Comment Summary and Responses
Reconsideration of the Santa Monica Bay Debris TMDL
and the Machado Lake Trash TMDL
Comment Due Date: February 22, 2019

Author
1. City of Redondo Beach
2. City of Rolling Hills Estates
3. City of Hermosa Beach
4. City of Manhattan Beach
5. City of Rolling Hills
6. City of Rancho Palos Verdes
7. City of Palos Verdes Estates
8. City of Malibu
9. County of Los Angeles and Los Angeles County Flood Control District (LACFCD)
10. County of Ventura
11. City of Los Angeles

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1.1	City of Redondo Beach	**1. The Santa Monica Bay (SMB) Debris TMDL should be modified, consistent with the Machado Lake TMDL, to incorporate the ability to comply with the Waste Load Allocations using an MFAC/BMP program.** The SMB Debris TMDL currently requires compliance with the Waste Load Allocations (WLAs) through the installation of trash full capture devices (FCDs) and only allows the use of an MFAC/BMP program for nonpoint sources. However, when the Machado Lake Trash TMDL was adopted in 2007, it incorporated language	The Santa Monica Bay Debris TMDL is unique in that MFAC/BMP programs may not be appropriate because not all areas at the receiving water are accessible. For example, many areas around the Palos Verdes Peninsula and the northern Santa Monica Bay are not accessible, and therefore MFAC/BMP programs in those areas would not be suitable. In addition, storm drains that discharge directly to the water rather than the beach are also not suitable for MFAC/BMP programs. Therefore, the MFAC/BMP approach is not specifically listed as a compliance alternative in the Santa Monica Bay Debris TMDL.

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		that gave point source dischargers the ability to comply with the WLAs either by implementing certified full capture systems on conveyances that discharge to Machado Lake or, in certain circumstances and as approved by the Executive Officer, implementing an MFAC/BMP program. This flexibility allows the dischargers to determine what approach is best for their jurisdictions and site specific conditions. The City requests that the same option and flexibility be incorporated into the SMB Debris TMDL. *Recommendation* *Add the language below to Implementation - Point Sources (Introduction)* *<u>In certain circumstances. (if approved by the Executive Officer), point source dischargers may alternatively comply with WLAs by implementing a program for minimum frequency of assessment and collection in conjunction with best management practices (MFAC/BMPs).</u>* *Add the language below to Implementation - Point Sources (Body)* *(2) Responsible agencies and jurisdictions may achieve compliance ~~by using partial capture~~*	The Santa Monica Bay Debris TMDL contains language that allows for flexibility in compliance approaches. The TMDL states that dischargers may comply with the WLA in any lawful manner. Each responsible jurisdiction may find the need to implement varying compliance alternatives depending on the technical feasibility of installing full capture devices on catch basins within their jurisdictions. If responsible jurisdictions determine that other lawful compliance measures are necessary, they may justify the chosen compliance approach on a case by case basis. Responsible jurisdictions shall report on the technical infeasibility of the installation of full capture devices in catch basins and evaluate the feasibility of the proposed compliance approach in their Trash Monitoring and Reporting Plans, Watershed Management Programs, or Enhanced Watershed Management Programs.

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		~~*systems and/or institutional controls.*~~ *through an MFAC/BMP program as approved by the Executive Officer. The MFAC program must include requirements equivalent to those described in the Nonpoint Source section set forth below. Agencies that are responsible for both point and nonpoint sources will be deemed in compliance with both the WLAs and LAs if a MFACIBMP program, approved by the Executive Officer, is implemented.* ~~*Point source dischargers that elect to use partial capture systems or institutional controls shall use a mass balance approach based on the trash daily generation rate (DGR)4, to demonstrate compliance.*~~	
1.2	City of Redondo Beach	**2. The TMDL should be modified, consistent with the Los Angeles River Watershed Trash TMDL and Ballona Creek Trash TMDL, to incorporate an Alternative Compliance Approach, which would provide much needed flexibility.** The Los Angeles Water Board reconsidered and revised the Los Angeles River Watershed and Ballona Creek Trash TMDLs to, among other things, incorporate an alternative compliance approach (summarized below). The alternative compliance approach was incorporated to address concerns/situations where the point source dischargers could not install full capture systems	The Ballona Creek Watershed Trash TMDL and the Los Angeles River Trash TMDL include language specifying percentages of full capture system installation to demonstrate final compliance. However, each responsible jurisdiction in the Santa Monica Bay and Machado Lake watersheds may be able to reach different percentages of full capture system installation. Each responsible jurisdiction may find the need to implement varying compliance alternatives depending on the technical feasibility of installing full capture devices on catch basins within their jurisdictions. For this reason, the Santa Monica Bay Debris TMDL and Machado Lake Trash TMDL contain general language

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		(FCS) in 100 percent of the conveyances discharging to the impaired waterbodies or show a 100 percent reduction from the baseline WLA. As has been communicated within several Annual Reports, the City has installed multiple FCDs throughout its jurisdiction and currently plans on installing FCDs in the entirety of the City's jurisdiction within the Santa Monica Bay watershed management area (excluding the King Harbor area, which is being addressed under the City's TMRP for non-point sources of trash). However, some catch basins and areas have been identified where installation of FCDs are infeasible due unforeseen constraints such as onsite conditions (sump areas). The reconsidered TMDLs outlines five approaches for demonstrating compliance with the final WLA including the following: • 100 percent of all conveyances discharging to the impaired waterbody are retrofitted with trash FCS. • 98 percent of all catch basins within the agency's jurisdictional land area in the watershed are retrofitted with FCSs (with additional reporting requirements). • 99 percent or greater reduction of the baseline load attained through a combination of FCS,	stating that MS4 Permittees may comply with WLAs in any lawful manner. This language allows for more flexibility, giving all responsible parties a pathway to compliance. If responsible jurisdictions determine that other lawful compliance measures are necessary, the language in the Santa Monica Bay and Machado Lake TMDLs allows responsible jurisdictions to justify the chosen compliance approach on a case by case basis. Responsible jurisdictions may report the technical infeasibility of the installation of full capture devices in catch basins and evaluate the feasibility of the proposed compliance approach in their Trash Monitoring and Reporting Plans, Watershed Management Programs, or Enhanced Watershed Management Programs. The justification for the use of the various compliance approaches is essentially the same for the Los Angeles River, Ballona Creek, Santa Monica Bay, and Machado Lake Trash TMDLs. All these TMDLs require that any trash entering the MS4 via catch basins be addressed. For catch basins not covered with full capture devices, these TMDLs require alternate compliance methods to be used as a backstop for trash entering the MS4 through these catch basins. For example, the additional reporting

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		partial capture devices, and institutional controls, calculated using a mass balance approach based on a trash daily generation rate study (with generation rate study requirements). • 97 percent or greater reduction of the baseline load for two or more consecutive years, attained through a combination of FCS, partial capture devices, and institutional controls, and calculated using a mass balance approach based on a trash daily generation rate study (with additional evaluations and generation rate study requirements). • A scientifically based alternative as approved by the Regional Board. Due to the issues raised above, the City requests that the flexibility of the alternative compliance option be incorporated into the SMB Debris TMDL. *Recommendation* *Add language for the Alternative Compliance Option to the Implementation—Point Sources section of the TMDL*	requirements in the Los Angeles River and Ballona Creek Trash TMDLs include a report on the potential to install full capture systems or partial capture devices down gradient from the catch basin without a full capture system.

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2.1	City of Rolling Hills Estates	**1. Point Source Implementation Provisions** The City would like to point out that the proposed Basin Plan Amendments do not include similar compliance provisions as those included in the recent amendments to the Ballona Creek and Los Angeles River Trash TMDLs which allow demonstration of compliance with waste load allocations (WLAs) if the vast majority of catch basins are retrofit with full capture systems (FCS) or for partial capture and/or institutional controls to demonstrate full compliance with slightly less than 100% reduction in the baseline trash load. As noted in the Regional Board's staff report for these Basin Plan Amendments, while retrofitting the Machado Lake Watershed area of the City with FCSs, the City found it was not feasible to retrofit significant numbers of catch basins due to non-standard construction or flooding concerns in locations with sump conditions. Most of the sump conditions or non-standard catch basins were found to occur in medium and low-density residential areas of the City. As a result, the City's approach for demonstrating compliance with Machado Lake WLAs was revised to utilize a combination of full capture systems in 100% of catch basins in Priority Land Use (PLU) areas of the City as defined by the Statewide Trash Policy (commercial and high-density residential areas)	See response to comment 1.2. As the City of Rolling Hills Estates highlights in their comment letter, the staff report for the TMDL revisions explained that the City amended their approach to point source compliance by retrofitting all catch basins that were technically feasible and addressing all other catch basins with an MFAC/BMP program in combination with institutional controls. Since the land use types and technical feasibility of retrofitting catch basins in each jurisdiction will vary, Los Angeles Water Board staff will continue to work with responsible jurisdictions on an individual basis to address final point source compliance within their respective jurisdictions. Los Angeles Water Board staff analyzed maps, data, and criteria to determine whether it would be appropriate to require MS4 permittees to install full capture devices addressing catch basins in priority land use areas only. This analysis showed that point source non-priority areas may contribute trash to Santa Monica Bay and Machado Lake. As a result, the Santa Monica Bay Debris TMDL and Machado Lake Trash TMDL will still require MS4 Permittees that select the full capture compliance option to address catch basins in all land use areas. However, as mentioned previously, Los Angeles

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2.1 (cont.)	City of Rolling Hills Estates	along with a comprehensive minimum frequency of assessment and collection (MFAC) program and institutional controls in non-priority areas. A catch basin retrofit project is currently underway within the Santa Monica Bay watershed area of the City (partly funded by a Prop 84 SMBRF grant). However, given its experience in the Machado Lake Watershed area, the City expects it may find itself in a position of having installed FCSs in the vast majority of catch basins while retrofitting of a small number of remaining catch basins is found to be technically infeasible. Consistent with the Ballona Creek and Los Angeles River Trash TMDLs, the City would like the proposed Basin Plan Amendments to include a provision allowing the opportunity to request an Executive Officer determination of full compliance with WLAs for areas under both the Santa Monica Bay Debris and the Machado Lake Trash TMDLs if the following criteria are met: • 98% of all catch basins within PLU areas of the City's jurisdictional land area in the watershed are retrofitted with FCS or, alternatively, 98% of the City's PLU areas are addressed by FCS. • 80% of all catch basins within non-PLU areas are addressed by FCS or, alternatively 80% of the non-	Water Board staff will continue to work with responsible jurisdictions on an individual basis to address point source compliance within their respective jurisdictions. The TMDLs require a phased installation of full capture systems over an eight-year period to allow responsible parties flexibility in allocating resources. Responsible jurisdictions may prioritize the installation of full capture devices in high trash generating (priority) land use areas first, but are required to address all land use areas by the final compliance dates.

