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June 17, 2009

Ms. Tracy Egoscue, Executive Officer  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4<sup>th</sup> Street  
Los Angeles, CA 90013

Attn: Man Voong

## **COMMENTS ON THE PROPOSED 2008 303(d) LIST OF WATER QUALITY LIMITED SEGMENTS AND STAFF REPORT**

Dear Ms. Egoscue:

The City of Los Angeles, Bureau of Sanitation (Bureau) appreciates the opportunity to comment on the Los Angeles Regional Water Quality Control Board's (RWQCB) proposed 2008 Federal Clean Water Act (CWA) §303(d) List of Water Quality Limited Segments and staff report.

We believe in general that RWQCB staff has improved the transparency of the listing process. Where sufficient information has been provided in fact sheets, this transparency has helped stakeholders to assess the proposed listing in a more informed manner. In particular, the Bureau commends the effort that RWQCB staff has undertaken to make available more fact sheets for proposed listings, as well as to collect and review readily available data and information in conformance with the State Water Resources Control Board (SWRCB) Water Quality Control Policy for Developing California's Clean Water Act § 303(d) List (Listing Policy).

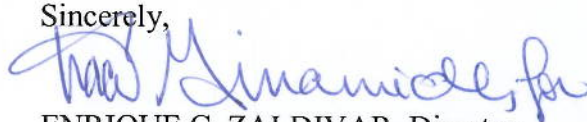
The Bureau generally supports the Region's 2008 CWA §303(d) List. However, after reviewing the proposed changes to the 2008 List, the Bureau remains concerned about a number of specific issues with the RWQCB staff's proposal. It is our intention that the attached comments and the supporting data will assist the RWQCB in assessing our local waterbodies and further refine the CWA §303(d) List to the benefit of all of the Region's inhabitants.



The Bureau provides world-class environmental services and continues to support the Regional Board and its mission by funding on-going regional water quality research via the Southern California Coastal Water Research Project, the Stakeholder process for TMDL development, and focused receiving water studies in order to better understand existing conditions and provide solutions to address water quality in the Los Angeles region. This investment in the future is done in partnership with your agency to achieve maximum return in local environmental programs and infrastructure.

Thank you for your consideration of these comments. If there are any questions, please feel free to call Mr. H.R. (Omar) Moghaddam, Regulatory Affairs Division Manager at (310) 648-5423 or Mr. Jim Marchese, Environmental Supervisor at (310) 648-5421.

Sincerely,



ENRIQUE C. ZALDIVAR, Director  
Bureau of Sanitation

Enclosures

Bureau of Sanitation City of Los Angeles - Appendix Technical Comments proposed 2008 CWA § 303(d) list  
Bureau's October 18, 2006 CWA § 303(d) correspondence

c: Man Voong, California Water Quality Control Board Los Angeles Region  
Michael Mullin, Mayor's Office  
Chris Westhoff, City Attorney  
Rafael Prieto, Chief Legislative Analyst Office  
Cynthia Ruiz, President Board of Public Works  
Traci Minamide, Bureau of Sanitation/EXEC  
Varouj Abkian, Bureau of Sanitation/EXEC  
Adel Hagekhalil, Bureau of Sanitation/EXEC  
Alex Helou, Bureau of Sanitation/EXEC  
Mas Dojiri, Bureau of Sanitation/EMD  
Shahram Kharaghani, Bureau of Sanitation/WPD  
H.R. (Omar) Mogaddam, Bureau of Sanitation/RAD  
RAD Central File/Water Quality Section

The Bureau requests the following:

1. **REVIEW OF UNEXAMINED WATER QUALITY LIMITED SEGMENTS:** The Bureau requests that the RWQCB re-evaluate the “legacy” listings shown in Table 1 (attached) utilizing the procedures in the 2004 State Listing Policy. This request reiterates Comment No. 5 on the Bureau’s October 18, 2006 letter, which was submitted during the comment period for the 2006 303(d) list proposed by the State Water Resources Control Board (SWRCB) and is enclosed for reference. While we are re-submitting that comment, the following additional thoughts are added regarding these listings. The “legacy” listings were placed on the 303(d) List prior to 2002 and appear on the previous 1998 303(d) List available on the RWQCB’s website. While we recognize that the SWRCB declined to re-evaluate many of these listings as indicated in its Responses to Comments staff report for the 2006 303(d) listing, we do not agree with the rationale and logic for not re-evaluating the listings utilizing the Listing Policy. We note the objective of the Listing Policy is to “establish a standardized approach for developing California’s section 303(d) list” and the “methodology to be used to develop the section 303(d) list [40 CFR 130.7(b)(6)(i)] is established by this Policy.”

Our principle concern with the RWQCB staff’s decision not to retroactively apply the Listing Policy to the legacy listings is the potential substantial resources that the State will incur for developing TMDLs and the resources the Bureau and other stakeholders will expend to comply with a TMDL approved based on each and every one of the listings. The most effective way to ensure such resources are not wasted due to a flawed listing rationale is to ensure that the same procedures, criteria, and transparency are applied uniformly to all pollutant/waterbodies combinations. This can be achieved by providing the data used to justify these listings and evaluating the data based on the applicable listing factors in the Listing Policy. We note that this concern would be partly addressed if the Bureau could examine the data and information that formed the basis of the original listings for these waterbody/pollutant combinations in the first place. After due diligence, however, we cannot locate this data or any information to substantiate the basis for the listings. We note that the 1996 List available on the RWQCB’s website link does not provide any data or data reference for the list as no fact sheets were prepared for the listings to our knowledge (with the exception of two listings), and no information is contained in the “comment” column for the 1998 List.

*The Bureau requests that all listed waterbody/pollutant combinations be examined under the listing criteria of 2004 State Listing Policy. The waterbody/pollutant segments identified by the Bureau as requiring examination are listed in Table 1. The Bureau requests that at a minimum, the waterbody/pollutant segments identified in Table 1 be reviewed under the listing requirements in the 2004 Listing Policy.*

2. **PREPARE AND UPDATE FACT SHEETS FOR ALL IMPAIRED WATERS LISTINGS:**  
The Bureau requests that fact sheets be prepared for all Impaired Waters on the 303(d) List and included in the staff report. The Bureau appreciates the development of fact sheets for listings that change the 303(d) list and agrees with the purpose of fact sheets in relation to the role they serve in providing tangible evidentiary support for each listing decision. Fact sheets meeting the Listing Policy's implementation requirements for all water bodies, in particular the legacy listings in Table 1, would facilitate review and validation of the listings. If the fact sheets are not present for a listing the State cannot: 1) validate the previous impairment decision, 2) adjust for changes in the development of new water quality criteria, 3) adjust to changes in environmental and receiving water conditions, and 4) adjust to the application of the use attainability analysis or site specific objective. The data presented in fact sheets are typically utilized as part of the TMDL development and implementation process and a component of scientific studies conducted to determine impairment.

*The Bureau requests that these fact sheets be prepared and included in the 2008 report. Fact sheets should be developed for all listings not just for changes on the list. These fact sheets should be updated biennially, so that stakeholders can be better informed on the reasons for a listing decision and review water quality trends.*

3. **CONDITION LISTINGS WITH NO ASSOCIATED WATER QUALITY CRITERIA:**  
During the 2006 listing cycle, the SWRCB deleted a number of waterbody listings for "conditions" from the 303(d) list. Waters listed for conditions such as algae, odor, debris, enteric virus, scum/foam, or beach closures are inappropriate because these are waterbody conditions and not pollutants as required by 40 CFR §130.7(b)(4) or the 2004 Listing Policy. The Bureau also requests that the RWQCB move away from listings based on a Category of Pollutants. Pollutants should be identified as stated in 40CFR §130.7(b)(4): "The list required under §§ 130.7(b)(1) and 130.7(b)(2) of this section...shall identify the pollutants causing or expected to cause violations of the applicable water quality standards...." For the 2008 List, the Bureau requests that listings shown in Table 2 for conditions without water quality criteria be evaluated for removal from the 2008 303(d) list.

