



Los Angeles Regional Water Quality Control Board

February 3, 2014

Jackie Acosta, Acting City Manager
City of Carson
701 East Carson Street
Carson, CA 90745

STATUS OF THE CITY OF CARSON'S NOTIFICATION OF INTENT TO DEVELOP AN INDIVIDUAL WATERSHED MANAGEMENT PROGRAM (WMP) PURSUANT TO THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT AND REQUEST FOR A 18-MONTH WMP DEVELOPMENT SCHEDULE (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175)

Dear Ms. Acosta:

Part VI, section C.4(c), of Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) Order No. R4-2012-0175 allows Permittees the option to submit to the Board's Executive Officer (EO) for approval a Notification of Intent (NOI) to prepare a Watershed Management Program (WMP) or Enhanced Watershed Management Program (EWMP). The Los Angeles Water Board received the City of Carson's (City) NOI, requesting an 18-month submittal date, to develop an individual WMP for its jurisdictional area. Approval of an individual WMP would allow the City to implement the requirements of the Order on a jurisdictional basis through customized strategies, control measures, and best management practices (BMPs) that meet the requirements of the Order. Pursuant to the Order, approval of the extended 18-month schedule to submit a draft WMP is conditioned on a Permittee's demonstration of certain "early actions" consisting of commencing development of both a low impact development (LID) ordinance and a green streets policy by February 26, 2013 and having a draft of each prepared by June 28, 2013. These early action requirements were included in the Order to balance Permittees' request for additional planning time to develop WMPs with the need for meaningful implementation actions in the early years of the new permit term.

Los Angeles Water Board staff reviewed the City's NOI and determined that the City had not demonstrated the early action requirements. On December 12, 2013, Los Angeles Water Board staff met with City staff and their legal representatives to discuss the deficiencies of the City's NOI. During the meeting, Board staff stated that, in order for the Board to reconsider the extended 18-month submittal date for the City's WMP, the City must immediately submit evidence to the Board demonstrating that the City had:

1. Commenced development of both a LID ordinance and a green streets policy for its jurisdiction by February 26, 2013; and

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2. Had both a draft LID ordinance and a draft green streets policy for its jurisdiction by June 28, 2013.

Los Angeles Water Board staff stated that such evidence must include the actual drafts of both the LID ordinance and the green streets policy that the City had developed for its jurisdiction as of June 28, 2013, as well as evidence demonstrating that the City had commenced development of both the LID ordinance and the green streets policy for its jurisdiction (e.g. documentation of City meetings, discussions, and/or e-mails concerning initiating development of these drafts) prior to February 26, 2013.

Having not received any documentation from the City in response to the meeting on December 12, 2013, the Los Angeles Water Board followed up with a letter to the City dated December 19, 2013 restating that the City had not demonstrated in its NOI that it had commenced development of, and had a draft of, both a LID ordinance and a green streets policy for its jurisdiction. The letter further reiterated the specific direction to the City that was provided during the December 12, 2013 meeting, as indicated above.

On December 23, 2013, the City submitted a letter to the Los Angeles Water Board certifying that it had commenced development of both a LID ordinance and a green streets policy by February 26, 2013 and had both a draft LID ordinance and a draft green streets policy by June 28, 2013. Accompanied with the City's letter were a draft LID ordinance and a draft green streets policy developed by Larry Walker & Associates, to which the City stated it had contributed funds, a draft LID ordinance and a draft green streets policy developed by the County of Los Angeles, the USEPA's Green Streets Manual, an e-mail dated December 5, 2012 from City staff Patricia Elkins notifying City staff of the need to commence development of these drafts prior to February 26, 2013, and a declaration from City Attorney William W. Wynder.

Based on the City's representation that it helped finance the draft LID ordinance and draft green streets policy developed by Larry Walker & Associates, and the City Attorney's certification and accompanying documentation that the City had commenced development of both a LID ordinance and a green streets policy by February 26, 2013 and had both a draft LID ordinance and a draft green streets policy by June 28, 2013, the Los Angeles Water Board hereby grants the City an extended 18-month submittal date for the City's WMP.

Moving forward, the Los Angeles Water Board strongly encourages the City staff to directly engage with Board staff more regularly to ensure that if there are any questions regarding requirements and deadlines of the Order, they can be addressed before the deadlines pass so that the City can remain in compliance with the Order. We look forward to developing a more collaborative relationship with the City with regard to implementation of the Order.

If you have any questions or would like to set up a meeting to discuss any questions you might have, please feel free to contact Mr. Ivar Ridgeway, Unit Chief of Storm Water Permitting, via email at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer