



Las Virgenes – Triunfo Joint Powers Authority
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818.251.2100



May 10, 2017

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

Subject: Tentative Time Schedule Order for Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit (NPDES) – Las Virgenes Municipal Water District, Tapia Water Reclamation Facility (NPDES Permit No. CA0056014, CI # 4760)

Dear Mr. Unger,

Thank you for the opportunity to comment on the tentative Time Schedule Order (TSO) that will provide additional time for compliance with the proposed application of a lower chloride limit to discharges from the Tapia Water Reclamation Facility (Tapia) to the Los Angeles River. We appreciate the support of your staff to prepare the tentative TSO, considering the unique circumstances surrounding the chloride limit for Tapia's discharge.

In 1999, Tapia began discharging its treated effluent to the Los Angeles River to protect the beneficial uses of Malibu Creek and comply with a Malibu Creek discharge prohibition from April 15th to November 15th each year. The discharges to the Los Angeles River are low in volume, totaling an average of 77 million gallons annually, and normally only occur at the beginning and end of the discharge prohibition period.

The discharges to the Los Angeles River were originally permitted under NPDES Order No. 99-066, which prescribed a chloride limit of 190 mg/L rather than the 150 mg/L Basin Plan Water Quality Objective. The rationale for the higher chloride limit was Resolution No. 97-02 that revised the chloride limit from 150 to 190 mg/L for various surface waters, including certain reaches of the Los Angeles River, due to the impact of drought on chloride levels in potable water sources. The 190 mg/L chloride limit has been maintained in all subsequent permits for Tapia.

It was recently discovered the long-standing application of Resolution No. 97-02 to Tapia's discharges may have been in error because the Resolution only covered the portions of the Los Angeles River downstream of the Sepulveda Flood Control Basin and Tapia's discharge occurs upstream. We believe the 1997 Resolution did not include the portions of the Los Angeles River upstream of Sepulveda Flood Control Basin because there were no discharges from publicly owned treatment works

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Chair, Triunfo Sanitation District
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Board of Directors

upstream of the Tillman Water Reclamation Plant, which is adjacent the Sepulveda Flood Control Basin. Tapia's permitted-discharges to the upstream reach of the Los Angeles River did not begin until two years later in 1999. Nevertheless, the findings that supported adoption of Resolution No. 97-02 are all directly applicable to Tapia's discharge to the Los Angeles River.

Given the circumstances, we believe there is merit for the Board to consider a simplified, streamlined version of the tentative TSO, culminating in a proposed Basin Plan Amendment. The tentative TSO would consist of an investigation to characterize the sources of chloride in Tapia's effluent, an evaluation of reasonable source control measures to minimize chloride concentrations, and a determination on whether or not the findings that supported Resolution 97-02 are applicable to Tapia's discharges. If applicable, a proposed Basin Plan Amendment would be prepared to change the upstream limit for the existing 190 mg/L Water Quality Objective for the Los Angeles River from the Sepulveda Flood Control Basin to the point of Tapia's discharge.

Attached is a revised version of "*Table 3. Tapia WRF Milestone Schedule*," reflecting the proposed simplified, streamlined approach. Also, following is the supporting rationale for the tentative TSO to culminate with a proposed Basin Plan Amendment:

- 1. The lower chloride limit is an obstacle for the JPA's major potable reuse project, called the Pure Water Project Las Virgenes-Triunfo, which will serve to improve water resilience and improve water quality in Malibu Creek.**

The JPA is currently pursuing an ambitious, \$100-million plan, called the Pure Water Project Las Virgenes-Triunfo, to utilize nearly all of Tapia's excess wintertime effluent for potable reuse. The project will provide up to 5,151 acre-feet of new, local drought-resilient water supplies to the JPA's service area and effectively eliminate discharge from Tapia to Malibu Creek. The project serves as the cornerstone of the JPA's compliance strategy for the recently-adopted Implementation Plan for the *2013 Malibu Creek and Lagoon Maximum Daily Loads for Sedimentation and Nutrients to Address Benthic Community Impairments* (TMDL Implementation Plan Resolution No. R16-009). A 6 MGD advanced water treatment facility (AWT) will be constructed to purify recycled water to drinking water standards. However, in accordance with the Implementation Plan, the JPA will need to be capable of handling 11 MGD before mass-based final effluent limitations are applicable for storm-related discharges to Malibu Creek. The 11 MGD threshold was based on 6 MGD processed at the AWT and an additional 5 MGD discharged to the Los Angeles River. With the lower chloride limit of 150 mg/L for the Los Angeles River discharge, the JPA would not be able to discharge at this location and could not handle the 11 MGD flow, resulting in a violation of the concentration-based final effluent limitation for Malibu Creek. The JPA needs certainty that its large investment in the Pure Water Project Las Virgenes-Triunfo will result in full regulatory compliance.

