

Los Angeles Regional Water Quality Control Board

October 21, 2015

Permittees of the North Santa Monica Bay Coastal Watersheds¹
(See Distribution List)

REVIEW OF THE NORTH SANTA MONICA BAY COASTAL WATERSHEDS GROUP'S DRAFT ENHANCED WATERSHED MANAGEMENT PROGRAM, PURSUANT TO PART IV.C OF THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175)

Dear Permittees of the North Santa Monica Bay Coastal Watersheds Group:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the draft Enhanced Watershed Management Program (EWMP) submitted on June 29, 2015 by the North Santa Monica Bay Coastal Watersheds (Group). This program was submitted pursuant to the provisions of NPDES Permit No. CAS004001 (Order No. R4-2012-0175), which authorizes discharges from the municipal separate storm sewer system (MS4) operated by 86 municipal Permittees within Los Angeles County (hereafter, LA County MS4 Permit). The LA County MS4 Permit allows Permittees the option to develop an EWMP to implement the requirements of the Los Angeles County MS4 Permit on a watershed scale through customized strategies, control measures, and Best Management Practices (BMPs). Participation in an EWMP is voluntary.

The purpose of an EWMP is for Permittees to develop and implement a comprehensive and customized program to control pollutants in MS4 discharges of stormwater and non-stormwater to address the highest water quality priorities. These include complying with the required water quality outcomes of Part V.A (Receiving Water Limitations) and Part VI.E and Attachments L through R (Total Maximum Daily Load (TMDL) Provisions) of the LA County MS4 Permit. Additionally, an EWMP comprehensively evaluates opportunities, within the participating Permittees' collective jurisdictional area (within the Watershed Management Area), for collaboration among Permittees and other partners on multi-benefit regional projects that, wherever feasible, retain all non-storm water runoff and all storm water runoff from the 85th percentile, 24-hour storm event for the drainage areas tributary to the projects, while also achieving other benefits including flood control and water supply.

¹ Permittees of the North Santa Monica Bay Coastal Watersheds Group EWMP include: City of Malibu, County of Los Angeles, and Los Angeles County Flood Control District.

If Permittees opt to develop an EWMP, the EWMP must meet all requirements of Part VI.C (Watershed Management Programs) of the LA County MS4 Permit. This in part, requires Permittees to include multi-benefit regional projects to ensure that MS4 discharges achieve compliance with all final WQBELs set forth in Part VI.E and do not cause or contribute to exceedances of receiving water limitations. An EWMP must be approved by the Los Angeles Water Board, or by its the Executive Officer on behalf of the Los Angeles Water Board.

As stated above, on June 29, 2015, the Group submitted a draft Enhanced Watershed Management Program (EWMP) for their entire jurisdiction to the Los Angeles Water Board pursuant to Part VI.C.4.c.iv of the LA County MS4 Permit.

Public Review and Comment

On July 1, 2015, the Board provided public notice and a 61-day period to allow for public review and comment on the draft EWMPs. A separate notice of availability regarding the draft EWMPs was directed to State Senators and Assembly Members within the Coastal Watersheds of Los Angeles County. The Board received two comment letters that were applicable to the Group's draft EWMP. One joint letter was from the Natural Resources Defense Council (NRDC), Heal the Bay, and Los Angeles Waterkeeper and the other letter was from Construction Industry Coalition on Water Quality (CICWQ). On July 9, 2015, the Board held a workshop at its regularly scheduled Board Meeting on the draft EWMPs. During the review of the draft EWMPs, the Los Angeles Water Board considered those comments applicable to the Group's draft EWMP.

The Los Angeles Water Board has reviewed the draft EWMP and has determined that, for the most part, the draft EWMP includes the elements and analysis required in Part VI.C of the LA County MS4 Permit. However, some revisions to the Group's draft EWMP are necessary. The Los Angeles Water Board's comments on the draft EWMP, including detailed information concerning revisions to the RAA, are found in Enclosure 1 and Enclosure 2, respectively. The LA County MS4 Permit includes a process through which necessary revisions to the draft EWMP can be made (Part VI.C.4 in the LA County MS4 Permit). The process requires that a final EWMP, revised to address Los Angeles Water Board comments identified in the enclosures, must be submitted to the Los Angeles Water Board not later than three months after comments are received by the Permittees on the draft program. Please make the necessary revision to the draft EWMP as identified in the enclosures to this letter and submit the revised EWMP as soon as possible and no later than **January 19, 2015**.

The revised EWMP must be submitted to losangeles@waterboards.ca.gov with the subject line "LA County MS4 Permit – Revised North Santa Monica Bay Coastal Watersheds EWMP" with a copy to lvar.Ridgeway@waterboards.ca.gov and Deborah.Brandes@waterboards.ca.gov.

