

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

ORDER NO. R4-2020-XXX

**CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR
DISCHARGES OF TRASH FROM NONPOINT SOURCES IN WATERBODIES
SUBJECT TO TOTAL MAXIMUM DAILY LOADS FOR TRASH**

The California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) finds that:

PURPOSE OF CONDITIONAL WAIVER

1. For the reasons set forth below, the Los Angeles Water Board concludes that it is consistent with applicable state or regional water quality control plans and in the public interest to establish a conditional waiver of waste discharge requirements (WDRs) for discharges of trash from nonpoint sources subject to total maximum daily loads (TMDLs) for trash (Conditional Waiver or Order). The purpose of this Conditional Waiver is to ensure that the load allocations for trash assigned by the TMDLs listed in Table 1 below (collectively referred to as Los Angeles Region Trash TMDLs) are attained.

BACKGROUND

2. Trash is junk or rubbish generated by human activity, such as cigarette butts, paper, fast food containers, plastic grocery bags, cans and bottles, used diapers, construction site debris, industrial preproduction plastic pellets, old tires, and appliances. Trash can cause water quality problems, including but not limited to reduced habitat for wildlife and aquatic life, direct harm to wildlife and aquatic life from ingestion or entanglement, and health impacts to people recreating near trash potentially contaminated with human or pet wastes.
3. *The Water Quality Control Plan for the Los Angeles Region (Basin Plan)*¹ establishes narrative water quality objectives that are applicable to trash. These water quality objectives are (1) Floating Materials: "Waters shall not contain floating materials, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses" and (2) Solid, Suspended, or Settleable Materials: "Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses."

¹ The Trash Provisions in the *Water Quality Control Plan for Ocean Waters of California* (Ocean Plan) and the *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (ISWBE Plan) do not apply to the Los Angeles Region Trash TMDLs (per Chapter IV.A.1.b of the ISWBE and Chapter II.L.1.b of the Ocean Plan).

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4. As shown in Table 1, the Los Angeles Water region has eleven TMDLs for waterbodies listed on the Clean Water Act section 303(d) list of impaired waters due to trash and debris. Unless otherwise noted, these TMDLs were adopted by the Los Angeles Water Board and approved by the State Water Resources Control Board (State Water Board) and the United States Environmental Protection Agency (U.S. EPA) and are included in Chapter 7 of the Basin Plan.

Table 1. Los Angeles Region Trash TMDLs

No.	TMDLs	Original TMDL Effective Date	Revised TMDL Effective Date
1	Los Angeles River Watershed Trash TMDL	August 28, 2002	June 30, 2016
2	Ballona Creek Trash TMDL	August 28, 2002	June 30, 2016
3	Malibu Creek Watershed Trash TMDL	July 7, 2009	May 6, 2020
4	Revolon Slough and Beardsley Wash Trash TMDL	March 6, 2008	May 6, 2020
5	Santa Monica Bay Nearshore and Offshore Debris TMDL	March 20, 2012	March 14, 2019*
6	Machado Lake Trash TMDL	March 6, 2008	March 14, 2019*
7	Lake Elizabeth, Munz Lake, and Lake Hughes Trash TMDL (Santa Clara River Lakes Trash TMDL)	March 6, 2008	June 13, 2019*
8	Legg Lake Trash TMDL	March 6, 2008	June 13, 2019*
9	Ventura River Estuary Trash TMDL	March 6, 2008	June 13, 2019*
10	San Gabriel River East Fork Trash TMDL	April 17, 2001	Not applicable
11	Echo Park Lake, Peck Road Park Lake, and Lincoln Park Lake Trash TMDLs**	March 26, 2012	Not applicable

*Revised TMDL adoption date. The revisions will become effective upon approval by U.S. EPA.

**These TMDLs were established by U.S. EPA.

5. The Los Angeles Region Trash TMDLs identify all contributing sources of trash and quantify the allowable load of trash, which for these TMDLs is zero trash. Zero trash is defined as the amount of trash present that does not accumulate in deleterious or nuisance amounts on the surface and the shorelines of waterbodies to adversely affect beneficial uses. Point sources, such as discharges from the municipal separate storm sewer system (MS4) are assigned waste load allocations. Nonpoint sources, such as discharges to waterbodies by wind or littering, are assigned load allocations.

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6. The Revolon Slough and Beardsley Wash Trash TMDL, Malibu Creek Watershed Trash TMDL, Machado Lake Trash TMDL, Santa Clara River Lakes Trash TMDL, Legg Lake Trash TMDL, Santa Monica Bay Nearshore and Offshore Debris TMDL, Los Angeles River Trash TMDL, Ballona Creek Trash TMDL, and Ventura River Estuary Trash TMDL require nonpoint sources of trash to achieved compliance with assigned load allocations through implementation of a Minimum Frequency of Assessment and Collection (MFAC) and best management practices (BMP) program (MFAC/BMP program). An MFAC/BMP program consists of regularly scheduled trash assessment, collection, and disposal, along with BMP implementation, to progressively reduce the amount of trash that accumulates between MFAC events. If the amount of trash accumulating between MFAC events does not decrease, the collection frequency or BMP implementation must be increased. These TMDLs also require nonpoint sources of trash to implement a trash monitoring and reporting program (TMRP) to evaluate the effectiveness of the MFAC/BMP program.
7. The San Gabriel River East Fork Trash TMDL does not specifically require an MFAC/BMP program to achieve compliance with load allocations but it does require monitoring and litter control measures.
8. The Echo Park Lake, Peck Road Park Lake, and Lincoln Park Lake Trash TMDLs do not contain implementation plans as implementation plans are not a required element of U.S. EPA-established TMDLs, but these TMDLs do contain guidance that load allocations should be achieved through BMPs as well as a minimum frequency of trash assessment and collection at an interval sufficient to prevent trash from accumulating in deleterious amounts in between collections.
9. The Revolon Slough and Beardsley Wash Trash TMDL, Malibu Creek Watershed Trash TMDL, Machado Lake Trash TMDL, Santa Clara River Lakes Trash TMDL, Legg Lake Trash TMDL, and Ventura River Estuary Trash TMDL indicated that load allocations would be implemented through (1) a conditional waiver from waste discharge requirements, or (2) an alternative program implemented through waste discharge requirements or an individual waiver or another appropriate order of the Regional Board. As such, when these TMDLS were originally adopted a conditional waiver for nonpoint source discharges of trash was embedded within the TMDLs themselves. Conditional waivers may not exceed five years in duration. As such, when these TMDLs were reconsidered in 2018 and 2019, the conditional waivers were removed and replaced with general language referencing the statewide *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (Nonpoint Source Policy or Policy). The Los Angeles River Watershed Trash TMDL, Ballona Creek Trash TMDL, and Santa Monica Bay Debris TMDL did not include a conditional waiver but do include general language referencing the statewide Nonpoint Source Policy. The San Gabriel River East Fork, Echo Park Lake, Peck Road Park Lake, and Lincoln Park Lake Trash TMDLs do not contain a conditional waiver or reference a specific regulatory mechanism or policy to implement the load allocations.

