



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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September 13, 2010

IN REPLY PLEASE

REFER TO FILE: **WM-9**

Mr. Samuel Unger, PE
Executive Officer
California Regional Water Quality
Control Board - Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Attention Ms. Stefanie Hada

Dear Mr. Unger:

COMMENTS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT ON THE PROPOSED SANTA MONICA BAY NEARSHORE AND OFFSHORE DEBRIS TOTAL MAXIMUM DAILY LOAD

Thank you for the opportunity to comment on the proposed Santa Monica Bay Nearshore and Offshore Debris Total Maximum Daily Load (TMDL). The following comments are submitted on behalf of the Los Angeles County Flood Control District (LACFCD). The LACFCD also concurs with the comments submitted by the County of Los Angeles and hereby incorporates them by reference.

1. The proposed TMDL should not name the LACFCD as a responsible party

The proposed TMDL should not name the LACFCD as one of the responsible parties for meeting the TMDL's waste-load allocations for several reasons. First, land areas draining to the LACFCD storm drains that empty into the Santa Monica Bay are under the jurisdiction of upstream municipalities. The LACFCD storm drains function solely as a conveyance for urban and stormwater runoff from upstream entities and do not generate any of the pollutants of concern at issue in the TMDL. Further, the LACFCD does not control land uses or industrial facilities within the municipalities and, therefore, has no feasible means of preventing the pollutants at issue flowing from those land uses and facilities from entering its facilities and the Santa Monica Bay. We request the removal of the LACFCD as a responsible party from the proposed TMDL.

2. An Error in Table 9 of the Staff Report Needs To Be Corrected

Page 36, Table 9 of the Staff Report erroneously identifies the LACFCD as the entity having jurisdiction over 6.37 square miles of drainage area in Santa Monica Bay Watershed. This number is based on land use area, but the LACFCD does not have jurisdiction over any land use area in the watershed. We request that this error be corrected and the LACFCD be removed from Table 9 of the Staff Report.

3. The LACFCD is erroneously named on page 5 of the proposed amendment.

On page 5 of the proposed amendment, the LACFCD is included among the Los Angeles County MS4 permittees who are assigned waste load allocations for trash. There can be no waste load allocation assigned to the LACFCD because, as discussed in comment 2 above, the LACFCD has no land use area, which is the basis on which waste load allocations are assigned. The erroneous reference to the LACFCD on page 5 of the amendment should, therefore, be removed. The removal of the reference to the LACFCD on page 5 makes the TMDL consistent with the Los Angeles River, Ballona Creek and Malibu Creek Trash TMDLs, which assigned no waste load allocation to the LACFCD.

We look forward to your consideration of these comments. If you have any questions, please contact me at (626) 458-4300 or ghildeb@dpw.lacounty.gov or your staff may contact Ms. Rossana D'Antonio at (626) 458-4325 or rdanton@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works


for GARY HILDEBRAND
Assistant Deputy Director
Watershed Management Division

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