



City of Malibu

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January 19, 2016

Samuel Unger, Executive Officer
California Regional Water Quality Control Board
Los Angeles Region
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

RE: Revised LA County MS4 Permit - North Santa Monica Bay Coastal Watersheds
Enhanced Watershed Management Program Submittal

Dear Mr. Unger:

On behalf of the City of Malibu, the County of Los Angeles, and the Los Angeles County Flood Control District, collectively the North Santa Monica Bay Coastal Watersheds (NSMBCW) Enhanced Watershed Management Program (EWMP) Group, this letter is response to your letter dated October 21, 2015, which provided comments on the Group's draft Enhanced Watershed Management Program. The draft EWMP was submitted to the Los Angeles Regional Water Quality Control Board (Regional Board) on June 29, 2015, pursuant to the provisions of NPDES Permit No. CAS004001 (Order No.R4-2012-0175).

The City has addressed the Regional Board's comments and is providing the revised NSMBCW EWMP for review and approval. Also attached is a table that summarizes all comments received from the Regional Board on October 21, 2015, as well as the Group's response to each of these comments.

If you have any questions, please contact Assistant Public Works Director Rob DuBoux at rduboux@malibucity.org or (310) 456-2489, extension 339. Thank you.

Sincerely,



Jim Thorsen
City Manager

Enclosures



EWMP – NSMBCW

January 19, 2016

Page 2 of 2

cc: Christi Hogin, City Attorney
Robert L. Brager, Public Works Director
Vic Peterson, Environmental Sustainability Director
Rob DuBoux, Assistant Public Works Director
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Ivar Ridgeway, Los Angeles Regional Water Quality Control Board
Rebecca Christmann, Los Angeles Regional Water Quality Control Board

