

Responses to Heal the Bay's Supplemental Comments (4-20-12) Concerning the Use Attainability Analyses

Comment	Response
Santa Ana-Delhi Channel	
<p>Reach Identification</p> <p>1. The reaches should have been:</p> <ul style="list-style-type: none"> ○ Tidal Prism: Bike path to Mesa Dr. (earthen bottom/one side rip rap) ○ Mesa Dr to Alton Ave. (box channel) ○ Alton Ave. to Warner Ave. (earthen bottom/rip rap) <p>By segmenting these reaches according to similar characteristics, such as earthen bottoms, rip-rap walls, and more natural landforms, the public has a better sense of the possibilities for each reach, in terms of water quality, habitat, and recreational uses. The UAA's segmentation of the Creek combines reaches with different characteristics, like earthen bottoms segments with box channel segments. This type of segmentation can promote certain features or attributes as being homogeneous throughout the stretch of Creek, when they are not.</p>	<p>Reach boundaries do not necessarily represent stream reaches with homogenous attributes. The proposed boundaries reflect differences in the nature of flow (marine, freshwater), channel morphology and other characteristics that affect recreational potential and, thus, recommendations for appropriate use designations.</p> <p>The tidal prism reach of the Santa Ana-Delhi Channel (SAD) was identified in the UAA as the section from the Bike Bridge at Upper Newport Bay upstream 1038 ft. ,to the bend in channel. This section is in view of the public from the bridge and dominated by marine waters. From the bend in the channel up to Mesa Dr. (and further upstream) the channel is generally out of public view with no evidence of REC activities. As result, this section, although an earthen channel, is proposed to be designated as part of Reach 1. Reach 1 is designated as from the Tidal prism up to the intersection of Sunflower Ave and Flower St in Santa Ana. Except for the short section of earthen channel above the Tidal prism to Mesa Dr. and where the channel runs underground from the 405 Freeway to Sunflower Ave, the channel is a concrete open box. The Heal the Bay comments have miss-identified the proposed SAD Reach 1 and Reach 2. The Santa Ana Gardens Channel, a tributary of the SAD channel and not part of the UAA, flows past Alton Ave. The proposed SAD Reach 2 starts at the intersection of Sunflower Ave and Flower St and ends at Warner Ave. Reach 2 is mostly an earthen bottom channel with rip rap sides.</p>
<p>2. It is first argued that there is not enough flow: the dominant dry weather flows create perennial flow of a few inches (6 inches or less)...and sources are groundwater and urban runoff . Then it is argued that the region cannot attain water quality criteria during dry weather because the BMPs implemented are not sufficient. Perhaps the BMPs implemented should not be treatment types, but capture and reuse or infiltration given the low flow volumes.</p>	<p>The OC Stormwater NPDES permit requires an iterative process of BMP implementation designed to achieve water quality standards in receiving waters. Since the watershed is completely built, implementation of capture/reuse or infiltration BMPs is highly problematic.</p>
<p>3. There is no documentation on whether a source control/source identification program, and the subsequent source abatement program having been implemented. There is no discussion on whether a watershed approach to BMP implementation was ever adopted. No documentation on actual BMP implementation, and or</p>	<p>Considerable documentation regarding source identification and control has been developed and submitted to the Regional Board by the MS4 co-permittees in all three counties. The Regional Board receives regular reports , at publicly noticed public meetings ,describing the scope and effectiveness of these efforts. All of the information regarding BMP</p>

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<p>performance criteria associated with those implemented BMPs. All the information associated with BMPs in this section are citations to studies on efficacy. There is no actual information highlighting any implemented BMPs, aside from diversions, in the watersheds. How can the public reasonable expect that the effort was made to control Bacteria inputs by any agency or municipality to control urban runoff or nuisance flows without such information?</p>	<p>planning, implementation and effectiveness is available for public review and inspection at the Regional Board's office in Riverside.</p>
<p>4. Dry weather diversions are stated as 100% effective. The rationale cited on the phone—per our conversation (04/19) was a concern for habitat. Yet, the UAA states that “treatment agencies do not like them”, and view them as a temporary practice. Which of the two responses is it? If the later, this is not a sufficient reason why bacterial objectives can't be obtained. Dry-weather, and even some wet-weather, low-flow diversions are an integral part in RWQCB 4 Bacterial TMDL compliance. In addition, the UAA argues that full capture is economically infeasible. This is understandable if the argument is for wet weather conditions. However, this is should not be the case for dry weather time-periods and low flow events.</p>	<p>Although dry weather diversions are 100% effective, this strategy may pose a risk to aquatic habitat by dehydrating local streams. And, at the same time, dry weather diversions may not be a reliable option because the wastewater treatment agencies caution that they are unable to assure that there is sufficient capacity in the collection or treatment system to handle the increased flow from storm channel diversions. (The UAA report reflects this, not that “treatment agencies do not like them”.) Nevertheless, diversions are likely to be a key component for achieving compliance with bacterial objectives during dry weather, low-flow conditions, as reflected in the Comprehensive Bacteria Reduction Plans recently approved (February 2012) by the Regional Board for San Bernardino and Orange counties. As described in the UAA staff reports, a number of these diversions are already being operated in Orange County.</p>
