

Comment Summary and Responses
Administrative Update to Chapters 1, 5, and 6 of the Basin Plan

1. County Sanitation Districts of Los Angeles County (Sanitation Districts)
2. County of Los Angeles and Los Angeles County Flood Control District (LAC & LACFCD)
3. Las Virgenes-Triunfo Joint Powers Authority (Las Virgenes -Triunfo JPA)
4. Patricia McPherson - Grassroots Coalition
5. Joyce Dillard

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1.1	Sanitation Districts	The County Sanitation Districts of Los Angeles County (Sanitation Districts) appreciate the opportunity to submit comments on the California Regional Water Quality Control Board, Los Angeles Region's (Regional Board's) proposed non-regulatory amendments to administratively update Chapters 1, 5, and 6 of the Water Quality Control Plan for the Los Angeles Region (Basin Plan). The Sanitation Districts are a confederation of 23 special districts, which operate and maintain regional wastewater and solid waste management systems for over 5 million people who reside in 78 cities and unincorporated areas of Los Angeles County. The Sanitation Districts operate 11 wastewater treatment plants and maintain approximately 1,400 miles of sewer lines, which convey flows from industries and municipalities within service areas to the aforementioned wastewater treatment plants. Sanitation Districts' water reclamation facilities discharge into inland surface waters and waters of the state, including groundwater. As such, the Sanitation Districts' operations may be affected by the Basin Plan amendments and their implementation.	Comment noted
1.2	Sanitation Districts	The Sanitation Districts strongly support the Regional Board's efforts to administratively update the Basin Plan. While the Sanitation Districts believe that the updated Basin Plan will provide clarity and be a more useful document than the current Basin Plan, and that overall Regional Board staff did an excellent job in updating Chapters 1, 5, and 6, our review of the proposed updates indicates that there are several corrections that should be made prior to adoption. These corrections, along with several suggestions for improvement, are provided below.	Comment noted. See responses to comments 1.3 through 1.12
1.3	Sanitation Districts	Chapter 1 <i>Metric Units vs. US Customary Units</i> Throughout Chapter 1, metric units and US customary units	Chapter 1 has been revised to include both US customary and metric units in all instances. The metric units are included to serve a wider audience.

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		are used for various measurements in the regional setting, including geology and climate. We suggest using US customary units throughout the Basin Plan to avoid confusion and provide consistency.	
1.4	Sanitation Districts	<i>Drought Conditions/Conservation Measures</i> Various references to drought conditions and related conservation measures in the Los Angeles region have been removed. Given the recurring nature of drought in the Los Angeles region, we recommend adding at least one sentence related to drought conditions.	The discussion on drought was removed from Chapter 1 with the intent of later including it in the updated Chapter 4. However, in response to this comment, a brief discussion on the issue has been included in Chapter 1.
1.5	Sanitation Districts	<i>Recommendations and Guidelines</i> Page 1-9 under the heading “Triennial Review Process” states that Basin Plan modifications are made “in response to USEPA’s mandates, recommendations, and guidelines...” To clarify that these recommendations and guidelines are not mandatory, we suggest the following word change: “in response to USEPA’s mandates, <i>as well as</i> recommendations, and guidelines <i>as appropriate...</i> ”	The current language was not meant to imply that USEPA’s recommendations and guidelines are mandatory, simply that modifications are made in response to them. However, in response to this comment, the language has been revised as follows: “in response to USEPA’s mandates, and applicable recommendations and guidelines as appropriate ...”
1.6	Sanitation Districts	<i>Recycled Water Use</i> On page 1-27 at the end of the “Water Resources/Water Quality” section, various uses of recycled water are listed. We recommend adding indirect potable reuse (i.e., groundwater recharge) to the listed items to highlight one of the largest uses of recycled water in the region.	The list of recycled water uses has been revised to include groundwater recharge.
1.7	Sanitation Districts	<i>San Gabriel River Watershed Impairments</i> On page 1-40, the San Gabriel River Watershed is described as having impairments that “vary by reach but generally include metals, PCBs, pesticides, bacteria, and trash to a greater or lesser degree.” As written, this statement implies that most reaches in the San Gabriel River Watershed are impaired for most of these pollutants. In reviewing the San Gabriel River Watershed Impaired Waters list, we found that this was not the case. We recommend the following	The discussion of impairments in the San Gabriel River Watershed has been revised as follows in response to the comment: “Impairments vary by reach; depending on the reach, they may include metals, PCBs, pesticides, bacteria and/or trash.”

