



**From:** [Joyce Dillard](#)  
**To:** [commentletters](#)  
**Subject:** WATERBOARDS Comment Letter—303(d) List for Waterbodies in the Los Angeles Region due 7.10.2017 Noon  
**Date:** Monday, July 10, 2017 11:53:22 AM

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There was no public hearing in Los Angeles. Why?

These comments are based on the report by the Los Angeles Regional Water Board.

There needs to be an incorporation of this report to the intent of the National Water Quality Inventory Report to Congress. The purpose of this exercise is the identification of DESIGNATED USES, as stated in the Federal report, and the criteria to attain the water quality necessary to protect those uses.

The 2004 National Water Quality Inventory Report to Congress states the Designated Use Categories in this Report. They are:

**Fish, Shellfish, and Wildlife Protection and Propagation**—Is water quality good enough to support a healthy, balanced community of aquatic organisms?

**Recreation**—Can people safely swim or enjoy other recreational activities in and on the water?

**Public Water Supply**—Does the waterbody safely supply water for drinking after standard treatment?

**Aquatic Life Harvesting**—Can people safely eat fish caught in the waterbody?

**Agricultural**—Can the waterbody be used for irrigating fields and watering livestock?

**Industrial**—Can the water be used for industrial processes?

**Aesthetic Value**—Is the waterbody aesthetically appealing?

**Exceptional Recreational or Ecological Significance**—Does the waterbody qualify as an outstanding natural resource or support rare or endangered species?

In order to determine if TMDLs are necessary, these questions after the categories should be answered.

The Beneficial Uses in the BASIN PLAN are listed as:

**Municipal and Domestic Supply (MUN)**

Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.

**Agricultural Supply (AGR)**

Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for

range grazing.

**Industrial Process Supply (PROC)**

Uses of water for industrial activities that depend primarily on water quality.

**Industrial Service Supply (IND)**

Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well re-pressurization.

**Ground Water Recharge (GWR)**

Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.

**Freshwater Replenishment (FRSH)**

Uses of water for natural or artificial maintenance of surface water quantity or quality (e.g., salinity).

**Navigation (NAV)**

Uses of water for shipping, travel, or other transportation by private, military, or commercial vessels.

**Hydropower Generation (POW)**

Uses of water for hydropower generation.

**Water Contact Recreation (REC-1)**

Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, or use of natural hot springs.

**Limited Water Contact Recreation (LREC-1)**

Uses of water for recreational activities involving body contact with water, where full REC-1 use is limited by physical conditions such as very shallow water depth and restricted access and, as a result, ingestion of water is incidental and infrequent.

**Non-contact Water Recreation (REC-2)**

Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.

**Commercial and Sport Fishing (COMM)**

Uses of water for commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to, uses

involving organisms intended for human consumption or bait purposes.

**Aquaculture (AQUA)**

Uses of water for aquaculture or mariculture operations including, but not limited to, propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes.

**Warm Freshwater Habitat (WARM)**

Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

**Cold Freshwater Habitat (COLD)**

Uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

**Inland Saline Water Habitat (SAL)**

Uses of water that support inland saline water ecosystems including, but not limited to, preservation or enhancement of aquatic saline habitats, vegetation, fish, or wildlife, including invertebrates.

**Estuarine Habitat (EST)**

Uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds).

**Wetland Habitat (WET)**

Uses of water that support wetland ecosystems, including, but not limited to, preservation or enhancement of wetland habitats, vegetation, fish, shellfish, or wildlife, and other unique wetland functions which enhance water quality, such as providing flood and erosion control, stream bank stabilization, and filtration and purification of naturally occurring contaminants.

**Marine Habitat (MAR)**

Uses of water that support marine ecosystems including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (e.g., marine mammals, shorebirds).

**Wildlife Habitat (WILD)**

Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

### **Preservation of Biological Habitats (BIOL)**

Uses of water that support designated areas or habitats, such as Areas of Special Biological Significance (ASBS), established refuges, parks, sanctuaries, ecological reserves, or other areas where the preservation or enhancement of natural resources requires special protection.

### **Rare, Threatened, or Endangered Species (RARE)**

Uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered.

### **Migration of Aquatic Organisms (MIGR)**

Uses of water that support habitats necessary for migration, acclimatization between fresh and salt water, or other temporary activities by aquatic organisms, such as anadromous fish.

### **Spawning, Reproduction, and/or Early Development (SPWN)**

Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish.

### **Shellfish Harvesting (SHELL)**

Uses of water that support habitats suitable for the collection of filter-feeding shellfish (e.g., clams, oysters, and mussels) for human consumption, commercial, or sports purposes.

In the 2016 INTEGRATED REPORT of Recommended Changes, we see no application of any of the questions summarized in the 2004 National Water Quality Inventory Report to Congress. New Listings have no relationship to use.

Please review the following questions (Federal Designated Use) and apply them to the Beneficial Uses:

- <!--[if !supportLists]-->· <!--[endif]-->Is water quality good enough to support a healthy, balanced community of aquatic organisms?
- <!--[if !supportLists]-->· <!--[endif]-->Can people safely swim or enjoy other recreational activities in and on the water?
- <!--[if !supportLists]-->· <!--[endif]-->Does the waterbody safely supply water for drinking after standard treatment?
- <!--[if !supportLists]-->· <!--[endif]-->Can people safely eat fish caught in the waterbody?
- <!--[if !supportLists]-->· <!--[endif]-->Can the waterbody be used for irrigating fields and watering livestock?
- <!--[if !supportLists]-->· <!--[endif]-->Can the water be used for industrial processes?
- <!--[if !supportLists]-->· Is the waterbody aesthetically appealing?
- <!--[if !supportLists]-->· <!--[endif]-->Does the waterbody qualify as an outstanding natural resource or support rare or endangered species?

If there are no such uses, then there should be no TMDLs.

Designations such as "Benthic Community Effects" appears to be fabricated without specific science and application to Beneficial Use and Federal Designated Use.

Appendix B-Category 5 Waterbody Segments has no Beneficial Use and a TMDL identified has no designation as to the party responsible for compliance. With "sources unknown", we see no such compliance as realistic.

Appendix C-Category 4a Waterbody Segments with "sources unknown" and "nonpoint source", we see no such compliance as realistic with application of Federal Designated Uses.

Appendix D-Category 3 Water Body Segments we see no such compliance as realistic and no responsible parties.

Appendix E-Category 2 Water Body Segments we see unrealistic categories for Beneficial Uses. We question how any Beneficial Uses were determined, if the waterbody was not used as designated such as MUN, WARM or COLD.

We question the frequency of monitoring programs and its relationship to base data and ambient water quality determination.

The TMDL program appears to have no relationship to Responsible Parties and NPDES discharges that the public can become involved in. Science, in its application, appears to be unclear and random.

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