

CALLEGUAS CREEK



A COOPERATIVE STRATEGY FOR RESOURCE MANAGEMENT & PROTECTION

November 6, 2014

California Regional Water Quality Control Board
Los Angeles Region
Attention: Dr. Ginachi Amah
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Los Angeles, CA 90013
Submitted via e-mail to Ginachi.Amah@waterboards.ca.gov

**Subject: Consideration of Adoption of Resolution Retaining the Current
Recreational Beneficial Use Designations for Engineered Channels
of the Los Angeles River Watershed**

The Stakeholders Implementing TMDLs in the Calleguas Creek Watershed appreciate the opportunity to provide comments on the Tentative Resolution Retaining the Current Recreational Beneficial Use Designations for Engineered Channels of the Los Angeles River Watershed (Tentative Resolution). As stated in our March 14, 2014 comment letter on the "*Recreational Use Reassessment (RECUR) of the Engineered Channels of the Los Angeles River Watershed*" (Technical Report), we remain interested in recreational beneficial use designations. In that comment letter, we strongly supported the use of the significant technical information gathered to support modifying recreational beneficial uses in the Los Angeles River Watershed. We requested, during the 2011 triennial review comment period, that a reevaluation of recreational uses similar to those, then underway, in the Los Angeles River and engineered channels in Los Angeles County be considered in Ventura County.

We are concerned that the Tentative Resolution does not fully consider the technical information presented in the Technical Report in concluding that recreational use changes are not needed. As such, we request that the Board postpone considering the Tentative Resolution until a policy is drafted that clearly

links the technical data to the policy. We make this request based on our conclusion that the Technical Resolution is not supported by the Technical Report, and that designating reaches as REC-1 or REC-2 should be better justified.

The Tentative Resolution is not supported by the Technical Report

The Recreational Use Reassessment (RECUR) process was initiated as a result of concerns raised about the Los Angeles River Bacteria TMDL by MS4 Permittees that tributaries to the Los Angeles River with low flows and inaccessible channels may not support contact recreational uses like those present in the main stem of the Los Angeles River. The Los Angeles Regional Board acknowledged this concern and directed staff to conduct a process to evaluate recreational beneficial uses in the watershed. This process resulted in the RECUR study.

As evidenced by the Technical Report, the RECUR study has resulted in meaningful information about the current and future ability to recreate within the watershed. The Technical Report presents information that suggests that a range of conditions occur in the various tributaries to the Los Angeles River. However, the spectrum of accessibility, water depth, and/or potential revitalization were not considered in making the findings in the Tentative Resolution. The current Draft staff report does not contain summary analysis of the data presented in the Technical Report or comparison of the data collected in various waterbodies to provide a clear link between the study and the Tentative Resolution. As a result, the Tentative Resolution is not based on a careful consideration of all available information.

When strong technical information is gathered through a collaborative process that includes all interested parties, as was done with the RECUR study, the technical work should clearly be the basis for policy for the region studied. The Tentative Resolution should be postponed until it is revised to fully consider the technical information.

Designating Reaches as REC-1 or REC-2 Should be Better Justified

The primary justification found in the Draft Staff Report for maintaining the existing beneficial use designations appears to be to support future revitalization efforts in the watershed. While Calleguas Creek agencies supports future efforts such as this, the Draft Staff Report does not appear to distinguish between contact recreation (REC-1) and non-contact recreation (REC-2) revitalization efforts in the analysis. For example, there are potential revitalization efforts identified within certain tributaries classified as REC-1 that would only support non-contact uses, therefor justifying a REC-2 reclassification. Therefore, it seems insufficient to

justify maintaining a REC-1 designation based solely on the potential for revitalization. The specific technical information gathered in the RECUR study alongside the discussion of potential uses would better justify the consideration of the appropriate REC-1 or REC-2 designation.

Conclusions

We request that the Regional Board postpone consideration of the Tentative Resolution and, furthermore, postpone consideration of any recreational beneficial use resolution that does not include a clear link between the policy and the technical data, including potential future uses, along with specific engagement and concurrence of stakeholders on the same.

We thank you for the opportunity to submit these comments and to provide our thoughts as you consider important policy matters. If you have questions regarding our comments or recommendations please contact me at (805) 388-5334 or lmcgovern@cityofcamarillo.org.

Sincerely,



Lucia M. McGovern
Co-Chair
TMDL stakeholders