COUNTY SANITATION DISTRICTS
OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

STEPHEN R. MAGUIN
Chief Engineer and General Manager

October 24, 2011
File No. 31-300.25

Mr. Charles R. Hoppin, Chair
and Members of the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Attention: Jeanine Townsend

Gentlemen:

Comments on the August 2011 Draft Amendments and SED to the California Ocean Plan

The Sanitation Districts of Los Angeles County (Sanitation Districts) appreciate the opportunity to provide comments on the August 2011 Draft Amendments and Substitute Environmental Document (SED) to the California Ocean Plan (COP). The Sanitation Districts are a confederation of 23 independent special districts that provide for the water pollution control and solid waste management needs of approximately five million people in 78 cities and unincorporated areas of Los Angeles County, CA. The Sanitation Districts own and operate 11 wastewater treatment plants, one of which discharges to the Pacific Ocean one and a half miles offshore of Palos Verdes at a depth of approximately 200 feet. The Sanitation Districts have conducted extensive monitoring of coastal conditions near our ocean outfall for more than 35 years and have considerable experience and knowledge in the assessment of water and sediment quality impacts on coastal conditions. The following comments are respectfully submitted based upon this expertise and with the intent to improve the COP and the coastal waters it protects.

The proposed COP amendment adopting a model monitoring framework for ocean monitoring programs statewide (Issue 1) is strongly supported by the Sanitation Districts. The Regional Water Quality Control Board, Los Angeles Region (Regional Board) and the Sanitation Districts have successfully used this framework as the basis for our Joint Water Pollution Control Plant (JWPCP) NPDES permit since 2006. The resulting monitoring program is more efficient and adaptive to the specific environmental issues important to the Southern California region. For example, modest reductions in core monitoring were replaced in 2006 with more relevant regional monitoring requirements including participation in the "Bight" studies, the Santa Monica Bay Restoration Commission Comprehensive Monitoring Program, regional seafood safety and predator risk monitoring, and quarterly kelp bed canopy surveys. The JWPCP NPDES permit also requires annual consultation with the Regional Board to discuss the need for special studies related to wastewater impacts arising from core or regional monitoring, technological advancements, or public interest. As a result of this process the Sanitation Districts, in coordination with the other major POTWs discharging to the Southern California Bight, funded a collaborative study through the Southern California Coastal Research Project (SCCWRP) to evaluate the presence and impact of endocrine disrupting chemicals (EDCs) on flatfish living near coastal outfalls. Other approved Special Studies have been conducted to support EPA's remediation of the Palos Verdes Superfund Site. The information gathered through the regional monitoring and special studies conducted by the Sanitation Districts (as well as the ongoing core monitoring) are a more effective use

of monitoring resources addressing current environmental concerns and are greatly valued by scientists, regulators, environmental advocacy groups, and the general public alike.

Although the Sanitation Districts strongly support this proposed amendment, the specific language of the amendment needs to be modified in places to more clearly define whether certain monitoring and quality assurance requirements apply to effluents, receiving waters, or both. This is necessary to avoid the creation of conflicting monitoring, quality assurance, and data submission requirements between effluents and receiving waters. Further, the proposed amendment includes requirements to use several specific methods and guidance documents for sampling, analysis, and quality assurance that are either outdated or may not be appropriate for ocean monitoring programs. It is anticipated that adoption of this amendment will trigger the development of SWAMP comparable standardized protocols for sampling, analysis, and quality assurance specific for ocean monitoring programs. As such, the language regarding the use of these documents as guidance should be deleted or at least modified from "shall use" to "may use as guidance" until ocean specific procedures can be developed that are consistent with SWAMP data quality objectives.

A more detailed list of suggested edits and comments related to the SED and proposed revisions to the COP are attached. If you have any questions or need further information, please contact Mr. Joe Gully at (562) 908-4288, extension 2818 or jgully@lacsd.org.

Very truly yours,

Stephen R. Maguin

Philip L. Friess
Departmental Engineer
Technical Services Department

PLF:JG:cv

Specific Comments on the August 2011 Draft Amendments and SED to the California Ocean Plan

(Page numbers refer to the Draft SED, but these items also apply to the same portions of the amendment in the Draft Revised COP)

- Page 31. Section 3.1.1, first paragraph. Should this read "Standard Core Ambient Water Monitoring and Reporting Requirements" to clarify the scope of the amendment?
- Page 32. Section 3.1.3. This paragraph should clearly focus all these requirements on RW monitoring in contrast to effluent monitoring.
- Page 34. Section 3.1.6. Third bullet under Subtidal Soft Bottom would be better worded as "Invertebrate and fish assemblage by trawl and infaunal community composition from benthic grab".
- Page 36. Paragraph 2. All references to "National Sanctuaries" should be replaced with "National Marine Sanctuaries".
- Page 44. Section 2, Quality Assurance. As written, the first sentence could be interpreted to mean that influent and effluent monitoring must be SWAMP compatible. It is recommended that this sentence be clarified by adding the phrase "receiving water" such that it reads, "All receiving water monitoring conducted in compliance with MRPs..."
- Page 46. Sections 4.2 and 4.3. It is unclear how question 5 is addressed with the proposed core monitoring. Clarify.
- Page 47. Section 5.1, Chemical Constituents – Point Sources. As written, the first sentence is not clear as to whether monitoring for chemical constituents is to be conducted for point sources (i.e., in effluent or in receiving water). It is recommended that the phrase "in the effluent" be added to the first sentence such that it reads, "Consistent with Appendix VI, the core monitoring for the substances in Table 1 (and Table 2) shall be required periodically in the effluent."
- Page 47. Section 5.2. It is unclear how question 5 is addressed with the proposed core monitoring. Clarify.
- Page 48. Section 5.3. It is unclear how question 5 is addressed with the proposed core monitoring. Clarify.
- Page 48. Section 6, All Sources. The wording of these questions does not seem consistent with the core monitoring questions of the MMP as they are specific to chemical contamination and independent of benthic community condition. The MMP uses both chemical data and benthic community data to assess impact and the same should be true for this amendment. If the sediment contamination monitoring remains separate from the benthic community monitoring in this amendment, the monitoring questions should be revised to only provide spatial and temporal trends in sediment contamination and to assess the significance of sediment contamination in the condition of the benthic, trawl, and bioaccumulation monitoring results. Our recently approved NPDES Permit for the JWPCP (page E-34) describes our core sediment monitoring objectives in such terms and is provided below for consideration (italics added):

