

Attachment A to Resolution No. R22-XXX

Proposed Amendment to the Water Quality Control Plan - Los Angeles Region to Incorporate the TMDL for Indicator Bacteria in Los Cerritos Channel and Estuary, Alamitos Bay, and Colorado Lagoon

Proposed for adoption by the California Regional Water Quality Control Board, Los Angeles Region on [Insert Date].

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Chapter 7. Total Maximum Daily Loads (TMDLs) Los Cerritos Channel and Estuary, Alamitos Bay, and Colorado Lagoon Indicator Bacteria TMDL

This TMDL was adopted by:

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

This 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].

This TMDL is effective on [Insert Date].

The elements of the TMDL are presented in Section 7-44.1 and the Implementation Plan in Table 7-44.2.

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Section 7-44.1. Los Cerritos Channel and Estuary, Alamitos Bay, and Colorado Lagoon Indicator Bacteria TMDL: Elements

Problem Statement

Elevated indicator bacteria densities are exceeding water quality objectives causing impairment and affecting the water contact recreation (REC-1) and non-contact water recreation (REC-2) beneficial uses in Los Cerritos Channel, Alamitos Bay, and Colorado Lagoon. Although Los Cerritos Channel Estuary is not listed on the 2018 303(d) list as an impaired waterbody for indicator bacteria, at the time of TMDL development data showed that it exceeds applicable water quality objectives in the majority of samples. In addition, it is located between the 303(d)-listed Los Cerritos Channel and Alamitos Bay. Therefore, Los Cerritos Channel Estuary is also addressed in this TMDL.

Recreating in waters with elevated indicator bacteria densities has been associated with adverse human health effects. Specifically, local and national epidemiological studies have demonstrated a causal relationship between adverse health effects and recreational water quality as measured by indicator bacteria densities.

Numeric Target

The TMDL has a multi-part numeric target based on the bacteria water quality objectives (WQOs) for fresh, estuarine, and marine waters to protect the REC-1 and REC-2 beneficial uses. These targets are the appropriate indicators of public health risk in recreational waters. Protecting the REC-1 beneficial use will result in the protection of the REC-2 beneficial use.

Los Cerritos Channel (above Atherton Street) and its tributaries are freshwater waterbodies. Los Cerritos Channel (Atherton Street to Anaheim Street), Los Cerritos Channel Estuary, Alamitos Bay, and Colorado Lagoon are saline water waterbodies. Freshwater is defined as waters with salinity equal to or less than 1 part per thousand (ppt) 95 percent or more of the time during the calendar year. Saline water is defined as waters with salinity greater than 1 ppt more than 5 percent of the time during the calendar year. *E. coli* is the indicator bacteria of fecal or pathogen contamination for freshwaters, and *Enterococcus* is the indicator bacteria for fecal or pathogen contamination for saline waters.

The numeric targets are comprised of three elements: magnitude, duration, and frequency.

The freshwater numeric targets (magnitude) for Los Cerritos Channel (above Atherton Street) and its tributaries are:

1. Geometric Mean: *E. coli* density shall not exceed 100 cfu/100 mL.
2. Statistical Threshold Value (STV): *E. coli* density shall not exceed 320 cfu/100 mL in more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

The saline water numeric targets (magnitude) for Los Cerritos Channel (Atherton Street to Anaheim Street), Los Cerritos Channel Estuary, Alamitos Bay and Colorado Lagoon are:

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1. Geometric Mean: *Enterococcus* density shall not exceed 30 cfu/100 mL.
2. Statistical Threshold Value (STV): *Enterococcus* density shall not exceed 110 cfu/100 mL in more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

Duration and Frequency for freshwater and saline water: The waterbody's calculated geometric mean shall not be greater than the applicable geometric mean magnitude in any six-week interval, calculated weekly. The applicable STV shall not be exceeded in more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

The acronym cfu stands for colony forming units. MPN (Most Probable Number) is equivalent for practical data interpretation and regulatory purposes to cfu. For data interpretation and regulatory purposes, MPN and cfu can be considered equivalent when used as units of measurement.

