Ballona Wetlands Conservancy Information

John Davis March 19, 2018

SUMMARY

The Ballona Wetlands Conservancy is a California Non-Profit organization. The bylaws of this private business dated November 1, 2000 state that the Board of Directors consists of the following:

"One (1) member of the Board will be appointed by":

- Playa Capital (a private for profit private business)
- Friends (of the Ballona Wetlands a private non-profit business)
- Secretary or Resources of the State of California
- Council District Office for the City of Los Angeles representing the district in which the Ballona Wetlands are located

Responses to requests made pursuant to the California Public Records Act demonstrate that:

- The Secretary of Resources of the State of California did not appoint a Director to the Ballona Wetlands Conservancy
- Council District Office for the City of Los Angeles representing the district in which the Ballona Wetlands are located did not appoint a Director to the Ballona Wetlands Conservancy

Therefore, in my opinion, the bylaws under which this non-profit business has operated under in accordance with State of California and Federal Law have been falsified since its incorporation in the year 2000.

Furthermore, the current owners of the Playa Vista Project appear to insinuate to an employee of the State of California Department of Fish and Wildlife, Richard Brody, that he is on a "Conservancy", "Board", and has voting authority, and insinuates he has voting authority as a

Director and is covered by liability insurance.

This claim too, appears to be patently false. Richard Brody is not a Director of the Ballona Wetlands Conservancy, does not have voting power, and is not covered by the liability insurance of that organization. Nor, has the California Department of Fish and Wildlife authorized Mr. Brody to represent that State Agency as a Board Member of the non-profit private business.

Currently, the State Lands Commission and the California Coastal Commission assert that the Ballona Wetlands Conservancy retains private control of public lands associated with Coastal Development Permit 5-91-463, in accordance with a "Conservation Easement", which was never approved by any State Agency or authorized by the State of California Legislature prior to the transfer of the private lands to the State. Currently, the land deed reflects this private control over public lands. The project is defined by the application for Coastal Development Permit 5-91-463 is to provide flood control for Playa Vista Phase One and all subsequent Phases, a private purpose partially on public land with no visible benefit to the public.

The non-profit in question claims to have full management authority over the State Lands in question and reports to State and Federal Agencies including the California Coastal Commission U.S. Army Corp of Engineers, and U.S. EPA among other entities.

CONCLUSION

The Ballona Wetlands Conservancy, in my opinion, appears to be engaging in Land Fraud and employees and or elected officials of the State of California Lands Commission, the State Coastal Commission, and the City of Los Angeles are knowing participates. It is my further opinion that there are federal ramifications since this activity is taking place on wetlands under the jurisdiction of the U.S. Army Corp of Engineers, U.S. EPA, and U.S. NOAA, in that the California Coastal Commission implements the U.S. Coastal Zone Management Act of 1972 under NOAA jurisdiction.

My further belief, based upon the aforesaid records, is that the following federal laws have been and are currently being violated:

18 U.S. Code § 1001 - Statements or entries generally

31 U.S. Code § 3729 - False claims

923. 18 U.S.C. § 371—Conspiracy to Defraud the United States

LIST OF ATTACHMENTS

1. **Bylaws of the Ballona Wetlands Conservancy, in part, as if set forth in whole**

2. **Response to CPRA request from the City of Los Angles - no Director Appointed to the Ballona Wetlands Conservancy**

3. **E-mail demonstrating City of Los Angeles employee participation in the Ballona Wetlands Conservancy**

4. **Response to CPRA request from the Office of the California Secretary of State - no Director Appointed to the Ballona Wetlands Conservancy**

5. **E-mail demonstrating State of California Department of Fish and Wildlife employee participating in the Ballona Wetlands Conservancy**

6. **2004 Report by the Ballona Wetlands Conservancy to the California Coastal Commission purporting to assume management authority of the flood control project authorized by Coastal Development Permit 5-91-463.**

ATTACHMENT 1

BYLAWS
OF
BALLONA WETLANDS CONSERVANCY
A California Nonprofit Public Benefit Corporation

(e) The BWC will not make any taxable expenditures as defined in Section 4945(d) of the IRC.

1.6.7. So long as the Declarant, as defined in the Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Playa Vista, recorded in the Official Records of Los Angeles, California, owns any portion of Playa Vista or the Annexable Area, as both terms are defined in the Master Declaration, the Articles and Bylaws of BWC cannot be amended without the written consent of the Declarant.

ARTICLE II
MEMBERS

The BWC will not have any members. The Board may wish to associate certain individuals with the BWC. For example, the Board may seek volunteers to be responsible for various ministerial duties.

2.1. NO MEMBERS.

BWC shall have no members. Any action which would otherwise require approval by a majority of all members or approval by the members shall require only approval of the board of directors of the Ballona Wetlands Conservancy ("Board"). All rights which would otherwise vest in the members shall vest in the Directors.

ARTICLE III
DIRECTORS

The Board of Directors oversees all operations of the BWC. The Board will have four (4) Directors. The Board oversees all corporate activities and operations of the BWC's committees or divisions. It has the power to select, appoint and replace officers, the power to contract on behalf of the BWC and the power to direct its funds. All major decisions affecting the BWC must be approved by the Board. One (1) member of the Board will be appointed by Playa Capital, one (1) by The Friends, one (1) by the Secretary of Resources of the State of California, and one (1) by the Council District Office for the City of Los Angeles representing the district in which the Ballona Wetlands are located. These four entities that are authorized by these Bylaws to appoint one each of the four (4) original Directors of the BWC are, for purposes of these Bylaws, the "Appointing Entities."

3.1. GENERAL CORPORATE POWERS.

As provided in the provisions and limitations of the California Nonprofit Corporation Law and subject to applicable laws, any limitations in the articles of incorporation of the Ballona Wetlands Conservancy ("Articles") or the Bylaws of the Ballona Wetlands Conservancy ("Bylaws"), the BWC's activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board. The Board may delegate the management of the activities of the BWC to any person or persons, a management company or committees however composed, provided that the activities and affairs of the BWC shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board.

3.2. SPECIFIC POWERS.

Without prejudice to the general powers set forth in Section 3.1, but subject to the same limitations, the Directors shall have the power to do the following:

ATTACHMENT 2

Subject: Re: Los Angeles Council District 11 Att: Mike BoninREQUEST FOR PUBLIC RECORDS Re Ballona Wetlands Conservacy a Private Business
From: Tricia Keane <tricia.keane@lacity.org>
Date: 2/13/18, 5:50 PM
To: jd@johnanthonydavis.com
CC: Chad Molnar <chad.molnar@lacity.org>

Hi John,

I do apologize for the delay in responding, and I very much appreciate your continued patience. As you know, your request sought "Record of appointment of a member of the board of directors of a private business named the Ballona Wetlands Conservancy by the Council District Office for the City of Los Angeles representing the District in which the Ballona Wetlands are located." As your email stated, the request was directed to both Council Districts (11 and 6) that do or did represent the area covering the Ballona Wetlands.

We have searched our records for the information that you have requested, and we do not have any records in our possession that are responsive to your request. Again, my apologies for the time it took for me to get back to you with this information.

Kind regards,
Tricia

ATTACHMENT 3

Ballona Wetlands Conservancy questions

13 messages

Debbie DynerHarris <debbie.dynerharris@lacity.org> Wed, Aug 24, 2016 at 1:28 PM
To: Marc Huffman · Catherine Tyrrell

Hi, I am suddenly getting quite a few inquiries about this organization and CD11's position and involvement. I am embarrassed to say that I really don't know much of anything. When Fred Sutton left, I said yes to everything without asking questions. My bad.

Can one of you please help me out by providing background and information on the Conservancy or Foundation?

Thank you very much,
Debbie

–

Debbie Dyner Harris
District Director
Councilmember Mike Bonin
City of Los Angeles
310-575-8461 | www.11thdistrict.com

Sign Up for Mike's Email Updates

Download the City of Los Angeles MyLA311 app for smartphones!

ANDROID APP ON Google play | Download on the App Store

MyLA311 links Angelenos with the services and information they need to enjoy their city, beautify their community and stay connected with their local government. With MyLA311, City of Los Angeles information and services are just a few taps away.

Catherine Tyrrell · Wed, Aug 24, 2016 at 1:39 PM
To: Debbie DynerHarris <debbie.dynerharris@lacity.org>
Cc: Marc Huffman

Hi Debbie. I can send you my scan of the conservancy by-laws. I have also been working on some proposals for committees for the October meeting.

I know Marc is dealing with some serious family health issues right now. He of course can provide a lot more in the way of bs keeping documents.

My cell is

Sent from my iPhone
[Quoted text hidden]

Catherine Tyrrell Wed, Aug 24, 2016 at 1:50 PM
To: Debbie DynerHarris <debbie.dynerharris@lacity.org>

I just learned that Marc's father passed away yesterday. So he is out of the loop on work issues until next week.

I am sending you a couple of documents and would be glad to talk - in the next couple of hours.

Thanks,

Catherine

Sent from my iPhone

On Aug 24, 2016, at 1:28 PM, Debbie DynerHarris <debbie.dynerharris@lacity.org> wrote:

[Quoted text hidden]

Marc Huffman Wed, Aug 24, 2016 at 1:52 PM
To: Catherine Tyrrell ·
Cc: Debbie DynerHarris <debbie.dynerharris@lacity.org>

Hi Debbie - yes this has been a horrible week; my father passed away on Monday so I have not been in the office. I will be happy to discuss this with you in depth next week when I should be back in the office.

Thanks,

Marc

Sent from my iPhone
[Quoted text hidden]

Catherine Tyrrell Wed, Aug 24, 2016 at 1:54 PM
To: Debbie DynerHarris <debbie.dynerharris@lacity.org>
Cc: Marc Huffman

Debbie - please see the attached copy of the By-Laws. Also, with all the craziness with the actions by Vector Control, etc,, I have been extremely concerned regarding how to avoid this ever happening again. So I started working on some ideas for the October annual meeting.

These are attached.

Best Regards,

Catherine
[Quoted text hidden]

2 attachments

BWC Bylaws.pdf
7152K

Draft statement of direction for the Ballona Wetlands Conservancy 2.docx
16K

ATTACHMENT 4

RE: FW: REQUEST FOR PUBLIC RECORDs TO SECRETARY...

Subject: RE: FW: REQUEST FOR PUBLIC RECORDs TO SECRETARY OF RESOURCES CA FROM JOHN DAVIS 11/25/2017
From: "Baugh, Heather@CNRA" <heather.baugh@resources.ca.gov>
Date: 1/4/18, 4:19 PM
To: JD <jd@johnanthonydavis.com>
CC: "Burchill, Emiko@CNRA" <emiko.burchill@resources.ca.gov>, "Calfee, Christopher@CNRA" <Christopher.Calfee@resources.ca.gov>, patricia mc pherson <patriciamcpherson1@verizon.net>, "Todd T. Cardiff, Esq." <todd@tcardifflaw.com>, "Ainsworth, John@Coastal" <John.Ainsworth@coastal.ca.gov>, "Willis, Andrew@Coastal" <Andrew.Willis@coastal.ca.gov>, "Haage, Lisa@Coastal" <Lisa.Haage@coastal.ca.gov>

Mr. Davis,

Your prior request asked for CNRA to: "Provide any and all records of communications (to/from) from a private business named the Ballona Wetlands Conservancy…" among six other enumerated things, including whether the Secretary had asked or was offered a position as Director. Had there been documents appointing anyone, including the Secretary, to this board, they would have been responsive to your original request. Ms. Burchill looked, and no such documents were maintained. My client does not have such documents.