<p>5. Why did the RWQCB 8 use a calendar time-period to conduct its geometric mean analysis for bacteria for this UAA, when the Basin plan uses a 30-day rolling average?</p>	<p>The Basin Plan does not specify existing bacteria quality objectives as a rolling average. The available data were compared to the Basin Plan objectives, which specify a minimum of five samples over a 30-day period. The results of those analyses showed that the objectives are not consistently met, as reported in the UAA report.</p>
<p>6. The UAA fails to demonstrate how efforts to attain recreational water quality standards in the downstream receiving water body—currently REC 1—will not be negatively impacted by the request to remove the upstream recreational use designations—an action that will allow higher levels of indicator bacteria in the upstream tidal prism, REACH 1 and REACH 2. The REC-1 use of the downstream receiving water-body is not in question. If bacterial standards during dry weather in this section of the receiving water-body can't be met, then how does it figure this runoff or flow will not have a negative impact on the downstream receiving water-body?</p>	<p>The need to protect downstream uses is an axiom recognized and employed by Regional Board staff and members of the Stormwater Quality Standards Task Force since the outset of the effort to consider revisions to recreation standards in the Region. (The administrative record for this matter includes a list of other applicable axioms, based on existing law, regulation and policy.) Nothing in the proposed Basin Plan amendment "allows higher levels of indicator bacteria in the upstream" waters. State and federal antidegradation policies continue to prevent lower water quality even if upstream segments are redesignated. Moreover, the proposed Basin Plan amendment makes clear in several places that water quality must continue to be applicable downstream objectives even if upstream segments are reclassified. Consequently, the Regional Board has no reason to believe downstream uses will be negatively impacted by</p>

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	<p>the proposed Basin Plan revisions. On the contrary, by promoting the implementation of regional treatment solutions, the Regional Board expects downstream water quality to improve over time.</p>
<p>7. Did RWQCB 8 solicit information from ‘historic societies’, local historians, or personal interviews to complete if determination of historic uses? Historic uses exploration should have included a people survey of local historians or senior citizens of the area. Personal Interviews should have been a component of this process. Simply looking on Google or electronic archives can be insufficient and incomplete due to the nature of digital archives.</p>	<p>The Stormwater Quality Standards Task Force (SWQSTF) commissioned CDM to investigate all readily available sources of information regarding past, present and probable future recreational uses in each waterbody as a key part of the UAA. Contrary to the allegations made by this commenter the investigation was not limited to simple Google searches. CDM conducted numerous interviews with local experts and resource managers. County flood control staff who regularly visit the channels, many of them with long years of experience, were also interviewed. The results of these interviews are documented in the UAA Technical Reports and the minutes of the SWQSTF meetings.</p>
<p>8. In addition, there were photos that showed ‘tagging’ or graffiti in portions adjacent to the Creek, which suggests that there is access. Such actions would indicate that people are able to access the areas. In RWQCB 4, ‘tagging’ or graffiti, while illegal, can demonstrate that access and use exist in the area.</p>	<p>Tagging and graffiti were noted and considered as part of each UAA. Board staff acknowledges that graffiti does provide evidence of access and was treated as such. However, the voluminous photographic documentation developed by the SWQSTF demonstrates that "tagging" is not a reliable indicator of water contact recreation (REC1 or REC2). CDM prepared a report “Summary of Camera Survey Locations Report on the Delhi” that shows all pictures that include people in the channel. No one observed was recreating in the water. The sections of the channel where graffiti was observed are in the proposed Reach 2; the REC2 designation is recommended for that reach.</p>
<p>9. The OCFCD denies access due to safety concerns. As it relates to this issue of de-designation or this UAA, the argument may be applicable for wet-weather (high velocity flow) conditions, yet is completely inappropriate for dry-weather. There is little justification as to why the public should not be able to use or have access to the Creek during the 98% of time when such high-flow conditions do not exist.</p>	<p>Regional Board staff disagrees with the commenters suggestion that the flood control channels only present a safety hazard during high flow conditions. In particular, the high vertical walls can be especially dangerous at all times. That's why access is restricted by fences and locked gates. Whether the public "should be able to use or have access" to these channels is not a decision the Regional Board is authorized to make.</p>

