

EXHIBIT “49”

From: "Heil, Ann" <AHeil@lacsds.org>
To: <lnye@waterboards.ca.gov>, <mvoong@waterboards.ca.gov>
Date: 3/17/2010 9:49 AM
Subject: CEQA Scoping Comments for the Los Angeles River Bacteria TMDL

The purpose of this email is provide written confirmation of oral comments provided on behalf of the County Sanitation Districts of Los Angeles County (Sanitation Districts) at the March 10, 2010 CEQA Scoping Meeting for a proposed Basin Plan amendment to establish a TMDL for bacteria in the Los Angeles River (LAR).

General Comments:

- The TMDL will have reasonably foreseeable significant impacts to the Sanitation Districts. The Sanitation Districts provide sewage service to most of the eastern portion of the LAR watershed. One of the primary means of compliance contemplated in the TMDL for dry weather compliance is diversion of dry weather runoff to the sanitary sewer system. While the exact number or volume of diversions that are being considered that would reach the Sanitation Districts is not yet clear, it is likely to be 50% or more of the diversions.
- The Sanitation Districts are willing to consider acceptance of dry weather runoff diversions as long as there is adequate capacity in downstream sewers and treatment plants, and the entities responsible for the diversions pay all necessary fees and follow all permitting conditions set by the Sanitation Districts.
- In order to ensure that diversions do not exceed downstream sewer capacities, it will be necessary for some diversions to include storage of runoff so that it can be discharged during off-peak hours.
- The Sanitation Districts may require pretreatment of the dry weather runoff, if data shows excessive concentrations of pollutants that can not adequately be removed at our wastewater treatment plants.
- Under no circumstances will the Sanitation Districts accept wet weather diversions.

Potential Environmental Impacts:

- **Earth.** It is anticipated that dry weather diversions will require significant amounts of soil disruptions/compaction to construct the diversions, conveyances, and storage tanks for off-peak discharges. Modification of channels may be necessary to install diversions. If the cumulative flow from the dry weather diversions to the Sanitation Districts necessitates construction of new or expanded pumping plants and/or wastewater treatment facilities, it is anticipated that there would be earth impacts from construction of any such facilities.
- **Air.** The treatment of diverted dry weather runoff will consume significant amounts of energy. The production of the energy will generate air pollutants and create greenhouse gases. The typical energy requirement for tertiary treatment of wastewater is 450 kWh/acre-foot (1380 kWh/million gallon), as determined by West Basin Municipal Water District. (The Inland Empire Utility Agency estimates a slightly higher value of 500 kWh/acre-foot, per "Hidden Potential: Recycled Water and the Water-Energy-Carbon Nexus, Water Environment and Technology, November 2008.) Over a year, that amounts to 504,000 kWh for each million gallon per day (MGD) treated. Per "Compilation of Air Pollutant Emission Factors, Volume 1: Stationary Point and Area Sources" (USEPA, January 1995), the conversion factor to determine CO₂ production from energy production is kWh/1333.33 = tons CO₂. Therefore, each MGD of runoff treated would result in the creation on 378 tons of CO₂. The Draft Dry Weather Implementation Plan for the TMDL estimates that 122 storm drains will need to be diverted, with an average flow of 0.15 cfs (about 100,000 gallons per day) per diversion, for a total flow of 12 MGD. Energy consumption would be 61,000,000 kWh per year, with 4500 tons of CO₂ produced per year. Other air pollutants would also be produced during energy production, including nitrogen oxides, carbon monoxide, sulfur oxides, particulates, and reactive organic gases. Note that these numbers only consider treatment of the runoff at a wastewater treatment facility; they do not include pumping to convey the runoff to the treatment facility. The pumping would consume additional energy that would result in creation of additional greenhouse gases and other air pollutants.
- **Plant Life/Animal Life.** The diversion of dry weather runoff from the LAR and its tributaries could result in certain sections of these waterbodies becoming ephemeral or dry. The Water Board should consider the cumulative impacts on habitat of such diversions, including consideration of additional reductions in flow due to water recycling.
- **Noise.** If the cumulative flow from the dry weather diversions to the Sanitation Districts necessitates

construction of new or expanded pumping plants and/or wastewater treatment facilities, it is anticipated that there would be noise impacts from construction and operation of any such facilities.

- Natural resources. Additional chemicals such as chlorine and polymer would be necessary to treat diverted runoff.

- Energy. See comments under "Air." For tertiary treatment of 12 MGD of runoff, approximately 6,000,000 kWh per year of electricity would be required. Additional energy would be required for conveyance of the runoff to treatment facilities.

- Utilities. Acceptance of large amounts of dry weather runoff will have significant impacts on the Sanitation Districts. In determining whether sewer diversions of dry weather runoff are feasible, the capacity of downstream sewers and treatment plants need to be considered over the life of the TMDL (30 years). Acceptance of dry weather diversions could necessitate construction of increased conveyance and treatment capacity earlier than would otherwise have been necessary. Additionally, acceptance of the diversions will cause sewers to run at a higher fraction of their design capacity, which could result in a higher frequency of sanitary sewer overflows.

If you have any questions regarding this email, please feel free to contact me at any time.

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