

Attachment **BA** to Resolution No. **R4-2007-01019-XXX**

Proposed Amendments
to the
Water Quality Control Plan – Los Angeles Region
for the
Legg Lake Trash TMDL

Amendments:

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Chapter 7. Total Maximum Daily Loads (TMDLs) Legg Lake Trash TMDL

This TMDL was adopted by:

The Regional Water Quality Control Board on June 7, 2007.

This TMDL was approved by:

The State Water Resources Control Board on December 4, 2007.

The Office of Administrative Law on February 5, 2008.

The U.S. Environmental Protection Agency on February 27, 2008.

This TMDL was revised by:

The Regional Water Quality Control Board on [Insert Date].

The revised TMDL was approved by:

The State Water Resources Control Board on [Insert Date].

The Office of Administrative Law on [Insert Date].

The U.S. Environmental Protection Agency on [Insert Date].

The revised elements of the TMDL are presented in Table 7-27.1 and the

revised Implementation Plan in Tables 7-27.2a and 7-27.2b.

Table 7-27.1 Legg Lake Trash TMDL: Elements

Element	Legg Lake Trash TMDL
Problem Statement	Current levels of trash discharges into Legg Lake violate <u>exceed</u> water quality objectives and are impairing beneficial uses. Relevant water quality objectives include <u>those for “Floating Material” and “Solid, Suspended, or Settleable Materials.”</u> The following designated beneficial uses are impacted by trash: water contact recreation (REC 1) and non-contact water recreation (REC 2), warm freshwater habitat (WARM), cold freshwater (COLD), wildlife habitat (WILD), and wetland habitat (WET).
Numeric Target <i>(interpretation of the narrative water quality objective, used to calculate the load allocations)</i>	Zero trash in Legg Lake and its shoreline. Zero is defined as (1) for nonpoint sources, no trash immediately following each assessment and collection event consistent with an established Minimum Frequency of Assessment and Collection Program (MFAC Program). The MFAC Program is established at an interval that prevents trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections, and (2) for point sources, zero trash discharged into Legg Lake and its shoreline.
Source Analysis	Litter from adjacent land areas, roadways and direct dumping and deposition are sources of trash to Legg Lake. Point sources such as storm drains are also sources of trash discharged to Legg Lake.
Loading Capacity	Zero, as defined in the Numeric Target.
Waste Load Allocations (for point sources)	Waste Load Allocations (WLAs) are assigned to the California Department of Transportation (<u>Caltrans</u>), and <u>other Municipal Separate Storm Sewer System (MS4) permittees,</u> under the Los Angeles County Municipal Separate Storm Sewer System (MS4) NPDES permit, including the Los Angeles County Flood Control District, the County of Los Angeles, and the Cities of El Monte and South El Monte. WLAs are zero trash <u>discharged from MS4s into Legg Lake.</u> WLAs may be issued to additional responsible <u>jurisdictions/entities</u> in the future under Phase 2 of the US EPA Stormwater Permitting Program, or other applicable regulatory programs.
Load Allocations (for nonpoint sources)	Load Allocations (LAs) are assigned to the County of Los Angeles. LAs are zero trash, <u>defined as no trash immediately following each assessment and collection event consistent with an established Minimum Frequency of Assessment and Collection Program (MFAC Program) where the MFAC Program is established at an interval that prevents trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections.</u> LAs may be issued to a Additional responsible <u>jurisdictions/entities may be identified</u> in the future under applicable regulatory programs.

Implementation

Implementation of the trash TMDL for Legg Lake includes structural and non-structural best management practices (BMPs) and ~~a program of minimum frequency of assessment and collection~~ (MFAC Programs) to address point and nonpoint trash sources.

Point Sources

WLAs shall be implemented through MS4 storm water permits and via the authority vested in the Executive Officer by sections 13267 and/or 13383 of the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.).

MS4 Permittees

~~If point source dischargers~~ MS4 Permittees may comply with WLAs by (1) installing implementing an Executive Officer certified full capture systems on conveyances that discharge to Legg Lake, or (2) implementing an MFAC program in conjunction with BMPs. through a progressive implementation schedule of full capture devices, they will be deemed in compliance with the WLA. Irrespective of these two general approaches to implementing the WLAs, MS4 Permittees may comply with the WLAs in any lawful manner, including the implementation of alternative compliance approaches as adopted in the revised Los Angeles River Watershed Trash TMDL (Resolution No. R15-006).

