RECEIVING WATER LIMITATIONS COMPLIANCE REPORT

Submitted by
County of Los Angeles Department of Public Works
On behalf of the Los Angeles County Flood Control District
Reporting Period July 1, 2007 to June 30, 2008

October 15, 2008

1. Santa Monica Bay and Marina Del Rey Harbor

   Part 2.3 of the Permit requires the submittal of a Receiving Waters Limitations (RWL) Compliance Report upon determination by either the Permittee or the Regional Board that discharges are causing or contributing to an exceedance of an applicable water quality standard. The Los Angeles County Flood Control District (District) has not made a determination that its discharges are causing or contributing to an exceedance of applicable water quality standards. The District did, however, receive a Notice of Violation (NOV) from the Regional Board dated March 4, 2008, stating that the District is in violation of waste discharge requirements established in Board Order 01-182 as amended by Orders R4-2006-0074 and R4-2007-0042 (Permit). This NOV was one of many NOVs issued by the Regional Board to several different parties alleging the exceedance of summer dry weather bacteria water quality objectives at twenty-nine shoreline and harbor monitoring sites. The NOV alleged that the District is jointly responsible for the exceedances at these monitoring sites along with the other permittees within the land area within the watersheds draining to these sites.

   On May 14, 2008, the District submitted a report in response to the NOV. As set forth in that report, the monitoring results upon which the NOV is based do not evidence or prove that District discharges are causing or contributing to an exceedance of an applicable water quality standard. Additionally, the District is not jointly responsible for discharges from other parties or permittees. Nevertheless the District hereby submits this RWL Compliance Report to assist the Regional Board in identifying potential sources of the exceedances detected at the monitoring stations and to address those exceedances. The submission of this report, however, should not be construed to mean that the District is the source of any exceedance of any applicable water quality standard, and no such inference should be drawn.

   As set forth in the District's May 14, 2008, report the land area serviced by District storm drains is under the jurisdiction of other public entities. District storm drains do not create dry weather runoff and any activities specifically affecting dry weather flows or pollution fall within the jurisdiction of applicable public entities. The District's May 14, 2008 report is incorporated by reference herein. Please note that,

notwithstanding the fact that the District's drains service land areas not under the District's control, where appropriate, the District has constructed mitigation measures such as dry-weather low flow diversions.

2. Other Locations

On October 15, 2007, the District submitted a RWL Compliance Report for the period 2006-2007 advising the Regional Board about monitoring results reflecting exceedances at mass emission stations, tributary monitoring sites, and Legg Lake. During the 2007-2008 monitoring period, monitoring conducted by the District continued to reflect exceedances of water quality standards that are coming from unknown sources that could be natural or anthropogenic. The results of this monitoring are discussed in the District's annual stormwater monitoring report submitted to the Regional Board on August 15, 2008. The Regional Board did not request any changes after receipt of the District's 2006-07 RWL Compliance report. In accordance with the Permit, a status report concerning the 2006-07 RWL Compliance Report will be submitted next year.

RECEIVING WATER LIMITATIONS COMPLIANCE REPORT AND STATUS REPORT

Submitted by
County of Los Angeles Department of Public Works
On behalf of the County of Los Angeles
Reporting Period July 1, 2007 to June 30, 2008

October 15, 2008

Part 2.3 of the Permit requires the submittal of a Receiving Waters Limitations (RWL) Compliance Report upon determination by either the Permittee or the Regional Board that discharges are causing or contributing to an exceedance of an applicable water quality standard. The Monitoring and Reporting Program of the Permit further requires the submittal of a status Receiving Waters Limitations (RWL) Compliance Report every alternate year following the submittal of the first RWL Report.

The County of Los Angeles (County) has not made a determination that its discharges are causing or contributing to an exceedance of an applicable water quality standard. The County did, however, receive a Notice of Violation (NOV) from the Los Angeles Regional Water Quality Control Board (Regional Board) dated March 4, 2008, stating that the County is in violation of waste discharge requirements established in Regional Board Order No. 01-182 as amended by Orders R4-2006-00074 and R4-2007-0042. This NOV was one of many NOVs issued by the Regional Board to several different parties alleging the exceedance of summer dry weather bacterial water quality objectives at twenty-nine shoreline and harbor monitoring sites. The NOV alleged that the County is jointly responsible for the exceedances at these monitoring sites along with the other permittees within the land area within the watersheds draining to these sites.

On May 14, 2008, the County submitted a report in response to the NOV. As set forth in that report, the monitoring results upon which the NOV is based do not evidence or prove that County discharges are causing or contributing to an exceedance of an applicable water quality standard. Additionally, the County is not jointly responsible for discharges from other parties or permittees. Nevertheless the County hereby submits this RWL Compliance Report to assist the Regional Board in identifying potential sources of the exceedances detected at the monitoring stations and to address those exceedances. This report also serves as the status report update to the County's 2005-2006 RWL Compliance Report. The submission of this report, however, should not be construed to mean that the County is the source of any exceedance of any applicable water quality standard, and no such inference should be drawn.

This report contains the following:

1. A description of the pollutants that are in exceedance and an analysis of possible sources;
2. A plan to comply with the RWL (Permit, Part 2), which includes status of various projects;
3. Changes to the SQMP to eliminate water quality exceedances;
4. Enhanced monitoring to demonstrate compliance; and
5. Results of implementation.

