CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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RECORD PACKET COPY

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180th Day:	February 5, 2001
Staff:	FJS-LB
Time Extension:	May 6, 2001
Staff Report:	March 22, 2001
Hearing Date:	April 10-13, 2001
Commission Action:	

W 15a

STAFF REPORT: PERMIT AMENDMENT

AMENDMENT APPLICATION NO.: 5-83-959-A7 (an amendment to A-61-76)

APPLICANT: Aliso Water Management Agency

AGENT: Larry Paul, County of Orange, Planning and Development Services
Mike Wellborn, County of Orange, Planning and Development Services

PROJECT LOCATION: Aliso Water Management Agency outfall, in Aliso Creek 300 feet upstream of Coast Highway to 1.5 miles offshore, City of Laguna Beach, County of Orange

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED AND AMENDED: Construction of a 48-inch land and ocean outfall to discharge regional waste water effluent. Authorize use of the outfall for the temporary diversion of Aliso Creek during the period May 1, 1998 and October 15, 1998. Authorize use of the outfall for the diversion of Aliso Creek from May 1, 1999 through October 15, 1999.

DESCRIPTION OF AMENDMENT: Authorize use of the outfall for the diversion of Aliso Creek from May 1, 2000 through October 15, 2000.

SUMMARY OF STAFF RECOMMENDATION: The major issues of this staff report include water quality, growth inducement/air quality, and public access. The proposed Aliso Creek diversion is designed to improve existing recreational beach use by moving contaminated water further offshore to avoid beach closures during peak usage of the beaches. The proposed development was previously approved for implementation as a temporary project to occur during a specific period, May 1, 1998 through October 15, 1998. However, circumstances prevented implementation of the project in 1998, therefore the applicant proposed to implement the same temporary project in 1999 and was approved. Staff recommends approval of the proposed project with revised special conditions authorizing operation of the proposed project from May 1, 2000 through October 15, 2000.

STAFF NOTE: The proposed amendment is part of an overall temporary project to divert the summertime flows of Aliso Creek into the Aliso Water Management Agency outfall. The overall project consists of; 1) construction of a berm in Aliso Creek, 2) installation of a pipe and pump which would carry the water collected behind the berm to the outfall, and 3) discharge of the Aliso Creek flows 1.5 mile offshore through the outfall. The proposed amendment authorizes use of the outfall, in the same manner as previously authorized under 5-83-959-A5, for the period of May 1, 2000 through

October 15, 2000. On July 20, 2000 the County of Orange received an Emergency Permit (5-00-272-G) for the same proposed project to authorize the temporary installation of a sand berm in Aliso Creek to collect creek flows and divert them to an outfall line beginning immediately through October 15, 2000. This permit amendment (5-83-959-A7) would constitute the follow-up permit for Emergency Permit 5-00-272-G.

Coastal development permit amendment applications A-5-LGB-97-166-A3 and 5-97-316-A3 are scheduled concurrently with this permit amendment application. Coastal development permit amendment A-5-LGB-97-166-A3 deals with the portion of the proposed project within the City of Laguna Beach's coastal development permit jurisdiction area. This application was acted on by the Commission in 1998 as an appeal and De Novo approval. Since the Commission granted the approval, the Commission retains jurisdiction over the permit for purposes of condition compliance and amendment. In addition, permit amendment 5-97-316-A3 is an application for amendment to the permit which authorized placement of the temporary berm in the creek bed of Aliso Creek, an area which is in the Commission's original jurisdiction.

At the time of Commission action in 1998, the proposed project was the subject of some controversy. Opponents to the project were concerned with the potential for upstream flooding which might be associated with pump failure or unexpectedly large summertime discharges of the creek. In addition, opponents were concerned with impacts upon biological resources. Finally, opponents were concerned the proposed temporary project, which simply moves pollution further offshore, would become a permanent solution in place of a comprehensive plan which works toward overall reduction of contaminant levels in Aliso Creek. Supporters of the development expressed their belief that the proposed project would provide a feasible interim measure to reduce contamination levels at local beaches while a longer term solution (i.e. water quality management plan) was developed. All approvals granted by the Commission were conditioned to address adverse impacts related to flooding and biological resources. As of the date of this staff report, no subsequent opposition has been raised related to coastal development permit amendments A-5-LGB-97-166-A3, 5-97-316-A3, and 5-83-959-A7.

PROCEDURAL NOTE

1. Coastal Development Permit Amendments

The Commission's regulations provide for referral of permit amendment requests to the Commission if:

1) The Executive Director determines that the proposed amendment is a material change,

2) Objection is made to the Executive Director's determination of immateriality, or

3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166.

In this case, the proposed amendment would authorize diversion of Aliso Creek to occur during 2000. In order to authorize this change to the project, the special conditions must be updated to move the authorized period of activity from May 1, 1999 through October 15, 1999 to May 1, 2000 to October 15, 2000. Pursuant to Title 14, Section 13166(a)(1) of the California Code of Regulations, the Executive Director has determined that the proposed development constitutes a material amendment as it would affect conditions required for the purpose of protecting coastal resources. Therefore, pursuant to Section 13166(a)(3) of the Commission's regulations, the Executive Director is referring this application to the Commission for action.

2. Standard of Review

The portion of the subject outfall which is on land is within the certified area of the City of Laguna Beach. For this portion, the standard of review pursuant to Section 30604(b) of the Coastal Act is consistency with the certified local coastal program. The portion of the subject outfall offshore is within the Commission's original permit jurisdiction area. For this portion, the standard of review pursuant to Section 30519(b) of the Coastal Act is consistency with the Chapter 3 policies of the Coastal Act.

LOCAL APPROVALS RECEIVED: City of Laguna Beach CDP97-19

SUBSTANTIVE FILE DOCUMENTS: See Appendix A

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. APPROVAL WITH CONDITIONS.

MOTION: ***I move that the Commission approve the proposed amendment to Coastal Development Permit No. 5-83-959 pursuant to the staff recommendation.***

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE A PERMIT AMENDMENT:

The Commission hereby **APPROVES** the amendment to coastal development permit 5-83-959 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and with the certified Local

Coastal Program. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS.

1. **Notice of Receipt and Acknowledgment**. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. **Expiration**. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. **Interpretation**. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment**. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land**. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. **Duration of Diversion**. The diversion of up to a twenty-four (24) hour average flow rate of five (5) cubic feet per second (i.e., 3.23 million gallons per day) of the water flow of Aliso Creek approved by this permit amendment is authorized only for the 2000 summer season from May 1, 2000 through October 15, 2000. In no case shall the diverted flows exceed seven (7) cubic feet per second (i.e., 4.52 million gallons per day) at any time. This permit amendment does not authorize the diversion to continue past October 15, 2000.

2. **Change to Previously Imposed Special Condition No. 6**. Special Condition No. 6 of permit A-61-76 regarding "Water Quality" shall be replaced with the following:

   The effluent discharged from the approved outfall shall comply with the requirements of "Order No. 95-107, NPDES Permit No. CA0107611, Waste Discharge Requirements for the Aliso Water Management Agency, Orange County, Discharge to the Pacific Ocean Through the Aliso Water Management Agency Ocean Outfall" issued by the California Regional Water Quality Control Board, San Diego Region.

3. **Monitoring**.

A. The applicant shall provide to the Commission monitoring data required by the San Diego Regional Water Quality Control Board and the California Health & Safety Code (i.e. AB411) for the project period and for comparative periods when the project was not in place (e.g. 3 months before project implementation and 3 months after project implementation) for (1) the quantities and types of pollutants (both organic and heavy metals) being discharged from the outfall, (2) the quantities and types of pollutants (both organic and heavy metals) present in the waters of Aliso Creek, the surf zone and vicinity where Aliso Creek discharges to coastal waters, and in near shore waters, and (3) the effects of the project on the marine environment in the vicinity of the outfall and Aliso Creek County Beach, including beneficial/adverse effects on human health and marine life.

B. The applicant shall also monitor and provide data regarding (1) the effects of the project on riparian vegetation along the banks of Aliso Creek inland of the proposed berm; and (2) the effects of the project on the adjacent Ben Brown's restaurant property, including any minor flooding which may occur.

C. The applicant shall submit the results of the monitoring required in Special Condition 3.A. and 3.B. above, including any monitoring reports required by the San Diego Regional Water Quality Control Board for this development, to the Executive Director by April 30, 2001. The monitoring results shall be accompanied by an analysis prepared by an appropriately licensed professional which demonstrates if applicable water quality standards (e.g. in stream Basin Plan objectives for Aliso Creek and Ocean Plan standards) were met during the project period. The analysis shall indicate whether Aliso Creek County Beach was posted or closed (pursuant to the requirements of California Health & Safety Code) during the project period and whether the proposed project was operational during any postings or closures. The analysis shall contain a determination (including the basis on which the determination was made) of whether the proposed project reduced beach postings or closures during the project period. The analysis shall also contain a determination (including the basis on which the determination was made) of whether the proposed project had any beneficial/adverse impacts upon human health and marine life including any such impacts at the outfall, in near shore waters, in the surf zone or in Aliso Creek.

4. **Previously Imposed Conditions**. Unless specifically altered by this amendment, all regular and special conditions attached to coastal development permit 5-83-959 remain in effect.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

1. Project History

On May 5, 1976, the State California Coastal Zone Conversation Commission ("SCCZCC"), the Commission's predecessor, approved permit no. A-61-76, pursuant to Proposition 20.

The permit was an appeal of a South Coast Regional Commission action. The approved project was the construction of a 48-inch land and ocean outfall to discharge regional waste water effluent.

The SCCZCC conditioned the project to; 1) reduce the pipe size to 48" in diameter, 2) limit the quantity of effluent discharged by the pipe to amounts specified by the State Water Resources Control Board, 3) fix flow allocations among the member agencies of the Aliso Water Management Agency ("AWMA"), 4) maintain public access by correlating road construction with development served by the outfall, 5) compliance with selected Regional Commission conditions (e.g., archaeology, streambed alteration, erosion control, etc.), and 6) protect water quality by setting specific limits on ammonia-nitrogen and other pollutants.

The outfall's outlet has a diffuser to slow and diffuse the discharge from the outfall, minimizing the erosive force of the discharge. The outfall pipe is 1.5 miles long from shore to the nearshore end of the diffuser. At this point, the diffuser is 170 feet below Mean Lowest Low Water ("MLLW") level. The diffuser extends from this point another 1,200 feet seaward, at a depth of 195 feet MLLW. The outfall's capacity is 50 million gallons per day ("MGD"). The current monthly discharge typically does not exceed 20 MGD. Therefore, the outfall typically operates below capacity.

A primary concern with the outfall was its growth inducement potential. The project as proposed would have allowed a five-fold increase in population, raising issues with public access and air quality. Therefore, effluent flows were restricted as a means to limit growth. Subsequent to the permit's original approval in 1976, the Commission approved amendments to the permit to allow for increases in effluent flows to accommodate development that it determined would be adequately mitigated. There is no permit 5-83-959. Rather, this number was created to allow for amendments to the original permit, since it was a Proposition 20 Appeal, which does not follow the Commission's current numbering system.

2. Proposed Amendment

The proposed amendment is to reauthorize the discharge of summertime flows from Aliso Creek into the approved outfall for a certain period in 2000. The activity was approved for a specific period beginning May 1, 1998 and ending October 15, 1998, by the Commission in 1998 as coastal development permit amendment 5-83-959-A4. However, due to unexpectedly large stream flows, the proposed project was not undertaken. Thus, the applicant applied to reauthorize the discharge of summertime flows from Aliso Creek into the approved outfall for a period beginning May 1, 1999 and ending October 15, 1999 and was approved as coastal development permit amendment 5-83-959-A5. This proposed amendment would authorize the same activity to occur from May 1, 2000 to October 15, 2000.

