
Los Angeles Regional Water Quality Control Board

November 20, 2014

Ms. Gail Farber, Director
County of Los Angeles
Department of Public Works
Watershed Management Division, 11th Floor
900 South Fremont Avenue
Alhambra, CA 91803

Ms. Gail Farber, Chief Engineer
Los Angeles County Flood Control District
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REVIEW OF THE ALAMITOS BAY/LOS CERRITOS CHANNEL WATERSHED MANAGEMENT AREA COORDINATED INTEGRATED MONITORING PROGRAM, PURSUANT TO PART VI.B AND 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)

Dear Ms. Farber:

The Regional Water Board has reviewed the monitoring program submitted on June 30, 2014 by the County of Los Angeles (County) and Los Angeles County Flood Control District (LACFCD) for the Alamitos Bay/Los Cerritos Channel Watershed Management Area. 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). The LA County MS4 Permit allows Permittees the option to develop and implement, in coordination with an approved Watershed Management Program per Part VI.C, a customized monitoring program 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. Customized monitoring programs may be developed on an individual jurisdictional basis, referred to as an Integrated Monitoring Program (IMP), or on a watershed basis, referred to as a Coordinated Integrated Monitoring Program (CIMP). These programs must be approved by the Executive Officer of the Regional Water Board.

The Regional Water Board has reviewed the County's and LACFCD's monitoring program and has determined that the monitoring program submitted does not include an appropriate level of detail regarding some of the elements set forth in Part II.E to achieve the Primary Objectives as set forth in Part II.A of Attachment E of the LA County MS4 Permit. In particular, adequate detail was lacking on monitoring constituents, laboratory analysis methods and frequency of sampling for receiving water monitoring, storm water outfall monitoring and non-storm water outfall monitoring. As discussed on a November 6, 2014 teleconference between Regional Water Board staff, the County and LACFCD, the County and LACFCD acknowledged that they will be participating with the Los Cerritos Channel (LCC) Coordinated Integrated Monitoring Program.

Pursuant to Attachment E, Parts IV.B.4 and 5 of the permit, Permittees are required to submit an integrated monitoring program if a coordinated integrated monitoring program, to which the Permittee is a participant, does not address all the applicable monitoring requirements. The coordinated integrated monitoring program submitted by the County and LACFCD needs to be revised to clearly indicate which monitoring program requirements the County and LACFCD will implement individually and which monitoring requirements will be addressed through the LCC CIMP. The Regional Water Board's comments on the Alamitos Bay/Los Cerritos Channel CIMP, including detailed information concerning necessary additions and revisions to the CIMP, are found in Enclosure 1 and Enclosure 2.

Please make the necessary additions and revisions to the CIMP, as identified in the enclosures to this letter, and submit the revised CIMP as soon as possible and no later than **February 18, 2015**. The revised CIMP must be submitted to losangeles@waterboards.ca.gov with the subject line "LA County MS4 Permit – Revised AB/LCC Coordinated Integrated Monitoring Program" with a copy to Ivar.Ridgeway@waterboards.ca.gov and Rebecca.Christmann@waterboards.ca.gov.

Upon approval of the revised CIMP by the Executive Officer, the County and LACFCD must prepare to commence monitoring within 90 days. If the necessary revisions are not made, the County and LACFCD must comply with the Monitoring and Reporting Program and future revisions thereto, in Attachment E of the LA County MS4 Permit.

Until the County's and LACFCD's CIMP is approved by the Executive Officer, the monitoring requirements pursuant to Order No. 01-182 and Monitoring and Reporting Program CI 6948, and pursuant to approved TMDL monitoring plans shall remain in effect for the County and LACFCD.

If you have any questions, please contact Ms. Rebecca Christmann of the Storm Water Permitting Unit by electronic mail at Rebecca.Christmann@waterboards.ca.gov or by phone at (213) 576-5734. Alternatively, you may also contact Mr. Ivar Ridgeway, Chief of the Storm Water Permitting Unit, by electronic mail at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Angela George, County of Los Angeles, Department of Public Works
Jolene Guerrero, County of Los Angeles, Department of Public Works
Bill Johnson, County of Los Angeles, Department of Public Works

Enclosures: Enclosure 1 – Summary of Comments and Required Revisions
Enclosure 2 – Comments on Aquatic Toxicity Testing

Los Angeles Regional Water Quality Control Board

Enclosure 1 to November 20, 2014 Letter Regarding the Alamitos Bay/Los Cerritos Channel Watershed Management Area Draft Coordinated Integrated Monitoring Program, Pursuant to Part VI.B and Attachment E, Part IV.B of the LA County MS4 Permit (Order No. R4-2012-0175)

Summary of Comments and Required Revisions to the Draft Integrated Monitoring Program