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		PLU drainage areas are addressed by FCS. • The City submits to the Regional Board a report for Executive Officer concurrence detailing the infeasibility of FCS retrofits in the remaining catch basins and evaluating the feasibility of partial capture devices, and the infeasibility of installing FCS devices along the storm drain or at the storm drain outfall down gradient from the catch basin. Additionally, the report will describe in detail the partial capture devices and/or institutional controls that are currently and will continue to be implemented in the affected tributary areas of the City's jurisdictional area where FCS devices are not feasible. Such provisions would allow the City to focus resources on priority areas likely to generate trash, while still providing substantial structural controls to prevent the discharge of trash from non-priority areas. Similarly, the City believes the proposed Basin Plan Amendments should include provisions for responsible jurisdictions employing institutional controls or a combination of full capture systems, partial capture devices, and institutional controls to be deemed in compliance with the final WLAs when the reduction of trash from their baseline load is between 99% and 100% based on data collected	

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		under an approved monitoring program. Alternatively, responsible jurisdictions should be allowed to request that the Executive Officer of the Regional Board make a determination that a 97% to 98% reduction of trash from the jurisdiction's baseline load constitutes full compliance with the final WLA if the jurisdiction submits to the Regional Board a report for the Executive Officer approval including two or more consecutive years of data showing that the Permittee's compliance was at or above a 97% reduction in its baseline trash load and an evaluation of institutional controls in the jurisdiction demonstrating continued effectiveness and any potential enhancements. Last, the proposed amendments should also provide an option to comply with WLAs through a scientifically based alternative compliance approach approved by the Regional Board Executive Officer. These recommended provisions are all consistent with those included in the Ballona Creek Trash TMDL amendments.	
2.2	City of Rolling Hills Estates	**2. Reduction in Monitoring Frequency Provision** The City would like to propose a provision be included in the Santa Monica Bay Debris and Machado Lake Trash TMDLs for a reduction in monitoring in areas where WLAs for trash are being addressed through partial capture devices and/or institutional controls along with monitoring to	The frequency of monitoring is not specified in the Machado Lake Basin Plan amendment. However, the Basin Plan amendment for the Santa Monica Bay Debris TMDL specifies annual DGR monitoring. Regardless, the City can propose revisions to the monitoring frequency in its TMRP, CIMP or IMP for Executive Officer approval.

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		demonstrate compliance. If a demonstration of compliance with WLAs is made in these areas and there are no expected changes in implementation or land use, the City believes less frequent monitoring is appropriate in order to allow limited fiscal resources to be directed toward other significant water quality endeavors. The City proposes that the frequency of monitoring be reduced to once every five years once a 98% reduction in trash from baseline has been demonstrated through monitoring with the requirement to notify the Regional Board Executive Officer of any reductions in the implementation of trash capture devices and/or institutional controls; and (2) any significant changes in land use within the areas not addressed by FCSs.	
3.1	City of Hermosa Beach	1. **Three-Year Extension Provision** The City has adopted bans for public smoking, plastic bags, and polystyrene along with implementation of numerous other institutional measures to reduce the generation of trash within its jurisdiction. The City expended significant staff and Council time to engage in the community outreach process necessary to adopt the three afore-mentioned bans and the smoking and polystyrene bans were indeed adopted within three years of the adoption date of the TMDL (by March 20, 2015). However, the City would like to correct	The Los Angeles Water Board appreciates the correction of the record and will grant the City of Hermosa Beach the three-year extension of the final compliance date.

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		the record regarding the date of adoption of its single-use plastic bag ban. Although in the spring of 2014 City Council directed staff to pursue an ordinance prohibiting single-use plastic bags, due to the extensive community engagement required to obtain consensus on the final ordinance it was not adopted until September 1, 2015. In acknowledgment of the significant effort and good faith that was required to gain this achievement, the City would appreciate retaining the three-year extension that is provided in the Basin Plan Amendment for the SMB Debris TMDL.	
3.2	City of Hermosa Beach	**2. Point Source Implementation Provisions** The City is concerned that the proposed amendments to the Santa Monica Bay Debris TMDL do not include similar compliance provisions as those provided to municipal agencies through the amendments to the Ballona Creek Trash TMDLs. The Ballona Creek TMDL provides a pathway to compliance if the following certain criteria are met • 98% of all catch basins within the City's jurisdictional land area in the watershed are retrofitted with FCS or, alternatively, 98% of the City's drainage area is addressed by FCS and at least 97% of the catch basins within the City's jurisdiction in the Santa Monica Bay watershed are retrofitted with FCS.	See response to comment 1.2 Responsible jurisdictions that are located entirely in the Ballona Creek Watershed are required to comply with the WLAs assigned in the Ballona Creek Watershed Trash TMDL. Responsible jurisdictions that are located within both the Ballona Creek and Santa Monica Bay watersheds are required to comply with the Santa Monica Bay Debris WLAs. The compliance pathways available to responsible jurisdictions are the same in both TMDLs. While the percentages are explicitly defined in the Ballona Creek Trash TMDL, the Santa Monica Bay Debris TMDL contains general language stating that MS4 Permittees may comply with WLAs in any

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		• The City submits to the Regional Board a report for Executive Officer concurrence, detailing the infeasibility of FCS retrofits in the remaining catch basins and evaluating the feasibility of partial capture devices, and the infeasibility of installing FCS devices along the storm drain or at the storm drain outfall down gradient from the catch basin. Additionally, the report will describe in detail the partial capture devices and/or institutional controls that are currently and will continue to be implemented in the affected tributary areas of the City's jurisdictional area where FCS devices are not feasible. The City of Hermosa Beach is more than one hundred years old and is a low-lying beach City. Even with the greater suite of options for FCSs offered by the Statewide Trash Policy, the City anticipates there will be catch basins for which retrofit with FCSs is technically infeasible due to a non-standard configuration (e.g., too shallow to accommodate a connector pipe screen), or unsuitable location (e.g., where installation would create a flood risk or require significant expense to reconstruct the catch basin which may be out of proportion with the reduction in trash that could be achieved). The City may find itself in the position of having installed full capture systems everywhere that it is feasible such that the vast majority of catch basins within the City have been	lawful manner. This language allows for more flexibility, giving all responsible parties a pathway to compliance.

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		retrofitted, leaving only a few un-retrofitted catch basins irregularly interspersed within the full capture retrofit areas. This provision is also particularly relevant since Ballona Creek discharges to the Santa Monica Bay and municipalities subject to the Ballona Creek Trash TMDL are also identified as responsible jurisdictions in the Santa Monica Bay Debris TMDL. The Ballona Creek Trash TMDL allows responsible parties located within the Ballona Creek subwatersheds to comply with the trash component of the Santa Monica Bay Debris TMDL through the requirements in the Ballona Creek TMDL. As such, there should be consistency between these two TMDLs.	
3.3	City of Hermosa Beach	**3. Correction of Record Regarding TMRP/MFAC Implementation** The City would also like to correct the record regarding the substance of the miscommunication between the City and LACDBH with respect to the Minimum Frequency of Collection and Assessment (MFAC) program for Nonpoint Source compliance demonstration. The City is unique in the south Santa Monica Bay in that it owns the beach originally deeded from the Hermosa Beach Land and Water Company in 1907 and agreement with	Comment noted. The Los Angeles Water Board appreciates the clarification. Los Angeles Water Board staff will work with responsible parties to revise MFAC/BMP programs on an individual basis. The Santa Monica Bay Debris TMDL states that the Executive Officer of the Los Angeles Water Board may approve or require a revised assessment and collection frequency, and that a revised MFAC/BMP program may be required if the Executive Officer determines that the amount

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		Los Angeles County Department of Beaches and Harbors (LACDBH) for beach operation and maintenance services, including daily trash collection, which are performed in the same manner as the other LACDBH operated beaches along Santa Monica Bay. The Staff Report states that "although the County of Los Angeles performs the cleanup at Hermosa Beach, the City of Hermosa Beach should be conducting the assessments (per an agreement between the two jurisdictions). There was a miscommunication between the County and City, and the City of Hermosa Beach was not conducting the assessments." There is no written agreement between LACDBH and the City regarding which agency will implement the MFAC assessments on Hermosa Beach. The City contributed its share toward the cost of developing the Trash Monitoring and Reporting Plan (TMRP) describing the MFAC program for all the beaches under LACDBH operation and maintenance. At the time the TMRP was initiated, City and LACDBH staff met on the matter and the City verbally requested, and was under the impression, that the County would implement the TMRP on Hermosa Beach. There is a statement in the final TMRP that assigns responsibility for implementing the Hermosa Beach elements of the plan to the City, however this statement was not included in the draft versions reviewed by the City. The City never received a final version of the TMRP at the time it was submitted to	of trash accumulating between collections is causing pollution or nuisance or otherwise adversely affecting beneficial uses.