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		word change to better capture the situation: “Impairments vary by reach but generally can include metals, PCBs, pesticides, bacteria, and or trash to a greater degree or lesser degree ”	
1.8	Sanitation Districts	<i>Santa Clara River Valley Basin Contamination</i> Page 1-43 states that the Santa Clara River Valley groundwater is contaminated by “salts, nutrients, and bacteria” that have impacted the use of groundwater for domestic supply. We are not aware of any instances where salts (besides perchlorate), nutrients, or bacteria have impacted the use of groundwater as a drinking water supply in this area. If this statement is in reference to the perchlorate contamination, we recommend revising the sentence as follows: “...contamination of groundwater and its exfiltrates by salts, nutrients, and bacteria <u>perchlorate</u> as a result of increasing urbanization <u>past industrial practices</u> has impacted the use of groundwater as a source of domestic supply.”	The discussion of the Santa Clara River Valley Basin contamination has been revised as follows: “...contamination of groundwater and its exfiltrates by salts, nutrients, and bacteria as a result of increasing urbanization has impacted basin water quality. In addition, perchlorate contamination as a result of industrial practices has impacted the use of groundwater as a source of domestic supply.”
1.9	Sanitation Districts	Chapter 5 <i>Regulations and Guidelines</i> Page 5-13 under “Water Quality Control Policy for Addressing Impaired Waters: Regulatory Structure and Options” states that the goals of this policy are to ensure that impaired waters are addressed through actions consistent with EPA guidance. As stated earlier, in order to make the clarification that guidance is not mandatory, we recommend changing the wording as follows: “The goal of the Water Quality Control Policy for Addressing Impaired Waters is to ensure that impaired waters are addressed in a timely and meaningful fashion through actions that are consistent with both USEPA guidance <u>regulations</u> , as well as with State technical, regulatory, and legislative requirements.”	The current language was not meant to imply that USEPA’s guidance is mandatory. However, the language has been revised as follows: “The goal of the Water Quality Control Policy for Addressing Impaired Waters is to ensure that impaired waters are addressed in a timely and meaningful fashion through actions that are consistent with federal and federal and State requirements.”
1.10	Sanitation Districts	<i>CEC Monitoring Requirements</i> Page 5-24 describes monitoring requirements for CECs in recycled water. We suggest providing the following	The language the commenter refers to is taken directly from the State Water Board’s amendment to the Recycled Water Policy (State Water Board Resolution No. 2013-0003);

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		wording change to clarify that monitoring requirements apply to groundwater recharge projects only: “These monitoring requirements apply to: (i) recycled water producers, including entities that further treat or enhance the quality of recycled water, supplied by municipal wastewater treatment facilities, and <u>(ii) that supply water for groundwater recharge reuse facilities.</u>	therefore, no modification to this language has been made.
1.11	Sanitation Districts	Chapter 6 <i>Regional Monitoring Programs</i> Chapter 6 describes Regional Board monitoring, assessment, and tracking programs. We recommend adding a section to this chapter for Regional Monitoring Programs (RMPs). The monitoring efforts that are incorporated in the San Gabriel River and Los Angeles River RMPs answer important regional questions and concerns about trends and conditions in various Los Angeles region watersheds. Adding a section on RMPs in this chapter would provide a more complete description of monitoring programs in the region.	The programs that the commenter suggests adding are watershed specific whereas those described in Chapter 6 are for the most part region-wide. However, the Basin Plan has been revised to acknowledge the existence of such programs and to reference their description in the Regional Water Board’s Watershed Management Initiative chapters.
1.12	Sanitation Districts	In conclusion, the Sanitation Districts appreciate the Regional Board’s continuing efforts to complete an administrative update of the Basin Plan, and commend staff for its effort to date	Comment noted
2.1	Los Angeles County & LACFCD	The County of Los Angeles and Los Angeles County Flood Control District applaud the continued efforts of the Los Angeles Regional Water Quality Control Board to update the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to reflect current information. We appreciate the opportunity to provide comments on the administrative update to Chapters 1, 5, and 6 of the Basin Plan, which was made available for public review on June 19, 2014.	Comment noted
2.2	Los Angeles County &	Based on our review, it would appear that the proposed update to Chapter 5 inadvertently omits State Water Resources Control Board Resolution Nos. 2012-0012 and	The discussion of the exceptions to the prohibition of waste discharges to ASBS was revised as follows: “Exceptions to the prohibition of waste discharges to an