To determine attainment, the rolling six-week geometric mean shall be applied based on a statistically sufficient number of samples, generally not less than five samples spaced over a six-week time period starting all calculations on Sunday. However, if it is not possible to calculate a geometric mean due to lack of sufficient data, then attainment of the numeric target shall be determined based on the STV.

Both freshwater and saline water numeric targets apply during summer and winter and in both dry and wet weather since there is water contact recreation throughout the calendar year, including during wet weather. Wet weather is defined as rainfall of 0.1 inch or more plus the three days following the rain event. Geometric means are assessed over a six-week period which may contain days of both dry and wet weather.

Source Analysis

The Los Cerritos Channel watershed is divided into 5 subwatersheds: Los Cerritos Channel subwatershed, Los Cerritos Channel Estuary subwatershed, Alamitos Bay subwatershed, Colorado Lagoon subwatershed, and Los Cerritos Channel Coastal subwatershed. The Los Cerritos Channel Coastal subwatershed is outside the scope of this TMDL. For the purpose of this TMDL, the Los Cerritos Channel subwatershed, Los Cerritos Channel Estuary subwatershed, Alamitos Bay subwatershed, and Colorado Lagoon subwatershed are collectively referred to as Upper Los Cerritos Channel watershed.

Point sources in the Upper Los Cerritos Channel watershed include discharges from municipal separate storm sewer systems (MS4) regulated under the Regional MS4 Permit, the California Department of Transportation (Caltrans) MS4 Permit, the Phase II MS4 general permit, individual NPDES permittees, general NPDES permittees, general industrial stormwater permittees, and general construction stormwater permittees.

Nonpoint sources in the Upper Los Cerritos Channel watershed include onsite wastewater treatment systems (OWTS), sanitary sewer overflows (SSO), irrigated agriculture lands, and golf courses. Nonpoint sources in Los Cerritos Channel Estuary and Alamitos Bay subwatersheds also include marina activities, such as boat sanitary

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waste systems, pump-out stations, boat deck and slip washing, fishing waste disposal, swimmer “wash-off”, and restaurant washouts.

Waste Load Allocations (for point sources)

Waste load allocations (WLAs) are assigned to point sources in the Upper Los Cerritos Channel watershed throughout the calendar year and equal to the numeric targets and calculated in the same manner as the numeric targets. Specific WLAs are as follows:

For the Los Cerritos Channel (above Atherton Street) and its tributaries (freshwaters), the WLAs are a geometric mean or an STV:

1. Geometric Mean: *E. coli* density shall not exceed 100 cfu/100 mL.
2. Statistical Threshold Value (STV): *E. coli* density shall not exceed 320 cfu/100 mL in more than 10 percent of the samples in a calendar month, calculated in a static manner.

A high flow suspension, as described in Chapter 2, applies to Los Cerritos Channel above Atherton Street, but not to the waterbodies below. The WLAs for discharges to Los Cerritos Channel (above Atherton Street) may be suspended during days with rainfall greater than or equal to 0.5 inch and the following 24 hours, if it can be demonstrated that, for the same time period, discharges to Los Cerritos Channel below Atherton Street from Los Cerritos Channel above Atherton Street, attain the WLAs for Los Cerritos Channel below Atherton Street.

For Los Cerritos Channel (Atherton Street to Anaheim Street), Los Cerritos Channel Estuary, Alamitos Bay and Colorado Lagoon (saline waters), the WLAs are a geometric mean or an STV:

1. Geometric Mean: *Enterococcus* density shall not exceed 30 cfu/100 mL.
2. Statistical Threshold Value (STV): *Enterococcus* density shall not exceed 110 cfu/100 mL in more than 10 percent of the of the samples in a calendar month, calculated in a static manner.

WLAs in the Los Cerritos Channel subwatershed (including the portion of the watershed draining to the transition to the Los Cerritos Channel Estuary) are assigned to Phase I MS4 permittees (the County of Los Angeles, Los Angeles County Flood Control District, the City of Bellflower, the City of Cerritos, the City of Downey, the City of Lakewood, the City of Paramount, the City of Long Beach, and the City of Signal Hill), and Caltrans, as well as any permittees that are enrolled under the Phase II MS4 permit. WLAs are also assigned to non-MS4 permittees, including individual NPDES permittees, general NPDES permittees, general industrial stormwater permittees, and general construction stormwater permittees.

