

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

**MONITORING AND REPORTING PROGRAM No. CI-8836  
FOR  
DISCHARGER GROUPS  
UNDER**

**ORDER NO. R4-2005-0080  
CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS  
FOR  
DISCHARGES FROM IRRIGATED LANDS**

As conditioned by the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Conditional Waiver), Order No. R4-2005-0080, Discharger Groups shall develop monitoring programs to assess the impacts of waste discharges from irrigated lands, and if necessary, to assess the source(s) of wastes and to track progress in reducing the amount of waste discharged that affects the quality of the waters of the State and its beneficial uses. This Monitoring and Reporting Program (MRP) describes the minimum requirements for the Discharger Group MRP Plan for compliance with the Conditional Waiver, Order No. R4-2005-0080.

The purpose of the MRP is to monitor and report the discharge of constituents of concern (COC) and/or pollutants in irrigation return flows, tile drains and stormwater, and, where necessary, identify pollutant sources, implement and monitor management practices for control of COCs, and report results and other required information on an annual basis. Discharger Groups shall prepare and submit to the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) for review and approval by the Regional Board Executive Officer (Executive Officer) a MRP Plan that meets the minimum requirements of this Order, including sites to be monitored, frequency of monitoring, COCs to be monitored, documentation of monitoring protocols, and sufficient information about the irrigated lands to demonstrate that the proposed MRP Plan adequately documents water quality, COCs and pollutant loadings.

Discharger Groups shall submit one portion of the MRP Plan, the Water Quality Management Plan (WQMP), if a benchmark<sup>1</sup> is exceeded. WQMPs shall contain the necessary information to assess the impacts of waste discharges from irrigated lands to surface waters, to quantify the pollutant sources, to identify and implement management practices to reduce discharge of specific wastes, to demonstrate that management practices have been implemented to alleviate the impacts of the waste discharges, and to document attainment of the benchmark.

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<sup>1</sup> Benchmark is a requirement established by the Regional Board Basin Plan (including discharge prohibitions and applicable narrative or numeric water quality objectives), criteria established by the United States Environmental Protection Agency (including the California Toxics Rule and National Toxics Rule) to interpret or implement narrative water quality objectives, and load allocations established pursuant to the total maximum daily load (TMDL) program (whether established in the Basin Plan or other lawful means). Common benchmarks for discharges from irrigated lands are identified in Appendices 1 and 2 of this Order.

The Regional Board adopts this MRP pursuant to Water Code Section 13267. The reports required by this MRP are necessary to evaluate the impacts of discharges of waste from irrigated lands to waters of the State, to determine compliance with the Conditional Waiver, and to ensure attainment of all applicable benchmarks. The Executive Officer may revise this MRP as appropriate.

## I. DISCHARGER GROUP MONITORING AND REPORTING PROGRAM

### A. Discharger Groups

This Conditional Waiver allows dischargers with similar practices, crops, geographic locations, or with similar risks to water quality to form Discharger Groups to meet the monitoring and reporting requirements of this Order. Dischargers can reduce program costs and increase the effectiveness of management practices implemented to attain water quality standards. A Discharger Group is any group of dischargers and/or organizations that forms to comply with this Conditional Waiver. A Discharger Group collects and maintains enrollment information, financial records, monitoring data, and fulfills the reporting requirements on behalf of a specific set of dischargers. Discharger Groups must manage and comply with the requirements of this MRP.

### B. Eligibility

1. Existing and future discharges of irrigation return flows or stormwater leaving irrigated land through tail water, irrigation, runoff, tile drains or storm runoff to waters of the State are potentially eligible for coverage under this Order.
2. Dischargers eligible under this Order bear the responsibility of complying with the provisions and conditions contained in this Order and others related thereto.

