

Attachment B to Resolution No. R13-XXX

Proposed Amendment to the Water Quality Control Plan – Los Angeles Region to incorporate the Ballona Creek Estuary Toxic Pollutants TMDL

Proposed for adoption by the California Regional Water Quality Control Board, Los Angeles Region on December 5, 2013.

Amendments:

Chapter 7. Total Maximum Daily Loads (TMDLs) Summaries, Section 7-14 (Ballona Creek Estuary Toxic Pollutants TMDL)

This TMDL was adopted by the Regional Water Quality Control Board on July 7, 2005.

This TMDL was approved by:

The State Water Resources Control Board on October 20, 2005.

The Office of Administrative Law on December 15, 2005.

The U.S. Environmental Protection Agency on December 22, 2005.

This TMDL was revised by:

The Regional Water Quality Control Board on [insert date].

This revised 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 following tables include the elements of this TMDL.

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Table 7-14.1. Ballona Creek Estuary Toxic Pollutants TMDL: Elements

Element	Key Findings and Regulatory Provisions																											
<p><i>Problem Statement</i></p>	<p>Ballona Creek and Ballona Creek Estuary (Estuary) is on the Clean Water Act Section 303(d) list of impaired waterbodies for cadmium, copper, lead, silver, zinc, chlordane, DDT, PCBs, and PAHs <u>and toxicity</u> in sediments. The following designated beneficial uses are impaired by these toxic pollutants: water contact recreation (REC1); non-contact water recreation (REC2); estuarine habitat (EST); marine habitat (MAR); wildlife habitat (WILD); rare and threatened or endangered species (RARE); migration of aquatic organisms (MIGR); reproduction and early development of fish (SPWN); commercial and sport fishing (COMM); and shellfish harvesting (SHELL).</p> <p><u>Recent data indicate that PAHs are not present at levels exceeding existing numeric targets and are not impairing the designated beneficial uses. Therefore, a TMDL for PAHs is not included.</u></p>																											
<p><i>Numeric Target</i> (Interpretation of the narrative and numeric water quality objective, used to calculate the allocations)</p>	<p><u>Sediment targets are based on the narrative standards of this Basin Plan, the narrative standards of the State Water Quality Control Plan for Enclosed Bays and Estuaries (EB&E Plan Part 1), which contains the State's Sediment Quality Objectives, the sediment quality guidelines compiled by the National Oceanic and Atmospheric Administration (NOAA), and associated sediments targets, required to achieve fish tissue targets, determined from various other sources.</u></p> <p><u>Sediment Targets for Direct Effects</u></p> <p>Numeric water quality targets are based on the sediment quality guidelines compiled by the National Oceanic and Atmospheric Administration, which are used in evaluating waterbodies within the Los Angeles Region for development of the 303(d) list. The <u>NOAA</u> Effects Range-Low (ERLs) guidelines are established as the numeric targets for <u>metals in</u> sediments in Ballona Creek Estuary.</p> <table style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th colspan="5" style="text-align: center; border-bottom: 1px solid black;">Metal Numeric Targets (mg/kg)</th> </tr> <tr> <th style="text-align: center; border-bottom: 1px solid black;">Cadmium</th> <th style="text-align: center; border-bottom: 1px solid black;">Copper</th> <th style="text-align: center; border-bottom: 1px solid black;">Lead</th> <th style="text-align: center; border-bottom: 1px solid black;">Silver</th> <th style="text-align: center; border-bottom: 1px solid black;">Zinc</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1.2</td> <td style="text-align: center;">34</td> <td style="text-align: center;">46.7</td> <td style="text-align: center;">1.0</td> <td style="text-align: center;">150</td> </tr> </tbody> </table> <table style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th colspan="4" style="text-align: center; border-bottom: 1px solid black;"><u>Organic Numeric Targets (µg/kg)</u></th> </tr> <tr> <th style="text-align: center; border-bottom: 1px solid black;"><u>Chlordane</u></th> <th style="text-align: center; border-bottom: 1px solid black;"><u>DDTs</u></th> <th style="text-align: center; border-bottom: 1px solid black;"><u>Total PCBs</u></th> <th style="text-align: center; border-bottom: 1px solid black;"><u>Total PAHs</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0.5</td> <td style="text-align: center;">1.58</td> <td style="text-align: center;">22.7</td> <td style="text-align: center;">4,022</td> </tr> </tbody> </table> <p><u>In addition, the categories designated in the State's SQOs Part 1 as Unimpacted and Likely Unimpacted by the interpretation and integration of multiple lines of evidence shall be considered as the protective objective for sediment toxicity and benthic community direct effects. The thresholds established in the SQOs Part 1 are based on statistical significance and magnitude of the effect. Therefore, this TMDL implicitly includes sediment toxicity and benthic community targets by its use of the SQO Part 1.</u></p>	Metal Numeric Targets (mg/kg)					Cadmium	Copper	Lead	Silver	Zinc	1.2	34	46.7	1.0	150	<u>Organic Numeric Targets (µg/kg)</u>				<u>Chlordane</u>	<u>DDTs</u>	<u>Total PCBs</u>	<u>Total PAHs</u>	0.5	1.58	22.7	4,022
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	<p style="text-align: center;"><u>Sediment Targets for Indirect Effects and Fish Tissue</u></p> <p><u>Fish tissue targets were determined from <i>Fish Contaminant Goals and Advisory Tissue Levels for Common Contaminants in California Sport Fish: Chlordane, DDTs, Dieldrin, Methylmercury, PCBs, Selenium, and Toxaphene</i>, developed by the California Office of Environmental Health Hazard Assessment (2008) to assist agencies in developing fish tissue-based criteria for pollution mitigation or elimination and to protect humans from consumption of contaminated fish. Fish tissue targets are set for the Chlordane, Total DDT, and Total PCBs asbased on these Fish Contaminant Goals.</u></p> <p><u>Fish tissue associated sediment targets are set for Chlordane and Total DDT based on the 2007 San Francisco Bay Estuary Institute Newport Bay Indirect Effects draft report and for Total PCBs based on the 2010 San Francisco Bay Bioaccumulation study of Gobas and Arnot.</u></p> <p style="text-align: center;"><u>Fish Tissue Targets and Fish Tissue Associated Sediment Targets</u></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;"><u>Pollutant</u></th> <th style="text-align: center;"><u>Fish Tissue target (ug/kg wet)</u></th> <th style="text-align: center;"><u>Associated sediment target (ug/kg drv)</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><u>Chlordane</u></td> <td style="text-align: center;"><u>5.6</u></td> <td style="text-align: center;"><u>1.3</u></td> </tr> <tr> <td style="text-align: center;"><u>Total DDT</u></td> <td style="text-align: center;"><u>21</u></td> <td style="text-align: center;"><u>1.9</u></td> </tr> <tr> <td style="text-align: center;"><u>Total PCBs</u></td> <td style="text-align: center;"><u>3.6</u></td> <td style="text-align: center;"><u>3.2</u></td> </tr> </tbody> </table>	<u>Pollutant</u>	<u>Fish Tissue target (ug/kg wet)</u>	<u>Associated sediment target (ug/kg drv)</u>	<u>Chlordane</u>	<u>5.6</u>	<u>1.3</u>	<u>Total DDT</u>	<u>21</u>	<u>1.9</u>	<u>Total PCBs</u>	<u>3.6</u>	<u>3.2</u>
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Source Analysis	<p>Urban storm water has been recognized as a substantial source of metals. Numerous researchers have documented that the most prevalent metals in urban storm water (i.e., copper, lead, zinc, and to a lesser degree cadmium) are consistently associated with suspended solids. Because metals are typically associated with fine particles in storm water runoff, they have the potential to accumulate in estuarine sediments where they may pose a risk of toxicity. McPherson et al.¹ estimated that 83% of the cadmium and 86% of the lead were associated with the particle phase in Ballona Creek. Similar to metals, the majority of organic constituents in storm water are associated with particulates, measured concentrations of PAHs, phthalates, and organochlorine compounds in Sepulveda Channel, Centinela Creek, and Ballona Creek found that the majority of these compounds occurred in association with suspended solids. There is toxicity associated with suspended solids in urban runoff discharged from Ballona Creek, as well as with the receiving water sediments. This toxicity is likely attributed to metals and PAHs associated with the suspended sediments.</p> <p>Nonpoint sources are not considered a significant source of toxic pollutants in this TMDL. Nonpoint sources are urban runoff from the Ballona Wetland, since this area discharges directly to the Estuary</p>												

