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December 6, 2017

Ms. Renee Purdy  
Section Chief, Regional Programs  
California Regional Water Quality Control Board  
Los Angeles Region  
320 W. 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

Attn: Dr. Celine Gallon

Dear Ms. Purdy:

Subject: Comment Letter – 2017-19 Triennial Review

The Los Angeles Department of Water and Power (LADWP) would like to thank the Los Angeles Regional Water Quality Control Board (Regional Board) for the opportunity to comment on the 2017-19 triennial review of its Water Quality Control Plan (Basin Plan) to prioritize programs for revisions to its Basin Plan water quality standards.

LADWP understands that the Basin Plan for the Los Angeles Region is a fundamental component of water quality protection in the region, as the Basin Plan contains the water quality standards, including both beneficial uses and water quality objectives. As noted in the November 6, 2017 notice, Basin Plans “are designed to preserve and enhance water quality and protect the beneficial uses of regional surface and ground waters.” LADWP is committed to minimizing its environmental footprint to the use of sound science in the environmental regulatory process.

As of the last triennial review for 2014-16, the program priorities were to continue the development of the Salt and Nutrient Management Plan, the development on the effects of climate change, the Basin Plan freshwater ammonia water quality objectives, and other statewide initiatives. LADWP supports the continued development of these programs. For the 2017-19 triennial review, LADWP understands the Regional Board is mandated to review the Clean Water Act 304(a) criteria for aquatic life and human health. LADWP supports the Regional Board and suggests prioritizing the criteria recommendations when applicable to match the schedule for Total Maximum Daily Load (TMDL) adoption or reopeners. This would increase efficiency for the adoption

along with changes to be made in the Basin Plan. In addition, LADWP suggests that the lowest priority should be the MCLs as they are already being applied to potable water supplies.

In addition, LADWP has the following specific requests.

General Requests:

1. In light of changes to the operation of Silverlake Reservoir, specifically the use of recycled water to maintain water levels, LADWP requests that the beneficial uses of Silverlake Reservoir be modified accordingly.
2. LADWP requests that the Regional Board should revisit the water quality objectives for surface water and groundwater in the Pacoima area using updated datasets.
3. LADWP requests that the Regional Board develop Basin Plan language to clarify the application of water quality objectives for waters used for groundwater recharge (GWR).
4. LADWP requests that the Regional Board revisit the beneficial uses assigned to Elderberry Forebay and consider information to remove certain uses (including MUN, PROC, AGR, GWR, FRSH, WARM, RARE, SPWN, REC-1 and REC-2).

I. Detailed support for General Requests

1. In light of changes to the operation of Silverlake Reservoir from a drinking water reservoir to an isolated water body, its use has been changed and recycled water will be used to maintain its water level. Therefore, the beneficial uses of Silverlake Reservoir will need to be modified accordingly.
2. LADWP requests that the Regional Board should revisit the water quality objectives for surface water and groundwater in the Pacoima area using updated datasets.

Table 3-10 (p. 3-31) of the Basin Plan currently includes water quality objectives for TDS (250 mg/L), sulfate (30 mg/L), and chloride (10 mg/L) in Pacoima Wash above Pacoima spreading grounds. Footnote (a) to this table indicates, "As part of the State's continuing planning process, data will continue to be collected to support the development of numerical water quality objectives and constituents where sufficient information is presently unavailable. Any new recommendations for water quality objectives will be brought before the Regional Board in the future."

LADWP believes that the current water quality objectives were established based on "natural background conditions," which footnote (f) to Table 3-10 indicates is the likely

basis for the water quality objectives in this table. LADWP believes these objectives may have been based on limited information (in particular for a limited range of hydrologic conditions) and are not representative of current conditions.

LADWP conducts dewatering operations that discharge to Pacoima Wash as part of well development, construction dewatering, and other types of discharges such as reservoir draining, etc, and believes the current water quality objectives are difficult to meet because concentrations of these constituents in groundwater routinely exceed these levels. LADWP simply conducts dewatering activities in this area, and does not alter or add these constituents to the dewatering discharges; rather, higher levels of these constituents are already present in groundwater in this area and have not been added by LADWP. The treatment to meet the TDS, chloride and sulfate standards is not feasible due to space constraints needed for the treatment as well as associated costs.

LADWP is requesting that these Basin Plan water quality criteria be revisited due to the criteria in the basin plan are not representative of current conditions.

3. LADWP requests that the Regional Board develop Basin Plan language to clarify the application of water quality objectives for waters used for groundwater recharge (GWR).

