COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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May 18, 2015

IN REPLY PLEASE
REFER TO FILE: WM-9

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

Attention Kangshi Wang

Dear Mr. Unger:

COMMENT LETTER – SAN GABRIEL RIVER BACTERIA TOTAL MAXIMUM DAILY LOAD

The County of Los Angeles and the Los Angeles County Flood Control District appreciate the opportunity to provide comments on the proposed amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to incorporate a Total Maximum Daily Load for indicator bacteria in the San Gabriel River, Estuary, and Tributaries. Enclosed are our comments for your review and consideration.

If you have any questions, please contact me at (626) 458-4300 or ageorge@dpw.lacounty.gov or your staff may contact Mr. Paul Alva at (626) 458-4325 or palva@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works

ANGELA R. GEORGE
Assistant Deputy Director
Watershed Management Division

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Enc.

COMMENTS OF COUNTY OF LOS ANGELES AND LOS ANGELES COUNTY FLOOD CONTROL DISTRICT ON THE PROPOSED AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD FOR INDICATOR BACTERIA IN THE SAN GABRIEL RIVER, ESTURY, AND TRIBUTARIES

The County of Los Angeles and the Los Angeles County Flood Control District appreciate the opportunity to provide the following comments on the proposed amendments to the Water Quality Control Plan for the Los Angeles Region to incorporate a San Gabriel River Bacteria Total Maximum Daily Load (TMDL). Though bacteria is ubiquitous in the environment and difficult to manage, the County of Los Angeles and the Los Angeles County Flood Control District are committed to protecting the region's water resources and continue to work with the Regional Board and other stakeholders in that endeavor.

1. **The final compliance deadlines should be extended**

   The proposed TMDL currently provides 10 years and 20 years to comply with the dry weather and the wet weather waste load allocations, respectively. By comparison, the Los Angeles River Bacteria TMDL provides 10 to 18 years to comply with the various dry weather waste load allocations and 25 years to comply with the wet weather waste load allocations. Given their similarity in size, land use, and number of stakeholders involved, it is reasonable to set a compliance schedule for the San Gabriel River Bacteria TMDL that is similar to the Los Angeles River Bacteria TMDL. As such, we respectfully request that the dry weather and wet weather bacteria compliance schedules for the proposed TMDL be extended to 15 and 25 years, respectively.

2. **Use San Mateo State Beach and San Onofre State Beach as reference system for the San Gabriel River Estuary**

   The establishment of summer dry weather waste load allocation should be science-based; in other words, based on statistical results from the appropriate reference system. The Staff Report currently describes the zero allowable exceedance days waste load allocation for the San Gabriel River Estuary as statistically based, however it is our understanding that in the past this has been a policy decision by the Regional Board.

   Further, due to the large size of the watershed tributary to the San Gabriel River Estuary, instead of Leo Carrillo State Beach, the appropriate reference system in this case should be San Mateo State Beach and San Onofre State Beach, which were also used as reference for the Santa Clara River Estuary in 2010. For that TMDL, Regional Board staff stated that "[San Mateo and San Onofre] represent a larger reference system that is more appropriate than ... Leo Carrillo Beach" (2010 Staff Report for Total Maximum Daily Loads for Indicator Bacteria in Santa Clara River Estuary and Reaches 3, 5, 6 and 7; p. 51). As shown in the table below, the size of the watershed tributary to the San Gabriel River Estuary is quite large.

Watershed	Watershed Area (square miles)
San Gabriel River Estuary	689
San Mateo State Beach	134
San Onofre State Beach	42.5
Santa Clara River Estuary	1,600
Leo Carrillo Beach	10.8

Therefore, we recommend that the allowable exceedance days for the San Gabriel River Estuary be calculated using the same approach used for the Santa Clara River Estuary, specifically, based on the exceedance probabilities at San Mateo State Beach and San Onofre State Beach. This would result in the following changes in the table on page 7 of the proposed TMDL:

Allowable Number of Exceedance Days	Daily Sampling	Weekly Sampling
Summer Dry-Weather	~~0~~ 10	~~0~~ 2
Winter Dry-Weather	~~9~~ 11	2
Wet Weather	~~20~~ 27	~~3~~ 4

3. **The proposed TMDL should include a schedule for reconsideration**

We respectfully request that the proposed TMDL be modified to include a schedule for a reopener. A reopener is necessary to ensure that the TMDL is reevaluated as new information and science become available. Specifically, the State Water Resources Control Board is currently developing amendments for the Water Quality Control Plan for the Inland Surface Waters, Enclosed Bays, and Estuaries of California and the Water Quality Control Plan for the Ocean Waters of California to incorporate EPA's 2012 recreational criteria. The State Water Resources Control Board anticipates adopting those amendments in spring 2016. In addition, the non-stormwater outfall screening required by the Los Angeles County Municipal Separate Storm Sewer System Permit is scheduled to be completed by 2018. The screening is expected to generate valuable information on dry weather flows into the receiving waters. Given that substantial amount of new information and data will become available within the next few years, we recommend reconsidering this TMDL upon adoption of the State bacteria objectives or in 2021, whichever comes first.

4. **Allowable exceedance days for the reaches with High Flow Suspension should be corrected**

The proposed TMDL indicates that reaches and tributaries affected by High Flow Suspension (HFS) are allowed 9 wet weather exceedance days based on daily sampling. According to the draft Staff Report, the number of wet weather days was determined for the reaches with HFS as follows:

"For the reference year, 87 wet weather days were observed. Of these 87 days, 30 days fall under the definition of a HFS day. These 30 days are excluded from the calculations . . . As such, the remaining number of wet weather days for HFS-affected reaches and tributaries is 47 days." (Draft Staff Report p. 55, emphasis provided)

The correct number of wet weather days for HFS-affected reaches is 57 days (87 wet weather days – 30 HFS days) instead of 47 days. Given the 19 percent allowable exceedance rate during HFS, the number of allowable exceedance days is 11 (0.19 x 57 days). Accordingly, relevant sections of the draft Staff Report and the proposed TMDL should be corrected.