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<p>10. While there are vertical walls in segments, there is a sufficient amount of area that is covered with rip-rap. RWQCB 8 seems to make the subjective argument that even in dry-weather the Creek is unsafe in these areas to access.</p>	<p>Board staff can attest to the fact that walking down a rip-rap slope, particularly a steep one, can be hazardous. Nevertheless, where the public has relatively easy access to the stream channels, and particularly where rip-rap is used in lieu of concrete, the proposed Basin Plan amendments acknowledge this distinction by recommending the reach be classified REC2 rather than removing all recreational use designations. The photographic evidence clearly demonstrates that there is no reasonable possibility of immersion or ingestion even in those locations where the public is entering such channels during dry weather conditions. Contact with the water, if it occurs at all, is limited to incidental contact (e.g., walking in the channel; it appeared that some people use the channel as a travel route from one point to another).</p>
<p>11. This UAA fails to even discuss the statewide, and Southern California, initiatives to obtain great access to these once off-limit areas. For example, the City of Los Angeles has the lead the way in making the LA River a destination place for contact water recreation and public education. There are several other examples in Los Angeles County where semi-channelized waterbodies are being utilized for their non-direct recreation benefits, habitat opportunities, and public education. A number of State Conservancies and Private Non-profits are currently looking at acquiring parcels to develop greater open space opportunities for park poor regions by working with local groups. Neither the State Agencies, Non-Profit groups, nor local community groups appear to have been solicited for this review. On the State level, SB1201 (De Leon) seeks to address this issue of public access to flood control channels, engineered creeks, streams, and rivers. The bill, if adopted, will amend Section 2 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915) “to include or provide for public use of navigable waterways that are suitable for recreational and education purposes” as they relate to the Los Angeles River. This bill is likely to set precedent for other receiving waterbodies in the State.</p>	<p>The Regional Board staff carefully considered the on-going efforts to obtain greater public access to flood control channels. CDM contacted county and city planning agencies to determine whether there are restoration plans, firm or otherwise. There are no plans for restoration of the Delhi channel to allow or encourage recreational activity.</p> <p>In accordance with the State Board's determination in WQO 2005-0004, the mere existence of such restoration plans is not sufficient to demonstrate that a recreational use is likely to occur. There must also be a real-world commitment to actually build the parks and other amenities that facilitate water contact recreation activities. If and when such improvements are made, the Regional Board is obligated to reconsider the appropriate beneficial use designation as part of the regular triennial review process. In the meantime, the proposed Basin Plan amendments are intended to better protect water quality in all lakes and streams where water contact recreation is already occurring.</p>
<p>12. The UAA appears to argue that hydro-modifications impacts are indefinite. In addition, the UAA seemed only to consider full restoration of the Creek as the only alternative. There is no discussion of partial enhancement to the Creek as a viable option. Also, this section took no account of statewide and southern California wide</p>	<p>As described above, the Regional Board staff did take into consideration the possibility that some creeks may be fully or partially restored. However, rather than speculate as to when and where such improvements may occur, and consistent with the State Board's instructions, the Regional Board will continue to rely on the existing triennial review process to make</p>

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<p>measures that consider these areas as important sites for implementing integrated water management opportunities, LID, and other multiple-benefit land-use policies to treat water.</p>	<p>appropriate adjustments to designated beneficial uses.</p>
<p>13. Finally, the summary of adjacent land-uses and their potential to impact water quality or the role they could play in addressing water quality issues—as the relate to the previous bullet point—are not sufficiently address. How is the public able to determine possible sources impact the Creek or evaluate opportunities for watershed-wide multiple benefit BMPs. For example, there are two large golf courses, a regional park, and a school all in located is close proximity to the Creek.</p>	<p>Regional Board staff agrees that adjacent land uses have the potential to impact water quality. Land use characteristics are carefully evaluated as part of on-going source identification and source control programs. Where golf courses, parks and schools are located in close proximity to creeks, these factors were carefully considered as part of the UAA process and used to inform the Regional Board's determination as to whether immersion and ingestion was reasonably possible at any given location.</p>
