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*August 30, 2010*

Jeffrey Shu, State Water Resources Control Board  
Division of Water Quality  
P.O. Box 100  
Sacramento, CA 95812-0100  
VIA ELECTRONIC MAIL: [jshu@waterboards.ca.gov](mailto:jshu@waterboards.ca.gov)

**RE: Region 4, Notice of Public Solicitation of Water Quality Data and Information for 2012 California Integrated Report [Clean Water Act Sections 305(b) and 303(d)]**

Dear Mr. Shu:

Wishtoyo Foundation's Ventura Coastkeeper Program (VCK), which represents over 700 Ventura County residents, appreciates the opportunity to submit water quality data and information for the 2012 California Integrated Report for Los Angeles Region 4 pursuant to Clean Water Act Sections 305(b) and 303(d).

VCK's Watershed Monitoring Program has conducted water quality monitoring throughout the Santa Clara River, Ormond Beach, Calleguas Creek, and Nicholas Canyon Creek watersheds from June 2009 to August 2010. After reviewing VCK's monitoring data collected and analyzed in accordance with VCK's Quality Assurance Project Plan (QAPP) approved by the Los Angeles Regional Water Quality Control Board, and after analyzing additional water quality parameters collected by local and state agencies, VCK requests that the following waterbodies<sup>1</sup> are incorporated into the 2012 California Integrated Report for the Los Angeles Region (Region 4) and added to the 2012 Clean Water Act 303(d) impaired waterbody list (List of Water Quality Limited Sections) for the following impairments:

### **1.) Nicholas Canyon Creek**

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<sup>1</sup> The locations and description of all waterbodies are included in the attached Wishtoyo Foundation's Ventura Coastkeeper Program's Watershed Monitoring Data Spreadsheet unless otherwise noted. VCK's watershed monitoring locations are part of VCK's watershed monitoring routes, and were chosen based on varying upstream land uses, accessibility, and the need for baseline and real time data to assess the water quality and ecological integrity of Ventura County's inland and coastal waterbodies, and to help pinpoint water quality impairments.



- a. **Trash**<sup>2</sup>: VCK's attached watershed monitoring program data indicates that on 5 out of 7 VCK monitoring events on Nicholas Canyon Creek downstream of PCH, the presence of trash pollution exceeded the numeric target for trash as derived in the Los Angeles River Trash TMDL.

**2.) San Jon Barranca / Creek**

- a. **Trash**: VCK's attached watershed monitoring program data indicates that on 8 out of 8 VCK monitoring events on San Jon Barranca downstream of Harbor Boulevard, the presence of trash pollution in San Jon Barranca exceeded the numeric target for trash as derived in the Los Angeles River Trash TMDL.
- b. **E. Coli**: VCK's attached watershed monitoring program data indicates that on 5 out of 8 VCK monitoring events on San Jon Barranca downstream of Harbor Boulevard, the presence of E. Coli exceeded the Water Quality Control Plan for the Los Angeles Region ("Basin Plan") single sample numeric water quality standard for E. Coli density of 235/100ml for Fresh Waters Designated for Water Contact Recreation (REC-1).

**Pictured below, a child plays in the trash lined San Jon Barranca in the presence of E. Coli pollution.**



<sup>2</sup> For monitoring of trash at all of VCK's watershed monitoring locations, if the length of the reach monitored for trash is not listed, trash was counted at the sampling location only.

