



Water Code Section 13240 mentions State Policy for Water Quality Control.

Water Code section 13241 states:

Each regional board shall establish such water quality objectives in water quality control plans as in its judgment will ensure the reasonable protection of beneficial uses and the prevention of nuisance; however, it is recognized that it may be possible for the quality of water to be changed to some degree without unreasonably affecting beneficial uses. Factors to be considered by a regional board in establishing water quality objectives shall include, but not necessarily be limited to, all of the following:

(a) Past, present, and probable future beneficial uses of water.

(b) Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.

(c) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.

(d) Economic considerations.

(e) The need for developing housing within the region.

(f) The need to develop and use recycled water.

Resolution R 11-011 Chapter 2 Beneficial Uses does not set these codes in motion. The Beneficial Uses are not based in the real sense of the use of water as scientific evidence by many accredited agencies and research universities is not taken into consideration.

Health and Safety Code Section 57004 is negated when these future “beneficial uses” ignore water-borne diseases, monitoring and enforcement.

The Beneficial Uses are being designed for Wetlands as Mitigation Banking, not listed as a “Beneficial Use.” It is clear that many wetlands are “under construction” for that purpose. We are attaching the California Wetlands South Coast list which includes 14 in Los Angeles and Ventura Counties.

Again, there is no clear jurisdiction for the Public Health issue of water, birds, fish, wildlife and people.

We are not clear the legal jurisdictions of “receiving waters” versus “outfalls” and how waters under Tidelands Trust (State) fit into this Plan.

Not all groundwater basins are adjudicated, which makes jurisdiction very mixed and uncontrollable.

Watersheds are not managed by one agency, but by a mix of interrelated agencies and almost NO PUBLIC. Aspects of Saltwater instruction, long addressed in House Document 389 for the Playa del Rey/Venice region is not taken under consideration.

We do not see “Beneficial Uses,” as stated, as enforceable.

Resolution No. R11-013 Chapter 7 "Total Maximum Daily Loads" (TMDLs)

explains details on the legal basis and authority for establishing TMDLs, (ii) describes the components of a TMDL, and (iii) contains TMDL summaries and tables for the 30 TMDLs that have been adopted and approved since the last update of the Basin Plan.

This approach does not serve an end, but just a means. There is no basis to declare a TMDL satisfied when BMP Best Management Practices are not tested for results and improvement, Source Points are not identified to stop entry into an outfall or receiving water (again, we need to know the legal citation when each one applies). So far, we see monitoring stations near the coast, not inland and not by outfalls.

Development is being planned for Density. The Hollywood Community Plan is setting the standard for the rest of the City of Los Angeles’ community plans. Major projects do not even address the details of watershed. The Convention and Event Center Project aka Los Angeles Convention Center and Farmers Field Football Stadium failed to even mention the Ballona Creek Watershed or any pollutant loads.

We have only seen pollutant loads mentioned in a Santa Monica Airport Watershed Management Plan by the City of Santa Monica. There are in an unadjudicated groundwater basin.

The Clean Water Act is used but not applied. Local taxpayer dollars in local (City of Los Angeles Proposition O \$500,000,000 Bonds) and the upcoming Los Angeles County Flood Control District Clean Water Clean Beaches Initiative (Parcel Tax voted on by Property Owners with no sunset date) as a method of funding remediation.

Who benefits here?

Not the public. Not the US Citizen, who the Clean Water Act is intended.

The TMDLs are unenforceable at this point.

The Los Angeles County Sediment Management Plan is in draft form and upper watersheds should be important in the TMDL process. So should fires and extreme weather events.

None are important.

We have sat in Proposition O meetings for years hearing how the City will be fined for TMDLs by the Regional Board. On what basis? Who decides? Who is responsible? This, so far, has been fraudulent. And with all the Capital Expense there is no Operations and Maintenance funding to maintain any improvements.

There is a plan for Recycled Water outside of the current State definition. In fact, captured stormwater and rainwater has a future in landscaping—directly on the property without any treatment. We are not talking cisterns, we are talking huge underground storage tanks.

Who's in charge? Who sets the Public Health and Safety standards as we see in drinking water?

No one.

We left a meeting today with the Green Builders or LEEDS certified. They are looking for new financing for Affordable Housing now that Redevelopment Agencies are being closed.

Their answer:

Affordable Housing under the new name of Infrastructure with funding and assets from Flood Control Districts and School Districts

Is that what the State intends?