The proposed amendment is part of an overall project to temporarily divert stream flows from Aliso Creek during the summer. The overall project involves construction of a berm in Aliso Creek and installation of a pipe and pump to divert the ponding water behind the berm to the AWMA outfall (Exhibit 1). The diversion rate would be between 3 and 7 cubic feet per second (2 to 5 million gallons per day). The proposed diversion would amount to between 2 to 5 MGD. Thus, the proposed diversion can be accommodated by the outfall. The proposed amendment deals with the discharge into the outfall only. Coastal development permit

amendment applications 5-97-316-A3 and A-5-LGB-97-166-A3 deal with the remainder of the overall proposed project.

B. WATER QUALITY

Section 30230 of the Coastal Act states:

> *Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231 of the Coastal Act states:

> *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

City of Laguna Beach LCP Policy 4-H states:

> *Oppose activities which degrade the quality of offshore waters.*

The proposed project would result in the diversion of polluted, low flow summertime discharges from Aliso Creek into an existing outfall owned by the Aliso Water Management Agency ("AWMA") which outlets 1.5 miles offshore. This would result in diversion of the polluted water from the beach to the offshore waters.

The applicant monitored the water quality in Aliso Creek and the AWMA effluent during an approximately three week period from September 19, 1997 to October 8, 1997. It was determined that the water quality in the creek fell within ocean discharge standards. In addition, pursuant to the previously imposed conditions of the previous permit amendment the applicant monitored discharges from Aliso Creek during October 1998. The data from 1998 indicate that, with the exception of bacteriological parameters (i.e., coliform) and one elevated Total Suspended Solids (TSS) reading on October 9, 1998, indicated similar results. Data was also gathered from September 23, 1999 to October 14, 1999 that indicated that the water quality in the creek was also considered within ocean discharge standards (Exhibit 2). These monitoring periods are within the summertime period from mid-April to mid-October during which Aliso Creek would be diverted. The pollutants monitored are those prescribed by the California Regional Water Quality Control Board - San Diego Region ("RWQCB") (Exhibit 3). As for data regarding effluent from the AWMA outfall, bacteriological water quality in the nearshore zone (i.e., 1,000 feet offshore, above the outfall at a depth of

25-50 feet below the surface of the ocean), was good but occasionally poor in the surf zone (i.e., the water area immediately adjacent to the beach).

Condition No. 6 of permit A-61-76 (Exhibit 4) contained standards for the effluent discharged from the outfall. Special Condition 6 was amended by 5-83-959-A5 to require compliance with RWQCB standards as specified in the RWQCB's Order No. 95-107 for the subject outfall, rather than a specific numerical standard which may not be consistent with RWQCB standards. This condition continues to apply and will not be altered by coastal development permit amendment 5-83-959-A7.

The RWQCB has approved an addendum to its Order N. 95-107, NDPES Permit No. CA0107611 for the AWMA outfall (Exhibit 5). The addendum sets a limit on the proposed diversion of Aliso Creek into the outfall at 4.52 million gallons per day. The addendum also prohibits diversion of the creek between October 16 and April 30. The addendum further requires the normal outfall-monitoring program to include the diverted creek flows.

The Commission finds that it is necessary to require monitoring of coliform at the outfall outlet. Coliform is a major source of pollution in Aliso Creek and causes the greatest current pollution threat at the beach, as acknowledged by the RWQCB. Monitoring the coliform at the outfall's outlet and nearshore waters, as well as tracking any adverse effects the coliform would have on offshore marine life or human users of offshore waters, would determine whether the diversion was resulting in adverse water quality impacts either offshore or in nearshore waters. Since the applicant would like to continue the diversion in subsequent summers, this water quality information is needed to determine whether adverse water quality impacts are occurring and whether the diversion should continue in the future.

Additional monitoring conditions were imposed by Emergency coastal development permit 5-00-272-G (Exhibit 6) that was issued on July 20, 2000. These conditions required that the applicant provide to the Commission monitoring data required by the San Diego Regional Water Quality Control Board and the California Health & Safety Code (i.e. AB411) for the project period and for comparative periods when the project was not in place. These revised monitoring conditions that were imposed on coastal development permit 5-00-272-G have also been placed on this current proposed amendment.

The Commission also finds that it is necessary to require monitoring for other types of pollutants as required by the RWQCB, in addition to coliform. The Commission also finds that it is necessary to allow the proposed project to one summer season only, until the effects of the proposed project on water quality can be evaluated. Thus, as conditioned for these requirements, the Commission finds that the proposed project would be consistent with Sections 30230 and 30231 of the Coastal Act and LCP Policy 4-H regarding marine resources and ocean water quality.

C. GROWTH INDUCEMENT/AIR QUALITY

Section 30254 of the Coastal Act states:

> *New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway*

Route I in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

City of Laguna Beach LCP Policy 2-Q states:

New development shall be compatible or phased with the carrying capacity of the transportation network, public works systems and other municipal services.

City of Laguna Beach LCP Policy 14-A states:

Monitor activities of adjacent jurisdiction [sic] regarding population growth and identify their impacts on City services and environmental quality.

Original concerns with the approved outfall included whether the outfall would induce growth, and whether that growth would have adverse air quality impacts. The proposed amendment involves diversion of existing flows of Aliso Creek into the outfall. No increase in the outfall's capacity is proposed. Therefore, the proposed amendment would not induce growth nor result in development which would have adverse air quality impacts. Therefore, the Commission finds that the proposed amendment would be consistent with Sections 30253 and 30254 of the Coastal Act.

D. PUBLIC ACCESS AND RECREATION

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

The proposed project does not involve any alteration to the existing Aliso Water Management Agency Ocean Outfall, therefore, the proposed development does not result in any change to existing access. However, related developments (i.e. 5-97-316-A3 and A-5-LGB-97-166-A3) in combination with this permit will temporarily resolve a problem of ponding polluted water at Aliso Creek County Beach. Improvement to water quality at the beach may encourage greater use of the beach. Therefore, the Commission finds that the proposed project is consistent with Section 30210 of the Coastal Act.

E. LOCAL COASTAL PROGRAM

Section 30604 of the Coastal Act states, in relevant part:

> *(b) After certification of the local coastal program, a coastal development permit shall be issued if the issuing agency or the commission on appeal finds that the proposed development is in conformity with the certified local coastal program.*

The City of Laguna Beach local coastal program was effectively certified on January 13, 1993. As required by Section 30604(b) of the Coastal Act, the Commission finds that the proposed amendment, as conditioned, is consistent with the certified local coastal program.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the water quality policies of Chapter Three of the Coastal Act and the certified local coastal program. Mitigation measures requiring monitoring will minimize all significant adverse impacts.

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, can be found consistent with the requirements of the certified local coastal program and the Coastal Act to conform to CEQA.

Glossary of Selected Acronyms

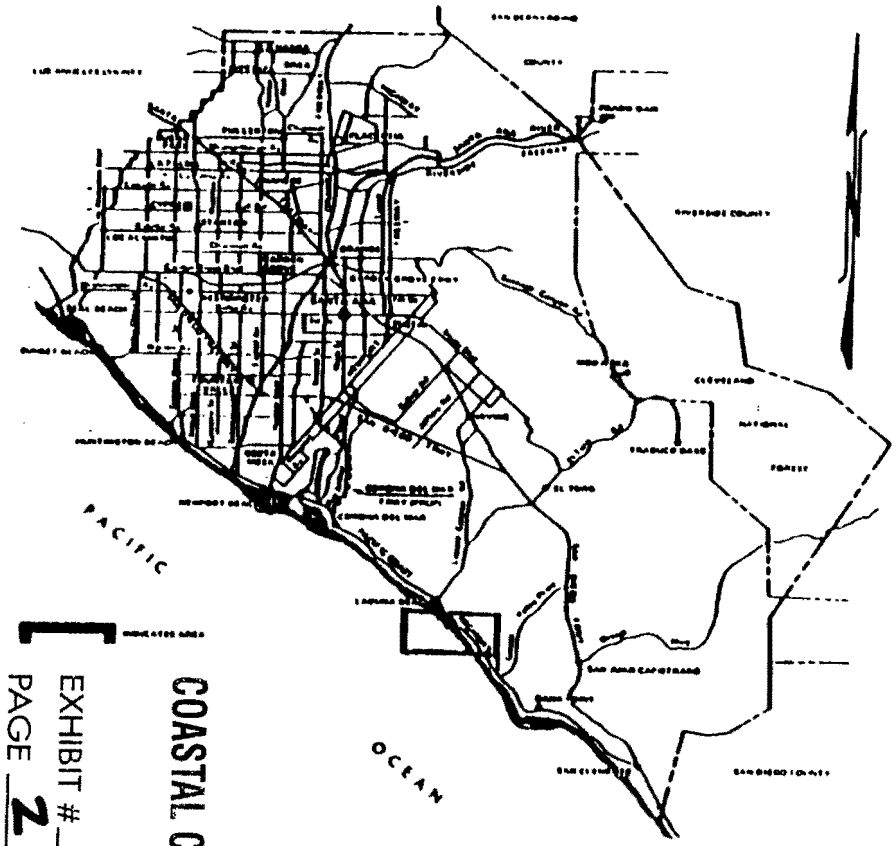
AWMA = Aliso Water Management Agency
CDP = coastal development permit
LCP = local coastal program
NPDES = National Pollution Discharge Elimination System
RWQCB = California Regional Water Quality Control Board - San Diego Region
SCCZCC = State California Coastal Zone Conservation Commission

Appendix A
Substantive File Documents

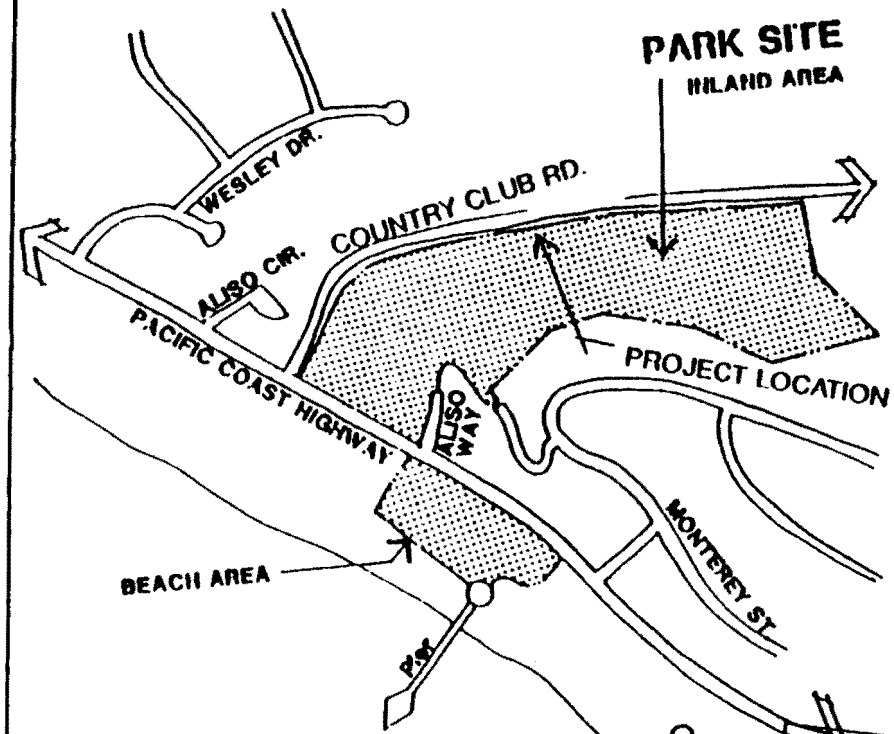
1) Coastal Commission Substantial Issue Report dated June 20, 1997 for Appeal No: A-5-LGB-97-166; 2) Coastal development permit A-5-LGB-97-166-A1, 3) City of Laguna Beach Certified Local Coastal Program; 4) Emergency Permit 5-97-219-G, 5) Emergency Permit 5-00-272-G; 6) Coastal development permit 5-97-316, 7) Coastal development permit 5-97-316-A1; 8) Cleanup Abatement Order No. 99-211 issued by the San Diego Regional Water Quality Control Board, 9) City of Laguna Beach coastal development permit CDP97-19; U.S. Army Corps of Engineers Permit 96-00072-LTM; California Department of Fish and Game *Agreement Regarding Proposed Stream or Lake Alteration* dated March 11, 1996; California Regional Water Quality Control Board *Monitoring and Reporting Program* No. 95-107 for NPDES No. CA0107611; California Regional Water Quality Control Board, San Diego Region, Order No. 95-107, NPDES No. CA0107611; Addendum No. 1 to Order No. 95-107, NPDES No. CA0107611 titled *Waste Discharge Requirements for the Aliso Water Management Agency, Orange County, Discharge to the Pacific Ocean through the Aliso Water Management Agency Ocean Outfall; Agreement between Aliso Water Management Agency on Behalf of Project Committee No. 24 and the County of Orange (EMA) for County's Use of AWMA Ocean Outfall and Other AWMA Facilities for County's Aliso Creek Diversion Project.*