Comment Number	EWMP Reference	MS4 Permit Provision	Summary of Comments and Necessary Revisions	NSMBCW Group Response
1	NA		ASBS Comments 1. As part of the EWMP, provide specificity on the number of MS4 outfalls and their ownership within the ASBS 24 area. Ensure consistency with "Area of Special Biological Significance 24, Compliance Plan for the County of Los Angeles and City of Malibu, September 20, 2015" (ASBS 24 Compliance Plan). 2. Integrate the ASBS 24 Compliance Plan into the EWMP. (a) Particular attention should be paid to integrating the actions in sections 3 and sections 6 into the appropriate elements of the EWMP. (b) Ensure the actions in the EWMP are in alignment with the schedule (section 8) in the ASBS Compliance Plan. 3. Discuss in the EWMP any unique watershed control measures to address MS4 discharges of non-stormwater and stormwater that are being taken within the ASBS 24 that are not being taken in areas outside of the ASBS but still within the NSMB EWMP area.	The number of outfalls has been added to the EWMP, and consistency with the ASBS Compliance Plan has been verified. The ASBS 24 Compliance Plan has been integrated by way of reference, and BMPs/MCMs between the EWMP and Compliance Plan have been verified to be consistent. There are no unique watershed control measures that are specific to the ASBS. Rather, the NSMBCW EWMP Group has proactively chosen to implement these BMPs throughout the entire EWMP Area, as applicable.
2	Table 1		Include beaches and SMB Nearshore & Offshore beneficial uses in Table 1. NSMBCW Water Bodies and Beneficial Uses Designated in the Basin Plan.	Table 1 has been updated to include the requested beneficial uses.
3	Table 5	Attachment M, Part C.2.	Table 5, footnote b. Note that the grouped WLAs in the SMB PCBs/DDT TMDL are for the annual pollutant load discharged from the MS4s throughout the SMB WMA to SMB, directly or indirectly.	Table 5, footnote b has been updated accordingly.
4	Throughout		Revise EWMP to ensure internal consistency, i.e., in a couple of places 1-2 outfalls are identified in the Topanga Creek Watershed, but in Section 7.1.2.3 the draft states that there are no Permittee-owned major outfalls in the watershed. Clarify or correct.	The EWMP has been inspected for inconsistencies. Regarding outfalls in Topanga Canyon Creek, there is one known NSMBCW outfall in the entire watershed (a 24" outfall near the top of the watershed). The statement in Section 7.1.2.3 that no major outfalls are known to exist in the watershed is correct, since a major outfall is defined as ≥ 36 " in diameter.
5	Throughout		Revise EWMP to be consistent in acreage of Civic Center area that is tributary to Legacy Park; in various parts of the draft it is identified as 618 or 619 acres.	The instance where 619 acres was stated has been updated to 618 acres appropriately.
6	Figure 5, page 48		Second box from top. Add a footnote or add to text in section 4.1.1 to say what the "defined criteria" are, consistent with the CIMP.	A footnote has been added to the figure (now Figure 6) to define this criteria, consistent with the
7	Page 49, bottom		"The wet-weather RAA process consists generally of the following steps: - Identify WBPCs for which the RAA was performed; This seems to be defining RAA with RAA so recommend changing this to read "Identify WBPCs based on TMDLs, 303(d) list and category 3 pollutants."	Text has been updated as suggested.
8	Page 52		Section 4.3 SBPAT Model, 1st paragraph states, "The NSMBCW EWMP Work Plan (Appendix B) provides the rationale for the selection of SBPAT as the primary water quality modeling program used to perform the NSMBCW RAA." Appendix B of the NSMBCW EWMP Work Plan contains tables of BMPs. Please clarify or correct the reference.	This was meant to say that the Work Plan has been provided as Appendix B to the EWMP, not to refer to Appendix B of the Work Plan. For simplification, the reference to Appendix B has been provided as a sentence at the end of the paragraph.
9	Page 49, Table 10		The Pollutant column needs modification or clarification. The wet weather bacteria permit limits for Malibu Creek must be changed to E. coli per the Malibu Creek and Lagoon Bacteria TMDL (Reconsideration of Certain Technical Matters of the TMDL for Bacteria Indicator Densities in Malibu Creek and Lagoon, Resolution No. R12-009). The wet weather bacteria permit limits for Santa Monica Bay should be changed to include all of the following: total coliform, fecal coliform and enterococci per the Santa Monica Bay Beaches Bacteria TMDL (Reconsideration of Certain Technical Matters of the Santa Monica Bay Beaches Bacteria TMDL; the Marina del Rey Harbor Mothers Beach and Back Basins Bacteria TMDL; and the Los Angeles Harbor Inner Cabrillo Beach and Main Ship Channel Bacteria TMDL, Resolution No. R12-007). If the table is indicating the modeled pollutant, please clarify that while fecal coliform is the modeled pollutant, that it is representative of the other indicator bacteria for which there are permit limits, as noted above.	The Table has been updated to reflect the fact that pollutants shown are modeled pollutants. A footnote has been added for clarification. The table is now labeled as Table 11.
