

**Comment Summary and Responses for the September 4, 2020 Tentative Resolution and Draft Staff Report for the
2020-2022 Triennial Review
Comment deadline: October 5, 2020**

Commenters:

1	Los Angeles County Sanitation Districts (Sanitation Districts)
2	City Los Angeles Sanitation and Environment (LASAN)
3	Los Angeles Water Keeper, Heal the Bay, the Nature Conservancy, California Coastkeeper Alliance, the Ventura County Coastkeeper Program of Wishtoyo Foundation, and San Diego Coastkeeper (LA Waterkeeper et al.)
4	The Gabrieleño Band of Mission Indians - Kizh Nation (Kizh Nation)
5	United States Environmental Protection Agency (EPA)
6	Heal the Bay (HTB)
7	Richard Watson and Associates (RW&A)

Comment Summary and Responses:

Comment No.	Commenter	Comment	Response
1.1	Sanitation Districts	The Los Angeles County Sanitation Districts (Sanitation Districts) appreciate the opportunity to submit comments to the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) on the selected priorities for the 2020 - 2022 Triennial Review of the <i>Water Quality Control Plan: Los Angeles Region Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties</i> (Basin Plan), as proposed in the Tentative Resolution and Staff report released September 4, 2020.	Comment noted.
1.2		The Sanitation Districts strongly support the Water Boards' priority to "Initiate re-evaluation of the Basin Plan's temperature water quality	Comment noted. See responses to comments 1.3, 1.4 and 1.5.

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		<p>objectives." The existing Basin Plan temperature objectives, established in 1994, specify that "water temperature shall not be altered by more than 5°F above the natural temperature" and that waters designated WARM shall "at no time ... be raised above 80°F as a result of waste discharges."</p> <p>The Sanitation Districts believe that these objectives should be re-evaluated for the reasons listed below, which are discussed in more detail in the following sections:</p> <ul style="list-style-type: none"> • The basis for existing temperature objectives is uncertain, not well-supported by scientific data, and consequently could be insufficient or overly conservative. • A single temperature objective of 80°F for WARM beneficial uses across the entire Los Angeles Region is likely inappropriate. Warm water habitats across the region vary widely from more natural soft-bottomed streams with significant riparian cover to completely hardened concrete channels, and together with hydrologic modifications (e.g., dams), significantly affect the species that could reasonably exist in these water bodies. Consequently, the temperatures needed to protect these species also vary by reach or site. • The existing objectives do not factor in climate change and the resulting increases in ambient temperature, which in turn will increase surface water temperatures, and may make objectives unattainable. 	

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1.3	Sanitation Districts	<p><i>Existing Basin Plan Temperature Objectives Lack Scientific Foundation</i></p> <p>The basis for the existing temperature objective is not provided in the Basin Plan but has been speculated to be a California Department of Fish and Wildlife (formerly the Department of Fish and Game) document stating that the maximum temperature for warm water fish should be 90°F, with some different ranges based on life stage and species; 80°F was near the middle of the range. On the issue of temperature alteration, the California Regional Water Quality Control Board, Central Valley Region concluded that the 5°F requirement "is not strongly supported by current science regarding the effects of temperature on aquatic life (the beneficial use most sensitive to creek temperature), nor is it consistent with U.S. EPA's current approach to regulating temperature in ambient waters" in certain instances involving minimal seasonal dilution of effluent.</p> <p>Given the ambiguity in the basis, the Basin Plan temperature objectives should be re-evaluated to provide a clear, scientifically-sound foundation - particularly given the potentially significant impacts that these objectives may impose.</p>	<p>The fact that the basis of the temperature objective is not provided in the Basin Plan should not be viewed as an indication of a lack of scientific foundation. The current temperature objectives underwent a public and state and federal agency review process and were approved by U.S. EPA in 2000. U.S. EPA's review is conducted pursuant to Clean Water Act section 303(c)(2) and considers whether the new or revised objective is protective of the designated beneficial uses of the waters.</p> <p>As discussed in the draft Staff Report, Los Angeles Water Board staff have long recognized the need for a re-evaluation of the temperature objective, particularly as there is no clear guidance regarding the definition of the "natural temperature" of a waterbody which serves as the basis for part of the objective. This re-evaluation will cover all aspects of the current temperature objective including the 5°F requirement, and any revisions to the objective will consider the applicability of U.S. EPA's current approach to regulating temperature in ambient waters.</p>
1.4	Sanitation Districts	<p><i>A Single Temperature Objective of 80°F for All Sub-Watersheds with a WARM Beneficial Use</i></p>	<p>The Los Angeles Water Board agrees that it is necessary to re-examine the Basin Plan's</p>

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		<p><i>Designation Within the Los Angeles Region Is Inappropriate</i></p> <p>Although many hydrologic units within the Los Angeles Region are designated with a warm freshwater habitat (WARM) Beneficial Use (BU), the conditions in these units vary considerably. The temperatures needed to support wildlife in relatively natural soft-bottomed streams with significant riparian cover are likely to be quite different from those needed in urban, hardened (e.g., concrete-lined) channels. In addition, significant reachwide channel alterations (e.g., channel hardening, riparian vegetation removal, and construction of hydrologic impediments such as dams) are relatively permanent and are likely to have significant impacts upon in-stream temperatures and aquatic life beneficial uses. Furthermore, the effects of climate change on ambient stream temperatures are expected to vary significantly by sub-watershed. As a result of these varying stresses, species that can be supported in any given reach are likely to differ throughout the region, and these differences will in turn drive differences in the temperatures required to protect aquatic life.</p> <p>Given the variety of habitats and species, a single objective of 80°F applied to the entire region will likely be over-protective in some reaches and underprotective in others. These localized variations and the broad-scale environmental cost associated with control measures (e.g., increased energy demand and/or carbon emissions from mechanical effluent chilling) underscore the need to address</p>	<p>temperature objective. A single objective for watersheds with a WARM beneficial use may not necessarily be inappropriate. However, any objective(s) for temperature should, and will, be set to protect both existing and potential beneficial uses. It is the intent of the Los Angeles Water Board to identify and consider relevant alternatives in order to determine the most appropriate approach to modifying/revising the current temperature objective, if the results of the re-evaluation indicate that revision/modification is necessary, in waters throughout the region.</p>