Additionally, although the Bureau agrees with the desire of RWQCB staff to identify "a clear approach for determinations of impairment under the biostimulatory substances standard in the Basin Plan" as described in Section 3.3.3 (pp. 10-12) of the Staff Report, the Bureau is concerned with the proposed use of numeric guidelines for listing for biostimulatory substances that are not based on established water quality criteria. Should the RWQCB staff decide to pursue the development of numeric values for biostimulatory substances for listing decisions, the RWQCB should develop numeric criteria through a Water Quality Standards setting process in which all required factors under the State Water Code are considered and the required public process is followed. It is not appropriate to set de facto biostimulatory substances objectives that will be used for the development of listing decisions and TMDLs through the 303(d) development process. Objectives for biostimulatory substances are generally site-specific and dependent on local conditions as demonstrated from the range of values presented in the tables (Tables 3.2, 3.3). To effectively determine impairments, site-

specific criteria need to be developed through a standard setting process and utilized for listing decisions. It should also be noted that to date, no Region 4 TMDL to address biostimulatory substances has used targets as low as the numbers proposed in Table 3-2 of the Staff Report for listing considerations. As a result, the potential criteria would result in listings for waterbodies that are meeting TMDL targets.

*The Bureau requests that waterbodies listed for a condition (Table 2) be evaluated and if appropriate removed from the list until further data indicates impairment due to pollution or toxicity. The Bureau also requests that listings for enteric virus be evaluated under the Listing Policy, as there are no criteria to evaluate impairment. Additionally, the Bureau requests that the development of numeric values for biostimulatory pollutants be established through the Water Quality Standards setting process*

4. TYPOGRAPHICAL ERRORS AND CONTRADICTION LANGUAGE:

*Due to confusing language, the Bureau requests that the current wording in Section 3.3.1 (pg. 7) of the Integrated Report regarding the exceedance days for indicator bacteria, be revised as shown below.*

~~“To calculate the The number of exceedance days, the number of days during a defined period equals the sum of individual days during which one or more indicator bacteria exceeds the standard is an exceedance day.”~~

5. DETAILED COMMENTS ON SPECIFIC LISTINGS: In addition to the previous comments on listings provided in Tables 1 and 2 the Bureau has identified incomplete, incongruent or inaccurate listings and delistings based on the report and data provided by the RWQCB and the 2004 State Listing Policy. More detailed comments on these listings are provided in the Table 3. Specific issues are highlighted below:

- a. *The Bureau requests that the listings for dieldrin and DDT for Marina Del Rey Harbor Back Basins be delisted. During development of the Toxic Pollutants TMDL for this water body, the RWQCB reviewed the available data and determined that dieldrin and DDT no longer cause impairment of the marina's back basins. (See Table 7-18.1 to Attachment A to LARWQCB Resolution No. 2005-012 amending Section 7 of the Basin Plan).*
- b. *The Bureau requests that the listing for trash for Compton Creek be re-categorized from requiring a TMDL to “being addressed by USEPA approved TMDL (B).” A Trash TMDL for the Los Angeles River and its tributaries has been incorporated in the Los Angeles Region Basin Plan by LARWQCB Resolution No. 2007-012. Compton Creek is identified as a tributary of the Los Angeles River in the TMDL Staff Report. Thus, the trash impairment in Compton Creek is already being addressed by a TMDL.*



- c. *The Bureau requests that the decision to “Do Not Delist” sediment toxicity for the San Pedro Bay be placed on hold until the data used to justify the listing is made readily available in a more transparent fashion for review by stakeholders. The language used in the reference section of the fact sheet for this listing provides insufficient information to locate the data used to justify that listing. Specifically, “Eleven of 33 samples were toxic (BPTCP). Two of 14 samples were toxic (Bight, 1998). None of three samples were toxic (W-EMAP) (LARWQCB & CCC, 2004),”. These references do not provide a data year for the BPTCP data and nor describe which specific stations were monitored by each study. The weblinks provided by RWQCB staff (Jeffrey Shu) were not useful in discovering the specific data described in the fact sheet. This may have occurred because the location description was vague (“Los Angeles and Long Beach harbors,” never specifying San Pedro Bay) or because the data retrieved by the web link did not contain sediment toxicity data.*
  - d. *The Bureau requests listings based on sediment toxicity including those for specific pollutants in sediment should be evaluated in accordance with the SWRCB's Water Quality Control Plan for Enclosed Bays and Estuaries Plan (Part 1: Sediment Quality), which the SWRCB approved in 2008 (SWRCB Resolution 2008-0070). We note that this plan “supersedes all applicable narrative water quality objectives and related implementation provisions in water quality control plans (basin plans) to the extent that the objectives and provisions are applied to protect bay or estuarine benthic communities from toxic pollutants in sediments” (SWRCB Resolution 2008-0070). The SWRCB recognizes the need to ensure that the listing policy and the SQO Plan are consistent. Therefore, SWRCB staff has been directed to revise the Listing Policy to achieve consistency with the sediment quality objectives in said plan. The Bureau has listed in Table 3 those waterbodies that should be evaluated based on the SQOs.*
  - e. *The Bureau requests that the PAH listing for Ballona Creek Estuary, be removed based on the Fact Sheets Decision ID 7584 which state “Based on the readily available data and information, the weight of evidence indicates that there is sufficient justification against placing this water segment/pollutant combination on the section 303(d) list in the Water Quality Limited Segments category.”*
  - f. *The Bureau requests that RWQCB staff should ensure the available data and fact sheets are consistent. Although the data available for review for the proposed new listings generally support the listings, the fact sheets are not always consistent with the data available for review.*
6. **USE A PRIMARY LINE OF EVIDENCE IN CONJUNCTION WITH THE TMDL:** A primary line of evidence used in conjunction with a TMDL will satisfy Section 2.2 or Section 3.11 of the Listing Policy. Referencing a TMDL does not provide information to evaluate the original listing or subsequent listing decision. Without including the supporting data in the Staff Report, stakeholders can not verify if the conditions for placement in the water quality

limited segments category have been met or if water quality standards have been attained. This includes listings placed in the 'Being Addressed' category.

*The Bureau requests that the data used to make the initial impairment determination be included in the Staff report and used in conjunction with a TMDL.*

**Table 1. “Legacy Listings” Pre-Dating 2002 CWA 303(d) List in Region 4 that Have Not Been Reviewed Utilizing the SWRCB 2004 Listing Policy**

Water Body Name	Pollutant
Echo Park Lake	Algae
Echo Park Lake	Eutrophic
Echo Park Lake	Odor
Echo Park Lake	PCBs (tissue)
Echo Park Lake	Trash
Echo Park Lake	pH
Ballona Creek Estuary	Shellfish Harvesting Advisory
Ballona Creek Wetlands	Exotic Vegetation
Ballona Creek Wetlands	Habitat Alterations
Ballona Creek Wetlands	Hydromodification
Ballona Creek Wetlands	Reduced Tidal Flushing
Dominguez Channel Estuary	Benthic Community Effects
Lincoln Park Lake	Eutrophic
Lincoln Park Lake	Odor
Lincoln Park Lake	Organic Enrichment/ Low Dissolved Oxygen
Lincoln Park Lake	Trash
Lincoln Park Lake	Lead
Los Angeles Harbor-Consolidated Slip	Benthic Community Effects
Los Angeles Harbor-Consolidated Slip	Sediment Toxicity
Los Angeles/ Long Beach Inner Harbor	Beach Closures
Machado Lake (Harbor Park Lake)	ChemA (tissue)
Santa Monica Bay Offshore/Nearshore	Debris
Echo Park Lake	Ammonia
Echo Park Lake	Copper



**Table 1. “Legacy Listings” Pre-Dating 2002 CWA 303(d) List in Region 4 that Have Not Been Reviewed Utilizing the SWRCB 2004 Listing Policy**

Water Body Name	Pollutant
Echo Park Lake	Lead
Arroyo Seco Reach 1	Coliform Bacteria
Compton Creek	Coliform Bacteria
Dominguez Channel	Ammonia
Dominguez Channel Estuary	Ammonia
Dominguez Channel Estuary	Coliform Bacteria
Lincoln Park Lake	Ammonia
Los Angeles River Reach 1	Coliform Bacteria
Los Angeles River Reach 2	Coliform Bacteria
Los Angeles River Reach 4	Coliform Bacteria
Los Angeles River Reach 6 (above Sepulveda flood control basin)	Coliform Bacteria
Los Angeles River Reach 6 (above Sepulveda flood control basin)	Tetrachloroethylene/PCE
Los Angeles River Reach 6 (above Sepulveda flood control basin)	Trichloroethylene/TCE
Santa Monica Canyon	Lead
Torrance Carson Channel	Coliform Bacteria
Torrance Carson Channel	Copper
Torrance Carson Channel	Lead
Tujunga Wash	Coliform Bacteria
Wilmington Drain	Coliform Bacteria
Wilmington Drain	Copper
Wilmington Drain	Lead

