

Southern California Water Dialogue

www.socalwaterdialogue.org

AGENDA

Meeting – Wednesday, June 22, 2011 □ 12:30 pm – 2:30 pm
 Metropolitan Water District of Southern California Headquarters
 700 N. Alameda, Los Angeles, CA 90012 □ 213 217 6000

Time	Agenda Item	Presenter	Notes
12:30 – 12:40	Opening Statement, Announcements, and Introductions	Conner Everts , Co-chair Kathy Caldwell , Coordinator Suzanne Dallman , Moderator, Department of Geography, Cal State University Long Beach	Introductions and announcements
12:35 – 1:30	Stormwater Capture – Quality Counts!	Dr. Martha Sutula , Principal Scientist, Biogeochemistry Department, Southern California Coastal Waters Research Project Deborah Smith , Chief Deputy Executive Officer, Los Angeles Regional Water Quality Control Board Renee Purdy , Chief of Regional Programs, Los Angeles Regional Water Quality Control Board Jon Van Rhyn , Water Quality Program Manager, County of San Diego and Chair, San Diego Regional Stormwater Management Committee Phil Doudar , Watershed Management Division, Los Angeles County Public Works	Presentations
2:00 – 2:25	Dialogue		Discussion
2:25 – 2:30	Closing Remarks and Announcements	Co-chair	Information

Next Meeting – July 27, 2011

**Los Angeles County MS4 Permit
Reissuance:
The Benefits of Stormwater Capture**

Presented by
LA Regional Water Quality Control Board

Southern California Water Dialogue Meeting
June 22, 2011

Outline

- Permit Structure
- Permit Requirements
 - Standard Provisions
 - Monitoring Program Considerations
 - Reporting Program Considerations
 - TMDL Provisions
- Tentative Schedule
 - Opportunities for input
- Q & A / Discussion

Background

- Last issued in 2001
- Reopened in 2006, 2007 and 2009 to incorporate TMDL provisions
- Amended in April 2011 to void and set aside 2006 provisions in response to writ of mandate
- Reissuance scheduled for 2012

Permit Structure: Background

- Single permit for 84 cities, LA County & LACFCD
 - Los Angeles County Flood Control District role (LA County Flood Control Act)
 - Highly interconnected system across jurisdictional boundaries
 - Commingled discharges to receiving waters
 - Opportunities for cooperation
 - Consistency & efficiency in public outreach, monitoring & reporting

Permit Structure: New Directions

- Establish core program requirements for all Permittees
- Complement local initiatives
- Provide flexibility to tailor efforts to relevant water quality problems in watershed / community
- Allow coordination among Permittees on watershed basis

New Directions: Watershed-based Permitting

- New permit requirements based on watershed TMDLs
 - Aggregate wasteload allocations assigned to MS4 Permittees within a watershed
 - Joint implementation plans developed by multiple Permittees
- LA County Flood Control District Funding Initiative (AB 2554)

Permit Provisions: Key Requirements

- Non-stormwater Discharge Prohibition
 - Into MS4 and watercourses
 - Some exceptions if (1) not a source of pollutants and (2) consistent with antidegradation policies and (3) TMDLs
- Receiving Water Limitations
 - Standard “Do Not Cause or Contribute” Language from State Board Precedential Orders
- Core Program Elements
- TMDL Provisions
- Monitoring & Reporting

Permit Provisions: Core Elements

- IC/IDE Program
- Construction Activities
- Industrial / Commercial Facilities
- Public Agency Activities
- Public Information & Participation
- New/Redevelopment Planning

New/Redevelopment Planning

THEN

- Post-development peak flow control in natural drainage systems
- Post-construction treatment control BMPs
 - 85th percentile 24-hour runoff event
 - 80% annual runoff volume
 - Runoff volume from 3/4" storm event

NOW

- Reduce 'Effective Impervious Area' (EIA) to $\leq 5\%$ project area
- On-site retention of water quality design volume
 - Hierarchy of BMPs
 - Infiltration/ET/Reuse
 - Biofiltration (1.5x to achieve equivalent load reduction)
 - Treatment
 - Off-site mitigation
- Hydromodification control based
 - LID may satisfy for some projects

New/Redevelopment: Key Areas for Discussion

- LID implementation metrics
 - Effective Impervious Area (EIA) limitation
 - Volume based on-site retention standard
- BMP hierarchy (Retention, Biofiltration, Treatment)
- Infeasibility criteria
- Offsite mitigation requirements
 - Location, mitigation ratios, project types
- Alternative post-construction regional plan
 - Substitutes for part or all of on-site post-construction BMPs
- Existing local LID ordinances

New Development/ Redevelopment Alternatives

- Ventura MS4 Requirements
- Modified current RB approach
 - Incorporation of elements of local LID ordinances
- Incorporation of other requirements
 - Other Regional Boards' LID approaches
 - Other states' approaches

TMDL Provisions: Background

- 23 TMDLs with MS4 WLAs in effect for LA County
 - 2007 & 2009 amendments
 - MDR Bacteria TMDL – Summer WLAs
 - LA River Watershed Trash TMDL WLAs
- 6 other TMDLs in approval process

TMDL Provisions: Considerations

- Provisions consistent with assumptions and requirements of WLAs
 - Focus on WLA deadlines within permit term
- Numeric water quality based effluent limitations (WQBELs) vs. BMP based requirements

TMDL Provisions: LA River Trash WLAs Example

- BMP based requirements
 - TMDL design/performance standard to achieve WLAs = full capture systems
 - Compliance measure = % drainage area addressed by full capture systems
- Numeric water quality based effluent limitations
 - Equivalent to WLAs
 - Compliance measure if partial capture and/or institutional strategies are used
 - Necessary absent “up-front” demonstration that controls will achieve TMDL design/performance standard

TMDL Provisions: Considerations

- Not one-approach-fits-all
 - Stormwater vs. non-stormwater discharges
 - TMDL implementation plans
 - Other robust demonstrations that BMP performance will achieve WLAs

Monitoring Program Considerations

- *Objectives*
 - *Assess program effectiveness*
 - *Determine Permittee compliance*
- Receiving water & ms4 outfall monitoring
- Watershed/subwatershed-based design
- Coordination with TMDL compliance monitoring requirements

Reporting Program Considerations

- *Objectives*
 - *Assess Program Effectiveness*
 - *Guide Program Improvements*
 - *Determine Permittee Compliance*
- Receiving Water Limitations compliance reporting criteria
 - Targeted, specific program revisions
 - Detailed implementation schedule
- BMP performance demonstrations
 - Collectively for outfall drainage
 - Individually
- Implementation Actions
 - TMDL Implementation Plans
 - Water Quality Improvement Plans

Tentative Schedule

- May 2011: Kick-off meeting
- Aug.-Oct.: 1-2 issue-based workshops
- Nov.-Jan.: 1-2 issue/general workshops
- Jan. 2012: Draft permit
- April 2012: Board hearing

Opportunities for Input

- Today's meeting
- Issue-based workshops
 - New / Redevelopment Provisions
 - TMDL Provisions
 - Monitoring & Reporting Program
 - Others?
- Watershed-based meetings upon request
- Individual meetings upon request

Questions?

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Regional Programs Section

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Agenda

10:30 to 11:30 AM

October 3, 2011

SCWC Stormwater Task Force and Regional Board Staff

1. Introductions
2. Meeting Objectives: to introduce Task Force, discuss Task Force review of MS4Permits to confirm accuracy, and ways to collaborate on next steps
3. Review of Information gathered on LA and Ventura MS4 Permits
4. White Paper Issues Overview and Discussion
5. Next Steps

Started in Jan. - need to capture more stormwater.

Areas of Focus {
① Rainwater harvesting
② ACOE Dam operation to conserve water/capture stormwater
③

Need regional solutions - flexibility

look @ RPAMP -

Agenda

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Regional Stormwater Task Force Fact Sheet

The Southern California Water Committee, one of the most respected organizations dedicated to educating Southern Californians about the region's water needs and our state's water resources, is building upon its existing organizational structure and establishing a new Regional Stormwater Task Force in January 2011.

Purpose: Develop regional consensus-based strategies and recommendations for utilizing stormwater effectively as a new local water supply, and reduce the urban runoff water pollution problems within the coastal plain of Southern California. Currently, there is no organization providing a regional perspective and coordination on stormwater policy issues.

Problem Statement: Southern California needs to develop most of its future water supplies within the coastal plain (generally the MWD service area) because new supplies from the Colorado River and Northern California are uncertain due to a variety of key factors, including regulatory issues, climate change, statewide shortages, and Delta fix challenges (MWD IRP Update, October 2010).

Geography: The coastal plain of Southern California includes Ventura, Los Angeles, Orange and San Diego counties, as well as the Santa Ana River watershed portion of San Bernardino and Riverside counties (Kern and desert areas have their own unique stormwater and flood control issues).

SCWC & Task Force Membership: Counties (flood control districts), cities, water and wastewater utilities, conservation interests, and private sector members will all be invited to participate on the Task Force. Approximately 20-25 individuals experienced in stormwater issues will be ultimately appointed by the SCWC Board of Trustees to formally serve as voting members of the new Task Force. The public and all stakeholders will be invited to attend and participate in Task Force meetings.

Key technical support will come from flood control districts, city engineers, urban planners and redevelopment staff, water resources planners, developer professionals, and other key experts from the consulting firms.

Key Focus Areas:

- State and federal legislation

- MS-4 permits and other regulatory issues for stormwater management (and related water management programs like groundwater recharge and drainage standards).
- Water quality issues and problems with stormwater capture and use, and concerns with receiving water beneficial uses.
- Low impact design standards and development incentives.
- Stormwater recharge and groundwater conjunctive management opportunities.
- Flood control management issues.
- Regional integrated water resources management planning strategies.
- Other items suggested by the Task Force participants

Work Plan and Task Force Process:

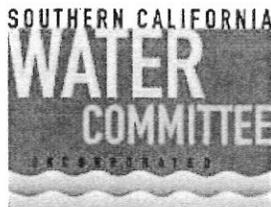
1. Meet monthly over the next year to develop recommendations on regional opportunities to capture and utilize stormwater more effectively as a local water supply source compatible with watershed plans.
2. SCWC staff will manage the Task Force meetings, and write issue papers, testimony and other background technical documents with the assistance of willing Task Force participants.
3. A dedicated web page, blog and interactive document system will be kept on the SCWC website, which is currently undergoing a complete overhaul to improve functionality and access.

Budget & Funding: As a non-profit organization, SCWC will need to seek additional funding to administer the new Task Force. It is estimated that the operations will cost roughly \$35,000 per year. Specific costs include \$2,500 per month for SCWC staff and two interns (\$30,000 per year), and \$5,000 per year for the web page, reproduction and other direct costs driven by Task Force priorities.

SCWC is seeking \$5,000 from each County Flood Control District and \$1,000 from other Task Force Participants.

Established in 1984, the Southern California Water Committee is a nonprofit, nonpartisan, public education partnership dedicated to informing Southern Californians about our water needs and our state's water resources. Spanning Los Angeles, Orange, San Diego, San Bernardino, Imperial, Riverside, Ventura and Kern Counties, the SCWC's members include representatives from business, government, agriculture, water agencies, labor and the general public. Visit us at www.socalwater.org and find us on Facebook.

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Regional Stormwater Task Force

CHAIR

Mark Pestrella
Los Angeles County Department of Public Works
Assistant Director

Gerhardt Hubner
Ventura County Watershed Protection District
Deputy Director

MEMBERS

Simon Bluestone
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General Manager

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San Bernardino County Department of Public Works
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Doug Headrick
San Bernardino Valley Municipal Water District
General Manager

John Reddick
Chino Basin Water Conservation District
Board Member

SCWC Regional Stormwater Task Force Roster
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Jack Safley
Western Municipal Water District
Director of Water Resources

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Riverside County Flood Control & Water
Conservation District
General Manager

Tony Zampello
Raymond Basin Management Board
Executive Officer

STAFF

Richard Atwater
Executive Director

EX OFFICIO

Charles Wilson
Chairman

Stormwater Capture & Water Conservation: Key Provisions From Southern California MS4 Permits

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Impedes	Supports	Comments	Future Action (If any)
<p>Los Angeles County</p> <p>Waste Discharge Requirements (WDRs) for Municipal Storm Water And Urban Runoff Discharges Within the County Of Los Angeles, and the Incorporated Cities therein, Except the City Of Long Beach (Order No. 01-182; NPDES No. CAS004001; currently under renewal process) Amended on December 10, 2009 by order R4-2009-0130</p>						
1.1	Standard Urban Storm Water Mitigation Plans (Part 4. D3, p. 49)	<p>“3. Numerical Design Criteria The Permittees shall require that post-construction Treatment Control BMPs incorporate, at a minimum, either a volumetric or flow based treatment control design standard, or both, as identified below to mitigate (infiltrate, filter or treat) storm water runoff...”</p>	X	X	<p>Certain development and redevelopment projects (subject to criteria defined in the Permit) are required to infiltrate, filter, or treat a minimum volume of storm runoff.</p> <p>Does not give preference to capture/reuse over treatment.</p> <p>Site-specific solutions; no option for regional groundwater recharge, in lieu of site-specific options.</p> <p>On the other hand, there is more flexibility than in some of the later permits to actually to implement the “best” solutions (see comment on approach to the right.)</p>	<p>Comment: The current L.A. County MS4 Permit is vague in relation to requirements related to water capture/conservation; therefore, some permit provisions neither directly support nor impede water capture and conservation efforts. A “neutral” position</p>

**Stormwater Capture & Water Conservation:
Key Provisions From Southern California MS4 Permits**

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
1.2	Site Specific Mitigation (Part 4. D6, p50)	6. Site Specific Mitigation Each Permittee shall...require the implementation of a site-specific plan to mitigate post-development stormwater for new development and redevelopment not requiring a SUSMP		X	Requirements are tied closely to site-specific changes	should be included as a third option.
1.3	Regional Storm Water Mitigation Program (Part 4. D9, p. 52)	9. Regional Storm Water Mitigation Program A Permittee or Permittee Group may apply to the Regional Board for approval of a regional or sub-regional storm water mitigation program to substitute in part or wholly SUSMP requirements. Upon review and a determination by the Regional Board Executive Officer that the proposal is technically valid and appropriate, the Regional Board may consider for approval such a program if its implementation will: a) Result in equivalent or improved storm water quality; b) Protect stream habitat; c) Promote cooperative problem solving by diverse interests; d) Be fiscally sustainable and has secure funding; and e) Be completed in five years including the construction and start-up of treatment facilities.		X	In 2008 Newhall Ranch implemented a regional program.	Review the program to see if it helps to infiltrate stormwater to groundwater.
1.4	Mitigation Funding (Part 4.D10.p. 52)	10. Mitigation Funding The Permittees may propose a management framework, for endorsement by the Regional Board Executive Officer, to support regional or subregional solutions to storm water pollution, where any of the following situations occur: a) A waiver for impracticality is granted; b) Legislative funds become available; c) Off-site mitigation is required because of loss of		X		

**Stormwater Capture & Water Conservation:
Key Provisions From Southern California MS4 Permits**

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
		<p>environmental habitat;</p> <p>d) An approved watershed management plan or a regional storm water mitigation plan exists that incorporates an equivalent or improved strategy for storm water mitigation</p>				
<p>Los Angeles County</p> <p>WDRs for Municipal Storm Water And Urban Runoff Discharges Within the City of Long Beach (Order No. 99-060; NPDES No. CAS004003)</p>						
2.1	<p>Part 4 Special And Standard provisions I. Special Provisions D. Development Planning page 17</p>	<p>6. The SUSMP will incorporate the following requirements: ...b. at a minimum, peak runoff rates ca not exceed pre-development levels, for developments where the potential for increased storm water discharge rates can result in an increase in downstream erosion potential</p>			<p>Attention in this early permit does not include extensive hydromodification controls but does require site by site control of runoff rates.</p>	
2.2						

**Stormwater Capture & Water Conservation:
Key Provisions From Southern California MS4 Permits**

Orange County

WDRs for the County of Orange, Orange County Flood Control District and the Incorporated Cities of Orange County within the **Santa Ana Region**,
Areawide Urban Storm Water Runoff
(ORDER NO. R8-2009-0030; NPDES No. CAS618030)

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
3.1	Water Quality Management Plan (WQMP) for Urban Runoff (XII. B.4 p.51)	WQMPs required for new development and significant redevelopment (addition or replacement of 5,000 square feet or more of impervious surface). BMPs must infiltrate, filter, or treat runoff from a 24-hour, 85% percentile storm.	X		Permit implementation may result in increased infiltration of stormwater into groundwater basins in some areas.	
3.2	WQMP for Urban Runoff (XII. B.5 p.52)	Minimum requirements for structural infiltration BMPs are set to protect groundwater resources, i.e., set backs to protect drinking water wells and limits on infiltration in areas of high groundwater and contamination.	X		Provisions assist with protecting groundwater resources.	
3.3	LID to Control Pollutants in Urban Runoff from New Development/ Significant Re-development (XII. C.2 p.53)	“Any portion of the design capture volume that is not infiltrated, harvested and re-used, evapotranspired or bio-treated onsite by LID BMPs shall be treated and discharged in accordance with the requirements set forth in section XII.C.7 and or Section XII.E, below.”	X	X	Regional facilities and alternative programs including in lieu are allowed. Management of design capture volume with on-site BMPs required prior to consideration of regional and/or alternative programs.	
3.4	LID: new development/ significant redevelopment (XII.C.3 p. 54)	LID site design principles to reduce runoff must be to maximum extent practicable.		X	Maximum extent practicable standard could be barrier to use of regional and alternative programs.	

Stormwater Capture & Water Conservation: Key Provisions From Southern California MS4 Permits

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
3.5	LID: new development/ significant redevelopment (XII.C.5 p.55)	LID principles could be integrated into regional or sub-watershed management and/or alternative and in-lieu programs when there are constraining factors such as soil conditions, groundwater levels or contaminants, or space restrictions.	X	X	Provides for regional, alternative, and in-lieu programs. Alternative programs only permitted when constraining factors are present.	
3.6	LID: new development/ significant redevelopment (XII.C.7 p.56)	Sub-regional and regional LID permitted only after all on-site controls unable to manage the design capture volume. Priority is to implement LID principles as close to the site as possible		X	Sub-regional and regional LID not permitted as a first option even if such approaches accomplish greater pollutant load removals and/or are more economical. Required hierarchy limits use of sub-regional and regional approaches.	
3.7	Hydrological Conditions of Concern (XII. D.5 p. 58)	Hydrologic conditions of concern shall be addressed by preparing watershed master plans (WMPs).	X		WMPs provide for a regional approach to permit implementation at more local level. Placement of WMPs in section on hydromodification raises questions about use of WMPs to develop regional infiltration programs. Permit places limits on options to use regional solutions, and WMP must comply with permit requirements.	
3.8	Alternative & In-Lieu Programs (XII. E.1-4 p. 58-59)	“Vigorous feasibility analysis” required prior to use of alternative and in-lieu programs. Waivers for use of LID BMPs may be granted if a BMP is not technically feasible, other BMPs can achieve the same level of compliance, or cost greatly outweighs pollution control benefits. Urban runoff funds may be created for urban water quality improvement projects with funds from developers granted waivers. A water quality credit system may be established for alternative compliance approaches.		X	A disincentive to use of alternative and in-lieu programs. Provides waivers that may allow for use of alternative and in-lieu programs. Funds may be used to develop regional infiltration approaches.	

**Stormwater Capture & Water Conservation:
Key Provisions From Southern California MS4 Permits**

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
Orange County						
WDRs for Discharges of Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of Orange, the Incorporated Cities of Orange County, The Orange County Flood Control District Within the San Diego Region (Order No. R9-2009-0002, NPDES No. CAS0108740)						
4.1						
4.2						
Riverside County						
NPDES Permit and WDRs for the Riverside County Flood Control and Water Conservation District, the County of Riverside, and the Incorporated Cities of Riverside County Within the Santa Ana Region, Area-wide Urban Runoff Management Program (Order No. R8-2010-0033, NPDES No. CAS 618033)						
5.1	Watershed Action Plan, XII.B.3,85	Promotes regional approaches to addressing water quality, including regional BMP approaches to addressing Urban TMDL Waste Load Allocations and an evaluation of opportunities to retrofit existing MS4 to address TMDLs, hydromodification and LID.	X		Includes an opportunity to study and identify opportunities for regional stormwater capture. Permit allows for regional stormwater infiltration as an acceptable LID option. Per notes below, this option should be able to be considered concurrent with on-site solutions.	
5.2	WQMP, XII.D.8, 92	Minimum requirements for structural infiltration BMPs are set to protect groundwater resources, i.e., set backs to protect drinking water wells and limits on infiltration in areas of high groundwater and contamination.	X		Prevents contamination of groundwater basins.	
5.3	LID, XII.E.1, W.2,	Onsite LID principles as close to Pollution sources as possible shall be given preference, however, project site, sub-regional or	X	X	Promotes onsite infiltration.	

Southern California Water Committee (Regional Stormwater Task Force: Municipal Separate Storm Sewer Systems (MS4) Committee)
Version: August 17, 2011

Stormwater Capture & Water Conservation: Key Provisions From Southern California MS4 Permits

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	93	regional LID principles may also be applied. The Permittees shall require those projects identified in Section XII.D.2. to infiltrate, harvest and use, evapotranspire and/or biotreat 51 the 85th percentile storm event ("Design Capture Volume").			LID infiltration features may promote localized shallow infiltration and onsite capture and reuse of runoff that does not benefit groundwater recharge. Capture of 85% of storm events on-site may additionally reduce natural recharge that occurs in stream beds that would have normally received small storm runoff from a project.	
5.4	LID, XII.E.2, 93	Any portion of this volume that is not infiltrated, harvested and used, evapotranspired, and/or biotreated shall be treated and discharged in accordance with the requirements set forth in Section XII.G, below.		X	Section G (Alternatives and In-Lieu Programs) addresses waivers, credit systems and in-lieu cash payments for situations where LID is infeasible.	
5.5	LID, XII.E.3, 94	The Permittees shall incorporate LID site design principles into the revised WQMP to reduce runoff to a level consistent with the MEP standard. The design goal shall be to maintain or replicate the pre-development hydrologic regime through the use of design techniques that create a functionally equivalent post-development hydrologic regime through site preservation techniques and the use of integrated and distributed infiltration, retention, detention, evapotranspiration, filtration and treatment systems.	X	X	Use of MEP standard for site-design may be barrier for regional treatment. Stated design goal. However, permit language effectively results in capture of discharges from small-storm runoff events due to 85% capture.	
5.6	LID, XII.E.8, 96	Requires use of (in prioritized order): Infiltration, Harvest and Use, vegetated BMPs that promote infiltration and evapotranspiration.	X		Can use regional and onsite infiltration prior to consideration of Harvest and Reuse.	

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5.7	Alternatives and In-lieu, XII.G, 98-100	Allows for urban runoff funds and credits to be considered after technically-based determination of LID infeasibility.	X	X	Our permit appears to allow regional infiltration without feasibility test. However, if RWQCB interprets permit otherwise, this would be a impediment to regional stormwater capture.	
5.8	Field Verification of BMPs, XII.I.2, 101	Prior to occupancy, the Co-Permittees shall verify through visual observation that the BMPs are working and functional.		X	Regional treatment systems would need to be fully functional prior to operation/occupancy of a development. Timing issues could hinder willing developer participation in regional BMP programs.	
<p>Riverside County</p> <p>NPPDES Permit and WDRs for the County of Riverside, and the Incorporated Cities of Riverside County Within the San Diego Region, Area-wide Urban Runoff Management Program (Order No. R9-2010-0016 NPDES No. CAS0108766)</p>						
6.1	SSMP, F.1.d.(4) (4), 34	Each Copermitee must require each Priority Development Project to implement LID BMPs which will collectively minimize directly connected impervious areas, limit loss of existing infiltration capacity, and protect areas that provide important water quality benefits necessary to maintain riparian and aquatic biota, and/or are particularly susceptible to erosion and sediment loss.	X	X	Depends on how you define "existing infiltration capacity" and potential impacts on groundwater recharge.	
6.2	SSMP, F.1.d.(4)(c), 35	LID BMPs must be sized and designed to ensure onsite retention without runoff, of the volume of runoff produced from	X	X	LID BMPs must be deployed onsite. Requires technical infeasibility analysis to consider	

Southern California Water Committee (Regional Stormwater Task Force: Municipal Separate Storm Sewer Systems (MS4) Committee)
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		a 24-hour 85 th percentile storm event ¹³ ("design capture volume"); If onsite retention LID BMPs are technically infeasible per section F.1.d.(7)(b), other LID BMPs may treat any volume that is not retained onsite provided that the total volume of the other LID BMPs, including pore spaces and pre-filter detention volume, are sized to hold at least 0.75 times the portion of the design capture volume that is not retained onsite. The LID BMPs must be designed for an appropriate surface loading rate to prevent erosion, scour and channeling within the BMP.			regional infiltration/stormwater capture.	
6.3	SSMP, F.1.d.(8)(c), 39	All LID and treatment control BMPs must be located so as to remove pollutants from runoff prior to its discharge to any receiving waters. Multiple Priority Development Projects may use shared post-construction BMPs as long as construction of any shared BMP is completed prior to the use or occupation of any Priority Development Project from which the BMP will receive runoff. Post construction BMPs must not be constructed within a waters of the U.S. or waters of the State.		X	Requirement to provide treatment prior to discharge to receiving waters could limit use of regional treatment/stormwater capture BMPs.	
6.4	SSMP, F.1.e, 40	Prior to occupancy and/or intended use of any portion of the Priority Development Project subject to SSMP requirements, each Copermittee must inspect the constructed site design, source control, and treatment control BMPs applicable to the constructed portion of the project to verify that they have been constructed and are operating in compliance with all specifications, plans, permits, ordinances, and this Order.		X	Timing of BMPs may deter developers from participating in regional stormwater capture systems.	
6.5	Watershed Water Quality Workplan, G.1, 74	Requires watershed scale evaluation of water quality problems and watershed scale development of BMP mitigation.	X		May provide opportunities to identify and promote regional stormwater capture systems.	

**Stormwater Capture & Water Conservation:
Key Provisions From Southern California MS4 Permits**

San Bernardino County

NPDES Permit and WDRs for the San Bernardino County Flood Control, the County of San Bernardino, and the Incorporated Cities of San Bernardino County Within the Santa Ana Region, Area-wide Urban Runoff Management Program
(Order No. R8-2010-0036 NPDES No. CAS618036)

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
7.1	Municipal Inspection Programs (Section X.A., pp. 64 of 125 through 72 of 125)	The Permittees shall maintain and update facility inventory, conduct inspections, develop a risk-based scoring system to prioritize inspections and develop inspection frequencies, and evaluate the effectiveness of their respective programs. Additionally, each Permittees should encourage new developments to use weather-based evapotranspiration (ET) irrigation controllers.	X		Establishing and maintaining an inventory and risk-based scoring system helps each Permittee to better manage stormwater capture and treatment, by making the inspection process more efficient. Encouraging new developments to use weather-based ET irrigation controllers helps to promote water conservation.	
7.2	New Development (Including Significant Re-Development) (Section XI.B., pp. 73 of 125 through 76 of 125)	The Permittees shall develop an integrated watershed management approach (Watershed Action Plan or WAP) to improve integration of planning and approval processes with water quality and quantity control measures.	X		Improved coordination of existing programs and improved integration of water quality, stream protection, storm water management, water conservation and re-use.	
7.3	Section XI.B.3.a.iv, p. 74	The Permittee shall identify other existing watershed efforts including the Chino Basin Master Plan, SAWPA's IRWMP, etc., and their role in the WAP.	X		Requires consideration of Chino Basin Master Plan, which is assumed to mean the Chino Basin Watermaster 2010 Recharge Master Plan Update.	

Southern California Water Committee (Regional Stormwater Task Force: Municipal Separate Storm Sewer Systems (MS4) Committee)
Version: August 17, 2011

Stormwater Capture & Water Conservation: Key Provisions From Southern California MS4 Permits

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
7.4	Section XI.B.3.a.ix, p. 75	Conduct a system-wide evaluation to identify opportunities to retrofit existing storm water conveyance systems, parks, and other recreational areas with water quality protection measures, and develop recommendations for specific retrofit studies that incorporates opportunities for addressing applicable TMDL implementation plans, hydromodification management, and/or LID implementation within the permitted area.	X	X	Supports use of existing regional facilities to improve water quality and achieve LID goals. However permit did not allow enough time to meaningfully evaluate and distinguish between projects which can actually be implemented versus purely theoretical "opportunities" which have little chance of being implemented in the near term due to jurisdictional and land ownership issues. This had to be done as part of the WAP Phase I which was due 12 months after permit issuance.	
7.5	Section XI.B.3.a.xi, p. 75	Invite participation and comments from resource conservation districts, water and utility agencies, state and federal agencies, non-governmental agencies and other interested parties in the development and use of the Watershed Geodatabase;	X		Recognizes the need to integrate water supply objectives in water quality planning.	
7.6	Section XI.B.3.b.vi, p. 76	Develop recommendations for streamlining regulatory agency approval of regional treatment control BMPs. The recommendations should include information needed to be submitted to the Regional Board for approval of regional treatment control BMPs. At a minimum, this information should include: BMP location; type and effectiveness in removing pollutants of concern; projects tributary to the regional treatment system; engineering design details; funding sources for construction, operation and maintenance; and parties responsible for monitoring effectiveness, operation and maintenance. The Permittees are encouraged to	X	X	Opens door to regional treatment BMPs, but does not recognize the time involved in developing meaningful recommendations which can actually be implemented. This must be done as part of the WAP Phase 2 which is due 2 ½ years after permit issuance (12 months after WAP Phase I is approved).	

**Stormwater Capture & Water Conservation:
Key Provisions From Southern California MS4 Permits**

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
7.7	New Development (Including Significant Re-Development) (Section XI.D., pp. 78 of 125 through 82 of 125)	collaborate and work with other counties to facilitate and coordinate these recommendations. The Permittees shall continue to require Water Quality Management Plans (WQMP) for priority projects. Additionally, treatment control BMPs that are designed to function primarily as infiltration devices must comply with certain requirements to protect groundwater.	X		Facilitates effective management of on-site storm water capture. Helps the discharger to avoid groundwater contamination.	
7.8	New Development (Including Significant Re-Development) (Section XI.D., p. 82 of 125)	For treatment control BMPs that are designed to function primarily as infiltration devices, source control and pollution prevention control BMPs shall be implemented to protect groundwater quality. The need for pre-treatment BMPs such as sedimentation or filtration should be evaluated prior to infiltration		X	Impedes infiltration projects by requiring a case-by-case evaluation of the need for pretreatment. There should be a simple, streamlined procedure established by the Regional Board, so it is not necessary to reinvent the wheel each time, especially since in most cases there is no need for pretreatment. Could lead to lining treatment control ponds where it is not needed, which would prevent infiltration.	
7.9	Low Impact Development (LID) and Hydromodification Management to Minimize Impacts from New Development /	Mimic pre-development site hydrology through technically and economically feasible source control and site design techniques, by combining hydrologically functional site design with pollution prevention methods to compensate for land development impact on hydrology and water quality. Each Permittee shall evaluate any potential barriers to implementing LID principles. To facilitate implementation of LID BMPs, the Permittees should consider revising their ordinances, codes and building and landscape design standards. The Permittees shall promote green infrastructure / LID BMP implementation and	X		Encourages better stormwater capture on site, and can also improve the overall aesthetics of the project, if technically and economically feasible. One potential concern, however, would be maintenance.	

