

**Bacteria Project II<sup>1</sup> Total Maximum Daily Load (TMDL)**

Resolution:	R9-2008-0027
Effective Date:	September 15, 2009
Impaired Water Body:	<ul style="list-style-type: none"> <li>• Dana Point Harbor – Baby Beach (Dana Point HSA<sup>2</sup> 901.14)</li> <li>• San Diego Bay - Shelter Island Shoreline Park (Point Loma HA<sup>3</sup> 908.10)</li> </ul>
Pollutant(s):	Enterococcus, Total Coliform, and Fecal Coliform Indicator Bacteria (Bacteria)
Responsible Dischargers:	Dischargers within the Bacteria Project II TMDL watershed areas defined by the watershed drainage areas to Dana Point Harbor – Baby Beach in Orange County and San Diego Bay - Shelter Island Shoreline Park in San Diego County.
Required Actions:	Dischargers in compliance with Industrial General Permit Order No. 2014-0057-DWQ (General Permit) meet the requirements of the Bacteria Project II TMDL. The Regional Water Board may require Dischargers to implement additional actions to reduce Bacteria discharges based on a site-specific analysis.
TMDL documents are available at: <a href="http://www.waterboards.ca.gov/sandiego/water_issues/programs/tmdls/bacteria_project_2.shtml">http://www.waterboards.ca.gov/sandiego/water_issues/programs/tmdls/bacteria_project_2.shtml</a>	

**Fact Sheet for Bacteria Project II TMDL**

**Background**

The Bacteria Project II TMDL addresses the Clean Water Act section 303(d) impairment for REC-1 beneficial use impacts related to bacteria at Dana Point Harbor (Baby Beach) in Orange County and San Diego Bay (Shelter Island Shoreline Park) in San Diego County. The primary cause of impairments at Baby Beach and the Shelter Island Shoreline Park is elevated levels of fecal coliform, total coliform, and enterococcus bacteria (Bacteria). The presence of pathogens and the probability of disease are directly correlated with the density of fecal coliform, total coliform, and enterococcus bacteria (Bacteria) in waters used for shellfish harvesting or recreation.<sup>4</sup> A source

<sup>1</sup> San Diego Bay and Dana Point Harbor Shorelines

<sup>2</sup> Hydrographic Subarea (HSA)

<sup>3</sup> Hydrographic Areas (HA)

<sup>4</sup> Resolution No. 2009-0053, Finding 9

Order 2015-XXXX-DWQ amending Order 2014-0057-DWQ

analysis for Bacteria indicates that urban runoff from land uses and activities associated with urbanization are potential sources of Bacteria during wet and dry weather.<sup>5</sup>

The Bacteria Project II TMDL identifies Municipal Separate Storm Sewer System (MS4s) as the primary point source discharges of Bacteria. Responsible parties identified as contributing Bacteria from urban runoff in the Bacteria Project II TMDL watersheds include industrial and commercial land uses under the municipal MS4 land use category.<sup>6</sup> Other sources of Bacteria identified included wastewater collection systems, treatment plants and boat discharges. The TMDL does not name Dischargers as a Responsible Discharger; however, industrial and commercial land uses are included in the municipal MS4 source of Bacteria to surface waters. Potential sources of Bacteria at Discharger's facilities include, but may not be limited to, waste management and disposal areas as well as poorly maintained septic systems or sewer lines and connections which may result in discharges of wastewater from a Dischargers facility into the MS4.

#### TMDL Waste Load Allocation

Dischargers in the commercial and industrial land use categories are included in the MS4 land use category. Because the San Diego Water Board determined point source discharges of Bacteria were largely discharged from Municipal MS4s, the primary mechanism for meeting this TMDL is through the Municipal MS4 NDPEs permit and municipal land use ordinances. No separate waste load allocations (WLAs) have been assigned to Dischargers.

