

## Comments Received on the EPA Grant Work Plan

This memorandum summarizes comments received by Stakeholders to date on the EPA Work Plan for RAD 104b(3) Grant Application. This work plan describes the proposed tasks to be funded by a \$150,000 grant from EPA Region 9 to support stakeholder-led TMDL development for the Los Angeles River including the estuary. The Grant Work Plan primarily addresses the field monitoring effort that will be conducted to support TMDL development for the five impairing water quality constituents which are currently not covered by past or current TMDL projects: bacteria, organics, and oils in the River and metals and historic pesticides/PCBs in the estuary.

The CREST Work Plan describes a broader suite of technical projects and stakeholder coordination needed to support the development of Total Maximum Daily Loads in the Los Angeles Region. Currently, technical projects in the CREST Work Plan focus on development of TMDLs for bacteria in the Los Angeles River and in Ballona Creek and Estuary. Depending on stakeholder interest, additional technical projects supporting development and adaptive implementation of TMDLs could be included in the Work Plan.

Responses to comments on the CREST Work Plan were developed in a separate memorandum. This memorandum addresses comments and Responses on the EPA Grant Work Plan received from Susan Paulsen of FlowScience on behalf of the City of Signal Hill. Additional comments may be expected from the other members of the Stakeholders Steering Committee over the coming month. Distributing this initial round of comments will help those stakeholders by apprising them of comments offered from the regulatory perspective.

Stakeholder	Comment	Response / Action
Susan Paulsen (City of Signal Hill)	The main purpose of the EPA Grant Work Plan is to define the TMDLs that will be addressed using funds from the EPA Grant.	The EPA Grant Work Plan focuses on the field monitoring effort associated with LA River and Estuary TMDLs. A broader approach to developing the TMDLs is outlined in the CREST Work Plan.
Susan Paulsen (City of Signal Hill)	It is unclear from the work plan what the total project would be, over what timeframe funding would be required, or what the ultimate scope of work and schedule for the project would be. It is also unclear which consultants will be conducting the work and how those consultants will be selected.	We agree that the total project budget will require further definition. \$500,000 is a placeholder, and represents the City's commitment to providing services through their current consultant team to carry out activities outlined in the CREST Work Plan. The detailed budget for future special studies will be developed as part of the up front tasks for the LA River Bacteria TMDL development, as outlined in the CREST Work Plan. Consultant selection for those future projects has not been determined. The City is seeking active participation from the CREST Stakeholders in defining and executing those projects.
Susan Paulsen (City of Signal Hill)	It would be helpful to have a better understanding of the anticipated scope of work, particularly for the data collection task.	The scope of work for the data collection task has not yet been defined. We agree with your comment that this study will be "costly and labor-intensive, and proper study design will be essential to understanding the scientific and technical issues that are to be addressed via these TMDLs." For this reason, we believe it is prudent to develop the detailed scope of work for the data collection effort only after the initial data review and analysis has been done. We will be using a collaborative process through CREST to define the data collection scope of work, and we encourage Signal Hill to participate in that process.
Susan Paulsen (City of Signal Hill)	We believe it is important to address the scientific basis of the listings that trigger the need for these TMDLs.	This Work Plan outlines work to be conducted under the CREST collaborative framework. The scientific basis of 303(d) listings is not within the scope of CREST. There are generally four processes for addressing water quality impairments in California: 303(d) listing, Basin Plan Triennial Review, TMDL Development, and TMDL Implementation. Of these, only TMDL Development is within the scope of CREST. There are other venues for addressing the other three processes, many of them involving the same stakeholders, and we encourage Signal Hill to work with them to address listings.
Susan Paulsen (City of Signal Hill)	We note that the State of California does not currently have sediment	The primary focus of CREST's TMDL development effort at this time is LA River