Stormwater Capture & Water Conservation: Key Provisions From Southern California MS4 Permits

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
	Significant Redevelopment (Section XI.E., pp. 83 of 125 to 88 of 125)	identify the applicable LID principles in the project specific WQMP.				
7.10	Alternatives and In-Lieu Programs (Section XI.G., pp 89 of 125 to 90 of 125)	<p>“Vigorous feasibility analysis” required prior to use of alternative and in-lieu programs.</p> <p>Waivers for use of LID BMPs may be granted if a BMP is not technically feasible, other BMPs can achieve the same level of compliance, or cost greatly outweighs pollution control benefits.</p> <p>Urban runoff funds may be created for urban water quality improvement projects with funds from developers granted waivers. A water quality credit system may be established for alternative compliance approaches.</p>	X	X	<p>A disincentive to use of alternative and in-lieu programs.</p> <p>Provides waivers that may allow for use of alternative and in-lieu programs.</p> <p>Funds may be used to develop regional infiltration approaches. It is not clear how this would work.</p>	
7.11	Findings, No. 6	To the maximum extent practicable, LID BMPs must be implemented at the project site. The Regional Board recognizes that site conditions, including site soils, contaminant plumes, high groundwater levels, etc., could limit the applicability of infiltration and other LID BMPs at certain project sites. Where LID BMPs are not feasible at the project site, more traditional, but equally effective control measures should be implemented. This Order provides for alternatives and in-lieu programs where the preferred LID BMPs are infeasible.	X		The Regional Board has not established clear guidelines for feasibility analyses, so this could impede approval of off-site infiltration.	

**Stormwater Capture & Water Conservation:
Key Provisions From Southern California MS4 Permits**

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
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San Diego County

WDRs for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, the San Diego Unified Port District, and the San Diego Regional Airport Authority Region
(Order No. R9-2007-0001, NPDES No. CAS0108758)

8.1	Discharge Characteristics (Finding C.11, p.5)	“Although dependent on several factors, the risks typically associated with properly managed infiltration of runoff (especially from residential land use areas) are not significant. The risks associated with infiltration can be managed by many techniques, including (1) designing landscape drainage features that promote infiltration of runoff, but do not “inject” runoff (injection bypasses the natural processes of filtering and transformation that occur in the soil); (2) taking reasonable steps to prevent the illegal disposal of wastes; (3) protecting footings and foundations; and (4) ensuring that each drainage feature is adequately maintained in perpetuity.”	X	X	Stresses the value of infiltration of runoff and provides proposed solutions to impediments to infiltration techniques. Stresses a site specific approach that might impede infiltration for groundwater recharge.	
8.2	Urban Runoff Management Programs, Development Planning (Finding D.2.6, p. 7)	“LID BMPs help preserve and restore the natural hydrologic cycle of the site, allowing for filtration and infiltration which can greatly reduce the volume, peak flow rate, velocity, and pollutant loads of urban runoff.”	X	X	Stresses the value of infiltration. Fails to link infiltration to water supply and only emphasizes the water quality benefits.	
8.3	Statute and Regulatory Considerations (Finding E.10, p. 11)	“Urban runoff treatment and/or mitigation must occur prior to the discharge of urban runoff into a receiving water. Federal regulations at 40 CFR 131.10(a) state that in no case shall a state adopt waste transport or waste assimilation as a designated use for any waters of the U.S. Authorizing the construction of an	X	X	Inhibits Regional approaches to stormwater management that could allow for greater water supply benefits.	

Stormwater Capture & Water Conservation: Key Provisions From Southern California MS4 Permits

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
8.4	Jurisdictional Urban Runoff Management Program – Development Planning Component (D.1.C.(2), p. 16)	<p>urban runoff treatment facility within a water of the U.S., or using the water body itself as a treatment system or for conveyance to a treatment system, would be tantamount to accepting waste assimilation as an appropriate use for that water body. Furthermore, the construction, operation and maintenance of a pollution control facility in a water body can negatively impact the physical, chemical and biological integrity, as well as the beneficial uses, of the water body. This is consistent with USEPA guidance to avoid locating structural controls in natural wetlands.”</p> <p>“The requirements shall include, but not be limited to, implementation by the project proponent of the following:</p> <p>(2) LID BMPs where feasible which maximize infiltration, provide retention, slow runoff, minimize impervious footprint, direct runoff from impervious areas into landscaping, and construct impervious surfaces to minimum widths necessary;”</p>	X	X	<p>Stresses the value of infiltration.</p> <p>Stresses a site specific approach that might impede infiltration for groundwater recharge.</p>	
8.5	Jurisdictional Urban Runoff Management Program – Development Planning Component – Low Impact Development (LID) BMP	<p>“(4) <u>Low Impact Development (LID) BMP Requirements</u></p> <p>Each Copermittee shall require each Priority Development Project to implement LID BMPs which will collectively minimize directly connected impervious areas and promote infiltration at Priority Development Projects:</p> <p>(a) The following LID site design BMPs shall be implemented at all Priority Development Projects as required below:</p>	X	X	<p>Stresses the value of infiltration.</p> <p>Stresses a site specific approach that might impede infiltration for groundwater recharge.</p>	

**Stormwater Capture & Water Conservation:
Key Provisions From Southern California MS4 Permits**

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
	Requirements (D.1.d.(4), pp. 19-22).	<p>i. For Priority Development Projects with landscaped or other pervious areas, drain a portion of impervious areas (rooftops, parking lots, sidewalks, walkways, patios, etc.) into pervious areas prior to discharge to the MS4. The amount of runoff from impervious areas that is to drain to pervious areas shall correspond with the total capacity of the project's pervious areas to infiltrate or treat runoff, taking into consideration the pervious areas' soil conditions, slope and other pertinent factors.</p> <p>ii. For Priority Development Projects with landscaped or other pervious areas, properly design and construct the pervious areas to effectively receive and infiltrate or treat runoff from impervious areas, taking into consideration the pervious areas' soil conditions, slope and other pertinent factors.</p> <p align="center">* * *</p> <p>(6) Treatment of Control BMP Requirements¹</p> <p>Each Copernittee shall require each Priority Development Project to implement treatment control BMPs which meet the following treatment control BMP requirements:</p> <p>(a) Treatment control BMPs for all Priority Development Projects shall mitigate (infiltrate, filter</p>				

¹ LID BMPs that are correctly designed to effectively infiltrate, filter or use runoff can be considered treatment control BMPs. Southern California Water Committee (Regional Stormwater Task Force: Municipal Separate Storm Sewer Systems (MS4) Committee) Version: August 17, 2011

**Stormwater Capture & Water Conservation:
Key Provisions From Southern California MS4 Permits**

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Impedes Supports	Comments	Future Action (If any)
		<p>or treat) the required volume or flow of runoff (identified in section D.1.d(6)(c)) from all developed portions of the project, including landscaped areas.</p> <p>(b) All treatment control BMPs shall be located so as to infiltrate, filter or treat the required runoff volume or flow prior to its discharge to any waters of the U.S. Multiple Priority Development Projects may use shared treatment control BMPs as long as construction of any shared treatment control BMP is completed prior to the use or occupation of any Priority Development Project from which the treatment control BMP will receive runoff.</p> <p>(c) All treatment control BMPs for a single Priority Development Project shall collectively be sized to comply with the following numeric sizing criteria:</p> <ul style="list-style-type: none"> i. Volume based treatment control BMPs shall be designed to mitigate (infiltrate, filter or treat) the volume of runoff produced from a 24-hour 85th percentile storm event, as determined from the County of San Diego's 85th Percentile Precipitation Isopluvial Map; or ii. Flow based treatment control BMPs shall be designed to mitigate (infiltrate, filter or treat) either: a) the maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour, for each hour of a storm event; or b) the maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity (for 			

**Stormwater Capture & Water Conservation:
Key Provisions From Southern California MS4 Permits**

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
8.6	Jurisdictional Urban Runoff Management Program-Development Planning Component-Infiltration and Groundwater Protection (D.1.d.(12), pp. 23-24)	<p>(12) Infiltration and Groundwater Protection</p> <p>each hour of a storm event), as determined from the local historical rainfall record, multiplied by a factor of two.</p> <p align="center">* * *</p> <p>To protect groundwater quality, each Copermittee shall apply restrictions to the use of treatment control BMPs that are designed to primarily function as centralized infiltration devices (such as large infiltration trenches and infiltration basins). Such restrictions shall be designed so that the use of such infiltration treatment control BMPs shall not cause or contribute to an exceedance of groundwater quality objectives. At a minimum, each treatment control BMP designed to primarily function as a centralized infiltration device shall meet the restrictions below, unless it is demonstrated that a restriction is not necessary to protect groundwater quality. The Copermittees may collectively or individually develop alternative restrictions on the use of treatment control BMPs which are designed to primarily function as centralized infiltration devices. Alternative restrictions developed by the Copermittees can partially or wholly replace the restrictions listed below. The restrictions are not intended to be applied to small infiltration systems dispersed throughout a development project.</p> <p>(a) Urban runoff shall undergo pretreatment such as sedimentation or filtration prior to infiltration;</p>	X	X	Protects groundwater quality. Stresses site specific approaches over larger scale infiltration approaches.	

**Stormwater Capture & Water Conservation:
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Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
		<p>(b) All dry weather flows containing significant pollutant loads shall be diverted from infiltration devices;</p> <p>(c) Pollution prevention and source control BMPs shall be implemented at a level appropriate to protect groundwater quality at sites where infiltration treatment control BMPs are to be used;</p> <p>(d) Infiltration treatment control BMPs shall be adequately maintained so that they remove pollutants to the MEP;</p> <p>(e) The vertical distance from the base of any infiltration treatment control BMP to the seasonal high groundwater mark shall be at least 10 feet. Where groundwater basins do not support beneficial uses, this vertical distance criteria may be reduced, provided groundwater quality is maintained;</p> <p>(f) The soil through which infiltration is to occur shall have physical and chemical characteristics (such as appropriate cation exchange capacity, organic content, clay content and infiltration rate) which are adequate for proper infiltration durations and treatment of urban runoff for the protection of groundwater beneficial uses;</p> <p>(g) Infiltration treatment control BMPs shall not be used for areas of industrial or light industrial activity; areas subject to high vehicular traffic (25,000 or greater average daily traffic on main roadway or 15,000 or more average daily traffic on any intersecting roadway); automotive repair shops; car</p>				

**Stormwater Capture & Water Conservation:
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Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
		<p>washes; fleet storage areas (bus, truck, etc.); nurseries²; and other high threat to water quality land uses and activities as designated by each Permittee; and</p> <p>(h) Infiltration treatment control BMPs shall be located a minimum of 100 feet horizontally from any water supply wells.</p>				

Ventura County

WDRs for Storm Water (Wet Weather) and Non-storm Water (Dry Weather) Discharges from the MS4 within the Ventura County Watershed Protection District, County of Ventura and the Incorporated Cities therein
 (Order No. R4-2010-0108; NPDES Permit No. CAS004002 May 7, 2009 Final – Corrected January 13, 2010)

9.1	<p>New Development/ Redevelopment Performance Criteria (III.1.a, p. 52)</p>	<p>“1. Integrated Water Quality/Flow Reduction/Resources Management Criteria (a) Except as provided in subpart 4.E.III.1.(c) below, Permittees shall require all New Development and Redevelopment projects identified in subpart 4.E.II to control pollutants, pollutant loads, and runoff volume emanating from impervious surface through infiltration, storage for reuse, evapotranspiration, or bioretention/biofiltration by reducing the percentage of Effective Impervious Area (EIA) to 5 percent or less of the total project area.”</p>	X	X	<p>The provision incorporates Low Impact Development concept into certain new development and redevelopment projects. The goal is to mitigate the impacts resulting from impervious areas. Encourages and gives higher priority to capture/recharge/reuse.</p>	<p>If infeasibility criteria met, option for regional detention/retention (groundwater recharge) through alternative mitigation program in lieu of site-specific options.</p>
9.2	<p>Findings Nature of</p>	<p>...Staff finds that there is consensus in the technical community that site conditions and the type of development can limit the</p>	X	X	<p>Finding acknowledges that it is not always possible or desirable to infiltrate on site.</p>	

² Except with regard to treated nursery runoff or clean storm water runoff.

Stormwater Capture & Water Conservation: Key Provisions From Southern California MS4 Permits

Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
	Discharge (B. 19, p. 7)	<p>feasibility of retaining, infiltrating, and reusing stormwater at sites due to a variety of site specific conditions. Factors that affect the feasibility of a fixed volume capture standard include, but are not limited to: soils infiltration capacity, subsurface pollution, and locations in urban core centers.</p> <p>Regarding the effects of capturing a fixed stormwater volume on site, Staff finds the fixed volume approach may be ignoring basic hydrological principles that relate the feasible infiltration volume to the infiltration capacity of local soils. Requirements to capture a fixed volume onsite could disturb the natural water balance and lead to unintended engineering and hydrologic consequences.....</p>				
9.3	Federal State and Regional Regulations (E 16 (b) page 18)	<p>...The State Water Board's Chief Counsel interpreted the Order [State Board Order No. WQ 2000-11] to encourage regional solutions and endorsed a mitigation fund or "bank" as alternatives for new development and significant redevelopment. The Regional Board has included provisions for regional solutions and the establishment of a mitigation bank in this Order.</p>	X		Acknowledges that regional solutions should be encouraged	
9.4	Federal State and Regional Regulations (E 17 page 18)	<p>The Regional Water Board supports Watershed Management Planning to address water quality protection in the region. The objective of the Watershed Management planning is to provide a comprehensive and integrated strategy towards water resource protection, enhancements, and restoration while balancing economic and environmental impacts within a hydrologically defined drainage basin or watershed.</p>	X		Statement in support of comprehensive and integrated strategy	
9.5	Part 4 – Special Provisions Baseline E.	<p>Prioritize the selection of BMPs suites to remove storm water pollutants, reduce storm water runoff volume, and beneficially reuse storm water to support an integrated approach to protecting water quality and managing water resources in the</p>	X		Statement indicates that within the Planning and Land Development Program, infiltration is the principle BMP approach.	

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Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
9.6	Planning and Development Program I. Purpose 1 (f) p. 50	<p>following order of preference:</p> <p>(1) Infiltration BMPs</p> <p>(2) BMPs that store and reuse storm water runoff....</p> <p>Hydromodification (Flow/Volume/Duration) Control Criteria</p> <p>(a) Each Permittee shall require all New Development and Redevelopment projects identified in subpart 4.E.II to implement hydrologic control measures, to prevent accelerated downstream erosion and to protect stream habitat in natural drainage systems. The purpose of the hydrologic controls is to minimize changes in post development hydrologic storm water runoff discharge rates, velocities and duration. This shall be accomplished by maintaining the project's pre-storm water runoff flow rates and durations....</p> <p>(3) Exemptions to Hydromodification Controls. Permittees may exempt the following New Development and Redevelopment projects from implementation of Hydromodification controls where assessments of downstream channel conditions and proposed discharge hydrology indicate that adverse Hydromodification effects to present and future beneficial uses of Natural Drainage Systems are unlikely....</p>		X	<p>However, by identifying implementation of infiltration in the context of planning and land development, the permit's direction begins to narrow to site specific development issues.</p> <p>Presents purpose of hydromodification change restrictions on individual development sites within a drainage area and also presents exemptions based on existing downstream conditions and some project conditions. Provides opportunity to argue for regional solutions in specific watersheds that meet the exemption criteria.</p>	<p>Incorporate an example into the White Paper.</p>
9.7	New Development/ Redevelopment Criteria (III.3.a, p. 55)	<p>2. Alternative Compliance for Technical Infeasibility</p> <p>(b) To utilize alternative compliance measures, the project applicant must demonstrate that compliance with the applicable</p>	X	X	<p>Focus is on water quality protection criteria, and hydromodification rather than broader values of infiltration. Benefits must be demonstrated in a</p>	

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Item No.	Section Title (Section number, permit page #)	Summary (or Excerpt) of Key Provision	Supports	Impedes	Comments	Future Action (If any)
	t Performance Criteria (III.3.a, p. 53-54)	post-construction requirements would be technically infeasible by submitting a site-specific hydrologic and/or design analysis conduct and endorsed.... © Alternative Compliance Measures ...			project's own hydrologic basin .	
Statewide Small MS4						
WDRs for Storm Water Discharges from Small MS4s (General Permit) State Water Resources Control Board Water Quality Order No. XXXX-XXXX-DWQ, NPDES GENERAL PERMIT NO. CASXXXXXXXXX Draft Phase II June 7, 2011						
10.0						
10.1	E. 12.b.4 Interim Hydro-modification Management p. 70	(i) Task Description – The Permittee shall develop and implement Interim Hydromodification Management procedures. Hydromodification management projects are Regulated Projects that create and/or replace one acre or more of impervious surface. A project that does not increase impervious surface area over the pre-project condition is not a hydromodification management project.	X		Management of runoff is strictly managed site by site based on geomorphic province location.	

Talking Points

October 31, 2011

1. Individual Permits-Opening Comments
 - a. Ref: RWQCB staff report pg 4
 - b. City Permittees
 - c. Flood Control Districts

2. Ambient/Scientific Sampling
 - a. Limit enforcement/liability exposure
 - b. Clarify that mass emissions data are only intended to estimate the mass emissions from the MS4 and not to measure compliance

3. Iterative BMPs
 - a. Versus numeric limits ref: RWQCB staff report pg 8 through 10

4. Joint and Severable Liability
 - a. Remove all Joint and Severable language, or
 - b. The Permit should contain the following language:
 - i. "No joint and several responsibility exists under the permit, and individual Permittees are only responsible for exceedances of water quality standards that result from their individual discharges.

5. Low Impact Development
 - a. Infill/redevelopment limitations
 - b. Unique characteristic of jurisdictions
 - c. Clear guidance when BMP types are acceptable

6. Design Storm
 - a. Ref: RWQCB staff report pg 7)

7. Permit Timeline options
 - a. May 2012
 - b. Delay permit for clarifications
 - c. Permit (current) extension

8. AB 2554: Remove references (still requires voter approval)
 - a. Ref: RWQCB staff report pgs 3 & 4

Renee Purdy - Call in Number for 1PM Conference Call

From: Chris Minton <ChrisM@lwa.com>
To: "Unger, Samuel" <sunger@waterboards.ca.gov>, "dsmith@waterboards.ca.gov" ...
Date: 11/2/2011 9:03 AM
Subject: Call in Number for 1PM Conference Call
CC: Karen Cowan <KarenC@lwa.com>, Mack Walker <MackW@lwa.com>

Hello All,

Please use the following dial in number for our call at 1PM this afternoon.

Number: 888-251-2909
Access code: 6216908#

Thanks,

Chris

Chris Minton
Associate

Larry Walker Associates
1629 Queen Anne Ave N, Suite 104
Seattle, WA 98109
Direct: 206-257-0610
Cell: 310-743-6235
www.lwa.com

ATTENDEES

Shahram Kharaghani
Donna Chen
Shlofeh S.
Kostas K.
Mac Walker
Karen Cowan
Chris Minton

LWA

Renee Purdy - LA MS4 Permit Meeting

From: Heather Maloney <hmaloney@ci.monrovia.ca.us>
To: "sunger@waterboards.ca.gov" <sunger@waterboards.ca.gov>
Date: 11/3/2011 6:58 PM
Subject: LA MS4 Permit Meeting

Hi Sam,

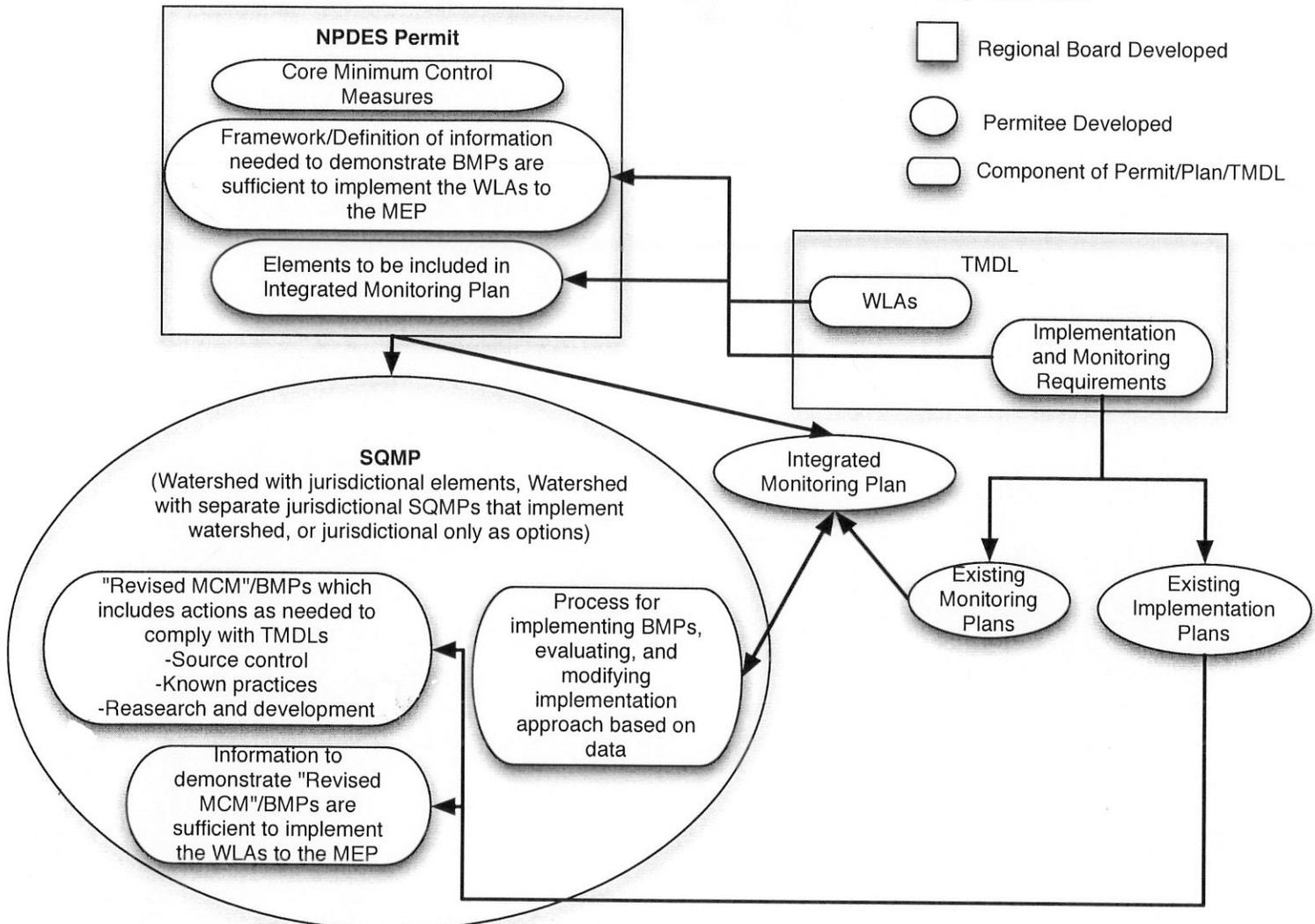
The LA Permit Group is very much looking forward to meeting with you and your staff on Monday to discuss the upcoming LA County MS4 Permit. We have some general discussion items for the meeting, but also had several questions we weren't sure if the meeting time would allow for. Instead of spending time at our meeting on the items below, could you provide information related to the following questions via email please? The page numbers below refer to the memo ("Los Angeles County MS4 Permit Status and Development") that was emailed out with the November 10th workshop notice.

1. How are you addressing EPA TMDLs and Implementation Plans?
2. How are you addressing those agencies that are requesting their own permit?
3. Stormwater Program Management
 - a. Can you clarify what's being considered for A) "Level of permittee effort"; and B) "Demonstration of required effort".
 - b. How are you addressing facilities that the State issues permits?
4. Please clarify the following statement from the memo (page 10) "In the Regional Board's deliberations on the Ventura County MS4 Permit, the Regional Board supported outfall monitoring, but rejected the use of action levels as proposed." Does this preclude Action Levels in the LA Permit and why?
5. Development Planning (pg. 6)
 - a. How are you addressing existing LID programs in LA County such as LA County and City of LA's Ordinances?
 - b. LID program should be flexible and developed based on the unique characteristics of LA County (ex. Hydrology, varying water tables, soil contaminations, groundwater contamination plumes, soils types, etc.).
 - c. Inspections and BMP Tracking system seems time consuming and costly to administer the program.
6. IC/ID Program (pg.5)
 - a. Are you planning to change the list of exempted discharges? If so, what did you have in mind?
 - b. Inspections (18" from 36"), mapping in a GIS format will be expensive. Some Cities do not have a GIS system.
7. PIPP (pg. 7; 1st page of PIPP table)
 - a. Since there is no principle permittee designated in the permit, what level of effort are you expecting for individual permittees?
 - i. This program should just include a goal and allow each individual municipality to determine how they will reach the goal.
 - ii. Should not be managed by an Citizen Oversight Committee – needs to be local and customized to each community's constituents.
8. "Watercourse " is referenced in the current permit, but not defined; What's your definition for a water course?

Thank you!

<u>NAME</u>	<u>AGENCY</u>	<u>PHONE</u>
Patricia Ellkins	Carson	310 847-3529
RAY TAHIRI	RES ENV.	626.396.9424
Heather Merenda	Santa Clarita	661 284 1413
John Hunter	JLHA	562 802 7880
John Dettle	Torrance	310 618 3059
Joe Bellomo	Cities of Agoura Hills & Westlake Village	805 279 6856
R Purdy	RWQCB	(213) 576-6622
Deb Smith	"	213-576-6609
Juan K Ridgeway	WARWQCB	(213) 620-2150
Heather Maloney	Monrovia	626 932 5577

Proposed Flow Chart for How Integrated Planning Would Work in the LA County MS4 Permit



Key elements

- SQMP developed for permit term
- Adjustments made based on data following process in SQMP, but SQMP not revised until next permit term or ROWD
- Iterative process for receiving water limits needs to be included as well (though think you should argue not have to do any more than TMDLs during this permit term)
- Needs to include provisions for research and development
- Permit needs to define implementation of approved plan as compliance, not require meeting any numeric milestones or "reasonable assurance" estimates, especially if new BMPs are being tried out
- Permit explicitly states that core MCM requirements can be added or deleted as part of the "Revised MCM" program to demonstrate BMPs are sufficient to implement WLAs.

Meeting November 30, 2011

Meeting Attendees:

Renee Purdy, LARWQCB

Mark Gold, Heal the Bay

Noah Garrison, NRDC

Liz Crossin, Santa Monica Baykeeper

Renewal of the Los Angeles County Municipal Stormwater NPDES Permit

Los Angeles Regional Water Quality Control Board

Los Angeles County Flood Control District

Meeting on December 1, 2011

AGENDA

- I. Implement TMDL WLAs
- II. Compliance determination in a comingled system
- III. Executive Officer's report to Board members
- IV. TMDL reopeners
- V. Design storm
- VI. Workshops

Non-stormwater discharges -

*- Superfund discharges -
 a) intermittent well discharges*

Renee Purdy - MS4 Discussion with Regional Board - City of Los Angeles

From: shahram.kharaghani@lacity.org
To: "rpurdy@waterboards.ca.gov" <rpurdy@waterboards.ca.gov>, "mackw@lwa.com" ...
Date: 12/12/2011
Time: 9:00 AM - 10:30 AM
Subject: MS4 Discussion with Regional Board - City of Los Angeles
Place: TBD at Regional Board
Attachments: rfc2445.ics; invite.ics

MS4 Discussion with Regional Board - City of Los Angeles[more details »](#)

Discussion of MS4, in particular, the inclusion of TMDLs language into the MS4 permit Part 7 following a dual track approach as it was discussed in our last meeting. Time permitting, we will also discuss the Receiving Water Limitation Section Part 2 "Cause and contribute" as relates to the recent 9th Circuit Court decision.

When Mon Dec 12 9am – 10:30am Pacific Time

Where TBD at Regional Board ([map](#))

Calendar rpurdy@waterboards.ca.gov

Who

- shahram.kharaghani@lacity.org - organizer
- mackw@lwa.com
- Robert Vega
- Donna Toy Chen
- dsmith@waterboards.ca.gov
- rpurdy@waterboards.ca.gov
- Kosta Kaporis
- chrism@lwa.com
- iridgeway@waterboards.ca.gov
- karenc@lwa.com
- sunger@waterboards.ca.gov
- Lisa LaFrance

Going? [Yes](#) - [Maybe](#) - [No](#) [more options »](#)

Invitation from [Google Calendar](#)

You are receiving this courtesy email at the account rpurdy@waterboards.ca.gov because you are an attendee of this event.

To stop receiving future notifications for this event, decline this event. Alternatively you can sign up for a Google account at <https://www.google.com/calendar/> and control your notification settings for your entire calendar.

MS4 PERMIT RENEWAL PROCESS

Meeting with staff from
City of Los Angeles, Watershed Protection Division
and
Los Angeles Regional Water Quality Control Board

December 12, 2011

9:00 AM – 10:30 AM

AGENDA

- 1. Introductions and Agenda Overview**
- 2. Incorporation of TMDLs and Other Related Issues**
- 3. December 15th Workshop Topics**
 - Core Program Requirements
 - Options for flexibility in the above to address watershed priorities
 - Tentative approach to addressing non-stormwater MS4 discharges
- 4. Clarity on Approach/Intent for Certain Issues**
- 5. Schedule Additional Meetings**
- 6. Action Items**

MS4 MEETING WITH THE CITY OF LOS ANGELES
 LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
 DECEMBER 12, 2011

Name	Representing	Address	Phone	E-mail Address
R Purdy	RWQCB	320 W 4th St Los Angeles, CA 90013	(213) 620-2150	rpurdy@waterboards.ca.gov
I. Ridgeway	WARWQCB	1149 S. Broadway	213 485-0587	iridgeway@waterboards.ca.gov
Shahram Kharaghani	CLA-WPD	"	485-0586	shahram.kharaghani@cityofla.org
Kosta Kaporis	CLA-WPD	720 Wilshire Blvd Santa Monica, CA	310 374-1036	kosta.kaporis@cityofla.org
Karla Couvan	Lamy Walker	320 W 4th	213-576-6609	KarenC@lw.com
Deb Smith	RWQCB	320 W 4th	213-576-6609	dsmith@waterboards.ca.gov
Sam Unger	RWQCB	320 W 4th	213-576-6605	sunger@waterboards.ca.gov
Mac Walker	LWA (via telecon)			
Chris Minton	LWA (via telecon)			

DRAFT

MEMORANDUM

L A R R Y
W A L K E R

ASSOCIATES

DATE: November 17, 2011

TO: Shahram Kharaghani, City of Los Angeles,
Watershed Protection Division (WPD)

COPY TO: Robert Vega, WPD
Donna Toy-Chen, WPD
Kosta Kaporis, WPD

SUBJECT: Approaches to Incorporating TMDL WLAs into
NPDES Stormwater Permits

KAREN COWAN

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Federal regulations specifically require the incorporation of Waste Load Allocations (WLAs) developed to implement Total Maximum Daily Loads (TMDLs) into National Pollutant Discharge Elimination System (NPDES) permits.¹ However, Federal and State regulations and guidance on how, and in some circumstances when, WLAs are to be incorporated into an NPDES stormwater permit are less specific. The City of Los Angeles (hereafter the City) has been identified as a responsible party in 17 Los Angeles Regional Water Quality Control Board (LARWQCB) adopted TMDLs. An additional two TMDLs affecting the City are expected to be promulgated by the United States Environmental Protection Agency (USEPA) prior to April 2012 to meet requirements of the 1999 consent decree between USEPA and Heal the Bay, Inc. and the Santa Monica BayKeeper, Inc.,² and 2010 amendment to that decree³ (herein referred to as the Consent Decree). The incorporation of TMDLs into the reissuance of the City's NPDES permit for discharges from the City's municipal separate storm sewer system (MS4) will have a significant impact on the City's stormwater compliance program and its ongoing investment in TMDL implementation plans. As a result, this memorandum has been prepared to assist the City in its efforts to identify a constructive and regulatory valid approach to incorporating TMDL requirements in the forthcoming MS4 permit.

