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## Los Angeles Regional Water Quality Control Board

June 18, 2015

Permittees of the Lower Los Angeles River Watershed Management Group<sup>1</sup>  
(See Distribution List)

**APPROVAL, WITH CONDITIONS, OF THE LOWER LOS ANGELES RIVER WATERSHED MANAGEMENT GROUP COORDINATED INTEGRATED MONITORING PROGRAM, PURSUANT TO ATTACHMENT E, PART IV.B OF THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175) AND ATTACHMENT E, PART IV.B OF THE CITY OF LONG BEACH MS4 PERMIT (NPDES PERMIT NO. CAS004003; ORDER NO. R4-2014-0024)**

Dear Permittees of the Lower Los Angeles River Watershed Management Group:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the revised monitoring program submitted on February 23, 2015 by the Lower Los Angeles River Watershed Management Group (Group). This monitoring program was submitted pursuant to the provisions of NPDES Permit No. CAS004001 (Order No. R4-2012-0175), which authorizes discharges from the municipal separate storm sewer system (MS4) operated by 86 municipal Permittees within Los Angeles County (hereafter, LA County MS4 Permit), and NPDES Permit No. CAS004003 (Order No. R4-2014-0024), which authorizes MS4 discharges from the City of Long Beach (hereafter, Long Beach MS4 Permit). Both MS4 permits allow Permittees the option to develop and implement a coordinated integrated monitoring program (CIMP) that achieves the five Primary Objectives set forth in Part II.A of Attachment E and includes the elements set forth in Part II.E of Attachment E<sup>2</sup>. These programs must be approved by the Executive Officer of the Los Angeles Water Board.

The Los Angeles Water Board has reviewed the Group's revised CIMP and has determined that the CIMP includes the elements set forth in Part II.E of Attachment E and will achieve the Primary Objectives set forth in Part II.A of Attachment E of the LA County MS4 Permit and the equivalent sections of the Long Beach MS4 Permit.

### Public Review and Comment

On July 3, 2014, the Board provided public notice and a 46-day period to allow for public review and comment on the Group's draft CIMP. A separate notice of availability regarding the draft

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<sup>1</sup> Permittees of the Lower Los Angeles River Watershed Management Group CIMP include the Los Angeles County Flood Control District; and the cities of Downey, Lakewood, Long Beach, Lynwood, Paramount, Pico Rivera, Signal Hill, and South Gate.

<sup>2</sup> Equivalent sections in the Long Beach MS4 Permit are Attachment E, Parts II.A and II.D, respectively.

CIMPs, including the Group's CIMP, was directed to State Senators and Assembly Members within the Coastal Watersheds of Los Angeles County. The Board received three comment letters that had comments applicable to the Group's draft CIMP. One joint letter was from the Natural Resources Defense Council (NRDC), Heal the Bay, and Los Angeles Waterkeeper, and the other letters were from the Construction Industry Coalition on Water Quality (CICWQ) and Ventura Countywide Stormwater Quality Management Program. During the review of the draft and revised CIMP, the Los Angeles Water Board considered those comments applicable to the Group's proposed CIMP.

### **Los Angeles Water Board Review**

Concurrent with the public review, the Los Angeles Water Board, along with U.S. EPA Region IX staff, reviewed the draft CIMPs. On November 25, 2015, the Los Angeles Water Board sent a letter to the Group detailing the Board's comments on the draft CIMP and identifying the revisions that needed to be addressed prior to the Board's approval of the Group's CIMP. The letter directed the Group to submit a revised CIMP addressing the Los Angeles Water Board's comments. Prior to the Group's submittal of its revised CIMP, the Los Angeles Water Board staff had a meeting on January 23, 2015 and email exchanges with the Group's representatives and consultants to discuss the Board's remaining comments and necessary revisions to the draft CIMP. The Group submitted its revised CIMP on February 23, 2015 for Los Angeles Water Board review and approval.

### **Los Angeles River Nitrogen Compounds and Related Effects TMDL**

In March 2005, the County of Los Angeles and the Cities of Los Angeles and Calabasas submitted a Monitoring Work Plan on behalf of MS4 Permittees in the Los Angeles River watershed, which addressed the requirement for MS4 Permittees to submit a Monitoring Work Plan per the Los Angeles River Nitrogen Compounds and Related Effects TMDL (LAR Nitrogen TMDL). For MS4 discharges in the Lower Los Angeles River Watershed, the Group's revised CIMP will now address MS4 monitoring requirements for the LAR Nitrogen TMDL.

