

Attachment **CA** to Resolution No. **R4-2007-00819-XXX**

Proposed Amendments
to the
Water Quality Control Plan – Los Angeles Region
for the
Ventura River Estuary Trash TMDL

Amendments:

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Chapter 7. Total Maximum Daily Loads (TMDLs) Ventura River Estuary Trash TMDL

This TMDL was adopted by:

The Regional Water Quality Control Board on June 7, 2007.

This TMDL was approved by:

The State Water Resources Control Board on December 4, 2007.

The Office of Administrative Law on February 11, 2008.

The U.S. Environmental Protection Agency on February 27, 2008.

This TMDL was revised by:

The Regional Water Quality Control Board on [Insert Date].

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 revised elements of the TMDL are presented in Table 7-25.1 and the

revised Implementation Plan in Tables 7-25.2a and 7-25.2b.

Table 7-25.1 Ventura River Estuary Trash TMDL: Elements

Element	Ventura River Estuary Trash TMDL
Problem Statement	Current levels of trash discharges into the Ventura River Estuary violate-exceed water quality objectives and are impairing beneficial uses. Relevant water quality objectives include <u>those for “Floating Material” and “Solid, Suspended, or Settleable Materials.”</u> The following designated beneficial uses are impacted by trash: navigation (NAV), <u>water</u> contact recreation (REC 1) and non-contact <u>water</u> recreation (REC 2), commercial and sport fishing (COMM), warm fresh water habitat (WARM), estuarine habitat (EST), marine habitat (MAR), wildlife habitat (WILD), rare, threatened or endangered species (RARE), migration of aquatic organisms (MIGR), spawning, reproduction, and/or early development (SPWN), shellfish harvesting (SHELL), and wetland habitat (WET).
Numeric Target <i>(interpretation of the narrative water quality objective, used to calculate the load allocations)</i>	Zero trash in the Ventura River Estuary, shoreline and in the channel. Zero is defined as (1) for nonpoint sources, no trash 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, and (2) for point sources, zero trash discharged into the Ventura River Estuary, shoreline, and channel.
Source Analysis	Litter from adjacent land areas, roadways and direct dumping and deposition are sources of trash to the Ventura River Estuary. Point sources such as storm drains are also sources of trash discharged to the Ventura River Estuary.
Loading Capacity	Zero, as defined in the Numeric Target.
Waste Load Allocations (for point sources)	Waste Load Allocations (WLAs) are assigned to the City of Ventura, County of Ventura, Ventura County Watershed Protection District, California Department of Food and Agriculture, and Caltrans with conveyances point sources that discharge to the Ventura River Estuary. Additional responsible entities may be identified in the future under Phase 2 of the USEPA Stormwater Permitting Program, or other applicable regulatory programs. WLAs are zero trash discharged from MS4s into the Ventura River Estuary. WLAs may be issued to additional responsible jurisdictions in the future under Phase 2 of the US EPA Stormwater Permitting Program, or other applicable regulatory programs.
Load Allocations (for nonpoint sources)	Load Allocations (LAs) are assigned to the City of Ventura, Ventura County, Ventura County Watershed Protection District, California Department of Parks and Recreation, California Department of Food and Agriculture, and Agricultural Dischargers. LAs are zero trash, <u>defined as no trash immediately following each assessment and</u>

	<p><u>collection event consistent with an established Minimum Frequency of Assessment and Collection Program (MFAC Program) where 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. LAs may be issued to a</u>Additional responsible jurisdictions entities may be identified in the future under applicable regulatory programs.</p>
<p>Implementation</p>	<p>Implementation of the trash TMDL for the Ventura River Estuary includes structural and non-structural best management practices (BMPs) and a program of minimum frequency of assessment and collection (MFAC programs) to address point and nonpoint trash sources.</p> <p>Point Sources</p> <p>WLAs shall be implemented through storm waterMS4 permits and via the authority vested in the Executive Officer by sections 13267 and/or 13383 of the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.).</p> <p>Responsible entities may If point source dischargers comply with WLAs by <u>(1) - implementing installing an Executive Officer-certified full capture systems on conveyances that discharge to the Ventura River Estuary or (2) implementing an MFAC program in conjunction with BMPs through a progressive implementation schedule of full capture devices, they will be deemed in compliance with the WLA. Irrespective of these two general approaches to implementing the WLAs, responsible entities may comply with the WLAs in any lawful manner, including the implementation of alternative compliance approaches as adopted in the revised Los Angeles River Watershed Trash TMDL (Resolution No. R15-006).</u></p> <p>In certain circumstances (if approved by the Executive Officer), point source dischargers may alternatively comply with WLAs by implementing a program for minimum frequency of assessment and collection in conjunction with best management practices (MFAC/BMPs).</p> <p>1. Responsible entities may comply Compliance with the final WLA by installing may be achieved through an adequately sized and maintained full capture systems, once the Executive Officer has certified by the Executive Officer of the Los Angeles Water Board or the Executive Director of the State Water Board 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</p>