H:\FSY\STAFF REPORT\APR01\5-83-959-A7[AWMA]RC(LB)

EXHIBIT # 1
PAGE 1 OF 6



VICINITY MAP



LOCATION MAP

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EXHIBIT # 1

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OCT 6 1997

CALIFORNIA COASTAL COMMISSION

ORANGE COUNTY ENVIRONMENTAL MANAGEMENT AGENCY

PROJECT LOCATION FOR ALISO CREEK DIVERSION BERM AT ALISO BEACH PARK 31131 PACIFIC COAST HWY, LAGUNA BEACH CA

MARK	DATE	DESCRIPTION

REVISIONS

PREPARED UNDER SUPERVISION OF

DESIGNED

DRAWN

CHECKED

SCALE NTS

DATE

FIGURE 1 - LOCATION MAP SHOWING FACILITIES REQUIRED FOR TEMPORARY TEST PROGRAM TO DIVERT ALISO CREEK FLOWS TO THE AREA OCEAN OUTFALL

COASTAL COMMISSION

EXHIBIT # 1

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ALISO CREEK BEACH INLAND AREA

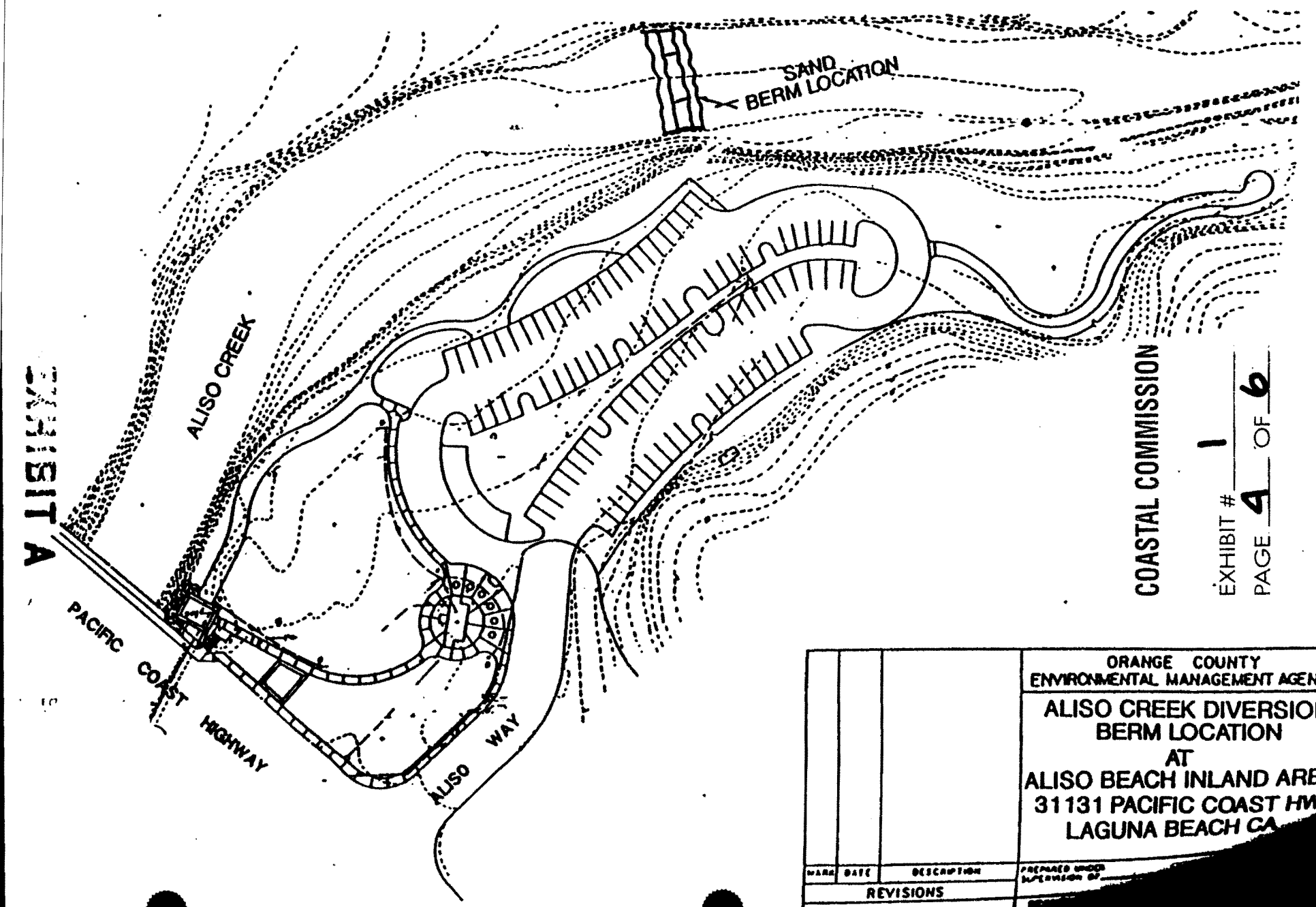

EXHIBIT A

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EXHIBIT # 1

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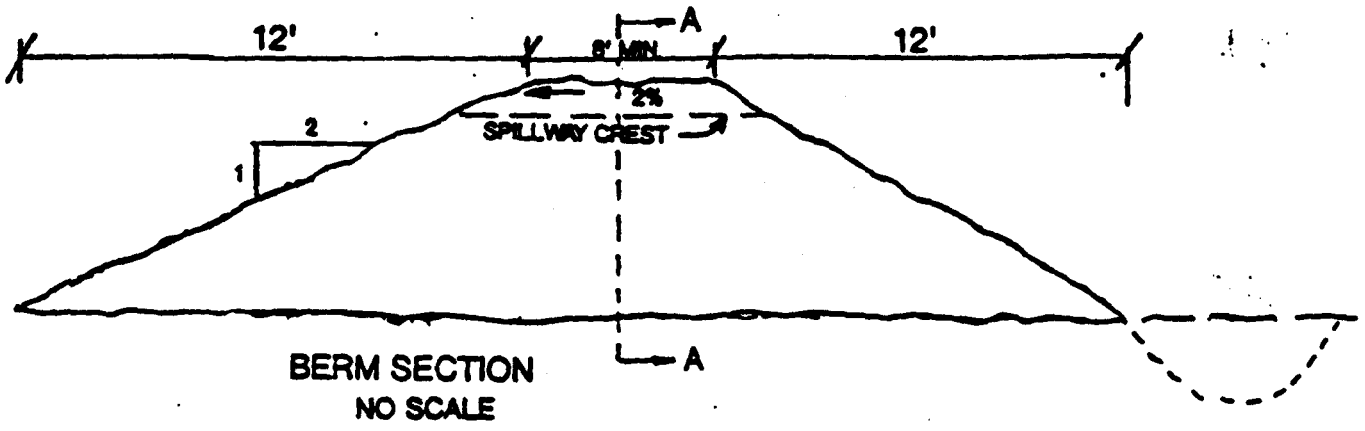
MARK	DATE	DESCRIPTION
REVISIONS		

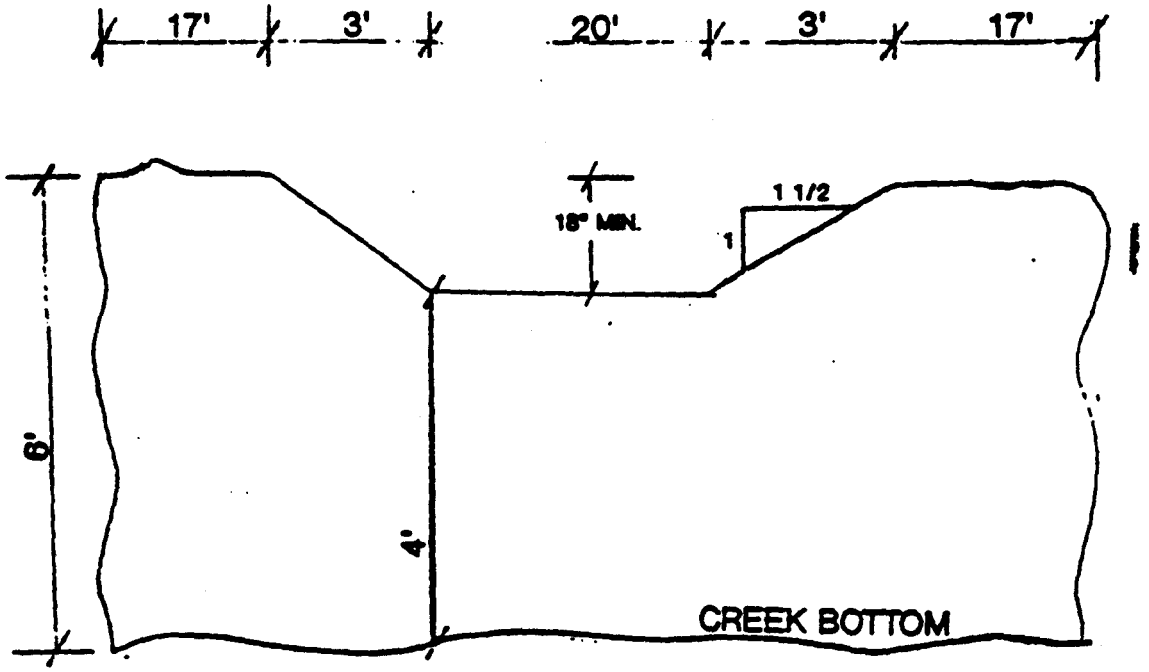
ORANGE COUNTY
ENVIRONMENTAL MANAGEMENT AGENCY

ALISO CREEK DIVERSION
BERM LOCATION
AT
ALISO BEACH INLAND AREA
31131 PACIFIC COAST HWY
LAGUNA BEACH CA

PREPARED UNDER SUPERVISION OF



BERM SECTION
NO SCALE



SECTION AA

COASTAL COMMISSION

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ORANGE COUNTY
ENVIRONMENTAL MANAGEMENT AGENCY

ALISO CREEK DIVERSION BERM
CROSS SECTION
AT
ALISO CREEK BEACH
31131 PACIFIC COAST HWY
LAGUNA BEACH CA

FIGURE 3

Post-it™ brand fax transmittal memo 7671 | # of pages ▸ 1

To	KATHY LOTTES	From	MIKE WELLS
Co.	CITY OF LAGUNA	Co.	OC PUBLIC
Dept.	PLANNING	Phone #	834-248
Fax #	497-0771	Fax #	834-465

EXHIBIT # _____

PAGE _____ OF _____

COASTAL COMMISSION

DATE 4/10/97

SIGNATURE C. Hunt

BOARD OF ADJUSTMENT
DENIED

ALISO CREEK DIVERSION PROJECT

BERM CROSS SECTION

A-5-LGB-97-166

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JUN 17 1997
CALIFORNIA
COASTAL COMMISSION

CREEK BOTTOM

ROAD 43.5'

BERM X-SECTION

COASTAL COMMISSION

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COUNTY OF ORANGE
HEALTH CARE AGENCY

HEALTH CARE REGULATORY SERVICES
ENVIRONMENTAL HEALTH

MICHAEL SCHUMACHER, Ph.D.
DIRECTOR

MIKE SPURGEON
INTERIM DIRECTOR
HEALTH CARE REGULATORY SERVICES

JACK MILLER, REHS
DIRECTOR
ENVIRONMENTAL HEALTH

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November 30, 1999

Peter Douglas, Executive Director
California Coastal Commission, South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

RE: Permit No. 5-83-959 - Aliso Creek Diversion Project

Dear Mr. Auyong:

Pursuant to Special Condition No. 3 for the Aliso Creek Diversion Project, the Orange County Health Care Agency/Environmental Health Division has reviewed the Aliso Creek Diversion Project offshore water quality monitoring data for the 1999 project period.

