

## Draft Comment Summary and Responses

Comment Deadline: November 25, 2014

Amendment to the Water Quality Control Plan for the Los Angeles Region to  
Revise the Upper Santa Clara River Chloride TMDL and Water Quality Objectives for Chloride in the Upper Santa Clara River

### List of Commenters:

Comment Reference No.	Organization	Representative
1	Santa Clarita Valley Sanitation District of Los Angeles County	Grace Robinson Hyde
2	Affordable Clean Water Alliance	Allan Cameron
3	California Legislature, Thirty-Eighth District	Assemblyman Scott Wilk
4	California State Senate, Twenty-Seventh Senate District	Senator Fran Pavley
5	Castaic Area Town Council	Flo Lawrence
6	Castaic Lake Water Agency	Dan Masnada
7	City of Santa Clarita	TimBen Boydston
8	Santa Clarita Organization for Planning and the Environment	David Lutness
9	Santa Clarita Valley Chamber of Commerce	Terri Crain

### Response to Comments:

No.	Author	Comment	Response
0.1	Multiple	Many of the comments submitted in opposition to the State Water Resources Control Board's (State Water Board) approval of this amendment to Water Quality Control Plan for the Los Angeles Region to revise the Upper Santa Clara River Chloride TMDL and water quality objectives for chloride in the Upper Santa Clara River (Basin Plan amendments) were previously submitted to the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) and submitted verbatim to State Water Board without further explanation.	<p>The State Water Board's Notice of Opportunity to Comment concerning this Basin Plan amendment accurately informs interested persons of the procedural requirements used to implement the State Water Board's regulatory programs. According to the State Water Board's CEQA Regulations (23 Cal. Code Regs. § 3779, subd. (f)):</p> <p style="padding-left: 40px;">The state board, when considering approval of a regional board's adoption of an amendment to its water quality control plan or guideline, shall prescribe a comment period of not less than 30 days. The state board may refuse to accept any comments received after the noticed deadline. All comments submitted to the state board must be specifically related to the final amendment adopted by the regional board. If the regional board previously responded to the comment, the commenter must explain why it</p>

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			<p>believes that the regional board's response was inadequate. The commenter must include either a statement that each of the comments was timely raised before the regional board, or an explanation of why the commenter was unable to raise the specific comment before the regional board. The state board may refuse to accept any comments that do not include such a statement. The state board is not required to consider any comment that is not in compliance with this section.</p> <p>Several of the comments submitted to the State Water Board on this matter are identical to a comment submitted to the Los Angeles Water Board at the time the draft version of this regulation was under consideration by the Los Angeles Water Board. Where a commenter has merely repeated the comment submitted to the Los Angeles Water Board below, the comment does not comply with the above-quoted regulation. During its consideration, the Los Angeles Water Board received and provided written responses to all significant comments. Los Angeles Water Board's responses either indicated that changes would be made to the regulatory provisions or related documentation in view of the comment (in which case corresponding changes were made), or the Los Angeles Water Board's written responses indicated that changes would not be made, and the response indicated why not.</p> <p>The State Water Board cannot divine what the commenter believes has been adequately satisfied by the Los Angeles Water Board, nor can it determine the reason for any remaining dissatisfaction. Without that information, the State Water Board does not have a fair opportunity to understand what, if any, remaining concerns exist.</p>

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1.1	Grace Robinson Hyde	The Santa Clarita Valley Sanitation District of Los Angeles County (District) strongly supports the approval of Basin Plan amendments to revise the Upper Santa Clara River Chloride TMDL and to revise water quality objectives for chloride in the Upper Santa Clara River. Approval of the Basin Plan amendments would allow the District to implement a smaller, modestly less costly compliance project with reduced construction costs. The extension of the compliance schedule and interim waste load allocations to July 1, 2019 are critically important to allow the District sufficient time to complete design, construction, and startup of the chloride compliance project.	Comment noted.
2.1	Allan Cameron	WE SUPPORT THE REQUEST FOR ADDITIONAL TIME. The additional time request was approved by both the Santa Clarita Valley Sanitation District Board of Directors and The Los Angeles/Ventura Regional Water Quality Control Board, as well as other numerous Stakeholder entities. ACWA joins in the request for more time.	Comment noted.
2.2	Allan Cameron	<p>BENEFICIAL USERS PRESENT NO PROOF THEY ARE HARMED. One of the reasons why more time is necessary, is that no proof what so ever has ever been submitted to substantiate any claim by so called "beneficial users" (farmers) downstream in the Santa Clara, that any damage to crops caused by EXISTING levels of chloride has ever taken place.</p> <p>This simple fact is demonstrated by overwhelming proof. At the October 9th hearing at the Regional Board, testimony was submitted by Michael Solomon, head staff member of the United Water Conservation District, which serves portions of the areas downstream from the</p>	<p>See response to comment 0.1. This comment was previously made to the Los Angeles Water Board. The commenter has not explained why and in what manner the commenter believes the response provided by the Los Angeles Water Board is inadequate or incorrect. The State Water Board reviewed and agrees with the Los Angeles Water Board's response to this comment. The comment was outside the scope of the Los Angeles Water Board's consideration.</p> <p>Please see the relevant portion of the Los Angeles Water Board's response to comment 15.7 to Los Angeles Water Board Resolution R14-010, which states:</p>

