



California Regional Water Quality Control Board Los Angeles Region

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Matthew Rodriguez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

TO: Vicky Whitney, Deputy Director
Division of Water Quality
State Water Resources Control Board

FROM: *for Rebecca Chase Acting AEO*
Samuel Unger, P.E.
Executive Officer
Los Angeles Regional Water Quality Control Board

DATE: November 18, 2011

SUBJECT: **MINOR, NON-SUBSTANTIVE CHANGES TO THE ADOPTED LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD RESOLUTION NO. R10-007**

The Los Angeles Regional Water Quality Control Board (Regional Board) adopted an amendment to the Los Angeles Water Quality Control Plan (Basin Plan) on November 4, 2010 under Resolution No. R10-010, which establishes a Total Maximum Daily Load for debris in Nearshore and Offshore Santa Monica Bay (SMB Debris TMDL).

Regional Board Resolution No. R10-010 grants the Executive Officer the authority to make minor, non-substantive changes to the language of the adopted Basin Plan amendment if Regional Board staff, the State Board, or OAL determines that such changes are needed for clarity or consistency. I am hereby making the following minor, non-substantive corrections to the amendment language. The changes are shown below using underline/~~strikeout~~ text to show insertions and deletions. The changes included in this memo are in addition to changes made in an Executive Officer correction that was submitted on March 18, 2011. To ensure that the State Board interprets these collective changes accurately, I have attached the revised amendment language with my Executive Officer corrections shown in ~~strikeout~~/underline format. The changes appear on pages 18, 19, 20, and 23 of the amendment.

The following changes are non-substantive, and will not change the regulation of the adopted Basin Plan amendment.

1. In the previous Executive Officer correction, a footnote was removed in order to keep the consistency of the document. However, after reviewing the Basin Plan amendment, it is clear that the footnote is still needed, as there is a separate reference to this footnote. Therefore, the following footnote shall be reinserted:

California Environmental Protection Agency

“⁶ The monitoring and reporting requirements under the Ballona Creek Trash TMDL and Malibu Creek Trash TMDL for areas within those subwatersheds fulfill the requirement herein to prepare and implement a TMRP. Therefore, only a PMRP is required from these jurisdictions.”

2. The footnotes in Task 4 previously numbered as 6 and 7 have been renumbered to 7 and 8 to remain consistent with the insertion of footnote 6. In Table 7-34.3, footnote 8 was also renumbered to footnote 9.
3. To further clarify the Cities of Thousand Oaks’ and Westlake Village’s responsibilities under this Debris TMDL, and to conform with the text in Table 7-34.1 on page 5, which states that the WLAs and associated requirements for responsible agencies and jurisdictions subject to the Ballona and Malibu Creek TMDLs shall be complied with through those TMDLs, the Cities of Thousand Oaks and Westlake Village shall be removed from Task 1a and 2a of Table 7-34.2 of the Basin Plan amendment, and the Cities of Thousand Oaks and Westlake Village shall be added to Task 3 under the heading “For PMRP Only.” The responsible jurisdictions for Task 1a and 2a shall be:

“California Department of Transportation, Los Angeles County Flood Control District, Los Angeles County, Ventura County Watershed Protection District, County of Ventura, and Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, ~~Thousand Oaks,~~ and Torrance, ~~and Westlake Village.~~”

As the Cities of Thousand Oaks and Westlake Village can comply with the trash portion of this TMDL through compliance with the Malibu Creek Trash TMDL, they shall be added to the jurisdictions that need only submit a PMRP in Task 3, as follows:

California Department of Transportation, Los Angeles County Flood Control District, Los Angeles County, Ventura County Watershed Protection District, County of Ventura, and Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, ~~Thousand Oaks,~~ and Torrance, ~~and Westlake Village.~~
For PMRP ONLY⁶

The Cities of Beverly Hills, Inglewood, West Hollywood, ~~and~~ Hidden Hills, Thousand Oaks, and Westlake Village.

Vicky Whitney

November 18, 2011

Please call me at (213) 576-6605 if you have any questions about this matter. You may also contact Stefanie Hada at (213) 576-6804, who is the lead staff on this matter, Jenny Newman, Unit Chief of TMDLs at (213) 576-6691, or Renee Purdy, Section Chief of the Regional Programs, at (213) 576-6622.

Attachment Strikeout Version of Revised Attachment A to Board Resolution R10-010

cc: Renee Purdy, LARWQCB
Jenny Newman, LARWQCB
Jennifer Fordyce, OCC
Rik Rasmussen, SWRCB, DWQ

Attachment

Strikeout Version of
Revised Attachment A to Board Resolution R10-010

Attachment A to Resolution No. R10-010

Proposed Amendments

to the

Water Quality Control Plan – Los Angeles Region

for the

Santa Monica Bay Nearshore and Offshore

Debris TMDL

Amendments:

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Add:

Chapter 7. Total Maximum Daily Loads (TMDLs)

7-34 Santa Monica Bay Nearshore and Offshore Debris TMDL

List of Figures, Tables and Inserts

Add:

Chapter 7. Total Maximum Daily Loads (TMDLs)

Tables

7-34 Santa Monica Bay Nearshore and Offshore Debris TMDL

7-34.1. Santa Monica Bay Nearshore and Offshore Debris TMDL, Elements

7-34.2. Santa Monica Bay Nearshore and Offshore Debris TMDL, Implementation Schedule – Trash and Plastic Pellets from Point Sources

7-34.3. Santa Monica Bay Nearshore and Offshore Debris TMDL, Implementation Schedule – Minimum Frequency of Assessment and Collection Program for Trash from Nonpoint Sources

**Chapter 7. Total Maximum Daily Loads (TMDLs)
Santa Monica Bay Nearshore and Offshore Debris TMDL**

This TMDL was adopted by:

The Regional Water Quality Control Board on November 4, 2010.

