, and the San Diego Water Board accepted the update in December 2021. The WQIP Update did not include a revised RAD in response to comments from section 4 of the Board's 2017-2018 WQIP Annual Report comment letter, dated November 1, 2019.  Utilization of the

Submittal Description	Order Provision(s)	Past Due Yes/No	Comment
			<p>Bacteria TMDL interim and final compliance pathway in Specific Provision E.6.c.(3)(h) and Specific Provision E.6.b.(3)(f), respectively, of Attachment E is not available.</p> <p>The RAD cannot be used for interim compliance dates that have passed.</p>
<p>Response to Comment: Upper San Marcos Creek Hydrologic Area – Recalculated Baseline Nutrient Loads for Wet Weather</p>	<p>Comment 3.a.i and 3.a.ii of 2020-2021 WQIP Annual Report Comment Letter</p>	<p>No</p>	<p>The WQIP Copermittees revised the Wet Weather load methodology, recalculated, and reported the revised nutrient loads for the 2017-2021 monitoring years as requested. The methodology and revised loads are described in Section 4.1.1 of Attachment 3A to the 2021-2022 WQIP Annual Report.</p> <p>The Copermittees uploaded Appendices B-1a and B-1b of the 2020-2021 Carlsbad WQIP Annual Report to the Project Clean Water website on September 30, 2022, and notified the San Diego Water Board via email.</p>
<p>Response to Comment: Upper San Marcos Creek Hydrologic Area – Methodology to Partition Anthropogenic and Non-Anthropogenic Flow</p>	<p>Comment 3.b of 2020-2021 WQIP Annual Report Comment Letter</p>	<p>No</p>	<p>The County of San Diego and the City of San Marcos revised the Upper San Marcos Creek Hydrologic Area Dry Weather goals and pathways. The revisions are provided in Table 21 in Section 5.2.1 of the 2021-2022 WQIP Annual Report. The revisions are consistent with what was presented to San Diego Water Board staff on September 23, 2022 and is responsive to San Diego Water Board staff</p>



<b>Submittal Description</b>	<b>Order Provision(s)</b>	<b>Past Due Yes/No</b>	<b>Comment</b>
			comments from October 26, 2022. Therefore, the additional goals and pathway is accepted and can be included in future Upper San Marcos Creek HA monitoring and assessment reports.
Loma Alta Slough Alternative TMDL monitoring data, reporting, and assessment.	Resolution No. R9-2014-0020	No	<p>The City of Oceanside submitted the Loma Alta Slough monitoring data and data assessments in Attachment 1 of the WQIP Annual Report. In compliance with Resolution No. R9-2014-0020, the Final Report for the Long-Term Water Quality Monitoring at Loma Alta Slough was submitted with the results of the final year of monitoring. The final numeric targets for macroalgal biomass and macroalgal cover have been achieved. The San Diego Water Board is requiring additional information to determine next steps for Loma Alta Slough monitoring.</p> <p>With the data collected to comply with Resolution R9-2014-0020, by the next WQIP Annual Report due January 31, 2024, the City of Oceanside shall:</p> <ol style="list-style-type: none"><li>1. Tabulate all collected monitoring data (2016-2022) into a single Excel spreadsheet format,</li><li>2. Submit supporting documentation that shows all data collected</li></ol>

Submittal Description	Order Provision(s)	Past Due Yes/No	Comment
			<p>was uploaded into the California Environmental Data Exchange Network (CEDEN) website,</p> <p>3. Present data trends from 2016-2022 for nitrogen, phosphorus, dissolved oxygen, macro algae biomass and cover,</p> <p>4. Show nitrogen and phosphorus ratios for each month where data was collected between 2016-2022, and</p> <p>5. Analyze/discuss relationships with phosphorus and algae, and nitrogen and algae.</p> <p>By the next WQIP Annual Report due January 31, 2024, the City of Oceanside shall identify what adaptive management strategies will be used to periodically check on conditions in Loma Alta Slough now that the monitoring required to comply with R9-2014-0020 has concluded. Since Loma Alta Slough continues to be 303(d) listed for Eutrophication, the City of Oceanside shall assess the effectiveness of actions to date and consider potential revisions to numeric goals, strategies, and schedules for the Loma Alta HA listed in the Carlsbad WQIP.</p>

## Appendix B-2

January 2023 RWQCB Email re: Sediment  
Monitoring Program

**Subject:** Regional MS4 Permit Reminder - Participation in a Regional Sediment Monitoring Program to comply with SWBD Enclosed Bays and Estuaries Plan