If the necessary revisions are not made, and the Group does not ultimately receive approval of its EWMP within 40 months of the effective date of the LA County MS4 Permit, the Group will be subject to the baseline requirements in Part VI.D and shall demonstrate compliance with receiving water limitations pursuant to Part V.A and with applicable interim and final water

October 21, 2015

quality-based effluent limitations (WQBELs) in Part VI.E and Attachment M pursuant to subparts VI.E.2.d.i.(1)-(3) and VI.E.2.e.i.(1)-(3), respectively.

Until the draft EWMP is approved, the Group is required to:

- (a) Continue to implement all watershed control measures in its existing storm water management programs, including actions within each of the six categories of minimum control measures consistent with Title 40, Code of Federal Regulations, section 122.26(d)(2)(iv).
- (b) Continue to implement watershed control measures to eliminate non-storm water discharges through the MS4 that are a source of pollutants to receiving waters consistent with Clean Water Act section 402(p)(3)(B)(ii);
- (c) Target implementation of watershed control measures in (a) and (b) above to address known contributions of pollutants from MS4 discharges to receiving waters; and
- (d) Where possible, implement watershed control measures, from existing TMDL implementation plans, to ensure that MS4 discharges achieve compliance with interim and final trash WQBELs and all other final WQBELs and receiving water limitations pursuant to Part VI.E. and set forth in Attachment M by the applicable compliance deadlines occurring prior to approval of an EWMP.

If you have any questions, please contact Mrs. Deborah Brandes of the Storm Water Permitting Unit by electronic mail at Deborah.Brandes@waterboards.ca.gov or by phone at (213) 576-6688. Alternatively, you may also contact Mr. Ivar Ridgeway, Storm Water Permitting, at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

Enclosures: North Santa Monica Bay Coastal Watersheds Group Distribution List
Enclosure 1 – Comments and Necessary Revisions to Draft EWMP
Enclosure 2 – Comments on the Reasonable Assurance Analysis

North Santa Monica Bay Coastal Watershed EWMP Group

Name	City	Email Address
Armando D'Angelo	LA County	adangelo@dpw.lacounty.gov
Giles Coon	LA County	gcoon@dpw.lacounty.gov
Gail Farber	LA County	gfarber@dpw.lacounty.gov
Angela George	LA County	ageorge@dpw.lacounty.gov
Gary Hildebrand	LACFCD	ghildeb@dpw.lacounty.gov
Jim Thorsen	Malibu	JThorsen@malibucity.org
Rob DuBoux	Malibu	rduboux@malibucity.org
Jennifer Brown	Malibu	JBrown@malibucity.org
Brandon Steets	Geosyntec Consultant	BSteets@Geosyntec.com
Christopher Wessel	Geosyntec Consultant	CWessel@Geosyntec.com

Los Angeles Regional Water Quality Control Board

Enclosure 1 – Summary of Comments and Necessary Revisions to Draft EWMP

North Santa Monica Bay Coastal Watersheds Group

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
General		
NA		<p>ASBS Comments</p> <ol style="list-style-type: none"> 1. As part of the EWMP, provide specificity on the number of MS4 outfalls and their ownership within the ASBS 24 area. Ensure consistency with “Area of Special Biological Significance 24, Compliance Plan for the County of Los Angeles and City of Malibu, September 20, 2015” (ASBS 24 Compliance Plan). 2. Integrate the ASBS 24 Compliance Plan into the EWMP. <ol style="list-style-type: none"> a. Particular attention should be paid to integrating the actions in sections 3 and sections 6 into the appropriate elements of the EWMP. b. Ensure the actions in the EWMP are in alignment with the schedule (section 8) in the ASBS Compliance Plan. 3. Discuss in the EWMP any unique watershed control measures to address MS4 discharges of non-stormwater and stormwater that are being taken within the ASBS 24 that are not being taken in areas outside of the ASBS but still within the NSMB EWMP area.
Table 1		Include beaches and SMB Nearshore & Offshore beneficial uses in Table 1. NSMBCW Water Bodies and Beneficial Uses Designated in the Basin Plan.
Table 5	Attachment M, Part C.2	Table 5, footnote b. Note that the grouped WLAs in the SMB PCBs/DDT TMDL are for the annual pollutant load discharged from the MS4s throughout the SMB WMA to SMB, directly or indirectly.
Throughout		Revise EWMP to ensure internal consistency, i.e., in a couple of places 1-2 outfalls are identified in the Topanga Creek Watershed, but in Section 7.1.2.3 the draft states that there are no Permittee owned major outfalls in the watershed. Clarify or correct.
Throughout		Revise EWMP to be consistent in acreage of Civic Center area that is tributary to Legacy Park; in various parts of the draft it is identified as 618 or 619 acres.
Figure 5, page 48		Second box from top. Add a footnote or add to text in section 4.1.1 to say what the “defined criteria” are, consistent with the CIMP.
Page 49, bottom		<p>“The wet-weather RAA process consists generally of the following steps:</p> <ul style="list-style-type: none"> • Identify WBPCs for which the RAA was performed;”

