

Responsiveness Summary for the Basin Plan Amendment to Update the Bacteria Water Quality Objectives for Fresh, Estuarine, and Marine Waters Designated for Water Contact Recreation – Based on the Statewide Bacteria Provisions

No.	Commenter
1	Stakeholders Implementing TMDLs in the Calleguas Creek Watershed (CCW Stakeholders)
5	Sanitation Districts of Los Angeles County (LACSD)
3	Hill Canyon Wastewater Treatment Plant (HCTP), City of Thousand Oaks
4	Heal the Bay (HTB)
5	Richard Watson & Associates, Inc (RWA)
6	City of Simi Valley (Simi Valley)
7	County of Los Angeles and Los Angeles County Flood Control District (LAC-LACFCD)
8	City of Los Angeles Sanitation and Environment (LASAN)
9	Ventura Countywide Stormwater Quality Management Program (VCSQMP)

No.	Commenter	Comment	Response
1.1	CCW Stakeholders	<p>The Stakeholders Implementing Total Maximum Daily Loads (TMDLs) in the Calleguas Creek Watershed (CCW) [hereinafter referred to as the Stakeholders] are writing to comment on the California Regional Water Quality Control Board, Los Angeles Region's [hereinafter referred to as the Los Angeles Water Board] proposed Amendments to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to Update the Bacteria Objectives for Fresh, Estuarine and Marine Waters Designated for Water Contact Recreation, based on the Statewide Bacteria Provisions (proposed Basin Plan amendments).</p> <p>The Stakeholders support this effort by the Los Angeles Water Board to provide clarity on the applicability and implementation, within the Los Angeles region, of the</p>	Comment noted.

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		<p>statewide bacteria water quality objectives adopted by the State Water Resource Control Board (State Board) in August 2018 (Bacteria Provisions). The Stakeholders participated actively in the development of the Bacteria Provisions and were one of the many parties that devoted substantial time and energy to ensure that they supported effective implementation by the regulated community. The Stakeholders recognize the value of the adopted Bacteria Provisions in standardizing the approach to bacteriological pollution statewide and protecting California's waters and human health.</p>	
1.2	CCW Stakeholders	<p>The Stakeholders are supportive of the Los Angeles Water Board's proposed changes to the stated water quality objectives in the Basin Plan and request revisions to ensure that the implementation provisions in the proposed Basin Plan amendment, "parallel those contained in the statewide Bacteria Provisions." The implementation provisions in the proposed Basin Plan amendment substantively limit the scope of the implementation provisions included in the Bacteria Provisions and preclude implementation options that were explicitly established in the final version of the Bacteria Provisions through the public comment process.</p> <p>By omitting these implementation options, the proposed Basin Plan amendment contradicts the language and rationale behind the Bacteria Provisions. The Los Angeles Water Board does not acknowledge this difference and provides no justification for this deviation from the language in the Bacteria Provisions. More importantly, these omissions unnecessarily restrict the tools available to the regulated community for improving water quality and attaining the Bacteria Objectives in the Los Angeles Region.</p>	<p>While the bacteria water quality objectives contained in the Statewide Bacteria Provisions supersede the existing bacteria water quality objectives in the Los Angeles Region's Basin Plan, the implementation provisions are to be applied at the discretion of the Regional Boards.</p> <p>However, it is not the intention of the Los Angeles Regional Water Board to limit the scope of the implementation options provided with the Statewide Bacteria Provisions. Rather, the intention is to consider them and apply them on a case-by-case basis.</p> <p>The proposed Basin Plan language is consistent with the language and rationale behind the Statewide Bacteria Provisions. The draft staff report discusses the Regional Water Board's approach regarding the implementation provisions.</p>

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			<p>As stated in Section IIIB of the draft staff report, the implementation provisions are not specific requirements to implement the bacteria water quality objectives. Rather, they are implementation options the Water Boards may utilize to effectively implement the bacteria water quality objectives or to reflect whether the REC-1 beneficial use is appropriately designated.</p> <p>That said, staff acknowledges errors of omission pertaining to the application of some implementation provisions and has revised the proposed Basin Plan amendment language accordingly – as detailed in the specific responses to comment numbers 1.5 and 1.6.</p>
1.3	CCW Stakeholders	<p>To achieve consistency between the Basin Plan and the Bacteria Provisions and ensure consistent availability of the regulatory tools provided therein, the Stakeholders request that the Los Angeles Water Board revise the Implementation Provisions for Water Contact Recreation Bacteria Objectives to match language in Section IV of the Bacteria Provisions. Specifically, the Stakeholders request that the Los Angeles Water Board revise the implementation provisions in the proposed Basin Plan amendment to:</p> <ol style="list-style-type: none"> 1. Allow implementation of natural source approaches outside of a TMDL if they are adopted through a Basin Plan amendment. 2. Allow application of reference reach approaches to the geometric mean objective, in addition to the single sample objectives. 	See response to comment No. 1.2.

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		<p>3. Include the Bacteria Provisions' third implementation provision, as written, in the proposed Basin Plan amendment to clarify the option and process for developing High Flow Suspensions for waterbodies in the Ventura County including Calleguas Creek watershed.</p> <p>Details of the Stakeholders specific concerns regarding the implementation provisions omitted by the Los Angeles Water Board are discussed as comments in Attachment A. Recommended revisions to the implementation provisions in the proposed Basin Plan amendment are included in Attachment B as redline markup.</p>	
1.4	CCW Stakeholders	<p>The stakeholders recognize and appreciate the efforts undertaken by the Los Angeles Water Board to update the Basin Plan to reflect the Bacteria Provisions, and we appreciate this opportunity to provide comments. It is the Stakeholders intent that these comments will support the Los Angeles Water Board in drafting amended Basin Plan language that will result in effective protection of human health in the Los Angeles Region.</p>	Comment noted.
1.5	CCW Stakeholders	<p>Comment 1: Allow the reference reach/antidegradation approach to be applied outside of a TMDL if approved as a Basin Plan amendment.</p> <p>The implementation provisions contained in the statewide Bacteria Provisions were intended to give Regional Water Boards a range of options to effectively implement the bacteria water quality objectives established by the Bacteria Provisions. Among these options, the Bacteria Provisions presented two approaches for addressing the implementation challenges posed by natural sources of bacteria. To overcome these challenges, the Bacteria Provisions</p>	<p>See response to comment No. 1.2.</p> <p>The Statewide Bacteria Provisions state that “The GEOMETRIC MEAN and the STV contained in the applicable BACTERIA WATER QUALITY OBJECTIVES <i>shall</i> be applied in all circumstances, except in the context of a TMDL or a BASIN PLAN amendment” (emphasis added).</p>

