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Los Angeles Regional Water Quality Control Board

January 28, 2016

Mr. Anthony Arevalo
Storm Water/Environmental Compliance Officer
City of Long Beach
333 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802

APPROVAL OF THE CITY OF LONG BEACH'S WATERSHED MANAGEMENT PROGRAM (WMP), PURSUANT TO PART VII.C OF THE CITY OF LONG BEACH MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004003; ORDER NO. R4-2014-0024)

Dear Mr. Arevalo:

On February 6, 2014, the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board or Board) adopted Order No. R4-2014-0024, *Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges from the City of Long Beach* (hereafter, Long Beach MS4 Permit). Part VII.C of the Long Beach MS4 Permit allows the City of Long Beach (City) the option to develop either a Watershed Management Program (WMP) or an Enhanced Watershed Management Program (EWMP) to implement permit requirements on a watershed scale through customized strategies, control measures, and best management practices (BMPs). Development of a WMP or EWMP is voluntary and allows a Permittee to address the highest watershed priorities, including complying with the requirements of Part VI.A (Receiving Water Limitations), Part VIII (Total Maximum Daily Loads), and by customizing the control measures in Parts IV.B (Discharge Prohibitions – Non-Storm Water Discharges) and VII.D-VII.M (Minimum Control Measures), except the Planning and Land Development Program. Pursuant to Part VII.C.4.c of the Long Beach MS4 Permit, the City submitted a draft WMP on March 30, 2015, to the Los Angeles Water Board for review.

Public Review and Comment

On May 7, 2015, the Board provided public notice and a 32-day period to allow for public review and comment on the City's draft WMP. A separate notice of availability regarding the draft WMPs, including the City's WMP, was directed to State Senators and Assembly Members within the City of Long Beach. The Board received no public comments.

CHARLES STRINGER, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

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Los Angeles Water Board Review

Concurrently with the public review, the Los Angeles Water Board reviewed the draft WMP. On July 28, 2015, the Los Angeles Water Board sent a letter to the City detailing the Board's comments on the draft WMP and identifying the revisions that needed to be addressed prior to the Board's approval of the City's WMP. The letter directed the City to submit a revised draft WMP addressing the Los Angeles Water Board's comments. The City submitted its revised draft WMP on October 28, 2015 for Los Angeles Water Board review and approval. After the City's submittal of the revised draft WMP, Board staff had a teleconference on November 10, 2015, and subsequent e-mail exchanges, with City representatives and consultants to discuss the Board's remaining comments and necessary revisions to the October 2015 WMP, including the supporting reasonable assurance analysis (RAA). The City submitted a final WMP on January 22, 2016 for the Los Angeles Water Board review and approval.

Approval of WMP

The Los Angeles Water Board hereby approves the City's January 22, 2016, final WMP.

Determination of Compliance with WMP

Pursuant to Part VII.C.6 of the Long Beach MS4 Permit, the City shall begin implementation of the approved WMP immediately. To continue to be afforded the opportunity to implement permit provisions within the framework of the WMP, the City must fully and timely implement all actions per associated schedules set forth in the approved WMP regardless of any contingencies indicated in the approved WMP (e.g., funding) unless a modification to the approved WMP, including any extension of deadlines where allowed, is approved by the Los Angeles Water Board pursuant to Part VII.C.6 or Part VII.C.8.a.b-c. The Los Angeles Water Board will determine the City's compliance with the WMP on the basis of the compliance actions and milestones included in the WMP including, but not limited to, the following:

- Section 3 Selection of Watershed Control Measures
- Table 3-4: Regional Board Suggested Metal Reduction Strategy and Corresponding City Control Measures
- Table 3-5: Colorado Lagoon Restoration Master Plan Action Status
- Section 5 Compliance Schedule
- Table 5-1: Nonstructural TCM Compliance Schedule
- Table 5-2: Milestones for Dry Weather Bacteria TMDL
- Table 5-3: LA River Estuary Load Reduction Strategy Submittal Deadline
- Table 5-4: Colorado Lagoon Restoration Master Plan Action Status
- Table 5-5: San Gabriel River Estuary Dry Weather Copper Compliance Schedule
- Figure 5-1: The Compliance Cube (total required BMP capacity)
- Table 5-7: Structural Control Milestones for the Port within the Next Three Years

- Appendix 4 Table 8-1. Long Beach pollutant reduction plan for attainment of interim limits for the Dominguez and Harbors Toxics TMDL
- Appendix 4 Table 8-2. Long Beach Reduction Plan for Attainment of Final Limits for the Dominguez and Harbors Toxics TMDL, San Gabriel Estuary Bacteria TMDL, and Beaches Bacteria TMDL
- Appendix 4 Attachment B: Detailed Jurisdictional Compliance Tables
- Appendix 4 Attachment D: Existing and Planned BMPs

Pursuant to Parts VII.C.3 and VIII.E.1.d.i of the Long Beach MS4 Permit, the City's full and timely compliance with all actions and dates for their achievement in its approved WMP shall constitute compliance with permit provisions pertaining to applicable water quality-based effluent limitations (WQBELs)/wasteload allocations (WLAs) in Part VIII.E of the Long Beach MS4 Permit. Further, per Part VII.C.2.e of the Long Beach MS4 Permit, the City's full compliance with all requirements and dates for their achievement in its approved WMP constitutes compliance with the receiving water limitations provisions of Part VI.A of the Long Beach MS4 Permit for the specific waterbody-pollutant combinations addressed by the approved WMP.