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
		This seems to be defining RAA with RAA so recommend changing this to read "Identify WBPCs based on TMDLs, 303(d) list and category 3 pollutants."
Page 52		Section 4.3 SBPAT Model, 1st paragraph states, "The NSMBCW EWMP Work Plan (Appendix B) provides the rationale for the selection of SBPAT as the primary water quality modeling program used to perform the NSMBCW RAA." Appendix B of the NSMBCW EWMP Work Plan contains tables of BMPs. Please clarify or correct the reference.
Page 49, Table 10		The Pollutant column needs modification or clarification. The wet weather bacteria permit limits for Malibu Creek must be changed to E. coli per the Malibu Creek and Lagoon Bacteria TMDL (Reconsideration of Certain Technical Matters of the TMDL for Bacteria Indicator Densities in Malibu Creek and Lagoon, Resolution No. R12-009). The wet weather bacteria permit limits for Santa Monica Bay should be changed to include all of the following: total coliform, fecal coliform and enterococcus per the Santa Monica Bay Beaches Bacteria TMDL (Reconsideration of Certain Technical Matters of the Santa Monica Bay Beaches Bacteria TMDL; the Marina del Rey Harbor Mothers Beach and Back Basins Bacteria TMDL; and the Los Angeles Harbor Inner Cabrillo Beach and Main Ship Channel Bacteria TMDL, Resolution No. R12-007). If the table is indicating the modeled pollutant, please clarify that while fecal coliform is the modeled pollutant, that it is representative of the other indicator bacteria for which there are permit limits, as noted above.
Page 54		"School properties, which the NSMBCW EWMP Group does not have control over with respect to stormwater activities, were included in the RAA for consistency with other EWMPs." Clarify what is meant by "school properties", i.e., public and private. Clarify whether these school properties include Pepperdine University, specifically.
Page 55, Figure 9		NSMBCW Analysis Regions for RAA NSMBCW - The analysis regions and HUC-12 areas are difficult to differentiate on the map. Revise the map to provide greater clarity.
Table 5, page 25		The correct Effluent Limitation/Receiving Water Limitation is 1.0 mg/L not 0.65 mg/L for Total Nitrogen (summer) in Table 5 Final RWLs and WQBELs for NSMBCW TMDLs, page 25. The appropriate limits are in Table 10-4, page 10-19 of the "Malibu Creek & Lagoon TMDL for Sedimentation and Nutrients to Address Benthic Community Impairments".
EWMP, page 91		Include a schedule for the 3.8% of Single Family Residential areas treated by bioswales per the public retrofit incentives (page 91) in the revised EWMP.
Page 26		The EWMP states, "Compliance monitoring locations identified as

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
		<p>MC-1, MC-2, and MC-3 in the Santa Monica Bay Beaches Bacteria TMDL CSMP are not included in Permit Attachment M and have therefore been excluded from the EWMP.”</p> <p>These sites cannot be excluded unless they are included in the Malibu Creek EWMP/CIMP because they are subject to the grouped final single sample bacteria receiving water limitations for all shoreline monitoring stations along Santa Monica Bay beaches (Attachment M.A.4.d), except for those monitoring stations subject to the antidegradation implementation provision as established in the TMDL (Attachment M.A.4.f).</p>
Page 31		<p>A TMRP from the County of Los Angeles on behalf of itself and the Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, and Westlake Village was approved on May 30, 2014. Implementation of the monitoring program should have begun as of that date. The first interim deadline for the trash/debris TMDL is March 20, 2016. Therefore, permittees must use whatever monitoring data are available (and should have been since May 2014) to assess and achieve compliance with the interim deadline of a 20% reduction of the baseline load by March 20, 2016.</p>
Table 23 D.8. Construction (page 87)		<p>Regarding Construction, include the developed/modified checklist that focuses on water quality priorities.</p>
NSMBCW EWMP - Appendix D Minimum Control Measures		<p>Wherever modified is checked for a requirement, include details of the how the MCM was modified in the Comment section.</p>
Page 126		<p>Revise Table 32 Water Body Pollutant Prioritization for the NSMBCW EWMP Area – by adding “ & Final Geometric Mean” to the row under SMB Beaches, Wet Weather Bacteria, July 15, 2021: Final RWLs (AEDs).</p>
pages 135-143	Part VI.C.1.g.ix, page 50	<p>Provide estimated costs of the non-structural BMPs which includes Minimum Control Measures (MCMs). Also include a summary of existing/past funding sources/amounts in the revised EWMP. These funding sources may include general or dedicated funds from the City, County & FCD, as well as grants/loans. General funds are mentioned, but the amount of general funds must be quantified for the last several years (FY13-14, 14-15) by Permittee.</p>
	Part VI.C.5.b.iv.(4)(e)	<p>The plan does not clearly identify the responsibilities of each participating permittee. Ensure that the responsible entity for each watershed control measure (regional projects, distributed projects, public retrofit incentives, MCMs, etc.) is clearly identified in the revised EWMP.</p>

