

January 17, 2014



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

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

Dear Ms. Townsend:

The County of Orange, OC Public Works, has reviewed the proposed amendment to the Water Quality Control Plan for the Los Angeles Region, adopted on June 6, 2013 by the Regional Water Quality Control Board - Los Angeles Region (Los Angeles Regional Board), to incorporate an Implementation Plan for Total Maximum Daily Loads for Metals and Selenium in the San Gabriel River and Impaired Tributaries (TMDL).

Protection and restoration of all of our coastal resources is an important objective which we share with the State Water Resources Control Board. Our coastal resources are precious to the residents of Orange County, and efforts to protect them are appreciated. As a participant in the San Gabriel River Regional Monitoring Program, we are actively engaged with other watershed stakeholders to implement a comprehensive watershed monitoring program.

We offer the following comments on the proposed Implementation Plan, which center on the jurisdiction of the Los Angeles Regional Board to act within Orange County. While the San Gabriel River watershed lies mostly within Los Angeles County, about half of the Coyote Creek subwatershed, which is tributary to the San Gabriel River, lies in Orange County and is under the jurisdiction of the Regional Water Quality Control Board - Santa Ana Region (Santa Ana Regional Board). Prior to TMDL adoption and during the public comment period, OC Public Works raised the issue of jurisdiction, which was addressed in the TMDL adopted by the Los Angeles Regional Board. However, jurisdiction over Coyote Creek is not similarly addressed in the Implementation Plan.

- 1) The Implementation Plan should explicitly recognize that part of the Coyote Creek subwatershed lies outside of the jurisdiction of the Los Angeles Regional Board and is

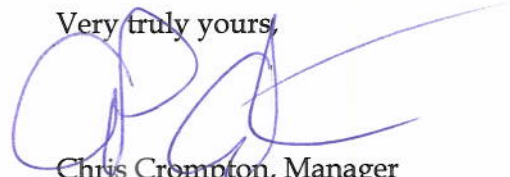
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therefore not bound by its decisions. Any and all implementation activities, if deemed necessary, should be incorporated into the Orange County Stormwater Permit at the sole discretion of the Santa Ana Regional Board.

- 2) Under the proposed Implementation Plan, compliance can be demonstrated by showing either no violations of water quality-based effluent limits in receiving waters or at outfalls or by showing no discharge to receiving waters. Another option is to submit and implement a watershed management plan, subject to Executive Officer approval, that shows planned Best Management Practices (BMPs) will achieve wet weather water quality-based effluent limits. For the part of the Coyote Creek subwatershed that lies in Orange County, the Implementation Plan should explicitly state that the watershed management plan will be subject to approval by the Executive Officer of the Santa Ana Regional Board.
- 3) The Implementation Plan allows that the monitoring program for the Los Angeles County Stormwater Permit should suffice for the required TMDL monitoring program. Similarly, the monitoring program for the Orange County Stormwater Permit should suffice for the required TMDL monitoring program. Any enhanced monitoring activities beyond those already required in the Orange County Stormwater Permit should be at the sole discretion of the Santa Ana Regional Board.
- 4) Any stormwater permit compliance schedules for Orange County should be those specified by the Santa Ana Regional Board, which is expected to adopt a new MS4 permit for north Orange County in 2014.

Thank you for your consideration of our concerns. If you have any further questions regarding these comments, please contact Stuart Goong at (714) 955-0656.

Very truly yours,



Chris Crompton, Manager  
Water Quality Compliance