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		the Regional Board in 2012 and only received a copy in September 2018 following communication with Regional Board staff regarding the upcoming proposed revisions to the Santa Monica Bay Debris TMDL. The City was also never informed, either by the County or Regional Board staff, that the TMRP had been approved and was not directed to begin monitoring. As a result, the City was unaware that the TMRP was not being implemented on Hermosa Beach. Regional Board staff have requested that monitoring begin as soon as possible on Hermosa Beach and the City has been in correspondence with LACDBH to verify that Hermosa Beach will be included in the next round of TMRP MFAC monitoring. According to phone communication with LA County Department of Public Works staff on January 24, 2019, the agreement between LACDBH and their MFAC monitoring contractor is under review and will be renewed prior to Summer 2019 when the next round of MFAC monitoring is planned. LACDBH stated that Hermosa Beach would be included in the MFAC monitoring going forward and that LACDBH would reach out to execute an agreement once an award for monitoring has been approved. The City also requested a revision to the TMRP to relocate the Hermosa Beach assessment sites to a location that will more accurately reflect trash generation within the City.	

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3.4	City of Hermosa Beach	In addition to the daily trash collection performed by LACDBH on the beach, the City has been and continues to implement numerous institutional and educational measures to reduce, reuse and recycle waste as well as to prevent the discharge of non-point sources of trash. These measures include but are not limited to: • Source Control Ordinances - The City has conducted a public outreach program targeted at businesses in conjunction with increased and progressive enforcement through education, warnings and citations to enforce the following ordinances aimed at reducing trash: o Smoking Free Zones - Beginning March 1, 2012 a city ordinance (H.B.M.C. Section 8.40.020) established smoke-free zones in: all public parks; downtown Pier Plaza; the Hermosa Beach Pier; outdoor dining areas, including within five feet of outdoor dining areas; the Strand sidewalk and bike path adjacent to and running the full length of the beach; the Greenbelt pedestrian path running the length of the City, and City-owned public parking lots. Smoking had previously been and continues to be prohibited on the beach. o Polystyrene Ban - An ordinance to ban polystyrene food service ware became effective in	Comment noted. The Los Angeles Water Board appreciates the efforts of the City to protect the beneficial uses of Santa Monica Bay.

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		March 2013 and generated significant coverage in local print and e- media. o Plastic Bag Ban - In Spring 2014, the City Council directed staff to pursue an ordinance prohibiting single-use plastic bags in Hermosa Beach. The ordinance was adopted in Fall 2015 and commenced implementation in April 2016. • Restaurant Inspections-All food service establishments in the City are inspected annually for compliance through The Bay Foundation's Clean Bay Certified Program, with seven of the inspection items focused on trash reduction and litter prevention. • Enhanced Street Sweeping - All streets in the City are swept on a weekly basis and signs are posted with no parking on street sweeping days to optimize the effectiveness. • Recycling Receptacles in Parks - City parks are all equipped with separate beverage container recycling collection bins. • Residential Trash Collection - The City's franchise solid waste contract and program includes "pay as you throw" pricing for residents that includes water-tight waste receptacles with lids to effectively contain trash and prevent litter generation and dispersal by wind and vectors.	

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		• Public Events - The city requires all event organizers to complete an environmental matrix checklist to submit with the permit application for their event. The checklist requirements are tiered based on the size of the event and include measures to: 1) Reduce waste and single-use items, 2) Limit and reduce the size of handouts and flyers, 3) Control litter, contain wastes and prohibit hosing of surfaces 4) Increase recycling and solid waste diversion rates, and 5) Provide educational outreach to the public	
4.1	City of Manhattan Beach	**1. Point Source Implementation Provisions** The City of Manhattan Beach is concerned that the proposed amendments to the Santa Monica Bay Debris TMDL do not include similar compliance provisions as those provided to municipal agencies through the amendments to the Ballona Creek Trash TMDLs. As is the case under the Ballona Creek Trash TMDL, the City would like to request a provision allowing for an Executive Officer determination of full compliance with WLAs if the following criteria are met: • 98% of all catch basins within the City's jurisdictional land area in the watershed are retrofitted with FCS or, alternatively, 98% of the City's drainage area is addressed by FCS and at least 97%of the catch basins within the City's	See responses to comments 1.2 and 3.2.

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		jurisdiction in the Santa Monica Bay watershed are retrofitted with FCS. • The City submits to the Regional Board a report for Executive Officer concurrence, detailing the infeasibility of FCS retrofits in the remaining catch basins and evaluating the feasibility of partial capture devices, and the infeasibility of installing FCS devices along the storm drain or at the storm drain outfall down gradient from the catch basin. Additionally, the report will describe in detail the partial capture devices and/or institutional controls that are currently and will continue to be implemented in the affected tributary areas of the City's jurisdictional area where FCS devices are not feasible. Even with the greater suite of options for FCSs offered by the Statewide Trash Policy, the City anticipates that there will be catch basins for which retrofit with FCSs is technically infeasible due to a non-standard configuration (e.g., too shallow to accommodate a connector pipe screen), or unsuitable location (e.g., where installation would create a flood risk or require significant expense to reconstruct the catch basin which may be out of proportion with the reduction in trash that could be achieved). Thus, the City may find itself in the position of having installed FCS in the vast majority of catch basins, leaving	

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		only a few un-retrofitted catch basins irregularly interspersed within the full capture retrofit areas. This provision is also particularly relevant since Ballona Creek discharges to the Santa Monica Bay and municipalities subject to the Ballona Creek Trash TMDL are also identified as responsible jurisdictions in the Santa Monica Bay Debris TMDL. The Ballona Creek Trash TMDL allows responsible parties located within the Ballona Creek subwatersheds to comply with the trash component of the Santa Monica Bay Debris TMDL through the requirements in the Ballona Creek TMDL. As such, there should be consistency between these two TMDLs.	
5.1	City of Rolling Hills	As noted in the Regional Board staff report for the proposed Basin Plan Amendments, the City has been implementing its approved Trash Monitoring and Reporting Plan (TMRP) which includes a modified minimum frequency of assessment and collection (MFAC) program in order to demonstrate compliance with the Machado Lake Trash and the Santa Monica Bay Debris TMDL WLAs. Results of this monitoring consistently demonstrate zero (0) trash discharge from the City, year over year. For this reason, along with the additional supporting information provided below, the City respectfully requests to reduce the monitoring frequency from twice a year to once every five years. Respectfully, the City would also	MFAC/BMP programs require responsible parties to assess and collect trash, and if this compliance approach is used in areas that are not addressed by full capture devices, the MFAC program will need to be implemented in perpetuity to address any trash that may be entering the MS4 through catch basins without full capture devices installed. As each responsible jurisdiction is unique in land use types, densities, and number of catch basins that can be feasibly retrofitted with full capture devices, the frequency of monitoring may vary. The Basin Plan amendments do not specify the frequency of MFAC events for point sources. Los Angeles Water Board staff will work with responsible

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		request the Regional Board's consideration, with supporting monitoring data in the next 10 years, to remove the City as a responsible agency and relieve the City of the assignment of WLAs from both the Santa Monica Bay Debris and the Machado Lake Trash TMDLs.	jurisdictions on an individual basis to determine appropriate frequencies for MFAC events. In addition, the Los Angeles Water Board may reconsider a TMDL at any time if it determines that it would be appropriate to revise the TMDL.
5.2	City of Rolling Hills	**Exclusively Low Trash Generating Land Uses** Land use within the City is almost entirely comprised of low density semi-rural residential parcels and open space. As can be seen in the enclosed Existing Land Use Map of the City, the primary land uses are low and very low density single-family residential with density ranging from 1 acre per dwelling unit to 5 or more acres per dwelling unit. The smallest residential lot in the city is ½ acres, however, such lots are non-conforming and not allowed thus limiting density increase. There is one large parcel owned by the Palos Verdes Peninsula Unified School District (PVPUSD) over which the City has no jurisdictional authority and a small parcel occupied by Los Angeles County Fire Station both within the Santa Monica Bay watershed area of the City, and one small parcel occupied by the City's civic center within the Machado Lake Watershed.	Los Angeles Water Board staff analyzed maps, data, and criteria to determine whether it would be appropriate to require MS4 Permittees to install full capture devices addressing catch basins in priority land use areas only. This analysis showed that point source non-priority areas may contribute trash to Santa Monica Bay and Machado Lake.

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		None of the land uses within the City are Priority Land Uses (PLUs) as defined under the Statewide Trash Policy: 1. High-density residential: all land uses with at least ten {10} developed dwelling units/acre. 2. Industrial: land uses where the primary activities on the developed parcels involve product manufacture, storage, or distribution (e.g., manufacturing businesses, warehouses, equipment storage lots, junkyards, wholesale businesses, distribution centers, or building material sales yards). 3. Commercial: land uses where the primary activities on the developed parcels involve the sale or transfer of goods or services to consumers (e.g., business or professional buildings, shops, restaurants, theaters, vehicle repair shops, etc.) 4. Mixed urban: land uses where high-density residential, industrial, and/or commercial land uses predominate collectively (i.e., are intermixed). 5. Public transportation stations: facilities or sites where public transit agencies' vehicles load or unload passengers or goods (e.g., bus stations and stops).	
5.3	City of Rolling Hills	Rolling Hills is a gated community and there is no public bus service within the City, therefore, no category 5 land uses consisting of public transit	The Santa Monica Bay Debris TMDL and Machado Lake Trash TMDL include language stating that “WLAs may be issued to additional

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		stations where vehicles load or unload passengers or goods exist in the City. Although the PVPUSD allows the Palos Verdes Transit Authority to park transit vehicles on its site, there is no loading or unloading of passengers at that site and these natural gas powered transit vehicles are washed and maintained at an off-site facility outside the City. And as previously stated, because it is under State jurisdiction the City has no authority over the activities on the PVPUSD parcel nor the authority to require trash controls. In addition, the City understands that the State Water Resources Control Board may designate K-12 school districts and Community College Districts as non-traditional permittees during the next iteration of the Phase II MS4 Permit, including provisions for implementation of trash controls in accordance with the Statewide Trash Policy. Given that possibility, it may be appropriate to include a provision in the Machado Lake Trash and Santa Monica Bay Debris TMDLs stating that "An implementation schedule for Phase II MS4 Permittees will be established during the issuance, reissuance, or reopening of their respective permit(s) to incorporate provisions consistent with the assumptions and requirements of these WLAs or upon designation by the State or Regional Water Board as a Phase II MS4 Permittee and enrollment in the Statewide Phase II Small MS4s General NPDES Permit."	responsible jurisdictions in the future under Phase 2 of the US EPA Stormwater Permitting Program, or other regulatory programs." The Los Angeles Water Board would need to revise the TMDL in order to incorporate WLAs for Phase 2 permittees. At that time, a schedule for these Phase 2 permittees would be established.