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
Various	Part VI.A.2	Address any intermingling of discharges from privately owned stormwater infrastructure into the MS4 in the appropriate elements of the revised EWMP.
Pages 129-131 and Table 33	Attachment M	There is a discrepancy between the wet weather allowable exceedance days that Regional Board staff has calculated in the TMDL and that which is provide in section 7.2.1 of the EWMP (511 vs. 490, respectively). Clarify whether the allowable exceedance days at SMB 0-1 (Paradise Cove) and 0-2 (Puerco Beach) were left out in calculating the totals in the EWMP.
Water Quality Characterization		
page 31	Part VI.C.5.a.i.	The EWMP presents no monitoring data for trash. It states that a TMRP was not approved and therefore monitoring did not begin. This is not accurate for one was approved for SMB on 5/30/2014. (The approval letter is attached herein.)
Figure 3, page 28 and Figure 9 page 55	Part VI.C.5.a.i.	Ensure consistency among Figures 3 and 9 and the approved CIMP with regarding to compliance monitoring locations (receiving water and outfall).
Pages 98-105 and page 122		Ensure that all MS4 outfalls, as shown on Figure 23, are also included on all maps on pages 98-105 and page 122.
Water Body Pollutant Classification		
Table 5 (page 25)	Part VI.C.5.a.ii.(1), page 60	One error was found in Table 5 (page 25). For the last row entitled "Malibu Creek and Lagoon Benthic TMDL," Total Nitrogen (summer) should be 1.0 not 0.65 mg/L per table 10-4, page 10-18 of the USEPA Region IX Malibu Creek & Lagoon TMDL for Sedimentation and Nutrients to Address Benthic Community Impairments.
Table ES-1, page ES-4	Part VI.C.5.a.ii. Waterbody-Pollutant Classification	The "Topanga Source ID Study Final Report, December 2012-August 2014, October 23, 2014" identified fecal indicator bacteria (E. coli) as a pollutant for Topanga Canyon Creek. E. coli is not on the 303(d) list and is not addressed by a TMDL. As such, it must be evaluated as a potential Category 3 pollutant.
Source Assessment		
EWMP Work Plan, page 21	Part VI.C.5.a.iii.(1)(a)(i)-(iv), pages 59-60	<p>The EWMP Work Plan states "The following data sources will be reviewed as part of the source assessment for the Category 1 and 2 water body-pollutant combinations (i.e. regarding known and suspected stormwater and non-stormwater pollutant sources in discharges to the MS4 and from the MS4 to receiving waters and any other stressors related to MS4 discharges causing or contributing to the water quality priorities):</p> <ol style="list-style-type: none"> 1. Findings from the Permittees' Illicit Connections and Illicit Discharge Elimination Programs (IC/ID); 2. Findings from the Permittees' Industrial/Commercial Facilities Programs; 3. Findings from the Permittees' Development Construction Programs;

