

October 26, 2009

Ms. Cynthia Gorham-Test
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Ste. 100
San Diego, CA 92123-4340

RE: Clean Water Act Sections 305(b) and 303(d) Integrated Report for the San Diego Region
Draft Final Staff Report August 2009

Dear Ms. Gorham-Test:

OC Public Works (OCPW) is pleased to provide additional comments on the Clean Water Act Sections 305(b) and 303(d) Integrated Report for the San Diego Region Draft Final Staff Report August 2009. We appreciate the willingness of the Regional Board staff to meet with us on October 12, 2009 to discuss our comment letter submitted on September 14, 2009.

Many of our initial comments focused on the decision to split previously defined shorelines into smaller coastal segments and the potential for inconsistencies with historic listings and current de-listing evaluations. As clarified at the October 12th meeting, it is our understanding that all current and historical coastal listings will be revised to reflect the sampling point and 25 yards up coast and down coast of this location. These revisions will address many of our previous comments.

The following additional comments are now offered. A matrix summarizing comments 1-7 and the data used in the analyses is also included as an attachment to this letter.

1. No new decision was rendered for Laguna Beach at Cleo Street (Pacific Ocean Shoreline, Laguna Beach HSA) although ample data are available for this site. As a result, this site remains listed for indicator bacteria. The available data from January 2004–December 2007 (OCPW NPDES Coastal Storm Drain Outfall Program CLEO site) show 327 samples were collected, enabling the calculation of 40 monthly geomeans. Under the REC-1 geomean standards no exceedances were observed. Under the REC-1 single sample maximum standards, there were no exceedances of total coliforms, 4 exceedances of fecal coliforms, and 11 exceedances of *Enterococcus*. Under the SHELL single sample maximum standard for total coliforms, 20 exceedances were observed. Under the SHELL geomean standard, 2 exceedances were observed. These results warrant delisting the location for all indicators.
2. No new decision was rendered for Aliso Beach at West Street (Pacific Ocean Shoreline, Dana Point HSA) although ample data are available for this site. As a result, this site remains listed for indicator bacteria. The available data from January 2004–December 2007 (OCPW NPDES Coastal Storm Drain Outfall Program WEST site) show 392 samples were collected, enabling the calculation of 46 monthly geomeans. Under the REC-1 and SHELL geomean standards, no exceedances were observed. Under the

REC-1 single sample maximum standards, there were no exceedances of total coliforms or fecal coliforms, and 1 exceedance of *Enterococcus*. Under the SHELL single sample maximum standard for total coliforms, 5 exceedances were observed. These results warrant delisting the location for all indicators.

3. No new decision was rendered for Dana Point Harbor regarding indicator bacteria although ample data are available for this site. As a result, this site remains listed for indicator bacteria. The available data from January 2004–December 2007 (County of Orange Health Care Agency Bacteriological Monitoring Program Sites BDP08, BDP12, BDP13, BDP14, BDP15, and BDP17) show 1,295 samples were collected, enabling the calculation of 48 geomeans. Under the REC-1 geomean standards 5 exceedances were observed for *Enterococcus* and no exceedances were observed for total coliforms and fecal coliforms. Under the REC-1 single sample maximum standards, there were 76 exceedances of fecal coliforms and 183 of *Enterococcus*. Under the State Listing Policy, the binomial test indicates that 214 exceedances are allowed when 1,295 samples are collected. These results warrant delisting of Dana Point Harbor for fecal coliforms and *Enterococcus*.
4. A decision was rendered to continue listing Doheny State Beach at North Doheny State Park Campground (Pacific Ocean Shoreline, Lower San Juan HSA, site DSB4) for all three indicator bacteria. The fact sheet for this listing indicated 547 samples were collected from May 2004 – December 2006. A review of the available data from this time period found 124 samples were collected, enabling the calculation of 8 monthly geomeans. Under the REC-1 fecal coliform standards, no geomean exceedances were observed, and only 4 samples exceeded the single sample maximum. These results warrant delisting this location for fecal coliforms.
5. A decision was rendered to list Doheny State Beach at South Doheny State Park Campground (Pacific Ocean Shoreline, Lower San Juan HSA, site DSB1) for all three indicator bacteria. The fact sheet for this listing indicated 548 samples were collected from May 2004 – December 2006. A review of the available data from this time period found 211 samples were collected, enabling the calculation of 23 monthly geomeans. Under the REC-1 standards, no total coliform or fecal coliform geomean exceedances were observed, and only 3 fecal coliform samples exceeded the single sample maximum while no single sample exceedances were observed for total coliforms. Under the SHELL standards, 27 single sample maximum and 8 geomean exceedances were observed. These results warrant delisting the location for fecal coliforms.
6. A decision was rendered to continue to list South Capistrano County Beach (Pacific Ocean Shoreline, Lower San Juan HSA, site CSBMP1) for all three indicator bacteria. The fact sheet for this listing indicated 548 samples were collected from May 2004 – December 2006. A review of the available data from this time period found 249 samples were collected, enabling the calculation of 29 monthly geomeans. Under the REC-1 geomean standards, only 1 fecal coliform exceedance was observed while none were observed for total coliforms. REC-1 single sample maximum exceedances included 1 for total coliforms and 4 for fecal coliforms. Under the SHELL standards, 35 single sample maximum and 8 geomean exceedances were observed. These results warrant delisting the location for fecal coliforms.
7. A decision was rendered to continue to list South Capistrano Beach at Beach Road (Pacific Ocean Shoreline, Lower San Juan HSA, site CSBBR1) for all three indicator

