RECREATIONAL USE REASSESSMENT (RECUR) OF THE ENGINEERED CHANNELS OF THE LOS ANGELES RIVER WATERSHED

PART II: ASSESSMENT AND STAFF RECOMMENDATION - DRAFT

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION

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Table of Contents

I. INTRODUCTION

Los Angeles Water Board staff conducted an assessment of the recreational beneficial uses of the engineered channels of the Los Angeles River system from September 2010 through December 2013. The assessment involved field reconnaissance, coordinated field monitoring events, web-based and in-person surveys, review of relevant studies, reports and watershed and sub-watershed management plans, compilation and analysis of water depth data, collaboration with interested persons and agencies, and consideration of on-going revitalization efforts to improve or provide recreational opportunities in these river channels. The results of the assessment are presented in a two-part document. Part I identifies the existing policy and guidance on beneficial use assessment; background on the Los Angeles River system; the methodology used for the recreational use re-evaluation; and presents the detailed results of the assessment. Part I of the draft document was released for public review and comment in December 2013. Interested persons and agencies were invited to submit comments on the draft report, including potential actions to be taken by the Los Angeles Water Board relative to the current recreational use designations in light of the report's findings and any pertinent information not included in the draft report relevant to recreational uses of the engineered channels.

This document is the second part of the re-assessment. Part II includes an evaluation of the beneficial use designations for the Los Angeles River system's engineered channels and a recommended course of action, which take into consideration the results presented in Part I, comments from interested persons and agencies, on-going regulatory and project developments related to the support and development of recreational opportunities in these engineered channels, and regional water quality goals.

This information is presented in three sections: (i) an assessment of the recreational uses in engineered channels, (ii) a summary of the comments received on Part I of the report, and (ii) staff's recommendation on a course of action.

II. Assessing Recreational Beneficial Uses of the Engineered Channels

The beneficial uses of ground and surface waters in the Los Angeles Region are established in Chapter 2 of the Basin Plan. Recreational uses are contained in Table 2-1a of the Basin Plan and include: water contact recreation (REC-1), limited contact recreation (LREC-1), and non-contact recreation (REC-2). Virtually all surface waters in the Los Angeles Region have REC-1 and REC-2 designations. Such uses can be classified as existing (present in the waterbody since 1975), intermittent (present in the waterbody when water is present, for streams with intermittent flows), or potential (indicates the waterbody could potentially support the beneficial use).

In its 2006 compilation of Use Attainability Analysis (UAA) Case Studies, U.S. EPA stated that use assessments should not be limited to the current condition of a waterbody, but should also include a prospective analysis of future attainability of designated uses. This recreational use assessment is consistent with U.S. EPA's direction. Board staff evaluated the recreational use designations of the engineered channels of the Los Angeles River system based on the past and existing recreational use of each engineered channel and a consideration of the future recreation potential of each engineered channel. The focused discussion (and presentation via maps) of existing conditions and future recreational potential in this section was based on the information provided in Part I of the RECUR report.

Engineered Channels with an Existing REC-1 Use Designation

Per the Basin Plan, "those beneficial uses that have been attained for a waterbody on, or after, November 28, 1975, must be designated as "existing"."[1] Waterbodies within the Los Angeles River system that are designated with an existing water contact recreation use (REC-1) include all reaches of the Los Angeles River main-stem, Compton Creek, and Wilson Creek.

Los Angeles River Main-stem

Reaches 1, 2, and 3 of the Los Angeles River are accessible to the public via a continuous bike path along their course from the estuary to the confluence of Burbank Western Channel. In addition, the sloping walls and open fencing between the path and the river channel allow direct access to the channel bottom. Reach 4 has a short (0.85-mile) trail that runs along the channel allowing bikers, strollers, and other users visual access to the channel. This reach of the river is sandwiched between two highly frequented areas, the Sepulveda Basin (Reach 5, which is not included in this assessment) and the Glendale Narrows (Reach 3). In Reach 6, the Valley Bikeway, which was opened in 2012, along with the sloping channel walls and less restrictive fencing, make direct access to the channel bottom possible.

There are numerous parks and greenways along the river that open up to the bikeways, thereby fostering the public's awareness of, and access to, the river. Field monitoring and user surveys documented significant recreational use of the bike paths and also

[1] This is based on 40 C.F.R. § 131.3, which defines "existing uses" as "those uses actually attained in the water body on or after November 28, 1975, whether or not they are included in the water quality standards."

indicated that water contact recreation was not uncommon in the main-stem of the river, particularly in Reaches 2 and 3. In conjunction with kayaking, other activities such as wading, swimming, and fishing take place in these reaches. While the main-stem channel is currently only visually accessible along Reach 4, it is directly accessible from Reaches 3 and 5 for kayaking and other forms of non-motorized boating. In addition, Reach 6 is also capable of supporting such activities per U.S. EPA's 2010 Traditional Navigable Waterway analysis, which is briefly described below.

In July 2010, U.S. EPA confirmed that the main-stem of the Los Angeles River is a "Traditional Navigable Waterway" capable of supporting water contact activities such as kayaking for most of the year. In reaching that conclusion, U.S. EPA considered a number of factors including the ability of the Los Angeles River under current conditions of flow and depth to support navigation by watercraft; the history of navigation by watercraft on the river; the current commercial and recreational uses of the river; and plans for future development and use of the river which may affects its potential for commercial navigation. U.S. EPA determined that available evidence on each of those factors indicates that the Los Angeles River main-stem possesses the physical characteristics and past, present, or future use for navigation consistent with a "Traditional Navigable Water."

Since then, there has been a flurry of activities related to creating more recreational opportunities in and around the river:

- The Urban Waters Federal Partnership's selection of the Los Angeles River Watershed, as one of seven pilot locations to receive support to reconnect urban communities with their waterways by improving the waterways and promoting their economic, environmental and social benefits.
- The initiation of the "Paddle the River" program by the Los Angeles Conservation Corps - offering kayaking programs in the Sepulveda Basin with the potential for expanding the program to the Glendale Narrows in Reach 3.
- The completion of a 2.5-mile bikeway along the Los Angeles River in Chatsworth which opened up Reach 6 to the public.
- The opening of the Los Angeles River Pilot Recreation Zone(s) from Memorial Day to Labor Day of 2013 and 2014, providing public access to the river for non-motorized boating (e.g., canoeing and kayaking) in Reach 3, which is an area that is already popular for fishing, biking, and horseback riding.

Most recently, the environmental organization Friends of the Los Angeles River (FOLAR) launched "The Frog Spot," a community gathering space that provides entertainment and refreshments along the Elysian Valley bike path in Reach 3 of the Los Angeles River, in order to promote the Los Angeles River as a destination.