<p>Greenville-Banning Channel</p>	
<p>14, 15: See comments # 2 and 4</p>	<p>[note: many of the comments provided re the Santa Ana Delhi Channel were repeated for the other UAA waters. In these cases, the comments and responses are referenced by number] See responses 2 and 4. It is noted that a dry weather diversion is operated in the Greenville-Banning channel.</p>
<p>16. An 'Orange County Areawide Urban Stormwater Runoff Management Plan' is mentioned, and a suggestion that the drainage area limits the effectiveness of many BMPs. What documents or data support this assertion? Most management plans are an iterative process, based on implemented programmatic and structural BMPs. Has this type of evaluative component been completed on actual implemented structural BMP performance and design? Beyond low-flow diversions, what other actual BMPs were installed in this watershed? What changes or modifications to those implemented BMPs were completed to address short-coming to initial BMP construction? As for programmatic BMPs, what evaluative measures were used to determine behavioral changes in municipalities (the general population), given that urban runoff is the primary bacterial source?</p>	<p>The build-out of much of the tributary area places practical limitations on the implementation of BMPs . The MS4 co-permittees in all three counties have conducted studies and submitted numerous reports to the Regional Board regarding the implementation and effectiveness of BMPs for controlling bacteria pollution. These and other related documents are available for public review and inspection at the Regional Board's main office in downtown Riverside. Where monitoring indicates the BMPs may not be adequate to meet the bacteria objectives, the MS4 co-permittees must submit a plan to remedy such deficiencies and implement the plan upon approval by the Regional Board.</p>
<p>17. Has enforcement been implemented in this watershed as a deterrent to urban runoff or nuisance flows in association with MS4 or NPDES compliance?</p>	<p>The Regional Board has conducted numerous audits of the MS4 program in all three counties and has initiated enforcement actions in a number of cases. These actions are a matter of public record.</p>
<p>18. There is no documentation on whether a source control/source identification program, and the subsequent source abatement program having been implemented. There is no discussion on whether a watershed approach to BMP implementation was ever</p>	<p>The comment is factually incorrect. The area-wide stormwater programs have submitted a considerable number of reports documenting on-going source identification, source control and BMP implementation efforts in all three counties. The Regional Board reviews these reports and routinely</p>

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<p>adopted. No documentation on actual BMP implementation, and or performance criteria associated with those implemented BMPs. All the information associated with BMPs in this section are citations to studies on efficacy. There is no actual information highlighting any implemented BMPs, aside from diversions, in the watersheds. How can the public reasonable expect that the effort was made by any agency or municipality to control bacteria inputs from urban runoff without such information?</p>	<p>hears related presentations at informational workshops during regularly scheduled public meetings. All of these records are available for public review and inspection at the Regional Board's office in Riverside.</p>
<p>19. See comment #5</p>	<p>See response #5</p>
<p>20. See comment #6</p>	<p>See response #6</p>
<p>21. See comment #7</p>	<p>See response #7</p>
<p>22. See comment #11</p>	<p>See response #11</p>
<p>23. See comment #12</p>	<p>See response #11</p>
<p>24. Finally, the summary of adjacent land-uses and their potential to impact water quality (Mesa Verde and Costa Mesa golf courses) or the role they play in addressing water quality issues (Fairview Regional Park and Talbert Regional Par) – as the relate to the previous bullet point – are not sufficiently addressed. How is the public able to determine possible sources impact the Creek or evaluate opportunities for watershed-wide multiple benefit BMPs.</p>	<p>See response #13</p>
Temescal Creek	
<p>Reach Identification 25. Reach Identification: The UAA Reach 1a should not have included: Cota St. Lincoln Ave (earthen bottom/rip-rap); everything else is in this reach is a box or trapezoidal channel. ...This combining of different segments can promote or hide certain desirable features or attributes as not existing or being homogeneous throughout the stretch of Creek. (see also comment #1)</p>	<p>Although this short segment of Reach 1a is earthen while the remainder Reach 1a is concrete trapezoidal, both segments have similar beneficial uses. Both are fenced and posted to keep people out, there is no evidence of water contact recreation, and both have the same flow and no or little riparian vegetation. It is obviously that people walk in both of these sections of Reach 1a. In addition, staff didn't want to over segment sections of any water. The earthen segment is very similar to the rest of Reach 1a and very dissimilar to the reach downstream of Lincoln Ave, Prado Basin Management Zone (listed as a wetlands in the Basin Plan). See also response #1</p>
