

Laurie Walsh, P.E.
California Regional Water Quality
Control Board,
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July 8th, 2014

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**Everett Delano of
Delano Law Offices**

Subject: Review of Carlsbad WQIP Provision B.2a and B2b submittal

Dear Ms. Walsh:

We appreciate the opportunity to review the subject submittal. We understand that this submittal summarizes the copermittees work with respect to determining the Priority Water Quality Conditions (PWQC) and selecting the highest condition (HPWQC). Our letter dated February 20, 2014, which reviewed the Memo prepared for the Consultation Panel, included a number of comments on the potential strategies to be implemented by the copermittees. It is our understanding that our comments in that letter will be considered during the next phases of the WQIP development. Therefore we will limit our review to this submittal. The next phase will be the selection of strategies and numeric goals that will be implemented to address the PWQC's. The following summarizes our review comments:

SUMMARY COMMENTS

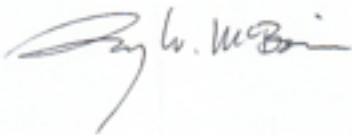
1. The cover letters from the copermittees does not include the letter from the City of Escondido. We assume this will be corrected with the final document.
2. Page 1, third sentence following "(JRMP)s to" add the word "measure".
3. Page 10, first paragraph last sentence. We agree that if trash has not been identified during dry weather monitoring as a high priority issue, it should be monitored following wet weather conditions and at more locations. It tends to concentrate at certain areas, which clearly show trash is still a major issue in our watershed.
4. Page 11, Table 3. Under "Lower San Marcos", Cottonwood Creek is a heading under Bacteria. Should this be Encinitas Creek? My understanding is Cottonwood Creek flows to Moonlight Beach.
5. Page 13, Table 5. In our submitted comment letter of February 20, 2014, we attached a report entitled Bathymetric and Tidal Assessment of Batiquitos Lagoon, Carlsbad, California, Merkel & Associates, Inc., dated January 2009. Your response letter indicated that this new information was noted and would be incorporated into the WQIP as appropriate. This report states in part, "*The net accretion of approximately 130,629*

The Escondido Creek Conservancy (TECC) is a non-profit, public benefit, corporation dedicated to the preservation and protection of the natural open space within the Escondido Creek watershed. We support educational programs and compatible outdoor recreation within the watershed for the benefit of all residents of the area.

cubic yards in the east basin was due to the fluvial and external erosion inputs, principally from San Marcos but also Encinitas Creek, small local drainages, and bluff erosion.” The Batiquitos Lagoon Foundation has identified this sedimentation as a serious issue with the east end of the lagoon. Since the completion of the Merkel & Associates, Inc. report in 2009, the BLF has stated that their latest estimate as of July, 2014 for sedimentation of the east end of the lagoon is in “excess of 400,000 cubic yards” (personal communication with Fred Sandquist, President for BLF). We believe this information should be included in this table for this water body.

6. Page 20, Table 8. The report entitled CARLSBAD HYDROLOGIC UNIT (CHU) LAGOON MONITORING REPORT, Mactec Engineering and Consulting, Inc. dated June 2009, states in the Conclusions section the following: *“It should be noted that the bacteria concentrations at the mass emission stations were similar to concentrations measured by the Southern California Coastal Water Research Project (SCCWRP) from undeveloped watersheds. These natural sources may be contributing significant bacteria concentrations and a larger portion of the bacteria loads than anthropogenic sources, such as poorly-managed livestock operations, and/or improper handling of pet waste and should be taken into consideration. Also, due to the relatively low imperviousness of the CHU watershed (18-percent impervious), BMPs targeted to impervious areas only may have limited impact on downstream water quality.”* If this statement were correct, it would indicate that “Undeveloped Land” should potentially be classified as a Pollutant Generating Source in Table 8. Further it may be an issue for selecting effective strategies as we move forward with the WQIP. We are not sure how this might impact the strategies the copermitttees select, however it may be useful to evaluate this information further.

In conclusion we look forward to the Public Meeting on July 17, 2014 for the presentation on the strategies and numeric goals that are being considered.



Gregory W. McBain, P.E., BCEE
TECC Board Member
WQIP Environmental Community Panel Member (Primary)