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¹ McPherson, T.N., S.J. Burian, H.J. Turin, M.K. Stenstrom and I.H. Suffet. 2002. Comparison of Pollutant Loads in Dry and Wet Weather Runoff in a Southern California Urban Watershed. *Water Science and Technology* 45:255-261.

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	<p>through a tide gate, and direct atmospheric deposition. The Ballona Wetlands cover approximately 460 acres or 0.6% of the watershed, therefore, loading from this source is considered insignificant. Direct atmospheric deposition of metals and PAHs is considered insignificant because the portion of the Ballona Creek watershed covered by water is small, approximately 480 acres or 0.6% of the watershed. Indirect atmospheric deposition reflects the process by which metals deposited on the land surface may be washed off during storm events and delivered to Ballona Creek and its tributaries. The loading of metals associated with indirect atmospheric deposition are accounted for in the storm water runoff.</p>																											
Loading Capacity	<p>TMDLs are developed for cadmium, copper, lead, silver, zinc, chlordane, DDT, <u>and</u> PCBs and PAHs within the sediments of the Ballona Creek Estuary.</p> <p>The loading capacity for Ballona Creek Estuary is calculated by multiplying the numeric targets by the average annual deposition of fine sediment, defined as silts (grain size 0.0625 millimeters) and smaller, within the Estuary by the bulk density of the sediment. The average annual fine sediment deposited is 5,004 cubic meters per year (m³/yr) and the bulk density is 1.42 metric tons per cubic meter (mt/m³). The TMDL is set equal to the loading capacity.</p> <table style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th colspan="5" style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;">Metals Loading Capacity (kilograms/year)</th> </tr> <tr> <th style="text-align: center; border-bottom: 1px solid black;">Cadmium</th> <th style="text-align: center; border-bottom: 1px solid black;">Copper</th> <th style="text-align: center; border-bottom: 1px solid black;">Lead</th> <th style="text-align: center; border-bottom: 1px solid black;">Silver</th> <th style="text-align: center; border-bottom: 1px solid black;">Zinc</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">8.5</td> <td style="text-align: center;">241.6</td> <td style="text-align: center;">332</td> <td style="text-align: center;">7.1</td> <td style="text-align: center;">1,066</td> </tr> </tbody> </table> <table style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th colspan="4" style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;">Organics Loading Capacity (grams/year)</th> </tr> <tr> <th style="text-align: center; border-bottom: 1px solid black;">Chlordane</th> <th style="text-align: center; border-bottom: 1px solid black;">DDTs</th> <th style="text-align: center; border-bottom: 1px solid black;">Total PCBs</th> <th style="text-align: center; border-bottom: 1px solid black;">Total PAHs</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">3,559.2</td> <td style="text-align: center;">11,213.5</td> <td style="text-align: center;">16122.7</td> <td style="text-align: center;">28,580</td> </tr> </tbody> </table>	Metals Loading Capacity (kilograms/year)					Cadmium	Copper	Lead	Silver	Zinc	8.5	241.6	332	7.1	1,066	Organics Loading Capacity (grams/year)				Chlordane	DDTs	Total PCBs	Total PAHs	3,559.2	11,213.5	16122.7	28,580
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Load Allocations (for nonpoint sources)	<p>Load allocations (LA) are assigned to nonpoint sources for Ballona Creek Estuary. Load allocations are developed for open space and direct atmospheric deposition.</p> <p>The mass-based load allocation for open space is equal to the percentage of the watershed covered by the Ballona Wetlands (0.6%) multiplied by the total loading capacity.</p> <table style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th colspan="5" style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;">Metals Load Allocations for Open Space (kg/yr)</th> </tr> <tr> <th style="text-align: center; border-bottom: 1px solid black;">Cadmium</th> <th style="text-align: center; border-bottom: 1px solid black;">Copper</th> <th style="text-align: center; border-bottom: 1px solid black;">Lead</th> <th style="text-align: center; border-bottom: 1px solid black;">Silver</th> <th style="text-align: center; border-bottom: 1px solid black;">Zinc</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0.05</td> <td style="text-align: center;">1.4</td> <td style="text-align: center;">2</td> <td style="text-align: center;">0.04</td> <td style="text-align: center;">6</td> </tr> </tbody> </table> <table style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th colspan="4" style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;">Organics Load Allocations for Open Space (g/yr)</th> </tr> <tr> <th style="text-align: center; border-bottom: 1px solid black;">Chlordane</th> <th style="text-align: center; border-bottom: 1px solid black;">DDTs</th> <th style="text-align: center; border-bottom: 1px solid black;">Total PCBs</th> <th style="text-align: center; border-bottom: 1px solid black;">Total PAHs</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0.05002</td> <td style="text-align: center;">0.1008</td> <td style="text-align: center;">10.13</td> <td style="text-align: center;">160</td> </tr> </tbody> </table> <p>The mass-based load allocation for direct atmospheric deposition is equal to the percentage of the watershed covered by water (0.6%)</p>	Metals Load Allocations for Open Space (kg/yr)					Cadmium	Copper	Lead	Silver	Zinc	0.05	1.4	2	0.04	6	Organics Load Allocations for Open Space (g/yr)				Chlordane	DDTs	Total PCBs	Total PAHs	0.05002	0.1008	10.13	160
