
Los Angeles Regional Water Quality Control Board

June 24, 2015

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
Department of Public Works
Watershed Management Division, 11th Floor
900 South Fremont Avenue
Alhambra, CA 91803

APPROVAL, WITH CONDITIONS, OF THE ALAMITOS BAY/LOS CERRITOS CHANNEL WATERSHED MANAGEMENT AREA 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)

Dear Ms. Farber:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the revised monitoring program submitted on February 18, 2015 by the County of Los Angeles (County) and Los Angeles County Flood Control District (LACFCD) for the Alamitos Bay/Los Cerritos Channel (AB/LCC) Watershed Management Area (WMA). 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 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. These programs must be approved by the Executive Officer of the Los Angeles Water Board.

The Los Angeles Water Board has reviewed the County's and LACFCD'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.

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 County's and LACFCD's draft CIMP. A separate notice of availability regarding the draft CIMPs, including the AB/LCC WMA CIMP, was directed to State Senators and Assembly Members within the Coastal Watersheds of Los Angeles County. The Board received four comment letters that had comments applicable to the County's and LACFCD'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); Ventura Countywide Stormwater Quality Management Program and a private citizen, Joyce Dillard. During the review of the draft and revised CIMP, the Los Angeles Water Board considered those comments applicable to the County's and LACFCD'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 20, 2014, the Los Angeles Water Board sent a letter to the County and LACFCD 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 County's and LACFCD's CIMP. The letter directed the County and LACFCD to submit a revised CIMP addressing the Los Angeles Water Board's comments. Prior to the County's and LACFCD's submittal of its revised CIMP, the Los Angeles Water Board staff had a meeting on January 15, 2015, teleconferences, and email exchanges with the County's representatives to discuss the Board's remaining comments and necessary revisions to the draft CIMP. The County and LACFCD submitted its revised CIMP on February 18, 2015, for Los Angeles Water Board review and approval.

Approval of CIMP, with Conditions

The Los Angeles Water Board hereby approves, subject to the following condition, the County's and LACFCD's February 18, 2015, revised CIMP for the AB/LLC. The Board may rescind this approval if the following condition is not met to the satisfaction of the Board within the timeframe provided below.

1. Revise Section 2.2 Dominguez Channel Toxics TMDL, 5th paragraph, last sentence of the CIMP to omit the strike out portion of the sentence: "Accordingly, no inference should be drawn from the submission of this CIMP or from any action or implementation taken pursuant to it that ~~the County or the LACFCD is obligated to implement the DC Toxics TMDL, including this CIMP or any of the DC Toxics TMDL's other obligations or plans, or that the County or the LACFCD have waived any rights under the Amended Consent Decree.~~"

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 County and LACFCD shall submit a final CIMP to the Los Angeles Water Board that satisfies the above condition no later than **July 8, 2015**. Pursuant to Attachment E, Part IV.C.6 of the LA County MS4 Permit, the County and LACFCD must commence implementing its monitoring program within 90 days after this approval of the final CIMP (i.e. no later than September 22, 2015). Please note that the County and LACFCD are responsible for complying with all reporting provisions included in Attachment E, Part XIV – XVIII and Section F of Part XIX, "Reporting Requirements for Los Cerritos Channel WMA TMDLs," and Attachment D, Sections IV, V, and VII.A of the LA County MS4 Permit. The County and LACFCD are 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.” Additionally, the County and LACFCD are 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, the County and LACFCD shall provide an Integrated Monitoring Report that summarizes all identified exceedances of:

- outfall-based stormwater monitoring data,
- 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, 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 County of LACFCD 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 County and LACFCD.

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 County and LACFCD 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 County’s and LACFCD’s Report

of Waste Discharge (ROWD) is due no later than July 1, 2017. 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 County's and LACFCD's ROWD.

The Regional Water Board appreciates the participation and cooperation of the County and LACFCD in the implementation of the LA County MS4 Permit. 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, Los Angeles County Flood Control District
Jolene Guerrero, County of Los Angeles, Department of Public Works
William Johnson, County of Los Angeles, Department of Public Works