

NOTICE AND AGENDA

**MANAGEMENT COMMITTEE for the
MONTEREY REGIONAL STORMWATER
MANAGEMENT PROGRAM**

DATE: February 22, 2023
TIME: 9:30 a.m.
LOCATION: Zoom Video Conference and Teleconference

**THIS MEETING WILL BE HELD ELECTRONICALLY AND REMOTELY
ONLY VIA ZOOM VIDEO CONFERENCING AND TELECONFERENCING**

This meeting is compliant with Governor Newsom's Executive Order N-29-20 which allows for holding public meetings electronically only, without a physical location for public participation, accessible only telephonically or otherwise electronically (video conferencing) to all members of the public seeking to observe and address the local legislative body, in order to avoid public gatherings, and until further notice.

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link: <https://us02web.zoom.us/j/83679797348?pwd=d04vYXRYQ2ljRVN3cVc1VnZsdUNIZz09>
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PUBLIC COMMENTS: If you are unable to participate via telephone or webinar, you may also submit your comments by e-mailing them to jeff@my1water.org with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT – NON-AGENDA ITEM". Comments must be received by 12:00 p.m. on Tuesday, February 21, 2023. All submitted comments will be provided to the Committee and may be read into the record and will be compiled as part of the record.

Officers:	Chairperson:	Leon Gomez, City of Sand City	
	Vice-Chairperson:	Ron Fucci, City of Del Rey Oaks	
Participating Entities:		City of Carmel-by-the-Sea	City of Del Rey Oaks
		City of Pacific Grove	City of Sand City
		County of Monterey	
Other Coordinating Entities:			
	Carmel Unified School District	Pacific Grove Unified School District	
	Monterey Peninsula Unified School District	Pebble Beach Company	
Ex-Officio Members:			
	Association of Monterey Bay Governments	Monterey Bay National Marine Sanctuary	

AGENDA ITEMS

Page #

- | | |
|------------------------------|-----|
| 1. Call to Order / Roll Call | n/a |
| 2. Public Comments | n/a |

CONSENT AGENDA

- | | | |
|---|-------------|---|
| 3. Approve Management Committee Meeting Minutes for 1/25/23 | (Attach. 1) | 3 |
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INFORMATION AND DISCUSSION ITEMS

- | | | |
|--|-------------|-----|
| 4. Update on COVID-19 Situation | | n/a |
| 5. City of Watsonville Green Infrastructure Plan | | |
| 6. Update on Public Education and Public Outreach Program | | |
| a. Update on TV Ad Development | | n/a |
| b. Update on Community-Based Social Marketing Workshop | | n/a |
| 7. Update on Mutual Aid Agreements | (Attach. 2) | 7 |
| 8. Update on Proposed 2022-24 303(d) List of Impaired Water Bodies | (Attach. 3) | 15 |
| 9. Update on Post-Construction Requirements | | |
| a. Update on O&M Fact Sheets | | n/a |
| b. Update on PCR Training – April 27 | | n/a |
| c. Update on O&M Training | | n/a |
| 10. Update on Trash Amendment | | |
| a. Update on Trash Assessments | | n/a |

ADMINISTRATIVE REPORTS

- | | |
|---|-----|
| 11. Management Committee Member and Program Manager Reports | n/a |
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SCHEDULE NEXT MEETING / ADJOURNMENT

- | | |
|--|-----|
| 12. Schedule Next Meeting: The next MRSWMP Meeting date is tentatively scheduled for Wednesday, March 22, at 9:30a.m. | n/a |
| 13. Meeting Adjournment | n/a |

Monterey Regional Stormwater Management Program

Management Committee

MEETING MINUTES For January 25, 2022

AGENDA ITEMS

1. Call to Order / Roll-Call

Chairperson Trapani (County of Monterey) called the meeting to order at 9:33a.m. and performed roll call.

