



1444 9th Street  
Santa Monica CA 90401

ph 310 451 1500  
fax 310 496 1902

info@healthebay.org  
www.healthebay.org

Public Comment  
Santa Clara River Bacteria TMDL  
Deadline: 7/28/11 by 12:00 noon

July 28, 2011

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



**Re: Comments on the Proposed Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate a Total Maximum Daily Load (TMDL) for Indicator Bacteria in the Santa Clara River Estuary and Reaches 3, 5, 6, and 7.**

Dear Chairman Hoppin and State Board members,

On behalf of Heal the Bay, we submit the following comments on the *Proposed Amendment to the Water Quality Control Plan for the Los Angeles Region to incorporate a Total Maximum Daily Load for Bacteria in the Santa Clara River Estuary and Reaches 3, 5, 6, and 7* ("Draft TMDL"). We appreciate the opportunity to provide these comments.

We are supportive of various aspects of the Draft TMDL, including the proposed numeric targets and the exceedance day approach. However, we do have several concerns with the TMDL as adopted by the Regional Board. Our primary concerns are the potential contribution of bacteria pollution from the reaches not covered by the Draft TMDL and the length of dry weather compliance deadlines. These and other concerns are addressed briefly below and in additional detail from comments submitted to the Los Angeles Regional Water Board on June 7, 2010 (see attached letter).

**WLAs should include Reaches 1, 2 and 4**

The Draft TMDL is limited to the Santa Clara River Estuary and Reaches 3, 5, 6, and 7. We are concerned that other reaches and tributaries, including but not limited to Reaches 1, 2 and 4 may cause or contribute to exceedances in these impaired reaches. If the other reaches in the Santa Clara River are meeting water quality standards, then there is no reason not to assign WLAs to Reaches 1, 2, and 4. All reaches should be required to maintain equivalent water quality standards, not only for consistency but also to maximize public health protection. Additionally, there will be greater confidence that final WLAs in impaired reaches will be attained.

**Dry Weather Compliance Deadlines should be less than 11 years**

The Draft TMDL requires dry weather compliance within 11 years after the effective date of the TMDL. We believe the dry weather compliance deadline for the Santa Clara Estuary and Reaches should not exceed 6 years for dry weather. The bacteria TMDL for Ballona Creek, a far more urbanized and polluted watershed, has a dry weather compliance deadline of 6 years, which should be attainable for the Santa



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Clara River final bacteria compliance. As you know, the dry weather period is when we see the greatest numbers of recreational users in the River, and thus, the greatest public health risk from contacting polluted water.

**Compliance Monitoring Locations should be increased within each Reach**

According to **page 6 of the TMDL**, *“at a minimum, at least one sampling station shall be located in each impaired reach.”* One sampling station per reach is too low, and should be increased to at least 3 sampling sites within each reach (upstream, middle, and downstream). Additionally, storm drain outlets should be monitored for compliance purposes.

**Conclusion**

In summary, we urge the State Board to modify the Draft TMDL in accordance with the comments above. In particular, it is critical to provide WLAs for all Santa Clara River reaches, as well as require dry weather compliance deadlines are met no longer than 6 years after TMDL approval.

Thank you for taking the time to review our comments. If you have any questions, please contact us at 310-451-1500.

Sincerely,

Amanda Griesbach, MS  
Beach Water Quality Scientist

Kirsten James, MESM  
Water Quality Director

Mark Gold, D. Env.  
President