Total coliform, fecal coliform and enterococcus concentrations in Aliso Creek remain elevated and continue to impact ocean receiving waters at Aliso Beach. However, the bacteria levels in the creek waters are three to five orders of magnitude lower than the treated, undisinfected effluent discharged from the outfall that is currently in compliance with the Aliso Water Management Agency's (AWMA) NPDES permit requirements.

The diversion project operated for the period of October 1 - October 15, 1999. AWMA conducted offshore water quality monitoring on October 13, 1999. Offshore sampling locations, frequency and depths are specified in AWMA's permit.

The Health Care Agency has reviewed the offshore bacteriological water quality monitoring data for October 13, 1999. The bacteriological water quality in the offshore waters on this date near the outfall diffuser met applicable ocean water contact sports standards.

If you have any further questions, please feel free to call me at (714) 667-3750.

Very truly yours,

Larry Honeybourne, REHS
Program Chief
Water Quality Section
Environmental Health Division

COASTAL COMMISSION

EXHIBIT # 2
PAGE 1 OF 8

Cc: Larry Paul, County of Orange, Harbors, Beaches and Parks
Michael Wellborn, County of Orange, Planning and Development Services Department
David Caretto, Aliso Water Management Agency
Michael Dunbar, South Coast Water District

ALISO WATER MANAGEMENT AGENCY OCEAN OUTFALL
9/12/99 TO 10/16/99

Date	AlisoCrk Q MGD	AlisoCrTSS mg/L	AlisoCrBOD mg/L	AlisoCr pH
09/12/99				
09/13/99				
09/14/99				
09/15/99				
09/16/99				
09/17/99				
09/18/99				
09/19/99				
09/20/99				
09/21/99				
09/22/99				
09/23/99	2.02	3.1	2.8	8.0
09/24/99	3.05			8.0
09/25/99	3.08			
09/26/99	3.00	11.6	3.5	8.0
09/27/99	0.00			
09/28/99	0.00			
09/29/99	0.00			
09/30/99	1.82	8.0	< 1	8.1
10/01/99	3.35			8.0
10/02/99	3.35			
10/03/99	3.05	1.5	< 1	
10/04/99	3.35	2.4	< 1	8.1
10/05/99	3.38	4.1	1.4	8.0
10/06/99	3.36	1.4	1.4	8.0
10/07/99	3.38	1.8	4.7	8.0
10/08/99	3.33			8.0
10/09/99	3.33			
10/10/99	3.35	2.4	1.4	
10/11/99	3.35	4.0	1.7	8.0
10/12/99	3.35	2.6	1.1	8.0
10/13/99	3.36	2.8	2.2	8.1
10/14/99	1.64			8.0
10/15/99				
10/16/99				
Average	2.87	3.8	1.7	8.0
Total	51.78	45.5	20.2	112.3
Minimum	0.00	1.4	0.0	8.0
Maximum	3.38	11.6	4.7	8.1

COASTAL COMMISSION

EXHIBIT # 2
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MRP 95-107 MONTHLY MONITORING REPORT

Aliso Water Management Agency

NPDES No. CA0107611

DISCHARGER: AWMA
REPORT FOR: August 1999
REPORT DUE: September 30, 1999
SAMPLE SOURCE: Receiving water, nearshore
EXACT SAMPLE POINTS: As specified in permit
SAMPLES COLLECTED BY: SERRA Lab
SAMPLES ANALYZED BY: SERRA Lab

ORDER/RESOLUTION No. 95-107
REPORT FREQUENCY: Monthly

SAMPLING FREQUENCY: Monthly
TYPE OF SAMPLE: Grab

SIGNED UNDER PENALTY OF PERJURY: Michael J. Gibson

Comments: Foggy and sunny; high tide at 09:19.

Sta No.	Sample Depth	Sample Date	Total Coliform CFU/100ml	Fecal Coliform CFU/100ml	Entero-coccus CFU/100ml	Sample Time	Oil & Grease	Sewage Debris
N1	Surface	08/10/99	4	6	2	08:29	0	0
N1	25'	08/10/99	<2	<2	<2		0	0
N1	50'	08/10/99	<2	<2	<2		0	0
N2	Surface	08/10/99	<2	<2	<2	08:24	0	0
N2	25'	08/10/99	<2	<2	<2		0	0
N2	50'	08/10/99	2	<2	<2		0	0
N3	Surface	08/10/99	2	2	<2	08:19	0	0
N3	25'	08/10/99	<2	<2	<2		0	0
N3	50'	08/10/99	<2	<2	4		0	0
N4	Surface	08/10/99	12	4	2	08:13	0	0
N4	25'	08/10/99	<2	2	<2		0	0
N4	50'	08/10/99	<2	<2	<2		0	0
N5	Surface	08/10/99	10	4	2	08:10	0	0
N5	25'	08/10/99	4	4	<2		0	0
N5	50'	08/10/99	<2	<2	<2		0	0
N6	Surface	08/10/99	<2	<2	<2	08:03	0	0
N6	25'	08/10/99	<2	2	<2		0	0
N6	50'	08/10/99	<2	2	2		0	0
N7	Surface	08/10/99	<2	<2	<2	07:59	0	0
N7	25'	08/10/99	2	<2	<2		0	0
N7	50'	08/10/99	6	<2	2		0	0

*0 - None
1 - Mild
2 - Moderate
3 - Severe
4 - Extreme

REQUIREMENT: (1) floating particulates and grease and oil shall not be visible. (2) The discharge of waste shall not cause a visible undesireable discoloration of the ocean surface

MRP 95-107 MONTHLY MONITORING REPORT

Aliso Water Management Agency

NPDES No. CA0107611

DISCHARGER: AWMA
REPORT FOR: September 1999
REPORT DUE: October 30, 1999
SAMPLE SOURCE: Receiving water, nearshore
EXACT SAMPLE POINTS: As specified in permit
SAMPLES COLLECTED BY: SERRA Lab
SAMPLES ANALYZED BY: SERRA Lab

ORDER/RESOLUTION No. 95-107
REPORT FREQUENCY: Monthly

SAMPLING FREQUENCY: Monthly
TYPE OF SAMPLE: Grab

SIGNED UNDER PENALTY OF PERJURY: Michael J. Gibson

Comments: Clear, calm, cool and cool; low tide at 0639.

Sta No.	Sample Depth	Sample Date	Total Coliform CFU/100ml	Fecal Coliform CFU/100ml	Entero-coccus CFU/100ml	Sample Time	Oil & Grease	Sewage Debris
N1	Surface	09/15/99	2	<2	<2	08:29	0	0
N1	25'	09/15/99	6	<2	2		0	0
N1	50'	09/15/99	12	6	6		0	0
N2	Surface	09/15/99	<2	<2	<2	08:24	0	0
N2	25'	09/15/99	6	<2	<2		0	0
N2	50'	09/15/99	4	2	<2		0	0
N3	Surface	09/15/99	<2	<2	<2	08:19	0	0
N3	25'	09/15/99	6	<2	<2		0	0
N3	50'	09/15/99	<2	<2	<2		0	0
N4	Surface	09/15/99	2	<2	<2	08:13	0	0
N4	25'	09/15/99	<2	<2	140			0
N4	50'	09/15/99	<2	<2	<2		0	0
N5	Surface	09/15/99	22	2	4	08:10	0	0
N5	25'	09/15/99	<2	<2	18		0	0
N5	50'	09/15/99	2	<2	<2		0	0
N6	Surface	09/15/99	<2	<2	2	08:03	0	0
N6	25'	09/15/99	2	<2	6		0	0
N6	50'	09/15/99	<2	<2	10		0	0
N7	Surface	09/15/99	<2	<2	<2	07:59	0	0
N7	25'	09/15/99	<2	<2	50		0	0
N7	50'	09/15/99	<10	<10	<10		0	0

*0 - None
1 - Mild
2 - Moderate
3 - Severe
4 - Extreme

REQUIREMENT (1) Floating particulates and grease and oil shall not be visible. (2) The discharge of waste shall not cause nuisance or undesireable discoloration of the ocean surface.

Aliso Water Management Agency NPDES No. CA0107611

DISCHARGER: AWMA ORDER/RESOLUTION No. 95-107
REPORT FOR: October 1999 REPORT FREQUENCY: Monthly
REPORT DUE: September 30, 1999
SAMPLE SOURCE: Receiving water, nearshore SAMPLING FREQUENCY: Monthly
EXACT SAMPLE POINTS: As specified in permit TYPE OF SAMPLE: Grab
SAMPLES COLLECTED BY: SERRA Lab
SAMPLES ANALYZED BY: SERRA Lab

SIGNED UNDER PENALTY OF PERJURY: _____

Comments: Clear low tide at 05:21. N3 mid-depth bottle lost during sampling

Sta No.	Sample Depth	Sample Date	Total Coliform CFU/100ml	Fecal Coliform CFU/100ml	Entero-coccus CFU/100ml	Sample Time	Oil & Grease	Sewage Debris
N1	Surface	10/13/99	2	<2	<2	09:01	0	0
N1	25'	10/13/99	<2	<2	<2		0	0
N1	50'	10/13/99	<2	2	<2		0	0
N2	Surface	10/13/99	4	<2	<2	08:56	0	0
N2	25'	10/13/99	4	<2	<2		0	0
N2	50'	10/13/99	6	2	<2		0	0
N3	Surface	10/13/99	<2	<2	<2	08:51	0	0
N3	25'	10/13/99	N/S	N/S	N/S		0	0
N3	50'	10/13/99	2	<2	<2		0	0
N4	Surface	10/13/99	2	<2	<2	08:46	0	0
N4	25'	10/13/99	10	<2	<2		0	0
N4	50'	10/13/99	8	2	<2		0	0
N5	Surface	10/13/99	6	<2	<2	08:41	0	0
N5	25'	10/13/99	<2	<2	<2		0	0
N5	50'	10/13/99	4	6	<2		0	0
N6	Surface	10/13/99	4	<2	<2	08:37	0	0
N6	25'	10/13/99	2	2	<2		0	0
N6	50'	10/13/99	74	26	<2		0	0
N7	Surface	10/13/99	6	2	8	08:30	0	0
N7	25'	10/13/99	2	2	<2		0	0
N7	50'	10/13/99	16	<2	<2		0	0

*0 - None
1 - Mild
2 - Moderate
3 - Severe
4 - Extreme

REQUIREMENT: (1) Floating particulates and grease and oil shall not be visible. (2) The discharge shall not cause aesthetically undesirable discoloration of the ocean surface

COASTAL COMMISSION

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MRP 95-107 MONTHLY MONITORING REPORT

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Aliso Water Management Agency

NPDES No. CA0107611

DISCHARGER: AWMA
REPORT FOR: October 1998
REPORT DUE: November 30, 1998
SAMPLE SOURCE: Receiving water, nearshore
EXACT SAMPLE POINTS: As specified in permit
SAMPLES COLLECTED BY: SERRA Lab
SAMPLES ANALYZED BY: SERRA Lab