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5.4	City of Rolling Hills	**Lack of Storm Drain Infrastructure** The total population of the City is less than 2,000. There are no sidewalks, curbed streets or alleys within the City. Stormwater run-off is conveyed through the City via natural drainage courses/canyons. There are short sections of storm drains in the City which are owned and maintained by the Los Angeles County Flood Control District, however these storm drains primarily consist of culverts crossing under roadways conveying water from one natural drainage course to the next. The City does not have a storm drain system that is amenable to the installation of full capture devices and instead implements highly effective institutional and source controls for trash.	40 CFR §122.26(b)(8) defines a municipal separate storm sewer system as "a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains)." Therefore, by definition, the City of Rolling Hills has MS4 infrastructure. In some cases, catch basins identified in the Los Angeles Water Board GIS analysis may be classified as rural drainage inlets, which staff have confirmed is the case for the approximately 10 catch basins identified for Rolling Hills in Figures 4 and A-6 of the staff report. Los Angeles Water Board staff will work with responsible jurisdictions to distinguish catch basins from rural drainage inlets on a case by case basis.
5.5	City of Rolling Hills	**Monitoring Data** An annual trash discharge rate from the City is determined through its MFAC monitoring program by conducting monitoring for trash at the mouth of seven natural drainage canyons located within the City. The Staff Report for the proposed Basin Plan Amendments states that the City has "found a trash discharge rate of 0 gallons during the	See comment 5.1.

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		implementation of their MFAC Program and has met the 100% reduction of trash from the baseline WLA". This is indeed the case, since for the past five (5) years the City has demonstrated a cumulative annual trash discharge rate of zero (0) gallons as measured at each of seven canyons.	
5.6	City of Rolling Hills	**Implementation of Significant Institutional Measures** The monitoring results obtained through implementation of the City's TMRP indicate that existing institutional and source controls are highly effective in controlling discharges of trash from the City's natural drainage canyon system. This program of institutional and source control BMPs include the following practices: 1. City ordinance requires that residential solid waste containers be stored within a trash enclosure located in the side or rear yard. Trash enclosures must be designed with a solid wood fence or concrete wall six feet high on a cement or asphalt foundation with a self-locking gate. 2. Trash cans are not placed at the curb on collection day, rather they remain inside the trash enclosure and the solid waste hauler utilizes small shuttle vehicles to enter the side or rear yard and transfer solid waste from the trash enclosure into the shuttle vehicle for transport back to the mother	The Los Angeles Water Board appreciates the City's efforts in implementing various BMPs and institutional controls to prevent trash from discharging within the City. See responses to comments 5.1 and 5.4.

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		truck. Trash cans never leave the enclosure, thereby preventing wind-blown or vector scattering of trash or green waste prior to collection. 3. The City's trash hauler is required by the contract agreement to sweep the area around the mother truck prior to leaving the staging area. 4. City staff conducts close oversight of the contract solid waste hauler to ensure that inadvertent scattering of trash during collection is minimized. 5. Maintenance staff picks up any stray trash observed along roadsides or trails during daily rounds and every Friday conducts a systematic patrol of roadways and trails specifically to collect stray litter or trash. 6. Additional trash collection along roadsides or trails following a wind advisory as defined in the TMRP. 7. The City Hall complex parking lot and community association tennis courts are cleaned on a weekly basis. 8. The City monitors haulers of construction and demolition waste through a permitting process. With the exception of practice #6 above, additional trash pickup following a wind advisory that was instituted in response to the Machado Lake Trash TMDL, all of the foregoing institutional and source control measures were in place long before the promulgation of the trash TMDLs. The City believes	

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		it should not have been subject to the Trash TMDLs in the first place. Its original assignment of WLAs was based on the assumption that trash discharges occur from the City's natural drainage system when in fact they do not. The City respectfully requests to reduce the monitoring frequency from twice a year to once every five years. Respectfully, the City would also request the Regional Board's consideration, with supporting monitoring data in the next 10 years, to remove the City as a responsible agency and to relieve the City of the assignment of WLAs in both the Santa Monica Bay Debris and the Machado Lake Trash TMDLs. If data continues to show that no trash is generated from the City, Rolling Hills can divert its limited fiscal resources from conducting trash monitoring and reporting to other components of the MS4 compliance more effectively.	
6.1	City of Rancho Palos Verdes	As background, the city has implemented a multi-faceted approach to address the two Trash TMDLs. These include institutional controls such as littering ordinances, regular catch basin cleaning and maintenance, street sweeping, stormwater pollution prevention outreach, and residential curbside recycling and roundups which have proven to be highly effective in minimizing the amount of trash discharged within the city. In addition to the institutional control measures, the city has installed,	The Los Angeles Water Board appreciates the City's efforts in implementing various BMPs and institutional controls to prevent trash from discharging within the City. Based on the DGR Trash Studies, it seems that these institutional controls and BMPs are proving effective in significantly reducing the amount of trash discharged from the City to Machado Lake and to Santa Monica Bay. Where a combination

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		and continues to do so, full or partial trash capture devices in catch basins. To verify the effectiveness of these programs, two separate Daily Generation Rate (DGR) Trash Studies (one in the Santa Monica Bay watershed and one in the Machado Lake watershed) were conducted during the 2017-18 reporting period. The 2017-18 DGR Trash Studies demonstrated that the City of Rancho Palos Verdes achieved a 99.32% total combined compliance with the Machado Lake Trash TMDL WLA and to achieve a 90.70% total combined compliance with the Santa Monica Bay Debris TMDL WLA. Further details can be viewed in the Rancho Palos Verdes Individual Annual Report Reporting Year 2017-18.	of partial capture devices and institutional controls are used, the DGR is used to estimate the annual trash discharge and, thus, to determine compliance with the WLA. If the reduction in the annual trash discharged based on the DGR Trash Study is less than 100%, then responsible parties need to increase implementation of partial capture systems and/or institutional controls or revise their approach to meet WLAs. The 99.32% total combined compliance for the Machado Lake Trash TMDL may be within the margin of error and constitute compliance with the final WLA. The 90.7% total combined compliance for the Santa Monica Bay Debris TMDL is also very close to demonstrating compliance with the final WLA.
6.2	City of Rancho Palos Verdes	The current Machado Lake Trash TMDL and Santa Monica Bay Debris TMDL share this language: "…the final WLA of zero…will be deemed to have been met if full capture systems have been installed on all conveyances discharging to…" the waterbody(ies). Due to construction practices stretching back over 50 years, this is an inherently infeasible goal. Now that these TMDLs are being reconsidered, the City will limit its comment to just one item regarding the final compliance goal.	See responses to comments 1.2 and 2.1.

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		There are trash guidelines with realistic compliance language that the City urges the Regional Board to consider for the Trash TMDLs in revision. These guidelines are (1) Ballona Creek Trash TMDL and the Los Angeles River Trash TMDL, and (2) the Statewide Trash Amendments. These trash guidelines establish difficult but achievable numerical criteria or require only catch basins within priority areas to be retrofitted with full capture devices and account for catch basins which are technically infeasible to retrofit and allow for alternative methods of compliance. <u>Ballona Creek Trash and Los Angeles River Trash TMDLs</u>: "Responsible jurisdictions employing institutional controls or a combination of full capture systems, partial capture devices, and institutional controls shall be deemed in compliance with the final WLAs when the reduction of trash form the jurisdiction's baseline load…is between 99% and 100% as calculated using a mass balance approach, and the FCS and partial capture devices are properly sized, operated, and maintained." "Alternatively, in drainage areas where the vast majority of catch basins are retrofitted with FCS, the FCS are properly sized, operated, and maintained, and retrofit of the remaining catch basins is	

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		technically infeasible, responsible agencies may request that the Executive Officer make a determination that the agency is in full compliance with its final WLA if all of the following criteria are met: 1) 98% of all catch basins within the agency's jurisdictional land area in the watershed are retrofitted with FCS (or, alternatively, 98% of the jurisdiction's drainage area is addressed by FCS) and at least 97% of the catch basins (or, alternatively, drainage area) within the agency's jurisdiction in the subwatershed (the smaller of the HUC12 equivalent area or tributary subwatershed) are retrofitted with FCS. 2) The agency submits to the Regional Board a report for Executive Officer concurrence, detailing the technical infeasibility of FCS retrofits in the remaining catch basins and evaluating the feasibility of partial capture devices, and the potential to install FCS or partial capture devices along the storm drain or at the MS4 outfall down gradient from the catch basin…" <u>Statewide Trash Provisions:</u> "Equivalent alternate land uses: An MS4* permittee with regulatory authority over priority land uses* may issue a request to the applicable permitting	

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		authority* that the MS4* permittee be allowed to substitute one or more land uses identified above with alternates land use within the MS4* permittee's jurisdiction that generate rates of Trash* that are equivalent to or greater than the priority land use(s)* being substituted." Through Prop 84 grant funds, the City plans to retrofit all catch basins in the City within the Santa Monica Bay Watershed. Under the current Santa Monica Bay Debris TMDL, if some catch basin are found to be technically infeasible to retrofit, the City would not be able to achieve full compliance with the final WLA of zero. The inclusion of the compliance language from the Ballona Creek and Los Angeles River Trash TMDLs or more appropriately the Statewide Trash Amendment is essential to account for remaining catch basins where retrofit is technically infeasible. City urges the Regional Board to consider providing alternative compliance options in the Trash TMDLs similar to the Statewide Trash Provisions, which allow for an equivalent substitution of trash capture retrofits within catch basins in non-priority land uses.	
7.1	City of Palos Verdes Estates	**Point Source Implementation Provisions** The City is concerned that the proposed Basin Plan Amendments do not include similar compliance provisions as were included in the recent amendments to the Ballona Creek and Los Angeles River Trash TMDLs. Consistent with these TMDLs,	See responses to comments 1.2 and 2.1. It should be noted that all cities are responsible for addressing trash generated in their jurisdictions, regardless of whether catch basins are County or LACFCD-owned.