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		<p>Upper Santa Clara Area. This testimony was given under oath.</p> <p>The effect of the additional time which is part of the action before the Board now, is that the existing levels of chloride found in the Upper Santa Clara will continue being discharged for another approximate five years. Upon direct questioning of Mr. Solomon by Region [sic] Board Member Glickfeld as to whether the farmers he purported to represent could somehow survive another five years of the existing chloride levels, Mr. Solomon did NOT give a simple direct answer. Here, Mr. Solomon could have entered into the record concrete proof, establishing the crop damage he alleges his customers have sustained. He did no such thing. As the audio record proves, Mr. Solomon gave vague comparisons between what he asserts happens to downstream farmers, and the effects of regional air quality problems. Since his comments were at a hearing of the Los Angeles Regional Water Quality Control Board, please review the full transcript of this telling exchange, as well as the actual audio recording.</p> <p>ACWA incorporates by reference the full transcript of the October 9, 2014 hearing before the Los Angeles Regional Water Quality Control Board into the ACWA comments submitted here.</p> <p>Here is the most damning evidence as to why the allegations of farmers downstream of the upper Santa Clara that they have suffered damage are baseless. Public records verify that the Santa Clarita Valley Sanitation District had been discharging its treated water</p>	<p>The impact of chloride on crop production and the protective threshold for chloride have already been documented in the administrative record for the original TMDL, as well as in the 2006 and 2008 revisions to the TMDL, including the Literature Review and Evaluation. On the basis of those records and during those proceedings, the Board determined the protective threshold for salt-sensitive agriculture. This issue has been well addressed and therefore is not being reconsidered by the Board as part of this hearing.</p> <p>Regarding the commenter's incorporation by reference of the transcript of the October 9, 2014 Los Angeles Water Board hearing on this matter, that transcript is already part of the Los Angeles Water Board's administrative record for Resolution R14-010.</p>

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		<p>into the Santa Clara River for nearly 50 years. Public records also verify that during these almost fifty years, no downstream "beneficial user" has ever filed a demand of any responsible regulatory agency that the "damage" they say then [sic] suffer be halted.</p> <p>More tellingly, during those nearly 50 years, the public record reveals something else. No "beneficial user" has ever gone to court with a lawsuit seeking to recover losses from crop damage. Surely, if these damage claims are true, the farmers would be entitled to compensation for their losses. There is a simple reason why no lawsuits have ever been filed. When someone goes to court, they have to bring proof. This is why the additional time requested presents an opportunity that must not be missed. Here it is.</p>	
2.3	Allan Cameron	<p>NO ACTUAL MEASUREMENTS OF THE BACKGROUND CHLORIDE LEVELS. A full Background Chloride Level Characterization Study of the Upper Santa Clara has never been performed. Instead, whatever sketchy understanding of the chloride levels exists has been based upon one computer model, and numerous dated, out of the area magazine articles. Please require that the long, LONG overdue actual study of the real conditions in the Santa Clara finally be conducted. Only those afraid of the truth would oppose such a scientific study. Over seeing this study should be a Citizens Advisory Committee with representatives of the REAL stakeholders involved. These are, namely the upstream entities with legal rights to the water, as well as those paying water and sewage bills.</p>	See response to comment 2.2.

