



South Orange County Wastewater Authority

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August 7, 2007

The Honorable Nancy Wieben Stock  
Presiding Judge of the Superior Court,  
700 Civic Center Drive West  
Santa Ana, CA 92701

Re: South Orange County Wastewater Authority (SOCWA) Response to Orange County  
Grand Jury Report, "Orange County's Beaches: An Environmental Scorecard"

Dear Judge Stock:

The South Orange County Wastewater Authority (SOCWA) has received and reviewed the subject Grand Jury Report. As a point of interest SOCWA was created July 1, 2001 as a Joint Powers Authority. SOCWA is comprised of ten Member Agencies, which are the City of Laguna Beach, the City of San Clemente, the City of San Juan Capistrano, El Toro Water District, Emerald Bay Service District, Irvine Ranch Water District, Moulton Niguel Water District, Santa Margarita Water District, South Coast Water District and Trabuco Canyon Water District, and provides wastewater treatment, effluent and biosolids disposal, and water recycling at regional facilities in the southern part of Orange County.

It is important to note that SOCWA as a Joint Powers Authority is responsible to its ten Member Agencies and has no jurisdiction over other cities and special districts in the County. The mission of SOCWA is to treat, beneficially reuse and dispose of wastewater in an efficient and economical manner that respects the environment, maintains the public's health and meets or exceeds all local, state and federal regulations to the mutual benefit of our ten Member Agencies and the general public in South Orange County. SOCWA provides at a minimum, full secondary treatment at all of its wastewater facilities and also has active water recycling, industrial waste (pretreatment), biosolids management and ocean/shoreline monitoring programs. SOCWA does not own, operate or maintain raw sewage collection systems; rather, these facilities are the responsibility of a combination of local municipalities, private parties and the SOCWA Member Agencies.

Following are SOCWA's responses to the findings and recommendations of the Grand Jury as required in the May 25, 2007 correspondence from Mike Penn, Foreperson 2006-2007 Orange County Grand Jury. SOCWA formulated this response in consultation with the Member Agencies, and the information provided in this response is based in part on information provided by the Member Agencies.

### **Finding F-3**

#### **Most dry weather beach closures are due to sewage spills.**

The SOCWA Member Agencies agree with Finding F-3, most dry weather beach closures designated by the Orange County Health Care Agency are due to sewage spills. The

County Health Care Agency reserves the Beach Closure Designation nearly exclusively for closing portions of Beaches and Bay Waters that are impacted by sewage spills. The County of Orange Health Care Agency/Environmental Health made a total of 24 ocean and bay water closures in 2006, and twenty-three of the closures were the result of spills of sewage, or partially treated wastewater. It is important to note the 15 of the 24 ocean and bay water closures were from private party sewage spills which are outside the full control of public agencies providing sewage collection services in the County.

If the Grand Jury's intention was to say most dry weather exceedances of beach water quality standards are due to sewage spills, SOCWA strongly disagrees. Orange County's historic bathing beach water quality data demonstrates that urban runoff and natural sources of fecal indicator bacteria are significant contributors to the high indicator bacteria levels found in the ocean and bay waters of the County.

The number of reported sewage spills decreased for four consecutive years from 2002–2006. In 2006 the number of private property sewage spills were responsible for the majority of ocean and bay water closures (63%). The total number of ocean and bay water closures in 2006 was the lowest number in the seven year period from 2000–2006.

### **Recommendation R- 3**

**The Orange County Sanitation District and the South Orange County Wastewater Authority should confer with all cities and special districts in the County and develop a plan to manage the aging sewer infrastructure and mitigate sewer line blockages.**

As discussed previously SOCWA does not own, operate or maintain sewer collection systems and has no authority over the agencies, cities or districts in Orange County that manage collection systems.

Both the San Diego and Santa Ana Regional Water Boards have issued Waste Discharge Requirements (WDRs) to regulate sewage collection systems, and to quantify and reduce the number of Sanitary Sewer Overflows (SSOs). Since May 1996, SOCWA member agencies have been regulated for SSOs under WDR's of San Diego Water Board Order 96-04.

All SOCWA member agencies are currently regulated under a State Water Resources Control Board Statewide General Waste Discharge Requirements Order 2006-0003 for Sanitary Sewer Systems. The Statewide Order prohibits public or private sewage system spills, and requires 24 hour electronic reporting of spills and uniform record keeping. The Order also requires all sewage collection systems in the State to develop Sanitary Sewer Management Plans (SSMPs). The Order stipulates SSMPs must contain written plans for collection system capacity, collection system management, and collection system maintenance & operation. Each SOCWA Member Agency has filed a Notice of Intent to comply with the Statewide SSO Order.

SOCWA believes the Grand Jury's Recommendation R-3 is an unnecessary duplication of the Sanitary Sewer Management Plan provisions contained in the Statewide SSO Order. Because each SOCWA Member Agency is individually responsible for developing a Sanitary Sewer Management Plan, no additional benefit would be gained by developing an area-wide plan.

Judge Stock  
August 2, 2007

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If I can be of any assistance to you or if you have any further question or concerns, please do not hesitate to call me at (949) 234-5421.

Very truly yours,

**South Orange County Wastewater Authority**

A handwritten signature in black ink, appearing to read "Thomas R. Rosales". The signature is fluid and cursive, with a prominent loop at the end.

Thomas R. Rosales  
General Manager

cc: file