### 3.) Ormond Beach Lagoon<sup>3</sup>

- a. **Trash:** VCK's attached watershed monitoring program data indicates that on 9 out of 9 VCK monitoring events in the Ormond Beach Lagoon, the presence of trash pollution in the Ormond Beach Wetlands Lagoon exceeded the numeric target for trash as derived in the Los Angeles River Trash TMDL.
- b. **E. Coli:** VCK's attached watershed monitoring program data indicates that on 6 out of 32 VCK monitoring events on the Ormond Beach Lagoon, the presence of E. Coli exceeded the Basin Plan single sample numeric water quality standard for E. Coli density of 235/100ml for Fresh Waters Designated for Water Contact Recreation (REC-1).
- c. **pH:** VCK's attached watershed monitoring program data indicates that on 6 out of 8 VCK monitoring events in the Ormond Beach Wetlands Lagoon, pH levels in the Ormond Beach Wetlands Lagoon water column exceeded the Basin Plan single sample numeric water quality standard of 8.5 for Fresh Waters Designated for Water Contact Recreation (REC-1).
- d. **Nitrate:** VCK's attached watershed monitoring program data indicates that on 11 out of 14 VCK monitoring events in the Ormond Beach Lagoon, the concentration of Nitrate in the Ormond Beach Wetland Lagoon water column exceeded the numeric targets for Nitrate at 1 mg/l as derived in the Los Angeles Regional Water Quality Control Board's Machado Lake TMDL<sup>4</sup> and the Nutrient TMDL for Malibu Creek, adopted by USEPA in 2003<sup>5</sup>. In addition, it should be noted that the USEPA guidance value for CWA section 304(a) nutrient criteria specific to the Los Angeles Region (Ecoregion III) is 0.38 mg/l total nitrogen and 0.022 mg/l total phosphorus for protection of aquatic life and recreation.<sup>6</sup>

<sup>3</sup> Sampling Locations OB-1, OB-5, OB-3(b), OB-4(b) are all 200 meters apart from one another.

<sup>4</sup> Resolution NO. R08-006, Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate a Total Maximum Daily Load for Eutrophic, Algae, Ammonia, and Odors (Nutrient) for Machado Lake, California Regional Water Quality Control Board, Los Angeles Region. The Regional Board appropriately included a numeric target for total phosphorus of .1mg/l that was based of the EPA Nutrient Criteria Technical Guidance Manual Lakes and Reservoirs (2000), which does not recommend setting a numeric target for total phosphorus greater than 0.1 mg/L. Additionally, to maintain a balance of nutrients for biomass growth and prevent limitation by one nutrient or another, a ratio of total nitrogen to total phosphorus of 10 is used to derive the total nitrogen numeric target of 1.0 mg/L as a monthly average concentration (Thomann, Mueller, 1987)." (Regional Board Staff Report for Machado Lake TMDL at 35.)

<sup>5</sup> The Nutrient TMDL for Malibu Creek, adopted by USEPA in 2003, provides summer season water quality objectives of 1.0 mg/l total nitrogen and 0.1 mg/l total phosphorous. Other established nitrogen criteria for protection of aquatic life are significantly lower.

<sup>6</sup> See: USEPA, *Ambient Water Quality Criteria Recommendations: Rivers and Streams in Nutrient Ecoregion III* (2000) (EPA 822-B-00-016).



While, the Basin Plan's water quality objective for nitrogen is that "Waters shall not exceed 10 mg/l nitrogen as nitrate-nitrogen plus nitrite-nitrogen, 45 mg/l as nitrate, 10 mg/l as nitrate-nitrogen, or 1 mg/l as nitrite-nitrogen or as otherwise designated in Table 3-8," during the promulgation of the Machado Lake TMDL, the Regional Board determined that the Basin Plan's water quality objective for nitrogen as applied to aquatic life:

"is not supportive of the narrative biostimulatory substance water quality objective. The nitrogen objective (10 mg/L) in the Basin Plan is based on criteria acceptable for drinking water and not appropriate to address eutrophic conditions in the lake. A review of available data and scientific literature demonstrates that the numeric objective of 10 mg/L for nitrogen is not sufficiently protective for controlling excessive algal/macrophyte growth and the symptoms of eutrophication in the lake. Therefore, the numeric target for total nitrogen will be more stringent than the existing numeric nitrogen objective in the Basin Plan to ensure attainment of the narrative biostimulatory substances water quality objective. The TMDL and its numeric targets must be developed to ensure protection of all the beneficial uses and attainment of nutrient related water quality objectives specified in the Basin Plan."<sup>7</sup>

The Regional Board Staff, in its 2008 update of the Los Angeles Regional Integrated Report for Clean Water Act Section 305(b) Report and Section 303(d) List of Impaired Waters, verified its determinations in their comment for the Machado Lake TMDL by stating:

"The Basin Plan contains a specific nitrogen (nitrate nitrite) water quality objective, which is established at 10 mg/L nitrogen as nitrate-nitrogen plus nitrite-nitrogen. This objective is specifically set to protect drinking water beneficial uses and is consistent with the California Department Public Health nitrate drinking water standard. This nitrogen water quality objective does not protect waterbodies from impairments related to biostimulatory substances and eutrophication."