Opportunities for public access to the river channel are expected to expand further as a result of Senate Bill 1201, which was passed in 2012. Senate Bill 1201, which amends the Los Angeles County Flood Control Act, directs the Los Angeles County Flood Control District to provide for public use of navigable waterways, under the district's control that are suitable for recreational and educational purposes.

The Los Angeles River Master Plan and the Los Angeles River Revitalization Master Plan (LARRMP) both outline measures to increase public access to the river through channel restoration, greenways, parks, and bike and multi-use trails. The LARRMP also considers restoration of certain segments of the river channel, which will provide even greater access to the river channel and expand recreational opportunities. In 2014, after years of feasibility studies for the LARRMP, the U.S. Army Corps of Engineers finally selected a series of river restoration projects for funding, thereby bringing the goal of a revitalized and restored Los Angeles River closer to fruition.

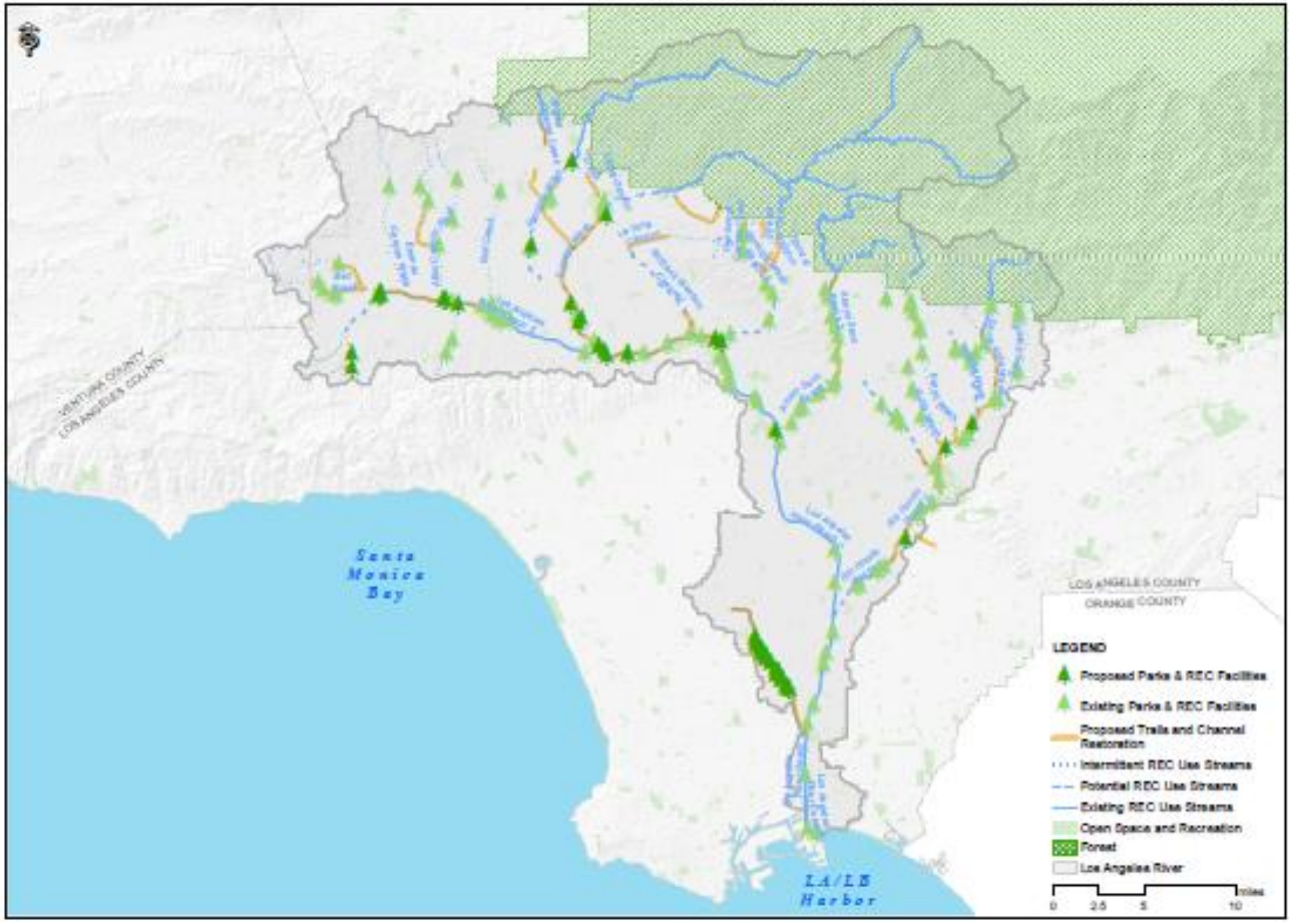
Compton Creek

Compton Creek is the sole major tributary in Reach 1 of the Los Angeles River. The two bike paths along the upper and lower portions of the creek provide visual access to recreationers. Direct access to the channel is possible in the lower portion of the creek and flow depths fall within the range of flows that U.S. EPA considered sufficient to support kayaking in the main-stem of the Los Angeles River. In addition, the sloped channel walls and earthen channel bottom are characteristics similar to those of the Glendale Narrows, indicating that existing conditions will support REC-1 use. Though Board staff and stakeholder volunteers did not observe any water contact activity during field monitoring in this waterbody, reports of such activities have been made by the environmental organization, Heal the Bay. Also, the future projects outlined in planning documents are geared towards increasing recreational opportunities and the public's awareness of the creek. For example, several waterfront parks are planned along the upper section of the creek (Figures 1 and 2) and these, along with the planned linking of the two creekside bike paths, are expected to enhance and expand the current recreational use in the future.

Wilson Canyon Creek

Wilson Canyon Creek is a tributary of Pacoima Wash in Reach 4 of the Los Angeles River system. While the lower segment of the reach is engineered, its upstream section is a natural creek flowing through a wilderness area (Wilson Canyon Park), which is the basis for its existing REC-1 designation. Beneficial uses of reaches with both natural and engineered segments apply throughout the reach in order to preserve the beneficial use of the natural portions. That said, the Tujunga Pacoima Watershed Plan contains plans to increase access to the engineered segment of Wilson Canyon Creek via the creation of a recreational trail along the channel's easement.

FIGURE 1: Existing and Proposed Recreational Opportunities along the Engineered Channels of the Los Angeles River Watershed



Engineered Channels with a Potential REC-1 Use Designation

Per the Basin Plan, beneficial uses may be designated as "potential" for several reasons including:

- Implementation of the State Water Resources Control Board's policy entitled "Sources of Drinking Water Policy" (State Water Board Resolution No. 88-63, described in Chapter 5 of the Basin Plan),
- Plans to put the water to such future use,
- Potential to put the water to such future use,
- Designation of a use by the Los Angeles Water Board as a regional water quality goal, or
- Public desire to put the water to such future use.

While the first reason is specific to the domestic and municipal supply (MUN) beneficial use, the others are applicable to all beneficial uses, including the water contact recreation (REC-1) use.

