

Los Angeles Regional Water Quality Control Board

May 15, 2015

Permittees of the North Santa Monica Bay Watershed Management Group
(See Distribution List)

REVIEW OF THE NORTH SANTA MONICA BAY 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 North Santa Monica Bay Watershed Management Group:

The Regional Water Board has reviewed the draft monitoring program submitted on June 27, 2014 by the North Santa Monica Bay Watershed Management Group (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 Regional Water Board.

The Regional Water Board has reviewed the Group's draft CIMP and has determined that, for the most part, 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. However, some additions and revisions to the CIMP are necessary. The Regional Water Board's comments on the draft CIMP, including detailed information concerning necessary additions and revisions to the CIMP, are found in Enclosure 1 and Enclosure 2.

Please make the necessary additions and revisions to the CIMP, as identified in the enclosures to this letter, and submit the revised CIMP as soon as possible and no later than **June 29, 2015**. The revised CIMP must be submitted to losangeles@waterboards.ca.gov with the subject line "LA County MS4 Permit – Revised North Santa Monica Bay Watershed Management Group CIMP" with a copy to Ivar.Ridgeway@waterboards.ca.gov and Erum.Razzak@waterboards.ca.gov.

Upon approval of the revised CIMP by the Executive Officer, the Group must prepare to commence its monitoring program within 90 days. If the necessary revisions are not made, the Group must comply with the Monitoring and Reporting Program and future revisions thereto, in Attachment E of the LA County MS4 Permit.

Until the Group's CIMP is approved by the Executive Officer, the monitoring requirements pursuant to Order No. 01-182 and Monitoring and Reporting Program CI 6948, and pursuant to approved TMDL monitoring plans shall remain in effect.

If you have any questions, please contact Ms. Erum Razzak of the Storm Water Permitting Unit by electronic mail at Erum.Razzak@waterboards.ca.gov or by phone at (213) 620-2095. 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

Enclosures: Enclosure 1 – Summary of Comments and Required Revisions
Enclosure 2 – Comments on Aquatic Toxicity Testing
North Santa Monica Bay Watershed Management Group Distribution List

Los Angeles Regional Water Quality Control Board

Enclosure 1 – Summary of Comments and Necessary Revisions to Draft CIMP

North Santa Monica Bay Watershed Management Group

CIMP Reference	MRP Element/ Reference (Attachment E)	Comment and Necessary Revision
General		
Table 1-4		Update Table 1-4, note a, with the effective date of the revised SMB Beaches Bacteria TMDL, which is July 2, 2014. Also, note that the final compliance date during winter dry weather of November 1, 2009 did not change from the original TMDL as a result of the revisions to the TMDL.
Table 1-4		Remove note b from Table 1-4, since the waste load allocations (WLAs) assigned to MS4 discharges in Attachment M of the permit are annual loads based on existing conditions. Therefore, the WLAs do not require reductions in the pollutant load discharged from the MS4, unless the assumptions and calculations of the existing load in the TMDL are found to be inaccurate based on monitoring data collected through this and other CIMPs in the SMB Watershed Management Area. Therefore, it is inappropriate to refer to the overall schedule for attainment of TMDL targets in the receiving water, which is reliant on all sources, not just MS4 discharges, achieving their respective WLAs and load allocations (LAs).
Section 1.4.1		Remove or revise footnote 3. The Los Angeles Water Board is currently developing a program of implementation (i.e., implementation plan) for the “Malibu Creek and Lagoon TMDL for Sedimentation and Nutrients to Address Benthic Community Impairments,” which was established by USEPA on July 2, 2013.
Section 1.4.3		Include an evaluation of bacteria as a Category 3 pollutant, particularly in Topanga Creek subwatershed, on the basis of data collected through the Topanga Creek Source Identification Study.
Appendix B	Attachment D Part III.B (page D-5) & Attachment E Part III.G (page E-6)	Revise Appendix B of the draft CIMP to specify the following: <ul style="list-style-type: none"> • Suspended-Sediment Concentration (SSC) shall be analyzed per American Society for Testing and Materials (ASTM) Standard Test Method D-3977-97. • Monitoring for PCBs in sediment or water will be reported as the summation of aroclors and a minimum of 40 (and preferably at least 50) congeners. See Table C8 in the state’s Surface Water Ambient Monitoring Program’s Quality Assurance Program Plan (Page 72 of Appendix C),