This TMDL was approved by:

The State Water Resources Control Board on [Insert Date].

The Office of Administrative Law on [Insert Date].

The U.S. Environmental Protection Agency on [Insert Date].

The elements of the TMDL are presented in Table 7-34.1 and the

Implementation Plan in Tables 7-34.2 and 7-34.3.

Table 7-34.1 Santa Monica Bay Nearshore and Offshore Debris TMDL:

Elements

| Elements | Santa Monica Bay Nearshore and Offshore Debris TMDL |
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| Problem Statement | Discharges of debris ¹ , including trash and plastic pellets, into Santa Monica Bay violate water quality objectives, impair beneficial uses, and cause pollution and nuisance. Nearshore and offshore areas of the Santa Monica Bay were listed on the 1998, 2002, and 2006 Federal Clean Water Act Section 303(d) lists of impaired waterbodies for debris. The water quality objectives applicable to debris include “Floating Material” and “Solid, Suspended, or Settleable Materials” in Chapter 3, and “Floating Particulates” in the California Ocean Plan (2005). The following designated beneficial uses of Santa Monica Bay are impaired by debris: industrial service supply (IND), navigation (NAV), water contact recreation (REC-1), non-contact water recreation (REC-2), commercial and sport fishing (COMM), estuarine habitat (EST), marine habitat (MAR), preservation of biological habitats (BIOL), migration of aquatic organisms (MIGR), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), spawning, reproduction, and or early development (SPWN), shellfish harvesting (SHELL), and wetland habitat (WET). |
| Numeric Target <i>(interpretation of the narrative water quality objectives for floating materials/particulates, and solid, suspended, or settleable materials², used to calculate the load allocations)</i> | <p><u>Trash</u> Zero trash in Santa Monica Bay.</p> <p><u>Plastic Pellets</u> Zero plastic pellets in Santa Monica Bay.</p> |
| Source Analysis | Along the West Coast, land-based debris comprises more than half of the debris observed in the marine environment, undetermined sources of debris comprise less than half of the debris observed in the marine environment, and ocean-based debris comprises only |

¹ According to the National Oceanic and Atmospheric Administration (NOAA) Marine Debris Program, debris is defined as “any persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, disposed of or abandoned into the marine environment” (NOAA 2010). In this TMDL, trash does not include naturally occurring vegetation waste. Plastic pellets, also known as plastic resin pellets, are small, round pellets that are the raw form of plastic. These pellets are melted down to form plastic products.

² Narrative objectives are specified in the 1994 Los Angeles Regional Board Basin Plan, and in the 2005 California Ocean Plan.

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| | <p>approximately one-tenth of the debris observed in the marine environment.³</p> <p>Most of the land-based debris is discharged to the marine environment through storm drains. The primary sources of debris discharged from storm drains include litter, debris from commercial establishments and public venues, industrial discharges, garbage transportation, landfills, and construction debris.</p> <p>The principal source of plastic pellets is point source discharges through storm drains from industry that imports, manufactures, processes, transports, stores, recycles or otherwise handles plastic pellets. Accidental spills during transfer and transportation also contribute to plastic pellets entering storm drains and, ultimately, the Santa Monica Bay.</p> <p>Land-based nonpoint sources of debris include inappropriate disposal of debris at land areas such as beaches and marinas adjacent to Santa Monica Bay or waterbodies within the Santa Monica Bay WMA. Other nonpoint sources of debris include direct deposition and dumping.</p> <p>Marine-based sources of trash include boats and vessels.</p> |
| Loading Capacity | Zero for both trash and plastic pellets, as defined in the Numeric Target. |
| Margin of Safety | Zero is a conservative numeric target for both trash and plastic pellets, which contains an implicit margin of safety. |
| Seasonal Variations and Critical Conditions | <p>Discharge of trash and plastic pellets from storm drains and open channels occurs primarily during or shortly after a major rain event. Discharge of trash from nonpoint sources occurs during all seasons, but can increase during high wind events, which are defined as periods of wind advisories issued by the National Weather Service. Additionally weekends and holidays, particularly those between April 15 through October 15, result in a substantial increase of trash littered on beaches, open space and parks.</p> |

³ S.B. Sheavly. 2007. "National Marine Debris Monitoring Program: Final Program Report, Data Analysis and Summary." Prepared for U.S. Environmental Protection Agency by Ocean Conservancy, Grant Number X83053401-02. 76 pp.

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| <p><i>Waste Load Allocations (for point sources)</i></p> | <p><u>Trash</u></p> <p>The WLA is zero trash. Zero trash is defined as no trash discharged into waterbodies within the Santa Monica Bay Watershed Management Area (WMA) and then into Santa Monica Bay or on the shoreline of Santa Monica Bay.</p> <p>Waste Load Allocations for trash (WLAs) are assigned to the California Department of Transportation (Caltrans, permittee for Statewide National Pollutant Discharge Elimination System (NPDES) Storm Water Permit, No. 99-06-DWQ); Los Angeles County and the Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Torrance, and Westlake Village (co-permittees within the Santa Monica Bay WMA under the Los Angeles County MS4 NPDES Permit, No. CAS004001); and County of Ventura, and City of Thousand Oaks (co-permittees within the Santa Monica Bay WMA under the Ventura County MS4 NPDES Permit, No. CAS 004002).</p> <p>Responsible agencies and jurisdictions covered by the Ballona Creek Watershed Trash TMDL including Caltrans, County of Los Angeles, and the Cities of Beverly Hills, Culver City, Inglewood, Los Angeles, Santa Monica, and West Hollywood, and responsible agencies and jurisdictions identified in the Malibu Creek Trash TMDL including Caltrans, Los Angeles County, Ventura County, Ventura County Watershed Protection District, and the Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Thousand Oaks, and Westlake Village are also responsible for point source discharges of trash into the Santa Monica Bay via open channels and storm drains. The WLA applicable to MS4 Permittees that is established herein, and the associated requirements for these responsible agencies and jurisdictions shall be complied with through the Ballona Creek Trash TMDL (Regional Board Resolution No. R01-014 and any amendments thereto) and the Malibu Creek Trash TMDL (Regional Board Resolution No. R08-007 and any amendments thereto).</p> <p>Each responsible jurisdiction and agency, identified above, shall comply with the interim or final Waste Load Allocations for trash assigned to it and, therefore, should utilize all compliance strategies within its authority to achieve these allocations. If these strategies include installation of full or partial capture systems in the infrastructure of a flood control district, the jurisdiction is responsible for obtaining all necessary permits to do so.</p> |