**Table 2. Water Bodies Listed for “Conditions” for Which no Water Quality Objective or Standard Exists**

New Water Body Name	Pollutant/ Stressor
Echo Park Lake	Algae
Echo Park Lake	Odors
Lincoln Park Lake	Odors
Ballona Creek	Enteric Virus
Los Angeles/ Long Beach Inner Harbor	Beach Closures
Santa Monica Bay Offshore/Nearshore	Debris
Echo Park Lake	Eutrophic
Lincoln Park Lake	Eutrophic
Lincoln Park Lake	Organic Enrichment/ Low Dissolved Oxygen

**Table 3. Detailed Comments on Specific Listings**

Water Body	Pollutant/ Stressor	Existing/ Potential BU	2008 Revised Comment
Marina del Rey Harbor - Back Basins	DDT (tissue)		This listing should be removed as identified in the Marina Del Rey Toxics TMDL, which states that DDT is no longer a cause of impairment.
Marina del Rey Harbor - Back Basins	Dieldrin (tissue)		This listing should be removed as identified in the Marina Del Rey Toxics TMDL, which states that Dieldrin is no longer a cause of impairment.
Compton Creek	Trash		This listing should be categorized as "being addressed by USEPA approved TMDL (B)." Compton Creek was identified as a tributary in the Los Angeles River Trash TMDL.
Cabrillo Beach (Outer)	DDT	NAV, REC1, REC2, COMM, MAR, WILD, MIGR, SPWN, SHELL/	The RWQCB should provide in the record the supporting data and required information to list or not list using the listing criteria. This listing is based on Section 3.4 of the Listing Policy, which allows for a listing where a health advisory has been posted, a beneficial use for consumption identified, and the supporting data is available indicating the evaluation guideline for tissue has been exceeded. The original fish consumption advisory, which was based on fish tissue and formed the basis for the listing, appears to have been conducted in the mid-1990's. There are no Fact Sheets available indicating the reason the listing appears as based on water column instead of fish tissue pollutant levels. The basis for the advisory should be investigated and upheld prior to maintaining the pollutant-waterbody on the list.
Cabrillo Beach (Outer)	PCBs	NAV, REC1, REC2, COMM, MAR, WILD, MIGR, SPWN, SHELL	The RWQCB should provide in the record the supporting data and required information to list or not list using the listing criteria. This listing is based on Section 3.4 of the Listing Policy, which allows for a listing where a health advisory has been posted, a beneficial use for consumption identified, and the supporting data is available indicating the evaluation guideline for tissue has been exceeded. The original fish consumption advisory, which was based on fish tissue and formed the basis for the listing, appears to have been conducted in the mid-1990's. There are no Fact Sheets available indicating the reason the listing appears as based on water column instead of fish tissue pollutant levels. The basis for the advisory should be investigated and upheld prior to maintaining the pollutant-waterbody on the list.

**Table 3. Detailed Comments on Specific Listings**

Water Body	Pollutant/ Stressor	Existing/ Potential BU	2008 Revised Comment
Los Angeles River Reach 6 (Above Sepulveda Flood Control Basin)	Dichloroethylene / 1,1-DCE	GRW, REC1, REC2, WARM, WILD, WET/ MUN, IND	There is no line of evidence to support the original listing. Using the 2004 State Listing Policy listing criteria, the existing data provided by the State do not support a listing for this constituent. There are 0 exceedances out of 16 samples. There are 16 non-detects that are above the CTR objective for human health and organisms of 0.057 ppb. We believe any monitoring required due to groundwater contamination should be addressed under an alternative enforcement program. Additional data needs to be collected in order to support a listing or delisting of this constituent in this waterbody. The Los Angeles River and most of its tributaries have a conditional beneficial use designation for MUN. Conditional designations are not subject to federal law and therefore are not subject to TMDLs.
Los Angeles Harbor - Cabrillo Marina	DDT (tissue)	IND, NAV, REC1, REC2, COMM, MAR, RARE, SHELL	The OEHHA fish consumption advisory should be re-evaluated as most of the original advisories were conducted in the mid-1990's. In addition, the RWQCB should provide in the record the supporting data and required information to list or not list using the listing criteria. According to Section 3.4 of the Listing Policy a OEHHA health advisory must be posted, a beneficial use for consumption identified, and the supporting data must be available indicating the evaluation guideline for tissue has been exceeded.
Los Angeles Harbor Consolidated Slip	DDT (tissue & sediment)	REC1, REC2, COMM, MAR, RARE, EST, MIGR, SPWN, WILD, NAV	<p>This pollutant-water body listing for sediment should be evaluated in accordance with the SWRCB's Water Quality Control Plan for Enclosed Bays and Estuaries Plan (Part 1: Sediment Quality), which the SWRCB approved in 2008 (SWRCB Resolution 2008-0070). We note that this plan "supersedes all applicable narrative water quality objectives and related implementation provisions in water quality control plans (basin plans) to the extent that the objectives and provisions are applied to protect bay or estuarine benthic communities from toxic pollutants in sediments." (SWRCB Resolution 2008-0070). The SWRCB recognizes the need to ensure that the listing policy and the SQO Plan are consistent. Therefore, SWRCB staff has been directed to revise the Listing Policy to achieve consistency with the sediment quality objectives in said plan. (Ibid.).</p> <p>For the tissue based listing, there is no fact sheet available or tissue data available for review. Therefore the listing could not be validated using the Listing Policy.</p>

**Table 3. Detailed Comments on Specific Listings**

Water Body	Pollutant/ Stressor	Existing/ Potential BU	2008 Revised Comment
Los Angeles Fish Harbor	DDT	IND, NAV, REC1, REC2, COMM, MAR, RARE, SHELL	This listing is based on Section 3.4 of the Listing Policy, which allows for a listing where a health advisory has been posted, a beneficial use for consumption identified, and the supporting data is available indicating the evaluation guideline for tissue has been exceeded. There are no 2006 and 2008 Fact Sheets available indicating the basis for this listing has changed. The original fish consumption advisory that formed the basis for the listing appears to have conducted in the mid-1990's. The basis for the advisory should be investigated and upheld prior to re-listing the pollutant-waterbody.
Los Angeles River Reach 2 (Carson to Figueroa Street)	Oil	GWR, REC1, REC2, WARM/ MUN, IND, WILD	This Listing does not meet the requirements of Section 2 or 3.7 of the Listing Policy. There are no data in the record to evaluate as no fact sheets were found substantiating the listing decision. The Basin Plan describes the objective as "Waters shall not contain oils...in concentrations that result in a visible film or coating on the surface of the water or on objects in the water that cause nuisance or that otherwise adversely affect beneficial uses. No observational data is available that substantiates any of the conditions necessary to violate this standard.
Point Fermin Park Beach	PCBs		The current listing is based on water column exceedances. This original listing appeared to have been based on Section 3.4 of the Listing Policy, which allows for a listing where a OEHHA health advisory has been posted, a beneficial use for consumption identified, and the supporting data is available indicating the evaluation guideline for tissue has been exceeded. OEHHA's fish advisories are based on fish tissue concentrations. Thus, listing should reflect this. This and similarly-based listings were conducted in the mid-1990's and were apparently founded on fish tissue pollutant concentrations. Therefore, (1) the RWQCB has not substantiated the water based pollutant listing and (2) the basis for the current fish advisory should be investigated and upheld prior to re-listing the pollutant-waterbody.