Sincerely,

HB

Heather C. Baugh, Assistant General Counsel

California Natural Resources Agency

1416 Ninth Street, Suite 1311

Sacramento, CA 95814

Telephone: 916-653-5656

Fax: 916-653-8102

Every Californian should conserve water. Find out how at:

Save Our Water

SaveOurWater.com · Drought.CA.gov

ATTACHMENT 5

---------- Forwarded message ----------
From: Marc Huffman <Marc.Huffman@brookfieldrp.com>
To: "Brody, Richard@Wildlife" <Richard.Brody@wildlife.ca.gov>
Cc:
Date: Fri, 22 Jul 2016 23:10:27 +0000
Subject: RE: Mosquito Breeding - Second Notice of Intent to Issue a Public Health & Safety Nuisance Notice of Violation

You have voting authority. Every year we have voted to approve a budget, maybe a couple of other items. That's pretty much all we've done as a board.

Yes we carry liability insurance with director and officer's coverage.

Marc Huffman
Vice President of Planning & Entitlements

Brookfield Residential
12045 Waterfront Drive Suite 400, Playa Vista, CA. 90094
D: 310.448.4629 **C:** 310.968.5233 **F:** 714.338.8229
Marc.Huffman@brookfieldrp.com
www.BrookfieldSoCal.com
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From: Brody, Richard@Wildlife [mailto:Richard.Brody@wildlife.ca.gov]
Sent: Friday, July 22, 2016 4:05 PM
To: Marc Huffman
Subject: RE: Mosquito Breeding - Second Notice of Intent to Issue a Public Health & Safety Nuisance Notice of Violation

Hi Marc,

Couple questions:

1. Am I on the board in strictly an advisory capacity only or do I have voting authority? I can't remember if I have voted before or not.
2. Does your Conservancy carry general liability insurance to protect its board members in the case of this sort of law suit?

Thanks,

Brody

ATTACHMENT 6

BALLONA FRESHWATER MARSH AT PLAYA VISTA

Annual Report of Monitoring, Operation, and Maintenance

Year 2: October 1, 2003 – September 30, 2004

Prepared For:

The Ballona Wetlands Conservancy
5510 Lincoln Boulevard, Suite 100
Playa Vista, CA 90094

Prepared By:

Edith Read, Ph.D.
Preserve Manager, Ballona Freshwater Marsh
Center for Natural Lands Management

Eric Strecker and Jim Howell
Geosyntec Consultants

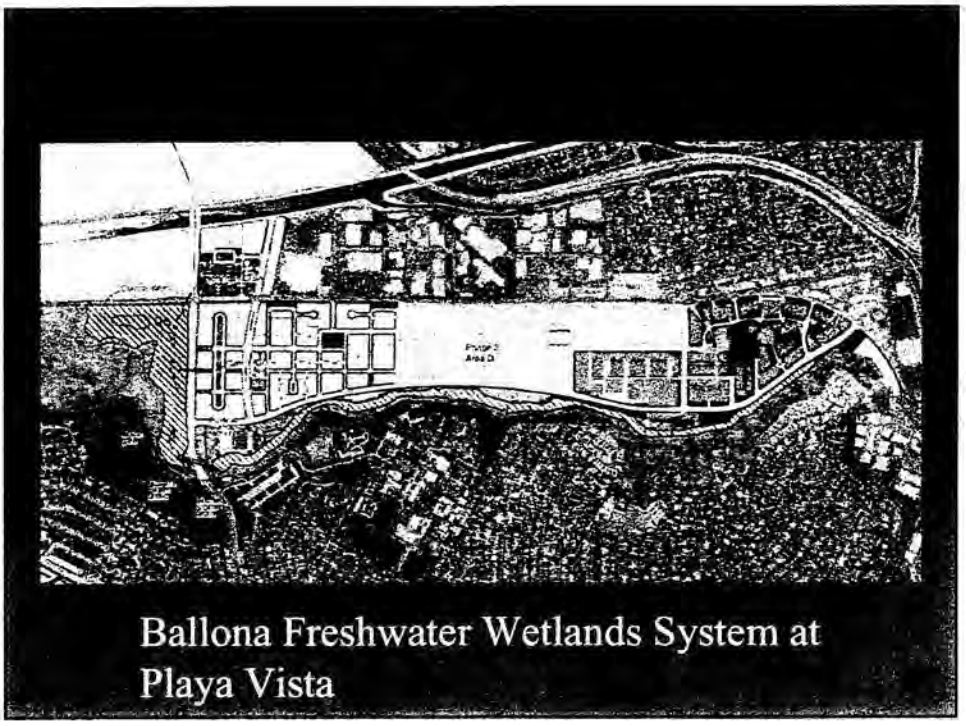
Correspondence regarding this report should be addressed to: Dr. Edith Read, Center for Natural Lands Management, 6775 Centinela Avenue, Trailer A, Culver City, CA 90230; phone 310-448-4701; email: eread@cnlm.org.

Freshwater Marsh Monitoring and Maintenance

Report to Agencies
August 18, 2004

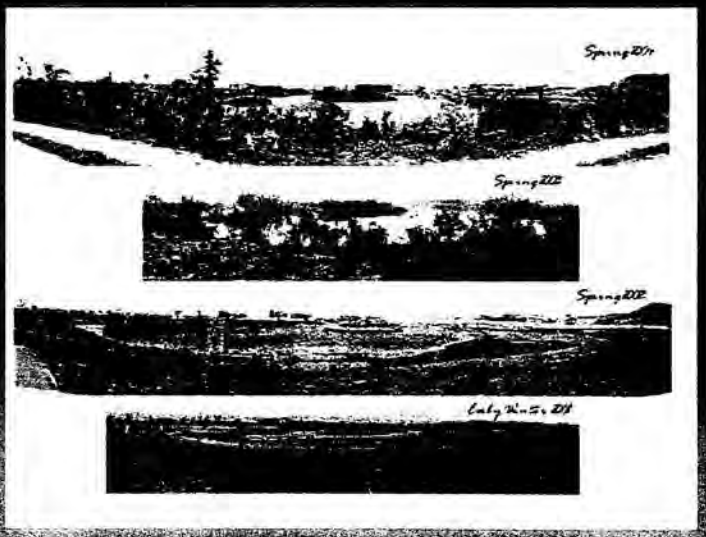
Progress at Freshwater Marsh

- Activities guided by four permits as compiled into the Operations, Maintenance and Monitoring Manual
- Annual Report required by Permits
- Voluntarily providing additional feedback (including this presentation)



Ballona Freshwater Wetlands System at Playa Vista

Freshwater Marsh 2001-2004



Administrative Update

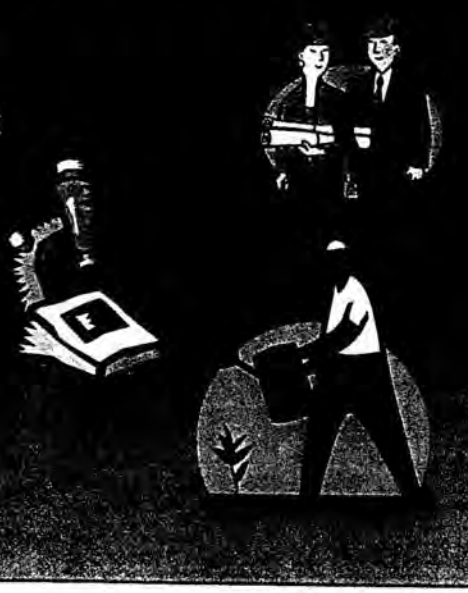
Operations Transferred to Ballona Wetlands Conservancy

- Four Members on Board
- Oversees Operations, Monitoring, and Maintenance once construction is completed
- Conservancy continues to manage in long term

Ownership Transferred to State Lands Commission

Conservancy contractors hired:

- Center for Natural Lands Management
- ParkWest
- Geosyntec
- CDM



Funding structure implemented

2004 Budget: $652,468

Income from:

1. Waters Edge - $ 38,594
2. The Campus - $286,270
3. PVCS - $327,604

Expenditures on track

Ballona Freshwater Marsh: Key Objectives

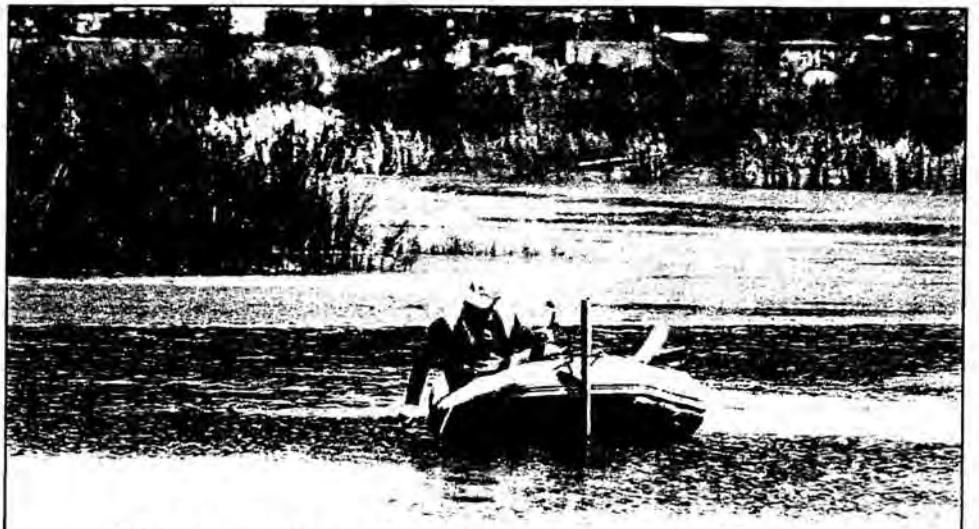
- Habitat Enhancement
- Stormwater Management
- Flood Management

Ballona FWM Grading and Inlet/Outlet Structures

Figure 1-2. Marsh Grading and Inlet/Outlet Structures

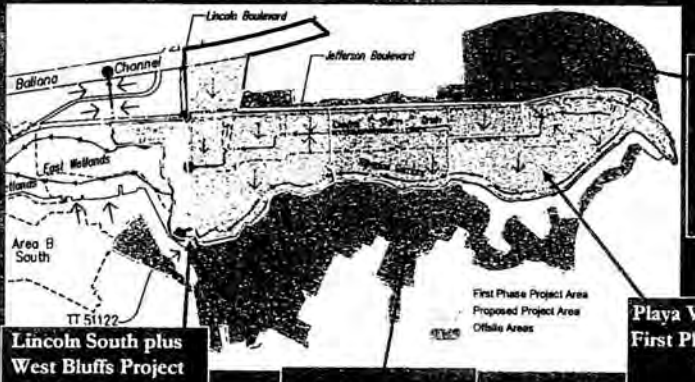
Mid-Year Monitoring Update

- Stormwater Quality Monitoring
- Habitat Monitoring



Water Quality Monitoring Results at Ballona Freshwater Marsh 2003-2004

Freshwater Marsh Tributary Areas and Land Uses



North of Jefferson
~220 Acres

30% Industrial
5% Commercial
18% Major Roadways
46% Residential

Playa Vista Development
First Phase and Proposed
~440 Acres

34% Commercial
41% Residential
24% Open Space

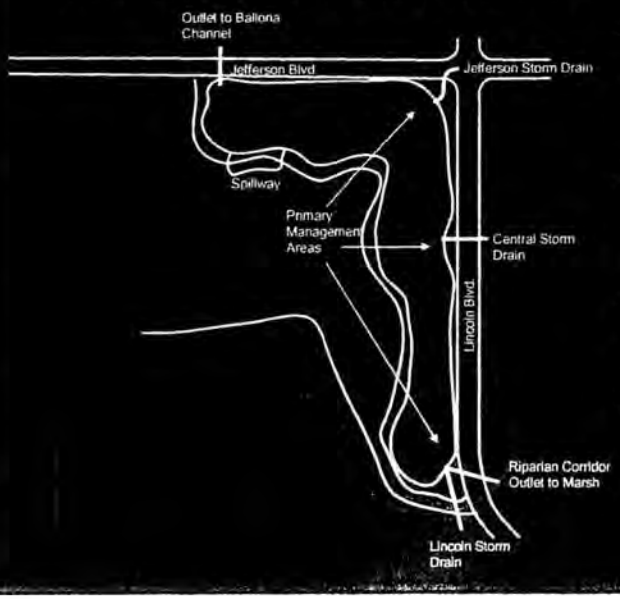
Lincoln South plus
West Bluffs Project
~90 Acres