ORDER/RESOLUTION No. 95-107
REPORT FREQUENCY: Monthly

SAMPLING FREQUENCY: Monthly
TYPE OF SAMPLE: Grab

SIGNED UNDER PENALTY OF PERJURY: Michael J. Wilson

Comments: Clear, scattered clouds; low tide at 06:41

Sta No.	Sample Depth	Sample Date	Total Coliform CFU/100ml	Fecal Coliform CFU/100 ml	Entero-coccus CFU/100ml	Sample Time	Oil & Grease	Sewage Debris
N1	Surface	10/27/98	6	2	<2	08:44	0	0
N1	25'	10/27/98	8	2	4		0	0
N1	50'	10/27/98	8	2	<2		0	0
N2	Surface	10/27/98	2	1	<2	08:40	0	0
N2	25'	10/27/98	<2	1	<2		0	0
N2	50'	10/27/98	8	<2	4		0	0
N3	Surface	10/27/98	2	1	2	08:34	0	0
N3	25'	10/27/98	4	<2	<2		0	0
N3	50'	10/27/98	<2	1	<2		0	0
N4	Surface	10/27/98	2	<2	<2	08:29	0	0
N4	25'	10/27/98	<2	<2	<2		0	0
N4	50'	10/27/98	10	4	2		0	0
N5	Surface	10/27/98	4	2	<2	08:22	0	0
N5	25'	10/27/98	2	<2	<2		0	0
N5	50'	10/27/98	6	2	<2		0	0
N6	Surface	10/27/98	<2	<2	<2	08:14	0	0
N6	25'	10/27/98	2	<2	<2		0	0
N6	50'	10/27/98	8	<2	<2		0	0
N7	Surface	10/27/98	2	2	2	08:10	0	0
N7	25'	10/27/98	<2	2	<2		0	0
N7	50'	10/27/98	4	14	<2		0	0

*0 - None
1 - Mild
2 - Moderate
3 - Severe
4 - Extreme

REQUIREMENTS: (1) No floating particulates and grease and oil shall not be visible. (2) The discharge of waste shall not cause aesthetically undesirable discoloration of the ocean surface.

COASTAL COMMISSION

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TOTAL P.07

ALISO WATER MANAGEMENT AGENCY OCEAN OUTFALL

9/23/99 TO 10/31/99

Date	AlisoCrk Q MGD	AlisoCrTSS mg/L	AlisoCcBOD mg/L	AlisoCr pH
9/23/99	2.02	3.1	2.8	8.0
9/24/99	3.36			8.0
9/25/99	3.36			
9/26/99	3.00	11.6	3.5	8.0
9/27/99	0.00			
9/28/99	0.00			
9/29/99	0.00			
9/30/99	1.82	8.0	< 1	8.1
10/1/99	3.36			8.0
10/2/99	3.36			
10/3/99	3.36	1.5	< 1	
10/4/99	3.36	2.4	< 1	8.1
10/5/99	3.36	4.1	1.4	8.0
10/6/99	3.36	1.4	1.4	8.0
10/7/99	3.36	1.8	4.7	8.0
10/8/99	3.36			8.0
10/9/99	3.36			
10/10/99	3.36	2.4	1.4	
10/11/99	3.36	4.0	1.7	8.0
10/12/99	3.36	2.8	1.1	8.0
10/13/99	3.36	2.6	2.2	8.1
10/14/99	1.54			8.0
10/15/99				
10/16/99				
10/17/99				
10/18/99				
10/19/99				
10/20/99				
10/21/99				
10/22/99				
10/23/99				
10/24/99				
10/25/99				
10/26/99				
10/27/99				
10/28/99				
10/29/99				
10/30/99				
10/31/99				
Average	2.67	3.8	1.7	8.0
Total	58.78	45.5	20.2	112.3
Minimum	0.00	1.4	0.0	8.0
Maximum	3.36	11.6	4.7	8.1

COASTAL COMMISSION

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Total Coliform (TC), Fecal Coliform (FC), Enterococcus (ENT) Colony Forming Units / 100 ml Sample

STATION	Location Description		######	######	######	######	######	######	######	######	######
LAGUNA BEACH (surfzone)								9-27 9-30	10-4 10-7		10-18 10-19
OLB16 / S16	Laguna Hotel	TC	78	52	20	12	8	80	260	34	10
		FC	24	44	3	8	14	2	30	8	2
		ENT	8	20	<2	10	4	16	30	4	10
OLB15 / S15	Projection of Mountain Road	TC	28	8	<2	6	230	74	<10	32	150
	9/1/99 - Station changed to	FC	22	2	<2	4	12	3	<10	2	86
	Projection of Bluebird Canyon	ENT	16	4	<2	2	22	8	<10	<2	20
OLB14 / S14	Victoria Beach	TC	6	6	2	2	40	6	<10	4	36
		FC	<2	4	<2	<2	12	<2	<10	<2	22
		ENT	2	8	2	<2	18	4	<10	62	16
OLB13 / S13	Blue Lagoon	TC	<2	8	<2	4	14	2	<2	6	12
		FC	4	4	2	4	6	2	<2	<2	10
		ENT	2	2	<2	2	10	36	4	2	<2
ALISO BEACH (surfzone)											
OSL12 / S12	Treasure Island Pier	TC	20	10	2	4	110	6	2	4	6
		FC	24	<2	<2	4	82	<2	<2	2	<2
		ENT	<2	4	<2	<2	12	58	<2	2	<2
OSL11 / S11	Treasure Island Sign	TC	8	12	4	6	30	<2	<2	26	6
		FC	4	6	<2	14	4	2	<2	14	6
		ENT	4	4	8	8	74	<2	<2	6	<2
OSL10 / S10	Aliso-North	TC	4	720	80	10	14	2	<2	10	12
		FC	2	250	<10	10	<2	<2	2	10	2
		ENT	2	770	<10	<10	58	<2	<2	10	22
OSL09 / S09	Aliso-Middle	TC	10	220	<10	20	20	20	10	<10	30
		FC	<10	110	<10	<10	10	20	10	10	<10
		ENT	10	240	<10	<10	<10	2	20	20	170
OSL08 / S08	Aliso-South	TC	14	8	4	<2	100	2	2	<10	6
		FC	8	<2	<2	<2	100	2	4	<10	<2
		ENT	110	4	<2	2	20	<2	<2	<10	4
OSLO7 / S07	Camel Point	TC	2	4	4	<2	90	8	56	<2	2
		FC	<2	2	4	<2	72	10	4	<2	4
		ENT	<2	4	<2	<2	30	4	6	24	<2
OSL06 / S06	Table Rock	TC	10	2	6	2	6	8	14	<2	2
		FC	<2	2	4	<2	4	14	8	4	<2
		ENT	4	<2	<2	<2	30	<2	16	<2	<2
OSL05 / S05	Laguna Lido Apt.	TC	8	18	<2	<2	40	4	2	2	4
		FC	2	4	<2	<2	42	2	2	2	4
		ENT	10	12	<2	<2	44	6	<2	<2	4
OSL04 / S04	9th St. 1000 Steps Beach	TC	42	10	6	<2	36	2	10	<2	12
		FC	<2	8	<2	<2	24	<2	<10	<2	4
		ENT	6	14	<2	<2	68	280	<10	4	20
OSL03 / S03	Three Arch Bay	TC	8	6	<2	2	92	260	10	8	20
		FC	<2	<2	<2	<2	14	250	<10	2	2
		ENT	2	40	<2	4	48	40	<10	<2	<2
ALISO CREEK											
CABAC / C1	Aliso Creek Mouth	TC	5300	8100	2300	250	3000	NS	1300	670	NS
		FC	470	4400	300	50	2500	NS	54	130	NS
		ENT	1300	4800	450	27	160	NS	100	180	NS
DANA POINT (surfzone)											
OSL02 / S02	Salt Creek Beach	TC	260	220	12	110	110	40	20	10	10
		FC	28	12	<2	4	17	40	<10	<2	2
		ENT	40	22	5	6	40	<10	<10	2	<2
ODP01 / S01	Marine Institute Beach	TC	24	38	6	6	2	2	18	<2	22
	9/1/99 station changed to	FC	8	2	6	2	2	2	<2	<2	8

B. DISCHARGE SPECIFICATIONS

1. The discharger shall not cause pollution, contamination, or nuisance, as those terms are defined in CWC 13050, as a result of the treatment or discharge of wastes.

2. The following effluent limitations apply to the combined undiluted effluent from the wastewater treatment facilities identified in Finding 9 of this Order and discharged through the AWMA Ocean Outfall.

   a. Effluent Limitations For Major Constituents and Properties of Wastewater

Constituent/ Property	Units	Monthly Average (30 day)	Weekly Average (7 day)	Maximum at any time
$CBOD_5$[a]	mg/l lb/day	25 5,600	40 9,000	45 10,000
total suspended solids[a]	mg/l lb/day	30 6,800	45 10,000	50 11,000
oil & grease[b]	mg/l lb/day	25 5,600	40 9,000	75 17,000
settleable solids[b]	ml/l	1.0	1.5	3.0
turbidity[b]	NTU	75	100	225
pH[a]	pH units	Within limits of 6.0 - 9.0 at all times.		
acute toxicity[b]	TUa	1.5	2.0	2.5

- RWQCB order 95-107 Effluent Limits

COASTAL COMMISSION

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b. Effluent Limitations For Toxic Materials For Protection Of Marine Aquatic Life

Constituent/ Property	Units	6-Month Median	Daily Maximum	Instantaneous Maximum
arsenic[c]	mg/l lb/day	1 200	7.6 1,700	20 4,500
cadmium[c]	mg/l lb/day	0.3 70	1 200	2.6 590
chromium (hexavalent)[c,d]	mg/l lb/day	0.5 100	2 500	5.2 1,200
copper[c]	mg/l lb/day	0.3 70	2.6 590	7.3 1,600
lead[c]	mg/l lb/day	0.5 100	2 500	5.2 1,200
mercury[c]	ug/l lb/day	10 2	42 9.5	100 20
nickel[c]	mg/l lb/day	1 200	5.2 1,200	13 2,900
selenium[c]	mg/l lb/day	3.9 880	16 3,600	39 8,800
silver[e]	mg/l lb/day	0.1 20	0.69 160	2 500
zinc[c]	mg/l lb/day	3.1 700	19 4,300	50 11,000
cyanide[c,e]	mg/l lb/day	0.3 70	1 200	2.6 590
total chlorine residual[c,f]	mg/l lb/day	0.5 100	2 500	16 3,600
ammonia (as N)[c]	mg/l lb/day	160 36,000	630 140,000	1600 360,000
chronic toxicity[c]	TUc	---	300	—
phenolic compounds[c] (non-chlorinated)	mg/l lb/day	7.8 1,800	31 7,000	78 18,000

Constituent/ Property	Units	6-Month Median	Daily Maximum	Instantaneous Maximum
chlorinated phenolics[c]	mg/l lb/day	0.3 70	1 200	2.6 590
endosulfan[c,1]	ug/l lb/day	2 0.5	4.7 1.1	7 1.6
endrin[c]	ug/l lb/day	0.5 0.1	1 0.2	2 0.5
HCH[c,2]	ug/l lb/day	1 0.2	2 0.5	3.1 0.7
radioactivity	Not to exceed limits specified in Title 17, Division 5, Chapter 4, Group 3, Article 3, Section 32069 of the California Code of Regulations.			

c. Effluent Limitations For Toxic, Noncarcinogenic Materials for Protection of Human Health

Constituent/ Property	Units	Monthly Average (30-day)
acrolein[c]	mg/l lb/day	57 13,000
antimony[c]	mg/l lb/day	310 70,000
bis(2-chloroethoxy) methane[c]	ug/l lb/day	1100 250
bis(2-chloroisopropyl) ether[c]	mg/l lb/day	310 70,000
chlorobenzene[c]	mg/l lb/day	150 34,000
chromium (III)[c]	g/l lb/day	50 11,000,000
di-n-butyl phthalate[c]	mg/l lb/day	910 200,000
dichlorobenzenes[c,3]	g/l lb/day	1.3 290,000
1,1-dichloroethylene[c]	g/l lb/day	1.9 430,000
diethyl phthalate[c]	g/l lb/day	8.6 1,900,000
dimethyl phthalate[c]	g/l lb/day	210 47,000,000
4,6-dinitro-2-methylphenol[c]	mg/l lb/day	57 13,000
2,4-dinitrophenol[c]	ug/l lb/day	1,000 220
ethylbenzene[c]	mg/l lb/day	1,100 250,000