Management Committee (MC) Members:

City of Carmel – Jessica Juico
City of Del Rey Oaks – Ron Fucci
City of Monterey - Tricia Wotan
City of Pacific Grove – George Fuerst
City of Sand City – Leon Gomez
City of Seaside – Patrick Grogan
County of Monterey – Michael Trapani

Program Manager – Jeff Condit

Other:

Maris Sidenstecker – Save the Whales
Diana Garrett – Caltrans
Bridget Hoover, Lindsay Brown – National
Marine Sanctuary Foundation
Rick Riedl – Wallace Group

MRSWMP Staff:

2. Public Comment

Hoover mentioned that she will be participating California Water Environment Association Conference which will be held in Monterey from Jan. 30 - Feb. 1.

CONSENT AGENDA

3. Approve Management Committee Meeting Minutes for 11/16/22 and 12/16/22

- **Action:** On a motion by Wotan (*City of Monterey*), seconded by Gomez (*City of Sand City*), Management Committee approved the Management Committee Meeting Minutes for 11/16/22 and 12/16/22 (7-0).

- **Ayes:** Juico, Trapani, Wotan, Fuerst, Fucci, Gomez, Grogan
- **Noes:** None
- **Abstain:** None

DISCUSSION ITEMS

4. Update on COVID-19 Situation

A brief discussion ensued regarding impacts the current COVID-19 situation has had on

stormwater programs and local government in general. Highlights included:

- Condit shared that the Governor's Executive Order that has allowed for virtual meetings throughout the Covid pandemic will come to an end on Feb. 28. The MRSWMP will resume meeting in person at the Monterey One Water Administrative Conference Room for their March 22 meeting.

5. De-Brief of Recent Storms and Response

Members shared their experiences during the recent large storms that impacted the region in early January. Grogan shared that during the storms the City of Seaside was in need of pumps and hoses to respond to an emergency situation. He inquired whether it would be beneficial to share contact information for future emergency situations where collaboration is needed. Wotan shared that there may be existing mutual aid agreements between agencies in order to respond to emergency situations. Members directed Condit to research existing mutual aid agreements and explore the development of a contact list (**Action Item – Condit**).

6. Update on Public Education and Public Outreach Program

a. Community-Based Social Marketing Workshop – Feb. 7-9

Condit alerted members to an upcoming Community-Based Social Marketing Workshop that is being hosted by the Monterey Bay Aquarium. Condit and Sidenstecker are registered for the Workshop and will report back to the group on the information shared.

b. Update on TV Ad Development

Condit and Fuerst provided an update to members on the development of new TV Ads to support outreach efforts. The effort includes the participation of our regional collaborative of Permittees from Monterey and Santa Cruz Counties.

7. Discussion of EPA Memo Regarding PFAS

Members discussed a recent EPA memo that called for the phase out of PFAS in fire fighting training efforts. Condit alerted members to Senate Bill 1044 passed in California in 2022 which guided fire departments to phase out PFAS in fire fighting activities, specifically in firefighting foam used to contain fires.

Juico mentioned that she will be meeting with her Fire Department Chief in the coming days. She will use the opportunity to check in on the status of PFAS in fire fighting equipment for the City of Carmel.

8. Update on MS4 Phase II Permit Re-Issuance

Condit shared that he recently participated in a CASQA Meeting that included members of the State Water Board's MS4 Permit Unit tasked with developing the re-issuance of the Phase II Permit. They provided an update for the permit re-issuance. At this time, draft language for the pending permit will be provided to the CASQA Phase II Sub-Committee for stakeholder feedback in June 2023. The draft Permit is scheduled to be released for Public Comment in early 2024.

9. Update on Post-Construction Requirements

a. Discussion of SCM O&M Fact Sheets

Condit shared that the PCR Sub-Committee consisting of Trapani, Gomez, and Savage recommends a number of Operations and Maintenance Fact Sheets for PCR facilities such as bioretention facilities, permeable pavers, permeable concrete, cisterns, and tree box filters. The Fact Sheets, once reviewed by members, can be posted on the MontereySEA.org website as a resource for the development community to assist with operations and maintenance efforts. Condit shared that he included draft language on the Fact Sheets specifying that they are for guidance purposes only. Members directed Condit to seek advice from Legal Counsel to finalize the guidance language (**Action Item – Condit**). Members will provide any comments/revisions on the Fact Sheets to Condit by Feb. 17 (**Action Item – Members**).