This memorandum includes the following sections:

- A review of recently reissued Southern California MS4 permits to examine options for incorporating WLAs into the reissued MS4 permit;
- A summary of additional considerations in the development of TMDL provisions;

¹ 40 CFR 122.44(d)(1)(vii)(B)

² Heal the Bay Inc., et al. v. Browner, et al. C 98-4825 SBA

³ <http://www.epa.gov/region09/water/tmdl/progress.html>

- A recommended approach to incorporating WLAs into the forthcoming MS4 permit; and
- Example permit language.

Based upon discussions with City staff, the assessments in this memorandum focus on BMP-based approaches to incorporating TMDLs into the MS4 permit.

1 INCORPORATION OF TMDL WLAs IN RECENT SOUTHERN CALIFORNIA MS4 PERMITS

The approaches to incorporate TMDL WLAs were reviewed for the following three MS4 permits:

- San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County within the Santa Ana Region⁴ (hereafter the San Bernardino County MS4 Permit) issued by the Santa Ana Regional Water Quality Control Board (SARWQCB);
- Municipal Separate Storm Sewer Systems within the Ventura County Watershed Protection District, County of Ventura, and the Incorporated Cities Therein⁵ (hereafter the Ventura County MS4 Permit) issued by the LARWQCB;
- Municipal Storm Water and Urban Runoff Discharges within the County of Los Angeles, and the Incorporated Cities therein, except the City of Long Beach⁶ (hereafter Los Angeles County MS4 Permit).
- The County of Orange, Orange County Flood Control District and the Incorporated Cities of Orange County within the Santa Ana Region⁷ (hereafter the North Orange County MS4 Permit) issued by the SARWQCB.
- The County of Orange, The Incorporated Cities of Orange County, and the Orange County Flood Control District within the San Diego Region⁸ (hereafter the South Orange County MS4 Permit) issued by the San Diego Regional Water Quality Control Board (SDRWQCB).

1.1 SAN BERNARDINO COUNTY MS4 PERMIT

The San Bernardino MS4 Permit incorporates WLAs for the Middle Santa Ana River Bacteria TMDL and the Big Bear Lake Nutrient TMDL, both TMDLs resulting from Basin Plan Amendments adopted by the SARWQCB. The WLAs for the TMDLs are explicitly incorporated as water quality based effluent limits (WQBELs), including interim and final WQBELs for the Middle Santa Ana River Bacteria TMDL. Furthermore, the WLAs are incorporated as WQBELs expressed as BMPs (for this permit, the term “BMP-based compliance” refers to all action-based requirements). The BMP-based compliance approach includes explicit implementation measures, consistent with the implementation plans of the TMDLs. The permit provides a separate, stand alone provision on how compliance with the WLAs will be determined⁹.

“The determination of compliance with the WLAs shall be based on the implementation of the BMPs specified in the implementation plans for the approved TMDLs or based on plans

⁴ Order R8-2010-0036, NPDES Permit No. CAS618036

⁵ Order R4-2010-0108, NPDES Permit No. CAS004002

⁶ Order No. 01-182, NPDES Permit No. CAS004001, (Amended on September 14, 2006 by Order R4-2006-0074; August 9, 2007 by Order R4-2007-0042; December 10, 2009 by Order R4-2009-0130; and October 19, 2010 and April 14, 2011 pursuant to the peremptory writ of mandate in L.A. Superior Court Case No. BS122724

⁷ Order No. R8-2009-0030 (NPDES No. CAS 618030) as amended by Order No. R8-2010-0062

⁸ Order No. R9-2009-0002 (NPDES No. CAS 0108740)

⁹ San Bernardino MS4 Permit (pg 58)

developed per the approved TMDLs. The Permittees obligation to meet the WLAs is met if the water quality standards in the impaired receiving waters are met through the implementation of the control measures approved by the Regional Board."

The Middle Santa Ana River Bacteria TMDL Interim WQBELs require specific actions within a specified schedule, including monitoring, reporting, special studies, and BMP identification and implementation. The provisions for the Final WQBELs (dry season conditions) detail a process for the development and implementation of a Comprehensive Bacteria Reduction Plan (CBRP). The CBRP must provide technical and scientific justification that the implementation of the CBRP is expected to achieve compliance with the WLAs¹⁰. However, this TMDL also includes a provision that states if the process is not implemented or completed within the specified timeframe, the Final WQBELs will become numeric WQBELs, requiring attainment of the numeric WLAs (e.g., compliance determined not based on actions but based upon attainment of the WLAs).

Final WQBELs are also included for the Middle Santa Ana River Bacteria TMDL for wet weather conditions (final compliance date of January 1, 2026). The provision states that if the permit is still in effect by December 31, 2025 and the Regional Board has not adopted alternative WQBELs, the WLAs will become final numeric WQBELs.

The Big Bear Lake Nutrient TMDL WLA is currently being attained under dry weather conditions (based on modeling results). The Permit still includes (as enforceable permit provisions) implementation actions that are required of the Permittees. These actions include monitoring, reporting, modeling, special studies, and implementation of a lake management plan.

1.2 VENTURA COUNTY MS4 PERMIT

The Ventura County MS4 Permit incorporates WLAs for 13 TMDLs for the various water bodies in Ventura County. The 13 TMDLs are a combination of Basin Plan amendments adopted by the LARWQCB (11) and TMDLs promulgated by USEPA (2), which do not include implementation plans. The Permit incorporates interim WLAs for five of the 13 TMDLs (as the final compliance dates for those TMDLs exceed the term of the Permit).

The TMDLs are incorporated into Part 5 of the Ventura County Permit. Part 5.II and Part 5.III. contain key provisions regarding how the Permittees will *attain* and *comply* with the WLAs, respectively (emphasis added)¹¹:

- I. *Each Permittee shall attain the storm water WLAs incorporated into this Order by implementing BMPs in accordance with the TMDL Technical Reports, Implementation Plans, or as identified as a result of TMDL special studies specified in the Basin Plan Amendment.*
- II. *The Permittees shall comply with the following Wasteload Allocations consistent with the assumptions and requirements of the Wasteload Allocations documented in the Implementations Plans, including compliance schedules, associated with the State adoption and approval of the TMDL at compliance monitoring points established in each TMDL (40 CFR 122.44(d)(1)(vii)(B)).*

In addition, individual permit provisions for each TMDL are included in Part 5 VI. Provisions for each TMDL identify the WLAs, compliance monitoring requirements, and actions and special studies required of the Permittees. As stated in the provisions of Part 5 II, the specific provisions for each TMDL are based upon the information in the individual TMDL. Regional Board adopted TMDLs include compliance monitoring provisions while USEPA TMDLs do not include compliance monitoring provisions. As an

¹⁰ The word compliance is used in the permit provisions, but the intent would more accurately be phrased as the attainment of the WLAs. Compliance with the WLA is clearly determined by implementation of the CBRP.

¹¹ Ventura County MS4 Permit (pg. 88)

example, two TMDLs from the Ventura County Permit are provided below – one that is State adopted and includes compliance monitoring language and one that is USEPA promulgated:

*Example #1: TMDL for Nitrogen Compounds in the Santa Clara River (State Adopted)*¹²

(b) Compliance Monitoring:

- 1) Compliance with the WLAs is to be determined through receiving water monitoring conducted in accordance with the Santa Clara River Nitrogen TMDL Monitoring Program approved by the Executive Officer.
- 2) If any WLA is exceeded at a compliance monitoring site, permittees shall implement BMPs in accordance with the TMDL Technical Report, Implementation Plans or as identified as a result of TMDL special studies identified in the Basin Plan Amendment. Following these actions, Regional Water Board staff will evaluate the need for enforcement action.

*Example #2: TMDL for Chloride in Santa Clara River, Reach 3 (USEPA Promulgated)*¹³

(b) Compliance Monitoring: This TMDL was established and approved by U.S. EPA and did not include an implementation plan.

1.3 LOS ANGELES COUNTY MS4 PERMIT

The Los Angeles County MS4 Permit incorporates WLAs for one TMDL – the TMDL for Trash in the Los Angeles River Watershed – into Part 7 of the Permit. Receiving Water Limitations are included in Part 2 of the Permit and include limitations on discharges of bacteria to Marina del Rey Harbor Basins that cause or contribute to an exceedance of water quality objectives. Compliance with the receiving water limitations is determined pursuant to the Marina del Rey Harbor Mothers' Beach and Back Basins Bacterial TMDL (Marina del Rey Harbor Bacteria TMDL) Coordinated Shoreline Monitoring Plan. However, the Marina del Rey Harbor Bacteria TMDL and associated WLAs are not incorporated into Part 7 of the Permit. Part 7 of the Permit only identifies and incorporates WLAs for the Los Angeles River Trash TMDL. The language at the beginning of Part 7 states¹⁴:

"The provisions of this Part implement and are consistent with the assumptions and requirements of Waste Load Allocations from TMDLs for which some or all of the Permittees in this Order are responsible."

The Los Angeles River Trash TMDL incorporates the WLAs as interim and final effluent limitations. Compliance with these limitations is based upon implementation of specified BMPs:

*"Permittees may comply with the effluent limitations using any lawful means. Such compliance options are broadly classified as full capture, partial capture, or institutional controls, as described below, and any combination of these may be employed to achieve compliance..."*¹⁵

Part 7 of the Permit also clearly identifies how non-compliance with each approach option will be determined and the associated penalties. Monitoring and reporting requirements to demonstrate compliance with the approach employed by the Permittee(s) are also identified.

1.4 NORTH ORANGE COUNTY MS4 PERMIT

The North Orange County MS4 Permit addresses TMDLs and impaired waterbodies in one permit section (Section XVIII). WLAs are incorporated for six (6) TMDLs, including four (4) TMDLs established by the SARWQCB and two (2) TMDLs promulgated by USEPA. Compliance with the WLAs is required, but the

¹² Ventura County MS4 Permit (pg. 90)

¹³ Ventura County MS4 Permit (pg. 91)

¹⁴ LA County MS4 Permit (pg. 79)

¹⁵ LA County MS4 Permit (pg 82)

method of compliance (BMP-based or numeric effluent limitations) is not specified within the permit provisions (see below for a complete discussion of compliance).

The permit provisions are organized by the following categories and include the following requirements:

Impaired Waterbodies with no TMDLs (Section XVIII.A)

This section requires the development of Watershed Action Plans that identify impaired waters, pollutants causing impairment, monitoring programs for these pollutants, control measures, including any BMPs that the permittees are currently implementing, and any BMPs that the permittees are proposing to implement.

Waterbodies with Technical TMDLs (No Implementation Plans) (Section XVIII.B)

This section addresses the two TMDLs promulgated by EPA – Toxics TMDL in the San Diego Creek and Newport Bay Watershed and Metals in the San Gabriel River Watershed.

For the Toxics TMDL for the Newport Bay watershed, the WLAs promulgated by EPA are incorporated into the permit. The SARWQCB is in the process of developing multiple constituent-specific TMDLs, including implementation plans and compliance schedules. Once the TMDLs are fully approved, the revised TMDLs will supplant the USEPA promulgated TMDL and WLAs. Unless and until revised WLAs are established in TMDLs adopted by the SARWQCB and approved by the State Water Resources Control Board, Office of Administrative Law (OAL), and USEPA, the WLAs from the USEPA TMDL remain in effect.

For all constituents covered by this Toxics TMDL, with the exception of selenium, permittees are required to comply with the WLAs, but the method of compliance (implementation of BMPs and/or numeric effluent limitations) is not specified. However, for selenium¹⁶, performance-based compliance is an option for permittees that participate in and implement an approved Cooperative Watershed Program. Permittees that do not participate in the Cooperative Watershed Program may be issued individual waste discharge requirements or waivers of waste discharge requirements, at the SARWQCB's discretion.

The second USEPA promulgated TMDL incorporated into the Permit is the San Gabriel River Metals and Selenium TMDL. In addition to being promulgated by USEPA, the receiving water is in the jurisdiction of another Regional Board – the LARWQCB. The permit requires the development and implementation of a constituent-specific source control plan that must be designed in order to ensure compliance with the WLAs. In addition, the permit also requires monitoring with the data to be evaluated against the numeric targets of the TMDL. Similar to the Newport Bay Toxics TMDL, the method of compliance is not specified.

Waterbodies with TMDL Implementation Plans and Compliance Schedules Beyond the Permit Term (Section XVIII.C)

The approach to incorporating the WLAs for TMDLs established by the SARWQCB is consistent, regardless of the term of the compliance schedule (e.g., within or beyond the permit term). As an example, for the Fecal Coliform TMDL in Newport Bay, the permit requires:

“The permittees shall comply with the wasteload allocations for urban runoff in Tables 8A and 8B in accordance with the deadlines in Tables 8A and 8B. Compliance determination for fecal coliform shall be based on monitoring conducted at representative sampling locations within San Diego Creek and Newport Bay.”

¹⁶ The performance-based permit language also includes nitrogen. Nitrogen is included in a separate TMDL in the watershed (Nutrient TMDL for the San Diego Creek and Newport Bay Watershed adopted by the SARWQCB).

Additional specific implementation actions, including special studies to be completed by specified dates, are also included as enforceable permit provisions.

Waterbodies with TMDL Implementation Plans and Compliance Schedules Within the Permit Term (Section XVIII.D)

The approach to WLAs in this section is the same approach as discussed above (TMDLs with Compliance Schedules Within the Permit Term).

Compliance Determination with TMDLs and BMP Implementation (Section XVIII.E)

Similar to the San Bernardino County MS4 permit, the permit provides a separate, stand alone provision on how compliance with the WLAs will be determined¹⁷:

1. *“Except for sediment TMDLs in San Diego Creek and Newport Bay, compliance determinations shall be based on monitoring within the receiving waters. For sediment TMDLs, compliance determination shall be based on monitoring in the Creek.*
2. *Based on the TMDLs, effluent limits have been specified to ensure consistency with the wasteload allocations. If the monitoring results indicate an exceedance of the wasteload allocations, the permittees shall reevaluate the current control measures and propose additional BMPs/control measures. This reevaluation and proposal for revisions to the current BMPs/control measures (revised plan) shall be submitted to the Executive Officer within 12 months of determining that an exceedance has occurred. Upon approval, the permittees shall immediately start implementation of the revised plan. “*

While the permit uses the phrase “effluent limits” in the compliance provision, it is not specified as a numeric effluent limitation or as an effluent limit expressed as BMPs. However, Finding 52 of the permit states:

“This order requires permittees to comply with established TMDL wasteload allocations specified for urban runoff and/or storm water by implementing the necessary BMPs.”

1.5 SOUTH ORANGE COUNTY MS4 PERMIT

The South Orange County MS4 Permit incorporates the WLAs for one TMDL, Baby Beach Bacteria Indicator TMDL, as Water Quality Based Effluent Limits (WQBELs). In addition to the WLAs, milestones and numeric targets are also incorporated as enforceable permit provisions. Permit provisions require the implementation of BMPs capable of achieving the WLAs, monitoring, and reporting. The specific permit requirements¹⁸ are (for brevity, the referenced tables are excluded):

- a. *The Copermitees in the Baby Beach watershed shall implement BMPs capable of achieving the interim and final Bacterial Indicator Waste Load Allocations (WLAs) in discharges to Baby Beach as described in Table 6.*
- b. *The Copermitees shall conduct necessary monitoring, as described in Attachment A to Resolution No. R9-2008-0027, and submit annual progress reports as part of their yearly reports.*
- c. *The following WLAs (Table 7) are to be met in Baby Beach receiving water by the end of the year 2019 for wet weather and 2014 for dry weather:*
- d. *The Copermitees must meet the following Numeric Targets (Table 8) in Baby Beach receiving waters in order to meet the underlying assumptions of the TMDL. The Numeric Targets are to be met once 100 percent of the WLA reductions have been achieved (see Table 7 above).*

The permit provisions do not address if the WQBELs are expressed in the form of BMPs or as numeric effluent limitations. However, Finding E.11 contains a lengthy discussion regarding the approach to

¹⁷ North Orange County MS4 Permit (pg. 79 of 93)

¹⁸ South Orange County MS4 Permit, pg. 78 of 91

establishing the WQBELs for the TMDL. This approach is not limited to the WLAs but also includes the TMDL numeric targets. Finding E.11 states that the WQBELs are expressed both as BMPs and as numeric effluent limitations. The BMP aspect applies to the WLAs and the numeric effluent limitations apply to the numeric targets (emphasis added):

This Order fulfills a component of the TMDL Implementation Plan adopted by this Regional Board on June 11, 2008 for indicator bacteria in Baby Beach by establishing WQBELs expressed as both BMPs to achieve the WLAs and as numeric limitations⁶ for the City of Dana Point and the County of Orange. The establishment of WQBELs expressed as BMPs should be sufficient to achieve the WLA specified in the TMDL. The Waste Load Allocations (WLAs) and Numeric Targets are the necessary metrics to ensure that the BMPs achieve appropriate concentrations of bacterial indicators in the receiving waters.

As this approach to incorporating a TMDL into an MS4 permit is unique, the entirety of Finding E.11 is included below:

This Order incorporates only those MS4 Waste Load Allocations (WLAs) developed in TMDLs that have been adopted by the Regional Water Board and have been approved by the State Board, Office of Administrative Law and U.S. EPA. Approved TMDL WLAs are to be addressed using water quality-based effluent limitations (WQBELs) calculated as numeric limitations (either in the receiving waters and/or at the point of MS4 discharge) and/or as BMPs. In most cases, the numeric limitation must be achieved to ensure the adequacy of the BMP program. Waste load allocations for storm water and non-storm water discharges have been included within this Order only if the TMDL has received all necessary approvals. This Order establishes WQBELs and conditions consistent with the requirements and assumptions of the WLAs in the TMDLs as required by 40 CFR 122.44(d)(1)(vii)(B).

A TMDL is the total amount of a particular pollutant that a water body can receive and still meet Water Quality Standards (WQSs), which are comprised of Water Quality Objectives (WQOs), Beneficial Uses and the States Policy on Maintaining High Quality Waters³. The WQOs serve as the primary basis for protecting the associated Beneficial Use. The Numeric Target of a TMDL interprets and applies the numeric and/or narrative WQOs of the WQSs as the basis for the WLAs. This Order addresses TMDLs through Water Quality Based Effluent Limitations (WQBELs) that must be consistent with the assumptions and requirements of the WLA⁴. Federal guidance⁵ states that when adequate information exists, storm water permits are to incorporate numeric water quality based effluent limitations. In most cases, the numeric target(s) of a TMDL are a component of the WQBELs. When the numeric target is based on one or more numeric WQOs, the numeric WQOs and underlying assumptions and requirements will be used in the WQBELs as numeric effluent limitations by the end of the TMDL compliance schedule, unless additional information is required. When the numeric target interprets one or more narrative WQOs, the numeric target may assess the efficacy and progress of the BMPs in meeting the WLAs and restoring the Beneficial Uses by the end of the TMDL compliance schedule.

This Order fulfills a component of the TMDL Implementation Plan adopted by this Regional Board on June 11, 2008 for indicator bacteria in Baby Beach by establishing WQBELs expressed as both BMPs to achieve the WLAs and as numeric limitations⁶ for the City of Dana Point and the County of Orange. The establishment of WQBELs expressed as BMPs should be sufficient to achieve the WLA specified in the TMDL. The Waste Load Allocations (WLAs) and Numeric Targets are the necessary metrics to ensure that the BMPs achieve appropriate concentrations of bacterial indicators in the receiving waters.

³ State Water Resources Control Board, Resolution No. 68-16

⁴ 40 CFR 122.44(d)(1)(vii)(B)

⁵ USEPA, Interim Permitting Approach for Water Quality-Based Effluent Limitations in Storm Water Permits, 61 FR 43761, August 26, 1996

⁶ *The Waste Load Allocations are defined in Resolution No. R9-2008-0027, A Resolution to Adopt an Amendment to the Water Quality Control Plan for the San Diego Basin (9) to Incorporate Total Maximum Daily Loads for Indicator Bacteria, Baby Beach in Dana Point Harbor and Shelter Island Shoreline Park in San Diego Bay.*

1.6 DISCUSSION OF APPROACHES

The San Bernardino County MS4 Permit establishes a clear path for MS4 permittees to comply with the incorporated TMDL WLAs. The MS4 permit builds on the TMDL process by incorporating the actions, deliverables, and deadlines of the implementation plans as enforceable provisions of the MS4 permit. The WLAs are clearly incorporated as WQBELs expressed as BMPs. For one TMDL, should permittees not meet the deadlines and deliverables, the permit states that the WQBELs will be expressed as numeric effluent limitations. This approach provides incentive to the Permittees to continue implementing stakeholder processes, provides assurance to the permittees that compliance will be based upon Regional Board approved implementation plans, yet still provides the Regional Board assurance that if implementation does not occur, Permittees can be held accountable via WQBELs expressed as numeric effluent limitations.

The Ventura County MS4 Permit incorporates WLAs through the implementation of BMPs, consistent with the requirements of each individual TMDL. Compliance determinations are clearer for Regional Board adopted TMDLs than those adopted by USEPA. However, as most, if not all, TMDLs include the assumption that WLAs will be implemented as BMPs, an evaluation of the implementation of BMPs would need to occur before enforcement action could occur based solely on exceedances of WLAs, even for EPA promulgated TMDLs.

The Los Angeles County MS4 Permit establishes interim and final effluent limits that are attained via the implementation of BMPs for the Los Angeles River Trash TMDL. Implementation of these BMPs includes a detailed compliance assessment process that permittees use to demonstrate compliance with the effluent limits. The options include the presumption of compliance provided certified (pre-approved) BMPs are used, and the demonstration of compliance through performance assessments and monitoring. Interim effluent limits are achieved by fully complying with an approved installation schedule. Similar to the San Bernardino County MS4 Permit, the Los Angeles County MS4 Permit provides clear assurance to the Permittees that if they implement approved plans and BMPs, they will be in compliance with the Permit.

The North Orange County MS4 Permit provides a separate stand-alone provision regarding compliance with the WLAs; however, the use of the phrase "effluent limits" is a bit unclear. Utilizing the Findings of the permit, it appears that the intent is to express the effluent limits as BMPs. The permit also does not make a distinction between *attainment* of the WLAs and *compliance* with the MS4 permit. For TMDLs promulgated by USEPA with receiving waters within the SARWQCB's jurisdiction, implementation plans and compliance schedules are under development and upon approval, will supplant the USEPA promulgated WLAs.

The South Orange County MS4 Permit approach to incorporating TMDLs into the MS4 permit is unique in southern California. The approach may be unique to the structure of the particular TMDL and not a universal approach for the incorporation of TMDLs in general. The permit provisions only state that the WLAs are WQBELs, without specifying if they are expressed as numeric effluent limitations or as BMPs. However, the Findings of the permit appear to indicate that the WLAs are expressed as BMPs and the numeric targets are expressed as numeric effluent limitations.

2 ADDITIONAL CONSIDERATIONS

There are other specific issues that warrant consideration before developing an approach for incorporating TMDL WLAs into the MS4 permit. These considerations are detailed below and include:

- USEPA promulgated TMDLs do not contain compliance schedules; and
- USEPA guidance on the incorporation of WLAs into NPDES stormwater permits.

2.1 USEPA PROMULGATED TMDLS

When USEPA promulgates a TMDL, detailed monitoring and implementation plan requirements are not required and often not included. Absent a specific implementation plan for the TMDL, a schedule for attaining the WLAs is not provided, and implementation requirements are not specified, although USEPA may include implementation recommendations. As discussed in the MS4 permits reviewed above, specific implementation actions and schedules are key elements for incorporating WLAs into an MS4 permit in a manner that allows for the reasonable implementation of the TMDL and assurance of compliance while permittees implement the necessary practices, studies, and management actions to achieve the WLAs.

When a USEPA TMDL is promulgated and the Regional Board does not take a specific action to adopt the TMDL as a Basin Plan amendment and develop a corresponding implementation plan, the MS4 permit can be utilized as the vehicle for developing the implementation plan and establishing a schedule. Time schedules as well as specific action necessary to attain the WLAs can be addressed in a permit through the State Water Board's 2008 Policy for Compliance Schedules in NPDES Permits. In these cases, a BMP approach to complying with WLAs likely provides the most workable approach for a USEPA-promulgated TMDL, especially one where multiple sources are identified. A BMP approach focused on the approved actions that the MS4 permittees must undertake to attain the WLA would provide an objective way to implement the TMDL and attain the WLAs.

2.2 EPA GUIDANCE

In 2002, EPA issued a policy memorandum regarding the incorporation of TMDL WLAs into NPDES stormwater permits (including municipal stormwater permits). The 2002 EPA memorandum states (emphasis added):

“EPA expects that most Water Quality Based Effluent Limits (WQBELs) for NPDES-regulated municipal and small construction discharges will be in the form of BMPs, and that numeric effluent limits will be used only in rare instances.”

In 2010, EPA issued a revised policy memorandum, updating key aspects of the 2002 memorandum, including the incorporation of the WLAs into NPDES stormwater permits. The 2010 memorandum fundamentally shifts EPA's position from WQBELs expressed as BMPs to WBQBELs expressed as numeric effluent limitations (emphasis added):

“Where the NPDES authority determines that MS4 dischargers have the reasonable potential to cause or contribute to a water quality standard excursion, EPA recommends that where feasible, the NPDES permitting authority exercise its discretion to include numeric effluent limitations as necessary to meet water quality standards.”

The 2010 memorandum still provides for WQBELs to be expressed as BMPs; however, increased documentation and accountability are expected. EPA expects WQBELs expressed as BMPs to include objective and measurable elements (schedule for BMP installation or BMP performance) as enforceable permit provisions. EPA also expects permits to include numeric benchmarks to be used as thresholds to assess BMP effectiveness and to require dischargers to take additional action.

EPA opened a formal comment period on the memorandum in early 2011, with comments due in May 2011. EPA is still reviewing comments and is contemplating various options including making no revisions to the memorandum, revising the memorandum, or rescinding the memorandum.

In addition, in 2008, EPA released the Draft TMDLs to Stormwater Permits Handbook.¹⁹ This draft document provides guidance on incorporating WLAs into MS4 permits. Many options are included for consideration, including numerous BMP-based methods as well as considering numeric effluent limitations if BMPs are determined to not be a feasible way to express the WLAs.

3 RECOMMENDED APPROACH FOR INCORPORATING TMDLs INTO LOS ANGELES REGION MS4 PERMIT

Based upon the assessments and considerations above, a recommended approach to incorporate the WLAs into the MS4 permit has been developed.

The recommended approach is guided by the following principles:

- The Permit must be consistent with approved TMDLs therefore BMP-based compliance needs to be included as an option.
- The Permit must clearly define how interim and final WLAs are expressed as enforceable permit provisions (e.g., WLAs expressed as BMPs).
- The Permit must clearly define the method for determining compliance and non-compliance.
- The Permit must support the extensive stakeholder processes for the development of City TMDL implementation plans that encouraged participation from other dischargers, state and federal regulators, non-government organizations (NGOs) and the community.
- The Permit must provide reasonable assurance to the Regional Board that implementation will result in attainment of the WLAs.
- The Permit must provide for an implementation schedule, inclusive of USEPA promulgated TMDLs, consistent with the approved TMDLs and State Compliance Schedule Policy, as appropriate.
- The Permit must provide flexibility to implement an adaptive management plan to account for increased understanding of the watersheds and BMP effectiveness.

To incorporate the WLAs into the MS4 permit, guided by the principles above, it is recommended that the permit provisions are structured to clearly address the following three critical issues:

- Expression of the WLAs
- Compliance assessment
- Monitoring and reporting requirements

3.1 WASTE LOAD ALLOCATIONS

The WLAs should be incorporated into the permit to clearly define what must be attained. Additionally, language outlining implementation of WLAs as BMPs should be included to define how Permittees can comply. The City, as well as other Permittees, has developed implementation plans through substantial effort by the Permittees, regulators and communities that are expected to result in attainment of the WLAs. This approach supports those efforts and is consistent with recent MS4 permits reissued in Southern California as well as USEPA guidance.

¹⁹ United States Environmental Protection Agency. TMDLs to Stormwater Permits Handbook, Draft, November 2008.

3.2 COMPLIANCE ASSESSMENT

The process for determining compliance needs to be clearly defined and based upon the iterative implementation of BMPs per the approved implementation plans. Where implementation plans are implemented per the approved schedule, the Permittee would be in compliance. Where implementation plans are not implemented per the approved schedule, the Permittee would not be in compliance.

Attainment of the WLAs and compliance with the permit provisions must be clearly separate concepts. For example, if WLAs are not *attained*, the permit could require additional actions from the Permittees, but as long as the approved implementation plan was implemented per the approved schedule, then the Permittee would be in *compliance*.

Consistent with recent MS4 permits reissued in Southern California and USEPA guidance, the compliance assessment provisions can be structured in a manner that provides accountability and enforceability while still utilizing adaptive management for the implementation of BMPs.

Compliance assessment should also consider other instances in which the Permittee would be in compliance (such as attainment of water quality standards in receiving waters, no discharge, etc.).

3.3 MONITORING AND REPORTING

Monitoring and reporting requirements need to be consistent with the approved TMDLs. The monitoring points need to be clearly defined as *assessment* points, not as *compliance* points. As noted above, where the WLAs are expressed as BMPs, there is an important distinction between attaining the WLAs and complying with the permit provisions. The monitoring and reporting requirements can be structured in a way to ensure that the implementation of BMPs is resulting in attainment of the WLAs.

4 EXAMPLE PERMIT LANGUAGE

Example permit language was developed to provide a starting point for considering the various issues associated with incorporating TMDLs into the forthcoming MS4 permit. The example permit language is provided in Attachment A (not based upon Water Quality Based Effluent Limits (WQBELs)) and Attachment B (based upon WQBELs). Both attachments contain the same conceptual approach to incorporating WLAs into the MS4 permit and outlining methods of compliance (i.e., an action based approach). The primary distinction between the two attachments pertains to whether or not the WLAs are referred to as WQBELs. This distinction is mostly semantic. As WQBELs can be expressed either as numeric effluent limitations or as BMPs, a WQBEL is not synonymous with a *numeric* effluent limitation. However, various stakeholders have expressed concerns with the use of "effluent limits" even if they are WQBELs implemented as BMPs. However, this is likely due to incorrect or inconsistent use of the term WQBEL. Therefore, Attachment A was developed to consider an alternative that does not specifically refer to the WLAs as WQBELs.

The draft language is intended to illustrate how the approaches discussed above can be expressed in permit provisions, rather than a definitive recommendation on language to incorporate the WLAs into the MS4 permit.

ATTACHMENT A

Example Language to Incorporate TMDL WLAs into the MS4 Permit

The following language is based on the language included in the three MS4 permits reviewed in the memorandum as well as the requirements of the TMDLs to which the City has been named a responsible party (17 Regional Board adopted TMDLs and two USEPA TMDLs expected to be promulgated by USEPA prior to the adoption of the next MS4 Permit).

Example permit language was developed to provide a starting point for considering the various issues associated with incorporating TMDLs into the forthcoming MS4 permit. The draft language is intended to illustrate how the approaches discussed above can be expressed in permit provisions, rather than a definitive recommendation on language to incorporate the WLAs into the MS4 permit.

The potential permit language includes the introductory provisions (Part 7 in the Amended LA County permit and Part 5 of the Ventura County permit) as well as potential language for the Ballona Creek Bacteria TMDL.

