

# DRAFT Comment Summary and Responses

## Total Maximum Daily Loads (TMDLs) for Pathogens in the Soquel Lagoon Watershed

No.	Representative	Company
1.	John Ricker	Santa Cruz County Water Resources Program

No.	Author	Comment	Response
1.1	John Ricker	<p>The Central Coast Regional Board did not adequately address our comment of March 15, 2009, regarding a zero allocation of loading from human fecal sources. We continue to believe that that a zero allocation is impractical and unnecessary. Water quality standards for fecal indicator bacteria are not set at zero. They were developed based on an assessment of waterways which were subject to treated wastewater discharges and thus subject to human fecal discharges. A zero allocation is unnecessary, given that implementation plan includes programs and permits to address human sources through the stormwater permit, sewage collection and disposal system permits, and the human waste discharge prohibition. In the absence of data to suggest a different number, we would recommend that the same wasteload allocation for fecal coliform of 200 mpn/100ml be applied to all sources of impairment.</p>	<p>State Water Resources Control Board (State Water Board) staff disagrees with the assertion that Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff did not adequately address the author's comment. However, State Water Board staff will reiterate the Central Coast Water Board staff's responses as well as further expound in an effort to address the author's concern.</p> <p>We concur with the author that the Water Quality standards for fecal coliform are not set at zero in the Water Quality Control Plan for the Central Coast Region. However, load and wasteload allocations are not water quality standards. A TMDL specifies load allocations for nonpoint sources and wasteload allocations for point sources that, when implemented, are expected to result in attainment of applicable water quality standards.</p> <p>State Water Board staff echoes the Central Coast Water Board staff's response that we acknowledge that zero loading from human sources will be a difficult goal to achieve overall. However, it is a good goal because human fecal material typically poses a greater health risk than most bacteria of other origins. Only sources of untreated sewage were assigned an allocation of zero.</p> <p>For publicly owned treatment works the Clean Water Act (section 301(b)(1)(B)) requires a minimum of secondary treatment. Therefore it would not have been pertinent for the Central Coast Water Board to assign an allocation greater than zero for untreated sewage. Spills and leaks of untreated sewage are also a health and safety concern and thus assigning an allocation greater than zero would run afoul of California Health and Safety Code section 5411.</p> <p>Therefore, Central Coast Water Board staff concluded that the wasteload allocation of zero was necessary to protect water contact recreation beneficial uses to the fullest extent.</p>

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1.2	John Ricker	Furthermore, we would urge that the human waste discharge prohibition be applied to all watersheds in the region, not just the named watersheds.	The Human Fecal Material Discharge Prohibition is a conditional prohibition that acts as a regulatory backstop in the implementation of several Central Coast pathogen TMDLs. Currently, the Central Water Board has chosen to limit the application of the prohibition to those areas that are impaired for pathogens and utilize the conditional prohibition as part of its implementation plan for the TMDLs. Further applications of the prohibition are at the discretion of the Central Coast Water Board. State Water Board staff defer to the discretion of the Central Coast Water Board in its utilization of the Human Fecal Material Discharge Prohibition.
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