

COMPLIANCE DETERMINATIONS

Chapter 2 COMPLIANCE DETERMINATIONS



INTRODUCTION

This chapter provides compliance results for the 2011-12 monitoring year for the Orange County Sanitation District's (District) Ocean Monitoring Program (OMP). The program includes sample collection, analysis, and data interpretation to evaluate potential impacts of wastewater discharge on the following receiving water characteristics:

- Bacterial
- Physical
- Chemical
- Biological
- Radioactivity

Each of these characteristics have specific criteria (Table 2-1) for which permit compliance must be determined each monitoring year. Compliance determinations were made by comparing OMP findings to the criteria specified in the District's NPDES permit (Order No. R8-2004-0062; NPDES Permit No. CA0110604).

Sampling locations included 17 nearshore (surfzone) and 29 offshore water quality stations (Figure 3-1), 69 stations to assess benthic (bottom-dwelling) communities and sediment chemistry (Figures 4-1 and 5-1), and sixteen trawl stations to evaluate fish and macroinvertebrate communities (Figure 6-1). Monitoring frequencies varied by component, and ranged from 2–5 days per week for surfzone water quality to annual assessments of fish health and tissue analyses.

The water quality sampling stations comprised two groups, 17 nearshore (surfzone) stations and 29 offshore stations. The offshore group forms a fixed-grid pattern around the outfall. Nine of these stations were located within 3 miles of the shoreline, and were considered Rec-1 stations (Table A-1). These nine stations were sampled for bacteria and must comply with offshore bacterial standards. The 29 offshore stations were also separated into two zones (A and B) for determining compliance with physical and chemical water quality standards. Station locations were defined as either Zone A (stations located on the two inner most alongshelf transects) or Zone B (stations located on the two outer most alongshelf transects) as shown in Figure A-1.

Table 2-1. Listing of compliance criteria from NPDES ocean discharge permit (Order No. R8-2004-0062, Permit # CAO110604) and compliance status for each criterion in 2011-12.

Orange County Sanitation District, California.