Part XX – Total Maximum Daily Load Provisions

- I. Part XX of this Order incorporates provisions to assure that LA County MS4 Permittees comply with WLAs and other requirements of TMDLs covering waters impacted by the Permittees' discharges.
- II. Each Permittee shall attain the storm water WLAs incorporated into this Order by implementing BMPs in accordance with the TMDL Basin Plan Amendment, TMDL Technical Reports, Implementation Plans submitted by Permittees, or as identified as a result of TMDL special studies identified in the Basin Plan Amendment.
- III. The Permittees shall comply with the WLAs, consistent with the assumptions and requirements of the WLAs, per the compliance schedule associated with the State adoption and approval of the TMDL (40 CFR 122.44(d)(1)(vii)(B)). TMDLs that have been promulgated by USEPA do not contain an implementation schedule or implementation planning requirements. As allowed by the Compliance Schedule Policy (Resolution No. 2008-0025), compliance schedules and implementation planning requirements for USEPA promulgated TMDLs have been included in the Order per 40 CFR 122.47.
- IV. The determination of compliance with the WLAs shall be established on a TMDL by TMDL basis and shall be based upon the specific compliance provision for each TMDL in Part XX.VII. The Permittees obligation to meet the WLAs is met if water quality standards in the impaired receiving waters are met and/or no discharge occurs from all conveyances under the Permittee's jurisdiction.
- V. TMDLs in effect and covered in this Order are the following (note only those TMDLs for which potential permit language is presented are included in the following list):
 1. Ballona Creek, Ballona Estuary and Sepulveda Channel Bacteria TMDL (Dry-Weather Provisions)
 2. [all other TMDLs to which this provision is applicable]
- VI. TMDL Interim WLAs are incorporated into this Order for TMDLs which have compliance dates that exceed the term of this Order and include the following (note only

those TMDLs for which potential permit language is presented are included in the following list):

1. [No example permit language provided. List would include all TMDLs to which this provision is applicable]

VII. TMDL WLAs and Other Provisions Incorporated into this Order are as follows:

1. Ballona Creek, Ballona Estuary and Sepulveda Channel Bacteria TMDL (Dry-Weather Provisions)

- i. Waste Load Allocations: Each Permittee identified in Resolution 2006-011 shall attain the numeric summer and winter dry-weather WLAs expressed as the daily or weekly sample days that may exceed the bacteria targets in Resolution 2006-011, or as amended, no later than April 27, 2013.

- ii. Compliance with the WLAs will be determined as follows:

1. For Permittee(s) that have submitted and are implementing a Regional Board approved Implementation Plan in accordance with the TMDL implementation schedule, compliance will be based upon implementing all provisions of the plan in accordance with the milestones and schedule. The Implementation Plan shall be considered approved if no response is received from the Regional Board EO within 60 days of the effective date of this Order. Permittee(s) that do not implement the plans in accordance with the milestones and schedule must comply with Part XX.VII.1(ii).2. The Permittees obligation to meet the WLAs is met if water quality standards in the impaired receiving waters are met and/or no discharge occurs from all conveyances under the Permittee's jurisdiction. The Regional Board EO may notify Permittee(s) that modifications to the Implementation Plan is warranted in order to attain the WLAs. Within 120 days of such notification, the Permittee(s) must revise the implementation plan to identify the additional BMPs necessary to attain the WLAs and submit it to the Regional Board EO for approval. The modified Implementation Plan is considered approved within 60 days if no response is received from the Regional Board EO. Permittee(s) that fail to revise the implementation plan upon notification from the Regional Board EO must comply with Part XX.VII.1(ii).2.
2. For Permittees not implementing a Regional Board approved implementation plan and/or who do not implement the plan per the approved schedule, compliance with the WLAs shall be based upon achieving the numeric WLAs. The Permittees obligation to meet the WLAs is met if water quality standards in the impaired receiving waters are met and/or no discharge occurs from all conveyances under the Permittee's jurisdiction.

iii. Monitoring and Reporting

1. Attainment of the WLAs is to be determined through monitoring conducted in accordance with the Compliance Monitoring Program approved by the Executive Officer.
2. Annual monitoring reports shall be submitted as outlined in the Compliance Monitoring Program approved by the Executive Officer. Annual monitoring reports shall include a description of the number and types of BMPs required by the Permittee's implementation plans, the number and types of BMPs actually implemented, the effectiveness of the BMPs, and progress towards attainment of WLAs. If required milestones or WLAs are not met by the required compliance dates, the report shall include additional BMPs that will be implemented to attain the WLAs or demonstrate that no additional practicable BMPs are available.

iv. Actions and Special Studies required of Permittees

1. Additional actions and Special Studies are not required for implementation of this TMDL, though conducting special studies is within the discretion of the Permittees.

ATTACHMENT B

Example Language to Incorporate TMDL WLAs into the MS4 Permit Utilizing WQBELs

The following presents potential permit language to incorporate TMDLs into the upcoming Los Angeles MS4 Permit based on the inclusion of Water Quality Based Effluent Limits (WQBELs) expressed as Best Management Practices (BMPs).

Example permit language was developed to provide a starting point for considering the various issues associated with incorporating TMDLs into the forthcoming MS4 permit. The draft language is intended to illustrate how the approaches discussed above can be expressed in permit provisions, rather than a definitive recommendation on language to incorporate the WLAs into the MS4 permit.

The potential permit language includes language for the findings section of the permit, introductory provisions (Part 7 in the Amended LA County permit and Part 5 of the Ventura County permit) as well as potential language for the Ballona Creek Bacteria TMDL.

Part X – Findings

Part X.YY – Water Quality-Based Effluent Limitations (WQBELs) and TMDL WLAs

1. 40 CFR 122.44(d) requires that permits include WQBELs to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving waters. Where numeric water quality criteria have not been established, 40 CFR 122.44(d) specifies that WQBELs may be established using USEPA criteria guidance under CWA section 304(a), proposed state criteria or a state policy interpreting narrative criteria supplemented with other relevant information, or an indicator parameter. In *Defenders of Wildlife, et al v. Browner*, No. 98-71080 (9th Circuit, October 1999), the Court held that the CWA does not require "strict compliance" with State water quality standards for MS4 permits under section 301(b)(1)(C), but that at the same time, the CWA does give USEPA discretion to incorporate appropriate water quality-based effluent limitations under another provision, CWA section 402(p)(3)(B)(iii). 40 CFR 122.44(k)(3) allows the use of BMPs to control or abate the discharge of pollutants when numeric effluent limitations are infeasible or when practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA. The legislative history and the preamble to the federal storm water regulations indicated that Congress and the USEPA were aware of the difficulties in regulating urban and storm water runoff solely through traditional end-of-pipe treatment.
2. Federal regulations (40 CFR 122.44(d)(1)(vii)(B)) require inclusion of effluent limits that are "consistent with the assumptions and requirements of any available wasteload allocation for the discharge prepared by the State and approved by EPA." Consistent with this requirement, this Order includes a process for developing a BMP-based approach through the execution of Permittee developed Implementation Plans, which shall become the final water quality-based effluent limitation(s) (WQBELs). Permittees are required to submit an Implementation Plan describing the proposed BMPs and the documentation demonstrating that when implemented, the BMPs are expected to attain the WLAs by the compliance dates. The Implementation Plan will be updated, as necessary, to reflect evaluations of the effectiveness of the BMPs, including evaluations presented in the annual reports. Absent

the development and/or implementation of the Permittee developed Implementation Plan(s), the final WQBELs will be expressed as numeric effluent limitations.

3. The permit requires the development and implementation of Implementation Plans to meet WLAs for Total Maximum Daily Loads (TMDLs). If control measures proposed and implemented per the implementation plans and other requirements are not effective in meeting WLAs, the Permittees are required to revise the Implementation Plan with additional control measures.
4. If a TMDL is effective and an implementation plan has not yet been developed (e.g., when the USEPA has established the TMDL), the Permittees are required to develop constituent specific source control measures, conduct additional monitoring and/or develop an implementation plan. Compliance schedules for TMDLs without implementation plans are included.

Part XX – Total Maximum Daily Load Provisions

- I. Part XX of this Order incorporates provisions to assure that LA County MS4 Permittees comply with WLAs and other requirements of TMDLs covering waters impacted by the Permittees' discharges. The WLAs are incorporated into this Order as Water Quality Based Effluent Limits (WQBELs). The expression of the WQBELs (either as BMPs or numeric effluent limitations), is established on a TMDL by TMDL basis in Part XX.VII.
- II. Each Permittee shall attain the storm water WLAs incorporated into this Order by implementing BMPs in accordance with the TMDL Basin Plan Amendment, TMDL Technical Reports, Implementation Plans submitted by Permittees, or as identified as a result of TMDL special studies identified in the Basin Plan Amendment.
- III. The Permittees shall comply with the WLAs, consistent with the assumptions and requirements of the WLAs, per the compliance schedule associated with the State adoption and approval of the TMDL (40 CFR 122.44(d)(1)(vii)(B)). TMDLs that have been promulgated by EPA do not contain an implementation schedule or implementation planning requirements. As allowed by the Compliance Schedule Policy (Resolution No. 2008-0025), compliance schedules and implementation planning requirements have been included in the Order per 40 CFR 122.47.
- IV. The determination of compliance with the WLAs shall be established on a TMDL by TMDL basis and shall be based upon the specific compliance provision for each TMDL in Part XX.VII. The Permittees obligation to meet the WLAs is met if water quality standards in the impaired receiving waters are met through implementation of BMPs.
- V. TMDLs in effect and covered in this Order are the following (note only those TMDLs for which potential permit language is presented are included in the following list):
 1. Ballona Creek, Ballona Estuary and Sepulveda Channel Bacteria TMDL (Dry-Weather Provisions)
 2. [all other TMDLs to which this provision is applicable]
- VI. TMDL Interim WLAs are incorporated into this Order for TMDLs which have compliance dates that exceed the term of this Order and include the following (note only those TMDLs for which potential permit language is presented are included in the following list):

1. [No example permit language provided. List would include all TMDLs to which this provision is applicable]
- VII. TMDL WLAs and Other Provisions Incorporated into this Order are as follows:
1. Ballona Creek, Ballona Estuary and Sepulveda Channel Bacteria TMDL (Dry-Weather Provisions)
 - i. Waste Load Allocations: Each Permittee identified in Resolution 2006-011 shall attain the numeric summer and winter dry-weather WLAs expressed as the daily or weekly sample days that may exceed the bacteria targets in Resolution 2006-011, or as amended, no later than April 27, 2013.
 1. For Permittees that have submitted and are implementing a Regional Board approved Implementation Plan in accordance with the TMDL implementation schedule, the WLAs are incorporated into this Order as WQBELs expressed as BMPs.
 2. For Permittees not implementing a Regional Board approved implementation plan and/or who do not implement the plan per the approved schedule, the WLAs are incorporated into this Order as WQBELs expressed as numeric effluent limitations.
 - ii. Compliance will be determined as follows:
 1. For Permittee(s) that have submitted and are implementing a Regional Board approved Implementation Plan in accordance with the TMDL implementation schedule, compliance with the WQBELs expressed as BMPs will be based upon implementing all provisions of the plan in accordance with the milestones and schedule. Permittee(s) that do not implement the plans in accordance with the milestones and schedule must comply with Part XX.VII.1(ii).2. The Implementation Plan shall be considered approved if no response is received from the Regional Board EO within 60 days of the effective date of this Order. The Permittees obligation to meet the WLAs is met if water quality standards in the impaired receiving waters are met and/or no discharge occurs from all conveyances under the Permittee's jurisdiction. The Regional Board EO may notify Permittee(s) that modifications to the Implementation Plan is warranted in order to attain the WLAs. Within 120 days of such notification, the Permittee(s) must revise the implementation plan to identify the additional BMPs necessary to attain the WLAs and submit it to the Regional Board EO for approval. The modified Implementation Plan is considered approved within 60 days if no response is received from the Regional Board EO. Permittee(s) that fail to revise the implementation plan upon notification from the Regional Board EO must comply with Part XX.VII.1(ii).2.
 2. For Permittees not implementing a Regional Board approved implementation plan and/or who do not implement the plan per

the approved schedule, compliance with the WQBELs expressed as numeric effluent limits shall be based upon achieving the numeric WLAs. The Permittee's obligation to meet the WLAs is met if water quality standards in the impaired receiving waters are met and/or no discharge occurs from all conveyances under the Permittee's jurisdiction.

iii. Monitoring and Reporting

1. Attainment of the WLAs is to be determined through monitoring conducted in accordance with the Compliance Monitoring Program approved by the Executive Officer.
2. Annual monitoring reports shall be submitted as outlined in the Compliance Monitoring Program approved by the Executive Officer. Annual monitoring reports shall include a description of the number and types of BMPs required by the Permittee's implementation plans, the number and types of BMPs actually implemented, the effectiveness of the BMPs, and progress towards attainment of WLAs. If required milestones or WLAs are not met by the required compliance dates, the report shall include additional BMPs that will be implemented to attain the WLAs or demonstrate that no additional practicable BMPs are available.

iv. Actions and Special Studies required of Permittees

1. Additional actions and Special Studies are not required for implementation of this TMDL though conducting special studies is within the discretion of the responsible parties.

Draft Talking Points for Development of the MS4 Permit Strategy

(05/26/11)

These talking points have been prepared by Larry Walker Associates (LWA) for the City of Los Angeles, Watershed Protection Division (WPD). These talking points are for discussions with Sam Unger subsequent to the May 25th Regional Board meeting.

The first item (#1) bullets out what key elements are necessary for the overall permit structure. The second item (#2) is one approach in which those elements could be framed in a permit. The remaining items address core aspects of the permit approach (governance, reporting, monitoring, TMDLs).

1. Permit Structure - needs to create a structure that
 - Establishes baseline (core) stormwater management program requirements but also provides flexibility to direct resources to the relevant water quality issues of the community and watershed (e.g. direct inspections to prioritized issues/pollutants) and complements existing activities (e.g., Green Infrastructure Initiative, Low Impact Development)
 - Provides for individual permittee accountability but encourages programmatic consistency
 - Provides for coordination and efficient use of resources among municipalities (e.g. public outreach, monitoring, etc.)
 - Complements (and may substitute for) other ongoing regulatory programs and requirements (e.g. TMDLs)
 - Supports a program that addresses the critical water quality issues of the area/watershed
 - Above bullets can be achieved by a watershed based permit. This may be accomplished a number of ways from defining watershed specific requirements in the Permit (i.e. watershed specific sections) to establishing the framework in the Permit for developing a watershed program to protect water quality.
2. Watershed Based Permit¹ – needs to
 - Specify (or encourage?) development and content of a Watershed Plan (aka Water Quality Improvement Plan)
 - Support watershed specific activities (e.g., retrofit opportunities) that go beyond baseline requirements
 - Make the watershed-specific issues the driver for prioritizing program implementation efforts
 - Allow cross jurisdictional prioritization so that permittees in multiple watersheds have the flexibility to direct resources to the most important priorities
 - Allow the implementation of Watershed Plan to occur at the regional/county, watershed and/or jurisdictional levels. However, actual implementation responsibility and accountability will be at the permittee level
3. Governance – permit needs to
 - Support funding structure and implementation agreements being developed by the County Flood Control District and Copermitees in response to AB 2554.

¹ The term “watershed permit” refers to one permit (not 9 individual watershed permits). In the Permit Summary Tech Memo, reference the approach in the Michigan statewide permit for the general concepts.

- Provide for watershed leads or options for selecting leads while maintaining accountability and liability at the permittee level
4. Reporting – permit needs to provide
 - Streamlined reporting (e.g. one report per watershed per year and limited scope)
 - Based on watershed unit with defined permittee summaries
 - Full assessment provided on 5 year cycle (part of ROWD process)
 5. Monitoring
 - Oriented to watershed issues
 - Baseline monitoring program in the receiving waters for all permittees
 - Complement other mandatory monitoring efforts (e.g. TMDLs and wastewater)
 - Support stormwater management program decisions (use of action levels, southern California stormwater monitoring program guidelines)
 6. TMDLs (this really may be a function of what's in the already approved TMDLs)
 - Incorporate performance based adaptive management as the standard of compliance.
 - Allow the Watershed Plan to be equivalent to a TMDL implementation plan (existing TMDL implementation plans could be used to support Watershed Plans).

I. INTRODUCTION

The Los Angeles County Flood Control District, the County of Los Angeles, and the 84 incorporated cities within Los Angeles County (collectively Permittees) are subject to the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit (Order No. 01-182, NPDES No. CAS004001) (Permit). Pursuant to the requirements in Part 6, Section S of the Permit, and on behalf of the Permittees (including the City of Los Angeles), the County of Los Angeles submitted a Report of Waste Discharge (ROWD) to the Regional Water Quality Control Board (Regional Board) on June 12, 2006. However, the Regional Board did not subsequently renew the Permit. Thus, although the current Permit expired on December 12, 2006, it remains in effect and enforceable until a replacement permit is adopted.¹

On April 8, 2011, the Regional Board transmitted a letter indicating the initiation of the permit renewal process beginning with a meeting on May 25, 2011 to discuss, among other things, potential alternative permit structures, as well as key technical and policy related issues. As a part of the permit renewal process, the City of Los Angeles, Watershed Protection Division is evaluating different strategies and/or approaches, as well as governance structures that may be considered for the renewed permit.

The purpose of this memorandum is to summarize the different strategies/approaches and governance structures used in a select number of stormwater NPDES permits in order to provide the City with an overview of potential options for consideration during the permit renewal process. A general overview is provided for each of the permitting strategies/approaches, which are characterized within this memorandum as Individual, Countywide, Regional, or Watershed.

As the next steps, LWA will meet with Watershed Protection Division staff to discuss the memorandum and provide preliminary suggestions for a permit renewal strategy. LWA will incorporate the discussions with WPD staff as well the discussions from the May 25th Regional Board meeting to develop the recommended permit strategy (TOS S14 Work Order #12, Task 4).

This memorandum is organized as follows:

- I. Introduction
- II. Review of Stormwater Permitting Strategies and Structure
- III. Summary and Assessment
 - Attachment A. Individual Permit Summaries
 - Attachment B. Countywide Permit Summaries
 - Attachment C. Regional Permit Summaries
 - Attachment D. Watershed Permit Summaries

¹ As amended by Orders R4-2006-0074, R4-2007-0042, R4-2009-0130, and pursuant to the peremptory writ of mandate in L.A. Superior Court Case No. BS122724.

II. REVIEW OF STORMWATER PERMITTING STRATEGIES AND STRUCTURE

NPDES municipal stormwater permits are issued on an individual, countywide, regional, or watershed basis. As a result, these permits and the resulting management programs vary in terms of the permitting approach and organization, as well as the program governance, management structure and implementation. The various permitting strategies can be defined as follows:

- Individual Permits – address the stormwater discharges from a single municipality, agency or entity.
- Countywide Permits – address stormwater discharges from the municipalities within a single county boundary including the local county (i.e., unincorporated county land), the incorporated cities within the county (Phase I and/or Phase II), and/or the Flood Control District.
- Regional Permits – may address stormwater discharges from the municipalities within a regional boundary such that the permit may regulate multiple counties and the incorporated cities (Phase I and/or Phase II) within the counties as well as the Flood Control Districts.
- Watershed Permits – may address stormwater (and/or other) dischargers and sources (point and/or nonpoint) from a watershed area. Over the past two decades, EPA has promoted watershed permitting approaches and developed technical guidance for such approaches.² Watershed permitting approaches prioritize watershed protection and enhancement. Watershed-specific issues are identified and assessed prior to determining how to best address stormwater discharges from multiple point and non-point sources within a watershed. Watershed permits may include jurisdictional, regional, and/or watershed elements.

EPA has identified three primary types of watershed permitting approaches:

- Coordination of individual permits – Within a defined watershed or geographic area, individual permits are preserved, but they may contain essentially the same requirements.
- Municipal permit that integrates multiple types of programs – Within a defined watershed or geographic area, multiple programs (e.g., stormwater, wastewater) are addressed.
- Multisource watershed-based permit – Within a defined watershed or geographic area, point source dischargers of concern are addressed; they may also be used to address non-point sources.

The key point with watershed permits is that there are a variety of ways in which the permit and programs can be structured and implemented to meet the needs of the watersheds as well as the stakeholders.

Eight (8) Phase I municipal stormwater permits were reviewed, as well as three EPA pilot projects, to provide insight into the variety of approaches utilized in California as well as other

² <http://cfpub.epa.gov/npdes/wqbasedpermitting/wspermitting.cfm>

major metropolitan areas in the United States.³ The Phase I municipal stormwater permits and approaches reviewed and summarized within this memorandum include the following:

- A. Individual Permits
 - a. Philadelphia, Pennsylvania
 - b. Montgomery County, Maryland
- B. Countywide Permits
 - a. County of Orange (San Diego Region), California
 - b. Ventura County, California
- C. Regional Permits
 - a. San Francisco Bay Region, California
 - b. Western Washington
- D. Watershed-Based Permits
 - a. Tualatin River Watershed, Oregon
 - b. Michigan [Watershed-based General Permit – Phase I and Phase II]
 - c. EPA Pilot Projects
 - 1. Ramsey-Washington Metro Watershed District (Minneapolis/St. Paul, Minnesota)
 - 2. Middle Rio Grande Watershed (Albuquerque, New Mexico)
 - 3. Menomonee Watershed (Milwaukee Area, Wisconsin)

III. SUMMARY AND ASSESSMENT

Table 1 summarizes the following aspects for each type of permit:

- Permitting overview;
- Permitting strategies/approaches and requirements;
- Incorporation of total maximum daily loads (TMDLs); and
- Program management structure and implementation (governance).

Table 1 also provides an assessment of specific issues and respective advantages and disadvantages of each type of permit.⁴ **Attachments A** through **D** provide additional information on each permit.

Some overarching observations from the review are noted below:

- Nationally, there is a permitting approach shift from the traditional stormwater program (6-8 core program elements) to a more watershed/pollutant-based approach.

³ In addition to the permits listed below, the requirements for Phase I NPDES municipal permits for the cities of New York and Chicago were also assessed; however, due to the high percentage of combined sewer systems, neither of these cities has separate municipal stormwater permits (instead, there are Phase I type requirements included within the wastewater permit). Therefore, these permits are not applicable and were not included within this memorandum.

⁴ The EPA pilot projects for watershed-based permitting are not included in **Table 1** since those permits have not yet been developed. However, information on the pilot projects are included in **Attachment D**.

- The shift is occurring both at the regulatory agency level as well as at the local level as many communities are beginning to develop comprehensive water resources strategic plans to address multiple water-related programs and/or the various TMDLs in the relevant watershed.
- Although this shift is occurring, many permits still require some type of traditional baseline program; however, some permits allow for prioritization among program elements and/or watersheds.
- While watershed approaches have not been fully embraced yet, a shift is occurring to address specific pollutants of concern. These permits require the development and implementation of pollutant-based plans.
- EPA is conducting three pilot projects to identify the constraints and opportunities with watershed-based permitting as well as the range of options available. Some of the initial results are expected to be available between 2011 and 2012⁵.
- Permits outside of California tend to be less prescriptive and provide greater flexibility to allow the Permittees to define their own TMDL implementation plans and/or stormwater management priorities.
 - Much of the regional and watershed collaboration is voluntary and without formal agreements.
- Permits within California tend to be more stringent and prescriptive and, thus, less flexible than the other municipal stormwater permits.
 - The program management structures for these permits tend to be well defined. Most also have funding as well as implementation agreements.
- Most of the permits reviewed do not specifically require the development of a stormwater management plan. Where this is the case, many of the communities have developed comprehensive strategic plans to provide direction for the stormwater and/or other programs.
- TMDLs are being incorporated into permits and addressed by watershed-based plans.
 - Nationally, permits tend to incorporate the TMDL WLAs by reference and identify compliance as performance-based (implement the associated plans, studies, etc.).
 - In California, the permits tend to incorporate the WLAs directly and allow for performance-based compliance and/or suggest numeric effluent limits (at times the language is not clear whether compliance is performance-based or numerically-based).
 - Nationally, it is unclear how permittees are allowed to prioritize among watersheds if there are TMDLs in multiple watersheds or if there are multiple TMDLs in a single watershed.

⁵ Personal Communication with Holly Galavotti, Stormwater Team, Water Permits Division, EPA Headquarters.

Permitted Region	Individual Permits			Countywide Permits		Regional Permits		Watershed-Based Permits	
	City of Philadelphia, Pennsylvania	Montgomery County, Maryland	County of Orange (San Diego Region), California	Ventura County, California	San Francisco Bay Region, California	Western Washington Region, Washington	Tualatin River Watershed, Oregon	Michigan (Statewide General Permit)	
Permit Strategy and Requirements	<ul style="list-style-type: none"> Establishes baseline stormwater management program Includes requirement to conduct watershed assessments and develop and implement a watershed-based program Pollutant specific program for PCBs 	<ul style="list-style-type: none"> Establishes baseline stormwater management program Includes requirement to conduct watershed assessments and develop and implement restoration programs Pollutant specific program for trash 	<ul style="list-style-type: none"> Establishes comprehensive baseline program Requires additional modifications/enhancements for watersheds based on pollutants of concern Encourages collaboration 	<ul style="list-style-type: none"> Establishes comprehensive baseline program Encourages collaboration 	<ul style="list-style-type: none"> Establishes comprehensive baseline program Specific requirements differ for Permittees and Secondary Permittees Requires collaboration for connected MSAs and shared waterbodies; encourages additional collaboration 	<ul style="list-style-type: none"> Consolidates all point source discharges within a watershed into one permit Requires development of jurisdictional program based on watershed priorities Allows one Permittee the ability to comprehensively address the impaired waterbodies (PS, NPS, trading, etc.). 	<ul style="list-style-type: none"> Permit provides a statewide approach for coordinating stormwater efforts Focus of the permit is on watershed assessments and implementation plans Fosters cooperation among public and private entities to address the impaired waterbodies 		
Stormwater Management Plans	<ul style="list-style-type: none"> There is no formal requirement to develop a SWMP 	<ul style="list-style-type: none"> There is no formal requirement to develop a SWMP 	<ul style="list-style-type: none"> Permittees required to develop and report on JRMF and Watershed Workplans 	<ul style="list-style-type: none"> There is no formal requirement to develop a SWMP 	<ul style="list-style-type: none"> Permit is prescriptive; Permittees are not required to develop a SWMP 	<ul style="list-style-type: none"> Each Permittee and Secondary Permittee is formally required to develop a SWMP 	<ul style="list-style-type: none"> See below 		
Watershed Focus	<ul style="list-style-type: none"> Integrated three programs to allow for a more holistic approach to water quality (CSO, SW, Drinking Water) Developing comprehensive strategy to address issues on a watershed basis (for all 7 watersheds) 	<ul style="list-style-type: none"> The County developed a County Coordinated Implementation Strategy to identify how they can meet multiple TMDLs, restore the water bodies, and achieve water quality standards (Draft Feb 2011) 	<ul style="list-style-type: none"> Permit requires the development of watershed water quality work plans There is a designated lead for each watershed Regional and jurisdictional approaches and BMPs are considered 	<ul style="list-style-type: none"> There are no specific watershed-based requirements within this permit 	<ul style="list-style-type: none"> The permit focuses solely on the discharges and needs of one watershed – the Tualatin River watershed. The permit allows the Permittee to develop a comprehensive plan for this watershed. 	<ul style="list-style-type: none"> Watershed group develops overarching plan Each Permittee then develops their own SWPPP to identify what they will do to support the overarching plan 			
Incorporation of TMDLs	<ul style="list-style-type: none"> TMDL is incorporated by reference (no WLA in permit) 	<ul style="list-style-type: none"> TMDLs are incorporated by reference (no WLA in permit) County must develop the TMDL implementation plans 	<ul style="list-style-type: none"> TMDLs and the respective WLAs are incorporated into the permit 	<ul style="list-style-type: none"> TMDLs are incorporated by reference (no WLA in permit) 	<ul style="list-style-type: none"> TMDLs are incorporated by reference (no WLA in permit) 	<ul style="list-style-type: none"> TMDLs are incorporated by reference (no WLA in permit) 	<ul style="list-style-type: none"> Watershed permit addresses TMDL needs as a part of the WMP 		
Method of Compliance	<ul style="list-style-type: none"> Performance-based – adaptive management 	<ul style="list-style-type: none"> Performance-based – adaptive management 	<ul style="list-style-type: none"> Performance-based – but language is vague 	<ul style="list-style-type: none"> TMDL dependent; includes both performance-based – adaptive management as well as the potential for interpretation that some of the WLAs are numeric effluent limits 	<ul style="list-style-type: none"> Performance-based – adaptive management 	<ul style="list-style-type: none"> Performance-based – adaptive management 	<ul style="list-style-type: none"> Performance-based – adaptive management 		

Permitted Region	Individual Permits		Countywide Permits		Regional Permits		Watershed-Based Permits		
	City of Philadelphia, Pennsylvania	Montgomery County, Maryland	County of Orange (San Diego Region), California	Ventura County, California	San Francisco Bay Region, California	Western Washington Region, Washington	Tualatin River Watershed, Oregon	Michigan (Statewide General Permit)	
Program Advantages	<ul style="list-style-type: none"> City is only Permittee regulated by the permit – only need to address internal implementation issues/coordination Permit recognizes importance of developing watershed-based plans TMDL compliance is performance-based City is shifting towards a holistic, watershed based approach 	<ul style="list-style-type: none"> County is only Permittee regulated by the permit – only need to address internal implementation issues/coordination Permit recognizes importance of developing watershed-based plans TMDL compliance is performance-based 	<ul style="list-style-type: none"> Principal Permittee and implementation agreement provides for strong countywide consistency and leveraging of resources in baseline program implementation A formal program management structure is established Core dischargers within the watershed are regulated – encourages collaboration 	<ul style="list-style-type: none"> Principal Permittee and implementation agreement provides for strong countywide consistency and leveraging of resources in baseline program implementation A formal program management structure is established Core dischargers within the watershed are regulated – encourages collaboration 	<ul style="list-style-type: none"> Clear delineation of jurisdictional responsibilities Establishes comprehensive approach to stormwater management across the region A formal program management structure is established Focus on specific pollutants of concern 	<ul style="list-style-type: none"> Establishes comprehensive approach to stormwater management across the non-contiguous regions specified in permit Core dischargers within the region are regulated – encourages collaboration 	<ul style="list-style-type: none"> Allows jurisdictions to prioritize resources based on local watershed issues One central agency (utility) responsible for implementation for multiple dischargers Provides for water quality trading opportunities Focus of permit is on the watershed 	<ul style="list-style-type: none"> Allows jurisdictions to prioritize resources based on local watershed issues Focus of permit is on the watershed 	<ul style="list-style-type: none"> Allows jurisdictions to prioritize resources based on local watershed issues Focus of permit is on the watershed
Program Disadvantages	<ul style="list-style-type: none"> Permit does not explicitly recognize the ability to prioritize the baseline program to meet the needs of the watershed. City has limited leverage with other partners to have them participate or provide funding for the implementation of the program. 	<ul style="list-style-type: none"> Permit formally recognizes other Permittees within the watershed, but does not appear to require them to comply with the permit. Permit includes very specific watershed restoration numeric goal (20-30%) County has limited leverage with other partners to have them participate or provide funding for the implementation of the program. 	<ul style="list-style-type: none"> Compliance primarily assessed at the jurisdictional level; therefore, jurisdictions focus more on jurisdictional implementation, less on watershed implementation Overlapping reporting requirements for program elements There is no ability for Permittees in multiple watersheds to prioritize their actions. 	<ul style="list-style-type: none"> Compliance primarily assessed at the jurisdictional level; therefore, jurisdictions focus more on jurisdictional implementation, less on watershed implementation There is no ability for Permittees in multiple watersheds to prioritize their actions. 	<ul style="list-style-type: none"> Requires extensive, time-consuming coordination for regional efforts Oriented to regional, Bay watershed-specific issues 	<ul style="list-style-type: none"> Compliance primarily assessed at the jurisdictional level; therefore, jurisdictions focus more on jurisdictional implementation, less on regional coordination or watershed-specific issues. Size of geographical area plus distance between Clark County and other Permittees poses a challenge to collaboration on resource-intensive requirements such as monitoring but this issue is currently being evaluated through the implementation of a regional monitoring framework 	<ul style="list-style-type: none"> Small geographical area is addressed relative to other strategy types Requires a central agency (utility) with broad responsibilities to implement 	<ul style="list-style-type: none"> Lead Permittee has limited leverage with other partners to have them participate or provide funding for the implementation of the program. Participation in the watershed permit requires a comprehensive approach – this could be perceived as doing more if not offset with the baseline stormwater program modifications 	

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INDIVIDUAL PERMIT SUMMARIES

A. Philadelphia, Pennsylvania

i. Overview⁷

Within Pennsylvania, there are over 700 communities required to obtain a Phase II municipal stormwater permit. The two cities regulated under Phase I stormwater permits are Allentown and Philadelphia.