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		which can be downloaded at http://www.waterboards.ca.gov/water_issues/programs/s_wamp/docs/qapp/qaprp082209.pdf for guidance. <ul style="list-style-type: none"> Clarify and revise as necessary the method to be used for PCBs in aqueous samples. Section 1.5.2.5 identifies Method 1668, while Appendix B identifies Method 8270. Indicate that samples will be analyzed using High Resolution Mass Spectrometry.
Appendix B	Table E-2 (page E-17 to E-20)	Pentachlorophenol (ML: 2 µg/L) is missing from Appendix B.
Section 7.5 footnote 18		Section 7.5 footnote 18 of the draft CIMP states that monitoring data will be submitted to MS4stormwaterRB4@waterboards.ca.gov. Please note that the aforementioned email address is no longer active. Instead, all monitoring data and/or other submissions must be sent to losangeles@waterboards.ca.gov with a descriptive subject line such as, "LA County MS4 Permit – North SMB 2013-14 Annual Monitoring Data."
Section 7.5	Attachment G Part VIII (page G-17 to G-18)	Clarify that the Integrated Monitoring Compliance Report (IMCR) will include a summary of exceedances for both non-stormwater actions levels in non-stormwater samples from outfalls, and municipal action levels (MAL) in stormwater samples from outfalls, so that the Regional Water Board may identify subwatersheds requiring additional Best Management Practices (BMPs) to reduce pollutant loads and prioritize implementation of additional BMPs.
Appendix A		Correct typographical error in Appendix A page A-10 and A-11: Title says NSMBCW-RW4 but should say NSMBCW-RW3.
Receiving Water Monitoring		
Tables 2-2 and 2-3, Appendix A		Revise draft CIMP to include monitoring at NSMBCW-RW2 at the standard frequencies set forth in Table 2-3 (i.e., 3 times per year during wet weather and twice per year during dry weather, including once during the month of August).
Section 1.5.2.3 & Appendix F		The draft CIMP notes that the TMRP required as per the Santa Monica Bay Nearshore and Offshore Debris TMDL (SMB Debris TMDL) was submitted by LA County along with a demonstration that a PMRP was not needed. Revise the CIMP to note that a letter from the Regional Board dated 10/20/14 approved the request for an exemption from preparing a PMRP and that the TMRP for Malibu Creek submitted by LA County qualifies as meeting requirements for SMB Debris

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		TMDL.
Section 2.2	Part VI.C.1.b.iii (page E-15)	The draft CIMP notes that the 1 st significant rain event of the storm year and two other wet weather events will be targeted. The revised CIMP should specify that the three wet weather events will occur within the same wet weather season.
		Revise the CIMP to clarify which receiving water monitoring location(s) (i.e., NSMBCW-RW1, RW2 or RW3) will be used to monitor for DDT and PCBs to fulfill the requirements for the Santa Monica Bay DDTs and PCBs TMDL (SMB DDT & PCB TMDL) and provide a brief justification. If NSMBCW-RW2 is selected, provide an explanation of how data will be used to determine pollutant loads of DDT and PCBs for the NSMB EWMP area. Alternatively, select NSMBCW-RW1 or RW3 and provide a brief justification.
Table 2-4		The draft CIMP proposes one wet weather monitoring event for DDT and PCBs. The wet weather sampling frequency should be increased to three times per year. After the first year of monitoring, the Group can submit a written request to reduce the monitoring frequency for DDT and PCBs.
Section 2.2		Section 2.2 of the draft CIMP notes one dry weather monitoring event will take place during the historically driest month, which is identified as August for the NSMBCW area. Include a summary and the analysis of historical precipitation data and stream flow records in the CIMP that justifies this conclusion.
Storm Water Outfall Based Monitoring		
Section 3.1, Table 3-1, & Appendix A		Although Section 3.1, Table 3-1, and Appendix A of the draft CIMP provide information on how and why the particular outfall sites were chosen, there is insufficient justification on whether the chosen outfalls are most representative of the EWMP area land use. To provide sufficient justification, the City should provide a land use map that shows the catchment area for each chosen outfall and tabular data. Specifically, the table should include individual breakdowns for the area that drains to each of the outfalls in comparison to the overall land use breakdowns for each HUC-12 area. Additionally, the Group should include an additional or alternative outfall location to NSMBCW-O2, since the draft CIMP notes that NSMBCW-O2 only discharges during large events. Land use data characterizing the drainages to the other seven major outfalls should be included in the revised CIMP.
Section 4.1 & Table 4-2	Part VII.A (page E-20 to E-21)	MS4 outfall database elements are referenced in Section 4.1 and Table 4-2 of the draft CIMP. While some of these elements are summarized in the draft CIMP, the Regional Board has not received any database or GIS files from the North Santa Monica Bay

