

**Attachment A to Resolution No. R4-2007-010**

**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.

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

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

**Table 7-27.1 Legg Lake Trash TMDL: Elements**

| <b>Element</b>  | <b>Legg Lake Trash TMDL</b>  |
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| <b>Problem Statement</b>  | Current levels of trash discharges into Legg Lake violate water quality objectives and are impairing beneficial uses. Relevant water quality objectives include Floating Material and Solid, Suspended, or Settleable Materials. 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).  |
| <b>Numeric Target</b><br><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) no trash immediately following each assessment and collection event consistent with an established Minimum Frequency of Assessment and Collection Program (MFAC Program) or (2) installing full capture systems on conveyances that discharge to Legg Lake through a progressive implementation schedule. 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. |
| <b>Source Analysis</b>  | 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.   |
| <b>Loading Capacity</b>   | Zero, as defined in the Numeric Target.  |
| <b>Waste Load Allocations (for point sources)</b>   | Waste Load Allocations (WLAs) are assigned to the California Department of Transportation, and permittees 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. WLAs may be issued to additional responsible jurisdictions in the future under Phase 2 of the US EPA Stormwater Permitting Program, or other applicable regulatory programs.                                |
| <b>Load Allocations (for nonpoint sources)</b>  | Load Allocations (LAs) are assigned to the County of Los Angeles. LAs are zero trash. LAs may be issued to additional responsible jurisdictions in the future under applicable regulatory programs.  |
| <b>Implementation</b>   | <p>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) to address point and nonpoint trash sources.</p> <p><b>Point Sources</b></p> <p>WLAs shall be implemented through storm water permits and via the authority vested in the Executive Officer by section 13267 of the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.).</p>  |

If point source dischargers comply with WLAs by implementing an Executive Officer certified full capture system on conveyances that discharge to Legg Lake through a progressive implementation schedule of full capture devices, they will be deemed in compliance with the WLA.

In certain circumstances (if approved by the Executive Officer), point source dischargers may also comply with WLAs by implementing a program for minimum frequency of assessment and collection in conjunction with best management practices (MFAC/BMPs).

1. Compliance with the final WLA may be achieved through an adequately sized and maintained full capture system that has been certified by the Executive Officer. A full capture system is 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 that choose to comply via a full capture system, 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 discharging to Legg Lake.

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

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

### **Nonpoint Sources**

LAs shall be implemented through either (1) a conditional waiver from 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. Non-point source dischargers may achieve compliance with the LAs by implementing an MFAC/BMP program approved by the Executive Officer. Responsible jurisdictions that are listed as both point and nonpoint sources will be deemed in compliance with both the WLAs and LAs if a MFAC/BMP program, approved by the Executive Officer, is implemented.

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

- a) The MFAC/BMP Program includes an 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 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 on the Whittier Narrow Recreation Park Area.
  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 jurisdiction.
- c) The MFAC/BMP Program includes a Trash Monitoring and Reporting Plan, as described below, and a requirement that the responsible jurisdictions will self-report any non-compliance with its provisions. The results and report of the Trash Monitoring and Reporting Plan must be submitted to 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 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

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|   | <p>critical conditions under the waiver:</p> <ul style="list-style-type: none"> <li>(a) To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections;</li> <li>(b) To reflect the results of trash assessment and collection;</li> <li>(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</li> <li>(d) If the amount of trash collected is decreasing such that a longer interval between collections is warranted.</li> </ul> <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 may propose, or the Regional Board 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><b>Monitoring and Reporting Plan</b></p> | <p>Responsible jurisdictions 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 responsible jurisdiction land areas. The TMRP shall include a plan to establish the trash Baseline WLAs for non-Caltrans entities, or an alternative to the default trash baseline for Caltrans to prioritize installation of full capture devices. The default</p>  |

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|   | <p>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 responsible jurisdiction land areas. The monitoring plan shall provide details of the frequency, location, and reporting of trash monitoring. Responsible jurisdictions 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 the Legg Lake.</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 an evaluation of 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 Jurisdictions may coordinate their TMRP activities for Legg Lake.</p> |
| <b><i>Margin of Safety</i></b>                            | Zero is a conservative numeric target which contains an implicit margin of safety.  |
| <b><i>Seasonal Variations and Critical Conditions</i></b> | Discharge of trash from the conveyances occurs primarily during or shortly after a major rain event. Discharge of trash from nonpoint sources occurs during all seasons, 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  
Full Capture System**

| <b>Task No.</b> | <b>Task</b>   | <b>Responsible Jurisdiction</b>  | <b>Date</b>  |
|-----------------|---|--|--|
| 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. |
| 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 Regional 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 Full Capture System prioritization.              | 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 the Trash Monitoring and Reporting Plan from Regional Board Executive Officer.  |
| 4               | Installation of Full Capture Systems 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.  |
| 5               | Installation of Full Capture Systems to achieve 40% 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. | Five years from effective date of TMDL.  |
| 6               | Evaluate the effectiveness of Full Capture Systems, and reconsider the WLA.   | Regional Board.  | Five years from effective date of TMDL.  |
| 7               | Installation of Full Capture Systems  | Los Angeles County, Los Angeles County Flood Control Districts,  | Six years from effective date of   |



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|   | to achieve 60% reduction of trash from Baseline WLA*.                                       | the Cities of El Monte and South El Monte, and Caltrans  | TMDL.                                    |
| 8 | Installation of Full Capture Systems 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. |
| 9 | Installation of Full Capture Systems 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. |

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 \***

| <b>Task No.</b> | <b>Task</b>  | <b>Responsible Jurisdiction</b>                               | <b>Date</b>  |
|-----------------|--|---|--|
| 1               | Conditional Waiver in effect.  | Los Angeles County, City of South El Monte, City of El Monte. | Regional Board adoption of TMDL.   |
| 2               | Submit Notice of Intent to Comply with Conditional Waiver of Discharge Requirements, including MFAC/BMP Program and Trash Monitoring and Reporting Plan. | Los Angeles County, City of South El Monte, City of El Monte. | Six months from TMDL effective date.   |
| 3               | 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 Regional Board Executive Officer. |
| 4               | 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, and annually thereafter.                        |
| 5               | Reconsideration of Trash TMDL based on evaluation of effectiveness of MFAC/BMP program.  | Regional Board.   | Five years from effective date of TMDL.  |

\* At Task 3, all Responsible Jurisdictions must be attaining the zero trash target after each required trash assessment and collection event. At Task 4, all Responsible Jurisdictions must demonstrate full compliance and attainment of the zero trash target between the required trash assessment and collection events. Based on Responsible Jurisdiction 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.