



# City of Manhattan Beach

## Public Works Department

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March 28, 2017

Samuel Unger, P.E., Executive Officer  
California Regional Water Quality Control Board  
Los Angeles Region  
320 W. 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013  
Via email: [losangeles@waterboards.ca.gov](mailto:losangeles@waterboards.ca.gov)

Attn: Jun Zhu, Environmental Scientist ([jjzhu@waterboards.ca.gov](mailto:jjzhu@waterboards.ca.gov))

**Subject: Comment Letter—Revisions to the Los Angeles Region 303(d) list**

Dear Mr. Unger:

On February 8, 2017, the Los Angeles Regional Water Quality Control Board (Regional Board) issued a 30-day Notice of Public Hearing and Opportunity to Comment on the Proposed Revisions to the Clean Water Act Section 303(d) List for the Los Angeles Region and the 2016 Integrated Report. The City of Manhattan Beach (City) submitted a letter to the Regional Board on February 21, 2017 requesting an additional 60 days to review and comment on the proposed changes to the 303(d) List—we understand that at least ten (10) other stakeholders/groups submitted similar requests. On February 24, 2017, the Regional Board issued a Notice of Extension of Comment Deadline with a revised comment deadline of March 30, 2017 and that the public hearing is scheduled for May 4, 2017. While the additional 21 days for review and comment is appreciated, it does not allow sufficient time to conduct a comprehensive review of the Appendix H data and references that support the proposed revisions, accordingly our comments have been necessarily limited to review of the staff report and Appendices A through G.

The City of Manhattan Beach is gratified that its beaches meet the criteria for delisting for indicator bacteria. However, the staff report states that even though the delisting is being proposed, “it is important to note that the Santa Monica Bay Bacteria TMDL remains in effect for those beaches even if the delistings are fully approved.” Appendix A indicated that the beach will be removed entirely from listing rather than changing the status to *Category 4a - TMDL has been developed and the approved implementation plan is expected to result in full attainment of the water quality standard within a specified time frame*. The City is concerned that delisting during all weather conditions may adversely affect our ability to compete for grant funding for multi-benefit regional and green street projects identified in the Beach Cities EWMP to address the Santa Monica Bay Beaches Bacteria TMDL (SMBBB TMDL) during wet weather within the high priority 28<sup>th</sup> Street Storm Drain System. Since the SMBBB TMDL targets are set differently for wet and dry weather, it would seem logical for the Regional Board to distinguish these conditions in the 303d listing and we ask that the Board revise the proposed delisting Manhattan Beach for indicator bacteria to be specific to dry weather since final compliance is now in effect and the TMDL objectives are being met for dry weather at all three sites, and that the beach at the SMB 5-2 28<sup>th</sup> Street monitoring location remain on the list in Category 4a for wet weather conditions. This will enable the City to be more competitive when applying for grant funding to complete its implementation of the wet weather SMBBB TMDL.

The Regional Board Notice of Extension of Comment Deadline notes that Regional Board staff are aware that “in several instances, Appendix A, the Proposed Updates to the 303(d) List has not fully captured all of the new listing and delisting decisions that are detailed in Appendix G, the Fact Sheets due to system and clerical errors”. This has made review of the proposed listing changes quite challenging but we have done our best given the limited time available. The City of Manhattan Beach respectfully provides the attached comments on the proposed revisions to the 2016 Section 303(d) and 305(b) Integrated Report.

Sincerely,

A handwritten signature in black ink, reading "Stephanie Katsouleas". The signature is fluid and cursive, with the first name "Stephanie" written in a larger, more prominent script than the last name "Katsouleas".