b. Discussion of SCM Maintenance & Training Options

The PCR Sub-Committee recommends hosting two trainings in the coming months regarding Post-Construction Requirements: 1) a training focused on Operation and Maintenance of PCR facilities (also serving as an opportunity to launch the O&M Fact Sheets); and 2) a training focused on the PCR regulations and the Stormwater Technical Guide in general that will also include a focused Case Study discussion between a designer and plan reviewer aimed at showcasing the process for bringing a PCR project to fruition.

Members provided feedback on the proposed trainings and reached consensus that the O&M Training will be conducted in person while the PCR training will be conducted virtually.

10. Presentation of Snapshot Day Results

Lindsay Brown of the Monterey Bay National Marine Sanctuary Foundation provided a presentation on the 2022 Snapshot Day results. Snapshot Day has been a successful volunteer-based annual water quality monitoring event for over 20 years. Over 250 sites have been monitored in four counties, including 25 sites in Monterey County analyzing a range of analytes. The Snapshot Day results are meant to assist municipal staff in identifying hotspots for additional inspection. An extended discussion ensued.

11. Update on Trash Amendment

a. Region 3 Trash Amendment Exchange – Feb. 8

Condit shared that during the recent CASQA Conference, a number of Region 3 Permittees expressed an interest in developing a platform to allow for knowledge sharing regarding the Trash Amendment requirements. The first meeting will be held on February 8. Trapani and Wotan volunteered to serve on a Sub-Committee representing the MRSWMP at the meeting.

ACTION ITEMS

12. Nomination and Election of Officers

➤ **Action:** On a motion by Wotan (*City of Monterey*), seconded by Fuerst (*City of Pacific Grove*), Management Committee nominated and elected Gomez as Chair and Fucci as Vice-Chair of the MRSWMP for the 2023 calendar year (7-0).

○ **Ayes:** Juico, Trapani, Wotan, Fuerst, Fucci, Gomez, Grogan

- **Noes:** None
- **Abstain:** None

ADMINISTRATIVE REPORTS

13. Management Committee Member and Program Manager Reports

- a. **City of Del Rey Oaks** – Fucci shared his experience during the recent storm events.
- b. **City of Pacific Grove** – Fuerst shared his experience during the recent storm events.
- c. **Program Manager** – Condit shared that he was recently appointed to the Executive Planning Committee of CASQA serving as the Co-Chair for their Training Sub-Committee. He will be leading efforts to assist Permittees with meeting stormwater training requirements.

ADJOURNMENT / SCHEDULE NEXT MEETING

14. Schedule Next Meeting

The next Management Committee meeting is scheduled for Friday, February 22, at 9:30am.

15. Meeting Adjournment

The meeting was adjourned at 11:17a.m.

Monterey Regional Storm Water Management Program (MRSWMP)

To: MRSWMP Management Committee
From: Jeff Condit, Program Manager
Date: February 22, 2023
Subject: Update on Mutual Aid Agreements

Background

During the January 25 MRSWMP Meeting, members discussed their experiences with recent storm events that occurred in early January. An item of interest involved situations that occurred in which agencies were in need of specific items in order to tackle an emergency situation (in this instance the need for procurement of hoses and pumps to tackle a flooding situation). Members directed Program Manager Condit to explore the state of existing authority regarding emergency procurement as well as existing Mutual Aid agreements.

Discussion

Existing Mutual Aid Example

Condit's research included a discussion with Assistant Fire Chief Jim Courtney of the City of Monterey. Courtney shared that his team currently has capacity for Mutual Aid through established agreements among Public Works Departments in the region. Needed aid is also facilitated via established contacts through the Emergency Operations Center that is activated during emergency situations.

Master Mutual Aid Agreement

An example of this type of agreement is the Master Mutual Aid Agreement that was issued by the State of California adopted by Governor Earl Warren in 1950 (see Attachment A). The Master Mutual Aid states:

...it is necessary that all of the resources and facilities of the State, its various departments and agencies, and all its political subdivisions, municipal corporations, and other public agencies be made available to prevent and combat the effect of disasters which may result from such calamities as flood, fire, earthquake, pestilence, war, sabotage, and riot.