Criteria	Description	Criteria Met	Comments
Bacterial Characteristics			
C.2.a.1	Total coliform (water contact)	Yes	Compliance was achieved 100% of the time in the Offshore Zone (Chapter 3). Nearshore compliance, based on more restrictive shellfish standard (C.2.b below), was achieved 100% and 95.7% of the time for 30-day median and the 20% standards, respectively (Appendix B).
C.2.a.2	Fecal coliform (water contact)	Yes	Offshore compliance was achieved 100% of the time (Chapter 3). Nearshore samples had 100% and 99.1% compliance for the geometric mean and 10% standards, respectively (Appendix B).
C.2.b	Total coliform (shellfish harvesting)	Yes	Nearshore samples had 100% and 95.7% compliance with the 30-day median and the 10% standards, respectively (Appendix B).
C.2.c	Enterococci (water contact)	Yes	Monitoring only. All Offshore Zone samples met 30-day and 6-month permit limits. Nearshore samples met 30-day and 6-month permit limits 99.6% and 98.6% of the time respectively (Appendix B).
Physical Characteristics			
C.3.a	Floating particulates, oils and grease	Yes	No wastewater particles, oils or grease were observed during the monitoring year in either the Nearshore or Offshore Zones (Chapter 3).
C.3.b	Water clarity and discoloration	Yes	Offshore compliance standards were met 100% of the time (Chapter 3).
C.3.c	Light transmittance	Yes	Greater than 97% of the Offshore values were in compliance. All out-of-compliance values fell within the range of natural variability and would not cause significant environmental effects (Chapter 3).
C.3.d	Inert solids	Yes	There were no measured effects to sediments from discharge-related inert solids (Chapter 4).
Chemical Characteristics			
C.4.a	Dissolved oxygen	Yes	Greater than 98% of the Offshore values were in compliance. All out-of-compliance values fell within the range of natural variability and would not cause significant environmental effects (Chapter 3).
C.4.b	Acidity (pH)	Yes	Greater than 99% of the values were in compliance (Chapter 3).
C.4.c	Dissolved sulfides	Yes	Dissolved sulfide concentrations in sediments did not result in anaerobic conditions (Chapter 4).
C.4.d	Table B substances in sediments	Yes	Several metals exceeded the Effects-Range-Low (ERL) at some stations in the submarine canyon or slope stations. No sample exceeded the Effects Range-Median concentration for any metal. PCB concentrations were elevated near the outfall compared to other sites. DDT levels were elevated above the ERL at most sites. Whole sediment toxicity testing showed no measurable toxicity at any station tested (Chapter 4).
C.4.e	Organics in sediments	Yes	Sediment total organic carbon concentrations did not result in excessive organic loading or anaerobic conditions (Chapter 4).
C.4.f	Nutrients	Yes	Ammonium values were 20 to 30 times lower than California Ocean Plan objectives and there were no chlorophyll/plankton associated impacts (Chapter 3).
C.4.g	Table B substances in ZID	Yes	None of these constituents exceeded the effluent limitations established in the permit. Reported in Monthly Discharge Monitoring Reports.
Biological Characteristics			
C.5.a	Marine biological communities	Yes	Minor discharge effects were seen in infaunal assemblages near the outfall but no sample outside of the ZID indicated significant change to infaunal communities (Chapter 5). Trawl sampling results showed that invertebrate and fish populations were generally normal and healthy beyond the ZID and the outfall was not a disease epicenter (Chapter 6).
C.5.b	Fish tissue (taste, odor, and color)	Yes	All collected fish exhibited normal color or odor. All fish muscle appeared normal and comparable to other areas within the Southern California Bight (Chapter 6).
C.5.c	Fish tissue (bioaccumulation)	Yes	All muscle tissue samples contained mercury, PCB, and DDT concentrations below state and federal human consumption guidelines (Chapter 6).
Radioactivity Characteristics			
C.6	Radioactivity	Yes	Radioactivity is measured in effluent only and reported in the Discharge Monitoring Report. All limits met.

Compliance evaluations were based on statistical comparisons to the corresponding upcurrent Zone A or Zone B reference station (OCSD 1999). This matching of Zone A or Zone B stations allowed comparisons of data from similar water depths.

RESULTS AND DISCUSSION

A compliance summary is presented in Table 2-1 and Figure B-1.

Bacterial Criteria

Water contact criteria have bacterial standards that need to be sustained. Criteria C.2.a.1 and C.2.a.2 require that the discharge not cause exceedences to nearshore and offshore water contact standards for total and fecal coliform bacteria. Additionally, shellfish harvesting standards for total coliforms are applied at the nearshore stations (Criterion C.2.b). Monitoring only (bacterial assessment) was required for enterococci bacteria in both station groups (Criterion C.2.c).

Total coliform bacteria have a single sample maximum of 10,000/100 mL (must be verified by a repeat sample taken within 48 hours) and a 30-day geometric mean limit of 1,000/100 mL, provided that no more than 20% of the samples at any station exceed 1,000/100 mL. Fecal coliform bacteria cannot exceed a 30-day geometric mean of 200/100 mL and no more than 10% of the samples can exceed 400/100 mL within any 60-day period. In addition, enterococci have geometric mean limits of 24/100 mL over a 30-day period or 12/100 mL over a 6-month period. The State of California shellfish harvesting standard limit for total coliform is a median density not to exceed 70/100 mL, provided that no more than 10% of the samples exceed 230/100 mL. For nearshore total coliform bacteria, compliance determinations for water contact criteria were made using the more restrictive shellfish standards. Chapter 3 and Appendix A contain more information on the analysis of the nearshore water quality data.

Nearshore

The 30-day median and 30-day 10% standards were met at the 17 surfzone stations 100% and 95% of the time respectively (Figure 2-1, Tables B-1 and B-2). The fecal coliform benchmark was met 100% for the monthly geometric mean standard and >99% for the 60-day 10% standard (Figure 2-1, Tables B-3 and B-4). Enterococci benchmarks were met with >99% compliance for the 30-day geometric mean (Table B-5) and >98% compliance for the 6-month geometric mean standards (Table B-6). Chapter 3 and Appendix A contain more information on the analysis of the nearshore water quality data.