the sub-drainage area. The rational equation is used to compute the peak flow rate:

$Q = C \times I \times A$, where

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).

Responsible entities ~~Point sources~~ that choose to comply via installation of a 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 that discharging to the estuary.

~~Irrespective of whether point sources employ a full capture system, they may comply with the WLA in any lawful manner.~~

2. Responsible entities may propose an ~~Compliance through a~~ MFAC program in conjunction with BMPs ~~may be proposed~~ to the Los Angeles Water Regional Board for incorporation into the relevant NPDES permit. The MFAC/BMP program must include requirements equivalent to those ~~described in the Conditional Waiver~~ set forth for Nonpoint sources below. Agencies that are responsible for both point and nonpoint sources will be deemed in compliance with both the WLAs and LAs if an MFAC/BMP program, approved by the Executive Officer, is implemented.

Caltrans

Caltrans may comply with WLAs by installing, operating, and maintaining any combination of full capture systems, multi-benefit projects, other treatment controls, and/or institutional controls for all storm drains that capture runoff from significant trash generating areas to achieve full capture equivalency as defined by the Trash Provisions in the Plans for Ocean Waters of California and the Inland Surface Waters, Enclosed Bays, and Estuaries of California Plan statewide Trash Amendments.

Nonpoint Sources

LAs shall be implemented through ~~either (1) a conditional waiver of from~~ waste discharge requirements, or ~~(2) an alternative program implemented through waste discharge requirements or an individual waiver or~~ another appropriate order of the Regional Los Angeles Water Board in accordance with the statewide Policy for Implementation

and Enforcement of the Nonpoint Source Pollution Control Program.

(1) Non-point source dischargers may achieve compliance with the LAs by implementing an MFAC/BMP program approved by the Executive Officer. Responsible jurisdictions that are responsible for both point and nonpoint sources will be deemed in compliance with both the WLAs and LAs if a MFAC/BMP program, approved by the Executive Officer, is implemented. The MFAC/BMP Program shall, to the satisfaction of the Executive Officer, meet the following criteria:

~~1) Conditional Waiver: Pursuant to Water Code section 13269, waste discharge requirements are waived for any responsible jurisdiction that implements a MFAC/BMP Program which, to the satisfaction of the Executive Officer, meets the following criteria:~~

- a) The MFAC/BMP Program includes an adequate 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 water, shoreline, and the channel. Responsible ~~jurisdictions~~ entities 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 the Ventura River Estuary. For the Ventura River Estuary, the initial minimum frequency shall be set as follows:
 1. Once per week for the sandy beach area between the estuary and the ocean and along the bike path between May 15 and October 15. Once per month for the rest of the year.
 2. Within one week after each storm event with one inch of rain or greater at the Front Street storm drain, which discharges under the eastern levee, 50-feet north of the railroad tracks.
 3. Quarterly for other areas of the estuary below the U.S. 101 Freeway.
 4. After major public events that occur in the Ventura County Fairground that charge an admission price and are attended by greater than 7,000 people.
- b) The MFAC/BMP Program includes reasonable assurances that it will be implemented by the responsible jurisdiction entities.
- c) The MFAC/BMP Program includes a ~~Trash Monitoring and Reporting Plan, as described below~~ TMRP, and a requirement that the responsible ~~jurisdictions~~ entities will self-report any non-compliance with its provisions. The results and report of the ~~Trash Monitoring and Reporting~~

~~Plan~~TMRP must be submitted to ~~Regional~~the Los Angeles Water Board on an annual basis.

- 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.
- e) Implementation of the MFAC/BMP program should include a Health and Safety Plan to protect personnel. The MFAC/BMP program shall not require responsible ~~jurisdictions~~entities to access and collect trash from areas where personnel are prohibited.