4% Commercial
7% Major Roadways
89% Residential

Westchester Bluffs
~290 Acres

30% Commercial
53% Residential
16% Open Space

Water Quality Features of the Freshwater Marsh at Completion



- 4 Drainages, 3 Inlets
- Shallow, densely vegetated, "primary management areas"
- Sized to detain runoff from about over 1 inch storm event for 24-36 hours (built-out)
- Islands and varied topography resulting in longer flow paths
- Jefferson drain now discharges to fresh water marsh (used to discharge to saltwater marsh)

BMPs Upstream of FWM

- Primarily underground parking
- Catch basin filters
- Underground refuse/recycling containers
- Street and hardscape sweeping
- Public education

- Additional Phase 2 + roof stormwater planter boxes, swales, completion of riparian corridor; no copper/zinc products for roofs, etc.
- Other planned BMPs – Caltrans swales and CDS unit;

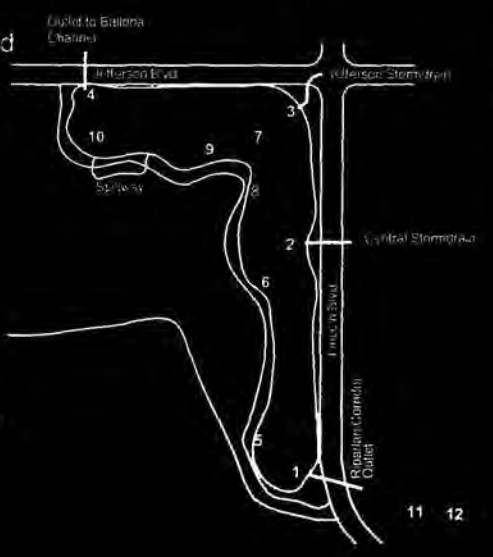
Monitoring Locations

Stations Currently Being Monitored

- Full Wet Chemistry &Toxicity
  Stations 2,3,4
- Field Parameters
  2,3,4,6,7,8,9,10
- Sediment Sampling
  2,3,4

When Construction is Completed:

- Stations 1,5,11, & 12 Will Be Included in WQ and Sediment Monitoring



Analytical Parameters

Field

- DO, Turbidity, pH, Temperature, Conductivity

Wet Chemistry

- Nutrients, Bacteria, Metals, Pesticides, Organics, TSS, BOD, Hardness, Salinity

Sediments

- Metals, Pesticides, Organics, Nutrients

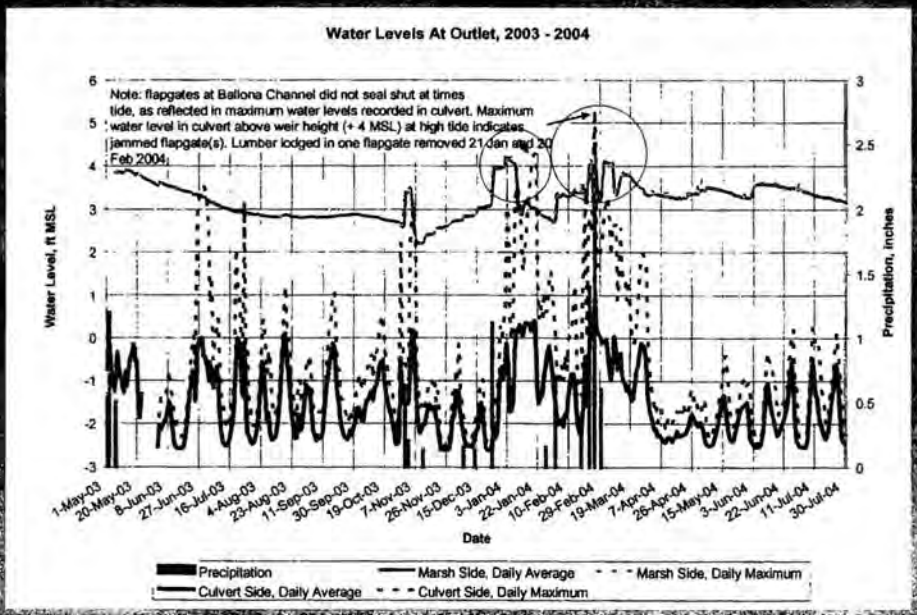
Toxicity

- Acute & Chronic for Water Flea and Minnow

Monitoring Frequency

- Dry Season (May-October)
  - Quarterly Water Quality
- Wet Season (November-April)
  - Monthly Water Quality
  - One wet weather event per year
- Annually (in August)
  - Sediment Quality

Water Level and Precipitation



FWM Ballona Channel Culvert Outlet

Flap gates can become blocked

Higher high tides can and have caused backflow from the Ballona Channel into Freshwater Marsh

2003-04 Summary

October 2003 to July 2004

- Eight Monitoring Events (7 dry weather; 1 wet-weather):
  - Oct., Nov. Dec, *Jan*, Feb, Mar., Apr., July
- One Wet-Weather Event
  - *January 2004*
- Sediment sampling to be conducted this Month

Field Parameter Results

Average Dissolved Oxygen ~6.5 mg/L

- Range: 3.7 – 13.5 mg/L
- Inlet averages: Central ~6.6 mg/L; Jefferson ~6.9 mg/L
- Outlet average ~8.3

Average pH ~7.8

- Fairly constant throughout marsh

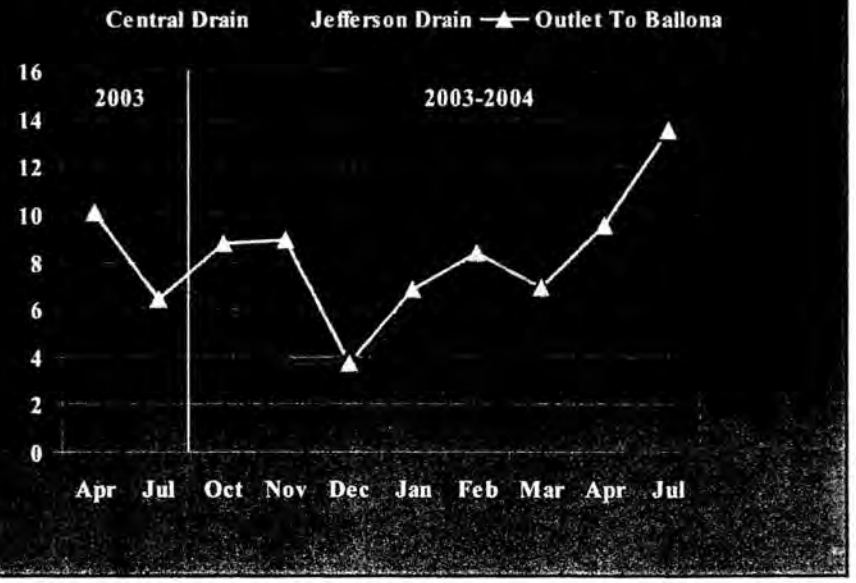
Average Specific Conductance ~1050 umhos/cm

- Increase through Feb. then decreases through Apr. (likely a result of backflow from Ballona Channel)

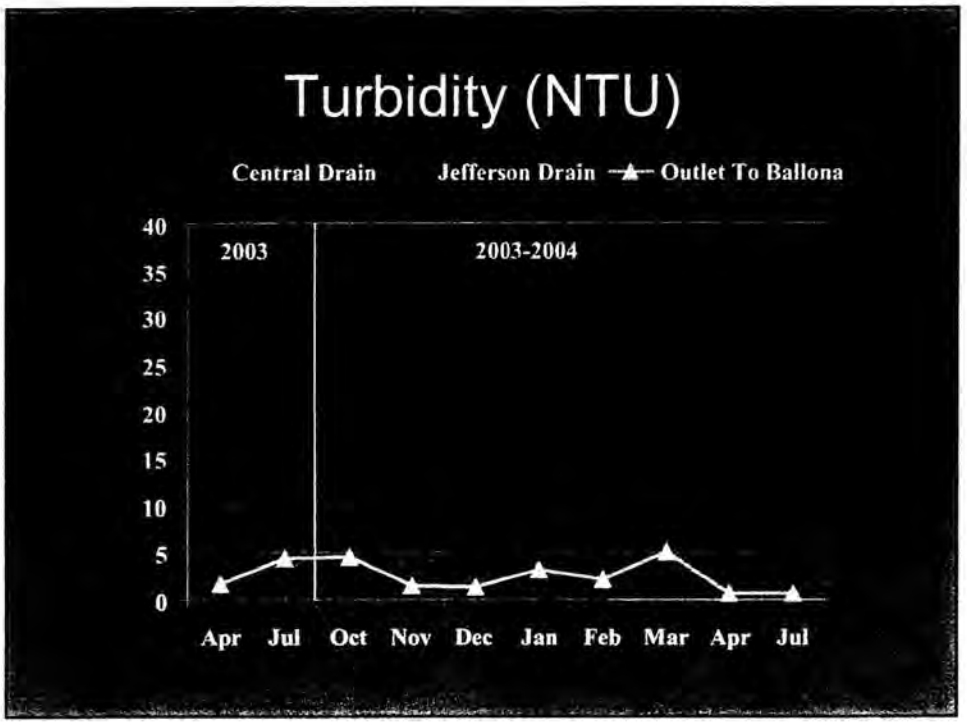
Average Turbidity ~7 NTU

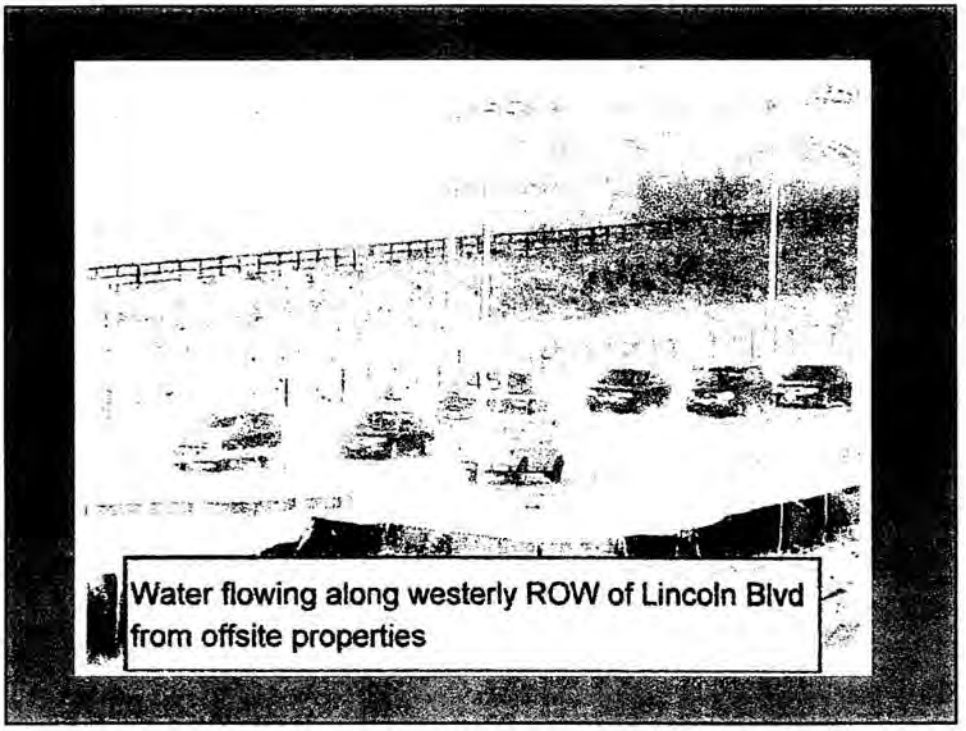
- Consistently lower at outlet < 3 NTU
- Both inlets > 10 NTU