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		temperature objectives on a site or reach-specific basis.	
1.5	Sanitation Districts	<p><i>Existing Objectives Do Not Account for Temperature Increases Due to Climate Change</i></p> <p>It is well recognized that anthropogenically-induced climate drivers have impacted the physical processes (e.g., precipitation patterns and air temperature) that support riparian and riverine species worldwide. Data from NOAA indicate that the maximum daily temperature during the summer months has risen by approximately 3°F in the California South Coast Drainage Division in the past 50 years (see graph below), and models suggest that seven day mean and maximum temperatures in Los Angeles and Ventura Counties may increase by 2°C to 4°C (3.6°F to 7.2°F) by the year 2100. These increases in ambient temperatures will drive increases in receiving water temperatures, making attainment of an objective set in 1994 increasingly untenable, even in the absence of discharges. The Regional Board acknowledged as much in its <i>Los Angeles Region Framework for Climate Change Adaptation and Mitigation</i>, specifically stating that "the definition of the water quality objective for temperature may need to be revisited."</p>	<p>Potential increases in receiving water temperatures, as a result of climate change, underscore the need to ensure that any revisions/modifications to the temperature objectives are sufficiently protective to support aquatic life beneficial uses, which could be severely impacted by climate change-induced temperature increases. In spring 2017, the Los Angeles Water Board entered into two research contracts with the University of California, Los Angeles (UCLA) and the Southern California Coastal Water Research Project (SCCWRP) to help further understanding of the impacts of climate change, particularly impacts to stream temperature. Findings from the work conducted by UCLA indicate that predicted future stream temperatures show an increase across the region. The results of the work conducted by SCCWRP also predicted consistent increases in stream temperature across the major watersheds.</p> <p>The Los Angeles Water Board will consider all relevant factors, including climate change, in the re-evaluation of the temperature</p>

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			objectives, and plans to solicit input from interested parties during the process.
1.6	Sanitation Districts	In summary, the Sanitation Districts strongly believe that the Los Angeles Region Basin Plan temperature objectives should be re-evaluated and based on a solid scientific foundation, account for the varying habitat conditions across the region, and recognize the challenges posed by increasing ambient temperatures due to climate change. Technically sound, site-specific temperature objectives will protect aquatic life and beneficial uses while avoiding unnecessary environmental impacts from broadly applied control measures.	Comment noted. See responses to comments 1.3, 1.4 and 1.5.
2.1	City of Los Angeles Sanitation and Environment (LASAN)	The City of Los Angeles Sanitation and Environment (LASAN) appreciates the opportunity to provide comments on the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Regional Water Board) <i>2020-2022 Triennial Review Draft Staff Report</i> . LASAN supports the Los Angeles Regional Water Board's effort to consider and approve a list of the high priority issues regarding water quality standards for the Los Angeles Region and thus possible revisions to the Basin Plan. Participation in the review process by providing input on the draft priority projects proposed by the Los Angeles Regional Water Board also helps LASAN prepare to align its available resources towards critical projects that could impact its operations.	Comment noted.

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2.2	LASAN	<p>LASAN supports the completion of work to update the freshwater objectives for copper to be consistent with the CWA section 303(c) recommended water quality criteria through the adoption of the Biotic Ligand Model (BLM)-based copper criteria. LASAN suggests directly adopting the BLM-based copper criteria into the Basin Plan with the adoption, if necessary, of site-specific objectives based on BLM-derived copper criteria at a later date. Adoption directly into the Basin Plan would allow interested parties that collect both copper and BLM-parameter data at the same time to calculate instantaneous water quality criterion (IWQC) and determine if beneficial uses are protected. This approach is consistent with how the CTR criteria are applied where hardness and copper data are collected at the same time and hardness is used to calculate the IWQC. Additionally, several other states have taken a similar approach and received approval from USEPA.</p>	<p>Comment noted. The Los Angeles Water Board staff recognize the efficacy of incorporating the copper BLM, as a regionwide objective, into the Basin Plan in a single action, and applying it on a site-specific basis as data becomes available. This is currently staff's preferred approach.</p>
2.3	LASAN	<p>LASAN supports the revision of the Basin Plan's freshwater ammonia objectives. The new criteria are dependent on the presence or absence of the unionid mussels that are affected by pH and temperature. In order to address the applicability of the new criteria to the Los Angeles Region, the presence of unionid mussels and their characteristics at both pH and temperature ranges in Los Angeles Region's freshwater bodies need to be determined and reviewed by stakeholders. The Regional Water Board entered a contract with the University of California Santa Barbara to determine whether native unionid</p>	<p>Comment noted. The report of the study on the presence/absence of unionid mussels in the Los Angeles region will be made available as part of the public review process for the Basin Plan Amendment to incorporate revised ammonia objectives.</p>

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		mussels are currently present throughout the Los Angeles and Ventura County coastlines. LASAN requests that the report of the study which was completed in 2019 be made available to the stakeholders for review.	
2.4	LASAN	LASAN supports the application of Site-Specific Water Quality Objectives for lead using USEPA's Recalculation Procedure for the rest of the watersheds of the Los Angeles Region, provided that a site-specific evaluation of threatened or endangered species is conducted for each watershed as needed. The adjustment of recalculated lead criteria for each watershed will result in fewer implementation actions, but will still be fully protective of the aquatic life in waterbodies. The Regional Water Board entered a contract with the California State University, Los Angeles, to conduct such sensitive species evaluation for the rest of the watersheds of the Los Angeles Region and adjust the recalculated lead criteria for each watershed as needed. LASAN requests that report of the study which was completed in 2019 be made available to the stakeholders for review.	Comment noted. The report of the study for the recalculation of the lead criteria for watersheds in the Los Angeles Region will be made available as part of the public review process for the Basin Plan Amendment to incorporate revised lead objectives.
2.5	LASAN	LASAN supports the re-evaluation of the Basin Plan's temperature water quality objectives. The application of the temperature objectives require determination of the "natural temperature" of waterbodies, which is complex. In addition, the effect of "waste discharge" to the temperature of the receiving water is difficult to determine. Currently, two of LASAN's treatment plants discharge to the Los Angeles River. The temperature of the Los Angeles River can be	Comment noted. The Los Angeles Water Board will consider all relevant factors, including climate change, in the re-evaluation of the temperature objectives, and plan to solicit input from interested parties during the process.