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	LACFCD	<p>2012-0031, which were adopted in 2012 to provide General Exceptions to the California Ocean Plan for selected discharges into various Areas of Special Biological Significance (ASBS), including ASBS No. 24, which extends from Laguna Point to Latigo Point.</p> <p>The incorporation of Resolutions 2012-0012 and 2012-0031 is necessary to align the Basin Plan with the Ocean Plan and accurately describe the conditions under which discharges are allowed into various ASBS within the Los Angeles Region. We recommend that Page 5-5 of Chapter 5 be revised as follows:</p> <p><u>"Exceptions to the prohibition of waste discharges to ASBS may only be granted in situations where the State Water Board finds that there would be no adverse impact to beneficial uses. In 2006, the State Water Board granted an exception for the USC Wrigley Marine Institute... (State Water Board Resolution No. 2006-0013). In 2012, the State Water Board granted a General Exception for Stormwater and Nonpoint Sources for 27 dischargers throughout the state, including the County of Los Angeles, the Los Angeles County Flood Control District, and the City of Malibu, for their discharges into ASBS No. 24, which extends from Laguna Point to Latigo Point (State Water Board Resolution Nos. 2012-0012 and 2012-0031)."</u></p>	<p>ASBS may only be granted in situations where the State Water Board finds that there would be no adverse impact to beneficial uses. One such exception was granted in 2006 to the USC Wrigley Marine Institute, which discharges storm water and ocean water that has been used in aquariums at their research facility to ASBS No. 25 Northwest of Santa Catalina Island (State Water Board Resolution No. 2006-0013). In addition, in 2012, the State Water Board granted a General Exception for Stormwater and Nonpoint Sources for 27 dischargers throughout the State, including the County of Los Angeles, the Los Angeles County Flood Control District, and the City of Malibu, for their discharges into ASBS No. 24 (State Water Board Resolution Nos. 2012-0012 and 2012-0031)."</p>
3.1	Las Virgenes - Triunfo JPA	<p>Thank you for this opportunity to comment on the proposed administrative updates to Chapters 1, 5 and 6 of the Basin Plan. We acknowledge the need for such an extensive update and applaud you for the time and effort it has taken you and your staff to produce it.</p>	<p>Comment noted</p>
3.2	Las Virgenes - Triunfo JPA	<p>We would like to recommend minor revisions to Chapter 1. Although the changes in this update are considered non-regulatory in nature, inaccurate statements made in the</p>	<p>The parenthetical explanation has been removed in response to the comment.</p>

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		<p>Basin Plan may be cited to support later regulations.</p> <p>1) <u>Chapter 1, Surface Waters/Watersheds, page 1-35, Malibu Creek Watershed, 1st paragraph, 2nd to last sentence</u>: “Increased flows (from imported water needed to support the growing population base) and channelization of several tributaries to Malibu Creek have caused an imbalance in the natural flow regime in the watershed and has led to habitat impacts in Malibu Lagoon at the mouth of the watershed.” We recommend removal of the parenthetical explanation as it asserts a source of increased flows that is unsupported.</p> <ul style="list-style-type: none"> • A study by Hibbs (2012)¹ used isotopic analysis to show that landscape irrigation runoff was less than 10% of 2007 and 2008 summer base flow in Las Virgenes Creek. We expect that only a small fraction of flows in the watershed are due to runoff. • The additional flows may be attributed to come from the Tapia Water Reclamation Facility (WRF). Tapia WRF discharges only to the lower creek with a discharge prohibition period from April 15 through November 15th of each year. • The alternative sources, proposed by Hibbs (2012) were loss of riparian uptake with the removal of riparian vegetation and the deepening of channels below the summer groundwater table. 	

¹ Hibbs, B. J., W. Hu., and R. Ridgeway. 2012. Origin of source flows in a watershed at the wildlands-urban interface, Santa Monica Mountains, *Environmental and Engineering Geoscience*, 27(4): pp.