Several major tributaries of the Los Angeles River have potential REC-1 designations: Rio Hondo, Verdugo Wash, Burbank Western Channel, Tujunga Wash, Pacoima Wash, and Arroyo Calabasas. In addition, Alhambra Wash, Arcadia Wash, and Santa Anita Wash, all tributaries of Rio Hondo, and therefore secondary tributaries of the Los Angeles River, have this designation. These waterbodies were designated potential REC-1 as a regional water quality goal in recognition of the plans and potential for these waters to support recreational use. Figures 1 through 5 highlight the plans to put these waters to recreational use through proposed recreational facilities, including bike paths and adjacent parks, as well as considerations for creek naturalization/revitalization and habitat restoration projects.

Major Tributaries

Rio Hondo

In the Rio Hondo, direct access to the channel is possible and water contact recreation was documented. Adjacent recreational facilities aid public access and use of the river. Field observations and user surveys documented significant use of the Rio Hondo bike path along with water contact activity (e.g., wading and fishing). While the water depth may limit the nature of water contact recreation, it does not appear to prevent it. In addition, projects proposed in planning documents, such as more waterfront parks and channel naturalization in some areas, are likely to increase recreation in and along the river.

Verdugo Wash and Burbank Western Channel

While limited recreation currently occurs along Verdugo Wash and Burbank Western Channel, they are both directly accessible from Reach 3 of the Los Angeles River to which they are tributary, and are visually accessible from bike paths along Burbank Western Channel and parks along Verdugo Wash. Future projects are planned for the Verdugo Wash, including one at its confluence with the Los Angeles River that includes channel naturalization, which will result in greater opportunities for public access to the

channel. Also, proposed extensions of the bike path along Burbank Western Channel will improve its recreational potential. Another consideration for these channels is that both waterbodies flow into Reach 3, also known as the Glendale Narrows, which has one of the highest frequencies of recreational use along the main-stem. In fact, treatment plant discharges that flow through the Burbank Western Channel to Reach 3 contribute to reduced indicator bacteria densities in support of the REC-1 activities that occur there.

Tujunga Wash and Pacoima Wash

Tujunga and Pacoima Washes are tributary to Reach 4 of the Los Angeles River. Pacoima Wash, though fenced to restrict access by the public, has been the site of frequent swiftwater rescue attempts, indicating that the public does have access to the channel. The relatively shallow nature of the channel and gently sloping walls along with a wide easement may be the reason for this. Plans also exist to increase access and recreational opportunities along Pacoima Wash. Also, as previously described in Part I of this two-part report, while physical conditions in and along Tujunga Wash currently limit REC-1 activities, planned future projects have the potential to increase the ability of this waterbody to support such uses (Figure 4).

Arroyo Calabasas

Arroyo Calabasas is one of the headwaters of the Los Angeles River. It flows as a natural stream in its upstream section before joining Reach 6 of the Los Angeles River as an engineered channel. It has been identified as an opportunity area in the Los Angeles River Revitalization Master Plan. Its REC-1 potential is supported by plans for increased access and recreational opportunity, including channel restoration and creation of a riverfront park with riparian habitat at its confluence with the Los Angeles River.

Alhambra Wash, Arcadia Wash and Santa Anita Wash – Secondary Tributaries

Alhambra Wash, Arcadia Wash, and Santa Anita Wash are all tributaries of the Rio Hondo. While direct access is limited along these washes, as detailed in Part I of this two-part report, the potential for REC-1 use is supported by potential channel naturalization along certain segments of these waterbodies as well as plans to link these channels to the Rio Hondo bike path system, also referred to as the “Emerald Necklace” (Figure 3).

FIGURE 2: EXISTING AND PROPOSED RECREATIONAL OPPORTUNITIES IN THE ENGINEERED TRIBUTARIES OF REACH 1 AND REACH 2 OF THE LOS ANGELES RIVER

