



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Agency Secretary

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

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Arnold Schwarzenegger
Governor

TO: Interested Stakeholders

FROM: Samuel Unger, P. E. *SU*
Section Chief, Regional Programs

DATE: November 7, 2007

SUBJECT: NOTICE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
SCOPING MEETING, DECEMBER 13, 2007 TO ESTABLISH THE
TOTAL MAXIMUM DAILY LOAD (TMDL) FOR TRASH IN THE
MALIBU CREEK WATERSHED

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) staff is in the process of developing a Total Maximum Daily Load (TMDL) for trash for the following reaches and lakes in the Malibu Creek Watershed:

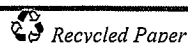
1. Lindero Creek Reach 1 (between confluence with Medea Creek and Lake Lindero),
2. Lindero Creek Reach 2 (above Lake Lindero),
3. Lake Lindero,
4. Medea Creek Reach 1 (between confluence with Lindero Creek and Malibou Lake),
5. Medea Creek Reach 2 (above confluence with Lindero Creek),
6. Las Virgenes Creek, and
7. Malibu Creek (from Malibu Lagoon to Malibou Lake).

Pursuant to California Public Resources Code section 21083.9, as amended by AB 1532, and the California Environmental Quality Act (CEQA) section 2080.5, Los Angeles Water Board staff will conduct a CEQA scoping meeting to receive comments on the appropriate scope and content of the "functionally equivalent" substitute environmental documents supporting Basin Plan Amendments that would establish the new Trash TMDL and implementation plan. The substitute environmental documents will be prepared pursuant to Public Resources Code Section 21080.5, and the State Water Resources Control Board's regulations related to its Certified Regulatory Program (see 23 Cal. Code Regs. §3775 et seq.). The substitute environmental documents are intended to serve as planning level (Tier 1) environmental documents, consistent with Public Resources code Section 21159.

LEGAL BACKGROUND

The above mentioned water bodies have been listed on California's 303(d) list as water quality impaired due to the presence of trash. A Consent Decree signed between the United States Environmental Protection Agency (USEPA), the Santa Monica BayKeeper, and Heal the Bay also requires a TMDL to be developed according to the 303(d) list. During storm events, trash is

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washed into storm drains, creeks, and lakes, and is deposited on banks, beaches, or in the ocean. Littering is a severe and recurring problem that impairs the beneficial uses of waters of the State in the Los Angeles Region. The Malibu Creek Trash TMDL will identify sources and assign loading allocations that, when implemented, will achieve water quality standards that will protect beneficial uses such as wildlife habitat and recreation.

WATERSHED BACKGROUND

The Malibu Creek Watershed, located in western Los Angeles County and southeastern Ventura County, is the second largest watershed draining to the Santa Monica Bay. The watershed originates from the Santa Monica Mountains at the north, generally grading southerly across the boundary of Ventura and Los Angeles Counties toward the Pacific Ocean. Lindero Creek Reach 2 starts at the City of Thousand Oaks, and flows along the border line between cities of Westlake Village and Agoura Hills to Lake Lindero. Lake Lindero drains into Reach 1 of Lindero Creek, which immediately enters an underground conveyance, and appears again before the confluence with Medea Creek Reach 2. Medea Creek Reach 2 starts in the area under the jurisdiction of National Park Service (NPS) or Los Angeles County for its unincorporated land, depending on the wet/dry seasons. After the confluence with Lindero Creek at the City of Agoura Hills, Medea Creek continues as Reach 1 discharging to Malibou Lake. Water exiting the almost privately owned Malibou Lake becomes Malibu Creek maneuvering among coastal mountains to the City of Malibu into Malibu Lagoon. Las Virgenes Creek initiates at the southeast end of the City of Simi Valley, flows southerly to the City of Calabasas, and connects with Malibu Creek in the California State Park.

The impairment of trash in the listed reaches and lakes ranges widely depending on the environment and public accessibility to the waterbody. Generally, reaches in the low density residential areas, State Parks, or city parks have less trash observed in the waterbodies. However, trash such as plastic bags and beverage containers were observed during inspections. Trash problems seem to be more significant in high density residential areas, commercial areas, or areas with heavy traffic. Common trash found in these busy areas includes polyester food and beverage containers, fast food wrappers, plastic cups and lids, plastic bags, abandoned toys, and some construction waste at particular locations.

SCOPES OF TMDL

In addition to encompassing four required TMDL sections, problem statement, numeric target, source analysis, and wasteload and load allocation, the proposed Malibu Creek Trash TMDL will coordinate with other municipal, County, and State programs and may:

- Assign wasteload allocations of zero trash to storm water permittees;
- Assign load allocations of zero trash to nonpoint sources;



- Be implemented through phased annual reductions in trash discharges over a period of approximately 5-8 years;
- Allow for compliance with the TMDL if the permittees install technology that has been certified by the Executive Officer of the Regional Board as a "Full Capture Device" or proposed Best Management Practices approved by the Executive Officer of the Regional Board.

SUBSTITUTE ENVIRONMENTAL DOCUMENTS

Los Angeles Water Board staff has not proposed any specific perspectives for "substitute" environmental document yet, but will consider any reasonable suggestion that may be appropriate to avoid or mitigate significant or potentially significant adverse environmental effects.

Interested stakeholders are specifically requested to provide information about:

- How they or responsible jurisdictions would foreseeably comply with the Trash TMDL;
 - The reasonably foreseeable significant environmental impacts associated with those means of compliance;
 - Specific evidence supporting that such impacts are reasonably foreseeable, and describing the magnitude (how significant) of the impacts;
 - Reasonable alternative means of compliance that would have less significant adverse environmental impacts;
 - Reasonable mitigation measures that would minimize any unavoidable significant adverse environmental impacts associated with the means of compliance.
- (See Public Resources Code section 21159.)

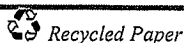
The CEQA Scoping Meeting for the Malibu Creek Trash TMDL will be held at:

**9 am to 12 pm, Thursday, December 13, 2007
City of Calabasas, Council Chamber
26135 Mureau Road
Calabasas, California 91302**

Please contact Dr. Eric Wu at (213) 576-6683 if you have any questions about this matter. Please bring the foregoing to the attention of any persons known to you who would be interested in this matter.

CC: Michael Levy, Office of Chief Counsel, State Water Resources Control Board

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