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		<p>state that Regional Water Boards may utilize a reference system/antidegradation approach or a natural source exclusion approach (hereinafter referred to together as 'natural source approaches'), "in the context of a TMDL or a Basin Plan amendment."</p> <p>The specific language detailing the contexts in which the 'natural source approaches' may be applied, was explicitly written to include both TMDLs and Basin Plan amendments in response to public comment provided by concerned parties. The Stakeholders were one of these parties, providing both written comments and testimony during the Bacteria Provisions hearing. During the hearing, the Stakeholders expressed concern that limiting the applicability of natural source approaches to TMDLs would place groups developing TMDL alternatives at a disadvantage and thus disincentivize proactive and effective water quality management strategies. The State Board agreed that this was an undesirable outcome and revised the language of the Bacteria Provisions to allow the use of natural source approaches outside of a TMDL so long as they were reviewed by the respective Los Angeles Water Board and adopted as a Basin Planning action.</p> <p>The Bacteria Provisions were developed to include this language in order to ensure effective implementation of the bacteria water quality objectives. The proposed Basin Plan amendments, however, eschew this deliberately crafted language. Instead, the proposed Basin Plan amendments maintain language in the current Basin Plan limiting the applicability of the natural source approaches to watersheds subject to a TMDL. The Stakeholders strongly disagree with this decision to unnecessarily restrict the options available for implementing the bacteria water quality objectives.</p>	<p>The Los Angeles Region’s Basin Plan currently only allows exceptions for TMDLs, and the proposed Basin Plan language inadvertently did not expand the exclusions to include other Basin Plan amendments outside of TMDLs. Staff has revised the proposed Basin Plan language to correct this omission.</p>
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		<p>Limiting applicability of natural source approaches is particularly detrimental to the Stakeholders' water quality management efforts in Calleguas Creek watershed where in absence of a bacteria TMDL, the Stakeholders would prefer to address the remaining bacteria impairments in the watershed by implementation actions other than TMDL. The Stakeholders have already conducted an in-depth analysis of indicator bacteria sources throughout the watershed and a precedent for using a reference reach analysis has already been set in a neighboring watershed that is subject to a TMDL (Santa Clara River). If the reference reach/antidegradation analysis approach is not allowed, the Stakeholders would be required to address natural sources, subjecting them to higher costs than other dischargers simply because they do not have a TMDL.</p> <p>There is no reason that the Stakeholders should not be afforded the same flexibility given to other dischargers subject to a TMDL. The same reference reach studies that have consistently been used to apply the reference reach/antidegradation approach in waterbodies subject to TMDL's across the Los Angeles Region can be just as suitably applied in waterbodies not subject to a TMDL. Meanwhile, the rigorous review and robust analysis assured by the TMDL development process can be provided equally by a Basin Planning action. There is therefore no justification to restrict natural source approaches to only waterbodies subject to a TMDL.</p> <p>Furthermore, by limiting the Stakeholders' and others' access to natural source approaches, the proposed Basin Plan amendments impede proactive management of bacteria impairments in the Los Angeles Region. By disincentivizing management of</p>	
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		<p>bacteria impairments via TMDL alternatives, the proposed Basin Plan amendments may inadvertently force TMDL development in places like the Calleguas Creek watershed where bacteria impairments could be addressed more quickly and effectively without a TMDL.</p> <p>The proposed Basin Plan amendments do not account for the full range of stakeholder perspectives that were incorporated into the statewide Bacteria Provisions through the public comment process. In doing so, they unfairly limit the implementation options available to dischargers not subject to TMDLs. Expanding the implementation provisions in the proposed Basin Plan amendments to include waterbodies not yet subject to TMDLs will allow for more flexible and cost-effective implementation options, faster and more complete protection of human health, and consistent availability of regulatory tools for addressing bacteria in all waterbodies. To achieve this, the Stakeholders recommend that the Los Angeles Water Board revise the implementation provisions in the proposed Basin Plan amendment to allow implementation of natural source approaches outside of a TMDL if they are adopted through a Basin Plan amendment.</p> <p>Recommended revisions to the proposed Basin Plan amendment are included in Attachment B.</p>	
1.6	CCW Stakeholders	<p>Comment 2: Allow the reference reach/antidegradation approach to be applied to the geometric mean (GM) objective, in addition to the statistical threshold value (STV) and single sample maximum objectives.</p> <p>In addition to allowing the application of natural source approaches outside of a TMDL, the Bacteria Provisions extend the applicability of natural source approaches to all of the water quality objective types established</p>	<p>See response to comment No. 1.2.</p> <p>The Los Angeles Region’s Basin Plan currently limits the applicability of the reference reach/antidegradation approach to the single sample maximum (SSM) objective. In aligning this provision with the Statewide Bacteria Provisions, the proposed</p>

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		<p>therein (i.e., the geometric mean (GM), statistical threshold value (STV), and single sample maximum (SSM) objectives). This language was similarly included in the Bacteria Provisions in response to public comments. In an older draft, the Bacteria Provisions only extended the applicability of natural source approaches to the statistical threshold value (STV) and single sample maximum (SSM) objectives. After receiving public comment presenting evidence of GM exceedances due to natural sources, this language was amended to include the GM objective, "because natural sources of bacteria could be exceeding either of the applicable elements of the water quality objective, depending on the specific site and environmental conditions contributing bacteria to the water body or reference systems."</p> <p>The proposed Basin Plan amendments again disregard the Bacteria Provisions' deliberately crafted implementation provisions in favor of language in the current Basin Plan. This language limits the applicability of reference reach approaches to the STV and SSM objectives. In doing so, the proposed Basin Plan amendments disregards the scientific understanding of natural bacteria sources acknowledged by the Bacteria Provisions.</p> <p>The reference reach approaches included in the Bacteria Provisions were designed to give Regional Water Boards, and by extension the regulated community, flexibility in meeting a protective level of human health risk. If high levels of natural indicator bacteria are present in a watershed, an exceedance of the GM and/or STV may still be protective of the Bacteria Provisions' risk-based illness rate because bacteria from natural sources are often associated with lower illness rates. In such cases, the water quality</p>	<p>Basin Plan language expanded the application to the statistical threshold value (STV) but not to the geometric mean (GM). Staff has revised the proposed Basin Plan language to correct this inadvertent omission.</p>
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		<p>objectives may not be attainable due to uncontrollable natural sources, but human health may still be protected. To ensure that management actions and resources are targeted to areas with higher health risk and not on futile efforts to reduce natural sources of bacteria, it is important that the natural source approaches are applicable to all of the objectives if they are found to be influenced by natural sources of bacteria. As such, the Stakeholders recommend that the Los Angeles Water Board revise the implementation provisions in the proposed Basin Plan amendment to allow application of reference reach approaches to the geometric mean objective, in addition to the single sample objectives. Recommended revisions to the proposed Basin Plan amendment are included in Attachment B.</p>	
1.7	CCW Stakeholders	<p>Comment 3: Include the implementation provision establishing guidelines for adoption of a High Flow Suspension of the Water Contact Recreation (REC-1) Beneficial Use</p> <p>In addition to the implementation provisions pertaining to natural sources of bacteria discussed above, the Bacteria Provisions also included a provision authorizing an approach for the temporary suspension of the Water Contact Recreation (REC-1) Beneficial Use during periods of high flow that are unsafe for recreation. This implementation provision states that a "Regional Water Board may adopt a high flow suspension of the water contact recreation (REC-1) beneficial use that reflects water conditions considered unsafe for the REC-1 beneficial use due to high water flow or velocity." Such a suspension may be applied based on "rainfall measure, flow measure, or other requirements." This provision provides a clear pathway</p>	<p>See response to comment No. 1.2. The High Flow Suspension (HFS) language in Chapter 2 of the Basin Plan parallels that contained in the implementation provisions of the Statewide Bacteria Provisions. When the Los Angeles Regional Water Board adopted its HFS in 2003, no implementation language was added to Chapter 3 of the Basin Plan.</p> <p>The implementation provisions related to the HFS in the Statewide Bacteria Provisions outline an approach to considering a HFS, which does not need to be included in the Basin Plan in order to be applicable. Future HFS considerations will take into account the full measure of this approach, and</p>