- 10. Responsible entities for the load allocations in the Revolon Slough and Beardsley Wash Trash TMDL, Malibu Creek Watershed Trash TMDL, Machado Lake Trash TMDL, Santa Clara River Lakes Trash TMDL, Legg Lake Trash TMDL, Santa Monica Bay Nearshore and Offshore Debris TMDL, and Ventura River Estuary Trash TMDL have been implementing MFAC/BMP programs for approximately 10 years. When the Los Angeles Water Board reconsidered these TMDLs in 2018 and 2019, it revised the MFAC/BMP requirements to increase the initial frequency of assessment and collection, to add more MFAC sites, and to require responsible entities to submit revised MFAC/BMPs and TMRPs to reflect these changes.
- 11. This Order adopts a conditional waiver to implement the load allocations in each of eleven Los Angeles Region Trash TMDLs and require the entities identified as responsible for nonpoint source discharges of trash in each TMDL to implement an MFAC/BMP program.

LEGAL AND REGULATORY CONSIDERATIONS

- 12. Water Code section 13260, subdivision (a)(1) requires that any person discharging waste or proposing to discharge waste within the Los Angeles Water Board’s jurisdiction that could affect the quality of the waters of the state, shall file a Report of Waste Discharge (ROWD) with the Los Angeles Water Board. The Los Angeles Water Board may, at its discretion, issue WDRs pursuant to Water Code section 13263, subdivision (a).
- 13. Water Code section 13269 authorizes the Los Angeles Water Board to conditionally waive the provisions of Water Code sections 13260, subdivision (a)(1) and 13263, subdivision (a). Water Code section 13269 requires that any waiver of ROWDs and/or WDRs must (i) be “consistent with any applicable state or regional water quality control plans”; (ii) be "in the public interest;" (iii) contain conditions; (iv) not exceed five years in duration, but may be renewed in up to five-year increments; and (v) include monitoring provisions. Water Code section 13269 provides that “[m]onitoring requirements shall be designed to support the development and implementation of the waiver program, including, but not limited to, verifying the adequacy and effectiveness of the waiver's conditions.”
- 14. The Basin Plan designates beneficial uses; establishes water quality objectives; contains implementation programs, plans, and policies for protecting waters of the region; contains prohibitions on discharges of waste; and references the plans and policies adopted by the State Water Board. Beneficial uses designated for waters in the Basin Plan include:
 - Municipal and Domestic Supply
 - Water Contact Recreation
 - Wetland Habitat

- Agricultural Supply
- Industrial Process Supply
- Industrial Service Supply
- Groundwater Recharge
- Freshwater Replenishment
- Navigation
- Hydropower Generation
- Non-contact Water Recreation
- Commercial and Sport Fishing
- Aquaculture
- Water Freshwater Habitat
- Cold Freshwater Habitat
- Inland Saline Water Habitat
- Estuarine Habitat
- Marine Habitat
- Wildlife Habitat
- Preservation of Biological Habitat
- Rare, Threatened, or Endangered Species
- Migration of Aquatic Organisms
- Shellfish Harvesting
- Spawning, Reproduction, and/or Early Development

15. The State Water Board has adopted the Nonpoint Source Policy, which explains the state's implementation and enforcement authorities for addressing nonpoint source pollution. The Nonpoint Source Policy also describes implementation of programs to prevent and/or reduce nonpoint source pollution, including antidegradation requirements, management practices, time schedules, feedback to Los Angeles Water Board to evaluate the program progress, and appropriate Los Angeles Water Board actions to correct program deficiencies, if necessary. All pollution control programs in the Nonpoint Source Policy must meet the requirements of five key elements set forth in the Policy:

- (1) the ultimate purpose of the program must be explicitly stated, and the program must address nonpoint source pollution in a manner that achieves and maintains water quality objectives and beneficial uses, including any applicable antidegradation requirements;
- (2) the program shall include a description of the management practices to be implemented to ensure attainment of the implementation program's stated purposes, the process to be used to select or develop management practices, and the processes to be used to ensure and verify proper implementation of management practices;
- (3) where it is necessary to allow time to achieve water quality requirements, the program shall include a specific time schedule, and corresponding quantifiable milestones designed to measure progress toward reaching specified requirements;

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- (4) the program shall include sufficient feedback mechanisms to determine whether the program is achieving its stated purpose or whether additional or different management practices or other actions are required; and
- (5) the Water Board shall make clear, in advance, the potential consequences for failure to achieve the program's stated purposes.

16. Water Code section 13267 authorizes the Los Angeles Water Board to require that any person who has discharged, discharges, or is suspected of having discharged waste within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports.

RATIONALE FOR CONDITIONAL WAIVER

17. This Conditional Waiver conforms to Water Code sections 13260, 13263, and 13269 and fulfills the requirements set forth in these sections. The Conditional Waiver is in the public interest because it provides for an efficient and effective use of Los Angeles Water Board resources to regulate nonpoint source discharges of trash assigned load allocations by the Los Angeles Region Trash TMDLs. This Order contains conditions, such as BMPs and trash collection, to ensure that discharges of trash from nonpoint sources do not adversely affect the beneficial uses of the waterbodies subject to the Los Angeles Region Trash TMDLs. This Order has a five-year term and includes monitoring provisions to be implemented through TMRPs.

18. This Conditional Waiver is consistent with applicable water quality control plans because it requires compliance with the water quality objectives and TMDLs set forth in the Basin Plan. This Order reflects the implementation requirements specified in the ten Los Angeles Region Trash TMDLs that are included in Chapter 7 of the Basin Plan, as well as the implementation guidance contained in the U.S. EPA-established TMDLs, by requiring implementation of MFAC/BMP programs to achieve compliance with applicable water quality objectives and implementation provisions. Detailed requirements for the MFAC/BMP programs specific to each of the Los Angeles Region Trash TMDLs are provided in the Specific Provisions section of this Order.