Stephanie Katsouleas, P.E.  
Director of Public Works

Attachment

Copies: Dr. L.B. Nye (LB.Nye@waterboards.ca.gov)

City of Manhattan Beach Comments on Proposed Revisions to 303(d) List

Water Body/Pollutant	Comment	Recommendation
Manhattan Beach/Indicator Bacteria	<p>The the staff report states that even though Manhattan Beach is being proposed for delisting for indicator bacteria, the Santa Monica Bay Bacteria TMDL remains in effect. Likewise, Appendix A indicated that the beach will be removed entirely from listing rather than changing the status to Category 4a (A TMDL has been developed and the approved implementation plan is expected to result in full attainment of the water quality standard within a specified time frame.) The City is concerned that delisting may adversely impact our ability to compete for grant funding for multi-benefit regional and green street projects to address the Santa Monica Bay Beaches Bacteria TMDL during wet weather</p>	<p>Consider delisting of Manhattan Beach for indicator bacteria only during dry weather since final compliance is now in effect and the TMDL objectives are being met for dry weather at all three sites, and that the SMB 5-2 28<sup>th</sup> Street beach remain on the list in Category 4a for wet weather conditions. Delisting of Manhattan Beach for wet weather indicator bacteria should be considered once the final wet weather SMBBB TMDL compliance deadline has passed.</p>
Santa Monica Bay Offshore-Nearshore/Arsenic and Mercury	<p>Santa Monica Bay Offshore-Nearshore areas are being proposed for listing for Arsenic and Mercury based on sampling conducted for the City of Los Angeles Hyperion Wastewater Treatment Plant NPDES Permit. Samples were collected during August 2006, October and November 2007, and August through September of 2007. This data predates the last listing cycle and no data collected within the past decade is presented to support the listing. The SWRCB Listing Policy Section 1.1.2.1 states that “data and information previously submitted to the Regional Water Boards, such as Discharge Monitoring Reports, need not be solicited if the data and information remain available to the Regional Boards.”</p>	<p>Before making such important new listings Regional Board staff should review all readily available data including data collected within the past decade from the Hyperion Wastewater Treatment Plant NPDES Permit.</p>

Water Body/Pollutant	Comment	Recommendation
Santa Monica Bay Offshore-Nearshore/Sediment Toxicity	On March 26, 2012 USEPA issued a final TMDL for Santa Monica Bay DDT and PCBs which found that “Our evaluation of the data showed only 3 out of 116 samples exhibited toxicity. Following the California listing policy, Santa Monica Bay is meeting the toxicity objective and there is sufficient evidence to delist sediment toxicity. We therefore make a finding that there is no significant toxicity in Santa Monica Bay and recommend that Santa Monica Bay not be identified as impaired by toxicity in the California’s next 303(d) list.” <sup>1</sup> Contrary to this recommendation the Regional Board has not proposed delisting sediment in Santa Monica Bay for toxicity.	<p>Appendix G Decision ID 34120 should be revised to delist Santa Monica Bay for sediment toxicity based on the review and recommendation by USEPA in developing the Santa Monica Bay DDT and PCBs TMDL.</p> <p>Appendix A should be revised to place a “Y” in the New Delistings column and the “Y” eliminated from the Pollutant Name Change column since there does not appear to be any name change being proposed.</p>
Santa Monica Bay Offshore-Nearshore/DDT and PCBs	The listing for Santa Monica Bay Offshore-Nearshore/DDT and PCBs is included in Attachment B Category 5 (a water segment where standards are not met and a TMDL is required but not yet completed) however this listing is being addressed by the USEPA developed and approved TMDL. This change is explained in Attachment A summary under “other revisions”.	The listings for DDT and PCBs should be moved to Category 4a in Attachment C
Santa Monica Bay Offshore-Nearshore/Chlordane	The revised Appendix G Fact Sheet associated with Decision ID 37492 recommending delisting Santa Monica Bay Offshore-Nearshore waters for chlordane is not reflected in the Appendix A summary of recommended changes.	Revise Attachment A to place a “Y” in the New Delisting column for Santa Monica Bay Offshore/Nearshore line for Chlordane.
Santa Monica Bay Offshore-Nearshore/Polycyclic Aromatic Hydrocarbons (PAHs)	The revised Appendix G Fact Sheet associated with Decision ID 32656 recommending delisting Santa Monica Bay Offshore-Nearshore waters	Revise Attachment A to place a “Y” in the New Delisting column for Santa Monica Bay Offshore/Nearshore line for PAHs.

