

ATTACHMENT C

RECEIVING WATER LIMITATIONS STATUS REPORT

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I. Introduction

The 2012 Los Angeles County Municipal Separate Storm Sewer System NPDES Permit (MS4 Permit) provides that Permittees electing to develop a Watershed Management Program (WMP) or Enhanced Watershed Management Program (EWMP) shall submit an Integrated Monitoring Program (IMP) or Coordinated Integrated Monitoring Program (CIMP). The County of Los Angeles (County) submitted draft WMPs, EWMP Work Plans, and draft CIMPs in June 2014.

Under the 2012 MS4 Permit, it is unclear as to whether Receiving Water Limitation (RWL) status reports should be submitted pending the approval of the CIMPs. The permit no longer requires the submittal of RWL Compliance reports or subsequent status reports with respect to those compliance reports. Instead, the permit now calls for an Integrated Monitoring Compliance report where there is a determination by either the Permittee or the Regional Water Board that discharges from the MS4 are causing or contributing to an exceedance of an applicable receiving water limitation. As set forth in the RWL Compliance Reports submitted under the old permit, there has been no such determination. In addition, the current permit's Integrated Monitoring Compliance report requires different information than the RWL Compliance and Status Reports submitted under the old permit.

Although it appears that submittal of an RWL Status Report is no longer required, because of the uncertainty that surrounds this issue, the County is submitting this RWL Status Report for the information of Regional Water Board staff during this transition period between the termination of the old permit and its monitoring program, and the executive officer's approval of the IMPs and CIMPs under the new permit.

The RWL Status Report in Sections II and III below provides the status of the County's RWL Compliance Reports from 2010, 2008, and 2006, respectively.

II. Status for 2010 RWL Compliance Report

The 2010 RWL Compliance Report was submitted voluntarily as a result of a March 2, 2010, United States District Court order in which the court concluded that the California Ocean Plan's prohibition against discharges of "waste" into an Area of Special Biological Significance (ASBS) is a water quality standard that is incorporated into the 2001 Permit and discharges from the MS4 into ASBS No. 24 violate this Permit requirement.

In June 2009, the State Water Board accepted the County's application for a general exception to discharge into the ASBS. The State Water Board adopted the general exception and the associated conditions (special protections) on March 20, 2012. Dischargers are required to submit a wet-weather compliance plan and implement any nonstructural Best Management Practices by September 20, 2013, and implement any structural Best Management Practices by March 20, 2016. (The date to submit a wet-weather compliance plan was thereafter extended to September 20, 2014.) Furthermore, dischargers are required to commence monitoring during the 2012-13 storm season. As such, observational monitoring of County and Los Angeles County Flood Control District (LACFCD) outlets for dry-weather direct discharges was performed, during which 39 storm drains were surveyed from February to April of 2012 along the following beaches: Broad, Zuma, Westward, and Escondido. Of these, the County is monitoring 12 storm drains.

On May 30, 2012, the State Water Board sent a letter requesting information regarding our plan to initiate monitoring in the next storm season. We responded to the State Water Board indicating that the County plans to participate in the Southern California ASBS Regional Integrated Monitoring Program. On September 6, 2012, we received written authorization to conduct regional and core monitoring within the ASBS for the upcoming storm season. The County's ASBS monitoring work plan was submitted in November 2012 as requested by the State Water Board.

As stated earlier, the ASBS General Exception required the submittal of a compliance plan and a pollution prevention plan by September 20, 2013, to the State Water Board. During the preparation of plans, the County determined that additional monitoring would be needed to produce accurate plans and subsequently requested a deadline extension from the State Water Board. In a letter dated February 20, 2014, the State Water Board granted an extension of the submittal deadline to September 20, 2014. The Draft ASBS Compliance and Pollution Prevention Plans were submitted to the State Water Board and courtesy copies were sent to the Regional Board on September 18, 2014.

III. **Status for 2006 and 2008 RWL Compliance Reports**

As stated in the 2006 and 2008 RWL Compliance Reports, there was no evidence showing that County discharges caused or contributed to an exceedance of an applicable water quality standard and the reports were submitted voluntarily to assist the Regional Board in identifying the sources of exceedances at various shoreline monitoring locations along Santa Monica Bay. As such, the submission of this status report should not be construed to mean that the County was the source of any exceedance of any applicable water quality standard, and no such inference should be drawn.

SMB-1-07, 1-08, and 1-09

The North Santa Monica Bay Source Identification Study was suspended in 2010 due to a lack of bacteria water quality exceedances at sites 1-07, 1-08, and 1-09, and based on study results to date. Results from summers of 2007 to 2009 in Ramirez Canyon Creek and Escondido Creek ruled out the upper watershed as a source of bacteria to the beach. Testing for bacteroides provided little evidence of human sources at Ramirez and Escondido Creeks. In spring 2010, beach samples rarely exceeded bacteria standards; as a result, the source identification study was suspended. Site SMB-1-09 at Latigo saw zero exceedances of bacteria WQS during summer dry-weather months in 2009 and 2010. In summer 2011, sites SMB 1-07, SMB 1-08, and SMB 1-09 saw an increase in exceedances of bacteria WQS. In summer 2012, there was a reduction in exceedances at SMB 1-08 and site SMB 1-09 had zero exceedances. In summer 2013, sites SMB 1-07 and SMB 1-08 had zero exceedances, whereas site SMB 1-09 had one exceedance. Lastly, in summer 2014, sites SMB 1-07 and SMB 1-09 had zero exceedances, while site SMB 1-08 had one exceedance.

SMB 2-07

Design plans were completed for construction of a rubber dam in Santa Monica Canyon Channel to increase capacity of a new City of Los Angeles low-flow diversion. Construction will be overseen by the LACFCD. Construction of Phase 1 began in March 2012, which included fence replacement and concrete work. Phase 2, which involves the installation of the rubber dam, began construction in July 2012. Due to delays associated with right-of-way/easement issues, we expect completion by the end of December 2014. The County is funding the design and construction of this project that provides a service to the City of Los Angeles. The City of Los Angeles will own and operate the rubber dam while the LACFCD will maintain it for a

period of two years following construction, as part of an agreement with the City of Los Angeles.

SMB BC-01

The revised Santa Monica Bay Bacteria TMDL (effective 7/2/2014) removed site SMB BC-01 because it reflects conditions in Ballona Creek and there are sufficient monitoring sites in the Ballona Creek estuary as part of the Ballona Creek Bacteria TMDL.

MdRH-5, 6, 7

The County and LACFCD are currently preparing the Enhanced Watershed Management Program for the Marina del Rey watershed to address water quality improvements for bacteria, metals, and toxics. The plan will be submitted to the Regional Board in June 2015. The County and LACFCD were also issued a Time Schedule Order (TSO) for the dry-weather bacteria TMDL and are complying with the measures laid out in the TSO which includes construction of the Parking Lot BMP projects and the Oxford Basin Retention Project.