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3.3	Las Virgenes - Triunfo JPA	<p>2) <u>Chapter 1, Geology/Topography section, second paragraph, pages 1-13 and 1-19.</u> We are very pleased with the addition of this section on geology and recognition, in many locations in this chapter, of its influence on water quality. However, we feel it is important that the Basin Plan include geologic descriptions for all mountain ranges in the region and not just that of the San Gabriel Mountains. Stein and Yoon (2008)¹ found that “catchment geology was the most influential factor on variability in water quality from natural areas” and “catchments underlain by sedimentary rock generally produce higher constituent concentrations than those underlain by igneous rock.” In the Malibu Creek watershed, drainage from Miocene marine sediments in the Simi Hills, particularly the Monterey (Modelo) Formation, results in exceedances of water quality objectives because of naturally elevated concentrations of sulfates, phosphate, selenium, TDS and conductivity. These effects are not likely limited to the Malibu Creek watershed as Miocene marine shales (Monterey, Modelo, Puente Formations, etc.) constitute 7.5 % of the Los Angeles area.² In addition, the potential water quality hazards posed by the Monterey Formation are so severe that the USGS maintains a website to document them³. Please add geologic descriptions for the remainder of the mountain</p>	<p>The section the commenter references is simply meant to provide general background information and was not designed to reflect the level of detail requested by the commenter. However, more detailed geologic descriptions could be included in the document currently referred to as the Watershed Management Initiative, which serves as a supplement to the Basin Plan. The Watershed Management Initiative tends to contain a greater level of descriptive detail for each of the region’s watersheds, and is continually updated.</p>

¹ Stein, E. D. and Yoon, V.K., 2008, Assessment of Water Quality Concentrations and Loads from Natural Landscapes, Southern California Coastal Water Research Project Technical Report 500.

² Yerkes, R. F. & R. H. Campbell. 2005. Preliminary Geological Map of the Los Angeles 30’ x 60’ quadrangle, Southern California. U. S. Geological Survey Open File Report 2005-1019. <http://pubs.usgs.gov/of/2005/1019/>.

³ <http://energy.cr.usgs.gov/TraceElements/monterey.html>

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		<p>ranges. A good resource is Yerkes et al. (1965) Geology of the Los Angeles Basin.¹</p>	
3.4	Las Virgenes - Triunfo JPA	<p>In closing, we applaud the Los Angeles Regional Water Quality Control Board for initiating this update and recognizing the potential natural sources of water quality impairment contributed by local geology.</p>	Comment noted
4.1	Patricia McPherson	<p>Chapter 1</p> <p>Protection to Existing Groundwaters is made abundantly clear and especially now in light of the current drought situation in California that gives enhanced meaning to protective language that already exists.</p> <p>The encroachment of saltwater into any historically existing ground waters should be abated.</p> <p>The encroachment of saltwater into waters currently classified as "potential drinking water" should be prohibited. All protective measures and regulations that currently exist should have strict adherence and accountability for performance of best faith efforts and legal accountability for both protection and enhancement of fresh groundwater.</p>	<p>The comment is outside the scope of the proposed non-regulatory administrative update to Chapters 1, 5, and 6 of the Basin Plan. Pursuant to the Notice of Public Hearing and Opportunity for Public Comment dated June 19, 2014, "comments or evidence concerning the appropriateness of any previously adopted Basin Plan amendment are not relevant to this action and will not be accepted or responded to. Comments shall be limited to the proposed administrative updates to Chapters 1, 5, and 6 of the Basin Plan."</p>
4.2	Patricia McPherson	<p>The current saltwater intrusion practices and Plans for Creation of Saltwater bay, mudflat, wetland as-full tidal prism that certain state agencies including but not limited to the Ca. Coastal Conservancy, Ca. Dept of Fish and Wildlife, the Santa Monica Bay Restoration Commission should be rejected outright as an assault upon the remaining freshwater aquifers eg. Ballona Wetlands Ecological</p>	See response to comment 4.1.

¹ Yerkes, R.F., McCulloh, T.H., Schoellhamer, J.E., and Vedder, J.G., 1965, Geology of the Los Angeles basin, California-an introduction: U.S. Geological Survey Professional Paper 420-A, A1-A57. <http://pubs.usgs.gov/pp/0420a/report.pdf>

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		<p>Reserve.</p> <p>The current state practice of the Ca. Coastal Conservancy, Ca. Dept. of Fish and Wildlife and development projects eg. Playa Vista for allowing the diversion and dewatering of fresh rain waters and ground waters in wetland/upland complexes eg. Ballona Wetlands Ecological Reserve should be stopped and disallowed.</p> <p>Ecological systems such as Ballona Wetlands Ecological Reserve, a predominantly freshwater seasonal upland/wetland complex , which relies upon its ability to pond rain waters and rely upon its near surface and deeper aquifers for their ability to function as a sustainable habitat should be protected from the diversion and waste of the aquifers and provided protection and enhancement of its surface rain ponding ability.</p>	
4.3	Patricia McPherson	<p><u>BASIN PLAN NEEDS OF ACCOUNTABILITY, TRANSPARENCY AND ACTIVE FULFILLMENT OF PROTECTION OF FRESH WATER RESOURCES.</u></p> <p><u>Basin Plan changes need to be made to stop the degradation, harm and waste currently practiced by LARWQCB-</u></p> <p>SEPT. 11, 2014 States the following:</p> <p>" WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) finds that:</p> <p>1. The <i>Water Quality Control Plan for the Los Angeles Region</i> (Basin Plan) is the Los Angeles Water Board's</p>	See response to comment 4.1. The Regional Water Board generally disagrees with the commenter's claim that the Board has not adhered to its own Basin Plan. However, the commenter is encouraged to raise her concerns to the Board during any Board consideration of matters pertaining to Playa Vista and/or the Ballona Wetlands.