<sup>1</sup> US Environmental Protection Agency Region IX. Santa Monica Bay Total Maximum Daily Loads for DDTs and PCBs, March 26, 2012.

Water Body/Pollutant	Comment	Recommendation
	for PAHs is not reflected in the Appendix A summary of recommended changes.	
Dominguez Channel (lined portion above Vermont)/Benthic Community Effects	<p>Appendix G Decision ID 66165 is proposing to list the Dominguez Channel concrete-lined section above Vermont Avenue due to degradation of biological populations and communities (Benthic Community Effects) as evidenced by IBI scores below 40, however use of IBI scoring methodologies does not provide a reference that takes into account that concrete lined channels do not typically provide benthic habitat that will support biological populations and communities. The listing policy states that to make this determination the water body must “exhibit significant degradation in biological populations and/or communities <u>as compared to reference sites</u>” . . . . “This condition requires diminished numbers of species or individuals of a single species or other metrics <u>when compared to reference sites.</u>” Additionally the listing policy states that “The analysis should rely on measurements from at least two stations.” Whereas the data presented to support Decision ID 66165 came from a single station.</p>	Do not list Dominguez Channel lined portion above Vermont for Benthic Community Effects because the analysis is not supported by data consistent with the SWRCB listing policy.
Dominguez Channel (lined portion above Vermont)/Lead	The quality of the data set used to support the original listing does not meet the data quality standards of the SWRCB’s listing policy. The listing policy states that “when the sample value is less than the quantitation limit and the quantitation limit is greater than the water quality standard, objective, criterion, or evaluation guideline, the result shall not be used in the analysis.” This listing was based on a	Decision Recommendation ID 37347 should be revised to state that the water body should be delisted due to inadequate data and because the data reviewed did not demonstrate that applicable water quality standards are being exceeded. Alternatively, Regional Board staff could review the more recent readily available data collected at these same Mass Emission stations as part of the LA County MS4 NPDES

Water Body/Pollutant	Comment	Recommendation
	<p>data set more than a decade old with no actual detections of lead but where exceedances were presumed to have potentially occurred because the quantitation limit of 5 ug/L was not in all instances sufficiently low to determine compliance with the CTR dissolved lead criterion for continuous concentration in water (where the CTR value ranged from 0.23 to 7.27 ug/L, depending on the associated hardness of the water sample). The data set reviewed was for samples collected between January 2002 and April 2007 at the LACFCD Mass Emission Station S28 where Artesia Boulevard crosses Dominguez Channel and between 2000 and 2001 at S23 near LAX. Lead was not apparently detected in any of the samples above the quantitation limits, rather the identified exceedances of the lead standard were non-detections where the positive quantification limits 5 ug/L were too high to determine compliance with the standard when hardness caused depression of the standard below 5 ug/L. No measured exceedances of the standard were observed in the data set which is more than a decade old and for which more recent data sets exist.</p>	<p>Permit monitoring program CI 6948 NPDES No. CAS004001 and the listing decision revised based on data of quality consistent with the SWRCB's listing policy.</p>
Dominguez Channel (lined portion above Vermont)/Copper and Zinc	<p>Are listed in Appendix B as Category 5 needing a TMDL, when the Dominguez Channel Toxics TMDL is in affect and is addressing these pollutants.</p>	<p>Recategorize Copper and Zinc as Category 4a being addressed by a TMDL and move to Appendix C</p>
Dominguez Channel (lined portion above Vermont)/Diazinon	<p>We are supportive of the proposed delisting for Diazinon.</p>	<p>Consider eliminating the statement in Attachment A under Other Revisions which states "TMDL status changed from TMDL still required to Being Addressed by Completed</p>