- 2. The lower proposed chloride limit has interrupted plans by the JPA to support local municipalities with MS4 compliance through diversion of low-flow urban runoff to Tapia.**

As a potentially cost-effective regional solution for compliance with MS4 Permits in the watershed, the JPA has been working collaboratively with local cities, the County of Los Angeles and the Ventura County Watershed Protection District to set parameters for the acceptance the diversion of low-flow urban runoff to the sanitary sewer system. Attached is a copy of the Policy Principles adopted by the JPA Board on January 3, 2017. The strategy would prevent polluted stormwater flows from entering receiving waters and allow for the beneficial reuse of a new source of water. However, urban runoff has high levels of chloride and would push Tapia's effluent further from the 150 mg/L limit. At this time, the JPA has had to suspend its discussions regarding urban runoff diversions to the sanitary sewer system given the concern with chloride.

- 3. Tapia's has been permitted to discharge to the Los Angeles River with a chloride limit of 190 mg/L for nearly two decades.**

For 18 years, chloride concentrations in Tapia's discharge to the Los Angeles River have not resulted in the impairment of downstream beneficial uses.

- 4. All other publicly owned treatment works that discharge to the Los Angeles River have a chloride limit of 190 mg/L.**

The D.C. Tillman Water Reclamation Plant, Los Angeles-Glendale Water Reclamation Plant and Burbank Water Reclamation Plant discharge to the Los Angeles River with chloride limits of 190 mg/L established in their recently-adopted 2017 NPDES Permits.

- 5. Tapia's discharges to the Los Angeles River are infrequent and low in volume.**

Discharges from Tapia to the Los Angeles River are normally only required during "shoulder months" at the beginning and end of the April 15th to November 15th prohibition period for discharges to Malibu Creek. During these months, recycled water demand can be relatively low, requiring the application of excess water to the JPA's farm spray fields and pumping to the Los Angeles River. When required, these discharges occur only several months per year, usually between April and June and/or October and November. The total average annual discharge is 77 million gallons.

- 6. The reach of the Los Angeles River, from Tapia's discharge to the Sepulveda Flood Control Basin, is concrete-lined has no chloride-sensitive beneficial uses.**

Tapia's discharge to the Los Angeles River enters the Arroyo Calabasas via an improved storm drain system. The entire 8-mile route of the discharge to the Sepulveda Flood Control Basin is a concrete-lined channel. As a result, there is no groundwater interaction with the discharge. Additionally, there are no agricultural

Mr. Sam Unger, Executive Officer
May 10, 2017
Page 4 of 4

beneficial uses for the Los Angeles River between the Arroyo Calabasas and Sepulveda Flood Control Basin.

Please consider the impacts of a lower chloride limit for Tapia's discharges to the Los Angeles River and include language in the TSO to support the preparation of a future Basin Plan Amendment to extend the upstream limit for the existing 190 mg/L Water Quality Objective to the point of Tapia's discharge.

We appreciate your consideration of our comments. Please do not hesitate to contact me at (818) 251-2122 or Brett Dingman at (818) 251-2330.