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		<p>hard to determine as a result of many environmental factors and differing river flow rates. With the variant temperatures of Los Angeles and the effluent dominated flows of the river, LASAN recommends that any re-evaluation of current temperature water quality objectives must consider these factors. Additionally, the potential implications of climate change should be considered when updating the temperature objectives.</p>	
2.6	LASAN	<p>As noted in the Staff Report, there is currently an ongoing statewide effort to develop biological objectives through a broad and inclusive stakeholder process. LASAN supports the statewide effort and recommends the development of a policy and regulatory framework to serve as a guide in translating the California Stream Condition Index (CSCI) into a stressor target (effluent limit). Since the CSCI index and other bio-integrity tools were scientifically developed without any policy guidelines, LASAN does not recommend the use of the current tools as is to propose and develop either a narrative or numeric biological basin plan objects without the provision of a policy development framework.</p>	<p>Comment noted. The State Water Board intends to develop a water quality control policy or plan to establish and implement biological condition assessment methods, scoring tools, and targets aimed at protecting the biological integrity in wadeable streams. This policy or plan should serve as a guide in translating the California Stream Condition Index into effluent limits.</p>
2.9	LASAN	<p>LASAN supports the development of the Salt and Nutrient Management Plans (SNMPs) for groundwater basins or sub-basins where salts and/or nutrients are a threat to water quality. LASAN recommends adoption of the Upper Los Angeles River Area (ULARA) SNMP if the</p>	<p>Comment noted. The Salt and Nutrient Management Plan for the ULARA Basin (San Fernando Valley Basin) is still under development.</p>

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		Regional Water Board has not already adopted it yet.	
2.10	LASAN	<p>LASAN strongly supports the Regional Water Board's interest in addressing natural sources of pollutants that, in some cases, elevated pollutants' ambient concentrations leading to exceedances above the water quality objectives. Assessing the natural sources could potentially determine the "correct" background concentration levels of the pollutant of concern and "correctly" support the establishment of waste load allocations to achieve the numeric target in the TMDL that account for background sources. However, since the natural sources of pollutants are specific to water bodies and may potentially depend on the specific waterbody's ionic strength (e.g., pH and temperature, and other water quality parameters), LASAN does not recommend the use of a "reference system" to compare the exceedances of the objectives. Rather, LASAN suggests developing an approach that can be used on an as-needed basis to assessing and determining [<i>sic</i>] the natural sources of pollutants on a case-by case basis for each specific waterbody.</p>	<p>Comment noted. The Los Angeles Water Board will consider all appropriate alternatives for addressing the natural sources issue and will solicit input from interested parties during any associated Basin Plan amendment process.</p>
3.1	<p>Los Angeles Water Keeper, Heal the Bay, the Nature Conservancy, California Coastkeeper Alliance, the Ventura County Coastkeeper Program of Wishtoyo Foundation, and San</p>	<p>Los Angeles Waterkeeper (LAW), Heal the Bay (HTB), the Nature Conservancy (Conservancy), the California Coastkeeper Alliance, (CCKA) the Ventura County Coastkeeper Program of Wishtoyo Foundation (Wishtoyo/VCK), and San Diego Coastkeeper (SDCK) respectfully submit the following comments with respect to the “Biological Objectives Data Project” (Project) included in the 2020-2022 Triennial Review cycle</p>	<p>Comment noted.</p>

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	Diego Coastkeeper (LA Waterkeeper et al.)	potential projects. We would first like to thank the Regional Board for considering this project for the 2020-2022 Triennial Review cycle.	
3.2	LA Waterkeeper et al.	The Draft Staff Report includes the Project on the list of priority projects, but does not discuss the order of priority for this list of projects. We request that the Regional Board consider this project as a top priority project for the 2020-2022 Triennial Review cycle. Especially in the tight budgetary climate that has developed in the wake of the COVID-19 crisis we believe that any project not clearly listed as a top priority would have little chance of implementation in this Triennial Review cycle. Biological Objectives are too important to defer to future Triennial Review Cycles.	There is no order of priority for the list of Basin Planning projects recommended for the Board's consideration. All recommended projects are high priority by virtue of being selected from a larger body of projects under consideration. Once approved by the Board, Basin Planning staff will initiate, continue, or complete work on the selected projects during the triennial review period.
3.3	LA Waterkeeper et al.	As we did in January, we continue to recommend that the Los Angeles Regional Board allocate sufficient resources, including staff time, to implement the Project, including: 1) compiling a census of relevant existing monitoring efforts and obtaining all relevant existing data; 2) evaluating to what extent existing data could be used to calculate scientifically sound CSCI scores and ensuring that appropriate reference sites exist regionally and statewide; 3) targeting new monitoring in any areas where data gaps may exist; 4) creating a useful "clearinghouse" by assembling supporting data currently scattered over numerous sources and compiling the associated CSCI scores in one user-friendly format accessible to the general public; and 5) producing a final project report by the end of the 2020-2022 Triennial Review cycle that can	The Los Angeles Water Board recognizes biological objectives as an important addition to the current objectives set to protect aquatic life beneficial uses. Support of this project is recommended as a priority for the 2020-2022 triennial review period. However, with respect to the specific project elements laid out by the commenter, the draft staff report clearly states the resources available to the Basin Planning program – 1.7 PY. Given the number of recommended projects for the 2020-2022 triennial review period, and noting the fact that some of these

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		function as a technical appendix in a Basin Plan Amendment proposing Biological Objectives for the Los Angeles Region in the next Triennial Cycle. These recommendations are explained in further detail in our January 17, 2020 comment letter.	projects are being continued from the previous triennial review, the Los Angeles Water Board will determine the best manner to provide support for efforts toward developing region-specific bio-objectives.
3.4	LA Waterkeeper et al.	Since submission of our comments in January, two important events have occurred that lend support for placing the Project into the category of top priorities. First, the San Diego Regional Board has announced it will hold an adoption hearing in November 2020 for a Basin Plan Amendment (BPA) that includes Biological Objectives. The San Diego Regional Board has proposed a few changes to the BPA that we consider to be unfortunate, but we are still strongly supporting San Diego's efforts and recommending adoption of a BPA. (Attachment B.) We also believe that the changes proposed in the San Diego Region are not applicable to the Los Angeles Region, because of much more available funding in Los Angeles (Measure W and other sources) for the types of projects that would be encouraged by Biological Objectives. (Ibid.). Staff from the Los Angeles Regional Board have told members of several of our organizations that they prefer to see how the process plays out in the San Diego Region before bringing a proposed BPA for Biological Objectives forward in the Los Angeles Region. That process is about to play itself out, so the time to up the priority ranking of the Project is now.	See response to comment 3.2. We also note that one of the significant changes to the San Diego Regional Water Board's proposed Basin Plan amendment for the incorporation of biological objectives is the clarification that the proposed objectives do not apply to hardened streambed segments (i.e. hydromodified streams). In the Los Angeles Region, many of the major waterbodies have been hydromodified to varying extents. The changes to the proposed objectives highlight the complexity of determining the appropriate approach for biological assessments of hydromodified stream segments, and the translation of such assessments to implementable and enforceable water quality objectives.
3.5	LA Waterkeeper et al.	Second, the UCLA Institute for the Environment and Sustainability has accepted a proposal by	See response to comment 3.2.