Water Body/Pollutant	Comment	Recommendation
		TMDL” since this pollutant is being proposed for delisting.
Dominguez Channel (lined portion above Vermont)/Nitrogen, ammonia (Total Ammonia)	<p>The Appendix G Fact Sheet Decision ID 35134 continues to support a listing for ammonia. This listing does not appear to be based on all readily available data since Los Angeles County Mass Emissions Station Data on the Dominguez Channel is not included in the data set. Monitoring data from 55 samples collected between November 2006 and July 2013 at LACFCD mass emission station S28 located where the Dominguez Channel crosses Artesia Boulevard in the City of Torrance, show that all 55 samples met the freshwater Basin Plan objective for ammonia. An additional 24 samples collected at LACFCD mass emission station TS19 between November 2008 and April 2011 also met the freshwater Basin Plan objective in every instance. These data were readily available to Regional Board staff since they were reported as part of the LA County MS4 NPDES Permit monitoring program CI 6948 NPDES No. CAS004001.</p>	Delist Dominguez Channel lined portion above Vermont for ammonia and include readily available data reported as part of the LA County MS4 NPDES Permit monitoring program CI 6948 NPDES No. CAS004001 into Decision ID 35134 to support this delisting.
Dominguez Channel (lined portion above Vermont)/Aldrin	Appendix G Fact Sheet Decision ID 34620 for Aldrin recommends delisting due to flaws in the original listing.	Attachment A should be updated for Dominguez Channel lined portion above Vermont Avenue to include a “Y” in New Delistings column for Aldrin.
Dominguez Channel (lined portion above Vermont)/ ChemA	Appendix G Fact Sheet Decision ID 34426 for Aldrin recommends delisting due to flaws in the	Attachment A should be updated for Dominguez Channel lined portion above

<b>Water Body/Pollutant</b>	<b>Comment</b>	<b>Recommendation</b>
	original listing because the data used for the original listing was not from this water body.	Vermont Avenue to include a "Y" in New Delistings column for ChemA.
Dominguez Channel (lined portion above Vermont)/ Chlordane	Appendix G Fact Sheet Decision ID 34426 for Aldrin recommends delisting due to flaws in the original listing because the data used for the original listing was not from this water body.	Attachment A should be updated for Dominguez Channel lined portion above Vermont Avenue to include a "Y" in New Delistings column for Chlordane.
Dominguez Channel (lined portion above Vermont)/ Chromium	Appendix G Fact Sheet Decision ID 34430 for Chromium recommends delisting due to flaws in the original listing because the data used for the original listing was not from this water body.	Attachment A should be updated for Dominguez Channel lined portion above Vermont Avenue to include a "Y" in New Delistings column for Chromium and remove the "Y" from the Pollutant Name Change column.
Dominguez Channel (lined portion above Vermont)/ DDT	Appendix G Fact Sheet Decision ID 36720 for DDT recommends due to flaws in the original listing because the data used for the original listing was not from this water body.	Attachment A should be updated for Dominguez Channel lined portion above Vermont Avenue to include a "Y" in New Delistings column for DDT.
Dominguez Channel (lined portion above Vermont)/ Dieldrin	Appendix G Fact Sheet Decision ID 34330 for Dieldrin recommends delisting due to flaws in the original listing because the data used for the original listing was from fish tissue collected in the soft-bottom estuary below Vermont and was incorrectly applied to the lined portion of Dominguez Channel above Vermont.	Attachment A should be updated for Dominguez Channel lined portion above Vermont Avenue to include a "Y" in New Delistings column for Dieldrin and remove the "Y" from the Pollutant Name Change column.
Dominguez Channel (lined portion above Vermont)/ Polycyclic Aromatic Hydrocarbons (PAHs)	Appendix G Fact Sheet Decision ID 34431 for PAHs recommends due to flaws in the original listing because the data used for the original listing was not from this water body.	Attachment A should be updated for Dominguez Channel lined portion above Vermont Avenue to include a "Y" in New Delistings column for PAHs.
Dominguez Channel (lined portion above Vermont)/ Polychlorinated Biphenyls (PCBs)	Appendix G Fact Sheet Decision ID 34429 for PCBs recommends delisting due to flaws in the original listing because the data used for the original listing was not from this water body.	Attachment A should be updated for Dominguez Channel lined portion above Vermont Avenue to include a "Y" in New Delistings column for PCBs.