<p>26. A 'Comprehensive Bacteria Reduction Plan' has been developed and is the foundation for achieving compliance of water quality standards as part of the MS4 permit, and to support compliance with the Middle Santa Ana River TMDL. While Bacteria treatment or structural BMPs are stated, and citations to Stormwater Design Handbook mentioned, there is no actual projects referenced or discussed. "Planning is</p>	<p>The CBRP provides a detailed description of how BMP projects will be evaluated and selected. However, as explained in both the CBRP and in the administrative record for the proposed Basin Plan amendments, the range of available solution strategies depends on whether the proposed Basin Plan amendments (particularly the channel reclassifications and high flow suspensions) are approved. The Basin Plan amendments are</p>

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<p>underway to develop future management controls” but this is not explained in detail as to what actual projects will be forthcoming, and whether those identified projects will actually work.</p>	<p>intended to facilitate implementation of regional treatment alternatives that might otherwise be unavailable without the proposed revisions.</p>
<p>27. In the meantime, as the UAA asserts “the ‘Comprehensive Bacteria Reduction Plan’ is an iterative and adaptive process” that was started in 2006 and nearing completion in 2010—“Final Draft CBRPs were submitted in late December 2010...to RWQCB staff for review.” What BMPs, treatment, structural or programmatic, have been implemented during this time-period? Has any evaluative component been completed on actual implemented structural BMP performance and design? Beyond low-flow diversions, what other actual BMPs were installed in this watershed? What changes or modifications to those implemented BMPs were completed to address short-coming to initial BMP construction? As for programmatic BMPs, what evaluative measures were used to determine behavioral changes in municipalities or the general population, given that urban runoff is a bacterial source?</p>	<p>28. As noted above, successful implementation of the CBRP is contingent upon whether the Regional Board approves the proposed Basin Plan amendments. The commenter will find detailed descriptions of previous and proposed BMPs in the CBRP itself, in the annual reports submitted by the MS4 co-permittees, in the Urban Source Evaluation reports prepared by the MSAR-TMDL Task Force. All of these and other related documents are available for public review and inspection at the Regional Board's office in Riverside.</p>
<p>29. In addition, the Middle Santa Ana River TMDL and MS4 are stated as the drivers for Bacteria compliance in Temescal Creek. Compliance is set for December 2015, at the latest. Why move forward with a UAA now instead of waiting 3 years until the TMDL has run its course? Also, it seems premature to proceed with a UAA for Temescal and Mill-Cucamonga Creek when the ‘Comprehensive Bacteria Reduction Plan’ was barely finalized—“Final Draft CBRPs were submitted in late December 2010...to RWQCB staff for review.” It seems that the plan hasn’t had enough time to be in effect to make a UAA determination for non-compliance with water quality objectives for Bacteria. Implementing a UAA will most certainly impact monitoring (removing or reducing), BMP implementation, and water quality compliance schedules (eliminating the use, eliminates the compliance).</p> <p>30. How can the public reasonable expect that the effort was made by any agency or municipality to control bacteria inputs from urban runoff without such information?</p>	<p>The strategy for achieving compliance in Temescal Creek presumes that the stream is re-designated to reflect the actual and probable future beneficial uses likely to occur in the stream. The relationship between the CBRP and the proposed Basin Plan amendments is described, in detail, in the administrative record for both actions. It appears that the commenter is unfamiliar with the specifics of these documents. The UAA determination is based on whether the uses are likely to occur or whether water quality is already meeting the proposed <i>E. coli</i> objective. If the BMPs are successful at achieving the proposed objectives in waterbodies that are not designated REC1, the Regional Board will be obligated to reconsider whether such uses must be upgraded to reflect improved water quality during the regular triennial review process.</p> <p>We agree that the UAA results are likely to impact monitoring and BMP implementation, allowing and encouraging responsible parties to focus resources on BMPs, including regional treatment facilities, where they are most necessary to protect recreational uses. The result will be enhanced water quality and beneficial use protection.</p>
<p>31. Sources are nuisance flows from urban runoff, wastewater, and Water District. If the waste water plant is coming off line, does this impact the District’s recycled water program? What is the capacity of the</p>	<p>This comment is unclear. The City of Corona and Lee Lake Water District operate separate wastewater treatment facilities. Both the District and the City may reduce or cease their discharges to Temescal Creek, further</p>

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wastewater or district agencies to capture first flush or storm events?	reducing the amount of water in the Creek. Information concerning the ability to capture first flush/storm events can be sought directly from these agencies. The context of such information in this matter is not clear.