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| | <p>Flood control districts, such as the Los Angeles County Flood Control District or Ventura County Watershed Protection District, are not assigned Waste Load Allocations, based on jurisdictional area, if channel maintenance is performed in compliance with the municipal stormwater permit. However, they may be held responsible with a jurisdiction and/or agency for non-compliance where the flood control district has either:</p> <ul style="list-style-type: none"> (i) without good cause denied necessary authority to a responsible jurisdiction or agency for the timely installation and/or maintenance of full and/or partial capture trash control devices for purposes of TMDL compliance in parts of the MS4 physical infrastructure that are under its authority, or (ii) not fulfilled its obligations under its MS4 permit regarding proper BMP installation, operation and maintenance for purposes of TMDL compliance within the MS4 physical infrastructure under its authority, <p>thereby causing or contributing to a responsible jurisdiction and/or agency to be out of compliance with its interim or final Waste Load Allocations.</p> <p>Under these circumstances, the flood control district's responsibility shall be limited to non-compliance related to the drainage area(s) within the jurisdiction where the flood control district has authority over the relevant portions of the MS4 physical infrastructure.</p> <p>The WLA may be assigned to additional responsible jurisdictions or agencies discharging urban runoff and stormwater in the future.</p> <p><u>Plastic Pellets</u></p> <p>The WLA for plastic pellets is zero. Zero plastic pellets is defined as no discharge of plastic pellets from the premises of industrial facilities that import, manufacture, process, transport, store, recycle or otherwise handle plastic pellets. The WLA is consistent with Cal. Water Code § 13367 and 40 CFR 122.26(b)(12).</p> <p>WLAs for plastic pellets are assigned to permittees of the Industrial Storm Water General Permit (Order No. 97-03-DWQ, and NPDES Permit No. CAS 000001) within the Santa Monica Bay WMA. The Standard Industry Classification (SIC) codes associated with industrial</p> |

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| | <p>activities involving plastic pellets may include, but are not limited to, 282X, 305X, 308X, 39XX, 25XX, 3261, 3357, 373X, and 2893. Additionally, industrial facilities with the term "plastic" in the facility or operator name, regardless of the SIC code, may be subject to the WLA for plastic pellets. Other industrial permittees within the Santa Monica Bay WMA that fall within the above categories, but are regulated through other general permits and/or individual industrial storm water permits are also required to comply with the WLA for plastic pellets.</p> |
| Load Allocations (for nonpoint sources) | <p>The Load Allocation (LA) is zero trash. Zero trash is defined for nonpoint sources as no trash on the shoreline or beaches, or in harbors adjacent to Santa Monica Bay, immediately following each assessment and collection event consistent with an established Minimum Frequency of Assessment and Collection Program (MFAC Program). The MFAC Program is established at an interval that prevents trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections.</p> <p>LAs are assigned to jurisdictions that own and/or manage beaches and harbors along Santa Monica Bay, which include California Department of Parks and Recreation, County of Los Angeles Department of Beaches and Harbors, and Cities of Hermosa Beach, Los Angeles, Santa Monica, and Redondo Beach.</p> <p>The National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, and State Lands Commission, which have jurisdiction over non-beach open space and/or parks are assigned LAs. The LA may be assigned to additional responsible jurisdictions and/or agencies in the future under appropriate regulatory programs.</p> |
| Implementation | <p>Point Sources</p> <p><u>Trash</u> WLAs for trash shall be implemented through municipal separate storm sewer system (MS4) permits and via the authority vested in the Executive Officer by California Water Code sections 13267 and/or 13383. Dischargers may comply with the WLA in any lawful manner, including the use of full capture systems; partial capture systems; and/or institutional controls.</p> <p>(1) Compliance with the final WLA may be achieved through an adequately sized and maintained full capture</p> |