IMP Reference	MRP Element/ Reference (Attachment E)	Summary of Comments and Necessary Revisions
General Comments		
Section 1.3, pg. 1	Part IV.B.5 page E-7	The County and LACFCD need to be specific about which monitoring requirements will be addressed by the County and LACFCD in their integrated monitoring program (IMP) and which monitoring requirements will be addressed by the Los Cerritos Channel (LCC) Coordinated Integrated Monitoring Program (CIMP). The County and LACFCD must describe how the IMP and CIMP together fulfill all the applicable monitoring requirements of the LA County MS4 Permit. Additionally, the County and LACFCD cite other monitoring plans such as the Colorado Lagoon TMDL Monitoring Plan and Greater Harbor Waters Toxics TMDL Coordinated Compliance and Reporting Plan. Where the County and/or LACFCD intend to use existing monitoring plans to meet the requirements of the LA County MS4 Permit, including TMDL monitoring requirements, this should be clearly stated along with a description of the County's and/or LACFCD's role(s) and responsibility(ies) within the monitoring plan. Finally, the existing monitoring plans should be included as appendices to the CIMP, so that all monitoring program elements can be found within a single document.
Section 2.1, pg. 6	Part IV.A.6 page E-7	The monitoring program states, "The AB/LCC Group is submitting this CIMP to satisfy the coordinated monitoring plan requirements of the LCC Metals TMDL." However, Section 4.3.1 (page 14) and Table 7 (page 31) refer to the LCC CIMP; therefore, the AB/LCC monitoring program itself does not satisfy the coordinated monitoring plan requirements of the LCC Metals TMDL. In the revised IMP, this language should be revised to clarify that it is the LCC CIMP that satisfies the coordinated monitoring plan requirements of the LCC Metals TMDL. Related to this, the County and LACFCD should clearly indicate their role(s) in the LCC CIMP.
Section 2.2, pg. 6	Part IV.A.6 page E-7	In Section 2.2, the monitoring program states, "As recognized by the footnote in Attachment K-7 of the Permit, the County and the LACFCD have entered into an Amended Consent Decree with the United States

IMP Reference	MRP Element/ Reference (Attachment E)	Summary of Comments and Necessary Revisions
		<p>and the State of California, including the LARWQCB, pursuant to which the LARWQCB has released the County and the LACFCD from responsibility for Toxic pollutants in the Dominguez Channel and the Greater Harbors.”</p> <p>This statement misinterprets the Regional Water Board’s findings. Footnote 1 to Table K-7 of the LA County MS4 Permit states, “The requirements of this Order to implement the obligations of this TMDL do not apply to a Permittee to the extent that it is determined that the Permittee has been released from that obligation pursuant to the Amended Consent Decree entered in United States v. Montrose Chemical Corp., Case No. 90-3122 AAH (JRx).” As stated in the responses to comments received on the Dominguez Channel and Greater Harbor Waters Toxic Pollutants TMDL, “...primarily one pollutant, DDT, is associated with the Superfund site and also addressed by the TMDL. The TMDL addresses numerous pollutants and utilizes a different process than Superfund. The other pollutants – heavy metals, PAHs, PCBs and other legacy pesticides are not within Superfund’s focus at the Montrose OU2 Site...”</p> <p>Further, the WQBELs applicable to the County and LACFCD pursuant to the TMDL, which are in Attachment N, Part E of the LA County MS4 Permit, are for ongoing discharges from the MS4, not for the historic contamination of the bed sediments. Therefore, the statement in the draft WMP incorrectly concludes that the aforementioned Consent Decree releases the County and LACFCD from any obligation to implement the WQBELs in Attachment N, Part E.</p>
Receiving Water Monitoring		
Section 4.1, pg. 12	Part VI.A.1.a page E-13	The County and LACFCD need to declare whether the receiving water monitoring is conducted under their IMP or the LCC CIMP or both. If the receiving water monitoring will be conducted as part of the LCC CIMP, the CIMP needs to affirm that the County is a participant.
	Parts VI.A – VI.D pp. E-13 – E-20	The AB/LLC IMP and/or the LCC CIMP need to comply with all the receiving water monitoring requirements as contained in Attachment E Parts VI.A through VI.D of the LA County MS4 Permit.
Storm Water Outfall Based Monitoring		
Section 5, pg. 21	Part VIII.A pp. E-21 – E-23	The County and LACFCD need to declare whether the storm water outfall based monitoring is conducted under their IMP or the LCC CIMP or both. If the storm water outfall based monitoring will be conducted as part of the LCC CIMP, the CIMP needs to affirm that the County is a participant.
	Parts VIII.A – VIII.C	The AB/LLC IMP and/or the LCC CIMP need to comply with all the storm water outfall based monitoring requirements as contained in

