Attachment A to Resolution No. R4-2018-006

Amendment to the Water Quality Control Plan – Los Angeles Region to Revise the Malibu Creek Watershed Trash TMDL

Amendments:

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Chapter 7. Total Maximum Daily Loads (TMDLs)
Malibu Creek Watershed Trash TMDL

This TMDL was adopted by:

The Regional Water Quality Control Board on May 1, 2008.

This TMDL was approved by:
The State Water Resources Control Board on March 17, 2009.
The Office of Administrative Law on June 16, 2009.
The U.S. Environmental Protection Agency on June 26, 2009.

This TMDL was revised by:

The Regional Water Quality Control Board on June 14, 2018.

The revisions were approved by:
The State Water Resources Control Board on May 21, 2019.
The Office of Administrative Law on April 2, 2020.
The U.S. Environmental Protection Agency on May 6, 2020.

The elements of the TMDL are presented in Table 7-31.1 and the Implementation Plan in

Tables 7-31.2a and 7-31.2b.

Table 7-31.1 Malibu Creek Watershed Trash TMDL: Elements

Element	Malibu Creek Watershed Trash TMDL
Problem Statement	Current levels of trash in Malibu Creek, Malibu Lagoon, Malibou Lake, Medea Creek (Reach 1 and Reach 2), Lindero Creek (Reach 1 and Reach 2), Lake Lindero, and Las Virgenes Creek exceed water quality objectives and impair beneficial uses. The waterbodies above were listed in the 1998, 2002, 2004, and 2006 303(d) lists of impaired waterbodies for trash. Relevant water quality objectives in the Water Quality Control Plan Los Angeles Region include those for "Floating Material" and "Solid, Suspended, or Settleable Materials." The following designated beneficial uses are impaired by trash: municipal and domestic supply (MUN), ground water recharge (GWR), water contact recreation (REC-1), non-contact water recreation (REC-2), warm freshwater habitat (WARM), cold freshwater habitat (COLD), migration of aquatic organisms (MIGR), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), spawning, reproduction, and or early development (SPWN), and wetland habitat (WET).
Numeric Target *(interpretation of the narrative water quality objective, used to calculate the load allocations)*	Zero trash in the above listed waterbodies of the Malibu Creek Watershed.
Source Analysis	Litter from adjacent land areas, roadways and direct dumping and deposition are sources of trash to Malibu Creek Watershed. Point sources such as storm drains are also sources of trash discharged to Malibu Creek Watershed.
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 (Caltrans) and other Municipal Separate Storm Sewer System (MS4) permittees, including Los Angeles County, Ventura County, the Los Angeles County Flood Control District, the Ventura County Watershed Protection District, and the Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Thousand Oaks, and Westlake Village. Additional responsible entities may be identified in the future under Phase 2 of the USEPA Stormwater Permitting Program, or other applicable regulatory programs. WLAs are zero trash discharged from MS4s into the waterbodies of the Malibu Creek Watershed.
Load Allocations (for nonpoint sources)	Load Allocations (LAs) are assigned to the National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Santa Monica Mountains Conservancy, Cities of Malibu, Agoura Hills, Hidden Hills, Thousand Oaks, Westlake Village, and Calabasas, and land owners in the vicinity of listed waterbodies in the Malibu Creek Watershed. LAs are zero trash, 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. Additional responsible entities may be identified in the future under applicable regulatory programs.
Implementation	Implementation of the trash TMDL for Malibu Creek Watershed includes structural and non-structural best management practices (BMPs) and MFAC Programs to address point and nonpoint trash sources. **Point Sources** WLAs shall be implemented through MS4 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.). *Los Angeles and Ventura County MS4 Permittees* Los Angeles and Ventura County MS4 Permittees may comply with WLAs by installing certified full capture systems on conveyances that collect drainage from priority land use areas as defined in Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California ("Trash Amendments") and discharge to the listed waterbodies of the Malibu Creek Watershed or in any lawful manner to achieve full capture system equivalency as defined in the Trash Amendments. Los Angeles and Ventura County MS4 Permittees may comply with the final WLA by installing adequately sized and maintained full capture systems certified by the Executive Officer of the Los Angeles Water Board or the Executive Director of the State Water Board. 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). Los Angeles and Ventura County MS4 Permittees that choose to comply via installation of full capture systems must demonstrate a phased implementation in priority land use areas 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 addressing priority land use areas that discharge to the listed waterbodies of the Malibu Creek Watershed.

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 Amendments.