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2.4	Allan Cameron	THIS IS ALSO A CEQA DETERMINATION HEARING. A decision will be made at this hearing as to what kind of California Environmental Quality Act (CEQA) determination will be required [sic] of this proposal. CEQA hearing laws are clear. Oral testimony is to be given the same, full consideration as written testimony. Therefore, in the context of CEQA, the restrictions listed about the content of oral testimony are improper and illegal. Please modify them for this hearing.	The State Water Board's Notice of Opportunity to Comment states, "Oral comments at the State Water Board meeting generally will be limited to a summary of the written comments submitted during the written comment period." This is in accordance with California Code of Regulations, Title 23, section 649.4, which states that "The State or Regional Board may require that prepared written testimony or other evidence be submitted in advance of any rulemaking or informational proceedings for the purpose of the orderly consideration of issues at the proceeding." Further, the notice says that oral comments <i>generally</i> will be limited to a summary of the written comments. In some circumstances, the State Water Board may make some allowances and choose not to apply this rule.
2.5	Allan Cameron	CEQA DETERMINATION (CATEGORICAL EXEMPTION) INCORRECT. The action before this Board seeks to delay the construction of a mega hundred million dollar water treatment plant for about five years. There has been no study of the effect on the environment of the effects of this delay. This is especially noteworthy, since the rationale [sic] for the plant, is that it is badly needed to avert further damage to "beneficial uses". If this is true, than how can delaying the plant be of no consequence to the environment? The only CEQA determination applied here is a years old categorical exemption. This is clearly a CEQA violation, and need correction.	See response to comment 0.1. This comment regarding alleged potential impacts to the environment caused by the proposed schedule extension was not timely raised before the Los Angeles Water Board, nor did the commenter provide an explanation of why the commenter was unable to raise the specific comment before the Los Angeles Water Board.  Further, the Los Angeles Water Board did not make a determination of a categorical exemption under CEQA. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the CEQA requirements for preparing environmental documents. The Los Angeles Water Board previously prepared a "substitute environmental document" for the previous revision of the TMDL adopted by Los Angeles Water Board Resolution No. R08-012. This document contained the required environmental documentation under the State Water Board's regulations for the implementation of

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			<p>CEQA for certified regulatory programs, as set forth in the California Code of Regulations, Title 23, sections 3775 through 3781. In preparing the previous substitute environmental documents, the Los Angeles Water Board intended those documents to serve as tier 1 environmental review. The Los Angeles Water Board found that the Basin Plan amendment adopted by Resolution No. R14-010 did not alter the environmental analysis that was previously prepared for the 2008 revision of the TMDL because the revised TMDL will not result in different implementation actions than those previously analyzed or different effects upon the environment. Moreover, no additional reasonably foreseeable methods of compliance warrant environmental analysis pursuant to Public Resources Code section 21159 and California Code of Regulations, Title 14, section 15187. As such, the Los Angeles Water Board found that the Basin Plan amendment is consistent with the prior CEQA documentation and determined that no subsequent environmental documents shall be prepared consistent with California Code of Regulations, Title 14, section 15162. (See generally findings 34 to 37 of Los Angeles Water Board Resolution R14-010.) The State Water Board concurs with the Los Angeles Water Board's CEQA findings and determinations.</p>
2.6	Allan Cameron	<p>5 YEAR EXTENSION DOES NOT ACKNOWLEDGE PENDING LITIGATION. In its joint requests, the Santa Clarita Valley Sanitation District, and the Los Angeles Regional Water Quality Control Board do not mention or make calculations about the overall effect of the ongoing, pending litigation between the Affordable Clean Water Alliance and the Santa Clarita Valley Sanitation District. This litigation challenges the adequacy of the environmental studies conducted regarding the so called "Chloride Compliance" project. By reference, this suit is</p>	<p>See response to comment 0.1. This comment was not timely raised before the Los Angeles Water Board, nor did the commenter provide an explanation of why the commenter was unable to raise the specific comment before the Los Angeles Water Board.</p> <p>Further, the pending third-party litigation between the Affordable Clean Water Alliance and the Santa Clarita Valley Sanitation District is not relevant to the Los Angeles Water Board's action and is outside the scope of the Los Angeles</p>