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		<p>for developing a High Flow Suspension and, in doing so, removes a barrier to their implementation where appropriate.</p> <p>The proposed Basin Plan Amendment does not contain this High Flow Suspension implementation provision because, according to the Los Angeles Water Board's Draft Staff Memo, this provision "parallels" an implementation provision already contained in the Basin Plan. While the Basin Plan does establish a High Flow Suspension of the REC-1 beneficial use in a limited number of cases, it does not establish a clear pathway for developing and implementing a high flow suspension in other cases.</p> <p>This is an important concern for the Stakeholders because the High Flow Suspension in the Basin Plan did not extend applicability to any waterbodies in Ventura County and limits the applicability of High Flow Suspensions to engineered channels, despite the presence of conditions in a range of Calleguas Creek waterbodies where suspension of the REC-1 use would be appropriate when conditions meet the requirements set for the High Flow Suspension. Omission of these waterbodies from the High Flow Suspension is a long-standing concern of the Stakeholders that has been expressed during triennial review of the Basin Plan. For this reason, the stakeholders request that the Los Angeles Water Board include the Bacteria Provisions' third implementation provision, as written, in the proposed Basin Plan amendment to clarify the option and process for developing High Flow Suspensions for waterbodies in the Ventura County including Calleguas Creek watershed. Recommended revisions to the proposed Basin Plan amendment are included in Attachment B.</p>	<p>where the conditions differ from those outlined in the language in Chapter 2 of the Basin Plan, the language will be revised accordingly.</p> <p>However, the proposed Basin Plan language has been revised to reference the HFS implementation provision contained in the Statewide Bacteria Provisions.</p> <p>It should also be noted that waterbodies in Ventura County were not included in the High Flow Suspension (HFS) application, at the same time that the Los Angeles County waterbodies were, due to a lack of available data and not necessarily as a result of not meeting certain conditions. Since that time, application of the HFS has not been completed due to lower prioritization during triennial reviews and a lack of available resources to complete the project.</p>
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2.1	Sanitation Districts of Los Angeles County (LACSD)	<p>The Sanitation Districts of Los Angeles County (Sanitation Districts) operate ten water quality laboratories that support the operations and environmental compliance assessment for eleven publicly operated facilities that treat wastewater for more than five million people in Los Angeles County. The Sanitation Districts are fully committed to the effective and appropriate implementation of water quality standards to protect public health, including application of bacteria objectives to protect contact and noncontact recreational uses.</p>	Comment noted.
2.2	LACSD	<p>We appreciate the opportunity to provide comments to the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) on the proposed amendments to update bacteria water quality objectives in the Water Quality Control Plan and respectfully submit the following comments.</p> <p><i>The Use of Certified, Commonly-Used Methods Should Not Be Restricted</i></p> <p>The proposed amendment specifies that bacterial data be reported using units of colony forming units per 100 ml (CFU/100ml). The use of these units would restrict the allowable analytical methods to membrane filtration methods (e.g., EPA 1600 for <i>Enterococcus</i> or EPA 1603 for <i>E. coli</i>) and would force all environmental testing laboratories conducting analyses in the Los Angeles Region to be certified for the membrane filtration methods. To the best of our knowledge, very few such laboratories exist. Most have instead adopted the more cost-effective, reliable, and rapid IDEXX-type analytical methods, which also avoid some of the limitations and turbidity interferences associated with the membrane filtration methods.</p>	<p>The Statewide Bacteria Provisions acknowledge that the United States Environmental Protection Agency (U.S. EPA) recommends using U.S. EPA Method 1603 or other equivalent method to measure culturable <i>E. coli</i>, and U.S. EPA Method 1600 or other equivalent method to measure culturable enterococci (emphasis added).</p> <p>Methods listed in 40 CFR Part 136.3, table IH are approved for use in ambient waters (which include recreational waters) and include some methods that report bacteria indicators in MPN.</p> <p>Historically, the Los Angeles Board has accepted compliance reporting using methods that report using either cfu or MPN and intends to continue to do so. The proposed Basin Plan language has been revised to include the</p>

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		<p>All ten of the Sanitation Districts' laboratory facilities have adopted and been certified for the IDEXX method for <i>E. coli</i>, which remains one of the freshwater bacterial objectives under the proposed amendment; none are currently certified to conduct membrane filtration analysis for <i>E. coli</i>. Obtaining certification for the membrane filtration method would be unnecessarily costly and time consuming, considering the widespread acceptance and adoption of the IDEXX methods, which provide equally protective and reliable results while minimizing documented interferences associated with the membrane filtration methods.</p> <p>Therefore, we request that the reporting units not be specified in the proposed amendment and that language currently contained in the Basis Plan be retained.</p>	<p>applicable language from the Statewide Bacteria Provisions.</p>
2.3	LACSD	<p>The text in the provided Draft Staff Memo dated December 11, 2019 correctly states that the STV "is set at the 90th percentile of the geometric mean which can be exceeded just 10 percent of the time". However, in Table 4 under the Statistical Threshold Value (STV) heading, the text states that the values "shall not exceed" the listed value. To avoid potential confusion, the text in Table 4 pertaining to the STV should be modified to "shall not exceed [the listed value] more than 10% of the time."</p>	<p>The draft staff memo has been revised to reflect this change.</p>
3.1	Hill Canyon Wastewater Treatment Plant (HCTP)	<p>The Hill Canyon Treatment Plant (HCTP) is a 14 MGD capacity advanced tertiary wastewater treatment plant. The HCTP staff and HCTP Laboratory are dedicated to producing high quality effluent that is compliant with Los Angeles Regional Water Quality Control Board (RWQCB) Order R4-2019-0137 and NPDES permit no. CA0056294 mandates as well as stringent Title 22 water reclamation standards for unrestricted use.</p>	<p>Comment noted.</p>

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		<p>The HCTP discharges tertiary treated effluent into the North Fork Arroyo Conejo Creek in the Calleguas Watershed. Under the Water Quality Control Plan for the Los Angeles Region (Basin Plan), these receiving waters are designated as REC-1 and are subject to the Basin Plan Beneficial Uses criteria. As such, there are applicable water quality-based effluent limitations (WQBELs) to maintain numeric and narrative water quality criteria, in order to protect the beneficial uses of the receiving water(s).</p> <p>The proposed amendments to the Basin Plan would change the Bacteria Objectives by adopting the Statewide Bacteria Provisions stipulated in Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE). These bacteria provisions would establish a new statewide numeric water quality objective, along with additional implementation efforts beyond what is currently practiced.</p>	
3.2	HCTP	<p>The California Regional Water Quality Control Board, Los Angeles Region, Tentative Resolution No. R20-00X document, dated February 13, 2020, concludes the following:</p> <p>Item 15. The State Water Board, in adopting the Statewide Bacteria Provisions, analyzed foreseeable methods of compliance with the Statewide Bacteria Provisions...The Statewide Bacteria Provisions update the Bacteria Objectives for fresh, estuarine and marine waters, and assure statewide consistency in the indicator organisms used and the level of protection of the water contact recreation beneficial use. However, the updated objectives are not significantly more stringent than the existing ones and are not expected to lead to</p>	See response to comment No. 2.2.