**Table 1. Schedule for Discharger Tasks**

| <b>Task</b>                                       | <b>Responsible party</b>         | <b>Contents</b>   | <b>Due Date</b>  |
|---|----------------------------------|---|--|
| <b>Notice of Intent (NOI), MRP Plan, and QAPP</b> | <b>Discharger Groups</b>         | <b>NOI, monitoring plan and QAPP. The NOI must also include a Discharger Group Report providing information regarding participating Dischargers</b> | <b>9 months after adoption of Conditional Waiver</b>           |
| <b>Annual Monitoring Report</b>                   | <b>Typical Discharger Groups</b> | <b>Monitoring plan and results, laboratory documentation, data interpretation, education record</b>   | <b>12 months after issuance of NOA and annually thereafter</b> |
| <b>Water Quality Management</b>                   | <b>Typical Discharger</b>        | <b>Additional monitoring and BMPs to improve water</b>  | <b>Six months after submittal of</b>                           |

| <b>Task</b>                     | <b>Responsible party</b>          | <b>Contents</b>   | <b>Due Date</b>  |
|---------------------------------|-----------------------------------|---|--|
| <b>Plan, if necessary</b>       | <b>Groups</b>                     | <b>quality, if necessary</b>  | <b>annual monitoring report, if necessary, and annually thereafter, if necessary</b> |
| <b>Annual Monitoring Report</b> | <b>Low risk Discharger Groups</b> | <b>Monitoring plan and results, laboratory documentation, data interpretation, education record, confirmation of compliance</b> | <b>1 year and 3 years after issuance of NOA</b>                                      |

3. Discharger Groups shall be responsible for filing a Notice of Intent (NOI) within nine months after this Conditional Waiver is adopted by the Regional Board that identifies the dischargers participating in the Group, Billing Address for the Group, general Site Information for Group participants, general descriptions of water supplies used by Group participants, types of discharges, types of crops, types of pesticides and application practices, irrigation practices, and other management practices. If a Discharger Group or some of its members intend to request that the Executive Officer classify the Discharger Group or its participants as Low-risk, then additional information necessary for the Executive Officer to make that determination shall also be provided.
4. Dischargers shall submit a MRP Plan that proposes monitoring locations, method detection limits, and practical quantitation limits for the Executive Officer approval. The MRP Plan shall include a topographic map showing drainage patterns, crop locations, and sampling locations, to the extent feasible. The purpose of the MRP Plan is to assess the impacts of wastes on waters of the State from discharges from irrigated lands, and where necessary, to track progress in reducing the amount of waste discharged that affects the quality of the waters of the State and its beneficial uses.
5. Discharger Groups shall submit a Quality Assurance Project Plan (QAPP) including protocols for sample collection, standard analytical procedures, and laboratory certification for Executive Officer or his or her designee approval that meets the requirements of this Order.
6. After the NOI, MRP Plan, and QAPP are reviewed and approved by the Executive Officer, the Executive Officer will issue a Notice of Applicability (NOA) to the Group. Within one year of receipt of the NOA all dischargers

- within the Discharger Group shall complete 8 hours of training on water quality management practices that control pollutant discharges.
7. One year after issuance of a NOA, the Discharger Group shall submit an annual monitoring report showing the results of the monitoring and documentation of educational experience on water quality impacts for each individual participating in the Group program. Guidelines for the preparation of the reports and for the monitoring plan can be obtained from Regional Board staff and are discussed in the Monitoring and Reporting Programs, No CI-8836. Information required in the WQMP is included in Appendix 7 of this Order.
  8. If the monitoring results show exceedance of a benchmark, the Discharger Group shall:
    - a) Submit, within six months following submittal of an annual monitoring report showing an exceedance of a benchmark, a WQMP to implement specific management measures and management practices to improve the discharge quality, including a date-specific time line to be approved by the Executive Officer.
    - b) Implement management measures in accordance with the approved WQMP and implement Best Management Practices to minimize pollutant loading to waters of the State. Best Management Practices may include those recommended by the National Resources Conservation District, the University of California Cooperative Extension, or other management practices proposed by the discharger that minimize pollutant loading to waters of the State and meet the requirements of this Order as approved by the Executive Officer. Examples of best management practice resources are included in Appendix 9 of this Order.