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
		<p>4.Findings from the Permittees’ Public Agency Activities Programs 5.TMDL source investigations; 6.Watershed model results; 7.Findings from the Permittees’ monitoring programs, including but not limited to TMDL compliance monitoring and receiving water monitoring; and 8.Any other pertinent data, information, or studies related to pollutant sources.</p> <p>However, no such findings are presented in the EWMP from these programs regarding known and suspected stormwater and non-stormwater pollutant sources in discharges to the MS4 and from the MS4 to receiving waters and any other stressors related to MS4 discharges causing or contributing to the water quality priorities. The revised EWMP must detail what the results of the Group’s investigations are. Further, it is not clear whether the Group considered the Topanga Creek Source ID Study, mentioned above, as it is not listed in the Reference section. Footnote a of Table 8 cites monitoring results from multiple MST (Microbial Source Tracking) studies in the EWMP area, but references a comment letter rather than the original sources. The revised EWMP must cite the original sources and include the references in the Reference section.</p> <p>The only additional discussion of MCMs focuses on the enhancements/modifications to the MCMs from the baseline requirements in the 2012 permit (Part VI.D).</p>
NA	Part VI.C.5.a.iii.(1)(a)(vii)	<p>The EWMP must more explicitly summarize findings from studies related to pollutant source information in the EWMP area. At a minimum, the following studies must be summarized:</p> <p>Source identification in Topanga; the link is http://www.rcdsmm.org/topanga-creek-watershed-research-reports</p> <p>Escondido and Ramirez Canyons; the link is http://www.sccwrp.org/ResearchAreas/BeachWaterQuality/UpperSantaMonicaBayMicrobialSourceTracking.aspx</p> <p>Additionally, summarize relevant work contained in the following two TMDL related reports/plans:</p> <ul style="list-style-type: none"> • “Santa Monica Bay Beaches Wet-Weather Bacteria Total Maximum Daily Load Implementation Plan, Jurisdictional Groups 1 & 4” • “Quantitative Assessment Santa Monica Bacteria TMDL

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
		Implementation Plan, Jurisdictional Groups 1 & 4"
N/A	Part VI.C.5.a.iii.(1)(a)(vi), page 61	<p>Modeling results from TMDLs are included but not those related to source assessment.</p> <p>The EWMP group must summarize relevant work contained in two TMDL related reports/plans:</p> <ul style="list-style-type: none"> • "Santa Monica Bay Beaches Wet-Weather Bacteria Total Maximum Daily Load Implementation Plan, Jurisdictional Groups 1 & 4" • "Quantitative Assessment Santa Monica Bacteria TMDL Implementation Plan, Jurisdictional Groups 1 & 4" <p>While some of the work may have been updated by more current efforts, it is important to reference and acknowledge previous work.</p>
Page 112	Part VI.C.5.a.iii.(1)(b), page 61	<p>Eighteen subwatersheds are described on pages 12-18, and for a number it is noted that there are no permittee-owned MS4 outfalls within the subwatershed. For those where there are MS4 outfalls, i.e., those where it is not stated that there are not any permittee owned MS4 outfalls, including Encinal, Trancas, Ramirez, Escondido, Corral, Malibu Creek (in Civic Center area, even though addressed by Legacy Park), Las Flores, Piedra Gorda, and Topanga, a table with details regarding the MS4 outfalls, organized by subwatershed, needs to be included in the revised EWMP to accompany Figure 23. If not all outfalls have been identified, a schedule for mapping the remaining MS4 outfalls needs to be included.</p>
Pages 12-18	Part VI.C.5.a.iii.	<p>For each paragraph on pages 12-18, be consistent in every case in identifying if there is, or is not, a MS4 outfall for each subwatershed.</p>
Figure 23, Page 112	Part VI.C.5.a.iii.	<p>Ensure that all MS4 outfalls (major and minor) are displayed on Figure 23, page 112. In addition, provide a table of all outfalls displayed on the figure, as noted above.</p>
Selection of Watershed Control Measures		
	Part VI.C.5.b.	<p>Regarding the Trash TMDL and its WQBELs, reference the following: "Santa Monica Bay Watershed Management Area (WMA) Trash Monitoring and Reporting Plan (TMRP) – Final" September 2012, Larry Walker Associates. Specifically refer to Table 4 on page 27 and the paragraph above Table 4 to describe the implementation requirements and the implementation schedule for compliance with the Santa Monica Bay Nearshore and Offshore Debris TMDL.</p>
Page 10	Part VI.C.5.b	<p>Include a detailed soils map indicating the infiltration rates for the various soil types in the EWMP area rather than the general description provided in Section 1.3.4 to support the group's conclusion that there is little opportunity for regional retention projects.</p>