Sincerely,



David W. Pedersen, P.E.
Administering Agent/General Manager

BD:DWP:dwp

cc: Board of Directors

Table 3. Tapia WRF Milestone Schedule

Item	Completion Date
<p><u>Investigation</u></p> <ol style="list-style-type: none"> 1. Identify chloride levels in all source waters delivered to residents in JPA's service area from 1999 to present, if available. The composition of the various sources of water delivered to the service area shall be described, including but not limited to water from the SWP, Colorado River Aqueduct, Los Angeles Department of Water and Power, and Las Virgenes Reservoir. 2. Identify chloride concentrations in the influent, effluent, and receiving water from 1999 to present, if available. 3. Describe impacts of drought, water conservation, and statewide water efficiency standards on final effluent chloride concentrations. 4. Identify potential impacts from unique geology in the Malibu Creek Watershed on chloride levels. 5. Identify impacts to the final effluent chloride concentrations from the use of sodium hypochlorite at the Tapia WRF, Westlake Filtration Plant and in potable water distribution system maintenance. 6. Investigate the number of water softeners in the service area to the extent data is available and enhance public outreach on the JPA's prohibition of self-regenerating water softeners. 7. Submit a <i>Chloride Source Investigation Report</i>. 	<p>9 months from the effective date of Order R4-2017-YYYY</p>
<p><u>Evaluation</u></p> <ol style="list-style-type: none"> 1. Evaluate data from the <i>Chloride Source Investigation Report</i> and impacts on chloride levels in the final effluent. 2. Evaluate beneficial uses of the receiving water downstream of Discharge Point 005, the frequency of the discharge, characterization of discharge location and flow path, and the impact the discharge may have on the receiving water, if any. 3. Evaluate potential source reduction activities that the JPA could feasibly implement to reduce chloride in influent and effluent, including timeframes for each activity. 4. Evaluate the effect of drought on chloride levels in source and influent water, and substantiate whether or not the findings of Resolution No. 97-02 are applicable to Tapia's discharge to support a proposed Basin Plan Amendment. 	<p>18 months from the effective date of Order R4-2017-XXXX</p>

5. Submit a <i>Chloride Evaluation of Options Report</i>	
<p><u>Implementation</u></p> <ol style="list-style-type: none"> 1. Implement the recommended source reduction activities after consultation with the Regional Water Board. 2. Submit documentation to the Regional Water Board for preparation of a Basin Plan Amendment to change the upstream limit for the existing 190 mg/L Water Quality Objective for the Los Angeles River from the Sepulveda Flood Control Basin to the point of Tapia's discharge. 	<p>24 months from the effective date of Order R4-2017-XXXX</p>

Las Virgenes – Triunfo Joint Powers Authority
Policy Principles for Dry-Weather Urban Runoff Diversions

1. JPA Board approval and a Discharge Permit are required for any diversion of dry-weather urban runoff to the sanitary sewer.
2. Sufficient data must be provided to characterize the expected flowrate and quality of urban runoff to be diverted to the sanitary sewer.
3. The total volume of urban runoff diverted to the sanitary sewer, plus all projected future wastewater flows at buildout, shall not exceed the capacity of the Tapia Water Reclamation Facility.
4. Urban runoff shall only be diverted during dry-weather; sufficient controls shall be in place to prevent diversions during and following rain events.
5. Urban runoff shall not interfere with the operation of the collection system, treatment plant and recycled water system.
6. Urban runoff diversions shall not interfere with or limit the ability of the JPA to implement the Pure Water Project Las Virgenes-Triunfo, including future brine disposal to Calleguas Municipal Water District's Salinity Management Pipeline.
7. Urban runoff must be pumped to the sanitary sewer and diversion facilities must be designed to prevent the potential of backflow of wastewater into the MS4.
8. Diversion facilities shall be designed to prevent trash, debris and sediment from entering the sanitary sewer.
9. The discharger shall pay the appropriate fees and charges to connect to the sanitary sewer system and to treat the urban runoff.
10. The discharger shall own, operate and maintain all diversion facilities; however, the JPA or its member agencies shall have unimpeded access to stop the diversion of urban runoff in the event of an operational emergency.
11. The discharger shall be responsible for the quality of urban runoff diverted to the sewer system and shall verify compliance with discharge standards through routine water quality monitoring and reporting.
12. The discharger shall maintain a source control program to prevent illicit connections or discharges to the tributary portion of the MS4.

13. The volume and flowrate of diverted urban runoff shall be measured and recorded continuously.
14. The discharger shall indemnify and hold the JPA and its member agencies harmless for any liability associated with diversion of dry-weather urban runoff.
15. The JPA shall have the right to discontinue any dry-weather diversion at its discretion or for any permit violation.

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