Constituent/ Property	Units	Monthly Average (30-day)
fluoranthene[c]	mg/l lb/day	3.9 880
hexachlorocyclopentadiene[c]	mg/l lb/day	15 3,400
isophorone[c]	g/l lb/day	39 8,800,000
nitrobenzene[c]	mg/l lb/day	1.3 290
thallium[c]	mg/l lb/day	3.7 830
toluene[c]	g/l lb/day	22 5,000,000
1,1,2,2-tetrachloroethane[c]	mg/l lb/day	310 70,000
tributyltin[c]	ug/l lb/day	0.37 0.08
1,1,1-trichloroethane[c]	g/l lb/day	140 32,000,000
1,1,2-trichloroethane[c]	g/l lb/day	11 2,500,000

d. Effluent Limitations for Toxic, Carcinogenic Materials for Protection of Human Health

Constituent/ Property	Units	Monthly Average (30-day)
acrylonitrile[c]	ug/l lb/day	26 5.9
aldrin[c]	ng/l lb/day	5.7 0.0013
benzene[c]	mg/l lb/day	1.5 340
benzidine[c]	ng/l lb/day	18 0.0041
beryllium[c]	ug/l lb/day	8.6 1.9
bis(2-chloroethyl)ether[c]	ug/l lb/day	12 2.7
bis(2-ethylhexyl)phthalate[c]	ug/l lb/day	910 200
carbon tetrachloride[c]	mg/l lb/day	0.23 52
chlordane[c,4]	ng/l lb/day	6.0 0.0014
chloroform[c]	mg/l lb/day	34 7,700
DDT[c,5]	ng/l lb/day	44 0.0099
1,4-dichlorobenzene[c]	mg/l lb/day	4.7 1100
3,3-dichlorobenzidine[c]	ug/l lb/day	2.1 0.47
1,2-dichloroethane[c]	mg/l lb/day	34 7,700

Constituent/ Property	Units	Monthly Average (30-day)
dichloromethane[c]	mg/l lb/day	120 27,000
1,3-dichloropropene[c]	mg/l lb/day	2.3 520
dieldrin[c]	ng/l lb/day	10 0.0023
2,4-dinitrotoluene[c]	ug/l lb/day	680 150
1,2-diphenylhydrazine[c]	ug/l lb/day	42 9.5
halomethanes[c,6]	mg/l lb/day	34 7,700
heptachlor[c,7]	ng/l lb/day	190 0.043
hexachlorobenzene[c]	ng/l lb/day	55 0.012
hexachlorobutadiene[c]	mg/l lb/day	3.7 830
hexachloroethane[c]	ug/l lb/day	650 150
N-nitrosodimethylamine[c]	mg/l lb/day	1.9 430
N-nitrosodiphenylamine[c]	ug/l lb/day	650 150
PAHs[c,8]	ug/l lb/day	2.3 0.52
PCBs[c,9]	ng/l lb/day	5.0 0.0011
TCDD equivalents[c,10]	pg/l lb/day	1.0 0.00000023

Constituent/ Property	Units	Monthly Average (30-day)
tetrachloroethylene[c]	mg/l lb/day	26 5,900
toxaphene[c]	ng/l lb/day	55 0.012
trichloroethylene[c]	mg/l lb/day	7.0 1600
2,4,6-trichlorophenol[c]	ug/l lb/day	76 17
vinyl chloride[c]	mg/l lb/day	9.4 2,100

g/l = grams per liter
mg/l = milligrams per liter
ug/l = micrograms per liter
ng/l = nanograms per liter
pg/l = picograms per liter
ml/l = milliliters per liter
NTU = Nephelometric Turbidity Units
TUa = toxic units acute
TUc = toxic units chronic
lb/day = pounds per day

a. Effluent limitations were determined as described in Finding No. 31.

b. Effluent concentration limitations are the limiting concentrations specified in Table A of the Ocean Plan. Mass emission rate limitations, where applicable, were determined using procedures outlined in the 1990 version of the Ocean Plan and a flowrate of 27.0 MGD.

c. Effluent concentration and mass emission rate limitations were determined using the procedures outlined in the 1990 version of the Ocean Plan and using water quality objectives from Table B and background seawater concentrations from the 1990 version of the Ocean Plan, an initial dilution of 260, and a flowrate of 27.0 MGD. Except for differences due to rounding, significant figures, or calculation errors, these effluent concentrations and mass emission rate limitations are the same as or more stringent than those in Order 90-50.

d. The discharger may, at its option, meet this limitation as a total chromium limitation.

e. If the discharger can demonstrate to the satisfaction of the Regional Board (subject to USEPA approval) that an analytical method is available to reliably distinguish between strongly and weakly complexed cyanide, effluent limitations for cyanide may be met by the combined measurement of free cyanide, simple alkali metal cyanides, and weakly complexed

organometallic cyanide complexes. In order for the analytical method to be acceptable, the recovery of free cyanide from metal complexes must be comparable to that achieved by Standard Methods 4500CN, G, H, and J (Standard Methods for the Examination of Water and Wastewater. Joint Editorial Board, American Public Health Association, American Water Works Association, and Water Pollution Control Federation. Eighteenth edition.)

f. The effluent concentration and mass emission rate limitations for total chlorine residual are based on a continuous discharge of chlorine. Effluent concentration limitations for total chlorine residual which are applicable to intermittent discharges not exceeding 2 hours, shall be determined through the use of the following equations:

$$\log Co = -0.43 (\log x) + 1.8$$
$$Ce = Co + Dm (Co - Cs)$$

where:

Co = the concentration (in ug/l) to be met at the completion of initial dilution
x = the duration of uninterrupted chlorine discharge in minutes
Ce = the effluent concentration limitation (in ug/l) to apply when chlorine is being intermittently discharged
Dm = the minimum probable initial dilution
Cs = the background seawater concentration = 0

---

3. The 30-day average percent removal of $CBOD_5$ and TSS shall not be less than 85 percent.

4. Waste management systems that discharge to the ocean must be designed and operated in a manner that will maintain the indigenous marine life and a healthy and diverse marine community.

5. Waste discharged through the AWMA Ocean Outfall must be essentially free of:

   a. Material that is floatable or will become floatable upon discharge.

   b. Settleable material or substances that form sediments which degrade benthic communities or other aquatic life.

   c. Substances which will accumulate to toxic levels in marine waters, sediments or biota.

   d. Substances that significantly decrease the natural light to benthic communities and other marine life.

   e. Materials that result in aesthetically undesirable discoloration of the ocean surface.

6. Waste discharged through the AWMA Ocean Outfall shall be discharged in a manner which provides sufficient initial dilution to minimize the concentrations of substances not removed in treatment.

7. Location of waste discharges must be determined after a detailed assessment of the oceanographic characteristics and current patterns to assure that:

   a. Pathogenic organisms and viruses are not present in areas where shellfish are harvested for human consumption or in areas used for swimming or other body-contact sports.

   b. Natural water quality conditions are not altered in areas designated as being of special biological significance or areas that existing marine laboratories use as a source of seawater.

   c. Maximum protection is provided to the marine environment.

   Waste that contains pathogenic organisms or viruses should be discharged a sufficient distance from shellfishing and water-contact sports areas to maintain applicable bacterial standards without disinfection. Where conditions are such that an adequate distance cannot be attained, reliable disinfection in conjunction with a reasonable separation of the discharge point from the area of use must be provided. Disinfection procedures that do not increase effluent toxicity and that constitute the least environmental and human hazard should be used.

8. All waste treatment, containment and disposal facilities shall be protected against 100-year peak stream flows as defined by the Orange County flood control agency.

9. All waste treatment, containment and disposal facilities shall be protected against erosion, overland runoff and other impacts resulting from a 100-year frequency 24-hour storm.

10. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Regional Board Executive Officer (hereinafter Executive Officer).

C. RECEIVING WATER LIMITATIONS

1. The discharge of waste through the AWMA Ocean Outfall shall not, by itself or jointly with any other discharge, cause violation of the following Ocean Plan ocean water quality objectives. Compliance with the water quality objectives shall be determined from samples collected at stations representative of the area within the waste field where initial dilution is completed.

   a. Bacterial Characteristics

      (1) Water-Contact Standards

      Within a zone bounded by the shoreline and a distance of 1,000 feet from the shoreline or the 30-foot depth contour, whichever is further from the shoreline, and in areas outside this zone used for water-contact sports, as determined by the Regional Board, but including all kelp beds, the following bacterial objectives shall be maintained throughout the water column:

      (a) Samples of water from each sampling station shall have a density of total coliform organisms less than 1,000 per 100 ml (10 per ml); provided that not more than 20 percent of the samples at any sampling station, in any 30-day period, may exceed 1,000 per 100 ml (10 per ml), and provided further that no single sample when verified by a repeat sample taken within 48 hours shall exceed 10,000 per 100 ml (100 per ml).

      (b) The fecal coliform density based on a minimum of not less than five samples for any 30-day period, shall not exceed a geometric mean of 200 per 100 ml nor shall more than 10 percent of the total samples during any 60-day period exceed 400 per 100 ml.

      The "Initial Dilution Zone" of wastewater outfalls shall be excluded from designation as kelp beds for purposes of bacterial standards. Adventitious assemblages of kelp plants on waste discharge structures (e.g., outfall pipes and diffusers) do not constitute kelp beds for purposes of bacterial standards. Kelp beds, for the purpose of the bacterial standards of this Order, are significant aggregations of marine algae of the genera Macrocystis and Nereocystis. Kelp beds include the total foliage canopy of Macrocystis and Nereocystis plants throughout the water column.

STATE OF CAL'FORNIA - THE RESOURCES AGENCY PETE WILSON, Go

CALIFORNIA COASTAL COMMISSION
South Coast Area Office
?00 Oceangate, Suite 1000
.ong Beach, CA 90802-4302
(562) 590-5071

AMENDMENT TO COASTAL DEVELOPMENT PERMIT

March 11, 1998
page 1 of 2

Permit Number 5-83-959 issued to Aliso Water Management Agency for:

construction of a 54-inch land and ocean outfall to discharge regional waste water effluent.

at: Aliso Water Management Agency outfall, in **Aliso Creek 300 feet upstream of Coast Highway to 1.5 miles offshore, Laguna Beach, Orange County has been amended to include the following change: temporary diversion of nuisance summertime flows of Aliso Creek (approximately 2 to 5 million gallons per day) into the outfall.**

This amendment will become effective upon return of a signed copy of this form to the Commission office. Please note that the original permit condition unaffected by this amendment are still effect.

PETER M. DOUGLAS
Executive Director

John T. Auyong

By: John T. Auyong
Title: Coastal Program Analyst

ACKNOWLEDGMENT

I have read and understand the above permit and agree to be bound by the conditions as amended of Coastal Development Permit 5-83-959.

Date: _____ Signature _____

SPECIAL CONDITIONS:

1. Removal of Development. The diversion of up to a twenty-four (24) hour average flow rate of five (5) cubic feet per second (i.e., 3.23 million gallons per day) of the water flow of Aliso Creek approved by this permit amendment is authorized only for the 1998 summer season from May 1, 1998 through October 15, 1998. In no case shall the diverted flows exceed seven (7) cubic feet per second (i.e., 4.52 million gallons per day) at any time. This permit amendment does not authorize the diversion to continue past October 15, 1998.

2. Change to Previously Imposed Special Condition No. 6. Special Condition No. 6 of permit A-61-76 regarding "Water Quality" shall be replaced with the following:

> The effluent discharged from the approved outfall shall comply with the requirements of "Order No. 95-107, NPDES Permit No. CA0107611, Waste Discharge Requirements for the Aliso Water Management Agency, Orange County, Discharge to the Pacific Ocean Through the Aliso Water Management Agency Ocean Outfall" issued by the California Regional Water Quality Control Board, San Diego Region.