Offshore

The Rec-1 stations achieved 100% compliance for both total and fecal coliform bacteria (Tables B-7 and B-8). The highest recorded value was 1722 MPN/100 mL. Enterococci concentrations were low with the majority of values less than the minimum detection level. The highest recorded concentration was 75 MPN/100 mL (Table B-9). This suggests that it was unlikely that the wastewater discharge impacted bacterial levels in recreational waters. Since the onset of effluent disinfection in August 2002, the incidence of detectable bacterial concentrations in offshore waters has decreased markedly.

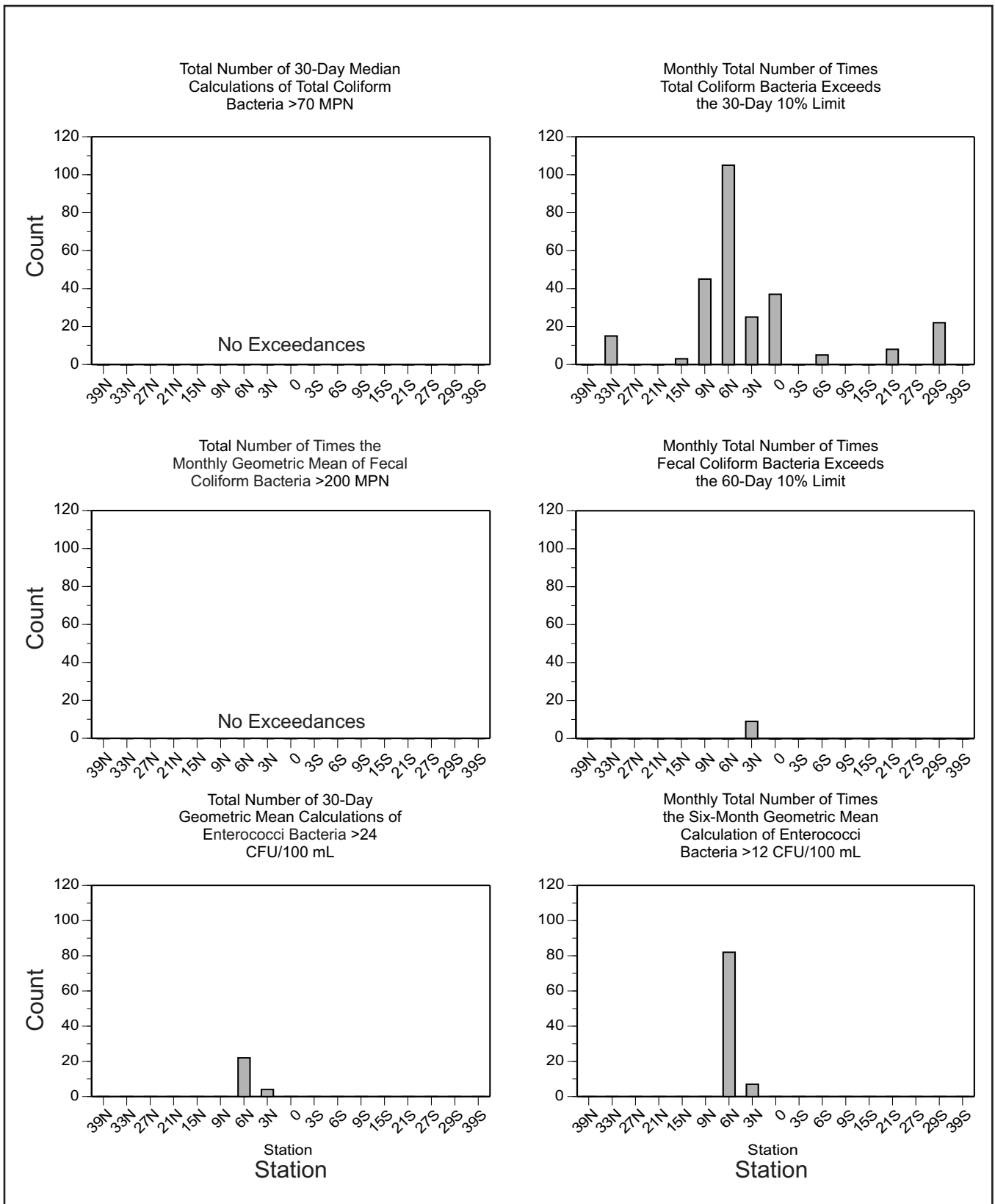


Figure 2-1. Exceedances of the California Ocean Plan benchmarks by count per/station at OCSD nearshore (surfzone) stations, July 2011 through June 2012.

Orange County Sanitation District, California.

Physical Criteria

The criteria for determining compliance with physical characteristics (C.3.a–d) are narrative and apply to the discharge of floatable material, substances that could alter the color or transparency of the water, and/or contaminate sediments and degrade biological communities.

Floating Particulates and Oil and Grease

Criterion C.3.a states that "floating particulates and oil and grease shall not be visible." There were no observations of oils and grease at any offshore or nearshore station in 2011-12 (Tables B-10, B-11, and B-12). Therefore, compliance was achieved 100% for this criterion.

Ocean Discoloration and Transparency

These criteria specify that "the discharge of waste shall not cause aesthetically undesirable discoloration of the ocean surface" (C.3.b) and that "natural light shall not be significantly reduced at any point outside the initial dilution zone" (C.3.c).

Secchi depth and water color data were generally consistent with the transmissivity results. The lowest surface water clarity was at stations closer to shore and near the Newport Canyon with progressively clearer water with distance offshore (see Chapter 3). The lower water clarity at the shallower stations typically reflects higher natural turbidity due to runoff and resuspension of sediment due to