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| | <p>system, once the Executive Officer has certified that the system meets the following minimum criteria. A full capture system, at a minimum, consists of any device or series of devices that traps all particles retained by a 5 mm mesh screen and has a design treatment capacity of not less than the peak flow rate (Q) resulting from a one-year, one-hour, storm in the subdrainage area. The rational equation is used to compute the peak flow rate:</p> <p>$Q = C \times I \times A$, where</p> <ul style="list-style-type: none"> Q = design flow rate (cubic feet per second, cfs); C = runoff coefficient (dimensionless); I = design rainfall intensity (inches per hour); and A = subdrainage area (acres). <p>Point source discharges that choose to comply using full capture systems must demonstrate a phased implementation of full capture devices over an 8-year period until the final WLA of zero is attained. Zero will be deemed to have been met if full capture systems have been installed on all conveyances discharging to the waterbodies within the Santa Monica Bay WMA and the Santa Monica Bay.</p> <p>(2) Responsible agencies and jurisdictions may achieve compliance by using partial capture systems and/or institutional controls. Point source dischargers that elect to use partial capture systems or institutional controls shall use a mass balance approach based on the trash daily generation rate (DGR)⁴, to demonstrate compliance.</p> <p><u>Plastic Pellets</u></p> <p>The WLA of no discharge of plastic pellets shall be implemented through the statewide Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activity (NPDES Permit No. CAS00001) (IGP), other general permits, individual industrial stormwater permits, or other Regional Board orders, consistent with California Water Code § 13367 and 40 CFR 122.26(b)(12).</p> <p>Jurisdictions and agencies identified as responsible jurisdictions for point sources of trash in this Santa Monica Bay Debris TMDL and in the existing Malibu Creek and Ballona Creek Trash TMDLs, including the Los Angeles County Flood Control District and the Ventura County Watershed Protection District, shall either prepare a Plastic Pellet Monitoring and Reporting Plan (PMRP), or</p> |

⁴ The DGR is the average amount of trash deposited during a 24-hour period, as measured in a specified drainage area.

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| | <p>demonstrate that a PMRP is not required under certain circumstances, as follows:</p> <ol style="list-style-type: none"> <li data-bbox="678 331 1484 674">(1) Responsible jurisdictions that have industrial facilities or activities related to the manufacturing, handling, or transportation of plastic pellets within their jurisdiction shall prepare a PMRP to (i) monitor the amount of plastic pellets being discharged from the MS4; (ii) establish triggers for increased industrial facility inspections and enforcement of SWPPP requirements for industrial facilities identified as responsible for the plastic pellet WLA herein; and (iii) address possible plastic pellet spills. <li data-bbox="678 709 1484 1108">(2) Responsible jurisdictions that have no industrial facilities or activities related to the manufacturing, handling, or transportation of plastic pellets, may not be required to conduct monitoring at MS4 outfalls, but shall be required to include a response plan in the PMRP. In order to be absolved of the requirement to conduct monitoring at MS4 outfalls, documentation of the absence of industrial facilities and activities within the jurisdiction that are related to the manufacturing, handling and transportation of plastic pellets must be provided in the proposed PMRP. <li data-bbox="678 1150 1484 1591">(3) A MS4 Permittee may demonstrate to the Regional Board that it has only residential areas within its jurisdiction, and that it has limited commercial or industrial transportation corridors (rail and roadway), such that it is not considered a potential source of plastic pellets to Santa Monica Bay. Such demonstration may be submitted in lieu of a PMRP and must include the municipal zoning plan and other appropriate documentation. The Executive Officer may approve an exemption from the requirement to prepare a PMRP for the MS4 Permittee on the basis of this demonstration, if appropriate. <p data-bbox="630 1633 1484 1864">If a jurisdiction changes its zoning and land use plans, or issues operating licenses to industries that import, manufacture, process, transport, store, recycle or otherwise handle plastic pellets within its jurisdiction, then it shall be subject to the requirement to submit a PMRP, if it has not already done so, within 90 days of any one of those actions.</p> <p data-bbox="630 1906 1484 1955">The Regional Board shall be notified by the agency or jurisdiction within 24 hours of the responsible agency or</p> |

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| | <p>jurisdiction becoming aware of a spill. The PMRP shall include protocols for a timely and appropriate response to possible plastic pellets spills within their jurisdictional area, and a comprehensive plan to ensure that plastic pellets are contained.</p> <p>The Regional Board may reconsider the TMDL to assign the WLA for plastic pellets to additional jurisdictions and agencies including, but not limited to, industrial permittees, MS4 permittees, and any agencies or jurisdictions which are responsible for discharging plastic pellets to the Santa Monica Bay.</p> <p>Nonpoint Sources</p> <p>LAs shall be implemented consistent with the Statewide Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program through a general waiver of waste discharge requirements (WDR), individual waivers, a general WDR, an individual WDR, a memorandum of understanding (MOU), a cleanup and abatement order, or any other appropriate order or orders, provided the program is consistent with the assumptions and requirements of the reductions described in Table 7-34.3, below.</p> <p>Nonpoint source dischargers may achieve the LAs by implementing an MFAC/BMP program approved by the Executive Officer. Responsible jurisdictions will be deemed in compliance with the LAs if an MFAC/BMP program, approved by the Executive Officer, demonstrates that there is no accumulation of trash, as defined in "Numeric Targets".</p> <p>An MFAC/BMP Program must, to the satisfaction of the Executive Officer, meet the following criteria:</p> <ol style="list-style-type: none"> a) The MFAC/BMP Program includes an initial minimum frequency of trash assessment and collection and suite of structural and/or nonstructural BMPs. The MFAC/BMP program shall include collection and disposal of all trash found in the source areas and along the shoreline. Responsible jurisdictions shall implement an initial suite of BMPs based on current trash management practices in land areas that are found to be sources of trash to waterbodies within the Santa Monica Bay WMA and to Santa Monica Bay. <p><u>Beaches and Harbors along Santa Monica Bay</u> For beaches and harbors along Santa Monica Bay,</p> |