Dissolved Oxygen (mg/L)



Turbidity (NTU)





Wet Chemistry Results

No Pesticides, VOCs, PAHs, PCBs Detected

Nutrients and Oxygen Demand

- Nitrite & Nitrate generally low < 2 mg/L (typical 0.1 to 1.7 in natural wetlands[1])
- Phosphorus generally low < 0.2 mg/L (typical 0.1-0.7 in natural wetlands[1])
- BOD < 10 mg/L

  Noticeably lower at Outlet (5 of 7 samples not detected)

  Background values for marshes 1.1-13.9 mg/L, average 6.2 mg/L[1])

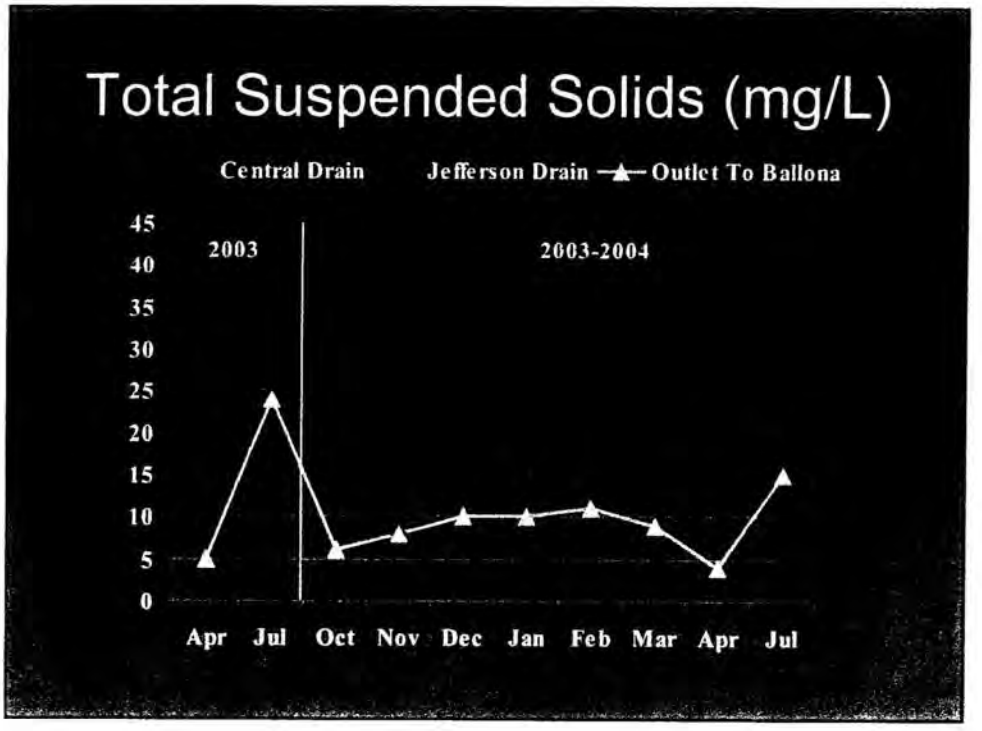
[1]Kadlec and Knight, 1996

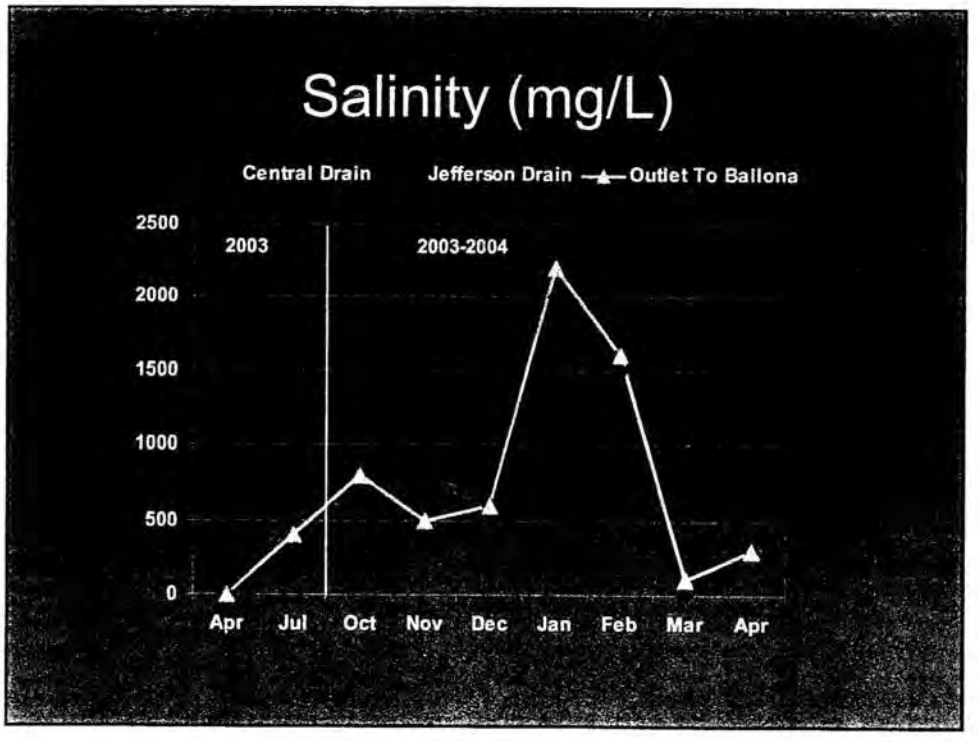
Wet Chemistry (cont.)

- TSS
  - Generally low < 10 mg/L

    Slightly higher at Jefferson Drain than Central Drain or Ballona Outlet
- Salinity

  Gradually increased through Feb. 2004 (peak at 2,000 mg/L) then gradually decreased to around 300 mg/L. Likely due to backflow from Ballona Channel.


Total Suspended Solids (mg/L)
Central Drain
Jefferson Drain
Outlet To Ballona
45
40
35
30
25
20
15
10
5
0
2003
2003-2004
Apr
Jul
Oct
Nov
Dec
Jan
Feb
Mar
Apr
Jul


Salinity (mg/L)
Central Drain
Jefferson Drain
Outlet To Ballona
2500
2000
1500
1000
500
0
2003
2003-2004
Apr
Jul
Oct
Nov
Dec
Jan
Feb
Mar
Apr

Nutrients Results

Nitrite was non-detect at all stations

Nitrate levels were mostly below detection limits except for the winter months Jan, Feb, and March.

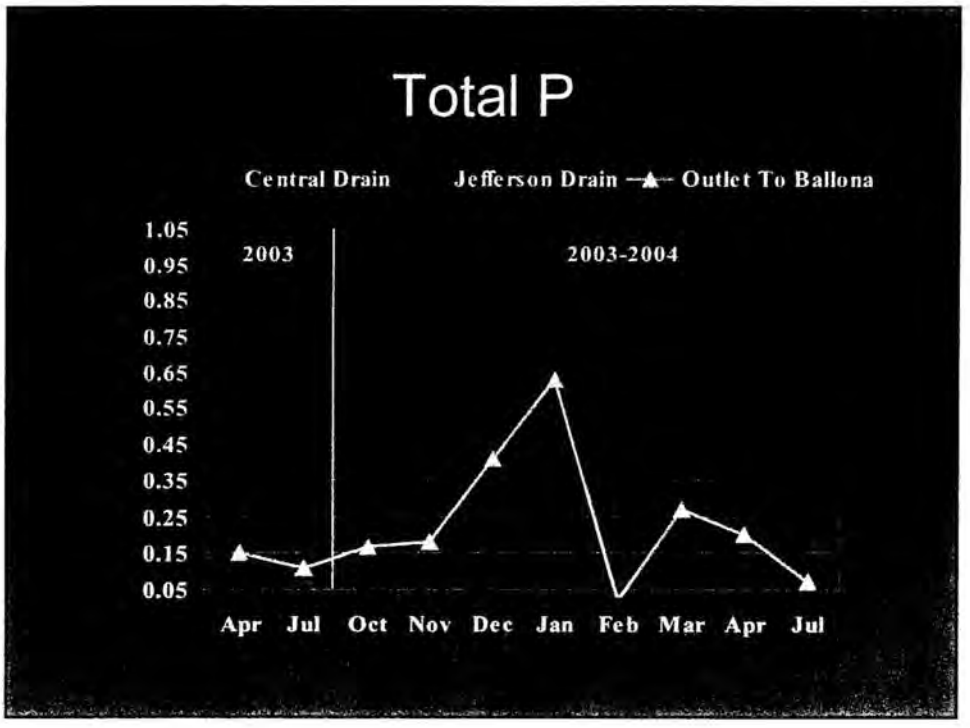
- Perhaps reflects the effect of cold weather on biological denitrification processes

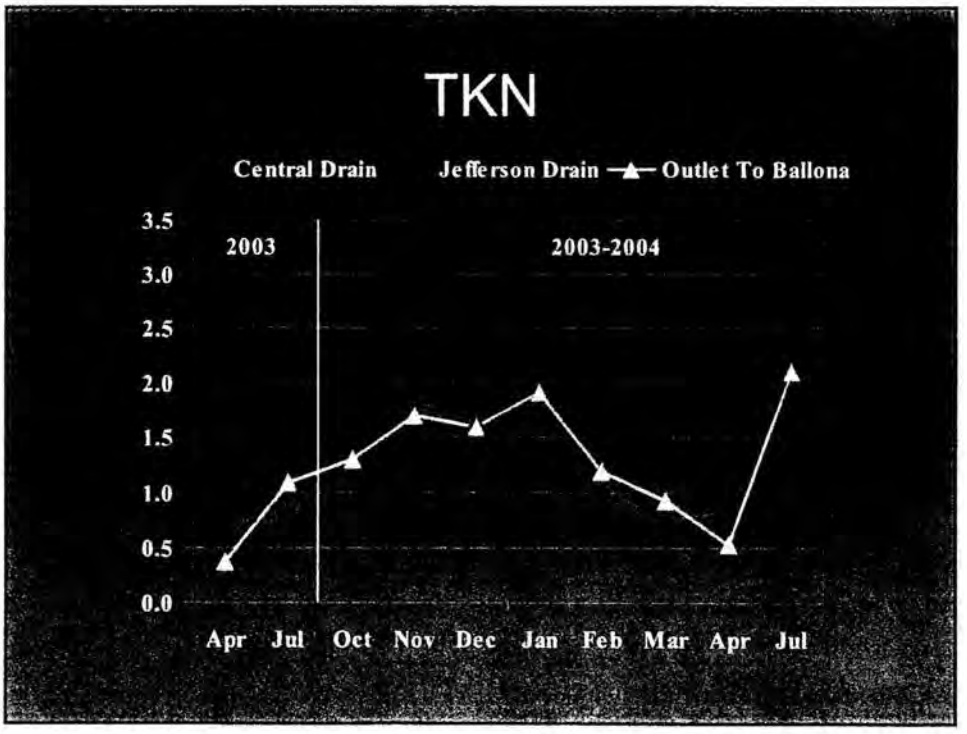
Nitrate ranges

- Central drain – 0.25 to 0.47 mg/L
- Jefferson drain – 0.35 to 0.47 mg/L
- Outlet to Ballona – 0.28 to 0.49 mg/L
- *Natural wetlands - 0.1 to 1.7 mg/L; Kadlec and Knight, 1996*

Nutrient Results (Cont.)