~~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).~~

1. Compliance MS4 Permittees may comply with the final WLA ~~may be achieved throughby installing an~~ adequately sized and maintained full capture systems, ~~once certified by the Executive Officer of the Los Angeles Water Board or the Executive Director of the State Water Board~~ certified that the system meets the following minimum criteria. A full capture system, at a minimum, consists of any device or series of devices that traps all particles retained by a 5 mm mesh screen and has a design treatment capacity of not less than the peak flow rate (Q) resulting from a one-year, one-hour, storm in the sub-drainage area. The rational equation is used to compute the peak flow rate:

$Q = C \times I \times A$, where

Q = design flow rate (cubic feet per second, cfs);

C = runoff coefficient (dimensionless);

I = design rainfall intensity (inches per hour); and

A = subdrainage area (acres).

Point sources-MS4 Permittees that choose to comply via ainstallation of full capture systems, must demonstrate a phased implementation of full capture devices over an 8-year period until the final WLA of zero is attained. Zero will be deemed to have been met if full capture systems have been installed on all conveyances that dischargeng to Legg Lake.

~~Irrespective of whether point source dischargers employ a full capture system, they may comply with the WLA in any lawful manner.~~

2. ~~MS4 Permittees may propose Compliance through an~~ MFAC program in conjunction with BMPs ~~may be proposed~~ to the Los Angeles Water Regional Board for incorporation into the relevant NPDES permit. The MFAC/BMP program must include requirements equivalent to those ~~described in the Conditional Waiver~~ set forth ~~below~~ for Nonpoint Sources. Agencies that are responsible for both point and nonpoint sources will be deemed in compliance with both the WLAs and LAs if an MFAC/BMP program, approved by the Executive Officer, is implemented.

Caltrans

Caltrans may comply with WLAs by installing, operating, and maintaining any combination of full capture systems, multi-benefit projects, other treatment controls, and/or institutional controls for all storm drains that capture runoff from significant trash generating areas to achieve full capture equivalency as defined by the Trash Provisions in the Water Quality Control Plan for Inland Surface Waters, Enclosed bBays, and Estuaries of California (ISWEBE Plan).

Nonpoint Sources

LAs shall be implemented through ~~either (1) a conditional waiver from of~~ waste discharge requirements, ~~or (2) an alternative program implemented through~~ waste discharge requirements, or ~~an individual waiver or~~ another appropriate order ~~of the Regional Board~~ issued in accordance with the statewide Policy for Implementation and Enforcement of the Nonpoint Source Pollution Program.

~~(1)~~ Non-point source dischargers may achieve compliance with the LAs by implementing an MFAC/BMP program approved by the Executive Officer. Responsible ~~jurisdictions-entities~~ that are responsible for both point and nonpoint sources will be deemed in compliance with both the WLAs and LAs if an MFAC/BMP program,

approved by the Executive Officer, is implemented. The MFAC/BMP Program shall, to the satisfaction of the Executive Officer, meet the following criteria:

~~1) Conditional Waiver: Pursuant to Water Code section 13269, waste discharge requirements are waived for any responsible jurisdiction that implements a The MFAC/BMP Program which shall, to the satisfaction of the Executive Officer, meets the following criteria:~~

- a) The MFAC/BMP Program includes an adequate initial minimum frequency of trash assessment and collection and suite of structural and/or nonstructural BMPs. The MFAC/BMP program shall include collection and disposal of all trash found in the water and shoreline. Responsible ~~jurisdictions-entities~~ shall implement an initial suite of BMPs based on current trash management practices in land areas that are found to be sources of trash to Legg Lake. For Legg Lake, the initial minimum frequency shall be set as follows:
 1. Five days per week on the shoreline and in the Whittier Narrows Recreation Park Area, as defined in the Executive Officer approved Trash Monitoring and Reporting Plan (TMRP).
 2. Once per week on waters of Legg Lake.
- b) The MFAC/BMP Program includes reasonable assurances that it will be implemented by the responsible ~~jurisdictionentities~~.
- c) The MFAC/BMP Program includes a ~~Trash Monitoring and Reporting PlanTMRP, as described below,~~ and a requirement that the responsible ~~jurisdictions-entities~~ will self-report any non-compliance with its provisions. The results and report of the ~~Trash Monitoring and Reporting PlanTMRP~~ must be submitted to the Los Angeles Water Regional Board on an annual basis.
- d) MFAC protocols may be based on SWAMP protocols for rapid trash assessment, or alternative protocols proposed by dischargers and approved by the Executive Officer.
- e) Implementation of the MFAC/BMP program should include a Health and Safety Program to protect personnel. The MFAC/BMP program shall not require responsible ~~jurisdictions-entities~~ to access and collect trash from areas where personnel are prohibited.

