



**RICHARD WATSON & ASSOCIATES, INC.**

Urban & Regional Planning



Via E-mail to: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

January 20, 2013

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-2000

**Subject: Comment Letter – Implementation Plans and Schedules for the Los Cerritos Channel Metals TMDL and the San Gabriel River and Impaired Tributaries Metals and Selenium TMDL**

Dear Ms. Townsend:

I am writing on behalf of the Los Cerritos Channel Watershed Group (Watershed Group). We appreciated the Los Angeles Regional Water Board's willingness to move forward with the proposed amendments to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to incorporate an Implementation Plan for the Los Cerritos Channel TMDLs for Metals. Members of the Watershed Group particularly appreciated staff's working with our representatives and participating in a meeting with our Watershed Group. Staff understood that implementation plans with implementation schedules are needed for realistic implementation of complex TMDLs such as our metals TMDLs, where sources are both direct and indirect and many of the sources are beyond the abilities of local governments to control. We previously made similar comments supporting the Basin Plan Amendment to the Los Angeles Regional Water Board.

The Watershed Group also appreciates the recognition of pollution prevention, including true source control, in Findings 20 and 21. The Watershed Group has concluded that the most effective strategy for addressing water quality impairments in the Los Cerritos Channel Watershed is one built on a foundation of source control (especially true source control), runoff reduction, and soil stabilization. The Watershed Group wants to first eliminate or greatly reduce pollutants and greatly reduce urban runoff. The result of both of these measures will be that many fewer pollutants will need to be removed from MS4 discharges prior to the discharges reaching the receiving waters. The Watershed Group plans to back up source control and urban runoff reductions with capture and infiltration, capture and use, and treatment control measures.

Our source control efforts will initially focus on copper and zinc. The legislature specifically recognized the difficulty with controlling a critical source of copper when it passed SB 346, which the Governor signed into law on September 25, 2010. This milestone piece of legislation phases out copper in brake pads over a period of years with an initial regulatory milestone having occurred on January 1, 2014 and two key copper reduction milestone dates of January 1, 2021 and January 1, 2025. Full implementation of

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this legislation is expected to remove approximately 61% of the copper from urban runoff in metropolitan Los Angeles area watersheds.

Unfortunately, similar legislation does not exist to control zinc, which is almost ubiquitous in the urban environment because galvanized metal is so widely used. However, one major source may be able to be controlled through implementation of the Safer Consumer Product Regulations adopted last year by the California Department of Toxic Substances Control (DTSC). Developing a similar control measure for zinc in tires (a major source of zinc) will require time because DTSC is given one year to develop a Priority Work Plan and then three additional years to develop the initial Priority Products list, which is to be limited to no more than five (5) Priority Products in prescribed categories. However, a petition process is part of the regulations, and the Watershed Group will be supporting use of the Safer Consumer Product Regulations process to greatly reduce the zinc oxide content of rubber tires. We may need the help of this Board and the Los Angeles Regional Water Board to help make sure that DTSC gives high priority to addressing this widespread water pollution problem. We believe this is the appropriate way to address the zinc problem because it is a long-term solution and not dependent on the variable effectiveness of structural BMPs and the continued effective maintenance of these BMPs.

The Watershed Group appreciates the provision in the Basin Plan Amendment that, subject to Executive Officer approval, if we demonstrate as part of a Watershed Management Program (WMP) that control measures and BMPs will achieve wet-weather water quality-based effluent limitations (WQBELs) consistent with the schedule in Table 7-32.2, the compliance with wet-weather water quality-based effluent limitations may be demonstrated by implementation of these control measures and BMPs. The Watershed Group has decided to proceed with development of a WMP. The Reasonable Assurance Analysis required for a WMP will give us the opportunity to demonstrate that our program of source control, runoff reduction, and soil stabilization, supplemented by LID, Green Streets, and other structural improvements, will achieve wet-weather WQBELs consistent with the schedule in Table 7-32.2.

We appreciate the opportunity to submit these commits and urged the State Water Board to approve the Basin Plan Amendment adopted by the Los Angeles Regional Water Board. If you have any questions, please contact me at 949-855-6272 or [rwatson@rwaplanning.com](mailto:rwatson@rwaplanning.com).

Sincerely,

RICHARD WATSON & ASSOCIATES, INC.

  
Richard A. Watson, President

On Behalf of Anthony Arevalo, Chair, and Steve Myrter, Co-chair, of the Los Cerritos  
Channel Watershed Group