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		the City would like to include a provision allowing the opportunity to request an Executive Officer determination of compliance with waste load allocations (WLAs) under both the SMB Debris and the Machado Lake Trash TMDLs if certain criteria are met. The City proposes the following criteria for full capture equivalency: 1. 98% of all catch basins within priority land use (PLU) areas as defined by the Statewide Trash Amendments within the City's jurisdictional land area in each watershed are retrofitted with full capture devices (FCDs) or, alternatively, 98% of the City's PLU drainage areas in each watershed are addressed by FCDs; 2. 80% of all catch basins within non-PLU areas as defined by the Statewide Trash Policy are addressed by FCDs or, alternatively 80% of the non-PLU drainage areas are addressed by FCDs; 3. The City submits to the Regional Board a report for Executive Officer concurrence, detailing the infeasibility of FCD retrofits in the remaining catch basins and evaluating the feasibility of partial capture devices, and the infeasibility of installing FCDs along the storm drain or at the storm drain outfall down gradient from the catch basin. Additionally, the report will describe in detail the partial capture devices and/or institutional controls that are currently and will continue to be implemented in the affected tributary areas of the	

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		City's jurisdictional area where FCDs are not feasible. As noted in the Regional Board's staff report, the City has proposed to comply with waste load allocations through the installation of certified full capture devices (FCDs) within both the Santa Monica Bay and Machado Lake Watersheds. As reported in its 2017-18 Individual Annual Report, the City has completed installation of full capture devices in all catch basins where it is feasible within the Machado Lake Watershed such that 79 out of 80 catch basins have been retrofit which is a 99% rate of retrofits. A catch basin retrofit project is also currently underway (funded in part by Prop 84) in the Santa Monica Bay Watershed area of the City, however based on progress to date, the City is finding it to be technically infeasible to retrofit 100% of the catch basins in this area. Out of approximately 530 catch basins within the Santa Monica Bay Watershed area of the City, approximately 100 are Los Angeles County Flood Control District (LACFCD) owned and subject to permitting approval by LACFCD. Due to the City's hilly terrain and predominant single-family residential land uses with cul-de-sacs and catch basins with sump conditions, retrofit of some of these catch basins with FCDs will not be feasible/permittable by LACFCD. Furthermore, the	

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		City is finding it to be technically infeasible to retrofit all City-owned catch basins due to non-standard configurations (e.g., too shallow to accommodate a connector pipe screen), or unsuitable locations (e.g., where installation would create a flood risk or require significant expense to reconstruct the catch basin which may be out of proportion with the reduction in trash that could be achieved). Thus, the City may find itself in the position of having installed full capture systems everywhere that it is feasible such that the vast majority of catch basins have been retrofitted, leaving only a few un-retrofitted catch basins irregularly interspersed within the full capture retrofit areas. The inclusion of such provisions would allow the City to focus resources on the areas of the City most likely to generate trash, while still providing a substantial measure of protection to prevent the discharge of trash from non-PLU areas without requiring the City to incur disproportionate expense for reconstructing catch basins and storm drains to enable retrofit with FCDs in areas with minimal trash generation rates.	
7.2	City of Palos Verdes Estates	**Corrections to Figure A-6 and Table 2 of the Regional Board Staff Report** The City would like to correct the record regarding the land use designations identified in Regional Board Staff Report Figure A-6. Based on the	Table 2 of the staff report shows the total number of catch basins in the City within the Santa Monica Bay watershed, and the number (and percentage) of catch basins located in non-priority land uses areas in the City. The City of

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		definition of PLUs under the Statewide Trash Policy, less than 1% of the land uses in the Santa Monica Bay watershed area of the City are considered PLUs under the Statewide Trash Policy (18.7 acres out of 2,784 acres), whereas Table 2 of the Regional Board's staff report depicts this value as 10%. According to the City's General Plan Land Use Housing Element adopted in 2013, there are only 8.48 acres of commercial land use and 10.245 acres of multi-family residential land use in the Santa Monica Bay Watershed area of the City. Remaining land uses are predominantly low-density single-family residential land use, with additional areas of open space and limited areas of institutional use (schools, religious and City Hall). Figure A-6 of the Regional Board's staff report incorrectly identifies areas within the City of Palos Verdes Estates as commercial land use when they are in fact school district sites under the jurisdiction of the State of California over which local municipalities have no authority to require retrofits. There are only two very small commercial areas in the City totaling 8.48 acres, and these appear to be mis-identified as high-density residential land use in the Figure A-6 of the staff report. Figure A-6 is also missing priority multi-family areas within the City of which there are 10.245 acres. Table 2 of the Regional Board's staff report indicates that 90% of the catch basins in the City serve non-priority land	Palos Verdes Estates has approximately 520 catch basins, and approximately 470 of those (or 90%) are located in non-priority land use areas. This percentage is not indicative of a percentage of the total area (i.e., acreage) in non-priority land use areas in the City. Since the TMDL reconsiderations were mainly focusing on whether to change the MS4 compliance approach to require the installation of full capture devices on catch basins in priority land use areas only, the analysis included the percentage of catch basins that were in non-priority land use areas. Data analysis shows that non-priority land use areas may be contributing trash to Santa Monica Bay. As noted in response to comment 1.1, in many areas around the Palos Verdes Peninsula, there are no MFAC/BMP programs being implemented because of inaccessible or hazardous areas. Since no MFAC/BMP programs are being implemented, they cannot serve as a backstop to address trash that may enter the MS4 through catch basins that do not have full capture devices installed. Therefore, the proposed TMDL revisions maintain the requirements for MS4 permittees to address all catch basins with full capture devices (or to achieve their WLAs in any lawful manner), regardless of land use types.

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		uses areas however if the preceding land use designations were corrected to exclude school district sites under the authority of the State, this percentage would be approximately 99%. Additionally, although PLUs are not show in Figure A-6 for the Machado Lake watershed, the City would like to point out that there are no (zero) PLUs within the City's 250-acre tributary to Machado Lake. This area has land use comprised of R-1 single family residences, one public school site and open space.	Furthermore, the number of catch basins located in non-priority areas is an estimation based on GIS and SCAG land use data; however, if the number (and therefore percentage) was underestimated, and the percentage of catch basins in non-priority land use areas is actually higher, this further suggests that all land use types should be addressed with full capture devices based on the lack of MFAC/BMP programs downstream. The staff report states that there are approximately 70 catch basins in the City that are within the Machado Lake subwatershed, and all 70 (100%) are within non-priority land uses. This is consistent with the City's comment that the City does not have any priority land use areas that are tributary to Machado Lake. Machado Lake is in an urban area, and there are major thoroughfares running through and adjacent to the non-priority land use areas in much of the subwatershed. There is an MFAC/BMP program being implemented at the lake that suggests that there is a potential for non-priority land use areas to discharge trash.
7.4	City of Palos Verdes Estates	**School District Provisions** The City understands that the State Water Resources Control Board may designate K-12	See response to comment 5.3.

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		school districts and Community College Districts as non-traditional permittees during the next iteration of the Phase II MS4 Permit, including provisions for implementation of trash controls in accordance with the Statewide Trash Policy. Given that possibility, it seems appropriate to include a statement in the Machado Lake Trash and Santa Monica Bay Debris TMDLs stating that "An implementation schedule for Phase II MS4 Permittees will be established during the issuance, reissuance, or reopening of their respective permit(s) to incorporate provisions consistent with the assumptions and requirements of these WLAs or upon designation by the State or Regional Water Board as a Phase II MS4 Permittee and enrollment in the Statewide Phase II Small MS4s General NPDES Permit."	
8.1	City of Malibu	The staff report for the *Reconsideration of the Santa Monica Bay Nearshore and Offshore Debris TMDL and the Machado Lake Trash TMDL* (Staff Report) states "If a city or county voluntarily adopted local ordinances to ban plastic bags, smoking in public places and single use expanded polystyrene food packaging within three years of the Regional Board adoption date of the TMDL (by March 20, 2015), they received a three-year extension of the final compliance date (March, 2023)." By March 20, 2015, the City had many of these ordinances in place with an ongoing goal of	The Los Angeles Water Board appreciates the City's efforts in protecting the beneficial uses of Malibu Creek and the Santa Monica Bay. The City will be granted the three-year extension of the final compliance date.

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		reducing or eliminating objectionable materials in local surface waters. The City adopted the following regulations to abolish waste at the source: 2005 – Polystyrene foam food containers and packing materials ban 2008 – Single-use plastic bag ban 2004 – Prohibition on smoking at public beaches 2009 – Prohibition on smoking in outdoor dining areas and at public events 2017 – Plastic sandbag ban 2018 – Plastic straws, stirrers, and cutlery ban 2018 – Polystyrene foam meat, fish, and egg trays ban In 2017, the City Council revised the 2005 polystyrene foam ban to include products such as coolers and pool/beach toys made, in whole or in part, from polystyrene foam. The City believes it has and continues to make, progress to eliminate highly objectionable wastes at the source to meet the intent of the marine debris TMDL. The City is requesting the same three-year extension of the final compliance date (March, 2023) as given to the municipalities identified in the Staff Report.	
8.2	City of Malibu	The Staff Report states that "Los Angeles Water Board staff determined that rural drainage inlets do not meet the definition of catch basins. Therefore, rural drainage inlets are not required to be addressed with full capture systems." According to	Los Angeles Water Board staff will work with the City to distinguish catch basins from rural drainage inlets and determine alternative methods of compliance.