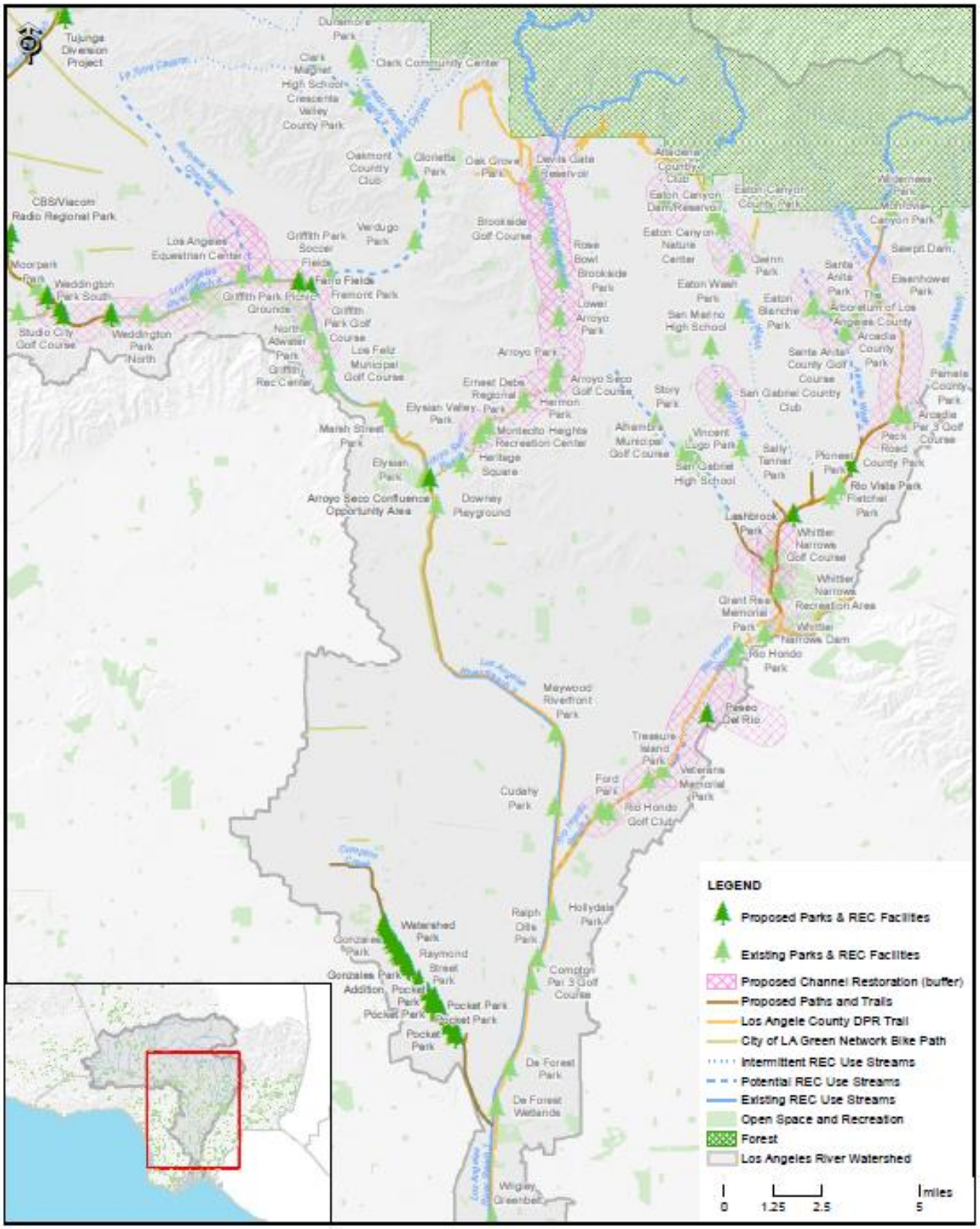


FIGURE 3: EXISTING AND PROPOSED RECREATIONAL OPPORTUNITIES IN THE ENGINEERED SECONDARY TRIBUTARIES OF REACH 2 OF THE LOS ANGELES RIVER

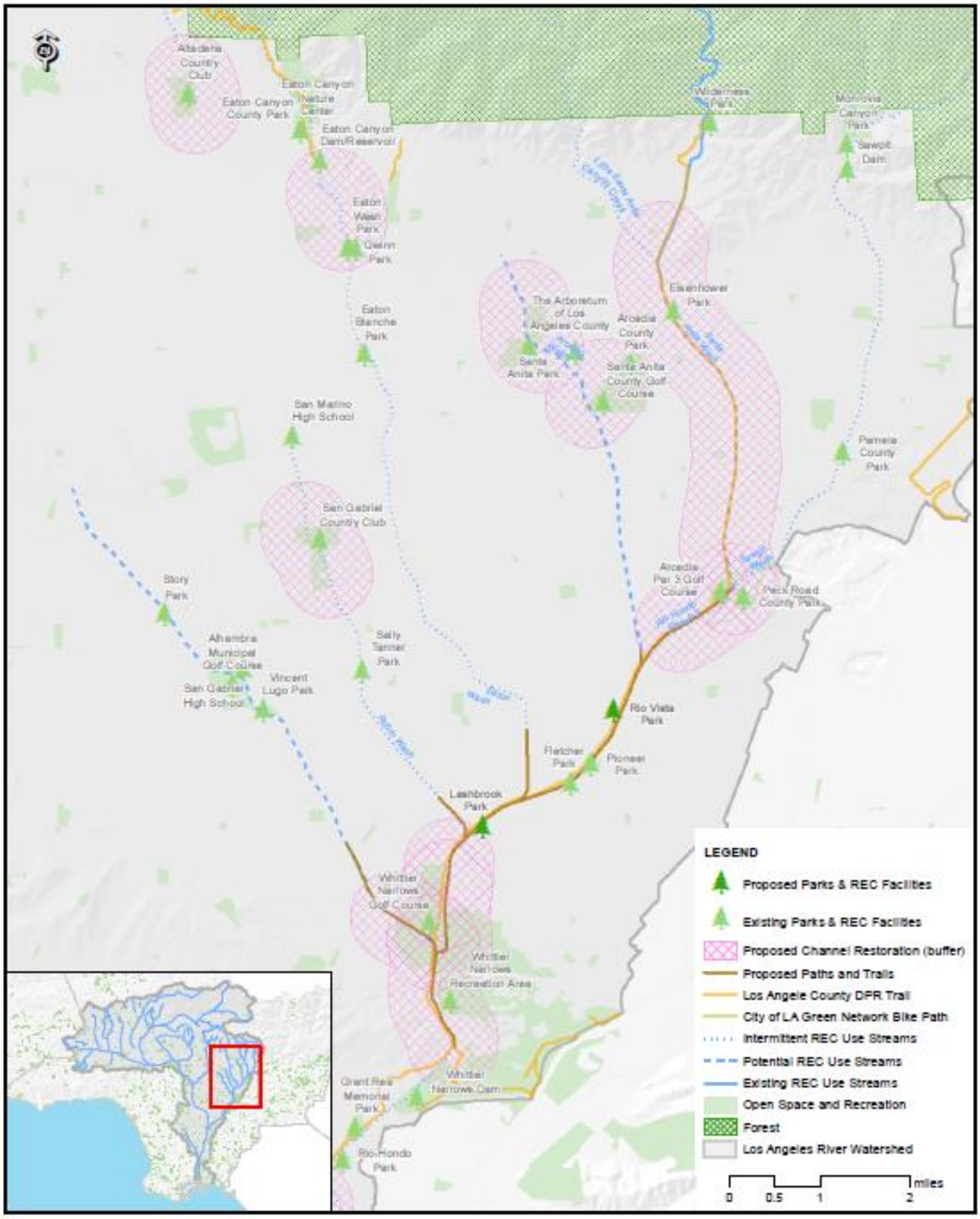


FIGURE 4: EXISTING AND PROPOSED RECREATIONAL OPPORTUNITIES IN THE ENGINEERED TRIBUTARIES OF REACH 3 AND REACH 4 OF THE LOS ANGELES RIVER