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<i>Waste Load Allocations (for point sources)</i>	<p>Waste load allocations (WLA) are assigned to point sources for the Ballona Creek watershed. A grouped mass-based waste load allocation is developed for the storm water permittees (Los Angeles County MS4, Caltrans, General Construction and General Industrial <u>permittees</u>) by subtracting the load allocations from the total loading capacity. Concentration-based waste load allocations are developed for other point sources in the watershed.</p> <p style="text-align: center;"><u>Metals Waste Load Allocations for Storm Water (kg/yr)</u></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Cadmium</th> <th style="width: 20%;">Copper</th> <th style="width: 20%;">Lead</th> <th style="width: 20%;">Silver</th> <th style="width: 20%;">Zinc</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">8.4</td> <td style="text-align: center;">238.8</td> <td style="text-align: center;">328</td> <td style="text-align: center;">7.02</td> <td style="text-align: center;">1,054</td> </tr> </tbody> </table> <p style="text-align: center;"><u>Organics Waste Load Allocations for Storm Water (g/yr)</u></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Chlordane</th> <th style="width: 25%;">DDTs</th> <th style="width: 25%;">Total PCBs</th> <th style="width: 25%;">Total PAHs</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">3.5<u>19.13</u></td> <td style="text-align: center;">4<u>13.35</u></td> <td style="text-align: center;">159<u>22.48</u></td> <td style="text-align: center;">28,250</td> </tr> </tbody> </table> <p>The storm water waste load allocations are apportioned between the MS4 permittees, Caltrans, the general construction and the general industrial storm water permits based on an areal weighting approach.</p> <p style="text-align: center;"><u>Metals Storm Water WLAs Apportioned between Permits (kg/yr)</u></p> <table style="width: 100%; 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MS4 Permittees	3.3 <u>48.69</u>	10.5 <u>612.70</u>	152 <u>21.40</u>	26,900																																																																						
Caltrans	0.05 <u>0.12</u>	0.1 <u>50.18</u>	20 <u>30</u>	400																																																																						
General Construction	0.1 <u>0.25</u>	0.3 <u>10.37</u>	40 <u>62</u>	800																																																																						
General Industrial	0.02 <u>0.06</u>	0.08 <u>0.09</u>	10 <u>16</u>	200																																																																						

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Element	Key Findings and Regulatory Provisions																																				
	<table border="1" data-bbox="584 226 1425 296"> <thead> <tr> <th>Cadmium</th> <th>Copper</th> <th>Lead</th> <th>Silver</th> <th>Zinc</th> </tr> </thead> <tbody> <tr> <td align="center">0.1</td> <td align="center">3</td> <td align="center">4</td> <td align="center">0.1</td> <td align="center">13</td> </tr> </tbody> </table> <p align="center">Organics per Acre WLAs for Individual General Construction or Industrial Storm Water Permittees (mg/yr/ac)</p> <table border="1" data-bbox="584 394 1425 464"> <thead> <tr> <th>Chlordane</th> <th>DDTs</th> <th>Total PCBs</th> <th>Total PAHs</th> </tr> </thead> <tbody> <tr> <td align="center">0.04<u>0.11</u></td> <td align="center">0.14<u>0.16</u></td> <td align="center">20.28</td> <td align="center">350</td> </tr> </tbody> </table> <p>Concentration-based waste load allocations are assigned to the minor NPDES permits and general non-storm water NPDES permits that discharge to Ballona Creek or its tributaries. Any future minor NPDES permits or enrollees under a general non-storm water NPDES permit will also be subject to the concentration-based waste load allocations. <u>Short-term discharges of potable water that are required by statute are not assigned WLAs but may be subject to alternative permit limits pursuant to the State Water Resources Control Board's Policy for Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (2005).</u></p> <p align="center">Metals Concentration-based Waste Load Allocations (mg/kg)</p> <table border="1" data-bbox="584 919 1425 989"> <thead> <tr> <th>Cadmium</th> <th>Copper</th> <th>Lead</th> <th>Silver</th> <th>Zinc</th> </tr> </thead> <tbody> <tr> <td align="center">1.2</td> <td align="center">34</td> <td align="center">46.7</td> <td align="center">1.0</td> <td align="center">150</td> </tr> </tbody> </table> <p align="center">Organic Concentration-based Waste Load Allocations (µg/kg)</p> <table border="1" data-bbox="584 1052 1425 1121"> <thead> <tr> <th>Chlordane</th> <th>DDTs</th> <th>Total PCBs</th> <th>Total PAHs</th> </tr> </thead> <tbody> <tr> <td align="center">0.51<u>0.3</u></td> <td align="center">1.58<u>1.9</u></td> <td align="center">22.73<u>2</u></td> <td align="center">4,022</td> </tr> </tbody> </table>	Cadmium	Copper	Lead	Silver	Zinc	0.1	3	4	0.1	13	Chlordane	DDTs	Total PCBs	Total PAHs	0.04 <u>0.11</u>	0.14 <u>0.16</u>	20.28	350	Cadmium	Copper	Lead	Silver	Zinc	1.2	34	46.7	1.0	150	Chlordane	DDTs	Total PCBs	Total PAHs	0.51 <u>0.3</u>	1.58 <u>1.9</u>	22.73 <u>2</u>	4,022
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Margin of Safety	<p><u>An implicit margin of safety is applied through the use of the more protective sediment quality guideline values. The ERLs were selected over the higher ERM as the numeric targets. The addition of numeric targets for the indirect effects and multiple compliance options listed in the implementation section for sediments serve as an implicit margin of safety.</u></p>																																				
Implementation	<p><u>Compliance with the TMDL shall be determined through sediment, and fish tissue monitoring and comparison with the WLAs and LAs and numeric targets.</u></p> <p><u>Compliance with the sediment TMDL for metals, and PAHs and shall be based on achieving the LAs and WLAs or, alternatively, demonstrating attainment of the State's direct effects SQO through the sediment triad/multiple lines of evidence approach outlined therein.</u></p> <p><u>Compliance with the TMDL for chlordane, DDT and PCBs shall be based on achieving the LAs or WLAs, the fish tissue related sediment target, or, alternatively, by meeting fish tissue targets. If monitoring data or special studies indicate that load and waste load allocations will be attained, but fish tissue targets may not be achieved, the Regional</u></p>																																				

