

Exhibit A: Ballona Creek Watershed Coordinated Integrated Monitoring Program

The Natural Resources Defense Council (“NRDC”), Heal the Bay, and Los Angeles Waterkeeper (“LAWK”) (collectively, “Environmental Groups”) have identified several concerns with the Draft Coordinated Integrated Monitoring Program (“Draft CIMP”) for the Ballona Creek Watershed submitted by the City of Beverly Hills, City of Culver City, City of Los Angeles, City of Inglewood, City of Santa Monica, City of West Hollywood, County of Los Angeles, and Los Angeles County Flood Control District, collectively the Ballona Creek Watershed Management Group,¹ which we discuss below.

This discussion, however, is not intended to provide an exhaustive list of deficiencies of the Draft CIMP. Nor does it, in general, address concerns with the Enhanced Watershed Management Program Work Plan for the Ballona Creek Watershed.² For Environmental Groups’ comments in response to the Ballona Creek Watershed EWMP Work Plan, please see Environmental Groups’ September 16th letter to the Los Angeles Regional Water Quality Control Board (“Regional Board”),³ submitted under separate cover.

I. Specific Comments to Draft CIMP for the Ballona Creek Watershed

A. The Receiving Water Monitoring Plan Description is Insufficient

The Draft CIMP’s receiving water monitoring plan needs further clarification and justification. First, it is problematic that one TMDL monitoring location, BCB-2, is discontinued without sufficient explanation.⁴ Further, the Draft CIMP includes no land use map to provide context for the monitoring. A detailed land use map for the watershed is needed to assess the monitoring sites selected.

¹City of Beverly Hills, City of Culver City, City of Los Angeles, City of Inglewood, City of Santa Monica, City of West Hollywood, County of Los Angeles, and Los Angeles County Flood Control District (June 25, 2014) Ballona Creek Watershed Coordinated Integrated Monitoring Program (“Draft CIMP”).

²City of Beverly Hills, City of Culver City, City of Los Angeles, City of Inglewood, City of Santa Monica, City of West Hollywood, County of Los Angeles, and Los Angeles County Flood Control District (June 25, 2014) Ballona Creek Enhanced Watershed Management Program Work Plan (“EWMP Work Plan”).

³Natural Resources Defense Council, Los Angeles Waterkeeper, and Heal the Bay. "Comments on Enhanced Watershed Management Program Work Plans and Monitoring Plans Pursuant to Requirements under the Los Angeles County Municipal Separate Storm Sewer System Permit, NPDES Permit No. CAS004001, Order No. R4-2012-0175." Letter to California Regional Water Quality Control Board, Los Angeles Region. 16 Sept. 2014.

⁴City of Beverly Hills, City of Culver City, City of Los Angeles, City of Inglewood, City of Santa Monica, City of West Hollywood, County of Los Angeles, and Los Angeles County Flood Control District (June 25, 2014). Ballona Creek Watershed Management Group Coordinated Integrated Monitoring Program Draft (“Ballona Creek CIMP”), at 12.

The CIMP must clarify how the frequency of monitoring was determined. Tables 6 and 7⁵ of the Draft CIMP detail the constituents to be monitored and the proposed frequency of monitoring. These tables and information, however, do not make it clear why some parameters are not monitored at all in wet or dry weather, and why some specific sites are chosen for monitoring while others are not. The Draft CIMP states that additional constituents to be monitored will be based on data collected at the Long Term Assessment (“LTA”) site.⁶ However, it is not clear how those constituents will be determined initially at the LTA site or which ones will be monitored, and therefore further clarification and explanation is needed.

In the Draft CIMP, wet weather monitoring is not defined as it should be according to the Permit requirements. The Ballona Creek CIMP defines wet weather as when the flow of the receiving waterbody is equal to or greater than 64 cubic feet per second and when there is at least 0.1 inch of rain.⁷ The Permit, however, defines the first flush as the first storm of the year with a predicted rainfall of at least 0.25 inches at a 70 percent rainfall probability at least 24 hours prior to the event start time. (Permit, at E-15) Further, the CIMP suggests forgoing sampling if the rain falls on a weekend or holiday,⁸ which, particularly given the intermittent and infrequent rain that Southern California experiences, does not seem practicable or wise.

B. The Stormwater Outfall-Based Monitoring Plan is Insufficient

The stormwater outfall monitoring plan omits required information. For example, the plan lacks a map showing land use or the locations of all mapped outfalls. The data on outfall locations are described as being submitted as a GIS database⁹ but a map should be included to allow for assessment of the proposed plan and locations. Further, only three outfall locations are selected, which is insufficient for thorough monitoring. The Permit requires that one outfall per jurisdiction should be designated. (2012 Permit, Attachment E, at VIII.A.1.a.) Accordingly, in this case, seven outfall sites should have been selected instead of the current three. According to the Draft CIMP, a stated “representative approach”¹⁰ is being taken rather than selecting one site per jurisdiction. However, these three sites do not appear to be sufficiently representative of the MS4 inputs to the watershed. Further, it is difficult to assess how representative these sites are of land use in the entire watershed, given that a detailed land use map was not included in the Draft CIMP. Based on the included land use tables, however, we do know that land use is not equal in the watershed. For instance, Culver City has more industrial land uses than other jurisdictions, but there is no outfall to be monitored in Culver City.

⁵Ballona Creek CIMP, at 14 -17.

⁶*Id.*, at 13.

⁷*Id.*, at 18.

⁸*Id.*, at 19.

⁹*Id.*, at 21.

¹⁰*Id.*, at 23.

C. Non-stormwater Outfall Based Monitoring is Insufficient

The Draft CIMP's reliance on *E. coli* as the sole indicator¹¹ to determine the significance of non-stormwater discharge is problematic. A more comprehensive approach should be considered, taking into account additional factors such as flow, location, and other water quality data. Reliance on one parameter may cause other potential indicators to be missed; further, even if there is no *E. coli* contamination but there is a high flow, the non-stormwater discharge should still be considered significant.

D. Timeline

The proposed schedule for CIMP implementation¹² is unacceptably extended, ranging from 18 to 30 months. Much of the delay comes from time required to install autosamplers. To avoid undue delay in implementing the monitoring program, we recommend that manual sampling, even if pared down, be implemented as soon as possible and be ongoing until the autosamplers are installed.

¹¹*Id.*, at 30.

¹²Draft CIMP, at 50-54