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		<p>additional implementation efforts or new methods of compliance beyond what is currently practiced.</p> <p>The HCTP Laboratory respectfully submits the following comments in response to Item 15. The proposed amendment specifies that bacterial data be reported using colony forming units per 100mL (CFU/100mL). Such designation would restrict the methods used to Membrane Filtration. For NPDES Permittees subjected to monitor for E. coli, the Code of Federal Regulations, Title 40, Part 136 (40CFR136), only references one analytical method, EPA 1603 for wastewater discharge (WQBELs) and Membrane Filtration by EPA 1103.1, 1603, or 1604. Based on Basin Plan Objectives, the NPDES permit(s) currently stipulate(s) that the E. coli concentration in the receiving waters shall not exceed a numeric value as a result of wastes discharged.</p> <p>After multiple inquiries with several contract laboratories, staff with both the State Water Resources Control Board’s Environmental Laboratory Accreditation Program (ELAP), and the Municipal Permitting Unit of the RWQCB, we have not found accessible laboratories certified for required Membrane Filtration analyses. It is our understanding that there are at most two (2) laboratories certified in California, with one being a County laboratory, unable to accept external samples for analysis.</p>	
3.3	HCTP	<p>Secondly, it has been projected that the ELAP certification process would take 6 months to 1 year. Obtaining certification for this method would be unnecessarily expensive and time consuming, especially for those NPDES permittees that are required to monitor their daily discharge for Total Coliform / E. coli. Laboratories required to become</p>	See response to comment No. 2.2.

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		<p>certified for this this test would have to invest in new laboratory equipment and maintain supplies.</p> <p>Therefore, we disagree with Item 15 conclusions that updated objectives are not expected to lead to additional implementation efforts or new methods of compliance beyond what is currently practiced. In addition, we respectfully request that language in the Basin Plan be specified as Most Probable Number (MPN/100mL) or CFU/100mL, to allow for flexibility and methodology currently practiced and attainable.</p>	
3.4	HCTP	<p>Lastly, the HCTP Laboratory would like to request additional clarification regarding recommendation for use of USEPA Method 1603 or <i>other equivalent method to measure culturable E. coli</i> (ISWEBE IV.E.1).</p>	See response to comment No. 2.2.
4.1	Heal the Bay (HTB)	<p>Heal the Bay is a non-profit environmental organization with over 30 years of experience and 15,000 members. We are dedicated to making the coastal waters and watersheds of Greater Los Angeles healthy, safe, and clean. On behalf of Heal the Bay, we respectfully submit the following comments on the Proposed Amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to Update the Bacteria Objectives for Fresh, Estuarine, and Marine Waters Designated for Water Contact Recreation, based on the Statewide Bacteria Provisions. We appreciate the opportunity to comment on this issue.</p>	Comment noted.
4.2	HTB	<p>Heal the Bay previously reviewed and commented on the Statewide Bacteria Provisions adopted on August 7, 2018 (see Attachment A). We appreciate the State Water Quality Control Board’s (State Board) response to our comments, but some of our original concerns were not adequately addressed by the State Board and remain in the proposed Basin Plan Update. Additionally,</p>	The water quality objectives contained within the Statewide Bacteria Provisions supersede all existing numeric bacteria objectives for REC-1 in the nine Regional Water Boards’ Basin Plans.

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		<p>we have identified other concerns with the statewide bacteria provisions that were not included in the original comment letter to the State Board. We ask the Los Angeles Regional Board to address the following concerns before adopting the statewide bacteria provisions for the Los Angeles Region.</p>	<p>Therefore, these objectives are in effect throughout the state as of March 22, 2019. The Regional Boards do not have discretion to make any revisions to these water quality objectives. Discretion is only provided in the application of the implementation provisions.</p> <p>The purpose of the proposed Basin Plan amendment is to update the Los Angeles Region’s Basin Plan to reflect these statewide objectives as those currently in the Basin Plan are now obsolete.</p>
4.3	HTB	<p><i>E. coli</i> and <i>Enterococcus</i> standards should be used for all freshwater waterbodies designated for REC-1, LREC-1, and REC-2 uses.</p> <p>The 2012 Recreational Water Quality Criteria put forth by the U.S. Environmental Protection Agency (USEPA) give states the option to adopt <i>E. coli</i> or <i>Enterococcus</i> standards for freshwater. The State Board ultimately chose to adopt only <i>E. coli</i> standards for freshwater in August 2018. However, the Los Angeles region should adopt both standards because it is more protective of public health. <i>E. coli</i> and <i>Enterococcus</i> have been shown to exceed standards independently in marine water (Figure 1). This means that the use of a single bacteria standard results in missed exceedances that would have otherwise been detected with two standards, resulting in the additional exposure of the public to harmful water quality. That is the reason why the State Board retained both <i>E. coli</i> and <i>Enterococcus</i> standards for marine water in the August 2018 update.</p>	<p>See response to comment No. 4.2.</p>

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		<p>Unfortunately, this same logic was not applied to freshwater. The State Board decided to use two bacteria standards for marine water and only one for freshwater. This is an inconsistency that can result in people unknowingly exposing themselves to harmful conditions in freshwater. Using both USEPA approved freshwater standards will lead to the detection of more bacteria exceedances and consequently more people protected in freshwater. There is no justification for only using one standard, and actually, many public health officials state that the more indicators used, the better it is for public health.</p>	
4.4	HTB	<p>California epidemiological study should not be overlooked and supports the inclusion of an objective for the total coliform to fecal coliform ratio</p> <p>We recommend that staff also review the epidemiological study by Haile et al. 1999. This study was conducted in California and provides empirical evidence that the total coliform to fecal coliform ratio is significantly correlated with illness rate. Using this ratio is not supported by the U.S. EPA Recreational Water Quality Criteria (2012) because total coliform and fecal coliform are thought to be outdated indicators. However, the three studies used to discount these two indicators actually found significant correlations between total and fecal coliforms and rates of illness. These three studies conclude that <i>Enterococcus</i> and <i>E. coli</i> are just more <i>strongly</i> correlated with illness. This may have led people to inaccurately conclude that fecal coliform and total coliform are not accurate indicators.</p> <p>In addition, the ratio of total to fecal coliforms is, on the whole, different from the ratio's individual constituents. The ratio indicates an interaction between total coliform and fecal coliform that is informative when it comes to</p>	See response to comment No. 4.2.

