

Los Angeles Regional Water Quality Control Board

April 28, 2015

Permittees of the Los Cerritos Channel Watershed Management Group¹

APPROVAL, WITH CONDITIONS, OF THE LOS CERRITOS CHANNEL WATERSHED MANAGEMENT GROUP'S WATERSHED MANAGEMENT PROGRAM (WMP), PURSUANT TO THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175) AND THE CITY OF LONG BEACH MS4 PERMIT (NPDES PERMIT NO. CAS004003; ORDER NO. R4-2014-0024)

Dear Permittees of the Los Cerritos Channel Watershed Management Group:

On November 8, 2012, the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board or Board) adopted Order No. R4-2012-0175, *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* (hereafter, LA County MS4 Permit). On February 6, 2014, the Board adopted Order No. R4-2014-0024, *Waste Discharge Requirements for Municipal Separate Storm Sewer System Discharges from the City of Long Beach* (hereafter, Long Beach MS4 Permit). Part VI.C of the LA County MS4 Permit and Part VII.C of the Long Beach MS4 Permit allow Permittees 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 V.A (Receiving Water Limitations), Part VI.E and Attachments L through R (Total Maximum Daily Load Provisions), and by customizing the control measures in Parts III.A (Prohibitions – Non-Storm Water Discharges) and VI.D (Minimum Control Measures), except the Planning and Land

¹ Permittees of the Los Cerritos Channel Watershed Management Group include the Los Angeles County Flood Control District; and the cities of Bellflower, Cerritos, Downey, Lakewood, Long Beach, Paramount, and Signal Hill. See attached distribution list.

Development Program, of the LA County MS4 Permit.² Pursuant to Part VI.C.4.c of the LA County MS4 Permit and Part VII.C.4.c of the Long Beach MS4 Permit, the Permittees of the Los Cerritos Channel Watershed Management Group (LCC WMG) jointly submitted a draft WMP dated June 28, 2014, to the Los Angeles Water Board for review.

Public Review and Comment

On July 3, 2014, the Board provided public notice and a 46-day period to allow for public review and comment on the LCC WMG's draft WMP. A separate notice of availability regarding the draft WMPs, including the LCC WMG draft WMP, was directed to State Senators and Assembly Members within the Coastal Watersheds of Los Angeles County. The Board received two comment letters that had comments on WMPs generally, which were in part applicable to the LCC WMG draft WMP. One joint letter was from Natural Resources Defense Council (NRDC), Heal the Bay, and Los Angeles Waterkeeper, and the other letter was from the Construction Industry Coalition on Water Quality (CICWQ). On October 9, 2014, the Board held a workshop at its regularly scheduled Board meeting on the draft WMPs. The Board also held a public meeting on April 13, 2015 for permittees and interested persons to discuss the revised draft WMPs with the Executive Officer and staff. During its initial review and its review of the revised draft WMP, the Los Angeles Water Board considered those comments applicable to the LCC WMG's proposed WMP.

Los Angeles Water Board Review

Concurrently with the public review, the Los Angeles Water Board, along with U.S. EPA Region IX staff, reviewed the draft WMPs. On October 29, 2014, the Los Angeles Water Board sent a letter to the LCC WMG 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 LCC WMG's WMP. The letter directed the LCC WMG to submit a revised draft WMP addressing the Los Angeles Water Board's comments. Prior to the LCC WMG's submittal of the revised draft WMP, Board staff had a meeting on January 23, 2015 with LCC WMG representatives and consultants to discuss the Board's comments and the revisions to the draft WMP, including the supporting reasonable assurance analysis (RAA), which would address the Board's comments. The LCC WMG submitted a revised draft WMP on January 29, 2015 for Los Angeles Water Board review and approval.

² Equivalent requirements in the Long Beach MS4 Permit are as follows: Part VI.A (Receiving Water Limitations), Part VIII (Total Maximum Daily Load Provisions), Part IV.B (Prohibitions – Non-Storm Water Discharges), and Part VII.D-VII.M (Minimum Control Measures).