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		<p>Los Angeles Waterkeeper for a variant of the Project to serve as one of its Practicum Projects, which means at least three (and possibly more) UCLA Seniors will work collectively on the Practicum Project as the capstone project of their college careers. Waterkeeper and Heal the Bay have both sponsored Practicum Projects in the past and the results have been uniformly excellent work products. Waterkeeper is still working with two UCLA faculty members to finalize the Practicum Project. However, it will bear substantial overlap with the Biological Objectives Data Project described in our January comments, including an assessment of existing data availability; calculation of CSCI scores where robust data exists; identification of any gaps where additional data collection should be undertaken; and possibly a policy section identifying an appropriate CSCI index score that could serve as the threshold for impairment in the Los Angeles Region. Since the Practicum is a one-year project, the final report will be out by June 2021, leaving plenty of time to build off the very solid foundation provided by UCLA's work, thereby using far fewer Regional Board staff and financial resources for the Project. For this reason as well, we believe the Project should become a top tier priority. Waterkeeper has pledged to coordinate with Regional Board Staff to ensure its Practicum Project meets the needs of the Regional Board to the maximum practicable extent.</p>	<p>Also, staff would welcome the opportunity to assess any such work, as described by the commenter, that may support development of biological objectives in the Los Angeles Region.</p>
3.6	LA Waterkeeper et al.	Los Angeles Waterkeeper is recommending the Biological Objectives Data Project as its only	See response to comment 3.2.

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		<p>proposed Triennial Project in this cycle, and thus the Project is LAW's top priority. Several other groups who signed on to the January letter are in the process of ranking projects, and will send in separate comments once completed, but we all anticipate the Biological Objectives Data Project will emerge as a top-tier priority for all of our other partners as well. Thus, we urge the Draft Staff Report be revised, to reflect a higher priority for the Biological Objectives Data Project.</p>	
3.7	LA Waterkeeper et al.	<p>We urge the Regional Board to take advantage of the positive momentum for Biological Objectives generated by the San Diego Regional Board and by UCLA in the intervening months since our first Triennial Review comments in January. We urge the Regional Board to include the Biological Objectives Data Project in its top tier of projects recommended for implementation in this Triennial Review cycle.</p>	See response to comments 3.2, 3.3, 3.4, and 3.5.
4.1	The Gabrieleño Band of Mission Indians - Kizh Nation (Kizh Nation)	<p>We, the Gabrieleño Band of Mission Indians - Kizh Nation, request that the Board approve the projects identified in the "Tentative Resolution for the 2020-2022 Triennial Review" document. The projects of interest, which were also included in a comment letter from our Tribal Government on January 23, 2020 to fulfill Phase I of the triennial review process, include:</p> <ul style="list-style-type: none"> • Incorporate the tribal and subsistence fishing beneficial use definitions into the Basin Plan • Initiate tribal outreach efforts for potential waterbody-specific designations of the tribal beneficial uses 	Comment noted.

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4.2	Kizh Nation	<p>On July 1, 2020, the Secretary for Environmental Protection Jared Blumenfeld selected our Tribal Nation to receive a CalEPA EJ Small Grant award to initiate coordination with Tribal Governments and Water Board staff for a Tribal Beneficial Uses (TBU) Project. The focus of the TBU project is to promote the inclusion, engagement, and participation of non-federally recognized Tribal Nations within Region 4 in the identification and designation of water ways and waterbodies that were traditionally and/or currently used by each Tribal community for their cultural purposes. The Region 4 affiliated Tribal Nations with ancestral territories within Los Angeles and Ventura Counties include ourselves, the Fernandeño Band of Mission Indians, the Ventureño Band of Chumash Indians, and the Barbareño Band of Chumash Indians. All these Tribes have committed to being part of this TBU project. The project will involve the creation of a TBU working group consisting of two representatives from each Tribal Nation to participate in the effort to work collaboratively with State and Region 4 Water Board staff to provide tribal information in the identification of waterbody-specific designations of tribal beneficial uses.</p>	<p>The Los Angeles Water Board thanks the Gabrieleño Band of Mission Indians - Kizh Nation for their effort to apply for a CalEPA EJ Small Grant award to initiate coordination with Tribal Governments and Water Board staff for a Tribal Beneficial Uses (TBU) Project. The Board is pleased that the grant was awarded and looks forward to working with the proposed working group on designating tribal beneficial uses in the Los Angeles Region's waterbodies upon inclusion of this project in the Basin Planning priorities.</p>
4.3	Kizh Nation	<p>Therefore, we urge the Los Angeles Water Board to adopt a resolution identifying the basin planning priorities identified in the document "Tentative Resolution for the 2020-2022 Triennial Review" which includes the incorporation of tribal beneficial use definitions into the Basin Plan along with initiating tribal outreach efforts towards</p>	<p>Comment noted.</p>

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		the potential designation of specific waterbodies for these beneficial uses.	
5.1	United States Environmental Protection Agency (EPA)	Thank you for the opportunity to review and comment on the Los Angeles Regional Water Quality Control Board's (Regional Board's) Tentative Resolution and Staff Report "2020-2022 Triennial Review: Consideration and Selection of Basin Planning Priority Projects" concerning the 2020-2022 Triennial Review. EPA supports the Board's priorities as proposed and submits the following comment.	Comment noted.
5.1		The Tentative Resolution lists the priority projects, including a project to "[i]ncorporate the tribal and subsistence fishing beneficial use definitions into the Basin Plan" and another to "[i]nitiate tribal outreach efforts for potential waterbody-specific designations of the tribal designated uses." Recent amendments to the Basin Plan at Chapter 5, Plans and Policies, include a reference to the State Water Resource Control Board's (State Board's) "Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions" (Part 2 Provisions). The Part 2 Provisions established the new tribal and subsistence beneficial use definitions for use in all the Regional Boards, as well as adopted new mercury water quality objectives and implementation provisions for all inland surface waters and enclosed bay and estuaries (with specific exceptions). Although the new beneficial uses are already available for Regional Board consideration and adoption to	Comment noted.