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| | <p>the initial minimum frequency shall be set as follows:</p> <ol style="list-style-type: none"> 1. The trash source areas of beaches and harbors shall be cleaned on a daily basis year round. 2. Trash on Santa Monica Bay shorelines shall be collected daily. An assessment shall immediately follow at the frequency specified in the TMRP. 3. The assessment performed immediately after the collection events shall focus on the shorelines or interface along Santa Monica Bay. 4. The protocol for conducting the assessment immediately after the collection event shall include methods and frequencies of assessment, specific locations on the beaches and harbors, in the TMRP. 5. Responsible jurisdictions for beaches and harbors shall conduct routine trash generation rate evaluation on the nonpoint source areas at selected beaches or harbors under their management. Protocols, as specified in the TMRP, for this evaluation include: <ol style="list-style-type: none"> i) The evaluation shall be performed in the late afternoon before dusk. Data collected may represent the daily trash quantity littered or deposited on the nonpoint source areas. ii) Methods, locations and frequencies of evaluation on the beaches and harbors shall be included in the TMRP. 6. Water in harbors shall be inspected and all trash found on the water shall be removed at a frequency and during critical conditions as defined in the approved TMRP. 7. Compliance for jurisdictions responsible for nonpoint source trash at areas where daily cleanup is implemented, is determined by the following conditions: <ol style="list-style-type: none"> i) The assessment conducted immediately after cleanup shall demonstrate that all trash on the shoreline or harbor is 100% removed and no trash remains. ii) Responsible jurisdictions for beaches and |

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| | <p>harbors where daily cleanup is performed, shall demonstrate that the trash generation rate of the source areas does not show an increasing trend and does not exceed the benchmark of 310 pounds (lbs) per mile of beach/harbor per day, or 113,150 lbs/mile/year.</p> <p>8. Responsible jurisdictions shall initiate additional BMPs as specified in the TMRP, should trash amounts collected during evaluation at the source areas exceed 113,150 lbs/mile/year, or not indicate a decreasing trend.</p> <p><u>Non-Beach Open Space and Parks</u> For open space and parks within the Santa Monica Bay WMA other than beaches and harbors, the initial minimum frequency shall be as follows:</p> <ol style="list-style-type: none"> 1. Trash in open space and parks managed by responsible jurisdictions and agencies identified in the LA section of this table shall be 100% removed at each assessment and collection event as specified in the TMRP, within 72 hours after critical conditions, and immediately after special events when no safety hazards exist. 2. The TMRP shall include protocols for trash assessment immediately after each cleanup event, assessment locations and frequencies. 3. Compliance for jurisdictions responsible for open space and parks is determined by the following criteria: <ol style="list-style-type: none"> i) The assessment performed immediately after each cleanup event shall demonstrate that no trash remains. ii) The trash amount accumulated between cleanup events in open space and parks shall not exceed the LAs of 640 gallons per square mile per year (gal/mi²/yr), or 162,468 lbs/ mi²/yr, and shall show a decreasing trend. iii) Responsible jurisdictions shall increase the frequency of collection and/or implement additional BMPs, should trash amounts collected at cleanup events not indicate a decreasing trend. |

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| | <p>b) The MFAC/BMP Program includes assurances that it will be implemented by the responsible jurisdictions.</p> <p>c) The TMRP includes a MFAC/BMP Program, as described below, and a requirement that the responsible jurisdictions will self-report any non-compliance with its provisions. The results and report of the TMRP must be submitted to Regional Board on an annual basis.</p> <p>d) MFAC protocols may be based on SWAMP protocols for rapid trash assessment, or alternative protocols proposed by dischargers and approved by the Executive Officer of the Regional Board.</p> <p>e) Implementation of the MFAC/BMP program should include a Health and Safety Plan to protect personnel. The MFAC/BMP shall not require responsible jurisdictions to access and collect trash from areas where access by personnel is prohibited.</p> <p>The Executive Officer may approve or require a revised assessment and collection frequency and definition of the critical conditions:</p> <p>(a) To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections;</p> <p>(b) To reflect the results of trash assessment and collection;</p> <p>(c) If the amount of trash collected does not show a decreasing trend, where necessary to prevent nuisance or adverse effects on beneficial uses, such that a shorter interval between collections is warranted; or</p> <p>(d) If the amount of trash collected is decreasing such that a longer interval between collections is warranted.</p> <p>At the end of the implementation period, a revised MFAC/BMP program may be required if the Executive Officer determines that the amount of trash accumulating between collections is causing pollution or nuisance or otherwise adversely affecting beneficial uses.</p> <p>With regard to (a), (b) or (c), above, the Executive Officer is authorized to allow responsible jurisdictions to implement additional structural or non-structural BMPs in lieu of modifying the monitoring frequency.</p> |

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| <p><i>Monitoring and Reporting Plan</i></p> | <p><u>Trash</u></p> <p>Responsible agencies and jurisdictions shall develop a Trash Monitoring and Reporting Plan (TMRP) for Executive Officer approval that describes the methodologies that will be used to assess and monitor trash in their responsible areas within the Santa Monica Bay WMA or along Santa Monica Bay.</p> <p>For purposes of compliance determination, the default Baseline WLA for County of Ventura, Cities of Agoura Hills, Calabasas, Malibu, Thousand Oaks, and Westlake Village is 640 gal/mi²/yr, which is the same Baseline WLA set forth in the Malibu Creek Trash TMDL (Regional Board Resolution No. R08-007) for responsible jurisdictions of Los Angeles County, Ventura County, Ventura County Watershed Protection District, the Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Thousand Oaks, and Westlake Village.</p> <p>The default Baseline WLA for Los Angeles County, Cities of Los Angeles, Culver City, Santa Monica, El Segundo, Manhattan Beach, Hermosa Beach, Redondo Beach, Torrance, Palos Verdes Estates, Rancho Palos Verdes, Rolling Hills, and Rolling Hills Estates is 807 gal/mi²/ yr.</p> <p>The default Baseline WLA for Caltrans is 33,452.8 gal/mi²/yr excluding Caltrans' jurisdictional area in the Ballona Creek Watershed.</p> <p>The existing Ballona Creek Trash TMDL assigned a Baseline WLA of 86 cubic feet per square mile per year (ft³/mi²/yr) (equivalent to 643.3 gal/mi²/yr) to jurisdictions including the County of Los Angeles, the Cities of Beverly Hills, Culver City, Inglewood, Los Angeles, Santa Monica, and West Hollywood, and 893 ft³/mi²/yr (or 6,679.6 gal/mi²/yr) to Caltrans for their jurisdictional areas within the Ballona Creek Watershed.</p> <p>The TMRP shall include a plan to establish a site specific trash Baseline WLA if responsible agencies and jurisdictions elect to not use the default Baseline WLAs assigned above.</p> <p>Requirements for the TMRP shall include, but are not limited to, assessment and quantification of trash collected from source areas in the Santa Monica Bay WMA, and shoreline of the Santa Monica Bay. The monitoring plan shall provide details on the frequency, location, and reporting format. Responsible jurisdictions shall propose</p> |

