Response to Comments on the Tentative Waste Discharge Requirements for Los Angeles County Flood Control District, Proposed Maintenance Clearing of Engineered Earth-Bottom Flood Control Channels Comment Deadline: January 19, 2016

Comment Letters
1. County of Los Angeles Department of Public Works, January 19, 2016
2. Heal the Bay, January 19, 2016
3. Friends of the Los Angeles River, January 19, 2016

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1	County of Los Angeles Department of Public Works, January 19, 2016		
1.1	LACDPW	**General Comments** The numbers for Findings and Orders should be corrected to be sequential.	The Findings and Orders are numbered separately, which is usual in Waste Discharge Requirements (WDRs) and other orders and resolutions of the Regional Board. The error in numbering the Orders (i.e., the repeat of Nos. 29 and 30) has been corrected in the revised tentative WDRs.
1.2	LACDPW	**Specific Comments** 1. Findings No. 5 Los Angeles County Flood Control District's (LACFCD) maintenance plan under this Waste Discharge Requirement (WDR) doesn't allow or include hardscaping of any existing soft-bottom channels. We recommend removing this Finding from the WDR or revising the Finding to include that the LACFCD doesn't perform these activities under this WDR.	The finding was added to the tentative WDRs for clarity based on discussions with the Board during the information item on these tentative WDRs held at the regularly scheduled Board meeting in December 2015. However, the finding has been expanded to include that LACFCD has not performed any of the listed activities under the WDRs. See the revised tentative WDRs, Finding No 11.
1.3	LACDPW	2. Findings No. 38 LACFCD has conducted additional analysis to include all 25 reaches of Los Angeles River. The results of these analyses were provided to the Regional Board staff and stakeholders at Working Group Meetings held throughout 2015. We recommend	Finding No. 57 has been expanded to clarify that additional analyses were conducted on the reaches of the Los Angeles River. Finding No. 38 (now Finding No. 55) addressed the approval of the Feasibility Study *workplan* and not the

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		modifying the language in the Findings to reflect this action.	results of the study. See the revised tentative WDRs.
1.4	LACDPW	3. Findings No. 40 Bull Creek (Reach 7) was omitted as one of the eight Los Angeles River reaches identified to have additional capacity. The reaches are: 1, 7, 9, 19, 20, 21, 22 and 25.	The WDRs have been updated in response to this comment. See the revised tentative WDRs (as renumbered, Finding No. 57).
1.5	LACDPW	4. Findings No. 41 Change seven reaches to eight and add Bull Creek (Reach 7) to the list.	The WDRs have been updated in response to this comment. See the revised tentative WDRs (as renumbered, Finding No. 58).
1.6	LACDPW	5. Findings No. 42 Revise this Finding to show that the 17 Los Angeles River reaches that were identified as having no additional capacity to contain additional native vegetation or the replacement of non-native with native vegetation are: Reaches 4, 8, 15, 16, 24, 96, and 99. These reaches are currently and historically cleared of all vegetation on an annual basis. Reaches 2, 3, 5, 6, 10, 12, 13, 14, 18, and 100 have also been identified as not having any additional capacity. However, these reaches have contained vegetation protected from removal under permits currently in force. LACFCD will seek approvals from applicable agencies to restore the original capacity by removing existing vegetation in these reaches.	The finding is based on the conclusions of the 2013 Los Angeles River Feasibility Study Report. The Regional Board acknowledges that LACFCD is conducting additional analyses and re-evaluations of the Los Angeles River in conjunction with the WDR Working Group. Based on those additional analyses and re-evaluations, the assessment of which reaches have no additional capacity, and where, therefore, LACFCD will seek permit modification to increase vegetation removal in order to restore the channel to its original design capacity, may be different from the conclusions of the 2013 Los Angeles River Feasibility Study Report. At this time, it is premature to update the finding, but the Board acknowledges that the most appropriate actions with regard to routine maintenance in these reaches may change in the