3. Monitoring. The permittee shall submit to the Executive Director copies of the results of the monitoring data required by "Order No. 95-107, NPDES Permit No. CA0107611, Waste Discharge Requirements for the Aliso Water Management Agency, Orange County, Discharge to the Pacific Ocean Through the Aliso Water Management Agency Ocean Outfall", including all addenda, issued by the California Regional Water Quality Control Board, San Diego Region ("RWQCB"). In addition, the permittee shall also submit, along with the monitoring data, written conclusions on: 1) water quality changes which occurred during the monitoring period, 2) whether the water quality changes occurred as a result of the project, and 3) the effects of these changes on offshore marine life and human health. The written conclusions shall be prepared by the Orange County Health Care Agency. The permittee shall submit the monitoring data and written conclusions at the same time it submits the data to the RWQCB.

4. Previously Imposed Conditions. All previously imposed standard and special conditions of approval of Permit A-61-76, except for changes to Special Condition No. 6 as described above, and subsequent amendments remain in effect and are not chai this permit amendment.

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continuous record of the concentration of oxygen and ammonia in the effluent delivered to the ocean which records shall be made available on a monthly basis to this Commission and the California Regional Water Quality Control Board - San Diego Region. This monthly report shall also include daily wastewater flow data.

5. Construction in the bed of Aliso Creek shall proceed in the time frame which will not significantly impact spawning conditions of the Lagoon Goby.

6. The Aliso Water Management Agency shall comply with all conditions established by the State Department of Fish and Game with respect to its Stream Bed Alteration Clause.

7. The Aliso Water Management Agency shall conduct an archaeological survey of the area, to include sub-surface testing and test pit excavation as needed, prior to advertising for bids on respective portions of the project, to include the ocean portion, Aliso Creek outfall. Mitigation shall be provided if need is disclosed by the above procedures. The archaeologist, survey procedures, and mitigation shall be satisfactory to this Commission or its successor.

8. An archaeologist satisfactory to this Commission or its successor shall be present at the immediate site of all grading including construction access roads, and staging areas, within and without the acquired right-of-way. The archaeologist's decision as to mitigation level required to protect archaeological resources from construction, shall be final pursuant to State Historical Office and National Register of Historic Places guidelines.

9. The land traversed by the facilities between the proposed AWMA Aliso Creek Regional Water Pollution Control Plant and the low tide line shall be restored to substantially its original condition by the applicant after construction.

10. Vegetation, including trees, shrubs, and grasses, in the area considered in Condition #9 that is removed or destroyed or otherwise substantially damaged during the construction of the facilities shall be replanted by the applicant.

11. The applicant shall design and construct the facilities in such a manner as not to significantly increase the rate of erosion of the area considered in Condition #9 or to create or increase flood control problems in Aliso Creek and its flood plain.

12. The applicant shall design and construct the facilities in a manner so as not to expose the facilities to damage from the waters of Aliso Creek.

13. At least 60 days prior to calling for bids for construction of the facilities and restoration of the area after construction the applicant shall submit its detailed plans to this Commission. This Commission shall, within 60 days from receipt of the plans, determine whether they are adequate to fullful Conditions #9, 10, 11, and 12. If this Commission has not acted within 60 days after submission of the plans, the applicant will be free to proceed with construction.

14. The applicant shall accomplish the environmental mitigation measures specified on pages 35 and 36 of the Aliso Water Management Agency Environmental Impact Report (Draft) dated September 1972 prior to, during, or immediately following completion of construction of the facilities. All such requirements, including those listed in Conditions #'s 5, 6, 7, and 8, shall be accomplished prior to the issuance of a Certificate of Completion for the construction of the facilities.

15. The applicant shall require that the contractor awarded the contract for the construction of the facilities shall provide a faithful performance bond in the amount of 100 per cent of the estimated amount of the contract price.

16. If the applicant does not diligently commence construction of the facilities within 2 years of the approval date by this Commission, this permit shall automatically expire.

17. This permit does not commit this Commission to approving any other developments or to planning decisions based on population figures referred to herein.

FINDINGS

EXHIBIT # 4
PAGE 6 OF 8

Appeal No. 61-76
(AWMA II)
60th Day: 5/6/76

DECISION OF REGIONAL COMMISSION: Permit granted with conditions by South Coast Regional Commission

PERMIT APPLICANT: Aliso Water Management Agency (AWMA)

DEVELOPMENT LOCATION: Aliso Creek, Canyon and Plain in South Laguna, County of Orange (Exhibit 1)

DEVELOPMENT DESCRIPTION: Construction of a 54-inch land and ocean outfall to discharge regional waste water effluent

APPELLANTS:
A. Aliso Water Management Agency (AWMA)
B. Friends of the Earth, Environmental Coalition of Orange County, Inc. South Laguna Civic Association

PUBLIC HEARING AND VOTE: Public hearing held April 21, 1976, in South San Francisco; vote taken on May 5, 1976 in San Diego

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STAFF RECOMMENDATION: The staff recommends that the Commission adopt the following resolution in conformance with the Commission's vote of April 5, 1976:

I. Approval with Conditions. The Commission hereby approves a permit for the proposed development subject to the conditions below, on grounds that, as conditioned, the proposed development will not have any substantial adverse environmental or ecological effects and will be consistent with the findings, declarations, and objectives of the California Coastal Zone Conservation Act of 1972.

II. Conditions. The permit is subject to the following conditions:

1. Outfall Size. The outfall pipe shall be no greater in size than 48 in. inside diameter.

2. Effluent Flow Limitations. Effluent flows through the outfall shall be limited as specified in the State Water Resources Control Board concept approval for Phase I of this regional system; provided, however, that any flows from the El Toro Water District and the Aliso Water District permitted under the terms and conditions of the concept approval shall be transported to the ocean outfall by means of a treated effluent line from the existing Los Alisos and Rossmoor treatment plants; and provided further, that the total land and ocean disposal of flows from Los Alisos and El Toro shall not exceed the currently available 5.0 MGD of land disposal until the provision of the concept approval dealing with air quality mitigation has been complied with.

Exhibit 8 - Permit No. 61-76

3. Capacity Allocation Among Member Agencies. The maximum proportion of the total capacity of the outfall that can be used by any of the member agencies of AWMA shall be limited to that shown on the following table:

Agency	Total Capacity (MGD dry weather average daily flow)*
Los Alisos Water District	1.71
El Toro Water District	5.71
Moulton-Niguel Water District	2.15
South Laguna Sanitary District	2.08
City of Laguna Beach and Emerald Bay Services District	4.94
Irvine Ranch Water District	1.25
	17.84

*Includes seasonal peaks

No transfer, sale, or lease of the capacity assigned to any member agency of AWMA shall be made from one member agency of AWMA to another member agency without the prior approval of the Commission or its successor, and in the event of no such successor, such approval shall be obtained from the SCRCB or its successor. The contracts between the AWMA and its member agencies shall contain a provision prohibiting any transfer, sale, or lease in violation of the provisions herein.

4. Public Access to the Coast. To assure that development facilitated by this permit does not substantially interfere with public access to the coast, effluent flows from the Irvine Ranch Water District and the Moulton-Niguel Water District shall be additionally limited as provided herein. Effluent flows from the Moulton-Niguel Water District shall not exceed 1.75 MGD and effluent flows from the Irvine Ranch Water District shall not exceed 0 MGD until the Commission has determined the amount of road capacity required to maintain a reasonable level of public recreational access to the coast and has established a schedule for phasing the amount of development to take place within those Districts with transportation improvements to assure that level of public access. Permitted effluent flows shall be increased only in conformance with the schedule established. The Commission shall establish the schedule within 60 days of receipt of information provided by the applicant and determined by the Executive Director of the Commission to be adequate to make the determinations specified above unless the applicant requests an extension of the time period but in no event later than Dec. 1, 1976. In the event that the Commission fails to establish the schedule as specified, permitted effluent flows from the Districts may be increased to that provided in Condition No. 3. For the purposes of enforcing this condition, "Commission" shall mean the Commission or its successor. The applicant shall provide a flow monitoring system acceptable to the Executive Director of the Commission sufficient to provide the effluent flow data necessary to assure conformance to this condition.

5. Regional Commission Conditions. Conditions Nos. 5 through 17 imposed by the South Coast Regional Commission and shown in Exhibit 7 shall be complied with; provided however, that the archaeological survey may be limited to that area directly affected by construction of the proje

6. Water Quality. The following effluent levels shall be maintained for ocean outfall discharge:

(a) Dissolved oxygen concentration shall not be less than 2 mg/l.

(b) Concentration of ammonia-nitrogen shall not be greater than 2 mg/l.

(c) The removal of 5-day bio-chemical oxygen demand (BOD_5) shall not be less than 90% of the raw sewage BOD_5 concentration. Appropriate sensors shall be installed which shall be connected to recorders to provide a continuous record of the concentration of oxygen and ammonia in the effluent delivered to the ocean.

III. Findings and Declarations. The Commission finds and declares as follows:

1. Summary. This project, a land and ocean outfall, is only part of a larger project to provide a regional wastewater treatment system within the AWMA service area shown in Exhibit 1. Although many of the inland facilities necessary to complete this system (i.e. treatment plants and interceptor lines) are within the coastal zone, and virtually all of the project will significantly affect the resources of the coastal zone, this portion of the overall project and the interceptor that is the subject of Appeal No. 146-75 are the only parts of the project that are likely to require permit applications because the rest will take place outside the permit area (most of it will still be within the coastal zone however).

The applicable Regional Water Quality Control Boards have instructed 3 of AWMA's member agencies (Laguna Beach, South Laguna and El Toro) to upgrade their wastewater disposal systems because they are adversely affecting water quality. The U.S. Environmental Protection Agency (EPA) and the State Water Resources Control Board (SWRCB) have found that an ocean outfall will be needed to dispose of effluent that cannot be reclaimed; consequently a new ocean outfall is necessary to improve water quality in the coastal zone.

Thus, the issue presented by this appeal is not whether an ocean outfall should be constructed, but how should such a project be conditioned to avoid the other adverse environmental impacts to the water, land and air resources of the coastal zone resulting from the residential growth facilitated by an oversized outfall. To be consistent with the Coastal Act, the new outfall should not facilitate growth of a magnitude and nature that will adversely affect the environment of the coastal zone more than current discharges.

The outfall proposed by AWMA will accommodate a population of about 455,000, more than 5 times the current population. The impacts of population growth of this magnitude have been evaluated by EPA in its Final EIS for the project and by the County of Orange in its "Southeast Orange County Circulation Study" (SOCCS) and draft EIR. EPA and the ARB found that major population increases in southern Orange County were inconsistent with attaining air quality standards unless measures are implemented to reduce the impacts, because the inhabitants of southern Orange County travel 30% more than the county average. The County's analysis of SOCCS (see excerpts in Exhibit 2) shows that population growth of this magnitude and rate is inconsistent both with the Coastal Plan and with the South[illegible] tion of Government's plans, and may be inconsistent with the Air Quality [illegible] Plan now being developed by the ARB. Population growth of this magnitude will also engender other impacts on the resources of the coastal zone. Traffic generated by new development will im[illegible] access to the coast, wildlife habitat [illegible] agricultural lands will be [illegible]verted to urban user, and wastewater will be dis[illegible]

EPA

California Regional Water Quality Control Board, San Diego Region

9771 Clairemont Mesa Blvd., Suite A
San Diego, CA 92124
(619) 467-2952
FAX (619) 571-6972

Pete Wilson
Governor

September 18, 1997

RECEIVED
SEP 24 1997
A.W.M.A.