10	Page 54		"School properties, which the NSMBCW EWMP Group does not have control over with respect to stormwater activities, were included in the RAA for consistency with other EWMPs." Clarify what is meant by "school properties", i.e., public and private. Clarify whether these school properties include Pepperdine University, specifically.	This statement has been removed from the EWMP.
11	Page 55, Figure 9		NSMBCW Analysis Regions for RAA NSMBCW - The analysis regions and HUC-12 areas are difficult to differentiate on the map. Revise the map to provide greater clarity.	The figure (now Figure 10) has been revised.
12	Table 5, page 25		The correct Effluent Limitation/Receiving Water Limitation is 1.0 mg/L not 0.65 mg/L for Total Nitrogen (summer) in Table 5 Final RWLs and WQBELs for NSMBCW TMDLs, page 25. The appropriate limits are in Table 10-4, page 10-19 of the "Malibu Creek & Lagoon TMDL for Sedimentation and Nutrients to Address Benthic Community Impairments".	Table 5 has been updated accordingly.
13	EWMP, page 91		Include a schedule for the 3.8% of Single Family Residential areas treated by bioswales per the public retrofit incentives (page 91) in the revised EWMP.	A schedule has been included in Section 7.3 of the EWMP.
14	Page 26		The EWMP states, "Compliance monitoring locations identified as MC-1, MC-2, and MC-3 in the Santa Monica Bay Beaches Bacteria TMDL CSMP are not included in Permit Attachment M and have therefore been excluded from the EWMP." These sites cannot be excluded unless they are included in the Malibu Creek EWMP/CIMP because they are subject to the grouped final single sample bacteria receiving water limitations for all shoreline monitoring stations along Santa Monica Bay beaches (Attachment M.A.4.d), except for those monitoring stations subject to the antidegradation implementation provision as established in the TMDL (Attachment M.A.4.f).	The text and table (Table 6) have been updated to reflect the fact that these compliance locations have been included in the NSMBCW EWMP.
15	Page 31		A TMRP from the County of Los Angeles on behalf of itself and the Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, and Westlake Village was approved on May 30, 2014. Implementation of the monitoring program should have begun as of that date. The first interim deadline for the trash/debris TMDL is March 20, 2016. Therefore, permittees must use whatever monitoring data are available (and should have been since May 2014) to assess and achieve compliance with the interim deadline of a 20% reduction of the baseline load by March 20, 2016.	As discussed with the Regional Board in our December 7 meeting, this comment is referring specifically to the Malibu Creek Watershed TMRP. Monitoring data to-date is limited to date from this watershed. The text in Section 2.1.2 of the EWMP has been updated to include relevant data collected to-date, including the number of FCS that have been installed by the County.
16	Table 23 D.8. Construction (page 87)		Regarding Construction, include the developed/modified checklist that focuses on water quality priorities.	The checklist for both the City and County will not be modified. This item has been removed from the table.
17	NSMBCW EWMP - Appendix D MCMs		Wherever modified is checked for a requirement, include details of how the MCM was modified in the Comment section.	Appendix D has been updated to include a comment for all modifications/enhancements.
18	Page 126		Revise Table 32 Water Body Pollutant Prioritization for the NSMBCW EWMP Area - by adding, " & Final Geometric Mean" to the row under SMB Beaches, Wet Weather Bacteria, July 15, 2021: Final RWLs (AEDs).	Table (now Table 34) has been updated appropriately.
19	pages 135 - 143	Part VI.C.1.g.ix, page 50	Provide estimated costs of the non-structural BMPs which includes Minimum Control Measures (MCMs). Also include a summary of existing/ past funding sources/amounts in the revised EWMP. These funding sources may include general or dedicated funds from the City, County & FCD, as well as grants/loans. General funds are mentioned, but the amount of general funds must be quantified for the last several years (FY13-14, 14-15) by Permittee.	Section 9.3/Table 39 has been added to include past expenditures on water management programs, as well as estimated FY2015-2016 budgets.