32. This comment is essentially with same as #6, with reference to Reach 1a and 1b	See response to #6
33. The 'Probable Future Uses' section appears limited to local municipalities. Did RWQCB 8 check with State or other open space/Park groups desires regarding future uses for the area?	The "probable future uses" section is not limited to local municipalities. Appropriate inquiries were also made of state and county park officials regarding future recreational plans for areas adjacent to the creeks.
34. Again, the characterization of adjacent land-uses and available areas is limited in its scope as it relates to bacterial inputs or opportunities for regional or site specific BMP implementation. For example, there is a large sized lot at Magnolia and 6th (27 acres)—willing seller based on Google photos—in proximity to Temescal Creek that could be identified as a multiple benefit project.	This comment has been forwarded to Riverside County Flood Control District, as the principal permittee for the area-wide stormwater permit, for further consideration as part of the CBRP implementation effort.
35. See comment #7	See response #7
36. This comment is essentially the same as #9, with reference to RCFC	See response #9
37. Again, characterization of adjacent land-uses and available areas is limited in its scope (p.11) as it relates to bacterial inputs or opportunities for regional or site specific BMP implementation. For examples, there is a large sized lot at Magnolia and 6 th (27 acres) – willing seller based on Google photos – in proximity to Temescal Crrek that could be identified as multiple benefit project.	See response #13. Site selection is an important part of BMP implementation, taking into account the ability to employ regional BMPs vs site-specific BMPs, land availability, downstream use protection, etc.
38. See comment #11	See response #11
Cucamonga Creek	
39. Water Quality; Documented sources are nuisance flows urban runoff (2.8mgd), agricultural (feed-lots and farming), and wastewater (2.8mgd). Did the San Bernardino Stormwater Program include the wastewater effluent as part of the nuisance flows or is this a separate 2.8 mgd value? Is there a runoff value for Ontario Airport?	Wastewater effluent is not considered a "nuisance flow." The UAA report does not include a specific runoff value for Ontario Airport. However, other studies and reports have been submitted to the Regional Board regarding water quality in and around the airport. These reports are available for public review and inspection at the Regional Board's office in Riverside.
40. Has the San Bernardino Stormwater Program, the local POTW or RWQCB 8 considered an Integrated Water Resources Management Plan in an effort to limit the amount of nuisance flows to Cucamonga Creek? There is no discussion of this type of planning in the UAA.	The San Bernardino Stormwater Program, in conjunction with several water and wastewater agencies throughout the county, is actively engaged in implementing an Integrated Water Resources Management Plan to limit nuisance flows in Cucamonga Creek by capturing and infiltrating such flows. This effort is thoroughly described in the CBRP, the Watershed Action Plan, and numerous other documents submitted to the

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	Regional Board. All of these documents are available for public review and inspection at the Regional Board's office in Riverside.
41. While there is a recycled water program, there is no discussion as to volumes being recycled or goals/capacity of future recycling efforts? This is critical information if flows from treated wastewater create conditions that exacerbated bacterial growth? Given that the POTW is treating its sewage water to tertiary level, is groundwater infiltration a possibility versus discharging it into a box channel?	A detailed discussion of wastewater recycling efforts in the Santa Ana region can be found in the voluminous record associated with Resolution No. R8-2004-0001 wherein the Regional Board enacted a comprehensive salt and nitrate management plan for the entire watershed, including provisions pertaining to the use of recycled water. There is no evidence in the record to indicate that tertiary treated effluent is exacerbating bacterial growth. Nor is such effluent discharged to box channels in the Santa Ana Region. Most municipal effluent is released to streams that are and will continue to be designated REC1. There is no need to divert such discharges out of the streams because the effluent quality meets all Title-22 requirements and is better than the proposed bacterial objectives.
42. See comment # 26	See response #26
43. See comment #27	See response #27
44. This is essentially the same as comment 29, with reference to Cucamonga Creek	See response #29
45. See comment #30	See response #30
46. See comment #7	See response #7
47. See comment #9 (with reference here to RCFCD and SBCFCD)	See response #9
48. See comment #33	See response #33