



Linda S. Adams  
Agency Secretary

# California Regional Water Quality Control Board

## Los Angeles Region

Over 51 Years Serving Coastal Los Angeles and Ventura Counties

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful



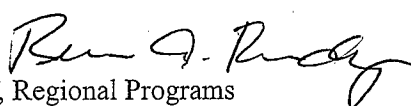
Arnold Schwarzenegger  
Governor

320 W. 4th Street, Suite 200, Los Angeles, California 90013

Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.swrcb.ca.gov/rwqcb4>

### NOTICE OF HEARING

To: Interested Persons

From: Renee Purdy   
Section Chief, Regional Programs  
California Regional Water Quality Control Board, Los Angeles Region

Date: September 7, 2010

Subject: Notice of Public Hearing for a proposed amendment to the *Water Quality Control Plan for the Los Angeles Region* to incorporate a Total Maximum Daily Load for Debris in the nearshore and offshore of Santa Monica Bay.

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) will consider a proposed amendment to the *Water Quality Control Plan for the Los Angeles Region* (Basin Plan) to incorporate a Total Maximum Daily Load (TMDL) for debris in the nearshore and offshore of Santa Monica Bay. Additional regulations or policies, consistent with the general purpose of the proposed amendment and complementary to the proposal may be developed at the hearing as a logical outgrowth of discussions. The Regional Board will act on the proposed amendment after hearing staff's presentation and public comments.

The public hearing is scheduled for Thursday, November 4, 2010 at 9:00 a.m. in the Board Room of the Metropolitan Water District of Southern California, 700 North Alameda Street, Los Angeles, California. At the public hearing, the public will have opportunity to comment on the proposed TMDL.

Copies of the proposed resolution, Basin Plan amendment, staff report, Substitute Environmental Document containing the CEQA checklist, and Notice of Filing can be obtained from the Regional Board website at:

[http://www.waterboards.ca.gov/losangeles/board\\_decisions/basin\\_plan\\_amendments/technical\\_documents/bpa\\_72\\_New\\_td.shtml](http://www.waterboards.ca.gov/losangeles/board_decisions/basin_plan_amendments/technical_documents/bpa_72_New_td.shtml).

Please contact Stefanie Hada at (213) 576-6804 for additional information.

Written comments and exhibits must be submitted to the Regional Board no later than **4:00 p.m. on October 22, 2010**. Failure to comply with these requirements is grounds for the Board to refuse to admit the proposed written comment or exhibit into evidence (California Code of Regulations, Title 23, Section 649.4). Comments should be submitted to:

California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, California 90013

**California Environmental Protection Agency**



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

ATTN: Stefanie Hada

All exhibits including charts, graphs and other testimony presented at the public hearing must be left with the Regional Board for inclusion in the Administrative Record. Please note that the Regional Board may impose time limits on oral testimony at the public hearing.

### Background

The Regional Board is charged with implementing the provisions of both the Porter Cologne Water Quality Control Act (California law) and the Federal Clean Water Act in the Los Angeles Region. One of the ways in which the Regional Board implements these laws is through the development and implementation of water quality standards for all of the waterbodies within the Region. Under the Federal Clean Water Act, water quality standards consist of beneficial use designations of waterbodies, and water quality objectives that are protective of those beneficial uses as well as the State's anti-degradation policy. Section 303(d)(A)(1) of the Clean Water Act requires the State to identify those waters that are impaired by pollution, and establish TMDLs for the pollutants causing the impairments. A TMDL specifies the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and allocates the acceptable pollutant load to point and non-point sources.

The proposed amendment would incorporate into the Basin Plan a TMDL to reduce trash and plastic pellet loading to Santa Monica Bay. The Regional Board's goal in incorporating the above-mentioned TMDL is to protect the beneficial uses of Santa Monica Bay and its coastal features, which include industrial service supply (IND), navigation (NAV), water contact recreation (REC-1), non-contact water recreation (REC-2), commercial and sport fishing (COMM), estuarine habitat (EST), marine habitat (MAR), preservation of biological habitats (BIOL), migration of aquatic organisms (MIGR), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), spawning, reproduction, and or early development (SPWN), shellfish harvesting (SHELL), and wetland habitat (WET), and water quality in Santa Monica Bay. The Regional Board has prepared this TMDL to address the documented debris impairment in Santa Monica Bay.

Waste Load Allocations (WLAs) of zero trash are assigned to the California Department of Transportation (Caltrans), and to permittees of the Los Angeles County and Ventura County MS4 Permits, including: the County of Los Angeles, Los Angeles County Flood Control District, County of Ventura, Ventura County Watershed Protection District, and the Cities of Agoura Hills, Calabasas, Culver City, El Segundo, Hermosa Beach, Los Angeles, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Thousand Oaks, Torrance, and Westlake Village.