## **B. Discharge Classifications**

The Executive Officer shall classify the Discharger Group as Typical or Low-Risk based upon the information included in the Notice of Intent (NOI) and other information provided by the Discharger Group. If the Executive Officer finds insufficient information to classify the Discharger Group, then the Discharger Group will be classified as Typical.

If the annual report of water quality demonstrates that the Discharger Group classified as Typical is meeting all applicable benchmarks, and upon the request of the Discharger Group, the Executive Officer may revise the discharge classification from Typical to Low-Risk. Further, a Low-Risk classification may be revised to Typical if the Executive Officer finds that the discharge no longer meets the requirements and criteria of a Low-Risk discharge.

The Executive Officer will consider the following factors and additional relevant information provided by the Discharger to classify Low-Risk discharges:

- No irrigation runoff was observed during the most recent year, except for storm runoff.
- No pesticides listed for the watershed on the most recent 303(d) list have been used.
- Pesticide application is in accordance with Integrated Pest Management Guidelines provided by University of California Cooperative Extension or the National Resource Conservation Service.
- The irrigated land has at least 50-foot setback from any water body or wetlands or is separated from that waterbody by buffer strips.
- No sediment moves off the property, including during storm conditions, but is retained by filter strips, buffer zones, retention basins, or other management practices.
- Tile drains are not used or the discharge is impounded or treated, or it is documented to meet all applicable benchmarks.
- The Executive Officer will also evaluate Dischargers that have management practices which result in no discharge to surface waters.

## **II. MONITORING REQUIREMENTS**

### **A. Monitoring and Reporting Program Plan**

The Discharger Group shall submit a MRP Plan to the Regional Board for Executive Officer approval 9 months after adoption of the Conditional Waiver. The MRP plan shall describe the sampling sites with GPS coordinates. The constituents to be monitored are listed in Appendix 3. A Discharger Group shall provide scientific rationale for the monitoring site selection process, including information on historical and current monitoring, drainage characteristics; crop type and cultivation practices which may affect water quality and land use. A topographic map that shows the proposed monitoring site(s), the agricultural land with crop type and potentially affected waters of the state shall be submitted as a part of the MRP Plan. Discharger Groups with agricultural discharges to waters of the state shall sample those waters no more than 50-feet downstream from the location where the discharge(s) enters the receiving water, to the extent feasible; otherwise, sampling shall occur at the nearest feasible downstream location. The number and location of sampling sites shall be based on the number of discharge locations and the requirements of source identification as approved by the Executive Officer.

If results indicate that a benchmark is exceeded at any site, monitoring for the constituents of concern shall continue and the monitoring must be revised in accordance with the approved WQMP to include a systematic identification of sources.

### Schedule

The Discharger Group MRP Plan shall be carried out using a systematic schedule. The MRP Plan shall indicate the start date, identify time of the year, and define the frequency of sampling. Location, timing, duration, and frequency of sampling should be based on the complexity, hydrology, and size of the waterbody. Further, characterization of the watershed and agricultural impacts on waterbody health will require a monitoring program which considers the location, duration, frequency, constituents and volume of the discharges, as well as the type and extent of existing monitoring activities. To support the waiver program the group monitoring effort must be able to detect long-term trends over time, assess areas where water quality standards and beneficial uses are not being supported, and conduct follow-up investigations to better characterize problem areas.

The required monitoring will be implemented in two phases. The first phase covers the monitoring conducted during the 2-year period from the issuance of the NOA. During the first phase, the frequency of monitoring shall be twice during each dry weather period and twice during each wet weather period. The second phase covers the period from the end of the first phase until the expiration of the Conditional Waiver. During the second phase, the frequency of the monitoring shall be once during each dry weather period and once during each wet weather period. Toxicity shall be monitored at least once during each dry weather period. Based on review of the monitoring reports from the first phase, the Executive Officer may increase the frequency of monitoring during the second phase. Factors that inform the Executive Officer's evaluation of the monitoring frequency include, but are not limited to, the applicable benchmarks, the effectiveness of the MRP in identifying the sources of the COCs and the effectiveness of any management measures.

