

**ADMINISTRATIVE RECORD INDEX
FOR REISSUANCE OF
WASTE DISCHARGE REQUIREMENTS FOR
MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) DISCHARGES WITHIN THE
COUNTY OF LOS ANGELES, AND THE INCORPORATED CITIES THEREIN (EXCEPT THE
CITY OF LONG BEACH)
NPDES PERMIT NO. CAS004001**

April 7, 2011
(last updated January 31, 2011)

The following list constitutes the documents, references, evidence, exhibits and materials relied upon by Regional Board staff in drafting the Tentative Order that will be considered by the Regional Board on April 7, 2011. The list of documents identified here is without prejudice to the addition of further materials as may be necessary, or to respond to comments and testimony, or inquiries prior to or at the hearing. Documents may be inspected and/or copied from the files of the Regional Board pertaining to this matter by contacting Sandra Kelley, during business hours, at (213) 576-6619 or skelley@waterboards.ca.gov. Relevant portions of these materials will be present at the hearing. If there are any specific materials that any party would like staff to bring to the hearing, the party should identify the documents with specificity and by the deadline specified in the Notice of Public Hearing for this matter. The documents identified on this list, whether present at the hearing or not, will be incorporated into the administrative record.¹

- 1) The entire administrative record for Order No. 01-182 adopted on December 13, 2001
- 2) Statement of Decision from Phase 1 Trial on Petitions for Writ of Mandate, *In Re Los Angeles County Municipal Storm Water Permit Litigation*, Los Angeles Superior Court, Lead Case No. BS 080548, Related Cases: BS 080753, BS 080758, BS 080791, BS 080792, and BS 080807 (March 24, 2005)
- 3) Statement of Decision from Phase II Trial on Petitions for Writ of Mandate, *In Re Los Angeles County Municipal Storm Water Permit Litigation*, Los Angeles Superior Court, Lead Case No. BS 080548, Related Cases: BS 080753, BS 080758, BS 080791, BS 080792, and BS 080807 (March 24, 2005)
- 4) *County of Los Angeles et al. v. California State Water Resources Control Board et al.* (2006) 143 Cal.App.4th 985
- 5) The entire administrative record for Order No. R4-2007-0042, amending Order No. 01-182, on August 9, 2007 to incorporate the Marina del Rey Harbor Back Basins and Mothers' Beach Bacteria TMDL Summer Dry Weather Waste Load Allocations

¹ The Administrative Record is deemed to include all legal authorities be they constitutional, statutory, judicial, or regulatory (including precedential decisions of the State Water Resources Control Board and State Policy for Water Quality Control) that are applicable to this proceeding without regard to whether they are identified on this index or specifically referenced prior to or during the hearing.