**Date:** Friday, January 27, 2023 at 9:59:05 AM Pacific Standard Time

**From:** Walsh, Laurie@Waterboards

**To:** Aliso Viejo - Rae Beimer, Aliso Viejo-Shaun Pelletier, Amanda Bajhart, Amber Shah, Ariel Corpuz, Christopher Macon , Cindy Rivers, DanaPt-Matthew Sinacori, Dave Rebensdorf (rebensdorfd@san-clemente.org), Devin Slaven , Grant Sharp, Hazel McIntosh, Jeremy Hohnbaum, Joe Parco, Kimberly Buss, Laguna Niguel- Kathy Nguyen, Laguna Woods-Nadia Cook, LagunaNiguel-Jacki Scott, LakeForest-Tom Wheeler, Lisa Zawaski, Mary Vondrak (mvondrak@lagunabeachcity.net), MissionViejo-Richard Schlesinger, OC-Flood-Penny Lew, Robert Rodarte, RSM-Brendan Dugan, Tracy Ingebrigtsen, Allison Vosskuhler, Brianna Menke, Cara Nager, Carl Schmitz, Carla Hutchinson, Chris Helmer, Cliff Maurer, Dan Goldberg, Erik Steenblock (esteenblock@encinitasca.gov), Hasenin, Sumer, Jaime Campos, James Wood, Jessie Powell, Jesus Velazquez, Jim Newton (jnewton@coronado.ca.us), Weber, Jo Ann, Joe Kuhn (jkuhn@ci.la-mesa.ca.us), John Quenzer (jqenzer@dmxinc.com), Jonathan Nottage, jphillip@cityofelcajon.us, Juan Magdaraog, Justin Gamble, Karen Holman (kholman@portofsandiego.org), Kelly Ogawa, Kim Godby, Lemon Grove - Vivian Macias, Marisa Soriano, Melody Rocco, Michael Fellows, Mikhail Ogawa, Nicola Kavanagh, Thornberry, Reed, Ron Borromeo - City of solana beach (rborromeo@cosb.org), Gaines, Stephanie, Tim Murphy, Trach Beach, Bob Moehling, Bruckner, Scott, Edwin Quinonez, James Ozouf, Jan Bulinski, Jason Farag, Matt Yeager, Murrieta-Jeff Hitch (jhitch@murrietaca.gov), Richard Boon, Stuart Kuhn

**CC:** Ryan, Erica@Waterboards, Garcia, Mireille@Waterboards, Taylor, Jessica@Waterboards, Loflen, Chad@Waterboards

**Attachments:** image001.png

Dear Copermittees –

This email is being sent out as a reminder to all Copermittees that are required to implement monitoring and reporting for sediment quality objectives in applicable WMAs under the State Water Board (SWBD) *Water Quality Control Plan for Enclosed Bays and Estuaries of California - Part 1 Sediment Quality* (State Sediment Plan [https://www.waterboards.ca.gov/water\\_issues/programs/bptcp/docs/sediment/sed\\_qual\\_provs.pdf](https://www.waterboards.ca.gov/water_issues/programs/bptcp/docs/sediment/sed_qual_provs.pdf) ). The State Sediment Plan sediment monitoring is required under provision D.1.e (2) of the Regional MS4 Permit every five years. The next required sediment monitoring to be conducted is in 2023.

San Diego Water Board staff have been participating in the BIGHT 23 planning process. The San Diego Water Board is aware that the BIGHT 23 program has proposed the relocation of sampling stations in a subset of estuaries away from freshwater-influenced or brackish areas ("FW Strata"), which is due to a lack of BIGHT-wide participation in sampling that specific portion of estuaries. The San Diego Water Board does not support the relocation of previously allocated FW Strata stations to marine stations for BIGHT 23, as multiple FW Strata stations in the region 9 portion of BIGHT 18 were classified as likely impacted and the overall BIGHT 18 results found the FW Strata to be the most impacted of the 5 embayment types.

Prov D.1.e (2) in the Regional MS4 Permit specifically requires that the Copermittees perform the sediment monitoring either individually, with multiple Copermittees or through participation in a water body monitoring coalition (i.e. BIGHT). It is the responsibility of the Copermittees to assess if participation in a water body monitoring coalition fully meets and satisfies the sediment monitoring, assessment and reporting requirements of provisions D.1 e(2) (a) through D.1 e(2) (a) in the Regional MS4 Permit for all required enclosed bays and estuary locations in each WMA.

Compliance with prov D.1 e(2) of the Regional MS4 Permit is not met by simply participating in a water body monitoring coalition. If the water body monitoring coalition does not implement all of the provision D.1.e (2) monitoring, assessment and reporting required for all of the required locations for sediment chemistry, sediment toxicity, and benthic communities stipulated in the State Sediment Plan, then the Copermittees are still required to independently or collaboratively implement the remainder of the monitoring, reporting and assessment requirements at required locations that will be submitted in the 2023-2024 WQIP Annual Report submittal.

Should you have any questions please contact Erica Ryan ([Erica.Ryan@waterboards.ca.gov](mailto:Erica.Ryan@waterboards.ca.gov)), Chad Laflen ([Chad.Laflen@waterboards.ca.gov](mailto:Chad.Laflen@waterboards.ca.gov)), or myself.

## **Laurie Walsh, PE**

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**In office: Tuesdays 8 AM -4:30 PM. Telework: Mon, Wed, Thu, Fri. The best way to communicate with me is via email and voicemail. I will respond to calls and emails throughout the workday.**