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		<p>health risk. The 1999 study by Haile et al. should not be ignored and should be treated just the same as the other California epidemiological studies have been. We recommend adding an objective for the total coliform to fecal coliform ratio to the basin plan for marine waters, and its application in freshwater should be further studied.</p>	
4.5	HTB	<p>Objectives should consist of a geometric mean, statistical threshold value, and single sample maximum</p> <p>To protect people from harmful levels of pathogens, it is imperative to use metrics that incorporate short term and long-term measurements of fecal indicator bacteria (FIB). There are three different metrics used for recreational water quality: single sample maximum (SSM), geometric mean (GM), and statistical threshold value (STV). Each of these metrics has advantages and disadvantages as outlined below:</p> <p>SSM: Regulatory action occurs based on the most recent water quality measurement. This metric is useful because it captures the current water quality conditions at a monitoring site. One drawback is that FIB concentrations can be highly variable throughout the day so one sample may not reflect the ambient water quality at a monitoring site.</p> <p>STV: For STV metrics there is regulatory action if 10% of samples in the last calendar month exceeded the objective. STV metrics are highly protective of public health because they take into account the most recent poor water quality samples (just as SSM objectives do). However, the drawback is that STV standards can be avoided by increasing the sample rate. Collecting more samples in a month can mask sample exceedances by</p>	See response to comment No. 4.2.

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		<p>keeping the proportion of exceeded samples below 10%.</p> <p>GM: This metric averages the most recent samples collected at a site while controlling for high variability in the sample readings. Geometric means are good for assessing the water quality over the past several weeks as well as reducing the uncertainty that comes with high temporal variability in FIB concentrations. However, geometric means do not adequately take into account the most recent water quality measurements. Also, geometric means can dampen the large spikes in FIB that occur after rainfall or sewage spills. When used in tandem, these three metrics provide more accurate information on water quality than any single metric can.</p> <p>We recommend that GM, SSM, and STV objectives are adopted for both <i>Enterococcus</i> and <i>E. coli</i> for freshwater and marine waters. Using all three metrics can be accomplished with minimal effort as it does not require extra field work or additional calculations. All that is required is changing the STV standard to state that an exceedance is detected when 10% of the samples in a calendar month are exceeded OR the most recent sample exceeds the SSM objective (which is the same as the STV).</p>	
4.6	HTB	<p>A 6-week geometric mean with mandated weekly sampling is the best geometric mean option</p> <p>Heal the Bay agrees that there should be continuity between the bacteria objectives for <i>Enterococcus</i> and <i>E. coli</i>. A 6-week GM is more protective as it provides a more long-term metric of FIB concentrations than the 30-day GM. The downside to the 6-week GM, as it is written, is that there is only a 5 sample requirement. The current 6-week GM standard allows a permittee to do less-than-weekly sampling and still be in</p>	See response to comment No. 4.2.

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		<p>compliance. We recommend adopting a rolling 6- week GM that mandates weekly sampling. This would ensure that permittees do not pick and choose when sampling takes place.</p>	
4.7	HTB	<p>The Regional Board should invest in pathogen research</p> <p>The 2012 U.S. EPA Recreational Water Quality Criteria document identifies knowledge and data gaps in fecal indicator bacteria. It also encourages agencies to conduct research into new methods for measuring pathogen indicators. We recommend conducting this research in accordance with the seven requirements set forth by Boehm et al. 2009.</p> <p>Objectives must be:</p> <ol style="list-style-type: none"> 1. Derived from recent epidemiology studies. 2. Compatible with Clean Water Act including beach notifications, TMDL, and NPDES requirements. 3. Supported by data for their use in different locations and water types. 4. Protective of human health in water impacted by animal feces, stormwater, and sewage. 5. Protective of individuals more susceptible to illness such as children. 6. Must be measured reliably. 7. Equally protective in different locations and water types. <p>Currently, there is not enough research to meet all seven requirements above. There are enormous data and knowledge gaps that must be filled before major changes are made to the bacteria standards. We recommend focusing on novel indicator research that includes California-specific epidemiological studies.</p>	<p>One of the main objectives of the Statewide Bacteria provisions was to establish consistent water quality objectives for California 's waters. However, in the analysis of project options for water quality objectives in Section 5.2 of the staff report associated with the Statewide Bacteria Provisions, the State Water Board recommends allowing Regional Water Boards to amend their Basin Plans to add scientifically defensible site-specific objectives using alternative indicators and/or methods for the protection of REC-1 uses.</p> <p>Therefore, the Regional Water Board supports research into new methods for measuring pathogen indicators consistent with the State Water Board's recommendation, and as resources allow.</p>

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5.1	Richard Watson & Associates, Inc (RWA)	I am writing as a consultant to three watershed groups in Los Angeles County to comment on the proposed amendments to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to update the bacteria water quality objectives for fresh, estuarine, and marine waters designated for water contact recreation. Bacteria water quality objectives are very important and have been evolving for years.	Comment noted.
5.2	RWA	I understand the Regional Water Board's intention to designate indicator bacteria objectives consistent with those used in the Statewide Bacteria Objectives. The use of <i>E. coli</i> as the sole indicator of pathogens in freshwater is appropriate and, as noted on page 3 of your Board's Tentative Resolution No. R20-00X, "consistent with maximum benefit to the people of the State."	Comment noted.
5.3	RWA	<p>In addition, we encourage the Regional Water Board to carefully monitor implementation of the proposed Safe, Clean Water Program Regional Bacterial Scientific Study and to participate in the stakeholder process in preparation for consideration of a possible bacteria water quality standard project during the 2023-2025 Triennial Review to consider adoption of a risk-based water quality objective for bacteria. Such an objective would help permittees focus investments to more effectively protect recreators.</p> <p>Thank you for the opportunity to submit these comments on the Update to Basin Plan REC-1 Bacteria Water Quality Objectives. We look forward to continuing to work with the Board and Board staff to improve the regulations that help us protect and improve water quality.</p>	The Los Angeles Water Board is aware of the proposed Safe, Clean Water Program Regional Bacterial Scientific Study and have met with stakeholders to discuss the study. The Los Angeles Water Board will consider site-specific objectives using alternative indicators and/or methods for the protection of REC-1 uses as the necessary science is developed. Based on our understanding of the proposed study, it will not provide enough information to determine alternative water quality objectives by the 2023-2025 Triennial Review. As we discussed with stakeholders during our meetings about the proposed study, we need to know, via epidemiological studies, the