**Table 3. Detailed Comments on Specific Listings**

Water Body	Pollutant/ Stressor	Existing/ Potential BU	2008 Revised Comment
Point Fermin Park Beach	DDT		<p>This waterbody/pollutant combination should be listed according to Section 3.4 of the Listing Policy which states that a health advisory must be posted, a beneficial use for consumption identified, and the supporting data must be available indicating the evaluation guideline for tissue has been exceeded.</p> <p>A fact sheet is not available for this listing; therefore, it is assumed that this listing was based on OEHHA's fish consumption advisory. The fish consumption advisory should be reevaluated as most of the original advisories were conducted in the mid-1990's.</p>
Royal Palms Beach	DDT	NAV, REC1, REC2, COMM, MAR, WILD, SHELL/ SPWN	<p>This listing is based on Section 3.4 of the Listing Policy, which allows for a listing where a health advisory has been posted, a beneficial use for consumption identified, and the supporting data is available indicating the evaluation guideline for tissue has been exceeded. There are no 2006 and 2008 Fact Sheets available indicating the basis for this listing has changed. The original fish consumption advisory that formed the basis for the listing appears to have been conducted in the mid-1990's. Therefore, the basis for the advisory should be investigated and upheld prior to re-listing the pollutant-waterbody.</p>
Royal Palms Beach	PCBs	NAV, REC1, REC2, COMM, MAR, WILD, SHELL/ SPWN	<p>This listing is based on Section 3.4 of the Listing Policy, which allows for a listing where a health advisory has been posted, a beneficial use for consumption identified, and the supporting data is available indicating the evaluation guideline for tissue has been exceeded. There are no Fact Sheets available indicating the basis for this listing has changed. The original fish consumption advisory, which should be based on fish tissue and form the basis for the listing, appears to have been conducted in the mid-1990's. The basis for the advisory should be investigated and upheld prior to re-listing the pollutant-waterbody.</p>
Santa Monica Bay Offshore/ Nearshore	Fish Consumption Advisory	REC1, REC2, COMM, MAR, WILD, MIGR, RARE, SPWN, SHELL	<p>Please correct the "pollutant" basis for the listing. The existence of a fish consumption advisory is a listing factor, but is neither a "pollutant" nor a water quality objective delineated in any applicable plan or regulation. The fact that supporting data based on organism tissue must be available to support the listing under Section 3.4 of the Listing Policy which indicates specific pollutant concentrations in the organisms must be the reason OEHHA has issued the advisory. Currently there are OEHHA fish advisories for PCBs and DDT.</p>



**Table 3. Detailed Comments on Specific Listings**

Water Body	Pollutant/ Stressor	Existing/ Potential BU	2008 Revised Comment
Santa Monica Bay Offshore/ Nearshore	Sediment Toxicity	REC1, REC2, COMM, MAR, WILD, MIGR, RARE, SPWN, SHELL	During the SWRCB's 2006 listing process, the State provided no toxicity data in their line of evidence to support the listing decision. The RWQCB has provided no fact sheet for this listing. Therefore, stakeholders cannot validate the listing. Nonetheless, this pollutant-water body listing should be evaluated in accordance with the SWRCB's Water Quality Control Plan for Enclosed Bays and Estuaries Plan (Part 1: Sediment Quality), which the SWRCB approved in 2008 (SWRCB Resolution 2008-0070). We note that Part 1 "supersedes all applicable narrative water quality objectives and related implementation provisions in water quality control plans (basin plans) to the extent that the objectives and provisions are applied to protect bay or estuarine benthic communities from toxic pollutants in sediments." (SWRCB Resolution 2008-0070).
Los Angeles / Long Beach Inner Harbor	DDT	IND, NAV, REC1, REC2, COMM, MAR, RARE, SHELL	This listing has been updated from DDT (sediment & tissues) to DDT, i.e., a water column listing on the 2006 303 (d) list. However, a fact sheet is not available for this pollutant/waterbody combination. A fact sheet would allow the Bureau to review the data and appropriately comment on this pollutant/waterbody listing. The only information available for this listing is the SWRCB's 2006 comments stating that this listing was based on OEHHA fish advisory. The fish consumption advisory should be reevaluated as most of the original advisories were conducted in the mid-1990's.
Los Angeles / Long Beach Inner Harbor	PCBs	IND, NAV, REC1, REC2, COMM, MAR, RARE, SHELL	This listing has been updated from PCB(sediment & tissues) to PCB, i.e., a water column listing in the 2006 303 (d) list. However, a fact sheet is not available for this pollutant/waterbody combination. A fact sheet would allow the Bureau to review the data and appropriately comment on this pollutant/waterbody listing. The only information available for this listing is the State Board's 2006 comments stating that this listing was based on OEHHA fish advisory. The fish consumption advisory should be reevaluated as most of the original advisories were conducted in the mid-1990's.

# CITY OF LOS ANGELES

CALIFORNIA



**ANTONIO R. VILLARAIGOSA**  
MAYOR

DEPARTMENT OF

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YOLANDA FUENTES

VALERIE LYNNE SHAW

October 18, 2006

Ms. Tam Doduc, Board Chair  
State Water Resources Control Board  
1001 I Street, Sacramento, CA 95814

Attention Song Her, Clerk to the Board

## **COMMENTS ON THE PROPOSED 2006 FEDERAL CLEAN WATER ACT SECTION 303(d) LIST OF WATER QUALITY LIMITED SEGMENTS AND STAFF REPORT**

Dear Ms. Doduc:

The City of Los Angeles, Bureau of Sanitation (Bureau) appreciates the opportunity to comment on the State Water Resources Control Board's (SWRCB) proposed 2006 Federal Clean Water Act (CWA) §303(d) List of Water Quality Limited Segments and staff report. The Bureau has previously submitted comments at a SWRCB workshop and hearing on the proposed CWA §303(d) 2006 List and appreciates SWRCB staff response to our past requests and the changes made.

The Bureau commends the effort that SWRCB staff has undertaken to collect and review all readily available environmental data and information and evaluate a portion of these data utilizing the SWRCB Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List (Listing Policy).

The Bureau generally supports the State's 2006 CWA §303(d) List. However, after reviewing the proposed changes for the 2006 List, the Bureau is requesting the following revisions:

1. That the SWRCB re-evaluate the 2006 Water Quality Limited Segments utilizing established water quality criteria. Some of the proposed listings do not have any associated water quality criteria to determine impairment. (See Table 1); and
2. That the SWRCB make the revisions as indicated in the SWRCB's Staff Report - Revision of the Clean Water Act Section 303(d) List of Water Quality Limited Segments Response to Comments and clarify a response. (See Table 2).



In our January 2006 correspondence, we presented a number of issues that may assist in producing more accurate impaired waters listings and also may help all stakeholders in understanding the SWRCB Listing decisions. These issues are still valid and we have included them in the attached Appendix for this proposed List and the next review.

The Bureau believes these changes will result in more accurate listings that will focus scarce public resources on impaired waters to improve water quality and our environment. The Bureau appreciates and thanks the SWRCB and its staff for the effort they have put forth in preparing both the 303(d) List and implementing the new Listing Policy. It is our intention that the attached comments and supporting data will assist the SWRCB to further refine the CWA §303(d) List to the benefit of all of the State's inhabitants.

If you should have any additional questions or comments, please contact Mr. H.R. (Omar) Moghaddam of my staff at (310) 648-5423.

Sincerely,



RITA L. ROBINSON, Director  
Bureau of Sanitation

RLR:HRM:GD:JM

Enclosures

cc: Celeste Cantu, State Water Resources Control Board, Executive Officer  
Jonathan Bishop, Los Angeles Regional Water Quality Control Board  
Michael Mullin, Mayor's Office  
Chris Westhoff, City Attorney  
Rafael Prieto, Chief Legislative Analyst Office  
Cynthia Ruiz, President Board of Public Works  
Enrique Zaldivar, Bureau of Sanitation/EXEC  
Varouj Abkian, Bureau of Sanitation/EXEC  
Traci Minamide, Bureau of Sanitation/EXEC  
Mas Dojiri, Bureau of Sanitation/EMD  
Shahram Kharaghani, Bureau of Sanitation/WPD  
H.R. (Omar) Mogaddam, Bureau of Sanitation/RAD  
RAD Central File/Water Quality Section

The Bureau requests:

1. ONE LIST. The preparation of one list would make it clear which listings were evaluated under the State listing policy. The format of the 2006 staff report is confusing as to the overall changes to the 2002 List and the proposed 2006 List. A simple table that identifies by region the 2002 CWA 303(d) listings and includes all the proposed change designators would provide clarity.

*The Bureau requests that one list be prepared for the future Impaired Waters Lists. This Impaired Waters List to be organized by Region and Waterbody would include a column that would identify all the change status designators such a 'List', 'Delist', 'Do Not List', 'Do Not Delist', 'No Change' and 'Being Addressed'.*

2. PREPARE AND UPDATE FACT SHEETS FOR ALL IMPAIRED WATERS LISTINGS. Fact sheets are critical because they provide the rationale for placing waterbodies on or off the 303(d) list. If the Fact Sheets are not present for a Waterbody/pollutant combination the State can not: 1) validate the previous impairment decision, 2) confirm the new listing decision 3) adjust for changes in the development of new water quality criteria, 4) adjust to changes in environmental and receiving water conditions, 5) adjust to the application of the use attainability analysis or site specific objective.