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		specific waterbodies - with Tribal confirmation of appropriateness - through the Part 2 Provisions, EPA supports the adoption of the definitions (and Tribal confirmation provision) into the Basin Plan at Chapter 2, Beneficial Uses, for completeness and clarity for stakeholders.	
5.2	EPA	EPA recommends that the Regional Board also include a statement or reference in Chapter 3, Water Quality Objectives, to the new mercury water quality objectives and implementation provisions that were adopted in the Part 2 Provisions. A reference to the Part 2 mercury provisions would provide similar clarity and completeness to stakeholders who otherwise may not be aware that the new mercury objectives and implementation provisions apply to all inland surface waters and enclosed bays and estuaries within the Region, and include a numeric objective for the tribal subsistence use.	Upon approval of the recommended project by the Board, staff will include a statement or reference to the mercury water quality objectives and implementation provisions when incorporating the tribal beneficial use definitions into the Basin Plan for clarity and completeness.
6.1	Heal the Bay (HTB)	Heal the Bay is a non-profit environmental organization with over 30 years of experience and 15,000 members dedicated to making the coastal waters and watersheds of Greater Los Angeles safe, healthy, and clean. On behalf of Heal the Bay, we respectfully submit the following comments on the 2020-2022 Triennial Review for the Los Angeles Regional Water Quality Control Board (2020-2022 Triennial Review).	Comment noted.
6.2	HTB	While we support many of the projects proposed by the Los Angeles Regional Water Quality Control Board (Regional Board), we recommend that the top three priority areas should be developing bio-objectives (priority project 1, as	Comment noted. Also see response to comment 3.2, and comments 6.3 through 6.7.

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		<p>listed below), incorporating tribal beneficial uses of water (priority projects 2 and 3, as listed below), and addressing issues of climate change (priority projects 4 and 5, as listed below). This list of priority projects includes a new proposed project for the Board to prioritize: implementing the regional strategy to address the effects of climate change on water quality. While we have listed these project areas in order of priority for Heal the Bay, all three are incredibly important and must be undertaken during the 2020-2022 Triennial Review cycle.</p> <p>Below is the full list of proposed projects for the 2020-2022 Triennial Review that Heal the Bay supports, including our new recommendation concerning climate change.</p> <p>We have ordered these projects from 1 (highest priority for Heal the Bay) to 8 (lowest priority for Heal the Bay); however, we support the Regional Board in pursuing all 8 projects during the 2020-2022 Triennial Review cycle:</p>	
6.3	HTB	<p><i>Provide support for efforts towards developing region-specific bio-objectives</i></p> <p>We would first like to thank the Regional Board for considering this project for the 2020-2022 Triennial Review cycle. The current statewide effort to develop biological objectives for California's streams is long overdue. We urge the Regional Board to take advantage of the positive momentum for Biological Objectives generated by the San Diego Regional Board and by the upcoming UCLA/LA Waterkeeper project. The importance of developing objectives for stream</p>	See response to comment 3.2 and 3.3.

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		<p>biology cannot be understated. The biological condition of a stream tells a meaningful and comprehensive story of the condition of the stream’s water quality, habitat, and biota. The reliance for many years on assessing a waterbody’s condition on a chemical-by-chemical basis is inadequate to protect ecological beneficial uses.</p> <p>We recommend that the Los Angeles Regional Board allocate sufficient resources, including staff time, to implement this project, including compiling a census of relevant existing monitoring efforts and obtaining all relevant existing data; evaluating to what extent existing data could be used to calculate scientifically sound CSCI scores and ensuring that appropriate reference sites exist regionally and statewide; targeting new monitoring in any areas where data gaps may exist; creating a useful “clearinghouse” by assembling supporting data currently scattered over numerous sources and compiling the associated CSCI scores in one user-friendly format accessible to the general public; and producing a final project report by the end of the 2020-2022 Triennial Review cycle that can function as a technical appendix in a Basin Plan Amendment proposing Biological Objectives for the Los Angeles Region in the next Triennial Cycle.</p>	
6.4	HTB	<p><i>Incorporate the tribal and subsistence fishing beneficial use definitions into the Basin Plan</i></p> <p>We support the Regional Board’s recognition of the vital role that clean water plays for both tribal communities and for those who rely on</p>	Comment noted.

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		<p>subsistence fishing. We cannot afford to wait any longer to incorporate these definitions into the Basin Plan, and we recommend that this project be considered as a top priority for the 2020-2022 Triennial Review Cycle.</p> <p>We also thank staff for the intent described in the Staff Report to “initiate a focused effort to work with the region’s Native American tribes on the inclusion of tribal beneficial uses definitions in the Basin Plan, and the eventual designation of waterbodies for these uses, as appropriate, during the 2020-2022 triennial review period.” We look forward to updates on how this engagement effort progresses.</p>	
6.5	HTB	<p>We recommend that the Regional Board pursue similar engagement with other communities and individuals that rely on subsistence fishing, potentially working in partnership with the Fish Contamination Education Collaborative.</p>	<p>The Los Angeles Water Board staff will pursue similar efforts when designating waterbodies for the subsistence beneficial use.</p>
6.6	HTB	<p><i>Initiate tribal outreach efforts for potential waterbody-specific designations of the tribal beneficial uses</i></p> <p>We support this project as a high priority, as well, given the vital role that clean water plays for tribal communities. We commend staff for their intent to work with local tribes, and look forward to updates on how this engagement effort progresses.</p>	<p>Comment noted.</p>
6.7	HTB	<p><i>Implement the Regional Strategy to Address the Effects of Climate Change on Water Quality</i></p> <p>During the 2017-2019 Triennial Review cycle, one project identified by the Regional Board was to “continue the development of a regional</p>	<p>Addressing Climate Change remains a high priority for the Los Angeles Water Board. Following the adoption of the Resolution to Prioritize Actions to Adapt to and Mitigate the Impacts</p>

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		<p>strategy to address the effects of climate change on water quality.” We supported this project during that Triennial Review cycle, and recommended that it be prioritized because it is imperative for climate change to remain a high priority for the Regional Board as impacts from climate change are already being felt in our water-scarce region. In April 2019, the Regional Board released the Los Angeles Region Framework for Climate Change Mitigation and Adaptation. We commend the Regional Board staff for their efforts in releasing this 2-part report, but we cannot stop there. Implementation of this framework must now be prioritized.</p> <p>Greenhouse gas emissions by humans have thrown Earth’s natural processes off track, which has and will continue to have a negative impact on the quality and availability of our water resources, given our current water management practices. We must adjust our practices to adapt to the changing climate, and to support the ongoing transition towards sustainability. We also must recognize that while we are all impacted by climate change, the burden of the associated negative impacts is not distributed equally across communities. A history of racially discriminatory land and environmental policies has caused an unjust and disproportionate impact on people of color and low-income communities. The compounding social, economic, and environmental impacts of climate change make just, sustainable, and immediate climate action vital. We must prioritize implementing the</p>	<p>of Climate Change on the Los Angeles Region's Water Resources and Associated Beneficial Uses (R18-004) and the release of Part 2 of the Los Angeles Region Framework for Climate Change Adaptation and Mitigation, the Los Angeles Water Board has continued its commitment to address climate change adaptation and mitigation and water resiliency in its various programs. Examples of this commitment include:</p> <ul style="list-style-type: none"> (i) incorporation of requirements in new and renewed NPDES permits, including a climate change effects vulnerability assessment and mitigation plan, (ii) incorporation of a requirement for dischargers to submit a Vulnerability Assessment Report to the Regional Board in WDR permits, (iii) encouraging the development of recycled water facilities in the Region, and (iv) Selecting Supplemental Environmental Projects that will serve communities disproportionately affected by climate change. <p>In addition, the Board has encouraged the capture and beneficial use of stormwater through</p>