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	<p data-bbox="581 226 1430 296"><u>Board shall reconsider the TMDL to modify the waste load and load allocations to ensure that the fish tissue targets are attained.</u></p> <p data-bbox="581 327 1430 730">The regulatory mechanisms used to implement the TMDL will include the Los Angeles County Municipal Storm Water NPDES Permit (MS4), the State of California Department of Transportation (Caltrans) Storm Water Permit, minor NPDES permits, general NPDES permits, general industrial storm water NPDES permits, general construction storm water NPDES permits. Nonpoint sources will be regulated through the authority contained in sections 13263 and 13269 of the Water Code, in conformance with the State Water Resources Control Board’s Nonpoint Source Implementation and Enforcement Policy (May 2004). Each NPDES permit assigned a WLA shall be reopened or amended at re-issuance, in accordance with applicable laws, to incorporate the applicable WLAs as a permit requirement.</p> <p data-bbox="581 762 1430 898">The Regional Board shall reconsider this TMDL in six years after the effective date of the TMDL based on additional data obtained from special studies. Table 7-14.2 presents the implementation schedule for the responsible permittees.</p> <p data-bbox="581 930 1430 999">Minor NPDES Permits and General Non-Storm Water NPDES Permits:</p> <p data-bbox="581 1031 1430 1472">The concentration-based waste load allocations for the minor NPDES permits and general non-storm water NPDES permits will be implemented through NPDES permit limits. Permit writers may translate applicable waste load allocations into effluent limits for the minor and general NPDES permits by <u>applying the effluent limitation procedures in Section 1.4 of the State Water Resources Control Board’s Policy for Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (2005) or applying other applicable engineering—practices/methodologies</u> authorized under federal regulations. The minor and general non-storm water NPDES permittees are allowed up to seven years from the effective date of the TMDL<u>until January 11, 2013</u> to achieve the waste load allocations.</p> <p data-bbox="581 1503 1430 1535">General Industrial Storm Water Permit:</p> <p data-bbox="581 1566 1430 1902">The Regional Board will develop a watershed specific general industrial storm water permit to incorporate waste load allocations. Concentration based permit limits may be set to achieve the mass based waste load allocations. These concentration based limits would be equal to the concentration based waste load allocations assigned to the other NPDES permits. It is expected that permit writers will translate the waste load allocations into BMPs, based on BMP performance data. However, the permit writers must provide adequate justification and documentation to demonstrate that specified BMPs are expected to result in attainment of the numeric waste load allocations. The general</p>

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	<p>industrial storm water permittees are allowed up to seven years from the effective date of the TMDL to achieve the waste load allocations.</p> <p>General <u>Industrial and</u> Construction Storm Water Permit:</p> <p>Waste load allocations will be incorporated into the State Board general permits upon renewal or into a watershed specific general construction storm water permits developed by the Regional Board.</p> <p>Within seven years of the effective date of the TMDL, the construction industry will submit the results of BMP effectiveness studies to determine BMPs that will achieve compliance with the waste load allocations assigned to construction storm water permittees. Regional Board staff will bring the recommended BMPs before the Regional Board for consideration within eight years of the effective date of the TMDL. General construction storm water permittees will be considered in compliance with waste load allocations if they implement these Regional Board approved BMPs.</p> <p>All gGeneral construction permittees must <u>attain WLAs by January 11, 2015. General industrial permittees must attain WLAs by January 11, 2013. Permittees may demonstrate compliance with WLAs in one of two ways.</u></p> <p><u>First, general industrial and construction storm water permittees may be deemed in compliance with permit limitations if they demonstrate that there are no exceedances of the permit limitations at their discharge points or outfalls.</u></p> <p><u>Second, if permittees provide a quantitative demonstration that control measures and best management practices (BMPs) will achieve WLAs consistent with the schedule in Table 7-14.2, then compliance may be demonstrated by implementation of those control measures and BMPs, subject to Executive Officer approval.</u> implement the approved BMPs within nine years of the effective date of the TMDL. If no effectiveness studies are conducted and no BMPs are approved by the Regional Board within eight years of the effective date of the TMDL, each general construction storm water permit holder will be subject to site-specific BMPs and monitoring requirements to demonstrate compliance with waste load allocations.</p> <p>MS4 and Caltrans Storm Water Permits:</p> <p>The County of Los Angeles, <u>Los Angeles County Flood Control District</u>, City of Los Angeles, Beverly Hills, Culver City, Inglewood, Santa Monica, and West Hollywood are jointly responsible for meeting the mass-based waste load allocations for assigned to the MS4 permittees. Caltrans is responsible for meeting their-its mass-based waste load allocations, however, they-it may choose to work with the <u>other</u> MS4 permittees. The primary jurisdiction for the Ballona Creek</p>