wave activity. The general patterns noted for Secchi depth were consistent with results from prior monitoring years (OCSD 1991, 1996a, 2004b, 2011a). Photosynthetically active radiation (PAR) results further confirmed the lack of an outfall signal for surface water clarity. There were no impacts from the wastewater discharge relative to ocean discoloration at any offshore station.

Water clarity standards were met 99.4% and 94.2% of the time for Zone A and B stations, respectively (Table 2-2). For all stations combined, overall compliance was 97.0%, which represents a slight decrease from the previous year. This small number of out-of-compliance values was not environmentally significant. For example, all transmissivity values were within natural ranges of variability to which marine organisms are exposed (OCSD 1996a). Additionally, no discharge related patterns were observed for Secchi, PAR, or water color assessments.

Inert Solids

Criterion C.3.d states that "the rate of deposition and the characteristics of inert solids in ocean sediments shall not be changed such that benthic communities are degraded." No effects on sediments from effluent solids discharge were evident from the sediment characteristics or marine community data (Chapters 4, 5, and 6).

Chemical Criteria

These criteria (C.4.a–g) include limits to the water column and sediments. With the exception of dissolved oxygen and acidity (pH), all of the criteria are narrative.

Table 2-2. Summary of offshore water quality compliance testing results for dissolved oxygen, pH, and transmissivity for 2011-12.

Orange County Sanitation District, California.

Parameter	Number of Observations	Number of Out-of-Range Occurrences	Percent of Out-of-Range Occurrences	Number Out-of-Compliance	Percent Out-of-Compliance
Zone A Stations					
Dissolved Oxygen	520	64	12.3	10	1.9
pH	520	53	10.2	6	1.2
%Transmissivity	520	278	53.5	3	0.6
Zone B Stations					
Dissolved Oxygen	466	31	6.7	8	1.7
pH	466	10	2.1	1	0.2
%Transmissivity	466	149	32.0	27	5.8
Total (Zone A and Zone B Stations Combined)					
Dissolved Oxygen	986	95	9.6	18	1.8
pH	986	63	6.4	7	0.7
%Transmissivity	986	427	43.3	30	3.0