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			future, based on the results of new analysis. In addition, a typographical mistake changing reach 19 to reach 18 has been corrected in Finding 42 (now Finding 59 in the revised Order).
1.7	LACDPW	6. Findings No. 47 The feasibility Study for San Gabriel River will be submitted before the end of January 2016 and should be included in a finding. In addition, substantial progress was made on the analysis of the Los Angeles River. Please revise the language in this Finding to indicate that the Feasibility Study for San Gabriel River watershed was prepared and submitted to the Regional Board in January 2016. In addition substantial progress was made on the analysis of the Los Angeles River reaches. As requested by stakeholders at the Working Group Meetings, a reanalysis of the Los Angeles River was conducted by LACFCD. The results of this analysis and a discussion of the methodology used were provided at the Working Group Meetings over several sessions. LACFCD also performed the ACOE's new Risk & Uncertainty analysis on Los Angeles River Reach 25 and results were provided at the Working Group Meetings.	The finding on the San Gabriel River Feasibility Study has been updated to state that LACFCD has indicated that it will submit the San Gabriel River Feasibility Study Report by the end of January 2016. Upon receipt of the Feasibility Study, the finding may be further updated, as appropriate, before the Board hearing or at the Board hearing. In addition, the finding has been revised to reflect the additional analysis of the Los Angeles River. See the revised tentative WDRs, Finding No. 64.
1.8	LACDPW	7. Findings No. 51 and 52 The LACFCD voluntarily initiated pilot projects in 2015 for both Reach 25 of the Los Angeles River as well as Compton Creek. We request this statement be revised to indicate the voluntary nature of this action and to include the Compton Creek reach in the finding.	The findings have been revised in response to this comment. See the revised tentative WDRs, Findings 68 and 69.

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1.9	LACDPW	8. Orders No. 29 and 30 The LACFCD will continue to work cooperatively with the Corps of Engineers regarding any changes to operations and maintenance practices. This may include pursuing a 408 Permit, but may involve a different approach determined by the Corps. The draft language assumes that a 408 Permit is the only approach and therefore LACFCD recommends an edit to this section.	The requirements have been revised in response to this comment. See the revised tentative WDRs.
1.10	LACDPW	9. Order No. 29 The LACFCD requests that this paragraph be modified so it is clear what is expected regarding the Risk and Uncertainty requirements from the Corps, and so that LACFCD can ensure compliance with these requirements. LACFCD, with assistance from ACOE and guidance from the Working Group Meetings, will work to determine the number of reaches to perform Risk and Uncertainty analyses. The purpose would be to identify those reaches with federally required maintenance standards that may be a candidate for revised maintenance procedures that would allow more vegetation to remain in the channel or that would allow alternative channel clearing approaches/methods.	The requirement has been revised in response to this comment. See the revised tentative WDRs.
1.11	LACDPW	10. Order No. 30 The LACFCD requests that this paragraph be modified to avoid ambiguity during permit implementation. LACFCD will continue to facilitate and host WDR Working Group Meetings once per month or less often with concurrence from Working Group Meeting participants during calendar year 2016, to involve stakeholders in review of feasibility reports and decision making	The requirement has been revised in response to this comment. See the revised tentative WDRs.

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		concerning channel vegetation removal activities and the location, type and scope of pilot projects to evaluate alternative channel clearing approaches/methods.	
1.12	LACDPW	11. Orders No. 29 and 30, and Pilot Projects Nos. 29-43 To reflect the cooperative nature of these efforts, we recommend moving Orders Nos. 29 and 30, and Pilot Projects No. 29 through 43 to the Findings section. The LACFCD is committed to completing the pilot projects identified as evidenced by the original Pilot Project undertaken in Reach 25. LACFCD would like to continue to proceed with these projects on a voluntary basis until we secure final approval from ACOE to formally implement the maintenance practices.	The Regional Board acknowledges that formal implementation of new maintenance practices requires approval of other permitting agencies and may require modification of the other permits. Therefore, implementation of new practices developed through a pilot project, as part of regular maintenance practices, is currently not a requirement of the WDRs. However, the purpose of the pilot projects is to investigate alternative vegetation management methods that may be more protective of beneficial uses, especially wildlife and habitat uses. These methods may result in multiple benefits including improved ecological outcomes, improved aesthetics for public recreation, and reduced use of resources (e.g., less water use, fewer truck trips for removing vegetative matter), among others. Any improvements derived from the pilot projects could be more widely implemented in the near future (as opposed to improvements which would require, for example, approval through the Section 408 process, which is anticipated to be a multi-year effort, even if possible). As such, pursuant to authority in Water Code sections 13263 and 13267, the Regional Board