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	<p>watershed is the City of Los Angeles.</p> <p><u>Compliance with sediment WLAs for copper, lead, and zinc, may be demonstrated via any one of three different means:</u></p> <ol style="list-style-type: none"> <u>a. Sediment numeric targets are met in bed sediments.</u> <u>b. The qualitative sediment condition of Unimpacted or Likely Unimpacted via the interpretation and integration of multiple lines of evidence as defined in the SQOs Part I, is met.</u> <u>c. Final sediment allocations, as presented above, are met.</u> <p><u>Compliance with sediment WLAs for Chlordane, total DDT, and total PCBs may be demonstrated via any one of four different means:</u></p> <ol style="list-style-type: none"> <u>a. Sediment numeric targets are met in bed sediments.</u> <u>b. Fish tissue targets are met in species resident to Ballona Creek Estuary.</u> <u>c. Final sediment allocations, as presented above, are met.</u> <u>d. Demonstrate that the sediment quality condition protective of fish tissue is achieved per the Statewide Enclosed Bays and Estuaries Plan, as amended to address contaminants in resident finfish and wildlife.</u> <p>Each municipality and permittee will be required to meet the waste load allocations at the designated TMDL effectiveness monitoring points. <u>If permittees provide a quantitative demonstration as part of a watershed management program that control measures and BMPs will achieve wet-weather WLAs consistent with the schedule in Table 7-14.2, then compliance with wet-weather WQBELs may be demonstrated by implementation of those control measures and BMPs, subject to Executive Officer approval.</u> A phased implementation approach, using a combination of non-structural and structural BMPs may be used to achieve compliance with the waste load allocations. The administrative record and the fact sheets for the MS4 and Caltrans storm water permits must provide reasonable assurance that the BMPs selected will be sufficient to implement the numeric waste load allocations. We expect that reductions to be achieved by each BMP will be documented and that sufficient monitoring will be put in place to verify that the desired reductions are achieved. The permits should also provide a mechanism to adjust the required BMPs as necessary to ensure their adequate performance.</p> <p>The implementation schedule for the MS4 and Caltrans permittees consists of a phased approach, with compliance to be achieved in prescribed percentages of the watershed <u>or as a reduction from the current loading</u>, with total compliance to be achieved within 15 years by <u>January 11, 2021.</u></p>
<i>Seasonal Variations and Critical Conditions</i>	There is a high degree of inter- and intra-annual variability in sediments deposited at the mouth of Ballona Creek. This is a function of the

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	<p>storms, which are highly variable between years. Studies by the Army Corps of Engineers have shown that sediment delivery to Ballona Creek is related to the size of the storm (USACE, 2003). The TMDL is based on a long-term average deposition patterns over a 10-year period from 1991 to 2001. This time period contains a wide range of storm conditions and flows in the Ballona Creek watershed. Use of the average condition for the TMDL is appropriate because issues of sediment effects on benthic communities and potential for bioaccumulation to higher trophic levels occurs over long time periods.</p>
<i>Monitoring</i>	<p>Effective monitoring will be required to assess the <u>on-going</u> condition of Ballona Creek and Estuary and to assess <u>attainment of WLAs and LAs assigned to the on-going effectiveness of efforts by dischargers and responsible parties</u> to reduce toxic pollutants loading to the Ballona Creek Estuary. Special studies may also be appropriate to provide further information about new data, new or alternative sources, and revised scientific assumptions. Below the Regional Board identifies the various goals of monitoring efforts and studies. The programs, reports, and studies <u>shall be included in subsequent permits and the associated monitoring and reporting programs, or other orders will be developed in response to subsequent orders issued by the Executive Officer.</u></p> <p>Ambient Monitoring</p> <p>An ambient monitoring program is necessary to assess water quality throughout Ballona Creek and its tributaries and to assess the progress being made to remove the toxic pollutant impairments in Ballona Creek Estuary sediments. Data on background water quality for organics and sediments will help refine the numeric targets and waste load allocations and assist in the effective placement of BMPs. In addition, fish and mussel tissue data is required in Ballona Creek Estuary to confirm the fish tissue listings.</p> <p>Water quality samples shall be collected from Ballona Creek and Estuary monthly and analyzed for cadmium, copper, lead, silver, zinc, chlordan, dieldrin, DDT, total PCBs and total PAHs at detection limits that are at or below the minimum levels until the TMDL is reconsidered in the sixth year. The minimum levels are those published by the State Water Resources Control Board in Appendix 4 of the Policy for the Implementation of Toxic Standards for Inland Surface Water, Enclosed Bays, and Estuaries of California, March 2, 2000. Special emphasis should be placed on achieving detection limits that will allow evaluation relative to the CTR standards. If these can not be achieved with conventional techniques, then a special study should be proposed to evaluate concentrations of organics.</p> <p>Storm water monitoring conducted as part of the MS4 storm water monitoring program should continue to provide assessment of water quality during wet weather conditions and loading estimates from the watershed to the Estuary. If analysis of chlordan, dieldrin, DDT, total</p>