#### 4.) Bubbling Springs

- a. **Trash:** VCK's attached watershed monitoring program data indicates that on 9 out of 9 VCK monitoring events at Bubbling Springs, the presence of trash pollution in Bubbling Springs exceeded the numeric target for trash as derived in the Los Angeles River Trash TMDL

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<sup>7</sup> Regional Board Staff Report for Machado Lake TMDL at 32, emphasis added.



- b. **E. Coli**: VCK's attached watershed monitoring program data indicates that on 5 out of 11 VCK monitoring events at Bubbling Springs, the presence of E. Coli exceeded the Basin Plan single sample numeric water quality standard for E. Coli density of 235/100ml for Fresh Waters Designated for Water Contact Recreation (REC-1).

#### 5.) J-Street Drain<sup>8</sup>

- a. **Trash**: VCK's attached watershed monitoring program data indicates that on 9 out of 9 VCK monitoring events at J St. Drain, the presence of trash pollution in the J. Street Drain exceeded the numeric target for trash as derived in the Los Angeles River Trash TMDL.

#### 6.) Oxnard Industrial Drain (OID)<sup>9</sup>

- a. **Trash**: VCK's attached watershed monitoring program data indicates that on 8 out of 8 VCK monitoring events at the OID, the presence of trash pollution in the OID exceeded the numeric target for trash as derived in the Los Angeles River Trash TMDL.
- b. **E. Coli**: VCK's attached watershed monitoring program data indicates that on 5 out of 11 VCK monitoring events at the OID, the presence of E. Coli exceeded the Basin Plan single sample numeric water quality standard for E. Coli density of 235/100ml for Fresh Waters Designated for Water Contact Recreation (REC-1).
- c. **pH**: VCK's attached watershed monitoring program data indicates that on 6 out of 7 VCK monitoring events in the OID, pH levels in the OID water column exceeded the Basin Plan single sample numeric water quality standard of 8.5 for Fresh Waters Designated for Water Contact Recreation (REC-1).
- d. **Nitrate**: VCK's attached watershed monitoring program data indicates that on 8 out of 8 VCK monitoring events at the OID, the concentration of Nitrate in the OID water column exceeded the numeric targets for Nitrate at 1 mg/l as derived in the Los Angeles Regional Water Quality Control Board's Machado Lake TMDL<sup>10</sup> and the Nutrient TMDL for Malibu

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<sup>8</sup> J-Street Drain is visually depicted and labeled as an inland waterbody in Basin Plan Figure 2-1 :“Miscellaneous Streams and Coastal Features, Ventura County”.

<sup>9</sup> The OID is visually depicted and labeled as an inland waterbody in Basin Plan Figure 2-1:“Miscellaneous Streams and Coastal Features, Ventura County”.

<sup>10</sup> Resolution NO. R08-006, Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate a Total Maximum Daily Load for Eutrophic, Algae, Ammonia, and Odors (Nutrient) for Machado Lake, California Regional Water Quality Control Board, Los Angeles Region. The Regional Board appropriately included a numeric target for total phosphorus of .1mg/l that was based of the EPA Nutrient Criteria Technical Guidance Manual Lakes and Reservoirs (2000), which does not recommend setting a numeric target for total phosphorus greater than 0.1 mg/L. Additionally, to maintain a balance of nutrients for biomass growth and prevent limitation by one nutrient or another, a ratio of total nitrogen to





Creek, adopted by USEPA in 2003<sup>11</sup>. In addition, it should be noted that the USEPA guidance value for CWA section 304(a) nutrient criteria specific to the Los Angeles Region (Ecoregion III) is 0.38 mg/l total nitrogen and 0.022 mg/l total phosphorus for protection of aquatic life and recreation.<sup>12</sup>