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			thresholds for alternative indicators (such as HF183) that would ensure an acceptable health risk in order to establish alternative water quality objectives. The proposed study would contribute to the state of science regarding health risk-based indicators and management decisions regarding source control, but does not appear to, on its own, provide enough information to establish alternative water quality objectives.
6.1	City of Simi Valley (Simi Valley)	The Simi Valley Water Quality Control Plant (SVWQCP) operates under NPDES No. CA0055221, Order No. R4-2019-0135 and discharges approximately 8 MGD of tertiary treated wastewater to the Arroyo Simi. The majority of receiving water is effluent dominated and the effluent discharged to the Arroyo is as a wastewater matrix. The receiving water matrix designation aligns with wastewater analysis matrixes as outlined in the NPDES permit and 40 CFR Part 136.	Comment noted.
6.2	Simi Valley	The SVWCP Laboratory is an ELAP certified laboratory that performs analysis for the required monitoring, testing and data reporting for maintaining compliance as required under NPDES Order No. R4-2019-0135. Of concern is how the SVWQCP can analyze and report for E. coli in CFU/100mL when only two labs in California hold certification for performing this specific method as outlined in the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE). SVWQCP has reviewed the Bacteria Provisions and Water Quality Variance Policy in Part 3 of the ISWEBE. The amendments to the ISWEBE include changes to	See response to comment No. 2.2.

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		<p>reporting units for E. coli monitoring from MPN/100mL to CFU/100mL of a given sample for Inland Surface Waters (Receiving Waters), not effluent wastewater discharges at end of pipe prior to entering a receiving water.</p> <p>The SVWQCP Laboratory is not currently certified to analyze for E. coli using EPA Method 1600 or similar. In addition, nearby contract laboratories who perform E. coli analysis do not hold certification to allow reporting in CFU/100mL. Obtaining ELAP certification for this procedure would take, at the earliest, 6 months to 1 year to become certified. This would result in a massive change to microbiological practices for the SVWQCP Laboratory and apply unnecessary hardship. The current wastewater certified methods, which report E. coli in MPN/100mL, are the best fit for meeting E. coli wastewater effluent monitoring requirements.</p> <p>The SVWQCP NPDES Order No. R4-2019-0135 states, "Therefore, the limitations based on the Bacteria Provisions [ISWEBE] are not used in this permit. However, the Bacteria Provisions limitations are used as receiving water limitations." Although the permit states that Bacteria Provisions are not used, the effluent monitoring for E. coli has changed to require usage of the membrane filtration method by requesting reporting in CFU/100 mL.</p> <p>We look forward to working with the RWQCB and your response to our comments on this sensitive issue.</p>	
7.1	County of Los Angeles and Los Angeles County Flood Control District (LAC-LACFCD)	The County and the District support the Los Angeles Regional Water Quality Control Board's (Regional Board) proposal to update the bacteria water quality objectives in the water quality control plan for the Los Angeles Region (Basin Plan) to be consistent with the statewide bacteria provisions (Bacteria Provisions),	Comment noted.

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		adopted by the State Water Resources Control Board (State Board). In particular, the County and the District support the Regional Board's incorporation of the corresponding estimated illness rates (NGI) into the applicable water quality objectives tables and the language of the proposed Basin Plan Amendment (BPA) in describing the Water Contact Recreation (REC-1) Beneficial Use bacteria water quality objectives.	
7.2	LAC-LACFCD	<p>However, with respect to the implementation of these objectives, there are differences and potential conflicts between the proposed BPA and the Bacteria Provisions. The implementation provisions contained within the proposed BPA combine language and requirements from the Bacteria Provisions with language and requirements from the existing Basin Plan. This results in important differences between the Bacteria Provisions and the BPA. Based upon the considerable experience borne by the County and the District in implementing water quality improvement projects, these differences may not support best management practices reflective of the latest science and have the potential to require the implementation of control measures that are not effective in protecting the REC-1 beneficial use.</p> <p>Our comments below are primarily to request that the proposed updates to the Basin Plan include all implementation provisions that were incorporated to the Bacteria Provisions and that any existing requirements that may be in conflict with the Bacteria Provisions be removed from the Basin Plan.</p>	See response to comment No. 1.2 as well as responses to the specific comments following.
7.3	LAC-LACFCD	The proposed Basin Plan Amendment should allow for site-specific objectives to be developed using alternative indicators consistent with the United States	The purpose of the proposed Basin Plan amendment is to update the Basin Plan's bacteria water quality

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		<p>Environmental Protection Agency (U.S. EPA) 2012 criteria and the State's Bacteria Provisions.</p> <p>The Regional Board proposed BPA should be consistent with U.S. EPA 2012 Recommended Water Quality Criteria and the State Board adopted Bacteria Provisions in explicitly allowing for site-specific objectives to be developed using alternative indicators and methods. As stated in Section 5.2.7 of the State Board Staff Report (pg. 71):</p> <p>'It is important to note that fecal indicator bacteria do not necessarily cause illness themselves... It is likely that science will continue to evolve, and the surrogate fecal indicator bacteria will change and improve over time to allow a better assessment of pathogens that cause illness. Epidemiological studies could be used to develop an alternative health relationship for a water quality metric, which could inform the basis of site-specific criteria for an alternative indicator. For example, a quantitative microbial risk assessment could be used to link bacteria in the genus <i>Bacteroides</i> to illness rates. The application of a quantitative microbial risk assessment to develop site-specific alternative criteria is detailed in Section 6.2.2 of the U.S. EPA 2012 Recommended Water Quality Criteria and further supported by technical support materials for alternative indicators and methods. U.S. EPA 2014.'</p> <p>Based on this information, the State Board considered two options: 1) revise objectives based on alternative indicators through a statewide amendment or 2) allow Regional Water Boards to amend their Basin Plan to add scientifically supported site-specific objectives using alternative indicators and/or methods. The State Board ultimately chose the second option, which established the expectation that the Regional Water</p>	<p>objectives to be consistent with the Statewide Bacteria Provisions. These provisions do not include any language pertaining to site-specific objectives developed using alternative indicators and methods; therefore, such considerations are not part of the proposed amendment.</p> <p>In the analysis of project options for water quality objectives in Section 5.2 of the staff report associated with the Statewide Bacteria Provisions, the State Water Board recommends allowing Regional Water Boards to amend their Basin Plans to add scientifically defensible site-specific objectives using alternative indicators and/or methods for the protection of REC-1 uses. Development of the site-specific objectives based on alternative indicators and/or methods should be made consistent with the technical support materials developed by U.S. EPA and would be subject to U.S. EPA approval.</p> <p>This recommendation does not carry over into the Statewide Bacteria Provisions as a directive. However, the Los Angeles Water Board keeps abreast of the developing science regarding alternative indicators and will consider development of site-specific objectives when and where appropriate.</p>
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		<p>Boards would consider developing site-specific objectives using alternative indicators and/or methods. On the other hand, the proposed BPA and supporting staff memo do not explicitly allow for the development of site-specific objectives using alternative indicators and/or methods. For consistency with the Bacteria Provisions, the County and the District request that the Regional Board add language to its BPA explicitly allowing for the development of science-based site-specific objectives using alternative indicators and/or methods to be adopted and, as appropriate, replace the objectives established by the proposed BPA.</p>	
7.4	LAC-LACFCD	<p>The Reference System/Antidegradation Approach and Natural Sources Exclusion Approach should be applied to geometric mean objectives consistent with the Bacteria Provisions. In addition to establishing risk-based objectives for fecal indicator bacteria concentrations, the Bacteria Provisions contained a number of implementation provisions "designed to help achieve the applicable water quality objectives." One of these implementation provisions established the Reference System/Antidegradation Approach (RSAA) and Natural Sources Exclusion (NSE) Approach as possible options for addressing natural sources of bacteria. In establishing these options, the Bacteria Provisions state that these approaches may be used to implement "the BACTERIA WATER QUALITY OBJECTIVES," referring to the geometric mean (GM), statistical threshold value (STV), and single sample maximum (SSM) objectives without exception.</p> <p>The Basin Plan already includes the RSAA and NSE approaches. However, the proposed BPA maintains the existing RSAA and NSE approaches without applying these approaches to the GM for consistency with the</p>	See response to comment No. 1.6.