- Orthophosphate was generally low at all stations
- Ortho P ranges
  - Central drain – 0.2 to 0.33 mg/L
  - Jefferson drain – 0.02 to 0.83 mg/L
  - Outlet to Ballona – 0.02 to 0.25 mg/L
  - *Natural wetlands 0.1 to 0.5 Kadlec and Knight, 1996*
- Total phosphorus levels were generally low at the outlet compared with inlets


Total P
Central Drain
Jefferson Drain
Outlet To Ballona
1.05
0.95
0.85
0.75
0.65
0.55
0.45
0.35
0.25
0.15
0.05
2003
2003-2004
Apr
Jul
Oct
Nov
Dec
Jan
Feb
Mar
Apr
Jul


TKN
Central Drain
Jefferson Drain
Outlet To Ballona
3.5
3.0
2.5
2.0
1.5
1.0
0.5
0.0
2003
2003-2004
Apr
Jul
Oct
Nov
Dec
Jan
Feb
Mar
Apr
Jul

Metals Data

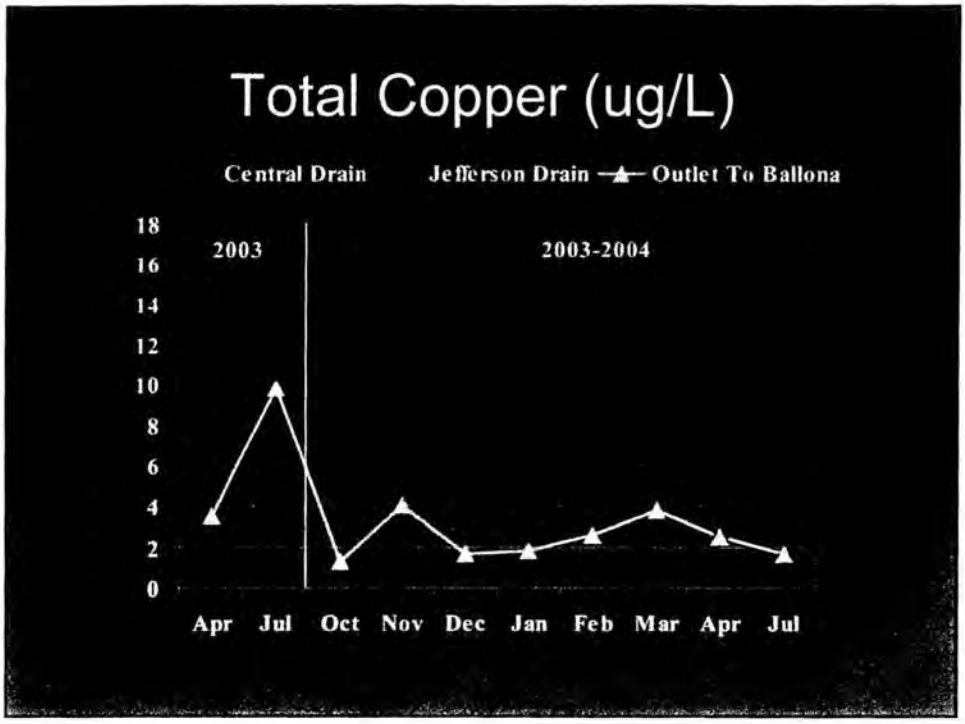
Most metals are in dissolved form and low in concentration

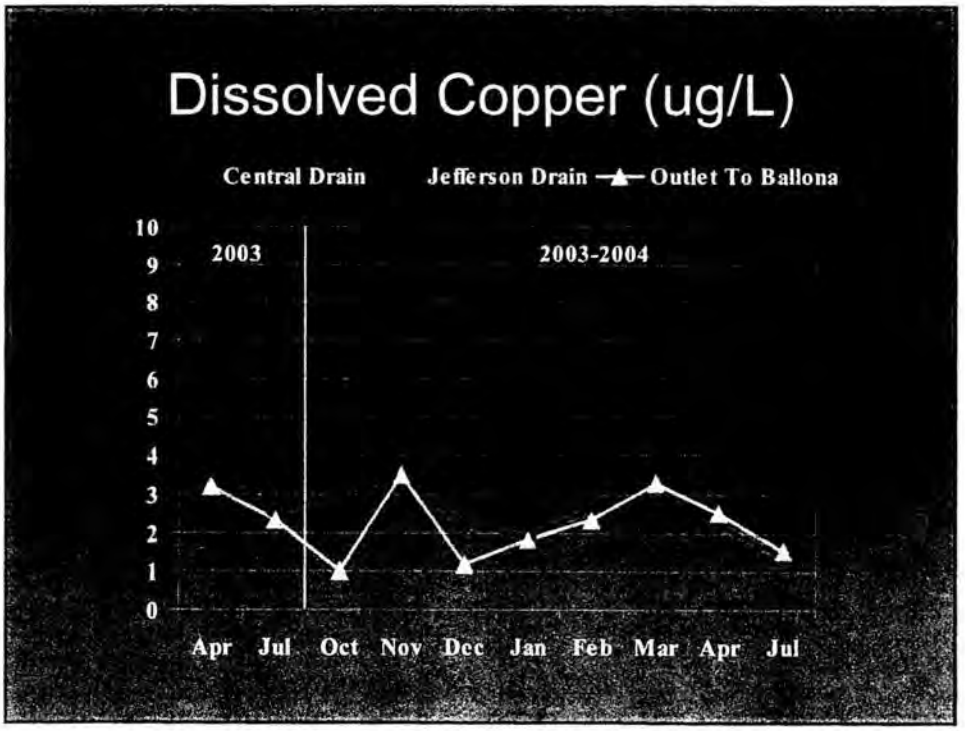
All sample results below freshwater acute and chronic CTR criteria for Cadmium, Copper, Lead, or Zinc

Cadmium was non-detect in most samples and was always less than 1ug/L in samples showing measurable concentrations

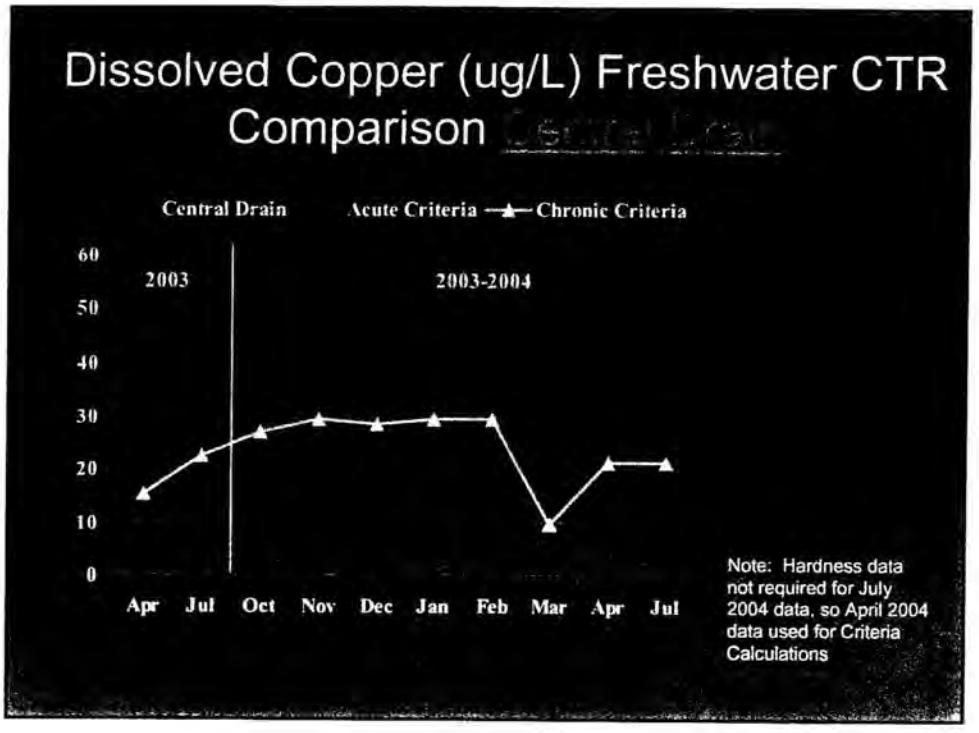
Metals Data (cont.)

- Higher metals concentrations in samples taken on March 02, 2004 correspond with largest monitored storm (2.5 in) that occurred several days before.
- Hardness values are the lowest for the March samples for the entire monitoring period. This affects the value of the CTR criteria as criteria concentrations decrease with decreasing hardness.

