



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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March 2, 2015

IN REPLY PLEASE
REFER TO FILE: **WM-9**

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

Attention Dr. Celine Gallon

COMMENT LETTER – TRIENNIAL REVIEW

The County of Los Angeles and the Los Angeles County Flood Control District appreciate the opportunity to provide input on the Triennial Review of the Water Quality Control Plan for the Los Angeles Region. Enclosed please find our recommendations.

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.

cc: Chief Executive Officer (Dorothea Park)
County Counsel (Judith Fries)

**COMMENTS OF COUNTY OF LOS ANGELES AND
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT ON THE
2014-2016 TRIENNIAL REVIEW OF THE WATER QUALITY CONTROL PLAN FOR
THE LOS ANGELES REGION**

The County of Los Angeles (County) and the Los Angeles County Flood Control District (LACFCD) appreciate the opportunity to provide input on the Triennial Review of the Water Quality Control Plan for the Los Angeles Region (Basin Plan). In recognition of the Los Angeles Regional Water Quality Control Board's (Regional Board) limited resources, we limited our recommendations to the following three high priority projects:

1. Develop technical guidance for natural source exclusion
2. Develop guidance for stormwater toxicity monitoring
3. Update Los Angeles Region bacteria objectives to reflect new statewide standards

**Recommended Priority Project 1:
Develop Technical Guidance for Natural Source Exclusion**

SUBMITTING ORGANIZATION: County of Los Angeles and LACFCD
CONTACT PERSON: Frank Wu P.O. Box 1460, Alhambra, CA 91802-1460 (626) 458-4358 fwu@dpw.lacounty.gov
ORDER OF PRIORITY: High
AFFECTED WATER QUALITY OBJECTIVE, IF APPLICABLE: Bacteria, metals, and nutrients
AFFECTED WATERBODY(IES) AND WATERSHED(S): All
AFFECTED BENEFICIAL USE, IF AVAILABLE: All
CONCISE SUMMARY OF DATA, INFORMATION OR EVIDENCE: <p>The development of technical guidance for natural source exclusion is a high priority for the County and the LACFCD, dating back to the 2008 Triennial Review. It was also identified as high priority by the Regional Board during the 2011-2013 Triennial Review. The Staff Report for the 2011-2013 Triennial Review Presentation & Selection of Basin Planning Priority Projects stated: “[t]he Regional Board has obtained funding and will execute a contract to develop technical guidance to provide direction on making the determination that water quality violations of a given pollutant are solely or predominantly a result of natural sources of that pollutant” (LARWQCB 2012). However, as of date, a technical guidance document has not been developed.</p> <p>As acknowledged in the previously mentioned Staff Report, in some cases, constituents such as nutrients, minerals, and metals “may be naturally elevated above the water quality objective and may exceed the objective more frequently than currently allowed by the objective.” This significantly complicates the attainability and accuracy of water quality objectives.</p> <p>The County and LACFCD request the Regional Board to develop the technical guidance for natural source exclusion during the 2014-2016 Triennial Review. Having clear guidelines on how to account for non-anthropogenic sources of pollutants, whether for bacteria, metals, and nutrients, is important as dischargers continue to make progress to address anthropogenic sources.</p>

CONCISE SUMMARY OF SUGGESTED REVISIONS:

- Conduct a literature review of the current state of science on natural sources of pollutants and prepare a "white paper" on the subject.
- Conduct scientific studies to quantify loading contributions of pollutants such as bacteria, metals, and nutrients from natural sources, including wildfires, in the Los Angeles Region.
- Develop technical guidance for considering natural sources of pollutants in establishing water quality objectives and to provide direction on making the determination that water quality violations of a given pollutant are solely or predominantly a result of natural sources of that pollutant.
- Amend the Basin Plan to incorporate a "natural sources exclusion" provision, including reference to the technical guidance developed.

SUPPORTING DATA, INFORMATION OR EVIDENCE:

- Los Angeles Regional Water Quality Control Board. 2012. 2011 – 2013 Triennial Review, Presentation & Selection of Basin Planning Priority Projects.
- Stein, E.D. and V. K. Yoon, 2007: Assessment of water quality concentrations and loads from natural landscapes. Technical Report 500, Southern California Coastal Water Research Project.
- Stein, E., and J. Brown, 2008: Direct and Indirect Effects of Southern California Wildfires on Storm Water Runoff of Metals and PAHs. Proceedings of 2008 CASQA Conference.
- Sabin, L., et al., 2005: Contribution of Trace Metals from Atmospheric Deposition to Storm Water Runoff in a Small Impervious Urban Catchment. *Water Research*, 39:3929-3937.

