5/19 CEQA Scoping Mtg
Phase II – SQO
Deadline: 5/28/10 by 12 noon

Department of Water and Power the City of Los Angeles

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May 27, 2010

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24TH Floor
Sacramento, California 95814

Dear Ms. Townsend:

Subject: Comment Letter – Phase II of Part 1 Sediment Quality Objectives

The Los Angeles Department of Water and Power (LADWP) appreciates the opportunity to provide comments on the Phase II of Part 1 of the Water Quality Control Plan for Enclosed Bays and Estuaries, which contains Sediment Quality Objectives. The LADWP recognizes that the Sediment Quality Objectives (SQOs) contain important tools that allow for transparency and consistency when evaluating waterbodies.

LADWP supports Phase II of the SQOs, which adds objectives pertaining to human health for the consumption of seafood to Part 1. However, the SQOs may have a significant impact on both power generation and water supply facilities that may discharge to enclosed bays and estuaries if the SQOs are used to identify waterbodies as being impaired for listings on the Clean Water Act 303(d) list.

A waterbody on the 303(d) list requires a Total Maximum Daily Load (TMDL) study, which involves source identification, identification of the beneficial uses provided by the waterbody, assimilative capacity of a pollutant that causes the waterbody to be listed, an analysis of both dry and wet weather pollutant loading, determination of water effects ratios and other site-specific criteria, and ultimately the TMDL, which is the maximum amount that each source of pollutant may discharge without harm to the beneficial uses.

LADWP remains concerned that there are as yet no methods available in Part 1 to convert the SQOs (phase 1 or phase II) to wasteload allocations. Thus the State Water Resources Control Board (SWRCB) should recognize this fact and note in Part 1 that any 303(d) listings for sediment using these objectives should be given lower priority for TMDL development pending the development of tools to convert results from Phase I or Phase II to a maximum daily load without excessive margins of safety (a required component of a TMDL). It should be noted that the board-approved version of Part 1 includes the statement "it is recommended that the Water Boards develop TMDL allocations using the methodology described herein, wherever possible." However, Part 1 does not yet have such methodology. LADWP believes that the statement was placed into Part 1 as a placeholder for future inclusion of TMDL development tools. It should also be noted that the approved Part 1 contains the statement "The chemistry LOE of Section V.H.2, including the threshold values (e.g. CSI and CALRM), shall not be used for setting cleanup levels or numeric values for technical TMDLs."

The SWRCB should direct the SQO scientists and stakeholders to develop a "methodology described herein" section for translating the Phase I and II results into a maximum daily load for pollutants in a given waterbody, and in the meantime use programs outside of TMDLs to address sediment quality problems.

LADWP appreciates SWRCB's consideration; SWRCB should address these concerns during the incorporation of the SQOs into the Policy.

Thank you for the opportunity to submit comments. If there are any questions, please contact Mr. Clayton Yoshida at (213) 367-4651.

Sincerely,

Katherine Rubin
Manager of Wastewater Quality and Compliance

CY:rp
c: Mr. Clayton G. Yoshida