~~Compliance for Agricultural Sources~~

~~For agricultural dischargers, the Conditional Waiver for Irrigated Lands will be revised to include a MFAC/BMP program for enrollees in the Ventura River Estuary subwatershed.~~

The Executive Officer may approve or require a revised assessment and collection frequency ~~and definition of the critical conditions under the waiver:~~

- (a) To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections;
- (b) To reflect the results of trash assessment and collection;
- (c) If the amount of trash collected does not show a decreasing trend, where necessary, such that a shorter interval between collections is warranted; or
- (d) If the amount of trash collected is decreasing such that a longer interval between collections is warranted.

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.

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 nuisance or otherwise adversely affecting beneficial uses.

~~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.~~

~~Any waivers implementing the TMDL shall expire pursuant to Water Code section 13269 five years after the effective date of this TMDL, unless reissued. The Regional Board~~

	<p>may reissue this waiver through an order consistent herewith, instead of readopting these regulatory provisions.</p> <p>(2) Alternatively, responsible jurisdictions <u>entities</u> may propose, or the Regional Los Angeles Water Board may impose, an alternative program which would be implemented through waste discharge requirements an individual waiver, 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 7-25.2b, below.</p> <p>Within six months of the effective date of this TMDL, the Executive Officer shall require responsible jurisdictions to submit either a notice of intent to be regulated under the conditional waiver with their proposed MFAC/BMP Program and Trash Monitoring and Reporting Plan (TMRP), or a report of waste discharge.</p>
<p>Monitoring and Reporting Plan</p>	<p>Responsible jurisdictions <u>and entities</u> will develop a TMRP for Executive Officer approval that describes the methodologies that will be used to assess and monitor trash in the Ventura River Estuary and/or within responsible jurisdiction land areas. The TMRP shall include a plan to establish the trash Baseline WLAs for non-Caltrans entities, or an alternative to the default trash baseline for Caltrans to prioritize installation of full capture devices. The default trash baseline WLA for Caltrans is 6677.4 gallons per square mile per year.</p> <p>Requirements for the TMRP shall include, but are not limited to, assessment and quantification of trash collected from the surfaces and shoreline of the Ventura River Estuary or from responsible jurisdiction land areas. The monitoring plan shall provide details of the frequency, location, and reporting of trash monitoring. Responsible jurisdictions <u>and entities</u> shall propose a metric (e.g., weight, volume, pieces of trash) to measure the amount of trash in the estuary and on the land area surrounding the estuary, as defined in the Executive Officer approved TMRP.</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 collection programs.</p> <p>The TMRP shall also include <u>a process for</u> an evaluation of effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections, proposals to enhance BMPs, and a revised MFAC for Executive Officer review.</p>

	Responsible j Jurisdictions <u>and entities</u> may coordinate their TMRP activities for the Ventura River Estuary.
<i>Margin of Safety</i>	Zero is a conservative numeric target which contains an implicit margin of safety.
<i>Seasonal Variations and Critical Conditions</i>	Discharge of trash from the conveyances-point sources occurs primarily during or shortly after a major rain event. Discharge of trash from nonpoint sources occurs during all seasons, but can be increased during or shortly after high wind events, which are defined as periods of wind advisories issued by the National Weather Service, and the period from May 15 to October 15, or during and after public events that occur in the Ventura County Fairground.

**Table 7-25.2a Ventura River Estuary Trash TMDL: Implementation Schedule
Point Sources**

Task No.	Task	Responsible JurisdictionEntities	Date
1	Submit Trash Monitoring and Reporting Plan, including a plan for defining the trash baseline WLA and a proposed definition of "major rain event".	City of Ventura, Ventura County, Ventura County Watershed Protection District, California Department of Food and Agriculture, and Caltrans.	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 an appropriate monitoring plan. <u>September 6, 2008</u>
2	Implement Trash Monitoring and Reporting Plan.	City of Ventura, Ventura County, Ventura County Watershed Protection District, California Department of Food and Agriculture, and Caltrans.	6 months from receipt of letter of approval from Regional Los Angeles Water Board Executive Officer, or the date a plan is established by the Executive Officer. <u>Regional Los Angeles Water Board Executive Officer.</u>
3	Submit results of Trash Monitoring and Reporting Plan, recommend trash baseline WLA, and propose prioritization of Full Capture System installation or implementation of other measures to attain the required trash reduction.	City of Ventura, Ventura County, Ventura County Watershed Protection District, California Department of Food and Agriculture, and Caltrans.	2 years from receipt of letter of approval for the Trash Monitoring and Reporting Plan from <u>Regional Los Angeles Board Executive Officer.</u>
4	Installation of Full Capture Systems or other measures to achieve 20% reduction of trash from Baseline WLA*.	City of Ventura, Ventura County, Ventura County Watershed Protection District, California Department of Food and Agriculture, and Caltrans.	Four years from effective date of TMDL. <u>March 6, 2012</u>
5	Installation of Full Capture Systems or other measures to achieve 40%	City of Ventura, Ventura County, Ventura County Watershed Protection District, California Department of Food and	Five years from effective date of TMDL. <u>March 6, 2013</u>

