

Public Comment
Machado Lake Nutrients TMDL
Deadline: 11/7/08 by 12 noon

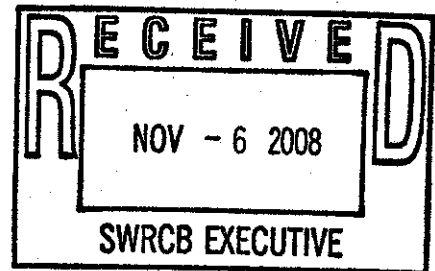


CITY OF TORRANCE

PUBLIC WORKS DEPARTMENT
ROBERT BESTE
PUBLIC WORKS DIRECTOR

November 5, 2008

Jeanine Townsend
Clerk to the Board
Water Resources Control Board
1001 I Street
Sacramento, CA 95814
Fax: (916) 341-5620



Subject: MACHADO LAKE TMDL CITY OF TORRANCE
COMMENT LETTER

Dear Ms. Townsend,

The City of Torrance's comments on the Machado Lake Nutrient TMDL are as follows:

1. Attainment of the narrative objectives should be the focus of the reconsideration of the TMDL at 7.5 years from the effective date. The numeric targets necessary to achieve the narrative objectives should be reevaluated in light of water quality monitoring and special studies as well as source reduction projects which have been implemented by the responsible agencies. Accordingly, the final sentence in Table-29.1 should be modified to focus the reconsideration on the attainment of the narrative objectives.
2. Final numeric targets should include a design storm size for which the targets are to apply. This provides design criteria for the design of regional as well as distributed treatment solutions and provides a practical means of balancing of economic and societal criteria as required under Porter Cologne. This is particularly relevant for alum treatment which relies on a settling basin with a defined hydraulic detention time for effective settling/removal of the alum floc. Accordingly, the final sentence in Table-29.1 should be modified to include consideration of a design storm criterion.
3. If the MS4 Permittees choose to comply with waste load allocations by actively participating in a LWQMP and attaining the TMDL waste load allocations measured in the lake through a regional alum treatment system, it is unclear how that participation is to be documented—are the MS4 Permittees to become party to the MOA or Clean Up and Abatement Order between the City of LA and the Regional Board, or are such MS4 Permittees to submit a separate Implementation Plan to the Regional Board stating their intention to participate and the means by which WLAs will be achieved? This needs to be clarified in Table 7-29.2 of the Basin Plan Amendment. Such documentation/approval of implementation plans will also provide the opportunity for the responsible parties to

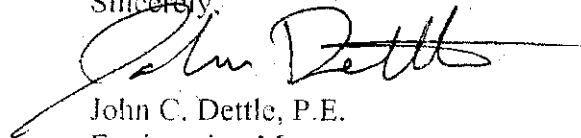
propose and obtain Regional Board Executive Officer approval of a design storm criterion prior to the commissioning of design plans and specifications for regional treatment systems.

4. Table 7-29.1 under Implementation Plan, II. Implementation and Determination of Compliance with WLAs states that responsible parties may comply with interim WLAs through implementation of external nutrient source reduction projects in accordance with the TMDL Implementation Plan approved by the Regional Board Executive Officer; however there is no provision in Table 7-29.2 for submittal and approval of an Implementation Plan for achieving the Interim Objectives for WLA by MS4 Permittees who intend to comply with the final WLA at the lake by participating in the LWQMP and a regional treatment solution jointly with other MS4 Permittees. Presumably these MS4 Permittees must also implement interim projects to meet the 5-year interim nitrogen objective as it is unrealistic to assume that the regional treatment system could be in place within 5 years of the effective date. The method for obtaining Regional Board Executive Officer approval of such a means of compliance needs to be clarified.
5. Source Identification and Source Control have proven to be an effective method of reducing nutrient loads into receiving water bodies. However, Source Identification and Source Control as a BMP are not part of the Machado Lake Nutrient TMDL. It is recommended to include in the Machado Lake Nutrient TMDL a Source Identification Study with progressive upstream monitoring to identify significant sources of nutrient loading. As demonstrated by the TMDLs for Nutrients San Diego Creek and Newport Bay, California report prepared by U.S. Environmental Protection Agency (EPA), Region 9, some inlets to Newport Bay were nearly free of nutrients and that 80% all the nutrients came from a single inlet, Peters Canyon Wash and that 80% of nutrient loading from this source came from commercial nurseries. Below is an outline of the USEPA's Region 9 Implementation Plan for a phased approach Newport Bay Nutrient TMDL that is recommended for Machado Lake TMDL:
 - Jurisdictional groups establish rigorous monitoring and source identification plans which identify parties responsible for implementation activities and timeframes
 - Board issues waste discharge requirements to currently unregulated nurseries greater than 5 acres and with discharges that contain greater than 1 mg/l of total inorganic nitrogen
 - Board revises of existing waste discharge requirements for currently regulated nursery operations
 - Board revises existing NPDES permits for discharges of nutrients that exceed 1 mg/l of total inorganic nitrogen
 - Board requires the development of nutrient management plans for all agricultural operations not regulated by waste discharge requirements

- Jurisdictional groups submit an analysis of Best Management Practices that will be implemented to achieve the urban runoff targets.
- 6. The TMDL should also account for historic nutrient loading and allow exceedences during dredging operations to remove that historic nutrient loading.
- 7. Wet Weather season corresponds to a period of no or little algae growth, and dry season corresponds to the time of substantial algae growth. However, this TMDL makes no adjustment for seasonal variations or rain events. A large storm has the effect of churning up nutrient rich sediments in the bottom of the lake while at the same time flushing those nutrients from the lake. The proposed TMDL should include an exemption for a period of time following rain events, or allow for and higher Waste Load Allocations in the lake after rain events, to give time for the lake water to reach equilibrium. This proposed seasonal variation would prevent Notices of Violations from being issued that are caused by rain events that actually improve overall water quality and at a time when there is no algae growth.

If you wish to discuss these issues further, please feel free to contact me at (310) 618-3059.

Sincerely,



John C. Dettle, P.E.
Engineering Manager