*The Bureau requests that these fact sheets be prepared for the next Impaired Waters List and included in the staff report. Fact sheets should be developed for all listings not just for changes on the list. These fact sheets should be updated biennially, so that stakeholders can be better informed on the reasons for a listing decision and review of water quality trends.*

3. DATA MANAGEMENT: The current process for a data records review is problematic. In anticipation of the 303(d) Listing process, the Bureau requested copies of all data submitted to the SWRCB for Region 4 that was to be considered as part of the process. Much of the data and information received by the Bureau was in the form of printed spreadsheets that had been reduced in size to fit on a letter sized page making it illegible. From the recordkeeping perspective, the RWQCBs and the SWRCB should consider posting all information that was used in previous listings and the 2006 Listing on the SWRCB's website. By providing public access to this information, the public can view all lines of evidence used in the decision-making process which provides transparency to the 303(d) listing process. In particular, some of the old listings carried over from the 1996, 1998 and 2002 lists do not identify the reports and information used to make the original listing decision. We appreciate the SWRCB's efforts to correct some of these early faulty listings in the 2006 Listing process. However, we believe that a more thorough review of earlier listings is warranted. By providing the reports and information used to make these early listing decisions on the SWRCB's website, members of the public can review the listings that are of concern to them.

*The Bureau requests that an updated records repository system be prepared to retain legible and accurate records of data required to make the listing decisions and that this system be made available to public.*

4. MAPPING: Map the data used for the future Impaired Waters List analysis by sample location and geocode.
5. REVIEW OF UNEXAMINED WATER QUALITY LIMITED SEGMENTS: To ensure an accurate Impaired Waters List that is completely consistent with the 2004 State Listing Policy and clearly identifies impaired waterbodies in California, the SWRCB should review and revise the remaining unexamined Water Quality Limited Segments under the new Listing Policy. Until adoption of the 2004 State Listing Policy, there had been no standardized procedure for listing waterbodies on the CWA 303(d) List (federal or state). Due to the absence of a standardized procedure, the Bureau agrees with SWRCB staff that many of the waterbody/pollutant combinations were improperly listed on the 1998 and 2002 Lists which are now being carried forward onto the new CWA 303(d) Lists. Faulty listings may be caused by judgment errors, such as choosing an insufficiently small data set or absence of data, accepting data whose origin was from samples collected and analyzed using improper analytical methods or without approved quality assurance/quality control procedures, data collected outside of a waterbody segment, use of unapproved criteria or guidelines, or evidence that natural sources have caused or contributed to the impairment. In order to avoid similar problems in the future, we believe that the SWRCB should take this opportunity to completely evaluate all previous listings by the application of listing criteria in the State's 2004 Listing Policy.

*The Bureau requests that all listed waterbody/pollutants combinations be examined under the listing criteria of 2004 State Listing Policy. As an alternative the Bureau requests that the waterbody/pollutant segments identified in the Appendix be reviewed under the listing requirements in the 2004 Listing Policy (see Appendix Table 3).*

6. USE A PRIMARY LINE OF EVIDENCE IN CONJUNCTION WITH THE TMDL: A primary line of evidence used in conjunction with a TMDL will satisfy Section 2.2 or Section 3.11 of the Listing Policy. Referencing a TMDL does not provide information to evaluate the original listing or subsequent listing decision. Without the supporting data included in the Staff Report, stakeholders can not verify if the conditions for placement in the water quality limited segments category have been met in the first place or if water quality standards have been attained. This includes listings placed in the 'Being Addressed' category.

*The Bureau requests that the data used to make the initial impairment determination be included in the Staff report and used in conjunction with a TMDL. (see Appendix Table 4).*

7. CONDITION LISTINGS WITH NO ASSOCIATED WATER QUALITY CRITERIA: The Bureau supports the SWRCB in recommending that a number of waterbody listings for conditions be deleted from the 303(d) list as they are not consistent with the Listing

Policy. Waters listed for algae, odor, debris, enteric virus, scum/foam or beach closure are inappropriate because these are waterbody conditions and not pollutants as required by 40 CFR §130.7(b)(4) or the 2004 Listing Policy. For the 2006 List, the SWRCB may have missed some of these listings.

*The Bureau requests that waterbodies listed for a condition be evaluated using established water quality criteria (see Appendix Table 1).*

8. LISTINGS FOR TROPHIC STATUS: Criteria are not available to determine impairment for trophic conditions (eutrophic, mesotrophic and oligotrophic waterbodies). Currently the term Eutrophic is used to mean many different things; some may use it to indicate the relative level of nutrient concentrations, others use them (particularly the “eutrophic” adjective) as shorthand for the effects of severe nutrient enrichment (e.g., low DO, high organic detritus levels, fish kills, pH exceedances, etc.). These terms are used without explanation. Often a water body gets a “eutrophic” listing simply because it receives anthropogenic sources of nitrogen and phosphorus with no demonstration of actual impairment of beneficial uses.

*The Bureau requests that the eutrophic listing be evaluated as it does not meet the requirements of the Listing Policy Section 2 and Section 6.1.3 (see Appendix Table 5).*

9. SEASONAL VARIATION: As a note of caution - many of the listings in Region 4 rely mainly on data collected during storm events. In general, storm events in Region 4 are brief and the data collected represents pollutant issues associated with dry weather deposition. Storm water data in the Los Angeles area does not identify detrimental conditions to aquatic life or human health in these channels during these brief episodes. Thus, the data is not representative of daily conditions in Southern California waterbodies.

The Listing Policy contains clear guidance regarding the temporal representation of data and how it should be used to evaluate listing decisions. Data samples during episodic storm events do not represent critical timing for impacts to Southern California waterbodies. The Bureau has reviewed the SWRCB’s proposed listings and have identified several proposed listings that are based on the SWRCB’s reliance on stormwater event data. (*see Appendix Table 6*).



**Table 1**

**Pollutant Identification and  
Conditions Listings**

**Comments on the proposed 2006 303d List  
City of Los Angeles  
Bureau of Sanitation**

New Water Body Name	Pollutant/ Stressor	State decision	BOS Proposed Status
Echo Park Lake	Algae	Silent	Evaluate under Listing Policy
Machado Lake (Harbor Park Lake)	Algae	Silent	Evaluate under Listing Policy
Los Angeles River Reach 1 (Estuary to Carson Street)	Nutrients (Algae)	List	Evaluate under Listing Policy
Los Angeles River Reach 2 (Carson to Figueroa Street)	Nutrients (Algae)	List	Evaluate under Listing Policy
Los Angeles River Reach 3 (Figueroa St. to Riverside Dr.)	Nutrients (Algae)	Silent	Evaluate under Listing Policy
Los Angeles River Reach 4 (Riverside Dr. to Sepulveda Dam)	Nutrients (Algae)	Silent	Evaluate under Listing Policy
Los Angeles River Reach 5 ( within Sepulveda Basin)	Nutrients (Algae)	Silent	Evaluate under Listing Policy
Echo Park Lake	Odors	Silent	Evaluate under Listing Policy
Lincoln Park Lake	Odors	Silent	Evaluate under Listing Policy
Machado Lake (Harbor Park Lake)	Odors	Silent	Evaluate under Listing Policy
Los Angeles River Reach 5 ( within Sepulveda Basin)	Oil	Silent	Evaluate under Listing Policy
Ballona Creek	Enteric Virus	Silent	Evaluate under Listing Policy
Los Angeles/ Long Beach Inner Harbor	Beach Closures	Silent	Evaluate under Listing Policy
Santa Monica Bay Offshore/Nearshore	Debris	Silent	Evaluate under Listing Policy

