



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

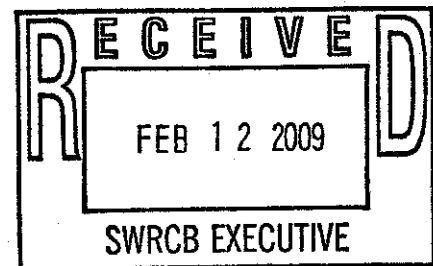
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IN REPLY PLEASE
REFER TO FILE: WM-9

February 12, 2009

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95814-0100




Dear Ms. Townsend:

COMMENT LETTER – MALIBU CREEK WATERSHED TRASH TOTAL MAXIMUM DAILY LOAD

We appreciate the opportunity to comment on the subject Total Maximum Daily Load. Our comments are enclosed. If you have any questions, please call me or your staff may contact Mr Frank Wu at (626) 458-4358 or fwu@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works


for MARK PESTRELLA
Assistant Deputy Director
Watershed Management Division

LR:jtz

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Enc.

**COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS' COMMENTS ON
THE PROPOSED BASIN PLAN AMENDMENT TO INCORPORATE A TOTAL
MAXIMUM DAILY LOAD FOR TRASH IN THE MALIBU CREEK WATERSHED**

On April 1, 2008, the County of Los Angeles Department of Public Works (Public Works) submitted comments to the California Regional Water Quality Control Board – Los Angeles Region (Regional Board) for the Malibu Creek Watershed Trash Total Maximum Daily Load (TMDL). While we appreciate the Regional Board's efforts to incorporate the stakeholders' input, we are concerned that some important issues have not been adequately addressed:

1 Original Comment Submitted by Public Works dated April 1, 2008:
"Table 7-31.1

Requested Action. In the Section on Implementation, Nonpoint Sources, it is stated that the 'Counties of Los Angeles and Ventura will act as third parties to identify private party dischargers in unincorporated county lands.' With respect, Regional Board has no authority to require the Counties to perform this task. Therefore, we request that this sentence be deleted."

Response Given by Regional Board dated April 22, 2008:

"Comment noted. The Staff Report will be revised accordingly."

Current Comment/Request by Public Works:

We request that the Basin Plan Amendment (BPA) also be revised accordingly.

2 Original Comment Submitted by Public Works dated April 1, 2008:

"Table 7-31.2[a]

For Task No. 3 in Table 7-31.2a, responsible jurisdictions are required to comply with this task one year from receipt of the letter of approval for the TMRP from the Regional Board Executive Officer. During this one-year period, the first six months is the time allowed to implement the TMRP. Responsible jurisdictions have to start trash monitoring activities no later than this six-month period. This leaves responsible jurisdictions only six months of trash monitoring data to recommend for approval the Trash Baseline Waste Load Allocations. The Trash Baseline Waste Load Allocations should be established based on trash data collected for both dry weather and wet weather. Only providing six months to prepare the allocations obviously will not satisfy this requirement. We note also that on page 20 of the Staff Report it is stated that the Trash Baseline Waste Load Allocations 'may be revised with data collected during the Trash Monitoring and Reporting Plan (TMRP) in the first two years of the implementation period'. Therefore,

Requested Action. Change the date for Task No. 3 in Table 7-31.2a from one year from receipt of letter of approval to two and a half years from receipt of letter of approval."

Response Given by Regional Board dated April 22, 2008:

“Comment noted. The Staff Report will be revised to be consistent with the BPA. Responsible jurisdictions will provide data collected based on the Executive Officer approved TMRP, its analysis, and the proposed baseline WLAs and/or LAs. Responsible jurisdictions could start to implement the E.O. approved TMRP as soon as possible if they wish to collect more representative data. However, additional data collected after the first report submittal may be provided to the Regional Board for EO’s review and consideration ”

Current Comment/Request by Public Works:

We request that the date for Task No. 3 in Table 7-31.2a be changed from one year from receipt of letter of approval to two and a half years from receipt of letter of approval.

3. Original Comment Submitted by Public Works dated April 1, 2008:

“Table 7-31.2[b]

For Task No. 4 in Table 7-31.2b, responsible jurisdictions are required to comply with this task one year from receipt of the letter of approval for the TMRP from the Executive Officer. During this one-year period, the first six months is the time allowed to implement the Minimum Frequency of Assessment and Collection/Best Management Practices (MFAC/BMP) Program. Responsible jurisdictions have to start the MFAC/BMP Program no later than this six-month period. This leaves responsible agencies only six months to actually run the MFAC/BMP Program and submit the first annual report as well as to propose revising the MFAC/BMP Program. This one-year time period is not sufficient for these tasks. There should be at least one full year’s data available to the responsible jurisdictions under the MFAC/BMP Program so that the proposal for revision is meaningful and based on actual experience in the watershed. Therefore,

Requested Action. Change the date for Task No. 4 in Table 7-31.2b from one year from receipt of letter of approval to two years from receipt of letter of approval.”

Response Given by Regional Board dated April 22, 2008:

“Comment noted. The Staff Report will be revised to be consistent with the BPA. Responsible jurisdictions will provide data collected based on the Executive Officer approved TMRP, its analysis, and the proposed baseline WLAs and/or LAs. Responsible jurisdictions could start to implement the E.O. approved TMRP as soon as possible if they wish to collect more representative data. However, additional data collected after the first report submittal may be provided to the Regional Board for EO’s review and consideration.”

Current Comment/Request by Public Works:

We request that the date for Task No. 4 in Table 7-31.2b be changed from one year from receipt of letter of approval to two years from receipt of letter of approval.