## 7.) Santa Clara River Estuary

- a. **Trash:** VCK's attached watershed monitoring program data indicates that on 8 out of 8 VCK monitoring events at the Santa Clara River Estuary, the presence of trash pollution in the Santa Clara River Estuary exceeded the numeric target for trash as derived in the Los Angeles River Trash TMDL.
- b. **Dissolved Oxygen:** The City of Ventura's Dissolved Oxygen recordings recorded for 24 hour periods by the City's North Sonde (SCR Sonde #1) and South Sonde (SCR Sonde #2)<sup>13</sup> stationed in the Santa Clara River Estuary, when converted to mg/l from % saturation based on additional water quality parameter recordings obtained by the City's sondes, violated the Basin Plan numeric water quality standard for Dissolved Oxygen of 5 mg/l for surface waters designated as WARM and 6mg/l for surface waters designated as COLD on over 40 days between 2009 and 2010.
- c. **Nitrate:** VCK's attached watershed monitoring program data indicates that on 8 out of 10 VCK monitoring events at the Santa Clara River Estuary, the concentration of Nitrate in the Santa Clara River Estuary water column exceeded the numeric targets for Nitrate at 1 mg/l as derived in the Los Angeles Regional Water Quality Control Board's Machado Lake TMDL and the Nutrient TMDL for Malibu Creek, adopted by USEPA in 2003. In addition, it should be noted that the USEPA guidance value for CWA section 304(a) nutrient criteria specific to the Los Angeles Region (Ecoregion III) is 0.38 mg/l total nitrogen and 0.022 mg/l total phosphorus for protection of aquatic life and recreation.<sup>14</sup>
- d. **Phosphate:** VCK's attached watershed monitoring program data indicates that on 10 out of 10 VCK monitoring events at the Santa Clara River Estuary, the concentration of Phosphate in the Santa Clara River Estuary water column exceeded the numeric targets for Phosphate at .1 mg/l as

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total phosphorus of 10 is used to derive the total nitrogen numeric target of 1.0 mg/L as a monthly average concentration (Thomann, Mueller, 1987)." (Regional Board Staff Report for Machado Lake TMDL at 35.)

<sup>11</sup> The Nutrient TMDL for Malibu Creek, adopted by USEPA in 2003, provides summer season water quality objectives of 1.0 mg/l total nitrogen and 0.1 mg/l total phosphorous. Other established nitrogen criteria for protection of aquatic life are significantly lower.

<sup>12</sup> See: USEPA, *Ambient Water Quality Criteria Recommendations: Rivers and Streams in Nutrient Ecoregion III* (2000) (EPA 822-B-00-016).

<sup>13</sup> Data from City of Ventura included in email and attachments Labeled: City of Ventura Data

<sup>14</sup> See: USEPA, *Ambient Water Quality Criteria Recommendations: Rivers and Streams in Nutrient Ecoregion III* (2000) (EPA 822-B-00-016).



derived in the Los Angeles Regional Water Quality Control Board's Machado Lake TMDL and the Nutrient TMDL for Malibu Creek, adopted by USEPA in 2003. In addition, it should be noted that the USEPA guidance value for CWA section 304(a) nutrient criteria specific to the Los Angeles Region (Ecoregion III) is 0.38 mg/l total nitrogen and 0.022 mg/l total phosphorus for protection of aquatic life and recreation.<sup>15</sup>

