



Meeting Date: 10/23/2007

| ACTION | TYPE OF ITEM |
|--|--|
| <input type="checkbox"/> Approved Recommendation | <input checked="" type="checkbox"/> Info/Consent |
| <input type="checkbox"/> Ord. No(s). _____ | <input type="checkbox"/> Report |
| <input type="checkbox"/> Res. No(s). _____ | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Other _____ |

Prepared By: Anthony Emmert *AE*

Agenda Item No. I-10

Reviewed By: City Manager *[Signature]*

City Attorney *[Signature]*

Finance *[Signature]*

Public Works *[Signature]*

DATE: October 15, 2007

TO: City Council

FROM: Mark Norris, Assistant Public Works Director
Public Works Department, Utilities Services Branch *[Signature]*

SUBJECT: Calleguas Creek Watershed Memorandum of Agreement for Implementation and Monitoring of Total Maximum Daily Load.

RECOMMENDATION

That City Council approve and authorize the Mayor to execute a Memorandum of Agreement (MOA) for Management, Funding and Cost Sharing for the Implementation of the Calleguas Creek Watershed Total Maximum Daily Load (TMDL) Program.

DISCUSSION

The Regional Water Quality Control Board – Los Angeles Region (Regional Water Board) has adopted Total Maximum Daily Loads (TMDLs) for pollutants that have impaired water quality in the Calleguas Creek Watershed (CCW). These TMDLs set Wasteload Allocations (WLAs) for permitted discharges, such as wastewater treatment plants and urban storm water runoff and Load Allocations (LAs) for other sources, such as agriculture. Oxnard is a minor urban runoff discharger to the Revolon Slough/Beardsley Wash arm of the CCW and has participated in the TMDL development as a storm water co-permittee.

Storm water discharges from Oxnard’s storm drain system are covered under the countywide waste discharge requirements contained in Order No. 00-108, adopted by the Regional Water Quality Control Board on July 27, 2000. Municipal storm water discharges may contain pollutants that cause or threaten to cause exceedances of water quality standards, as outlined in the Los Angeles Region’s Basin Plan. When water quality standards are not met on a stream segment, the state lists those impaired segments on its Section 303(d) List of Water Quality Limited Segments.

For the CCW, a group of stakeholders has been working to address these impairments in the watershed through the development and implementation of the CCW Management Program. The stakeholders include wastewater treatment plant permittees, storm water co-permittees, water agencies, agricultural businesses, regulatory agencies, non-governmental agencies, and the United States Navy at Point

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Mugu. The CCW Management Program has already developed the majority of the TMDLs in the watershed and is now working to develop the mechanisms to fund the implementation of the TMDLs.

Section 303(d) of the Clean Water Act (CWA) requires that “each State shall identify those waters within its boundaries for which the effluent limitations are not stringent enough to implement any water quality standard applicable to such waters.” The CWA also requires states to establish a priority ranking for waters on the Section 303(d) list of impaired waters and establish TMDLs for such waters. The elements of a TMDL are described in 40 Code of Federal Regulations (CFR) 130.2 and 130.7 and Section 303(d) of the CWA, as well as in Environmental Protection Agency (EPA) guidance (USEPA, 1991).

A TMDL is defined as the “sum of the individual waste load allocations for point sources and load allocations for non-point sources and natural background” (40 CFR 130.2) such that the capacity of the waterbody to assimilate pollutant loadings (the loading capacity) is not exceeded. In the CCW, the following pollutants were identified under the Section 303(d) list as causing impairment, and a TMDL was adopted to address the impairment:

- Nitrogen Compounds and Related Effects: TMDL adopted October 24, 2002
- Toxicity, Chlorpyrifos, and Diazinon: TMDL adopted July 7, 2005;
- Organochlorine Pesticides, Polychlorinated Biphenyls, and Siltation: TMDL adopted July 7, 2005; and,
- Metals: TMDL adopted June 8, 2006.

States must develop water quality management plans to implement TMDLs. The EPA has oversight authority for the 303(d) program and is required to review and either approve or disapprove the TMDLs submitted by states. If the EPA disapproves a TMDL submitted by a state, EPA is required to establish a TMDL for that water body. Stakeholders in the CCW developed the TMDLs for adoption by the Regional Water Quality Control Board, and these TMDLs were subsequently approved by the EPA.

Each TMDL contains the following information: problem statement, numeric targets, source analysis, linkage analysis, wasteload allocations, load allocations, margin of safety and an implementation plan. Oxnard, as a National Pollutant Discharge Elimination System (NPDES) permitted storm water discharger, has received a wasteload allocation for some of the TMDLs and will participate in the implementation of the plan to address these pollutants in storm water discharges. Implementing the plan includes the development of a monitoring program to track improvement in water quality in the impaired waterbodies.

The CCW stakeholders have developed cost estimates for the implementation plan development and the monitoring program, and have spread the costs for the programs to the participating agencies, based on potential to cause the impairment. The attached Memorandum of Agreement (Attachment #1) formalizes the cost sharing program, as well as the voting scheme program management. For storm water discharges, the formula is based on percentage of land area flowing to the impaired waterbody. Oxnard contributes 0.7% of the urban runoff flow to the CCW, and so the relative cost of program

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implementation is small, as detailed in the Implementation Cost Allocation and Monitoring Program
Cost Table.

FINANCIAL IMPACT

The total cost of the Memorandum of Agreement for FY 2007-08 is \$4,057. The annual cost for
program implementation is \$744. The cost for the first year of monitoring is \$3,313 and the estimated
cost for each year thereafter is \$2,706. There are sufficient funds in account #611-6102-842-8209 to
cover the costs of this agreement.

AAE:joh

Attachment #1 - Memorandum of Agreement with Calleguas Creek Watershed

Note: The Memorandum of Agreement with Calleguas Creek Watershed has been provided to the City
Council. Copies are available for review at the Circulation Desk in the Library after 6:00 p.m. on the
Thursday prior to the Council meeting and at the City Clerk's Office after 8:00 a.m. on Monday.

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