Mr. David A. Caretto
General Manager
Aliso Water Management Agency
30290 Rancho Viejo Road
San Juan Capistrano, California 92675

Dear Mr. Caretto

ADDENDUM NO. 1 TO ORDER NO. 95-107, NPDES PERMIT NO. CA0107611, "WASTE DISCHARGE REQUIREMENTS FOR THE ALISO WATER MANAGEMENT AGENCY, ORANGE COUNTY, DISCHARGE TO THE PACIFIC OCEAN THROUGH THE ALISO WATER MANAGEMENT AGENCY OCEAN OUTFALL"

Enclosed is a copy of Addendum No. 1 to Order No. 95-107 which modifies the waste discharge requirements for the Aliso Water Management Agency (AWMA). The Addendum allows the discharge of Aliso Creek flows through the AWMA Ocean Outfall between May 1 and October 15.

Please note that the Addendum modifies the *Reporting Period* for the *Semiannual Monitoring*, and also modifies the *Effluent Monitoring* to include the Aliso Creek flow to the Ocean Outfall. If AWMA will divert creek flow to the Ocean Outfall this year, the quarterly and semiannual effluent monitoring must include sampling of the creek flow.

If you have any questions, please contact Mr. Paul J. Richter of my staff at (619) 627-3929.

Respectfully,

JOHN H. ROBERTUS
Executive Officer

5-97-316

SEP 24 1997

CALIFORNIA
COASTAL COMMISSION

Enclosure
PJR
File: AWMA, 01-0117.02

cc: Mr. Larry Paul, County of Orange (w/enclosure)
Mr. John T. Auyong, California Coastal Commission (w/enclosure)
Mr. Mike Beanan & Mr. Ron Harris, South Laguna Civic Association
Mr. John Youngerman, SWRCB (w/enclosure)
Mr. Christopher Crompton, County of Orange (w/enclosure)
Mr. Terry Oda, USEPA, Region 9 (w/enclosure)

COASTAL COMMISSION

EXHIBIT # 5
PAGE 1 OF 5

ADDENDUM 3

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ADDENDUM NO. 1
TO
ORDER NO. 95-107

NPDES NO. CA0107611

WASTE DISCHARGE REQUIREMENTS
FOR THE
ALISO WATER MANAGEMENT AGENCY
ORANGE COUNTY

DISCHARGE TO THE PACIFIC OCEAN
THROUGH THE ALISO WATER MANAGEMENT AGENCY
OCEAN OUTFALL

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. On December 14, 1995, this Regional Board adopted *Order No. 95-107, NPDES No. CA0107611, Waste Discharge Requirements for the Aliso Water Management Agency, Orange County, Discharge to the Pacific Ocean Through the Aliso Water Management Agency Ocean Outfall.* Order No. 95-107 established requirements for the discharge of up to 27 million gallons per day (MGD) of treated wastewater to the Pacific Ocean via the Aliso Water Management Agency (AWMA) Ocean Outfall.

2. On March 27, 1997, AWMA submitted an application to amend Order No. 95-107 to allow a diversion of summertime low flow from Aliso Creek to the Ocean Outfall. The diversion would occur from May through October 15th. The anticipated maximum flow rate would be 4.52 MGD and the anticipated average flow rate would be 3.23 MGD. The County of Orange would maintain the pumping and conveyance facilities.

3. Summertime flow in Aliso creek consists primarily of urban runoff. At the mouth of the creek, these flows pond behind a sand barrier. This ponded water contains high levels of coliform bacteria. Intermittently, the sand barrier is breached and the creek flows enter the Pacific Ocean. As a result, the adjacent ocean waters sometimes contain high levels of coliform bacteria. The presence of high levels of coliform bacteria is an indication that pathogens may be present. Consequently, water contact recreation in the creek and ocean waters near the mouth of the Aliso Creek ocean has been prohibited. The purpose of the creek diversion is to mitigate the threat to public [illegible] the ponded water and any creek flow to the ocean..

4. The creek flow will be diverted to a small pump building and then pumped to the AWMA outfall. In the outfall, the creek flow will commingle with the treated secondary effluent from the AWMA treatment facilities.

5. AWMA has reported that the summertime flow diversion of the Aliso Creek to the ocean outfall is a temporary diversion for the protection of human health and that the summertime flow of Aliso Creek will be restored to its natural discharge channel in the future.

6. The issuance of this Addendum is exempt from the requirement for preparation of environmental documents under the California Environmental Quality Act (Public Resources Code, Division 13, Chapter 3, Section 21000 et seq.) in accordance with the California Water Code, Section 13389.

7. This Regional Board has notified AWMA and all known interested parties of its intent to modify Order No. 95-107.

8. This Regional Board, at a public meeting on August 13, 1997, has heard and considered all comments pertaining to the modification of Order No. 95-107.

IT IS HEREBY ORDERED THAT:

1. *Prohibition A.4* of Order No. 95-107 shall be replaced by the following:

   4. Discharge to the Pacific Ocean through the AWMA Ocean Outfall in excess of 27.0 MGD average dry weather flow rate is prohibited unless the discharger obtains revised waste discharge requirements authorizing an increased flowrate. The summertime stream flows diverted from the Aliso Creek to the AWMA Ocean Outfall shall be included when calculating the average dry weather flowrate discharged through the AWMA Ocean Outfall. The summertime stream flow diversion from the Aliso Creek to the AWMA Ocean Outfall shall not exceed 4.52 MGD unless the discharger obtains revised waste discharge requirements authorizing an increased flowrate.

2. Order No. 95-107 shall be amended to add the following *Prohibition A.10.*

10. Diversion of Aliso Creek stream flows to the AWMA Ocean Outfall is prohibited between October 16, and April 30 each year.

3. Order No. 95-107 shall be amended to add the following *Discharge Specification B.11.*

11. The stream flow diversion from Aliso Creek to the AWMA Ocean Outfall shall be included as a component of the *effluent limitations* as listed in Discharge Specification B.2

4. The *Semiannual Reporting Period* and the *Semiannual Report Due Date* as listed in *Monitoring Provision II.14* of *Monitoring and Reporting Program No. 95-107* shall be replaced by following:

Monitoring Frequency	Reporting Period	Report Due
Semiannually	**May -- October**	**November 30**
	November -- April	**May 30**

5. The following paragraph shall be added to *Monitoring and Reporting Program No. 95-107* in the *IV. Effluent Monitoring* section as the first paragraph in that section.

For the purposes of this Monitoring and Reporting Program, *effluent* includes Aliso Creek flows diverted to the AWMA Ocean Outfall as well as treatment plant effluent.

6. *Monitoring and Reporting Program No. 95-107* shall be amended to add the following *VI. Aliso Creek Monitoring*.

VI. Aliso Creek Monitoring

The stream flow diversion from Aliso Creek to the AWMA Ocean Outfall shall be monitored for the following:

Parameter	Unit	Type of Sample	Minimum Frequency
Flowrate	MGD	recorder/totalizer	continuous
$CBOD_5$ @20°C	mg/l	24-hr composite	daily[3]
Suspended Solids	mg/l	24-hr composite	daily[3]
pH	units	grab	daily[3]
Total and fecal coliform	#/100ml	grab	weekly

I, John H. Robertus, Executive Officer of the San Diego Regional Water Quality Control Board, do hereby certify the foregoing is a full, true, and correct copy of Addendum No. 1 to Order No. 95-107 adopted by the California Regional Water Quality Control Board, San Diego Region, on September 17, 1997.

JOHN H. ROBERTUS
Executive Officer

STATE OF CALIFORNIA - THE RESOURCES AGENCY GRAY DAVIS, *Governor*

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
?00 Oceangate, Suite 1000
ıng Beach, CA 90802-4302
,562) 590-5071

EMERGENCY PERMIT

DATE: JULY 20, 2000

EMERGENCY PERMIT: 5-00-272-G

APPLICANT: County of Orange

LOCATION: Aliso Creek, 300 feet upstream of the Coast Highway bridge, and 1.5 miles off-shore of Aliso Creek County Beach, City of Laguna Beach, County of Orange

EMERGENCY WORK PROPOSED: Temporary diversion of creek flows to a nearby sewer outfall line which discharges 1.5 miles offshore. The project includes placement of a temporary sand berm in the creek bed and on the banks of Aliso Creek; placement of a pipe upstream of the proposed berm which will be used to siphon the creek water (using an electric pump) through an existing 200 foot long pipe which runs under the existing parking lot and connects to the adjacent existing sewage outfall line. Up to 3.23 million gallons per day of creek water will be collected and diverted offshore to begin immediately and end October 15, 2000.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of the ponding of polluted water at Aliso Beach which requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

(a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;

(b) Public comment on the proposed emergency action has been reviewed if time allows; and

(c) As conditioned the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the attached conditions.

COASTAL COMMISSION

Very Truly Yours,

Peter M. Douglas
Executive Director

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By: Deborah N. Lee

Title: Deputy Director

CONDITIONS OF APPROVAL:

1. The enclosed form must be signed by the permittee and returned to our office within 15 days.

2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.

3. The work authorized by this permit must be completed prior to October 15, 2000.

4. Within 60 days of the date of this permit, the permittee shall apply for a regular Coastal Development Permit to have the emergency work be considered permanent. If no such application is received, the emergency work shall be removed in its entirety within 150 days of the date of this permit unless waived by the Director.

5. In exercising this permit the permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.

6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.

7. A. The applicant shall provide to the Commission monitoring data required by the San Diego Regional Water Quality Control Board and the California Health & Safety Code (i.e. AB411) for the project period and for comparative periods when the project was not in place (e.g. 3 months before project implementation and 3 months after project implementation) for (1) the quantities and types of pollutants (both organic and heavy metals) being discharged from the outfall, (2) the quantities and types of pollutants (both organic and heavy metals) present in the waters of Aliso Creek, the surf zone and vicinity where Aliso Creek discharges to coastal waters, and in near shore waters, and (3) the effects of the project on the marine environment in the vicinity of the outfall and Aliso Creek County Beach, including beneficial/adverse effects on human health and marine life.

   B. The applicant shall also monitor and provide data regarding (1) the effects of the project on riparian vegetation along the banks of Aliso Creek inland of the proposed berm; and (2) the effects of the project on the adjacent Ben Brown's restaurant property, including any minor flooding which may occur.

   C. The applicant shall submit the results of the monitoring required in Special Condition 7.A. and 7.B. above, including any monitoring reports required by the San Diego Regional Water Quality Control Board for this development, to the Executive Director by November 30, 2000. The monitoring results shall be accompanied by an analysis prepared by a appropriately licensed professional which demonstrates if applicable water quality standards (e.g. in stream Basin Plan objectives for Aliso

Creek and Ocean Plan standards) were met during the project period. The analysis shall indicate whether Aliso Creek County Beach was posted or closed (pursuant to the requirements of California Health & Safety Code) during the project period and whether the proposed project was operational during any postings or closures. The analysis shall contain a determination (including the basis on which the determination was made) of whether the proposed project reduced beach postings or closures during the project period. The analysis shall also contain a determination (including the basis on which the determination was made) of whether the proposed project had any beneficial/adverse impacts upon human health and marine life including any such impacts at the outfall, in near shore waters, in the surf zone or in Aliso Creek.

8. If the National Weather Service predicts a significant storm event that would occur prior to October 15, 2000, which could cause flooding in Aliso Creek, the proposed berm shall be removed prior to the forecasted date of the storm event so that no flooding will occur as a result of the berm. For purposes of this condition, a "significant storm event" shall be defined as: an event of one inch or more of rainfall within a 24 hour period.

9. This emergency permit does not authorize the development to continue past October 15, 2000. The development within Aliso Creek shall be removed in its entirety by October 15, 2000, and the development site restored to its previously existing state.

Condition number four (4) indicates that the emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a Coastal Development Permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.

If you have any questions about the provisions of this emergency permit, please call the Commission office in Long Beach (562) 590-5071.

Enclosures: Acceptance Form
Coastal Permit Application Form

cc: City of Laguna Beach Planning Department (w/o enclosures)
Aliso Water Management Agency (w/o enclosures)

COASTAL COMMISS...

EXHIBIT # 6
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