

Los Angeles Regional Water Quality Control Board

June 6, 2016

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

APPROVAL, WITH CONDITIONS, OF THE CITY OF LONG BEACH'S INTEGRATED MONITORING PROGRAM FOR THE PORT AREA, PURSUANT TO ATTACHMENT E, PART IV.A 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:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the revised monitoring program for the Port area (Inner Harbor, Outer Harbor, and Eastern San Pedro Bay) submitted on April 18, 2016 by the City of Long Beach (City). This monitoring program was submitted pursuant to the provisions of NPDES Permit No. CAS004003 (Order No. R4-2014-0024), which authorizes discharges from the municipal separate storm sewer system (MS4) operated by the City of Long Beach (hereafter, City of Long Beach MS4 Permit). The City of Long Beach MS4 Permit allows the City the option to develop and implement an integrated monitoring program (IMP) that achieves the five Primary Objectives set forth in Part II.A of Attachment E and includes the elements set forth in Part II.D of Attachment E. This program must be approved by the Executive Officer of the Los Angeles Water Board.

The Los Angeles Water Board has reviewed the City's revised IMP for the Port area and has determined that the IMP for the Port area includes the elements set forth in Part II.D of Attachment E and will achieve the Primary Objectives set forth in Part II.A of Attachment E of the City of Long Beach MS4 Permit.

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 IMP. A separate notice of availability regarding the draft IMP was directed to State Senators and Assembly Members within the City of Long Beach. The Board received no public comments.

Los Angeles Water Board Review

Concurrently with the public review, the Los Angeles Water Board reviewed the draft IMP. On March 17, 2016, the Los Angeles Water Board sent a letter to the City detailing the Board's

comments on the draft IMP for the Port area and identifying the revisions that needed to be addressed prior to the Board's approval of the City's IMP for the Port area. The letter directed the City to submit a revised draft IMP addressing the Los Angeles Water Board's comments. The City submitted its revised draft IMP for the Port area on April 18, 2016 for Los Angeles Water Board review and approval.

Approval of IMP

The Los Angeles Water Board hereby approves, subject to the following conditions, the City's April 18, 2016 revised IMP for the Port area. The Board may rescind this approval if all of the following conditions are not met to the satisfaction of the Board within the timeframe provided below.

1. Revise Table 1 to include priority pollutants for Los Angeles River Estuary as per the approved WMP for the City of Long Beach.
2. Revise Table 2 to include receiving water monitoring for CCMRP Station 21 and revise other applicable sections of the IMP accordingly.
3. Revise Section 3.4.6 and Table 4 footnote 5 accordingly to provide a definition or a criterion for how a significant non-stormwater discharge will be determined. In particular, the IMP must provide specificity on thresholds for field measurements, including flow (e.g., hose flow) and water quality data (i.e. bacteria exceedances) that will be used to determine whether the non-stormwater discharge is significant. Evidence of ongoing potential illegal dumping or illicit connections must be used along with other criteria based on field and/or laboratory measurements for defining a significant non-stormwater discharge.
4. Revise Table 4 as follows:
 - a. Omit "TBD" from last row.
 - b. In footnote 5, clarify that non-stormwater outfall monitoring will occur quarterly per year during dry weather.

In separate correspondence to all Permittees developing Coordinated Integrated Monitoring Programs (CIMPs) and IMPs, the Los Angeles Water Board on August 7, 2015 provided 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 IMP must follow the requirements for toxicity monitoring as clarified in the August 7, 2015 memorandum.

The City shall submit a final IMP for the Port area to the Los Angeles Water Board that satisfies all of the above conditions no later than **July 6, 2016**. Pursuant to Attachment E, Part IV.C.5 of the City of Long Beach MS4 Permit, the City must commence implementing its monitoring program within 30 days after this approval of the final IMP (i.e., no later than July 5, 2016). Please note that the City for the Port area is responsible for complying with all reporting provisions included in Attachment E, Part XIV – XVIII and Section A of Part XIX, "Reporting Requirements for Dominguez Channel and Greater Harbors Waters WMA TMDLs," Section B of Part XIX, "Reporting Requirements for the Los Angeles River WMA TMDLs, and Attachment D, Part IV, V, and VII.A of the City of Long Beach MS4 Permit. Finally, the City is 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 City of Long Beach MS4 Permit, the City 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 City of Long Beach MS4 Permit (March 28, 2017), the City shall submit a MAL Action Plan with the Annual Report (first MAL Action Plan due with December 15, 2017 Annual Report) to the Los Angeles 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 VII.C of the City of Long Beach MS4 Permit fulfills all requirements related to the development and implementation of the MAL Action Plan, as per Attachment G of the City of Long Beach MS4 Permit, for those pollutants addressed by the WMP or EWMP.

Adaptive Management

The Los Angeles 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 City 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 Los Angeles Water Board Executive Officer, following notice to the City.

As part of the adaptive management process, any modifications to the IMP must be submitted to the Los Angeles Water Board for review and approval. The City must implement any modifications to the IMP 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.

If you have any questions, 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 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: 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