19. This Conditional Waiver constitutes a nonpoint source implementation program and is consistent with the five key elements required by the Nonpoint Source Policy. (1) This Order will result in attainment of water quality objectives for trash in the Basin Plan and protection of beneficial uses through the development of a TMRP and implementation of an MFAC/BMP program. This Order is consistent with State Water Board Resolution 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California") because it does not authorize degradation to any high quality waters. To the extent any waters covered by this Order are considered high quality, this Order maintains and improves existing water quality through the establishment and enforcement of conditions that will reduce discharges of trash from nonpoint sources and implement TMDL load allocations. (2) Nonpoint source

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dischargers of trash subject to this Order are required to describe, select, and verify implementation of the management measures (referred to herein as BMPs) to attain load allocations through their TMRPs. (3) Compliance with this Order's requirements is required upon its effective date. (4) TMRPs are required by this Order to assess the effectiveness of the MFAC/BMP program in preventing trash from accumulating between MFAC events, propose enhanced BMPs, and revise the MFAC/BMP program if needed to attain TMDL load allocations. Detailed requirements for the MFAC/BMP programs specific to each of the Los Angeles Region Trash TMDLs are provided in the Specific Provisions section of this Order. (5) This Conditional Waiver contains a Compliance and Enforcement section detailing the consequences of failing to implement its requirements.

All requirements for monitoring and reporting in this Order are consistent with Water Code sections 13267 and 13269. These monitoring and reporting requirements are necessary to evaluate compliance with the terms and conditions of this Order and the effectiveness of any measures or actions taken pursuant to this Order. Monitoring is also a key component of the MFAC/BMP program and is necessary to ensure attainment of the load allocations in the Los Angeles Region Trash TMDLs. The burden of preparing technical and monitoring reports in accordance with these monitoring and reporting requirements is reasonable given that the nonpoint source responsible entities in the Revolon Slough and Beardsley Wash Trash TMDL, Malibu Creek Watershed Trash TMDL, Machado Lake Trash TMDL, Santa Monica Bay Debris TMDL, Santa Clara River Lakes Trash TMDL, Legg Lake Trash TMDL, and Ventura River Estuary Trash TMDL have already been monitoring under the MFAC/BMP programs for over 10 years. Therefore, the monitoring and given the need for and benefit to be obtained from the reports

20. The Los Angeles Water Board is the lead agency for this project under the California Environmental Quality Act (Public Resources Code section 21000 et seq.) and has conducted an Initial Study in accordance with section 15063 of the "State CEQA Guidelines" beginning at California Code of Regulations, title 14, section 15000 et seq. Based on the Initial Study, the Los Angeles Water Board prepared a Negative Declaration because it has determined that, in light of the whole record, there is no substantial evidence that adoption of a Conditional Waiver will have a significant adverse effect on the environment. The Los Angeles Water Board is also complying with Assembly Bill 52 or AB52 and fulfilling the tribal consultation obligations by noticing California Native American tribes of the project and offering opportunities for consultation. No requests for tribal consultation were received. The action to adopt a Conditional Waiver is intended to protect, maintain, and improve water quality. The Conditional Waiver sets forth conditions that will require dischargers to implement management practices to protect water quality and to ensure, through monitoring, that such practices are effective and are improving water quality. The Los Angeles Water Board approves the Initial Study and adopts the Negative Declaration concurrently with its adoption of this Order.

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THEREFORE, IT IS HEREBY ORDERED that:

In order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and those of the Los Angeles Water Board's Basin Plan, the Los Angeles Water Board waives WDRs for discharges of trash from nonpoint sources in waterbodies subject to the Los Angeles Region Trash TMDLs provided that discharges satisfy all conditions and requirements of this Conditional Waiver.

APPLICABILITY

1. This Order applies to nonpoint source discharges of trash assigned load allocations in the following TMDLs:
 - San Gabriel River East Fork Trash TMDL
 - Los Angeles River Trash TMDL
 - Ballona Creek Trash TMDL
 - Revolon Slough and Beardsley Wash Trash TMDL
 - Malibu Creek Watershed Trash TMDL
 - Machado Lake Trash TMDL
 - Santa Monica Bay Nearshore and Offshore Debris TMDL
 - Lake Elizabeth, Munz Lake, and Lake Hughes Trash TMDLs
 - Legg Lake Trash TMDL
 - Ventura River Estuary Trash TMDL
 - Echo Park, Peck Road Park Lake, and Lincoln Park Lake Trash TMDLs

GENERAL PROVISIONS

2. Responsible entities shall comply with the load allocations and implementation requirements described in each of the applicable Trash TMDLs.
3. Responsible entities shall implement MFAC/BMP programs approved by the Executive Officer. Under the MFAC/BMP programs, dischargers shall collect, assess, and dispose of all trash found in the water, shoreline, and source areas of the waterbodies subject to this Order, and shall implement BMPs to reduce the amount of trash that accumulates between assessment and collection events.

SPECIFIC PROVISIONS

4. San Gabriel River East Fork Trash TMDL
 - a) The U.S. Forest Service (USFS), is the sole responsible entity for implementing the MFAC/BMP program for the San Gabriel River East Fork Trash TMDL.
 - b) The MFAC/BMP Program shall include collection and disposal of all trash. The initial minimum frequency of trash assessment and collection shall be as follows:

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1. Downstream of each of the four informal picnic areas adjacent to East Fork Road² once per month during the peak use season (June-September) and every other month during the rest of the year in the source areas, in the water, and along the shoreline.
- c) There shall be zero trash immediately following each MFAC event.
 - d) The MFAC/BMP program shall include an initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to the East Fork of the San Gabriel River.
 - e) The MFAC/BMP program shall include additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results from the previous year, as reported in the TMRP annual report, show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
 - f) USFS shall submit a TMRP for Executive Officer approval within six months of the effective date of this Order. The TMRP shall include:
 1. A process for assessment and quantification of trash collected from the water, shoreline, and adjacent land areas during MFAC events.
 2. Details of the frequency, location, and reporting of MFAC events.
 3. A metric (e.g., weight, volume, pieces of trash) to measure the amount of trash collected during each MFAC event.
 4. Assessment and collection protocols shall be based on the State Water Board's Surface Water Ambient Monitoring Program (SWAMP) protocols for rapid trash assessment or alternative protocols approved by the Executive Officer.
 5. A Health and Safety Plan to protect personnel. The MFAC/BMP program shall not require responsible entities to assess and collect trash from areas where personnel are prohibited.
 6. A process for evaluation of the effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 7. An initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to the East Fork of the San Gabriel River.

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² The TMDL identifies the following informal picnic areas: 1) The flats downstream of Follows Camp: Approximately 16 acres located about 2.6 miles east of Highway 39; 2) Oak Park vicinity: Approximately 9 acres located about 4.8 miles east of Highway 39; 3) Eldoradoville vicinity: Approximately 5 acres located around the confluence of East Fork with Cattle Canyon Creek, about 6 miles east of Highway 39; and 4) Coyote Flats: Approximately 9 acres located near the East Fork Ranger Station, about 6.5 miles east of Highway 39. (Administrative Record for the San Gabriel River East Fork Trash TMDL, p. 5.)