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
Table 29, page 111	Part VI.C.5.a.iv.(1), page 61	It is unclear, in footnote 3 to Table 29, whether observations were made at all MS4 outfalls in the subwatershed, or if the implication here is that there was no flow from the freshwater outlet to the surf zone. Clarify and provide supporting data from observations described in same footnote.
Appendix D	Part VI.C.1.g.viii, page 50	While not explicitly stated it appears that the MCMs as required in Part VI.D of the permit, per Appendix D, are either going to be implemented as required by the permit, enhanced, or appropriately modified. Confirm that the MCMs will be required, enhanced or modified. Ensure that the modifications and enhancements described in Table 23 of the EWMP (pages 85-87) for the Development Construction Program match those in Appendix D of the EWMP for the same program.
Page 31	Part VI.C.5.a.iv.(1), page 61	A TMRP from the County of Los Angeles on behalf of itself and the Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, and Westlake Village was approved on May 30, 2014. Implementation of the monitoring program was required immediately. The first interim deadline for the trash/debris TMDL is March 20, 2016. Therefore, permittees should immediately use whatever monitoring data are available, since approval of the monitoring plan, to assess and achieve compliance with the interim deadline of a 20% reduction of the baseline load by March 20, 2016.
Page 31	Part VI.C.5.a.iv.(1), page 61	While the EWMP does not have to model trash, there should be a discussion in the EWMP about how the group intends to comply with the Santa Monica Bay Trash TMDL. Referencing the development and adherence to approved TMRPs/PRMPs by the required interim and final compliance deadlines is adequate.
Pages 81-82; Table 23; Appendix D	Part VI.C.5.b.ii.(1), page 62	Regarding preventing or eliminating non-stormwater discharges to the MS4 that are a source of pollutants from the MS4 to receiving waters, the plan does not specify measurable milestones within the permit term (specific actions, outcomes and deadlines). To the extent that these are covered in the CIMP through the non-stormwater screening, source investigation and elimination, and monitoring program, include a description of these elements and corresponding measurable milestones in the EWMP.
Table 23, pages 85-87 and Appendix D	Part VI.C.5.b.iv.(1)(a)(i)	Ensure that Table 23 (pages 85-87) and Appendix D are aligned. It appears that Table 23 should be a subset of the MCMs in Appendix D, i.e., those that are identified as "enhanced" or "modified" in Appendix D. The Group also needs to ensure that for each MCM, the Permittee(s) responsible for implementing it are clearly identified. If all MCMs will be implemented by all three permittees in all areas, note this.
Table 23, page 87	Part VI.C.5.b.iv.(1)(Under Public Agency Activities the EWMP lists the following modification: "EWMP regional and distributed project selection

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
	a)(iv), page 63	process will be utilized to meet these requirements rather than implementing separate evaluations for retrofit opportunities." The justification says that "Separate procedures are not needed as these considerations are incorporated into the EWMP control measure selection process." Note however that the permit also requires that each permittee cooperate with private landowners to encourage site specific retrofitting projects (see Part VI.D.9.D.v of permit). Describe in greater detail how the group will encourage retrofitting of private properties and provide interim & final milestones for the implementation assumptions in section 5.2.3.3. (Table 23, page 87)
	Part VI.A.2.a.viii	Indicate how the Permittees will control the contributions of pollutants from MS4s owned by Caltrans and State Parks (if any in the EWMP area) to their MS4s through interagency agreements or other means.
pages 132-134	Part VI.C.8, pages 68-70	<p>Part VI.C.8.a.i.(7) describes adaption of the EWMP to become more effective based on: "Recommendations for modifications to the Watershed Management Program solicited through a public participation process." A public participation process is not described in the NSMB EWMP description of the Adaptive Management Approach. Describe the group's intention regarding public participation in its adaptive management process.</p> <p>Include a commitment to address Part VI.C.8.a.iv.(1)-(7) of the LA County permit as part of the group's adaptive management process.</p>
Pages 106-123	Part VI.C.5.b.iv.(4)(d), page 64	<p>The EWMP does not address compliance vis-à-vis interim limits. Tables 27 and 31 discuss compliance but only with the final limits.</p> <p>Attachment C-1 provides further detail in terms of target load reduction by blocks of years (2003-2015 and 2015-2021) but it does not correspond with the next interim deadline for bacteria, which is 2018 for Santa Monica Bay. Revise the EWMP to include analysis demonstrating a reasonable assurance that interim limits for Santa Monica Bay Beaches bacteria will be met.</p>
Pages 125-131	Part VI.C.5.c, page 66	<p>Interim milestones and dates for their achievement need to be included for:</p> <ul style="list-style-type: none"> - Proposed Distributed BMPs (Table 26) (i.e., area to be treated in acres within each analysis region by a date certain) - Public Retrofit Incentives (Section 5.2.3.3) – rate of conversion of SFR areas to disconnected downspout systems (need to include measurable metrics & dates for their achievement) - Proposed Regional BMPs (Section 5.2.4.3) – interim milestones for design and construction and dates for their completion for Topanga green street project along Viewridge