This ministerial process (one of many on the Regional and State Board levels) will negate the CEQA California Environmental Quality Act.

We have commented on administrative versus Adaptive Management and General Plan Municipality jurisdictions over regional boards as well as stormwater and jurisdictions and groundwater and sources of contamination.

Comments were noted by the Regional Board staff.

This process needs proper planning, watershed management, groundwater analysis including testing, use of databases and mapping existing, creating new methods for integrating information and setting a scientific standard. The involvement needs to extend beyond the Waterboards and include agencies involved in watershed management, fish, birds and wildlife and the protection of people's Public Health and Safety.

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Attachment:

California Wetlands








CALIFORNIA WETLANDS










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My Water Quality







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South Coast Project List

- Key:
-  plan/permit info
-  performance criteria
-  monitoring report
-  prepared map
-  photo
-  other
-  locate on map

Project	Status	County	Total Acres
Anaheim Bay Bridge Rock Slope Protection and Drainage Maintenance  	Construction in-progress	Orange	3.6
Arroyo Burro Estuary and Mesa Creek Restoration     	Construction completed	Santa Barbara	0.6
Azusa Canyon Wilderness Park  	Construction planned	Los Angeles	16.6

Project	Status	County	Total Acres
Ballona Wetlands Restoration Planning 	Construction in-progress	Los Angeles	600.0
Bolsa Chica Wetlands Restoration 	Construction completed	Orange	939.0
Buena Vista Creek Acquisition, Sherman Parcel 	Construction completed	San Diego	133.8
Buena Vista Lagoon State Ecological Reserve Restoration Planning - Phase II 	Construction in-progress	San Diego	225.7
Butterfly Creek at Bosque del Rio Hondo Park 	Construction completed	Los Angeles	0.7
Carpinteria Salt Marsh, Basin 1 Implementation 	Construction completed	Santa Barbara	36.0
Cattle Canyon 	Construction planned	Los Angeles	1.9
Connector Marsh 	Construction completed	San Diego	26.6
Devereux Slough Restoration 	Construction planned	Santa Barbara	50.0
El Dorado Nature Center Renewal 	Construction planned	Los Angeles	88.1
Huntington Beach Wetlands Restoration Plan 	Construction planned	Orange	86.5
Lario Creek Project Area 	Construction planned	Los Angeles	332.2
Lemon Creek Restoration and Monitoring 	Construction in-progress	Los Angeles	5.2
Los Cerritos Wetlands Complex-Bryant Acquisition 	Construction completed	Los Angeles	66.0
Los Penasquitos - Sediment Management 	Construction planned	San Diego	2.8
Malibu Lagoon Restoration and Enhancement 	Construction in-progress	Los Angeles	5.9
Marine Group Boatworks (Chula Vista) Dredge and Breakwater Modifications 	Construction planned	San Diego	<0.1
Marisma de Nacion 	Construction completed	San Diego	17.9
Marsh Restoration Lower Santa Ana River Channel 	Construction completed	Orange	12.7
Mission Creek at Bosque del Rio Hondo Park 	Construction completed	Los Angeles	0.2
Mugu Sludge Ponds Restoration 	Construction completed	Ventura	9.0

Project	Status	County	Total Acres
Oneonta Slough Tidal Linkage 	Construction completed	San Diego	1.8
Ormond Beach Wetlands Acquisition, Part 2 	Construction in-progress	Ventura	340.0
San Joaquin Marsh Enhancement - Phase I 	Construction completed	Orange	50.0
San Joaquin Marsh Enhancement - Phase II Implementation 	Construction in-progress	Orange	120.0
Solstice Creek Steelhead Access Implementation 	Construction in-progress	Los Angeles	2.0
Summerwind Ranch at Oak Valley - Phase I 	Construction completed	Riverside	339.5
Sycamore Canyon Mitigation 	Construction completed	Los Angeles	2.5
Talbert Marsh Restoration 	Construction completed	Orange	27.1
Tijuana Model Marsh Restoration 	Construction completed	San Diego	20.0
UCSB Campus Lagoon Enhancement Planning 	Construction planned	Santa Barbara	2.0
Upper Newport Bay Ecological Restoration 	Construction in-progress	Orange	928.0
West Point Loma Marsh Restoration at Famosa Slough 	Construction completed	San Diego	2.2
Western Goleta Slough Wetland Restoration Project 	Construction in-progress	Santa Barbara	34.4

Sessionx: title