### **CIMP Approval**

The Los Angeles Water Board hereby approves, subject to the following conditions, the Group's February 23, 2015 revised CIMP. The Board may rescind this approval if all of the following conditions are not met to the satisfaction of the Board within the timeframe provided below.

1. LA River Bacteria TMDL monitoring should be conducted monthly at the LARB1, LARB2, and LARB7 sites per the Basin Plan:
  - a. Amend Table 4-1 (page 26) and Section 8.3 (pages 54-57) to indicate that monitoring will be conducted monthly at these freshwater bacteria monitoring sites.
  - b. Include a note in Table 4-1, Table 5-1 (page 29), and Section 8.3 that bacteria monitoring frequency will increase to weekly after completion of the first segment or tributary-specific implementation phase.
2. Figure 3-3 on page 24 is entitled "HUC 12 equivalents within the LLAR," however it incorrectly shows the LAR Upper Reach 2 WMP Group and the location of its RW monitoring location. Revise the CIMP as follows:
  - a. Include a correct map of the LLAR HUC 12 equivalents;

- b. Keep the map showing the LAR Upper Reach 2 monitoring location and include a reference and description in Section 3.2; and
  - c. Correct any additional references to these figures.
3. Include a map with land uses for the entire LLAR watershed management group area. Figure 3-2 (page 23) only shows the land uses for the stormwater outfall monitoring site drainage areas.

In separate correspondence to all Permittees developing CIMPs and Integrated Monitoring Programs (IMPs), the Los Angeles Water Board will also be providing clarification of requirements for toxicity monitoring – specifically regarding additional toxicity monitoring upstream and at outfalls where toxicity is identified during a sampling event at a receiving water monitoring site.

The Group shall submit a final CIMP to the Los Angeles Water Board that satisfies all of the above conditions no later than **July 3, 2015**. Pursuant to Attachment E, Part IV.C.6 of the LA County MS4 Permit<sup>3</sup>, the Group must commence implementing its monitoring program within 90 days after this approval of the final CIMP (i.e. no later than September 16, 2015). Please note that the Group is responsible for complying with all reporting provisions included in Attachment E, Part XIV – XVIII and Section D of Part XIX, “Reporting Requirements for the Los Angeles River WMA TMDLs,” and Attachment D, Sections IV, V, and VII.A of the LA County MS4 Permit<sup>4</sup>. The Group is also responsible for complying with applicable reporting provisions included in Section C of Part XIX, “Reporting Requirements for Dominguez Channel and Greater Harbors Waters WMA TMDLs.”<sup>5</sup> Finally, the Group is also responsible for complying with the following requirements under Annual Reporting and Adaptive Management.

### Annual Reporting

Within the reporting year, through its Annual Report per Attachment E, Part XVIII of the LA County MS4 Permit<sup>6</sup>, the Group shall report on the status of the phased initiation of stormwater outfall monitoring established in the revised CIMP and specified below.

- Table 4-1 “Schedule for Implementation of Monitoring Activities in the Lower Los Angeles River Watershed”: The CIMP establishes a phased approach to initiate monitoring with LLAR2 and LLAR4 to be added the first year and LLAR1 and LLAR3 to be added the second year.
- Table 8-6 “Schedule for Completion of LRS Outfall Monitoring for Bacterial Loads under the Los Angeles River Bacterial TMDL”

In addition, the Annual Report shall provide an Integrated Monitoring Report that summarizes all identified exceedances of:

- outfall-based stormwater monitoring data,

<sup>3</sup> Equivalent requirement in the Long Beach MS4 Permit is Attachment E, Part IV.C.5

<sup>4</sup> Equivalent requirements in the Long Beach MS4 Permit are: Attachment E, Parts XIV-XVIII; Attachment E, Part XIX.B, “Reporting Requirements for the Los Angeles River WMA TMDLs”; and Attachment D, Parts IV, V, and VII.A.

<sup>5</sup> Equivalent requirement in the Long Beach MS4 Permit is Attachment E, Part XIX, Section A.

<sup>6</sup> Equivalent requirement in the Long Beach MS4 Permit is Attachment E, Part XVIII.

- wet weather receiving water monitoring data,
- dry weather receiving water monitoring data, and
- non-storm water outfall monitoring data

against all applicable receiving water limitations, water quality-based effluent limitations, non-storm water action levels, and aquatic toxicity thresholds as defined in Sections XII.F and G of this MRP. All sample results that exceeded one or more applicable thresholds shall be readily identified.

