

Los Angeles Regional Water Quality Control Board

**NOTICE OF PROPOSED ISSUANCE OF TIME SCHEDULE ORDER FOR
LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT
(ORDER NO. R4-2012-0175; NPDES PERMIT NO. CAS004001)**

DISCHARGER

City of Los Angeles
(Inner Cabrillo Beach)

DISCHARGE LOCATION

Storm drain outfalls/Station CB01
Los Angeles, California

RECEIVING WATER

Los Angeles Harbor
(Dominguez Channel
Watershed)

The City of Los Angeles (City) discharges both storm water and non-storm water into receiving waters in the Dominguez Channel and Greater Los Angeles and Long Beach Harbors Watershed Management Area, which are waters of the State of California and United States. This discharge is regulated under waste discharge requirements contained in the Los Angeles County municipal separate storm sewer system (MS4) Permit (Order No. R4-2012-0175) adopted by the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) on November 8, 2012. The Los Angeles County MS4 Permit also serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CAS004001).

On July 1, 2004, the Los Angeles Water Board adopted the Los Angeles Harbor Bacteria Total Maximum Daily Load (TMDL). The TMDL required point source dischargers to comply with waste load allocation (WLAs) for bacteria by March 10, 2010. The Los Angeles County MS4 Permit includes new water quality-based effluent limitations and corresponding receiving water limitations to implement the WLAs established in the TMDL. Pursuant to Part VI.E.4. of the Los Angeles County MS4 Permit, permittees that believe additional time is necessary to comply with the water quality-based effluent limitations and/or receiving water limitations for State adopted TMDLs where the final compliance deadlines have passed may request a time schedule order (TSO) pursuant to California Water Code section 13300 for the Board's consideration.

The City has made diligent efforts to comply with the new water quality-based effluent limitations and corresponding receiving water limitations for bacteria contained in the Los Angeles County MS4 Permit. Despite these efforts, the Inner Cabrillo Beach (ICB) boat launch ramp (Station CB01) continues to have exceedances of indicator bacteria at frequencies above that allowed in the Los Angeles County MS4 Permit. On December 24, 2012, the City submitted a letter to the Los Angeles Water Board requesting a TSO for its MS4 discharges to ICB to provide time for the City to comply with the new bacteria water quality-based effluent limitations and corresponding receiving water limitations.

On the basis of preliminary staff review, the Los Angeles Water Board tentatively proposes to issue the City a TSO, including interim water quality-based effluent limitations and corresponding interim receiving water limitations and a time schedule to bring the City's MS4 discharge into compliance with the final water quality-based effluent limitations and final receiving water limitations.

PUBLIC HEARING DATE AND LOCATION

The Los Angeles Water Board is scheduled to hold a public hearing to receive comments and evidence, and consider adoption of, the tentative TSO at its regularly scheduled meeting on:

Date: February 6, 2014
Time: 9:00 a.m.
Place: Metropolitan Water District of Southern California (Board Room)
700 North Alameda Street
Los Angeles, CA 90012

Interested persons are invited to attend the hearing and present oral comments. Oral comments are generally limited to 3 minutes each for their comments, but can vary at the discretion of the Chair, depending on the number of persons wishing to be heard. Interested persons seeking more than 3 minutes to present oral comments at the hearing must contact the Los Angeles Water Board Staff Contact identified below before the hearing to request additional time.

Please check the Board's website (<http://www.waterboards.ca.gov/losangeles/>) for the most up-to-date public hearing date and location as they are subject to change. If there is not a quorum on the scheduled date of the public hearing, all items will be automatically continued to the next scheduled meeting. A continuance of the hearing will not automatically extend any deadlines set forth in this notice.

SCOPE OF HEARING

The requirements of the Los Angeles County MS4 Permit are not at issue before the Los Angeles Water Board in this proceeding. Evidence or argument that challenges the validity of those requirements, or any aspects of them, will not be permitted nor responded to. The only matter before the Board is consideration of a tentative TSO for the City of Los Angeles.

AVAILABILITY OF DOCUMENTS

The draft tentative TSO and other information and documents relied upon are posted on the Los Angeles Water Board's website at: http://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/index.shtml. These documents are also available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. at the following address:

California Regional Water Quality Control Board
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of documents may be made by calling the Los Angeles Water Board at (213) 576-6600. Appointments are encouraged so the documents can be readily available upon arrival. Comments and responses to comments and other subsequent relevant documents will be available online as they are generated.

WRITTEN COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment on the draft tentative TSO, or submit evidence for the Los Angeles Water Board to consider, are invited to submit them in writing. To be evaluated and responded to by Los Angeles Water Board staff, included in the Los Angeles Water Board's agenda binder, and fully considered by the Los Angeles Water Board members in advance of the hearing, all written comments and evidence must be submitted to the Los Angeles Water Board Staff Contact identified below and received at the Los Angeles Water Board office by **5:00 pm on January 22, 2014**. Failure to comply with these requirements is grounds for the Los Angeles Water Board to refuse to admit the proposed written comment or exhibit into evidence pursuant to section 648.4, Title 23 of the California Code of Regulations. Written comments submitted through email are requested to be transmitted in Microsoft Word format.

EX PARTE COMMUNICATIONS PROHIBITED

Parties and interested persons are forbidden from engaging in *ex parte* communications regarding this matter with members of the Los Angeles Water Board. An *ex parte* communication is a communication not authorized in the California Government Code, to a Los Angeles Water Board member from any person, about a pending matter, that occurs in the absence of other parties and without notice and opportunity for the parties to respond. The California Government Code generally prohibits the board members from engaging in *ex parte* communications during permitting, enforcement, or other "quasi-adjudicatory" matters. The Los Angeles Water Board members may not discuss the tentative TSO with any person, except during the public hearing described in this notice.

LOS ANGELES WATER BOARD STAFF CONTACT

Any communications with the Los Angeles Water Board prior to the hearing should be directed to:

Rebecca Christmann
Los Angeles Regional Water Quality Control Board
320 W. 4th Street, Suite 200
Los Angeles, CA 90013
Phone: (213) 576-6786
Email: Rebecca.Christmann@waterboards.ca.gov.

Date: December 23, 2013