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	<p>PCBs or total PAHs are not currently part of the sampling programs these organics should be added. In addition, special emphasis should be placed on achieving lower detection limits for DDTs, PCBs and PAHs.</p> <p>The MS4 and Caltrans storm water permittees are jointly responsible for conducting bioaccumulation testing of fish and mussel tissue within the Estuary. The permittees are required to submit for approval of the Executive Officer a monitoring plan that will provide the data needed to confirm the 303(d) listing or delisting, as applicable.</p> <p>Representative sediment sampling locations shall be randomly selected within the Estuary and analyzed for cadmium, copper, lead, silver, zinc, chlordanes, dieldrin, DDT, total PCBs and total PAHs at detection limits that are lower than the ERLs. Sediment samples shall also be analyzed for total organic carbon, grain size and sediment toxicity testing. Initial sediment monitoring should be done quarterly in the first year of the TMDL to define the baseline and semi-annually, thereafter, to evaluate effectiveness of the BMPs until the TMDL is reconsidered in the sixth year.</p> <p>The sediment toxicity testing shall include testing of multiple species, a minimum of three, for lethal and non-lethal endpoints. Toxicity testing may include: the 28-day and 10-day amphipod mortality test; the sea urchin fertilization testing of sediment pore water; and the bivalve embryo testing of the sediment/water interface. The chronic 28-day and shorter term 10-day amphipod tests may be conducted in the initial year of quarterly testing and the results compared. If there is no significant difference in the tests, then the less expensive 10-day test can be used throughout the rest of the monitoring, with some periodic 28-day testing.</p> <p>TMDL Effectiveness Monitoring</p> <p>The water quality samples collected during wet weather as part of the MS4 storm water monitoring program shall be analyzed for total dissolved solids, settleable solids and total suspended solids if not already part of the existing sampling program. Sampling shall be designed to collect sufficient volumes of settleable and suspended solids to allow for analysis of cadmium, copper, lead, silver, zinc, chlordanes, dieldrin, total DDT, total PCBs, total PAHs, and total organic carbon in the bulk sediment.</p> <p><u>Sediment quality objective evaluation for direct effects as detailed in the SQOs (sediment triad sampling) shall be performed every five years beginning in 2008. Sampling and analysis for the full chemical suite, two toxicity tests and four benthic indices as specified in the SQOs Part 4 shall be conducted and evaluated. Locations for sediment triad assessment and the methodology for combining results from sampling locations to determine sediment conditions shall be specified in the Coordinated Monitoring Plan to be approved by the Executive Officer.</u></p>

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	<p>The sampling design shall be in compliance with the SQO Part 1 Sediment Monitoring section (VII.E).</p> <p>A stressor identification, as required by SQOthe EB&E Plan Part 1 (Section VII.F), shall be conducted if sediments fail to meet narrative the protective condition of Unimpacted or Likely Unimpacted after 2013.</p> <p>Sediment chemistry and sediment toxicity samples shall be collected annually (in addition to, the sediment triad sampling events as described above), to evaluate trends in general sediment quality constituents (TOC, grain size) and listed constituents (cadmium, copper, lead, silver, zinc, chlordane, total DDT, total PAHs, and total PCBs) relative to sediment quality targets.</p> <p>Semi-annually, representative sediment sampling locations shall be randomly selected within the Estuary and analyzed for cadmium, copper, lead, silver, zinc, chlordane, dieldrin, DDT, total PCBs, and total PAHs at detection limits that are lower than the ERLs. The sediment samples shall also be analyzed for total organic carbon, grain size and sediment toxicity. The sediment toxicity testing shall include testing of multiple species, a minimum of three, for lethal and non-lethal endpoints. Toxicity testing may include: the 28-day and 10-day amphipod mortality test; the sea urchin fertilization testing of sediment pore water; and the bivalve embryo testing of the sediment/water interface.</p> <p>Toxicity shall be indicated by an amphipod survival rate of 70% or less in a single test. Accelerated monitoring shall be conducted to confirm toxicity at stations identified as toxic. Accelerated monitoring shall consist of six additional tests, approximately every two weeks, over a 12-week period. If the results of any two of the six accelerated tests are less than 90% survival, then the MS4 and Caltrans permittees shall conduct a Toxicity Identification Evaluation (TIE). The TIE shall include reasonable steps to identify the sources of toxicity and steps to reduce the toxicity.</p> <p>The Phase I TIE shall include the following treatments and corresponding blanks: baseline toxicity; particle removal by centrifugation; solid phase extraction of the centrifuged sample using C8, C18, or another media; complexation of metals using ethylenediaminetetraacetic acid (EDTA) addition to the raw sample; neutralization of oxidants/metals using sodium thiosulfate addition to the raw sample; and inhibition of organo-phosphate (OP) pesticide activation using piperonyl butoxide addition to the raw sample (crustacean toxicity tests only).</p> <p>Bioaccumulation mMonitoring of <u>chlordane, total DDTs, and PCBs</u> in fish and mussel tissue within the Estuary shall be conducted <u>annually</u>. The permittees are required to submit for approval of the Executive</p>

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	<p data-bbox="581 226 1430 296">Officer a monitoring plan that will provide the data needed to assess the effectiveness of the TMDL.</p> <p data-bbox="581 327 1430 632">The general industrial storm water permit shall contain a model monitoring and reporting program to evaluate BMP effectiveness. A permittee enrolled under the general industrial permit shall have the choice of conducting individual monitoring based on the model program or participating in a group monitoring effort. MS4 permittees are encouraged to take the lead in group monitoring efforts for industrial facilities within their jurisdiction because compliance with waste load allocations by these facilities will in many cases translate to reductions in contaminate loads to the MS4 system.</p> <p data-bbox="581 653 776 684">Special Studies</p> <p data-bbox="581 705 1430 873">Special studies are recommended to refine source assessments, to provide better estimates of loading capacity, and to optimize implementation efforts. The Regional Board will re-consider the TMDL in the sixth year after the effective date in light of the findings of these studies. Special studies may include:</p> <ul data-bbox="581 894 1430 1734" style="list-style-type: none"> <li data-bbox="581 894 1430 1062">• Evaluation and use of low detection level techniques to evaluate water quality concentrations for those contaminants where standard detection limits cannot be used to assess compliance for CTR standards or are not sufficient for estimating source loadings from tributaries and storm water. <li data-bbox="581 1083 1430 1157">• Developing and implementing a monitoring program to collection the data necessary to apply a multiple lines of evidence approach. <li data-bbox="581 1178 1430 1272">• Evaluation and use of sediment THE <u>stressor identification in compliance with the EB&E Plan Part 1</u> to evaluate causes of any recurring sediment toxicity. <li data-bbox="581 1293 1430 1398">• Evaluate partitioning coefficients between water column and sediment to assess the contribution of water column discharges to sediment concentrations in the Estuary. <li data-bbox="581 1419 1430 1524">• Studies to refine relationship between pollutants and suspended solids aimed at better understanding of the delivery of pollutants to the watershed. <li data-bbox="581 1545 1430 1650">• Studies to understand transport of sediments to the estuary, including the relationship between storm flows, sediment loadings to the estuary, and sediment deposition patterns within the estuary. <li data-bbox="581 1671 1430 1734">• Studies to evaluate effectiveness of BMPs to address pollutants and/or sediments.

