VI. Assessment of Program Effectiveness
City of Malibu
FY 2010-2011

A. Summary of the effectiveness of your storm water management program.

1. An assessment of your agency's compliance with permit requirements, based on your responses to the questions in this form

The City of Malibu has placed water quality as a very high priority and has worked hard to meet and exceed the requirements of this order.

2. Descriptions of any evaluation methods that your agency uses to determine the effectiveness of your storm water management program

The effectiveness of the storm water management program can be evaluated by the increased level of public awareness, increased amount of public input and public reporting of concerns, as well as the City Council and staff's strong commitment and proactive approach to clean water. Staff also assesses the effectiveness of the program internally just in witnessing the interdepartmental communication improvements and quality of reporting and documentation received from staff. See question 5 below for a detailed answer regarding water quality improvements.

3. A summary of the strengths and weaknesses of your agency's storm water management program

The strengths of our Clean Water program are:

- Committed City Council, management and staff
- Powerful, aggressive policy and regulations (in addition to the City of Malibu Storm Water Management and Discharge Control Ordinance) including restrictive zoning ordinance and LCP, no smoking on beach ordinance, ban on expanded polystyrene packaging ordinance, ban on plastic shopping bags ordinance, OWTS point of sale ordinance, administrative fines ordinance.
- Malibu Water Conservation Partners group efforts
- Restaurant Inspection program improvements- Clean Bay Restaurant Certifications
- Structural BMPs
  - Civic Center Stormwater Treatment Facility
  - Paradise Cove Stormwater Treatment Facility
  - Legacy Park
  - Broad Beach Bioinfiltration- new project funded by Proposition 84
  - Wildlife Road Treatment and Focused Outreach- new project funded by Proposition 84
- Responsive and active community
- Strong public education efforts
  - Including the focused outreach portion of the Wildlife Road project

- Proactive collaboration between multiple City departments, several public agencies, and non-government organizations
- Extensive review process for all new development and construction
- Proactive approach to commercial inspections (conducted annually rather than the required two times per permit cycle)
- Continuous efforts to improve and develop the Environmental Programs Office as a whole with focus on Clean Water Program and sustainability
    - The City reorganized as of July 1, 2011 to include a new Environmental Sustainability Department, which will be reported on in next year's report.
- Additional staff training on internal procedures and documentation
- Supporting staff in ongoing environmental training, and staff that voluntarily advances their environmental education outside of work
- Continued improvements to complaint response and documentation procedures
- Construction inspection documentation improvements

Weaknesses of the Clean Water Program include:

- Limitations on funding and staff resources
- Record keeping and document management is difficult
    - Next year, staff will be looking at options to integrate information into a multi-department, comprehensive database (based off of the system already used by the Planning Department)
- Storm Drain System (City, County, other agency, and privately owned) records contain inconsistencies, old records from before incorporation sometimes provide inadequate information on private drains, ownership must be confirmed, and a process is needed for updating records as changes are made to the system
    - Two years ago the City took steps to document (by photo and GPS handheld device) culverts in the public right of way; due to limitations on funding and staff resources this project is on-hold until additional resources become available.
- Limited or no jurisdictional powers over State and County roadways, parks, and open space areas (within City limits) that may drain to the City's MS4
- Challenges with reaching property owners or responsible parties
    - The new, focused outreach portion of the Wildlife Road project will explore potential outreach strategies in the next reporting year. The position's primary focus will be outreach in the ASBS area. Additionally, the City hired a Media Information Officer this past year who will be working on outreach strategies for various City issues.
- No City business license program to efficiently identify and track the numbers, types, and locations of businesses operating in the City limits
    - City Council has begun to look more closely at this issue.

4. A list of specific program highlights and accomplishments

- Proposition 84 ASBS grant projects- (two mentioned above) the City has executed funding agreements with the State Water Board and are progressing accordingly. Construction of the projects must be finished by early 2015.