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		<p>Regional Strategy to Address the Effects of Climate Change on Water Quality and we must adaptively manage this strategy to ensure that we continuously strive for climate and environmental justice.</p>	<p>the Los Angeles County MS4 Permit. In the tentative Regional MS4 Permit, released in August 2020, staff proposes to continue the current permitting framework in the 2012 Los Angeles County MS4 Permit, to encourage stormwater capture and beneficial use.</p> <p>Implementation of the regional strategy to address climate change extends beyond the Basin Planning Program into the other Board programs and is at the forefront of all program considerations.</p>
6.8	HTB	<p><i>Initiate re-evaluation of the Basin Plan’s temperature water quality objectives</i></p> <p>As stated above, impacts from climate change are already being felt in our water-scarce region. The determination of “natural temperature” for a waterway is complex, as recognized in the Staff Report; however, this determination becomes even more complex when considering the rapid effects of climate change on our water resources. Further, the drastic alterations that many of our waterways have experienced through channelization, concretization, and lack of habitat contribute to high temperatures which are not supportive of native ecology. Since the re-evaluation of temperature water quality objectives was identified as a potential project in the 2014-2016 triennial review, and has not yet been implemented; and since the objective is based on</p>	<p>The Los Angeles Water Board recognizes the importance of temperature on the beneficial uses of the region’s waterbodies - particularly with regard to potential climate change impacts. Re-evaluation of the temperature objectives is a recommended project, and thus, if approved, would be initiated during the 2020-2022 triennial review.</p>

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		<p>“natural temperature,” which is affected by anthropogenic climate change, we recommend considering this project as a high priority for the 2020-2022 Triennial Review.</p>	
6.9	HTB	<p><i>Continue to coordinate the development of Salt and Nutrient Management Plans (SNMPs), per the Statewide Water Quality Control Policy for Recycled Water, including the incorporation of management measures from the SNMPs into the Basin Plan</i></p> <p>We support the recommendation to continue the development of SNMPs, including the incorporation of management measures from the SNMPs into the Basin Plan, per the State Water Board’s Recycled Water Policy. Development of SNMPs must remain a priority through these final development and implementation stages in order to properly protect local water quality.</p>	Comment noted.
6.10	HTB	<p><i>Consider any amendments to the Basin Plan’s toxicity objectives that may be necessary in response to the Statewide Toxicity Provisions</i></p> <p>Consistent with the federal Clean Water Act and with discussions that have taken place since 2003 to address this chronic toxicity in California, enforceable numeric toxicity objectives that utilize whole effluent toxicity (WET) test methods and the Test of Significant Toxicity (TST) statistical approach is the most protective regulatory strategy for aquatic life and human health. The Los Angeles Regional Water Quality Control Board took leading action by incorporating numeric toxicity effluent limits before such numeric limits were officially approved as</p>	Comment noted.

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		<p>statewide provisions. However, there are changes in the proposed statewide numeric toxicity provisions, which are expected to be finalized by the end of the 2020 calendar year. We do still have some lingering concerns about the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California; and Toxicity Provisions (Toxicity Provisions), which we continue to discuss with the State Board as they move forward towards adoption.</p> <p>Our major concerns stem from a need for application of these Toxicity Provisions to a more comprehensive list of permittees to achieve actual statewide consistency.</p> <p>For the sake of statewide continuity, we urge the Regional Board to take advantage of the positive momentum for consistent numeric effluent limits as outlined in the Toxicity Provisions. Staff should be prepared to begin implementing this order when it is approved; therefore, this project should be a priority for the 2020-2022 and the 2023-2025 Triennial Review cycles to address all permits that will be issued, reopened, or renewed during that time.</p>	
6.11	HTB	<p><i>Initiate the 2023-2025 Triennial Review process</i></p> <p>In order to continue to move forward on priority projects, we support the Regional Board in including this project to initiate the 2023-2025 Triennial Review process in a timely manner.</p>	Comment noted.
6.12	HTB	<p>We also recommend that the follow(ing) project(s) <i>not</i> be prioritized for the 2020-2022 Triennial Review.</p>	This project is a continuation of an effort that was initiated during the 2017-2019 triennial review. The

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		<p><i>Evaluate the application of site specific objectives for lead developed using U.S. EPA's Recalculation Procedure to waterbodies in the region</i></p> <p>As resources are limited, especially in the tight budgetary climate that has developed in the wake of the COVID-19 crisis, we recommend that Regional Board resources are not spent to evaluate the application of site-specific objectives for lead developed using U.S. EPA's Recalculation Procedure to waterbodies in the region. Water quality standards exist for lead that are protective of public and environmental health; resources should be spent on actions that will lead to water quality compliance, not on actions that weaken those protective standards.</p>	<p>purpose of site-specific objectives is not to weaken protections, but to apply the same level of protection of beneficial uses intended by general criteria, while taking site-specific conditions into consideration.</p>
6.13	HTB	<p>The Staff Report includes a recommendation to resume work on developing implementation tools to address natural sources of pollutants. We strongly caution the Regional Board against the continued development of technical guidance for making natural source determinations. We recognize that natural sources can significantly contribute to surface water contamination, but it is essential that these determinations be made carefully because they may lead to the relaxation of requirements for pollutant control.</p> <p>Natural sources of contamination are often comingled with anthropogenic sources, making them difficult to distinguish. If there is a high concentration of contamination found in a waterway that is a result of both anthropogenic and natural sources, "Natural Source Determination" may falsely determine that the full</p>	<p>It is the instances of co-mingling of anthropogenic and natural sources of impairment that makes it necessary to ensure that appropriate requirements are placed on discharges. Also distinguishing between natural and anthropogenic sources allows for more effective management measures to be planned for and implemented.</p>

