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Public Comment  
LA MS4 Permit- A-2236(a)-(kk)  
Deadline: 01/21/15 by 12:00 noon

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January 21, 2015

VIA E-MAIL ONLY

Ms. Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)



Dear Ms. Townsend:

**RE: SWRCB/OCC FILES A-2236(a) THROUGH (kk) – TECHNICAL COMMENTS ON THE STATE WATER RESOURCES CONTROL BOARD'S PROPOSED ORDER REGARDING IN RE PETITIONS CHALLENGING 2012 LOS ANGELES MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT (ORDER NO. R4-2012-0175)**

The City of Los Angeles (City) Bureau of Sanitation (LASAN) appreciates the opportunity to provide technical comments on the State Water Resources Control Board's (State Water Board) Proposed Order *In the Matter of Review of Order No. R4-2012-0175, NPDES Permit No. CAS004001, Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, Except those Discharges Originating from the City of Long Beach MS4* (Proposed Order). The City engaged and provided substantial input to the Los Angeles Regional Water Quality Control Board (Regional Water Board) during the adoption process for Order No. R4-2012-0175 (2012 MS4 Permit), and LASAN appreciates the State Water Board's detailed consideration of the outcome.

**Enhanced Watershed Management Programs Set a New Standard in Stormwater Planning**

LASAN would like to express our support for the Watershed Management Programs (WMPs) and Enhanced Watershed Management Programs (EWMPs). The WMP and EWMP approaches as outlined in the Regional Water Board's 2012 MS4 Permit provide a mechanism by which we can holistically address applicable water quality objectives. The EWMP development process in the MS4 Permit provided the time necessary to coordinate with other permittees and organizations for large scale water quality improvement and multi-benefit projects. As such, the level of collaboration

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among MS4s and water agencies in the LA region is at an all-time high. The City is the lead agency on four EWMPs – for the Upper Los Angeles River, Ballona Creek, Dominguez Channel, and Santa Monica Bay J2/3 – and the EWMPs are clearly far more rigorous than previously-developed TMDL implementation plans. We are confident the EWMPs in the LA region will collectively be the most scientifically-advanced stormwater planning documents developed to date. LASAN supported the watershed-based approach throughout the development of the 2012 MS4 Permit and these elements were a welcomed, necessary and important shift in the implementation of stormwater programs in the Los Angeles Region.

### **EWMPs Provide a Clear Path toward Compliance with Receiving Water Limitations**

A key aspect of the 2012 MS4 Permit, which is retained in the Proposed Order, is the inclusion of a clear process for addressing the implementation provisions of the Receiving Water Limitations (RWLs) to help the Permittees focus on established water quality priorities and ensure consistency with provisions of adopted Total Maximum Daily Loads (TMDLs). The process provides LASAN a clear approach to conduct the necessary analyses to identify appropriate best management practices (BMPs) to address RWL exceedances. It also provides our staff the guidance necessary to apply the best-available planning tools and science to prepare effective management programs to address exceedances of RWLs whether or not they are addressed by an existing TMDL. The approach provides the City and our partners' with the certainty of a path to meeting the objectives of the 2012 MS4 Permit. That being said, the path is no small effort, requiring us to expend significant internal and external resources to:

- Develop management programs tailored to very different watersheds using approaches vetted by external experts and stakeholders,
- Design our programs to incorporate significant amounts of new data,
- Create modeling tools to address a variety of pollutants and conditions, and
- Adapt and refine our programs to better address receiving water issues.

LASAN is committed to meeting this challenge through our four (4) EWMPs in collaboration with over 20 other cities, the County, and the Flood Control District.

### **Implementation of Stormwater BMPs requires a Robust, Long-Term Planning Process**

Through Proposition O and general funds, the City has been leading a BMP implementation program with a large number of signature stormwater projects already completed and operational. As an example, Elmer Avenue demonstrates on a small neighborhood scale what will be done in a watershed-scale through EWMPs to achieve the objectives of the 2012 MS4 Permit. Elmer Avenue was completed with the following partners: City of Los Angeles, Council of Watershed Health, U.S. Bureau of Reclamation, Metropolitan Water District of Southern California, Los Angeles Department of Water and Power, Los Angeles County Department of Public Works, TreePeople, Urban Semillas, City of Santa Monica, and additional funding from California Department of Water Resources. The project captures stormwater runoff, increases water conservation, reduces pollution to the Los Angeles River, restores habitat, adds green space, and beautifies the community. It may increase property values of the homes nearby. This project has been recognized through awards locally and nationally.

Other recognized and key projects include rehabilitation of Echo Park Lake and Machado Lake, upgrading and building low flow diversions in the Santa Monica Bay watershed, and utilizing Low Impact Development (LID) principles such as permeable pavement and bioretention cells to retrofit the Los Angeles Zoo parking lot. From a programmatic standpoint, the City has developed and implemented Green Street Standard Plans, and passed the landmark LID Ordinance, effective in May 2012. LASAN has subsequently updated the City's LID ordinance for consistency with the 2012 MS4 Permit.

That being said, all the projects and efforts described above take time, and the WMP/EWMP approach provides a constructive, thorough, and appropriate approach. Given the rigor and comprehensiveness of the WMP/EWMP approach, the 2012 MS4 Permit (and supported in the Proposed Order) leverages the WMP/EWMP process for complying with the Receiving Water Limitation provision and other provisions of the Order. This approach is logical, both from a regulatory and programmatic standpoint.

We would like to express our appreciation for the efforts of the Regional Water Board staff in their development of the 2012 MS4 Permit, and also extend appreciation to the State Water Board for its detailed process to create the Proposed Order including consideration of our comments.

Please contact Ms. Donna Chen at (213) 485-3928 or via e-mail at [Donna.Chen@lacity.org](mailto:Donna.Chen@lacity.org) if you have any questions.

Sincerely,



SHAHRAM KHARAGHANI, Ph.D., P.E., BCEE  
Program Manager  
LASAN/WPD

SK:DC:CY  
WPDCR9162

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