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		<p>included in this testimony. Since the Los Angeles Board was once a defendant in this suit and was discussed extensively in closed sessions, the suit is clearly in the Board's administrative record. What has not been disclosed to the State Board is the effect of the certain victory of this CEQA challenge. The Attorney firm representing the plaintiffs is the most formidable CEQA firm in California. More indicative of victory for the plaintiffs, however, is the defendant Santa Clarita Valley Sanitation District certified an EIR indicating that its environmental studies were complete. This included the pumping millions of gallons of concentrated brine PER DAY into the same areas where significant sources of Santa Clarita Valley drinking water is located. After certification, and after the filing of the suit against the certification, the Santa Clarita Valley Sanitation District has now started to initiate a second EIR regarding the effects of this massive salt water intrusion into Santa Clarita groundwater. These circumstances assure lawsuit victory for ACWA. No accounting of the large time line alteration caused by this litigation has been made public by either of the applicants for the actions before this board today.</p>	<p>Water Board's consideration. The Los Angeles Water Board is no longer a party to that lawsuit. That lawsuit challenges the Santa Clarita Valley Sanitation District's certification of an EIR. Any outcome of that lawsuit will have no impact on the Los Angeles Water Board's specific action in adopting the Basin Plan Amendment.</p> <p>Moreover, as this comment was not timely raised to the Los Angeles Water Board, and because the lawsuit is not relevant to the Los Angeles Water Board's action, the lawsuit is not included in the Los Angeles Water Board's administrative record as the commenter purports. The State Water Board also hereby declines including the lawsuit in its administrative record as well for the same reasons.</p>
2.7	Allan Cameron	<p>EXPANDED COMMENTS TIME REQUESTED. Because of the multiple stakeholders whose viewpoints are to be placed into the record, and because these comments constitute CEQA oral testimony, we request a total of ten minutes of presentation time at the December 16 hearing before this august board.</p>	<p>The request for additional time for oral testimony has been transmitted to the clerk of the State Water Board.</p>
3.1	Assemblyman Scott Wilk	<p>I support the approval of amendments to the Basin Plan to revise the Upper Santa Clara River Chloride TMDL and to modify water quality objectives for chloride in the Upper Santa Clara River.</p>	<p>Comment noted.</p>



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4.1	Senator Fran Pavley	I strongly support the approval of amendments to the Basin Plan to revise the Upper Santa Clara River Chloride TMDL and to revise water quality objectives for chloride in the Upper Santa Clara River.	Comment noted.
5.1	Flo Lawrence	The Castaic Area Town Council voted unanimously (7-0) on July 17, 2013, to request that certification of the above mentioned EIR be withheld and that the Santa Clarita Valley Sanitation District pursue administrative options to avoid the "chloride tax" costs being passed on to SCV residents and businesses. We also ask that the Sanitation District petition the Regional Water Quality Control Board to modify deadlines and cancel fines while new information and alternative solutions to the chloride problem are submitted and considered. We find the 100 mg/L legal limit set by the State onerous, and harmful to the future of Santa Clarita growth and prosperity. We recommend the SCV Sanitation District aggressively pursue a higher limit through the following six administrative avenues. File a lawsuit. Create new, accurate chloride TMDL's at the upcoming Tri-Annual Basin Review. Submit a new Sight [sic] Specific Objective (SSO) to the LARWQCB. And finally (although this might not eliminate the unrealistic strict 100 mg/L level), pursue the Commission on State Mandates Test Claim No. 10-TC-09.	<p>See response to comment 0.1. The commenter did not timely raise these comments before the Los Angeles Water Board, nor did the commenter provide an explanation of why the commenter was unable to raise the comments before the Los Angeles Water Board.</p> <p>This comment appears to be a resubmittal of comments originally submitted to the Santa Clarita Valley Sanitation District Board of Directors regarding the District's draft EIR for a project to implement the Chloride TMDL. The comments are directed to the District and not to the State Water Board. The commenter has not explained how the comments relate to the Los Angeles Water Board's action or the State Water Board's consideration of that action. However, the State Water Board notes that the Los Angeles Water Board's action does modify deadlines, establishes new site-specific objectives, and revises the TMDL to aid the District in implementing its chosen alternative solution to the chloride problem.</p>
6.1	Dan Masnada	The Castaic Lake Water Agency strongly supports approval of amendments to the Basin Plan to revise the Upper Santa Clara River Chloride TMDL and to revise water quality objectives for chloride in the Upper Santa Clara River.	Comment noted.