- g) USFS shall submit annual TMRP reports on or before December 15. The annual reports shall include:
 - 1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
 - 2. A report on the amount of trash collected at each MFAC event from the previous year.
 - 3. An analysis of the results of MFAC events from the previous year and a proposal for additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
 - 4. USFS may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.

- h) The Executive Officer may approve or require a revised MFAC/BMP program:
 - 1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 - 2. To reflect the results of trash assessment and collection.
 - 3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.
 - 4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.

- 5. Revolon Slough and Beardsley Wash Trash TMDL
 - a) Responsible entities for implementing the MFAC/BMP program for the Revolon Slough and Beardsley Wash Trash TMDL are the City of Camarillo, the City of Oxnard, the County of Ventura, Ventura County Watershed Protection District, and agricultural dischargers.

 - b) The MFAC/BMP program shall include collection and disposal of all trash. The initial minimum frequency of trash assessment and collection shall be as follows:
 - 1. Twice per month on the water, shoreline, and channels of Revolon Slough and its adjacent land areas at Wood Road (the end of the concrete-lined channel).
 - 2. Twice per month on the water, shoreline, and channels of Beardsley Wash and Revolon Slough in areas under the jurisdiction of the County of Ventura and agricultural lands.
 - 3. Twice per month at outlets on the north side of Camarillo Hills Drain between Las Posas Road and Wood Road.
 - 4. Monthly on Las Posas Estate Drain between Central Avenue and the 101 Freeway.
 - 5. Monthly at the inlet to the North Ramona Place Drain debris basin.
 - 6. Monthly at the inlet to Beardsley Wash at Wright Road and the adjacent land areas.

7. All Drains listed above will also be cleaned within one week of every storm event greater than 1 inch of rain.
- c) There shall be zero trash immediately following each MFAC event.
 - d) The MFAC/BMP program shall include an initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to Revolon Slough and Beardsley Wash.
 - e) The MFAC/BMP program shall include additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results from the previous year, as reported in the TMRP annual report, show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
 - f) Responsible entities for the Revolon Slough and Beardsley Wash Trash TMDL shall submit a revised TMRP for Executive Officer approval within three months of the effective date of the revised TMDL adopted by the Los Angeles Water Board in Resolution No. R18-005. The TMRP shall include:
 - 1. A process for assessment and quantification of trash collected from the water, shoreline, and channels of Revolon Slough and Beardsley Wash, adjacent land areas, outlets, and drains during MFAC events.
 - 2. Details of the frequency, location, and reporting of MFAC events.
 - 3. A metric (e.g., weight, volume, pieces of trash) to measure the amount of trash collected during each MFAC event.
 - 4. MFAC protocols shall be based on SWAMP protocols for rapid trash assessment or alternative protocols approved by the Executive Officer.
 - 5. A Health and Safety Plan to protect personnel. The MFAC/BMP program shall not require responsible entities to assess and collect trash from areas where personnel are prohibited.
 - 6. A process for evaluation of the effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 - 7. An initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to Revolon Slough and Beardsley Wash.
 - g) Responsible entities for the Revolon Slough and Beardsley Wash Trash TMDL shall submit annual TMRP reports on or before December 15. The annual reports shall include:
 - 1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
 - 2. A report on the amount of trash collected at each MFAC event from the previous year.
 - 3. An analysis of the results of MFAC events from the previous year and a proposal for additional BMPs to be implemented between MFAC events or

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an increased frequency of MFAC events if results show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.

- 4. Responsible entities may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.

- h) The Executive Officer may approve or require a revised MFAC/BMP program:
 - 1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 - 2. To reflect the results of trash assessment and collection.
 - 3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.
 - 4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.

6. Malibu Creek Watershed Trash TMDL

- a) Responsible entities for implementing the MFAC/BMP program for the Malibu Creek Watershed Trash TMDL are the National Park Service, the California Department of Parks and Recreation, the County of Los Angeles, the County of Ventura, Ventura County Watershed Protection District, the Santa Monica Mountains Conservancy, the Cities of Malibu, Agoura Hills, Hidden Hills, Thousand Oaks, Westlake Village, and Calabasas, and land owners in the vicinity of listed waterbodies in the Malibu Creek Watershed.

- b) The MFAC/BMP program shall include collection and disposal of all trash. The initial minimum frequency of trash assessment and collection shall be as follows³:

Malibu Creek (from Malibu Lagoon to Malibou Lake)

- 1. Within the City of Malibu: the waterbody, shoreline, and areas adjacent to Malibu Creek: once per week and within 72 hours after critical conditions.
- 2. Within the County of Los Angeles and State Parks: the waterbody, shoreline, and areas adjacent to Malibu Creek: once per month, and within 72 hours after critical conditions.

Malibu Lagoon

- 3. The waterbody, shoreline, beach, and areas adjacent to Malibu Lagoon: twice per week during the high visitation season from May 15 through October 15, once per week from October 15 through May 15, and within 72 hours after critical conditions.

Malibou Lake

³For the purposes of section six, critical conditions are high wind events, which are defined as periods of wind advisories issued by the National Weather Service.

- 4. Once per month and within 72 hours after critical conditions for the waterbody, shoreline, and adjacent lands.

Medea Creek Reach 1 (Malibou Lake to confluence with Lindero Creek)

- 5. Twice per month and within 72 hours after critical conditions for the waterbody, shoreline, and adjacent areas.

Medea Creek Reach 2 (above confluence)

- 6. Once per week and within 72 hours after critical conditions on the waterbody, shoreline, and adjacent areas from the confluence with Lindero Creek to the intersection with Thousand Oaks Blvd.
- 7. Twice per month and within 72 hours after critical conditions above the intersection with Thousand Oaks Blvd.

Lindero Creek Reach 1 (Confluence with Medea Creek to Lake Lindero)

- 8. Once per week and within 72 hours after critical conditions for Lindero Creek Reach 1 including the waterbody, shoreline, and adjacent areas.

Lindero Creek Reach 2 (Above Lake Lindero)

- 9. Twice per month and within 72 hours after critical conditions for Lindero Creek Reach 2 including the waterbody, shoreline, and adjacent areas.

Lake Lindero

- 10. Twice per month and within 72 hours after critical conditions for the waterbody, shoreline, and adjacent land.