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		<p>master water quality control planning document for the coastal watersheds of Los Angeles and Ventura Counties. The Basin Plan contains the region’s water quality standards, which consist of beneficial uses, water quality objectives to protect those uses, and an anti-degradation policy along with a program of implementation, and non-regulatory descriptions of the region covered by the Basin Plan. "</p> <p>1. However, the policy has not had adherence by LARWQCB. Case in point: Ballona Wetlands Ecological Reserve and the development site of Playa Vista.</p> <p>a. LARWQCB--FAILURE TO IMPLEMENT AS REQUIRED AND NEEDED--BEST MANAGEMENT PRACTICES --resulting in waste to freshwater resources and likely harm to rare and endangered habitat. Case example--Playa Vista/ Playa Capital LLC and Ballona Wetlands Ecological Reserve.</p> <p>b. The LARWQCB has failed to protect the groundwaters of Ballona despite rulings within the past ten years of ecological protection being added to the function of the LARWQCB's role in the environment.</p> <p>c. The LARWQCB has failed to protect Ballona's freshwater aquifers and failed to provide BEST MANAGEMENT PRACTICES upon the Playa Vista development site by way of allowing Playa Capital LLC to divert the fresh groundwaters of Ballona and dispose of these groundwaters into the sanitary sewer thereby causing waste and likely damage by elimination of groundwaters to the adjacent Ballona Wetlands Ecological Reserve.</p> <p>When, how and where will the LARWQCB address the</p>	

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		issues cited above--1. a., b., c.?	
4.4	Patricia McPherson	<p>THE PROPOSED RESOLUTION CITES THIS:</p> <p>"6. This administrative update is non-regulatory in nature and imposes no new regulatory requirements. These amendments do not involve changes to water quality standards or their implementation provisions. The non-substantive changes are intended solely to provide more current information and to improve the clarity and convenience of the Basin Plan. "</p> <p>2. There is a great need for adherence to the regulatory requirements. The failure on the part of LARWQCB to enforce best management practices and stop the wasteful diversion and removal of groundwaters from habitat areas such as Ballona indicates substantive changes need to be made in the system as is but also because any aids in tracking and providing information will not be utilized any more than the tracking and information gathering that currently exists.</p> <p>- Accountability and transparency are words often used but little implemented by LARWQCB. Too often easy check boxes of approvals ...such as at Playa Vista, are given to throw away groundwaters that supply the very life of Ballona Wetlands. With no documentation or discussion, LARWQCB staff have allowed developers such as Playa Vista to simply SAY...quite erroneously ...that there are no better management possibilities for groundwater other than disposal into the sanitary sewer. This is not only false but, in the case of Playa Vista, contrary to the EIR done on the Project that required groundwaters if brought to the surface...be cleansed --eg the Howard Hughes</p>	See response to comment 4.3.

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		<p>contamination... AND BE REUSED ONSITE to replenish the underlying aquifers. The riparian corridor that was allowed and approved for Ballona was written to allow for the freshwaters to percolate down into the soils but that too HAS NOT HAPPENED. The LARWQCB has instead, allowed developers, as at Playa Vista, to dispose of precious water resources into the sanitary sewer. WHY? Money appears to be the only reason and apparently Playa Vista chooses to not honor both its EIR mitigation requirements and LARWQCB chooses to not enforce them. This wasteful, destructive to Ballona habitat behavior must stop.</p> <p>When and where will the LARWQCB address these issues and specifically the issues of Ballona Wetlands Ecological Reserve as a model?</p>	
4.5	Patricia McPherson	<p>3. There is a great need to demonstrate integrated enforcement of environmentally protective measures. Currently, the LARWQB, resides in a vacuum of itself, despite newer regulations and language that assign abilities to the LARWQCB that are protective of more than water quality. How that water is utilized and roles of water in the environment and habitat function are issues to which the LARWQCB should and can address but have failed to engage and failed to engage publicly. When and where will the LARWQCB address these issues? Please be specific.</p>	<p>See response to comment 4.1. The information noted by the commenter is generally contained in Chapter 4, “Strategic Planning and Implementation,” of the Basin Plan. However, Chapter 4 is not part of this proposed administrative update. An administrative update to Chapter 4 is scheduled for 2015.</p>
4.6	Patricia McPherson	<p>4. When, how, where will the LARWQCB address issues of pollution and migration of oilfield gases into Ballona Wetlands Ecological Reserve?</p>	<p>See response to comment 4.3.</p>