- 6) Statement of Decision Pursuant to Government Code Section 17500 et seq.; Title 2, California Code of Regulations, Division 2, Chapter 2.5, Article 7, *In Re Test Claim on Los Angeles Regional Water Quality Control Board Order No. 01-182, Permit CAS004001, Parts 4C2a, 4C2b, 4E, & 4F5c3*, Case Nos. 03-TC-04, 03-TC-19, 03-TC-20, and 03-TC-21 (September 3, 2009)
- 7) The entire administrative record for Order No. R4-2009-0130, amending Order No. 01-182, on December 10, 2009 to incorporate the Los Angeles River Watershed Trash TMDL Waste Load Allocations
- 8) Peremptory Writ of Mandate, *County of Los Angeles et al. v. State Water Resources Control Board et al.*, Los Angeles Superior Court Case No. BS122724 (July 23, 2010)
- 9) The entire administrative record for the 2002 Santa Monica Bay Beaches Bacteria Dry Weather TMDL (including post-adoption documents from the State Water Resources Control Board, Office of Administrative Law, and U.S. Environmental Protection Agency approving the TMDL)
- 10) Chapter 7-4 of the Basin Plan, which includes the regulatory provisions of the Santa Monica Bay Beaches Dry Weather TMDL
- 11) 2004 Santa Monica Bay Beaches Bacteria TMDL Coordinated Shoreline Monitoring Plan
- 12) Public Review Period and Tentative Approval of Changes to the Santa Monica Bay Shoreline Monitoring Requirements Contained in the Monitoring and Reporting Program Under the Los Angeles County Municipal Storm Water Discharge Permit (NPDES NO. CAS004001) and the Santa Monica Bay Beaches Bacterial TMDLs
- 13) Final Approval of Changes to the Santa Monica Bay Shoreline Monitoring Requirements Contained in the Monitoring and the Reporting Program Under the Los Angeles County Municipal Storm Water Discharge Permit (NPDES NO. CAS004001) to Conform to the Extent Possible with the Santa Monica Beaches Bacterial TMDLs
- 14) Santa Monica Bay Beaches Bacteria TMDL Implementation Plans for Jurisdictional Groups 1 through 7 (2005)
- 15) Los Angeles County Unified Annual Stormwater Reports (2001-2010) (relevant excerpts pertaining to Countywide permit & Santa Monica Bay Watershed Management Areas)
- 16) Permittees Stormwater Monitoring Reports (2001-2010) (relevant excerpts pertaining to Countywide permit & Santa Monica Bay Watershed Management Areas)
- 17) Dwight, R. H. et al., Estimating the Economic Burden from Illnesses Associated with Recreational Coastal Water Pollution – A Case Study in Orange County, California, *Journal of Environmental Management*, 76(2): 95-103 (2005)

- 18) Given, S., L. H. Pendleton, and A. B. Boehm, Regional Public Health Cost Estimates of Contaminated Coastal Waters: A Case Study of Gastroenteritis at Southern California Beaches, *Env. Sci. Technol.* (2006)
- 19) Gold, M., M. Bartlett, J. Dorsey, and C. McGee, An assessment of inputs of fecal indicator organisms and human enteric viruses from two Santa Monica Bay storm drains. A technical report prepared for the Santa Monica Bay Restoration Project. 1990.
- 20) Gold, M., M. Bartlett, J. Dorsey, and C. McGee. Storm drains as a source of indicators to the nearshore waters of Santa Monica Bay. A technical report prepared for the Santa Monica Bay Restoration Project. 1991.
- 21) Gold, M., M. Bartlett, C. McGee, and G. Deets. Pathogens and indicators in storm drains within the Santa Monica Bay watershed. A technical report prepared for the Santa Monica Bay Restoration Project. 1992.
- 22) Pendleton, L. and Kildow, J., The Non-Market Value of Beach Recreation, *Shore and Beach* 74 (2): 34-37 (2006).
- 23) Storm Water Panel, The Feasibility of Numeric Effluent Limits Applicable to Discharges of Storm Water Associated with Municipal, Industrial and Construction Activities, Recommendations to the California State Water Resources Control Board (June 2006).
- 24) USC Sea Grant, Huntington Beach Closure Investigation: Technical Review (2000).
- 25) Gold, Mark Andrew. What are the health risks of swimming in Santa Monica Bay?: An examination of the issues surrounding the public health debate. Dissertation, University of California, Los Angeles. 1994.
- 26) Haile, Robert W., John S. Witte, Mark Gold, Ron Cressey, Charles McGee, Robert C. Millikan, Alice Glasser, Nina Harawa, Carolyn Ervin, Patricia Harmon, Janice Harper, John Dermand, James Alamillo, Kevin Barrett, Mitchell Nides, and Guang-yu Wang. The health effects of swimming in ocean water contaminated by storm drain runoff. *Epidemiology* 10(4):355-363. 1999.
- 27) Taggart, Mitzy. Factors affecting shoreline fecal bacteria densities around freshwater outlets at two marine beaches. Dissertation, University of California, Los Angeles. 2002.
- 28) County of Los Angeles. Dry weather discharge treatment feasibility study. Department of Public Works, Watershed Management Division. 2003.
- 29) Federal Register. Part II, Environmental Protection Agency, 40 CFR Parts 122, 123, and 124, National Pollutant Discharge Elimination System Permit Application Regulations for Storm Water Discharges; Final Rule. Vol. 55, No. 222, November 16, 1990.