Nonpoint Sources

LAs shall be implemented through a conditional waiver from waste discharge requirements, waste discharge requirements, or another appropriate order of the Los Angeles Water Board in accordance with the statewide Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program.

(1) Non-point source dischargers may achieve compliance with the LAs by implementing an MFAC/BMP program approved by the Executive Officer. The MFAC/BMP Program shall, to the satisfaction of the Executive Officer, meet 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 on the shoreline. Responsible 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 Malibu Creek Watershed. For individual subwatershed in the Malibu Creek Watershed, the initial minimum frequency shall be set as follows:

<u>Malibu Creek (from Malibu Lagoon to Malibou Lake)</u>

1. Within the City of Malibu, the waterbody, shorelines and areas adjacent to Malibu Creek: once per week and within 72 hours after critical conditions.
2. Within the County of Los Angeles and in the State Parks: once per month, and within 72 hours after critical conditions.

<u>Malibu Lagoon</u>

1. The waterbody, shorelines, beach and areas adjacent to Malibu Lagoon: twice per week during the high visitation season from May 15 through October 15.
2. The waterbody, shorelines, beach and areas adjacent to Malibu Lagoon: once per week from October 15 through May 15, and within 72 hours after critical conditions.

	Malibou Lake Once per month for the waterbody, shorelines and the adjacent lands, and within 72 hours after critical conditions. Medea Creek Reach 1 (Malibou Lake to confluence with Lindero Creek) Twice per month for the waterbody, shorelines and the adjacent areas, and within 72 hours after critical conditions. Medea Creek Reach 2 (above confluence) 1. Once per week on the waterbody, shorelines and the adjacent areas from the confluence with Lindero Creek to the intersection with Thousand Oaks Blvd., and within 72 hours after critical conditions. 2. Twice per month above the intersection with Thousand Oaks Blvd., and within 72 hours after critical conditions. Lindero Creek Reach 1 (Confluence with Medea Creek to Lake Lindero) Once per week for Lindero Creek Reach 1 including the waterbody, shorelines and the adjacent areas, and within 72 hours after critical conditions. Lindero Creek Reach 2 (Above Lake Lindero) Twice per month for Lindero Creek Reach 2 including the waterbody, shorelines and the adjacent areas, and within 72 hours after critical conditions. Lake Lindero Twice per month for the waterbody, shorelines and the adjacent land, and within 72 hours after critical conditions. Las Virgenes Creek 1. Within the State Parks northerly to the intersection with Mulholland Highway: once per month, and within 72 hours after critical conditions. 2. Once per week for the waterbody, shorelines and the adjacent areas between Mulholland Highway and Juan Bautista De Anza Park at Los Hills Road in the City of Calabasas, and within 72 hours after critical conditions. 3. Twice per week for the waterbody, shorelines and the adjacent areas for the rest of City of Calabasas. 4. Once per month for the section in Los Angeles County along the Ventura Freeway and within 72 hours after critical conditions.

	5. Within Ventura County, once every two months for the waterbody, shorelines and the adjacent areas, and within 72 hours after critical conditions. b) The MFAC/BMP Program includes reasonable assurances that it will be implemented by the responsible entities. c) The MFAC/BMP Program includes a Trash Monitoring and Reporting Plan (TMRP), as described below, and a requirement that the responsible entities will self-report any non-compliance with its provisions. The results and report of the TMRP must be submitted to Los Angeles Water 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 Plan to protect personnel. The MFAC/BMP shall not require responsible 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, location, and definition of the critical conditions: (a) To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections; (b) To reflect the results of trash assessment and collection; (c) If the amount of trash collected does not show a decreasing trend, where necessary to prevent nuisance or adverse effects on beneficial uses, such that a shorter interval between collections is warranted; or (d) If the amount of trash collected is decreasing such that a longer interval between collections is warranted. 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 assessment and collection frequency. 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. (2) Alternatively, responsible entities may propose, or the Los Angeles Water Board may impose, an alternative program, provided the program is consistent with the assumptions and requirements of the reductions described in Table 7-31.2b, below.