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			has determined that it is appropriate to include the pilot projects as a provision of the WDRs to provide assurance to the Regional Board and stakeholders that LACFCD's efforts to identify and investigate improved methods will continue. Of particular value is the requirement that the pilot projects be formally evaluated through a technical report as this represents an important opportunity for the Regional Board and stakeholders to comment on the report and participate in the process. While the Regional Board has retained the pilot projects in the WDRs provisions, some clarifications have been made to the requirements such as clarifying that LACFCD must consult with the ACOE as well as the Regional Board Executive Officer and stakeholder when selecting pilot project locations and scopes. See the revised tentative WDRs.
1.13	LACDPW	Pilot Projects No. 34 Compton Creek should be evaluated and included in the report in addition to Reach 25 of the Los Angeles River.	The requirement has been corrected. See the revised tentative WDRs, Order No. 36.
2	Heal the Bay, January 19, 2016		
2.1	Heal the Bay	On behalf of Heal the Bay, I submit the following comments on the tentative WDR for the proposed maintenance clearing of engineered earth-bottom flood control channels project, and various watersheds within Los Angeles County. Overall, the 2016 WDR is a much improved permit compared to previous adopted	Comment noted.

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		ones. The WDR is far more nuanced in its approach to maintenance, assessments, and monitoring compared to previous versions. The document is reflective of a year's worth of work completed over a series of meetings with watershed stakeholders. Heal the Bay is extremely appreciative of the Board Staff and Los Angeles County Flood Control District (LACFCD) for their commitment to this process suggested by the Board commissioners last year. However, we still we have a few comments associated with this iteration of the WDR.	
2.2	Heal the Bay	**General Comment** ***Defining the Regional Water Quality Control Board (RWQCB) Habitat Goals and Objectives for 401 projects*** In reviewing this WDR, Heal the Bay appreciated the background summary on the history of this project and the associated permitting process. However, one element missing from point #27 (pg. 4-5), which should be considered as one of the components, was the RWQCB's need to develop goals and objectives for those biologically based beneficial uses affected by 401 projects. Recycling a point from a previous 401 comment letter that is still applicable today—every reach scheduled for maintenance has some type of existing designated beneficial uses related to Warm, Wild, Wet, Rare, or Cold. To this end, has the RWQCB ever completed an assessment of the 401-certification program? As has been stated in public testimony to the Regional Board on the County's previous 401 applications, there is not an identified plan or targeted goals for the 401 program. Whereas, the State Water Resources Control Board (SWRCB) and	Finding 27 (Finding No. 33 in the revised Order) accurately identifies the Regional Board's direction to its staff on February 12, 2015. Concerning goals and objectives, the targeted goal for the 401 Program is to ensure that dredge and fill activities regulated under Clean Water Act Section 404 do not cause or contribute to an exceedance of water quality standards. "No net loss" is also an important goal. The Regional Board shares and implements through its actions, the goals of the California Wetlands Conservation Policy, which ensures "no overall loss" and achieving a "…long-term net gain in the quantity, quality, and permanence of wetland acreage and values...", as well as California Water Code section 13142.5, which requires that the

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		RWQCB have developed and established goals and objectives for sediment, toxicity, and water quality to be applied to this region's receiving waters; this guidance is absent here. While the "no net loss" approach is a starting point, it fails to adequately evaluate functionality or spatiality issues associated with riparian corridors. While the County's application is unique in the 401 program—due to its frequency, scale, and in-perpetuity time-period of habitat disturbance—it offers an excellent opportunity for trends analysis. Using the County's 401 application process, in 2003 the LACFCD 401-certification application noted "…five of those [100 earthen bottom] reaches have been turned into concrete-lined channels, and will no longer require maintenance." The 2009 application stated that 10 additional reaches would be "removed from the certification" because they are no longer an earthen bottom channel or "were impacted by new developments." In the current 2016 application, there are 12 reaches which are being removed—no rationale provided, and eight new reaches are being added due to land use changes. Over the past 15 years of the County 401 process, how many earthen bottom reaches, all of which had designated beneficial uses, have been permanently lost to development or concrete channelization? Land-uses modifications will continue to press receiving waters and watersheds into the singular functional use of flood control. It is imperative that State agencies develop strategies to protect against this push. Unfortunately, without any trends analysis or stated objectives for the region of the 401 program, how can the	"[h]ighest priority shall be given to improving or eliminating discharges that adversely affect…wetlands, estuaries, and other biologically sensitive areas." In addition, the Regional Board supports the State's development of the Wetlands and Riparian Area Protection Policy (State Board Resolution 2008-0026), which is underway, and has, itself, identified reducing impacts from hydro-modification as a priority (Regional Board Resolution No. R05-002). In addition, progress is being made in biologically-based assessments of beneficial uses. In recent years, in this region and throughout the State, CRAM (California Rapid Assessment Method for wetlands), a biologically-based method to assess habitat, has seen greater acceptance and is used to assess impacts of projects certified under the 401 program. In addition, the State Water Board has been developing policy on biological objectives using benthic macroinvertebrates to assess biological integrity of perennial streams. The 401 program has been assessed several times in several different ways. The last formal, outside, assessment of the 401 program specifically in Los Angeles was "An evaluation of the Compensatory Mitigation Projects