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
		Road.
Pages 89-90		Further substantiate or reference redevelopment rates on pages 89-90 of the EWMP. Redevelopment rates should be tracked and evaluated via the adaptive management process, to confirm or adjust initial assumptions.
Enhanced Watershed Management Program Provisions		
NA	Part VI.C.1.g, page 49	Provide a discussion on how the Group's comprehensive evaluation of opportunities for multi-benefit regional stormwater capture retention projects was conducted.
Appendix B, Workplan, pages 43-44.	Part VI.C.1.g, page 49	<p>The NSMBCW EWMP Work Plan outlined a process for comprehensively evaluating opportunities within the participating Permittees' collective jurisdictional area in a Watershed Management Area, for collaboration among Permittees and other partners on multi-benefit regional stormwater capture/retention projects that involved the following four (4) steps....</p> <ol style="list-style-type: none"> (1) SBPAT catchment prioritization process; (2) Derive BMP opportunity scores (3) Desk-top GIS screening (4) Field reconnaissance of regional BMP sites, including prelim soil analysis & initial environmental study to support a feasibility analysis. <p>Include a more thorough presentation of the results of each of these steps. If no field reconnaissance was done for any potential BMPs, a schedule for conducting the field reconnaissance needs to be included for each potential BMP.</p>
EWMP, section 5.2.4.2, page 93	Part VI.C.1.g, page 49	The EWMP lists existing regional BMPs (section 5.2.4.2). Two of these are retention facilities – Trancas Canyon Park & Las Flores Creek Restoration & Park – and were designed to retain the 0.75-inch storm. Compare this to the 85th percentile storm for these two subwatersheds, and evaluate whether additional capacity could be added to achieve retention of the 85th percentile storm volume at these two projects.
EWMP, page 122	Part VI.C.1.g, page 49	For distributed green street BMPs, indicate that progress toward implementing these distributed BMPs based on the area treated will be reported annually.
NA	Part VI.C.1.g, page 49	Provide an explanation as to why Regional Projects, with the exception of Malibu Legacy Park, cannot treat the 85th percentile, 24-hour storm event.
Table 23, page 86	Part VI.C.1.g, page 49	Provide more details on how the Permittees' "Outreach to industrial/commercial facilities will focus on water quality priorities to most effectively utilize resources."
Page 87	Part VI.C.1.g, page 49	Revise the EWMP to describe how the construction checklist will be modified to focus on water quality priorities.
Pages 89-90	Part VI.C.1.g, page 49	Consider relabeling the section Quantified Non-structural BMPs (5.2.3), which describes programmatic BMPs, but also

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
		redevelopment BMPs and public retrofit BMPs (page 89-91). The EWMP says that "Specific non-structural BMP model inputs are summarized in Table 25." However, media-filters, bioretention, biofiltration and bioswales are all structural BMPs. In addition, provide an explanation as to why these BMPs were selected for public retrofit and redevelopment and not others.
Page 82	Part VI.C.1.g, page 49	The EWMP states that "An approach for evaluating existing institutional MCMs was developed as part of the NSMBCW EWMP Work Plan (Appendix B) and was used to evaluate existing MCMs and develop the customized MCMs." The approach is outlined. The actual analysis/work to evaluate the MCMs (non-structural BMPs) is not shown in Appendix D-1. More explanation (beyond the comments in the last column) would be helpful particularly in the situations where there is no enhancement beyond what is required in the permit.
Page 94-95	Part VI.C.1.g, page 49	One newly proposed Regional BMP was evaluated and was referred to as "Analysis Region S1-18 (Topanga Canyon)". Provide additional detail on the anticipated volume and pollutant load reductions from this BMP. While the EWMP references section 5.3.1 as containing this information, it is not clear whether the values that correspond to the Row "S1-18" and the column "Proposed BMPs" represent the reductions from this regional BMP. Please clarify and provide additional detail for the proposed regional BMP as directed above. Also include a schedule for completion of this project (or an alternative project in this subwatershed).
Page 29, EWMP Work Plan	Part VI.C.1.g, page 49	Regional Projects Trancas-2 and Trancas-3 were discussed in the EWMP workplan which stated that they would be evaluated further in the EWMP RAA (page 29, EWMP Work Plan). Provide details of the evaluation.
NA	NA	For the Malibu Legacy Park project, specify the parameters associated with this storm event (e.g. estimated and measured rainfall depth, rainfall volume, stormwater runoff volume). Additionally, this should be done for the Broad Beach Biofiltration Project, Wildlife Road Storm Drain Improvements, Trancas Canyon Park & Las Flores Creek Park. Further, indicate whether the group evaluated whether these existing projects could be upgraded to fully capture the volume associated with the 85th percentile, 24-hour storm event.
Section 5.2.4.1	Part VI.C.1.g, iv, page 49	The EWMP must clearly outline the multiple benefits of each of the existing and proposed Regional BMPs.
Reasonable Assurance Analysis (RAA)		
Page 66		Clarify title of Table 18; is it presenting the IBD arithmetic means of the irreducible BMP effluent concentrations?
Table 29, page	Part	Include in the EWMP a plan to reevaluate the dry weather RAA

EWMP Reference	MS4 Permit Provision	Comment and Necessary Revision
111	VI.C.5.b.iv.(5)	(analysis presented in Table 29, page 111) with updated data biennially per the adaptive management process where there are any MS4 outfalls (major and minor).