The County looks forward to discussing these matters with Regional Board staff.

1. A description of the pollutants that are in exceedance and an analysis of possible sources.

The NOV cited violations of bacteria water quality objectives. A discussion of indicator bacteria and their possible sources was included as part of the County's report dated May 14, 2008, submitted in response to the NOV. That report is incorporated herein by reference.

The exceedances of indicator bacteria are coming from unknown sources that could be natural or anthropogenic. A July 2007 report by ENSR International for USEPA New England Region 1, *Mitigation Measure to Address Pathogen Pollution in Surface Waters: A TMDL Implementation Guidance Manual for Massachusetts*, describes these potential sources: birds, wildlife and other animals, runoff from homeless encampments, sanitary sewer leaks and spills, illicit connections of sanitary lines, discharges from recreational vehicle holding tanks, or malfunctioning septic tanks, among other things.

A 2008 study by Southern California Coastal Water Research Project (SCCWRP), *Fecal Indicator Bacteria Levels During Dry Weather in Southern California Reference Streams, (Tiefenthaler et. al. 2008)*, attempted to quantify naturally occurring background levels of bacteria in streams during base flow (i.e. non-storm) conditions over an extended period of time. The overall approach was to characterize dry weather bacteria levels at select sites that are representative of existing natural conditions in southern California. Conducted in accordance with the Malibu Creek Bacteria TMDL, dry weather bacteria data was collected weekly for an entire year. This study found that:

- Indicator Bacteria levels fluctuated seasonally with an average of 79% of both enterococci and total coliforms exceedances occurring during summer months (June-August).
- Seventy-five percent of enterococci and 83% of total coliforms exceedances occurred during the summer months.

- At all sites, temperature explained about one-half the variation in total coliforms density, suggesting that stream temperatures regulated bacterial populations.
- A total of 18.2% of the indicator bacteria samples (for all three indicators) from the natural sites exceeded daily (single sample) water quality standards.
- Natural streams exceeded the 30-day Geometric mean criterion for enterococcus for the months of June, July, August and September.
- Absence of B. thetaiotaomicron indicated that the Fecal Indicator Bacteria (FIB) in reference streams were likely from non-human sources.

2. A plan to comply with the Receiving Water Limitations and status of implementation.

Monitoring data do not demonstrate that the County caused or contributed to the reported exceedances. Additional information in this respect was included as part of the County's report dated May 14, 2008, submitted in response to the NOV.

Nonetheless, the County, in cooperation with the Los Angeles County Flood Control District (District), continues to design and implement regional projects using watershed management principals, resulting in multi-faceted benefits to its citizens, including reducing stormwater and urban runoff pollution. The County also continues to implement best management practices and capital improvement projects intended to reduce the possibility that urban runoff might contribute to bacteria impairments in receiving waters. Following is a partial list of the County's accomplishments and projects in progress during this reporting period, several of which are in cooperation with the District:

- In Santa Monica Bay –
    - Continued a bacteria source investigation project in the North Santa Monica Bay watersheds.
    - Completed the construction of a multistage disinfection system at Marie Canyon Storm Drain in Malibu on July 31, 2007. This innovative project filters and disinfects dry weather runoff through the use of ultraviolet light. The system became fully operational on October 11, 2007. Within the first month, fecal coliform, enteroccus, and other indicator bacteria were reduced by 99.9 percent. When winter storms washed burnt vegetation, debris and mud down the watershed and overwhelmed the intake pumps, the pumps were replaced, and the system was placed back online.
    - Constructed a total of 17 low-flow storm drain diversions within the urban watersheds within Santa Monica Bay.
    - In collaboration with other municipalities in Santa Monica Bay, a total of 25 Non Structural and Public Educations Programs were identified.

- In collaboration with other municipalities in Santa Monica Bay, a total of 32 Subregional Structural Programs (20 committed and 12 pilot projects) were identified. Local municipalities are going forward with some of these projects.

- In Marina del Rey –
  - Completed the development of a project concept report for a multi-use project in the area surrounding the Oxford Flood Control Basin in Marina del Rey.
  - Design of a low-flow diversion for the Oxford Pump Station has been completed. Construction is estimated to commence in April 2009.
  - Completed a Sediment Characterization Study to identify the extent and thickness of sediment contamination within Marina del Rey Harbor.
  - Continued work on two Project Concept Reports for the installation of bio-retention best management practice features in parking lots within the Marina del Rey watershed.
  - Continued implementation of enhanced public education program to increase public knowledge of stormwater pollution.
  - Completed the installation of cured-in-place pipe liners in the County-owned sanitary sewer pipes surrounding Marina del Rey.
  - Completed a Project Concept Report involving the removal of presumed contaminated sediment from Oxford Retention Basin and the installation of water quality enhancing technology.
  - Constructed two low-flow storm drain diversions to divert dry-weather urban runoff to a sanitary sewer system.

3. Changes to the Stormwater Quality Management Plan

No changes to the SQMP are recommended at this time beyond those made in the County's Report of Waste Discharge (ROWD), which was submitted to the Regional Board in June 2006. The Regional Board did not request any changes after its receipt of the County's 2005-06 RWL report.

4. Enhanced monitoring to demonstrate compliance

No enhanced monitoring to demonstrate compliance is proposed at this time.

5. Results of implementation

See above.