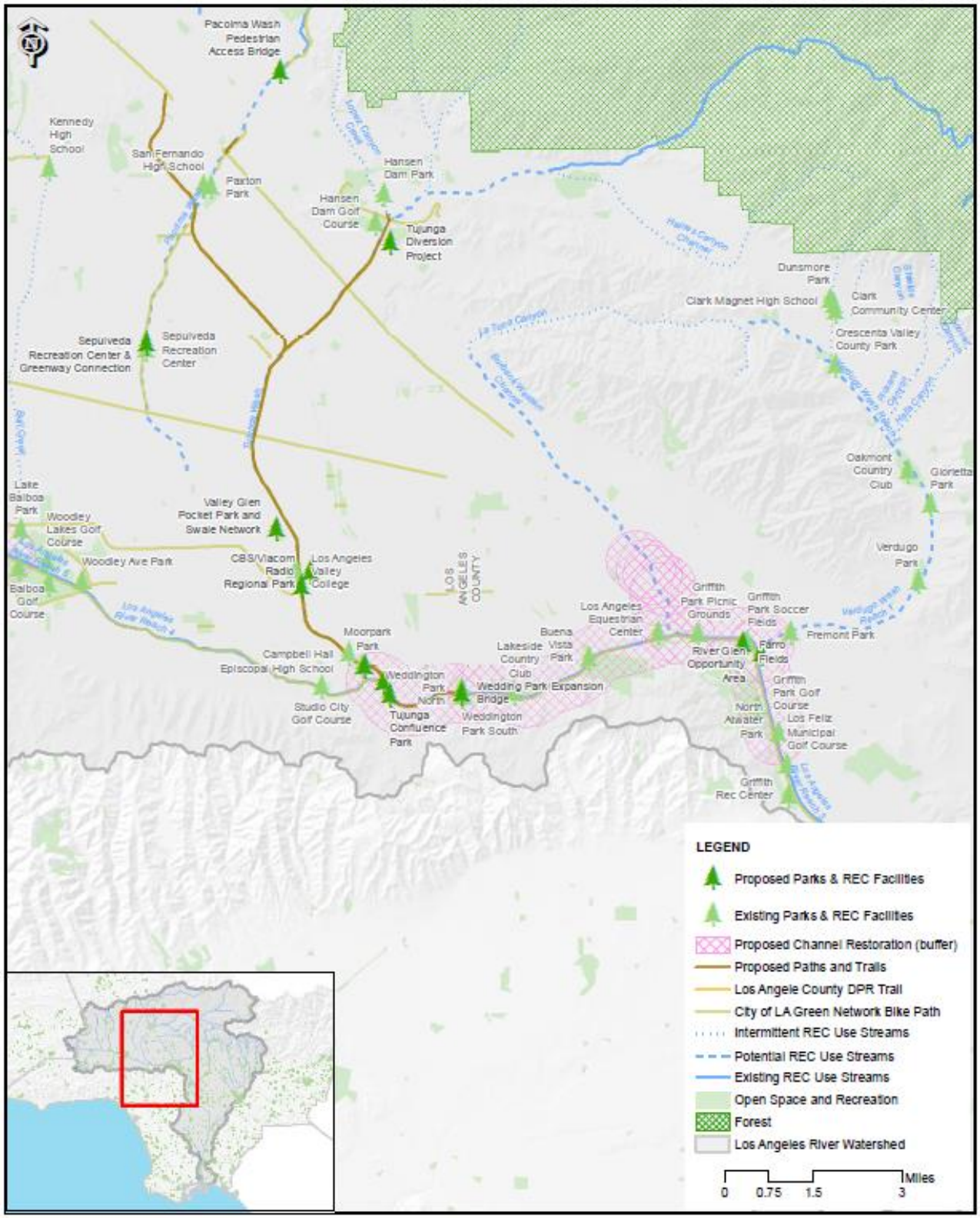
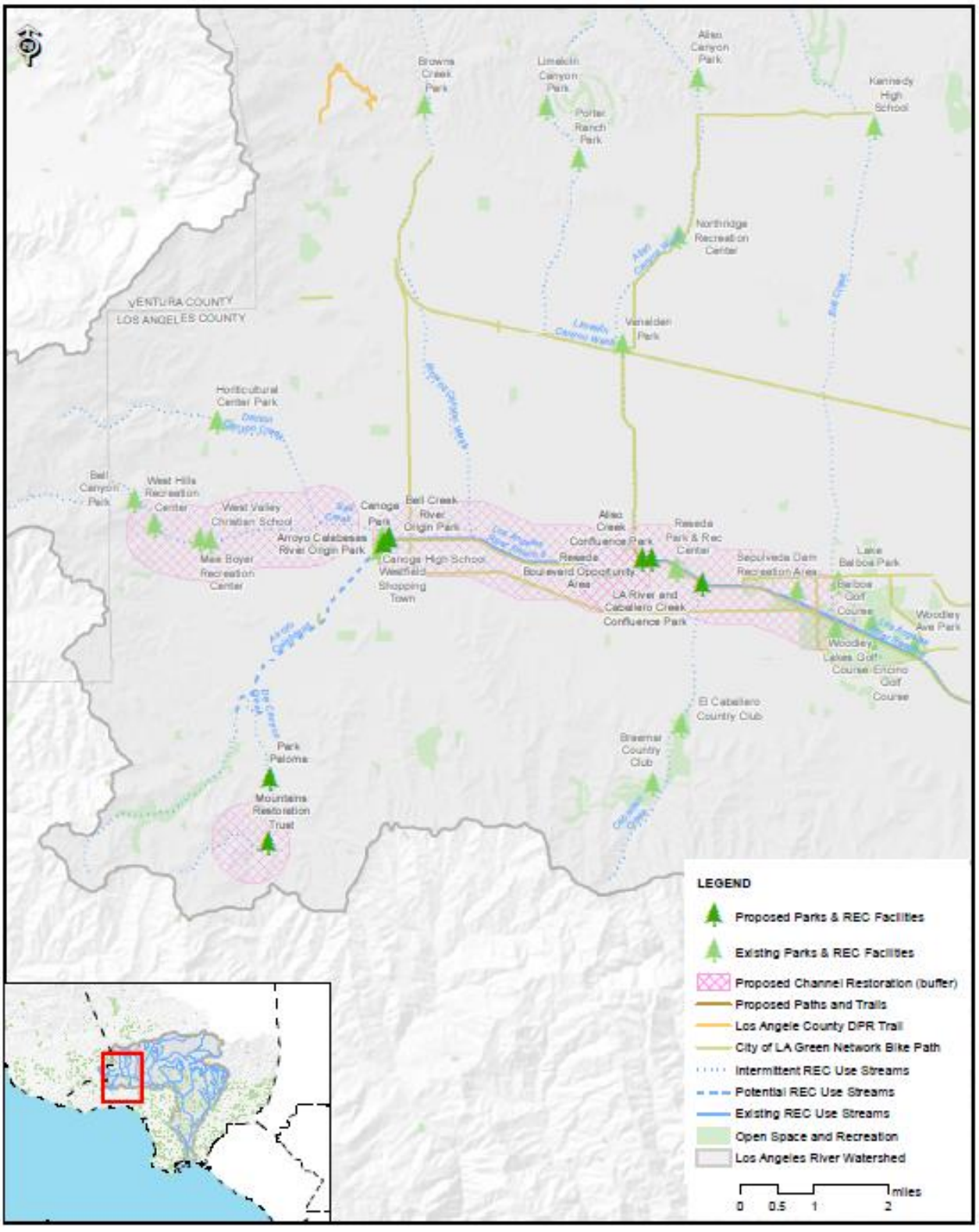


FIGURE 5: EXISTING AND PROPOSED RECREATIONAL OPPORTUNITIES IN THE ENGINEERED TRIBUTARIES OF REACH 6 OF THE LOS ANGELES RIVER



Engineered Channels with an Intermittent REC-1 Use Designation

Waterbodies with an intermittent REC-1 use designation include:

- Four of the five major tributaries of Reach 6 of the Los Angeles River - Bell Creek, Browns Canyon Creek, Aliso Canyon Wash, and Caballero Creek;
- Arroyo Seco, a major tributary of Reach 2; and
- Several secondary tributaries of Reaches 2, 3, 4, and 6:
    - Rubio Wash, Eaton Wash, and Santa Anita Wash (Reach 2),
    - Dunsmore, Shields, Pickens, Halls, and Snover Canyon Creeks (Reach 3),
    - May and Lopez Canyon Creeks (Reach 4), and
    - Dry, Dayton, and Limekiln Canyon Creeks (Reach 6).

