



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **WM-9**

June 7, 2010

Mr. Samuel Unger, PE
Interim Executive Officer
California Regional Water Quality
Control Board – Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013-2343

Attention Mr. Yanjie Chu

Dear Mr. Unger:

COMMENT OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT ON THE PROPOSED TOTAL MAXIMUM DAILY LOAD FOR INDICATOR BACTERIA IN THE SANTA CLARA RIVER ESTUARY AND REACHES 3, 5, 6, AND 7

Thank you for the opportunity to comment on the proposed amendment to the Water Quality Control Plan for the Los Angeles Region to incorporate the Total Maximum Daily Load (TMDL) for bacteria in the Santa Clara River Estuary and Reaches 3, 5, 6, and 7. Based on our review of the proposed TMDL and the supporting draft Staff Report, the following comment is 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.

Our review found that Sections 6.3 and 7.1 of the draft Staff Report identifies the LACFCD as a responsible party under the TMDL. The draft Staff Report should not name the LACFCD as one of the responsible parties for meeting the TMDL's waste-load allocations (WLAs) for several reasons. First, none of the land areas draining to the LACFCD storm drains that empty into the Santa Clara River are under the jurisdiction of the LACFCD. Secondly, 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. Finally, the LACFCD does not control land

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uses within the municipalities and, therefore, has no practical means of preventing the pollutants at issue flowing from those land uses from entering its facilities and the Santa Clara River. For these reasons, we respectfully request that the draft Staff Report be revised to remove the LACFCD as a responsible party.

We look forward to your consideration of our comment. 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

A handwritten signature in black ink, appearing to read "Gary Hildebrand", written in a cursive style.

GARY HILDEBRAND
Assistant Deputy Director
Watershed Management Division

IN:jtz

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