**Table 2**

**Revision not completed  
as indicated in SWRCB response**

**Comments on the Proposed 2006 303d List  
City of Los Angeles  
Bureau of Sanitation**

Comment No.	Summary of Comment	Response	BOS Evaluation October 2006
73.119	<p>Los Angeles River Reach 1 (Estuary to Carson Street)-Zinc, Dissolved: 'It cannot be determined if the data the State used in its analysis Total Metals data or Dissolved Metals data or if the Hardness values were present and utilized. The most conservative applicable water quality criterion for dissolved zinc is 170 µg/L for the CTR Aquatic Life Freshwater Acute (CMC) objective. In Los Angeles River Reach 1 (Estuary to Carson Street), the criterion was exceeded in 0 of 54 samples, which is 0% of the sample events. Under the State's Listing Policy, a water body is eligible for delisting for dissolved zinc if there are 4 or fewer exceedances out of the 54 samples. Newer data indicate that an evaluation under the Listing Policy is warranted.' The State Board recommendation for this pollutant water body combination is 'do not delist'.</p>	<p>When combining this new data with existing data, there are 7 out of 72 samples which exceed the CTR CCC for dissolved copper. This is still too many to delist.</p>	<p>The comment was for zinc listing. The response does not address the comment but addresses copper listing. The review of the fact sheet for zinc shows that there were 18 samples collected by LACDPW in 2003 and 2004 exceeding 7 samples for both acute and chronic criteria making it eligible for listing. The fact sheet needs to be updated to incorporate newer data and listing decision.</p>
73.142	<p>Los Angeles River Reach 5 ( within Sepulveda Basin)-Oil: 'This Listing does not meet the requirements of Section 2 or 3.7 of the Listing Policy. There are no data in the record to evaluate. Based on the readily available information, the weight of evidence indicates that there is sufficient justification in favor of removing these listing from the 303(d) Water Quality Limited Segment list because the segment pollutant combinations is not a pollutant. The state has not identified a beneficial use for protection or impairment.' The State Board did not prepare a fact sheet for this pollutant water body combination. This listing has been modified as it should be for 'Scum/Foam-Unnatural' and it is being recommended for delisting from the 303(d) list.</p>	<p>This listing has been modified as it should be for 'Scum/Foam-Unnatural' and it is being recommended for delisting from the 303(d) list. The original line of evidence supporting the listing does not identify a pollutant but rather, a condition caused by a pollutant(s).</p>	<p>The 303 (d) list has not been modified to reflect the Los Angeles River Reach 5 ( within Sepulveda Basin)-Oil as 'Delist' as indicated in the response to the comment.</p>

**Table 3**

**Review Unexamined  
Water Quality Limited Segments**

**Comments on the proposed 2006 303d List  
City of Los Angeles  
Bureau of Sanitation**

New Water Body Name	Pollutant/ Stressor	State specified Beneficial Use	RB Potential BU	RB Existing BU	State Comment	State decision
Aliso Canyon Wash	Selenium	None identified by the State	MUN	GWR, REC1, REC2, WARM, WILD	No Comment	Silent
Arroyo Seco Reach 1 (LA River to West Holly Ave.)	Trash	None identified by the State	MUN, WARM, WILD	REC1, REC2	No Comment	Silent
Arroyo Seco Reach 1 (LA River to West Holly Ave.)	High Coliform Count	None identified by the State	MUN, WARM, WILD	REC1, REC2	No Comment	Silent
Ballona Creek	Toxicity	None identified by the State	MUN, REC1, WARM	REC2, WILD	No Comment	Silent
Ballona Creek	High Coliform Count	None identified by the State	MUN, REC1, WARM	REC2, WILD	No Comment	Silent
Ballona Creek	Enteric Viruses	None identified by the State	MUN, REC1, WARM	REC2, WILD	No Comment	Silent
Ballona Creek Estuary	Shellfish Harvesting Advisory	None identified by the State		NAV, REC1, REC2, COMM, EST, MAR, WILD, RARE, SPWN, SHELL	No Comment	Silent
Ballona Creek Estuary	Sediment Toxicity	None identified by the State		NAV, REC1, REC2, COMM, EST, MAR, WILD, RARE, SPWN, SHELL	No Comment	Silent
Ballona Creek Estuary	High Coliform Count	None identified by the State		NAV, REC1, REC2, COMM, EST, MAR, WILD, RARE, SPWN, SHELL	No Comment	Silent
Ballona Creek Estuary	PAHs (sediment)	None identified by the State		NAV, REC1, REC2, COMM, EST, MAR, WILD, RARE, SPWN, SHELL	No Comment	Silent
Ballona Creek Wetlands	Hydromodification	None identified by the State		REC1, REC2, EST, WILD, RARE, MIGR, SPWN, WET	No Comment	Silent
Ballona Creek Wetlands	Trash	None identified by the State		REC1, REC2, EST, WILD, RARE, MIGR, SPWN, WET	No Comment	Silent
Ballona Creek Wetlands	Reduced Tidal Flushing	None identified by the State		REC1, REC2, EST, WILD, RARE, MIGR, SPWN, WET	No Comment	Silent
Ballona Creek Wetlands	Habitat alterations	None identified by the State		REC1, REC2, EST, WILD, RARE, MIGR, SPWN, WET	No Comment	Silent
Ballona Creek Wetlands	Exotic Vegetation	None identified by the State		REC1, REC2, EST, WILD, RARE, MIGR, SPWN, WET	No Comment	Silent
Burbank Western Channel	Trash	None identified by the State	MUN, REC1, WARM, WILD	REC2	No Comment	Silent
Castlerock Beach	Bacteria Indicators	None identified by the State			No Comment	Silent
Compton Creek	Copper	None identified by the State	MUN	GWR, REC1, REC2, WARM, WILD, WET	No Comment	Silent
Compton Creek	Lead	None identified by the State	MUN	GWR, REC1, REC2, WARM, WILD, WET	No Comment	Silent
Compton Creek	High Coliform Count	None identified by the State	MUN	GWR, REC1, REC2, WARM, WILD, WET	No Comment	Silent
Dominguez Channel (above Vermont)	Ammonia	None identified by the State	MUN, REC1, WARM, WILD	REC2, RARE	No Comment	Silent
Dominguez Channel (above Vermont)	Chromium (sediment)	None identified by the State	MUN, REC1, WARM, WILD	REC2, RARE	No Comment	Silent
Dominguez Channel (above Vermont)	Lead (tissue)	None identified by the State	MUN, REC1, WARM, WILD	REC2, RARE	No Comment	Silent
Dominguez Channel (above Vermont)	PAHs (sediment)	None identified by the State	MUN, REC1, WARM, WILD	REC2, RARE	No Comment	Silent
Dominguez Channel (above Vermont)	PCBs (tissue)	None identified by the State	MUN, REC1, WARM, WILD	REC2, RARE	No Comment	Silent
Dominguez Channel (Estuary to Vermont)	Ammonia	None identified by the State		NAV, REC1, REC2, COMM, EST, MAR, WILD, RARE, MIGR, SPWN	No Comment	Silent
Dominguez Channel (Estuary to Vermont)	Benthic Community Effects	None identified by the State		NAV, REC1, REC2, COMM, EST, MAR, WILD, RARE, MIGR, SPWN	No Comment	Silent

**Table 3**

**Review Unexamined  
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**Comments on the proposed 2006 303d List  
City of Los Angeles  
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Dominguez Channel (Estuary to Vermont)	High Coliform Count	None identified by the State		NAV, REC1, REC2, COMM, EST, MAR, WILD, RARE, MIGR, SPWN	No Comment	Silent
Echo Park Lake	Copper	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Echo Park Lake	Lead	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Echo Park Lake	Ammonia	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Echo Park Lake	pH	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Echo Park Lake	Eutrophic	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Echo Park Lake	Odors	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Echo Park Lake	Algae	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Echo Park Lake	PCBs (tissue)	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Lincoln Park Lake	Lead	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Lincoln Park Lake	Ammonia	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Lincoln Park Lake	Organic Enrichment/Low Dissolved Oxygen	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Lincoln Park Lake	Eutrophic	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Lincoln Park Lake	Odors	None identified by the State		MUN, REC1, REC2, WARM, WILD	No Comment	Silent
Los Angeles / Long Beach Inner Harbor	Sediment Toxicity	None identified by the State		IND, NAV, REC1, REC2, COMM, MAR, RARE, SHELL	No Comment	Silent
Los Angeles / Long Beach Outer Harbor (inside breakwater)	PCBs	None identified by the State		NAV, REC1, REC2, COMM, MAR, RARE, SHELL	No Comment	Silent
Los Angeles Harbor - Inner Cabrillo Beach Area	Beach Closures (Coliform)	None identified by the State		NAV, REC1, REC2, COMM, MAR, WILD, MIGR, SPWN, SHELL	No Comment	Silent
Los Angeles Harbor Consolidated Slip	Sediment Toxicity	None identified by the State		REC1, REC2, COMM, MAR, RARE, EST, MIGR, SPWN, WILD, NAV	No Comment	Silent
Los Angeles Harbor Consolidated Slip	Benthic Community Effects	None identified by the State		REC1, REC2, COMM, MAR, RARE, EST, MIGR, SPWN, WILD, NAV	No Comment	Silent
Los Angeles River Reach 1 (Estuary to Carson Street)	Aluminum, Total	None identified by the State		MUN, IND, PROC, GWR, REC1, REC2, WARM, MAR, WILD, RARE, MIGR, SPWN, SHELL	No Comment	Silent
Los Angeles River Reach 1 (Estuary to Carson Street)	High Coliform Count	None identified by the State		MUN, IND, PROC, GWR, REC1, REC2, WARM, MAR, WILD, RARE, MIGR, SPWN, SHELL	No Comment	Silent
Los Angeles River Reach 2 (Carson to Figueroa Street)	High Coliform Count	None identified by the State	MUN, IND, WILD	GWR, REC1, REC2, WARM	No Comment	Silent
Los Angeles River Reach 3 (Figueroa St. to Riverside Dr.)	Nutrients (Algae)	None identified by the State	MUN, IND	GWR, REC1, REC2, WARM, WILD, WET	No Comment	Silent
Los Angeles River Reach 4 (Riverside Dr. to Sepulveda Dam)	Nutrients (Algae)	None identified by the State	MUN, IND	GWR, REC1, REC2, WARM, WILD, WET	No Comment	Silent
Los Angeles River Reach 4 (Riverside Dr. to Sepulveda Dam)	High Coliform Count	None identified by the State	MUN, IND	GWR, REC1, REC2, WARM, WILD, WET	No Comment	Silent
Los Angeles River Reach 5 ( within Sepulveda Basin)	Nutrients (Algae)	None identified by the State	MUN, IND	GRW, REC1, REC2, WARM, WILD, WET	No Comment	Silent
Los Angeles River Reach 5 ( within Sepulveda Basin)	Oil	None identified by the State	MUN, IND	GRW, REC1, REC2, WARM, WILD, WET	No Comment	Silent