The Master Mutual Aid Agreement also specifies that "each party shall develop a plan providing for the effective mobilization of all its resources and facilities, both public and private, to cope with any type of disaster."

Emergency Procurement

Condit's research also included the review of existing Municipal Codes of each member to review the capacity of procurement in the event of an emergency. All members appeared to have provisions allowing for the exemptions to formal procurement procedures in the event of an emergency. An example of this type of exemption is found in the City of Monterey Code Section 28.14:

Emergency Contracts. In the event of an emergency as defined herein, the Purchasing Agent may order the suspension of normal bidding or purchasing and procurement requirements for projects related to abatement of the impacts

or effects of such emergency. With respect to formal contracts, the City Council shall, if possible, ratify such emergency suspension of procedures at the next properly noticed Council meeting following the emergency procurement and consider whether further suspension of procedures is required to abate the impacts of the emergency. An emergency shall be deemed to exist if:

1. There is a public calamity such as a fire, flood, earthquake, storm, or similar disaster that poses a serious threat to the public safety or national defense; or
2. There is an immediate need to protect or prepare for national or local defense; or
3. An essential operation or City service affecting the public health, welfare or safety would be greatly hampered if adherence to the prescribed purchasing procedures would cause undue delay in procurement of the needed item or service.

Next Steps and Recommendations

Upon initial research, there appears to be mutual aid and emergency procurement capacity amongst our members, but these capacities may need to be revisited in order to provide additional clarity in the event of an emergency. Staff recommends the following next steps:

1. Each member should speak with their Emergency Operations Center to understand existing mutual aid agreements and the process utilized to identify and locate needed equipment during an emergency;
2. Each member should review their respective Municipal Code to understand their Emergency Procurement capacity and determine whether there is a need to clarify/streamline.
3. If of interest, direct Condit to invite Assistant Fire Chief Courtney to a future MRSWMP meeting to discuss his experiences with mutual aid and emergency procurement.

**CALIFORNIA
DISASTER AND CIVIL DEFENSE
MASTER MUTUAL AID AGREEMENT**

This agreement made and entered into by and between the STATE OF CALIFORNIA, its various departments and agencies, and the various political subdivisions, municipal corporations, and other public agencies of the State of California;

WITNESSETH:

WHEREAS, it is necessary that all of the resources and facilities of the State, its various departments and agencies, and all its political subdivisions, municipal corporations, and other public agencies be made available to prevent and combat the effect of disasters which may result from such calamities as flood, fire, earthquake, pestilence, war, sabotage, and riot; and

WHEREAS, it is desirable that each of the parties hereto should voluntarily aid and assist each other in the event that a disaster should occur, by the interchange of services and facilities, including, but not limited to, fire, police, medical and health, communication, and transportation services and facilities, to cope with the problems of rescue, relief, evacuation, rehabilitation, and reconstruction which would arise in the event of a disaster; and

WHEREAS, it is necessary and desirable that a cooperative agreement be executed for the interchange of such mutual aid on a local, countywide, regional, statewide, and interstate basis;

NOW, THEREFORE, IT IS HEREBY AGREED by and between each and all of the parties hereto as follows:

1. Each party shall develop a plan providing for the effective mobilization of all its resources and facilities, both public and private, to cope with any type of disaster.
2. Each party agrees to furnish resources and facilities and to render services to each and every other party to this agreement to prevent and combat any type of disaster in accordance with duly adopted mutual aid operational plans, whether heretofore or hereafter adopted, detailing the method and manner by which such resources, facilities, and services are to be made available and furnished, which operational plans may include provisions for training and testing to make such mutual aid effective; provided, however, that no party shall be required to deplete unreasonably its own resources, facilities, and services in furnishing such mutual aid.
3. It is expressly understood that this agreement and the operational plans adopted pursuant thereto shall not supplant existing agreements between some of the parties hereto providing for the exchange or furnishing of certain types of facilities and services on a reimbursable, exchange, or other basis, but that the mutual aid extended under this agreement and the operational plans adopted pursuant thereto, shall be without reimbursement unless otherwise expressly

provided for by the parties to this agreement or as provided in Sections 1541, 1586, and 1587, Military and Veterans Code; and that such mutual aid is intended to be available in the event of a disaster of such magnitude that it is, or is likely to be, beyond the control of a single party and requires the combined forces of several or all of the parties to this agreement to combat.