**Recommended Priority Project 2:
Develop Aquatic Toxicity Monitoring Guidance for Stormwater**

SUBMITTING ORGANIZATION: County of Los Angeles and LACFCD
CONTACT PERSON: Frank Wu P.O. Box 1460. Alhambra, CA 91802-1460 (626) 458-4358 fwu@dpw.lacounty.gov
ORDER OF PRIORITY: High
AFFECTED WATER QUALITY OBJECTIVE, IF APPLICABLE: Toxic pollutants
AFFECTED WATERBODY(IES) AND WATERSHED(S): All
AFFECTED BENEFICIAL USE, IF AVAILABLE: All
<p>CONCISE SUMMARY OF DATA, INFORMATION OR EVIDENCE:</p> <p>Current toxicity test methods and protocols were originally developed for continuous point source wastewater discharges and may not be appropriate for stormwater runoff, which is much more variable and transient. The variability of stormwater presents unique challenges with regard to accurately characterizing stormwater toxicity and its potential impacts on aquatic life.</p> <p>In recognition of this issue, the State Water Resources Control Board developed a guidance entitled "Toxicity Test Tool for Storm Water Dischargers" as part of its Toxicity Policy development (SWRCB, 2012). Although the guidance contains several recommendations, it lacks important detail on key implementation issues such as a trigger for Toxicity Identification Evaluation and appropriateness of chronic toxicity testing for stormwater.</p> <p>As permittees in the Los Angeles Region embark upon new and extensive monitoring activities pursuant to the 2012 MS4 Permit and the approved Coordinated Integrated Monitoring Plans, the high cost of monitoring, particularly for toxicity, is of serious concern. It is important that monitoring results, as much as possible, accurately characterize and predict stormwater's impact on aquatic life, as monitoring results tend to dictate implementation decisions. This requires toxicity monitoring protocols that are specifically appropriate for stormwater, which are currently not available. Accordingly, the County and the LACFCD request the Regional Board to embark on developing guidance for toxicity monitoring for stormwater during the 2014-2016 Triennial Review.</p>
<p>CONCISE SUMMARY OF SUGGESTED REVISIONS:</p> <ul style="list-style-type: none"> • Develop Aquatic Toxicity Monitoring Guidance for Stormwater
<p>SUPPORTING DATA, INFORMATION OR EVIDENCE:</p> <ul style="list-style-type: none"> • State Water Resources Control Board. 2012. Policy for Toxicity Assessment and Control. Public Review Draft June 2012.

**Recommended Priority Project 3:
Update Basin Plan Bacteria Objectives to reflect the State Bacteria Objectives**

SUBMITTING ORGANIZATION: County of Los Angeles and LACFCD
CONTACT PERSON: Frank Wu P.O. Box 1460, Alhambra, CA 91802-1460 (626) 458-4358 fwu@dpw.lacounty.gov
ORDER OF PRIORITY: High
AFFECTED WATER QUALITY OBJECTIVE, IF APPLICABLE: Bacteria
AFFECTED WATERBODY(IES) AND WATERSHED(S): All
AFFECTED BENEFICIAL USE, IF AVAILABLE: REC-1 and REC-2
<p>CONCISE SUMMARY OF DATA, INFORMATION OR EVIDENCE:</p> <p>In 2012, the United States Environmental Protection Agency (EPA) published new recommendations for recreational water quality criteria. The new criteria were developed using the latest epidemiological studies and scientific research. Further, the State Water Resources Control Board (State Board) is currently proposing amendments to the statewide Water Quality Control Plans for Inland Surface Waters, Enclosed Bays and Estuaries and Ocean Waters of California to incorporate EPA's 2012 criteria (SWRCB 2015).</p> <p>As currently scoped, the State Board's proposed Bacteria Objectives amendments include, among others, 1) revising REC-1 bacteria objectives based on EPA's 2012 criteria; 2) application of natural sources exclusion and reference system approach; 3) application of high flow suspension; 4) application of mixing zones for point sources; and 5) application of limited REC-1 designations. Additionally, in February 2015, during the scoping for the State Board's proposed Bacteria Objectives amendments, the County and LACFCD requested the State Board to expand the scope of the proposed amendments to include bacteria objectives for REC-2. Specifically, the County and LACFCD brought to the State Board's attention that currently there is an inconsistent application of REC-2 uses throughout the State and a lack of scientific basis for applying fecal coliform objectives to REC 2 uses. According to the State Board's timeline, adoption of the proposed amendments is scheduled for Spring 2016.</p> <p>In the Los Angeles Region, there are currently seven Bacteria TMDLs. It is important that these Bacteria TMDLs and the MS4 Permit be reopened to incorporate the new State Bacteria Objectives and associated implementation provisions as soon as the State Board adopts the amendments.</p>

CONCISE SUMMARY OF SUGGESTED REVISIONS:

- Update the bacteria objectives in the Basin Plan upon adoption of the statewide bacteria objectives.
- Re-open the Bacteria TMDLs and MS4 Permit to incorporate the new bacteria objectives and associated implementation provisions.

SUPPORTING DATA, INFORMATION OR EVIDENCE:

- State Water Resources Control Board, 2015. Scoping Notice. <http://www.waterboards.ca.gov/bacterialobjectives/>
- United States Environmental Protection Agency. 2012. Recreational Water Quality Criteria.
- Santa Ana Regional Water Quality Control Board. 2014. Basin Plan Amendments for Recreation Standards for Inland Fresh Surface Waters. No. R8-2012-001, No. 2014-0005.