CIMP Reference	MRP Element/ Reference (Attachment E)	Comment and Necessary Revision
		Watershed Group. Please submit the actual database and GIS files for the elements listed in Table 4-2 with the revised CIMP.
	Part VII.A.7 (page E-21)	Besides the diversions to Malibu Legacy Park and the Civic Center Water Treatment Facility, the revised CIMP should specify if there are any other low-flow diversions or stormwater treatment facilities in the EWMP area. For each low-flow diversion or stormwater treatment facility, include the location (including geographic coordinates) and operational parameters (including any assumed or measured performance).
Section 3.1	Part VIII.A.2.a (page E-21)	<p>Section 3.1 of the draft CIMP states that “The Permit does not explicitly state how stormwater outfall monitoring sites should be selected or the number of required outfall monitoring sites per EWMP group or permittee.”</p> <p>This is an incorrect statement and should be deleted. Note that the Part VIII.A.2.a of Attachment E in the LA County MS4 Permit specifies monitoring at least one major outfall per subwatershed (HUC-12) drainage area within the Permittee’s jurisdiction or an alternate approach proposed by the CIMP with sufficient justification.</p>
Section 3.2	Part VIII.B.1.b.iii (page E-22)	The draft CIMP notes that the first significant rain event of the storm year and two other wet weather events will be targeted. Revise the CIMP to specify that all three wet weather events will occur within the same wet weather season.
Table 3-3	Part VIII.B.1.a (page E-22)	<p>The draft CIMP proposes one monitoring event for DDT and PCBs. Revise the CIMP to increase the monitoring frequency to three wet weather events. After the first year of monitoring, the Group can submit a written request to reduce the monitoring frequency for DDT and PCBs, if justified.</p> <p>Correct Table 3-2, table note c, which refers to a receiving water location rather than an outfall location.</p> <p>Additionally, the Group should include an additional outfall location or select a different outfall location at which to monitor DDT and PCBs, since the draft CIMP notes that the number of samples collected at NSMBCW-O2 will be limited by the infrequency of the discharge.</p>
Non-Storm Water Outfall Based Monitoring		
Section 4.2		Section 4.2 of the draft CIMP states that “After the initial event, NSW outfalls where flow greater than a trickle was observed during the initial screening event will be revisited for two more