In the City of Philadelphia, there are both combined sewers (66% of the system) and separate sewer systems (34% of the system) for wastewater and stormwater. Philadelphia is currently regulated under an individual NPDES MS4 Phase I Permit (No. PA0054712), adopted September 2005.⁸ The Philadelphia Water Department (PWD) is the lead for the stormwater program within the City. Although Philadelphia submitted their original Stormwater Management Plan in April 1994, they no longer have a formal Plan. The Stormwater Program is funded from the City's Water Fund, supported by revenue from water and sewer rates.

Pennsylvania's Storm Water Management Act (Act 167) was enacted in 1978. This Act was in response to the impacts resulting from land development. It requires counties to prepare and adopt watershed based stormwater management plans and requires municipalities to adopt and implement ordinances to regulate development consistent with these plans.⁹

In 1999, PWD integrated three historically separate programs: Combined Sewer Overflow, Stormwater Management, and Source Water Protection to improve synergy and develop a holistic approach. The idea was to simultaneously address a number of regulations while preserving and maintaining the health of the watershed.¹⁰ The team worked on developing a comprehensive strategy for stormwater management¹¹, while still working toward implementing existing regulatory programs and meeting requirements. As a result, PWD can readily address TMDLs, new permit requirements, and new drinking water requirements within a framework of holistic watershed management.

ii. Permitting Approach & Requirements

Jurisdictional Level

The City of Philadelphia Permit requires the City to maintain a Stormwater Management Program and report on the results and recommendations and fiscal analysis within the annual report. The Stormwater Management Program consists of the following elements:

- Source Identification (GIS data layers)
- Discharge Management, Characterization, and Watershed-Based Assessment and Management Program [See below under Watershed]
- Detection, Investigation, and Abatement of Illicit Connections and Improper Disposal
- Monitor and Control Pollutants from Industrial Sources

⁷ http://www.phillywatersheds.org/watershed_issues/mandates

⁸ Subsequently amended in April 2006

⁹ <http://www.stormwaterpa.org/assets/media/regulatory/3930-FS-DEP4101.pdf>

¹⁰ http://www.werf.org/livablecommunities/studies_phil_pa.htm

¹¹ No formal plan was available as of the date of this document.

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- Monitor and Control Stormwater from Construction Activities (Construction and Post Construction/New Development)
- Watershed, Combined Sewer Overflow, and Source Water Protection Programs
- Miscellaneous Programs and Activities
 - Pollutant migration/infiltration to the MS4 system
 - Public education and awareness
 - Pesticides, herbicides, and fertilizer controls
 - Snow management plan
 - Municipal/hazardous waste, storage, treatment and processing facilities
- Best Management Practices (ordinances, processes, source controls)

Watershed

The Permit has a section dedicated to the development and implementation of a watershed-based assessment, monitoring, characterization, and management program for three watersheds. In order to develop and implement the watershed plans, the City collaborates with other Cities and Counties within the watersheds.

- Discharge Management, Characterization, and Watershed-Based Assessment and Management Program
 - Phase I – Reconnaissance (Years 1-2)
 - Land use and resource mapping
 - Preliminary physical, chemical, and biological quality assessment
 - Inventory of point and non-point sources
 - Preliminary problem assessment
 - Phase II – Watershed Plan Development (Years 1-4)
 - Monitoring and sampling
 - QA/QC and data evaluation
 - Watershed modeling
 - Estimate of loadings from the MS4 system
 - Water body modeling
 - Problem definition and water quality goal setting
 - Technology evaluation
 - Economic assessment and funding requirements
 - Public involvement
 - Phase III – Watershed plan implementation and performance monitoring (Years 1-5). The City is required to develop a plan for monitoring the effectiveness of the

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implemented stormwater management measures. The plan has to be responsive to the following goals [each has specific requirements]:

- Dry weather water quality and aesthetics
 - Meet water quality standards in the stream during dry weather flows by focusing on the elimination of sources of sewage discharge during dry weather and renewing the focus on trash removal and litter prevention.
- Healthy living resources
 - Improve the number, health, and diversity of the benthic community invertebrate and fish species in the watersheds impacted by stormwater.
- Wet weather water quality and quantity
 - Improve in stream water quality by reducing the impact of wet weather events.

iii. Incorporation of Total Maximum Daily Loads

The Permit includes both a TMDL as well as a permit provision that addresses a pollutant of concern.

- Sediment TMDL for Wissahickon Creek
 - No waste load allocations are in the Permit – the TMDL is performance-based¹².
 - The City is required to conduct a feasibility study and implement a monitoring plan based on the results of the study.
- Pollutant Minimization Plan (PMP) for PCBs in the City's MS4
 - The City has to submit a PMP addressing PCBs conveyed through the MS4.

iv. Program Management Structure and Implementation (Governance)¹³

Central to PWD's comprehensive approach to urban water resources management is the development of the watershed management plans (WMPs), which were developed for seven (7) watersheds. The WMPs are developed in cooperation with voluntary stakeholder partnerships. The watershed partnerships are in place without formal MOUs or funding agreements and are designed to provide a forum for stakeholders to work together to develop strategies that embrace the dual focus of improving stream water quality and the quality of life within their communities. Each partnership is charged with driving the process and ensuring that the process remains representative of the diversity of stakeholder perspectives. The ultimate goal is to cultivate a partnership committed to implementing the plan once completed.

¹² "The third goal shall be to evaluate and document whether or not reductions have occurred and that waste load allocations (WLA) found in the Wissahickon Creek Sediment TMDL have been met with further evaluation of future plans and actions to take if WLAs were not met." (Part 1.D, page 5 of Permit).

¹³ Personal communication with Marissa Barletta, Office of Watersheds, Philadelphia Water Department

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B. Montgomery County, Maryland

i. Overview

Within Maryland, there are approximately ninety (90) communities/entities required to obtain a Phase II municipal stormwater permit,¹⁴ and there are eleven (11) entities that are regulated under Phase I stormwater permits.¹⁵ Montgomery County has a population of over 750,000 and is currently regulated under a countywide NPDES MS4 Phase I Permit (No 06-DP-3320 MD0068349), adopted February 2010. This is their second term Permit.¹⁶

Montgomery County, Montgomery County Schools, and the Towns of Chevy Chase, Chevy Chase Village, Kensington, Somerset, and Poolesville; and the Village of Friendship Heights are recognized within the Phase I permit; however, the County is the primary Permittee. The cities and towns assist with permit implementation as needed and requested by the County, but are not formally recognized as Co-permittees within the body of the permit.

Although there is no formal Stormwater Management Plan, there is a “*Montgomery County Coordinated Implementation Strategy*” (Draft February 2011) that presents the restoration strategies that are needed to meet the watershed-specific restoration goals and water quality standards. The Strategy was developed to provide the planning basis for the County to:

- Meet TMDL WLAs;
- Provide additional stormwater runoff management on impervious acres equal to 20% of the impervious area for which runoff is not currently managed to the MEP;
- Meet commitments in the *Trash Free Potomac Watershed Initiative 2006 Action Agreement*;
- Provide education and outreach;
- Establish a reporting framework; and
- Identify the organizational needs to be able to implement the Strategy.

ii. Permitting Approach & Requirements

Jurisdictional Level

The Permit requires the Co-permittees to maintain a Stormwater Management Program and report on the results and recommendations within the annual report. The Stormwater Management Program consists of the following elements:

- Source Identification (See below under Watershed)

¹⁴

http://www.mde.state.md.us/programs/Water/StormwaterManagementProgram/Pages/programs/waterprograms/sedimentandstormwater/storm_gen_permit.aspx

¹⁵

http://www.mde.state.md.us/programs/Water/StormwaterManagementProgram/Pages/programs/waterprograms/sedimentandstormwater/storm_gen_permit.aspx

¹⁶ The first term Permit was issued July 2001 and was modified January 2004. The second term Permit was issued February 2010.

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- Discharge characterization
 - Monitoring data (historical and additional) are used to assess the effectiveness of the stormwater management program, the watershed restoration projects, and progress towards meeting TMDL WLAs.
- Management Programs
 - Stormwater management
 - Inspect stormwater management facilities
 - Implement design standards, ordinances, policies, etc.
 - Erosion and sediment control
 - Illicit discharge detection and elimination
 - Trash and litter
 - Implement the Potomac River Watershed Trash Treaty
 - Property management
 - Maintain municipal facilities and coverage under general permits
 - Road Maintenance
 - Street sweeping
 - Inlet cleaning
 - Pesticide, herbicide, fertilizer management – IPM program
 - De-icing materials management
 - Public education
- Watershed Assessment (See below under Watershed)
- Watershed Restoration (See below under Watershed)
- Assessment of Controls
 - Watershed Restoration Assessment (chemical, biological, physical monitoring programs)
 - Stormwater Management Assessment (physical stream monitoring)

Watershed

The Permit has several sections that require that sources of pollutants in stormwater runoff be identified and linked to specific water quality impacts on a watershed basis. This process will then be used to develop watershed restoration plans that improve water quality. The specific requirements are outlined below:

- Source identification and mapping of the storm drain system, urban BMPs, impervious surfaces, monitoring locations, and watershed restoration areas
- Watershed Assessment

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- Conduct a systematic assessment of water quality within all the watersheds.
- Goal is to evaluate all watersheds and develop an implementation plan to maximize the water quality improvements.
- Watershed Restoration
 - Implement the practices identified from the Watershed Assessment.
 - Goal is to maximize the water quality in a single watershed, or combination of watersheds; use efforts that are definable and the effects of which are measurable; and show progress towards meeting TMDL WLAs.
 - By the end of the permit term restore a total of 30% of the County's impervious surface area.
- Assessment of Controls (see above)

iii. Incorporation of Total Maximum Daily Loads

All EPA approved TMDLs that establish stormwater WLAs are incorporated by reference into the Permit. The Permit includes the following TMDL requirements:

- No specific WLA are included within the Permit
- Develop TMDL implementation plans for the EPA approved TMDLs
- The implementation plans may include and/or be complementary to the Watershed activities also required within the permit.
- The implementation plans include benchmarks as interim goals for guiding adaptive management activities
- Compliance with the TMDL WLAs is performance-based)¹⁷.

iv. Program Management Structure and Implementation (Governance)

Montgomery County is the lead for the stormwater permit as well as the *Montgomery County Coordinated Implementation Strategy*"; however, they encourage and integrate other stakeholders as a part of the process, as needed.

¹⁷ "If the EPA approved TMDL WLAs are not being met according to the benchmarks and deadlines contained in the County's TMDL implementation plans, an iterative approach shall be used where additional or alternative stormwater controls are proposed and implemented in order to achieve WLAs." (Part III, J.4. page 13).

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COUNTYWIDE PERMIT SUMMARIES

A. County of Orange, San Diego Region

The County of Orange, the incorporated cities of Orange County, and the Orange County Flood Control District are subject to the Phase I NPDES MS4 permits for the Santa Ana and San Diego Regions.¹⁸ This is their fourth term permit¹⁹. The County of Orange is the Principal Permittee, and the cities and the Orange County Flood Control District are Copermittees on the permits (all parties are herein collectively referred to as Copermittees). There are 28 Copermittees in the Santa Ana Region and 13 Copermittees in the San Diego Region. The Orange County Stormwater Program Copermittees are listed in **Table 2**.

For the purpose of this memorandum, the subsequent review and sections focus on the San Diego Region Permit and the overall implementation of the Orange County Stormwater Program.

Table 2. Orange County Stormwater Program Copermittees

San Diego Region Permit	Santa Ana Region Permit	
<ul style="list-style-type: none"> • County of Orange • Orange County Flood Control District • City of Aliso Viejo • City of Dana Point • City of Laguna Beach • City of Laguna Hills • City of Laguna Niguel • City of Laguna Woods • City of Lake Forest • City of Mission Viejo • City of Rancho Santa Margarita • City of San Clemente • City of San Juan Capistrano 	<ul style="list-style-type: none"> • County of Orange • Orange County Flood Control District • City of Anaheim • City of Brea • City of Buena Park • City of Costa Mesa • City of Cypress • City of Fountain Valley • City of Fullerton • City of Garden Grove • City of Huntington Beach • City of Irvine • City of Laguna Hills • City of Laguna Woods 	<ul style="list-style-type: none"> • City of La Habra • City of La Palma • City of Lake Forest • City of Los Alamitos • City of Newport Beach • City of Orange • City of Placentia • City of Santa Ana • City of Seal Beach • City of Stanton • City of Tustin • City of Villa Park • City of Westminster • City of Yorba Linda

ii. Permitting Approach & Requirements

The San Diego Region countywide permit includes requirements for certain program elements to be developed, implemented, and reported on at jurisdictional, watershed and/or countywide levels.

Jurisdictional Level

The San Diego Region Permit requires each Copermittee to develop and implement a Jurisdictional Runoff Management Program (JRMP) within its respective jurisdiction that includes the typical stormwater management program elements:

¹⁸ Order No. R8-2009-0030, NPDES No. CAS618030 (Santa Ana Region Permit) and Order No. R9-2009-0002, NPDES No. CAS0108740 (San Diego Region Permit)

¹⁹ The first term Permit was issued July 1990, second term Permit was issued August 1996, third term Permit was issued February 2002, and the fourth term Permit was issued December 2009.

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- Development Planning Component
- Construction Component
- Existing Development Component
 - Municipal (Includes training/education of personnel/contractors)
 - Commercial/Industrial (Includes training/education of owners/operators)
 - Residential (Includes residential education)
 - Retrofitting Existing Development
- Illicit Discharge Detection and Elimination
- Public Participation Component

Watershed Level

The San Diego Region Permit requires the Permittees to identify the “Lead Watershed Copermittee” for each Watershed Management Area and to develop and implement a Watershed Water Quality Workplan (Watershed Workplan). The intent of the Watershed Workplan is to assess and prioritize water quality problems within a particular watershed and to address high-priority water quality issues with consideration given to TMDLs and 303(d)-listed water bodies, among other things. This is accomplished by the stakeholders in each watershed collaboratively developing the Watershed Workplan – a watershed-based management strategy – and implementing it on a watershed and/or jurisdictional basis, as appropriate.

Countywide Level

The San Diego Region Permit encourages, but does not require, the Copermittees to address some program elements on a countywide basis so that they may be efficiently and cost-effectively developed and implemented (e.g., Regional Residential Education Program, Monitoring). Countywide approaches to residential education and other stormwater-related efforts allow for the leveraging of resources and may promote the distribution of consistent stormwater messages.

iii. Incorporation of Total Maximum Daily Loads

The San Diego Region Permit includes a TMDL, as well as a permit provision requiring Copermittees to develop and implement Watershed Water Quality Workplans (see previous section, “Permitting Approach & Requirements: Watershed Level”). The Permit incorporates the following TMDL requirements:

- Baby Beach Bacterial Indicator TMDL
 - Waste Load Allocations are included in the Permit; however, the Permit is performance-based.²⁰

²⁰ The Copermittees in the Baby Beach watershed shall implement BMPs capable of achieving the interim and final WLAs [paraphrased – Page 78 of 91], Order No. R9-2009-0002.

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- The Copermittees within the watershed are required to conduct monitoring to assist in determining compliance with the final waste load allocations.

iv. Program Management Structure and Implementation (Governance)

A program management framework and Implementation Agreement for the Copermittees has been in place for the Orange County Stormwater Program since the early 1990s. The framework provides a process and structure for the development and implementation of the coordinated Program at the jurisdictional, countywide, and watershed levels. The Copermittees entered into an updated NPDES Stormwater Permit Implementation Agreement in 2002 that designates program implementation responsibilities, among other things.

The Principal Permittee and Copermittee responsibilities are specified in both permits and reiterated in the Implementation Agreement. The role of the Principal Permittee (the County of Orange) is the same as that for the other Copermittees, with the addition of certain overall countywide program coordination and management responsibilities.

As Principal Permittee, the County of Orange acts as a liaison between the Regional Board and the Copermittees and provides overarching program support, guidance, and tools for the Copermittees to assist them with the development, implementation, and reporting of the program. This allows for a leveraging of resources among the Copermittees and promotes countywide consistency. The Principal Permittee reports to and receives guidance from a Technical Advisory Committee, as well as several sub-committees and task forces that have been created to address various permit requirements (e.g., legal authority, monitoring, inspections).

However, the Principal Permittee has no regulatory authority over the Permittees. Each Permittee is responsible for ensuring permit compliance within its jurisdiction. In addition to the countywide and watershed management framework for program development, the Permittees formally identify the departments with responsibility for implementation of each program element within their jurisdictions.

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COUNTYWIDE PERMIT SUMMARIES

B. Ventura County

i. Overview

The Ventura County Watershed Protection District (Watershed Protection District), the County of Ventura, and the incorporated cities are regulated under a countywide Phase I NPDES MS4 permit.²¹ This is their third term permit²². The Watershed Protection District is the Principal Permittee, and the cities and the County of Ventura are each a Permittee and collectively referred to as Permittees. A total of 12 Permittees are subject to this permit (**Table 3**).

Table 3. Ventura Countywide Stormwater Management Program Permittees

Ventura County Permit	
• Ventura County Watershed Protection District	• City of Oxnard
• County of Ventura	• City of Port Hueneme
• City of Camarillo	• City of Ventura (San Buenaventura)
• City of Fillmore	• City of Santa Paula
• City of Moorpark	• City of Simi Valley
• City of Ojai	• City of Thousand Oaks

ii. Permitting Approach and Requirements

This permit includes requirements for certain program elements to be developed, implemented, and reported on at jurisdictional, countywide, and/or watershed levels.

Jurisdictional Level

The Ventura Permit specifies that each Permittee is to implement activities required to comply with the permit provisions but does not require that the Permittees develop a stormwater management plan. The permit requires the following program elements:

- Public Information and Participation Program (PIPP) – Although this is a collaborative effort, the Permittees are required to implement specific elements of the PIPP within their own jurisdictions.
- Industrial and Commercial Facilities Program
- Planning and Land Development Program
- Development Construction Program
- Public Agency Activities Program
- Illicit Connections and Illicit Discharges Elimination Program

²¹ Order No. R4-2010-0108, NPDES No. CAS004002 (Ventura Permit)

²² The first term Permit was issued in August 1994, the second term Permit was issued in July 2000, and the third term Permit was issued Jan 2010.

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COUNTYWIDE PERMIT SUMMARIES

Countywide Level

The Ventura Permit requires the Principal Permittee to implement the PIPP and coordinate with other Permittees on implementation of specific PIPP elements. Addressing this on a countywide basis allows the PIPP to be efficiently and cost-effectively developed and implemented; in addition, it allows for the leveraging of resources and may promote the distribution of consistent stormwater messages.

Watershed Level

In the Watershed Initiative Participation provision, the Ventura Permit requires the Principal Permittee to participate in water quality meetings and regional water quality programs and/or projects for watershed management and planning. In addition, TMDLs are addressed in Part 5 of the Ventura Permit.

iii. Incorporation of Total Maximum Daily Loads

The Ventura Permit incorporates a total of 13 TMDLs:

- TMDL for Nutrients for Malibu Creek Watershed²⁴
- TMDL for Nitrogen Compounds and Related Effects in Calleguas Creek (There are no WLA in the permit)
- TMDL for Nitrogen Compounds for the Santa Clara River²³
- TMDL for Chloride in Santa Clara River, Reach 3²⁴
- TMDL for Chloride in Upper Santa Clara River²³
- TMDL for Toxicity, Chlorpyrifos and Diazinon in the Calleguas Creek, its Tributaries and Mugu Lagoon²³
- TMDL for Organochlorine Pesticides, Polychlorinated Biphenyls, and Siltation in Calleguas Creek, its Tributaries and Mugu Lagoon²³
- TMDL for Bacteria in Malibu Creek and Lagoon²³
- TMDL for Metals and Selenium in the Calleguas Creek, its Tributaries and Mugu Lagoon²³
- TMDL for Trash in Revolon Slough and Beardsley Wash²³
- TMDL for Boron, Chloride, Sulfate, and TDS in Calleguas Creek Watershed²³
- TMDL for Trash in the Ventura River Estuary²³
- TMDL for Bacteria in Harbor Beaches of Ventura County²³

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COUNTYWIDE PERMIT SUMMARIES

A general summary of the permit provisions are provided below.

- Waste Load Allocations are included in the Permit. For some TMDLs there is permit language that identifies that they are performance-based²³, however, for other TMDLs it is unclear if they are performance-based or if the WLAs could be strictly interpreted as numeric effluent limits.²⁴
- Compliance monitoring is required per each TMDL's Monitoring Program.
- Additional actions or special studies are to be implemented as required by specific TMDLs.

iv. Program Management Structure and Implementation (Governance)

A program management framework and Implementation Agreement for the Permittees has been in place for the Ventura Countywide Stormwater Quality Management Program since 1992. The framework provides a process and structure for the development and implementation of the coordinated Program at the jurisdictional, countywide, and watershed levels. The Permittees entered into an updated Implementation Agreement in 2010 that designates program implementation responsibilities, among other things.

The Principal Permittee and Permittee responsibilities are specified in the Ventura Permit, and the Principal Permittee responsibilities are reiterated in the Implementation Agreement. The role of the Principal Permittee (the Watershed Protection District) is the same as that for the other Permittees, with the addition of certain overall countywide program coordination & management responsibilities.

As Principal Permittee, the Watershed Protection District acts as a liaison between the Regional Board and the Permittees and provides overarching program support, guidance, and tools for the Permittees to assist them with the development, implementation, and reporting of the program. This allows for a leveraging of resources among the Permittees and promotes countywide consistency. The Principal Permittee reports to and receives guidance from an NPDES Management Committee comprising twelve members (one for each of the Permittees), as well as from sub-committees that have been created to address various permit requirements and implementation programs (e.g., residential/public outreach, business and illicit discharge control, planning and land development).

However, the Principal Permittee has no regulatory authority over the Permittees. Each Permittee is responsible for ensuring permit compliance within its jurisdiction. In addition to the countywide and watershed management framework for program development, the Permittees formally identify the departments with responsibility for implementation of each program element within their jurisdictions.

²³ Example "Compliance Monitoring: (2) If any WLA is exceeded at a compliance monitoring site, permittees shall implement BMPs in accordance with the TMDL Technical Reports, Implementation Plans or as identified as the result of TMDL special studies identified in the Basin Plan Amendment. Following these actions, Regional Water Board staff will evaluate the need for enforcement action." (Part 5, VI.3(b)(2), Page 90)

²⁴ Example "Compliance Monitoring: This TMDL was established and approved by USEPA and did not include an implementation plan." (Part 5, VI.1(c), Page 89).

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A. San Francisco Bay Region

i. Overview

The following Programs are subject to the Phase I NPDES Municipal Regional Stormwater Permit (Order No. R2-2009-0074, NPDES No. CAS612008) (Bay Area MRP) for the San Francisco Bay Region:

- Alameda Countywide Clean Water Program
- Contra Costa Clean Water Program
- Fairfield-Suisun Urban Runoff Management Program
- San Mateo Countywide Water Pollution Prevention Program
- Santa Clara Valley Urban Runoff Pollution Prevention Program
- Vallejo Sanitation and Flood Control District

The individual permittees operating under these Programs are listed in **Table 4**. The permittees coordinate regionally, through the Bay Area Stormwater Management Agencies Association (BASMAA), and Program-wide (i.e., depending on Program, may be countywide). Each permittee is also responsible for implementing the permit requirements locally within its jurisdiction.

BASMAA also includes agencies other than those covered by the Bay Area MRP, specifically:

- The Marin County Stormwater Pollution Prevention Program, subject to Order No. 2003-0005-DWQ (Phase II Permit)
- The Sonoma County Water Agency, a co-permittee with the City of Santa Rosa and the County of Sonoma under the North Coast Regional Board issued Phase I Permit (Order No. R1-2003-0062). Areas of Sonoma County are also subject to the Phase II Permit.
- The California Department of Transportation (Caltrans)
- The City and County of San Francisco (combined sewer system)

Together, BASMAA participants represent more than 90 agencies, including 79 cities and 6 counties, which geographically comprise the majority of the watershed adjacent to San Francisco Bay.

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Table 4. San Francisco Bay Region Municipal Regional Stormwater NPDES Programs and Permittees

Alameda Countywide Clean Water Program (Alameda Permittees)	Contra Costa Clean Water Program (Contra Costa Permittees)	Santa Clara Valley Urban Runoff Pollution Prevention Program (Santa Clara Permittees)	San Mateo Countywide Water Pollution Prevention Program (San Mateo Permittees)	Fairfield-Suisun Urban Runoff Management Program (Fairfield-Suisun Permittees)	Vallejo Permittees
<ul style="list-style-type: none"> • City of Alameda • City of Albany • City of Berkeley • City of Dublin • City of Emeryville • City of Fremont • City of Hayward • City of Livermore • City of Newark • City of Oakland • City of Piedmont • City of Pleasanton • City of San Leandro • City of Union City • Alameda County • Alameda County Flood Control and Water Conservation District • Zone 7 of the Alameda County Flood Control and Water Conservation District 	<ul style="list-style-type: none"> • City of Clayton • City of Concord • City of El Cerrito • City of Hercules • City of Lafayette • City of Martinez • City of Orinda • City of Pinole • City of Pittsburg • City of Pleasant Hill • City of Richmond • City of San Pablo • City of San Ramon • City of Walnut Creek • Town of Danville • Town of Moraga • Contra Costa County • Contra Costa County Flood Control and Water Conservation District 	<ul style="list-style-type: none"> • City of Campbell • City of Cupertino • City of Los Altos • City of Milpitas • City of Monte Sereno • City of Mountain View • City of Palo Alto • City of San Jose • City of Santa Clara • City of Saratoga • City of Sunnyvale • Town of Los Altos Hills • Town of Los Gatos • Santa Clara Valley Water District • Santa Clara County 	<ul style="list-style-type: none"> • City of Belmont • Brisbane • Burlingame • Daly City • East Palo Alto • Foster City • Half Moon Bay • Menlo Park • Millbrae • Pacifica • Redwood City • San Bruno • San Carlos • San Mateo • South San Francisco • Town of Atherton • Town of Colma • Town of Hillsborough • Town of Portola Valley • Town of Woodside • San Mateo County Flood Control District • San Mateo County 	<ul style="list-style-type: none"> • City of Fairfield • City of Suisun City 	<ul style="list-style-type: none"> • City of Vallejo • Vallejo Sanitation and Flood Control District

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ii. *Permitting Approach and Requirements*

The Bay Area MRP is a regional permit that was issued to six stormwater Programs (including a total of 76 individual permittees) within the San Francisco Bay Region. This particular permit includes requirements for certain program elements to be developed and implemented at a jurisdictional, Program-wide (i.e., depending on Program, may be countywide), and regional levels. These program elements, including pollutant-specific programs, are implemented for all watersheds within the permitted area. Many of the regional efforts are conducted as cooperative efforts through BASMAA.

Jurisdictional Level

At the jurisdictional level, the Bay Area MRP requires implementation of traditional stormwater management program elements. These program elements are generally the same for most permittees, with a few differences specified for particular permittees or Programs. The general program elements are as follows:

- Municipal Operations
- New Development and Redevelopment
- Industrial and Commercial Site Controls
- Illicit Discharge Detection and Elimination
- Construction Site Control
- Public Information and Outreach

The Bay Area MRP notes that some of these jurisdictional requirements may be developed and/or implemented collaboratively at either a Program-wide or regional level so that the permittees can leverage their resources and promote consistency within the Bay Area. They include the following:

- New Development and Redevelopment (i.e., training)
- Industrial and Commercial Site Controls
- Construction
- Public Information and Outreach (i.e., advertising campaigns, surveys, and media relations)

In addition, the Bay Area MRP requires pollutant-specific and water quality monitoring programs that may be developed or coordinated at the Program-wide or regional level. The local jurisdictions, though, are responsible for the implementation of the program within their respective jurisdictions. These pollutant-specific and water quality monitoring requirements are as follows:

- Water Quality Monitoring
- Pollutant-Specific Programs
 - Pesticides Toxicity Control

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- Trash Load Reduction
- Mercury Controls
- Polychlorinated Biphenyl (PCBs) Controls
- Copper Controls
- Polybrominated Diphenyl Ethers (PBDE), Legacy Pesticides, and Selenium

Countywide or Program-Wide Level

Although the stormwater Programs (including some Countywide Programs) were consolidated with the issuance of the Bay Area MRP, these Programs still meet and maintain their sub-committees to assist with the development, implementation, and coordination of the stormwater program within their respective jurisdictions. Program-wide coordination also provides a mechanism to review guidance and tools developed at the regional level through BASMAA and provide and/or tailor these materials to the local jurisdictions.

Regional Level

BASMAA was started in response to the issuance of the municipal NPDES permits to provide a way for the Bay Area municipalities to coordinate regionally, promote consistency within the region, and to leverage their resources in the development and implementation of their stormwater programs. Some of the permit requirements, such as the C.10 requirements for Trash and C.3 requirements for New Development, are coordinated through BASMAA at the regional level so that a consistent program can be developed and implemented.

BASMAA consists of a Board representing the seven municipal programs and several committees that report to the Board, including, but not limited to, the following:

- Monitoring Committee
- New Development Committee
- Public Information/Participation Committee
- Operational Permits Committee

BASMAA also allows the Bay Area municipalities to work collaboratively to address other regional stormwater-related issues, such as:

- Working with the regional air quality district in linking air quality to water quality;
- Working to strengthen the integration of storm water and wastewater;
- Working with trade associations to develop practical industrial/commercial water quality programs; and
- Working with rural-focused agencies and programs in the upper watersheds.

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iii. Incorporation of Total Maximum Daily Loads

The Bay Area MRP addresses several TMDLs and pollutants of concern (see also previous section, "Permitting Approach and Requirements: Jurisdictional Level")²⁵.

- Diazinon and Pesticide-Related Toxicity in Urban Creeks TMDL (addressed within "Pesticides Toxicity Control" provision, C.9)
 - Although waste load allocations are included within the TMDL, the MRP includes performance-based requirements, as outlined in the TMDL implementation plan.
- San Francisco Bay Mercury TMDL (addressed within "Mercury Controls" provision, C.11)
 - Although waste load allocations are included within the TMDL, the MRP includes performance-based requirements. The permittees are required to conduct stormwater monitoring and determination of pollutant loads and must demonstrate progress toward (a) the interim loading milestones, or (b) attainment of the program area allocations.
- San Francisco Bay Polychlorinated Biphenyls TMDL (*unadopted at time of Bay Area MRP adoption; USEPA approved March 29, 2010*) (addressed within "Polychlorinated Biphenyls (PCBs) Control" provision, C.12)
 - Although waste load allocations are included within the TMDL, the purpose of the Bay Area MRP provision is to implement the performance-based urban runoff requirements of the PCBs TMDL and reduce PCBs loads to make substantial progress toward achieving the urban runoff PCBs load allocation.
- Pollutants of Concern - Trash Load Reduction Requirements, Copper Controls, Polybrominated Diphenyl Ethers, Legacy Pesticides, and Selenium.
 - Although numeric reductions are included within the Permit for trash, the provisions are performance-based requirements.

iv. Program Management Structure and Implementation (Governance)

A management framework is in place to enable the development and implementation of the Bay Area MRP requirements at the jurisdictional, Program-wide or countywide, and regional levels. The Bay Area MRP permittees are responsible for the development and implementation of the program within their respective jurisdictions. A framework also exists for some requirements to be implemented Program-wide or countywide, with permittees participating on sub-committees for the applicable Program. Much of the overall program implementation and many of the regional requirements are conducted as cooperative efforts through BASMAA. The member programs of BASMAA have all agreed to the Bylaws that set policy on member's roles and responsibilities and describe the purpose and basic operations of the organization.