Monitoring and Reporting Plan	Responsible jurisdictions and entities will develop a TMRP for Executive Officer approval that describes the methodologies that will be used to assess and monitor trash in the listed waterbodies of the Malibu Creek Watershed 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 trash baseline WLA for Caltrans is 2136 gallons per year. Requirements for the TMRP shall include, but are not limited to, assessment and quantification of trash collected from the surfaces and shoreline of the listed waterbodies in the Malibu Creek Watershed or from responsible jurisdiction land areas. The monitoring plan shall provide details of the frequency, location, and reporting of trash monitoring. Responsible jurisdictions and entities shall propose a metric (e.g., weight, volume, pieces of trash) to measure the amount of trash in the listed waterbodies of the Malibu Creek Watershed and on the land area surrounding these waterbodies, as defined in the TMRP. The TMRP shall also include a process for 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. Responsible jurisdictions and entities in Table 7-31.2a and 7-31.2b may cooperate and coordinate their TMRP activities for Malibu Creek Watershed.
Margin of Safety	Zero is a conservative numeric target which contains an implicit margin of safety.
Seasonal Variations and Critical Conditions	Discharge of trash from point sources 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 7-31.2a Malibu Creek Watershed Trash TMDL: Implementation Schedule - Point Sources

Task No.	Task	Responsible Jurisdiction	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".	California Department of Transportation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village and Thousand Oaks.	January 7, 2010
2	Implement Trash Monitoring and Reporting Plan.	California Department of Transportation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village and Thousand Oaks.	6 months from receipt of letter of approval from Los Angeles Water Board 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.	California Department of Transportation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village and Thousand Oaks.	One year from receipt of letter of approval for the Trash Monitoring and Reporting Plan from Los Angeles Water Board Executive Officer, and annually thereafter.
4	Installation of Full Capture Systems or other measures to achieve 20% reduction of trash from Baseline WLA.	California Department of Transportation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village and Thousand Oaks.	July 7, 2013
5	Installation of Full Capture Systems or other measures to achieve 40% reduction of trash from Baseline WLA.	California Department of Transportation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village and Thousand Oaks.	July 7, 2014

6	Evaluate the effectiveness of Full Capture Systems or other measures, and reconsider the WLA.	Los Angeles Water Board.	July 7, 2014
7	Installation of Full Capture Systems or other measures to achieve 60% reduction of trash from Baseline WLA.	California Department of Transportation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village and Thousand Oaks.	July 7, 2015
8	Installation of Full Capture Systems or other measures to achieve 80% reduction of trash from Baseline WLA.	California Department of Transportation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village and Thousand Oaks.	July 7, 2016
9	Installation of Full Capture Systems or other measures to achieve 100% reduction of trash from Baseline WLA.	California Department of Transportation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village and Thousand Oaks.	July 7, 2017

* 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 Malibu Creek Watershed that collect drainage from priority land use areas.

Table 7-31.2b Malibu Creek Watershed Trash TMDL: Implementation Schedule Minimum Frequency of Assessment and Collection Program * - Nonpoint Sources

Task No.	Task	Responsible Entities	Date
1	Submit MFAC/BMP Program and Trash Monitoring and Reporting Plan.	National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Santa Monica Mountains Conservancy, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village, and Thousand Oaks, and land owners in the vicinity of the waterbodies addressed in the Nonpoint Source Implementation Section of Table 7-31.1	January 7, 2010
2	Implement MFAC/BMP Program.	National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Santa Monica Mountains Conservancy, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village, and Thousand Oaks, and land owners in the vicinity of the waterbodies addressed in the Nonpoint Source Implementation Section of Table 7-31.1	6 months from receipt of letter of approval from Los Angeles Water Board Executive Officer
3	Submit annual TMRP reports including proposal for revising MFAC/BMP for Executive Officer approval.	National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Santa Monica Mountains Conservancy, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village, and Thousand Oaks, and land owners in the vicinity of the waterbodies addressed in the Nonpoint Source Implementation Section of Table 7-31.1	One year from receipt of letter of approval for the Trash Monitoring and Reporting Plan from Los Angeles Water Board Executive Officer, and annually thereafter.
4	Reconsideration of Trash TMDL based on	Los Angeles Water Board.	July 7, 2014

	evaluation of effectiveness of MFAC/BMP program.		
5	Submit revised MFAC/BMP Program and Trash Monitoring and Reporting Plan	National Park Service, California Department of Parks and Recreation, County of Los Angeles, County of Ventura, Ventura County Watershed Protection District, Santa Monica Mountains Conservancy, Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, Westlake Village, and Thousand Oaks, and land owners in the vicinity of the waterbodies addressed in the Nonpoint Source Implementation Section of Table 7-31.1	Three months from the effective date of the revisions to the TMDL
6	Conduct a yearly analysis of MFAC/BMP Program data and based on the results, determine whether there is a need to reconsider the TMDL to include additional implementation requirements for nonpriority land use areas.	Los Angeles Water Board	July 7, 2020

* At Task 3, all responsible entities must be attaining the zero trash target after each required trash assessment and collection event. At Task 4, all responsible 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 responsible 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.