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## Los Angeles Regional Water Quality Control Board

April 28, 2023

Via Email Only

City of Torrance

**APPROVAL, WITH CONDITIONS, OF THE MACHADO LAKE WATERSHED MANAGEMENT PROGRAM (WMP) PURSUANT TO THE REGIONAL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) WASTE DISCHARGE REQUIREMENTS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR THE LOS ANGELES REGION (NPDES PERMIT NO. CAS004004; ORDER NO. R4-2021-0105)**

Dear City of Torrance:

This letter (1) conditionally approves the revised Machado Lake Watershed Management Program (WMP) submitted by the City of Torrance subject to additional revisions of the WMP, (2) reviews compliance determinations for Water Body-Pollutant Combinations (WBPCs) and (3) specifies additional requirements including requirements for an updated adaptive management process.

*1) Review of the Watershed Management Program*

The Regional MS4 Permit (Order No. R4-2021-0105) authorizes discharges from the MS4 operated by 99 municipal Permittees within the coastal watersheds of Los Angeles and Ventura Counties (hereafter, Regional MS4 Permit or Order). The Regional MS4 Permit became effective on September 11, 2021. The Regional MS4 Permit allows the Permittee(s) the option to use a Watershed Management Program (WMP) to implement many of the permit's requirements through customized strategies, control measures, and best management practices (BMPs).

Pursuant to the State Water Resources Control Board (State Water Board) WQ Order No. 2020-0038 and the Los Angeles County MS4 Permit Order No. R4-2012-0175, the City of Torrance submitted to the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board), the Machado Lake revised draft WMP dated June 2021 and then an additional revision on March 2022. Because the Regional MS4 Permit carries over many of the provisions from Order No. R4-2012-0175 and incorporates the required elements of Order No. 2020-0038, and because it is the currently effective permit, the WMP has been reviewed per Part IX of the Regional MS4 Permit.

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NORMA CAMACHO, CHAIR | RENEE PURDY, EXECUTIVE OFFICER

## Public Review and Comment

On December 21, 2021, the Los Angeles Water Board provided public notice and a 76-day period to allow for public review and comment on the WMPs submitted by June 30, 2021. The Board received one joint comment letter from Heal the Bay, the Los Angeles Waterkeeper, and the Natural Resources Defense Council, which generally applied to all WMPs. These comments were considered during staff's review of the WMPs.

## Board's Review

Pursuant to Part IX.G.3.a of the Order, the Watershed Management Program and Reasonable Assurance Analysis (RAA) are required to be consistent with the requirements of the Regional MS4 Permit. The WMP does not propose watershed control measures since the Group states that it is in compliance with the final WQBELs and other TMDL-specific limitations for all WBPCs in its watershed management area and therefore no compliance schedule was proposed. However, the Torrance Airport Project will remain in the Machado Lake WMP as a proposed project, as it is a collaborative project with the Palos Verdes Peninsula WMG.

As stated in the State Board Order WQ No.2020-0038, for the purpose of allowing the Group to address future water quality priorities based on new information and/or water quality issues, the Group is allowed to keep their WMP. Note that since the Group states in its WMP that it is achieving compliance with the applicable water quality standards through already implemented control measures, the Los Angeles Water Board will not provide deemed compliance for the WBPCs in the WMP area. Therefore, the Group shall comply with the receiving water limitations and WQBELs specified in Attachment P of the Order, and demonstrate compliance per Parts X.B.1.a (Interim WQBELs and Receiving Water Limitations – Direct Demonstration of Compliance with TMDL-Specific Requirements), X.B.2.a (Final WQBELs and Receiving Water Limitations – Direct Demonstration of Compliance), and X.C (WQBELs and Receiving Water Limitations for Trash) of the Order. The Los Angeles Water Board hereby approves the Machado Lake WMP, dated March 2022 under the condition that the WMP is revised to address the following requirements:

1. Section 1.2 states that the WMP area shown on Figure 1 is approximately 2,288 acres, which is inconsistent with values provided in Table D1; update accordingly.
2. Section 6.2 references Appendix F. However, Appendix F was not included in the submittal. Resubmit the WMP with all referenced attachments.
3. Include an estimate of the capital and operation and maintenance costs of implementing the WMP and a financial strategy to fund those costs per IX.A.4.i of the Regional MS4 Permit.
4. Update the WMP to reference the 2020-2022 303(d) list of impaired waterbodies and associated pollutants.
5. In Appendix B, clarify if any data was disregarded and include an explanation of how any information considered as part of the Source Assessment was ultimately used to inform development of the WMP per Part IX.B.2 of the Regional Permit.

6. Correct typo "5trom" to Storm on pdf page 81.
7. Correct typo "Recurring" to "Receiving" on pdf page 19.
8. Correct typo referring to "project projects" on pdf page 116 under the "SWIMM Modeling of Proposed Regional Project" section.
9. Review and update references to Table 3 (Summary of Existing and Proposed BMPs) and Table 4 (Yearly Nutrient Load Discharged From ML EWMP Area), as appropriate.
10. Update Section 2.2.1, Summary of Minimum Control Measures/Institutional BMPs per the Regional MS4 Permit and include any proposed modifications.
11. Include at minimum, the month of the "expected completion date" to Table 14 (Project Completion Date and 24-Hour Runoff Management Capacity).
12. Add a new section in Section 4 that includes, for metals and bacteria, a table showing the baseline conditions, calculated targets, and resulting target load reduction per modeled drainage area in comparison to the capacity of the planned projects for an explicit demonstration of the anticipated success of the WMP. Clarify whether the Torrance Airport Project, with the planned reduction in storage volume capacity, will lead to the load reductions in Table 14 (Estimated Reductions in Stormwater TSS Loads).
13. Update applicable sections and tables on the project status and expected completion date or completion date of the Torrance Airport Project.
14. The WMP contains references to the previous Los Angeles County MS4 Permit. Please update the references to be consistent with the numbering and formatting of the Regional MS4 Permit.