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4.7	Patricia McPherson	5. When, how, where will the LARWQCB address the issues of saltwater intrusion upon freshwater aquifers and surface ponding abilities caused by the CREATION of saltwater bays eg. Bolsa Chica; full tidal creations that eliminate the historical and rare nature of predominantly freshwater seasonal wetlands such as is Ballona-- a typically closed system to the Santa Monica Bay.	See response to comment 4.3.
4.8	Patricia McPherson	6. How and when will the LARWQCB protect the freshwaters of aquifers, including Ballona Wetlands and the aquifers under Playa Vista and prevent their waste by disposal in to the sanitary sewer?	See response to comment 4.3.
4.9	Patricia McPherson	7. How, when will the LARWQCB PROTECT the remaining clay layers of Ballona as cited in House Document 389 AND noted in the POLAND REPORT. SAME QUESTION per the Joint EIR/S of 2005-12 on Ballona Wetlands Ecological Reserve as well as furthering the answer to this question into the present- 2014?? The Army Corps has failed to account for responsibility of protecting freshwater sources and the remaining clay layers of Ballona as there has been no accounting for the millions spent and review needs required in the 2005-12 process.	See response to comment 4.3.
4.10	Patricia McPherson	8. The current 408 Permit review that the State Coastal Conservancy is attempting to utilized Prop 12 money to pay for WRDA (408 permit) review of the Army Corps---- HOW, WHEN will the LARWQCB provide input to this process? Shouldn't the LARWQCB weigh in now and discuss the state's need to protect its freshwater resources?	See response to comment 4.3.

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		Should the LARWQCB keep quiet in matters ongoing now for the 408 WRDA review which, IF APPROVED, WILL ALLOW FOR FULL TIDAL INUNDATION OF THE LAST REMAINING FRESHWATERS OF BALLONA WETLANDS?	
4.11	Patricia McPherson	9...Shouldn't the LARWQCB be weighing in on this issue now so that further public bond money is not squandered on paying the Corps to discuss allowing saltwater intrusion into Ballona and thereby fully destroy the freshwater aquifers of Ballona?	See response to comment 4.3.
4.12	Patricia McPherson	<p>10. The public has been shut out of the Coastal Conservancy's and now the LA County/ USACE process of pre-during 408 WRDA review on Ballona. The public and bond required working group which includes the public, have been shut out of any discussion of protection of aquifer resources there and shut out of any discussion of protecting those resources and shut out of any discussions of protection of Ballona's fragile clay layers. Meanwhile, millions of public dollars are being spent to further the Coastal Conservancy's goal of destruction of Ballona's aquifers and clay layers in their PROJECT GOAL of CREATING A FULL TIDAL SALTWATER WATER catch basin where Ballona wetlands currently is located.</p> <p>When, what and how will the LARWQCB protect the freshwaters of Ballona and its fragile clay layers?</p>	See response to comment 4.3.
4.13	Patricia McPherson	Please answer the above as a model for how anything ongoing in the Basin Plan changes would/could affect our natural resources.	See responses to comments 4.1 through 4.12

