



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105**

June 7, 2010

Yanjie Chu  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

Dear Mr. Chu,

The U.S. Environmental Protection Agency (EPA) appreciates the opportunity to comment on the proposed bacteria indicator total maximum daily loads (TMDLs) for the Santa Clara River Estuary and Reaches 3,5,6 and 7, and the associated draft Basin Plan amendments, dated April 21, 2010. The TMDLs meet all federal regulatory requirements under the Clean Water Act and EPA supports the adoption of the TMDLs. However, we find the TMDL can be improved by including the following clarifications.

Since the Reach 7 impairment listing was based on 1995-1996 data, and recent data was not collected to confirm the impairment, we suggest adding clarifying statements identifying responsible jurisdictions in Reach 7, and requiring these parties to monitor and determine if they are meeting Waste Load Allocations. We also urge you to consider adding outfall monitoring requirements to the compliance monitoring section of the TMDL.

We appreciate the additional information you provided regarding the inclusion of an implicit margin of safety and are in agreement that the language should be revised. We suggest the addition of language regarding bacterial decay in discharges from storm drains to be similar to those included in the Los Angeles River TMDL: "An implicit margin of safety is incorporated in the interim allocations through the use of a conservative assumption of no (0) bacterial decay in discharges from storm drains to the receiving water when determining the assimilative capacity of the river segments and tributaries."

As a recommendation to the implementation plan, we suggest the Regional Board include a wet weather interim allocation for the Estuary and Reaches 3,5,6, and 7 to better track and show the steps of progress over a 14 year implementation period.

Also, we recommend the addition of informational language to Section 7.2.1 Structural BMPs – On Farm BMPs and Equestrian BMPs of the implementation section: “There may be funding available through the National Resources Conservation Service (NRCS) for the BMPs listed and others developed for the region, as well as technical advice for implementation. Land managers can use various incentives and regulatory approaches to encourage riders to use and abide by local restrictions and regulations.”

We commend your hard work on these TMDLs and strongly recommend adoption by the Regional Board. If you have additional questions or need clarification on the comments above, please call me at (213) 244-1803 or Peter Kozelka at (415) 972-3448.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cindy Lin', with a long horizontal flourish extending to the right.

Cindy Lin  
TMDL Liaison