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## State Water Resources Control Board

### NOTICE OF PUBLIC MEETING TO CONSIDER APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SANTA ANA RIVER BASIN TO REVISE THE SCHEDULE FOR ATTAINING THE FECAL COLIFORM TOTAL MAXIMUM DAILY LOADS FOR THE SHELLFISH HARVESTING BENEFICIAL USE IN NEWPORT BAY

**NOTICE IS HEREBY GIVEN THAT** the State Water Resources Control Board (“State Water Board”) will hold a public meeting to consider adopting a resolution to approve the Santa Ana Regional Water Quality Control Board’s (“Santa Ana Water Board”) amendment to the Water Quality Control Plan for the Santa Ana River Basin to revise the schedule for attaining the Fecal Coliform Total Maximum Daily Loads (TMDLs) for the shellfish harvesting beneficial use (SHEL) in Newport Bay (“Basin Plan amendment”).

The date, time, and location of the public meeting is:

**TUESDAY, NOVEMBER 15, 2022, 9:30 A.M.**  
COASTAL HEARING ROOM  
Joe Serna Jr. – CalEPA Headquarters Building  
1001 I Street, Second Floor  
Sacramento, CA 95814  
and via Video and Teleconference

Video and Teleconference Option: This meeting will occur with both a physical meeting location and an option for the public to participate from a remote location.

- For those who only wish to watch the meeting, the webcast remains available at either <https://www.youtube.com/user/BoardWebSupport/> or <https://video.calepa.ca.gov/> (closed captioning available) and should be used UNLESS you intend to comment.
- For members of the public who wish to comment on an agenda item or are presenting to the Board, additional information about participating telephonically or via the remote meeting solution is available here: [https://www.waterboards.ca.gov/board\\_info/remote\\_meeting/](https://www.waterboards.ca.gov/board_info/remote_meeting/)

### BACKGROUND

The Santa Ana Water Board adopted the Basin Plan amendment on June 3, 2022, through [Resolution No. R8-2022-0017](#). The Basin Plan amendment would extend

the deadline for attainment of the Fecal Coliform TMDLs for SHEL to December 31, 2030, update the deadline in Table 6-1f, revise the implementation plan schedule in Table 6-1g, and make other editorial changes for clarity in Chapter 6, Section 3.a of the Basin Plan. The Basin Plan amendment is needed to allow sufficient time to consider, formulate, and complete projects to assess the appropriateness of the current bacteria water quality objectives for protection of SHEL in the Basin Plan, which were incorporated into the Fecal Coliform TMDLs for Newport Bay. The Basin Plan amendment does not revise the attainment date for the water contact recreation beneficial use (REC-1) aspect of the Fecal Coliform TMDLs, though it does correct a typographical error in that date in Table 6-1f.

The Santa Ana Water Board established Fecal Coliform TMDLs for Newport Bay to protect both the SHEL and REC-1 beneficial uses in 1999. These TMDLs include wasteload and load allocations and an implementation plan to assure attainment of water quality objectives. The Santa Ana Water Board previously revised the original attainment date for meeting the SHEL water quality objectives from December 30, 2019, to December 31, 2022. However, the Santa Ana Water Board was not able to secure and allocate the funding needed for completion of the special studies required to determine whether the current SHEL water quality objectives are scientifically supported and correlate with bacteria and pathogen loads in shellfish tissue. Only the first phase of the study was completed for dry weather conditions ([SCCWRP Technical Report 1193](#)). That study did not find a correlation between the bacteria water quality objectives and bacteria and pathogens in shellfish tissue.

The second phase of the study, which is for assessing whether a correlation can be found under wet weather conditions, is slated to begin in the fall of 2022. That study may take anywhere from two to potentially six years to complete, depending on whether enough significant precipitation events occur, and sufficient data can be collected for statistical analysis. The Basin Plan amendment would extend the final TMDL attainment date for SHEL to allow the completion of the wet season study, and any follow-on studies determined to be necessary to evaluate the scientific applicability of the current SHEL fecal coliform water quality objectives. Following completion of the wet weather study and any additional studies, the Santa Ana Water Board may need to develop site-specific objectives and/or new TMDLs to protect the SHEL beneficial use in Newport Bay. The extension takes into account the need for time to determine the best path forward for that process.

#### **NOTICE OF DOCUMENT AVAILABILITY**

A link to electronic copies of the [Basin Plan amendment](#) is available on the Santa Ana Water Board's website.

Alternatively, a copy of the Basin Plan amendment can also be received by mail by contacting Terri Reeder at (951) 782-4995.

State Water Board responses to timely written comments will be posted to the aforementioned Santa Ana Water Board's website on or before November 4, 2022.

## PROCEDURAL MATTERS

There will be no sworn testimony or cross-examination of participants at the public meeting. However, the State Water Board and its staff may ask clarifying questions. To ensure a productive and efficient meeting in which all participants have an opportunity to participate, oral presentations may be time limited. For other presentation recommendations go to:

[http://www.waterboards.ca.gov/board\\_info/meetings/board\\_presentations.shtml](http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml) .

If you require language interpretation or sign language services, please email a request to Jessica Baenre at [jessica.baenre@waterboards.ca.gov](mailto:jessica.baenre@waterboards.ca.gov) or (951) 782-3285 as far in advance of the meeting as possible. Telecommunications device for the hearing impaired (TDD) users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

## POTENTIAL FUTURE CHANGES TO THE NOTICED ITEMS

Any change to the information noticed above will be provided via the Santa Ana Water Board's email distribution list. Any person desiring to receive future notices must subscribe to the list serve e-mail distribution list by accessing the following e-mail list subscription form:

[https://www.waterboards.ca.gov/resources/email\\_subscriptions/reg8\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/reg8_subscribe.html)

To subscribe, select the Basin Planning and TMDL Orange County lists.

## PARKING AND ACCESSIBILITY

For directions to the Joe Serna, Jr. (CalEPA) Building and public parking information, please refer to the map on the State Water Board website:

<http://www.calepa.ca.gov/headquarters-sacramento/location/>

The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5254 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

## ADDITIONAL INFORMATION

Please direct questions about this notice to Terri Reeder, Senior Engineering Geologist, at (951) 782-4995, or by e-mail at [terri.reeder@waterboards.ca.gov](mailto:terri.reeder@waterboards.ca.gov)

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October 13, 2022  
Date

  
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Jeanine Townsend for  
Clerk to the Board