Las Virgenes Creek

- 11. Within the state parks northerly to the intersection with Mulholland Highway: once per month and within 72 hours after critical conditions.
- 12. Once per week and within 72 hours after critical conditions for the waterbody, shoreline, and adjacent areas between Mulholland Highway and Juan Bautista De Anza Park at Los Hills Road in the City of Calabasas.
- 13. Twice per week for the waterbody, shoreline, and adjacent areas for the rest of the City of Calabasas.
- 14. Once per month and within 72 hours after critical conditions for the section in Los Angeles County along the Ventura Freeway.
- 15. Within Ventura County: once every two months and within 72 hours after critical conditions for the waterbody, shoreline, and adjacent areas.

- c) There shall be zero trash after each MFAC event.
- d) The MFAC/BMP program shall include an initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to the Malibu Creek Watershed.
- e) The MFAC/BMP program shall include additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results from the previous year, as reported in the TMRP annual report, show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.

- f) Responsible entities for the Malibu Creek Watershed Trash TMDL shall submit a revised TMRP for Executive Officer approval within three months of the effective date of the revised TMDL adopted by the Los Angeles Water Board in Resolution No. R18-006. The TMRP shall include:
 - 1. A process for assessment and quantification of trash collected from the water, shoreline, and adjacent land areas in the Malibu Creek Watershed during MFAC events.
 - 2. Details of the frequency, location, and reporting of MFAC events.
 - 3. A metric (e.g., weight, volume, pieces of trash) to measure the amount of trash collected during each MFAC event.
 - 4. MFAC protocols shall be based on SWAMP protocols for rapid trash assessment or alternative protocols proposed by dischargers and approved by the Executive Officer.
 - 5. A Health and Safety Plan to protect personnel. The MFAC/BMP shall not require responsible entities to assess and collect trash from areas where personnel are prohibited.
 - 6. A process for evaluation of the effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 - 7. An initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to Revolon Slough and Beardsley Wash.

- g) Responsible entities for the Malibu Creek Watershed Trash TMDL shall submit annual TMRP reports on or before December 15. The annual reports shall include:
 - 1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
 - 2. A report on the amount of trash collected at each MFAC event from the previous year.
 - 3. An analysis of the results of MFAC events from the previous year and a proposal for additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
 - 4. Responsible entities may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.

- h) Based on annual reports, the Executive Officer may approve or require a revised MFAC/BMP program:
 - 1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 - 2. To reflect the results of trash assessment and collection.
 - 3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.

4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.

7. Santa Monica Bay Nearshore and Offshore Debris TMDL

- a) Responsible entities for implementing the MFAC/BMP program for the Santa Monica Bay Nearshore and Offshore Debris TMDL are:
 1. For non-beach open space and/or parks: the National Park Service, the California Department of Parks and Recreation, the County of Los Angeles, the County of Ventura, and the State Lands Commission; and
 2. For beaches and harbors: the California Department of Parks and Recreation, the Los Angeles County Department of Beaches and Harbors and the Cities of Hermosa Beach, Los Angeles, Santa Monica, and Redondo Beach.
- b) The MFAC/BMP program shall include collection and disposal of all trash. The initial minimum frequency of trash assessment and collection shall be as follows:

Beaches and Harbors along Santa Monica Bay

1. Trash from nonpoint source areas of beaches and harbors shall be collected daily. A routine trash generation rate evaluation shall be conducted at the nonpoint source areas of selected beaches or harbors at the frequency specified in the TMRP. The evaluation shall be performed in the late afternoon before dusk to determine the amount of trash deposited in a day.
2. Trash on Santa Monica Bay shorelines shall be collected daily. An assessment shall immediately follow shoreline collection events at the frequency specified in the TMRP to document the amount of trash collected and that no trash remains.
3. Trash in in harbor waters shall be collected at the frequency specified in the TMRP, including during critical conditions as defined in the TMRP. An assessment shall immediately follow collection events at the frequency specified in the TMRP.
4. Compliance for entities responsible for beaches and harbors is determined by the following criteria:
 - i. The shoreline/harbor MFAC events shall demonstrate that no trash remains.
 - ii. The trash generation rate evaluations at the nonpoint source areas of beaches and harbors shall not show an increasing trend nor exceed the benchmark of 310 pounds (lbs) per mile of beach/harbor per day or 113,150 lbs/mile/year. Responsible entities shall initiate additional BMPs as specified in the TMRP annual report should trash amounts collected during the source area evaluations exceed 113,150 lbs/mile/year or not indicate a decreasing trend.

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Non-Beach Open Space and Parks

1. Trash at non-beach open space and parks shall be collected within 72 hours after critical conditions and immediately after special events, when no safety hazards exist.
 2. Compliance for entities responsible for non-beach open space and parks is determined by the following criteria:
 - i. There shall be no trash remaining after each MFAC event.
 - ii. The trash amount accumulated between MFAC events shall not exceed the load allocations of 640 gallons per square mile per year (gal/mi²/yr) or 162,468 lbs/mi²/yr, and shall show a decreasing trend.
 - iii. Responsible entities shall increase the frequency of collection and/or implement additional BMPs should trash amounts collected at MFAC events do not indicate a decreasing trend.
- c) Responsible entities for the Santa Monica Bay Nearshore and Offshore Debris TMDL shall submit a TMRP or revised TMRP for Executive Officer approval or shall affirm that the TRMP currently being implemented is sufficient to meet the requirements of this Order within six months of the effective date of this Order. The TMRP shall include:
1. The protocols for conducting the MFAC events and the trash generation rate evaluations, including methods, frequencies and specific locations.
 2. Protocols may be based on SWAMP protocols for rapid trash assessment or alternative protocols proposed by dischargers and approved by the Executive Officer.
 3. A Health and Safety Plan to protect personnel. The MFAC/BMP program shall not require responsible entities to assess and collect trash from areas where access by personnel is prohibited.
 4. An initial suite of BMPs to be implemented between MFAC events and trash generation rate evaluations based on current trash management practices in nonpoint source land areas that are found to be sources of trash to the beaches and harbors and non-beach open space and parks.
- d) Responsible entities for the Santa Monica Bay Nearshore and Offshore Debris TMDL shall submit annual TMRP reports on or before December 15. The annual reports shall include:
1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
 2. A report on the amount of trash collected at each MFAC event and trash generation rate evaluation from the previous year.
 3. An analysis of the results of the trash generation rate evaluations from the previous year and a proposal for additional BMPs to be implemented between evaluations if results show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between evaluations.
 4. An analysis of the results of the MFAC events at non-beach open space and parks from the previous year and a proposal for additional BMPs to be implemented between MFAC events or an increased frequency of MFAC

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events if results show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.