Approval of WMP, with Conditions

The Los Angeles Water Board hereby approves, subject to the following conditions, the LCC WMG's January 29, 2015 revised draft WMP. 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 the discussion of ammonia in Section 5.2.2 of the revised draft WMP to include that the Permittees of the LCC WMG will monitor ammonia and pH as part of their Coordinated Integrated Monitoring Program and will re-evaluate ammonia as part of the adaptive management evaluation.
2. Revise the Phase 1 (2015-2017) milestones on Table 6-5 of the revised draft WMP (pg. 6-8) as follows:
 - a. Remove the footnote that conditions "TSS Reduction" and "Runoff Reduction and Stormwater Capture" milestones on trash amendment adoption (i.e., remove reference to the language: "Presuming adoption of trash amendments by State Water Board in spring of 2015").
 - b. Revise the table to include the specific days for milestone achievement rather than just the year and the quarter. For example, "Adoption of model TSS reduction ordinances by City of Signal Hill" should have a completion date of *December 31, 2015* instead of *Q4, 2015*.
 - c. For the "Construction of initial stormwater capture facility" milestone, replace "if funding available" with "as needed to achieve volume reduction milestones." If the Permittees of the LCC WMG cannot identify a funding source, they may submit a request for extension of the milestone deadline to the Los Angeles Water Board's Executive Officer.
3. Revise the Phase 2 (2018-2020) milestones on Table 6-7 of the revised draft WMP (pg. 6-12) by replacing the language "subject to availability of funding" with "as needed to achieve volume reduction milestones." If the Permittees of the LCC WMG cannot identify a funding source, they may submit a request for extension of the milestone deadline to the Los Angeles Water Board's Executive Officer.
4. The City of Long Beach submitted its Statement of Legal Authority to the Los Angeles Water Board on February 26, 2015. Include this Statement of Legal Authority in the WMP appendix section containing the other Permittees' legal authority statements.

The LCC WMG shall submit a final WMP to the Los Angeles Water Board that satisfies all of the above conditions no later than June 12, 2015.

Determination of Compliance with WMP

Pursuant to Part VI.C.6 of the LA County MS4 Permit and Part VII.C.6 of the Long Beach MS4 Permit, the Permittees of the LCC WMG 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, Permittees 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 VI.C.6.a or Part VI.C.8.a.ii-iii of the LA County MS4 Permit, and/or Part VII.C.6 or Part VII.C.8.b-c of the Long Beach MS4 Permit. The Los Angeles Water Board will determine the LCC Permittees' compliance with the WMP on the basis of the compliance actions and milestones included in the WMP, including, but not limited to, the following:

- Sections 4.3 Minimum Control Measures, 4.4 Non-Stormwater Discharge Control Measures, 4.5 TMDL Control Measures, 4.6 Non-TMDL Impaired Waters Control Measures, 4.7 Control Measures for Non-Impairment Pollutants, 4.8 Control Measures to be Implemented at the Watershed and Sub-watershed Levels, and 4.9 Control Measures to be Implemented at the Jurisdictional Level
- Table 4-3: New Fourth Term MS4 Permit Non-Structural MCMs (Cities only) and NSWDS
- Table 6-1: Final Compliance Dates for Category 1, 2, and 3 Pollutants
- Table 6-2: Interim Milestone Targets between December 28, 2012 and December 28, 2017
- Table 6-3: Summary WMP Implementation and Milestone Schedule
- Table 6-4: WMP Implementation Schedule – Ongoing Measures Phase 1
- Table 6-5: WMP Implementation Schedule – Measures with Interim Milestones Phase 1
- Table 6-6: WMP Implementation Schedule – Ongoing Measures Phase 2
- Table 6-7: WMP Implementation Schedule – Measures with Interim Milestones Phase 2
- Table 6-12: Sub-Basin Implementation Measures
- RAA Attachment B: Detailed Jurisdictional Compliance Tables

Pursuant to Parts VI.C.3 and VI.E.2.d.i.(4)(a) of the LA County MS4 Permit³, the LCC Permittees' full and timely compliance with all actions and dates for their achievement in their approved WMP shall constitute compliance with permit provisions pertaining to applicable WQBELs/WLAs in Part VI.E and Attachments N and Q of the LA County MS4 Permit.⁴ Further, per Part VI.C.2.b of the LA County MS4 Permit and Part VII.C.2.e of the Long Beach MS4 Permit, the LCC Permittees' full compliance with all requirements and dates for their achievement in their approved WMP constitutes compliance with the receiving water limitations provisions of Part V.A of the LA County MS4 Permit and Part VI.A of the Long Beach MS4 Permit for the specific waterbody-pollutant combinations addressed by their approved WMP.