Discharger Groups classified as Low Risk will be required to complete this monitoring only for the first and third years after approval of the MRP. Other Groups shall submit MRP reports annually.

### Seasonality

Monitoring shall be conducted during the dry season and wet season. Dry season (May 15 – October 15) monitoring will include water toxicity. The first wet season sample (October 15 – May 15) shall be collected within 24-hours of the first storm of the year with greater than 0.25 inch rain as measured by the nearest National Weather Service rain gauge. The first dry weather samples will be

collected after the majority of growers in a sub watershed have applied pesticides or fertilizers and during the period where irrigation is required.

### Sites

The MRP plan shall describe the area(s), sampling sites, sampling locations, GPS coordinates, and existing practices. All waters of the State receiving discharges from irrigated lands shall be monitored, as approved by the Executive Officer. The numbers and locations of monitoring sites must be based on specific watershed characteristics and be supported by a detailed discussion of these characteristics. Several criteria should be used to identify waterbodies to be included in the group monitoring. These include (i) waterbodies which are on or proposed for the 303(d) list of impaired waterbodies, (ii) which have documented beneficial use impacts due to pollutants associated with agriculture, (iii) size of watershed, and (iv) flow of waterbodies. More than one site may be located on tributaries, if required to assess agriculturally-sourced inputs from those of other land uses. Safe all-weather access at public access points and previous monitoring at the site are desirable.

### Parameters

Monitoring Parameters shall include Constituents of Concern listed in Appendix 3 of the Conditional Waiver Order. The MRP shall identify in general the types of chemicals applied to irrigated lands for participants in the Discharger Group. The MRP plan shall include chronic toxicity testing for three test species: fathead minnow, ceriodaphnia (water flea) and green algae. After one toxicity sample has been collected and analyzed in the first year the Discharger shall select the most sensitive species for subsequent toxicity monitoring. The MRP plan shall propose the most relevant species for toxicity testing based on pesticide usage and site conditions. Toxicity testing will be completed for the MRP and in support of the findings of the WQMP. The purpose of the testing is to evaluate compliance with the narrative toxicity objective in the Basin Plan, to identify the causes (e.g. sediment, contaminants, salt, etc.) of toxicity observed and to determine the sources of the toxicants identified. Toxicity is also a good indicator of watershed health as it identifies synergistic effects.

### Methods

Field methods, method detection limits and practical quantification limits shall be reported in the MRP plan for Executive Officer approval. In general, the method detection limits shall be at or below applicable benchmarks, or for COCs that currently can not be detected by approved analytical methods shall be at the levels approved by the E.O.

### Leachate and Ground Water Quality Monitoring For Discharger Groups

Leachate and Ground Water Monitoring is not required at this time. On-going studies by the State Board (Proposition 13 - Watershed Protection Grant Program and PRISM Project # 0039 Modifying Agricultural Pesticide Practices to Reduce Loading in Calleguas Creek with United Water Conservation District) will be completed in 2007. Upon completion of the studies and/or other future groundwater studies, staff will assess the loading to groundwater from existing irrigation practices and the Executive Officer may modify monitoring programs to include groundwater monitoring in areas with potential groundwater impacts. In three months after completion of the study, staff will bring an information item back to the Board to discuss the results of the study to provide both the Board and the public an opportunity to discuss how these results should guide the addition of groundwater monitoring, if appropriate.

Other Regional Board regulatory programs in effect at the time this monitoring is due may contain requirements substantially similar to the requirements of these group monitoring tasks. If such requirements are in place in another regulatory program, the Executive Officer may revise these monitoring tasks to coordinate this group monitoring plan with other regulatory programs.