Comment Number	EWMP Reference	MS4 Permit Provision	Summary of Comments and Necessary Revisions	NSMBCW Group Response
20		Part VI.C.5.b. iv. (4)e	The plan does not clearly identify the responsibilities of each participating permittee. Ensure that the responsible entity for each watershed control measure (regional projects, distributed projects, public retrofit incentives, MCMs, etc.) is clearly identified in the revised EWMP.	Text has been added to the respective sections/tables identifying responsible parties. In the case of MCMs, it is stated that the MCMs are the responsibility of each agency unless otherwise noted. Table 27, which lists the various green street projects proposed in the EWMP, shows the responsible parties based on the percentage of land use within each project area.
21	various	Part VI.A.2	Address any intermingling of discharges from privately owned stormwater infrastructure into the MS4 in the appropriate elements of the revised EWMP.	The RAA was conducted based on land uses and was inclusive of private property/drains within the EWMP Area. As a result, the EWMP inherently addresses runoff from private property that enters the NSMBCW MS4.
22	Pages 129-131 and Table 33	Attachment M	There is a discrepancy between the wet weather allowable exceedance days that Regional Board staff has calculated in the TMDL and that which is provided in section 7.2.1 of the EWMP (511 vs. 490, respectively). Clarify whether the allowable exceedance days at SMB O-1 (Paradise Cove) and O-2 (Puerco Beach) were left out in calculating the totals in the EWMP.	Section 7.2.1 and Table 35 have been updated to reflect the number calculated by the Regional Board (511 AEDs). As stated, the discrepancy was due to the exclusion of SMB O-1 and O-2, which have now been added.
Water Quality Characterization				
23	page 31	Part VI.C.5.a.i	The EWMP presents no monitoring data for trash. It states that a TMRP was not approved and therefore monitoring did not begin. This is not accurate for one was approved for SMB on 5/30/2014. (The approval letter is attached herein.)	As discussed with the Regional Board in our December 7 meeting, this comment is referring specifically to the Malibu Creek Watershed TMRP. Monitoring data to-date is limited to data from this watershed. The text in Section 2.1.2 of the EWMP has been updated to include relevant data collected to-date, including the number of FCS that have been installed by the County.
24	Figure 3, page 28 and Figure 9 page 55	Part VI.C.5.a.i.	Ensure consistency among Figures 3 and 9 and the approved CIMP with regarding to compliance monitoring locations (receiving water and outfall).	Figures have been revised (as necessary) for consistency with the CIMP. Also, Figure 3 and Figure 9 are now labeled as Figure 4 and Figure 10, respectively.
25	Pages 98-105 and page 122		Ensure that all MS4 outfalls, as shown on Figure 23, are also included on all maps on pages 98-105 and page 122.	Identified MS4 outfalls have been added to requested figures. Figure 23 is now labeled as Figure 25.
Water Body Pollutant Classification				
26	Table 5 (page 25)	Part VI.C.5.a.ii.(1), page 60	One error was found in Table 5 (page 25). For the last row entitled "Malibu Creek and Lagoon Benthic TMDL," Total Nitrogen (summer) should be 1.0 not 0.65 mg/L per table 10-4, page 10-18 of the USEPA Region IX Malibu Creek & Lagoon TMDL for Sedimentation and Nutrients to Address Benthic Community Impairments	Table 5 has been updated accordingly.
27	Table ES-1, page ES4	Part VI.C.5.a.ii.	The "Topanga Source ID Study Final Report, December 2012-August 2014, October 23, 2014 identified fecal indicator bacteria (E. coli) as a pollutant for Topanga Canyon Creek. E. coli is not on the 303(d) list and is not addressed by a TMDL. As such, it must be evaluated as a potential Category 3 pollutant	This pollutant has been added as a Category 3 WBPC, and reference to the appropriate study has been added. Please note that RAA modeling was unaffected by this addition, since bacteria modeling was already conducted in the Topanga Creek watershed.
Source Assessment				
28	EWMP Work Plan, page 21	Part VI.C.5.a.iii. (1)(a)(i)-(iv), pages 59-60	<p>The EWMP Work Plan states "The following data sources will be reviewed as part of the source assessment for the Category 1 and 2 water body- pollutant combinations (i.e. regarding known and suspected stormwater and non-stormwater pollutant sources in discharges to the MS4 and from the MS4 to receiving waters and any other stressors related to MS4 discharges causing or contributing to the water quality priorities):</p> <ol style="list-style-type: none"> 1. Findings from the Permittees' Illicit Connections and Illicit Discharge Elimination Programs (IC/DI); 2. Findings from the Permittees' Industrial/Commercial Facilities Programs; 3. Findings from the Permittees' Developments Construction Programs; 4. Findings from the Permittees' Public Agency Activities Programs 5. TMDL source investigations; 6. Watershed model results; 7. Findings from the Permittees' monitoring programs, including but not limited to TMDL compliance monitoring and receiving water monitoring; and 8. Any other pertinent data, information, or studies related to pollutant sources. <p>However, no such findings are presented in the EWMP from these programs regarding known and suspected stormwater and non-stormwater pollutant sources in discharges to the MS4 and from the MS4 to receiving waters and any other stressors related to MS4 discharges causing or contributing to the water quality priorities. The revised EWMP must detail what the results of the Group's investigations are. Further, it is not clear whether the Group considered the Topanga Creek Source ID Study, mentioned above, as it is not listed in the Reference section. Footnote a of Table 8 cites monitoring results from multiple MST (Microbial Source Tracking) studies in the EWMP area, but references a comment letter rather than the original sources. The revised EWMP must cite the original sources and include the references in the Reference section.</p> <p>The only additional discussion of MCMs focuses on the enhancements/modifications to the MCMs from the base line requirements in the 2012 permit (Part VI.D).</p>	<p>The EWMP Source Assessment (Section 2.3) has been bolstered based on information gathered as part of the EWMP Work Plan.</p> <p>The Topanga Creek Source ID Study was not originally included, since it had not been published at the time of submittal of the EWMP Work Plan. However, this study has been added to the EWMP.</p> <p>Footnote a of Table 9 (formerly Table 8) has been revised as requested.</p>
29	NA	Part VI.C.5.a.iii. (1)(a)(vii)	<p>The EWMP must more explicitly summarize findings from studies related to pollutant source information in the EWMP area. At a minimum, the following studies must be summarized:</p> <p>Source identification in Topanga; the link is http://www.rcdmm.org/topanga-creek-watershed-research-reports</p> <p>Escondido and Ramirez Canyons; the link is http://www.sccwrp.org/ResearchAreas/BeachWaterQuality/UppperSantaMonicaBayMicrobialSourceTracking.aspx</p> <p>Additional, summarize relevant work contained in the following two TMDL related reports/plans:</p> <ul style="list-style-type: none"> - "Santa Monica Bay Beaches Wet-Weather Bacteria Total Maximum Daily Load Implementation Plan, Jurisdictional Groups 1&4" - "Quantitative Assessment Santa Monica Bacterial TMDL Implementation Plan, JG 1&4" 	<p>The Topanga Creek Source ID Study has been included per the previous comment.</p> <p>The Escondido and Ramirez Canyon study (Weisberg, et. al., 2009) has been included in the EWMP.</p> <p>Although the J1&J4 Implementation Plan and the associated Quantitative Assessment were relied upon for project identification and additional background information, they did not contain new information related to source identification. Rather, the literature reviews that were used in those studies have also been included in the source assessment for NSMBCW, where applicable.</p>
30	NA	Part VI.C.5.a.iii. (1)(a)(vi), page 61.	<p>Modeling results from TMDLs are included but not those related to source assessment.</p> <p>The EWMP group must summarize relevant work contained in two TMDL related reports/plans:</p> <ul style="list-style-type: none"> - "Santa Monica Bay Beaches Wet-Weather Bacteria Total Maximum Daily Load Implementation Plan, Jurisdictional Group 1&4" - "Quantitative Assessment Santa Monica Bacteria TMDL Implementation Plan, Jurisdictional Groups 1&4" <p>While some of the work may have been updated by more current efforts, it is important to reference and acknowledge previous work.</p>	<p>These studies generated no new source information, but relied on land-use based source summaries, consistent with what has been done (in part) in the EWMP. Where appropriate, these studies have been cited.</p>