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| | <p>a metric (e.g., weight, volume, pieces of trash) to measure the amount of trash discharged from their jurisdictional areas.</p> <p>The TMRP shall include a prioritization of areas that have the highest trash generation rates. The TMRP shall give preference to this prioritization when scheduling the installation of full capture devices, BMPs, or trash assessment and collection (MFAC) programs. The TMRP shall also evaluate and identify the most appropriate BMPs to implement given the nature of the trash impairment.</p> <p>The TMRP shall also include an evaluation of effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause pollution or nuisance or adversely affect beneficial uses between collections, proposals to enhance BMPs, and a revised MFAC for Executive Officer review.</p> <p>Responsible agencies and jurisdictions in Tables 7-34.2 and 7-34.3 may cooperate and coordinate their TMRP activities to fulfill requirements in this Santa Monica Bay Debris TMDL.</p> <p>Consistent with the requirements of their respective MS4 permits, the flood control districts, including the Los Angeles County Flood Control District and the Ventura County Watershed Protection District, and other MS4 Permittees are responsible for visually monitoring and removing trash and debris from all open channels and other MS4 drainage structures under their ownership. These requirements are intended to address fugitive trash and debris that has been deposited either illegally or through wind transport into the open channels. The flood control districts and other MS4 Permittees shall also identify and prioritize problem areas of illicit discharge. For these problem areas, the flood control districts and other MS4 Permittees shall propose a more frequent schedule of inspection and removal beyond the standard requirements of their MS4 permits. Alternatively, the flood control districts and other MS4 Permittees shall demonstrate that fugitive trash and debris is captured or removed prior to its discharge from the MS4 to Santa Monica Bay.</p> <p><u>Plastic Pellets</u></p> <p>Industries responsible for discharge of plastic pellets shall enroll with the California State Water Resources Control Board (State Board) as a permittee of the statewide Waste Discharge Requirements for Discharges of Storm Water</p> |

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| | <p>Associated with Industrial Activity (IGP) or apply for a general permit or an individual industrial stormwater permit from the Regional Board. Permittees of the IGP shall prepare a SWPPP and keep it onsite for inspection. Permittees for other general permits or individual industrial stormwater permits shall submit a Best Management Practices Plan and/or SWPPP to the Regional Board. All responsible permittees as defined under the Waste Load Allocation section are required to prepare and submit annual monitoring reports with monitoring designed to ensure compliance with the assigned WLAs, to the Regional Board. The requirements for the monitoring report preparation shall be consistent with provisions specified in the IGP, any appropriate general permit, or individual industrial permit.</p> <p>MS4 permittees identified as responsible jurisdictions and agencies for point sources of trash in this Santa Monica Bay Debris TMDL and in the existing Malibu Creek and Ballona Creek Trash TMDLs, including the Los Angeles County Flood Control District and the Ventura County Watershed Protection District, shall either prepare a Plastic Pellet Monitoring and Reporting Plan (PMRP) , or demonstrate that a PMRP is not required under certain circumstances, as follows:</p> <ol style="list-style-type: none"> <li data-bbox="691 1066 1490 1507">(1) Responsible jurisdictions that have industrial facilities or activities related to the manufacturing, handling, or transportation of plastic pellets within their jurisdiction shall prepare a PMRP to (i) monitor the amount of plastic pellets being discharged from the MS4 at critical locations and times (including, at a minimum, once during the dry season and once during the wet season); (ii) establish triggers for increased industrial facility inspections and enforcement of SWPPP requirements for industrial facilities identified as responsible for the plastic pellet WLA herein; and (iii) address possible plastic pellet spills. <li data-bbox="691 1545 1490 1915">(2) Responsible jurisdictions that have no industrial facilities or activities related to the manufacturing, handling, or transportation of plastic pellets, may not be required to conduct monitoring at MS4 outfalls, but shall be required to include a response plan in the PMRP. In order to be absolved of the requirement to conduct monitoring at MS4 out falls, documentation of the absence of industrial facilities and activities within the jurisdiction that are related to the manufacturing, handling and transportation of plastic pellets must be provided in the proposed |

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| | <p data-bbox="721 233 813 260">PMRP.</p> <p data-bbox="675 300 1471 741">(3) A MS4 Permittee may demonstrate to the Regional Board that it has only residential areas within its jurisdiction, and that it has limited commercial or industrial transportation corridors (rail and roadway), such that it is not considered a potential source of plastic pellets to Santa Monica Bay. Such demonstration may be submitted in lieu of a PMRP and must include the municipal zoning plan and other appropriate documentation. The Executive Officer may approve an exemption from the requirement to prepare a PMRP for the MS4 Permittee on the basis of this demonstration, if appropriate.</p> <p data-bbox="623 779 1382 940">The PMRP shall include protocols for a timely and appropriate response to possible plastic pellets spills within a Permittee's jurisdictional area, and a comprehensive plan to ensure that plastic pellets are contained.</p> |