**Table 3**

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Los Angeles River Reach 6 (Above Sepulveda Flood Control Basin)	High Coliform Count	None identified by the State	MUN, IND	GRW, REC1, REC2, WARM, WILD, WET	No Comment	Silent
Los Angeles River Reach 6 (Above Sepulveda Flood Control Basin)	Dichloroethylene / 1,1-DCE	None identified by the State	MUN, IND	GRW, REC1, REC2, WARM, WILD, WET	No Comment	Silent
Los Angeles River Reach 6 (Above Sepulveda Flood Control Basin)	Trichloroethylene / TCE	None identified by the State	MUN, IND	GRW, REC1, REC2, WARM, WILD, WET	No Comment	Silent
Machado Lake (Harbor Park Lake)	Ammonia	None identified by the State	MUN	REC1, REC2, WARM, WILD, RARE, WET	No Comment	Silent
Machado Lake (Harbor Park Lake)	Eutrophic	None identified by the State	MUN	REC1, REC2, WARM, WILD, RARE, WET	No Comment	Silent
Machado Lake (Harbor Park Lake)	Odors	None identified by the State	MUN	REC1, REC2, WARM, WILD, RARE, WET	No Comment	Silent
Machado Lake (Harbor Park Lake)	Trash	None identified by the State	MUN	REC1, REC2, WARM, WILD, RARE, WET	No Comment	Silent
Machado Lake (Harbor Park Lake)	Algae	None identified by the State	MUN	REC1, REC2, WARM, WILD, RARE, WET	No Comment	Silent
Machado Lake (Harbor Park Lake)	ChemA (tissue)	None identified by the State	MUN	REC1, REC2, WARM, WILD, RARE, WET	No Comment	Silent
Marina del Rey Harbor - Back Basins	Fish Consumption Advisory	None identified by the State	REC1	NAV, REC2, COMM, MAR, WILD, RARE, SHELL	No Comment	Silent
Marina del Rey Harbor - Back Basins	Sediment Toxicity	None identified by the State	REC1	NAV, REC2, COMM, MAR, WILD, RARE, SHELL	No Comment	Silent
San Pedro Bay Near/Offshore Zones	Chromium (sediment)	None identified by the State		IND, NAV, REC1, REC2, COMM, MAR, RARE, SHELL	No Comment	Silent
San Pedro Bay Near/Offshore Zones	Copper (sediment)			IND, NAV, REC1, REC2, COMM, MAR, RARE, SHELL	No Comment	Silent
San Pedro Bay Near/Offshore Zones	PAHs (sediment)			IND, NAV, REC1, REC2, COMM, MAR, RARE, SHELL	No Comment	Silent
San Pedro Bay Near/Offshore Zones	Sediment Toxicity			IND, NAV, REC1, REC2, COMM, MAR, RARE, SHELL	No Comment	Silent
San Pedro Bay Near/Offshore Zones	Zinc (sediment)			IND, NAV, REC1, REC2, COMM, MAR, RARE, SHELL	No Comment	Silent
Santa Monica Bay Offshore/Nearshore	Debris	None identified by the State		REC1, REC2, COMM, MAR, WILD, MIGR, RARE, SPWN, SHELL	No Comment	Silent
Santa Monica Bay Offshore/Nearshore	Fish Consumption Advisory	None identified by the State		REC1, REC2, COMM, MAR, WILD, MIGR, RARE, SPWN, SHELL	No Comment	Silent
Santa Monica Bay Offshore/Nearshore	Sediment Toxicity	None identified by the State		REC1, REC2, COMM, MAR, WILD, MIGR, RARE, SPWN, SHELL	No Comment	Silent
Santa Monica Bay Offshore/Nearshore	DDT (tissue & sediment)	None identified by the State		REC1, REC2, COMM, MAR, WILD, MIGR, RARE, SPWN, SHELL	No Comment	Silent
Santa Monica Canyon	Lead	None identified by the State	MUN, REC1, WARM, WILD	REC2	No Comment	Silent
Sepulveda Canyon	Lead	None identified by the State		WARM, WILD	No Comment	Silent
Sepulveda Canyon	Ammonia	None identified by the State			No Comment	Silent
Torrance Carson Channel	Copper	None identified by the State	NAV	REC1, REC2, COMM, EST, MAR, WILD, RARE, MIGR, SPWN	No Comment	Silent
Torrance Carson Channel	Lead	None identified by the State	NAV	REC1, REC2, COMM, EST, MAR, WILD, RARE, MIGR, SPWN	No Comment	Silent
Torrance Carson Channel	High Coliform Count	None identified by the State	NAV	REC1, REC2, COMM, EST, MAR, WILD, RARE, MIGR, SPWN	No Comment	Silent
Tujunga Wash (LA River to Hansen Dam)	Copper	None identified by the State	MUN, REC1, WARM, COLD, WILD	REC2, GWR	No Comment	Silent
Tujunga Wash (LA River to Hansen Dam)	Ammonia	None identified by the State	MUN, REC1, WARM, COLD, WILD	REC2, GWR	No Comment	Silent
Tujunga Wash (LA River to Hansen Dam)	Trash	None identified by the State	MUN, REC1, WARM, COLD, WILD	REC2, GWR	No Comment	Silent

**Table 3**

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Tujunga Wash (LA River to Hansen Dam)	High Coliform Count	None identified by the State	MUN, REC1, WARM, COLD, WILD	REC2, GWR	No Comment	Silent
Venice Beach	High Coliform Count	None identified by the State		NAV, REC1, REC2, COMM, MAR, WILD, RARE, MIGR, SPWN, SHELL	No Comment	Silent
Will Rogers Beach	High Coliform Count	None identified by the State	SPWN	NAV, REC1, REC2, COMM, MAR, WILD, SHELL	No Comment	Silent
Wilmington Drain	Copper	None identified by the State	MUN	REC1, REC2, WARM, RARE, WET, WILD	No Comment	Silent
Wilmington Drain	Lead	None identified by the State	MUN	REC1, REC2, WARM, RARE, WET, WILD	No Comment	Silent
Wilmington Drain	Ammonia	None identified by the State	MUN	REC1, REC2, WARM, RARE, WET, WILD	No Comment	Silent
Wilmington Drain	High Coliform Count	None identified by the State	MUN	REC1, REC2, WARM, RARE, WET, WILD	No Comment	Silent



