# ATTACHMENT SW-1

During the prohibition period (April 15th to November 15th), the Discharger may discharge to Malibu Creek under three exceptions including during significant rain events (equal or greater than 0.4 inch). The Discharger shall make every reasonable effort to avoid discharging to the maximum extent practicable during the prohibition period. A request shall be made in order to obtain the Executive Officer's agreement prior to the actual discharge for any rainfall event less than 0.4 inch in 24 hours.

The Discharger shall notify the Regional Water Board staff in advance (*with* at least 24 hours lead-time) of the proposed request to discharge during rainfall events <0.4 inch in 24 hours. The Discharger shall use all reasonably available data, including weather forecast prognosis, to make the request during the typical workweek, but not later than Thursday end of business. A timely request will allow the Regional Water Board staff to perform its evaluation within *a* reasonable time; this approach will assure that weekend situations will also be covered.

The value of <0.4 inch of rain is only a trigger that starts the process of evaluating whether or not to agree with the exception request. The <0.4 inch value is **NOT** an automatic trigger allowing the release during storm events, within the prohibition period. Within the prohibition period, any discharge, not otherwise allowed by the permit conditions, taking place prior to obtaining the Executive Officer's agreement, shall constitute a violation of the permit requirements.

The following factors may be 'considered in the rain exception criteria. In addition, concomitantly with submittal of the request, which may be done expeditiously through electronic or facsimile communication, the Discharger shall submit documentation outlining their rationale for their request and supporting data (other additional factors may be considered by the Regional Water Board staff):

1) Cumulative rainfall amounts (in inches) for the season up to the date of the request (typically, total seasonal rainfall, on average, is about 15 inches);

2) Cumulative rainfall amounts (in inches) for the last three months prior to the request. In addition, other data in support of the request, such as other relevant rainfall values/averages or information on dry periods between rain events may be submitted;

3) Recycled water demand (in mgd) for seven days prior to the request;

4) Tapia inflows (in mgd) for seven days prior to the date of the request;

5) Background flow (in cfs) measured in Malibu Creek at the entrance to Malibu Lagoon, receiving water station RSW-MC013D (the value shall be obtained as close as possible to the time of request). Historical data shows that a flow of 10 cfs (measured at receiving water station RSW-MC013D, the county gauge station) will not breach the sandbar at the mouth of the lagoon under typical conditions. The data will specify if the Discharger was contributing flow to the

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creek or not at the time of flow measurement at the entrance of the lagoon. In case, the Discharger contributed flows to the creek, the value of that flow shall also be reported;

6) Status of the sandbar at the mouth of the lagoon as close as possible to the time of request;

7) Flow (in cfs) measured at Malibu Creek below its confluence with Cold Creek, RSW-MC013D, obtained as close as possible to the time of request;

8) Estimated rainfall predicted for the storm event for the request. (The Discharger shall submit a measured rainfall and duration value after the event to the Regional Water Board so that the documentation submitted contains the actual measured data. The documentation shall include an analysis of the frequency of the rain event, e.g., a six-month, a two-year, a 25-year storm event, etc based on the historical data available. The record shall specify the rain gage(s) used);

9) Plant evapotranspiration (ETo) values and soil moisture content in the spraying fields (installed at Rancho Las Virgenes Faith) and at an additional representative site (at Tapia) showing the existing conditions in a natural setting exposed to rainfall only, for seven days prior to the request;

10) Air temperature values (in °F) for the seven days preceding the request;

The Discharger may submit additional relevant data explaining the reason why it was included in the submittal. All data submitted shall specify the date and time when the measurement or estimate was performed. The Discharger may use hydrologic models, such as the Hydrologic Simulation Program - FORTRAN (HSPF) for flow predictions, in case measured data are not readily available. The Discharger shall submit within a reasonable time, documentation with actual measured data, if available, to replace the predicted or estimated values, specifying the dataset to be replaced. The documentation requested under this attachment is subject to the signatory requirements contained in Attachment D, Standard Provisions.

**References**

Randal D. Orton, Ph.D., D.Env. *A Review of the Hydrologic Record and Regulatory History of Malibu Creek,* June 2005

Charles Caspary's. *Follow-up to Meeting at Regional Board* April 13, *2005* Letter to Jonathan Bishop

Randal D. Orton, Ph.D., D.Env. *Rain Impact Analysis* February 17, 2000 Letter to Rosario Aston *Final Malibu Lagoon Restoration and Enhancement Plan,* California State Coastal Conservancy & California State Department of Parks and Recreation, June *2005.*

Ackerman, Drew, Kenneth C. Schiff, and Stephen B. Weisberg, *Evaluation HSPF in an Arid, Urbanized Watershed.* Journal of the American Water Resources Association (JAWRA) 41(2):477486. April *2005.*

Total Seasonal Rainfall (Precipitation) - *Los Angeles Almanac* - www.laalmanac.com/weather

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