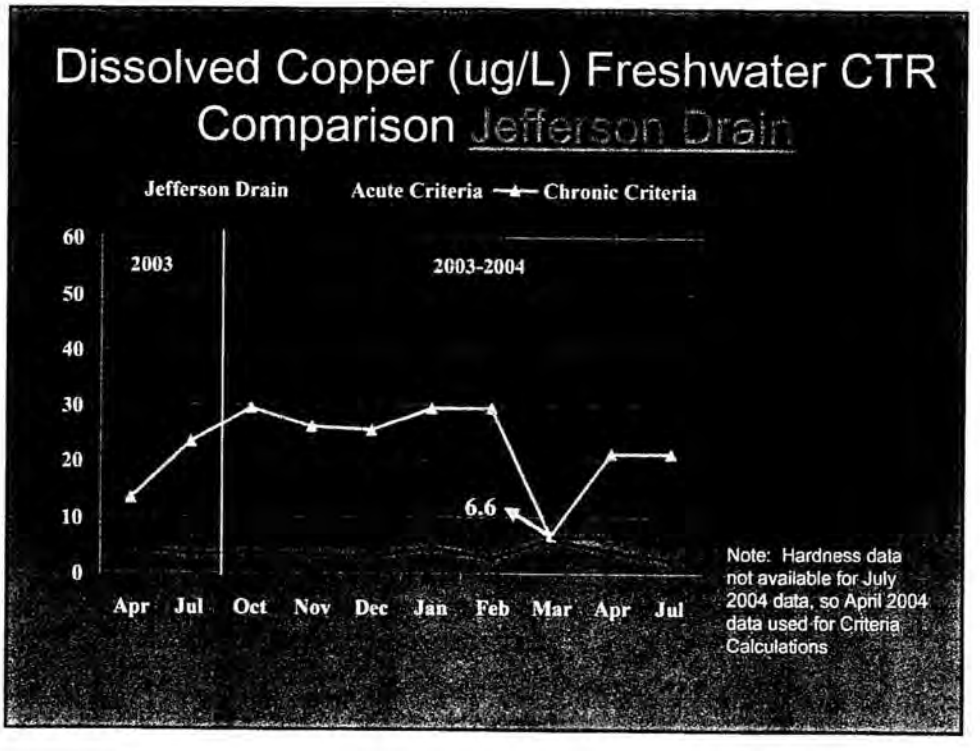

Total Copper (ug/L)
Central Drain
Jefferson Drain
Outlet To Ballona
2003
2003-2004
18
16
14
12
10
8
6
4
2
0
Apr
Jul
Oct
Nov
Dec
Jan
Feb
Mar
Apr
Jul


Dissolved Copper (ug/L)
Central Drain
Jefferson Drain
Outlet To Ballona
2003
2003-2004
10
9
8
7
6
5
4
3
2
1
0
Apr
Jul
Oct
Nov
Dec
Jan
Feb
Mar
Apr
Jul

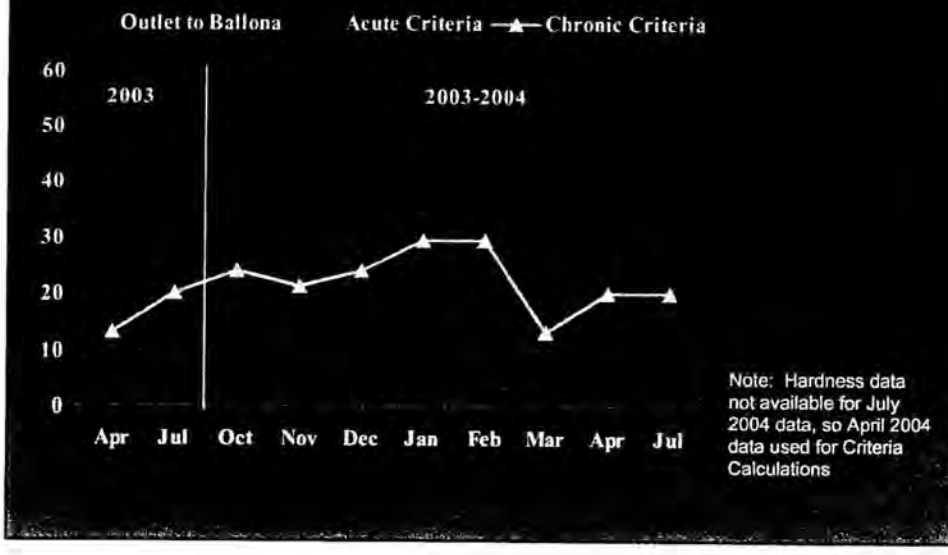
Dissolved Copper (ug/L) Freshwater CTR Comparison Central Drain



Dissolved Copper (ug/L) Freshwater CTR Comparison Jefferson Drain



Dissolved Copper (ug/L) Freshwater CTR Comparison

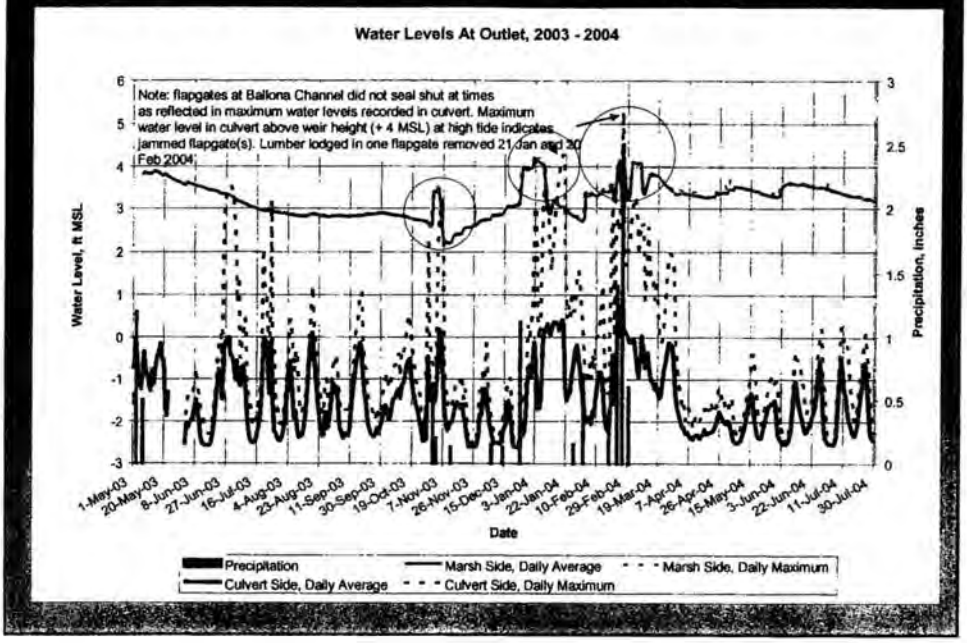


Dissolved Copper FWM – Freshwater and Saltwater Criteria

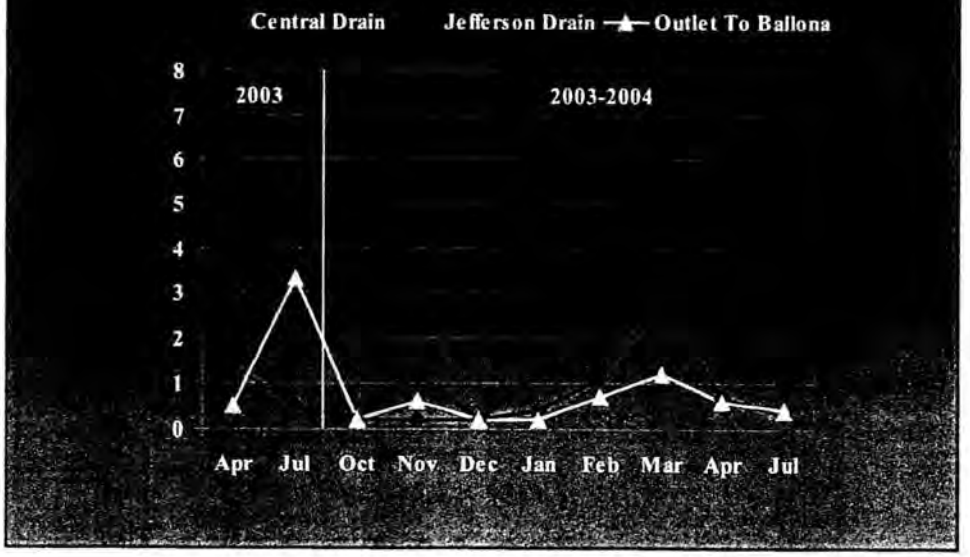
- FWM – Comparisons to Freshwater CTR
  - All results below fresh water acute and chronic CTR criteria
  - Only Jefferson Drain Inlet Area samples taken in March showed a concentration (6 ug/L) very near the chronic CTR criteria (6.6 ug/L)
- FWM – Comparisons to Saltwater CTR
  - Two values were observed slightly above chronic CTR criteria for copper in outlet area

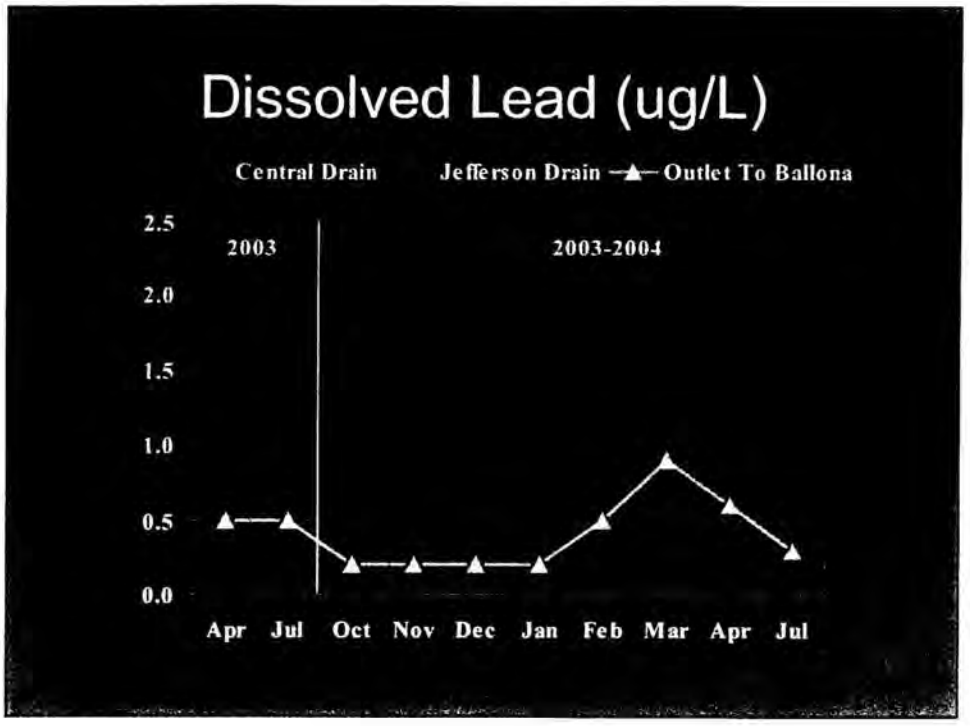
    Copper- Salt Water (Acute 4.8 ug/L, Chronic 3.1 ug/L)
  - Both chronic and acute toxicity results (freshwater species) indicate no potential impact for sensitive aquatic organisms