The Executive Officer may approve or require a revised assessment and collection frequency ~~and definition of the critical conditions under the waiver:~~

- (a) To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect

	<p>beneficial uses between collections;</p> <p>(b) To reflect the results of trash assessment and collection;</p> <p>(c) If the amount of trash collected does not show a decreasing trend, where necessary, such that a shorter interval between collections is warranted; or</p> <p>(d) If the amount of trash collected is decreasing such that a longer interval between collections is warranted.</p> <p><u>With regard to (a), (b) or (c), above, the Executive Officer is authorized to allow responsible entities to implement additional structural or non-structural BMPs in lieu of modifying the monitoring frequency.</u></p> <p>At the end of the implementation period, a revised MFAC/BMP program may be required if the Executive Officer determines that the amount of trash accumulating between collections is causing nuisance or otherwise adversely affecting beneficial uses-</p> <p>With regard to (a), (b) or (c), above, the Executive Officer is authorized to allow responsible jurisdictions to implement additional structural or non-structural BMPs in lieu of modifying the monitoring frequency.</p> <p>Any waivers implementing the TMDL shall expire pursuant to Water Code section 13269 five years after the effective date of this TMDL, unless reissued. The Regional Board may reissue this waiver through an order consistent herewith, instead of readopting these regulatory provisions.</p> <p>(2) Alternatively, responsible jurisdictions-entities may propose, or the <u>Regional Los Angeles Water Board</u> may impose, an alternative program which would be implemented through waste discharge requirements an individual waiver, a cleanup and abatement order, or any other appropriate order or orders, provided the program is consistent with the assumptions and requirements of the reductions described in Table 7-27.2b, below.</p> <p>Within six months of the effective date of this TMDL, the Executive Officer shall require responsible jurisdictions to submit either a notice of intent to be regulated under the conditional waiver with their proposed MFAC/BMP Program and Trash Monitoring and Reporting Plan (TMRP), or a report of waste discharge.</p>
<p>Monitoring and Reporting Plan</p>	<p>Responsible jurisdictions-entities will develop a TMRP for Executive Officer approval that describes the methodologies that will be used to assess and monitor trash in Legg Lake and/or within <u>a</u> responsible jurisdiction <u>entity's</u> land areas. The TMRP shall include a plan to establish the trash Baseline WLAs for non-Caltrans</p>

	<p>entities, or an alternative to the default trash baseline for Caltrans to prioritize installation of full capture devices. The default trash baseline WLA for Caltrans is 6677.4 gallons per square mile per year.</p> <p>Requirements for the TMRP shall include, but are not limited to, assessment and quantification of trash collected from the surfaces and shoreline of Legg Lake or from <u>a responsible jurisdiction-entity's</u> land areas. The monitoring plan shall provide details of the frequency, location, and reporting of trash monitoring. Responsible <u>jurisdictions-entities</u> shall propose a metric (e.g., weight, volume, pieces of trash) to measure the amount of trash in Legg Lake and on the land area surrounding Legg Lake, as defined in the Executive Officer approved TMRP.</p> <p>The TMRP shall include a prioritization of areas that have the highest trash generation rates. The TMRP shall give preference to this prioritization when scheduling the installation of full capture devices, BMPs, or trash collection programs.</p> <p>The TMRP shall also include <u>a process for an</u> evaluation of <u>the</u> effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections, proposals to enhance BMPs, and a revised MFAC for Executive Officer review.</p> <p>Responsible <u>Jurisdictions entities</u> may coordinate their TMRP activities for Legg Lake.</p>
Margin of Safety	Zero is a conservative numeric target ₂ which contains an implicit margin of safety.
Seasonal Variations and Critical Conditions	Discharge of trash from <u>point sources</u> the conveyances occurs primarily during or shortly after a major rain event. Discharge of trash from nonpoint sources occurs during all seasons ₇ but can be increased during or shortly after high wind events, which are defined as periods of wind advisories issued by the National Weather Service.