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		<p>Bacteria Provisions. This contradicts language that was added to the Bacteria Provisions in response to public comment, including comments provided by the County and the District. When presented with evidence that exceedances of GM objectives may result from natural sources of bacteria, the State Board revised the natural sources implementation provisions to apply to all of the water quality objectives established by the Bacteria Provisions, not just the STV and SSM. The State Board's Staff Report defends this decision to include the GM objective, "because natural sources of bacteria could be exceeding either of the applicable elements of the water quality objective, depending on the specific site and environmental conditions contributing bacteria to the water body or reference systems."</p> <p>By excluding the applicability of the RSAA and NSE approaches to the GM, MS4 Permittees may be held accountable for exceedances of the GM caused by natural sources. As such, the County and the District request that the implementation provisions in the proposed BPA be revised to reflect the full extent of options for addressing natural sources of bacteria provided by the Bacteria Provisions, specifically their applicability to the GM objective.</p>	
7.5	LAC-LACFCD	<p>The provisions requiring the use of repeat samples collected as a result of a SSM or STV exceedance in the calculation of the GM should be removed and language added to provide clarity that repeat samples should not be used in calculating the GM or evaluating the STV exceedance frequency. The implementation provisions in the proposed BPA state that the Regional Board may require repeat sampling if "the STV and/or single sample bacteriological objectives are exceeded by more than 10 percent of the samples collected in a</p>	<p>The commenter is correct in that the repeat sampling requirements are not contained in the Bacteria Provisions. The proposed Basin Plan language has been revised to remove these requirements from the objectives addressed in the provision.</p>

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		<p>calendar month, calculated in a static manner." Repeat sampling may be required "on a daily basis until the sample falls below the statistical threshold value or single sample limit." The objective of this repeat sampling is to determine the persistence of the exceedance. In addition, when such repeat sampling is required, the proposed BPA states that "values from all samples collected shall be used to calculate the geometric mean." This establishes a provision that was not contained in the Bacteria Provisions and has significant implications for determining attainment of the GM objective.</p> <p>The GM is a statistical parameter that is intended to represent the water quality distribution in each waterbody over the course of time, which (per the Bacteria Provisions) is a six-week interval calculated weekly. The GM will only be representative if enough samples are collected in a manner that is not biased towards one end of the water quality distribution. The repeat samples required in the implementation provisions would disproportionately represent the higher end of the water quality distribution and their inclusion in the calculation of the GM would produce a value that is higher than that of the true water quality distribution. A GM distorted by these repeat samples could, therefore, exceed the GM objective while the true GM of the waterbody, and more importantly the risk posed to recreators, remain below the objectives. In this way, assessing compliance using a GM calculated with the proposed repeat samples may result in a standard that is more stringent than intended by the Bacteria Provisions.</p> <p>The proposed BPA does not explicitly state that the repeat samples shall be used in assessing the exceedance frequency of the STV objective; however, if</p>	
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		<p>this is the Regional Board's intent, it would similarly result in misapplication of the Bacteria Provisions. The STV is defined by the Bacteria Provisions as being, "a set value that approximates the 90th percentile of the water quality distribution of a bacterial population." The STV objective contained in the Bacteria Provisions was determined based on the water quality distribution associated with the GM objective. In other words, 10 percent of randomly collected samples would be expected to exceed the STV in a waterbody that is meeting the GM and illness risk objectives. If the collection of samples from this water quality distribution is biased, the rate of exceedance would be skewed in the direction of that bias. Resampling when exceedances are observed biases the collection of samples to periods when bacteria counts would be expected to be at the higher end of their distribution. Because more samples are being collected at the higher end of the distribution, the 90th percentile of the collected data will no longer match the actual 90th percentile of the waterbody, and a higher percentage of water quality measurements will exceed the STV. Applying the U.S. EPA derived STV to a distribution of data collected in this way result in a standard that is more stringent than intended by the Bacteria Provisions.</p> <p>In order to maintain the standards deemed protective of the REC-1 Beneficial Use in the Bacteria Provisions and the U.S. EPA 2012 Recommended Water Quality Criteria, the County and the District request that the Regional Board revise the proposed BPA to remove the provision requiring the use of repeat samples collected as a result of a SSM or STV exceedance in the calculation of the GM. In addition, the County and the District request additional language providing clarity</p>	
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		that repeat samples should not be used in calculating the GM or evaluating the STV exceedance frequency.	
7.6	LAC-LACFCD	<p>The proposed BPA should include the "Seasonal Suspension" implementation provision consistent with the Bacteria Provisions. The Bacteria Provisions established the ability to adopt seasonal suspensions of the REC-1 Beneficial Use during periods where conditions preclude recreational use of a waterbody (e.g. extremely low flow). Under such conditions, "a Regional Water Board may adopt a seasonal suspension of the REC-1 beneficial use to reflect water conditions considered inapplicable or unsafe for the REC-1 beneficial use," if supported by a Use Attainability Analysis. The proposed BPA does not include similar language.</p> <p>While the State Board did not provide detailed guidance on how a Regional Water Board should develop or implement a seasonal suspension, the State Board included this language in the Bacteria Provisions to provide "clarity by identifying options available to Regional Board with respect to appropriately applying a season suspension." Clarity regarding these options is essential for the regulated community as it works to ensure that our efforts to protect public health are effective. By excluding this language, the proposed BPA forgoes this clarity, making application of a seasonal suspension more difficult and uncertain. For consistency with the Bacteria Provisions and to provide the regulated community with the flexibility and range of options needed to effectively address the challenges of bacteriological pollution, the County and the District request that the Regional Board revise the proposed</p>	<p>See response to comment No. 1.2. The implementation provisions related to Seasonal Suspensions in the Statewide Bacteria Provisions do not need to be included in the Basin Plan in order to be applicable. However, the proposed Basin Plan language has been revised to reference the Seasonal Suspension implementation provision contained in the Statewide Bacteria Provisions.</p>