5. Responsible entities may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.
- e) Based on annual reports, the Executive Officer may approve or require a revised MFAC/BMP program:
 1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events or trash generation rate evaluations.
 2. To reflect the results of trash assessment and collection.
 3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.
 4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.
8. Machado Lake Trash TMDL
- a) The City of Los Angeles is the sole responsible entity for implementing the MFAC/BMP program for the Machado lake Trash TMDL.
 - b) The MFAC/BMP Program shall include collection and disposal of all trash. The initial minimum frequency of trash assessment and collection shall be as follows:
 1. Five days per week on the shoreline of Machado Lake and in the Ken Malloy Harbor Regional Park, as defined in the TMRP.
 2. Twice per week on the waters of Machado Lake.
 - c) There shall be zero trash immediately following each MFAC event.
 - d) The MFAC/BMP program shall include an initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to Machado Lake.
 - e) The MFAC/BMP program shall include additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results from the previous year, as reported in the TMRP annual report, show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
 - f) The City of Los Angeles shall submit a revised TMRP for Executive Officer approval within six months of the effective date of the revised TMDL adopted by the Los Angeles Water Board in Resolution No. R19-004. The TMRP shall include:
 1. A process for assessment and quantification of trash collected from the water and shoreline of Machado Lake and the Ken Malloy Harbor Regional Park during MFAC events.

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2. Details of the frequency, location, and reporting of MFAC events.
 3. A metric (e.g., weight, volume, pieces of trash) to measure the amount of trash collected during each MFAC event.
 4. MFAC protocols shall be based on SWAMP protocols for rapid trash assessment, or alternative protocols proposed by the City of Los Angeles and approved by the Executive Officer.
 5. A Health and Safety Plan to protect personnel. The MFAC/BMP program shall not require responsible entities to assess and collect trash from areas where personnel are prohibited.
 6. A process for evaluation of the effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 7. An initial suite of BMPs to be implemented between MFAC events based on current trash management practices in Ken Malloy Harbor Regional Park.
- g) The City of Los Angeles shall submit annual TMRP reports on or before December 15. The annual reports shall include:
1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
 2. A report on the amount of trash collected at each MFAC event from the previous year.
 3. An analysis of the results of MFAC events from the previous year and a proposal for additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
 4. The City of Los Angeles may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.
- h) The Executive Officer may approve or require a revised MFAC/BMP program:
1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 2. To reflect the results of trash assessment and collection.
 3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.
 4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.
9. Legg Lake Trash TMDL
- a) The County of Los Angeles is the sole responsible entity for implementing the MFAC/BMP program for the Legg Lake Trash TMDL.

- b) The MFAC/BMP Program shall include collection and disposal of all trash. The initial minimum frequency shall be as follows:
 - 1. Five days per week on the shoreline and in the Whittier Narrows Recreation Park Area, as defined in the TMRP.
 - 2. Once per week on waters of Legg Lake.
- c) There shall be zero trash immediately following each MFAC event.
- d) The MFAC/BMP program shall include an initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to Legg Lake.
- e) The MFAC/BMP program shall include additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results from the previous year, as reported in the TMRP annual report, show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
- f) The County of Los Angeles shall submit a TMRP for Executive Officer approval or shall affirm that the TRMP currently being implemented is sufficient to meet the requirements of this Order within six months of the effective date of this Order. The TMRP shall include:
 - 1. A process for assessment and quantification of trash collected from the water and shoreline of Legg Lake and the Whittier Narrows Recreation Park Area during MFAC events.
 - 2. Details of the frequency, location, and reporting of MFAC events.
 - 3. A metric (e.g., weight, volume, pieces of trash) to measure the amount of trash collected during each MFAC event.
 - 4. MFAC protocols shall be based on SWAMP protocols for rapid trash assessment or alternative protocols approved by the Executive Officer.
 - 5. A Health and Safety Plan to protect personnel. The MFAC/BMP program shall not require responsible entities to assess and collect trash from areas where personnel are prohibited.
 - 6. A process for evaluation of the effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 - 7. An initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to Legg Lake.
- g) The County of Los Angeles shall submit annual TMRP reports on or before December 15. The annual reports shall include:
 - 1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
 - 2. A report on the amount of trash collected at each MFAC event from the previous year.

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3. An analysis of the results of MFAC events from the previous year and a proposal for additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
 4. The County of Los Angeles may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.
- h) The Executive Officer may approve or require a revised MFAC/BMP program:
1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 2. To reflect the results of trash assessment and collection.
 3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.
 4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.
10. Lake Elizabeth, Munz Lake and Lake Hughes Trash TMDL (Santa Clara River Lakes Trash TMDL)
- a) Responsible entities for implementing the MFAC/BMP program for the Lake Elizabeth, Munz Lake, and Lake Hughes Trash TMDL are the National Forest Service .
- b) The MFAC/BMP program shall include collection and disposal of all trash. For Lake Elizabeth and Lake Hughes, the initial minimum frequency shall be as follows:
1. Once per week on the water, shoreline, and the adjacent land areas of Lake Elizabeth and Lake Hughes where they are publicly accessible, as defined in the TMRP, during May 15 through October 15. Once per month for areas with limited access.
 2. Once per month on the water, shoreline, and the adjacent land areas of Lake Elizabeth and Lake Hughes, as defined in the TMRP, from October 15 to May 15.
 3. Within one week after each storm event with one inch of rain or greater, and after each wind advisory on the water, shoreline, and the adjacent land areas of Lake Elizabeth and Lake Hughes.
- c) There shall be zero trash immediately following each MFAC event.
- d) The MFAC/BMP program shall include an initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to Lake Elizabeth and Lake Hughes.

- e) The MFAC/BMP program shall include additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results from the previous year, as reported in the TMRP annual report, show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
- f) Responsible entities shall submit a TMRP for Executive Officer approval within six months of the effective date of this Order. The TMRP shall include:
 - 1. A process for assessment and quantification of trash collected from the water and shoreline of Lake Elizabeth and Lake Hughes.
 - 2. Details of the frequency, location, and reporting of MFAC events.
 - 3. A metric (e.g., weight, volume, pieces of trash) to measure the amount of trash collected during each MFAC event.
 - 4. MFAC protocols shall be based on SWAMP protocols for rapid trash assessment or alternative protocols approved by the Executive Officer.
 - 5. A Health and Safety Plan to protect personnel. The MFAC/BMP program shall not require responsible entities to assess and collect trash from areas where personnel are prohibited.
 - 6. A process for evaluation of the effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 - 7. An initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to Legg Lake.
- g) Responsible entities shall submit annual TMRP reports on or before December 15. The annual reports shall include:
 - 1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
 - 2. A report on the amount of trash collected at each MFAC event from the previous year.
 - 3. An analysis of the results of MFAC events from the previous year and a proposal for additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
 - 4. Responsible entities may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.
- h) The Executive Officer may approve or require a revised MFAC/BMP program:
 - 1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 - 2. To reflect the results of trash assessment and collection.
 - 3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.