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		the Staff Report, Malibu has 280 catch basins with 230 (82%) in non-priority land areas. The catch basins in these areas should be counted as rural drainage inlets as most simply convey flows from one side of the road to the other. These rural drainage inlets have no curb and gutter to direct street flows. The installation of standard trash devices is not feasible since most inlets lack the infrastructure to secure these devices (see appendix A). The City's rural drainage inlets are designed to move debris consisting of rocks, vegetation, and mud/dirt that typically flow along with the rain. When rural drainage inlets get clogged with natural debris it can cause significant flooding and mudslides like those experienced in December 2018, January 2019, and February 2019. Installation of screens 5 mm or smaller would only trap rock, vegetation, and mud resulting in increased flooding and mudslides, and potentially damage property and shut down roads. The City would like to work with the Regional Board for alternative methods to comply with the proposed Santa Monica Bay Marine Debris TMDL Basin Plan Amendment.	
9.1	County of Los Angeles and LACFCD	Los Angeles County (County) and the Los Angeles County Flood Control District (LACFCD) appreciate the opportunity to comment on the Proposed Amendments to the Los Angeles Regional Water	The Los Angeles Water Board appreciates the ongoing efforts of the County to protect the beneficial uses of Santa Monica Bay and Machado Lake.

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		Quality Control Board's (Regional Board) Basin Plan as part of the reconsideration of the Santa Monica Bay Nearshore/Offshore Debris and Machado Lake (SMB ML) Trash Total Maximum Daily Loads (TMDLs). The County and the LACFCD have dedicated enormous resources to reduce the amount of trash in our lakes, streams, rivers and the ocean. Examples of these programs include: a. In 2008, the County embarked on a large-scale project to retrofit its catch basins with full capture systems. Moreover, where feasible, the County has been installing partial capture systems in conjunction with full capture systems, which helps improve performance and prolong the operating life of the full capture systems. To date, approximately $14 million has been spent on this effort. Moreover, the County contracts with the LACFCD to routinely inspect and clean out the capture systems as well as perform necessary repairs. b. The County has embarked on other trash control efforts. In 2007, the County began replacing its open-market trash collection system with a robust "franchise system". Under a franchise system, trash haulers are required to enter into agreements with the County to provide improved trash collection services, including automated containers with lids, litter cleanup activities, and community cleanup events. The County also	

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		implemented a street sweeping program above and beyond the requirements of the Municipal Separate Storm Sewer System (MS4) Permit. Implementation of these collective efforts ensures that its streets are consistently clean. c. The LACFCD has played an active role in working with the County and the cities to facilitate the implementation of trash control measures where feasible. For example, in April 2010 the LACFCD adopted a Structural Best Management Practice Policy to facilitate the implementation of full and partial capture systems while continuing to ensure the flood control function and hydraulic capacity of catch basins. The Policy outlines the LACFCD permitting process, including submittal requirements, and requires the applicant to enter into an agreement with the LACFCD for the applicant to assume the responsibility for maintenance and repair of full or partial capture systems as well as removal and disposal of materials captured by these systems. d. The LACFCD also maintains webpages (accessible through http://dpw.lacounty.gov/permits/), that clearly describe the permitting process and provide all pertinent documents related to catch basin retrofits in a central location. Finally, to ensure prompt customer service and an efficient permitting process, the LACFCD has dedicated	

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		staff available to answer any questions cities may have regarding the installation and maintenance of the trash capture systems.	
9.2	County of Los Angeles and LACFCD	**COMMENTS APPLICABLE TO BOTH SMB DEBRIS AND ML TRASH TMDL** **1. The SMB ML TMDLs should be consistent with the Los Angeles River (LAR) and Ballona Creek (BC) Trash TMDLs** In 2015, the Los Angeles Water Board revised the LAR and BC Trash TMDLs to account for situations where it is technically infeasible to install full capture devices in 100 percent of the catch basins. The SMB ML Trash TMDLs should include the same language as the LAR and BC TMDLs. The permittees named in the LAR Trash TMDL were concerned they could not meet the final LAR Trash TMDL requirements to install full capture systems (FCS) in 100 percent of the conveyances discharging to the LAR or show a 100 percent reduction from the baseline waste load allocation (WLA) through monitoring. This was due to certain portions of the permittees storm drain systems being incapable of having FCS installed in them and due to the variability of trash monitoring data. As such, the Regional Board amended the LAR Trash TMDL (Resolution No. 15-006) on June 11,	See response to comment 1.2.

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		2015, which was subsequently approved by the State Water Resources Control Board on November 17, 2015, and the United States Environmental Protection Agency (USEPA) on June 30, 2016. The amendment provides five alternative approaches for permittees subject to the LAR Trash TMDL to demonstrate compliance with the final point source WLA of zero trash. These approaches are: • 100 percent of all conveyances discharging to the LAR are retrofitted with trash FCS. • 98 percent of all catch basins within the agency's jurisdictional land area in the watershed are retrofitted with FCSs. This approach requires a report on the technical infeasibility for the remaining catch basins and a report documenting partial capture devices and institutional control effectiveness. • 99 percent or greater reduction of the baseline load attained through a combination of FCS, partial capture devices, and institutional controls, calculated using a mass balance approach based on a trash daily generation rate (DGR) study. This approach requires all FCSs, partial capture devices, and institutional controls to be properly sized, operated, and maintained. Continued DGR	

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		studies are also required for compliance reassessment. • 97 percent or greater reduction of the baseline load for two or more consecutive years, attained through a combination of FCS, partial capture devices, and institutional controls, and calculated using a mass balance approach based on a trash DGR study. This approach requires an evaluation of institutional control effectiveness and any potential enhancements, and a demonstration that opportunities to implement partial capture devices have been fully exploited. Continued DGR studies are also required for compliance reassessment. • A scientifically based alternative as approved by the Regional Board. Although the County has retrofitted 100 percent of their identified catch basins within the unincorporated areas of the Machado Lake and Santa Monica Bay watersheds with full capture systems, some areas may be identified where installation of full capture devices is infeasible due to engineering constraints. As a result, these compliance options should be included in the revised SMB ML TMDLs	

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9.3	County of Los Angeles and LACFCD	**COMMENTS APPLICABLE TO ONLY SMB DEBRIS TMDL** **2. The Staff Report incorrectly shows that the County was not in compliance with the SMB Debris TMDL** Page 16 of the Staff Report states "Data from Los Angeles County annual reports show that some trash remains after daily clean up at beaches and harbors." "Therefore, at the City of Santa Monica and Los Angeles County Minimum Frequency of Assessment and Collection (MFAC) programs are not fully in compliance with the load allocation (LA) of zero." The statement that the County is not fully in compliance with the LA is an inaccurate statement. The State and Regional Boards have both recognized that while zero trash is the goal, a numeric target of no trash may not always be achievable and the presence of a small amount of trash does not necessarily represent an impairment of beneficial use. In fact, the State Board states in the Trash Amendments Staff Report (page 73) that, "while zero trash is the desirable goal, it may not be a feasible numeric objective. On a feasible level, a single piece of trash found in a water body may or may not constitute impairment, and it may or may not be aesthetically unpleasing. Therefore, this	The Los Angeles Water Board appreciates and values the extensive effort expended by the County Department of Beaches and Harbors to maintain Santa Monica Bay beaches and Marina del Rey Harbor. The Santa Monica Bay Debris TMDL has been in effect since March 20, 2012. The statewide Trash Amendments were developed thereafter, and became effective on January 12, 2016. The Los Angeles Water Board's interpretation of the zero trash numeric target is based on the narrative water quality objectives for Floating Material and Solid, Suspended, or Settleable Materials, specified in the Basin Plan; and on a narrative water quality objective for Floating Particulates in the 2005 Water Quality Control Plan for Ocean Waters of California (California Ocean Plan). The Santa Monica Bay Debris TMDL Basin Plan amendment stated that "Nonpoint source dischargers may achieve the LAs by implementing an MFAC/BMP program approved by the Executive Officer. Responsible jurisdictions will be deemed in compliance with the LAs if an MFAC/BMP program, approved by the Executive Officer, demonstrates that there is no accumulation of trash, as defined in "Numeric Targets." In addition, the Basin Plan amendment

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		approach is not recommended." The State Board has also supported Trash Assessment Minimum Level of Effort (TAMLE) Methods as one monitoring option for the Trash Amendments. The goal is to achieve low trash generation rates of all priority land use areas, defined as 0-5 gallons/acre/year. Locally, the Regional Board has approved visual trash monitoring programs as part of the Trash Monitoring and Reporting Plan (TMRPs) in Ventura County that define compliance (or "zero trash") as "Little or no trash (<10 pieces) evident" based on the "Level of Trash" definition of "optimal" conditions in the Surface Water Ambient Monitoring Program Rapid Trash Assessment Protocol (SWAMP Protocol). Regardless of the interpretation, because the LAs in the TMDL are not currently codified within a compliance document (i.e., conditional waiver of waste discharge requirements, waste discharge requirements, or another appropriate order of the Los Angeles Water Board), there is no enforceable statute to find the County out of compliance with the LAs. For these reasons, the County is requesting that language stating that the County is not fully compliant with the LAs be removed from the SMB TMDL Staff Report.	also states that "Compliance for jurisdictions responsible for nonpoint source trash at areas where daily cleanup is implemented, is determined by the following conditions: i) The assessment conducted immediately after cleanup shall demonstrate that all trash on the shoreline or harbor is 100% removed and no trash remains…" Since the County of Los Angeles did not have data supporting zero trash after clean up events, the staff report states that the County is not considered to be fully in compliance with LAs. Some jurisdictions found that counting pieces of trash before/during clean up events was resource intensive. Therefore, some responsible jurisdictions amended their TMRPs to conduct visual assessments prior to MFAC clean up events in order to characterize the trash levels present at various MFAC sites. These visual assessments are used to determine the frequency of clean up events. However, following clean up events, responsible jurisdictions verify that zero trash remains over a given area (ex. 100 ft., per the SWAMP Rapid Trash Assessment Protocol). The Los Angeles Water Board realizes that the County of Los Angeles is conducting daily clean ups along the beaches and harbors, and that the

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			assessments quantifying trash present were done after clean up events, rather than before. Los Angeles Water Board staff explored the current statuses of both point source and nonpoint source compliance in an effort to determine whether there were issues that needed to be addressed during the TMDL reconsiderations. Based on a meeting with the County during development of the reconsiderations, Los Angeles Water Board staff believes that the compliance determination was made based on the County's misunderstanding of the assessment protocol. At that meeting, staff understood that they would work with the County to revise the TMRP to better demonstrate compliance with LAs while simplifying the County's trash assessment practices.
9.4	County of Los Angeles and LACFCD	**3. The Staff Report incorrectly identifies some rural inlets as catch basins** As noted in the Staff Report on page 20, the County worked with Los Angeles Water Board staff to determine that rural drainage inlets do not meet the definition of catch basins and are not required to be addressed with full capture systems. The County agrees with this statement, however due to the inability to zoom in on the maps in the Staff Report, there may be some rural drainage inlets misidentified as catch basins. The County requests	See response to comment 5.4.