**Table 7-34.2 Santa Monica Bay Nearshore and Offshore Debris TMDL:
Implementation Schedule - Trash and Plastic Pellets from Point Sources**

| Task No. | Task | Responsible Jurisdiction | Date |
|-----------------|--|--|--|
| 1a | Submit Trash Monitoring and Reporting Plan (TMRP), including a plan for defining the trash baseline WLA, a proposed definition of "major rain event" and "proper operation and maintenance". | California Department of Transportation, Los Angeles County Flood Control District, Los Angeles County, Ventura County Watershed Protection District, County of Ventura, and Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, and Torrance, and Westlake Village. | 6 months from effective date of TMDL. If a plan is not approved by the Executive Officer within 9 months, the Executive Officer will establish appropriate monitoring plans. |
| 1b | Submit a Plastic Pellet Monitoring and Reporting Plan (PMRP) for monitoring plastic pellet discharges from the MS4, increased industrial facility inspections and enforcement, and response to possible plastic pellet spills, or a demonstration that a PMRP is not required ⁵ . | California Department of Transportation, Los Angeles County Flood Control District, Los Angeles County, Ventura County Watershed Protection District, County of Ventura, and Cities of Agoura Hills, Beverly Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Hidden Hills, Inglewood, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, Torrance, West Hollywood, and Westlake Village. | 18 months from effective date of this TMDL. |
| 2a | Implement TMRP. | California Department of Transportation, Los Angeles County Flood Control District, Los Angeles County, Ventura County Watershed Protection District, County of Ventura, and Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, and Torrance, and Westlake | 6 months from receipt of letter of approval from Regional Board Executive Officer, or the date a plan is established by the Executive Officer. |

⁵ The responsible jurisdictions and agencies shall provide documentation as specified in Table 7-34.1.

| Task No. | Task | Responsible Jurisdiction | Date |
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| | | Village. | |
| 2b | Implement PMRP. | California Department of Transportation, Los Angeles County Flood Control District, Los Angeles County, Ventura County Watershed Protection District, County of Ventura, and Cities of Agoura Hills, Beverly Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Hidden Hills, Inglewood, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, Torrance, West Hollywood, and Westlake Village. | 4 years from Effective Date of TMDL. |
| 3 | Submit results of implementing TMRP and PMRP, recommend trash baseline WLA, and propose prioritization of Full Capture System installation or implementation of other measures to attain the required trash and plastic pellet reduction. | California Department of Transportation, Los Angeles County Flood Control District, Los Angeles County, Ventura County Watershed Protection District, County of Ventura, and Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, and Torrance, and Westlake Village. For PMRP ONLY ⁶ The Cities of Beverly Hills, Inglewood, West Hollywood, and Hidden Hills, Thousand Oaks, and Westlake Village. | Twenty (20) months from receipt of letter of approval for the Trash Monitoring and Reporting Plan and PMRP from Regional Board Executive Officer, and annually thereafter. |
| 4 | Installation of Full Capture Systems or other measures to achieve 20% reduction of trash from Baseline WLA ⁶⁷ . | California Department of Transportation, Los Angeles County, County of Ventura, and Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills | Four years from effective date of TMDL. |

⁶ The monitoring and reporting requirements under the Ballona Creek Trash TMDL and Malibu Creek Trash TMDL for areas within those subwatersheds fulfill the requirement herein to prepare and implement a TMRP. Therefore, only a PMRP is required from these jurisdictions.

⁷ Compliance with percent reductions from the Baseline WLA will be assumed wherever properly-sized full capture systems are installed and properly operated and maintained in corresponding percentages of the conveyance discharging to waterbodies within the Santa Monica Bay Watershed or directly to Santa Monica Bay.

| Task No. | Task | Responsible Jurisdiction | Date |
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| | | Hills Estates, Santa Monica, Thousand Oaks, Torrance, and Westlake Village. ⁷⁸ | |
| 5 | Installation of Full Capture Systems or other measures to achieve 40% reduction of trash from Baseline WLA ⁷ . | California Department of Transportation, Los Angeles County, County of Ventura, and Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, Torrance, and Westlake Village. ⁸ | Five years from effective date of TMDL. |
| 6 | Compliance with General or Individual Industrial NPDES permit requirements to achieve the plastic pellet WLA. | Permittees of the Industrial Storm Water General Permit (NPDES Permit No. CAS 000001), other general permits, or individual industrial storm water permits for industrial activities with SIC codes that may include, but are not limited to, 282X, 305X, 308X, 39XX, 25XX, 3261, 3357, 373X, 2893, or with the term "plastic" in the facility or operator name, regardless of SIC code. | Five years from the effective date of TMDL. |
| 7 | 1. Evaluate the effectiveness of Full Capture Systems or other | Regional Board. | Five years from effective date of TMDL. |

⁸ Each responsible jurisdiction and agency, identified above, shall comply with the interim or final Waste Load Allocations for trash assigned to it and, therefore, should utilize all compliance strategies within its authority to achieve these allocations. Flood control districts, such as the Los Angeles County Flood Control District or Ventura County Watershed Protection District, may be held responsible with a jurisdiction and/or agency for non-compliance where the flood control district has either:

- (i) without good cause denied necessary authority to a responsible jurisdiction or agency for the timely installation and/or maintenance of full and/or partial capture trash control devices for purposes of TMDL compliance in parts of the MS4 physical infrastructure that are under its authority, or
- (ii) not fulfilled its obligations under its MS4 permit regarding proper BMP installation, operation and maintenance for purposes of TMDL compliance within the MS4 physical infrastructure under its authority,

thereby causing or contributing to a responsible jurisdiction and/or agency to be out of compliance with its interim or final Waste Load Allocations.