²⁵ "... Consistent with USEPA's recommendation, this section implements WQBELs expressed as an iterative BMP approach capable of meeting the WLAs in accordance with the associated compliance schedule. The Permit's WQBELs include the numeric WLA as a performance standard and not as an effluent limitation. The WLA can be used to assess if additional BMPs are needed to achieve the TMDL Numeric Target in the waterbody." (MRP Appendix I: Fact Sheet, page App I-68).

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B. Western Washington

i. Overview

The City of Tacoma, the City of Seattle, Clark, King, Pierce, and Snohomish Counties, the Port of Seattle, the Port of Tacoma, and a number of other entities are subject to the State of Washington's Phase I Municipal Stormwater Permit (Western Washington Permit).²⁶ This is their second term permit²⁷. The Western Washington Permit classifies permittees as Permittees, Co-Permittees, or Secondary Permittees. At least eight entities are subject to the Western Washington Permit; all parties are listed in **Table 5**.

Table 5. Western Washington Permittees

Permittees	Secondary Permittees
<ul style="list-style-type: none"> • City of Tacoma • City of Seattle • County of Clark • County of King¹ • County of Pierce • County of Snohomish 	<ul style="list-style-type: none"> • Port of Seattle (excluding Seattle-Tacoma International Airport) • Port of Tacoma • Active drainage, diking, flood control, or diking and drainage districts which own or operate MS4s serving non-agricultural land uses and are located in the Permittee Cities or unincorporated portions of the Permittee Counties • Other owners or operators of MS4s located in the Permittee Cities or unincorporated portions of the Permittee Counties

Note:

1. The Western Washington Permit notes, "King County is covered as a Co-Permittee with the City of Seattle for discharges from outfalls that King County owns or operates within the City of Seattle".

ii. Permitting Approach & Requirements

The Western Washington Permit is a regional permit that was issued to several Large and Medium MS4s²⁸ within non-contiguous areas of the western portion of Washington State. This particular permit includes requirements for certain program elements to be developed and implemented at jurisdictional and regional levels. These program elements are implemented for all watersheds within each permitted area.

Jurisdictional Level

At the jurisdictional level, the Western Washington Permit requires implementation of stormwater management program components. The Western Washington Permit has different, specific requirements for Permittees, Co-Permittees, and Secondary Permittees; however, each regulated entity is required to complete a Stormwater Management Program document and update it at least annually.

²⁶ National Pollutant Discharge Elimination System and State Waste Discharge General Permit for Discharges from Large and Medium Municipal Separate Storm Sewer Systems, State of Washington Department of Ecology, issued January 2007 and last modified September 1, 2010.

²⁷ The first term stormwater permit was issued in July 1995. The second term permit was issued in January 2007 and subsequently modified in June 2009 and September 2010.

²⁸ As established at Title 40 CFR 122.26

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Table 6. Stormwater Management Program Components for Western Washington Permittees

Program Component	Permittees ¹	Secondary Permittees ²	Port of Tacoma and Port of Seattle
Legal Authority	X		
MS4 Mapping and Documentation	X		
Coordination	X		
Public Involvement and Participation	X	X	X
New Development, Redevelopment, and Construction	X	X	X
Structural Stormwater Controls	X		
Existing Development	X		X
Illicit Connections and Illicit Discharges	X	X ³	X ³
Operation and Maintenance/Municipal Operations	X	X	X
Education and Outreach	X	X	X
TMDL-Related Actions	X	X	X
Monitoring (Long-Term)	X	--- ⁴	X

Notes:

1. King County, as a Co-Permittee with the City of Seattle, is required to participate in the City of Seattle's Stormwater Management Program.
2. Except for the Port of Tacoma and the Port of Seattle
3. Illicit Discharges only
4. No monitoring is required for Secondary Permittees except for any monitoring required for compliance with TMDLs and any monitoring required for characterizing illicit discharges.

Regional Level

As part of the "Coordination" component for Permittees, the Western Washington Permit requires Permittees to:

- "Establish mechanisms clarifying roles and responsibilities for the control of pollutants between physically interconnected MS4s of the Permittee and any other Permittee covered by a municipal stormwater permit" and to
- "Establish coordinating stormwater management activities for shared waterbodies, among Permittees and Secondary Permittees, to avoid conflicting plans, policies and regulations."

Requirements for such coordination mechanisms reflect a regional permitting approach.

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In addition, some entities regulated by the Western Washington Permit voluntarily coordinate on a regional level via groups such as the NPDES Phase I Municipal Stormwater Permit Coordinators' Group. Regional program coordination also takes place on a voluntary basis for source control inspectors, storm system sewer mapping, and public education and outreach (via the Stormwater Outreach for Regional Municipalities (STORM) effort).²⁹

iii. Incorporation of Total Maximum Daily Loads

The Western Washington Permit addresses several established TMDLs by reference within Section S7 and, more specifically, within Appendix 2 of the General Permit and states "For applicable TMDLs listed in Appendix 2, affected Permittees shall comply with the specific requirements identified in Appendix 2"³⁰. There are no waste load allocations in the Permit.

It also incorporates, by reference, applicable TMDLs not listed in Appendix 2 and states "For applicable TMDLs not listed in Appendix 2, compliance with this permit shall constitute compliance with those TMDLs."³¹

The Western Washington Permit requires the affected Permittees to comply with the performance-based requirements outlined within Appendix 2. The requirements are implementation actions that are specified within the appendix including ordinance development, plan development, development of education program, monitoring, etc. These requirements are identified within the Appendix for the following TMDLs:

- Nooksack River Watershed Bacteria
- Snohomish River Tributaries (Fecal Coliform)
- North Creek (Fecal Coliform)
- Swamp Creek (Fecal Coliform)
- South Prairie Creek Bacteria and Temperature TMDL

iv. Program Management Structure and Implementation (Governance)

The requirements of the Western Washington Permit are implemented separately by Permittees and Co-Permittees, as well as Secondary Permittees, with some required coordination at a regional level, as described above. All other program coordination is voluntary. No formal interagency implementation agreements are in place.³²

²⁹ The Department of Ecology maintains a list of Permittee coordination opportunities on its website: <http://www.ecy.wa.gov/programs/wq/stormwater/municipal/CoordinationOpps.html>

³⁰ Section S7.A, page 43 of 73

³¹ Section S7.B, page 43 of 73

³² Personal communication with Shauna Hansen, City of Tacoma Public Works Department

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WATERSHED PERMIT SUMMARIES

A. Clean Water Services (Oregon)**i. Overview**

Clean Water Services (CWS) is a water resources management public utility for the Tualatin River watershed in Oregon that is responsible for, among other things, wastewater and stormwater services, flood management projects, and water quality and stream enhancement projects. CWS is the sole permittee of the NPDES permit³³ (CWS Permit) for this watershed that was re-issued by the Oregon Department of Environmental Quality (Oregon DEQ) on July 27, 2005.³⁴ The implementers of the Stormwater Management Plan (SWMP) associated with this permit are CWS (referred to as “District” in the SWMP), Washington County, and the cities of Banks, Beaverton, Cornelius, Durham, Forest Grove, Hillsboro, King City, North Plains, Sherwood, Tigard, and Tualatin (together referred to as “Co-Implementers”).

The Tualatin River watershed lies within the Willamette Basin in the northwest portion of Oregon, west of Portland. This watershed drains 712 square miles and ranges from densely populated areas to agricultural areas to the forests of Oregon’s Coast Range Mountains.³⁵ The watershed is primarily located within Washington County. The close correlation that exists between the watershed and political boundaries is a unique feature of the Tualatin River watershed.

ii. Permitting Approach and Requirements

The CWS Permit addresses stormwater discharges from all MS4s as well as other point and non-point sources that exist within the Tualatin River watershed. The regulated discharges are from the Co-Implementers’ collective service area, including the stormwater service area of CWS and the urban growth boundary of Washington County.³⁶

This watershed permit consolidated the permitted point sources within the watershed, naming one responsible entity (CWS). The CWS Permit includes requirements for baseline stormwater program elements to be developed and implemented throughout the watershed by CWS on behalf of the Co-Implementers.

Watershed and Jurisdictional Levels

The stormwater program includes the following program elements that are implemented by CWS on behalf of the other Co-Implementers or by the Co-Implementers themselves, depending on the intergovernmental agreement in place (see “Program Management Structure and Implementation”):

³³ Oregon Department of Environmental Quality, NPDES Watershed-Based Waste Discharge Permit, Permit Nos. 101141, 101142, 101143, 101144 & MS4, July 27, 2005.

³⁴ This permit is currently being renegotiated and will be reissued within the next year or so. Prior to this permit the entities each had coverage under their own permits.

³⁵ http://www.trwc.org/tualatin_info.html

³⁶ As stated in the Clean Water Services permit, “Four individual permits for the operation of publicly owned sewage treatment works (POTWs), one municipal separate storm sewage system (MS4) permit and individual storm water permits for the Durham and Rock Creek Advanced Wastewater Treatment Facilities in the Tualatin River watershed have been integrated and consolidated into this document.”

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- Best Management Practices (BMPs)
 - Construction Site Stormwater
 - Operation and Maintenance Activities
 - Structural and Source Control Measures
 - Illicit & Non-Stormwater Discharges
 - Landfills, Hazardous Waste Sites, and Industrial Facilities
 - Public Education and Outreach
- Monitoring Program
 - In-Stream Water Quality Monitoring
 - Biological and Physical Monitoring
 - MS4 Stormwater Runoff Monitoring

The stormwater program also includes elements addressing Stormwater Pollutant Loads, TMDLs and Pollutant Load Reduction Benchmarks for TMDL pollutants (see next section, “Incorporation of Total Maximum Daily Loads”), as well as an evaluation and adaptive management strategy.

iii. Incorporation of Total Maximum Daily Loads

The CWS Permit addresses the Tualatin Sub-Basin TMDL (August 2001). This one TMDL document covers all four TMDLs³⁷:

- Temperature TMDL
- Bacteria TMDL
- Dissolved Oxygen TMDL (Ammonia, Volatile Solids, and Phosphorus)
- pH and Chlorophyll *a* (Total Phosphorus) TMDL

The TMDL is incorporated into the permit as follows:

- Waste load allocations are incorporated by reference within the Permit.
- The CWS Permit and related plans serve as an implementation plan for the permittees to address the TMDL WLA requirements.
- Compliance with the TMDL WLA is performance-based.^{38, 39}

³⁷ <http://www.deq.state.or.us/wq/tmdls/docs/willamettebasin/tualatin/tmdlwqmp.pdf>

³⁸ “The permittee is deemed to be in compliance with in-stream water quality standards and shall not be deemed to be causing or contributing to a violation of the Tualatin Basin temperature TMDL or water quality standards for temperature if the permittee is in compliance with this approved surface water temperature management plan.” (Schedule A, 1.a. (5))

³⁹ “It is the intent of this section to ensure pollutant discharges for those parameters listed in the TMDL are reduced to the MEP. Adequate progress toward achieving assigned waste load allocations (WLAs) will be demonstrated through the implementation of best management practices that are targeted at TMDL-related pollutants”. (Schedule D, 8.b.(4))

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- The TMDL authorizes water quality trading as a means of achieving the allocations established by the TMDL
- The CWS Permit states that “Adequate progress toward achieving assigned waste load allocations (WLAs) will be demonstrated through the implementation of best management practices that are targeted at TMDL-related pollutants” and refers to Pollutant Load Reduction Benchmarks that are included in the permittees’ SWMP.

iv. Program Management Structure and Implementation (Governance)

CWS is required by its permit to maintain adequate legal authority to effectively implement and enforce the relevant provisions of the permit. CWS’s legal authority is established and maintained through ORS 451⁴⁰, the use of ordinances, resolutions and orders, and intergovernmental agreements (IGAs) with the Co-Implementers (the cities of Banks, Beaverton, Cornelius, Durham, Forest Grove, Hillsboro, King City, North Plains, Sherwood, and Tualatin, and Washington County). CWS works with the Co-Implementers to ensure that the stormwater program is implemented within each of the jurisdictions.

In 1990, CWS reached consensus with its member cities to extend their respective IGAs related to cooperative operation of the sanitary sewer system to address storm and surface water management. These IGAs were renegotiated in 2004 and 2005. CWS has the following types of IGAs:

- “Full Service Agreements” – City agrees that all stormwater services are to be provided by CWS.
- “Self-Service Providers” – City has operation and maintenance authority over the storm sewer systems, water quality systems, and roadside ditches in street rights-of-way under city jurisdiction. Each city is responsible for maintenance and other associated functions of the storm sewer system and stormwater program within city limits; in addition, each city must follow work program maintenance standards established by CWS.

In January 2005, CWS entered into an IGA with Washington County and the Urban Road Maintenance District (URMD) that established operating principles between the parties for the operation, maintenance, and management of the sanitary sewer and stormwater system within the service area and transferred NPDES MS4 responsibilities and permittee status to CWS.

CWS develops and implements efforts to meet most CWS Permit requirements on behalf of the other Co-Implementers.

⁴⁰ <http://www.leg.state.or.us/ors/451.html>

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WATERSHED PERMIT SUMMARIES

B. Michigan (Statewide Watershed-Based General Permit)⁴¹

i. Overview

There are six Phase I communities in Michigan: Ann Arbor, Flint, Grand Rapids, Sterling Heights, University of Michigan (Ann Arbor), Warren, and the Michigan Department of Transportation. Using the watershed-based permitting approach developed for the Rouge River as a test case, the Michigan Department of Environmental Quality (MDEQ) transitioned the voluntary, watershed-based permit approach into a statewide, watershed-based NPDES general permit in 2002 and renamed it the Watershed-based Permit (Permit No. MIG619000). The Watershed Permit is available for both Phase I and Phase II communities.

The goal of this statewide permit is to provide a watershed-based approach for implementing and coordinating stormwater compliance efforts. MS4s may choose to participate in the watershed approach under the general Watershed-based Permit⁴², or they may opt to seek coverage under MDEQ's more traditional MS4 stormwater general permit, called the Jurisdictional (or individual) Permit.^{43,44} Communities that opt for coverage under the Watershed-based Permit are required to implement stormwater pollution controls throughout the watershed, both inside and outside urbanized areas.

ii. Permitting Approach and Requirements

The stakeholders participate in the development and implementation of the WMP. The purpose of the WMP is to identify and execute the actions needed to resolve water quality and quantity concerns by fostering cooperation among the various public and private entities in the watershed. The WMP contains the following:

- An assessment of the nature and status of the watershed ecosystem to the extent necessary to achieve the purpose of the WMP;
- Short-term measurable objectives for the watershed;
- Long-term goals for the watershed (which shall include both the protection of designated uses of the receiving waters as defined in Michigan's Water Quality Standards, and attaining compliance with any TMDL established for a parameter within the watershed);
- Determination of the actions needed to achieve the short-term measurable objectives for the watershed;
- Determination of the actions needed to achieve the long-term goals for the watershed;
- Assessment of both the benefits and costs of the actions identified above (a "cost/benefit analysis" is not required);

⁴¹ https://wiki.epa.gov/watershed2/index.php/Watershed_Based_Stormwater_Permitting_in_Michigan

⁴² To date 3-4 Phase I programs have chosen to apply for coverage under the watershed permit.

⁴³ Eighty percent of the Phase II permittees in Michigan have opted for coverage under the Watershed-based Permit over the Jurisdictional Permit.

⁴⁴ The jurisdictional storm water general permit (Permit No. MIS040000) contains prescriptive storm water control measures that are required within the jurisdiction of the permittee.

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- Commitments, identified by specific permittee or others as appropriate, to implement actions by specified dates necessary to achieve the short-term measurable objectives;
- Commitments, identified by specific permittee or others as appropriate, to implement actions by specified dates necessary to initiate achievement of the long-term goals; and
- Methods for evaluation of progress, which may include chemical or biological indicators, flow measurements, erosion indices, and public surveys.

Once the WMP is developed, each permittee within the watershed develops and submits a Stormwater Pollution Plan (SWPP) for approval. The SWPP is consistent with the WMP and identifies those actions expected to be implemented over the term of the permit. The SWPP also includes the following:

- The development of a public education plan;
- The development of an illicit discharge elimination plan;
- The evaluation and implementation of pollution prevention and good housekeeping activities, as appropriate;
- The development, implementation, and enforcement of a comprehensive storm water management program for post-construction controls for areas of new development and significant redevelopment; and
- The methods of assessing progress in storm water pollution prevention.

iii. Incorporation of Total Maximum Daily Loads

The TMDLs established within the watershed have to be addressed within the WMP, which needs to include the details for those actions specific to the implementation of the TMDLs.

iv. Program Management Structure and Implementation (Governance)

The Watershed-based Permit requires coordination among all permittees within a watershed to develop a Watershed Management Plan (WMP), but each community separately applies for coverage under the general permit. As long as there is a critical mass of Permittees within a watershed who would like watershed-based coverage, the State allows it. If there are not enough stakeholders within a watershed then each Permittee needs to obtain their own individual permit. However, to date that has not occurred. In addition, although the Watershed Permit requires the inclusion of some typical stormwater program elements⁴⁵, there is built in flexibility as to how the Permittee can address those requirements within the WMP.

MDEQ reviews WMPs to ensure that they will support development of approvable stormwater plans, but it does not approve the WMPs themselves. Each permittee is responsible for carrying out its WMP commitments under its stormwater plan. MDEQ reviews and approves each permittee's stormwater plan, which is an enforceable provision of the permit. The requirement for an individual stormwater plan alleviates concerns raised by the regulators and the regulated community regarding accountability and liability. The WMP includes commitments from each

⁴⁵ Program elements that are required include an Illicit Discharge Elimination Plan (IDEP), a Public Education Plan (PEP), storm drain system mapping, municipal operations, and new development and redevelopment.

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stakeholder community to carry out the specific activities needed to achieve the objectives and goals in the WMP. If a Permittee is in multiple watersheds, there is the ability to prioritize the implementation of the Plan.

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C. EPA Watershed-Based Pilot Projects

i. Overview^{46,47}

In a report by the National Research Council (NRC) titled “*Urban Stormwater Management in the United States*”, the NRC recommended that EPA use a watershed based permitting approach to improve the stormwater program. As a first step, the NRC suggested conducting a pilot program to allow EPA to explore the many complexities associated with watershed-based permitting.

In early 2011, EPA announced that three pilot areas were selected to explore the watershed-based permitting concepts for stormwater management. The three areas selected were:

- Ramsey-Washington Metro Watershed District in Minneapolis/St. Paul, Minnesota;
- Middle Rio Grande Watershed in Albuquerque, New Mexico; and
- Menomonee Watershed, Milwaukee area, Wisconsin.

The pilots will explore the following:

- Mechanisms to better tailor stormwater management plans and stormwater permits to meet the needs and conditions of the watershed;
- Efficiencies that can be gained by the permitted entities in implementing certain elements of the stormwater program, e.g., education, outreach, and monitoring;
- Jurisdictional/legal issues, especially as they relate to jurisdictions that are in several watersheds;
- Potential integration of Phase I/II requirements into one permit;
- Unregulated stormwater discharges and their contribution to the loadings;
- The range of potential watershed permitting approaches.

The watershed permitting concept will allow for the effective linkage of stormwater requirements, TMDL requirements, and watershed management plans in order to create an implementation strategy that is comprehensive, tailored to the watershed needs, and allows for a prioritization of actions, and leverages the limited resources available to the Permittees for the implementation of their programs. Although these efforts are just now underway, it is expected that there may be draft language in 2012-2014, depending on the pilot project.

⁴⁶ From *Watershed Based Stormwater Permit for Albuquerque Urbanized Area, New Mexico*, EPA Region 6.

⁴⁷ Personal Communication with Holly Galavotti, Stormwater Team, Water Permits Division, EPA Headquarters.

ATTACHMENT D
WATERSHED PERMIT SUMMARIES

ii. Pilot Projects

- Ramsey-Washington Metro Watershed District in Minneapolis/St. Paul, Minnesota⁴⁸
 - In 2008 a report entitled *Integrating Stormwater Permitting and Watershed Management* was released.⁴⁹ The report was commissioned to examine the feasibility of approaching stormwater and watershed planning through a watershed-based approach. Some of the conclusions from the report were:
 - There are no significant legal barriers in MN state law to integrated, watershed-based permitting; however, practical barriers do exist when an MS4 is within more than one watershed management area.
 - The increased liability exposure from collaboration is manageable.
 - While there may be increased costs in revising the stormwater program, over the long term there will be cost savings and increased efficiencies.
 - The pilot project consists of two phases that will be conducted over a three year period.
 - Phase I is investigating the feasibility of such an approach and a financial analysis (will this type of approach save money at the local and state level) (2011 – June 2012).
 - Phase II is identifying a legal structure and potential permit and agreement language (April 2012 – Jan 2014).
 - The project includes the Ramsey-Washington Metro Watershed District as the lead with ten Phase II municipalities as Co-Permittees (not included is St. Paul, which is a Phase I municipality).
 - A watershed-based approach would be voluntary.
- Middle Rio Grande Watershed in Albuquerque, New Mexico⁵⁰
 - This pilot project will have a watershed focus with arid environment considerations.
 - There are five (5) subgroups that have been formed to focus on the following permit program elements:
 - Post construction;
 - Monitoring, evaluation, and reporting;
 - Permittee collaboration and public education;
 - Watershed-based format and document development;

⁴⁸ Personal Communication with Clifton Aichinger, Administrator, Ramsey-Washington Metro Watershed District.

⁴⁹ *Integrating Stormwater Permitting and Watershed Management*, April 2008, A Report to the Minnesota Board of Water and Soil Resources and the Minnesota Stormwater Steering Committee.

⁵⁰ Personal communication with Nelly Smith, NPDES Permits & TMDLs Branch, Water Quality Protection Division, EPA Region 6

ATTACHMENT D

WATERSHED PERMIT SUMMARIES

- Funding opportunities
 - A draft framework of the permit will likely be available by the end of 2011.
 - The permit framework will include the following concepts:
 - Stormwater discharges will be evaluated based on watershed boundaries instead of political boundaries;
 - Address inconsistencies between and integration of Phase I and Phase II programs
 - Provide guidance to new Phase II Permittees;
 - Include requirements that reflect watershed-specific goals to address identified pollutant stressors;
 - Identify innovative approaches for arid environments – especially impacts resulting from changes in hydrology through design techniques;
 - TMDL and watershed documents will serve as a foundation for future implementation options under the NPDES framework; and
 - Promote comprehensive monitoring approach and cooperative data collection.
- Menomonee Watershed, Milwaukee area, Wisconsin⁵¹
 - This pilot is, in part, exploring options for integrating water resource management concepts into the Menomonee Watershed Group Permit when it is reissued in 2011.
 - The area MS4s work with the local sanitation district.
 - Draft permit language may be completed by the end of 2011.
 - The preliminary thoughts are that the statewide watershed permit would be a general MS4 permit provisions with tailored watershed components.
 - The permit may contain both jurisdictional and watershed-group requirements.
 - TMDL-based requirements would be performance-based and the permit would focus on the holistic needs of the watershed to account for multiple TMDLs.
 - The issues of potential concern include the following:
 - Implementation issues (liability, drainage to more than one watershed)
 - Governance (permittee roles and responsibilities)
 - Integration of multiple requirements without becoming overly complex

⁵¹ Personal communication with Bob Newport, EPA, Region 5

Meeting December 21, 2011

Meeting Attendees:

Renee Purdy, LARWQCB

Sam Unger, LARWQCB

Ray Tahir

Topics:

Non-storm water discharge provisions

Alternatives to numeric effluent limits

End-of-pipe compliance monitoring

Iterative Process

1-18-12

Sign In Sheet

Patricia Elkins	City of Carson	310 847-3529
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Rebecca Christmann	RWQCB-LA	213-576-6786

MS4 PERMIT RENEWAL PROCESS

Meeting with staff from
City of Los Angeles, Watershed Protection Division
and
Los Angeles Regional Water Quality Control Board

January 19, 2012
11:00 AM – 12:00 PM

AGENDA

1. Introductions and Agenda Overview
2. Receiving Water Limitations
3. Non-Stormwater Discharges
4. Minimum Control Measures
5. Action Items

MS4 PERMIT MEETING

January 19, 2012

Please provide email address if you would like to receive electronic notifications

Name	Representing	Phone	E-mail Address
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ROBERT VEGA	LACity PW-SAN	(213) 485-3991	Robert.Vega@lacity.org
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Please provide email address if you would like to receive electronic notifications



SIGN-IN SHEET

County of Los Angeles - MS4 Renewal
 January 19, 2012

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Sam Unger	LARWQCB	

Renewal of the Los Angeles County Municipal Stormwater NPDES Permit

Los Angeles Regional Water Quality Control Board

Los Angeles County Flood Control District and County of Los Angeles

Meeting on January 19, 2012

AGENDA

- I. Incorporation of TMDLs
- II. Monitoring
- III. LID and offsite mitigation
- IV. Draft permit review process
- V. Joint liability
- VI. TMDL reopeners
- VII. Design storm presentation

LA PERMIT GROUP MTG. 2-21-12

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meeting w/ CNS & Fire Depts. 2/23/2012

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David Himbrough	Pasadena WP	dhimbrough@cityofpasadena.net

Meeting February 27, 2012

Meeting Attendees:

Renee Purdy, LARWQCB

Noah Garrison, NRDC

Liz Crossin, Baykeeper

Kirsten James, Heal the Bay

Topics:

March 2012 Workshop

Non-Stormwater discharge provisions

Retrofitting existing development (Proposal from HTB Handout)

Meeting March 2012

Meeting Attendees:

Renee Purdy, LARWQCB

LA Department Water & Power

Topics:

Non Storm Water Discharges

Renee Purdy - Documents related to LA permit Part 2 for meeting on Monday

From: "Garrison, Noah" <ngarrison@nrdc.org>
To: Samuel Unger <sunger@waterboards.ca.gov>, Renee Purdy <rpurdy@waterboard...>
Date: 3/2/2012 5:27 PM
Subject: Documents related to LA permit Part 2 for meeting on Monday
CC: "Beckman, David" <dbeckman@nrdc.org>, Liz Crosson <liz@smbaykeeper.org>,...
Attachments: 9th Cir order Westlaw_Document_10_16_24.rtf; 144-2010 08 03 MINUTES by Judge A Howard Matz.pdf; 280 - Order on cross-motions for summary judgment 3-2-10.pdf; 2011 05 23 Regional Board Amicus Brief.pdf; Phase I SOD Chaney.pdf

Hi Sam, Renee, and Deb,

Attached are several court decisions and an amicus brief filed by the Regional Board in the 9th Circuit that should help inform our discussion of Part 2 of the permit and its enforceability for Monday. We'll walk through these at the meeting, but if you have the opportunity before then, I would suggest looking at the following excerpts. Have a good weekend, Noah

- 9th Circuit order (Westlaw Document): pages 12 -13, starting at "*14". This document discusses the enforceability of water quality standards and compliance requirements for Part 2, as well as establishes that there is no safe harbor present under the permit.
- 144-2010 08 03 (Malibu - District Court (Judge Matz)): Dkt 144 Minutes at pages 11-12. Discusses enforceability of water quality standards.
- 280 – Order on cross-motions (LA County – District Court): Dkt 280 at footnote 8. Footnote 8 discusses that Part 2 of the permit does not provide a safe harbor.
- Phase I SOD from LA County Litigation (Chaney): pages 4-7 of the decision (pages 5-8 of the pdf). Trial decision discusses the permit's basis for requiring compliance with water quality standards and that the permit does not provide a safe harbor.
- 2011 05 23 Regional Board Amicus Brief (9th Circuit): The Regional Board's brief outlines a detailed explanation of the enforceability of water quality standards under Part 2.

Noah Garrison
 Project Attorney - Water Program
 Natural Resources Defense Council
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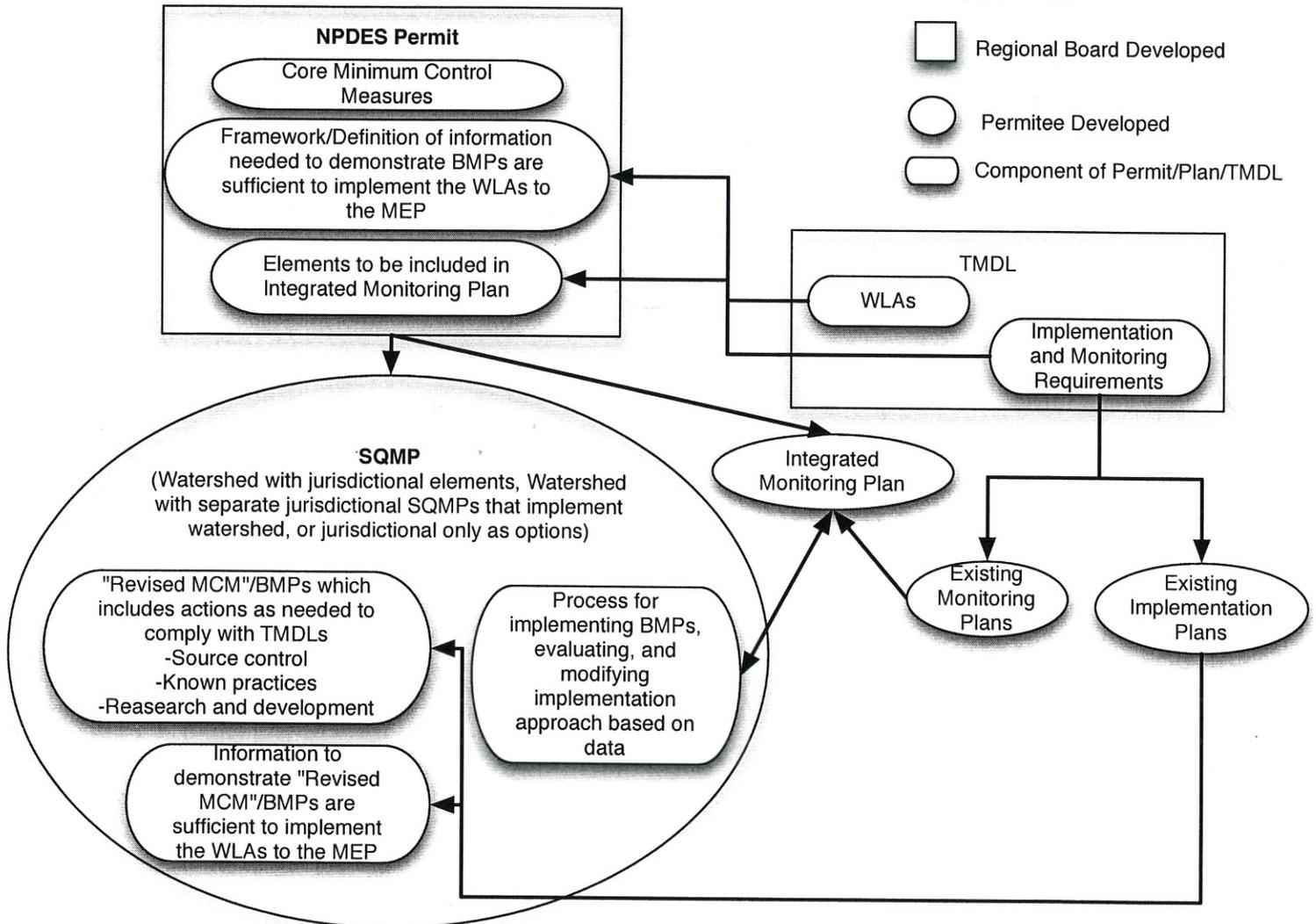
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Meeting Attendance Sheet

Los Angeles County MS4 Permit Discussion			
Meeting Subject:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343	
Meeting Location:		March 6, 2012 @ 0930	
Meeting Date and Time:			
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS
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2. Sam Unger	" "	(213) 576-6605	Sunger@waterboards.ca.gov
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7. Ashli Desai	LWA	310-394-1036	Ashli@lwa.com
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11. Nick Martorano	LA RWQCB	213-576-6694	nmartorano@waterboards.ca.gov
12. Rebecca Christmann	LA RWQCB	213-576-6780	rebecca rechristmann@waterboards.ca.gov
13.			