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		weight of that contaminant concentration originates from to the natural sources, therefore allowing discharge with higher contaminant concentrations. The presence of contaminants from a natural source should not be used as the basis for the Regional Board to allow entities to discharge additional contaminants that may contribute to a water quality issue. As such, we recommend the Regional Board give higher priority on preventing and controlling pollution over determinations that may lead to exclusions or weakened water quality protections.	
7.1	Richard Watson & Associates (RW&A)	Thank you for the opportunity to comment on the Draft Staff Report entitled, "2020-2022 Triennial Review: Consideration and Selection of Basin Planning Priority Projects." As noted in our comment letter of January 23, 2020, our firm has been active for several years assisting individual Permittees and watershed groups within the Los Angeles Region to address water quality issues. We appreciate the thoroughness of the draft report, especially the report on the 2017-2019 Triennial Review, and the discussion of potential 2020-2022 projects identified by staff and by stakeholders.	Comment noted.
7.2	RW&A	It is encouraging that Regional Water Board staff recognizes that the science of water quality is constantly advancing and that the triennial review process should ensure that water quality standards are based on current science. However, it is discouraging that the Regional Water Board's Basin Planning Program is understaffed, and the Board is significantly	Comment noted. In addition, while limited in staff resources, the Basin Planning program keeps abreast of the current science regarding water quality protection, and recommends for prioritization issues that would have the most impact in the region.

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		behind in updating water quality standards to reflect current best science. Permittees are concerned that they are trying to meet standards that are out-of-date and no longer appropriate.	In addition, the State Water Board also provides policy and plan updates to keep standards up-to-date with current science.
7.3	RW&A	The best news in the report is that staff is moving forward with a Basin Plan Amendment to adopt the Biotic Ligand Model (BLM) for copper. It is unfortunate, but understandable, that the original target for the Regional Board to consider incorporation of a BLM for copper into the Basin Plan was delayed by a staff shortage and the impacts of the Covid-19 pandemic. However, your email of September 28, 2020, indicating that staff expects the Board to consider the copper BLM in late spring or early summer next year, was encouraging.	Comment noted. The timeline for the proposed incorporation of the copper BLM into the Basin Plan is largely dictated by the necessary scientific contract work being conducted in support of this project, and not by the current pandemic nor staff shortage.
7.4	RW&A	Another potential positive action is consideration of a high-flow suspension of REC-1 beneficial uses for engineered channels in Ventura County based on the 2003 Basin Plan amendment that temporarily suspended the recreational beneficial uses in a number of engineered channels during and immediately following significant storm events in Los Angeles County. The 2003 amendment applied only to Ballona Creek, the Dominguez Channel, the Los Angeles River and selected tributaries, and the San Gabriel River and selected tributaries. For some reason, the Los Cerritos Channel was left out, even though it is a completely engineered channel. I am not sure what else is left out, but the Los Cerritos Channel appears to be the most significant channel system in the Los Angeles County	Comment noted. As stated in the draft Staff Report for the 2020-2022 Triennial Review, in the absence of sufficient staff resources to proceed, staff may rely on stakeholders and/or interested persons to conduct assessments and analyses for the Ventura County High Flow Suspension project. The same would apply to a High Flow Suspension for Los Cerritos Channel. In addition, the Los Angeles Water Board is considering the applicability of the High Flow Suspension to the Los Cerritos Channel as part of the development of the Los Cerritos Channel Bacteria TMDL.

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		<p>portion of the Region that was not identified in Table 2-1a of the Basin Plan as having a high-flow suspension. Review of the 2003 Basin Plan Amendment shows that the Los Cerritos Channel was qualified then and qualifies now for a high-flow suspension, and data on the Los Cerritos Channel Watershed engineered channel was available when the 2003 Basin Plan Amendment was being prepared. Therefore, Project 4.8 in the 2020-2022 Triennial Review should be expanded to include the Los Cerritos Channel and other engineered channels in Los Angeles County that were overlooked when the 2003 Basin Plan Amendment was being developed in order to “support consistency in approaches across the region.” If necessary, the Watershed Group could conduct assessments and analyses that staff says may be needed to complete this project.</p>	
7.5	RW&A	<p>I would like to also comment about three stakeholder-recommended projects for inclusion in the 2020-2022 Triennial Review. The first is Project 5.1.3, Incorporation of the Biotic Ligand Model for Zinc Freshwater Quality Criteria, which was not recommend for inclusion by staff although staff did acknowledge the effectiveness of the BLM as a tool to address the site specific bioavailability of metals. Subsequent to receipt of the September 4, 2020 Draft Staff Report, I have been in contact with Dave Smith and Terry Fleming of EPA Region 9, as well as Deborah Nagle, Director of the USEPA Office of Science and Technology, Betsy Behl, Director, Health and Ecological Criteria Division of the of the Office of Science and Technology, and Amanda Magee</p>	<p>Comment noted. See response to comment 7.7.</p>

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		<p>and Chris Beegan of the Stormwater Planning Unit of the State Water Board. I consulted with Ms. Magee and Mr. Beegan because I was aware that the STORMS Unit has a Phase II project entitled, "Site Specific Objectives for Metals Using the Biotic Ligand Model." I was impressed that the description of the project in a July 2, 2020 PowerPoint presentation to the STORMS Implementation Committee recognized that the California Toxics Rule allows the water boards to adopt Site-Specific Objectives (SSOs) for metals and that the common method of developing SSOs often takes 10-20 years to complete. I also noted that the STORMS Unit was considering the development and adoption of a State Water Board water control policy related to the development and data requirements for site-specific objectives.</p>	
7.6	RW&A	<p>Subsequent to my initial discussions with STORMS staff and after telephone calls with Dave Smith and Terry Fleming at EPA Region 9, I was able to have a 30-minute discussion with Deborah Nagle and Betsy Behl. The Supervisor of the Cooperative Research and Development Agreement cited in the September 4, 2020 Draft Staff Report on the 2020-2022 Triennial Review reports to Director Behl. The discussion with the Office of Science and Technology reinforced my interpretation of the CTR and comments made by Region 9 staff.</p> <p>Section D.4 of the preamble to EPA's Final Rule adding the California Toxics Rule to 40 CFR Part 131 (Federal Register, Thursday, May 18, 2000) says, in part:</p>	Comment noted. See response to comment 7.7.