4. It is expressly understood that the mutual aid extended under this agreement and the operational plans adopted pursuant thereto shall be available and furnished in all cases of local peril or emergency and in all cases in which a *STATE OF EXTREME EMERGENCY* has been proclaimed.
5. It is expressly understood that any mutual aid extended under this agreement and the operational plans adopted pursuant thereto, is furnished in accordance with the “California Disaster Act” and other applicable provisions of law, and except as otherwise provided by law that: “The responsible local official in whose jurisdiction an incident requiring mutual aid has occurred shall remain in charge at such incident including the direction of such personnel and equipment provided him through the operation of such mutual aid plans.” (Section 1564, Military and Veterans Code.)
6. It is expressly understood that when and as the State of California enters into mutual aid agreements with other states and the Federal Government, the parties to this agreement shall abide by such mutual aid agreements in accordance with the law.
7. Upon approval or execution of this agreement by the parties hereto all mutual aid operational plans heretofore approved by the State Disaster Council, or its predecessors, and in effect as to some of the parties hereto, shall remain in full force and effect as to them until the same may be amended, revised, or modified. Additional mutual aid operational plans and amendments, revisions, or modifications of existing or hereafter adopted mutual aid operational plans, shall be adopted as follows:
 - a. Countywide and local mutual aid operational plans shall be developed by the parties thereto and are operative as between the parties thereto in accordance with the provisions of such operational plans. Such operational plans shall be submitted to the State Disaster Council for approval. The State Disaster Council shall notify each party to such operational plans of its approval, and shall also send copies of such operational plans to other parties to this agreement who did not participate in such operational plans and who are in the same area and affected by such operational plans. Such operational plans shall be operative as to such other parties 20 days after receipt thereof unless within that time the party by resolution or notice given to the State Disaster Council, in the same manner as notice of termination of participation in this agreement, declines to participate in the particular operational plan.

- b. Statewide and regional mutual aid operational plans shall be approved by the State Disaster Council and copies thereof shall forthwith be sent to each and every party affected by such operational plans. Such operational plans shall be operative as to the parties affected thereby 20 days after receipt thereof unless within that time the party by resolution or notice given to the State Disaster Council, in the same manner as notice of termination of participation in this agreement, declines to participate in the particular operational plan.
 - c. The declination of one or more of the parties to participate in a particular operational plan or any amendment, revision or modification thereof, shall not affect the operation of this agreement and the other operational plans adopted pursuant thereto.
 - d. Any party may at any time by resolution or notice given to the State Disaster Council, in the same manner as notice of termination of participation in this agreement, decline to participate in any particular operational plan, which declination shall become effective 20 days after filing with the State Disaster Council.
 - e. The State Disaster Council shall send copies of all operational plans to those state departments and agencies designated by the Governor. The Governor may, upon behalf of any department or agency, give notice that such department or agency declines to participate in a particular operational plan.
 - f. The State Disaster Council, in sending copies of operational plans and other notices and information to the parties to this agreement, shall send copies to the Governor and any department or agency head designated by him; the chairman of the board of supervisors, the clerk of the board of supervisors, the County Disaster Council, and any other officer designated by a county; the mayor, the clerk of the city council, the City Disaster Council, and any other officer designated by a city; the executive head, the clerk of the governing body, or other officer of other political subdivisions and public agencies as designated by such parties.
8. This agreement shall become effective as to each party when approved or executed by the party, and shall remain operative and effective as between each and every party that has heretofore or hereafter approved or executed this agreement, until participation in this agreement is terminated by the party. The termination by one or more of the parties of its participation in this agreement shall not affect the operation of this agreement as between the other parties thereto. Upon approval or execution of this agreement the State Disaster Council shall send copies of all approved and existing mutual aid operational plans affecting such party which shall become operative as to such party 20 days after

receipt thereof unless within that time the party by resolution or notice given to the State Disaster Council, in the same manner as notice of termination of participation in this agreement, declines to participate in any particular operational plan. The State Disaster Council shall keep every party currently advised of who the other parties to this agreement are and whether any of them has declined to participate in any particular operational plan.