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4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.

11. Ventura River Estuary Trash TMDL

- a) Responsible entities for implementing the MFAC/BMP program for the Ventura River Estuary Trash TMDL are the City of Ventura, Ventura County, Ventura County Watershed Protection District, California Department of Parks and Recreation, California Department of Food and Agriculture, and agricultural dischargers.
- b) The MFAC/BMP program shall include collection and disposal of all trash. The initial minimum frequency shall be set as follows:
 1. Once per week for the sandy beach area between the estuary and the ocean and along the bike path between May 15 and October 15. Once per month for the rest of the year.
 2. Within one week after each storm event with one inch of rain or greater at the Front Street storm drain, which discharges under the eastern levee, 50-foot north of the railroad tracks.
 3. Quarterly for other areas of the estuary below the U.S. 101 Freeway.
 4. After major public events that occur in the Ventura County Fairground that charge an admission price and are attended by greater than 7,000 people.
- c) There shall be zero trash immediately following each MFAC event.
- d) The MFAC/BMP program shall include an initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to the Ventura River Estuary.
- e) The MFAC/BMP program shall include additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results from the previous year, as reported in the TMRP annual report, show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
- f) Responsible entities shall submit a revised TMRP or shall affirm that the TRMP currently being implemented is sufficient to meet the requirements of this Order for Executive Officer approval within six months of the effective date of this Order. The TMRP shall include:
 1. A process for assessment and quantification of trash collected from the water and shoreline of the Ventura River Estuary.
 2. Details of the frequency, location, and reporting of MFAC events.
 3. A metric (e.g., weight, volume, pieces of trash) to measure the amount of trash collected during each MFAC event.
 4. MFAC protocols shall be based on SWAMP protocols for rapid trash assessment or alternative protocols approved by the Executive Officer.

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5. A Health and Safety Plan to protect personnel. The MFAC/BMP program shall not require responsible entities to assess and collect trash from areas where personnel are prohibited.
6. A process for evaluation of the effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
7. An initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to the Ventura River Estuary.

g) Responsible entities shall submit annual TMRP reports on or before December 15.

The annual reports shall include:

1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
2. A report on the amount of trash collected at each MFAC event from the previous year.
3. An analysis of the results of MFAC events from the previous year and a proposal for additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
4. Responsible entities may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.

h) The Executive Officer may approve or require a revised MFAC/BMP program:

1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
2. To reflect the results of trash assessment and collection.
3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.
4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.

12. Los Angeles River Watershed Trash TMDL

a) Responsible entities for implementing the MFAC/BMP program for the Los Angeles River Trash TMDL are the County of Los Angeles; the Cities of Arcadia, Bell Gardens, Burbank, Compton, Cudahy, Downey, Long Beach, Los Angeles, Maywood, Montebello, Pasadena, Pico Rivera, and Rosemead; the Los Angeles Equestrian Center; the Mountains Recreation and Conversation Authority; the San Gabriel Country Club; and the Arcadia Golf Course.

- b) The MFAC/BMP program shall include collection and disposal of all trash found in the source areas and along the Los Angeles River and its tributaries. The initial minimum frequency of trash assessment and collection shall be within 72 hours after critical conditions⁴ and immediately after special events when no safety hazards exist.
- c) Compliance is determined by the following criteria:
 - 1. There shall be no trash remaining after each MFAC event.
 - 2. The trash amount accumulated between MFAC events shall not exceed the load allocations of 640 gallons per square mile per year (gal/mi²/yr) and shall not show an increasing trend.
 - 3. Responsible entities shall increase the frequency of collection and/or implement additional BMPs, if trash amounts collected at MFAC events indicate an increasing trend.
- d) Responsible entities for the Los Angeles River Trash TMDL shall submit a TMRP or revised TMRP for Executive Officer approval or shall affirm that the TRMP currently being implemented is sufficient to meet the requirements of this Order within six months of the effective date of this Order. The TMRP shall include:
 - 1. The protocols for conducting the MFAC events, including methods, frequencies and specific locations.
 - 2. MFAC protocols may be based on SWAMP protocols for rapid trash assessment or alternative protocols proposed by dischargers and approved by the Executive Officer.
 - 3. A Health and Safety Plan to protect personnel. The MFAC/BMP program shall not require responsible entities to assess and collect trash from areas where access by personnel is prohibited.
 - 4. An initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to the Los Angeles River and its tributaries.
- e) Responsible entities for the Los Angeles River Trash TMDL shall submit annual TMRP reports on or before December 15. The annual reports shall include:
 - 1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
 - 2. A report on the amount of trash collected at each MFAC event from the previous year.
 - 3. An analysis of the results of the MFAC events from the previous year and a proposal for additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results show that load allocations are not attained or trash is showing an increasing trend between MFAC events.
 - 4. Responsible entities may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.

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⁴ For the purposes of this section critical conditions are defined as a rain event of greater than 0.25 inches.

- f) Based on annual reports, the Executive Officer may approve or require a revised MFAC/BMP program:
 1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 2. To reflect the results of trash assessment and collection.
 3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.
 4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.

13. Ballona Creek Trash TMDL

- a) The California Department of Fish and Wildlife is the sole responsible entity for the Ballona Creek Trash TMDL for the Ballona Wetlands portion of the TMDL.
- b) The MFAC/BMP program shall include collection and disposal of all trash. The initial minimum frequency of trash assessment and collection shall be within 72 hours after critical conditions and immediately after special events when no safety hazards exist.
- c) Compliance is determined by the following criteria:
 1. There shall be not trash remaining after each MFAC event.
 2. The trash amount accumulated between MFAC events shall not exceed the load allocations of 640 gallons per square mile per year (gal/mi²/yr) and shall not show an increasing trend.
 3. The California Department of Fish and Wildlife shall increase the frequency of collection and/or implement additional BMPs, should trash amounts collected at MFAC events indicate an increasing trend.
- d) The California Department of Fish and Wildlife shall submit a TMRP for Executive Officer approval or shall affirm that the TRMP currently being implemented is sufficient to meet the requirements of this Order within six months of the effective date of this Order. The TMRP shall include:
 1. The protocols for conducting the MFAC events, including methods, frequencies and specific locations.
 2. MFAC protocols may be based on SWAMP protocols for rapid trash assessment or alternative protocols proposed by dischargers and approved by the Executive Officer.
 3. A Health and Safety Plan to protect personnel. The MFAC/BMP shall not require responsible entities to assess and collect trash from areas where access by personnel is prohibited.
 4. An initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to the Wetlands.
- e) The California Department of Fish and Wildlife shall submit annual TMRP reports on or before December 15. The annual reports shall include:

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1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
 2. A report on the amount of trash collected at each MFAC event from the previous year.
 3. An analysis of the results of the MFAC events from the previous year and a proposal for additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results show that load allocations are not attained or trash is showing an increasing trend between MFAC events.
 4. The California Department of Fish and Wildlife may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.
- f) Based on annual reports, the Executive Officer may approve or require a revised MFAC/BMP program:
1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 2. To reflect the results of trash assessment and collection.
 3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.
 4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.