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		public be sure that a tipping-point or threshold is not being crossed for watershed management goals? Stating watershed goals for biological based beneficial uses upfront helps determine the appropriate monitoring data needed. Examples of such information might be the frequency of disturbance, the number of reaches needing "maintenance", restorative best management practices to reduce sediment and contaminant loading after "maintenance", increasing open space, increasing habitat, IBI scores, or reducing the hydromodification impacts (downstream scour, sedimentation, and erosion) of increasing peak flow velocities through channelization and maintenance.	Permitted Under Clean Water Act Section 401 by the Los Angeles Regional Water Quality Control Board, 1991-2002" (Ambrose et al., 2003). This review of the mitigation in the Los Angeles Region and a review of mitigation throughout the State, were considered by the National Research Council as they developed their recommendations, which supported the Army Corps of Engineers' and USEPA's 2008 Compensatory Mitigation Rule to improve the planning development and implementation of compensatory mitigation (the implementation of the 2008 Mitigation Rule has recently been reviewed by the Army Corps of Engineer's Institute for Water Resources[1]). In addition, the Bureau of State Audits conducted an audit of the State's 401 program in 2012 focusing on 401 certifications for Caltrans but also reviewing 401 practices in general (California State Audit 2012-120). In the current, 2016 WDRs, no reaches have been added or deleted; Attachment 1. "WDR Reaches 1-110" has not been modified from the 2015 WDRs. While growth in the Region continues and natural areas continue to be developed, using

[1] The Mitigation Rule Retrospective: A Review of the 2008 Regulations Governing Compensatory Mitigation for Losses of Aquatic Resources (2015) Institute for Aquatic Resources, 2015-R-03, October 2015.

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			the number of channels included in this particular WDR as an indication of trends may be misleading. In 1997, LACFCD proposed clearing of 100 earth-bottom channels in anticipation of the El Niño storm season. The 401 Certification which was renewed by the Regional Board on October 17, 2003, authorized maintenance of 99 earth-bottom channels. The current authorization is for 100 channels. The additions and deletions since 1999 have been usually been due to changes in accounting and not due to changes to the channels themselves. For example, some channels previously cleared by LACFCD were discovered to actually be fully concrete-lined and moved to the Water Quality Certification (File No. 13-029) for maintenance of concrete-lined channels (eg Reach 31 Las Virgenes Creek is now Reach 22 of 13-029) or two adjacent reaches were counted as one reach in updated accounting (eg reaches 61 and 62 (Santa Clara River main channel) are now combined as reach 61). Attachment 2 to the WDRs "Additional Permitting Information WDR Reaches 1-110" includes the specific reaches combined or split information. In addition, LACFCD can provide reach-specific history or a complete walk-through of the additions and deletions over time to the WDR Working Group, if desired by the stakeholders.