#### TMDL Requirements

Although Dischargers have not been assigned a separate WLA, Dischargers remain responsible for demonstrating that their discharges do not cause or contribute to exceedances of Bacteria in Bacteria Project II TMDL watersheds. Enrollment in this General Permit satisfies this requirement because Dischargers enrolled in the General Permit are not expected to cause or contribute to an exceedance of Bacteria in Bacteria impaired waters. This General Permit requires Dischargers to take actions to control their risk of Bacteria discharges. The General Permit requires enrollees to identify all potential Bacteria contributions from their site (section X.G), implement BMPs to reduce Bacteria discharges (section X.H), and conduct visual observations (section XI.A). For Dischargers with coverage under the prior General Permit, the current General Permit requires Dischargers implement an updated SWPPP in accordance with section X, by July 1, 2015. For Dischargers filing after July 1, 2015, the General Permit requires development of a SWPPP in accordance with section X. The update or development of a SWPPP for this General Permit satisfies this TMDL's requirements because the General Permit requires enrolled Dischargers to take actions to control their discharges

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<sup>5</sup>Resolution No. 2008-0027, Finding 7

<sup>6</sup>Resolution No. 2008-0027, Technical Report, p. 58

Order 2015-XXXX-DWQ amending Order 2014-0057-DWQ

of Bacteria, monitor the effects of efforts to control pollutants, and report the outcomes. Additionally, non-storm water discharges are not authorized unless they meet the requirements as set forth in section IV.B of the General Permit.

#### Monitoring and Reporting

The Bacteria Project II TMDL states that municipal MS4s have the primary monitoring responsibility under the TMDL. To the extent Dischargers may be contributing Bacteria loads into Bacteria impaired waters, the General Permit's existing monitoring requirements are sufficient to identify significant sources. During dry weather days, monthly visual observations shall be conducted in accordance with section XI.A of the General Permit. Monthly visual observations by Dischargers would identify unauthorized non-storm water discharges (NSWDS), potential sources of Bacteria, BMP maintenance conditions, and authorized NSWDS. Monthly visual observations of BMPs to reduce potential sources of Bacteria can include ensuring trash areas are in compliance with this General Permit's waste management and housekeeping requirements and confirming that wastewater infrastructure maintenance schedules have been conducted.

During wet weather sampling events, visual observations conducted in compliance with section XI.A must include identifying the presence of activities or materials that can contribute to Bacteria loading at all discharge points from the Discharger's site. Once identified via visual observations, it is expected that the Discharger either minimizes or eliminates the presence of activities or materials that can contribute to Bacteria concentrations in discharges from their industrial site.

#### TMDL Compliance

In light of the General Permit's existing requirements, Dischargers in the Bacteria Project II TMDL watersheds are assumed to be in compliance with this TMDL and their contribution to the total MS4 WLA if all of the following are completed:

1. Enrollment in this General Permit; and
2. Inclusion of BMPs to reduce or control Bacteria in the Discharger's SWPPP; and
3. Compliance with this General Permit.

The Regional Water Boards retain the authority to require Dischargers to revise their SWPPPs, ERA Reports, or monitoring programs as well as to direct a Discharger to obtain an individual NPDES permit if additional Bacteria controls are necessary.

#### Watershed Coordination

Phase I MS4s in the Bacteria Project II TMDL are implementing an adaptive management approach to improve water quality in multiple Watershed Management Areas in the San Juan and San Diego Bay Water Quality Improvement Plans. Coordinated efforts by Responsible Parties will accelerate the Bacteria waste load reductions required in the Bacteria Project II TMDL in Dana Point Harbor and Shelter

Order 2015-XXXX-DWQ amending Order 2014-0057-DWQ

Island Shoreline Park and achieve the ultimate goal of improving water quality as soon as possible. Industrial dischargers are encouraged to coordinate with Phase I MS4s and other Responsible Parties to meet the Bacteria Project II TMDL WLA requirements using an adaptive management approach. Dischargers located within the City of Dana Point and the County of Orange County, and the San Diego Unified Port District are encouraged to contact that jurisdiction's Storm Water Program Manager to collaborate.