### **B. Quality Assurance Project Plan**

Each Discharger Group shall submit a QAPP for Executive Officer's approval 9 months after adoption of the Conditional Waiver, that describes how data will be collected and analyzed to ensure that data are consistent with State and Regional Board monitoring programs and are of high quality. Discharger Groups shall develop a QAPP, consistent with the State's Surface Water Ambient Monitoring Program (SWAMP) QAPP and approved by the Executive Officer. A draft QAPP template will be available through the Regional Board's website and is included in Appendix 8 of the Order No. R4-2005-0080.

All data collection shall be conducted utilizing field techniques consistent with SWAMP. A laboratory that is certified by the Department of Health Services shall conduct all laboratory analysis according to standard methodologies. The QAPP will include the location of sample site(s), a description of analytical techniques, a list of data quality objectives, and other standard quality assurance information. All data will be submitted in both electronic and written tabular formats to the Regional Board. These formats will be specified by the Regional Board. The QAPP shall detail procedures for reporting all peaks detected on chromatograms, including those that cannot be quantified and/or specifically identified.

Toxicity testing will be implemented in accordance with US EPA, State Board and Regional Board resolutions, guidance and policy at the time that toxicity monitoring is implemented. Toxicity testing shall be implemented as a trigger for initiation of the TIE



process as outlined in US EPA's "Understanding and Accounting for Method Variability in Whole Effluent Toxicity Applications Under the National Pollutant Discharge Elimination System Program" (2000).

### **III. DISCHARGER GROUP WATER QUALITY MANAGEMENT PLAN**

The WQMP is designed to (i) assess the impacts of waste discharges from irrigated lands to waters of the State through source identification; (ii) determine the degree of implementation of management practices to reduce discharge of specific wastes that impact water quality; (iii) determine the effectiveness of management practices and strategies to reduce discharges of waste that impact water quality; (iv) determine concentration and load of waste in these discharges to waters of the State; (v) construct or implement management practices to alleviate the impacts of the waste discharges; (vi) evaluate compliance with existing narrative and numeric water quality objectives to determine if additional implementation of management practices are necessary to improve and/or protect water quality; and (vii) construct or implement additional management practices or provide technical documentation of natural, historical, or existing conditions.

The WQMP shall include a plan for additional monitoring to demonstrate progress towards attainment of the water quality benchmarks. Follow-up monitoring of receiving waters that do not meet the listed benchmarks shall be conducted to improve understanding of the nature and source of the COC and provide information on management practices that will attain the benchmarks. Because forensic chemistry and other analytical approaches can rapidly increase monitoring costs, problem areas may be prioritized relative to severity of problem, availability of other data sources to inform decision-making, and other considerations. In order to address high priority water quality problems, the Executive Officer may require additional monitoring.

#### **A. Elements of the Water Quality Management Plan.**

##### **1. Water Quality and Flow Monitoring**

Monitoring data shall be compared to applicable benchmarks. Flow data will be collected to allow assessment of loading from sources.

##### **2. Toxicity Testing**

Toxicity testing shall be completed as specified in MRP Plan section to identify the causes of toxicity observed and to determine the sources of the toxicants identified. The WQMP shall propose the most relevant species for toxicity testing based on pesticide usage and site conditions.

##### **3. Pesticide Use Evaluation**

If applied pesticide concentrations in receiving waters exceed the benchmarks, then the discharger must complete an assessment of the most significant factors influencing the amount of pesticides in receiving waters, including the timing of pesticide applications, the application rates, the amounts of pesticide applied, and the points of application (all of these factors can be referred to as "use pattern"). This information can be found in the pesticide use reports submitted by participants of Discharger Groups to the County Agricultural Commissioners and the Department of Pesticide Regulations. Changes in pesticide concentrations at specific monitoring sites needs to be compared to pesticide use patterns for land areas upstream of the monitoring sites. By comparing these changes, a discharger may discover how a change in pesticide use patterns could impact water quality. Changing pesticide use patterns is a management practice and may be included in a WQMP, if applicable.