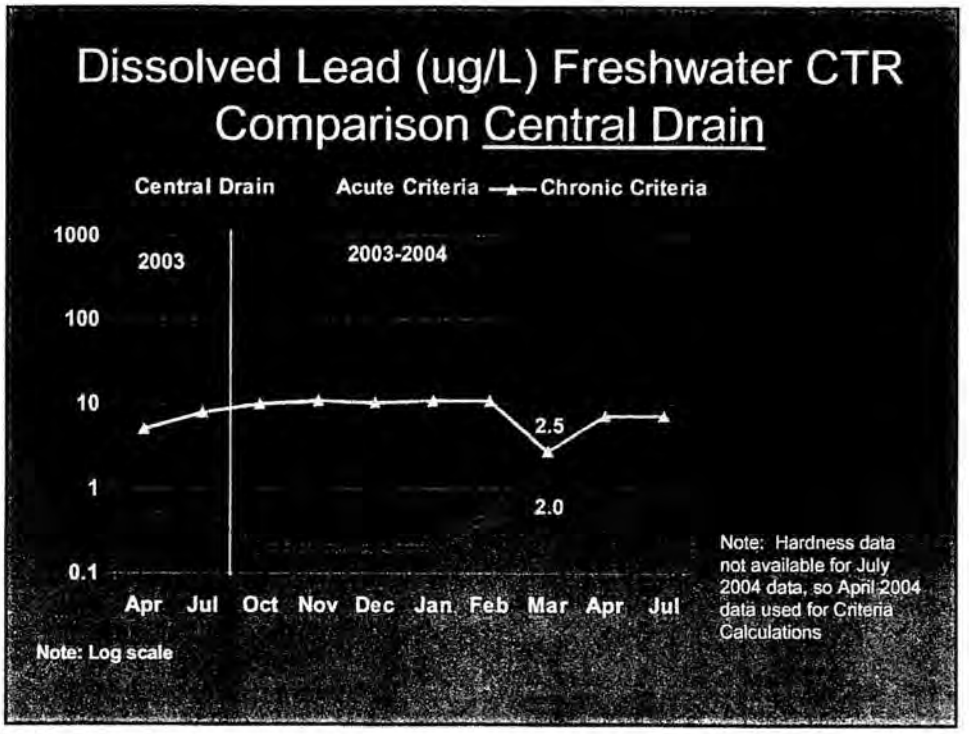
Water Level and Precipitation



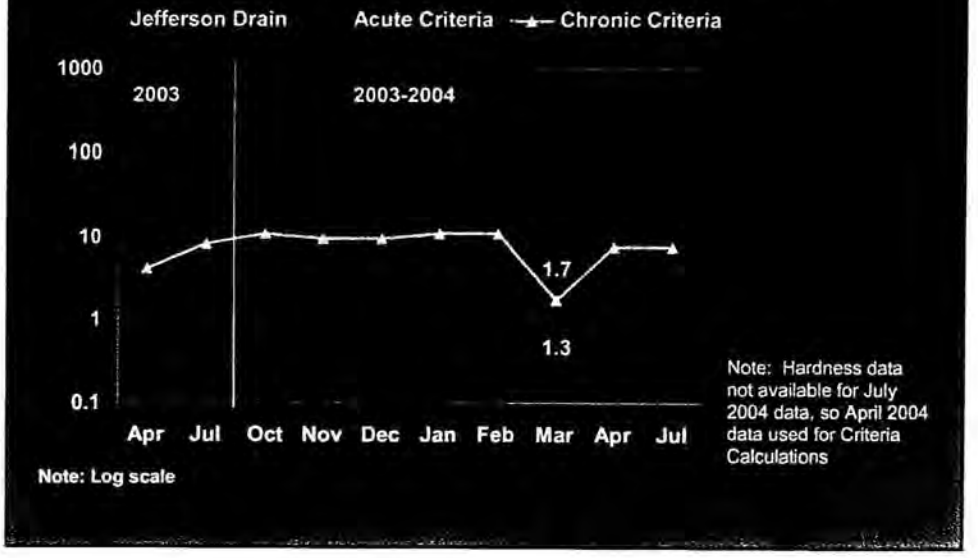
Total Lead (ug/L)



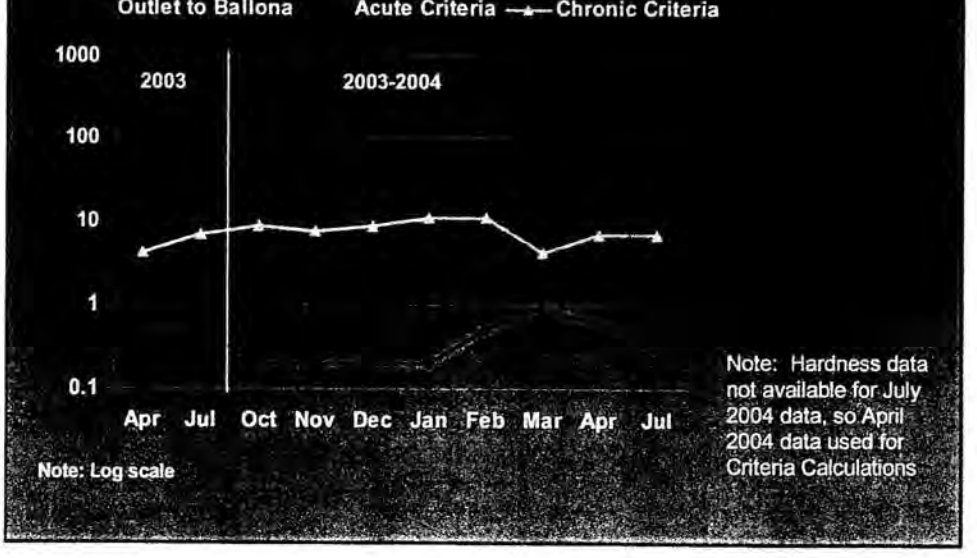

Dissolved Lead (ug/L)
Central Drain
Jefferson Drain
Outlet To Ballona
2.5
2.0
1.5
1.0
0.5
0.0
2003
2003-2004
Apr
Jul
Oct
Nov
Dec
Jan
Feb
Mar
Apr
Jul

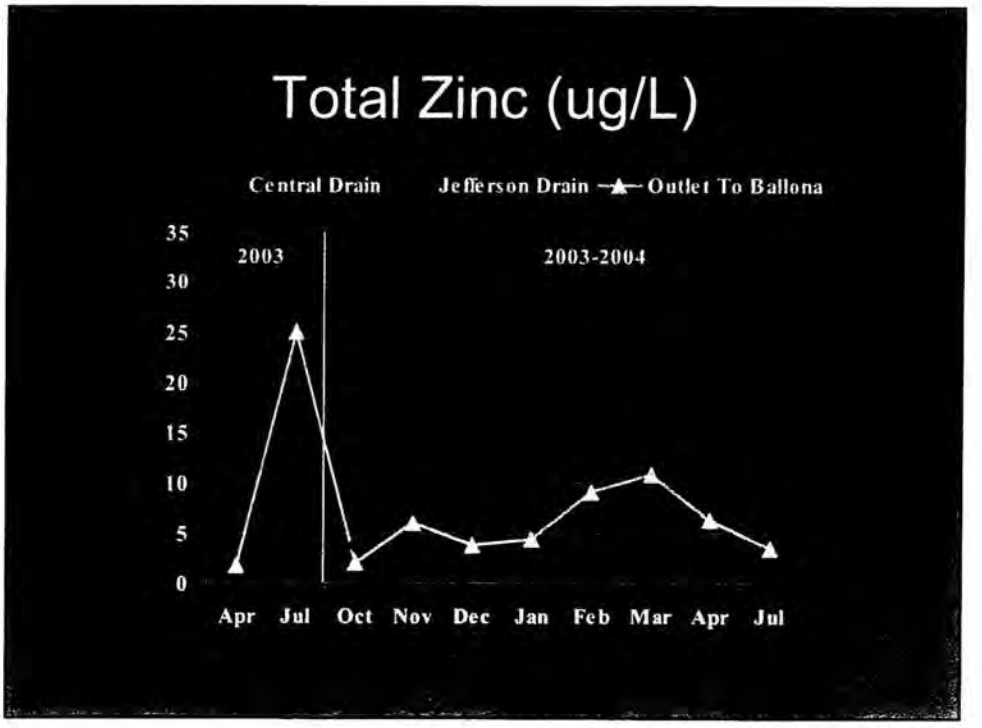

Dissolved Lead (ug/L) Freshwater CTR Comparison Central Drain
Central Drain
Acute Criteria
Chronic Criteria
1000
100
10
1
0.1
2003
2003-2004
2.5
2.0
Apr
Jul
Oct
Nov
Dec
Jan
Feb
Mar
Apr
Jul
Note: Log scale
Note: Hardness data not available for July 2004 data, so April 2004 data used for Criteria Calculations

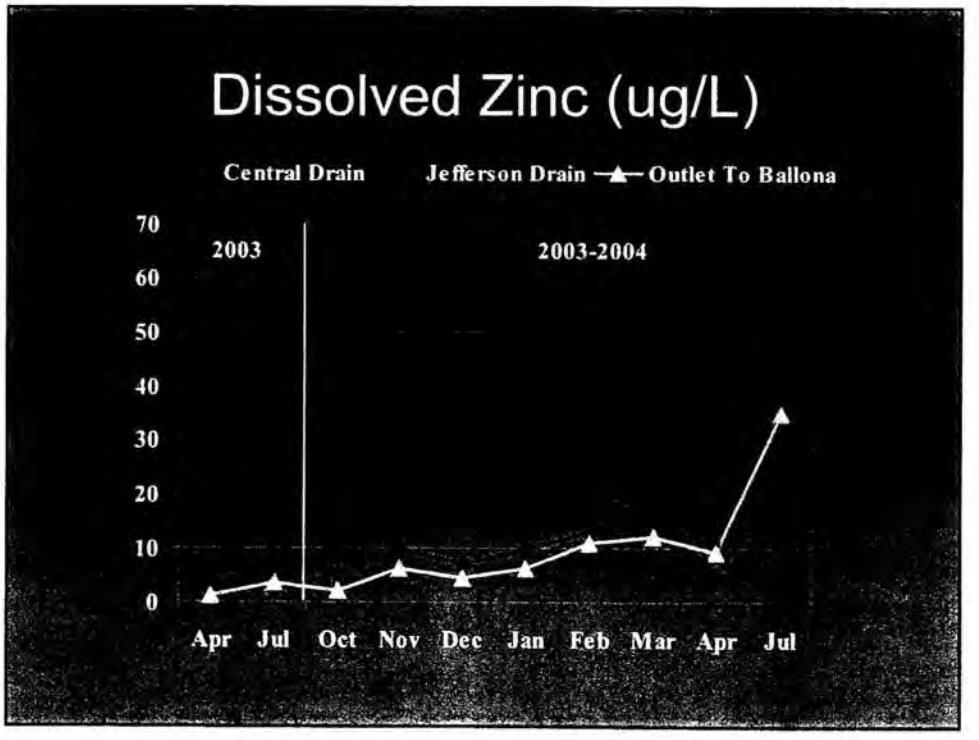
Dissolved Lead (ug/L) Freshwater CTR Comparison Jefferson Drain



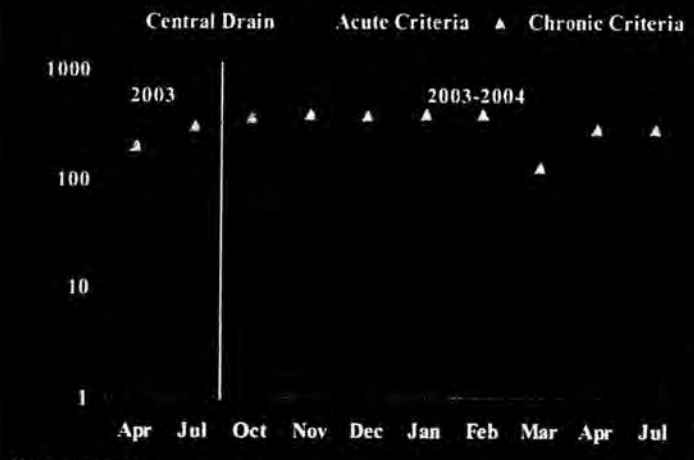
Dissolved Lead (ug/L) Freshwater CTR Comparison at Outlet to Ballona




Total Zinc (ug/L)
Central Drain
Jefferson Drain
Outlet To Ballona
35
30
25
20
15
10
5
0
2003
2003-2004
Apr
Jul
Oct
Nov
Dec
Jan
Feb
Mar
Apr
Jul