The Annual Report shall also include a Municipal Action Level (MAL) Assessment Report, which shall present the stormwater outfall monitoring data in comparison to the applicable MALs, and identify those subwatersheds with a running average of twenty percent or greater of exceedances of the MALs in discharges of stormwater from the MS4. Please note that beginning in Year 3 after the effective date of the LA County MS4 Permit, each Permittee or group of Permittees shall submit a MAL Action Plan with the Annual Report (first MAL Action Plan due with December 15, 2015 Annual Report) to the Regional Water Board Executive Officer, for those subwatersheds with a running average of twenty percent or greater of exceedances of the MALs in any discharge of storm water from the MS4. Please note that implementation of an approved Watershed Management Program (WMP) or Enhanced Watershed Management Program (EWMP) per Part VI.C of the LA County MS4 Permit fulfills all requirements related to the development and implementation of the MAL Action Plan, as per Attachment G of the LA County MS4 Permit<sup>7</sup>, for those pollutants addressed by the WMP or EWMP.

### **Adaptive Management**

The Regional Water Board or its Executive Officer, consistent with 40 CFR section 122.41, may approve changes to the Monitoring and Reporting Program, after providing the opportunity for public comment, either:

1. By request of the Group or by an interested person after submittal of the Monitoring Report. Such request shall be in writing and filed not later than 60 days after the Monitoring Report submittal date, or
2. As deemed necessary by the Regional Water Board Executive Officer, following notice to the Group.

As part of the adaptive management process, any modifications to the CIMP must be submitted to the Los Angeles Water Board for review and approval. The Group must implement any modifications to the CIMP upon approval by the Los Angeles Water Board or its Executive Officer, or within 60 days of submittal of modifications if the Los Angeles Water Board or its Executive Officer expresses no objections. Note that the Group's Report of Waste Discharge (ROWD) is due no later than July 1, 2017<sup>8</sup>. To align any modifications to the CIMP proposed through the adaptive management process with permit reissuance, results of the first adaptive management cycle should be submitted in conjunction with the Group's ROWD.

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<sup>7</sup> Equivalent sections in the Long Beach MS4 Permit are Part VII.C and Attachment G.

<sup>8</sup> The ROWD for the Long Beach MS4 Permit is due September 29, 2018.

If you have any questions, please contact Mr. Chris Lopez of the Storm Water Permitting Unit by electronic mail at [Chris.Lopez@waterboards.ca.gov](mailto:Chris.Lopez@waterboards.ca.gov) or by phone at (213) 620-2095. Alternatively, you may also contact Mr. Ivar Ridgeway, Chief of the Storm Water Permitting Unit, by electronic mail at [Ivar.Ridgeway@waterboards.ca.gov](mailto:Ivar.Ridgeway@waterboards.ca.gov) or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.  
Executive Officer

Enclosures: Lower Los Angeles River Watershed Management Group Distribution List

Lower Los Angeles River Watershed Management Group  
Distribution List (via email)

Jason Wen  
City of Downey  
[jwen@downeyca.org](mailto:jwen@downeyca.org)

Konya Vivanti  
City of Lakewood  
[kvivanti@lakewoodcity.org](mailto:kvivanti@lakewoodcity.org)

Anthony Arevalo  
City of Long Beach  
[Anthony.Arevalo@longbeach.gov](mailto:Anthony.Arevalo@longbeach.gov)

Emilio Murga  
City of Lynwood  
[emurga@lynwood.ca.us](mailto:emurga@lynwood.ca.us)

Sarah Ho  
City of Paramount  
[sho@paramountcity.com](mailto:sho@paramountcity.com)

Gladis Deras  
City of Pico Rivera  
[gderas@pico-rivera.org](mailto:gderas@pico-rivera.org)

Steve Myrter  
City of Signal Hill  
[smyrter@cityofsignalhill.org](mailto:smyrter@cityofsignalhill.org)

Arturo Cervantes  
City of South Gate  
[acervantes@sogate.org](mailto:acervantes@sogate.org)

Keith Jones  
Caltrans  
[kjones@dot.ca.gov](mailto:kjones@dot.ca.gov)

Terri Grant  
Los Angeles County Flood Control District  
[tgrant@dpw.lacounty.gov](mailto:tgrant@dpw.lacounty.gov)