Comment Number	EWMP Reference	MS4 Permit Provision	Summary of Comments and Necessary Revisions	NSMBCW Group Response
31	Page 112	Part VI.C.5.a.iii.(1)(b), page 61	Eighteen subwatersheds are described on pages 12-18, and for a number it is noted that there are no permittee-owned MS4 outfalls within the subwatershed. For those where there are MS4 outfalls, i.e., those where it is not stated that there are not any permittee owned MS4 outfalls, including Encinal, Trancas, Ramirez, Escondido, Corral, Malibu Creek (in Civic Center area, even though addressed by Legacy Park), Las Flores, Piedra Gorda, and Topanga, a table with details regarding the MS4 outfalls, organized by subwatershed, needs to be included in the revised EWMP to accompany Figure 23. If not all outfalls have been identified, a schedule for mapping the remaining MS4 outfalls needs to be included.	Table 31 has been added to the EWMP to summarize the number and size range of all identified outfalls, both major and minor. This table provides available details on each identified outfall.
32	Pages 12-18	Part VI.CS.a.iii.	For each paragraph on pages 12-18, be consistent in every case in identifying if there is, or is not, a MS4 outfall for each subwatershed.	Each paragraph in Section 1.3.5 has been updated to state whether any outfalls are present within the specified subwatershed.
33	Figure 23, Page 112	Part VI.CS.a.i.ii.	Ensure that all MS4 outfalls (major and minor) are displayed on Figure 23, page 112. In addition, provide a table of all outfalls displayed on the figure, as noted above.	We have verified that all NSMBCW-owned outfalls are shown on Figure 25 (previously Figure 23), based on currently available data. Table 31 has been added to the EWMP per the previous comment.
Selection of Watershed Control Measures				
34		Part VI.CS.b.	Regarding the Trash TMDL and its WQBELs, reference the following: "Santa Monica Bay Watershed Management Area (WMA) Trash Monitoring and Reporting Plan (TMRP) - Final" September 2012, Larry Walker Associates. Specifically refer to Table 4 on page 27 and the paragraph above Table 4 to describe the implementation requirements and the implementation schedule for compliance with the Santa Monica Bay Nearshore and Offshore Debris TMDL.	The TMRP has been referenced in Section 2.1.2, where specific implementation requirements are described. Table 34 presents the compliance schedules for both Trash TMDLs and Section 7.2.2 discusses the approach the Group will take to achieve both interim and final compliance with the Trash TMDLs.
35	Page 10	Part VI.C.5.b	Include a detailed soils map indicating the infiltration rates for the various soil types in the EWMP area rather than the general description provided in Section 1.3.4 to support the group's conclusion that there is little opportunity for regional retention projects.	A soils map has been created based on available GIS data, which is not identical to the data provided in the referenced report. It should also be noted that additional geologic conditions were evaluated when determining if a regional retention project was feasible. Some of these conditions are also included in the figure. In addition, regional retention projects were only evaluated in subwatersheds that showed a need for structural BMPs based on the RAA results. The combination of these various factors has led to the overall conclusion that such large-scale projects are not efficient nor necessary at this point in time in the NSMBCW EWMP Area. Additional discussion on this is provided in the BMP section of the EWMP.
36	Table 29, page 111	Part VI.C.5.a.iv.(1), page 61	It is unclear, in footnote 3 to Table 29, whether observations were made at all MS4 outfalls in the subwatershed, or if the implication here is that there was no flow from the freshwater outlet to the surf zone. Clarify and provide supporting data from observations described in same footnote.	Observations were made at the outfalls. The footnote on the table (now Table 30) been revised, and the NSW screening summary table has been added to the EWMP as Appendix F and referenced accordingly.
37	Appendix D	Part VI.C.I.g.viii, page 50	While not explicitly stated it appears that the MCMs as required in Part VI.D of the permit, per Appendix D, are either going to be implemented as required by the permit, enhanced, or appropriately modified. Confirm that the MCMs will be required, enhanced or modified. Ensure that the modifications and enhancements described in Table 23 of the EWMP (pages 85-87) for the Development Construction Program match those in Appendix D of the EWMP for the same program.	The Group has confirmed that Table 23 of the Draft EWMP (now Table 24) and Appendix D are consistent. The Group plans to implement all MCMs as specified in Appendix D. The following sentence has been added to state this: "An overview of all MCMs to be implemented by the NSMBCW EWMP Group and the WBPCs which they target is provided in Appendix D."
