

Imports

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CALIFORNIA REGIONAL WATER
QUALITY CONTROL BOARD
LOS ANGELES REGION

*Flex your power!
Be energy efficient!*

September 8, 2009

California Regional Water Quality Control Board
Los Angeles Region
320 West Fourth Street, Suite 200
Los Angeles, CA 90013

ATTN: Thanhloan Nguyen

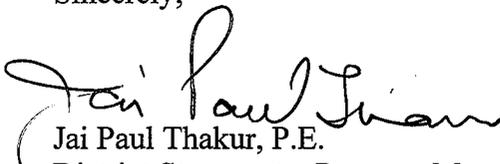
RE: Proposed Total Maximum Daily Load (TMDL) for the Colorado Lagoon Watershed

Dear Ms. Nguyen:

The California Department of Transportation (Caltrans) appreciates the opportunity to comment on the Total Maximum Daily Load for Organochlorine (OC) Pesticides, Polychlorinated Biphenyls (PCBs), Sediment Toxicity, Polycyclic Aromatic Hydrocarbons (PAHs), and Metals in the Colorado Lagoon Watershed. Caltrans supports the Los Angeles Regional Water Quality Control Board's efforts to improve the water quality in this water body. While the TMDL is under development, we would like to provide some suggestions to enhance its content.

Our comments are contained in the attachment. We hope they are helpful. If you have any questions, please call me at my office at (213) 897-7546 or Bob Wu at (213) 897-8636.

Sincerely,


Jai Paul Thakur, P.E.
District Stormwater Program Manager

cc: Gary Garofalo, Caltrans Headquarters Division of Environmental Analysis
Robert Wu, Caltrans, District 7

ATTACHMENT

Atmospheric Deposition

Section 4.3.2 of the Staff Report states that the “metal loadings from dry atmospheric deposition to the land surface of the Colorado Lagoon Watershed were greater than the estimated metal loadings from urban runoff to the watershed”. These values were estimated from a study by Sabin et al. (2006). The authors also found that loadings of metals from atmospheric deposition could potentially account for 57-100% of the metals discharged in storm water runoff from impervious areas. The loads estimated to come from atmospheric deposition are 51 lbs/yr for lead and 413 lbs/yr for zinc. In comparison, the allocations for the storm water permittees are 5.4 lbs/yr for lead and 17.3 lbs/yr for zinc. The loads of lead and zinc from atmospheric deposition exceed the allocations for the stormwater permittees. The Staff Report does not lay out a plan to deal with sources of atmospheric deposition and places the responsibility of reducing the loads from these sources on the landowners. These are significant sources of metals that would be best addressed directly at the source rather than after deposition onto land and washoff occur.

Mass-based WLAs

The Basin Plan Amendment states that the compliance with the mass-based Waste Load Allocations (WLAs) will be determined by the “pollutant concentrations in the sediment at the storm drain outfalls to the lagoon”. Although the concentrations of the sediment can be determined using this strategy, it does not account for the total amount of sediment discharged and thus the method should not be used to determine compliance with the WLAs.

Special Studies

The Basin Plan Amendment should allow for the TMDL to be re-evaluated following any special studies that the stakeholders conduct that increase the understanding of the toxicity problems in the Colorado Lagoon. There are currently many issues that are not well understood about the toxicity problem in the Lagoon and the best strategies for approaching it. Page 10 states that “the Regional Board may revise these WLAs based on additional information developed through monitoring”. We request that a phrase be added to the end of this sentence that states “or special studies”. In addition, the TMDL should include a formal process to allow stakeholders to initiate a review of the TMDL pending critical new data obtained after the TMDL is adopted.

Responsibility for TMDL Required Actions

The Basin Plan Amendment states that Caltrans will be “jointly responsible” for implementing the required actions of the TMDL. However, Caltrans’ roadways and facilities account for only 1.1% of the total watershed area. While Caltrans intends to work with other stakeholders as necessary, Caltrans believes it is inequitable to require a stakeholder that makes up such a small portion of the watershed to take joint responsibility for compliance. Caltrans requests that the TMDL allow Caltrans the option to decide whether to comply with the TMDL jointly or individually.

Detection Limits of Monitoring

On Page 8, the Basin Plan Amendment requires that water quality samples for various constituents be analyzed using procedures that have “detection limits that are at or below the minimum [target] levels”. The TMDL should only require the use of U.S. EPA-approved laboratory analysis methods to analyze the collected samples. When a U.S. EPA-approved method provides detection limits at or below the minimum levels, the method should be used.

Monitoring Plan

The Basin Plan Amendment states that the compliance with the mass-based WLAs will be determined by the “pollutant concentrations in the sediment at the storm drain outfalls to the lagoon”. Although the concentrations of the sediment can be determined using this strategy, it does not account for the total amount of sediment discharged. BMPs may be implemented that would reduce the total amount of sediment discharged and, in the process, the total load of sediment associated pollutants. The method suggested in the Basin Plan Amendment should not be mandated to determine compliance with the WLAs. We suggest that the strategy for monitoring the loads be deferred to the stakeholders as an element of the monitoring plan.

Dry Weather Conditions

It is Caltrans’ contention that its facilities are not a significant source of metals during dry weather, because Caltrans facilities have negligible discharge during these conditions. The only potential source of discharge originating from Caltrans activities would be runoff from irrigation; however, within the Colorado Lagoon watershed, Caltrans does not have any irrigation or landscape and therefore there is no source of dry weather flows. In addition, Section 4.2.4 of the Staff Report states that “studies have also shown that dry-weather pollutant loads are not significant”.