- Legacy Park- City's new central park that includes stormwater detention basins linked to the Civic Center Stormwater Treatment Facility, intermittent wetlands, subsurface wetlands, restoration of riparian habitat and environmental education opportunities, has been complete and operational as of October 2010
- Civic Center Linear Trail (the City has applied for funding to complete this)- this will encourage foot traffic to local shopping areas and parks, reducing vehicular trips
- Trancas Canyon Park- completed and open as of July 2010 (with dog park, multi-use sports field, playgrounds, and picnic area)
    - Mentioned for the designated area for dogs and the BMPs that went into its design, as well as the native plantings in the landscaping and the permeable paving used in the parking area
- Enhanced commercial inspections and partnership in the Clean Bay Restaurant Certification Program- restaurant inspections are now conducted annually rather than the required two times per permit cycle and businesses which meet 100% of the criteria have the incentive to be "certified"; gas stations and automotive service stations are also now inspected annually
- Ordinances preventing marine debris (smoking on beach, expanded polystyrene packaging, and plastic shopping bag bans previously mentioned in strengths)
- Frequent outreach (printed and on website) through newsletters, community calendars, and the environmental programs section of the City's website
- Stream restoration projects- Solstice Creek Bridge Replacement, and Las Flores Canyon Creek Restoration and Park Project
- Malibu Civic Center Stormwater Treatment Facility- Complete and Operational
- Paradise Cove Stormwater Treatment Facility- Complete and Operational
- Marie Canyon Treatment Facility- Operational (County owned and operated)
- Cross Creek Road Improvements (with native vegetation landscaping and permeable surfaces)- Complete

5. A description of water quality improvements or degradation in your watershed over the past fiscal year

The City is not aware of any water degradation over the past year in any of the creeks or the Santa Monica Bay; in fact most of the beaches in the City of Malibu are currently receiving "A" or "A+" grades from Heal the Bay grading methodology. Heal the Bay's 2010-2011 Annual Beach Report Card states that while water quality at Los Angeles County beaches overall was "fair", "there were some stretches of very good to excellent summer water quality in western Malibu, from Leo Carrillo to Zuma Beach on Point Dume" – a noted bright spot mentioned in the report. Also, no beaches within the City limits are on the Beach Bummer list. Additionally, the report cites, "in Southern California, 50% of sampling locations earned fair to poor wet weather grades. Despite higher than normal precipitation levels this past year, wet weather grades were slightly better than the seven-year average (years since new methodology implementation) for both Southern California and Statewide." This indicates that efforts to reduce storm water related pollution may be working, as a decline in water quality is not observed despite increased development and population growth. Also, water quality improvements are also noted through inclusion of three Malibu beaches in the "honor roll" for excellent (A+) year round dry weather grades: El Pescador State Beach; Malibu Colony Fence;

and Pena Creek at Las Tunas County Beach. Though two sites are open beach and the other is near the outlet of a creek (that does not flow in dry weather), and none have storm drains on them, it indicates that outreach efforts aimed at non-point sources may be successful.

The City expects continued and increased protection of water quality in Malibu Creek and Lagoon, and at Surfrider Beach, since the completion of Legacy Park for stormwater/runoff detention captures the stormwater in the area and increases the total amount of water that is treated through the Civic Center Water Treatment Facility. Monitoring of the treated water has been on-going and results show that observed levels of fecal indicator bacteria (FIB) on average are lower than the analytical detection limit. Even so, this water is not being discharged to the Malibu Creek, and is being re- used for irrigation at Legacy Park.
A year's worth of data from the Paradise Cove Stormwater Treament facility's monitoring program shows that the treated water flowing from the system is below or at method detection limits for FIB. Researchers are confirming that environmental factors influence bacteria exceedances along Malibu's coast to a greater extent than previously considered. Studies show that kelp and beach sands increase FIB in the coastal waters, among other factors.

6. Interagency coordination between cities to improve the storm water management program

The City is actively involved in 14 interagency storm water management committees.