38	Page 31	Part VI.C.5.a.v.(1), page 61	A TMRP from the County of Los Angeles on behalf of itself and the Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, and Westlake Village was approved on May 30, 2014. Implementation of the monitoring program was required immediately. The first interim deadline for the trash/debris TMDL is March 20, 2016. Therefore, permittees should immediately use whatever monitoring data are available, since approval of the monitoring plan, to assess and achieve compliance with the interim deadline of a 20% reduction of the baseline load by March 20, 2016.	As discussed with the Regional Board in our December 7 meeting, this comment is referring specifically to the Malibu Creek Watershed TMRP. Monitoring data to-date is limited to data from this watershed. The text in Section 2.1.2 of the EWMP has been updated to include relevant data collected to-date, including the number of FCSs that have been installed by the County.
39	Page 31	Part VI.C.5.a.iv.(1) page 61	While the EWMP does not have to model trash, there should be a discussion in the EWMP about how the group intends to comply with the Santa Monica Bay Trash TMDL. Referencing the development and adherence to approved TMRPs/PRMPs by the required interim and final compliance deadlines is adequate.	The TMRP has been referenced in Section 2.1.2, where specific implementation requirements are described. Section 7.2.2 discusses the approach the Group will take to achieve both interim and final compliance with the Trash TMDLs.
40	Pages 81-82; Table 23; Appendix D	Part VI.C.5.b.ii.(1), page 62	Regarding preventing or eliminating non-stormwater discharges to the MS4 that are a source of pollutants from the MS4 to receiving waters, the plan does not specify measurable milestones within the permit term (specific actions, outcomes and deadlines). To the extent that these are covered in the CIMP through the non-stormwater screening, source investigation and elimination, and monitoring program, include a description of these elements and corresponding measurable milestones in the EWMP.	Section 4.1 has been updated to include details from the CIMP and measurable milestones.
41	Table 23, pages 85-87 and Appendix D	Part VI.C.5.b.iv.(1)(a)(i)	Ensure that Table 23 (pages 85-87) and Appendix D are aligned. It appears that Table 23 should be a subset of the MCMs in Appendix D, i.e., those that are identified as "enhanced" or "modified" in Appendix D. The Group also needs to ensure that for each MCM, the Permittee(s) responsible for implementing it are clearly identified. If all MCMs will be implemented by all three permittees in all areas, note this.	Table 23 of the Draft EWMP (now Table 24) and Appendix D have each been modified to be consistent with one another. It has been noted that all NSMBCW agencies will be responsible for all MCMs.
42	Table 23, page 87	Part VI.C.5.b.iv.(1)(a)(iv) page 63	Under Public Agency Activities the EWMP lists the following modification: "EWMP regional and distributed project selection process will be utilized to meet these requirements rather than implementing separate evaluations for retrofit opportunities." The justification says that "Separate procedures are not needed as these considerations are incorporated into the EWMP control measure selection process." Note however that the permit also requires that each permittee cooperate with private landowners to encourage site specific retrofitting projects (see Part VI.D.9.D.v of permit). Describe in greater detail how the group will encourage retrofitting of private properties and provide interim & final milestones for the implementation assumptions in section 5.2.3.3. (Table 23, page 87)	Language has been added to the table (now Table 24) to describe this process. Milestones have been added to Section 7.3 of the EWMP.
43		Part VI.A.2.a.viii	Indicate how the Permittees will control the contributions of pollutants from MS4s owned by Caltrans and State Parks (if any in the EWMP area) to their MS4s through interagency agreements or other means.	Although the Group is ultimately not responsible for the MS4s of these other agencies, it will continue to pursue coordination with these agencies to attempt to limit the pollutants discharged to the Group's MS4. Language to this end has been added to Section 1.2 of the EWMP.
44	pages 132-134	Part VI.C.8, pages 68-70	Part VI.C.8.a.i.(7) describes adaption of the EWMP to become more effective based on: "Recommendations for modifications to the Watershed Management Program solicited through a public participation process." A public participation process is not described in the NSMB EWMP description of the Adaptive Management Approach. Describe the group's intention regarding public participation in its adaptive management process. Include a commitment to address Part VI.C.8.a.iv.(1)-(7) of the LA County permit as part of the group's adaptive management process.	Section 8 of the EWMP has been updated to include the requested language.

