Model Ocean Discharge Monitoring
California Ocean Plan
August 2006 Public Stakeholder Meetings

Note: The following is a representation (with minor edits for clarification) of verbal questions, comments and alternatives recorded in text form and displayed during each public meeting. The speakers were not originally identified in the text and no attempt was made to make these identifications in this document.

• ***General***

August 1 – Santa Rosa, California

- Sampling locations: how would they fit with the SWAMP program?

August 8 – Los Angeles, California

- Storm water municipal communities should be aware of these requirements.
- Make comments available to public.
- Should have a focused discussion with storm water units
- There is a need for a minimum requirement. There is currently some discrepancy statewide.
- There are so many different monitoring programs including POTW, MS4, ASBS, and TDML. Why can't we have only one or two programs? May be only MS4 and TDML to cover a state water program and minimize the inconsistency by having so many different programs.
- Should not be the same requirement for all three discharge types.
- Clarify term of "non-storm water point source." Refers to traditional point sources.
- Define storm event.
- Comment: Language is vague (agricultural runoff)
- Have you coordinated with the regional boards about these new requirements?
- Some clarifications to specify the minimum requirement would be needed.

August 15 – Monterey, California

- ***No public comment recorded.***

• ***Bacteria Monitoring***

August 1 – Santa Rosa, California

- Alternative: For discharges outside of state waters, five times a week would be onerous.
- Comment: Accessibility to labs for remote locations could be an issue.
- Comment: Surf zone ankle depth near storm water runoff.
- Correct slide #8: five **days**, not five **times**.
- Comment: Does this apply to combined sewer overflows?

August 8 – Los Angeles, California

- Why is the proposed bacteria monitoring of effluent water of 5 days/week so frequent?
- Alternative: Treat the offshore discharge outside of one nautical mile differently.
- Some power plants do not discharge many bacteria; many discharges do not contain bacteria.
- Dischargers should conduct studies of total to fecal ratio; use conservative 80% value.
- Amendments go beyond health & safety code requirements (postings at 0.2 inches) and municipal storm water permits.
- Suggestion: Receiving water sampling at discharge point at ankle depth.
- Need to clarify the sections for applicability to effluent v. receiving water limitations.

August 15 – Monterey, California

- Should State Board be responsible for creating an amendment that applies to discharges? (California Ocean Plan creates standards for ocean monitoring, Regional Boards should monitor discharges and determine if they are potentially in violation of standards set forth in COP).
- With regards to 10 MGD standard, to who this applies should be clarified.
- Language of monitoring methods needs to be more specific.

• ***Table B Monitoring, Chemistry, and Toxicity***

August 1 – Santa Rosa, California

- Alternative: Guidance on seasonal sampling.
- Alternative: Consideration of 20% of all outfalls over 36 inches per year.
- Alternative: Add a minimum of one outfall over 36 inches (include those with less than 10 outfalls).

- Comment: Concern about Regional Boards not having ag waiver programs. Provide a back up system by State Board to assure monitoring if Regional Boards do not implement monitoring programs internally.

August 8 – Los Angeles, California

- In the ocean water, most of the time the receiving water are not monitored.
- Suggest re-reading principles and framework in model monitoring programs to add to COP; model-monitoring approach should be the heart of the COP.
- Monitoring that you propose to require should not substitute SB72.
- Review the framework of the model monitoring to revise these requirements. I think the model monitoring laid out and provided details on what approaches should be taken to do these types of monitoring.
- Why the toxicity testing is not consistent with the Regional Board? Toxicity test should be for three species during the first flush. TIE need to be conducted when toxicity is observed.
- Some species are more sensitive to different constituents. Consider doing toxicity tests for all species not just sensitive ones.
- Where the toxicity testing should be done? Toxicity test of the receiving water.
- State Water Board should use the information where the agencies complied in model monitoring.
- Alternative: Add chronic sediment toxicity test. For sediment toxicity, acute toxicity is recommended. Toxicity is accumulated over time and therefore chronic toxicity should be required.
- Alternative: Capture high source area by monitoring watersheds over 60 square miles also.
- Different requirements for monitoring frequency between Phase I (i.e. L.A.) and Phase II (i.e. Monterey) due to urbanized.
- Phase II frequency of monitoring does not allow for the variability to be captured. Suggestion: Monitoring more frequently.
- Differentiate between shoreline monitoring (where more people are exposed) and offshore monitoring.
- Proposed amendments may conflict with current TMDL monitoring.
- Why not allow mixing zone in monitoring when allowed in COP? Need models of storm water discharges at surface. In the COP, bacterial standards are effluent limitations, but is not a Table B constituent.
- Storm water monitoring per permit cycle is too little.
- LA Regional Board recently adopted some of the monitoring requirements under the Ag waiver. Language in these requirements is not clear.
- The last to discharge is responsible for everyone else's discharge, and should not be responsible for monitoring other's flow.
- Several of constituents under table B were never monitored. Have you looked at if there are compliance issues with these constituents?