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5.1	Joyce Dillard	<p>Facts, science, monitoring and measurement are poorly illustrated in this draft.</p> <p>Accuracy is an issue not addressed in this draft. Laws governing population projections and the Metropolitan Planning Organization that releases those projections if SCAG Southern California Council of Governments, with approval by the State Department of Housing and Community Development.</p> <p>Geology and soils need to be taken into consideration as should Hazards and Hazardous Materials in the planning of the Basin Plan. Earthquakes and faults, landslides, liquefaction and petroleum soils are missing from the discussion. Oil appears in rocks at Temescal Canyon in an area with an oil drilling controversy (Occidental Oil).</p>	<p>The Regional Water Board disagrees with this comment. The Board had made every effort to ensure that the information provided in the updated Basin Plan chapters is accurate. The commenter has not provided any information or evidence that any of the information is inaccurate. If such information had been presented, the Regional Water Board would have considered the information and made any necessary changes.</p> <p>See responses to comments 3.3 and 4.1. Information regarding how hazardous materials are regulated is contained in Chapter 4, “Strategic Planning and Implementation,” of the Basin Plan. However, Chapter 4 is not part of this proposed administrative update. An administrative update to Chapter 4 is scheduled for 2015.</p>
5.2	Joyce Dillard	<p>The following appears from the City of Los Angeles Mitigated Negative Declaration for the Temescal Canyon Stormwater Best Management Practices Project, <i>Appendix D: Geotechnical Evaluations</i>:</p> <p><i>According to McGill (1989), the lower end of Temescal Canyon is underlain by the Miocene-age Modelo Formation consisting of interbedded silty or clayey shale, minor limestone beds, massive siltstone and mudstone, and sandstone (Figure 3). The exposed thickness of the Modelo Formation in the lower end of Temescal Canyon is up to approximately 800 feet. McGill (1989) also indicates that bituminous shale and mudstone containing asphaltic-base petroleum is present within the Modelo Formation and has been observed at the mouth of the canyon. Extensive stream</i></p>	<p>See responses to comments 3.3 and 4.1. GAMA is discussed in Chapter 6 of the Basin Plan.</p>

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		<p><i>terrace deposits have also been mapped along the canyon by McGill (1989) that generally consist of interbedded gravel, sand, and silt. The coastal bluff along the north side of PCH includes relatively large, deep seated landslides, including landslides on both sides of the mouth of Temescal Canyon.</i></p> <p>Agencies such as the California Geological Survey CGS and the US Geological Survey USGS should play a role in this plan but are omitted. USGS has GAMA database and watches the drought. CSG is mapping the Santa Monica Fault and recently mapped the Hollywood Fault.</p>	
5.3	Joyce Dillard	Fracking and subsidence are issues that affect water quality.	Fracking (also known as well stimulation) is regulated by the California Department of Conservation through the Division of Oil, Gas and Geothermal Resources (DOGGR). Senate Bill (SB) 4 (2013) requires DOGGR to adopt regulations specific to well stimulation. SB 4 also requires the State Water Board, on or before July 1, 2015, to develop a groundwater monitoring criteria to be implemented either on a well-by-well basis or on a regional scale, on how to conduct appropriate monitoring on individual oil and gas wells subject to well stimulation treatment in order to protect all waters designated for beneficial uses and prioritize the monitoring of groundwater that is or has the potential to be a source of drinking water. The State Water Board is currently holding stakeholder meetings to develop the criteria in areas of oil and gas production. Since fracking is regulated by DOGGR it is outside the scope of this administrative update to the Basin Plan.
5.4	Joyce	“Ambient” is a word omitted, yet is part of the National	See response to comment 4.1. This comment is more suited to

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	Dillard	Recommended Water Quality Criteria. The plan should not be one for a setup for a RAIN TAX. Permitting is based on outfalls not across the board stormwater capture.	Chapter 3, “Water Quality Objectives,” and Chapter 4, “Strategic Planning and Implementation”, of the Basin Plan, neither of which are under consideration in this proposed action.
5.5	Joyce Dillard	Beach nourishment and replenishment, coastal impacts, sea-level rise are issues that should be addressed. Cal-Adapt is a website not mentioned, yet the Local Government Commission with the Governor’s Office of Planning and Research are encouraging governments to use data relative to planning. The available resources should be used for watershed planning. http://cal-adapt.org/ http://www.californiaadaptationforum.org/	See response to comment 4.1. The subject matter of this comment is more suited to Chapter 4, “Strategic Planning and Implementation,” of the Basin Plan. However, Chapter 4 is not part of this proposed administrative update. An administrative update to Chapter 4 is scheduled for 2015.
5.6	Joyce Dillard	City General Plans and its Elements, as state required, should be incorporated into this document. MS4 permitting is issued through the cities as well as the LA County Flood Control District.	The Basin Plan is the Regional Water Board’s master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State. It also includes programs of implementation to achieve water quality objectives and thereby protect the beneficial uses of the region’s waters. City General Plans and their elements are not adopted by the Regional Water Board and have no place in the Basin Plan. City plans, however, should take applicable regulations into consideration.
5.7	Joyce Dillard	Significant Ecological Areas need more emphasis as out-of-state developers (Hidden Creek Estates) plan to encroach watershed and annex to the City of Los Angeles.	Significant Ecological Areas (SEAs) are designations made by Los Angeles County, not by the Regional Water Board. The identification of these areas in the Basin Plan is merely intended to support the characterization of the region’s varied ecology.
5.8	Joyce Dillard	High groundwater and underground rivers should be addressed. The one-size fits all approach (such as LID Low Impact Development) may just trigger high liabilities and	See response to comment 4.1. This comment appears to refer to provisions of the Region’s NPDES permits for discharges from municipal separate storm sewer systems (MS4s) and is

