

THE CITY OF SAN DIEGO
MANAGER'S REPORT

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DATE ISSUED: September 29, 1997

REPORT NO. 97-176

ATTENTION : NATURAL RESOURCES AND CULTURE COMMITTEE,
AGENDA OF OCTOBER 1, 1997

SUBJECT : INFORMATION REPORT ON CLOSURE OF CHILDREN'S POOL

THIS IS AN INFORMATION ITEM ONLY. NO ACTION IS NECESSARY ON THE PART OF THE COMMITTEE.

BACKGROUND

Children's Pool in La Jolla has been closed to water contact since September 4, 1997 due to continuously high fecal coliform counts. Historically, routine water quality testing has shown this area to meet standards for water contact. As of September 25, 1997, the County Department of Environmental Health had ruled out all obvious sources of the recent continuous high counts, such as sewage spill and urban runoff, indicating that harbor seal feces may be the source. Even this source cannot be definitively confirmed until the City receives the results of an expensive DNA test from a laboratory in Virginia in about two months. The purpose of this report is to explain the current status of the situation and the City Manager's intention to be environmentally sensitive in taking necessary steps to protect public health and safety.

Effects of seal feces on human health is not a well-researched subject. It is not definitively known what effects people experience from contact with the organisms in seal feces. However, State law does not differentiate between human and animal sources of fecal coliform and requires action to be taken to protect public health if fecal coliform levels exceed the State standard. Therefore, as with any polluted body of water, Children's Pool will be closed to water contact whenever testing demonstrates that water quality is unsafe for human contact.

DISCUSSION

At this time, we can only speculate as to the reasons for this unusual contaminant level. Until we better understand the reasons, we do not know when the area will be open for

human contact or the likelihood of future closures. Harbor seal populations have steadily increased off the west coast over recent years. This is evidenced at Children's Pool by an increased number of seals using the area. Although there has been public speculation that the Marine Mammal Reserve at the nearby offshore rocks (which is three years into its five year trial) has resulted in the increased seal population at Children's Pool, marine mammal experts have no evidence of a correlation. For the last year and a half, lifeguards have erected barriers between seals hauled-out on the sand at Children's Pool and the public. This has been to protect the public from being bitten by a wild animal, as well as to protect seal spectators from a hefty fine for violation of the federal Marine Mammal Act if a person's proximity or action should cause a seal to change its behavior, eg. move from land to water. It is unknown whether there is a causal relationship between this on-beach protection of the public from the seals and more seals hauled-out on the beach.

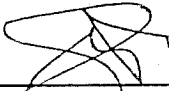
There has been speculation that the current high contaminant level in the water of Children's Pool is an anomaly due to the coliform multiplying in the unusually warm ocean water this summer; however, this is biologically unlikely. There is also speculation that our unusually calm water conditions within Children's Pool this summer, with no large waves flushing the Pool, allowed build-up of contaminants, and that the large waves of September 25-26, 1997 may have resolved the problem, at least in the short term. The long term results will not be known for some time. There has been speculation that the large population of harbor seals will attract sharks to the area; however, there is no evidence of this to date, although killer whales were sighted in the area last year.

If the high contaminant level both proves to be due to seals, and continues, it is the City's intent to find a solution which allows the peaceful co-existence of humans and seals at Children's Pool, to the extent that public health can be protected. For instance, there may be an engineering solution which would increase flushing of the waters of Children's Pool sufficient to keep fecal coliform at a safe level. Since public health is potentially at risk, the federal Marine Mammal Act allows the City to take non-injurious actions which would reduce or eliminate seal usage of Children's Pool. Experimental devices to repel seals from the area without harming them could possibly be used, if tested and considered safe, such as an acoustic device which has been used by fishing boats to keep seals away from their nets, or a compression wave pulse device to deter seals from the immediate area. Periodic shooing-away of seals, possibly with loud noises, may also be considered as a method to reduce, but not eliminate, the haul-out population. At this time, permanent closure of Children's Pool to the public is not being considered.

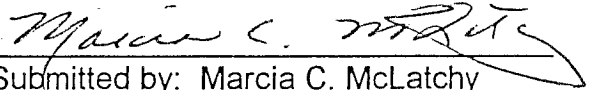
CONCLUSION

Clearly, the best course of action regarding the high fecal coliform counts in the water of Children's Pool can only be determined as more information becomes available. The City is working closely with the County Department of Environmental Health, Fish and Game, and National Marine Fisheries Service. To date, co-existence of people and

seals at this beach has been relatively peaceful, with a high degree of local, national and international media attention, as well as high tourist interest. If the current problem is an anomaly that resolves itself, beach and water access can be returned to status quo. If, however, water quality problems persist, we will need to further consider options mentioned in this report. Future updates will be provided to this Committee as status changes.



Approved: George Loveland
Acting Deputy City Manager



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Park and Recreation Director
236-6643