
Los Angeles Regional Water Quality Control Board

October 27, 2014

Dr. Shahram Kharaghani
City of Los Angeles
Department of Public Works, Bureau of
Sanitation
Watershed Protection Division
1149 South Broadway, 10th Floor
Los Angeles, CA 90015

Ms. Gail Farber, Chief Engineer
Los Angeles County Flood Control District
Department of Public Works
Watershed Management Division, 11th Floor
900 South Fremont Avenue
Alhambra, CA 91803

REVIEW OF THE DRAFT WATERSHED MANAGEMENT PROGRAM FOR THE CITY OF LOS ANGELES AREA IN SANTA MONICA BAY JURISDICTIONAL GROUP 7 SUBWATERSHED, PURSUANT TO PART VI.C OF THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175)

Dear Dr. Kharaghani and Ms. Farber:

The Regional Water Board has reviewed the draft Watershed Management Program (WMP) submitted on June 27, 2014 by the City of Los Angeles and Los Angeles County Flood Control District (LACFCD) for the City of Los Angeles' land area and the LACFCD's infrastructure within Jurisdictional Group 7 of the Santa Monica Bay Watershed Management Area. This program was submitted pursuant to the provisions of NPDES Permit No. CAS004001 (Order No. R4-2012-0175), which authorizes discharges from the municipal separate storm sewer system (MS4) operated by 86 municipal Permittees within Los Angeles County (hereafter, LA County MS4 Permit). The LA County MS4 Permit allows Permittees the option to develop either a Watershed Management Program (WMP) or 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 may be developed individually or collaboratively.

The purpose of a WMP or EWMP is for a Permittee to develop and implement a comprehensive and customized program to control pollutants in MS4 discharges of storm water and non-storm water to address the highest water quality priorities. These include complying with the required water quality outcomes of Part V.A (Receiving Water Limitations) and Part VI.E and Attachments L through R (Total Maximum Daily Load (TMDL) Provisions) of the LA County MS4 Permit. If a Permittee opts to develop a WMP or EWMP, the WMP or EWMP must meet the requirements, including conducting a Reasonable Assurance Analysis (RAA), of Part VI.C (Watershed Management Programs) of the LA County MS4 Permit and must be approved by the Regional Water Board.

As stated above, on June 27, 2014, the City of Los Angeles (City) and the LACFCD submitted a draft Watershed Management Program (WMP) for the City's land area and the LACFCD's

infrastructure within Jurisdictional Group 7 (JG7) of the Santa Monica Bay (SMB) Watershed Management Area (WMA) to the Regional Water Board pursuant to Part VI.C.4.c of the LA County MS4 Permit.

The Regional Water Board has reviewed the draft WMP and has determined that, for the most part, the draft WMP includes the elements and analysis required in Part VI.C of the LA County MS4 Permit for the City's land area and the LACFCD's infrastructure within JG7 of the SMB WMA. However, some revisions to the City's and LACFCD's draft WMP are necessary. The Regional Water Board's comments on the draft WMP, including detailed information concerning necessary revisions to the draft WMP are found in Enclosure 1. The specific Permit provisions cited in the enclosure refer to provisions in the LA County MS4 Permit. The LA County MS4 Permit includes a process through which revisions to the draft WMP can be made (Part VI.C.4 in the LA County MS4 Permit). The process requires that a final WMP, revised to address Regional Water Board comments, must be submitted to the Regional Water Board not later than three months after comments are received by the Permittees on the draft program. Please make the necessary revisions to the draft WMP as identified in the enclosure to this letter and submit the revised WMP as soon as possible and no later than **January 27, 2015**.

The revised WMP must be submitted to losangeles@waterboards.ca.gov with the subject line "LA County MS4 Permit – Revised SMB JG7 WMP" with a copy to Ivar.Ridgeway@waterboards.ca.gov and Rebecca.Christmann@waterboards.ca.gov.

If the necessary revisions are not made, the City and the LACFCD will be subject to the baseline requirements in Part VI.D of the Order and shall demonstrate compliance with receiving water limitations pursuant to Part V.A and with applicable interim and final water quality-based effluent limitations (WQBELs) in Part VI.E and Attachment M pursuant to subparts VI.E.2.d.i.(1)-(3) and VI.E.2.e.i.(1)-(3), respectively.