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7.1	TimBen Boydston	<p>The fact is that there has never been any scientific evidence given that shows that Chloride discharges from the Santa Clarita treatment plants has harmed downstream crops. During the LARWQCB meeting October 9, 2014, when a representative of the downstream agricultural interests was asked (under oath) if there were damages to the crops and to crop yields from the discharge of Chlorides, the answers were that there were no visible damages, but rather that the damages were taking place akin to “air pollution” where eventually damages would become evident at some undetermined time. There is simply no evidence that the beneficial users downstream are being harmed by the discharge of chlorides by the upstream users.</p> <p>In addition the TMDL for chloride of 100 mg/liter that is being imposed upon the Sanitation plants in the Santa Clarita Watershed is arbitrary and capricious. Historic levels in the SCR shown in measurements going back to 1951 show historic levels of over 500 mg/Liter for some periods of time, with no crop damages ever reported. (historic levels chart attached) Even the highly suspect (due to conflicts of interest on the part of half of the authors) Literature review evaluation of what levels would be safe for salt sensitive crops found that the safe level would be at least 117 mg/Liter, so the 100 mg/liter level isn’t even backed up by majority report of the authors of the study that has been sighted [sic] by the Water Boards as the scientific study upon which the chloride level is predicated. (Literature Review Evaluation 2005)</p> <p>Another disturbing and unscientifically supported</p>	<p>See response to comment 2.2.</p> <p>Further, the Los Angeles Water Board addressed the comment given by United Water Conservation District regarding impacts to drinking water and the build-up of chloride levels in the Piru groundwater basin as outside the scope of its action to revise the TMDL in its response to comment 4.3 to Los Angeles Water Board Resolution R14-010, which in part states:</p> <p style="padding-left: 40px;">A TMDL is a federal regulatory tool to restore surface water quality; it is not the appropriate tool to address historically impacted groundwater basins.</p>

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		<p>contention that was given under oath was that there was chloride being called “pollution” that was 1) negatively impacting drinking water of a low income community in the Piru Basin and 2) that there was a build-up of chloride levels which was moving across the basin.</p> <p>The agribusiness of Ventura County created the Ventura County Agricultural Water Quality Coalition to convince the Los Angeles Regional Water Quality Control Board to create an unscientifically supported 100 mg/Liter threshold to “protect” salt sensitive crops, although the basis of this level according to the Sanitation District is “what was said to have been” a historical level since the 1970’s, with no scientific studies to support that level. The real issue continues to be not the chloride level, but the desire for upstream users to supply them more free low chloride water.</p>	
8.1	David Lutness	<p>SCOPE has consistently commented on this issue since the late ‘90s when the reaches in question for this amendment were first placed on the 303d list. We have participated in stakeholders groups, appeared at public hearings and written extensive comment letters, both to this Board and the Los Angeles County Sanitation Districts in an effort to ensure that the Santa Clara River and its beneficial uses are protected as required by the Clean Water Act. We submitted comments to the LARWQCB and appeared on this matter at its Oct 9th, 2014 meeting where this resolution was considered. We now timely file this comment letter on 11-25-14.</p>	Comment noted.
8.2	David Lutness	<p>We begin our comments by stating that we are extremely discouraged with this process and the Board’s failure to reach a final resolution on the matter. Instead, both the</p>	<p>See response to comment 0.1. This comment was previously made to the Los Angeles Water Board. The commenter has not explained why and in what manner the commenter</p>

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		<p>time for completion has been extended and the levels of the TMDL have been weakened. The Sanitation District has filed lawsuits instead of attempting to comply in an efficient and cost effective manner. They dragged their feet over producing an EIR and even now have released a supplemental EIR for an issue that should have been covered by the original document, thus once again slowing down the process. As you are aware, a fully compliant program and schedule was approved by your Board and the EPA at the request of the Sanitation Districts in 2008. The Districts then decided not to proceed with that program. So it is now 2014, six years later, and instead of demanding compliance the Los Angeles Board is allowing the TMDL to be weakened (from 100 to 150 mg/l in reaches 5 and 6 and a less stringent rolling average in the Newhall Ranch area below the Valencia Sanitation plant).</p> <p>It seems that the Board has bought into this delay tactic. Instead of finding ways to encourage compliance, they have allowed these delay tactics to impede the final resolution of this matter and, ultimately, the reduction of salt in the Santa Clara River.</p>	<p>believes the response provided by the Los Angeles Water Board is inadequate or incorrect. The State Water Board reviewed and agrees with the Los Angeles Water Board's response to this comment.</p> <p>Please see the relevant portion of the Los Angeles Water Board's response to comment 6.2 to Los Angeles Water Board Resolution R14-010, which states:</p> <p style="padding-left: 40px;">The Regional Board took enforcement actions against SCVSD for not completing TMDL implementation tasks by required deadlines. Now, through this action, the Board is endeavoring to make revisions to the TMDL that are fully protective of the most sensitive beneficial use of the Santa Clara River and will facilitate SCVSD's implementation of the TMDL requirements. To accomplish this, these revisions include an extension of the implementation schedule by four years in order provide the time that will be necessary to implement the final chloride compliance plan approved by SCVSD on July 7, 2014. According to the Upper Santa Clara River Chloride TMDL Schedule Justification report submitted by SCVSD, project implementation will begin in October 2014 and has not been impacted by the release of a supplemental EIR.</p> <p>See also response to comment 8.3.</p>
8.3	David Lutness	<p>The environmental community did not dispute the findings on the effect of salts on habitat and the Santa Clara River, although, clearly studies were done only on adult species, and not done on impacts to needed habitat, reproduction or effects on juveniles, eggs, etc. We did</p>	<p>See response to comment 0.1. This comment was previously made to the Los Angeles Water Board. The commenter has not explained why and in what manner the commenter believes the response provided by the Los Angeles Water Board is inadequate or incorrect. The State Water Board</p>