Under these circumstances, the flood control district's responsibility shall be limited to non-compliance related to the drainage area(s) within the jurisdiction where the flood control district has authority over the relevant portions of the MS4 physical infrastructure.

| Task No. | Task | Responsible Jurisdiction | Date |
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| | measures to achieve trash WLA, 2. Evaluate BMPs implemented at industrial facilities for effectiveness in achieving plastic pellet WLA, 3. Reconsider the trash and plastic pellet WLAs, if warranted. | | |
| 8 | Installation of Full Capture Systems or other measures to achieve 60% reduction of trash from Baseline WLA ⁷ . | California Department of Transportation, Los Angeles County, County of Ventura, and Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, Torrance, and Westlake Village. ⁸ | Six years from effective date of TMDL. |
| 9 | Installation of Full Capture Systems or other measures to achieve 80% reduction of trash from Baseline WLA ⁷ . | California Department of Transportation, Los Angeles County, County of Ventura, and Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, Torrance, and Westlake Village. ⁸ | Seven years from effective date of TMDL. |
| 10 | Installation of Full Capture Systems or other measures to achieve 100% reduction of trash from Baseline WLA ⁷ . | California Department of Transportation, Los Angeles County, County of Ventura, and Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, Torrance, and Westlake Village. ⁸ | Eight years from effective date of TMDL. |
| 11 | If within three (3) years of Regional Board adoption date of this TMDL, a city or county voluntarily adopts local ordinances to ban plastic bags, | California Department of Transportation, Los Angeles County Flood Control District, Los Angeles County, Ventura County Watershed Protection District, County of Ventura, and Cities of Agoura Hills, Beverly Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Hidden | 11 years from effective date of TMDL. |

| Task No. | Task | Responsible Jurisdiction | Date |
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| | smoking in public places and single use expanded polystyrene food packaging, it shall receive a three-year extension of the final compliance date. | Hills, Inglewood, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, Torrance, West Hollywood, and Westlake Village. | |

Table 7-34.3 Santa Monica Bay Nearshore and Offshore Debris TMDL: Implementation Schedule
Minimum Frequency of Assessment and Collection Program⁹⁹ - Trash from Nonpoint Sources

| Task No. | Task | Responsible Jurisdiction | Date |
|-----------------|--|---|---|
| 1 | Submit a TMRP including an MFAC/BMP Program. | National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, State Lands Commission for open space and parks, and California Department of Parks and Recreation, Los Angeles County Department of Beaches and Harbors, Cities of Hermosa Beach, Los Angeles, Santa Monica and Redondo Beach for beaches and harbors. | Six months from TMDL effective date. If a plan is not approved by the Executive Officer within 9 months, the Executive Officer will establish an appropriate monitoring plan. |
| 2 | Implement the TMRP and the MFAC/BMP Program. | National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, State Lands Commission for open space and parks, and California Department of Parks and Recreation, Los Angeles County Department of Beaches and Harbors, Cities of Hermosa Beach, Los Angeles, Santa Monica and Redondo Beach for beaches and harbors. | 6 months from receipt of letter of approval from Regional Board Executive Officer, or the date a plan is established by the Executive Officer. |
| 3 | Achieve LA immediately after each collection and assessment event. | National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, State Lands Commission for open space and parks, and California Department of Parks and Recreation, Los Angeles County Department of Beaches and Harbors, Cities of Hermosa Beach, Los Angeles, Santa Monica and Redondo Beach for beaches and harbors. | 6 months from receipt of letter of approval from Regional Board Executive Officer, or the date a plan is established by the Executive Officer. |
| 4 | Submit annual TMRP reports including | National Park Service, California Department of Parks and | Twenty (20) months from |

⁹⁹ Based on annual reports, the Executive Officer may adjust the minimum frequency of assessment and collection as necessary to ensure compliance between the required trash assessment and collection events.

| Task No. | Task | Responsible Jurisdiction | Date |
|-----------------|--|---|---|
| | proposal for revising MFAC/BMP for Executive Officer approval. | Recreation, County of Los Angeles, County of Ventura, State Lands Commission for open space and parks, and California Department of Parks and Recreation, Los Angeles County Department of Beaches and Harbors, Cities of Hermosa Beach, Los Angeles, Santa Monica and Redondo Beach for beaches and harbors. | receipt of letter of approval for the Trash Monitoring and Reporting Plan from Regional Board Executive Officer, and annually thereafter. |
| 5 | Demonstrate full compliance by achieving LA between required trash collection and assessment events. | National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, State Lands Commission for open space and parks, and California Department of Parks and Recreation, Los Angeles County Department of Beaches and Harbors, Cities of Hermosa Beach, Los Angeles, Santa Monica and Redondo Beach for beaches and harbors. | Five years from effective date of TMDL. |
| 6 | Reconsider the TMDL based on evaluation of effectiveness of MFAC/BMP program, if warranted. | Regional Board. | Five years from effective date of TMDL. |
| 7 | If within three (3) years of Regional Board adoption date of this TMDL, a city or county voluntarily adopts local ordinances to ban plastic bags, smoking in public places and single use expanded polystyrene food packaging, it shall receive a three-year extension of the final compliance date. | National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, State Lands Commission for open space and parks, and California Department of Parks and Recreation, Los Angeles County Department of Beaches and Harbors, Cities of Hermosa Beach, Los Angeles, Santa Monica and Redondo Beach for beaches and harbors. | Eight (8) years from effective date of TMDL. |