	reduction of trash from Baseline WLA*.	Agriculture, and Caltrans.	
6	Evaluate the effectiveness of Full Capture Systems or other measures, and reconsider the WLA*.	<u>Regional Los Angeles Water Board.</u>	Five years from effective date of TMDL. <u>March 6, 2013</u>
7	Installation of Full Capture Systems or other measures to achieve 60% reduction of trash from Baseline WLA*.	City of Ventura, Ventura County, Ventura County Watershed Protection District, California Department of Food and Agriculture, and Caltrans.	Six years from effective date of TMDL. <u>March 6, 2014</u>
8	Installation of Full Capture Systems or other measures to achieve 80% reduction of trash from Baseline WLA*.	City of Ventura, Ventura County, Ventura County Watershed Protection District, California Department of Food and Agriculture, and Caltrans.	Seven years from effective date of TMDL. <u>March 6, 2015</u>
9	Installation of Full Capture Systems or other measures to achieve 100% reduction of trash from Baseline WLA*.	City of Ventura, Ventura County, Ventura County Watershed Protection District, California Department of Food and Agriculture, and Caltrans.	Eight years from effective date of TMDL. <u>March 6, 2016</u>

* Compliance with percent reductions from the Baseline WLA will be assumed wherever full capture systems are installed in corresponding percentages of the conveyance discharging to the estuary. ~~Installation will be prioritized based on the greatest point source loadings.~~

**Table 7-25.2b Ventura River Estuary Trash TMDL: Implementation Schedule
Minimum Frequency of Assessment and Collection Program ***

Task No.	Task	Responsible JurisdictionEntities	Date
1	Conditional Waiver in effect.	City of Ventura, Ventura County, Ventura County Watershed Protection District, Caltrans, California Department of Parks and Recreation, California Department of Food and Agriculture, and Agricultural Dischargers.	Regional Board adoption of TMDL.
21	Submit Notice of Intent to Comply with Conditional Waiver of Discharge Requirements, including MFAC/BMP Program and Trash Monitoring and Reporting Plan.	City of Ventura, Ventura County, Ventura County Watershed Protection District, Caltrans, California Department of Parks and Recreation, California Department of Food and Agriculture, and Agricultural Dischargers.	Six months from TMDL effective date. <u>September 6, 2008</u>
32	Implement MFAC/BMP Program.	City of Ventura, Ventura County, Ventura County Watershed Protection District, Caltrans, California Department of Parks and Recreation, California Department of Food and Agriculture, and Agricultural Dischargers.	Six months from receipt of Notice of Acceptance <u>from approval of TMRP from Los Angeles Regional Board Executive Officer.</u>
43	Submit annual TMRP reports including proposal for revising MFAC/BMP for Executive Officer approval.	City of Ventura, Ventura County, Ventura County Watershed Protection District, Caltrans, California Department of Parks and Recreation, California Department of Food and Agriculture, and Agricultural Dischargers.	Two years from effective date of TMDL. <u>March 6, 2010</u> , and annually thereafter.
54	Reconsideration of Trash TMDL based on evaluation of effectiveness of MFAC/BMP program.	Regional Board.	Five years from effective date of TMDL. <u>March 6, 2013</u>

* At Task ~~32~~, all ~~R~~responsible ~~Jurisdictions~~ entities must be attaining the zero trash target after each required trash assessment and collection event. At Task ~~43~~, all ~~R~~responsible ~~Jurisdictions~~ entities must demonstrate full compliance and attainment of the zero trash target's requirement that trash is not accumulating in deleterious amounts between the required trash assessment and collection events. Based on ~~R~~responsible ~~Jurisdiction~~ entities monitoring 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.