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Table 7-14.2. Ballona Creek Estuary Toxic Pollutants TMDL: Implementation Schedule

Date	Action
Effective date of the TMDL January 11, 2006	Regional Board permit writers shall incorporate the waste load allocations for sediment into the NPDES permits. Waste load allocations will be implemented through NPDES permit limits in accordance with the implementation schedule contained herein, at the time of permit issuance, renewal or re-opener.
Within 6 months after the effective date of the State Board adopted sediment quality objectives and implementation policy	The Regional Board will re-assess the numeric targets and waste load allocations for consistency with the State Board adopted sediment quality objectives.
January 11, 2011 5 years after effective date of the TMDL	Responsible jurisdictions and agencies shall provide to the Regional Board result of any special studies.
January 11, 2012 6 years after effective date of the TMDL	The Regional Board shall reconsider this TMDL to re-evaluate the waste load allocations and the implementation schedule.
MINOR NPDES PERMITS AND GENERAL NON-STORM WATER NPDES PERMITS	
January 11, 2013 7 years after effective date of the TMDL	The non-storm water NPDES permits shall achieve the concentration-based waste load allocations for sediment per provisions allowed for in NPDES permits.
GENERAL INDUSTRIAL STORM WATER PERMIT	
January 11, 2013 7 years after effective date of the TMDL	The general industrial storm water permits shall achieve the mass-based waste load allocations for sediment per provisions allowed for in NPDES permits. Permits shall allow an iterative BMP process including BMP effectiveness monitoring to achieve compliance with permit requirements.
GENERAL CONSTRUCTION STORM WATER PERMIT	
7 years from the effective date of the TMDL	The construction industry will submit the results of the BMP effectiveness studies to the Regional Board for consideration. In the event that no effectiveness studies are conducted and no BMPs are approved, permittees shall be subject to site specific BMPs and monitoring to demonstrate BMP effectiveness.
8 years from the effective date of the TMDL	The Regional Board will consider results of the BMP effectiveness studies and consider approval of BMPs no later than six years from the effective date of the TMDL.

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Date	Action
January 11, 2015 9 years from the effective date of the TMDL	All general construction storm water permittees shall implement Regional Board approved BMPs. The general construction storm water permits shall achieve the mass-based waste load allocations for sediment per provisions allowed for in NPDES permits.
MS4 AND CALTRANS STORM WATER PERMITS	
January 11, 2007 12 months after the effective date of the TMDL	In response to an order issued by the Executive Officer, the MS4 and Caltrans storm water NPDES permittees must submit a coordinated monitoring plan, to be approved by the Executive Officer, which includes both ambient monitoring and TMDL effectiveness monitoring. Once the coordinated monitoring plan is approved by the Executive Officer, ambient monitoring shall commence within 6 months.
June 11, 2015	<u>Revise the coordinated monitoring plan in compliance with the revised TMDL.</u>
January 11, 2011 5 years after effective date of TMDL (Draft Report) July 11, 2011 1/2 years after effective date of TMDL (Final Report)	The MS4 and Caltrans storm water NPDES permittees shall provide a written report to the Regional Board outlining how they will achieve the waste load allocations for sediment to Ballona Creek Estuary. The report shall include implementation methods, an implementation schedule, proposed milestones, and any applicable revisions to the TMDL effectiveness monitoring plan.
January 11, 2013 7 years after effective date of the TMDL	<p><u>Compliance with the metals TMDLs may be demonstrated via any one of three different means:</u></p> <ol style="list-style-type: none"> <u>1. Demonstrate that the sediment quality condition of Unimpacted or Likely Unimpacted via the interpretation and integration of multiple lines of evidence as defined in the SQOs, is met; or</u> <u>2. Sediment numeric targets are met in bed sediments; or</u> <u>3. Final allocations in the discharge are met, as described below:</u> <p>The MS4 and Caltrans storm water NPDES permittees shall demonstrate that 25% of the total drainage area served by the MS4 system is effectively meeting the waste load allocations for sediment.</p> <p><u>Alternatively, permittees shall attain a 25% reduction in the difference between the current loadings and WLAs, as measured at the relevant existing MS4 permit monitoring location and/or at relevant MS4 monitoring stations identified in an approved coordinated monitoring plan.</u></p>

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Date	Action
	<p><u>Compliance with sediment WLAs for Chlordane, total DDT, and total PCBs may be demonstrated via any one of three different means:</u></p> <ol style="list-style-type: none"> <u>1. Sediment numeric targets are met in bed sediments.</u> <u>2. Fish tissue targets are met in species resident to Ballona Creek Estuary.</u> <u>3. Demonstrate that the sediment quality condition protective of fish tissue is achieved per the Statewide Enclosed Bays and Estuaries Plan, as amended to address contaminants in resident finfish and wildlife.</u> <u>4. Final allocations in the discharge are met, as described below:</u> <p><u>The MS4 and Caltrans storm water NPDES permittees shall demonstrate that 25% of the total drainage area served by the MS4 is effectively meeting the waste load allocations for sediment.</u></p> <p><u>Alternatively, permittees shall attain a 25% reduction in the difference between the current loadings and WLAs, as measured at the relevant existing MS4 permit monitoring location and/or at relevant MS4 monitoring stations identified in an approved coordinated monitoring plan.</u></p>
<p><u>January 11, 2016</u>9 years after effective date of the TMDL</p>	<p><u>Compliance with the metals TMDLs may be demonstrated via any one of three different means:</u></p> <ol style="list-style-type: none"> <u>1. Demonstrate that the sediment quality condition of Unimpacted or Likely Unimpacted via the interpretation and integration of multiple lines of evidence as defined in the SQOs, is met; or</u> <u>2. Sediment numeric targets are met in bed sediments; or</u> <u>3. Final allocations in the discharge are met, as described below:</u> <p>The MS4 and Caltrans storm water NPDES permittees shall demonstrate that 50% of the total drainage area served by the MS4 system is effectively meeting the waste load allocations for sediment.</p> <p><u>Alternatively, permittees shall attain a 50% reduction in the difference between the current loadings and WLAs, as</u></p>