9. Approval or execution of this agreement shall be as follows:
 - a. The Governor shall execute a copy of this agreement on behalf of the State of California and the various departments and agencies thereof. Upon execution by the Governor a signed copy shall forthwith be filed with the State Disaster Council.
 - b. Counties, cities, and other political subdivisions and public agencies having a legislative or governing body shall by resolution approve and agree to abide by this agreement, which may be designated as *"CALIFORNIA DISASTER AND CIVIL DEFENSE MASTER MUTUAL AID AGREEMENT."* Upon adoption of such a resolution, a certified copy thereof shall forthwith be filed with the State Disaster Council.
 - c. The executive head of those political subdivisions and public agencies having no legislative or governing body shall execute a copy of this agreement and forthwith file a signed copy with the State Disaster Council.
10. Termination of participation in this agreement may be effected by any party as follows:
 - a. The Governor on behalf of the State and its various departments and agencies, and the executive head of those political subdivisions and public agencies having no legislative or governing body, shall file a written notice of termination of participation in this agreement with the State Disaster Council and this agreement is terminated as to such party 20 days after the filing of such notice.
 - b. Counties, cities, and other political subdivisions and public agencies having a legislative or governing body shall by resolution give notice of termination of participation in this agreement and file a certified copy of such resolution with the State Disaster Council, and this agreement is terminated as to such party 20 days after the filing of such resolution.

IN WITNESS WHEREOF this agreement has been executed and approved and is effective and operative as to each of the parties as herein provided.

Signed by: EARL WARREN
GOVERNOR

On behalf of the State of California and all its
Departments and Agencies

ATTEST:

November 15, 1950

Signed by: FRANK M. JORDAN
SECRETARY OF STATE



Note:

There are references in the foregoing agreement to the California Disaster Act, State Disaster Council, and various sections of the Military and Veterans Code. Effective November 23, 1970, by enactment of Chapter 1454, Statutes 1970, the California Disaster Act (Sections 1500 ff., Military and Veterans Code) was superseded by the California Emergency Services Act (Sections 8550 ff., Government Code), and the State Disaster Council was superseded by the California Emergency Council.

Section 8668 of the California Emergency Services Act provides:

- (a) Any disaster council previously accredited, the State Civil Defense and Disaster Plan, the State Emergency Resources Management Plan, the State Fire Disaster Plan, the State Law Enforcement Mutual Aid Plan, all previously approved civil defense and disaster plans, all mutual aid agreements, and all documents and agreements existing as of the effective date of this chapter, shall remain in full force and effect until revised, amended, or revoked in accordance with the provisions of this chapter.

In addition, Section 8561 of the new act specifically provides:

"Master Mutual Aid Agreement" means the California Disaster and Civil Defense Master Mutual Aid Agreement, made and entered into by and between the State of California, its various departments and agencies, and the various political subdivisions of the state, to facilitate implementation of the purposes of this chapter.

Substantially the same provisions as previously contained in Section 1541, 1564, 1586 and 1587 of the Military and Veterans Code, referred to in the foregoing agreement, are now contained in Sections 8633, 8618, 8652 and 8643, respectively, of the Government Code.