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			It is important to note that the goals and objectives for the 401 program are larger than these maintenance clearing WDRs. These WDRs are just one subset of requirements in the Regional Board's integrated watershed management approach. For instance, the County of Los Angeles has prepared a 2014 Low Impact Development (LID) Standards Manual to comply with the requirements of the Los Angeles County MS4 Permit (Order No. R4-2012-0175). The LID Standards Manual provides guidance for the implementation of stormwater quality control measures in new development and redevelopment projects in unincorporated areas of Los Angeles County with the intention of improving water quality and mitigating potential water quality impacts from stormwater and non-stormwater discharges. The LID Standards Manual is an update and compilation of several documents including the Development Planning for Storm Water Management: A Manual for the Standard Urban Storm Water Mitigation Plan (SUSMP Manual, September 2002) and others.
2.3	Heal the Bay	***Monitoring and Evaluation are Critical Functions*** This WDR allows the LACFCD to implement pilot alternative management approaches to certain reaches which should be applauded and encouraged. However, Heal the Bay wants to	The WDRs require LACFCD to evaluate the pilot projects for: a) ecological impact; b) downstream water quality; c) identification of conditions in permits or other requirements that

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		ensure that appropriate monitoring and evaluative criteria are established for these reaches, so that we can adequately compare those reaches over time between themselves, as well as the "business as usual" approach. As such, it is critical that LACFCD continue to monitor existing reaches according to past requirements and provide that data regularly to the working group for analysis. This would include water quality information, as well as the data requests associated with point #64 of the Provisions Section (pgs. 30-31). Because certain monitoring issues from past LACFCD WDRs still have not been fully addressed in this WDR, Heal the Bay is obligated to reiterate them here. • One-time grab samples for each reach is not statistically significant to make any determination about the impacts from the maintenance activity at specific reaches. Heal the Bay recommends that sampling take place every year the LACFCD conducts maintenance activities within any of the reaches. • Wet weather sample events need to be included in the monitoring program. Most of the water quality impacts from the LACFCD maintenance activity to receiving waterbodies are likely to occur during the first rain event. • The water quality assessment treats all reaches the same, in terms of waterbody length, width, and overall area impacted. In reality, the geographic area impacted differs, and therefore the amount of work, type of machinery, and volume of sediment removed differs from reach to reach. As such, the smaller reaches may be appropriately sampled	would need to be modified for the pilot project to be required as routine maintenance; and d) impacts to LACFCD operations. See revised Order No. 34. The WDR Working Group will have the opportunity to provide input on additional evaluation criteria and to review and discuss with LACFCD the results of the pilot project evaluations. The WDRs include sufficient and appropriate water quality monitoring. Typically, for dredge and fill activities, water quality monitoring is only required when a stream is diverted to ensure that water quality is not affected by diversion activities. Prevention of other potential impacts is ensured by use of appropriate BMPs identified in the WDRs. The maintenance activities proposed by LACFCD and addressed in the WDRs are on-going rather than a one-time activity; thus, the Regional Board will need to regulate in a manner consistent with other dredge and fill activities or justify a different approach and requirements based on the nature of the activity. In this case, although not required for most dredge and fill activities, due to the extent and on-going nature of the maintenance and clearing activities, water quality monitoring is justified to ensure the effectiveness of maintenance and clearing techniques and BMPs. However, because the

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		with a single monitoring station (12 total samples collected). However, one monitoring station may not be sufficient for larger reaches, such as the Compton Creek reach, which is approximately 2.1 miles long. One sampling station for this reach would be inadequate. The proposed monitoring program in the WDR requires monitoring for dissolved oxygen, pH, turbidity, total suspended solids, and temperature. Again, we recommend that additional constituents be added to this list, such as nutrients, metals, and trash. There are a number of current TMDL requirements in place for the LA River (Bacteria, Metals, Toxicity, and Trash) and Malibu Creek (Sediment, Bacteria, Metals, and Nutrients). In addition, there are many TMDLs yet to be adopted. As such, both waste load allocations and load allocations are required for each pollution source that has a reasonable potential to cause or contribute to a water quality standard exceedance. While a discharge of sediment material does not take place immediately after the clearing and dredging, a discharge of sediment (contaminated or not) does take place following the first large rain event that can impact downstream receiving water quality. Maintenance and grading activities have met the reasonable potential standard for these water bodies because sediments often are repositories for fecal bacteria, nutrients and metals. Therefore, the LACFCD maintenance action constitutes a possible source. Unfortunately, the WDR does not detail how WLA and LAs will be met and how monitoring will be sufficient to understand the pollutant contribution. Therefore, Heal the Bay recommends the following constituent monitoring program:	maintenance and clearing techniques and BMPs for a specific reach are generally constant from year to year, the Regional Board has determined that aligning the reach-specific water quality monitoring with the Feasibility Study for the watershed, and conducting such monitoring once for each reach during the term of the WDRs, is appropriate. In response to the concern that these WDRs may require insufficient water quality sampling locations in longer reaches, additional language has been added to Order Nos. 22 and 56 to require LACFCD to identify conditions which may make additional sample locations, increased frequency of water quality sampling events, or monitoring of additional parameters, appropriate. See the revised tentative WDRs. Additionally, additional language has been added to Order No. 30 to include among the upcoming topics of the WDR Working Group a discussion of potential locations and timing of additional monitoring. The challenge of developing an effective and practical approach to collecting wet-weather water quality samples within a reasonable amount of time after maintenance clearing and while maintaining safety is a matter which could be explored at WDR Working Group meetings. With regard to the comment about existing and

