

Los Angeles Regional Water Quality Control Board

NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT

TO: Interested Persons

FROM: Renee Purdy 
Section Chief, Regional Programs

DATE: April 10, 2018

SUBJECT: Notice of Public Hearing and Opportunity to Comment for proposed amendments to the *Water Quality Control Plan for the Los Angeles Region (Basin Plan)* to revise the Total Maximum Daily Loads (TMDLs) for trash in the Revolon Slough/Beardsley Wash and Malibu Creek watersheds

The California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) will consider proposed amendments to Chapter 7 of the Basin Plan to revise the TMDLs for trash in the Revolon Slough/Beardsley Wash and Malibu Creek watersheds.

The Revolon Slough and Beardsley Wash Trash TMDL and Malibu Creek Trash TMDL have been in effect since March 6, 2008 and July 7, 2009, respectively. The currently effective TMDLs assign waste load allocations (WLAs) to discharges from municipal separate storm sewer systems (MS4s) within the respective watersheds. The TMDLs allow MS4 permittees to comply with WLAs using several approaches. If MS4 permittees choose to comply with WLAs via the full capture system¹ approach, then they are required to install full capture devices addressing *all storm drains* that capture runoff from their jurisdictions. In 2015, the State Water Resources Control Board established statewide Trash Amendments to the Water Quality Control Plans for the Ocean Waters of California and the Inland Surface Waters, Enclosed Bays, and Estuaries of California. The statewide Trash Amendments require MS4 permittees to comply via one of two tracks. If MS4 permittees choose the full capture system track, then they are required to install full capture systems addressing *all storm drains that capture runoff from the priority land uses* in their jurisdictions. The statewide Trash Amendments define priority land uses as high density residential, industrial, commercial, mixed urban, and public transportation station land uses.

The currently effective TMDLs also assign load allocations (LAs) to nonpoint source discharges of trash. Nonpoint source responsible entities can comply with LAs by implementing a Minimum

¹ A full capture system consists of any device or series of devices that traps all particles that are 5 mm or greater and has a design treatment capacity of not less than the peak flow rate resulting from a one-year, one-hour, storm in the area draining to the device(s).

Frequency of Assessment and Collection/Best Management Practice (MFAC/BMP) Program in the waterbodies impaired for trash. The TMDLs require that the MFAC/BMP Program include an initial minimum frequency of trash assessment and collection and suite of structural and/or nonstructural BMPs to progressively reduce trash from accumulating between collection events.

This proposed action revises the Revolon Slough and Beardsley Wash Trash TMDL and Malibu Creek Trash TMDL to align with the scope of the statewide Trash Amendments by requiring installation of full capture systems only on storm drains that capture runoff from priority land uses as long as an effective MFAC/BMP Program remains in place in the downstream waterbodies that are impaired by trash.

In addition to aligning the point source requirements with the scope of the statewide Trash Amendments, the Los Angeles Water Board is also proposing to remove the conditional waivers to implement the LAs for nonpoint source discharges, which are currently embedded in the TMDLs. These waivers expired five years from the effective date of the TMDLs. The conditional waivers implementing the LAs will be considered by the Los Angeles Water Board as a separate action so that the waivers may be renewed every five years separate from the Basin Plan amendment administrative process associated with reconsidering a TMDL.

I. HEARING DATE AND LOCATION

The Los Angeles Water Board will hold a public hearing to consider amending the Basin Plan to revise the TMDLs for trash in the Revolon Slough/Beardsley Wash and Malibu Creek watersheds. After hearing Los Angeles Water Board staff's presentation and public comments, the Los Angeles Water Board is expected to take formal action. The Los Angeles Water Board is scheduled to consider this matter at its regularly scheduled board meeting on:

Date: June 14, 2018
Time: 9:00 a.m.
Place: Metropolitan Water District of Southern California Board Room
700 North Alameda Street
Los Angeles, CA 90012

Please check the Los Angeles Water Board's website: <http://www.waterboards.ca.gov/losangeles/> for the most up-to-date public hearing date and location as they are subject to change.

II. AVAILABILITY OF DOCUMENTS

The tentative resolutions, proposed Basin Plan amendments, Staff Report, and CEQA substitute environmental documentation (SED) are available on the Los Angeles Water Board's website at: http://www.waterboards.ca.gov/losangeles/water_issues/programs/tmdl/tmdl_list.shtml

These documents are also available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. at the following address:

California Regional Water Quality Control Board
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of documents in the Administrative Record may be made by calling the Los Angeles Water Board at (213) 576-6600. Comments and responses to comments and other subsequent relevant documents will be available online as they are generated.

III. PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment on the tentative resolutions, proposed Basin Plan amendments, Staff Reports, and CEQA substitute environmental documentation or submit evidence for the Los Angeles Water Board to consider, are invited to submit them in writing. Please be advised that oral and written comments on the proposed Basin Plan amendments are limited to the proposed changes to the TMDLs currently in effect. To be evaluated and responded to by Los Angeles Water Board staff, included in the Los Angeles Water Board's agenda binder, and fully considered by the Los Angeles Water Board members in advance of the hearing, all written comments and evidence must be *received* by the Los Angeles Water Board no later than **5:00 p.m. on May 25, 2018**. Untimely submittal of written comments will not be accepted or responded to. Failure to comply with these requirements is grounds for the Los Angeles Water Board to refuse to admit the proposed written comment or evidence into the administrative record. (California Code of Regulations, Title 23, Section 649.4).

Interested persons are encouraged to submit comments electronically. Send comments by email to: losangeles@waterboards.ca.gov. Please indicate in the subject line, "**Comment Letter – 2018 Trash TMDL Revisions.**" Written comments submitted through email are requested to be transmitted in Microsoft Word format. Written comments sent by mail should be addressed to:

California Regional Water Quality Control Board
Los Angeles Region
ATTN: Stefanie Hada
320 West Fourth Street, Suite 200
Los Angeles, California 90013

Interested persons are also invited to attend the hearing and present oral comments. Oral comments should, to the extent possible, summarize written comments. Time limitations on oral comments will be imposed. At the discretion of the Los Angeles Water Board Chair, oral comments may be limited to three minutes each, depending on the number of persons wishing to be heard. Interested persons requesting more than three minutes should contact Los Angeles Water Board staff, as provided in Section V. below, no later than **5:00 p.m. on June 4, 2018** to state how much time they believe is necessary for their oral comments.

The State Water Resources Control Board (State Water Board), when considering approval of the Los Angeles Water Board's adoption of a Basin Plan amendment, may refuse to accept any

comments that were not timely raised before the Los Angeles Water Board. Therefore, interested persons are strongly encouraged to make all comments on this proposed action to the Los Angeles Water Board before or during the public hearing.

IV. FUTURE NOTIFICATIONS FROM STATE WATER BOARD

Any person desiring to receive future notices from the State Water Board regarding its approval process for the proposed amendments must sign up for the State Water Board's Lyris list at http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

V. LOS ANGELES WATER BOARD STAFF CONTACT

For additional information regarding the Revolon Slough/Beardsley Wash and Malibu Creek Trash TMDL revisions, contact Stefanie Hada at (213) 576-6804 or Stefanie.Hada@waterboards.ca.gov.