State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND PUBLIC HEARING FOR THE DRAFT 2024 CALIFORNIA CLEAN WATER ACT SECTION 303(d) LIST

NOTICE IS HEREBY GIVEN THAT WRITTEN COMMENTS WILL BE ACCEPTED by the State Water Resources Control Board (“State Water Board”) on California’s draft Clean Water Act section 303(d) list of water quality limited segments portion of the 2024 California Integrated Report. The list is commonly known as the “303(d) List” or the “List of Impaired Waters.” The 303(d) List includes new listing and delisting recommendations for waterbodies in the regions of the San Francisco Bay, Los Angeles, Santa Ana, Central Valley, Central Coast, and San Diego Regional Water Quality Control Boards (“Regional Water Boards”).

DOCUMENT AVAILABILITY

The draft 303(d) List for the 2024 California Integrated Report and the supporting draft staff report will be posted on the State Water Board’s web site on or before **Friday, February 17, 2023**, at:

https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2024-integrated-report.html

You may request a paper copy of the draft staff report by contacting Celene Udasco at celene.udasco@waterboards.ca.gov.

INSTRUCTIONS FOR SUBMITTING WRITTEN COMMENTS

The State Water Board will accept written comments on the draft 303(d) List and draft staff report. All written comments must be received no later than **12:00 noon on Monday, April 3, 2023**. Comment letters received after this date will not be accepted unless the State Water Board determines otherwise.

Address comments to Courtney Tyler, Acting Clerk to the State Water Board. Please indicate in the subject line: **“Comment Letter – 2024 California Integrated Report”**.

Written comments may be submitted electronically in pdf format (if less than 15 megabytes in total size) to the Board Clerk via e-mail at commentletters@waterboards.ca.gov. If the file is greater than 15 megabytes in size, then the written comments may be submitted by fax at (916) 341-5620.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

Alternatively, comments may be submitted by hand delivery or mail to:

Courtney Tyler, Acting Clerk to the Board
 State Water Resources Control Board
 P.O. Box 100, Sacramento, CA 95812-2000 (by mail)
 1001 I Street, 24th Floor, Sacramento, CA 95814 (hand delivery)

Couriers delivering a hard copy of a comment letter must check in with lobby security personnel, who can contact Ms. Tyler at (916) 341-5611.

NOTICE IS ADDITIONALLY HEREBY GIVEN THAT A HEARING WILL BE HELD by the State Water Board to receive oral comments on the draft 303(d) List for the 2024 California Integrated Report and draft staff report.

The public hearing will be held on:

Tuesday, March 21, 2023, 9:30 a.m.
 Coastal Hearing Room - Second Floor
 Joe Serna Jr. - CalEPA Headquarters Building
 1001 I Street, Sacramento, CA 95814
 And via Video and Teleconference

The agenda for the March 21, 2023 State Water Board hearing and instructions for participating in the meeting will be posted on or about March 11, 2023, at https://www.waterboards.ca.gov/board_info/calendar.

Video and Teleconference Option: This meeting will occur with both a physical meeting location and an option for the public to participate from a remote location.

- For those who only wish to watch the meeting, a webcast is available at either <https://www.youtube.com/user/BoardWebSupport/> or <https://video.calepa.ca.gov/> (closed captioning available) and should be used UNLESS you intend to comment.
- For members of the public who wish to comment on an agenda item or are presenting to the Board, additional information about participating telephonically or via the remote meeting solution is available here: https://www.waterboards.ca.gov/board_info/remote_meeting/

REMOTE PARTICIPATION & PROCEDURAL MATTERS

At the State Water Board public hearing, there will be no sworn testimony or cross-examination of participants. However, the State Water Board and its staff may ask clarifying questions. To ensure a productive and efficient hearing in which all participants have an opportunity to participate, oral presentations may be time limited. For other presentation recommendations, go to:

http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml

If you require language interpretation or sign language services, please email a request to celene.udasco@waterboards.ca.gov as far in advance of the meeting as possible. Telecommunications device for the hearing impaired (TDD) users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

BACKGROUND

Section 303(d) of the Clean Water Act requires each state to identify waters of the United States that do not meet, or are not expected to meet by the next listing cycle, applicable water quality standards and to prioritize those waters for development of a total maximum daily load, unless other corrective action is appropriate. Section 305(b) of the Clean Water Act requires each state to report on the overall condition of its surface waterbodies (commonly referred to as the “305(b) report”). California combines its 303(d) lists and 305(b) reports into one “integrated report.”