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		<p>“The State has the discretion to develop site-specific criteria when appropriate e.g., when statewide criteria appear over- or under protective of designated uses. Periodically, the State through its RWQCBs will adopt site-specific criteria for priority toxic pollutants within respective Basin Plans. These criteria are intended to be effective throughout the Basin or throughout a designated water body. Under California law, these criteria must be publicly reviewed and approved by the RWQCB, the SWRCB, and the State’s Office of Administrative Law (OAL). Once this adoption process is complete, the criteria become State law. These criteria must be submitted to the EPA Regional Administrator for review and approval under CWA section 303. These criteria are usually submitted to EPA as part of a RWQCB Basin Plan Amendment, after the Amendment has been adopted under the State’s process and has become State law.”</p> <p>The leadership of the Office of Science and Technology confirmed that the State has great discretion. A state-proposed site-specific objective first needs to be found scientifically sound by EPA. Such a finding should not be difficult since the 10 BLM parameters required for each metal are the same and EPA is considering recommending either the BLM for zinc or a more simplified approach, such as the multiple linear regression. Furthermore, they confirmed that once a water board adopts and EPA approves a site-specific objective, the water board is not</p>	

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		<p>required to adopt whatever standard EPA recommends.</p> <p>Models are now available for determining or estimating acute and chronic water quality criteria for both copper and zinc, and the Southern California Coastal Water Research Project (SCCWRP), which is under contract to assist the Regional Board with analysis of BLM data, should be able to easily recommend limits for both metals to include in the Basin Plan Amendments. By late spring of 2021, the Los Cerritos Channel should be able to supply SCCWRP with 48 wet-weather data points for the required parameters and 18 monthly dry-weather data points</p>	
7.7	RW&A	<p>Our research provides solid evidence that the Regional Water Board could easily change the current proposed Basin Plan Amendment to add the copper BLM to the Basin Plan to instead add both the copper BLM and the zinc BLM to the Basin Plan. It is not actually premature to add the zinc BLM to the Basin Plan, and it is not necessary for the Regional Board to devote substantial staff time to developing interim limits in anticipation of a final determination by USEPA. The conversation with the Office of Science and Technology confirmed several points supporting my conclusion that it would not be time consuming nor complex to expand the proposed Basin Plan Amendment to include both the copper BLM and the zinc BLM. Such an expanded Basin Plan Amendment would be a great benefit to Permittees by helping them to better focus expenditure of the limited funds available to them to address the 45 TMDLs cited</p>	<p>Comment noted.</p> <p>As discussed in the draft Staff Report for the 2020-2022 Triennial Review, USEPA is working collaboratively with eight metals associations to develop a common modeling approach to predict the bioavailability and toxicity of metals. Approaches such as the Biotic Ligand Model (BLM) and Multiple Linear Regressions (MLRs) are being considered. Once an approach is selected, models will be developed for individual metals, including zinc. Using the resulting peer-reviewed models, USEPA plans to develop updated Aquatic Life Ambient Water Quality Criteria for metals that reflect the latest science and are easier to implement than more complex,</p>

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		<p>in the Tentative Regional Permit. We recommend that you proceed with a Basin Plan Amendment that includes both the copper BLM and the zinc BLM and establish soon an advisory committee of Permittee and NGO representatives to assist Board staff with final recommended Basin Plan Amendment language.</p>	<p>previous approaches. This project is expected to conclude by 2022. The Los Angeles Water Board continues to conclude that it is appropriate to wait for the results of this effort, in order to be assured of applying the most current and appropriate science.</p>
7.9	RW&A	<p>The second project recommended by stakeholders for inclusion in the 2020-2022 Triennial Review on which I wish to comment is Project 5.1.6, "Monitor Implementation of the Proposed Safe, Clean Water Program Regional Bacteria Scientific Study." We are the ones who recommended the study and we are pleased that staff indicated that it plans to commit staff resources to participate in and provide oversight of the effort, if it should be funded. As we were preparing the proposal that we did not pursue last year, we met with Regional Water Board staff. The reason we ended up not pursuing it was that Regional Board staff indicated that they did not support the project because of some language that we included. We understood the objection and made changes in our project summary for this round of projects.</p> <p>My understanding is that staff leadership thinks the revised proposal is a big improvement over our previous proposal, and we hope the Board, or at least Board staff, can support it. The proposal has been changed to a Pathogen Reduction Study. We started looking at what to propose over two and a half years ago because we concluded that we could not meet existing fecal</p>	<p>Comment noted.</p> <p>As mentioned in the draft Staff Report for the 2020-2022 Triennial Review, the Los Angeles Water Board plans to commit staff resources to participate in and provide oversight of the proposed Safe, Clean Water Program Regional Bacterial Scientific Study concerning health risk-based indicators, should it be funded. In addition, the Los Angeles Water Board will also consider bacteria water quality objectives for the protection of REC1 uses based on alternative indicators and/or methods when the necessary science is adequately developed.</p>

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		<p>indicator bacteria (FIB) standards in wet weather. Even USEPA appears to have reached the same conclusion. Since the adoption of the 2012 Recreational Water Quality Standards, they have been looking at alternative standards more focused on viruses, rather than bacteria.</p> <p>A lot of research has been conducted since 2010, the final date of research linked to 2012 standards, but a lot more research is needed. We think this proposed project is consistent with EPA research and can contribute to how best to address human pathogens in stormwater discharges.</p>	
7.10	RW&A	<p>The third project on which we wish to comment briefly is project 5.2.3, "Reconsider the Use of Primary Containment Levels (MCLs) as Surface Water Standards. We are pleased that the Water Board does not apply the MUN water quality objectives to waterbodies with asterisked MUN beneficial use designations for assessment of impairment, nor require that MS4s report exceedances of the primary MCLs in these waterbodies. However, the statement that, " ... the Regional Board will soon implement a detailed review of criteria in the State Sources of Drinking Water Policy and identify those waters in the Region that should be excepted from the MUN designation" first appears in the 1994 Water Quality Control Plan, Los Angeles Region, approved by the Regional Board on June 13, 1993. That is now more than 26 years ago, and the official position of the Water Board remains the same. Perhaps multiple water quality objective issues could be resolved if the</p>	<p>Comment noted.</p> <p>While the Basin Plan identifies those waters in the Region that should be excepted from the MUN designation required by the State Sources of Drinking Water Policy – by use of an asterisk - it is still the intent of the Los Angeles Water Board to conduct a review of those waterbodies (in order to do away with the asterisk notation). However, attempts to obtain funding for this project have been unsuccessful to date.</p>

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		underlying beneficial use issue were to be addressed by some part of the Regional Water Board staff- probably not the Basin Planning Unit, unless it gets more staff time.	