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		<p>events. During the second and third screening events, all of the information listed above will be gathered. In addition, visual field estimates of flow will be gathered.”</p> <p>All major outfalls should be screened for significant non-stormwater discharges for all three events rather than only screening outfalls where flow greater than a trickle was observed during the initial screening event in order to capture potential variability in non-stormwater discharge conditions.</p>
Section 4.3	Part IX.C.1 (page E-24 to E-25)	<p>Revise the CIMP to include more specificity on how a significant non-stormwater discharge will be determined. In particular, provide greater specificity on thresholds for field measurements, including flow and water quality data that will be used to determine whether the non-stormwater discharge is significant. The group should consider collecting bacteria samples and considering bacteriological water quality as a factor in determining whether a non-stormwater discharge is significant, given the SMB Beaches Bacteria TMDL requirements.</p>
Section 4.7.2	Part IX.G.1.d (page E-27)	<p>Section 4.7.2 of the draft CIMP states that “Toxicity monitoring is only required when triggered by recent receiving water toxicity monitoring where a TIE on the observed receiving water toxicity test was inconclusive.”</p> <p>The revised CIMP should also specify that non-stormwater outfall based monitoring will also include pollutants identified in a TIE conducted in response to observed aquatic toxicity during dry weather at the nearest downstream receiving water monitoring station during the last sampling event.</p>
Section 4.7.3	Part IX.G.5 (page E-27)	<p>Section 4.7.3 of the draft CIMP states that “As NSW discharges are addressed, monitoring at the outfall will cease. Additionally, if monitoring demonstrates that discharges do not exceed any WQBELs, NSWALs, or water quality standards for pollutants identified on the 303(d) list, monitoring will cease at an outfall after the first year.”</p> <p>The draft CIMP should be revised to be consistent with LA MS4 requirements, as per Part IX.G.5 of Attachment E of the LA County MS4 Permit, the Group may submit a written request to the Executive Officer (EO) of the Regional Water Board following one year of monitoring to reduce or eliminate monitoring of specified pollutants based on an evaluation of monitoring data. Additionally, if monitoring at a particular outfall will cease or the location of outfall monitoring will be changed, a written request to the EO of</p>

CIMP Reference	MRP Element/ Reference (Attachment E)	Comment and Necessary Revision
		the Regional Water Board is required.
Aquatic Toxicity		
Appendix C Section 2.3.2.1 & 2.3.2.2	Part XII.G (page E-31)	Although Appendix C Section 2.3.2.1 of the draft CIMP clearly states that chronic testing will be used for freshwater species, Appendix C Section 2.3, its sub-sections, and footnotes address acute toxicity. The revised CIMP should clarify that chronic toxicity testing will be used for both saltwater and freshwater species during wet and dry weather conditions.

Los Angeles Regional Water Quality Control Board

Enclosure 2 – Comments on Aquatic Toxicity Testing

North Santa Monica Bay Watershed Management Group

We note the CIMP is proposing to follow the toxicity testing procedures as described in the MRP.

Suggested Special Study: The 2013 study released by the California Stormwater Quality Association (CASQA) entitled “Review of Pyrethroid, Fipronil and Toxicity Monitoring Data from California Urban Watersheds” reviewed stormwater data from studies conducted during 2005 - 2012 and highlighted the toxicity impacts from use of pesticides not currently required to be monitored for by the MRP. We suggest the group begin monitoring for these chemicals in the receiving water and, in addition, assess toxicity using the 2002 acute toxicity testing protocol (EPA-821-R-02-012) with the amphipod *Hyaella azteca* as the test organism. *H. azteca* is known to be much more sensitive to pyrethroids than is *Ceriodaphnia dubia* while the latter is useful for its sensitivity to OP pesticides. The two species together may also prove to be more useful in detecting toxicity from fipronil. And, should 50% or greater effect be detected in the toxicity test, we suggest a procedure to incorporate pyrethroids into the subsequent TIE be documented (three possible treatments have been identified by researchers, see <http://www.pubfacts.com/detail/20018342/Focused-toxicity-identification-evaluations-to-rapidly-identify-the-cause-of-toxicity-in-environment>). While fipronil does not have a TIE procedure identified currently, chemical testing for the parameter (and degradates) and comparison to U.S. EPA Office of Pesticide Program’s aquatic life benchmarks at http://www.epa.gov/oppefed1/ecorisk_ders/aquatic_life_benchmark.htm will aid in determining the cause(s) of toxicity in order to follow up with outfall testing of the parameter(s) with the ultimate goal of removing the source. This approach will also help minimize inconclusive TIE results which would lead to required toxicity testing in the representative upstream outfall(s).

North Santa Monica Bay Coastal Watershed EWMP Group

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