

Comment Number	EWMP Reference	MS4 Permit Provision	Summary of Comments and Necessary Revisions	NSMBCW Group Response (January 2016)	Regional Board Follow Up (February 18, 2016)	NSMBCW Response (March 2016)
1	NA		<p>ASBS Comments</p> <p>1. As part of the EWMP, provide specificity on the number of MS4 outfalls and their ownership within the ASBS 24 area. Ensure consistency with "Area of Special Biological Significance 24, Compliance Plan for the County of Los Angeles and City of Malibu, September 20, 2015" (ASBS 24 Compliance Plan).</p> <p>2. Integrate the ASBS 24 Compliance Plan into the EWMP. (a) Particular attention should be paid to integrating the actions in sections 3 and sections 6 into the appropriate elements of the EWMP.</p> <p>(b) Ensure the actions in the EWMP are in alignment with the schedule (section 8) in the ASBS Compliance Plan.</p> <p>3. Discuss in the EWMP any unique watershed control measures to address MS4 discharges of non-stormwater and stormwater that are being taken within the ASBS 24 that are not being taken in areas outside of the ASBS but still within the NSMB EWMP area.</p>	<p>The number of outfalls has been added to the EWMP, and consistency with the ASBS Compliance Plan has been verified.</p> <p>The ASBS 24 Compliance Plan has been integrated by way of reference, and BMPs/MCMs between the EWMP and Compliance Plan have been verified to be consistent.</p> <p>There are no unique watershed control measures that are specific to the ASBS. Rather, the NSMBCW EWMP Group has proactively chosen to implement these BMPs throughout the entire EWMP Area, as applicable.</p> <p>The ASBS 24 Compliance Plan has been appended to the EWMP as Appendix E.</p>	<p>Where in the document is the number of outfalls provided?</p>	<p>The number of outfalls is in Section 1.1.3, which says: "There are 26 identified outfalls owned, operated./maintained, or monitored by the NSMBCW Agencies that are located within the ASBS 24 drainage area; ten of these outfalls have been identified as major outfalls." A footnote has also been added to this section stating the following: "The ASBS 24 Compliance Plan identifies 21 outfalls owned, operated/maintained, or monitored by the NSMBCW Agencies that discharge directly to ASBS 24. The additional five outfalls identified in this EWMP discharge to other receiving water bodies upstream of ASBS 24."</p> <p>Please note that the number of identified outfalls has been increased since the draft submittal of the EWMP in June 2015. As a result, other sections of the EWMP have been updated for consistency, including the subwatershed descriptions in Section 1.3.5 and the dry weather RAA in Section 5.3.2 (Tables 31 and 32 and Figure 25).</p>
2	Table 1		<p>Include beaches and SMB Nearshore & Offshore beneficial uses in Table 1. NSMBCW Water Bodies and Beneficial Uses Designated in the Basin Plan.</p>	<p>Table 1 has been updated to include the requested beneficial uses.</p>	<p>However, check beneficial uses in attached table. This is the latest table and there are some discrepancies between the beneficial uses in Table 1 for Los Angeles County Coastal Beaches and this excel table.</p>	<p>Table 1 has been updated with the most recent (2015) beneficial use table information.</p>
16	Table 23 D.8. Construction (page 87)		<p>Regarding Construction, include the developed/modified checklist that focuses on water quality priorities.</p>	<p>The checklist for both the City and County will not be modified. This item has been removed from the table.</p>	<p>Please explain and provide a rationale how the Construction checklist will be modified to address water quality concerns.</p>	<p>The County and the City already have existing checklists, respectively. As stated, these checklists will not be modified, as they already meet the requirements set forth in the Permit. Language has been updated to show that this MCM is no longer being enhanced or modified. Note that Table 25 no longer includes this item. Since no modification is proposed, there is no modified checklist to show.</p>
17	NSMBCW EWMP - Appendix D MCMs		<p>Wherever modified is checked for a requirement, include details of the how the MCM was modified in the Comment section.</p>	<p>Appendix D has been updated to include a comment for all modifications/enhancements.</p>	<p>There was one modification that was not explained in the comment section: Develop/implement Standard Operating Procedure (SOP)/inspection Checklist (page D-3 under Construction).</p>	<p>This MCM is planned to be implemented "as-is," without modification or enhancement. Appendix D has been updated to reflect this.</p>