Dissolved Oxygen

Criterion C.4.a states that "the dissolved oxygen (DO) concentration outside the zone of initial dilution shall not at any time be depressed more than 10 percent from that which occurs naturally as the result of the discharge of wastes." In 2011-12, compliance with this standard was met 98.1% and 98.3% of the time for Zone A and B station groups, respectively. Overall compliance was met 98.2% of the time for all stations combined (Table 2-2). This represents an increase in compliance of about 0.4% from the 2010-11 monitoring year and extends the upper end of the range seen since 1998 (86.1–97.8%). The dissolved oxygen values were well within the range of long-term monitoring results (OCSD 1996b, 2004b). No environmentally significant effects to DO from the wastewater discharge were observed.

Acidity (pH)

Criterion C.4.b specifies that "the pH shall not be changed at any time more than 0.2 units from that which occurs naturally outside the zone of initial dilution as a result of the waste discharge." Compliance with this standard was met 98.8% and 99.8% of the time for Zone A and B station groups, respectively. Overall compliance was met 99.3% of the time for all stations combined (Table 2-2). Compliance is the same as the previous year's value of 99.3% and within the range seen since 1998 (95–100%). The pH values measured were within the range to which marine organisms are naturally exposed. Therefore, there were no environmentally significant effects to pH from the wastewater discharge.

Dissolved Sulfides

This criterion (C.4.c) requires that "the dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions." Sediment sulfide concentrations were low along the 60-m contour stations, but slightly elevated within the zone of initial dilution (ZID) from <2 to 5 times that of the control stations and within a factor of 4 at non-ZID nearfield stations (see Chapter 4). The slight elevations in sediment sulfide concentrations outside the ZID are consistent with long-term monitoring results and did not appear to adversely affect indigenous invertebrate or fish populations.

Total Organic Carbon (TOC)

Criterion C.4.e states that "the concentrations of organic materials in marine sediments shall not be increased to levels which would degrade marine life." Sediment TOC concentrations varied little among the 60-m stations (range = 0.343–0.621%) and were not likely to be ecologically significant (See Chapters 4 and 5). Thus, the monitoring results for sediment quality indicate that deposition of effluent-derived organic material did not cause excessive loading or anaerobic conditions and compliance was achieved for this criterion.

Sediment Chemistry/Toxics

Criterion C.4.d states that "the concentrations of substances, set forth in Chapter IV, Table B, of the 1983 Water Quality Control Plan for Ocean Waters of California, in marine sediments shall not be increased to levels which would degrade indigenous biota" (C.4.d). There are no numeric limits for sediment chemical contaminants. For compliance assessment, sediment contaminant levels were evaluated by comparing chemical concentrations against background concentrations from control sites and benchmarked against the sediment quality guidelines (SQG) that were developed for the National Oceanographic and Atmospheric Administration (NOAA) Status and Trends Program (Long et al. 1995; see Chapter 4). The benchmarks, effects range-low (ERL) and effects range median (ERM), are defined as the 10th percentile concentration of a chemical in sediment below which a toxic effect is unlikely and the 50th percentile concentration above which a toxic effect occurs frequently, respectively.

Sediment Metals

Like previous years, sediment concentrations of mercury showed a spatial pattern seemingly related to the wastewater discharge, although no station inside or outside the ZID exceeded the ERL value. Copper and nickel exceeded ERL thresholds, but these occurred primarily at slope and canyon stations sampled in July 2011. No metal exceeded the ERM threshold.