4. Management Practice Effectiveness and Implementation Tracking

If benchmark exceedances are found, the Discharger Groups must compile additional information on the type of management practices that are being used, the degree and locations of implementation in the Discharger Group area, and the effectiveness of the practices in protecting waters of the State. Data should be collected in several broad areas; 1) fertilizer and pesticide application and post-application practices; 2) management practices to address other wastes (salt, sediment, nitrogen, etc.), and 3) operational practices. This information may be used to evaluate the effectiveness of management practices on reducing loading of constituents of concern. If more effective management practices are available and practicable, a time-specific proposal to change management practices should be described. To the extent that information is available, the effectiveness of the management practices shall be discussed in the WQMP.

#### **IV. GROUP DISCHARGER REPORTING REQUIREMENTS**

Pursuant to California Water Code (CWC) Section 13267, the following Reports are required to be submitted to the Regional Board by the deadlines identified below.

**A. Discharger Group Monitoring and Reporting Program Plan.**  
**DUE: 9 months after adoption**

The MRP Plan must include the components of the monitoring programs as stated in this Order. The MRP Plan shall specify all quality assurance elements including the US EPA test method and detection limits for the required constituents as specified in the QAPP for Monitoring Program Requirements. At a minimum, the MRP Plan for receiving waters shall include the following elements:

- a. Description of the Group setting and members including characteristics relevant to the monitoring;
- b. Summary of the historical data and on-going monitoring at each monitoring site;
- c. Monitoring periods and sites;
- d. Maps showing property boundaries, land use, topography, waters of the state, crop types, and any other features which may affect water quality;
- e. Monitoring parameters and frequency of sampling to include all parameters in Appendix 3;
- f. A QAPP consistent with the requirements described in Appendix 8 of the Order No. R4-2005-0080;
- g. Documentation of monitoring protocols including sample collection methods and laboratory quality assurance manual;
- h. Laboratory Quality Assurance manual must describe analytical methods; internal quality control (QC) samples, frequency of QC sample analyses and acceptance criteria; calibration procedures and acceptance criteria; instrumentation and, other technical capabilities of the laboratory; and
- i. Discharger Group contact information.

## **B. Discharger Group Annual Monitoring Report**

**Due: Annually beginning 1 year after issuance of NOA**

The Annual Monitoring Report (AMR) shall be prepared after monitoring events have been completed and shall include a review of the results of the data collected and data evaluation. The AMR shall include the following components:

1. Title page;
2. Table of contents;
3. Description of the Group membership and setting
4. Monitoring objectives;
5. Sampling site descriptions;
6. Location map of sampling sites including GPS coordinates of sampling site;
7. Tabulated results of analyses;
8. Sampling and analytical methods used;
9. Copy of chain of custody;
10. Associated laboratory and field quality control samples results;
11. Summary of precision and accuracy;
12. Data interpretation including assessment of data quality objectives;
13. If benchmarks are not attained as demonstrated by monitoring, then a Water Quality Management Plan must be developed within six months to address all water quality impacts, including but not limited to, source identification, time-certain implementation of management practices (new or revised); this shall also include evidence of existing and future plans for pollutant management. In addition, the discharger shall notify the Regional Board within five business days of any toxicity exceedances.

14. Evidence that education requirements have been fulfilled by each group participant;
15. Conclusions and recommendations.

The Discharger Group eligible under this Order bears the responsibility to keep the Regional Board informed, maintain records, and submit regular reports detailing the types of discharges, monitoring results for required constituents, participants in the Group, the type of management measures implemented (including changes in pesticides applied), how those measures have changed water quality, and other basic information that the Executive Officer may determine is required. Copies of all field documentation and laboratory original data must be included in the annual monitoring report as attachments. The annual monitoring report should also provide a characterization of the field conditions during each sampling event including a description of the weather, rainfall, temperature, stream flow, color of the water, odor, crop type, cultivation practices and pesticide, fertilizer or sediment control measures which may affect water quality and other relevant information that can help in data interpretation.

Records of monitoring information shall include the following: the date, exact places, and time of sampling or measurements, the individual(s) who performed the sampling or measurements, the date(s) analyses were performed, the individual(s) who performed the analyses, the analytical techniques or method used, and the results of such analyses.