19	pages 135 - 143	Part VI.C.1.g.ix, page 50	<p>Provide estimated costs of the non-structural BMPs which includes Minimum Control Measures (MCMs). Also include a summary of existing/ past funding sources/amounts in the revised EWMP. These funding sources may include general or dedicated funds from the City, County & FCD, as well as grants/loans. General funds are mentioned, but the amount of general funds must be quantified for the last several years (FY13-14, 14-15) by Permittee.</p>	<p>Section 9.3/Table 39 has been added to include past expenditures on water management programs, as well as estimated FY2015-2016 budgets.</p>	<p>Please explain and provide a rationale why the footnote only appears to apply to the Industrial/Commercial program element in Table 39?</p>	<p>The footnote has been moved to the column heading and text has been added to attempt to clarify that all staf costs for the City of Malibu are included within the Program Management element.</p>
20		Part VI.C.5.b. iv. (4)e	<p>The plan does not clearly identify the responsibilities of each participating permittee. Ensure that the responsible entity for each watershed control measure (regional projects, distributed projects, public retrofit incentives, MCMs, etc.) is clearly identified in the revised EWMP.</p>	<p>Text has been added to the respective sections/tables identifying responsible parties. In the case of MCMs, it is stated that the MCMs are the responsibility of each agency unless otherwise noted. Table 27, which lists the various green street projects proposed in the EWMP, shows the responsible parties based on the percentage of land use within each project area.</p>	<p>Responsible Permittee(s) should be specified for the proposed distributed BMPs.</p>	<p>Table 28 (formerly Table 27) lists the responsible parties for the proposed distributed BMPs based on tributary land use. The following sentence has been added before the table: "As shown in the table, the percentage of each project within each NSMBCW Agency represents the proposed ownership responsibility for that project."</p>
21	various	Part VI.A.2	<p>Address any intermingling of discharges from privately owned stormwater infrastructure into the MS4 in the appropriate elements of the revised EWMP.</p>	<p>The RAA was conducted based on land uses and was inclusive of private property/drains within the EWMP Area. As a result, the EWMP inherently addresses runoff from private property that enters the NSMBCW MS4.</p>	<p>We understand that the RAA was conducted based on land uses and was inclusive of private property/drains within the EWMP Area. As a result, the EWMP inherently addresses runoff from private property that enters the NSMBCW MS4." Please put this statement in an appropriate place in the EWMP.</p>	<p>The following footnote has been added to Section 4.4.1 (Spatial Domain): "The RAA was conducted based on land uses, including private property within the NSMBCW EWMP Area. As a result, the EWMP inherently addresses runoff from private property that enters the NSMBCW MS4. "</p>
25	Pages 98-105 and page 122		<p>Ensure that all MS4 outfalls, as shown on Figure 23, are also included on all maps on pages 98-105 and page 122.</p>	<p>Identified MS4 outfalls have been added to requested figures. Figure 23 is now labeled as Figure 25.</p>	<p>Please check proper nomenclature for IDs for the monitoring stations in Figure 25.</p>	<p>No Monitoring Stations are shown in Figure 25, only analysis regions and outfalls (both major and minor). Per discussion with Deborah Brandes, we have verified that the analysis regions shown on the figure are accurate.</p>
28	EWMP Work Plan, page 21	Part VI.C.5.a.iii. (1)(a)(i)-(iv), pages 59-60	<p>The EWMP Work Plan states "The following data sources will be reviewed as part of the source assessment for the Category 1 and 2 water body- pollutant combinations (i.e. regarding known and suspected stormwater and non-stormwater pollutant sources in discharges to the MS4 and from the MS4 to receiving waters and any other stressors related to MS4 discharges causing or contributing to the water quality priorities):</p> <ol style="list-style-type: none"> 1. Findings from the Permittees' Illicit Connections and Illicity Discharge Elimination Programs (IC/ID); 2. Findings from the Permittees' Industrial/Commercial Facilities Programs; 3. Findings from the Permittees' Developments Construction Programs; 4. Findings from the Permittees' Public Agency Activities