WLAs in the Los Cerritos Channel Estuary, Alamitos Bay, and Colorado Lagoon subwatersheds are assigned to Phase I MS4 permittees, including Los Angeles County Flood Control District, the City of Long Beach and Caltrans, as well as any permittees that are enrolled under the Phase II MS4 permit. WLAs are also assigned to non-MS4 permittees, including individual NPDES permittees, general NPDES permittees, general industrial stormwater permittees, and general construction stormwater permittees.

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Any future enrollees under the Phase II MS4 permit, an individual NPDES permit, a general NPDES permit, the general industrial stormwater permit, or the general construction stormwater permit within the Upper Los Cerritos Channel watershed management area will also be subject to these WLAs.

Load Allocations (for nonpoint sources)

Load allocations (LAs) are assigned to nonpoint sources, including OWTS, golf courses, irrigated agriculture lands, SSOs, and marine sanitation devices. The LAs for OWTS, golf courses and irrigated agriculture lands are equal to the numeric targets and calculated in the same manner:

For the Los Cerritos Channel (above Atherton Street) and its tributaries (freshwaters), the LAs are a geometric mean or an STV:

1. Geometric Mean: *E. coli* density shall not exceed 100 cfu/100 mL.
2. Statistical Threshold Value (STV): *E. coli* density shall not exceed 320 cfu/100 mL in more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

A high flow suspension, as described in Chapter 2, applies to Los Cerritos Channel above Atherton Street, but not to the waterbodies below. The LAs for discharges to Los Cerritos Channel (above Atherton Street) may be suspended during days with rainfall greater than or equal to 0.5 inch and the following 24 hours, if it can be demonstrated that, for the same time period, discharges to Los Cerritos Channel below Atherton Street from Los Cerritos Channel above Atherton Street, attain the LAs for Los Cerritos Channel below Atherton Street.

For the Los Cerritos Channel (Atherton Street to Anaheim Street), Los Cerritos Channel Estuary, Alamitos Bay, and Colorado Lagoon (saline waters), the LAs are a geometric mean or an STV:

1. Geometric Mean: *Enterococcus* density shall not exceed 30 cfu/100 mL.
2. Statistical Threshold Value (STV): *Enterococcus* density shall not exceed 110 cfu/100 mL in more than 10 percent of the of the samples in a calendar month, calculated in a static manner.

The LAs for bacterial loading from SSOs are set as zero discharge of fecal indicator bacteria (FIB). The Statewide Sanitary Sewer WDRs, Order No. 2006-003-DWQ, prohibits any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance.

The LAs for bacterial loading from marine sanitation devices is set as zero discharge of FIB. According to the Navigation Code section 780 and section 117515 of the California Health and Safety Code the dumping of sewage into marinas is prohibited.

Critical Conditions

For these waterbodies, the critical condition is winter when assessing data using the geometric mean numeric targets and wet weather when assessing data using the STV

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numeric targets. While indicator bacteria densities can be greater during the winter wet season due to factors such as stormwater runoff, they can be high at any time of year. Given that exceedances of the objectives are frequent during all seasons and conditions and given that recreational uses of the Los Cerritos Channel Estuary, Alamitos Bay, and Colorado Lagoon take place during all seasons and conditions, the TMDL allocations are applied equally during all time periods and conditions..

Margin of Safety

An implicit margin of safety is incorporated in the allocations under the assumption that no bacterial decay occurs in discharges from storm drains to the receiving water when determining compliance with allocations. In addition, the pollutant allocations in this TMDL are based on U.S. EPA's 2012 Recreational Water Quality Criteria and the Statewide Bacteria Provisions. By directly applying the numeric water quality objectives and implementation procedures as WLAs and LAs, there is little uncertainty about whether meeting the TMDL will result in meeting the water quality standards. Therefore, no additional or explicit margin of safety is needed for this TMDL.