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		• Basic monitoring: o Dissolved oxygen; pH; turbidity; temperature; Total Suspended Solids (TSS); and Nutrients (Ammonia and Nitrite/Nitrate) through the use of field techniques such as meters. • Additional monitoring: o When turbidity levels exceed the stated thresholds in the WDR, then additional constituents to be monitored will be required. o Additional constituents to be monitored include: hardness, metals, total organic carbon, and toxicity.	future TMDLs, and monitoring for pollutants addressed by TMDLs, there is significant monitoring occurring by the named responsible jurisdictions and agencies in these TMDLs. Discharges from these maintenance clearing activities have not been identified as a source of pollutants in Regional Board TMDLs, nor are these activities assigned wasteload allocations (WLA) or load allocations (LA) in these TMDLs. Also, note that the term "reasonable potential" is a term used in federal regulations for determining when water quality-based effluent limitations are required in a NPDES permit (40 CFR § 122.44(d)), which is not applicable to these WDRs.
2.4	Heal the Bay	**Specific Comments** ***Point #52 (pg. 11)***: If the Board and public are to have a greater appreciation of the multiple benefits associated with the modified maintenance approach undertaken by the County, then the components for evaluation and supporting criteria should be developed and consistently measured. For example, how many gallons of water were saved? How many pounds of GHG were not produced due to vehicle reduction? What was the turbidity measurements for the new approach compared to the old method? What is the sediment level relative to previous years? Is there a difference in time for site recovery for habitat or foraging? What is the cost-savings in maintenance for the County from the 2015 approach to the 2014? These are concrete metrics that would help the public	As required by Order No. 34, pilot projects must be evaluated and a technical report of the evaluation submitted within four months of the completion of the pilot project. The pilot project undertaken by LACFCD in Fall 2015 has yet to be fully evaluated. The evaluation will be made available to stakeholders and may be discussed at WDR Working Group meetings, if desired. In addition, a requirement for LACFCD to consider the recommendations of the WDR Working Group in determining additional evaluation criteria has been added to Order No.

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		evaluate the alternative maintenance.	34. See the revised tentative WDRs.
2.5	Heal the Bay	***Additional Findings Point #60 (pgs. 12-13), Permitted Activities #4 and #5 (pgs.15-16)***: Can either Board Staff or LACFCD provide a brief explanation for why 12 reaches no longer need to be maintained by this WDR? Or why eight new reaches were incorporated into the 2016 WDR? For the former, were the 12 reaches moved to another entity for maintenance or another permit due to channel classification? For the latter, the paragraph refers to land-use changes, but it is unclear if these reaches where recently all-natural and only recently engineered. Is it simply regulatory housekeeping—a consolidation of other individual 401 permits into this one? Finally, are there habitat mitigation requirements for these new eight reaches?	Finding No. 60 (now Finding No. 61 in the revised tentative WDR) identifies the intention of LACFCD, working with the ACOE, CDFW, and the Regional Board to streamline the earthbottom channel maintenance permits and ensure channel numbering is the same in all the related permits; these do not represent changes in these WDRs at this time. The Channels identified in Provision 4, were removed from Regional Board Water Quality Certifications prior to the issuance of WDRs because they do not require annual clearing. However, these reaches are still listed in the Maintenance Plan. As the Maintenance Plan is updated by LACFCD for the three related permits (ACOE 404, CDFW SAA and these WDRs) theses reaches will be removed from the Maintenance Plan. Channels identified as County reach numbers 112 and 117 (lower Ballona Creek and Centinela Creek) have been certified under File No. 14-125, 115 (San Gabriel River south of Coyote Creek) has been certified under File No. 14-132 and 118-119 (Rustic Canyon, above the Santa Monica Canyon Channel) have been certified under File No. 14-145. Appropriate