Programs 5. TMDL source investigations; 6. Watershed model results; 7. Findings from the Permittees' monitoring programs, including but not limited to TMDL compliance monitoring and receiving water monitoring; and 8. Any other pertinent data, information, or studies related to pollutant sources. <p>However, no such findings are presented in the EWMP from these programs regarding known and suspected stormwater and non-stormwater pollutant sources in discharges to the MS4 and from the MS4 to receiving waters and any other stressors related to MS4 discharges causing or contributing to the water quality priorities. The revised EWMP must detail what the results of the Group's investigations are. Further, it is not clear whether the Group considered the Topanga Creek Source ID Study, mentioned above, as it is not listed in the Reference section. Footnote a of Table 8 cites monitoring results from multiple MST (Microbial Source Tracking) studies in the EWMP area, but references a comment letter rather than the original sources. The revised EWMP must cite the original sources and include the references in the Reference section.</p> <p>The only additional discussion of MCMs focuses on the enhancements/modifications to the MCMs from the base line requirements in the 2012 permit (Part VI.D).</p>	<p>The EWMP Source Assessment (Section 2.3) has been bolstered based on information gathered as part of the EWMP Work Plan.</p> <p>The Topanga Creek Source ID Study was not originally included, since it had not been published at the time of submittal of the EWMP Work Plan. However, this study has been added to the EWMP.</p> <p>Footnote a of Table 9 (formerly Table 8) has been revised as requested.</p>	<p>Just adding the Topanga Creek Source ID Study as an Appendix and to the Reference section does not mean it was "considered". Please explain how the study considered and integrated?</p>	<p>Section 2.1.2, under "Indicator Bacteria," has a paragraph stating that bacteria has been added as a Category 3 WBPC in this subwatershed based on the Topanga Creek Source ID Study. In addition, the study results are summarized in detail in Section 2.3.1.</p>

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35	Page 10	Part VI.C.5.b	Include a detailed soils map indicating the infiltration rates for the various soil types in the EWMP area rather than the general description provided in Section 1.3.4 to support the group's conclusion that there is little opportunity for regional retention projects.	A soils map has been created based on available GIS data, which is not identical to the data provided in the referenced report. It should also be noted that additional geologic conditions were evaluated when determining if a regional retention project was feasible. Some of these conditions are also included in the figure. In addition, regional retention projects were only evaluated in subwatersheds that showed a need for structural BMPs based on the RAA results. The combination of these various factors has led to the overall conclusion that such large-scale projects are not efficient nor necessary at this point in time in the NSMBCW EWMP Area. Additional discussion on this is provided in the BMP section of the EWMP.	I don't see the soils map.	The soils map is Figure 2 of the EWMP.
37	Appendix D	Part VI.C.I.g.viii, page 50	While not explicitly stated it appears that the MCMs as required in Part VI.D of the permit, per Appendix D, are either going to be implemented as required by the permit, enhanced, or appropriately modified. Confirm that the MCMs will be required, enhanced or modified. Ensure that the modifications and enhancements described in Table 23 of the EWMP (pages 85-87) for the Development Construction Program match those in Appendix D of the EWMP for the same program.	The Group has confirmed that Table 23 of the Draft EWMP (now Table 24) and Appendix D are consistent. The Group plans to implement all MCMs as specified in Appendix D. The following sentence has been added to state this: "An overview of all MCMs to be implemented by the NSMBCW EWMP Group and the WBPCs which they target is provided in Appendix D."	There is not an exact match between Tables 23 and the table in Appendix D. Please explain why.	Table 25 (previously Table 24) is a summary of all modified or enhanced MCMs. As a result, the information contained in it is a subset of Appendix D (since Appendix D includes all MCMs). Text has been modified in each table such that everything affirmed in each table is consistent with the other.