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of Signal Hill)	criteria and we encourage CREST to further clarify that data from the three lines of evidence will be collected and evaluated prior to developing TMDLs for estuary sediments.	<p>bacteria, which is generally a water column constituent. Therefore, the primary focus of data collection activities will, at least at the outset, be on water samples.</p> <p>We recognize that sediment quality objectives (SQOs) for California are still under development. As the detailed scope of work for data collection is developed (per comment above), we will work through the CREST collaborative process to specifically define the methods for sediment data collection. Through that process we will fold in new developments in SQO process and consider multiple lines of evidence.</p>
Susan Paulsen (City of Signal Hill)	We encourage CREST to bring the relevant stakeholders into the process early to obtain their input on the work plan, consultant selection, and procedures for outside scientific review.	We strongly agree and encourage Signal Hill to participate in the CREST process.
Ken Farfsing (City Manager, City of Signal Hill)	<p><b>Stakeholder-Led TMDL Project</b></p> <p>The grant application infers greater degree of "stakeholder" consensus and participation than exists in reality. The lack of city participation in this TMDL effort is partially the result of that fact that many of the municipal agencies are small communities, do not have dedicated scientists or staff assigned to the TMDL program and do not understand the importance of participation at this early stage.</p> <p>We suggest that a portion of the grant be dedicated to producing a periodic briefing or newsletter, geared towards explaining the status of the TMDL effort, what the next steps are, the major issues of concern (i.e. scientific, policy, cost issues). This newsletter could be shared with elected officials and the public. This action should be called out in Task 1.</p>	<p>As a CREST Stakeholder, City of Los Angeles has made a sincere effort to educate and inform small and large municipalities. These stakeholders have been informed of the scheduled meetings and all meeting proceedings including minutes and other materials which are passed at the meeting are sent via e mail.</p> <p>EPA grant funds are to be expended strictly for technical work as per conditions of the grant.</p> <p>In place of periodic news letter, a web site for CREST activities is being developed to facilitate open information exchange which will be accessible by anyone who would be interested in keeping up with the progress of CREST.</p>

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<p>Ken Farfsing (City Manager, City of Signal Hill)</p>	<p><b>Metals TMDL</b></p> <p>The State Board is expected to approve the Metals TMDL on the Los Angeles River later this summer. Baring legal challenges, the TMDL will go into effect early in 2006. We believe that the scientific research that went into establishing this TMDL was inadequate and is not the proper foundation for the development of the implementation plan. We also believe that EPA and the Regional Board tacitly recognize these inadequacies. They have drafted the TMDL to allow for the cities to prepare "voluntary" studies, where the TMDL is inadequate.</p> <p>These studies include refined flow estimates, improved water quality measurements, site-specific toxic studies, loading from natural sources (like the Angeles National Forest), a review of the wet-weather model and evaluation of atmospheric deposition. These studies are far from "voluntary," since they will be critical in determining the range and costs of implementation measures, both non-structural and structural Best Management Practices that are planned by the cities.</p> <p>The work plan should be revised to include tasks and cost estimates for the studies called out for in the Metals TMDL. These actions should be included in Tasks 2, 3 &amp; 4.</p>	<p>CREST activities are focused on up coming TMDLs which are to be released in future. CREST makes sincere effort on commenting on released TMDLs. As we all aware that TMDLs are developed to meet criteria set by EPA.</p> <p>The studies area good idea, however, we would like for stakeholders to think of the studies and support the idea for conducting these studies. We hope to see more active role from participants who have not shown much interest in response to continued effort to reach them and keep them posted with CREST activities.</p>

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<p>Ken Farfsing (City Manager, City of Signal Hill)</p>	<p>Overly Broad Nature of the Work Plan</p> <p>The grant appears to be a request for \$150,000 in funding from EPA to complete a more refined work plan. However, it is unclear from the document provided how the consultant plans to complete the deliverables, since a detailed list of tasks and subtasks was not attached. For example, how many consultant hours will be devoted to development of the various TMDL work plans. It is difficult to provide specific comments on this grant draft, due to the lack of specificity in Table 3.</p> <p>Table 3 should contain a detailed description of the various TMDLs, with the task and subtasks called out. This would include an estimate of the number of hours dedicated to the various tasks and subtasks, the number of stakeholder meetings anticipated, draft work products, as well as final work products.</p>	<p>CREST participants have agreed to use the grant funds to conduct monitoring and sampling and analyses to obtain data which will help in addressing TMDL issues.</p>