

May 12, 2014



Ms. Felicia Marcus, Chair

State Water Quality Control Board

1001 I Street, 24th Floor Sacramento California 95814

RE: Regional Water Quality Control Board, Basin Plan Amendment;
TMDL for Marina Del Rey Harbor

Dear Chair Marcus,

I strongly recommend that the State Water Resources Control Board send the TMDL back to the Los Angeles Regional Water Board for further review and analysis. I am writing you because I have received a letter dated March 14, 2014 from Mr. Rick Rasmussen inviting comments prior to the State Board approval.

I can assure you that fundamental errors exist within the document. I base this evaluation on years of experience evaluating the Dissolved Copper TMDL in San Diego, the source of the Marina Del Rey TMDL technical approach, and thirty years of experience as an environmental chemist.

Too little time was made available to constructively share concerns shared by written comment to the board and by oral testimony at the February 6 hearing. It is my feeling that the timeline was just too rushed; written comments when provided were terse and oral comments were unanswered.

I feel that returning the TMDL to the Regional Board would provide the input needed to improve the TMDL's technical basis. A competent peer review would certainly identify and correct the following and numerous other technical errors.

The TMDL as currently written is based on unrealistic and oversimplified mechanisms of tidal effects on the levels of copper in the basin, and include:

- Failure to consider losses of in dissolved copper in tidal exchanges, a substantial loss mechanism. In a comparable California harbor, 65% of the copper leaching from boat paints flushes out daily.

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- The hydrological model is wrong and the box model used in calculating the TMDL was subsequently used incorrectly. It applies only when salinity inside is higher than the ocean waters outside the harbor. The fact is that fresh water is a source of recharge in Marina Del Rey.

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A radically different TMDL value would be generated with a more realistic approach.

Please challenge the Los Angeles Regional Water Quality Control Boards' TMDL resolution and direct the Board to re-evaluate the technical basis, and validate the effort through a third-party review. Thank you for your consideration.

Sincerely,

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