14. Echo Park Lake, Peck Road Park Lake, and Lincoln Park Lake Trash TMDLs

- a) Responsible entities for implementing the MFAC/BMP program are the City of Los Angeles for Echo Park Lake and Lincoln Park Lake and the cities of Arcadia, El Monte, Irwindale, and Monrovia and the County of Los Angeles for Peck Road Park Lake.
- b) The MFAC/BMP program shall include collection and disposal of all trash. The initial minimum frequency of trash assessment and collection shall be as follows:

Peck Road Park Lake

1. Twice per week on the shoreline and the adjacent land areas of Peck Road Park Lake where they are publicly accessible, as defined in the TMRP, particularly the shorelines with steeper slopes on the north east side.
2. Once per week on the waters of Peck Road Park Lake.
3. Within one day on the water, shoreline, and the adjacent land areas of Peck Road Park Lake after each storm event with one inch of rain or greater and after each wind advisory.

Lincoln Park Lake Trash TMDL

1. Five times per week on the shoreline and the adjacent land areas of Lincoln Park Lake where they are publicly accessible, as defined in the TMRP.
2. Once per week on the waters of Lincoln Park Lake.

3. Within one day on the water, shoreline, and the adjacent land areas of Lincoln Park Lake after each storm event with one inch of rain or greater and after each wind advisory.

Echo Park Lake

1. Three times per week on the shoreline and the adjacent land areas of Echo Park Lake where they are publicly accessible, as defined in the TMRP.
 2. Once per week on the waters of Echo Park Lake.
 3. Within one day on the water, shoreline, and the adjacent land areas of Echo Park Lake after each storm event with one inch of rain or greater and after each wind advisory.
- c) There shall be zero trash immediately following each MFAC event.
- d) The MFAC/BMP program shall include an initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to Peck Road Park Lake, Lincoln Park Lake, and Echo Park Lake.
- e) The MFAC/BMP program shall include additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results from the previous year, as reported in the TMRP annual report, show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
- f) Responsible source entities for the Peck Road Park Lake, Lincoln Park Lake, and Echo Park Lake TMDLs shall submit a TMRP for Executive Officer approval within six months of the effective date of this Order. The TMRP shall include:
1. A process for assessment and quantification of trash collected from the water, shoreline, and adjacent land areas of Peck Road Park Lake, Lincoln Park Lake, and Echo Park Lake during MFAC events.
 2. Details of the frequency, location, and reporting of MFAC events.
 3. A metric (e.g., weight, volume, pieces of trash) to measure the amount of trash collected during each MFAC event.
 4. MFAC protocols shall be based on SWAMP protocols for rapid trash assessment or alternative protocols approved by the Executive Officer.
 5. A Health and Safety Program to protect personnel. The MFAC/BMP program shall not require responsible entities to assess and collect trash from areas where personnel are prohibited.
 6. A process for evaluation of the effectiveness of the MFAC/BMP program to prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 7. An initial suite of BMPs to be implemented between MFAC events based on current trash management practices in nonpoint source land areas that are found to be sources of trash to Peck Road Park Lake, Lincoln Park Lake, and Echo Park Lake.

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- g) Responsible entities for the Peck Road Park Lake, Lincoln Park Lake, and Echo Park Lake TMDLs shall submit annual TMRP reports on or before December 15. The annual reports shall include:
 - 1. A report of any non-compliance with MFAC/BMP program requirements from the previous year.
 - 2. A report on the amount of trash collected at each MFAC event from the previous year.
 - 3. An analysis of the results of MFAC events from the previous year and a proposal for additional BMPs to be implemented between MFAC events or an increased frequency of MFAC events if results show that trash is accumulating in deleterious amounts or adversely affect beneficial uses between MFAC events.
 - 4. Responsible entities may request Executive Officer approval of a revised MFAC/BMP program to reflect a longer interval between MFAC events if results show that the amount of trash collected at MFAC events is decreasing.

- h) The Executive Officer may approve or require a revised MFAC/BMP program:
 - 1. To prevent trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between MFAC events.
 - 2. To reflect the results of trash assessment and collection.
 - 3. If the amount of trash collected does not show a decreasing trend, a shorter interval between MFAC events or additional BMPs will be required.
 - 4. If the amount of trash collected is decreasing, a longer interval between MFAC events may be warranted.

COMPLIANCE AND ENFORCEMENT

- 15. This Waiver does not relieve responsible entities from the responsibility to obtain other necessary local, State, and Federal permits, nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.

- 16. The responsible entities are required to meet the conditions of this Order. Failure to maintain compliance with conditions of this Order may result in enforcement including but not limited to imposition of civil liability under Water Code 13268 or 13350, withdrawal of the Conditional Waiver and issuance of WDRs by the Los Angeles Regional Water Board, and/or other enforcement action authorized pursuant to Water Code sections 13261, 13265, 13268, 13300, 13301, 13304, 13308, or 13340.

- 17. If the responsible entities fail to meet the requirements and conditions of this Order, the Executive Offer may, upon providing the responsible entities with reasonable notice and an opportunity to submit information and be heard, terminate the responsible entities' coverage under this Conditional Waiver.

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18. This Conditional Waiver shall become effective on July 9, 2020 and expire on July 9, 2025, except for enforcement purposes, unless rescinded, renewed, or extended by the Los Angeles Water Board.

TERMINATION

19. The Los Angeles Water Board may terminate or modify a responsible entity’s coverage under this Order for cause, including, but not limited to:

- a. Violation of any term or condition contained in this Order;
- b. Obtaining coverage under this Order by misrepresentation, or failure to disclose fully all relevant facts;
- c. Endangerment to public health or environment that can only be mitigated to acceptable levels by Order modification or termination.

I, Renee Purdy, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region on July 9, 2020.

Renee Purdy
Executive Officer

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