



Los Angeles Regional Water Quality Control Board

January 21, 2016

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Ms. Gail Farber, Chief Engineer
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APPROVAL, WITH CONDITIONS, OF THE MALIBU CREEK WATERSHED MANAGEMENT GROUP COORDINATED INTEGRATED MONITORING PROGRAM, PURSUANT TO ATTACHMENT E, PART IV.B OF THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175)

Dear Permittees of the Malibu Creek Watershed Management Group:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the revised monitoring program submitted on September 18, 2015 by the Malibu Creek Watershed Management Group (MCW Group). This monitoring program was submitted pursuant to the provisions of NPDES Permit No. CAS004001 (Order No. R4-2012-0175), which authorizes discharges from the municipal separate storm sewer system (MS4) operated by 86 municipal Permittees within Los Angeles County (hereafter, LA County MS4 Permit). The LA County MS4 Permit allows Permittees the option to develop and implement a coordinated integrated monitoring program (CIMP) that achieves the five Primary Objectives set forth in Part II.A of Attachment E and includes the elements set forth in Part II.E of Attachment E. These programs must be approved by the Executive Officer of the Los Angeles Water Board.

The Los Angeles Water Board has reviewed the MCW Group's revised CIMP and has determined that the CIMP includes the elements set forth in Part II.E of Attachment E and will achieve the Primary Objectives set forth in Part II.A of Attachment E of the LA County MS4 Permit.

Public Review and Comment

On July 3, 2014, the Board provided public notice and a 46-day period to allow for public review and comment on the MCW Group's draft CIMP. A separate notice of availability regarding the draft CIMPs, including the MCW Group's CIMP, was directed to State Senators and Assembly Members within the Coastal Watersheds of Los Angeles County. The Board received three comment letters on the MCW Group's draft CIMP. One joint letter was from the Natural Resources Defense Council (NRDC), Heal the Bay, and Los Angeles Waterkeeper, and the other letters were from Ventura Countywide Stormwater Quality Management Program and Las Virgenes - Triunfo Joint Powers Authority.

Los Angeles Water Board Review

Concurrent with the public review, the Los Angeles Water Board, along with U.S. EPA Region IX staff, reviewed the draft CIMPs. On July 21, 2015, the Los Angeles Water Board sent a letter to the MCW Group detailing the Board's comments on the draft CIMP and identifying the revisions that needed to be addressed prior to the Board's approval of the MCW Group's CIMP. The letter directed the MCW Group to submit a revised CIMP addressing the Los Angeles Water Board's comments. Prior to the MCW Group's submittal of its revised CIMP, the Los Angeles Water Board staff had a meeting on August 11, 2015 with the Malibu Creek Watershed Group to discuss the CIMP comment letter. There were two teleconference calls: one on August 25, 2015 to discuss additional questions regarding the CIMP review letter; and a second conference call on September 15, 2015 to discuss bioassessment comments. The MCW Group submitted its revised CIMP on September 18, 2015 for Los Angeles Water Board review and approval.

Approval of CIMP, with Conditions

The Los Angeles Water Board hereby approves, subject to the following conditions, the MCW Group's September 18, 2015 revised CIMP. The Board may rescind this approval if all of the following conditions are not met to the satisfaction of the Board within the timeframe provided below.

1. The MCW Group needs to monitor storm-borne sediment discharges of DDTs and PCBs to Santa Monica Bay (SMB) per the SMB TMDL for DDTs and PCBs. Therefore, monitoring for the SMB TMDL for DDTs and PCBs shall focus on sediment particles, which may be transported during storm events, and not water quality samples. Therefore, during wet weather monitoring at the mass emission station (MES S-02) the water shall be filtered and the particles will be analyzed for DDTs and PCBs.
2. The MCW Group proposed to eliminate two trash monitoring sites in Las Virgenes Creek (CMS LVC-1 and CMS LVC-2); however, Board staff did not approve the proposed change. Therefore, delete the following language from section 2.1.2:

“To streamline the trash monitoring program and retain monitoring collection on each of the existing reaches included in the TMDL and TMRP, the trash monitoring data for Las Virgenes Creek will be collected at one monitoring site in Lower Las Virgenes Creek.”

3. Update Table 11 to show that Nutrient TMDL monitoring will be conducted at monitoring sites Lindero Creek Reach 2 (MCW-CIMP 13), Triunfo Canyon Creek (MCW-CIMP 12),

Medea Creek Reach 2 (MCW-CIMP 9), Stokes Creek (MCW-CIMP 6), and Cold Creek (MCW-CIMP 5) as stated in Section 4.2.3 Nutrient TMDL.

4. Update Table 11 to show that Benthic Community Impairment TMDL monitoring will be conducted at monitoring sites Medea Creek Reach 1 (MCW-CIMP 10) and Lindero Creek Reach 1 (MCW-CIMP 11) as stated in Section 4.2.4 Benthic Community Impairments.
5. In Table 16 the Las Virgenes subwatershed and the Cold Creek–Malibu Creek subwatershed will be monitored for TSS and SCC; since the Las Virgenes Creek and Triunfo Creek Reach 1, respectively, are listed as impaired on the 2010 303(d) List for sedimentation and siltation.
6. In Table 16 under 303(d) Listed Pollutants, Benthic Community Impairment TMDL monitoring will include total nitrogen, ammonia, and chlorophyll *a*; in addition to, the listed parameters total phosphorus, TSS, and turbidity.