- e. **pH:** VCK's attached watershed monitoring program data indicates that on 2 VCK monitoring events, and on greater than 60 City of Ventura<sup>16</sup> pH recordings taken on separate days in the Santa Clara River Estuary via the City's North and South Sondes, pH levels in the Santa Clara River Estuary water column exceeded the Basin Plan single sample numeric water quality standard of 8.5 for Fresh Waters Designated for Water Contact Recreation (REC-1).
- f. **Low Flows:** As discussed in the City of Ventura Estuary Special Studies One Year Assessment (attached) and the July 23, 2008, National Marine Fisheries Service, Southwest Region Final Biological Opinion (BIOP) concerning the operation of the Vern Freeman Diversion and Fish-Passage Facility (attached), due to diversions at the Vern Freeman Diversion Dam by United Water Conservation District, the Santa Clara River Estuary, Santa Clara River Reach 1, and Santa Clara River Reach 2 are deprived of sufficient flows during the wet season for Southern California Steelhead smolt and migrating adults to migrate up and down the Santa Clara River, and the Estuary does not receive sufficient flows during the dry season when the Estuary is closed as a lagoon to sustain aquatic life. Additionally, flow data indicates that reduced flows below the Vern Freeman Diversion Dam alters the natural flow regime needed to sustain aquatic life and vegetation that evolved with the River's natural flows. Attached daily flow data obtained from United Water Conservation District from 1993-2010, and monthly flow dating back to the 1956, above and below the Vern Freeman Diversion Dam, with the quantity of flows diverted by United included, demonstrates the flow impairments in the Santa Clara River Estuary, Santa Clara River Reach 1, and Santa Clara River Reach 2.

## 8.) Santa Clara River Reach 1

- a. **Low Flows:** As discussed in the City of Ventura Estuary Special Studies One Year Assessment (attached) and the July 23, 2008, National Marine Fisheries Service, Southwest Region Final Biological Opinion (BIOP) concerning the operation of the Vern Freeman Diversion and Fish-Passage Facility (attached), due to diversions at the Vern Freeman Diversion Dam by United Water Conservation District, the Santa Clara River Estuary,

<sup>15</sup> See: USEPA, *Ambient Water Quality Criteria Recommendations: Rivers and Streams in Nutrient Ecoregion III* (2000) (EPA 822-B-00-016).

<sup>16</sup> Data from City of Ventura included in email and attachments Labeled: City of Ventura Data



Santa Clara River Reach 1, and Santa Clara River Reach 2 are deprived of sufficient flows during the wet season for Southern California Steelhead smolt and migrating adults to migrate up and down the Santa Clara River, and the Estuary does not receive sufficient flows during the dry season when the Estuary is closed as a lagoon to sustain aquatic life. Additionally, flow data indicates that reduced flows below the Vern Freeman Diversion Dam alters the natural flow regime needed to sustain aquatic life and vegetation that evolved with the River's natural flows. Attached daily flow data obtained from United Water Conservation District from 1993-2010, and monthly flow dating back to the 1956, above and below the Vern Freeman Diversion Dam, with the quantity of flows diverted by United included, demonstrates the flow impairments in the Santa Clara River Estuary, Santa Clara River Reach 1, and Santa Clara River Reach 2. Additionally, VCK attached watershed monitoring program data indicates no flow or trickle flow in the Santa Clara River at SC-02 below Highway 101, which would otherwise be of greater magnitude or sufficient magnitude to support aquatic life absent a diversion at the Vern Freeman Diversion Dam.

- b. **Trash:** VCK's attached watershed monitoring program data indicates that on 9 out of 9 VCK monitoring events at Santa Clara Reach 1, the presence of trash pollution in the Santa Clara River Reach 1 exceeded the numeric target for trash as derived in the Los Angeles River Trash TMDL.

## 9.) Santa Clara River Reach 2

- a. **Low Flows:** As discussed in the City of Ventura Estuary Special Studies One Year Assessment (attached) and the July 23, 2008, National Marine Fisheries Service, Southwest Region Final Biological Opinion (BIOP) concerning the operation of the Vern Freeman Diversion and Fish-Passage Facility (attached), due to diversions at the Vern Freeman Diversion Dam by United Water Conservation District, the Santa Clara River Estuary, Santa Clara River Reach 1, and Santa Clara River Reach 2 are deprived of sufficient flows during the wet season for Southern California Steelhead smolt and migrating adults to migrate up and down the Santa Clara River, and the Estuary does not receive sufficient flows during the dry season when the Estuary is closed as a lagoon to sustain aquatic life. Additionally, flow data indicates that reduced flows below the Vern Freeman Diversion Dam alters the natural flow regime needed to sustain aquatic life and vegetation that evolved with the River's natural flows. Attached daily flow data obtained from United Water Conservation District from 1993-2010, and monthly flow dating back to the 1956, above and below the Vern Freeman Diversion Dam, with the quantity of flows diverted by United included, demonstrates the flow impairments in the Santa Clara River Estuary, Santa Clara River Reach 1, and Santa Clara River Reach 2.