40	Pages 81-82; Table 23; Appendix D	Part VI.C.5.b.ii.(1), page 62	Regarding preventing or eliminating non-stormwater discharges to the MS4 that are a source of pollutants from the MS4 to receiving waters, the plan does not specify measurable milestones within the permit term (specific actions, outcomes and deadlines). To the extent that these are covered in the CIMP through the non-stormwater screening, source investigation and elimination, and monitoring program, include a description of these elements and corresponding measurable milestones in the EWMP.	Section 4.1 has been updated to include details from the CIMP and measurable milestones.	Additional material was incorporated into Section 4.2.1-3. However, Table 4-1. Non-Stormwater Outfall Screening and Monitoring Program Summary should be included.	The requested table has been added to Section 4.1.1. It is Table 11 in the EWMP. All subsequent tables have been re-numbered.
41	Table 23, pages 85-87 and Appendix D	Part VI.C.5.b.iv.(1)(a)(i)	Ensure that Table 23 (pages 85-87) and Appendix D are aligned. It appears that Table 23 should be a subset of the MCMs in Appendix D, i.e., those that are identified as "enhanced" or "modified" in Appendix D. The Group also needs to ensure that for each MCM, the Permittee(s) responsible for implementing it are clearly identified. If all MCMs will be implemented by all three permittees in all areas, note this.	Table 23 of the Draft EWMP (now Table 24) and Appendix D have each been modified to be consistent with one another. It has been noted that all NSMBCW agencies will be responsible for all MCMs.	Table 24 and Appendix D still do not seem to match. How are they consistent with one another?	Table 25 (previously Table 24) is a summary of all modified or enhanced MCMs. As a result, the information contained in it is a subset of Appendix D (since Appendix D includes all MCMs). Text has been modified in each table such that everything affirmed in each table is consistent with the other.
44	pages 132-134	Part VI.C.8, pages 68-70	Part VI.C.8.a. i.(7) describes adaption of the EWMP to become more effective based on: "Recommendations for modifications to the Watershed Management Program solicited through a public participation process." A public participation process is not described in the NSMB EWMP description of the Adaptive Management Approach. Describe the group's intention regarding public participation in its adaptive management process. Include a commitment to address Part VI.C.8.a.iv.(1)-(7) of the LA County permit as part of the group's adaptive management process.	Section 8 of the EWMP has been updated to include the requested language.	Reference to VI.C.8.a.iv.(1)-(7) should be made	Reference to Permit Section VI.C.8.a.iv has been added to Section 8 of the EWMP.
45	Pages 106-123	Part VI.C.5.b.iv.(4)(d), page 64	The EWMP does not address compliance vis-a-vis interim limits. Tables 27 and 31 discuss compliance but only with the final limits. Attachment C-1 provides further detail in terms of target load reduction by blocks of years (2003-2015 and 2015-2021) but it does not correspond with the next interim deadline for bacteria, which is 2018 for Santa Monica Bay. Revise the EWMP to include analysis demonstrating a reasonable assurance that interim limits for Santa Monica Bay Beaches bacteria will be met.	As discussed with the Regional Board in our December 7 meeting, Section 7.2 sufficiently addresses interim compliance.	Please put in a table in Section 7.2 with Interim Limits. This comment was not addressed.	As outlined in Section 7 of the EWMP, the only applicable interim limits within the NSMBCW EWMP Area are percentage load reductions for bacteria in SMB and trash in SMB and Malibu Creek. These limits are included in Table 35 in Section 7.1.1. Interim compliance for bacteria is demonstrated in Section 7.2.1. This approach, which demonstrates interim compliance via historical monitoring data, was approved by Ms. Renee Purdy and Mr. Ivar Ridgeway in a meeting on December 7, 2015. A footnote has been added to the this section of the EWMP to state this. Attachment C-1 includes a load reduction block starting/ending in 2015 since this was the effective date of the Group's LID ordinances. Prior to 2015, SUSMP credits were taken. Starting in 2015, SUSMP was replaced by LID. The RAA attempts to account for this change in redevelopment standards. This process is described in Section 5.2.3.2 of the EWMP. This comment has been discussed with Ms. Deborah Brandes, and it was agreed upon that no further clarification is required.