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45	Pages 106-123	Part VI.C.5.b.iv .(4)(d), page 64	The EWMP does not address compliance vis-a-vis interim limits. Tables 27 and 31 discuss compliance but only with the final limits. Attachment C-1 provides further detail in terms of target load reduction by blocks of years (2003-2015 and 2015-2021) but it does not correspond with the next interim deadline for bacteria, which is 2018 for Santa Monica Bay. Revise the EWMP to include analysis demonstrating a reasonable assurance that interim limits for Santa Monica Bay Beaches bacteria will be met.	As discussed with the Regional Board in our December 7 meeting, Section 7.2 sufficiently addresses interim compliance.
46	Pages 125-131	Part VI.C.5.c, page 66	Interim milestones and dates for their achievement need to be included for : - Proposed Distributed BMPs (Table 26) (i.e., area to be treated in acres within each analysis region by a date certain) - Public Retrofit Incentives (Section 5.2.3.3) - rate of conversion of SFR areas to disconnected downspout systems (need to include measurable metrics & dates for their achievement) - Proposed Regional BMPs (Section 5.2.4.3) - interim milestones for design and construction and dates for their completion for Topanga green street project along Viewridge Road.	A draft schedule for BMP implementation has been included in Section 7.3 of the EWMP. However, it should be noted that the driving compliance deadline for the NSMBCW EWMP Group is July 2021 per the SMBBB TMDL for wet weather (with the exception of trash/debris in Santa Monica Bay and Malibu Creek). Distributed Green Street projects have been proposed on a per-project basis rather than an area-treated basis in order to maximize funding opportunities and limit the costs associated with project startup.
47	Pages 89-90		Further substantiate or reference redevelopment rates on pages 89-90 of the EWMP. Redevelopment rates should be tracked and evaluated via the adaptive management process, to confirm or adjust initial assumptions.	A reference has been provided and a sentence has been added to Section 5.2.3.2 to state that these values will be updated based on collected data, as necessary.
Enhanced Watershed Management Program Provisions				
48	NA	Part VI.C.1.g, page 49	Provide a discussion on how the Group's comprehensive evaluation of opportunities for multi-benefit regional stormwater capture retention projects was conducted.	Section 5.2.1 has been revised to include a discussion on this.
49	Appendix B, Work Plan, pages 43-44.	Part VI.C.1.g, page 49	The NSMBCW EWMP Work Plan outlined a process for comprehensively evaluating opportunities within the participating Permittees' collective jurisdictional area in a Watershed Management Area, for collaboration among Permittees and other partners on multi-benefit regional stormwater capture/ retention projects that involved the following four (4) steps.... (1) SBPAT catchment prioritization process; (2) Derive BMP opportunity scores (3) Desk-top GIS screening (4) Field reconnaissance of regional BMP sites, including preliminary soil analysis & initial environmental study to support a feasibility analysis. Include a more thorough presentation of the results of each of these steps. If no field reconnaissance was done for any potential BMPs, a schedule for conducting the field reconnaissance needs to be included for each potential BMP.	Section 5.2.1 has been revised to include a discussion on this.
50	EWMP, section 5.2.4.2, page 93	Part VI.C.1.g, page 49	The EWMP lists existing regional BMPs (section 5.2.4.2). Two of these are retention facilities - Trancas Canyon Park & Las Flores Creek Restoration & Park - and were designed to retain the 0.75- inch storm. Compare this to the 85th percentile storm for these two subwatersheds, and evaluate whether additional capacity could be added to achieve retention of the 85th percentile storm volume at these two projects.	At Trancas Canyon Park, the 85th percentile design storm is approximately 0.65 inches. At the Las Flores Creek project, the 85th percentile design storm is approximately 0.75 inches. Therefore, both projects are effectively designed to capture and treat the 85th percentile design storm. Text has been added to state this for each project.
51	EWMP, page 122	Part VI.C.1.g, page 49	For distributed green street BMPs, indicate that progress toward implementing these distributed BMPs based on the area treated will be reported annually.	Text has been added to Section 5.2.4.4 to address this request.
52	NA	Part VI.C.1.g, page 49	Provide an explanation as to why Regional Projects, with the exception of Malibu Legacy Park, cannot treat the 85th percentile, 24-hour storm event.	Section 5.2.1 has been revised to include a discussion on this.
53	Table 23, page 86	Part VI.C.1.g, page 49	Provide more details on how the Permittees' "Outreach to industrial/commercial facilities will focus on water quality priorities to most effectively utilize resources."	Language has been added to Table 24 and Appendix D to state that BMPs related to bacteria control will be highlighted in outreach material.
54	Page 87	Part VI.C.1.g, page 49	Revise the EWMP to describe how the construction checklist will be modified to focus on water quality priorities.	The checklist for both the City and County will not be modified. This item has been removed from Table 24.
55	Pages 89-90	Part VI.C.1.g, page 49	Consider relabeling the section Quantified Non-structural BMPs (5.2.3), which describes programmatic BMPs, but also redevelopment BMPs and public retrofit BMPs (page 89-91). The EWMP says that "Specific non-structural BMP model inputs are summarized in Table 25." However, media-filters, bioretention, biofiltration and bioswales are all structural BMPs. In addition, provide an explanation as to why these BMPs were selected for public retrofit and redevelopment and not others.	The Group would prefer to maintain the non-structural designation, since ultimately, these are programs/institutional BMPs that are being implemented (e.g., the LID ordinance or downspout disconnect program). However, since non-structural BMPs can't be modeled, assumptions were made in the RAA to account for these non-structural BMPs as structural BMPs. For example, since the LID ordinance requires LID BMPs such as bioretention and biofiltration to be implemented on new projects, it was assumed that a qualifying percentage of certain properties will incorporate these BMPs in the future. This section of the EWMP describes the assumptions related to the modeling of these structural BMPs to assess non-structural BMP effectiveness. Text has been added to attempt to clarify and expand this discussion.
56	Page 82	Part VI.C.1.g, page 49	The EWMP states that "An approach for evaluating existing institutional MCMs was developed as part of the NSMBCW EWMP Work Plan (Appendix B) and was used to evaluate existing MCMs and develop the customized MCMs." The approach is outlined. The actual analysis/work to evaluate the MCMs (non-structural BMPs) is not shown in Appendix D-1. More explanation (beyond the comments in the last column) would be helpful particularly in the situations where there is no enhancement beyond what is required in the permit.	Additional text has been added to Appendix D for all enhanced or modified MCMs. For all MCMs that will be implemented in accordance with the Permit, the decision to implement these BMPs without enhancement/modification was made based on the Group's knowledge and experience with existing MCMs and funding limitations to enact additional enhancements or modifications. Per the Group's adaptive management approach, updates to the MCM programs will be incorporated on an as-needed and ongoing basis.
57	Page 94-95	Part VI.C.1.g, page 49	One newly proposed Regional BMP was evaluated and was referred to as "Analysis Region SI-18 (Topanga Canyon)". Provide additional detail on the anticipated volume and pollutant load reductions from this BMP. While the EWMP references section 5.3.1 as containing this information, it is not clear whether the values that correspond to the Row "SI-18" and the column "Proposed BMPs" represent the reductions from this regional BMP. Please clarify and provide additional detail for the proposed regional BMP as directed above. Also include a schedule for completion of this project (or an alternative project in this subwatershed).	Language has been added to Section 5.2.4.3.1 as requested, stating the estimated load reduction from the project. Since it has not been determined if the project will be a retention or flow through project, the volume reduction has not been reported. Rather, the EWMP will be updated if and as required based on project design. The County has initiated project planning. A completion date of 2021 has been set.
58	Page 29, EWMP Work Plan	Part VI.C.1.g, page 49	Regional Projects Trancas-2 and Trancas-3 were discussed in the EWMP workplan which stated that they would be evaluated further in the EWMP RAA (page 29, EWMP Work Plan). Provide details of the evaluation.	Because the RAA determined that no additional structural BMPs were required in the Trancas subwatershed, it was determined that there was no need to further evaluate these projects. Rather, attention was focused on the subwatersheds in the EWMP Area that were found to require additional structural BMPs for compliance.