1. Malibu Creek Watershed Management Committee
2. Malibu Creek TMDL Working Group (meets as part of #1 above)
3. LA County Public Outreach Strategy Meetings
4. Santa Monica Bay Beaches Jurisdictional Leads Ad Hoc Committee
5. Santa Monica Bay Beaches Jurisdictional Groups 1 and 4 Committee (has not met this past year)
6. North Santa Monica Bay Watersheds Steering Committee of the Greater Los Angeles County Integrated Regional Water Management Planning Group
7. Greater Los Angeles County Integrated Regional Water Management Planning Group Leadership Committee
8. Malibu Creek Watershed Council and relevant subcommittees- Monitoring Technical Advisory committee, and Education committee
9. LA County NPDES Permit Executive Advisory Committee
10. Bight 08 ASBS Group
11. Malibu Water Conservation Partners

7. Future plans to improve your agency's storm water management program;

- Recognition for public and staff that are active in the Clean Water Program
- Research more feasible means to improve water quality; with Proposition 84 funds, the creation of a new 2 year position- the Coastal Preservation Specialist

will identify successful outreach methods and serve as a model for a potential future permanent City field staff position

- Capture stormwater and urban runoff with Legacy Park detention pond, then reuse treated stormwater on park landscaping
- Continue to cultivate partnerships with water providers & distributors for new ways to conserve water and prevent runoff
- Create internal procedure for documenting inspections through a better functioning database- proposed for this year
- Meet with field personnel on a quarterly basis to discuss documenting issues and implement a regular interdepartmental reporting schedule- ongoing
- Implement a Storm Drain Identification program- started
- Improve storm drain system records management- pending
- Investigate the potential for a Malibu business license program- under consideration

8. Suggestions to improve the effectiveness of your program or the County model programs.

The City feels its program is effective. The primary limiting factor is available resources and in a broader context, understanding and addressing natural and non-stormwater related sources of pollutants. This is something the scientific community is just beginning to fully grasp, and the City is spending significant time and money to understand the complexity of the environmental influences and coastal hydrology in the Santa Monica Bay.

See Report of Waste Discharge submitted to the Regional Board on June 12, 2006 for suggestions on improving the effectiveness of the County model programs. Additionally, the RWQCB is anticipating adopting a new MS4 permit during the next reporting year. The Model programs will be revised and revamped in accordance with that new permit.

B. On a scale of 1 to 10, rate your municipality's level of compliance with Order No. 01-182: 9

C. List any suggestions your agency has for improving reporting and assessment

There needs to be an acknowledgement that water quality in the receiving waters should not be the *only* indication in an assessment of whether a program is working and protecting water quality. Natural sources can still be a major factor for constituents in water, and the size of watershed can have a major influence on water quality even when minimally developed. The Regional Board and permittees need to look into and consider better and more consistent methods to assess the effictiveness of the stormwater management program, such as metrics to assess program success (and not just water quality data).

See Report of Waste Discharge submitted to the Regional Board on June 12, 2006 for full description of suggestions for improving reporting and assessment. In particular the following annual report questions yield information that is mostly irrelevant to achieving the goals of the Permit. It is recommended that the following Annual Report questions be eliminated:

• Section IV.C.7 – How many of each of the following projects did your agency review and condition to meet SUSMP requirements last year?

• Section IV.C.8 – What is the percentage of total development projects that were conditioned to meet SUSMP requirements?

• Section IV.D.5 – How many building/grading permits were issued to sites requiring Local SWPPPs last year?

• Section IV.D.6 – How many building/grading permits were issued to sites requiring coverage under the General Construction Activities Stormwater Permit last year?

• Section IV.D.7 – How many building/grading permits were issued to construction sites less than one acre in size last year?

Also, the Annual Report tables for IC and ID should be modified to eliminate confusion and improve the quality of data submitted. In addition, the tables related to industrial/commercial inspections (using "since permit adoption", "cycle" and "reporting year") should be modified, as they become confusing when inspections are done on a greater frequency than twice in a permit cycle, and also pose records retention conflicts when the present permit cycle has extended past the City's records retention policy.

Lastly, the wording of the receiving water limitations questions in the permit is unclear. The City looks forward to working with Regional Board staff on remedying some of these problems in the new MS4 permit.