LADWP takes pride in maximizing stormwater capture and the use of local water resources wherever possible. However, in LADWP's experience, the Regional Board has in the past applied drinking water maximum contaminant levels (MCLs) as effluent limitations for waters intended for groundwater recharge (GWR), even though the soil matrix provides natural treatment for groundwaters that are recharged via surface spreading, and groundwater is treated for potable use when it is pumped from the ground and before it is used for potable supply. This practice has the potential to require waters to be treated twice, unnecessarily, and as a result is a barrier for local stormwater capture and use.

LADWP notes that MCLs are established by U.S. EPA under the Safe Drinking Water Act, and apply to water at the point of delivery (at the tap). Thus, LADWP believes that applying MCLs water capture for groundwater recharge restricts the ability to increase local water supplies. Thus, LADWP requests that the Regional Board develop language for insertion into the Basin Plan to clarify that MCLs should not always be applied to waters used for groundwater recharge.

4. LADWP requests that the Regional Board revisit the beneficial uses assigned to Elderberry Forebay and consider information to remove certain uses (including MUN, PROC, AGR, GWR, FRSH, WARM, RARE, SPWN, REC-1 and REC-2).

LADWP's Elderberry Forebay was constructed for the operation of the Castaic Power Plant, which is part of the California State Water Project and is critical to the reliability of the electrical grid in the Los Angeles Basin. Elderberry Forebay was constructed strictly

to provide water storage for pumped-storage hydroelectric generation. The 450-acre Forebay is concrete-lined and public access is not allowed, as high flow velocities and rapid fluctuations in water levels could be hazardous to the public. The Forebay receives water from Pyramid Lake that transits through the Castaic Power Plant. The water in the Forebay is then either discharged to Castaic Lake or pumped back to Pyramid Lake.

LADWP believes the beneficial uses for Elderberry Forebay should be re-considered. The following are existing beneficial uses listed in the Basin Plan for Elderberry Forebay that are not applicable for the stated reasons.

**Municipal and Domestic Supply (MUN):** Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply. The waters of Elderberry Forebay are not used for water supply.

**Industrial Process Supply (PROC):** Uses of water for industrial activities that depend primarily on water quality. The waters of Elderberry Forebay are not used for industrial activities dependent on water quality.

**Agricultural Supply (AGR):** Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing. The waters of Elderberry Forebay are not used agricultural purposes.

**Ground Water Recharge (GWR):** Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers. Elderberry Forebay is concrete-lined; therefore, groundwater recharge is not applicable.

**Freshwater Replenishment (FRSH):** Uses of water for natural or artificial maintenance of surface water quantity or quality (e.g., salinity). Elderberry Forebay is not used for maintenance of surface water quality/quantity.

**Warm Freshwater Habitat (WARM):** Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates. Elderberry Forebay is designed to store water for purposes of hydroelectric power generation.

**Rare, Threatened, or Endangered Species (RARE):** Uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered. Biologists queried the Department of Fish and Wildlife's California Natural Diversity Database (CNDDDB), Whitaker Peak Quad, which encompasses Elderberry Forebay. There were no documented occurrences of threatened or endangered species within the surface water footprint of the Forebay. This included aquatic and non-aquatic organisms (birds, mammals, reptiles, amphibians, and plants). There are no known

collections or sightings of special-status species within the Forebay. Therefore, this beneficial use is not applicable.

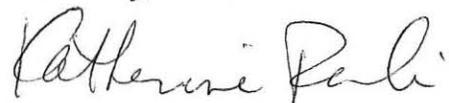
Spawning, Reproduction, and/or Early Development (SPWN): Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish. The potential for rapid fluctuations in water elevations limits the habitats suitable for spawning, and they are not considered "high quality" in Elderberry Forebay. Conditions in Elderberry Forebay (an impoundment with high water level fluctuations) are not conducive to spawning for the fish species noted in a 1997 biological survey. The three species identified were channel catfish, largemouth bass, and striped bass. Based on each species spawning behavior Elderberry Forebay does not provide favorable spawning area. Therefore, the SPAWN beneficial use is not applicable.

Water Contact Recreation (REC-1): Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, or use of natural hot springs. Public access to Elderberry Forebay is limited by fencing and signs, and water contact recreation is prohibited. The REC-1 beneficial use is therefore not applicable.

Non-contact Water Recreation (REC-2): Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tide pool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities. Since ingestion of water from Elderberry Forebay should not be possible, the REC-2 beneficial use is not applicable.

LADWP appreciates the opportunity to provide comments on the triennial review process and looks forward to working with Regional Board staff in this process. Should you have any questions regarding this letter, please contact me at (213) 367-0436 or Ms. Chloé Grison of the Wastewater Quality and Compliance Group at (213) 367-1339.

Sincerely,



Katherine Rubin  
Manager of Wastewater Quality and Compliance

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c: Ms. Chloé Grison