Until the draft SMB JG7 WMP is approved, the City and LACFCD are required to:

- (a) Continue to implement all watershed control measures in its existing storm water management programs, including actions within each of the six categories of minimum control measures consistent with Title 40, Code of Federal Regulations, section 122.26(d)(2)(iv);
- (b) Continue to implement watershed control measures to eliminate non-storm water discharges through the MS4 that are a source of pollutants to receiving waters consistent with Clean Water Act section 402(p)(3)(B)(ii); and
- (c) Target implementation of watershed control measures in (a) and (b) above to address known contributions of pollutants from MS4 discharges to receiving waters.
- (d) Implement watershed control measures, where possible from existing TMDL implementation plans, to ensure that MS4 discharges achieve compliance with interim and final trash WQBELs and all other final WQBELs and receiving water limitations pursuant to Part VI.E and set forth in Attachment M by the applicable compliance deadlines occurring prior to approval of the WMP.

In addition on June 27 2014, the City and the LACFCD submitted a draft Coordinated Integrated Monitoring Program (CIMP) for the SMB JG7 WMA to the Regional Water Board pursuant to Part IV.C of Attachment E of the LA County MS4 Permit. The Regional Water Board review and comments on the draft CIMP will be provided under separate cover.

If you have any questions, please contact Ms. Rebecca Christmann of the Storm Water Permitting Unit by electronic mail at Rebecca.Christmann@waterboards.ca.gov or by phone at (213) 576-5734. 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,



Chief Deputy E.O.
for

Samuel Unger, P.E.
Executive Officer

cc: Donna Chen, City of Los Angeles
Hubertus Cox, City of Los Angeles
Hamid Tadayon, City of Los Angeles
Angela George, Los Angeles County Flood Control District

Enclosure: Summary of Comments and Required Revisions

Los Angeles Regional Water Quality Control Board

Attachment to October 27, 2014 Letter Regarding the Draft Watershed Management Program for the City of Los Angeles Area in Santa Monica Bay Jurisdictional Group 7 Subwatershed, Pursuant to Part VI.C of the LA County MS4 Permit (Order No. R4-2012-0175)

Summary of Comments and Required Revisions to the Draft Watershed Management Program

LA County MS4 Permit Provision	Summary of Comments and Necessary Revisions
Part VI.C.5.a.i Water Quality Characterization	<p>The geographical scope of this WMP is the City of Los Angeles' land area and the LACFCD's infrastructure within Santa Monica Bay (SMB) Jurisdictional Group 7 (JG7) subwatershed. It appears that there are 4 shoreline monitoring locations (SMB 7-06 though SMB 7-09) adjacent to the City's area within SMB JG7, which includes Point Fermin Park Beach. Point Fermin Park Beach should be included in the bulleted list in Section 2.1.</p> <p>The WMP needs to include and evaluate the monitoring data from sampling location SMB 7-7 prior to the landslide in 2009, which is the only point zero sampling point, and the geometric mean data for all sampling locations.</p> <p>In addition, the WMP needs to analyze all available Bight data, in order to determine if there were exceedances of receiving water limitations besides PCBs and DDTs, Basin Plan objectives or the Screening Levels as listed in Attachment G of the LA MS4 Permit.</p>
Parts VI.C.5.a.ii(1) and iv(1) Water Body-Pollutant Classification	<p>For completeness, the WMP could address the 303(d) listing of <i>Fish Consumption Advisory</i> as a footnote to Table 2-8 associated with the pollutants, DDTs and PCBs.</p>
Part VI.C.5.a.ii(2) and iv(2) Water Body-Pollutant Classification	<p>The WMP needs to include a discussing of why sediment toxicity is not included as a Category 2 WBPC. The City and LACFCD could cite USEPA's recommendation that SMB not be identified as impaired by sediment toxicity in the next 303(d) List and provide data to support delisting.</p> <p>In addition, in Section 2.1.5, the WMP needs to discuss what data was evaluated and how the Permittees evaluated the available water quality data for water body-pollutant combinations that would fall into Category 2. It is assumed that the same Bight data that was evaluated for Category 3 pollutants could be used to evaluate whether there are exceedances of any pollutant that would meet the State's listing criteria.</p>
Part VI.C.5.a.ii(3) and iv(2) Water Body-Pollutant	<p>The draft WMP states, "The only TMDL sediment-based targets applicable to the SMB JG7 WMP area are for DDTs and PCBs;</p>