Implementation

The regulatory mechanisms used to implement the TMDL will include the Regional MS4 permit, the Caltrans stormwater permit, the statewide Phase II MS4 permit and any regional Phase II MS4 permits, individual NPDES permits, general NPDES permits, general industrial stormwater permits, general construction stormwater permits, and the authority contained in Sections 13263, 13267, 13269, and 13383 of the California Water Code, and other appropriate regulatory mechanisms.

The MS4 WLAs will be implemented through the Regional MS4 permit and the Caltrans statewide stormwater permit. The WLAs shall be incorporated into the MS4 permit as water quality-based effluent limitations (WQBELs) at the time of permit issuance, modification, or renewal. MS4 permittees may demonstrate compliance with the WQBELs if any of the following requirements is demonstrated:

1. There are no exceedances of the WQBELs at the Permittee's applicable MS4 outfall(s); or
2. There are no exceedances of the numeric targets, in the receiving water downstream of the Permittee's outfalls; or
3. There is no direct or indirect discharge from the Permittee's MS4 to the receiving water during the time period subject to the WQBEL.

The WLAs for discharges to Los Cerritos Channel above Atherton Street may be suspended during days with rainfall greater than or equal to 0.5 inch and the following 24 hours, if it can be demonstrated that, for the same time period, discharges to Los Cerritos Channel below Atherton Street from Los Cerritos Channel above Atherton Street, attain the WLAs for Los Cerritos Channel below Atherton Street. In other words, MS4 permittees may pursue a downstream compliance approach. This will require two points of compliance: (1) at the outfall discharging to Los Cerritos Channel above Atherton Street and (2) in Los Cerritos Channel below Atherton Street. For practical purposes, MS4 permittees may use the existing mass emission station LCC1, located at Stearns Street,

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about 3000 feet upstream of Atherton Street, to demonstrate compliance with WLAs in Los Cerritos Channel below Atherton Street.

MS4 permittees may jointly or individually decide how to achieve the necessary bacteria reductions. MS4 Permittees shall provide an Implementation Plan to the Los Angeles Water Board outlining how each plan leads to individually or cooperatively achieving the WLAs. The report shall include implementation methods, an implementation schedule, proposed milestones, and proposed outfall and/or receiving water monitoring to determine compliance. A Watershed Management Program (WMP) developed by the responsible entities in accordance with their MS4 permit(s), which has been approved by the Los Angeles Water Board, satisfies the requirements for an Implementation Plan, where the WMP addresses the applicable waterbody-pollutant combinations of this TMDL consistent with the implementation schedule.

WLAs for individual NPDES permittees, general NPDES permittees, general industrial stormwater permittees, and general construction stormwater permittees will be incorporated as WQBELs in their NPDES permits at the time of permit issuance, modification, or renewal.

LAs for irrigated agricultural lands will be implemented through requirements in the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Agricultural Lands or other appropriate order consistent with the LAs and the State Water Board's Nonpoint Source Implementation and Enforcement Policy. The LAs for OWTS will be regulated by WDRs or waivers of WDRs consistent with the State Water Board's OWTS Policy. LAs for golf courses will be implemented through WDRs or waivers of WDRs consistent with the State Water Board's Nonpoint Source Implementation and Enforcement Policy. The Nonpoint Source Implementation and Enforcement Policy specifies that the regional water boards have the authority to regulate nonpoint source discharges through WDRs, waivers, and prohibitions.

Monitoring

The TMDL monitoring programs consist of two components: (1) Receiving water monitoring to assess implementation progress and attainment of numeric targets, and (2) compliance monitoring of discharges to determine compliance with the WLAs. Monitoring requirements may be included in subsequent permits or other orders and are subject to Los Angeles Water Board approval. Responsible entities may build upon existing monitoring programs, such as an Executive Officer approved Integrated Monitoring Program (IMP) or Coordinated Integrated Monitoring Program (CIMP), when developing the TMDL effectiveness and compliance monitoring plans.

Receiving Water Monitoring

Responsible entities identified by subwatershed, below, are required to develop and implement a comprehensive Receiving Water Monitoring Plan within one year of the effective date of this TMDL to assess numeric target attainment and to determine the effectiveness of implementation actions on receiving water quality. An IMP or CIMP developed by the responsible entities in accordance with their MS4 permit(s), which has been approved by the Los Angeles Water Board, satisfies the requirements for a Receiving Water Monitoring Plan, where the IMP/CIMP addresses the applicable

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waterbody-pollutant combinations of this TMDL consistent with the implementation schedule.