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Attachment B to Resolution No. R13-XXX

Date	Action
	<p align="center"><u>measured at the relevant existing MS4 permit monitoring location and/or at relevant MS4 monitoring stations identified in an approved coordinated monitoring plan.</u></p> <p><u>Compliance with sediment WLAs for Chlordane, total DDT, and total PCBs may be demonstrated via any one of three different means:</u></p> <ol style="list-style-type: none"> <u>1. Sediment numeric targets are met in bed sediments.</u> <u>2. Fish tissue targets are met in species resident to Ballona Creek Estuary.</u> <u>3. Demonstrate that the sediment quality condition protective of fish tissue is achieved per the Statewide Enclosed Bays and Estuaries Plan, as amended to address contaminants in resident finfish and wildlife.</u> <u>4. Final allocations in the discharge are met, as described below:</u> <p><u>The MS4 and Caltrans storm water NPDES permittees shall demonstrate that 50% of the total drainage area served by the MS4 is effectively meeting the waste load allocations for sediment.</u></p> <p><u>Alternatively, permittees shall attain a 50% reduction in the difference between the current loadings and WLAs, as measured at the relevant existing MS4 permit monitoring location and/or at relevant MS4 monitoring stations identified in an approved coordinated monitoring plan.</u></p>
<p><u>January 11, 201711 years after effective date of the TMDL</u></p>	<p><u>Compliance with the metals TMDLs may be demonstrated via any one of three different means:</u></p> <ol style="list-style-type: none"> <u>1. Demonstrate that the sediment quality condition of Unimpacted or Likely Unimpacted via the interpretation and integration of multiple lines of evidence as defined in the SQOs, is met; or</u> <u>2. Sediment numeric targets are met in bed sediments; or</u> <u>3. Final allocations in the discharge are met, as described below:</u> <p>The MS4 and Caltrans storm water NPDES permittees shall demonstrate that 75% of the total drainage area served by the MS4 system is effectively meeting the waste load</p>

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Attachment B to Resolution No. R13-XXX

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	<p>allocations for sediment.</p> <p><u>Alternatively, permittees shall attain a 75% reduction in the difference between the current loadings and WLAs, as measured at the relevant existing MS4 permit monitoring location and/or at relevant MS4 monitoring stations identified in an approved coordinated monitoring plan.</u></p> <p><u>Compliance with sediment WLAs for Chlordane, total DDT, and total PCBs may be demonstrated via any one of three different means:</u></p> <ol style="list-style-type: none"> <u>1. Sediment numeric targets are met in bed sediments.</u> <u>2. Fish tissue targets are met in species resident to Ballona Creek Estuary.</u> <u>3. Demonstrate that the sediment quality condition protective of fish tissue is achieved per the Statewide Enclosed Bays and Estuaries Plan, as amended to address contaminants in resident finfish and wildlife.</u> <u>4. Final allocations in the discharge are met, as described below:</u> <p><u>The MS4 and Caltrans storm water NPDES permittees shall demonstrate that 75% of the total drainage area served by the MS4 is effectively meeting the waste load allocations for sediment.</u></p> <p><u>Alternatively, permittees shall attain a 75% reduction in the difference between the current loadings and WLAs, as measured at the relevant existing MS4 permit monitoring location and/or at relevant MS4 monitoring stations identified in an approved coordinated monitoring plan.</u></p>
<p><u>January 11, 2021</u>15 years after effective date of the TMDL</p>	<p><u>Compliance with the metals TMDLs may be demonstrated via any one of three different means:</u></p> <ol style="list-style-type: none"> <u>1. Demonstrate that the sediment quality condition of Unimpacted or Likely Unimpacted via the interpretation and integration of multiple lines of evidence as defined in the SQOs, is met; or</u> <u>2. Sediment numeric targets are met in bed sediments; or</u> <u>3. Final allocations in the discharge are met, as described</u>

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Attachment B to Resolution No. R13-XXX

Date	Action
	<p><u>below:</u></p> <p>The MS4 and Caltrans storm water NPDES permittees shall demonstrate that 100% of the total drainage area served by the MS4 system is effectively meeting the waste load allocations for sediment.</p> <p><u>Alternatively, permittees shall attain a 100% reduction in the difference between the current loadings and WLAs, as measured at the relevant existing MS4 permit monitoring location and/or at relevant MS4 monitoring stations identified in an approved coordinated monitoring plan.</u></p> <p><u>Compliance with sediment WLAs for Chlordane, total DDT, and total PCBs may be demonstrated via any one of three different means:</u></p> <ol style="list-style-type: none"> <u>1. Sediment numeric targets are met in bed sediments.</u> <u>2. Fish tissue targets are met in species resident to Ballona Creek Estuary.</u> <u>3. Demonstrate that the sediment quality condition protective of fish tissue is achieved per the Statewide Enclosed Bays and Estuaries Plan, as amended to address contaminants in resident finfish and wildlife.</u> <u>4. Final allocations in the discharge are met, as described below:</u> <p><u>The MS4 and Caltrans storm water NPDES permittees shall demonstrate that 100% of the total drainage area served by the MS4 is effectively meeting the waste load allocations for sediment.</u></p> <p><u>Alternatively, permittees shall attain a 100% reduction in the difference between the current loadings and WLAs, as measured at the relevant existing MS4 permit monitoring location and/or at relevant MS4 monitoring stations identified in an approved coordinated monitoring plan.</u></p>

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