LA County MS4 Permit Provision	Summary of Comments and Necessary Revisions
Classification	therefore, DDTs and PCBs are the only analytes included in this analysis.” However, the purpose of the water quality characterization is to identify other potential pollutants of concern, not just those that are already being addressed. The sediment data from 2003 and 2008 should be further evaluated to identify if there are other sediment bound pollutants at concentrations of concern in the area offshore from the SMB JG7 WMP area.
Part VI.C.5.a.iii Source Assessment	The WMP needs to include a source assessment regarding known and suspected storm water and non-storm water pollutant sources in discharges to the MS4 and from the MS4 to receiving waters. The source assessment should include (1) a discussion of findings from implementation of the minimum control measures under the 2001 Permit; (2) a discussion of the data and conclusions from the TMDL source investigations; and (3) known or suspected sources of storm water and non-storm water pollutants, which may cause or contribute to the water quality exceedances which have been observed at the shoreline monitoring sites.
Part VI.C.5.a.iii.(1)(b) Source Assessment	The WMP needs to identify on a map the City’s and LACFCD’s catch basins and major outfalls. Regional Water Board staff is aware that the CIMP (Figure 3, Table 12 and Attachment C) identifies outfalls to SMB. However, the WMP should include this information as well.
Part VI.C.5.a.iv.(1) Prioritization	Section 4.1, page 28 of the draft WMP reports to be in compliance with the SMB bacteria TMDL. However, Table 2-6 clearly shows that the allowable exceedance days have been exceeded. The revised WMP needs to discuss the cause of these exceedances. The City and LACFCD will meet the interim and final WQBELs for trash by retrofitting all catch basins in the City’s and LACFCD’s area of Santa Monica Bay JG7 with full capture devices. The revised WMP needs to clarify if 218 or 220 catch basins will be retrofitted.
Part VI.C.5.b.ii.(1) Selection of Watershed Control Measures	The WMP needs to specify a strategy that will be implemented to prevent or eliminate non-storm water discharges, if necessary based on the findings of the non-storm water screening program.
Part VI.C.5.b.iv.(4)(b)-(e) Selection of Watershed Control Measures	The draft WMP states that all catch basins will be retrofitted by 2016, ahead of the 2020 compliance deadline; however, the WMP needs to provide a schedule that demonstrates that the required 20% load reduction in debris will be achieved by the interim compliance deadline of March 20, 2016. The revised WMP needs to provide more specificity with regards to the schedule, location and agencies responsible for retrofitting the catch basins with full capture devices throughout the JG7 WMP area.
Part VI.C.5.b.iv.(5) Reasonable Assurance Analysis	A reasonable assurance analysis was not performed. As stated in the draft WMP, “For the SMB JG7 WMP, there are currently zero required load reductions for the Category 1 WBPCs: bacteria at the Santa Monica Bay Beaches and PCBs/DDTs in the Santa Monica Bay. Compliance with the Trash TMDL is being demonstrated through

LA County MS4 Permit Provision	Summary of Comments and Necessary Revisions
	retrofitting of catch basins as outlined in the Trash Monitoring and Reporting Program. ...Therefore, no quantitative RAA modeling is required for this WMP.”
Part VI.C.5.b.iv.(6) Legal Authority	The City and the LACFCD need to provide documentation that they have the legal authority to implement the Watershed Control Measures identified in the WMP, which includes the MCMs.
Part VI.C.5.c Compliance Schedules	the draft WMP did not develop a compliance schedule for the USEPA promulgated SMB TMDLs for DDT and PCBs, as required by the LA County MS4 Permit. Since this TMDL does not have a State-adopted implementation plan and further since the WLAs are based on existing conditions, the compliance deadline is immediate. The JG7 group should ensure that monitoring data are collected to demonstrate compliance with the applicable WQBELs.