Sediment Trace Organics

DDT was detected at all stations and routinely exceeded the ERL. Station 20, located upcoast and offshore of the outfall diffuser exceeded the ERM. However, there was no evident spatial pattern relative to the outfall. This is consistent with past results, which have shown that this legacy contaminant is distributed throughout the Southern California Bight. Nearly 63% of Bight mid-shelf sediments (30–120 m) have tDDT concentrations above the ERL (Schiff et al. 2006). In contrast to previous years, total PCB (tPCB) concentrations at within ZID stations were comparable to non-ZID shelf stations with no outfall influence evident. Total PAH concentrations were well below the ERL value, but were up to 7 times higher at outfall stations relative to the control stations. Overall, these results indicate minor impacts to sediment quality within the ZID and to a lesser degree at a

few stations near the ZID, but with low possibility of adverse effects to biota from these compounds.

Toxicity

Although not a requirement of the District's NPDES permit, the District conducted whole sediment toxicity testing on samples collected from the ten 60-m quarterly stations in summer 2011 and winter 2012. Results showed no measurable whole-sediment toxicity at any station tested. This is consistent with the predicted low-level of toxicity by the Mean-ERM-Quotient (mERMq) analysis based on sediment geochemistry concentrations.

Nutrients

Criterion C.4.f specifies that "nutrient materials shall not cause objectionable aquatic growths or degrade indigenous biota." The District determines compliance with this criterion using ammonia concentrations in the water column. During 2011-12, 87% (n=2212) of the samples contained ammonia concentrations that were below the detection limit (Chapter 3). Detectable ammonia concentrations ranged from 0.02 (MDL) to 0.46 mg/L, with 63% (n=185) of the detected values collected from samples taken below 20 m. Plume-related changes in ammonia were not considered environmentally significant as maximum values were 20 to 30 times, respectively, less than California Ocean Plan receiving water objectives for chronic (4 mg/L) and acute (6 mg/L) toxicity to marine organisms (OCSD 2004a). In addition, there were no detectable plankton associated impacts (i.e., excessive plankton blooms caused by the discharge) (see Chapter 3).

Organics in the Water Column

Criterion C.4.g states that "the concentrations of substances set forth in Table B of the California Ocean Plan shall not be exceeded in the area within the waste field where initial dilution is completed." Based on the reasonable potential analysis conducted when the permit was adopted, eight constituents from Table B of the Ocean Plan have effluent limitations established in this discharge permit (Order No. R8-2004-0062; NPDES Permit No. CA0110604). During the period from July 2011 through June 2012, none of these constituents exceeded the effluent limitations established in the permit (OCSD 2011b).

Biological Criteria

Three narrative compliance criteria are specified for biological communities: (1) that "marine communities, including vertebrates, invertebrates, and plant species, shall not be degraded" (C.5.a); (2) that "the natural taste, odor, and color of fish, shellfish, or other marine resources used for human consumption shall not be altered" (C.5.b); and (3) that "the concentration of organic materials in fish, shellfish, or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health" (C.5.c). The concept of a degraded community implies a loss of diversity or a significant change and/or loss of community function.

Invertebrates

Infaunal Community

Infaunal community measures were indicative of the environmental complexity of the monitoring area, including water depth effects and the influence of the wastewater discharge. In 2011-12, Benthic Response Index (BRI) and Infaunal Trophic Index (ITI) scores at stations

outside the ZID, but near the outfall, showed generally healthy benthic communities. Several stations had BRI or ITI scores indicating either marginal deviation from reference or changed communities, respectively. No score indicated degraded conditions by either index (Chapter 5). Since 2005, there has been a trend towards declining infaunal community health at several stations within the ZID, particularly at Station 0 near the outfall terminus, which categorized as having a loss of biodiversity as measured by the BRI and severe degradation as measured by the ITI. Infaunal community diversity and abundances within the monitoring area more distant (>1 km) from the outfall diffuser were comparable to regional values and the historical ranges of index scores. However, there were no correlations to measured contaminants or conditions that might explain these changes, indicating the causative agent(s) were unmeasured by the Core ocean monitoring program. The District is presently concluding a three -year investigation into the cause(s) of this occurrence. These results will be presented to regulators in early 2013 and will be summarized in the 2012-13 report.

