

April 4, 2012 SWRCB EXECUTIVE

Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I St., 24th Floor
Sacramento, CA 95814



Subject: Comments on the proposed Amendment of the Water Quality Control Plan for Ocean Waters of California designating "State Water Quality Protection Areas to Protect State Marine Protected Areas."

Dear Board Members,

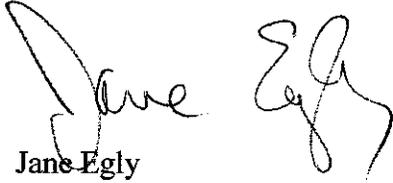
The City of Laguna Beach would like to thank the State Water Quality Control Board and staff for their continued work toward improving ocean water quality. With Resolution 2010-0057, the State Water Quality Control Board directed staff to establish criteria for designating State Water Quality Protection Areas within Marine Protected Areas. The new designation falls in between an Area of Special Biological Significance designation and the Table B standards already contained in the Ocean Plan itself. The creation of the new designation is viewed as a new set of reporting and inspection requirements that largely overlap current requirements.

The City of Laguna Beach is in support of the Environmental Impact Analysis' "no action" alternative because the proposed requirements overlap existing programs including the South Orange County Regional Stormwater Permit, Bacteria Total Maximum Daily Loads for Beaches and Creeks, and Draft Special Protections for Areas of Special Biological Significance. Over ten years of ocean water sampling data and the results of the Bight 08 monitoring program provide evidence that the ocean water within Laguna Beach's Marine Protected Areas meets the natural water quality standard without additional regulations. Consequently, the City recommends the Board take the following position:

- Select the no-action option detailed in the CEQA process with consideration to the 21 objectives for protecting aquatic life, the 20 objectives for protecting human health from non-carcinogens, and the 42 objectives for protecting human health from exposure to carcinogens currently established in Table B of the Ocean Plan;
- Require a data-driven designation process in which only a science committee may assign State Water Quality Protection Area designations to Marine Protected Areas based on bacterial, physical, chemical, biological, and radioactive characteristics of the receiving waters and the protection of beneficial uses;
- Exempt storm drains with existing regional storm water permits from new requirements; modify regional permits or Table B in the Ocean Plan if necessary through the usual means.

The City of Laguna Beach thanks the State Board and staff for responding to these comments. If you have questions, please call Mr. Will Holoman at (949) 497-0781.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane Egly". The signature is fluid and cursive, with the first name "Jane" written in a larger, more prominent script than the last name "Egly".

Jane Egly
Mayor

cc: City Council