

CITY OF LAKE FOREST



May 27, 2010

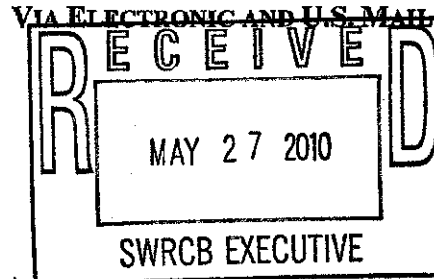
Mayor  
Peter Herzog

Mayor Pro Tem  
Richard Dixon

Council Members  
Kathryn McCullough  
Marcia Rudolph  
Mark Tetterer

City Manager  
Robert C. Dunek

Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
California Environmental Protection Agency  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814



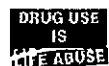
**Subject:** Comments on Proposed Amendment to the Santa Ana River Basin Plan to Incorporate Organochlorine Compounds Total Maximum Daily Loads for San Diego Creek, and Upper and Lower Newport Bay

Dear Ms. Townsend, State Board members and staff:

The City of Lake Forest ("City") is a residential community in south Orange County, California. The City is a Copermittee on Large MS4 Permits issued by both the San Diego and Santa Ana Regional Water Quality Control Boards. As a Large MS4 Copermittee, the City is responsible for effectively prohibiting discharges of non-storm water into its MS4 system, and limiting pollutants in discharges from its MS4 to the maximum extent practicable. To the extent they are incorporated in the City's MS4 permit, the City is also responsible for complying with waste load allocations in Total Maximum Daily Loads ("TMDLs") established for the Newport Bay Watershed. The City is therefore very concerned about the proposed amendments to the Santa Ana Region Basin Plan that would incorporate TMDLs for organochlorine compounds for San Diego Creek, and Upper and Lower Newport Bay ("Organochlorine TMDLs").

The City has reviewed the proposed amendment to the Basin Plan incorporating the Organochlorine TMDLs, and has significant concerns regarding the compliance timelines included in the TMDLs, as well as the sufficiency of the evidence supporting the TMDLs. These include specific concerns that the databases used to develop targets in the Organochlorine TMDLs contained erroneous or misleading data, and the potential that some of the data and findings were outdated and not based on the best available science. Further, the City feels strongly that critical findings and recommendations of the Independent Advisory Panel, convened to develop an implementation plan for the Organochlorine TMDLs, should be acknowledged and addressed prior to incorporating the TMDLs into the Basin Plan.

The City is also aware that the County of Orange, California ("County") has drafted, and plans to submit, a letter detailing concerns regarding the Organochlorine TMDLs. The City has reviewed the County's letter and believes that it adequately captures the City's concerns with the Organochlorine TMDLs. The City therefore fully endorses the County's comments



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and respectfully requests that the State Board view the County's comments in light of the City's endorsement.

The City appreciates your attention to its comments and intends them to be a constructive part of the ongoing, open dialogue between the public and the State Board. Such a dialog is necessary to the development of an effective TMDL. If you have any questions regarding this matter, please contact Devin Slaven, Water Quality Specialist at (949) 461-3436.

Sincerely,

CITY OF LAKE FOREST



Robert L. Woodings, P.E.  
Director of Public Works/City Engineer

cc: Theodore G. Simon, P.E., Engineering Services Manager  
Devin E. Slaven, REA, CPSWQ, Water Quality Specialist