

ITEM: 7

Proposed Amendment to the Water Quality Control Plan (Basin Plan) to Establish a Total Maximum Daily Load (TMDL) and Implementation Plan for Bacteria at the Beaches in Pillar Point Harbor and Venice Beach and to Update the Bacteria Objectives for Protecting Water Contact Recreation in the Basin Plan – Hearing to consider adoption of proposed Basin Plan amendment and substitute environmental document

DISCUSSION:

The attached Tentative Resolution (Appendix A) would amend the Basin Plan to incorporate a TMDL and implementation plan to control bacteria levels at the beaches in Pillar Point Harbor and Venice Beach, and to update the bacteria objectives for protecting water contact recreation in coastal and non-coastal waters to reflect current state regulations. Additional documentation in this package includes the proposed Basin Plan Amendment (Appendix B), the supporting Staff Report (Appendix C), Responses to Comments (Appendix D, and written comments received from the public (Appendix E).

Beaches in Pillar Point Harbor and Venice Beach were listed on the 303(d) list of impaired waters for high coliform counts in 2002. Since then, data show continued exceedances of *Enterococcus* objectives, which has led to health advisories and beach closures. The TMDL establishes a plan to reduce discharges of bacteria from controllable sources to meet water quality objectives at the beaches. Identified controllable sources of bacteria include sanitary sewer overflows, sewer collection systems, the Sewer Authority Mid-Coastside wastewater treatment plant, onsite wastewater treatment systems, Pillar Point Harbor and Marina operations, municipal stormwater, runoff from the landfill, horse boarding facilities, and Caltrans infrastructure.

The proposed Basin Plan amendment would establish the following:

- A bacteria TMDL with numeric targets to protect water contact recreational uses at the beaches in Pillar Point Harbor and Venice Beach;
- Load and wasteload allocations for all controllable sources of bacteria to the beaches; and
- A plan to implement the TMDL and monitor water quality to evaluate progress in meeting the numeric targets.

The implementation plan builds on existing efforts taken by the Harbor District and others. It relies on regulatory programs and actions that are already required to control bacteria discharges from the wastewater treatment plant, eliminate sanitary sewer overflows, reduce bacteria discharges from confined animal facilities, and minimize municipal stormwater pollution. The TMDL also includes additional requirements for onsite septic systems inspection and repairs by homeowners; vessel waste management in the harbor; and enhanced municipal stormwater best management practices. The TMDL calls for assessment of beach water quality data and for supplemental monitoring to improve understanding of remaining bacteria sources, especially if initial control measures do not achieve the TMDL. Water Board staff would collaborate in supplemental monitoring.

Comments from Stakeholders and Staff Responses

The draft Basin Plan amendment and Staff Report were released for a 45-day public review on October 13, 2020. We received comment letters (Appendix E) from San Mateo County Office of Sustainability

(County), San Mateo Countywide Water Pollution Prevention Program (SMCWPPP), City of Half Moon Bay, California Department of Transportation (Caltrans), San Mateo County Harbor District, and San Mateo Resource Conservation District. Many comments were supportive of the TMDL, but they also raised concerns about the proposed schedule, drew attention to the contribution of bacteria from wildlife and the loads from watersheds, and concerns about the cost of structural controls and supplemental monitoring. We revised the Basin Plan amendment and Staff Report in response to some specific concerns. For example, in response to the Harbor District's request, we clarified that the TMDL addresses the impairment at the beaches in Pillar Point Harbor, and not the harbor itself. In response to the City of Half Moon Bay, we revised the geometric mean calculations to reflect bacteria concentrations in samples below the method detection limit. In addition, we made a small number of clarifying editorial changes to the Basin Plan amendment and the Staff Report based on specific comments or initiated by staff.

We were not able to resolve all the commenters' concerns. In particular, we declined to extend deadlines for meeting the TMDL load and wasteload allocations and for submitting Phase 1 and Phase 2 implementation plans, as requested by the County, SMCWPPP and the City of Half Moon Bay. The TMDL requires that load and wasteload allocations be achieved within 15 years, gives flexibility in its phased implementation approach, and relies on enhanced or refocused actions that the parties already undertake to fulfill existing requirements to control pollutants in urban runoff. We further explain that while wildlife is a potential source of bacteria to the beaches, the observed level of exceedance suggests the human-induced sources have to be controlled first. Neighboring beaches with similar conditions and wildlife use (Dunes, Francis, Roosevelt, and Surfers Beach) have good bacteriological water quality and are not impaired. In response to concerns regarding the cost of structural controls and the low estimated cost of TMDL implementation, we explain that the TMDL does not prescribe specific actions and clarify that the implementing parties should deploy structural controls with multiple benefits as appropriate. As for supplemental microbial identification studies, these are required only if Phase 1 actions do not achieve the TMDL. We encourage the implementing parties to save resources by collaborating on data evaluation and monitoring, and to share the findings as they collect additional data to investigate any remaining data gaps.

APPENDICES:

- A. Tentative Resolution with Exhibit A, Proposed Basin Plan Amendment
- B. Revised Basin Plan Amendment
- C. Final Staff Report
- D. Responses to Comments
- E. Comment Letters