

Hello, my name is Amanda Griesbach and I'm here from Heal the Bay in Santa Monica. First, I would like to thank the Regional Board for giving us this opportunity to provide comments on the proposed amendments to revise recreational standards for inland fresh surface waters in the Santa Ana Region.

Our primary concern with these proposals is that human health will not adequately be protected. Our main issues lie with proposed amendment #7 which would re-designate specific waters to remove the REC1 and REC2 beneficial uses, based on Use Attainability Analyses or (UAA).

This would be the first UAA performed by the Santa Ana Regional Board, and only the second in the entire state. We are extremely concerned with the bad precedent this Basin Plan amendment sets for future dedesignation efforts throughout the state. The proposal as written actually sets an incentive to channelize inland waters in order to dedesignate beneficial uses in order to have less stringent requirements.

These additional regulatory incentives to dedesignate beneficial uses, will ultimately lead to more efforts to channelize creeks and streams to prevent flooding, rather than more ecologically friendly flood control efforts or a bioengineering approach. Furthermore, waterbodies dedesignated from a REC1 to a REC2 or complete dedesignation from water quality standards could stall restoration efforts, as the current regulatory framework does not provide incentives for enhancement and restoration projects. Thus, we urge the Regional Board to omit proposed amendment #7, to re-designate waters in order to remove beneficial uses, based on Use Attainability Analyses, from the Basin Plan.

We support the Regional Board's proposal #2 to delete the current Basin Plan fecal coliform objectives and replace with *E. coli* objectives. However, we urge the Regional Board to specify a *rolling* geometric mean (based on at least 5 samples over a 30 day period). A *rolling* geometric mean is crucial for identifying water quality deviations on a continuous basis, which is essential for public health protection. Therefore we encourage the Regional Board to add language to the proposed Basin Plan amendment requiring a *rolling* 30 day geometric mean.

We encourage the Regional Board to retain the current REC1 beneficial use name as "Water Contact Recreation" and not change to "Primary Contact Recreation". We agree with EPA's concerns, in that renaming the REC1 use would be inconsistent with the State Board's definition that was developed through an extensive process. Thus, we urge the Regional Board to keep REC1's current definition.

According to EPA's Draft 2012 Recreational Water Quality Criteria, it is no longer recommended to implement "use intensity" values, in an effort to increase national consistency across waterbodies. We agree with EPA's recommendation and ask that the Regional Board uphold consistency in the Region, by not sub-dividing REC1 standards into tiers based on use. Everyone deserves the same level of public health protection, regardless of the condition.

Lastly, we urge the Regional Board not to temporarily suspend state bacteria objectives based on "high flow suspension". Did the Regional Board collect flow data over an extended period of time in the waterbodies proposed for the suspension of bacteria objectives? Simply relying on nearby rain gauge

data is not sufficient to understand the flow regime. Given a lack of understanding about flow, it is impossible to predict when individuals may be recreating in a waterbody.

Heal the Bay believes that the proposed Basin Plan amendment is the wrong action at the wrong time. As discussed, many elements of the proposal will put recreators at greater risk and will not protect beneficial uses. We encourage the Regional Board to seriously consider our concerns before finalizing the proposed amendments to the Basin Plan.