The intermittent use designation is an indication that these waterbodies have intermittent flows and that the recreational use is present when flow is present to support it. In the Los Angeles Region, this condition generally occurs during and immediately following rain events in the wet season from November through April.

Arroyo Seco

In the Arroyo Seco, results of the assessment indicate that significant REC-1 activities occur even during dry weather, particularly in the lower-most section of the channel (Reach 1) where a bike path runs along the channel bottom adjacent to the low-flow channel. Planning documents also outline significant restoration projects in this area, which have the potential to significantly increase recreational use, including channel naturalization along most of the creek and the creation of a waterside park and recreational facilities at its confluence with the Los Angeles River.

Major tributaries of the upper Los Angeles River

Bell Creek, one of the headwaters of the Los Angeles River, Browns Canyon Creek, Aliso Canyon Creek, and Caballero Creek are tributary to Reach 6 of the Los Angeles River, which has an existing REC-1 use designation. The intermittent REC-1 use designation of these tributaries indicates that the recreational use only applies during certain periods, in this case when there is flow in these waterbodies to support the use (generally during wet weather). Pursuant to Resolution No. R03-10, most of these channels are subject to a suspension of the REC-1 use during defined periods of high flow, which coincide with wet weather, further limiting the periods that the REC-1 use designation applies (Table 1).

This notwithstanding, plans exist to increase access and recreational opportunities around these waterbodies through projects such as creek naturalization, waterside parks, and bike paths (Figure 5).

TABLE 1: TRIBUTARIES OF THE UPPER LOS ANGELES RIVER WHERE THE HIGH FLOW SUSPENSION APPLIES

Waterbody	REC-1	REC-2	High Flow Suspension
Bell Creek	Im	I	Yav
Browns Canyon Creek	Im	I	
Aliso Canyon Creek	Im	I	Yav
Caballero Creek	Im	I	Yav
Eaton Wash	Im	I	Yav
Rubio Wash	Im	I	Yav
Sawpit Wash	Im	I	Yav

I: Intermittent beneficial use
E: Existing beneficial use
m: Access prohibited by Los Angeles County Department in the Concrete-channelized areas.
av: The High Flow Suspension only applies to water contact recreational activities associated with the swimmable goal as expressed in the federal Clean Water Act section 101(a)(2) and regulated under the REC-1 use, non-contact water recreation involving incidental water contact regulated under the REC-2 use, and the associated bacteriological objectives set to protect those activities. Water quality objectives set to protect (1) other recreational uses associated with the fishable goal as expressed in the federal Clean Water Act section 101(a)(2) and regulated under the REC-1 use and (2) other REC-2 uses (e.g., uses involving the aesthetic aspects of water) shall remain in effect at all times for waters where the (av) footnote appears.

Secondary tributaries of the Lower Los Angeles River

Eaton Wash, Rubio Wash, and Sawpit Wash have intermittent REC-1 use designations. The high-flow suspension of the REC-1 use also applies to these waterbodies (Table 1). While recreational opportunities are currently limited, plans exist for increased access and use through the creation of bike paths and channel naturalization/restoration (Figure 3).

Secondary tributaries of the middle Los Angeles River

Dunsmore Canyon Channel, Snover Canyon Channel, Pickens Canyon Channel, Halls Canyon Channel, Shields (Eagle) Canyon Channel, Las Tunas Canyon Channel, Haines Canyon Channel, Lopez Canyon Channel, and May Canyon Channel are designated with an intermittent REC-1 use and are secondary tributaries of the Los Angeles River. The high-flow suspension of the REC-1 use applies to some of these waterbodies. These channels are part of longer reaches (Table 2) that include upstream sections that are natural and flow through wilderness areas, which is what led to their current REC-1 use designation (Figure 1). Beneficial uses of reaches with both natural and engineered segments apply throughout the reach in order to preserve the beneficial use of the natural portions.

TABLE 2: ENGINEERED CHANNELS THAT ARE PART OF LARGER REACHES WITH NATURAL SEGMENTS

Waterbody	Miles of Engineered Channel (% Engineered)	REC-1	REC-2	High Flow Suspension
Dunsmore Canyon Channel	1.68 (49.2%)	I	I	
Snover Canyon Channel	0.35 (43.4%)	Im	I	Yav
Pickens Canyon Channel	1.19 (28.3%)	Im	I	
Halls Canyon Channel	1.60 (43.5%)	Im	I	
Shields (Eagle) Canyon Channel	0.80 (75.9%)	Im	I	Yav
Las Tunas Canyon Channel	2.26 (36.1%)	Im	I	
Haines Canyon Channel	3.66 (51.5%)	Im	I	Yav
Lopez Canyon Channel	1.48 (27.8%)	Im	I	
May Canyon Channel	0.34 (20.8%)	I	E	
Dry Canyon Wash	0.76 (19.5%)	Im	I	
Dayton Canyon Creek	2.52 (54.0%)	I	I	
Limekiln Canyon Wash	2.91 (37.06%)	Im	I	

I: Intermittent beneficial use
E: Existing beneficial use
m: Access prohibited by Los Angeles County Department in the Concrete-channelized areas.
av: The High Flow Suspension only applies to water contact recreational activities associated with the swimmable goal as expressed in the federal Clean Water Act section 101(a)(2) and regulated under the REC-1 use, non-contact water recreation involving incidental water contact regulated under the REC-2 use, and the associated bacteriological objectives set to protect those activities. Water quality objectives set to protect (1) other recreational uses associated with the fishable goal as expressed in the federal Clean Water Act section 101(a)(2) and regulated under the REC-1 use and (2) other REC-2 uses (e.g., uses involving the aesthetic aspects of water) shall remain in effect at all times for waters where the (av) footnote appears.

Secondary tributaries of the upper Los Angeles River

Dry Canyon Wash, Dayton Canyon Creek, and Limekiln Canyon Wash are designated with an intermittent REC-1 use. Their engineered segments are each part of longer reaches that include natural upstream sections flowing through wilderness areas, which is what led to their current REC-1 use designation (Figure 1). Beneficial uses of reaches with both natural and engineered segments apply throughout the reach in order to preserve the beneficial use of the natural portions.