Dissolved Zinc (ug/L)
Central Drain
Jefferson Drain
Outlet To Ballona
70
60
50
40
30
20
10
0
2003
2003-2004
Apr
Jul
Oct
Nov
Dec
Jan
Feb
Mar
Apr
Jul

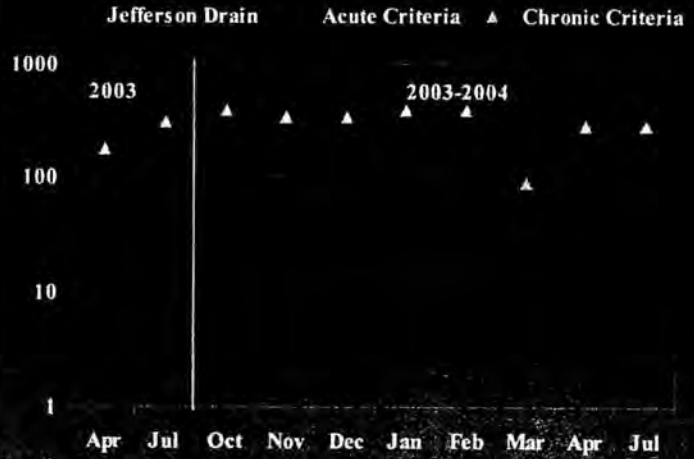
Dissolved Zinc (ug/L) CTR Comparison
Central Drain



Note: Log scale

Note: Hardness data not available for July 2004 data, so April 2004 data used for Criteria Calculations

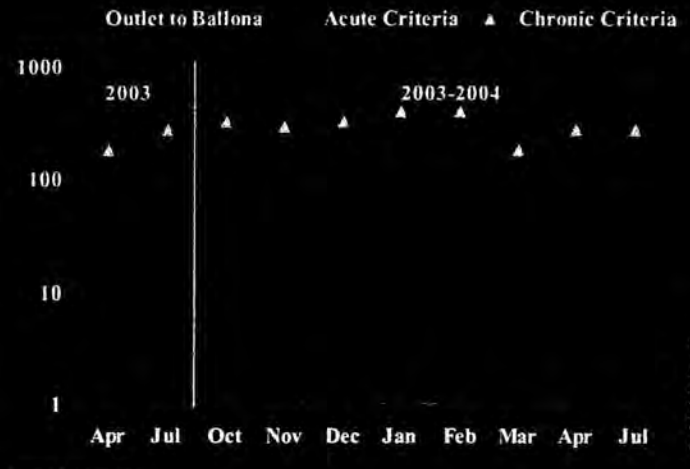
Dissolved Zinc (ug/L) CTR Comparison
Jefferson Drain



Note: Log scale

Note: Hardness data not available for July 2004 data, so April 2004 data used for Criteria Calculations

Dissolved Zinc (ug/L) CTR Comparison
Outlet to Ballona



Note: Hardness data not available for July 2004 data, so April 2004 data used for Criteria Calculations

Note: Log scale

Toxicity Testing

- Toxicity Sampling completed for acute and chronic for:
  - Pimephales promelas (Fathead minnow) and
  - Ceriodaphnia dubia (water flea)
- All but one sample had 100% survival of both species for both Acute Toxicity and the Chronic Toxicity sampling.
- Exception was Central Drain in October 2003 where 95% of the Fathead Minnows survived the Acute Toxicity test.
  - However, this is not considered significant

Bacteria

No evident trends in bacteria distribution

Most dry weather samples were above the Rec-1 criteria for fecal coliform.

- This is likely due to the frequent use of the marsh by waterfowl.

Bacteria concentrations were generally higher in wet-weather samples than dry weather samples.

Bacteria Results -2003/2004

		ENTEROCOCCI	FECAL COLIFORMS	TOTAL COLIFORMS
Sampling Point		MPN/100 ml	MPN/100 ml	MPN/100 ml
Central Drain Inlet (SP-2)	10/17/2003	95.9	130	>1600
	1/28/2004*	249.5	500	1600
	4/12/2004	26.5	1600	>1600
	7/9/2004	41.6	130	130
Jefferson Inlet (SP-3)	10/17/2003	228	300	1600
	1/28/2004*	1413.6	1600	1600
	4/12/2004	25.7	200	900
	7/9/2004	219	130	350
S. Jefferson Outlet (SP-4)	10/17/2003	27.8	220	>1600
	1/28/2004*	461.1	1600	1600
	4/12/2004	4.1	30	80
	7/9/2004	74.9	280	1600

* Wet weather samples

Median Fecal Coliform Effluent from Wet Ponds in International BMP Database is about 500 mpn/100 ml

Sediment Quality

Results from first annual sampling (August 03):

- No pesticides or PCBs detected
- No petroleum hydrocarbons or VOCs detected
- PAHs were detected only at Jefferson Drain sample and the concentrations were below levels of concern
- Selected metals data below

Freshwater August 2003 Sediment Data				
	Cadmium	Copper	Lead	Zinc
Central Drain Inlet	0.3	15	7.1	37
Jefferson Drain Inlet	0.7	25	34	350
S. Jefferson Outlet	1.7	18	5.7	32

Sediment Quality (cont.)

- August 2004 sampling just completed but results still to come
- Will evaluate to see if we can start identifying any trends
- Over the next year, we will be developing a more definitive set of monitoring protocols for sediment management that will assist us in looking at long term trends and guide decision making for removal of sediments in marsh system.

Sediment Quality (cont.)

Sediment removal activities should occur in accordance with the Freshwater Wetland System OM&M Manual:

Sediments should be removed:

- to avoid excessive pollutant concentrations that may impair habitat values of the freshwater wetland system and
- to prevent reduction of volumetric capacity of the Marsh

Quantitative Thresholds – sediments should be removed when:

- the depth exceeds 20% of the diameter or height at storm drain outfalls and within pipes and culverts,
- 1 foot or more sediment has been deposited in the pre-treatment areas, or
- the average sediment depth exceeds 10 percent of channel heights in the freshwater marsh and riparian corridor

Summary

- No water quality problems are indicated by the field data, wet chemistry, or toxicity results
- Most all sediment results also indicated that there are not sediment problems. For Zinc and Cadmium we will need to continue to monitor these to ascertain whether there is a build up of these constituents and/or observed water column effects.
- Nutrient concentrations within the wetland are within the range typical for freshwater wetlands
- Salinity seems to have stabilized at levels well below that would be considered salt or brackish after observed flapgate problem was temporarily corrected

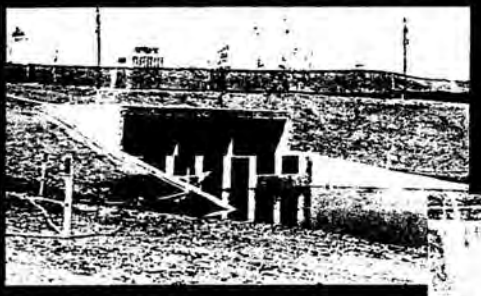
Maintenance Upgrade

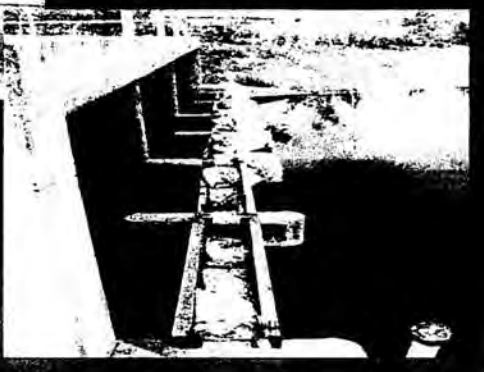
FWM Outlet

FWM Outlet Problems

- Culverts can become blocked
- At higher high tides can and have caused undesired backflow into Ballona Wetlands

Freshwater Marsh Outlet



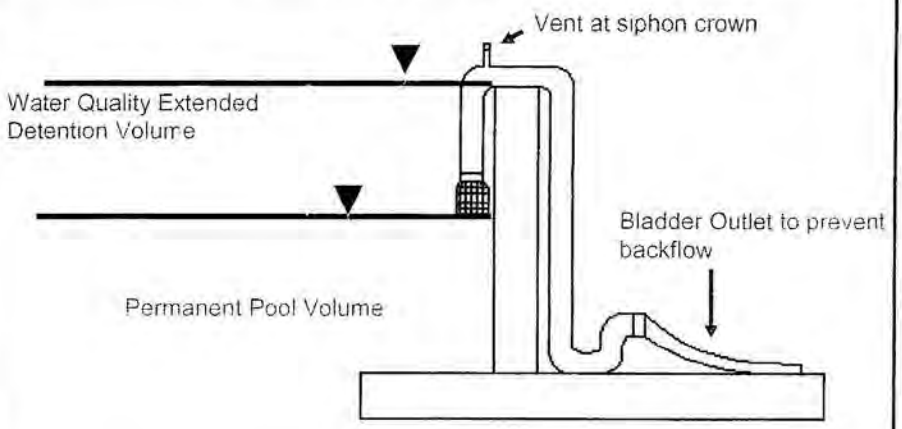


Water leaks through weir

Maintenance Upgrade for Outlet of Freshwater Marsh

- Twelve 6-inch diameter siphons with crest at +4 MSL
- Siphons to be bolted down to top of weir
- Vent at siphon crown
- Screen at inlet
- Flexible "discharge hose" (collapsible) at outlet to prevent reverse flow

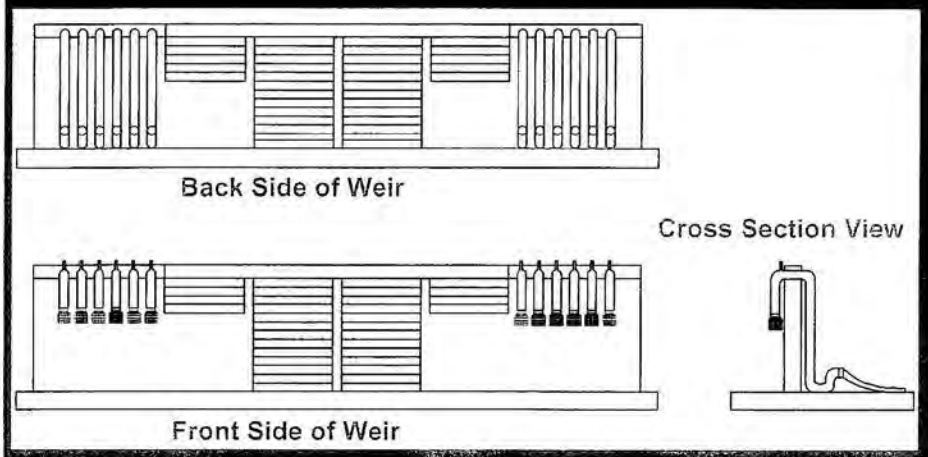
Proposed Maintenance Upgrade – Siphon Approach



Maintenance Upgrade for Outlet of Freshwater Marsh (cont.)

- Outside sets of boards will be filled with concrete (permanently sealed)
- Two inside sets of will be replaced with new stop logs cut correctly on both channel and marsh side (marsh side down to what we can reach). Will have expansive material between on Ballona channel side.
- Remaining Weir boards will be secured with a metal plates bolted to concrete next to boards

Maintenance Modification – Siphon Approach



Flow/Depth Adjustments

- Rate of discharge can be controlled by opening/closing siphon vents
- Calcs on outlet rates will be developed to guide manager on their settings
- Siphons can be "primed" (via introducing water into the vents) to adjust levels between 4 to 2 feet.