The Discharger Group shall use US EPA approved sampling and analysis methods, provided the method can achieve detection limits equal to or lower than benchmarks specified in the Order No. R4-2005-0080. The monitoring data will be submitted in a format consistent with SWAMP reporting requirements, both electronically and in written tabular form.

### **C. Water Quality Management Plan**

**Due: Annually 6 months after first AMR with exceedances**

The WQMP shall be prepared after monitoring events demonstrate that water quality exceeds the benchmarks. The WQMP shall include the following components:

1. Title page;
2. Table of contents;
3. Monitoring objectives;
4. Sampling site descriptions
5. Location map of sampling sites including GPS coordinates of sampling site;
6. Tabulated results of analyses specifying locations where benchmarks were and were not exceeded. Further, each exceedance shall be accompanied by a discussion of the sample times, dates, weather and crop conditions, or any other factors which may be pertinent to the determination of the source of the water quality problem.

7. The source and flow direction of wastes containing COCs should be identified by location on a map, by the timing and frequency of the discharge, and by the characteristics of the flow which accounts for the presence of the COCs.
8. A description of existing management practices which serve to limit the movement of the COC into waters of the state.
9. A description of a time-certain implementation of management practices (new or revised) which will eliminate the water quality problems including an estimate of the time necessary for the results to be measurable. This description will include future plans for pollutant management.
10. A description of a revised MRP which will document the efficiency of the management practice.
11. Conclusions and recommendations.

The required components of a WQMP are further described in Appendix 7 of Order No. R4-2005-0080, including a list of questions to elicit sufficient information to allow mitigation of the problem.

#### **D. Other Reporting Requirements**

1. A transmittal letter shall accompany each report. This letter shall include a discussion of any violations of the Conditional Waiver that were found during the reporting period, as well as a proposed implementation of actions as outlined in the Water Quality Management Plan. If the Discharger Group has previously submitted a Water Quality Management Plan describing actions and/or a time schedule for implementation of management practices, reference to the previous correspondence will be satisfactory. The transmittal letter shall be signed and shall contain a penalty of perjury statement by the Discharger Group, or the Discharger Group's authorized agent. This statement shall state:

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fine and imprisonment for perjury."*

2. If the Discharger Group monitors any constituent more frequently than required by the Conditional Waiver, the discharger shall submit the monitoring results to the Regional Board.

3. All monitoring instruments and devices that are used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.
4. The Discharger Group shall retain records of all monitoring information including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order.
5. Records shall be maintained for a minimum of five years from the date of the sample, measurement, or report. This period may be extended during the course of any unresolved enforcement action including, but not limited to, litigation regarding this discharge, or when requested by the Executive Officer.
6. Each monitoring report must affirm in writing that “All analyses were conducted at a laboratory certified for such analyses by the California Department of Health Services, and in accordance with current USEPA guideline procedures, or as specified in this Monitoring Program.”
7. If there is no discharge, during any reporting period, the report shall so state. The Discharger Group shall submit an annual report to the Regional Board within one year of the date of Notice of Applicability and at the same date each year thereafter. Monitoring reports must be provided in electronic format to be specified by the Regional Board, and a paper copy must be provided and addressed to the Regional Board, Attention: Information Technology Unit.
8. For every item where the applicable benchmarks are not met, the Discharger Group shall submit a Water Quality Management Plan, including a statement of the cause(s), source(s)\_and actions undertaken or proposed which will bring the discharge into full compliance with Conditional Waiver at the earliest possible time, including a timetable for implementation of those actions.
9. Specifications in this monitoring program are subject to periodic revisions. Monitoring requirements may be modified or revised by the Executive Officer based on review of monitoring data submitted pursuant to this Order. Monitoring frequencies may be adjusted to a less frequent schedule by the Executive Officer.

These records and reports are public documents and shall be made available for inspection during normal business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by: [Original Signed by]  
**Jonathan S. Bishop**  
Executive Officer

11/18/05  
**Date**