III. Comments on the Results of the Recreational Use Reassessment (Part I)

As mentioned previously, the methodology and results of the recreational use reassessment were released, as Part I of the report, for public review and comment in December 2013. The results included a compilation of past and present uses based on surveys, field monitoring, and reviews of reports and other pertinent documentation, along with information regarding potential future recreational uses based on existing municipal and watershed plans, recent laws, and on-going revitalization efforts to improve or provide recreational opportunities throughout the Los Angeles River watershed. Part I of the RECUR report identifies the results of the recreational use reassessment, while Part II synthesizes and evaluates the information provided in Part I and provides a staff recommendation based on that information regarding current beneficial use designations. A total of 15 comment letters were received on Part I of the report; representing the input of the regulated community, environmental organizations, local resource agencies, a private citizen, and U.S. EPA. The comment letters are provided in the appendix to this document and are summarized in Table 3, below.

Table 3: Summary of Comments on Part I of the Draft Technical Report for the Re-evaluation of Recreational Uses in the Engineered Channels of the Los Angeles River Watershed

COMMENTER(S)	SUMMARY OF COMMENTS
U.S. EPA	
U.S. EPA	Stated that the information regarding planned future recreational opportunities included in the report was thorough and well framed. U.S. EPA applauded the thoroughness of Los Angeles Water Board staff in acquiring and presenting the information included in this report and expressed that the Los Angeles Water Board was headed in the right direction for assessing recreational uses in the engineered channels of the Los Angeles River Watershed.
Environmental Organizations	
Friends of the Los Angeles River	Expressed their long-standing view that the River has the potential over time to greatly enhance opportunities for recreation along its entire length and many, if not all, of the River's tributaries, and that this will improve the quality of life for the diverse communities in the vicinity of the river and its tributaries, many of which are poorly served by existing recreational opportunities.
	Stated that public opportunity to use the River has received significant media attention, and there is every indication that as the public learns about and appreciates the River's recreational opportunities, and as the programs move beyond the pilot stage to permanent recreational features, use will continue to increase dramatically with pressure to increase the areas available for recreation.

COMMENTER(S)	SUMMARY OF COMMENTS
	Stated that the Draft Report does not systematically evaluate the potential for future recreational usesThe extensive work which went into Draft Report can form the basis for an analysis of potential future uses.
Friends of the Los Angeles River, Heal the Bay, Heal the Bay *et al.* (Heal the Bay, The River Project, Clean Water Action, Seventh Generation Advisors, Presente.org, Urban Semillas, Golden Road Brewing, LA Conservation Corps, Studio City Residents Association, Save the River Open Space, San Fernando Valley Audubon Society, Audubon California, Pasadena Audubon), and LA Waterkeeper	Expressed concern that any diminution in the current REC-1 designation would be detrimental to the future of the River because it could diminish or discourage the many ongoing efforts to improve recreational uses dependent on the quality of the water.
	Discouraged against delisting the REC-1 use from the River because it would lessen the water quality and/or remove the recreational uses of the river.
	Asserted that RECUR should support the goals of Senate Bill 1201 on the River.
Friends of the Los Angeles River, Heal the Bay, and Los Angeles Waterkeeper	Expressed concern about allowing pollutants to flow upstream in a river where pollutants will reach downstream sections, which may be more protected.
	Stated that by identifying only areas of current recreational use and access, the Draft Report fails to identify numerous stretches of river and tributary with recreational potential.
Friends of the Los Angeles River and Heal the Bay	Stated that the River has the potential over time to greatly enhance opportunities for recreation along the River and its tributaries, and that this will improve the quality of life for communities in the vicinity of the river and its tributaries.
Heal the Bay, Heal the Bay *et al.* (Heal the Bay, The River Project, Clean Water Action, Seventh Generation Advisors, Presente.org, Urban Semillas, Golden Road Brewing, LA Conservation Corps, Studio City Residents Association, Save the River Open Space, San Fernando Valley Audubon Society, Audubon California, Pasadena Audubon), LA Waterkeeper	Stated that the short period of time during which the study was conducted does not allow for adequate characterization of how the public views and uses the waterway.
REGULATED COMMUNITY	
Los Angeles County Flood Control District and County of Los Angeles and City of Burbank	Recommended modifications to beneficial uses in certain engineered segments (see Appendix for details)
	Expressed concern regarding the reliability of the use survey data collected from the respondents of the recreational use questionnaires. The concern was that it may be inaccurate. The City of Burbank was specifically concerned regarding the

COMMENTER(S)	SUMMARY OF COMMENTS
	accuracy and weight given to the use questionnaires for the Burbank Western Channel.
Los Angeles County Flood Control District and County of Los Angeles, City of Burbank, Ventura County Watershed Protection District	Expressed the opinion that for water bodies with multiple reaches, all reaches should be evaluated separately. The City of Burbank specifically stated that given the length of tributaries (such as the Burbank Western Channel) and limited access, future consideration of the existence and attainability of uses may warrant splitting up the waterbodies based on where uses can and do occur.
	Emphasized actual physical conditions that bar people from activities. Los Angeles County Flood Control District and the County of Los Angeles question the observations of the recreational uses given access and water depth. Ventura County Watershed Protection District stated that the draft report clearly indicates that portions of the Los Angeles River system do not have existing REC-1 uses, and in addition REC-1 uses are severely inhibited by low-flow conditions, hydrologic modifications, and access restrictions.
Los Angeles County Flood Control District and County of Los Angeles, , City of Los Angeles, Ventura County Watershed Protection Division, and City of Burbank	Supported the use of Use Attainability Analyses or 40 C.F.R. section 131.10(g) for removing or subcategorizing beneficial uses.
Los Angeles County Flood Control District and County of Los Angeles, and Calleguas Creek Watershed Management Plan	Expressed the opinion that given the length of tributaries such as the Burbank Western Channel and limited access, future consideration of the existence and attainability of uses may warrant splitting up the waterbodies based on where uses can and do occur.
City of Burbank	Stated that it appeared appropriate to note an additional goal of evaluating the level of use and how safe/appropriate the use of a location would be, based on the efforts to observe uses.
	Stated that the Los Angeles Water Board should ascertain whether the “ingestion of water is reasonably possible” before concluding that a reach is designated REC-1.
Calleguas Creek Watershed Management Plan and City of Burbank	Encouraged the Los Angeles Water Board to consider how reaches are defined, and whether certain reaches should be redefined based upon the data found in the report.
Calleguas Creek Watershed Management Plan, City of Los Angeles and Ventura County Watershed Protection District	Encouraged the Los Angeles Water Board to consider designating subcategories of a beneficial use as a better fit for a particular reach since the categories for recreational uses are broad, and may not be suited to local conditions and specific uses.

