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11/15/06 Bd Mtg Item  
San Gabriel River TMDL  
Deadline: 10/27/06 12pm



*Flex your power!  
Be energy efficient!*

October 27, 2006

Ms. Song Her  
Clerk to the Board  
State Water Resources Control Board  
Executive Office  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814



RE: Comments on the Amendment to the Water Quality Control Plan – Los Angeles Region to Incorporate the San Gabriel River and Impaired Tributaries Metals and Selenium TMDL

Dear Ms. Her:

We appreciate the opportunity to comment on the San Gabriel River Metals TMDL. The California Department of Transportation (Department) supports your efforts to improve water quality in the San Gabriel River and its impaired tributaries. Our comments regarding the subject TMDL and Basin Plan Amendment are grouped together below.

### Numeric Targets

The Department is concerned with the use of total recoverable copper, lead, and zinc values as the numeric targets for the TMDL and with the use of the default CTR translators to convert dissolved metals to total recoverable metals, especially for wet weather targets. Although the Department understands the concerns that metal discharges often occur as total recoverable metals, the CTR clearly states that the water quality objectives are to be expressed as dissolved metals. Correspondingly, the numeric targets in the TMDL should be expressed as dissolved targets. Allocations can then be assigned as total recoverable metals if deemed appropriate by the TMDL analysis. Ultimate compliance with the TMDL should be judged on whether the dissolved CTR criteria and dissolved numeric TMDL targets are being met in the receiving water. The Department requests that the TMDL numeric targets be changed from total recoverable to dissolved numeric targets for copper, lead, and zinc.

### **Waste Load Allocations (WLA)**

The WLAs assigned to the Storm water permittees, which include the MS4 permittees and the Department, should be separated out into a WLA for the MS4 permittees and a separate WLA for the Department. Although the staff report states that allocations for NPDES-regulated municipal storm water discharges from multiple point sources can be expressed as a single categorical WLA when data and information are insufficient to assign each source or outfall an individual allocation, the Department urges the Board to issue the Department a separate WLA.

### **Implementation Plan**

The implementation plan and economic analysis for the TMDL assumes that 30 percent of the watershed can be treated with infiltration facilities. This concerns the Department because:

- Site constraints for the Department's facilities, such as soil conditions, groundwater, maintenance access, and motorist safety restrict the technical feasibility of installing them; and
- Infiltration devices have a historically high failure rate compared to other storm water management practices. Less than half of those investigated in Prince George's County, Maryland, functioned properly after two years, and less than one third functioned properly after five years<sup>1</sup>. They are not sustainable assets and therefore are not worthwhile investments of public funds.

Additionally, we would like to reaffirm our position about the Regional Board and State Board's approach to the TMDL implementation process. That is, sequential development of various TMDLs makes it extremely difficult to assess, design, and install appropriate BMPs in the constrained areas adjacent to highways and related facilities. After one design is completed as required by the first implementation plan, it must be reanalyzed (and possibly redesigned and retrofitted) to address the requirements of the next. Such stringent and time-consuming requirements would place a significant strain on Department resources. The Department strongly encourages a holistic approach to water quality implementation plans that clearly defines the ultimate performance requirements of any BMP at the beginning of the design process. Such clarification represents conscientious engineering practice.

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<sup>1</sup> Galli, J. 1992. *Analysis of Urban BMP Performance and Longevity in Prince George's County, Maryland*. Metropolitan Washington Council of Governments, Washington, DC

Ms. Song Her  
October 27, 2006  
Page 3

**Economic Analysis**

The Department finds the plan financially unfeasible because:

- The Department is limited in available land within its right-of-way. Such work may require purchasing additional land to accommodate the space required for installation of BMPs.
- The economic analyses are based on the unsubstantiated assumption that compliance can be achieved without structural controls for 40 percent of the watershed. We disagree and ask that the basis for this determination be clarified.

We hope these comments are helpful. If you have any questions, please contact Ivan Karnezis at (916) 653-5417.

Sincerely,



*for* G. SCOTT MCGOWEN-  
Chief Environmental Engineer