

**California Regional Water Quality Control Board
San Diego Region**

Response to Comments Report

Tentative Order No. R9-2014-0105

Amending

Order No. R9-2012-0012, NPDES No. CA0107611

***Waste Discharge Requirements for the South Orange
County Wastewater Authority Discharge to the Pacific
Ocean through the San Juan Creek Ocean Outfall***

December 11, 2014

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

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**California Regional Water Quality Control Board
San Diego Region**

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Introduction

This report contains responses to written comments received on Tentative Order No. R9-2014-0105 Amending Order No. R9-2012-0012, NPDES No. CA0107611, *Waste Discharge Requirements for the South Orange County Wastewater Authority Discharge to the Pacific Ocean through the San Juan Creek Ocean Outfall*. The Tentative Order was made available for public review and comment for 31 days, with the comment period ending on November 3, 2014.

Comments and Responses

The written comments and staff responses are in the table that follows. The comments are organized according to the person that made the comment. The table indicates if the Tentative Order was revised in response to the comment.

No.	Comment	Response	Action Taken
Roger E. Bütow, Founder & Executive Director of Clean Water Now			
1	<p>CWN is appreciative of the Board’s path moving forward regarding implementation of a unified beach water quality monitoring and assessment program in South Orange County. CWN believes that like the NPDES Stormwater Permit evolution, unifying such permits constitutes both economic as well as regulatory streamlining. Watchdog protectionist, non-governmental groups (NGOs) like CWN, i.e., grass roots organizations that rely greatly upon uncompensated volunteers, also benefit from such “bundling” because it simplifies, hence expedites valuable time for both the public review and oversight processes. CWN feels that these types of unified programs are as protective, reasonable, and equitable as the now existing multiple permits. We feel that they meet, or go beyond meeting, the requirements for beach water quality monitoring and related public notification and reporting established by State law.</p> <p>We do encourage the SDRWQCB to remain vigilant regarding ocean outfall monitoring and WDR, especially toxicity-related constituents relating to the Ocean Plan. That said, we see little if any connection, any correlation between South OC ocean outfalls and chronic AB 411 exceedances at our beaches near-shore recreational zones. A time whose idea has come, we look forward to working with the SDRWQCB staff and other stakeholders to progress the general unified program concept that we consider a welcomed new direction for all.</p> <p>We do have one (1) concern that has bothered us from inception in 1998: CWN does not feel that the South Orange County ocean outfalls are having any impact on AB 411 exceedances. They obviously affect and should be held responsible for WDR under the California Ocean Plan. CWN strongly believes that it is in fact urban runoff that causes the overwhelmingly greatest impairment at MS4 outfalls: Whether they are discharged upstream in the watersheds and find their way via watercourses to the beach or discharge directly from MS4s in coastal communities into the receiving waters of the Pacific. CWN has reviewed recent monitoring and sampling test results from the numerous South OC stations during dry weather provided by the SOCWA and is disturbed by the across-the-board frequency percentages in which South OC surf zones fail to meet AB 411 (FIB) standards. These are NPDES Stormwater Permit-related issues. CWN does support increased monitoring requirements by the SDRWQCB, to be performed by all local lead agencies designed to focus upon toxicity, including Persistent</p>	Comment noted	None necessary

No.	Comment	Response	Action Taken
	Organic Pollutants (POPs) and Contaminants of Emerging Concern (CECs).		
Michael Beanan, Vice President of South Laguna Civic Association			
2	Mr. Beanan requested maps of the south Orange County coastline with the locations of key features (e.g. sensitive habitat, recreational areas, key federally protected marine mammal migration and foraging sites, ocean outfalls, coastal urban runoff plumes, sewage spills, Harmful Algae Blooms sites, Marine Protected Areas, kelp forests and tidepools, major recreation sites, coastal currents, and cross sections of ocean upwelling) for public education, review, and comment.	<p>We currently do not have a map containing all of this information available. However, maps that contain some of this information are available at the website links provided below.</p> <p>A sewage spill incident map is available at http://www.waterboards.ca.gov/water_issues/programs/sso/sso_map/sso_pub.shtml.</p> <p>A map of the private lateral sewage discharges is available at http://www.waterboards.ca.gov/water_issues/programs/sso/sso_map/sso_priv.shtml.</p> <p>A map of Areas of Special Biological Significance (ASBS) can be obtained at http://www.waterboards.ca.gov/water_issues/programs/ocean/asbs.shtml</p>	None necessary

No.	Comment	Response	Action Taken
		<p>The status of the giant kelp forests (<i>Macrocystis pyrifera</i>) that occur along most of the southern California coast are mapped annually as part of NPDES permit requirements for most ocean dischargers in the region. Copies of the most recent annual reports are available via the link below: http://kelp.sccwrp.org/home.html</p>	