COMMENTER(S)	SUMMARY OF COMMENTS
City of Los Angeles and Ventura County Watershed Protection Division	Stated that it would be helpful if the report also provided a methodology on how the revitalization efforts and proposed plans have been considered in the reassessment process, as well as discussion on possible steps to ensure that present and future revitalization efforts will not be impacted by any beneficial use re-designation.
	The City of Los Angeles asked that “observed” and “reported” uses should be clearly distinguished in the report and that "observed" uses should be given extra weight in the weight of evidence approach. The City of Los Angeles requested that the Los Angeles Water Board revise Tables 5-8.1 through 5-8.7 in the Part I of the RECUR report to provide separate columns for observed and reported uses. Ventura County Watershed Protection District expressed importance of noting actual observed uses.
City of Los Angeles	Expressed the opinion that physical conditions could provide a technical and objective basis for evaluating recreational uses since the physical conditions of the tributaries play a significant role in determining the viability of downstream recreational activity.
	Stated that the City’s LAR Revitalization Plan suggests some secondary tributaries for future study or restoration. Expressed the opinion that RECUR supports the City’s LAR revitalization efforts by confirming existing uses of the main-stem, and encouraged the Los Angeles Water Board to conduct further analysis of the report.
	Stated that RECUR technical report is a compilation of much-needed information on waterbodies in the Los Angeles River watershed, and provides better understanding of the LA River for more efficient water quality planning efforts and more effective beneficial use protection and enhancement.
	Both entities commented on how the work will affect efforts to achieve bacteria load objectives. VCWPD spoke more generally. The City of Signal Hill expressed their appreciation that the Board has taken into consideration that some modifications to recreational use designations could provide greater flexibility for compliance with the Bacteria TMDL.”
Ventura County Watershed Protection Division, City of Signal Hill, Construction Industry Coalition on Water Quality	Expressed the opinion that Use Attainability Analyses should be completed to de-designate the REC-1 use in the River watershed where appropriate.
RESOURCE AGENCIES	

COMMENTER(S)	SUMMARY OF COMMENTS
Santa Monica Mountains Conservancy	Expressed extreme concern that the study has the potential to undermine efforts capable of providing enormous environmental, economic, and social benefits to Los Angeles County.
	Stated that based on experience working along the Compton Creek, the multipurpose path is being used by many for walking, bicycling, outdoor education programs, and cleanups.
	Informed staff that the Mountains Recreation and Conservation Authority is developing a recreation trail and several water treatment parks along the Pacoima Wash per the Pacoima Wash Vision Plan (2011). 8th Street Park will be opened in 2014 and El Dorado Park is currently being planned, and that the Conservancy has contributed funds to develop Aliso Park at the confluence of Aliso Canyon Wash and the Los Angeles River.
	Urged the Los Angeles Water Board to not pursue any Basin Plan amendments to beneficial uses of the Los Angeles River and its tributaries, unless they are adding uses.
Arroyo Seco Foundation	Referenced their study entitled "Arroyo Seco Watershed Ecosystem Restoration Feasibility Study," which has been conducted since 2002. The Arroyo Seco Foundation also encourages the Los Angeles Water Board to consider: the 2002 Reconnaissance Study, the 2005 Project Management Plan, and the 2011 Feasibility Scoping Meeting Documentation.
PRIVATE CITIZEN(S)	
Joyce Dillard, Private Citizen	Listed a number of agencies that should be consulted including Watermasters, California Department of Public Health, and Center for Disease Control (see comment letter in appendix for details).

In summary, while U.S. EPA determined the draft report to be thorough and well framed, environmental organizations found the analyses to be insufficient to justify any modifications to recreational beneficial uses in the Basin Plan. Both the environmental organizations and local resource agencies were in favor of maintaining the current recreational beneficial use designations in the Basin Plan in the Los Angeles River's engineered channels in support of current and future revitalization efforts. The majority of the commenting regulated community, however, indicated that modifications to these beneficial uses were warranted and should be considered.

The draft report (Part I) was revised, as appropriate, in response to comments with a focus on adding relevant information that was not initially included in the report and correcting any erroneous information.

IV. STAFF RECOMMENDATION

In light of documented past, existing, and potential and probable future uses documented during the recreational use re-evaluation of the engineered channels of the Los Angeles River system, the current swell of revitalization efforts in the watershed reflecting the public's desire to put these channels to greater recreational uses, and the Los Angeles Water Board's long-standing support of a fully revitalized Los Angeles River, staff recommends that the Board retain the current recreational beneficial use designations of these channels.

The results of this assessment indicate that recreational uses in and along the engineered channels of the Los Angeles River Watershed varies in nature and extent. Substantial documentation demonstrates that the engineered channels of the Los Angeles River are a viable recreational resource and the current recreational beneficial use designations remain appropriately established and supported. Aside from the existing uses documented, myriad efforts are underway to increase the recreational opportunities in and along the main-stem of the Los Angeles River and many of its engineered tributaries. These efforts are a result of the public's desire for increased access to the River, which have been spearheaded by several civic and environmental groups, the implementation of recreational use projects by the City and County of Los Angeles along with other agencies and municipalities, and federal support by U.S. EPA and the U.S. Army Corps of Engineers. Recreational use of some of these engineered channels is expected to increase significantly over time. Based on the past, existing, and potential and probable future uses, no modifications to the current designations are warranted at this time.

The recommended action is consistent with federal and state anti-degradation requirements for Tier 1 waterbodies, since it will not permit a lowering of the water quality of the Los Angeles River or its tributaries relative to existing conditions. Rather, the recommended action retains the current beneficial use designations and associated water quality objectives which, when met, will be an improvement to existing conditions.

In addition, staff's recommendation is consistent with the Los Angeles Water Board's practice of providing the most appropriate level of water quality protection in the region's waters for the beneficial use of present and future generations. It is also consistent with the Board's regional water quality goals and long-standing support of efforts to restore and revitalize the engineered channels of the Los Angeles River system and other such modified waterways for recreational use.

This recommendation has also given due consideration to protection of downstream recreational uses pursuant to section 131.10(b) of title 40 of the Code of Federal Regulations, which states that "in designating uses of a water body and the appropriate criteria for those uses, the State shall take into consideration the water quality standards of downstream waters and shall provide for the attainment and maintenance of the water quality standards of downstream waters." Retaining the potential and intermittent REC-1 use designations in the Los Angeles River tributaries, which is justifiable in its

own right, also ensures that flows from these tributaries that discharge into downstream waters with existing REC-1 use designations will be fully protected.

In summary, Board staff has considered the following in making this recommendation:

(i) The results of the recreational use reassessment documenting past, existing, and potential and probable future uses;
(ii) The ever increasing momentum towards significant rehabilitation and revitalization of the Los Angeles River system as evidenced by past and current activities and future plans;
(iii) The strong public desire for the retention of the current recreational use designations evidenced by increased efforts to provide access to the river and implementation of recreational use projects by agencies and municipalities; and
(iv) The Board's own vision and regional water quality goal of the Los Angeles River as a viable recreational resource, which is consistent with its mission to preserve, enhance, and protect the waters for the beneficial use of people of the State, now and into the future.

On the basis of these considerations, Board staff recommends that the Board retain the current recreational beneficial use designations in the engineered channels of the Los Angeles River and its tributaries as identified in Chapter 2 of the Basin Plan.