IMP Reference	MRP Element/ Reference (Attachment E)	Summary of Comments and Necessary Revisions
	pp. E-21 – E-23	Attachment E Parts VIII.A through VIII.C of the LA County MS4 Permit.
Section 9.1, pg. 29		Outfall monitoring of the County Island outfalls shall commence no later than July 1, 2016.
Non-Stormwater Outfall Based Monitoring		
Section 6, pg. 22	Part IX.B.1 page E-24	The County and LACFCD need to declare whether the non-storm water outfall based monitoring is conducted under their IMP or the LCC CIMP or both. If the non-storm water outfall based monitoring will be conducted as part of the LCC CIMP, the CIMP needs to affirm that the County is a participant.
Section 6.2, pg. 22	Parts VII.A.8 and VII.A.10	The revised IMP should include a description and/or depiction of the outfall catchment areas for the four MS4 outfalls within the County Island and indicate which of these outfalls are major per the definition of a major outfall in Appendix A of the LA County MS4 Permit.
Section 6.3, pg. 25	Part IX.C.1 pp. E-24 – E-25	The CIMP proposes three non-storm water screening events. Two of the three have already been conducted on April 7 and 17, 2014. However, non-storm water discharges may be present during any season. Therefore, at a minimum, quarterly non-storm water screenings need to be conducted, in order to cover each season (i.e. summer, fall, winter and spring) to establish a baseline. If after these initial quarterly non-storm water screenings, no significant non-storm water discharges are present at a particular outfall, then no further action is necessary.
	Part IX.D pp. E-25 – E-26	The revised IMP must include a process for creating, and updating annually, a database and map of outfalls that have been identified as having significant non-storm water discharges.
	Part IX.B.2 page E-24	The revised IMP must include a process for reassessing the Outfall Screening and Monitoring Plan within the current permit term pursuant to Attachment E, Part IX.B.2.
Section 6.3.5 pp. 25-26	Part IX.F pp. E-26 – E-27	The revised IMP must include a detailed discussion of the source investigation to be conducted if significant non-storm water discharges are identified, which must be consistent with the requirements of Attachment E Part IX.F of the LA County MS4 Permit.
Section 6.3.6 pg. 26	Parts IX.G - IX.H pp. E-27 – E-28	The revised IMP needs to comply with the non-storm water monitoring requirements as contained in Attachment E, Parts IX.G and IX.H of the LA County MS4 Permit, which includes quarterly monitoring of significant non-storm water discharges, if present.
Section 10, pg. 30	Attachment E	The revised IMP needs to address how monitoring requirements for the Los Cerritos Channel Estuary subwatershed and the Alamitos Bay subwatershed will be addressed.

ENCLOSURE 2
COMMENTS ON AQUATIC TOXICITY TESTING
ALAMITOS BAY/LOS CERRITOS CHANNEL CIMP

Part VIII.B.1.c.vi. (Page E-23) and Part VIII.G.1.d. (Page 27) of the Monitoring and Reporting Program (MRP states that where the TIE conducted at the downstream receiving water monitoring station was inconclusive then aquatic toxicity shall be monitored at the outfall. The draft CIMP does not propose conducting this required outfall toxicity monitoring. And, Part XII.G.1. (Page E-30) and Part XII.G.2. (Page E-30) of the MRP states that Permittees shall conduct aquatic toxicity monitoring utilizing the critical life stage chronic toxicity test methods listed. The draft CIMP does not propose any type of toxicity monitoring. These omissions must be corrected.

While the CIMP proposes to use data from a receiving water monitoring station maintained by another entity in a different watershed group, should that monitoring result in finding toxicity in the receiving water then that group will conduct a TIE. Should the results of the TIE be inconclusive, then monitoring for toxicity at the representative upstream outfall(s) is required. Therefore, outfall monitoring for toxicity may need to extend up to the County Island area. In anticipation of the possible need for such monitoring, the CIMP should include a discussion of toxicity testing protocols as described in the MRP.

Suggested Special Study: The 2013 study released by the California Stormwater Quality Association (CASQA) entitled "Review of Pyrethroid, Fipronil and Toxicity Monitoring Data from California Urban Watersheds" reviewed stormwater data from studies conducted during 2005 - 2012 and highlighted the toxicity impacts from use of pesticides not currently required to be monitored for by the MRP. We suggest the group begin monitoring for these chemicals in the receiving water (or coordinate that monitoring with adjacent groups) and, in addition, assess toxicity using the 2002 acute toxicity testing protocol (EPA-821-R-02-012) with the amphipod *Hyalella azteca* as the test organism. *H. azteca* is known to be much more sensitive to pyrethroids than is *Ceriodaphnia dubia*, while the latter is useful for its sensitivity to OP pesticides. The two species together may also prove to be more useful in detecting toxicity from fipronil. And, should 50% or greater effect be detected in the toxicity test, we suggest a procedure to incorporate pyrethroids into the subsequent TIE be documented (three possible treatments have been identified by researchers, see <http://www.pubfacts.com/detail/20018342/Focused-toxicity-identification-evaluations-to-rapidly-identify-the-cause-of-toxicity-in-environment>). While fipronil does not have a TIE procedure identified currently, chemical testing for the parameter (and degradates) and comparison to U.S. EPA Office of Pesticide Program's aquatic life benchmarks at http://www.epa.gov/oppefed1/ecorisk_ders/aquatic_life_benchmark.htm will aid in determining the cause(s) of toxicity in order to follow up with outfall testing of the parameter(s) with the ultimate goal of removing the source. This approach will also help minimize inconclusive TIE results which would lead to required toxicity testing in the representative upstream outfall(s).