**Table 7-27.2a Legg Lake Trash TMDL: Implementation Schedule
Point Sources**

Task No.	Task	Responsible Jurisdiction Entities	Date
1	Submit Trash Monitoring and Reporting Plan, including a plan for defining the trash baseline WLA and a proposed definition of "major rain event".	Los Angeles County, Los Angeles County Flood Control Districts, the Cities of El Monte and South El Monte, and Caltrans.	6 months from effective date of TMDL. If a plan is not approved by the Executive Officer within 9 months, the Executive Officer will establish an appropriate monitoring plan. <u>September 6, 2008</u>
2	Implement Trash Monitoring and Reporting Plan.	Los Angeles County, Los Angeles County Flood Control Districts, the Cities of El Monte and South El Monte, and Caltrans.	6 months from receipt of letter of approval from by the Regional Los Angeles Water Board Executive Officer, or the date a plan is established by the Executive Officer.
3	Submit results of Trash Monitoring and Reporting Plan, recommend trash baseline WLA, and propose prioritization of Full Capture System installation or implementation of other measures to attain the required trash reduction.	Los Angeles County, Los Angeles County Flood Control Districts, the Cities of El Monte and South El Monte, and Caltrans.	2 years from receipt of letter of approval for of the Trash Monitoring and Reporting Plan from by the Regional Los Angeles Water Board Executive Officer.
4	Installation of Full Capture Systems or other measures to achieve 20% reduction of trash from Baseline WLA*.	Los Angeles County, Los Angeles County Flood Control Districts, the Cities of El Monte and South El Monte, and Caltrans.	Four years from effective date of TMDL. <u>March 6, 2012</u>
5	Installation of Full Capture Systems or other measures to achieve 40%	Los Angeles County, Los Angeles County Flood Control Districts, the Cities of El Monte and South El Monte, and Caltrans.	Five years from effective date of TMDL. <u>March 6, 2013</u>

	reduction of trash from Baseline WLA*.		
6	Evaluate the effectiveness of Full Capture Systems or other measures, and reconsider the WLA*.	<u>Regional Los Angeles Water Board.</u>	Five years from effective date of TMDL. <u>March 6, 2013</u>
7	Installation of Full Capture Systems or other measures to achieve 60% reduction of trash from Baseline WLA*.	Los Angeles County, Los Angeles County Flood Control Districts, the Cities of El Monte and South El Monte, and Caltrans	Six years from effective date of TMDL. <u>March 6, 2014</u>
8	Installation of Full Capture Systems or other measures to achieve 80% reduction of trash from Baseline WLA*.	Los Angeles County, Los Angeles County Flood Control Districts, the Cities of El Monte and South El Monte, and Caltrans	Seven years from effective date of TMDL. <u>March 6, 2015</u>
9	Installation of Full Capture Systems or other measures to achieve 100% reduction of trash from Baseline WLA*.	Los Angeles County, Los Angeles County Flood Control Districts, the Cities of El Monte and South El Monte, and Caltrans.	Eight years from effective date of TMDL. <u>March 6, 2016</u>

* Compliance with percent reductions from the Baseline WLA will be assumed wherever full capture systems are installed in corresponding percentages of the conveyance discharging to the waterbody. ~~Installation will be prioritized based on the greatest point source loadings.~~

**Table 7-27.2b Legg Lake TMDL: Implementation Schedule
Minimum Frequency of Assessment and Collection Program ***

Task No.	Task	Responsible <u>Jurisdiction Entities</u>	Date
1	Conditional Waiver in effect.	Los Angeles County, City of South El Monte, City of El Monte.	Regional Board adoption of TMDL.
21	Submit <u>Notice of Intent to Comply with Conditional Waiver of Discharge Requirements, including MFAC/BMP Program and Trash Monitoring and Reporting Plan.</u>	Los Angeles County, City of South El Monte, City of El Monte.	Six months from TMDL effective date. <u>September 6, 2008</u>
32	Implement MFAC/BMP Program.	Los Angeles County, City of South El Monte, City of El Monte.	Six months from receipt of Notice of Acceptance from approval of TMRP by the Los Angeles Regional Board Executive Officer.
43	Submit annual TMRP reports including proposal for revising MFAC/BMP for Executive Officer approval.	Los Angeles County, City of South El Monte, City of El Monte.	Two years from effective date of TMDL <u>March 6, 2010</u> , and annually thereafter.
54	Reconsideration of Trash TMDL based on evaluation of effectiveness of MFAC/BMP program.	Regional Los Angeles Water Board.	Five years from effective date of TMDL <u>March 6, 2013</u>

* At Task ~~23~~, all ~~r~~Responsible Jurisdictions entities must be attaining the zero trash target after each required trash assessment and collection event. At Task ~~43~~, all ~~Responsible-responsible Jurisdictions entities~~ must demonstrate full compliance and attainment of the zero trash target's requirement that trash is not accumulating in deleterious amounts between the required trash assessment and collection events. Based on ~~r~~Responsible Jurisdiction entities' monitoring reports, the Executive Officer may adjust the minimum frequency of assessment and collection as necessary to ensure compliance between the required trash assessment and collection events.