Monitoring shall commence within six months of approval of the Receiving Water Monitoring Plan. Monitoring requirements shall be incorporated into the regulatory mechanisms for each responsible entity upon issuance, renewal, or modification or through separate investigatory orders. Monitoring procedures, analysis, and quality assurance shall be developed in accordance with the California Surface Water Ambient Monitoring Program (SWAMP) Inland Water Sample Collection for Microbial Samples and continue beyond the final implementation date of the TMDL unless the Executive Officer approves a reduction or elimination of such monitoring.

In the Los Cerritos Channel subwatershed, the responsible entities include Los Angeles County, Los Angeles County Flood Control District, the City of Bellflower, the City of Cerritos, the City of Downey, the City of Lakewood, the City of Paramount, the City of Long Beach, the City of Signal Hill, and Caltrans. Responsible entities shall outline a bacteria monitoring program for *E. coli* for areas above Atherton Street and *Enterococcus* for Atherton Street to Anaheim Street and flow rate.

In the Los Cerritos Channel Estuary subwatershed, the responsible entities include Los Angeles County Flood Control District, the City of Long Beach, and Caltrans. Responsible entities shall outline a bacteria monitoring program for *Enterococcus* and flow rate.

In the Alamitos Bay and Colorado Lagoon subwatersheds, the responsible entities include Los Angeles County Flood Control District, the City of Long Beach, and Caltrans. Responsible entities shall outline a bacteria monitoring program for *Enterococcus*.

The sampling frequency and locations must be adequate to assess attainment of numeric targets in the receiving water. Responsible entities shall conduct weekly sampling at a minimum to support calculation of the geometric mean or assessment of compliance with the STV.

At a minimum, one sampling station shall be located in the Los Cerritos Channel, one in the Los Cerritos Channel Estuary, one in Colorado Lagoon (before the confluence to Marine Stadium), and four in Alamitos Bay (one at Mothers Beach, one at B-14 sampling location or nearby, one at B-31 sampling location or nearby, and one in Marine Stadium). All sampling locations shall be spatially independent, which means more than 200 meters apart.

If the sampling results are greater than the allowable STV or geometric mean targets, the water body segment shall be considered not attaining the TMDL.

Other responsible entities with WLAs or LAs may be required to conduct receiving water monitoring through NPDES permits or other orders, if appropriate.

Compliance Monitoring

To assess attainment of the WLAs, compliance monitoring shall include monitoring for *E. coli* and *Enterococcus* in the Los Cerritos Channel subwatershed, and *Enterococcus* in the Los Cerritos Channel Estuary subwatershed, Alamitos Bay subwatershed, and Colorado Lagoon subwatershed.

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TMDL compliance monitoring requirements shall be incorporated into the regulatory mechanisms for each responsible entity upon issuance, renewal, or modification, or through separate investigatory orders. Monitoring procedures, analysis, and quality assurance shall be comparable to SWAMP Inland Water Sample Collection for Microbial Samples and continue beyond the final implementation date of the TMDL unless the Executive Officer approves a reduction or elimination of such monitoring.

MS4 Compliance Monitoring

Responsible entities for the MS4 WLAs shall submit an outfall monitoring plan to be approved by the Executive Officer. The outfall monitoring plan shall include an adequate number of representative outfalls to be sampled and a sampling frequency. An IMP or CIMP developed by the responsible entities in accordance with their MS4 permit(s), which has been approved by the Los Angeles Water Board, satisfies the requirements for an outfall monitoring plan, where the IMP/CIMP addresses the applicable waterbody-pollutant combinations of this TMDL consistent with the implementation schedule.

In the Los Cerritos Channel subwatershed, the responsible entities include Los Angeles County, Los Angeles County Flood Control District, the City of Bellflower, the City of Cerritos, the City of Downey, the City of Lakewood, the City of Paramount, the City of Long Beach, the City of Signal Hill, Caltrans, and any current and future permittees enrolled under the Phase II MS4 permit. Responsible entities shall outline a bacteria monitoring program for *E. coli* in the Los Cerritos Channel subwatershed to demonstrate compliance with the freshwater MS4 WLAs. Responsible entities shall also outline a monitoring program for *Enterococcus* at the compliance point assigned to comply with the WLA assigned to the transition between the Los Cerritos Channel and the Los Cerritos Channel Estuary.

