

California Environmental Quality Act (CEQA) Public Scoping Meeting

Proposed Basin Plan Amendments
related to Recreational Standards
for inland fresh waters

CEQA SCOPING MEETING

- Scoping Meeting held pursuant to California Public Resources Code Section 21083.9
- Substitute Environmental Document (SED) will be prepared pursuant to PRC section 21080.5

CEQA SCOPING MEETING

Opportunity for input into the development of amendments to the Basin Plan relating to Recreational Standards.

Input on the appropriate scope and content of the substitute environmental document developed for the proposed amendments

Proposed REC Amendments

- Changes to REC 1 Beneficial Use Bacteria Objective based on 1986 USEPA Criteria
- Changes to REC 1 definition
- Deletion of REC 2 bacteria objective
- Development of REC 2 Anti-degradation objective

Proposed REC Amendments

- Addition of Narrative Pathogen Objective
- High Flow Suspension of REC Standards
- Re-designation of certain REC 1 waters
- Removal of MUN bacteria objective
- Implementation Strategies

Storm Water Quality Standards Task Force

- Proposed amendments based on recommendations of the Task Force
- Task Force consists of staff of Orange, Riverside, and San Bernardino Counties, other Municipalities, Regional Board staff, O.C. Coast Keepers, Inland Empire Water Keeper, and others / facilitated by SAWPA
- Met since 2003 to develop appropriate REC standards based on best available science and existing laws and regulations
- Recommendations represent board consensus

Revision of REC 1 Bacteria Objective

- Existing objective, 200/100 ml fecal coliform geomean
- Proposed objective, 126/100 ml *E. coli* geomean
 - Based on USEPA's Ambient Water Quality Criteria for Bacteria – 1986
 - Intended to protect from risk of gastrointestinal illness where ingestion of water is likely to occur during water contact recreational activities

Recommended REC 1 Objective

USEPA Criteria

- Risk based approach
- 8 to 10 excess illnesses per 1000 (.8 to 1%) for fresh water
- *E. coli* or enterococcus recommended for fresh water
- 126 *E. coli* geomean/ most protective (.8%)
- Correlates roughly to current fecal coliform risk level

Recommended REC 1 Objective Single Sample Maximum (SSM)

- USEPA 1986 Criteria, 2004 Beach Act Final Rule
- Not intended as acute criteria / objective
- Water Quality Assessment Tool
 - Beach notification / closure purposes
 - Follow-up monitoring
 - Used where sample data are limited

Recommended REC 1 Objective / (SSM)

Four different SSM values based on use

- 235 E. coli, 75 % C.L., designated beach
- 298 E. coli, 82% C.L., moderate use
- 409 E. coli, 90% C.L., lightly used
- 575 E. coli, 95% C.L., infrequently used
- States determine which SSM categories applies to a particular water

Recommended REC 1 Objective SSM

- Class A REC 1 waters, 235 *E. coli* (75% C.L.),
- Class B REC 1 waters, 575 *E. coli* (95% C.L.)

Recommended REC 1 Objective SSM

- REC 1 waters deemed Class A = where primary contact recreation occurs and or ambient water quality is expected to meet REC objectives
- REC 1 waters deemed Class B = infrequent primary contact recreation (i.e., intermittent and ephemeral low flows, channel significantly modified to support flood control requirements)

Recommended Revised REC 1 Definition

- Current definition: "waters are used for recreational activities involving body contact with water where ingestion of water is reasonably possible ...swimming, wading, water-skiing, skin and scuba diving, surfing, whitewater activities, fishing and use of natural hot springs."

Revised REC 1 Definition

- Proposed definition: REC 1 waters are used for recreational activities involving deliberate water contact, especially by children, where ingestion is likely to occur. Examples ... swimming, water-skiing, surfing, whitewater rafting, float tubing, ... and some forms of wading and fishing. Brief incidental or accidental water contact that is limited primarily to the body extremities is not generally deemed primary contact recreation because ingestion is not likely to occur.

Revise REC 1 definition

- Ingestion of water is "reasonable possible" vs ingestion is "likely to occur"
- Proposed definition distinguishes between deliberate and incidental water contact
- Existing definition; wading and fishing are REC 1
- Proposed definition; some forms of wading and fishing REC 1

Revise REC 1 Definition

- Recommended revisions are not intended to change the fundamental scope of REC 1 designations
 - all waters presumed to be REC 1 unless UAA shows use not attainable
- Revisions clarify terminology with the intent of the 1986 Criteria

REC 1 Water



Lake Elsinore

REC 1 Water

Santa Ana River



Revise REC-2 Objective

- Deletion of current REC-2 objective, average 2,000 fecal coliform
 - No Scientific basis
- REC 2 objectives based on anti-degradation data and analysis
- REC 1/REC 2 designed waters governed by REC 1 objective
- REC 2 waters, justified by UAA

Add Narrative Objective

- All surface waters
- "Waste discharges shall not causes or contribute to excessive risk of illness from microorganism pathogenic to human beings"
- Helps Regional Board protect REC 1 waters

Establishment of a high flow suspension of REC Uses

- High flows create severe hazards to public safety; temporarily precludes attainment of recreational uses
- REC 1 and REC 2 temporarily suspended when high flows preclude safe recreation
- Unsafe waters / stream velocity > 8 ft/sec, stream depth times stream velocity $> 10\text{ft}^2/\text{sec}$, or rainfall ≥ 0.5 inches/ 24 hours

Establishment of High Flow Suspension of REC standards



Re-designate of Certain REC 1 Waters

- Designation of REC 2 or REC-X only for certain waters / removal of REC 1 use and objective
- Downstream waters have to be protected
- Reviewed each Triennial Review

Re-designation of recreational uses for certain waters

- All surface waters presumed to be REC 1
- REC 1 designation maybe modified if:
 - use "not existing"
 - One or more UAA factors met

Re-designation of Recreational Uses for Certain Waters

- 40 CFR §131.10 (g) factors
- 2) Natural, ephemeral, intermittent or low flow conditions or water levels prevent the attainment of the use..
- 4) Dam, diversions or other types of hydrologic modifications preclude the attainment of the use...
- Consider a suite of factors
- SWQSTF UAAs include extensive photo analysis

Re-designation of recreational uses for certain waters



Santa Ana-Delhi Channel

Greenville Banning Channel REC X Designation



Implementation for REC Amendments

- High Flow Suspension of REC Standards
- Monitoring of REC waters
- BMPS to achieve objectives

Remove MUN Use Bacteria Objective

- < 100 organisms/100 mL of total coliform
- MUN bacterial objective not needed
- USEPA requires adequate disinfection and regular monitoring of MUN waters / Enhanced Surface Water Treatment Rule

Basin Planning Process

- Develop Draft Amendment and Draft Staff Report (includes Substitute Environmental Document)
- Obtain Scientific Peer Review
- Respond to comments
- Revise Amendment and Staff Report
- Hold Regional Board Public Hearing

Tentative REC Amendment Schedule

- CEQA Scoping Meeting, January
- Draft Basin Plan Amendment, Staff Report, SED, April 2
- 45 public comment period
- Response to comments
- Regional Board Adoption Hearing, June 10

Comments

- To Review documents, www.sawpa.org
- Please provide written comments, if possible
- Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501
c/o Regional Planning Section or
email to dwoelfel@waterboards.ca.gov