- b. **Fish Passage:** As discussed in the July 23, 2008, National Marine Fisheries Service, Southwest Region Final Biological Opinion (BIOP) concerning the operation of the Vern Freeman Diversion and Fish-Passage Facility (attached), the Vern Freeman Diversion Dam with its current fish ladder are a fish barrier to migrating Southern California Steelhead in Santa Clara River Reach 2 and 3.

**10.) Santa Clara River Reach 3**

- a. **E. Coli:** VCK's attached watershed monitoring program data indicates that on 5 out of 27 VCK monitoring events at Santa Clara River Reach 3 on the Santa Clara River below the Santa Paula Creek confluence, on the Santa Clara River below the Sespe Creek Confluence, and on the lower segments of Sespe Creek and Santa Paula Creek, the presence of E. Coli in the water column of these waterbodies exceeded the Basin Plan single sample numeric water quality standard for E. Coli density of 235/100ml for Fresh Waters Designated for Water Contact Recreation (REC-1). Additionally, water monitoring on 11/26/08, 12/15/08, 2/6/2009, and 3/5/2009 at ME-SCR (attached), the mass emissions station sampling station operated by the Ventura County Watershed Protection District just above the Vern Freeman Diversion Dam, indicated E.Coli concentrations of 820/100ml, 4884/100ml, 12033/100ml, and 3873/100ml respectively (attached). All of these samples exceeding Basin Plan numeric water quality standards were taken by the county during wet weather events (see Ventura Annual Stormwater Report Appendix F starting at PDF pg 108).
- b. **Trash:** VCK's attached watershed monitoring program data indicates that on 26 out of 31 VCK monitoring events at the Santa Clara River Reach 3 on the Santa Clara River below the Santa Paula Creek confluence, on the Santa Clara River below the Sespe Creek confluence, and on the lower segments of Sespe Creek and Santa Paula Creek, the presence of trash pollution in these waterbodies exceeded the numeric target for trash as derived in the Los Angeles River Trash TMDL.
- c. **Fish Passage:** As discussed in the July 23, 2008, National Marine Fisheries Service, Southwest Region Final Biological Opinion (BIOP) concerning the operation of the Vern Freeman Diversion and Fish-Passage Facility (attached), the Vern Freeman Diversion Dam with its current fish ladder are a fish barrier to migrating Southern California Steelhead in Santa Clara River Reach 2 and 3.

**11.) Santa Clara River Reach 4a**

- a. **Trash:** VCK's attached watershed monitoring program data indicates that on 7 out of 8 VCK monitoring events in the Santa Clara River Reach 4 below the Santa Clara River's confluence with Piru Creek, the presence of



trash pollution exceeded the numeric target for trash in Santa Clara Reach 4 as derived in the Los Angeles River Trash TMDL.

**12.) Santa Clara River Reach 5 or 6**

- a. **Trash:** VCK's attached watershed monitoring program data indicates that on 5 out of 7 VCK monitoring events at the Santa Clara River Reach 5 or 6 in Santa Clara (see attached long lat coordinates), the presence of trash pollution exceeded the numeric target for trash in Santa Clara River Reach 5 or 6 as derived in the Los Angeles River Trash TMDL.

Thank you for considering our data and agency data, and the incorporation of the above mentioned waterbodies as impaired for the above specified constituents into the 2012 California Integrated Report as Clean Water Act 303(d) impaired waterbodies. The ecological integrity and water quality of Ventura County's inland and coastal waterbodies would benefit greatly from these 303(d) listings for all of our communities.

Please feel free to contact us with any questions.

Sincerely,



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