In the Los Cerritos Channel Estuary subwatershed, Alamitos Bay subwatershed, and Colorado Lagoon subwatershed, the responsible entities include Los Angeles County Flood Control District, the City of Long Beach, Caltrans, and any current and future permittees enrolled under the Phase II MS4 permit. Responsible entities shall outline a bacteria monitoring program for *Enterococcus*.

MS4 responsible entities shall monitor representative outfalls either on a weekly basis and be subject to the geometric mean WLA or monitor the representative outfalls at a minimum of three wet weather events and four dry weather events during the calendar year and be subject to the STV. Wet weather is defined as rainfall of 0.1 inch or more plus the 3 days following the rain event. Wet weather sampling shall target the first significant rain event of the calendar year. Dry weather samples shall be collected two times in the summer season (April 1-October 31), and two times in the winter season (November 1-March 31). Dry weather sampling shall occur at a minimum of 72 hours after a storm event.

If MS4 permittees pursue a downstream compliance approach, wherein the WLAs for discharges to Los Cerritos Channel above Atherton Street are suspended during days with rainfall greater than or equal to 0.5 inch and the following 24 hours, compliance monitoring shall occur at both the outfall discharging to Los Cerritos Channel above Atherton Street and in the Channel below Atherton Street. For practical purposes, MS4 permittees may use the existing mass emission station LCC1, located at Stearns Street,

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about 3000 feet upstream of Atherton Street, for the in-channel portion of compliance determination.

Compliance Monitoring for Other Point Sources

Individual NPDES permittees, general NPDES permittees, general industrial stormwater permittees, and general construction stormwater permittees shall conduct monitoring as part of their permit requirements for all applicable bacteria water quality objectives to ensure that they are attaining WLAs and that they are not causing or contributing to exceedances of the water quality objectives.

Compliance Monitoring for Nonpoint Sources

The Conditional Waiver for irrigated agriculture lands or other regulatory mechanism shall require bacteria monitoring for discharges from irrigated agricultural lands. Monitoring shall be implemented as part of WDRs or waiver requirements, and through implementation of the Nonpoint Source Implementation and Enforcement Policy, for other nonpoint sources.

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7-44.2. Los Cerritos Channel and Estuary, Alamitos Bay, and Colorado Lagoon Indicator Bacteria: Implementation Schedule

Task	Date
Owners and/or operators of marine sanitation devices and sanitary sewer collection systems and OWTS shall attain LAs	Effective date of the TMDL
Individual NPDES permittees, general NPDES permittees, general industrial stormwater permittees, and general construction stormwater permittees shall attain WLAs.	Effective date of the TMDL
MS4 permittees shall submit a comprehensive monitoring plan, including in-stream and outfall monitoring, to the Los Angeles Regional Board for Executive Officer approval. In lieu of a separate monitoring plan, MS4 permittees may provide documentation that the current, or a revised, Coordinated Integrated Monitoring Plan (CIMP) or Integrated Monitoring Plan (IMP) by an individual MS4 permittee will be sufficient to demonstrate compliance with this TMDL.	1 year from the effective date of the TMDL
MS4 permittees shall begin monitoring as outlined in the approved monitoring plan (or the CIMP or IMP sufficient to demonstrate compliance with this TMDL).	No later than 6 months after the monitoring plan is approved by the Executive Officer
MS4 permittees shall submit an implementation plan to the Los Angeles Regional Board for Executive Officer approval. In lieu of a separate implementation plan, MS4 permittees may provide documentation that the current, or a revised, WMP will be sufficient to implement this TMDL.	2 years from the effective date of the TMDL
Owners and/or operators of irrigated agricultural land, golf courses and any other nonpoint sources shall achieve LAs	3 years from the effective date of the TMDL

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Task	Date
MS4 permittees shall achieve WLAs	15 years from the effective date of the TMDL