

CREST

LA River Bacteria TMDL Joint Steering and Working Technical Group Meeting

City of Los Angeles Public Works Building
Subbasement Conference Room 5
Los Angeles, CA
January 29, 2009
1:00 PM -4:00 PM PST

Meeting Notes

Introduction and Updates

Shahram Kharaghani welcomed everyone and opened the joint CREST steering and technical group meeting. He welcomed Deb Smith, who informed the group on the Los Angeles Water Quality Control Board's (Regional Board) updates.

Deb Smith announced that the State of California will make a 10% cut in their fiscal budget and will eliminate three to four positions from the Regional Board's staff. Additionally, current staff will have mandatory furloughs every first and third Friday of each month for the next eighteen months.

She indicated that the budget cuts will extend and delay pending TMDL activities and due dates. The Los Angeles River TMDL adoption will be delayed from the currently scheduled October, 2009 to a projected January, 2010. The Regional Board's current priority is to complete the current 303(d) listing assignments.

In other related Regional Board news, Deb Smith mentioned that the SRF grant program will have a series of workshops around the State. She also indicated that the Los Cerritos Channel Metals TMDL was completed by the USEPA and is currently out for comment. The draft Ventura MS4 permit is expected to come out in February and is tentatively scheduled to have final Board hearing on May, 2009. The Los Angeles Harbor TMDL activities will also slow down. However, the Harbor EPA modeling report will be available soon.

Donna Chen provided an overview of the TMDL development activities to date. She showed a chart of the steps in the TMDL development and indicated the TMDL portions that will be written by CREST. CREST will be drafting the Source Assessment and the Implementation portions, and will incorporate the results of the studies it conducted. The group has also discussed issues and options for other parts including Targets, and Waste Load Allocations. In addition, LB Nye stated that the Regional Board will take advantage of the CREST team's writings on the Targets and Waste Load Allocations sections of the TMDL.

Implementation Issues

Catherine Tyrell moderated the next portion of the meeting, which focused on the Los Angeles River Bacteria TMDL implementation issues. She introduced the subject of timing of the TMDL and application of the iterative adaptive process.

Ken Farfsing mentioned the need to have a clear implementation approach that can help in getting buy-in from City officials and management. Difficult science and policy issues need to be expressed transparently to the stakeholders as well as the general public. There was a discussion regarding ability to incorporate in the permit language the TMDL compliance measures, and limits. There needs to be a clear parallel path between practicality and meeting targets (these two issues need to be tied together). There was also discussion on the need to have clearly defined responsibilities for MS4 dischargers.

General Framework for TMDL Implementation

Chris Minton made a presentation on the general framework of the TMDL implementation. He showed PowerPoints of the general framework for TMDL implementation and explained the phased approach that relates to the waste load allocation (WLA) attainment.

There were discussions on Chris Minton's proposals. Agencies are concerned that a reach prioritized phased approach may obligate certain agencies to perform implementation actions before other agencies that drain into non-priority reaches. It may take a few years to start the following phase, which leaves the non-priority agencies temporarily excused from implementation commitments. Therefore there needs to be further conversations on planning implementation frameworks and projects.

Additional concern was raised by stakeholders on how compliance would be determined (i.e., attainment of WLAs, instream targets, conducting action, a combination, etc.) and measured (e.g., how would monitoring be conducted to evaluate compliance). There was a general sense that the approach was reasonable and made sense; however, both regulated stakeholders and the regulators expressed a need to work through some of the details before being comfortable committing to the approach.

Don Schroeder presented the specific actions for Phase I. The following are the discussions for Chris and Don's presentations:

Implementation Phased Approach and Flow Diagram

Concerns and items of discussion include:

- How will the special studies be used by Regional Board
- Need to discuss the level of monitoring and associated costs, and expected interim load reductions
- Need to discuss how compliance will be measured in the TMDL

Terry Fleming mentioned a sector, i.e., construction/industrial, or area approach in assigning responsibility for the discharge contribution. Stakeholders also suggested considering other causes of bacteria loading to the system such as water purveyor discharges (which create runoff) or restaurants (which may generate bacteria and/or runoff). Other contributing sources that were discussed include SSOs. SSO events are captured in required reporting by municipalities to the State. For concerns regarding trickles, or slow leakage, the monitoring should be able to indicate clear signals of problem leakage.

There was a discussion regarding difficulty in being able to effectively locate BMPs. LA County is currently in the process of developing a model to help in BMP installation. A presentation regarding the model development might help the group. Terry Fleming indicated that the model should be utilized to evaluate the potential effectiveness of implementation actions when the model is available.

Key Meeting Discussions

There were discussions on specific items in the meeting which are listed below from Catherine's notes on the board.

Decisions to be made:

- Waste load allocation.
- Do EPA, RB, Environmental Community buy into WL Allocation as a % reduction as interim targets?
- How do we tie interim allocations to end numeric target?
- Do all stakeholders agree to basic framework of TMDL Implementation Plan? (need a city managers meeting)
- How do we prioritize reaches?
- How do we further determine specifics for Phase I actions?
- How do we demonstrate that actions will be effective?

Other Points:

We need to:

- Confirm that cities are only responsible for the MS4 contributions.
- Clarify other responsible parties, i.e., water agencies.
- Include language in TMDL noting that an SSO is not an MS4 violation (no double jeopardy).
- Know if special studies will be used and integrated into Basin Plan amendments by the Water Board.
- Determine how cities share costs?
- Agree on how to get broad consensus?
- Decide on how to structure an agreement? (JPA?)
- Determine how to develop funding?

- Decide how to get agreement on prioritization?

Next Steps

The next steps in the CREST process are to discuss WLAs and clearly identify approach in order to move forward with the Implementation portion of the TMDL. Participants at the meeting were asked to review the WLA approach memo titled “Draft Potential Approach to Developing LA River Bacteria TMDL Wasteload Allocations for Dry Weather” which was e-mailed by Dustin Bambic prior to the December meeting on December 12, 2008, and the flow diagram presented by Don. Additionally, participants were asked to review the Implementation Framework memo titled “Draft General Framework for Dry Weather LA River Bacteria TMDL Implementation” which was e-mailed by Chris Minton on January 28, 2009.

Below are scanned copies of the Sign-in Sheets from the meeting. Terry Fleming of the US EPA joined the meeting by teleconference.

SIGN - IN SHEETS

CREST - Cleaner Rivers through Effective Stakeholder TMDL
Steering Committee Meeting
January 29, 2009 (1:00- 4:00 PM)

Attendance List:

Agency	Name	Phone Number	E-mail Address
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