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June 4, 2010

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

ATTN: Mr. Man Voong

Re: Comments on Los Angeles River Bacterial Indicators TMDL

The California Department of Transportation (Caltrans) appreciates the opportunity to comment on the proposed amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to incorporate a Total Maximum Daily Loads (TMDL) to reduce indicator bacteria exceedances observed in the impaired waterbodies of the Los Angeles River Watershed. Caltrans strongly supports the Regional Board's efforts to protect human health and achieve the highest standard of water quality possible. Caltrans has reviewed the TMDL and BPA and has concerns in the following areas.

Dry Weather Conditions

Caltrans facilities typically do not have dry weather discharges. Caltrans conducted field investigations of facilities within the Los Angeles River, Ballona Creek, Santa Monica Bay, Malibu Creek, and Marina Del Rey watersheds to document if any dry weather runoff occurred from Caltrans facilities and activities, such as landscape irrigation. Over fifty-nine miles of roadway and a maintenance station were inspected over a two period from April through October. Areas with landscaping were mapped and any instances of dry weather flow were noted. Only eight occurrences of dry weather runoff from Caltrans irrigation systems at four locations were identified. Steps were taken to eliminate these discharges and a program has been implemented to identify and address future discharges. Other observations of dry weather runoff were identified, primarily originating from runoff from commercial and residential facilities. The local MS4 Permittees were informed of the discharges.

Source of Waste Loads to the Los Angeles River

Any bacterial indicator loads from Caltrans roadways located in the Los Angeles River watershed are from natural background sources, such as wildlife and birds. Caltrans completed a study in May 2002¹ on the presence of human pathogens in urban storm drains. The study found that highway facilities, including park and rides and maintenance stations, do not appear to be a significant source of pathogens in urban drainage. In addition, during the dry weather inspection study described above, no homeless encampments, illegal discharges, or other

¹ Caltrans (2002) *Management of Pathogens Associated with Storm Drain Discharge - Results of Investigations of the Presence of Human Pathogens in Urban Storm Drains*. (CTSW-RT-02-2005). May 2002

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obvious sources of bacterial indicators were observed. We request that the waste load allocations assigned to Caltrans in the TMDL be set equal to existing loads.

In addition, the BPA states that "Discharges from general NPDES permits, general industrial stormwater permits, general construction stormwater permits, industrial waste water permits, and WDR permits are not a significant source of bacteria to the river." However, no justification is provided for this assumption. Please include a discussion of the basis for this conclusion, and how this applies to both wet and dry weather conditions.

Compliance Schedule

The TMDL outlines a complicated and cumbersome compliance schedule. The BPA establishes different requirements for the different subwatersheds defined in the TMDL (as shown in table 9-1 of the staff report). The WLAs must be met as early as 10 years and late as 25 years after the adoption of the TMDL, depending on the method of compliance and the segment. Caltrans has a very small amount of area in each of the subwatersheds and the Caltrans load is insignificant compared to the total loads in each. Caltrans comprises a very small portion of the overall watershed, as well as each of the subwatersheds. Caltrans should be allowed to comply with the TMDL by implementing a consistent and structured program for its facilities within the Los Angeles River watershed. This should include developing one complete approach rather piecemeal monitoring and implementation plans submitted for each subwatershed.

We hope these comments are helpful. If you have any questions or concerns, please contact me at (916) 653-2512.



Joyce Brenner
Office Chief
Stormwater Implementation

cc: G. Scott McGowen, Keith Jones
Department of Transportation Headquarters Division of Environmental Analysis

Paul Thakur
Department of Transportation, District 7