The Board may rescind this approval if any of the conditions in this letter are not met to the satisfaction of the Board within the timeframe provided below. Pursuant to Part IX.G.4 of the Order, if the necessary revisions are not appropriately made, the City of Torrance shall be subject to all requirements in the Order except those requirements pertaining to Watershed Management Programs upon disapproval by the Los Angeles Water Board.

The City shall submit a final WMP to the Los Angeles Water Board that satisfies all of the above conditions no later than July 31, 2023. The final WMP must be submitted electronically by uploading the files in a Folder with the name of the City of Torrance to the FTP site using the following credentials:

FTP site: <https://ftp.waterboards.ca.gov>

Username: RB4MS4-Upload

Password: RB4-bmBb3Z

Pursuant to Parts IX.C.1 and IX.G.3.c of the Order, **the City shall implement their approved WMP immediately.** The City of Torrance is subject to all applicable compliance schedules in Part IV.B and Attachments K through S of the Order, and approved Time Schedule Order (TSO) if applicable.

## 2) *Compliance Determinations*

### **2.1 Compliance Determination for WBPCs other than Trash**

**2.1 .1 Compliance Metric:** Pursuant to Part IX.B.7.h of the Order, the WMP is required to specify the expected volume capture, load reductions, or other compliance metric(s) at regular milestones, and the methods by which these reductions will be measured and demonstrated for each WBPC and supported via the RAA. The Board will determine deemed compliance with the City's WMP based on the following compliance metric(s) with the approved compliance schedule:

- Not applicable

**2.1.2 WBPCs Eligible for Deemed Compliance Through Alternative Demonstration of Compliance:** Based on the below criteria, the following WBPCs will receive deemed compliance through the WMP if the actions and schedules specified in the WMP are attained as outlined in Parts X.B.1.b and X.B.2.b of the Order:

- Not eligible for deemed compliance

### **2.2 Compliance Determination for Trash WBPCs**

Trash WBPCs are not eligible for deemed compliance under the WMP. For Trash WBPCs, compliance shall be determined as outlined in Part X.C of the Order.

## 3) *Other Requirements*

### **Adaptive Management**

Pursuant to Part IX.E.1 of the Order, the Permittee(s) shall implement an adaptive management process for each approved WMP. An adaptive management process is a periodic, comprehensive program evaluation, including re-analysis of data and/or modeling, and modification process to determine progress toward achieving WQBELs and receiving water limitations and to adapt the Watershed Management Program to become more effective at achieving WQBELs and receiving water limitations. Pursuant to Part IX.E.4 of the Order, Permittee(s) shall submit the results of the adaptive management process with the Permittees' Report of Waste Discharge (ROWD) to the Los Angeles Water Board no later than **March 15, 2026**.

Per Part IX.E.3 of the Order, the adaptive management process fulfills the requirements in Part V.D of the Order to address continuing exceedances of receiving water limitations.

**WMP Modifications**

As indicated in Part IX.E.2 of the Order, based on the results of the adaptive management process, the Permittee(s) may propose WMP modifications necessary to improve the effectiveness of the WMP. The Permittee(s) shall clearly identify any WMP modification proposals in their submittal of the adaptive management results.

Additionally, per Part IX.C.2 of the Order, notwithstanding Part IX.E (Adaptive Management) of the Order, the Permittee(s) may propose WMP modifications at any time during the term of the Order, as necessary as a standalone request. As explained in Attachment H of the Order, the Permittee(s) cannot submit WMP modification requests as part of the Annual Report. The Permittee(s) shall provide separate written requests explaining the nature of the proposed modification and justification for consideration by the Los Angeles Water Board.

**Receiving Water Limitations Compliance Report**

Per Part IX.B.9.c.iv of the Order and Part XIV.C.4 in Attachment E of the Order, implementation of actions to address water quality priorities in a Watershed Management Program related to addressing exceedances of receiving water limitations in Part V (Receiving Water Limitations) of the Order which is not otherwise addressed by TMDLs in Part IV of the Order and Attachments K through S, fulfills the requirements in Part V.C of the Order to prepare a Receiving Water Limitations Compliance Report.

If you have any questions, please contact Susana Vargas with the Municipal Stormwater Permitting Unit by email [Susana.Vargas@waterboards.ca.gov](mailto:Susana.Vargas@waterboards.ca.gov) or phone (213) 576-6688. Alternatively, you may also contact Ivar Ridgeway, Municipal Stormwater Permitting Unit Supervisor by email at [Ivar.Ridgeway@waterboards.ca.gov](mailto:Ivar.Ridgeway@waterboards.ca.gov) or by phone at (213) 620-2150.

Sincerely,

for Renee Purdy  
Executive Officer

cc: Craig Bilezerian, City of Torrance  
Leslie Cortez, City of Torrance  
Annelisa Ehret Moe, Heal the Bay  
Benjamin Harris, LA Waterkeeper  
Corinne Bell, Natural Resources Defense Council