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		<p>not object to this because we felt the compromise made with the farmers of 117 mg/L on an instantaneous basis was sufficient protection. Now the Board proposes 150 mg/L on a rolling average, which could allow considerably higher levels of chlorides. We believe the impacts to endangered species and their habitat must be revisited before these new limits are accepted.</p> <p>When will these higher levels occur? Will they affect viability of fish and amphibian eggs if the occur in the breeding season? No review of these issues was conducted by the LA Board.</p> <p>On what grounds has the Board agreed to this higher level of salt and extension of time? Will such an increased level affect dischargers' ability to meet the required 117 or 100 mg. Or are neither of these levels being abandoned? How is this allowed when all studies indicated that the Santa Clara River agricultural beneficial use will be affected at levels over 117 mg/l?</p>	<p>reviewed and agrees with the Los Angeles Water Board's response to this comment.</p> <p>Please see the relevant portion of the Los Angeles Water Board's response to comment 6.3 to Los Angeles Water Board Resolution R14-010, which states:</p> <p style="padding-left: 40px;">The proposed revision requires lower, not higher levels of chloride than were allowed by the 2008 Upper Santa River Chloride TMDL. The 2008 TMDL conditionally allowed 150 mg/L in Reaches 5 and 6, expressed as a 12-month rolling average. During the development and adoption of the 2008 TMDL, the Regional Board concluded that these levels were protective of the aquatic life beneficial use, including threatened and endangered species and their food sources.</p> <p style="padding-left: 40px;">The revisions proposed will require lower, not higher, levels of chloride than in the 2008 TMDL. The proposed revisions allow for 150 mg/L expressed as a 3-month average in Reach 6 and in the few hundred yards of Reach 5 above the Valencia WRP.</p> <p style="padding-left: 40px;">In developing the proposed revisions, the Regional Board required SCVSD to conduct numerous model runs using the GWSI model to ensure that an objective of 100 mg/L as a 3-month average would be attained downstream of the WRPs. The proposed revised TMDL assigns the Valencia WRP a variable waste load allocation (WLA) less than 100 mg/L as a 3-month rolling average, which would allow the Saugus WRP to discharge up to 150 mg/L as a 3-month</p>

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			<p>rolling average, while still meeting the numeric target of 100 mg/L as a three-month rolling average immediately downstream of the Valencia WRP. The proposed TMDL revisions include interim milestones to ensure that the facilities needed to attain flow-weighted WLAs are constructed in time for the Saugus and Valencia WRPs to attain final WLAs.</p>
8.4	David Lutness	<p>The Regional Board did not address what affect this change will have on other permits issued in reach 5, i.e. the Newhall Ranch Sanitation District permit and the WDR for Newhall Ranch recently issued? How will these be enforceable if other dischargers are allowed a higher limit?</p>	<p>See response to comment 0.1. This comment was previously made to the Los Angeles Water Board. The commenter has not explained why and in what manner the commenter believes the response provided by the Los Angeles Water Board is inadequate or incorrect. The State Water Board reviewed and agrees with the Los Angeles Water Board's response to this comment.</p> <p>Please see the relevant portion of the Los Angeles Water Board's response to comment 6.4 to Los Angeles Water Board Resolution R14-010, which states:</p> <p style="padding-left: 40px;">Under the proposal, the Newhall Ranch Sanitation District and other NPDES-permitted dischargers, including any future dischargers, in the watershed are assigned a WLA equal to 100 mg/L as a 3-month average. Language is included in the TMDL that ensures that this WLA will be directly incorporated into the NPDES permit for the Newhall Ranch Sanitation District and will be enforceable.</p>
8.5	David Lutness	<p>We understand that there is a new proposal to re-water the upper reaches of the river with some of the sanitation district effluent. Such a proposal has merit in that it could improve both water supply and habitat in the upper river.</p>	<p>See response to comment 0.1. This comment was previously made to the Los Angeles Water Board. The commenter has not explained why and in what manner the commenter believes the response provided by the Los Angeles Water</p>