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		that the map on page 21 be verified with the maps and geographic information system (GIS) shapefile. (See enclosures)	
9.5	County of Los Angeles and LACFCD	**4. Include an option for compliance using a MFAC/Best Management Practices (BMP) program for point sources** The ML TMDL has been modified to allow MS4 permittees to comply with the WLAs using a MFAC/BMP program. The County requests that the same option is provided for the SMB Debris TMDL. We request consideration to revise page 5 of the Basin Plan Amendment under Point Sources as follows: MS4 Permittees may comply with the final WLA by installing adequately sized and maintained full capture systems certified by the Executive Officer of the Los Angeles Water Board or the Executive Director of the State Water Board or *implementing an MFAC program in conjunction with BMPs.*	See response to comment 1.1.
10.1	County of Ventura	The County understands that the California Regional Water Quality Control Board - Los Angeles Region (Los Angeles Water Board) is proposing amendments to Chapter 7 of the Basin Plan to revise the TMDLs. The County has noticed a potential error in the Santa Monica Bay nearshore	Based on a review of the data provided by the County of Ventura in the comment letter and a review of GIS storm drain maps for this area, the Los Angeles Water Board has determined that there is no MS4 infrastructure in the County's jurisdiction in the Santa Monica Bay watershed

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		and offshore Debris TMDL (Debris TMDL) and is requesting a minor change in language for clarity and consistency. In the Waste Load Allocations (for point sources) Trash Section of the Debris TMDL Basin Plan Amendment on page 5, it states: *Responsible agencies and jurisdictions that are located in both the Santa Monica Bay WMA and the Malibu Creek or Ballona Creek Watersheds (counties of Los Angeles and Ventura, and the cities of Malibu, Santa Monica, and Culver City) shall comply with the trash WLAs assigned in this Santa Monica Bay Debris TMDL.* This language indicates that Ventura County is required to comply with the trash WLAs in the Santa Monica Bay Debris TMDL for all drainage areas, including those in the Malibu Creek Watershed. This language is problematic, because County of Ventura has no storm drain network that qualifies as a point source in the area outside the Malibu Creek Watershed that drains directly to Santa Monica Bay. The County has provided a map to the Los Angeles Water Board staff in July 2016 to demonstrate the Ventura County unincorporated area that is in the Santa Monica Bay Watershed Management Area (WMA) and outside the Malibu Creek Watershed. The area is an undeveloped open space, located	outside of the Malibu Creek watershed. The Basin Plan amendment will be revised to reflect this information.

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		completely within the Santa Monica Mountains National Recreation Area, and does not contain catch basins or storm drain infrastructure subject to full capture device installation. As noted in the *Reconsideration of the Santa Monica Bay Nearshore and Offshore Debris TMDL and the Machado Lake Trash TMDL Staff Report* (TMDL Staff Report), County of Ventura does not have catch basins outside of the Malibu Creek Watershed. *The County of Ventura and the cities of Agoura, Calabasas, Westlake Village, Hidden Hills, and Thousand Oaks do not have any catch basins outside the Malibu Creek Watershed within the Santa Monica Bay WMA (County of Ventura, 2017). As described later in the report, the TMDL will be revised to reflect this information.* Additionally, the map in the TMDL Staff Report on page 21 clearly shows that no catch basins are present in the Ventura County unincorporated area outside of the Malibu Creek Watershed. The maps are attached for reference to this letter. In June 2018, Los Angeles Water Board approved and adopted Malibu Creek Trash TMDL reopener to require only priority land uses to be addressed for point source compliance in Malibu Creek watershed. The County of Ventura is in compliance	

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		with the Malibu Creek Trash TMDL's waste load allocations for point sources, as reported in the 2016-2017 Upper Malibu Creek Trash TMDL Annual Report, including Full Trash Capture Device Installation Report (Appendix 4). The load allocations for the County's non-point sources have been addressed through the MFAC/BMP Program since July 2011. The County is concerned that the proposed language in the Santa Monica Bay Marine Debris TMDL may be interpreted as a request for additional full capture systems within the Trash TMDL compliant areas. To address the identified concern, the County requests the following modification to the Debris TMDL Basin Plan Amendment on page 5: *Responsible agencies and jurisdictions <u>with catch basins</u> that are located in both the Santa Monica Bay WMA and the Malibu Creek or Ballona Creek watersheds (~~counties~~ <u>County</u> of Los Angeles ~~and Ventura~~, and the cities of Malibu, Santa Monica, and Culver City) shall comply with the trash WLAs assigned in this Santa Monica Bay Debris TMDL <u>for the areas outside of the Malibu and Ballona Creek watersheds."</u>*	
10.2	County of Ventura	Additionally, the County supports the designation of rural drainage inlets provided for certain Los Angeles County drainages in the Santa Monica Bay WMA and would like to work with Los Angeles	See response to comment 5.4.

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		Water Board staff in the future to obtain this designation for similar rural drainage inlets within Ventura County unincorporated areas.	
11.1	City of Los Angeles	**1. Provide Consistency with Trash TMDL Implementation Requirements** The Watershed Protection Division (WPD) of the LASAN is the lead office in charge of city-wide Trash TMDL implementation and has been undertaking this effort since 2002. The City's implementation planning approach to the 2002 Los Angeles River (LAR) and Ballona Creek (BC) Trash TMDLs also included all four City watersheds (Ballona Creek, Los Angeles River, Dominguez Channel, Santa Monica Bay) in the trash implementation planning studies, drainage and land use analyses. Through this comprehensive planning effort, the Dominguez Channel Watershed (including Machado Lake subwatershed) and Santa Monica Bay (SMB) Watershed trash implementation plan was already integrated into the city-wide strategy even before the SMB Debris TMDL and State-wide Trash Policy were approved. Trash implementation throughout the City of LA is based on the requirements of the BC and LAR Trash TMDL requirements. Trash implementation throughout the City of LA was completed in 2012. The City requests the requirements for	See response to comment 1.2.

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		implementing trash TMDLs be consistent throughout the watersheds. **Request 1 a:** Add the narrative from "Implementation" in Table 7-3.1 in Attachment 1 (Resolution No. R-15-006 "Proposed Amendment to the Water Quality Control Plan for the Los Angeles Region to revise the Ballona Creek Watershed trash TMDL ") to the "Implementation" narrative of Table 7-26.1 Machado Lake Trash TMDL: Elements. **Request 1 b:** Add the narrative from "Implementation" in Table 7-3.1 in Attachment 1 (Resolution No. R-15-006 "Proposed Amendment to the Water Quality Control Plan for the Los Angeles Region to revise the Ballona Creek Watershed trash TMDL ") to the "Implementation" narrative of Table 7-34.1 Santa Monica Bay Nearshore and Offshore Debris TMDL.	
11.2	City of Los Angeles	**2. Provide adequate time for submittal of Harbor Park and Machado Lake Minimum Frequency Assessment and Collection/Best Management Practice (MFAC/BMP) Program and Trash Monitoring and Reporting Plan (TMRP)** The implementation schedule only allows three (3) months for revision of the MFAC/BMP Program and TMRP. These plans must be comprehensive	The Los Angeles Water Board understands that it may take longer for coordination between departments. However, a TMRP document already exists, and revisions to the existing document do not require the City to develop a new plan. Therefore, the Los Angeles Water Board will revise the schedule in Table 7-26.2b, Task 5 to six months from the effective date of the revisions to the TMDL.

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		relating the assessment and quantification of trash from the park grounds, shoreline, and lake. While the City's Recreation and Parks (RAP) Department is the implementing agency of the MFAC/BMP Program at Ken Malloy Harbor Park and Machado Lake, the WPD/LASAN is the lead agency for the City's Stormwater Program. LASAN and RAP must collaboratively devise and agree upon a metric that is implementable and sustainable for grounds maintenance crews under the MFAC/BMP Program and TMRP. Both MFAC/BMP and TMRP documents would need to be formally approved by the RAP Department and LASAN. The allotted time is insufficient for discussions between agencies on costs, agreement on a metric and implementation plan/schedule, revision of documents, review of documents, and obtaining approvals. **Request 2:** Revise schedule in Table 7-26.2b, Task 5, Machado Lake as follows: "~~Three~~ Twelve months from the effective date of the revisions to the TMDL".	A Machado Lake Trash TMDL TMRP was originally submitted by the Machado Lake Trash TMDL jurisdictional group in September 2008. Although this group disbanded, within the TMRP there was a section entitled “Implementation Strategy for Obtaining Targets” (page 3-3) in which the group outlined an MFAC/BMP Program that would be implemented by RAP. The MFAC/BMP program included an initial minimum frequency of assessment and collection on the shoreline and in the recreational park area, on the waters of the lake, in the riparian willow woodland in the north and northeast area of the lake, and immediately after the first major storm. The plan stated that the SWAMP rapid trash assessment protocol would be used to assess levels of trash, and that the trash collected would be measured in pounds.
11.3	City of Los Angeles	**3. Update Machado Lake MFAC Requirements** Resolution Table 7-26.1, Machado Lake, defines the zero trash LA as "no trash immediately following each assessment and collection event consistent with an established [MFAC], where the	See response to comment 3.3. Any changes to the MFAC/BMP program will be addressed during the revision of the TMRP (Task 5 of the Machado Lake Trash TMDL Basin Plan amendment).