bacteria. The fact sheet for this listing indicated 548 samples were collected from May 2004 – December 2006. A review of the available data from this time period found 254 samples were collected, enabling the calculation of 30 monthly geomeans. Under the REC-1 geomean standards, 7 *Enterococcus* exceedances and one fecal coliform exceedance were observed. REC-1 single sample maximum exceedances included 3 for fecal coliforms and 30 for *Enterococcus*, while none were observed for total coliforms. Under the SHELL standards, 22 single sample maximum and 7 geomean exceedances were observed. These results warrant delisting the location for fecal coliforms.

8. A decision was rendered to list Aliso Creek for selenium. The data evaluated for this proposed listing is from the mouth of Aliso Creek only. Therefore, the listing decision should be revised to Aliso Creek (mouth) and not the entire reach of Aliso Creek.

Thank you again for the opportunity to provide comments on the proposed revisions to the California Clean Water Act Section 303(d) List. We look forward to working with the Regional Board in resolving these issues and producing an appropriate and comprehensive list of impaired water bodies in the San Diego Region. Please contact Amanda Carr at (714) 955-0650 if you have any questions regarding these comments.

Very truly yours,



Chris Crompton, Manager
Environmental Resources

Attachment: Comments Matrix/Data Analysis Summary

cc: South Orange County NPDES Permittees

Comments Matrix/Data Analysis Summary
OCPW 303(d) List Comment Letter October 26, 2009

Comment	Data Source	Site Name	Beneficial Use	Total Number of Samples	Number of Calculated Monthly Geomeans	Number of Exceedances						Recommended Action
						Fecal Coliform Single Sample Maximum	Fecal Coliform Geomean	Enterococcus Single Sample Maximum	Enterococcus Geomean	Total Coliform Single Sample Maximum	Total Coliform Geomean	
#1	OCPW NPDES Jan. 2004-Dec. 2007	CLEO	REC-1	237	40	4	0	11	0	0	0	Delist all indicators
			SHELL	237	40	N/A	N/A	N/A	N/A	20	2	
#2	OCPW NPDES Jan. 2004 – Dec. 2007	WEST	REC-1	392	46	0	0	1	0	0	0	Delist all indicators
			SHELL	392	46	N/A	N/A	N/A	N/A	5	0	
#3	OCHCA Jan. 2004 – Dec. 2007	BDP08, BDP12, BDP13, BDP14, BDP15, BDP17	REC-1	1,295	48	76	0	183	5	6	0	Delist for Fecal Coliforms and Enterococcus
			SHELL	1,295	48	N/A	N/A	N/A	N/A	317	28	
#4	OCPW NPDES May 2004 – Dec. 2006	DSB4	REC-1	124	8	4	0	34	3	0	0	Delist for Fecal Coliforms
			SHELL	124	8	N/A	N/A	N/A	N/A	21	3	
#5	OCPW NPDES May 2004 – Dec. 2006	DSB1	REC-1	211	23	3	0	48	7	0	0	Delist for Fecal Coliforms
			SHELL	211	23	N/A	N/A	N/A	N/A	27	8	

Comment	Data Source	Site Name	Beneficial Use	Total Number of Samples	Number of Calculated Monthly Geomeans	Number of Exceedances						Recommended Action
						Fecal Coliform Single Sample Maximum	Fecal Coliform Geomean	Enterococcus Single Sample Maximum	Enterococcus Geomean	Total Coliform Single Sample Maximum	Total Coliform Geomean	
#6	OCPW NPDES May 2004 – Dec. 2006	CSBMP1	REC-1	249	29	4	1	44	12	1	0	Delist for Fecal Coliforms
			SHELL	249	29	N/A	N/A	N/A	N/A	35	8	
#7	OCPW NPDES May 2004- Dec. 2006	CSBBR1	REC-1	254	30	3	1	30	3	0	0	Delist for Fecal Coliforms
			SHELL	254	30	N/A	N/A	N/A	N/A	22	7	