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		solve nothing.	outside the scope of this proposed action.
5.9	Joyce Dillard	US Army Corps of Engineers has been involved in flood control and harbor development since 1898.	Comment noted
5.10	Joyce Dillard	You fail to address grandfathered pollution and pollution regulated by other Federal agencies such as railroads and their maintenance yards (Metrolink Maintenance Yard).	Regional Water Board programs addressing historical pollution are discussed in Chapter 4, “Strategic Planning and Implementation,” of the Basin Plan. However, Chapter 4 is not part of this proposed administrative update. An administrative update to Chapter 4 is scheduled for 2015.
5.11	Joyce Dillard	<p>You repeatedly state: <i>Residents and commercial/industrial interests in this WMA are highly dependent on imported water; use of recycled water is increasing.</i></p> <p>LADWP Los Angeles Department of Water and Power and other water suppliers install purple pipe to areas for Recycled Water. Increase occurs with capital investment for treatment plants and groundwater storage.</p>	Comment noted.
5.12	Joyce Dillard	Wildlife, birds and natural lands need to be addressed. Southern California Bight holds close to the shore, yet is underplayed as a factor	Wildlife, birds, and natural lands are protected through the designation of beneficial uses in Chapter 2 of the Basin Plan, and the associated water quality objectives that are established at levels to protect these beneficial uses, contained in Chapter 3. Neither of these chapters are under consideration in this proposed action.
5.13	Joyce Dillard	There is no monitoring or reporting standards that tie into the National Water Quality Criteria. There is methodology for deriving ambient water quality.	The comment regarding deriving ambient water quality criteria is more suited to Chapter 3, “Water Quality Objectives,” of the Basin Plan, which is outside the scope of the proposed action. Nonetheless, when the Regional Water Board establishes water quality objectives, it considers

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			USEPA’s recommended national water quality criteria. Monitoring to determine whether water quality objectives are being achieved in the region’s waterbodies is described in Chapter 6.
5.14	Joyce Dillard	A built environment should not be the solution to Watershed Management areas or Enhanced Watershed Management areas. Source points are underemphasized in the plan.	The updated chapters do not present built environments as the solution to Watershed Management areas or Enhanced Watershed Management areas. It is not clear what “source points” the commenter refers to. The comment appears to potentially relate to the region’s NPDES permits for MS4 discharges, which is outside the scope of this proposed action.
5.15	Joyce Dillard	You do not reference publications used nor do you apply the State Board resolutions to this plan. Science does not appear to be applied. Footnotes are lean.	The Regional Board disagrees. Referenced publications are cited throughout the text of the Basin Plan chapters and included in the accompanying staff report. State Water Board water quality control plans, policies, and resolutions are summarized in Chapter 5.
5.16	Joyce Dillard	US Bureau of Reclamation Los Angeles Stormwater Conservation Study is omitted. Hydrology studies are omitted.	Studies and reports deemed to be relevant to this proposed action were considered in updating the Basin Plan chapters. In the region, countless studies and plans have been completed that pertain to subjects with a nexus to water quality. The purpose of the Basin Plan is not to summarize all of these studies. However, more detailed descriptions of studies and plans is often included in the document currently referred to as the Watershed Management Initiative, which serves as a supplement to the Basin Plan. The Watershed Management Initiative tends to contain a greater level of descriptive detail for each of the region’s watersheds, including studies and plans pertinent to the area, and is continually updated.
5.17	Joyce Dillard	Public outreach and engagement has been omitted.	The Regional Board disagrees. A public process has occurred here, as required by law. The Regional Board released tentative documents (including the updated Basin Plan chapters, resolution, and staff report) for public review, and the public was invited to submit written comments (as the commenter has done here). The Board provided notification

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			<p>through its LYRIS list and website. The public is also invited to make oral comments at the public hearing where the Board will consider this proposed action.</p>