- 30) Federal Register. Questions and Answers Regarding Implementation of an Interim Permitting Approach for Water Quality-Based Effluent Limitations in Storm Water Permits. Vol. 61, No. 216, pp. 57425-57429.
- 31) Regional Water Quality Control Board, Los Angeles Region. Amendment to the Water Quality Control Plan for the Los Angeles Region to update the bacteria objectives for water bodies designated for water contact recreation. Resolution 2001-018. October 25, 2001.
- 32) State Water Resources Control Board. Order No. WQ 91-03.
- 33) State Water Resources Control Board. Order No. WQ 91-04.
- 34) State Water Resources Control Board. Order No. WQ 98-01.
- 35) State Water Resources Control Board. Order No. WQ 99-05.
- 36) State Water Resources Control Board. Order No. WQ 2001-15.
- 37) United States Environmental Protection Agency. Establishing TMDL “Daily” Loads in Light of the Decision by the U.S. Court of Appeals for the D.C. Circuit in Friends of the Earth, Inc. v. EPA et al., No. 05-5015, (April 25, 2006) and Implications for NPDES Permits. November 15, 2006.
- 38) United States Environmental Protection Agency. Establishing total maximum daily load (TMDL) wasteload allocations (WLAs) for storm water sources and NPDES permit requirements based on those WLAs. Office of Water. Memorandum to Water Division Directors Regions 1-10. November 22, 2002.
- 39) United States Environmental Protection Agency. “Revisions to the November 22, 2002 Memorandum ‘Establishing Total Maximum Daily Load (TMDL) Waste Load Allocations (WLAs) for Storm Water Sources and NPDES Permit Requirements Based on Those WLAs’”. Office of Wastewater Management and Office of Wetlands, Oceans and Watersheds. November 12, 2010.
- 40) United States Environmental Protection Agency. Interim permitting approach for water quality-based effluent limitations in storm water permits. EPA 833-D-96-001. Office of Water. 1996.
- 41) Wang, Guang-yu. E-mail correspondence to Mark Gold, Heal the Bay, re: Low flow diversion treatment projects sum_1.xls. September 12, 2006.
- 42) State Water Resources Control Board. 2006. List of Clean Beaches Initiative (CBI) Projects in Los Angeles County funded by SWRCB under Propositions 13 and 40.
- 43) State Louisiana NPDES Municipal Storm Water Permit No. LAR040000
- 44) State of New York NPDES Municipal Storm Water Permit No. GP-02-02
- 45) State of Oklahoma Phase II NPDES Municipal Storm Water Permit No. OKR04

- 46) State of California, Lahontan Regional Board NPDES Municipal Storm Water Permit No. CAG616001 for El Dorado County, Placer County, and the City of South Lake Tahoe
- 47) Hanemann, M., L. Pendleton, C. Mohn, J. Hilger, K. Kurisawa, D. Layton, C. Busch, and F. Vasquez. 2004. Using revealed preference models to estimate the effect of coastal water quality on beach choice in Southern California.
- 48) Morton, J. and L. Pendleton. 2001. A Database of Beach Attendance, State Water Resources Control Board. (on CD in MS Excel format)
- 49) State Water Resources Control Board. 2006. Summary of AB411 Postings 2000-2010. Beach Watch Database.
- 50) United States Environmental Protection Agency. 2009. National Water Quality Inventory: Report to Congress – 2004 Reporting Cycle. EPA 841-R-08-001. Office of Water. January 2009.
- 51) National Research Council. 2008. Urban Stormwater Management in the United States. Prepublication Copy.
- 52) All timely comment letters and evidence received by the Regional Board pertaining to this matter
- 53) Response to comments (when it becomes available)
- 54) Hearing transcript for the April 7, 2011 Regional Board meeting (when it becomes available), and any other Regional Board meetings during which consideration of this matter may take place
- 55) Speaker cards and other similar materials recording presence, participation, or testimony at the hearing