55	Pages 89-90	Part VI.C.I.g, page 49	Consider relabeling the section Quantified Non-structural BMPs (5.2.3), which describes programmatic BMPs, but also redevelopment BMPs and public retrofit BMPs (page 89-91). The EWMP says that "Specific non-structural BMP model inputs are summarized in Table 25." However, media-filters, bioretention, biofiltration and bioswales are all structural BMPs. In addition, provide an explanation as to why these BMPs were selected for public retrofit and redevelopment and not others.	The Group would prefer to maintain the non-structural designation, since ultimately, these are programs/institutional BMPs that are being implemented (e.g., the LID ordinance or downspout disconnect program). However, since non-structural BMPs can't be modeled, assumptions were made in the RAA to account for these non-structural BMPs as structural BMPs. For example, since the LID ordinance requires LID BMPs such as bioretention and biofiltration to be implemented on new projects, it was assumed that a qualifying percentage of certain properties will incorporate these BMPs in the future. This section of the EWMP describes the assumptions related to the modeling of these structural BMPs to assess non-structural BMP effectiveness. Text has been added to attempt to clarify and expand this discussion.	I don't see where an explanation was provided as to why these BMPs were selected for public retrofit and redevelopment and not others. In the future you might consider submitting your revision in track changes.	The explanation of this decision is provided in Section 5.2.3.2. In short, SUSMP (from 2001-20015) allowed the implementation of flow-through BMPs. Because these allowed for a much smaller footprint, they were often selected for redevelopment projects. The LID Ordinances place a required emphasis on capture and retention via infiltration, bioretention, and/or harvest and use. Water that can't be captured and retained is required to treat more volume. As a result, a selection of BMPs was assumed for implementation for qualifying redevelopment projects in accordance with the design requirements set forth in the Permit (and LID Ordinances). This approach is consistent with other EWMPs to account for redevelopment BMPs.
62	table 29, page 111	Part VI.C.5.b.iv.(5)	Include in the EWMP a plan to reevaluate the dry weather RAA (analysis presented in Table 29, page 111) with updated data biennially per the adaptive management process where there are any MS4 outfalls (major and minor).	Since the dry weather RAA is presented for informational purposes only (due to the fact that relevant dry weather compliance deadlines have passed), the dry weather RAA will not be updated. However, compliance monitoring in the form of shoreline monitoring as well as outfall screenings will continue to occur, and will be reported annually in the Group's respective annual reports.	Is the main pollutant of concern in the EWMP, bacteria? If so, I agree, otherwise dry weather should be addressed. What about other category 1 constituents like nutrients, trash/debris, DDTs and PCBs?	The main pollutant of concern is bacteria. The other Category 1 WBPCs/TMDLs are focused on wet weather, with the exception of trash (which is being addressed via full capture devices and monitoring).

Additionally, please note that the NSMBCW EWMP Group has updated language related to Dan Blocker Beach. Previously, this beach was identified as being located within the Corral Subwatershed. However, based on field verifications, it is actually located within the Solstice Subwatershed. The text of the EWMP has been modified accordingly.