Comment Number	EWMP Reference	MS4 Permit Provision	Summary of Comments and Necessary Revisions	NSMBCW Group Response
59	NA	NA	For the Malibu Legacy Park project, specify the parameters associated with this storm event (e.g. estimated and measured rainfall depth, rainfall volume, stormwater runoff volume) . Additionally, this should be done for the Broad Beach Biofiltration Project, Wildlife Road Storm Drain Improvements, Trancas Canyon Park & Las Flores Creek Park. Further, indicate whether the group evaluated whether these existing projects could be upgraded to fully capture the volume associated with the 85th percentile, 24- hour storm event.	<p>Details on the design storm for Legacy Park (0.75 inch storm) have been included in the EWMP, along with the detention basin size (8 acre ft). Since modeling was not conducted for this tributary area since the project qualifies as a Regional EWMP Project, model results are unavailable for the project.</p> <p>Design details for the other listed projects are provided in Section 5.2.4.2. Some of these projects are flow-through treatment projects, so design is based on a flow rate, not a storm depth. For both the Trancas Canyon Park project and the Las Flores Creek Restoration project, the SUSMP design storm is either equal to or exceeds the 85th percentile design storm. This has now been stated in the EWMP.</p> <p>The Group did not evaluate the upsizing of any BMPs where additional load reduction was not shown to be required. Rather, the Group focused their resources on identifying projects in subwatersheds estimated to require additional load reduction.</p>
60	Section 5.2.4.1	Part VI.C.I.g, iv, page 49	The EWMP must clearly outline the multiple benefits of each of the existing and proposed Regional BMPs.	<p>Regional EWMP projects that either already include multiple benefits (e.g., Legacy Park) or are proposed to include multiple benefits (e.g., Topanga Canyon Project) have discussions included related to the various benefits they provide or will provide.</p> <p>Where applicable for existing projects, additional benefits provided by the project are now discussed, with a general discussion in Section 5.4.</p>
<i>Reasonable Assurance Analysis (RAA)</i>				
61	Page 66		Clarify title of Table 18; is it presenting the IBD arithmetic means of the irreducible BMP effluent concentrations?	Table 19 (formerly Table 18) summarizes the irreducible effluent concentration estimates that are used in SBPAT to prevent treatment from occurring when influent concentrations are equal to or below these values. In other words, these are the lowest EMC values that SBPAT can select and apply to a given BMP. Text has been added to clarify this, though the table title has remained unchanged.
62	table 29, page 111	Part VI.C.5.b. iv.(5)	Include in the EWMP a plan to reevaluate the dry weather RAA (analysis presented in Table 29,page 111) with updated data biennially per the adaptive management process where there are any MS4 outfalls (major and minor).	Since the dry weather RAA is presented for informational purposes only (due to the fact that relevant dry weather compliance deadlines have passed), the dry weather RAA will not be updated. However, compliance monitoring in the form of shoreline monitoring as well as outfall screenings will continue to occur, and will be reported annually in the Group's respective annual reports.
63	Comments from C.P. Lai and Thanhloan Nguyen		Section 4.1 Raa Approach - Dry Weather: EWMP group's dry weather compliance approach is to eliminate 100% of non-exempt dry weather MS4 discharges and the proposed Non-Stormwater Outfall Screening Program (page 48) is used to demonstrate reasonable assurance of compliance for dry weather. The proposed program however only showed steps to conduct source investigations, referral to appropriate IC/ID Program, monitoring, and reporting. The EWMP must also include an evaluation of other control measures for NSW discharges if they cannot be eliminated including treatment or diversion	Section 4.1 has been expanded to address this comment.
64			Present the model results of the baseline condition for daily runoff volume, bacteria concentration, and daily load relative to exceedance days during the critical year for each analysis region, including MCW, in the EWMP report or shown in Appendix C - RAA summary data.	Table 22 presents the requested data for the SMB watershed. Section 6.1 presents the requested data for the MCW watershed. Detailed, daily data outputs are provided as electronic files, as discussed in Appendix C.
65			Provide the flow duration curve of flow data in the receiving water body (Topanga Creek at gauge reference ID F54C-R) using the most recent 10-year period of data. Also provide the time series of flow data for this same location at 10-year period.	Figure 12 has been added to show this data.
66			Provide the time series of runoff volume, pollutant concentration, and pollutant load for lead in Topanga Creek for the critical year	Due to the size of daily data, this information has been included in the electronic database, as discussed in Appendix C.
67			For nitrate in Malibu Creek, make the comparison between the allowable load and the existing load based on the winter season (as defined in the TMDL) rather than the entire year.	The requested comparison has been incorporated and results are unchanged. This is due to the following reasons: since we are only dealing with wet weather, and 98.3% of stormwater runoff occurred during the TMDL-defined winter, inclusion of the few small summer storms that occurred during the 90th percentile year will not alter the results significantly; since the baseline load and the allowed load were both calculated based on the runoff from the entire model year, any difference in runoff/load will be recognized for each condition, effectively offsetting one another. The 90th percentile daily concentration for nitrate was also verified to be unchanged when analyzing the winter season compared to the entire year.