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			compensatory mitigation was assessed at the time of certification issuance. These channels could be considered for incorporation to these WDRs if they are also incorporated into the ACOE 404 permit and CDFW Streambed Alteration Agreement. See, also, response to Comment No. 2.2.
2.6	Heal the Bay	***Pilot Projects #29 (pg. 23)***: Please reword the first sentence, beginning with "*LACFCD shall identify pilot projects…*" with this sentence: " *LACFCD shall identify pilot projects to test alternative vegetation management methods that have a more positive impact on beneficial uses, especially wildlife and habitat uses.*"	The difference between the language that is in the tentative WDRs and the language suggested by the commenter is the inclusion of the word "may" and the change from "less negative impact" to "more positive impact." The "may" is appropriate because, at the time of the identification of the pilot project, it will not be known yet what impact, if any, the proposed project could have. In addition, The language "more protective of beneficial uses" has been substituted for "less negative effect." See revised tentative Order, Finding No. 31.
2.7	Heal the Bay	***Pilot Projects #32 (pg.23)***: While the initial list of components for LACFCD to evaluate the pilot projects is fairly extensive, it should also include generating estimates for benefits accrued to LACFCD and the public. This will allow us to see the "full cost-benefit ledger". In addition, LACFCD, Board Staff, and Watershed stakeholders should determine the criteria or metrics to be used for each evaluative component.	The list of components to evaluate includes "…d) impacts to LACFCD operations in terms of costs, schedule, resources, etc." (see Order No. 34, revised tentative WDRs). LACFCD, Regional Board staff, and Watershed Working Group stakeholders will have an opportunity to fully discuss the results of the evaluations at the WDR Working Group meetings. See also response to Comment No. 2.4.

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3.1	FoLAR	Friends of the Los Angeles River (FoLAR) is in support of the changes introduced in the 2016 Tentative Waste Discharge Requirements. We would like to thank the Board for the opportunity to comment on these WDRs. We recommended a few revisions to the draft WDR below.	Comment noted.
3.2	FoLAR	**Specific Comments** **Finding 28** Although they were contacted, we do not believe the California Coastal Commission to have attended any WDR Working Group meetings.	Al Padilla of the California Coastal Commission attended, by conference call, the WDR Working Group meeting on July 23, 2015.
3.3	FoLAR	**Finding 29.e** The pilot project was not just Reach 25, but also included Reach 24 at Compton Creek.	The finding has been revised in response to this comment. See the revised tentative WDRs, Finding 35.
3.4	FoLAR	**Findings 51 and 52** The pilot project was not just Reach 25, but also included Reach 24 at Compton Creek. While this project proved successful based on anecdotal evidence, FoLAR hopes to see more complete data collection from future pilot projects; so that success is supported by data.	The findings have been revised in response to this comment. See the revised tentative WDRs, Findings 68 and 69. The WDRs also require LACFCD to evaluate the pilot projects for: a) ecological impact; b) downstream water quality; c) identification of conditions in permits or other requirements that would need to be modified for the pilot project to be required as routine maintenance; and d) impacts to LACFCD operations. In addition, a requirement for LACFCD to consider the recommendations of the WDR Working Group in determining additional evaluation criteria has been added to

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			Order No. 34. See the revised tentative WDRs. The WDR Working Group will also have the opportunity to review and discuss with LACFCD the results of the evaluations.
3.5	FoLAR	**Item 32** We support the directive to document and report on the success of these projects as outlined in this item. FoLAR recommends additional criteria should be considered when evaluating pilot projects, including ecosystem services, public health, and recreation. The additional criteria, as well as the specific metrics used to measure success in each of these categories, should be discussed and decided during the WDR Working Group meetings.	This requirement (Order No. 34 in the revised tentative WDRs) has been revised in response to this comment. See the revised tentative WDRs.
3.6	FoLAR	FoLAR looks forward to continue participating in the WDR Working Group Meetings and be involved in reviewing feasibility studies and proposing/evaluating alternative maintenance practices and pilot projects. We have seen a lot of progress in the working group in 2015 (Finding 29) and agree that it is necessary to continue meeting for the next 2 years and 5 months in order to reach our Regional Board directive of creating an improved WDR permit.	Comment noted.