Proposed Flow Chart for How Integrated Planning Would Work in the LA County MS4 Permit



Key elements

- SQMP developed for permit term
- Adjustments made based on data following process in SQMP, but SQMP not revised until next permit term or ROWD
- Iterative process for receiving water limits needs to be included as well (though think you should argue not have to do any more than TMDLs during this permit term)
- Needs to include provisions for research and development
- Permit needs to define implementation of approved plan as compliance, not require meeting any numeric milestones or "reasonable assurance" estimates, especially if new BMPs are being tried out
- Permit explicitly states that core MCM requirements can be added or deleted as part of the "Revised MCM" program to demonstrate BMPs are sufficient to implement WLAs.



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB	320 W. 4 th St., # 200	Los Angeles, CA 90013-2343
Meeting Date and Time:		April 3, 2012 @ 0930		
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5. R Purdy	RWQCB-LA	(213) 576-6622	rpurdy@waterboards.ca.gov	
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8. Charlie Yu	City LA-BOS	213-485-3929	charlie.yu@lacity.org	
9. Robert Vega	L.A. City PW-San	213.485.3991	Robert.Vega@lacity.org	
10. Kosta Kaporis	" "	" " 0586	Kosta.Kaporis@lacity.org	

RB-AR3051

11. Shahram Kharaghani	City of LA	213-485-0587	Shahram Kharaghani Locality.
12.			
13.			

Draft Annotated Outline for the Watershed Plan

(March 20, 2012)

This annotated outline of a Watershed Plan has been prepared by Larry Walker Associates (LWA) for the City of Los Angeles, Watershed Protection Division (WPD) to support discussions with the Los Angeles Regional Water Quality Control Board (Regional Board) in the development of the reissued MS4 Permit in the Los Angeles Region. Specifically, this outline is intended to examine the importance of a watershed based approach (referred to herein as the Watershed Plan) and to develop what would actually constitute a Watershed Plan for the implementation of MS4 Permit requirements.

A watershed based permitting approach has been identified by the Regional Board as the structure for the reissued Permit. In the November 10, 2011 presentation by Regional Board staff to the Regional Board, staff noted that the Permit structure would include watershed chapters, providing flexibility in Permit provisions in order to direct efforts to watershed priorities (Slide #14 of 33).

After the initial discussions regarding Permit structure, discussions with MS4 Permittees shifted into the Permit elements (e.g., incorporation of TMDLs, non-stormwater discharges). Recent discussions on elements of the Permit have drifted away from an integrated, watershed based approach, creating the potential for redundancy and inconsistency in Permit requirements.

This outline is the first step in developing the actual components of a Watershed Plan. In addition, it will provide a mechanism to refocus discussions of the various Permit elements at the watershed scale, including the need for flexibility to address watershed priorities. In order for the Watershed Plan to be the implementation and compliance vehicle for MS4 Permittees, the Permit will need to include a provision that specifically identifies the Watershed Plan as an option. Most importantly, the Permit will also need to specifically identify and allow for flexibility in Permit provisions to address watershed priorities (i.e., a focused, not additive, plan).

The fundamental components of a Watershed Plan are depicted in Figure 1 and described in the following sections:

- Section 1: Watershed Overview
- Section 2: Watershed Priorities
- Section 3: Watershed Activities
- Section 4: Watershed Monitoring
- Section 5: Watershed Reporting
- Appendices: Optional Stormwater Quality Management Plan

Section 1: Watershed Overview

In this section, the permittees would provide background discussion and an overview of the watershed, including the following:

- *Identify the municipalities with the watershed.*
- *Describe watershed characteristics.* Key watershed characteristics will vary by watershed, but may include sensitive ecosystems, ASBS areas, designated used, areas

prone to flooding, channel erosion, tidally influenced waterbodies, groundwater recharge areas, presence of septic systems, and/or age of the infrastructure. These types of factors could be considered in Section 3 when determining the stormwater program activities that may be most effective in each watershed. For example, it may be an effective use of resources to target components of an illicit discharge/illegal connection program in a watershed with aging infrastructure where addressing bacteria issues are a priority.

- ***Describe land uses and future growth within the watershed.*** Understanding the dominant land uses within each watershed can help to direct resources so the program components most applicable to each watershed can be emphasized. For example, watersheds predominantly comprised of industrial/commercial land uses may benefit from an emphasis on the industrial/commercial component of their stormwater program, rather than the residential component. General projections of future growth (considered in a global context relevant to the watershed) may also assist jurisdictions in prioritizing resources. For example, built-out watersheds where little to no new development is expected may want to focus resources on education and street sweeping, whereas a watershed that is anticipating a moderate amount of growth in the future may want to emphasize construction and development planning components.
- ***Identify regulatory obligations and goals of the MS4 requirements.*** The goal of the watershed plan is to implement the requirements of the MS4 Permit on a watershed scale and to direct resources to the top priorities. This section would\, the goals for the various elements of the MS4 Permit, and how each element is addressed in the Watershed Plan, including the following:
 - Receiving Water Limitations
 - Non-stormwater discharges (actions to maintain conditional exemptions)
 - Minimum Control Measures
 - TMDLs (including WLAs, implementation requirements, and compliance schedules)

Section 2: Watershed Priorities

In establishing priorities for a watershed, the permittees would first evaluate existing water quality conditions by reviewing current monitoring data and then would identify and prioritize/sequence the watershed issues.

IDENTIFICATION OF WATER QUALITY ISSUES IN THE WATERSHED

Permittees would evaluate existing watershed data to determine the primary water quality issues within the watershed by conducting the following:

- ***Assess Receiving Water Data.*** Receiving water data for the watershed would be evaluated and pollutants would be classified into one of the following three categories:
 - Category 1: Exceedance frequency in Receiving Waters >303(d) Listing Policy and an effective TMDL is in place

- Category 2: Exceedance frequency in Receiving Waters >303(d) Listing Policy and an effective TMDL is not in place
- Category 3: Exceedance frequencies in Receiving Waters <303(d) Listing Policy
- **Identify Potential Sources.** Utilizing existing information and to the extent feasible, potential sources within the watershed for the pollutants in Categories 1 and 2 would be identified (e.g., urban, wastewater, agriculture, etc.). Where urban sources are identified as a possible source, the pollutant generating activities would be identified (e.g., application of fertilizers in residential areas).

IDENTIFY WATERSHED PRIORITIES

Once the assessment is complete and the primary water quality issues within each watershed have been identified, the issues within each watershed would be prioritized and sequenced. This section would therefore be able to identify both a long-term visions for the watershed as well as the immediate issues to be addressed during the Permit term. Prioritization would assist the Permittees in identifying the key stormwater program implementation activities. Factors that could be considered in establishing watershed priorities include:

- **TMDLs.** Since many of the watersheds have established TMDLs, the effective TMDLs and associated compliance schedules should be considered as a top priority. Due to the scope and scale, effective TMDLs may drive a significant portion of the actions of the Watershed Plan within a Permit term.
- **Other Receiving Water Considerations.** In addition to effective TMDLs, other receiving water considerations include:
 - Pollutant-waterbody combinations that meet the 303(d) Listing Policy criteria but do not yet have effective TMDLs
 - 13267 water quality investigations
 - Drainage issues, such as stream bed integrity
 - Beach closures
- **Other Considerations.** In addition to the factors listed above, there are other considerations that should be taken into account when developing the priorities for the Watershed Plan. These factors include the need to:
 - Optimize and be consistent with ongoing/established implementation efforts to address water quality issues;
 - Serve as an “umbrella” plan that encompasses and meets multiple pollutants of concern and multiple objectives (regulatory requirements, stakeholder concerns, community goals, watershed needs, etc.) to the extent that is practical and feasible; and/or
 - Address the various issues/watershed needs within specified regulatory and/or budgeting constraints.

Section 3: Watershed Control Measures

To date permittees have directed their resources to a wide range of activities, but as part of the Watershed Plan, Permittees will integrate all Permit activities with the goal of creating an efficient strategy to focus resources on watershed priorities identified in Section 2. The intent is to create an integrated program and avoid a “silo” approach to Permit implementation that creates inefficiencies and redundancies. The following Permit components will be part of the Watershed Control Measures:

- **Minimum Control Measures.** Permittees will assess the minimum control measures (MCMs) as defined in the Permit to identify opportunities for focusing resources on the relevant water quality issues in each watershed. The actions under this component will be a focused, not additive, use of resources. For each of the following minimum control measures Permittees will identify potential watershed-based modifications:
 - New Development/Redevelopment Program
 - Construction Program
 - Industrial/Commercial Program
 - Illicit Connection/Illicit Discharge and Elimination Program
 - Public Agency Activities Program
 - Public Information and Participation Program
- **Non-Stormwater Discharge Measures.** Certain types of discharges will have requirements that must be implemented in order for the discharge to be conditionally exempted for the discharge prohibitions (e.g., landscape irrigation runoff). This section will identify the actions needed to meet the conditional exemption, with a focus on identifying how the actions will benefit the identified watershed priorities.
- **TMDL Control Measures.** The permittees will compile control measures that have been identified in effective TMDLs and corresponding implementation plans. If not sufficiently identified in previous documents, or if implementation plans have not yet been developed (e.g., EPA promulgated TMDLs), the Permittees will evaluate and identify control measures to support TMDL requirements and attainment of WLAs. These control measures should take into account the control measures needed under the MCMs as well as the non-stormwater discharge measures. There are two potential approaches for compiling TMDL Control Measures within the Watershed Plan:
 - Option 1: The Watershed Plan only identifies those actions that will be implemented in the Permit term. The complete implementation plan actions over the entire compliance schedule necessary to attain the WLAs would be captured in a separate document that is not integrated directly into the Watershed Plan.
 - Option 2: The Watershed Plan captures all TMDL control measures, including specific actions identified for the Permit term (milestones).

In addition, and applicable to both options identified above, the Permittees will conduct a Reasonable Assurance Analysis for each TMDL as follows:

- **Reasonable Assurance Analysis.** The Permittees will conduct an assessment (through a quantitative analysis / modeling effort) to demonstrate that the activities and control measures identified in Section 3 will attain TMDL WLAs.

Section 4: Integrated Watershed Monitoring Program

The Permittees will identify an integrated watershed monitoring program to support and inform an assessment of the effectiveness of the Watershed Control Measures identified in Section 3. The monitoring program will be based on the Watershed Priorities identified in Section 2 and the approved TMDL monitoring programs. The purpose will be to establish a single monitoring program for the watershed. In addition, data obtained through the monitoring program would be used as the basis for Watershed Plan Reporting and subsequent decisions (modifications to approaches during annual assessments outlined in Section 5) and as the basis for the Report of Waste Discharge in subsequent permit cycles.

The program will include:

- **Objectives**
- **Program Elements to Support Objectives**
- **QA/QC (SWAMP Compatible)**
- **Schedule**

Section 5: Watershed Reporting

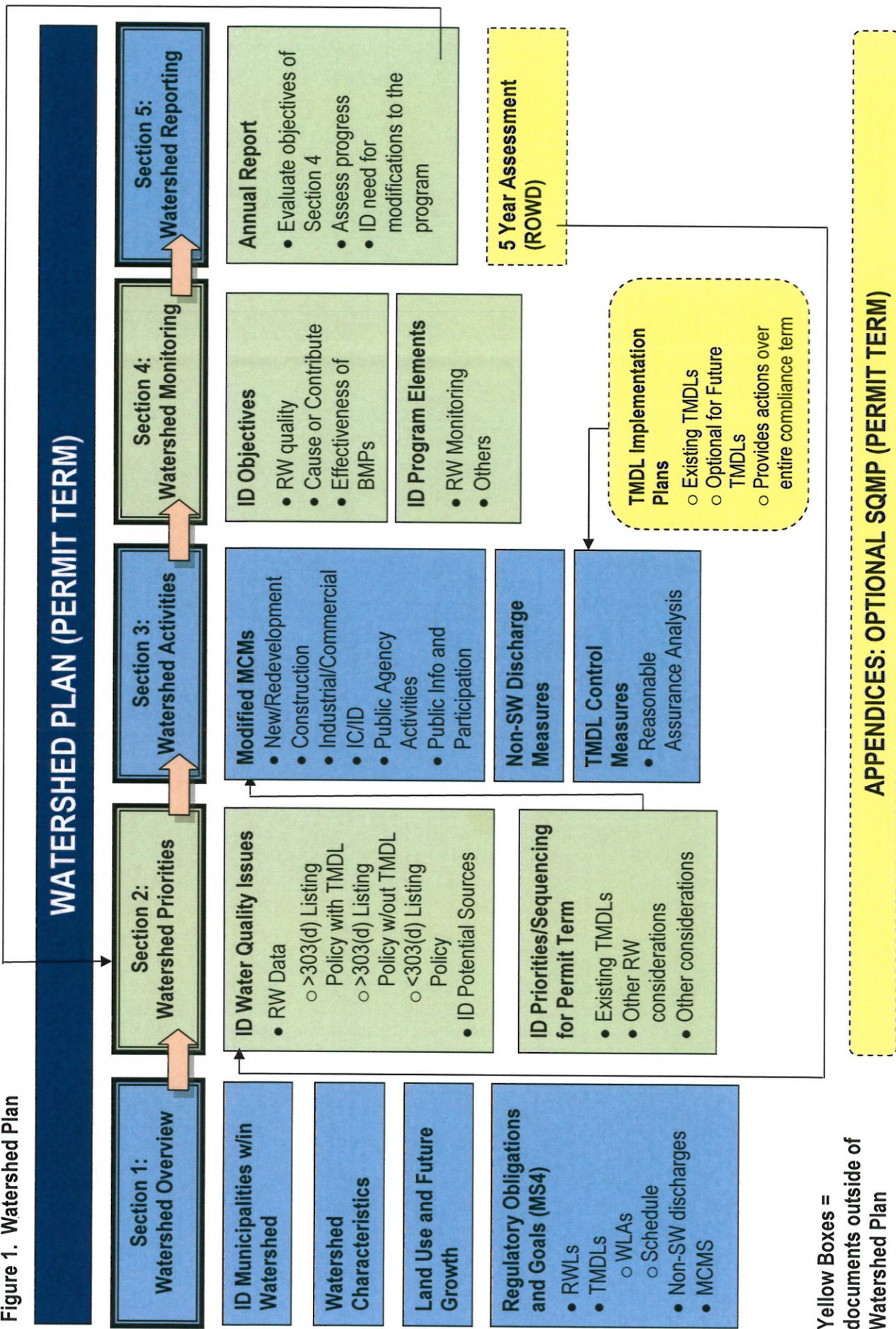
The Permittees will establish an assessment methodology to evaluate the effectiveness of the Watershed Activities (Section 3) in addressing the Watershed Priorities (Section 2). The methodology will be based upon evaluating the objectives identified in the Monitoring Program (Section 4). One report will be generated per watershed. Reporting will be done on two temporal scales:

- **Annual Report.** The Annual Report will identify any desired modifications to support the Watershed Plan. Annual modifications will be refinements of the identified Watershed Activities (Section 3) or the Monitoring Program (Section 4).
- **Five Year Assessment (Report of Waste Discharge).** A full assessment of all activities conducted within the watershed will be provided on a five-year cycle as a part of the Report of Waste Discharge (ROWD) process.

Appendices

Municipalities may wish to capture individual, jurisdictional level activities in an optional Stormwater Quality Management Plan. Any municipal program would only serve to capture the list of activities to be conducted individually, to serve as an internal resource and support to the municipality.

Figure 1. Watershed Plan



Meeting April 10, 2012

Meeting Attendees:

Regional Board

LA County Department Public Works

Topic:

MCMs



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit	
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343	
Meeting Date and Time:		April 17, 2012 @ 1000	
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RB-AR3060

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RECYCLED PAPER

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EDMUND G. BROWN JR.
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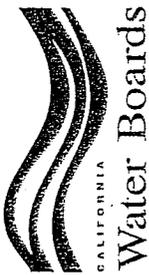
MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:				Los Angeles County-wide draft MS4 Permit			
Meeting Location:				LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343			
Meeting Date and Time:				April 25, 2012 @ 1300			
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS
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RB-AR3062



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Los Angeles Regional Water Quality Control Board

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NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
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RB-AR3063



Renewal of the Los Angeles County Municipal Stormwater NPDES Permit

Los Angeles Regional Water Quality Control Board

Los Angeles County Flood Control District and County of Los Angeles

April 25, 2012

AGENDA

- I. Flood Control District Permit Chapter
- II. Nonstormwater discharge prohibition
- III. May 3 workshop:
 - a. Receiving Water Limitations
 - b. TMDL Requirements
 - c. Watershed Management Program
- IV. Bacteria TMDLs Reopener

LOS ANGELES COUNTY FLOOD CONTROL DISTRICTA. Findings

LACFCD will provide findings specific to the LACFCD.

A.B. Special Provisions**1. Public Information and Participation Program (PIPP)****a. General**

- i. ~~Each Permittee~~ The LACFCD shall implement a Public Information and Participation Program (PIPP) that includes, but is not limited to, the requirements listed in this part. ~~Each Permittee~~ The LACFCD shall be responsible for developing and implementing collaborate, as necessary, with other Permittees to implement specific PIPP requirements. The objectives of the PIPP are as follows:
- (1) ~~To measurably~~ increase the knowledge of the target audience about the MS4, the adverse impacts of storm water pollution on receiving waters and potential solutions to mitigate the impacts
 - (2) ~~To measurably~~ change the waste disposal and storm water pollution generation behavior of target audiences by ~~developing and~~ encouraging implementation of appropriate solutions
 - (3) To involve and engage a diversity of socio-economic groups and ethnic communities in Los Angeles County to participate in mitigating the impacts of stormwater pollution.

~~b. PIPP Implementation~~

~~This subsection was deleted.~~

~~c. Public Participation~~

- i. The LACFCD, in collaboration with the County of Los Angeles, shall continue to maintain the countywide hotline (888-CLEAN-LA) ~~provide a means for public reporting of clogged catch basin inlets and illicit discharges/dumping, faded or missing catch basin labels, and general stormwater management information.~~
- (1) ~~Each Permittee~~ The LACFCD shall include the reporting information, updated when necessary, in public information, and the government pages of the telephone book, as they are developed or published.
 - (2) The LACFCD, in collaboration with the County of Los Angeles, shall continue to maintain the www.888cleanla.com website.

- (2) ~~Each Permittee shall include the reporting information, updated when necessary, in public information, and the government pages of the telephone book, as they are developed or published.~~
- (3) ~~Each Permittee shall identify staff or departments who will serve as the contact person(s) and shall make this information available on its website.~~
- (4) ~~Each Permittee is responsible for providing current, updated hotline contact information to the general public within its jurisdiction.~~

~~d. Residential Outreach Program~~

~~*This subsection was deleted.*~~

~~2. Industrial/Commercial Facilities Program~~

~~*This section was deleted in its entirety.*~~

~~3. Planning and Land Development Program~~

~~*This section was deleted in its entirety.*~~

~~4. Development Construction Program~~

~~*This section was deleted in its entirety.*~~

~~5.2. Public Agency Activities Program~~

~~Each Permittee~~The LACFCD shall implement a Public Agency Activities Program to minimize stormwater pollution impacts from LAFCD-owned or operated facilities and activities and to identify opportunities to reduce stormwater pollution impacts from areas of existing development. Requirements for Public Agency Facilities and Activities consist of the following components:

- a. Public Construction Activities Management.
- b. Public Facility Inventory
- c. Inventory of Existing Development for Retrofitting Opportunities
- ~~e.c.~~ c. Public Facility and Activity Management
- ~~e.d.~~ d. Vehicle and Equipment Washing
- ~~f.e.~~ e. Landscape, Park and Recreational Facilities Management.
- ~~g.f.~~ f. Storm Drain Operation and Maintenance
- ~~h.g.~~ g. Streets, Roads, and Parking Facilities Management
- ~~i.h.~~ h. Emergency Procedures

~~ii. Municipal Employee and Contractor Training~~

a. Public Construction Activities Management

- i. ~~Each Permittee~~The LACFCD shall implement and comply with the Planning and Land Development Program requirements in Part TBD of this Order at ~~Permittee~~LACFCD owned or operated (~~i.e., public or Permittee sponsored~~) construction projects that are categorized under the project types identified in Part [TBD] of this Order.
- ii. ~~Each Permittee~~The LACFCD shall implement and comply with the appropriate Development Construction Program requirements in Part [TBD] of this Order at ~~Permittee~~LACFCD owned or operated construction projects as applicable.
- iii. ~~For Permittee owned or operated projects (including those under a capital improvement project plan) that disturb less than one acre of soil, each Permittee shall require the development and implementation of an ESCP. The ESCP shall include an effective combination of erosion and sediment control BMPs from Table [TBD] (see Construction Development Program).~~
- iv.iii. ~~Each Permittee~~The LACFCD shall obtain separate coverage under the Construction General Permit for all ~~Permittee~~LACFCD-owned or operated construction sites that require coverage.

b. Public Facility Inventory

- i. ~~Each Permittee~~The LACFCD shall maintain an updated watershed-based inventory and map of all ~~Permittee~~LACFCD-owned or operated (~~i.e., public~~) facilities within its jurisdiction that are potential sources of stormwater pollution. The incorporation of facility information into a GIS is recommended. Sources to be tracked include but are not limited to the following:
 - ~~(1) Animal control facilities~~
 - ~~(2)(1) Chemical storage facilities~~
 - ~~(3) Composting facilities~~
 - ~~(4)(2) Equipment storage and maintenance facilities (including landscape maintenance-related operations)~~
 - ~~(5)(3) Fueling or fuel storage facilities (including municipal airports)~~
 - ~~(6) Hazardous waste disposal facilities~~
 - ~~(7) Hazardous waste handling and transfer facilities~~
 - ~~(8) Incinerators~~
 - ~~(9) Landfills~~
 - ~~(10)(4) Materials storage yards~~

- ~~(11)(5) _____ Pesticide storage facilities~~
- ~~(12)(6) _____ Public LACFCD buildings, including schools, libraries, police stations, fire stations, Permittee (municipal) buildings, restrooms, and similar buildings~~
- ~~(13) Public parking lots~~
- ~~(14) Public golf courses~~
- ~~(15) Public swimming pools~~
- ~~(16) Public parks~~
- ~~(17)(7) _____ Public works LACFCD maintenance yards~~
- ~~(18) Public marinas~~
- ~~(19) Recycling facilities~~
- ~~(20) Solid waste handling and transfer facilities~~
- ~~(21) Vehicle storage and maintenance yards~~
- ~~(22) Flood control facilities (e.g. debris basins, sediment placement sites)~~
- ~~(23) All other Permittee owned or operated facilities tributary to a waterbody segment subject to a TMDL, where the facility generates pollutants for which the waterbody segment is impaired.~~
- ~~(24) All other Permittee owned or operated facilities or activities that each Permittee determines may contribute a substantial pollutant load to the MS4.~~

ii. ~~Each Permittee shall include the following minimum fields of information for each Permittee owned or operated facility in its watershed based inventory and map.~~

- ~~(1) Name of facility~~
- ~~(2) Name of facility manager and contact information~~
- ~~(3) Address of facility (physical and mailing)~~
- ~~(4) A narrative description of activities performed and principal products used at each facility and status of exposure to stormwater.~~
- ~~(5) MS4 outfalls that receive, or potentially receive discharges from the facility, and corresponding receiving water(s).~~
- ~~(6) Identification of whether the facility is tributary to a waterbody segment subject to a TMDL, where the facility generates pollutants for which the waterbody segment is impaired.~~
- ~~(7) Coverage under the Industrial General Permit or other individual or general NPDES permits or any applicable waiver issued by the Regional or State Water Board pertaining to stormwater discharges.~~

~~iii.ii. Each Permittee~~The LACFCD shall update its inventory and map at least annually ~~once during the Permit term~~. The update shall be accomplished through a collection of new information obtained through field activities, and through other readily available inter- and intra-agency informational databases (e.g. property management, land use approvals, and similar information).

~~c. Inventory of Existing Development for Retrofitting Opportunities~~

~~This subsection was deleted.~~

~~d.c. Public Agency Facility and Activity Management~~

~~i. Each Permittee shall obtain separate coverage under the Industrial General Permit for all Permittee-owned or operated facilities where industrial activities are conducted that require coverage under the Industrial General Permit.~~

~~ii.i. Each Permittee~~The LACFCD shall implement the following measures for flood management projects:

- ~~(1) Develop procedures to assess the impacts of flood management projects on the water quality of receiving waterbodies; and~~
- ~~(2) Evaluate existing structural flood control facilities during the planning phases of major maintenance or rehabilitation projects to determine if retrofitting the facility to provide additional pollutant removal from stormwater is feasible; and.~~
- ~~(3) For the Los Angeles County Flood Control District, ensure that maintenance of earth bottom flood control channels is conducted in accordance with Regional Water Board Order No. R4 2010-0021.~~

~~iii.ii. Each Permittee~~The LACFCD shall implement and maintain the general and activity specific BMPs listed in Table [TBD] (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs when such activities occur at LACFCD-owned or operated facilities and field activities (e.g., project sites) including but not limited to the facility types listed in Part [TBD] above, and at any area that includes the activities described in Table [TBD], or that have the potential to discharge pollutants in stormwater.

~~iii.iii. Any contractors hired by the LACFCD to conduct Public Agency Activities (e.g., municipal maintenance) shall be contractually required to implement and maintain the general and activity specific BMPs listed in Table [TBD] or an equivalent set of BMPs. The LACFCD shall conduct oversight of contractor activities to ensure these BMPs are implemented and maintained.~~

*Insert Table [TBD] – BMPs for Public Agency Facilities and Activities
(from the Caltrans Stormwater Quality Handbook Maintenance Staff Guide
Appendix B)*

e.d. Vehicle and Equipment Washing

- i. ~~Each Permittee~~ The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs for all fixed vehicle and equipment washing areas; including ~~fire-fighting and emergency response vehicles.~~
- ii. ~~Each Permittee~~ The LACFCD shall prevent discharges of wash waters from vehicle and equipment washing by implementing any of the following measures at existing facilities with vehicle or equipment wash areas:
 - (1) Self-contain, and haul off for disposal; or
 - (2) Equip with a clarifier or an alternative pre-treatment device and plumb to the sanitary sewer in accordance with applicable waste water provider regulations
- iii. ~~Each Permittee~~ The LACFCD shall ensure that any ~~municipal~~ LACFCD facilities constructed, redeveloped, or replaced shall not discharge wastewater from vehicle and equipment wash areas to the MS4 by plumbing all areas to the sanitary sewer in accordance with applicable waste water provider regulations, or self-containing all waste water/ wash water and hauling to a point of legal disposal.

f.e. Landscape, Park and Recreational Facilities Management

- i. ~~Each Permittee~~ The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs for all its public right-of-ways, flood control facilities and open channels, ~~lakes and reservoirs,~~ and landscape, park and recreational facilities and activities.
- ii. Integrated pest Management (IPM) is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. The LACFCD shall implement an IPM program that includes the following:
 - (1) Pesticides are used only if monitoring indicates they are needed, and pesticides are applied according to applicable permits and established guidelines.
 - (2) Treatments are made with the goal of removing only the target organism.

- (3) Pest controls are selected and applied in a manner that minimizes risks to human health, beneficial non-target organisms, and the environment.
- (4) The use of pesticides, including Organophosphates and Pyrethroids, does not threaten water quality.
- (5) Partner, as appropriate, with other agencies and organizations to encourage the use of IPM.
- (6) Adopt and verifiably implement policies, procedures, and/ or ordinances requiring the minimization of pesticide use and encouraging the use of IPM techniques (including beneficial insects) for Public Agency Facilities and Activities.
- (7) Policies, procedures, and ordinances shall include ~~commitments and~~ a schedule to reduce the use of pesticides that cause impairment of surface waters by implementing the following procedures:
 - (a) Prepare and annually update an inventory of pesticides used by all internal departments, divisions, and other operational units.
 - (b) Quantify pesticide use by staff and hired contractors.
 - ~~(c) Demonstrate measurable reductions in pesticide use.~~

iii. ~~Each Permittee~~ The LACFGCD shall implement the following requirements:

- (1) Comply with the provisions and the monitoring requirements for application of aquatic pesticides to surface waters (WQ Order No. 2011-003-DWQ) (**Aquatic Animal Invasive Species Control**), WQ Order No. 2011-0002-DWQ (**Vector Control**), and WQ Order No. 2004-0009-DWQ (**Weed Control**).
- (2) Use a standardized protocol for the routine and non-routine application of pesticides (including pre-emergents), and fertilizers.
- (3) ~~Ensure there is no application of pesticides or fertilizers (1) when two or more consecutive days with greater than 50% chance of rainfall are predicted by NOAA¹, (2) within 48 hours of a 1/2 inch rain event or (3) when water is flowing off the area where the application is to occur. This requirement does not apply to the application of aquatic pesticides described in Part [TBD] above.~~ are applied to an area immediately prior to, during or immediately after a rain event, or when water is flowing off the area.
- (4) Ensure that no banned or unregistered pesticides are stored or applied.
- (5) Ensure that all staff applying pesticides are certified in the appropriate category by the California Department of Pesticide

¹ www.crh.noaa.gov/forecast

- Regulation, or are under the direct supervision of a pesticide applicator certified in the appropriate category.
- (6) Implement procedures to encourage the retention and planting of native vegetation to reduce water, pesticide and fertilizer needs; and
- (7) Store pesticides and fertilizers indoors or under cover on paved surfaces, or use secondary containment.
 - (a) Reduce the use, storage, and handling of hazardous materials to reduce the potential for spills.
 - (b) Regularly inspect storage areas.

g.f. Storm Drain Operation and Management

- i. ~~Each Permittee~~ The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] or equivalent set of BMPs for storm drain operation and maintenance.
- ii. Ensure that all the material removed from the MS4 does not reenter the system. Solid material shall be dewatered in a contained area and liquid material shall be disposed in accordance with any of the following measures:
 - (1) Self-contain, and haul off for legal disposal; or
 - (2) Equip with a clarifier or an alternative pre-treatment device; and plumb to the sanitary sewer in accordance with applicable waste water provider regulations.
- iii. Catch Basin Cleaning
 - (1) In areas that are not subject to a trash TMDL, the LACFCD shall determine priority areas and shall update its map or list of Catch Basins with their GPS coordinates and priority:
 - Priority A: Catch basins that are designated as consistently generating the highest volumes of trash and/or debris.
 - Priority B: Catch basins that are designated as consistently generating moderate volumes of trash and/or debris.
 - Priority C: Catch basins that are designated as generating low volumes of trash and/or debris.

The map or list shall contain the rationale or data to support priority designations.
 - (2) In areas not subject to a trash TMDL, the LACFCD shall inspect its catch basins according to the following schedule:
 - Priority A: A minimum of 3 times during the wet season (October 1 through April 15) and once during the dry season every year.

Priority B: A minimum of once during the wet season and once during the dry season every year.

Priority C: A minimum of once per year.

Catch basins shall be cleaned as necessary on the basis of inspections. At a minimum, LACFCD shall ensure that any catch basin that is determined to be at least 25% full of trash shall be cleaned out. LACFCD shall maintain inspection and cleaning records for Regional Water Board review.

- (3) In areas that are subject to a trash TMDL, the subject Permittees shall implement the applicable provisions in Part 7.

~~iv. Trash Management at Public Events~~

~~*This subsection was deleted.*~~

~~v. Trash Receptacles~~

~~*This subsection was deleted.*~~

~~vi.iv. Catch Basin Labels and Open Channel Signage~~

- (1) LACFCD shall label all ~~catch basin storm drain~~ inlets that they own with a legible "no dumping" message.
- (2) The LACFCD shall inspect the legibility of the catch basin stencil or label nearest the inlet prior to the wet season every year.
- (3) The LACFCD shall record all catch basins with illegible stencils and re-stencil or re-label within ~~4590~~ days of inspection.
- (4) The LACFCD shall post signs, referencing local code(s) that prohibit littering and illegal dumping, at designated public access points to open channels, creeks, urban lakes, and other relevant waterbodies.