The MCW Group shall submit a final CIMP to the Los Angeles Water Board that satisfies all of the above conditions no later than **February 11, 2016**. Pursuant to Attachment E, Part IV.C.6 of the LA County MS4 Permit, the MCW Group must commence implementing its monitoring program within 90 days after this approval of the final CIMP (i.e. no later than April 20, 2016). Please note that the MCW Group is responsible for complying with all reporting provisions included in Attachment E, Part XIV – XVIII and Section B of Part XIX, “Reporting Requirements for Santa Monica Bay WMA TMDLs,” and Attachment D, Sections IV, V, and VII.A of the LA County MS4 Permit. Additionally, the MCW Group is also responsible for complying with the following requirements under Annual Reporting and Adaptive Management.

Annual Reporting

Within the reporting year, through its Annual Report per Attachment E, Part XVIII of the LA County MS4 Permit, the MCW Group shall report on the status of the phased initiation of stormwater outfall monitoring established in the revised CIMP and specified below.

- Section 5.3 Monitoring Approach: The CIMP establishes a phased approach to initiating monitoring at the stormwater outfall monitoring sites. As stated in the CIMP, “Two outfall sampling sites will be installed each of the first two years of this monitoring program. The first complete wet season (2016-17 projected) sites TRUNFOC-035 and LAVCR-054 will be installed with LNDRC-074 and TRUNFOC-095A installed for the second complete wet season of monitoring. Sampling will not commence at each of the stations until the completion of the auto sampler installation.”

In addition, the Annual Report shall provide an Integrated Monitoring Report that summarizes all identified exceedances of:

- outfall-based stormwater monitoring data,
- wet weather receiving water monitoring data,
- dry weather receiving water monitoring data, and
- non-storm water outfall monitoring data

against all applicable receiving water limitations, water quality-based effluent limitations, non-storm water action levels, and aquatic toxicity thresholds as defined in Sections XII.F and G of this MRP. All sample results that exceeded one or more applicable thresholds shall be readily identified.

The Annual Report shall also include a Municipal Action Level (MAL) Assessment Report, which shall present the stormwater outfall monitoring data in comparison to the applicable MALs, and identify those subwatersheds with a running average of twenty percent or greater of exceedances of the MALs in discharges of stormwater from the MS4. Please note that beginning in Year 3 after the effective date of the LA County MS4 Permit, each Permittee or group of Permittees shall submit a MAL Action Plan with the Annual Report to the Regional Water Board Executive Officer, for those subwatersheds with a running average of twenty percent or greater of exceedances of the MALs in any discharge of storm water from the MS4. Please note that implementation of an approved Watershed Management Program (WMP) or Enhanced Watershed Management Program (EWMP) per Part VI.C of the LA County MS4 Permit fulfills all requirements related to the development and implementation of the MAL Action Plan, as per Attachment G of the LA County MS4 Permit, for those pollutants addressed by the WMP or EWMP.

Adaptive Management

The Regional Water Board or its Executive Officer, consistent with 40 CFR section 122.41, may approve changes to the Monitoring and Reporting Program, after providing the opportunity for public comment, either:

1. By request of the MCW Group or by an interested person after submittal of the Monitoring Report. Such request shall be in writing and filed not later than 60 days after the Monitoring Report submittal date, or
2. As deemed necessary by the Regional Water Board Executive Officer, following notice to the MCW Group.

As part of the adaptive management process, any modifications to the CIMP must be submitted to the Los Angeles Water Board for review and approval. The MCW Group must implement any modifications to the CIMP upon approval by the Los Angeles Water Board or its Executive Officer, or within 60 days of submittal of modifications if the Los Angeles Water Board or its Executive Officer expresses no objections. Note that the MCW Group's Report of Waste Discharge (ROWD) is due no later than July 1, 2017. To align any modifications to the CIMP proposed through the adaptive management process with permit reissuance, results of the first adaptive management cycle should be submitted in conjunction with the MCW Group's ROWD.

The Regional Water Board appreciates the participation and cooperation of the Malibu Creek Watershed Management Group in the implementation of the LA County MS4 Permit. If you have any questions, please contact Ms. Rebecca Christmann of the Storm Water Permitting Unit by electronic mail at Rebecca.Christmann@waterboards.ca.gov or by phone at (213) 576-5734. Alternatively, you may also contact Mr. Ivar Ridgeway, Chief of the Storm Water Permitting Unit, by electronic mail at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Giles Coon, County of Los Angeles, Department of Public Works
Armando D'Angelo, County of Los Angeles, Department of Public Works
Kelly Fisher, City of Agoura Hills
Alex Farassati, City of Calabasas
Joe Bellomo, City of Hidden Hills
Kelsey Erisman, City of Westlake Village