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		<p>This might be a reason to allow some change to reach 6 of the river to accommodate such a project. But without any firm proposal and commitment to such a plan, we see no reason why the Board should now be weakening the chloride TMDL for the benefit of a party that has made every effort to avoid compliance. Now, a weakened TMDL in reach 6, allowing the Saugus plant to discharge at higher chloride levels may preclude ever getting recycled water to the upper watershed. All the recycled water will be funneled downstream to the great advantage of the Newhall Land and Farming Company and its proposed 21,000 unit Newhall Ranch project, which will become the only user able to easily access this recycled water. The Resolution should have included strong language regarding compliance. Instead, a statement was included that allowed for adjustments to the schedule. Based on the past actions of the Sanitation District, we have strong concerns that such a lenient arrangement will be abused.</p>	<p>Board is inadequate or incorrect. The State Water Board reviewed and agrees with the Los Angeles Water Board's response to this comment.</p> <p>Please see the relevant portion of the Los Angeles Water Board's response to comment 6.5 to Los Angeles Water Board Resolution R14-010, which states:</p> <p style="padding-left: 40px;">The proposed revisions do not allow for a decrease in water quality in Reach 6 as compared to the AWRM program under the 2008 TMDL. Please see response to comment No. 6.3. Further, while the Regional Board supports integrated water resources approaches that address water quality and have water supply benefits, the sole regulatory purpose of the proposed revisions is to fully protect water quality and beneficial uses of the Upper Santa Clara River and ensure that water quality standards are attained.</p>
8.6	David Lutness	<p>One last note, it appeared that some information provided in the October notice was incorrect, in that from RWQCB maps, reach 5 is below the Valencia plant, while the notice for this project stated that it is above the Valencia plant. Please clarify this issue as it will have a substantial affect on compliance.</p>	<p>See response to comment 0.1. This comment was previously made to the Los Angeles Water Board. The commenter has not explained why and in what manner the commenter believes the response provided by the Los Angeles Water Board is inadequate or incorrect. The State Water Board reviewed and agrees with the Los Angeles Water Board's response to this comment.</p> <p>Please see the relevant portion of the Los Angeles Water Board's response to comment 6.6 to Los Angeles Water Board Resolution R14-010, which states:</p> <p style="padding-left: 40px;">The Valencia WRP is located within Reach 5, a few</p>

## Draft Comment Summary and Responses

Comment Deadline: November 25, 2014

Amendment to the Water Quality Control Plan for the Los Angeles Region to  
Revise the Upper Santa Clara River Chloride TMDL and Water Quality Objectives for Chloride in the Upper Santa Clara River

No.	Author	Comment	Response
			<p>hundred yards downstream of the reach break. The language in the notice is intended to clarify that we are only proposing a site-specific objective for the portion of Reach 5 that is above the Valencia WRP. This was done to accommodate the “flow-weighting” approach that is discussed in the TMDL and in response to comment 6.3. Flow weighting means that discharges of effluent from the Saugus WRP (in Reach 6) can be permitted to have chloride concentrations up to 150 mg/L as a 3-month average, but that chloride concentrations in effluent discharges from the Valencia WRP will vary based on the discharge quality of the Saugus WRP, always remaining under 100 mg/L as a 3-month average, such that the combined flow-weighted concentration of chloride discharged from the two WRPs always meets the water quality objective of 100 mg/L as a 3-month average downstream of the Valencia WRP.</p>
9.1	Terri Crain	The Santa Clarita Valley Chamber of Commerce strongly supports the proposed Basin Plan amendment to revise the Upper Santa Clara River Chloride TMDL and to incorporate new site specific objectives for chloride for the Upper Santa Clara River.	Comment noted.