If the City fails to meet any requirement or date for its achievement in the approved WMP, which will be demonstrated through the City's Annual Reports and program audits (when conducted), the City shall be subject to the baseline requirements of the Long Beach MS4 Permit, including but not limited to demonstrating compliance with applicable receiving water limitations and TMDL-based WQBELs/WLAs through outfall and receiving water monitoring. See Parts VII.C.2.f and VIII.E.1.d.iii.

Annual Reporting

The City shall report on achievement of actions and milestones within the reporting year, as well as progress towards future milestones related to multi-year projects, through its Annual Report per Attachment E, Part XVIII of the Long Beach MS4 Permit. For multi-year efforts, the City shall include the status of the project, which includes the status with regard to standard project implementation steps. These steps include, but are not limited to, adopted or potential future changes to municipal ordinances to implement the project, site selection, environmental review and permitting, project design, acquisition of grant or loan funding and/or municipal approval of project funding, contractor selection, construction schedule, start-up, and effectiveness evaluation (once operational), where applicable. For all stormwater retention projects, including LID BMPs implemented in compliance with new/redevelopment provisions, green streets provisions, and regional BMPs, the City shall report annually on the volume of stormwater retained in each subwatershed area (i.e., Los Cerritos Channel subwatershed and San Pedro Bay subwatershed).

The City shall also include in its Annual Report the source(s) of funds used during the reporting year, and those funds proposed for the coming year, to meet necessary expenditures related to implementation of the actions identified in its WMP per Part VII.A.3 of the Long Beach MS4

Permit. Further, as part of the annual certification concerning a permittee's legal authority required by Part VII.A.2.b of the Long Beach MS4 Permit, the City shall also certify in the Annual Report that it has the necessary legal authority to implement each of the actions and milestones in the approved WMP as required by Part VII.C.5.h.vi. If the City does not have legal authority to implement an action or milestone at the time it submits the Annual Report, the City shall propose a schedule to establish and maintain such legal authority.

Adaptive Management

The City shall conduct a comprehensive evaluation of its WMP no later than January 28, 2018, and subsequently, every two years thereafter pursuant to the adaptive management process set forth in Part VII.C.8 of the Long Beach MS4 Permit. As part of this process, the City must evaluate progress toward achieving:

- Applicable WQBELs/WLAs in Part VIII of the Long Beach MS4 Permit according to the milestones set forth in its WMP;
- Improved water quality in MS4 discharges and receiving waters;
- Stormwater retention milestones; and
- Multi-year efforts that were not completed in the current year and will continue into the subsequent year(s), among other requirements.

As part of the adaptive management process, the City shall also re-evaluate its Category 2 and Category 3 water quality priorities based on data collected through its Integrated Monitoring Programs for the City's discharges from both Port and non-Port areas. Where new water quality priorities are identified, the City shall conduct a RAA for the pollutants and identify and incorporate into its WMP appropriate watershed control measures to address them.

The City's evaluation of the above shall be based on both progress implementing actions in the WMP and an evaluation of outfall-based monitoring data and receiving water data. Per Attachment E, Part XVIII.A.6 of the Long Beach MS4 Permit, the City shall implement adaptive management strategies, including but not limited to:

- Refinement and recalibration of the Reasonable Assurance Analysis (RAA) based on data specific to the City's WMP area that are collected through the City's Integrated Monitoring Program and other data, as appropriate;
- Identifying the most effective control measures, why they are the most effective, and how other control measures can be optimized based on this understanding;
- Identify the least effective control measures, why they are ineffective, and how the control measures can be modified or replaced to be more effective;
- Identify significant changes to control measures during the prior year(s) and the rationale for the changes; and
- Describe all significant changes to control measures anticipated to be made in the next year(s) and the rationale for each change.

As part of the adaptive management process, any modifications to the WMP, including any requests for extension of deadlines not associated with TMDL provisions, must be submitted to

the Los Angeles Water Board for review and approval. The City must implement any modifications to the WMP 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 City's Report of Waste Discharge (ROWD) is due no later than October 1, 2018. To align any modifications to the WMP proposed through the adaptive management process with permit reissuance, results of the first adaptive management cycle should be submitted in conjunction with the City's ROWD.

The Los Angeles Water Board appreciates the participation and cooperation of the City in the implementation of the Long Beach MS4 Permit. If you have any questions, please contact please contact Ms. Erum Razzak of the Storm Water Permitting Unit by electronic mail at Erum.Razzak@waterboards.ca.gov or by phone at (213) 620-2095. Alternatively, you may also contact Ivar Ridgeway, Chief of the Storm Water Permitting Unit, at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Ara Maloyan, Director of Public Works, City of Long Beach
John L. Hunter, P.E., John L. Hunter and Associates, Inc.
Dylan Porter, Port of Long Beach
James Vernon, Port of Long Beach