Responsible agencies and jurisdictions covered by the Ballona Creek Watershed Trash TMDL including Caltrans, County of Los Angeles, and the Cities of Beverly Hills, Culver City, Inglewood, Los Angeles, Santa Monica, and West Hollywood, and responsible agencies and jurisdictions identified in the Malibu Creek Trash TMDL including Caltrans, Los Angeles County, Ventura County, Ventura County Watershed Protection District, and the Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Thousand Oaks, and Westlake Village are also responsible for point source discharges of trash into the Santa Monica Bay via open channels and storm drains. The WLA applicable to MS4 Permittees that is

***California Environmental Protection Agency***



Recycled Paper

*Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.*

established herein, and the associated trash-related requirements for these responsible agencies and jurisdictions shall be addressed through the Ballona Creek Trash TMDL (Regional Board Resolution No. R01-014) and the Malibu Creek Trash TMDL (Regional Board Resolution No. R08-007).

WLAs are based on a phased reduction from the estimated current discharge (i.e., baseline) over an eight-year period until the final WLA of zero (0) is met. WLAs may be issued to additional responsible jurisdictions in the future under Phase II of the National Stormwater Permitting Program, or other applicable regulatory programs.

A WLA of zero plastic pellets discharged from industrial facilities is assigned to permittees of the Industrial Storm Water General Permit (Order No. 97-03-DWQ, and NPDES Permit No. CAS 000001) within the Santa Monica Bay Watershed Management Area (WMA). The Standard Industry Classification (SIC) codes associated with industrial activities involving plastic pellets may include, but are not limited to, 282X, 305X, 308X, 39XX, 25XX, 3261, 3357, 373X, and 2893. Additionally, industrial facilities with the term "plastic" in the facility or operator name, regardless of the SIC code, may be subject to the WLA for plastic pellets. Other industrial permittees within the Santa Monica Bay WMA that are regulated through other general permits and/or individual industrial storm water permits are also required to comply with the WLA for plastic pellets. The WLA for plastic pellets is consistent with the requirements of California Water Code § 13367.

MS4 permittees identified as responsible jurisdictions for point sources of trash in this Santa Monica Bay Debris TMDL and in the existing Malibu Creek and Ballona Creek Trash TMDLs shall prepare a Plastic Pellet Monitoring and Reporting Plan (PMRP), which includes monitoring of plastic pellets at MS4 outfalls to Santa Monica Bay; protocols for increased inspection and enforcement of SWPPP requirements at industrial facilities that manufacture, process, store or otherwise handle plastic pellets; and protocols for a timely and appropriate response to possible plastic pellets spills within a Permittee's jurisdictional area, and a comprehensive plan to ensure that plastic pellets are contained. The Regional Board may assign the WLA for plastic pellets to additional jurisdictions and agencies in the future including, but not limited to, industrial permittees, MS4 permittees, and any agencies or jurisdictions which are responsible for contributing plastic pellets to the Santa Monica Bay if there is inadequate progress toward achieving the plastic pellet WLA as demonstrated by monitoring that shows continued discharge of plastic pellets to the Santa Monica .

A Load Allocation (LA) is assigned to jurisdictions that own and/or manage beaches, harbors, and open space or parks along Santa Monica Bay and its watershed, which include County of Los Angeles Department of Beaches and Harbors, the Cities of Hermosa Beach, Los Angeles, Santa Monica and Redondo Beach, and National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, and State Lands Commission. The LA is zero trash immediately following and between each assessment and collection event specified in the minimum frequency of assessment and collection (MFAC) program of the Trash Monitoring and Reporting Plan (TMRP). The LA may be assigned to additional responsible jurisdictions in the future under applicable regulatory programs.

The goal of the TMDL implementation plan is to achieve water quality standards. The proposed implementation actions to address point and nonpoint sources incorporate structural and non-structural



best management practices (BMPs), and an MFAC/BMP program. The MFAC/BMP Program is designed to prevent trash from accumulating in deleterious amounts. The implementation and compliance schedule is designed to coordinate with trash reduction efforts that are being implemented by responsible agencies and jurisdictions in subwatersheds within the Santa Monica Bay WMA (i.e. Ballona Creek and Malibu Creek). The proposed approach ensures that measurable reductions to the trash and plastic pellet impairment will be achieved in a timely manner; builds upon existing regulatory requirements for plastic pellets; and allows flexibility in implementation. The proposed TMDL would require point source responsible agencies and jurisdictions, including MS4 Permittees and Permittees covered by the Statewide Industrial General Permit, other general permits, and individual industrial permits to achieve their WLAs for both trash and plastic pellets within eight years, and nonpoint source responsible agencies and jurisdictions to achieve their LAs within five years. Implementation of the proposed actions should result in attainment of the TMDL allocations. If the proposed actions are not implemented or otherwise do not result in attainment of allocations, additional implementation actions shall be required.