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		BPA to include the seasonal suspension language as it is written in the Bacteria Provisions.	
7.7	LAC-LACFCD	<p>Incorporate a definition of "Calendar Month" for clarity consistent with the Bacteria Provisions.</p> <p>In describing the procedure for evaluating attainment of STV objectives, the Bacteria Provisions state that these objectives are, "not to be exceeded by more than 10 percent of the samples collected in a CALENDAR MONTH, calculated in a static manner." The proposed BPA appropriately maintains this language; however, it does not, as the Bacteria Provisions do, provide a definition of "calendar month." To provide clarity and ensure consistency in evaluating attainment of the STV objectives, the County and the District request that the Regional Board revise the proposed BPA to include a footnote defining "calendar month" as it is defined in the Bacteria Provisions.</p>	The proposed Basin Plan language has been revised to include a definition of "calendar month" as it is defined in the Statewide Bacteria Provisions.
7.8	LAC-LACFCD	<p>Following the adoption of the proposed BPA, all Bacteria Total Maximum Daily Loads (TMDLs) should be updated to reflect the revised bacteria objectives and implementation provisions. The County and the District acknowledge that changing TMDL waste load allocations (WLAs) is outside the scope of the proposed amendment. However, updating bacteria TMDLs, including WLAs, based on the Bacteria Provisions would ensure that the best available science is incorporated into our TMDLs and MS4 Permit. In 2012 the Regional Board amended the majority of bacteria TMDLs in the region to account for new information. As part of that 2012 amendment process, the Regional Board added a new reopener provision to the TMDLs to allow for the consideration of new information prior to the final compliance dates. The Bacteria Provisions provide new information that should be considered prior</p>	This comment is outside the scope of the proposed Basin Plan amendment.

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		to the final compliance dates. The regional approach taken in 2012 provides a good template for updating the bacteria TMDLs. As such, the County and the District request that the Regional Board revise the bacteria TMDLs to be consistent with the new objectives and implementation provisions.	
8.1	City of Los Angeles Sanitation and Environment (LASAN)	<p>The City of Los Angeles Sanitation and Environment (LASAN) appreciates the opportunity to provide comments to the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Regional Water Board) on the Proposed Amendments to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to update the bacteria water quality objectives. If adopted, the Proposed Amendments, which are based on the statewide bacteria provisions, would be applicable to fresh, estuarine, and marine waters designated for water contact recreation. In addition, the Proposed Amendments will impact permittees and responsible parties that are regulated under the Basin Plan.</p> <p>LASAN supports the Los Angeles Regional Water Board's efforts to update the bacteria water quality objectives based on updated national epidemiological studies and a broader definition of illness designed to protect the public from exposure to harmful levels of pathogens while participating in water-contact recreational activities. In this regard, LASAN submits the following comments relating to EPA Method 1603 for your consideration:</p>	Comment noted.
8.2	LASAN	LASAN identifies the units specified for indicator bacteria in Attachment A of Resolution R20- 0XX as CFU/100 mL. These units are only used when testing indicator bacteria using a membrane filtration (MF) methodology (EPA Methods 1603 and 1604). However,	See response to comment No. 2.2.

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		<p>most laboratories testing for indicator bacteria in California use enzyme substrate methods such as Colilert (Standard Methods 9223B) instead of a MF method. The units for this approved method (see comment #2 below) are MPN/100 mL. Therefore, LASAN recommends that MPN/100 mL be added to Resolution R20-0XX and the Basin Plan as acceptable units for indicator bacteria.</p>	
8.3	LASAN	<p>LASAN recognizes the effort to introduce EPA Method 1603 for bacteria testing and analysis. EPA Method 1603 is a labor-intensive MF method that will require additional staff and laboratory supplies and consumables. Approximately 4,000 total water samples are analyzed annually by LASAN's Environmental Monitoring Division (EMD) for bacterial enumeration. Currently, EMD is certified by the California Environmental Laboratory Accreditation Program (ELAP) to use the IDEXX chromogenic substrate (CS) method for the microbiological analysis of ambient water and wastewater. EMD, however, is not ELAP-certified to perform EPA Method 1603. A switch from the IDEXX CS method to the MF method will incur additional labor and material costs. Parallel studies conducted by EMD comparing the CS and MF methods demonstrated comparable results. The CS method is a scientifically sound procedure approved by Standard Methods for Examination of Water and Wastewater and by the U.S. EPA. Therefore, LASAN opposes the use of EPA Method 1603 as a new method to measure culturable E.coli and recommends that Resolution R20-0XX be revised (per comment #1 above) so it is consistent with the U.S. EPA recommendation 1, but not a requirement, on the use of EPA Method 1603,</p>	See response to comment No. 2.2.

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		should there be a need to incorporate Method 1603 into NPDES or other permits.	
8.4	LASAN	LASAN looks forward to working with the Los Angeles Regional Water Board to update the bacteria water quality objectives to reflect the state of the science while protecting public health and the environment.	Comment noted.
9.1	Ventura Countywide Stormwater Quality Management Program (VCSQMP)	<p>The Ventura Countywide Stormwater Quality Management Program (Program) includes the Ventura County Watershed Protection District, the County of Ventura, and the incorporated cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, Ventura, Santa Paula, Simi Valley, and Thousand Oaks. These Agencies operate municipal storm drain systems and discharge stormwater and urban runoff pursuant to the Ventura Countywide 2010 NPDES Municipal Stormwater Permit Order No. R4-2010- 0108. All 12 of these agencies are committed to working cooperatively to improve water quality in Ventura County watersheds.</p> <p>The Program has reviewed the proposed Amendments to the <i>Water Quality Control Plan for the Los Angeles Region</i> (Basin Plan) to Update the Bacteria Objectives for Fresh, Estuarine and Marine Waters Designated for Water Contact Recreation, based on the Statewide Bacteria Provisions (proposed Basin Plan amendments). The Program supports the efforts of the California Regional Water Quality Control Board, Los Angeles Region's [hereinafter referred to as the Los Angeles Water Board] to align the Basin Plan with the Statewide Bacteria Provisions.</p>	Comment noted.
9.2	VCSQMP	The intent of this comment letter is to express support for comments and requests provided by the Stakeholders Implementing Total Maximum Daily	See responses to comment numbers 1.2, 1.5, 1.6, and 1.7.

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		<p>Loads (TMDLs) in the Calleguas Creek Watershed (CCW) in a comment letter dated January 27, 2020; specifically, to request revisions of the implementation provisions in the proposed Basin Plan amendment to:</p> <ol style="list-style-type: none"> 1. Allow implementation of natural source approaches outside of a TMDL if they are adopted through a Basin Plan amendment; 2. Allow application of reference reach approaches to the geometric mean objective, in addition to the single sample objectives; and 3. Include the Bacteria Provisions' third implementation provision as written in the proposed Basin Plan amendment to clarify the option and process for developing High Flow Suspensions for Ventura County waterbodies. <p>Details and justifications for the above requests regarding the implementation provisions were discussed in the comment letter submitted by the Stakeholders Implementing TMDLs in CCW (January 27, 2020).</p>	
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