**Table 4**

**Use Primary LOE in conjunction with TMDL**

**Comments on the proposed 2006 303d List  
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Ref. No.	New Water Body Name	Pollutant/ Stressor	State specified Beneficial Use	RB Potential BU	RB Existing BU	State Comment	TMDL as single LOE
2	Ballona Creek	Trash	REC2	MUN, REC1, WARM	REC2, WILD	One line of evidence is available in the administrative record. A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. This water segment-pollutant combination was moved off the section 303(d) list during the 2002 listing cycle only because a TMDL had been completed. No substantial evidence in the record shows that standards are met. The weight of evidence indicates that there is sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
3	Cabrillo Beach (Outer)	Indicator Bacteria	REC1		NAV, REC1, REC2, COMM, MAR, WILD, MIGR, SPWN, SHELL	A TMDL is in place. Sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
4	Compton Creek	pH	REC2	MUN	GWR, REC1, REC2, WARM, WILD, WET	A TMDL is in place. Sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
5	Dockweiler Beach	High Coliform Count	REC1		IND, NAV, REC1, REC2, COMM, MAR, WILD, SPWN	One line of evidence is available in the administrative record to assess this pollutant. Based on the applicable factor, a TMDL has been developed and approved by USEPA and an approved implementation is expected to result in attainment of this standard.	x
6	Echo Park Lake	Trash	REC2		MUN, REC1, REC2, WARM, WILD	One line of evidence is available in the administrative record. A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. This water segment-pollutant combination was moved off the section 303(d) list during the 2002 listing cycle only because a TMDL had been completed. No substantial evidence in the record shows that standards are met. Sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
7	Lincoln Park Lake	Trash	REC2		MUN, REC1, REC2, WARM, WILD	One line of evidence is available in the administrative record. A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. This water segment-pollutant combination was moved off the section 303(d) list during the 2002 listing cycle only because a TMDL had been completed. No substantial evidence in the record shows that standards are met. Sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
8	Los Angeles River Reach 1 (Estuary to Carson Street)	Trash	REC2		MUN, IND, PROC, GWR, REC1, REC2, WARM, MAR, WILD, RARE, MIGR, SPWN, SHELL	One line of evidence is available in the administrative record. A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. This water segment-pollutant combination was moved off the section 303(d) list during the 2002 listing cycle only because a TMDL had been completed. No substantial evidence in the record shows that standards are met. Sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
9	Los Angeles River Reach 1 (Estuary to Carson Street)	pH	WARM		MUN, IND, PROC, GWR, REC1, REC2, WARM, MAR, WILD, RARE, MIGR, SPWN, SHELL	One line of evidence is available in the administrative record. Sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list. A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard.	x
10	Los Angeles River Reach 1 (Estuary to Carson Street)	Nutrients (Algae)	WARM		MUN, IND, PROC, GWR, REC1, REC2, WARM, MAR, WILD, RARE, MIGR, SPWN, SHELL	Sufficient justification in favor of placing this water segment-pollutant combination on the 303(d) list. Other related lines of evidence are available in the administrative record to assess this pollutant. A TMDL and implementation plan has been approved for this water segment-pollutant combination. The Los Angeles River Nitrogen TMDL was approved by RWQCB on August 19, 2003 and subsequently approved by USEPA on March 18, 2004.	x

**Table 4**

**Use Primary LOE in conjunction with TMDL**

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11	Los Angeles River Reach 2 (Carson to Figueroa Street)	Trash	REC2, WARM, WILD, WET	MUN, IND, WILD	GWR, REC1, REC2, WARM	One line of evidence is available in the administrative record. A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. This water segment-pollutant combination was moved off the section 303(d) list during the 2002 listing cycle only because a TMDL had been completed. No substantial evidence in the record shows that standards are met. sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
12	Los Angeles River Reach 2 (Carson to Figueroa Street)	Ammonia	WARM	MUN, IND, WILD	GWR, REC1, REC2, WARM	This pollutant is being considered for listing under section 2.2 of the Listing Policy. Under this section of the Policy, a minimum of one line of evidence is needed to assess listing status. the weight of evidence indicates that there is sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
13	Los Angeles River Reach 3 (Figueroa St. to Riverside Dr.)	Ammonia	REC2	MUN, IND	GWR, REC1, REC2, WARM, WILD, WET	One line of evidence is available in the administrative record. A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
14	Los Angeles River Reach 3 (Figueroa St. to Riverside Dr.)	Trash	REC2, RARE, WARM, WET	MUN, IND	GWR, REC1, REC2, WARM, WILD, WET	One line of evidence is available in the administrative record. A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. This water segment-pollutant combination was moved off the section 303(d) list during the 2002 listing cycle only because a TMDL had been completed. No substantial evidence in the record shows that standards are met. sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
15	Los Angeles River Reach 4 (Riverside Dr. to Sepulveda Dam)	Ammonia	REC2	MUN, IND	GWR, REC1, REC2, WARM, WILD, WET	A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. The nutrient(algae), foam, and odor listings are backed by ammonia data. Nutrient(algae), foam, and odor information should not be placed on the section 303(d) list because they are not pollutants or toxicity (section 2 of the Listing Policy). sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
16	Los Angeles River Reach 4 (Riverside Dr. to Sepulveda Dam)	Trash	REC2, WARM, WILD, WET	MUN, IND	GWR, REC1, REC2, WARM, WILD, WET	One line of evidence is available in the administrative record. A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. This water segment-pollutant combination was moved off the section 303(d) list during the 2002 listing cycle only because a TMDL had been completed. No substantial evidence in the record shows that standards are met. sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
17	Los Angeles River Reach 5 ( within Sepulveda Basin)	Ammonia	WARM	MUN, IND	GRW, REC1, REC2, WARM, WILD, WET	A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. The nutrient(algae), foam, and odor listings are backed by ammonia data. Nutrient(algae), foam, and odor information should not be placed on the section 303(d) list because they are not pollutants or toxicity (section 2 of the Listing Policy). sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	*
18	Los Angeles River Reach 5 ( within Sepulveda Basin)	Trash	COLD, EST, MAR, MIG, REC2, RARE, SAL, SPWN, WARM, WET, WILD	MUN, IND	GRW, REC1, REC2, WARM, WILD, WET	One line of evidence is available in the administrative record. A TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. This water segment-pollutant combination was moved off the section 303(d) list during the 2002 listing cycle only because a TMDL had been completed. No substantial evidence in the record shows that standards are met. sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	*

**Table 4**

**Use Primary LOE in conjunction with TMDL**

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19	Marina del Rey Harbor - Back Basins	High Coliform Count	REC1	REC1	NAV, REC2, COMM, MAR, WILD, RARE, SHELL	One line of evidence is available in the administrative record. After review of the available data and information for this recommendation, SWRCB staff conclude that the water body should be placed in the Water Quality Limited Segments Being Addressed category of the section 303(d) list because a TMDL has been approved by USEPA and an implementation plan has been approved.	x
21	Marina del Rey Harbor Beach	Indicator Bacteria	REC1		NAV, REC1, REC2, COMM, MAR, WILD, RARE	Two lines of evidence are available in the administrative record to assess this pollutant. Based on the applicable factor, a TMDL has been developed and approved by USEPA and an approved implementation plan is expected to result in attainment of the standard. Based on the readily available data and information, the weight of evidence indicates that there is sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
22	Santa Monica Beach	High Coliform Count	REC1		NAV, REC1, REC2, COMM, MAR, WILD, MIGR, SPWN, SHELL	Sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
23	Santa Monica Canyon	High Coliform Count	MUN, REC1, REC2, WARM, WILD	MUN, REC1, WARM, WILD	REC2	Sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x
24	Sepulveda Canyon	High Coliform Count	REC1		REC1, REC2	Sufficient justification in favor of placing this water segment-pollutant combination in the Water Quality Limited Segments Being Addressed portion of the section 303(d) list.	x

**Table 5**

**Listings for Trophic Status**

**Comments on the proposed 2006 303(d) List  
City of Los Angeles  
Bureau of Sanitation**

New Water Body Name	Pollutant/ Stressor	State decision	BOS Proposed Status
Echo Park Lake	Eutrophic	Silent	Evaluate under Listing Policy
Lincoln Park Lake	Eutrophic	Silent	Evaluate under Listing Policy
Machado Lake (Harbor Park Lake)	Eutrophic	Silent	Evaluate under Listing Policy

**Table 6**

**Stormwater Data Only**

Comments on the proposed 2006 303d List  
City of Los Angeles  
Bureau of Sanitation

New Water Body Name	Pollutant/ Stressor	State decision	BOS Proposed Status
Los Angeles River Reach 1 (Estuary to Carson Street)	Copper	List	Stormwater data only
Los Angeles River Reach 1 (Estuary to Carson Street)	Zinc	List	Stormwater data only