Overall, infaunal communities showed some improvement over the previous few years. BRI and ITI scores at the few affected stations indicated that those infaunal communities are showing a minor level of impact, but that degraded conditions do not exist in the monitoring area and suggest that improvement may be occurring.

Trawl Macroinvertebrates

Results of community monitoring from the trawl monitoring stations showed that macroinvertebrate communities at outfall Station T1 were similar to but less diverse than the upcoast 60 m stations, as well as to regional reference areas. These results indicate that macroinvertebrate communities were not degraded (Chapter 6).

Vertebrates (Fishes)

Fish Community

Analysis of the demersal fish data indicates that the fish community at the outfall was different from the other 60-m sites, but not degraded. Fish community measures near the outfall showed minor differences from the upcoast 60 m stations, but were similar to regional reference areas, and had Fish Response Index scores indicative of reference conditions (Chapter 6). Overall, there were no indications of a degraded demersal fish community in the area of the discharge or within the District's monitoring area.

Fish Tissue Contaminants

In 2011-12, fish tissue contaminant concentrations were generally low in all target species. No fish analyzed exceeded the State of California fish consumption guidelines for the legacy contaminants DDT and PCB, or for mercury in muscle tissue.

Fish Health

Fish were examined visually for external parasites and abnormalities, such as skeletal deformities, tumors, lesions, and abnormal coloring. Less than 1% of the fish collected in 2011-12 showed evidence of irregularities. The most common irregularity was the presence of the eye parasite *Phrixocephalus cincinnatus* in Pacific sanddabs (*Citharichthys sordidus*), which occurred in than 1.1% of the fish examined (Chapter 6). One occurrence of *P. cincinnatus* was found in a slender sole (*Lyopsetta exilis*) collected offshore of the outfall at a depth of 137 m. These results are comparable to background levels found within the SCB and do not indicate a degraded biota.

Fish Consumption

Compliance criteria (C.5.b and C.5.c) for fish consumption address the quality of seafood for human consumption relative to the taste, odor, color, and tissue contaminant concentrations of fish and shellfish. There are no numerical or objective criteria for assessing taste, odor, and color of organism tissues, so the evaluation was qualitative, based on observations only.

Fish collected during 2011-12 appeared normal in both color and odor. All fish muscle tissue appeared to be normal and comparable to that found in fresh specimens from other areas along the southern California coast. Estimates of carcinogenic and noncarcinogenic health risks from human consumption of seafood were not performed. However, all fish muscle tissue contaminant levels were below federal and most were below state human consumption guidelines for organic contaminants (Chapter 6). These results are comparable to results from other seafood consumption/health risk studies for this region, which show little risk from consuming fish from the monitoring area.

Radioactivity

This criterion (C.6) states that the “discharge of radioactive wastes shall not degrade marine life.” The District measures the effluent for radioactivity, but not the receiving waters. The results of the effluent analyses consistently meet both state and federal standards and are published in the District’s Discharge Monitoring Reports. As fish and invertebrate communities are generally diverse and healthy, compliance with this criterion is considered to be met.

CONCLUSIONS

In 2011-12, the District achieved compliance for all permit criteria. The overall frequency of compliance for all monitoring parameters cannot be expressed as a single numerical value because many of the criteria are descriptive rather than numeric. In summary, California Ocean Plan criteria for water quality were met. Bacterial standards were consistently achieved at near- and offshore stations. Sediment quality was not degraded by excessive loading of measured chemical contaminants or by physical changes to the sediment from the discharge of wastewater solids. Although impacts in the infaunal assemblages beyond the zone of initial dilution were documented for several stations near the outfall, none would be considered degraded. Finally, fish and trawl invertebrate communities in the monitoring area are healthy and diverse and the fish generally met federal and state fish consumption guidelines with no outfall influence indicated. These results indicate affects from the wastewater discharge are beginning to impact invertebrate communities immediately beyond the ZID, and that the causative agent(s) of changes is not being measured in the core ocean monitoring program. However, the receiving environment was not degraded by the discharge of the treated wastewater, all permit compliance criteria were met, and environmental and human health was protected.

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