- 10% may not include most of the contributors (does not necessarily pull or identify bigger contributors) - where does the 10% value come from?
- Consistency of sample station location is important for the trend and other statistical analysis.
- If you are complying with waste load allocation under a TMDL, then it should be sufficient to reduce the pollutant load.
- Alternative: Sampling should be representative based on size.
- Sampling during storm events may be dangerous on not practical
- US EPA designated 36" to be a large storm drain. Some of TDMLs use 36" in the implementation plan.
- Only a few constituents may potentially have human health criteria. We focus on marine aquatic life constituents
- Alternative: Specify minimum requirements for agricultural sampling
- Specify if talking about receiving or effluent irrigation water
- Are the requirements for agriculture discharges for receiving water?

August 15 – Monterey, California

- Alternative: (Language) In lieu of agriculture, Table B constituents "that can be reasonably expected."
- Approve of acute toxicity for sediment testing with use of an alternative species (use of *Eohaustorius*).
- Alternative: Define what conditions determine what is enforced and what discretion the Regional Boards have to deviate from the COP.
- Enforcement should focus on constituents found in agricultural drain runoff and not those that are not used in agriculture.
- Potential for exception should be dependent on individual discharger.
- Alternative: Include (risk based) area (size of watershed, land use, percent of impervious surfaces, etc) of discharge in lieu of size of pipe to determine what it is categorized as.
- Alternative: Consider use of existing data collected for purposes of analyzing trends of impact.
- Monitoring of run-on should be considered.
- Consider beneficial uses of receiving water.
- Consider if there is funding available for additional monitoring program (added to what programs already exist).
- Alternative: Have Regional Boards determine what agricultural pesticides are important in that specific region for monitoring.
- Alternative: Consider fate/transport of constituents and proximity to ocean.
- Should the legacy pollutants be monitored?
- Regional approach to pollutants of emerging concern.

- ***Benthic Community and Mussel Watch***

August 1 – Santa Rosa, California

- Alternative: Permit cycle can extend past five years (five year minimum).
- Alternative: Look at the range of existing benthic monitoring requirements and see how many are requiring monitoring more than once per permit cycle.
- Comment: For offshore discharges, logistical concerns regarding mussel watch studies.

August 8 – Los Angeles, California

- Clarify first sentence in mussel watch section.
- Clarify when the benthic community monitoring should be conducted? The criteria for volume of discharge or locations of the discharge need to be clarified.
- Why did we limit benthic community monitoring to non-storm water point sources? Storm water does not have continuous flow

August 15 – Monterey, California

- Benthic monitoring may not have great utility.
- Tiered assessment for finding the necessity of Benthic monitoring.
- Importance of looking at river impacts on Benthic communities.

- ***Bioaccumulation***

August 1 – Santa Rosa, California

- ***No public comment recorded.***

August 8 – Los Angeles, California

- Suggestion: In the *absence* of bioaccumulation monitoring, use mussels or crabs, at the discretion of the regional board (Many large municipal treatment dischargers have extensive bioaccumulation monitoring programs).
- Have a statewide monitoring program.
- Sand crabs move between areas, may not be good for monitoring. Mussels are sessile filter feeders.
- Effluent and receiving waters should be monitored.
- For receiving water, should monitoring be for the entire water column for certain constituents that show up in the effluent water? Where in the water column?

- If you go to a program including sand crab, they are mobile and therefore results will not be consistent.

August 15 – Monterey, California

- ***No public comment recorded.***