Los Angeles Regional Water Quality Control Board

Enclosure 2 – Summary of Comments and Necessary Revisions for the Reasonable Assurance Analysis (RAA)

**North Santa Monica Bay Coastal Watersheds
Enhanced Watershed Management Program (EWMP)**

Prepared by: C.P. Lai, Ph.D., P.E. and Thanhloan Nguyen

This memorandum contains the comments on Section 4, Reasonable Assurance Analysis (RAA) of the draft Enhanced Watershed Management Program (EWMP) for North Santa Monica Bay Coastal Watersheds dated June, 2015.

General comments on the RAA section of the draft EWMP (Section 4 and Appendix C):

1. Section 4 RAA Modeling Tools and Approach

Section 4.1 RAA Approach – Dry Weather: EWMP group's dry weather compliance approach is to eliminate 100% of non-exempt dry weather MS4 discharges and the proposed Non-Stormwater Outfall Screening Program (page 48) is used to demonstrate reasonable assurance of compliance for dry weather. The proposed program however only showed steps to conduct source investigations, referral to appropriate IC/ID Program, monitoring, and reporting. The EWMP must also include an evaluation of other control measures for non-stormwater discharges if they cannot be eliminated, including treatment or diversion.

RAA Modeling comments:

1. Present the model results of the baseline condition for daily runoff volume, bacteria concentration, and daily load relative to exceedance days during the critical year for each analysis region, including MCW, in the EWMP report or shown in Appendix C-RAA Summary Data.
2. Provide the flow duration curve of flow data in the receiving water body (Topanga Creek at gauge reference ID F54C-R) using the most recent 10-year period of data. Also provide the time series of flow data for this same location and 10-year period.
3. Provide the time series of runoff volume, pollutant concentration and pollutant load for lead in Topanga Creek for the critical year (1995).
4. For nitrate in Malibu Creek, make the comparison between the allowable load and the existing load based on the winter season (as defined in the TMDL) rather than the entire year.



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

May 30, 2014

Ms. Gail Farber
Director of Public Works
County of Los Angeles
900 South Fremont Avenue
Alhambra, CA 91803-1331

Dear Ms. Farber:

On May 1, 2008, the Los Angeles Regional Water Quality Control Board (Regional Board) adopted the Malibu Creek Watershed Trash TMDL. Subsequently, this Trash TMDL was approved by the State Water Resources Control Board on March 17, 2009, Office of Administrative Law on June 16, 2009, and United States Environmental Protection Agency (USEPA) on June 26, 2009. The Malibu Creek Trash TMDL became effective on July 7, 2009.

The requirements of this Trash TMDL are specified in Regional Board Resolution R4-2008-007, and Attachment A, Amendment to the Water Quality Control Plan Los Angeles Region (Basin Plan Amendment). The Trash TMDL requires responsible jurisdictions to submit and implement a Trash Monitoring and Reporting Plan (TMRP) according to the schedules provided in Table 7-31.2a and Table 7-31.2b, which separately describe the compliance requirements to install Full Capture Systems and/or implement the Minimum Frequency of Assessment and Collection Program.

On April 30, 2010, the Regional Board received a TMRP from the County of Los Angeles on behalf of itself and the Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, and Westlake Village. Regional Board approves the submitted TMRP, and directs the County of Los Angeles and the Cities represented in the associated plan to begin implementation immediately.

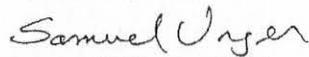
CHARLES STRINGER, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

329 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

As there are areas in the Malibu Creek Watershed with overlapping responsible jurisdictions, Regional Board advises that the County of Los Angeles and associated cities work cooperatively with other responsible parties that are implementing separate TMRPs to ensure that collectively, all TMRPs are meeting the monitoring requirements in the Malibu Creek Trash TMDL. This should be reflected in the annual reports submitted to Regional Board.

If you have any questions, please contact Stefanie Hada at (213) 576-6804, OR shada@waterboards.ca.gov.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Jim Thorsen, City of Malibu
Greg Ramirez, City of Agoura Hills
Dirk Lovett, City of Hidden Hills
Raymond B. Taylor, City of Westlake Village
Tony Coroalles, City of Calabasas
Jeff Pratt, Ventura County Public Works
Tully Clifford, Ventura County Watershed Protection District
Jay T. Spurgin, City of Thousand Oaks