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		[MFAC] is established at an interval that prevents trash from accumulating in deleterious amounts ... " The Machado Lake Trash TMDL prescribes on-water trash collection to be conducted two times per week. This prescriptive trash removal rate is not warranted. On-water trash collection requires more hours and effort than on-land collection. It requires a boat [if available] be brought in and launched, safety equipment and training. Additional work and time will be required to determine metric of trash collected. The drying time for the collected trash and returning to quantify for metric evaluation adds to the cost of implementing the MFAC. Furthermore, the frequency required for on-water trash collection is also outdated. With the recently completed lake rehabilitation project, newly installed structural BMPs coupled with daily on-land trash collection, the City has seen a reduction of trash from point and non-point sources to the lake waters. The City requests flexibility that will allow for best use of resources based on the definition of load allocations (LA) and intent of the MFAC. **Request 3:** Revise Resolution Attachment A, Table 7-26.1, Machado Lake, Non-point sources. (1). a).2 as follows: 2. "~~Twice per week on waters of Machado Lake~~. Trash will be collected on the waterbody	The Machado Lake Trash TMDL Basin Plan amendment states that "The Executive Officer may approve or require a revised assessment and collection frequency…(d) if the amount of trash collected is decreasing such that a longer interval between collections is warranted."

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		only when there is deleterious amount of trash observed."	
11.4	City of Los Angeles	**4. Assignment of Load Allocations (LA) and Waste Load Allocation (WLA)** Los Angeles Harbor College (LAHC) is adjacent to Machado Lake and operates a golf driving range. Golf balls have been known to land in the lake. In addition, LAHC has a storm drain that flows directly into Machado Lake. LAHC is a separate entity and is not on City property. LAHC is a member of the Los Angeles City College District. As described herein, LAHC is a non-point source and could be a significant point source of trash to Machado Lake. The City is aware that the State Water Resources Control Board (SWRCB) plans to reissue the Phase II MS4 permit by year 2020, and the SWRCB intends to designate School Districts and Community College Districts in the next iteration of the permit and apply the State-wide Trash Policy to the permit. **Request 4a:** *Assign LA and WLAs to LAHC and additional responsible jurisdictions under Phase 2 of the USEPA/State Stormwater Permitting program, or other applicable regulatory programs and include them in the implementation schedule. Moreover, the LARWCB Response to Comment Letter, May 4, 2007, Section 4-2.2., for the original TMDL stated*	See response to comment 5.3. At the time of the Machado Lake Trash TMDL adoption, Los Angeles Water Board staff believed that educational institutions would be included in the Phase 2 stormwater permit by the time the TMDL was reconsidered. Educational institutions were ultimately not included as part of the Phase 2 MS4 Permit adopted in 2013 and amended in 2017. However, at the current time, the State Water Board is proposing to include Community College districts as permittees in the next Phase 2 MS4 Permit (https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/phase_ii_municipal/school_districts_soft_outreach_presentation.pdf).

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		"…A waste load allocation will be assigned at the first reopener of this TMDL. " to LAHC. ***Request 4b:*** *Include narrative such as the following (please see Attachment I) in the Implementation Element of Table 7-26.1:* *"An implementation schedule for Phase II MS4 permittees will be established during the issuance, reissuance, or reopening of their respective permit(s) to incorporate provisions consistent with the assumptions and requirements of these WLAs or upon designation by the State or Regional Water Board as a Phase II MS4 permittee and enrollment in the Statewide Phase II Small MS4s General NP DES Permit."*	
11.5	City of Los Angeles	In the City of Los Angeles (City of LA), all feasible catch basins have been retrofitted with a curb opening screen cover, regardless of land use. The City of LA did not differentiate between priority and non-priority land uses. The City of LA has been reporting 100% compliance since 2015 for all watersheds within the City impacted by a Trash TMDL or the statewide Trash Amendments. Compliance is based on the combination of structural and institutional measures being implemented by the City.	Comment noted.

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11.6	City of Los Angeles	The Machado Lake Minimum Frequency Assessment and Collection Program (MFAC) being implemented by the City of LA at the park was not designed to be used as a measurement for priority or nonpriority land uses outside of the park boundaries. The implemented MFAC program is intended to ensure park grounds do not contribute trash to the lake.	The Los Angeles Water Board understands that the Machado Lake MFAC program is being implemented to address nonpoint source LAs, as the City is implementing full capture installation and institutional measures to address point source WLAs.
11.7	City of Los Angeles	Resolution p.6, No. 1: The language stating, “hereby adopts the amendment” is confusing. There are two attachments labeled Attachment A to Chapter 7 of the Basin Plan.	The Los Angeles Water Board will revise the resolution to clarify that the resolution is to adopt two separate Basin Plan amendments. The Basin Plan amendment for the Santa Monica Bay Debris TMDL will remain as Attachment A, and Machado Lake Trash TMDL will be changed to Attachment B.
11.8	City of Los Angeles	Staff Report p. 17: Please clarify the statement that "The City's baseline WLA is 25,112 gallons/year resulting in 75% reduction ... " This statement is found under a section titled "Point Source Compliance". The 18,908 gallons of trash referenced in this section refer to efforts the City of LA has taken to reduce trash from non-point sources.	Page 572 of the City’s 2016-17 Annual Report, Individual Form states that the “City of Los Angeles is taking credit for both "structural measures" and "institutional measures" this reporting year. The City's Quantification Study of Institutional Measures for the Trash TMDL (submitted to RB in 2013) demonstrated that those management actions alone resulted in a decrease of 18,907.74 gallons of trash being removed from the watershed.”
11.9	City of Los Angeles	Resolution Attachment A Table 7-26.1 Load Allocations (for nonpoint sources):	See response to comment 11.4.

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		LAHC also operates a golf driving range adjacent to Machado Lake. Golf balls have been known to land in the lake. As described herein, LAHC could be a significant nonpoint source of trash to Machado Lake. City requests Regional Water Quality Control Board, Los Angeles Region (RWQCB) to revise narrative as follows: "Additional responsible entities (such as educational institutions) may be identified in the future under applicable regulatory programs and be assigned a LA of zero trash."	
11.10	City of Los Angeles	Staff Report Pg. 37 Second Paragraph: "The City of Los Angeles has not submitted MFAC… for this analysis" The City of LA requests that this statement be clarified. The original MFAC was not required to be submitted annually but would be provided at the request of the RWQCB. The RWQCB only exercised this option during the re-opener of this TMDL.	The Machado Lake Trash TMDL Basin Plan amendment (Table 7-26.2b) as adopted in 2007, states (Task 4), "Submit annual TMRP reports including proposal for revising MFAC/BMP for Executive Officer approval." This task was assigned to the City of Los Angeles, with the date of March 6, 2010, and annually thereafter. The TMRP, as stated in the Basin Plan amendment (Monitoring and Reporting Plan section), would "describe the methodologies that would be used to assess and monitor trash in Machado Lake and/or within responsible jurisdiction land areas…" The Basin Plan went on to state that the "requirements of the TMRP shall include…assessment and quantification of trash collected from the surfaces and shoreline of

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			Machado Lake or from responsible jurisdiction land areas. The monitoring plan shall provide …frequency, location…a metric (e.g., weight, volume, pieces of trash) to measure the amount of trash in Machado Lake and on the land area surrounding Machado Lake…The TMRP shall also include an evaluation of effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts…" As mentioned in response to comment 11.2, the City outlined an MFAC/BMP program that would be implemented as part of a Jurisdictional Group TMRP. The data collected through the implementation of this TMRP should have been submitted consistent with Task 5. Based on a meeting with the City during development of the reconsiderations, Los Angeles Water Board staff believes that the City did not submit the MFAC data based on a misunderstanding of the TMDL requirements.
11.11	City of Los Angeles	Staff Report Pg. 52 Second Paragraph: "It is unclear if the City of Los Angeles is in compliance with load allocations…" The City requests that this paragraph be revised. The supplemental information provided by the City	The daily task sheets allowed the supervisor to determine if a task was completed. Daily task sheets include tasks such as "Pick up litter, empty and replace trash can liners, clean, blow, sweep, pull weeds." The Los Angeles Water Board realizes this is an important task and

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		of LA demonstrated through daily Task Sheets that no trash remained after collection events, as those Task Sheets were signed off by the Supervisor as part of the QA/QC performed of the employee's daily activities.	appreciates the City documenting it; however, there were no assessments completed consistent with the MFAC/BMP program outlined in the City's TMRP. The Machado Lake Trash TMDL TMRP states that "Non-point source dischargers may achieve compliance with the LAs by implementing an MFAC/BMP program…" The MFAC/BMP Program outlined in response to comment 11.2 was not implemented, as there was no quantification or assessment of trash recorded.
11.12	City of Los Angeles	Staff Report Pg. 53: " .... 1,280.3 gallons ... " Please revise language to reflect the following "1280.3 gallons of trash annually"	Comment noted. The staff report will be revised to reflect this change.
11.13	City of Los Angeles	Staff Report Pg. 53: Second paragraph states "However, there are two smaller inputs that have not been addressed with full capture systems (Appendix B, Figure B-1)." The City requests that the following be added to the paragraph to elaborate on why those inputs were not addressed with a full capture device. "Drain P-6545 flows to an In-lake Sedimentation Basin, before flowing to the lake; therefore, much	The staff report will be revised to include this information.

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		of the trash is retain in this area. Moreover, both inputs have minimal flow from small drainage areas that did not warrant a BMP device during the lake restoration project."	
11.14	City of Los Angeles	Staff Report Pg. 61 –Table 6: Cannot find Table 6.	The staff report incorrectly referred to Table 6. The staff report will be revised to reflect the correct table number (Table 4).
11.15	City of Los Angeles	Staff Report Pg. 61: "Although it is not possible to determine…it can be concluded that there is trash present." The City of LA requests that this statement be removed. The Machado Lake MFAC being implemented by the City of LA at the park was not designed to be used as a measurement for priority or non-priority land uses outside of the park boundaries. The implemented MFAC program is intended to ensure park grounds do not contribute trash to the lake.	The Los Angeles Water Board understands that the MFAC program is implemented to address nonpoint source load allocations. Los Angeles Water Board staff analyzed all available data to determine whether non-priority land use areas upstream were contributing trash to the lake. These particular data could not be used to make any assumptions about trash coming from non-priority land use areas. However, it is apparent that there is trash present at the lake before it is cleaned daily.