



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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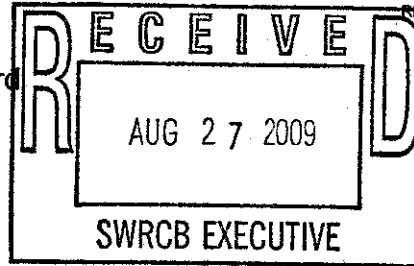
August 26, 2009

IN REPLY PLEASE

REFER TO FILE:

WM-9

Ms. Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814



Dear Ms. Townsend.

### COMMENT LETTER – CALIFORNIA OCEAN PLAN AMENDMENTS

Thank you for the opportunity to comment on the proposed amendments to the California Ocean Plan (Ocean Plan) On behalf of the County of Los Angeles and the Los Angeles County Flood Control District, the following are our comments.

#### Issue 1. Total Recoverable Metals

The Ocean Plan does not explicitly specify whether metal concentrations apply as total recoverable metals or as the dissolved metal fraction. Per your Draft Staff Report, the proposed amendment would add language to clarify that all metal objectives of the Ocean Plan are expressed as total recoverable concentrations. The Draft Staff Report states that the State Water Resources Control Board has consistently interpreted and applied the current metal objectives, since their adoption in 1988, as total recoverable concentrations and that this interpretation is consistent with the metals criteria in the 1993 National Toxics Rule.

Since the publication of the 1979 paper by Klapow and Lewis (which the 1988 Ocean Plan criteria were based on and have been applied until this day), much research has been conducted both in the State and across the Nation. As a result, a greater understanding has been gained on metals criteria as they apply to ocean waters. We recommend that the criteria be refined to reflect scientific findings currently available.

Further, several scientific studies show that dissolved metal concentrations, and not total recoverable metal concentrations, are accountable for much of the bioavailable fraction of metals. Thus, the currently existing National and State Toxics Rules are

Ms. Jeanine Townsend  
August 26, 2009  
Page 2

established based on dissolved metals. To be consistent with the National and State water quality objectives for metals, we recommend that all metal objectives in the Ocean Plan be expressed as dissolved metals concentrations, and not as total recoverable concentrations

Issue 4. Addition of Coastal Water Body Maps

While we concur that the maps are important, we recommend adding (1) County and city boundaries, where applicable, and (2) the specific names of the appropriate Marine Protected Areas, Areas of Special Biological Significances (ASBS), and Waste Water Outfall Points.

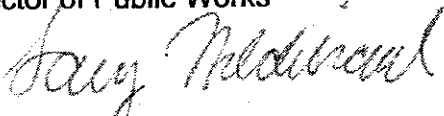
Issue 5. Update the List of Exceptions in Appendix VII

We have applied for an exception for discharges entering ASBS No. 24. Although updating the list of exceptions for discharges to ASBS in the Ocean Plan would appear to have no impact, the requirements of the Special Protections remain unknown at this time. Thus, we recommend adding a condition or footnote to the updated list so that each exception applicant will have the discretion to alter its position on fulfilling the Special Protections requirements should the applicant's exception be approved.

We look forward to your consideration of our comments. If you have any questions, please contact me or your staff may contact Mr Hector Bordas at (626) 458-5947 or [hbordas@dpw.lacounty.gov](mailto:hbordas@dpw.lacounty.gov)

Very truly yours,

GAIL FARBER  
Director of Public Works



GARY HILDEBRAND  
Assistant Deputy Director  
Watershed Management Division

AC:lm

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