³ Corresponding provisions in the Long Beach MS4 Permit are Parts VII.C.3 and VIII.E.1.d.

⁴ Corresponding provisions in the Long Beach MS4 Permit are Part VIII (general TMDL provisions) and Parts VIII.J and VIII.P (provisions specific to Los Cerritos Channel and Greater Harbor TMDLs).

If the Permittees in the LCC WMG fail to meet any requirement or date for its achievement in the approved WMP, which will be demonstrated through the LCC WMG's Annual Reports and program audits (when conducted), the Permittees in the LCC WMG shall be subject to the baseline requirements of the LA County MS4 Permit and the Long Beach MS4 Permit, including demonstrating compliance with applicable receiving water limitations and TMDL-based WQBELs/WLAs through outfall and receiving water monitoring. See Parts VI.C.2.c and VI.E.2.d.i.(4)(c) of the LA County MS4 Permit, and Parts VII.C.2.f and VIII.E.1.d.iii of the Long Beach MS4 Permit.

Annual Reporting

The LCC WMG 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 their Annual Report per Attachment E, Part XVIII of the LA County MS4 Permit and Attachment E, Parts XV to XIX of the Long Beach MS4 Permit. For multi-year efforts, the LCC WMG 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/infiltration projects, including LID due to new/redevelopment, green streets, and regional BMPs, the Permittees in the LCC WMG shall report annually on the volume of stormwater retained in the area covered by the LCC WMG WMP. The LCC WMG shall also report annually on runoff reduction, total suspended solids (TSS) reduction, and pollutant reductions from source control in light of its Water Quality Improvement Strategy.

The LCC WMG shall also include in their 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 VI.A.3 of the LA County MS4 Permit and 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 VI.A.2.b of the LA County MS4 Permit and Part VII.A.2.b of the Long Beach MS4 Permit, each Permittee in the LCC WMG shall also certify in the Annual Report that each has the necessary legal authority to implement each of the actions and milestones in the approved WMP as required by Part VI.C.5.b.iv.(6) of the LA County MS4 Permit and Part VII.C.5.vi of the Long Beach MS4 Permit. If a Permittee does not have legal authority to implement an action or milestone at the time the LCC WMG submits their Annual Report, the Permittee shall propose a schedule to establish and maintain such legal authority.

Adaptive Management

The LCC WMG shall conduct a comprehensive evaluation of its WMP no later than April 28, 2017, and subsequently, every two years thereafter pursuant to the adaptive management process set forth in Part VI.C.8 of the Los Angeles County MS4 Permit and Part VII.C.8 of the Long Beach MS4 Permit. As part of this process, the LCC WMG must evaluate progress toward achieving:

- Applicable WQBELs/WLAs in Attachments N and Q of the LA County MS4 Permit and Parts VIII.J, and VIII.P 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.

The LCC WMG'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.6 of the LA County MS4 Permit and Attachment E, Part XVIII.6 of the Long Beach MS4 Permit, the LCC WMG 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 LCC WMP area that are collected through the LCC WMG's Coordinated 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 Permittees of the LCC WMG 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 modification if the Los Angeles Water Board or its Executive Officer expresses no objections. Note that the LA County MS4 Permittees' Report(s) of Waste Discharge (ROWD) are due no later than July 1, 2017 and the City of Long Beach's ROWD is due no later than September 29, 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 Permittees' ROWD.

The Los Angeles Water Board appreciates the participation and cooperation of the LCC WMG in the implementation of the LA County MS4 Permit. If you have any questions, please contact Chris Lopez at Chris.Lopez@waterboards.ca.gov or by phone at (213) 576-6674. Alternatively, you may also contact Ivar Ridgeway, Storm Water Permitting, at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

Enclosure: Mailing Distribution List

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