The State Water Board adopts the 303(d) list for California and submits to the United States Environmental Protection Agency (“U.S. EPA”) for approval. Neither agency takes formal approval action on the 305(b) report. The State Water Board does not solicit comments or generally respond to comments pertaining to the 305(b) portion of the California Integrated Report.

The 2024 California Integrated Report:

For the listing cycle for the 2024 California Integrated Report, the San Francisco Bay, Los Angeles, and Santa Ana Regional Water Boards, and are “on-cycle.” “Off-cycle” assessments are also being evaluated for the Sacramento River sub-area of the Central Valley Regional Water Board. The Sacramento River sub-area is defined as the Sacramento River watershed and includes the mainstem of the Sacramento River above the legal boundary of the Sacramento-San Joaquin Delta and all surface waters tributary to the mainstem. Finally, off-cycle assessments are also being considered for waterbodies in the regions of the Central Coast and San Diego Regional Water Boards.

All readily available data and information for waterbodies in the on-cycle regions and off-cycle sub area that were received prior to the data solicitation cut-off date of October 16, 2020, were reviewed. Data and information from several waterbodies within the Central Coast and San Diego Regional Water Boards were also evaluated. Data and information that met mapping and quality assurance requirements of the Listing Policy were assessed using a weight of evidence approach to determine if water quality standards are attained or not attained in a waterbody.

The 2024 Integrated Report revises the 2020-2022 Integrated Report. The revisions are based on data and information collected from surface waterbodies (rivers, streams, lakes, bays, estuaries, enclosed lagoons, and coastal waters) located in the aforementioned on-cycle and off-cycle regions. The revisions include changes to the 303(d) list and the 305(b) report and describes the extent to which surface waters in California are supporting beneficial uses.

Based on assessments of these data, approximately 876 new listings and 92 new delistings of impaired waterbody-pollutant combinations are recommended for the 303(d) List. An individual waterbody may be impaired by one or more pollutants.

The State Water Board is administering the listing process for all waters assessed during the 2024 listing cycle, in accordance with Section 6.2 of the Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List ("Listing Policy"). To administer the listing process, the State Water Board is accepting written comments and will hold a hearing to receive oral comments as described in this notice. The State Water Board will not be taking any action at the hearing. At a subsequent board meeting and after providing written responses to all timely written comments and oral comments made at the hearing, the State Water Board will consider adopting the proposed 303(d) List. Upon adoption of the 303(d) List of the 2024 Integrated Report by the State Water Board, the California Integrated Report will be submitted to U.S. EPA, which may make changes to the 303(d) List before it approves the final 303(d) List for California.

POTENTIAL FUTURE CHANGES TO THE NOTICED ITEMS

The State Water Board intends to make the Draft 2024 California Integrated Report and Draft Staff Report available, provide an opportunity for public comment, and hold the hearing meeting at the times and place noted above. Any change to the items noticed above will be noticed through the below-identified list serve e-mail distribution lists, and on the State Water Board's webpages.

Any person desiring to receive future notices must subscribe to the list serve e-mail distribution lists by accessing one of the following E-mail List Subscription forms:

For the 2024 California Integrated Report, select the box for "Integrated Report – 303(d)/305(b)" (located within the section entitled 'Water Quality'), and providing the required information. The subscription form is located at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

PARKING AND ACCESSIBILITY

For directions to the Joe Serna, Jr. (CalEPA) Building and public parking information, please refer to the map on the State Water Board website:

<http://www.calepa.ca.gov/headquarters-sacramento/location/>.

The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5254 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

ADDITIONAL INFORMATION

Please direct questions regarding this notice, the draft 2024 303(d) List of the California Integrated Report and draft staff report to Ana Maria Saenz, Senior Environmental Scientist at (916) 341-5480 or anamaria.saenz@waterboards.ca.gov or Celene Udasco, Environmental Scientist at celene.udasco@waterboards.ca.gov.

February 3, 2023

Date



Courtney Tyler
Acting Clerk to the Board