C. Benthic Sediments Monitoring

1. Local Benthic Trends Survey

This survey addresses the question: Are benthic conditions under the influence of the discharge changing over time? The data collected are used for regular assessment of trends in sediment contamination and biological response along a fixed grid of sites within the influence (or historical influence) of the discharge. The resulting physical and chemical data will be used for assessment of trends in sediment contamination and to draw inferences concerning the relationship between effluent-derived alteration of the benthic habitat and patterns in infaunal community structure.

- Page 49. Section 7.1, Aquatic Life Toxicity – Point Sources. The first sentence of this section states that, "Core monitoring for Table 1 receiving water toxicity shall be required periodically." Since the question to be answered is, "Does the effluent meet permit effluent limits for toxicity thereby ensuring that water quality standards are achieved in the receiving water?", it is more appropriate and common to conduct toxicity testing on effluent than receiving water. It is recommended that the term "receiving water" be changed in the first sentence to "effluent," such that it reads, "Core monitoring for Table 1 ~~receiving water~~ effluent toxicity shall be required periodically."
- Page 49. Section 7.1. Last sentence. This sentence is unclear. Does the term "alternative" mean that we pick one from the list or alternate between them? To be consistent with effluent toxicity tests in the COP, one should be allowed to select from the list. Same comment for section 7.3 on page 50.
- Page 50. Section 7.3. These questions appear to be a cut and paste error. Specifically, replace "water quality" with "toxicity" in question 1; Replace "Are the conditions" with "Is toxicity" in question 2; Replace "pollutants loading in the receiving water" with "receiving water toxicity" in question 3; and delete question 5 as it is redundant with question 3.
- Page 50. Section 8.1. Should the questions addressed by this monitoring also include a temporal trend component? Same comment for section 9.1.
- Page 51. Third paragraph. This section requires analysis of all Table 1 metals for bioaccumulation. It seems more appropriate for this minimum requirement to only require those metals with a potential to bioaccumulate (e.g. mercury) and leave the inclusion of other metals to the discretion of the Regional Boards. Same comment for section 9.2 on page 51.
- Page 51. Section 10. Item 3. The 2005 COP includes "as a result of the discharge of oxygen demanding waste materials" which clarifies the intent of the objective and should be reinstated into this version.
- Page 52. Section 10.1, Receiving Water Characteristics – Point Sources. The second paragraph of this section includes a requirement that salinity be monitored by point sources discharging "desalination brine." This requirement is only appropriate for point sources discharging ocean desalination brine that has higher salinity than ocean water. It is not appropriate for the discharge of brines from desalination of recycled water or brackish groundwater, as these brines have salinity lower than ocean water. It is recommended that the term "hypersaline ocean water" be added to this paragraph such that it reads, "Salinity must also be monitored by all point sources discharging hypersaline ocean water desalination brine...".
- Page 52. Section 11, Analytical Requirements. The fourth paragraph of this section states that all sample dilutions for bacterial analyses range from 2 to 16,000. In contrast, our JWPCP permit states that dilutions are to be performed so that the expected range of values is bracketed, with 2 to 16,000 per 100 mL for total and fecal coliform and 1 to 1000 per 100 mL for enterococcus. Should this be clarified or standardized?
- Page 53. Section 11, Analytical Requirements. The sixth paragraph of this section specifies use of EPA 600/4-85/076, which is an old method. The Districts' lab uses the current online version of Standard Methods, and uses membrane filtration. Many locations use Idexx for *E. coli,* which is not a membrane filtration method. Perhaps this should refer to Table 1A in the 40 CFR Part 136 and other EPA approved methods.
- Page 53. Fifth paragraph. The requirement for benthic sediments monitoring to conform to the referenced document used for freshwater monitoring is not appropriate. Suggest the language regarding the use of this document be deleted or at least modified from "shall use" to "may use as guidance" until ocean specific procedures can be developed that are consistent with SWAMP data quality objectives.
- Page 53. Sixth paragraph. The requirement for bioaccumulation monitoring to conform to the referenced document is possibly outdated as there is more current guidance from EPA available (Guidance for Assessing Chemical Contaminant Data for Use in Fish Advisories, November 2000, EPA 823-B-00-007). Suggest the language regarding the use of this document be deleted and replaced with the more recent guidance. Further the use of the document be modified from "shall use" to "should use as guidance" so other methods can be considered for use if appropriate.