

## ITEM 18 SUMMARY

### PUBLIC WORKSHOP ON THE ISSUANCE OF THE MS4 NPDES PERMIT FOR THE CITY OF LONG BEACH

#### CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LOS ANGELES REGION DECEMBER 5, 2013

**Item:** 18

**Subject:** Public Workshop on the Proposed Waste Discharge Requirements and NPDES Permit for Municipal Separate Storm Sewer Discharges from the City of Long Beach (NPDES Permit No. CAS004003)

**Purpose:** This item is a public workshop to announce the public comment period for the tentative permit for municipal separate storm sewer (MS4) discharges originating from the City of Long Beach. At the December 5, 2013 Board Meeting, staff will provide an overview of the tentative draft MS4 permit. This overview will include a synopsis of the regulatory history of the City of Long Beach with respect to the federal storm water regulations and a discussion of the differences among the draft tentative permit, the expired permit, and the current LA County MS4 permit.

During the December Board Meeting, parties and interested persons will have the opportunity to make oral comments during the workshop, or submit written comments to Regional Board staff at a later date.

**Background:** In 1987, Congress amended the Clean Water Act to bring discharges from MS4s under the NPDES program. This important shift in the regulatory paradigm took place to address the diverse and complex pollutant loading from MS4 discharges to surface waters. Various scientific studies, such as the National Urban Runoff Program studies EPA conducted in 1983, documented that controlling the quality of storm water and non-storm water discharges from MS4s is fundamentally important to the health of the environment and the quality of human life. In the Los Angeles Region, MS4 discharges have contributed to the impairment of many of the region's surface waters. The MS4 in the City of Long Beach is complex in that it interconnects with the MS4s from Los Angeles County, other incorporated cities therein, and the Los Angeles County Flood Control District. The MS4 within the City of Long Beach conveys storm water and non-storm water to various receiving waters, including those within the Los Angeles River Watershed, San Gabriel River Watershed, Dominguez Channel and Harbors Watershed Management Area, and Los Cerritos and Alamitos Bay Watershed Management Area.

The Long Beach municipal area draining into the MS4 encompasses approximately 47.7 square miles and includes approximately 180 linear miles of MS4. The land use within the permitted area consists of approximately 39.28% residential, 5.35% commercial, 20.42% industrial, 5.98% park, 5.28% planned development, 13.18% roads, and 4.64% un-zoned land uses.

Monitoring conducted by the City of Long Beach and other Los Angeles County MS4 Permittees indicates that concentrations of pathogen indicators (fecal coliform, total coliform, and enterococcus), heavy metals (such as Pb, Cu, Zn, Cd, As, Ni, Ag) and pesticides (such as diazinon, malathion, lindane, total chlordane) exceed water quality standards in receiving waters. Receiving water impacts studies found that storm water discharges from urban watersheds exhibit toxicity attributable to heavy metals. Bioassessments of the benthic communities showed bioaccumulation of toxicants. Sediment analysis showed higher concentrations of pollutants, such as Pb and PAHs, in urban watersheds than in rural watersheds (2 to 4 times higher). In addition, toxicity of dry weather, non-storm water flows was observed with the cause of toxicity undetermined. Other studies have documented concentrations of pollutants that exceed water quality standards in storm drains flowing to the ocean during dry weather, and adverse health impacts from swimming at beaches near flowing storm drains. Trash is also a serious and pervasive water quality problem in the Los Angeles region.

The Federal Phase I Storm Water Regulations promulgated in 1990 require a National Pollutant Discharge Elimination System (NPDES) Permit for large and medium MS4s; large MS4s serve a population of at least 250,000 and medium MS4s serve a population between 100,000 and 250,000. In 1990, the Discharger's population was 429,433. From 1990 through 1999, the Los Angeles Regional Board regulated MS4 discharges from the City of Long Beach under the Los Angeles countywide waste discharge requirements (WDR) contained in Order No. 90-079 and in Order No. 96-054 adopted on June 18, 1990, and July 15, 1996, respectively. In addition to being WDRs, these orders were NPDES permits for the discharges from the MS4 serving the entire Los Angeles County area including MS4 discharges from the City of Long Beach. On March 22, 1999, the City of Long Beach applied for an individual WDR and NPDES permit for its MS4. The Los Angeles Regional Board issued Order No. 99-060 on June 30, 1999; Order No. 99-060 expired in 2004 but has been administratively extended until the Board reissues the permit. On December 26, 2003 the City of Long Beach submitted a Report of Waste Discharge and has continued to discharge from its MS4 under the previous Order.

Currently the Discharger's MS4 serves a population of approximately 465,576 and therefore must have coverage under an NPDES Permit as a large MS4.

**Tentative  
Permit:**

The requirements in the tentative MS4 permit apply solely to MS4 discharges originating within the City of Long Beach. Staff used the Los Angeles County MS4 permit as a template in developing the tentative MS4 permit for the City of Long Beach. These requirements comply with the federal permitting regulations for MS4s and include:

1. Requirement to effectively prohibit non-storm water discharges into the MS4;
2. Controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system design and engineering methods;
3. Such other provisions as the Regional Board determines appropriate for the control of such pollutants;

4. Effluent limitations consistent with the assumptions and requirements of all available waste load allocations from TMDLs applicable to the discharges;
5. Provisions for monitoring and reporting.

With regard to controls to reduce the discharge of pollutants to the maximum extent practicable, the draft tentative permit requires the City of Long Beach to develop and implement a storm water management program per 40 CFR section 122.26 (d)(2)(iv).

The tentative permit includes provisions requiring compliance with water quality standards in Part VI – Receiving Water Limitations. The language used in that section is existing language from the 1999 expired permit, which is required by State Board Order No. WQO 99-05. Numeric water quality based effluent limitations consistent with available waste load allocations are included in Part VIII. Provisions to effectively prohibit non-storm water discharges of pollutants to receiving waters are included in Part IV. Requirements regarding storm water management programs and “minimum control measures” are included in Part VII.D. Monitoring and reporting provisions are included in Part VII.B and Attachment E of the draft tentative permit. The rationale for each of these provisions is provided in Attachment F of the draft tentative permit.

Key permit provisions include:

1. Requirements to implement low impact development for new development and significant redevelopment to control pollutant loads and runoff volume to receiving waters;
2. Provisions consistent with the assumptions and requirements of wasteload allocations from 9 TMDLs;
3. Provisions allowing the City of Long Beach the opportunity to develop and implement watershed management programs (including an enhanced watershed management program), either individually or collaboratively with Los Angeles County MS4 Permittees, as a means of complying with a number of permit requirements in a more integrated and efficient fashion; and
4. Requirements for outfall monitoring as well as receiving water monitoring to determine compliance with permit provisions and the impact MS4 discharges have on receiving water quality.

#### **Permit Development**

##### **Process:**

Staff used the Los Angeles County MS4 permit as a template in developing the tentative MS4 permit for the City of Long Beach. Regional Board staff also met with representatives from the City of Long Beach, Heal the Bay, NRDC, and LA Waterkeeper on multiple occasions during the development of the permit and has considered their input in the tentative permit.

##### **Public Comments:**

The tentative order, including attachments, was made available for public review and comment on November 22, 2013.