



AB 2403 changes the definition of water in the Proposition 218 Omnibus Implementation Act, to mean:

*any system of public improvement intended to provide for the production, storage, supply, treatment, or distribution of water **from any source***

You define **Raw Water** as:

*For the purposes of this Order, **raw water is defined as untreated or partially treated surface water or groundwater dedicated for drinking water supply but is not suitable for human consumption.** To be eligible for coverage under this Order, discharge of raw water may not cause or contribute to the receiving water exceeding a primary or secondary drinking water MCL, on a running annual average basis.*

#### Comments

This includes stormwater collected from storm drains in the right-of-way to underground storage facilities (i.e. in a park used for irrigation) through an underground system transported to a treatment plant. You have made stormwater now a drinking water category, yet it is permitted by a MS4 system. City of Los Angeles Proposition O projects such as Penmar Water Quality Improvement Project, Temescal Canyon Park BMP and Mar Vista Recreation Center Stormwater BMP fit into this category.

Currently, this type of collection is not defined in the 2013 California Plumbing Code. You are legitimizing projects after the fact with high risk to the Public Health and Safety including birds and wildlife and the spread of disease.

You state:

#### **2. Implementation of Best Management Practices**

**a.** *The Discharger shall implement best management practices (BMPs) that treats or controls pollutants from its discharges to maintain compliance with this Order including any applicable TMDL-related requirements set forth in Attachment G, as applicable*

and

**ATTACHMENT G – Water Bodies with Total Maximum Daily Loads (TMDLs) and Wasteload Allocations (WLAs) to Water Purveyors**

**NOTE: THE FOLLOWING HIGHLIGHTED TEXT IN THIS ATTACHMENT IS NEW PROPOSED LANGUAGE ADDED TO THE DRAFT PERMIT ISSUED ON JUNE 6, 2014.**

*As of the adoption date of this Order, no TMDLs have established WLAs that apply exclusively to discharges from drinking water systems regulated under this Order. Due to the nature of the discharges authorized under this Order, it is unlikely that these discharges contribute to the impairment of the TMDL-related water bodies; therefore existing TMDL-related requirements that include WLAs to general categories of discharges are not applicable.*

*This Attachment is reserved for the State Water Board to include additional permit requirements in a subsequent permit renewal to implement future TMDLs that:*

- 1) address pollutants likely to be in discharges from drinking water systems, and*
- 2) allocate waste loads specifically to water purveyors regulated under this Order.*

Comments

With my point above, stormwater capture is now drinking water capture with TMDLs and permits, such as the Los Angeles permit, for Enhanced Watershed Management Plans and Watershed Management Plans. Jurisdictionally, the City of Los Angeles stormwater is under the Bureau of Sanitation Watershed Protection Division while the drinking water is under the LADWP Los Angeles Department of Water and Power. LADWP is chartered to own any water asset in the City. The property of the stormwater capture systems mentioned above is the Department of Recreation and Parks.

This is total confusion and deception to the citizens, taxpayers and ratepayers of the City of Los Angeles.

You added the section:

**K. Summaries of Applicable Total Maximum Daily Loads (TMDLs) with Waste Load Allocations (WLAs) to Water Purveyors**

Comments

The addition of selected TMDLs and Impaired Water Bodies does not make the permit consistent across the state. There is a problem of Ambient Water Quality Standards and Antidegradation policy interpretation.

Here are some of the problems associated with weak TMDL enactment and permitted solutions:

- Oil
- Oil field gases
- Earthquake faults
- High groundwater
- Landslides
- Liquefaction
- Slopes
- Leaking pipelines of all types of underground infrastructure
- Urban agriculture use
- Water rights to a non-public entity such as LA River Water Rights to  
Lauren Bon
- Rights of way ownership and underground infrastructure
- Underground rivers

For the Mitigated Negative Declaration, there should be an Environmental Impact Report prepared as there are significant effects to the environment. Infrastructure is aging and the public needs the disclosure to those aspects that effect that infrastructure. Alternatives should be presented as well as an ongoing Mitigation and Monitoring Program.

Joyce Dillard  
P.O. Box 31377  
Los Angeles, CA 90031