

Department of Water and Power



the City of Los Angeles

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October 20, 2006

Song Her  
Division of Water Quality  
State Water Resources Control Board  
1001 I Street Sacramento, CA 95814

E-mail

Dear Ms. Her:

Subject: Comments on the Draft Final 2006  
Section 303(d) list of impaired waterbodies

The Los Angeles Department of Water and Power (LADWP) has reviewed the final draft 2006 Section 303 (d) list and appreciates the opportunity to provide the following comments.

The final draft 2006 303 (d) list proposes to list ammonia and dissolved oxygen (DO) even though these pollutants are occurring naturally without any anthropogenic input. LADWP disagrees with these listing proposals.

1. In LADWP's previous comments dated January 30, 2006 LADWP stated the following: "It is illogical to list Crowley Lake for depressed DO and elevated ammonia, which are due to causative factors that have already been identified as natural. The low oxygen content and high ammonia concentrations in Crowley Lake are as a result of eutrophication in this lake; not caused by the treatment or disposal of wastes and are a nuisance condition as defined in the Basin Plan." The elevated ammonia and DO are the result of eutrophication from nutrient enriched water, mainly N and P that also exist at naturally high levels.

The elevated ammonia is not human-induced and no TMDL can conceivably be developed to control natural processes. It is unclear what remediation measure would be recommended by a TMDL document for natural sources of pollutants.



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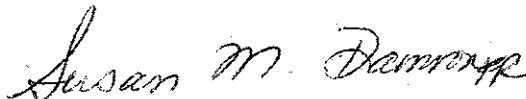
Therefore, LADWP requests, for the reasons N and P were delisted, that DO and ammonia not be listed on the Section 303 (d) List of Water Quality Limited Segments for California.

2. The State Water Resources Control Board (SWRCB) has stated that because the Lahontan Basin Plan has standards for ammonia and DO the Policy must defer to the Basin Plan when making listing decisions. LADWP disagrees. First, LADWP believes that listing pollutants and eventually issuing TMDLs for naturally occurring sources is antithetical to the Clean Water Act. Second, the SWRCB Listing/De-listing Policy (Policy) does not address natural sources of conventional pollutants, nor does it forbid a de-listing or a non-listing of waterbodies with natural sources of pollutants. And third, The Lahontan Basin Plan states "...background water quality concentrations (the concentrations of substances in natural waters which are unaffected by waste management practices or contamination incidents) are appropriate water quality goals to be maintained." Thus, the SWRCB or Regional Water Quality Control Board (RWQCB) should recommend a "do not list" for ammonia and DO due to a non-anthropogenic occurrence of exceedances.

Finally, LADWP requests that if despite the above arguments the SWRCB decides to list Crowley Lake ammonia and DO, a statement should be placed in the comment field for the Crowley Lake Listing: "TMDL development will not be effective in addressing this problem; the ammonia exceedances and DO depression are due to natural causes." This would clarify that there is no need to incur the administrative burden of developing a TMDL where ammonia and DO are a naturally occurring problem.

If you have any questions or require additional information, please contact Clayton Yoshida at (213) 367-4651.

Sincerely,



Susan M. Damron  
Manager of Wastewater Quality Compliance

CY: bdc  
c: Clayton Yoshida