~~vii. Additional Trash Management Practices~~

~~*This subsection was deleted.*~~

~~viii.v. Storm Drain/Open Channel Maintenance~~

~~Each Permittee~~ The LACFCD shall implement a program for ~~Storm Drain/Open Channel~~ Maintenance that includes the following:

- (1) Visual monitoring of LACFCD owned open channels and other drainage structures, ~~including debris basins~~, for debris at least annually;
- (2) Remove trash and debris from open channels ~~and debris basins~~ a minimum of once per year before the wet season;
- (3) Eliminate the discharge of contaminants ~~during~~ produced by storm drain MS4 maintenance and clean outs; and

- (4) Quantify the amount of materials removed using techniques appropriate for quantifying solid waste and ensure the materials are properly disposed of.

ix.vi. Infiltration from Sanitary Sewer to MS4/Preventive Maintenance

- (1) ~~Each Permittee~~The LACFCD shall implement controls and measures to prevent and eliminate infiltration of seepage from sanitary sewers to MS4s ~~its storm drains~~ through thorough, routine preventive maintenance of the ~~MS4~~its storm drains.
- ~~(2) Each Permittee that operates both a municipal sanitary sewer system and a MS4 must implement controls and measures to prevent and eliminate infiltration of seepage from the sanitary sewers to the MS4s that must include overall sanitary sewer and MS4 surveys and thorough, routine preventive maintenance of both.~~
- ~~(3)~~(2) Each PermitteeThe LACFCD shall implement controls to limit infiltration of seepage from sanitary sewers to the ~~MS4~~its storm drains where necessary. Such controls must include:
- i. Adequate plan checking for construction and new development;
 - ii. Incident response training for its municipal employees that identify sanitary sewer spills;
 - iii. Code enforcement inspections;
 - iv. MS4 maintenance and inspections;
 - v. Interagency coordination with sewer agencies; and
 - vi. Proper education of its municipal staff and contractors conducting field operations on the ~~MS4~~its storm drains or its municipal sanitary sewer (if applicable).

- ~~(4) Each Permittee which owns and /or operates a sanitary sewer system that requires coverage under the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Order No. 2006-0003 DWQ), shall comply with the provisions and the monitoring requirements associated with this Order.~~

x.vii. PermitteeLACFCD-Owned Treatment Control BMPs

- (1) ~~Each Permittee~~The LACFCD shall implement an inspection and maintenance program for all ~~Permittee~~LACFCD-owned treatment control BMPs, including post-construction treatment control BMPs.
- (2) ~~Each Permittee~~The LACFCD shall ensure proper operation of all its treatment control BMPs and maintain them as necessary for proper operation, including all post-construction treatment control BMPs.
- ~~(3) Any residual water produced by a treatment control BMP and not being internal to the BMP performance when being maintained shall be:~~

- ~~(a) Hauled away and legally disposed of; or~~
- ~~(b) Applied to the land without runoff; or~~
- ~~(c) Discharged to the sanitary sewer system (with permits or authorization); or~~
- ~~(d) Treated or filtered to remove bacteria, sediments, nutrients, and meet the limitations set in Table TBD (Discharge Limitations for Dewatering Treatment BMPs), prior to discharge to the MS4.~~

~~Table TBD Discharge Limitations for Dewatering Treatment BMPs⁴~~

Parameter	Units	Limitation
Total Suspended Solids	mg/L	100
Turbidity	NTU	50
Oil and Grease	mg/L	10

~~h.g. Streets, Roads, and Parking Facilities Management~~

~~i. Each Permittee shall designate streets and/or street segments within its jurisdiction as one of the following:~~

~~Priority A: Streets and/or street segments that are designated as consistently generating the highest volumes of trash and/or debris.~~

~~Priority B: Streets and/or street segments that are designated as consistently generating moderate volumes of trash and/or debris.~~

~~Priority C: Streets and/or street segments that are designated as generating low volumes of trash and/or debris.~~

~~ii. Each Permittee shall perform street sweeping of curbed streets according to the following schedule:~~

~~Priority A: Streets and/or street segments that are designated as Priority A shall be swept at least two times per month.~~

~~Priority B: Streets and/or street segments that are designated as Priority B shall be swept at least once per month.~~

~~Priority C: Streets and/or street segments that are designated as Priority C shall be swept as necessary but in no case less than once per year.~~

~~iii. Road Reconstruction~~

~~*This subsection was deleted.*~~

~~Permittee LACFCD-owned parking lots exposed to stormwater shall be kept clear of debris and excessive oil buildup and cleaned using street sweeping equipment no less than 2 times per month and/or inspected no less than 2~~

⁴ ~~Technology based effluent limits.~~

times per month to determine if cleaning is necessary. In no case shall a Permittee LACFCD-owned parking lot be cleaned less than once a month.

ii. Emergency Procedures

~~Each Permittee~~ The LACFCD may conduct repairs and rehabilitation of essential public service systems and infrastructure in emergency situations with a self-waiver of the provisions of this Order as follows:

- i. The ~~Permittee~~ LACFCD shall abide by all other regulatory requirements, including notification to other agencies as appropriate.
- ii. Where the self-waiver has been invoked, the ~~Permittee~~ LACFCD shall ~~submit to~~ notify the Regional Water Board Executive Officer ~~a statement of the occurrence of the emergency, an explanation of the circumstances and the measures that were implemented to reduce the threat to water quality,~~ no later than 30 business days after the situation of emergency has passed.
- iii. Minor repairs of essential public service systems and infrastructure in emergency situations (that can be completed in less than one ~~day~~ week) are not subject to the notification provisions. Appropriate BMPs to reduce the threat to water quality shall be implemented.

iii. Municipal Employee and Contractor Training

- i. ~~Each Permittee~~ The LACFCD shall, no later than ~~X one~~ one year after Order adoption and annually thereafter before ~~June 30~~ October 15, train all of their employees ~~and contractors~~ in targeted positions (whose interactions, jobs, and activities affect stormwater quality) on the requirements of the overall stormwater management program to:
 - (a) Promote a clear understanding of the potential for activities to pollute storm water.
 - (b) Identify opportunities to require, implement, and maintain appropriate BMPs in their line of work.
- ii. The LACFCD shall, no later than ~~X one~~ one year after Order adoption and annually thereafter before ~~June 30~~ October 15, train all of their employees ~~and contractors~~ who use or have the potential to use pesticides or fertilizers (whether or not they normally apply these as part of their work). Training programs shall address:
 - (a) The potential for pesticide-related surface water toxicity.
 - (b) Proper use, handling, and disposal of pesticides.
 - (c) Least toxic methods of pest prevention and control, including IPM.
 - (d) Reduction of pesticide use.

- iii. The LACFCD shall require its contractors to train their employees in targeted positions as described above.

6.3. Illicit Connections and Illicit Discharge (IC/ID) Elimination Program

a. General

- i. ~~Each Permittee~~The LACFCD shall continue to implement an Illicit Connection and Illicit Discharge (IC/ID) Program to detect, investigate, and eliminate IC/IDs to its open channels and underground storm drain system. The MS4. The IC/ID Program must be implemented in accordance with the requirements and performance measures specified in the following subsections~~this Order.~~
- ii. ~~As stated in Part [TBD] of this Order, each Permittee must have adequate legal authority to prohibit IC/IDs to the MS4 and enable enforcement capabilities to eliminate the source of IC/IDs.~~
- iii. ~~ii.~~ Each Permittee's~~LACFCD's~~ IC/ID Program shall consist of at least the following major program components:
- (1) An up-to-date map of LACFCD owned and maintained municipal separate storm sewer system (MS4) map
 - (2) Procedures for systematic visual inspection of LACFCD owned and maintained open channels and underground storm drain~~conducting a non-stormwater outfall based monitoring program to detect IC/IDs~~
 - (3) Procedures for conducting source investigations for IC/IDs
 - (4) Procedures for eliminating the source of IC/IDs
 - (5) Procedures for public reporting of illicit discharges
 - (6) Spill response plan
 - (7) IC/IDs education and training for ~~Permittee~~LACFCD staff

b. MS4 Mapping

- i. ~~Each Permittee~~The LACFCD shall maintain and up-to-date and accurate electronic MS4 map of its open channels and underground storm drain system. If possible, the map should be maintained within a GIS. The MS4 map must show the following, at a minimum:
- (1) Within one year of Permit adoption, the location of all MS4 outfalls¹ within the Permittee's LACFCD's jurisdictional boundary owned and

¹ Outfall (as defined by 40 CFR § 122.26) means a point source (as defined by 40 CFR § 122.2) at the point where a municipal separate storm sewer discharges to waters of the United States (as defined by 33 CFR § 328.3) and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States. For the LACFCD, this is equivalent to the point where an underground storm drain outlets into an open channel.

~~maintained by the LACFCD. The contributing drainage area for each outfall should be clearly discernible. Each MS4 outfall shall be given an alphanumeric identifier, which must be noted on the map. If an outfall is owned by another public entity, the name of the entity shall be recorded on the map. Each mapped MS4 outfall shall be located using a geographic positioning system (GPS), and photographs of the major outfalls¹ shall be taken to provide baseline information to track operation and maintenance needs over time. Per Part [TBD] (non-stormwater monitoring); additional attribute data are required for those outfalls determined to have persistent dry weather flows.~~

- (2) ~~The location and length of open channels and underground storm drain pipes 48-36 inches in diameter or and greater in diameter, that are owned and operated by the LACFCD.~~
- (3) ~~The location and name of all waterbodies receiving discharges from those MS4 major outfalls identified in (1).~~
- (4) ~~All LACFCD's dry weather diversions installed within the MS4 to direct flows from the MS4 to the sanitary sewer system, including the owner and operator of each diversion.~~
- (5) ~~Priority areas identified under [Part TBD], below. By the end of the Permit term, map all known permitted and documented connections to its storm drain system.~~

ii. ~~The MS4 map shall be updated annually as necessary to reflect current conditions within the MS4.~~

c. **Implementation of Non-Stormwater Outfall-Based Monitoring Program to Detect IC/IDs**

- i. ~~The LACFCD shall provide available information in support of the non-stormwater outfall-based monitoring program to be developed and implemented by the Permittees with land use jurisdiction in accordance to the Outfall Monitoring Section. Each Permittee shall develop and implement a non-stormwater outfall based monitoring program consistent with Part [TBD] (non-stormwater outfall based monitoring program) to detect and eliminate illicit connections and illicit discharges to the MS4. The non-stormwater outfall based monitoring program shall consist of (1) identification of outfalls with persistent dry weather flows, (2) determination of significant dry weather flows through characterization and field~~

¹ Major outfall (as defined by CFR § 122.26) means a municipal separate storm sewer outfall that discharges from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive storm water from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more).

~~screening, (3) identification of sources of significant dry weather flows, (4) monitoring of unknown or authorized non stormwater discharges, and (5) annual re-assessment and reporting.~~

- ~~ii. The non stormwater outfall based monitoring program shall be documented with written procedures that provide an explanation of how the program is to be implemented and the procedures must be updated as needed to reflect the Permittee's program.~~
- ~~iii. Observations and data collected during the implementation of the non stormwater outfall based monitoring program shall be maintained in a database or electronic format. The use of a GIS to record observations and data is preferred but not required.~~
- ~~iv. Each Permittee shall conduct an annual re-assessment of its non stormwater outfall based monitoring program to determine whether changes or updates are needed. Where changes are needed, the Permittee shall make the changes in its written program documents and implement these changes in practice.~~

d. Illicit Discharge Source Investigation and Elimination

- i. ~~Each Permittee~~The LACFCD shall develop written procedures for conducting investigations to prioritize and identify the source of all illicit discharges to its open channels and underground storm drain system, including procedures to eliminate the discharge once the source is located.
- ii. At a minimum, ~~each Permittee~~the LACFCD shall ~~conduct~~initiate¹ an investigation(s) to identify and locate the source within 48 hours~~one business day~~ of becoming aware of the illicit discharge.
- iii. When conducting investigations, ~~each Permittee~~the LACFCD shall comply with the following:
 - (1) Illicit discharges suspected of being sanitary sewage and/or significantly contaminated shall be investigated first.
 - (2) ~~Each Permittee~~The LACFCD shall track all investigations to document at a minimum the date(s) the illicit discharge was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed.
 - (3) The LACFCD ~~Each Permittee~~ shall prioritize and investigate the source of all observed illicit discharges to its open channels and underground storm drain system.

¹ Permittees may comply with the Permit by taking initial steps (such as logging, prioritizing, and tasking) to "initiate" the investigation within that one business day. However, the Regional Water Board would expect that the initial investigation, including a site visit, to occur within two business days.

- (4) If the source of the illicit discharge is found to be a discharge authorized under an NPDES permit the LACFCD Permittee shall document the source and report to the Regional Water Board within 30 days of determination. No further action is required.
- (5) If the source of the illicit discharge has been determined to originate from within the jurisdiction of other Permittee(s) with land use authority over the suspected responsible party/parties, the LACFCD shall immediately alert the appropriate Permittee(s) of the problem for further action by the Permittee(s).
- iv. When taking corrective action to eliminate illicit discharges, each ~~Permittee~~ the LACFCD shall comply with the following:
- (1) If the source of the illicit discharge has been determined or suspected by the LACFCD to originate within an upstream jurisdiction(s), the LACFCD the Permittee shall immediately notify inform in writing both the upstream jurisdiction(s), and notify the Regional Water Board within 30 days of such determination and provide all characterization and field screening data collected as a component of the field survey the information collected and efforts taken to identify its source.
- (2) Once if the source of the illicit discharge has been determined to originate within the Permittee with land use authority over the suspected responsible party/parties has been alerted s jurisdiction, the LACFCD Permittee shall immediately notify them may continue to work in cooperation with the Permittee(s) to notify the responsible party/parties of the problem, and require the responsible party/parties to conduct immediately initiate all necessary corrective actions to eliminate the non-stormwater illicit discharge within 48 hours of notification. Upon being notified that the discharge has been eliminated, the LACFCD may, in conjunction with the Permittee(s) shall conduct a follow-up investigation to verify that the discharge has been eliminated and cleaned up to the satisfaction of the LACFCD. ~~Each Permittee~~ The LACFCD shall document its follow-up investigation. ~~The LACFCD Each Permittee~~ may seek recovery and remediation costs from responsible parties or require compensation for the cost of field screening, monitoring and all inspection and investigations activities. Resulting enforcement actions shall follow the program's Progressive Enforcement Policy.
- (3) If the source of the illicit discharge cannot be traced to a suspected responsible party, the LACFCD, in conjunction with other affected Permittees, shall continue implementing the illicit discharge/spill response plan.
- (3) ~~If the source of the illicit discharge has been determined to originate within an upstream jurisdiction, the Permittee shall inform in writing both the upstream jurisdiction and the Regional Water Board within~~

~~30 days of such determination and provide all characterization and field screening data collected as a component of the field survey and efforts taken to identify its source.~~

- v. In the event the LACFCD and/or other Permittees ~~is are~~ unable to eliminate an ongoing illicit discharge following full execution of its legal authority and in accordance with its Progressive Enforcement Policy, including the inability to find the responsible party/parties, or other circumstances prevent the full elimination of an ongoing illicit discharge, the LACFCD and/or other Permittees shall ~~notify~~ work with the Regional Water Board to provide for diversion of the entire flow to the sanitary sewer or provide treatment. In either instance, the Permittee shall ~~notify the Regional Water Board in writing within 30 days of such determination and provide available information to the Regional Water Board~~ shall provide a written plan for review and comment that describes the efforts that have been undertaken to eliminate the illicit discharge, a description of the actions to be undertaken, anticipated costs, and a schedule for completion.

e. Identification and Response to Illicit Connections

i. Systematic Visual Inspections for Illicit Connections

The LACFCD shall continue the systematic field visual inspections of its storm drain systems for illicit connections in accordance with the following schedule:

- (1) Open channels: No later than one year after Order adoption date (XXX), and annually thereafter.
- (2) Underground storm drains identified by the LACFCD as high priority: No later than three years after Order adoption date (XXX).
- (3) Underground storm drains with a diameter of 36 inches or greater: No later than by the end of the Permit term.

ii. Investigation

~~Each Permittee~~ The LACFCD, upon discovery or upon receiving a report of a suspected illicit connection, shall ~~initiate complete~~ initiate an investigation within 21 days, to determine the following: (1) source of the connection, (2) nature and volume of discharge through the connection, and (3) responsible party for the connection.

iii. Elimination

~~Each Permittee~~ The LACFCD, upon confirmation of an illicit MS4 connection to its open channel or underground storm drain, shall ensure that the connection is:

- (1) Permitted or documented, provided the connection will only discharge stormwater and non-stormwater allowable under this Order or other individual or general NPDES Permits/WDRs, or

~~(4)(2)~~ Eliminated within 90 180 days of completion of the investigation, using its formal enforcement authority, if necessary, to eliminate the illicit connection.

~~iii-iv.~~ Documentation

Formal records must be maintained for all illicit connection investigations and the formal enforcement taken to eliminate illicit connections.

f. **Public Reporting of Non-Stormwater Discharges and Spills**

~~i.~~ Each ~~Permittee~~ The LACFCD shall, in collaboration with the County, continue to maintain the 888-CLEAN-LA hotline internet site to promote, publicize, and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from MS4s through a central contact point, including phone numbers and an internet site for complaints and spill reporting. Each Permittee shall also provide the reporting hotline to Permittee staff to leverage the field staff that has direct contact with the MS4 in detecting and eliminating illicit discharges.

~~ii.~~ Each ~~Permittee~~ shall implement the central point of contact and reporting hotline requirements listed in this part in one or more of the following methods:

~~(1) By participating in a County sponsored PIPP~~

~~(2) By participating in one or more Watershed Group sponsored PIPPs~~

~~(3) Or individually within its own jurisdiction.~~

~~iii-ii.~~ The LACFCD Each Permittee shall include information regarding public reporting of illicit discharges or improper disposal on the signage adjacent to open channels as required in Part [TBD].

~~iv-iii.~~ The LACFCD Each Permittee shall develop and maintain written procedures that document how complaint calls are received, documented, and tracked to ensure that all complaints are adequately addressed. The procedures shall be evaluated annually to determine whether changes or updates are needed to ensure that the procedures accurately document the methods employed by the Permittee LACFCD. Any identified changes shall be made to the procedures subsequent to the annual evaluation.

~~v-iv.~~ The LACFCD shall maintain documentation of the complaint calls and record the location of the reported spill or IC/ ID and the actions undertaken, including referrals to other agencies, in response to all IC/ID complaints.

g. **Illicit Discharge and Spill Response Plan**

~~i.~~ The LACFCD Each Permittee shall implement an ID and spill response plan for all sewage and other spills that may discharge into the MS4s system from any source (including private laterals and failing on-site wastewater treatment systems). The ID and spill response plan shall clearly identify agencies responsible for ID and spill response and

cleanup, ~~telephone numbers and e-mail address for contacts~~contact information, and shall contain at a minimum the following requirements:

- (1) Coordination with spill response teams throughout all appropriate departments, programs and agencies so that maximum water quality protection is provided.
- (2) Initiation of investigation of all public and employee ID and spill complaints within 24 hours one business day of receiving the complaint to assess validity.
- (3) Response to ID and spills ~~for containment~~ within 24 hours of becoming aware of the ID or spill, except where such IDs or spills occur on private property, in which case the response should be within 2 hours of gaining legal access to the property.
- (4) IDs or spills that may endanger health or the environment shall be reported to appropriate public health agencies and the Office of Emergency Services (OES).

h. **Illicit Connection and Illicit Discharge Education and Training**

- i. ~~Each Permittee~~The LACFCD must continue to implement a training program regarding the identification of IC/IDs for all ~~municipal~~LACFCD field staff ~~and contractors~~, who, as part of their normal job responsibilities (e.g., ~~street sweeping, storm drain inspection and maintenance, collection system maintenance, road maintenance~~), may come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system. Contact information, including the procedure for reporting an illicit discharge, must be included in the ~~Permittee's~~LACFCD's fleet vehicles that are used by field staff. Training program documents must be available for review by the permitting authority.
- ii. ~~The LACFCD~~Each Permittee's training program should address, at a minimum, the following:
 - (1) IC/ID identification, including definitions and numerous examples,
 - (2) investigation,
 - (3) elimination,
 - (4) cleanup,
 - (5) reporting, and
 - (6) documentation.
- iii. ~~The LACFCD~~Each Permittee must create a list of applicable ~~staff~~positions which require IC/ID training and ensure that training is provided at least twice during the term of the Order. ~~The LACFCD~~Each Permittee must maintain documentation of the training activities.
- iv. New LACFCD ~~Permittee~~ staff members must be provided with IC/ID training within six months of starting employment.

v. The LACFCD shall require its contractors to train their employees in targeted positions as described above.

A. Outfall Monitoring

1. The LACFCD shall provide available, pertinent information on its MS4 to Permittees to assist them in the development of the outfall monitoring plan.
2. The LACFCD shall visually inspect its outfalls in conjunction with its systematic inspection program for open channels, and provide results to the Permittees with land use authority upon request.

LACFCD PROP



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

April 18, 2012

IN REPLY PLEASE

REFER TO FILE: WM-9

Ms. Renee Purdy, Chief
California Regional Water Quality
Control Board – Los Angeles Region
Regional Programs Section
320 West Fourth Street, Suite 200
Los Angeles, CA 90013

Dear Ms. Purdy:

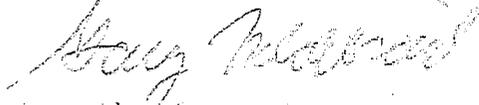
**COUNTY OF LOS ANGELES AND LOS ANGELES COUNTY
FLOOD CONTROL DISTRICT COMMENTS
STAFF WORKING PROPOSAL ON NONSTORMWATER DISCHARGE
PROHIBITIONS**

On behalf of the County of Los Angeles and the Los Angeles County Flood Control District, thank you for the opportunity to comment on the draft working proposal for Nonstormwater Discharge Prohibitions released on March 28, 2012. Enclosed are our comments for your review and consideration.

If you have any questions, please contact me at (626) 458-4300 or ghildeb@dpw.lacounty.gov or your staff may contact Ms. Angela George at (626) 458-4325 or ageorge@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works


GARY HILDEBRAND
Assistant Deputy Director
Watershed Management Division

ACL/jtz

P:\wmpubl\Secretarial\2012 Documents\Letter\Comment NSW\docx\C12098

Enc:

cc: Chief Executive Office (Dorothea Park)
County Counsel (Judith Fries)

County of Los Angeles and Los Angeles County Flood Control District
Regional Board Staff Working Proposal on Discharge Prohibitions

Discharge Prohibitions			
Comment #	Permit Element/ Issue/ Concern	Location in Draft Permit	Comment/Recommendation
1	General approach	NA	<p>The working proposal would add tremendous burden on MS4 permittees to address what are authorized nonstormwater discharges. These discharges are generally perceived to be low risk. If the Regional Board has evidence that any authorized discharge poses significant risk to receiving water quality, then Regional Board should issue separate individual or general NPDES permits to address those discharges.</p> <p><u>Recommendation</u> Staff should consider a less prescriptive approach. For example, significantly simplifying Table X to address authorized non-stormwater discharges would be advisable. We would be happy to meet with staff to further discuss these issues, including a BMP-based approach for addressing non-stormwater discharges.</p>
2	Effective Prohibition of Non-Storm Water Discharges into MS4 and from MS4 into Receiving Water	<p>III.A.1.a, c.; III.A.2. [Page 1]</p>	<p>The proposed language refers to the "effective prohibition of non-storm water discharges... throughout the document, and defines such discharges as "discharges into the MS4 and from the MS4 into receiving waters."</p> <p>This definition is clearly not authorized by the Clean Water Act (CWA).</p> <p>33 U.S.C. § 1342 (p)(3)(B)(ii) requires that municipal permittees "effectively prohibit" the discharge of non-stormwater into the MS4. It does not require the effective prohibition of non-storm water discharges from the storm sewers (MS4) to the receiving water.</p> <p>33 U.S.C. § 1342(p)(3)(iii) requires municipalities to "reduce the discharge of pollutants to the maximum extent practicable (MEP). 33 U.S.C. § 1362(12) defines "discharge of pollutants" not to include discharges into the MS4, but rather "any addition of any pollutant to navigable waters from any point source..."</p>

County of Los Angeles and Los Angeles County Flood Control District
Regional Board Staff Working Proposal on Discharge Prohibitions

Discharge Prohibitions		
Comment #	Permit Element/ Issue/ Concern	Location in Draft Permit
2 cont.	Effective Prohibition of Non-Storm Water Discharges into MS4 and from MS4 into Receiving Water	
		<p>It also raises significant proof and enforcement issues. A municipality can identify individual dischargers to its MS4 and control that discharge through its ordinances, permitting authority or other enforcement mechanisms. However, given the mixing of discharges in the MS4 system from multiple sources (e.g., flows from individual and General NPDES permittees, POTWs, other municipal runoff, and other discharges authorized or exempted by the State or Regional Board, etc.), as well as the fact that the inlet to the MS4 may be operated by a different entity than the outlet of the MS4 to the receiving waters, it is very difficult for a permittee to take effective action to address non-stormwater discharges from the MS4.</p> <p>The Regional Board should acknowledge that certain activities that generate pollutants present in urban runoff may be beyond the ability of the permittees to eliminate. Examples of these include operation of internal combustion engines, atmospheric deposition, brake pad wear, tire wear and leaching of naturally occurring minerals from local geography.</p> <p><u>Recommendation</u> Remove "and from the MS4 into receiving waters" throughout the document.</p> <p>The definition of "storm water" does not follow the regulatory definition, which does not include the words "related to precipitation events."</p> <p><u>Recommendation</u> Delete "related to precipitation events."</p>
3	Definition of "Storm Water"	<p>III.A.1.b. [Page 1]</p>

County of Los Angeles and Los Angeles County Flood Control District
Regional Board Staff Working Proposal on Discharge Prohibitions

Discharge Prohibitions			
Comment #	Permit Element/ Issue/ Concern	Location in Draft Permit	Comment/Recommendation
4	Definition of "Illicit Discharge"	III.A.1.c. [Page 1]	<p>The definition of "illicit discharge" does not follow the federal regulations 40 CFR § 122.26(b)(2): "Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer and discharges resulting from any fire fighting activities." The proposed definition improperly refers to discharges "from the MS4 into a receiving water." Also, there is no limitation of firefighting activities to "emergency" firefighting activities.</p> <p><u>Recommendation</u> Delete "from the MS4 into a receiving water" and "emergency".</p>
5	Responsibility to regulate individual and general NDPES permits.	III.A.3.a.; III.A.5, a. & b.; Table X [Page 2; 5]	<p>The proposed language suggests that MS4 Permittees are responsible for ensuring non-stormwater discharges regulated by a separate individual or general NPDES permit comply with those permits. If true, this places the burden to regulate such discharges on the MS4 Permittees when such responsibilities lie with the Regional Board.</p> <p>The individual and general permits issued by the Regional Board should include the requirement for dischargers to explore and consider alternatives to discharge to the MS4. Dischargers should have already considered other options prior to requesting approval from MS4 Permittees to discharge to the MS4.</p> <p><u>Recommendation</u> "5. Each Permittee shall develop and implement procedures to require that dischargers obtain all necessary permits and water quality certifications prior to discharge to the MS4. ensure all conditionally authorized non-storm water discharges into the MS4 and from the MS4 into receiving waters identified in sections A.3 and A.4 above comply with the applicable conditions. These procedures shall include, at a minimum, the following:"</p> <p>Delete 'III.A.5.a. & b.'</p>

County of Los Angeles and Los Angeles County Flood Control District
Regional Board Staff Working Proposal on Discharge Prohibitions

Discharge Prohibitions			
Comment #	Permit Element/ Issue/ Concern	Location in Draft Permit	Comment/Recommendation
6	Natural flows	III.A.3.b, Table X [Page 3]	As currently proposed, natural flows are not allowed to cause or contribute to exceedances of applicable standards. MS4 permittees should not be responsible for natural flows. <u>Recommendation</u> Create a separate authorized discharges category for natural discharges, ie. natural springs, flows from riparian habitats and wetlands, diverted stream flows authorized by the State or Regional Water Board, uncontaminated groundwater infiltration, and uncontaminated pumped groundwater not regulated by a separate NPDES permit. Remove the above discharges from Table X.
7	Regulatory consistency	III.A.8., III.A.9. [Pages 7, 8]	As proposed, potable water discharges required by state or federal law and discharges from emergency fire fighting activities would be allowed to <i>contribute</i> to short-term exceedances of applicable standards. This is a lower standard compared to that for MS4 Permittees, who are required to meet the "cause or contribute" standard. Discharges entering the MS4 should be held to the same standard as discharges from the MS4. <u>Recommendation</u> Consistently use "cause or contribute" throughout the Permit.
8	Landscape irrigation	III.A.3.b.viii., III.A.5.c., Table X [Pages 3, 6, and 12]	The County of Los Angeles has an existing ordinance addressing landscape irrigation. The permit should allow permittees to continue to implement their existing ordinances if they are deemed equivalent. The proposed language, especially in Table X, is too prescriptive. <u>Recommendation</u> Allow permittees to continue implement their existing ordinances that prohibit excessive landscape irrigation runoff.

County of Los Angeles and Los Angeles County Flood Control District
Regional Board Staff Working Proposal on Discharge Prohibitions

Discharge Prohibitions			
Comment #	Permit Element/ Issue/ Concern	Location in Draft Permit	Comment/Recommendation
9	ASBS	III.A.4 [Page 5]	<p>As currently proposed, all authorized discharges into the ASBS are required to meet RWLs and WQBELs.</p> <p>These requirements go beyond the ASBS Special Protections, which provide that authorized non-stormwater discharges only "shall not cause or contribute to a violation of the water quality objectives in Chapter II of the Ocean Plan nor alter natural ocean water quality in an ASBS." Since these requirements apply specifically to discharges to the ASBS, the reference to RWLs and WQBELs should be deleted.</p> <p>Finally, the proposed language is confusing and appears to require separate and specific authorization for each and every discharge in sub-part A.3.</p> <p><u>Recommendation</u> Revise Section III.A.4.b. as follows: "The discharges fall within one of the categories in sub-part A.3 and are specifically authorized by the Los Angeles Water Board." Also, delete the reference to RWLs and WQBELs in Section III.A.4.c.</p>
10	Dischargers not MS4 Permittee	III.A.6 [Page 6]	<p>As proposed, Permittees must require dischargers not named in the MS4 permit to provide advanced notification to the Permittee of its non-stormwater discharge, obtain local permits, conduct appropriate monitoring, and implement additional BMPs or control measures as a condition of discharges into the Permittee's MS4.</p> <p>As written, the language can be interpreted more broadly than Regional Board staff may have intended. While a footnote to this provision names such parties as POTW operators, potable water supply and distribution agencies and other governmental entities, it presumably could apply to any private company or individual as well. While this provision appears to shift to the discharger responsibility for controlling its discharge, the Permittee will incur administrative costs. Also, is this requirement applicable to discharges such as irrigation runoff, car washing, and other occasional, but repetitive activities conducted by non-institutional dischargers?</p> <p><u>Recommendation</u> Clarify that this provision only applies to significant institutional discharges.</p>

County of Los Angeles and Los Angeles County Flood Control District
Regional Board Staff Working Proposal on Discharge Prohibitions

Discharge Prohibitions			
Comment #	Permit Element/ Issue/ Concern	Location in Draft Permit	Comment/Recommendation
11	Monitoring data evaluation	Ill.A.7 [Pages 6-7]	<p>The proposed language requires that Permittees evaluate monitoring data from the Non-Storm Water Outfall-Based Monitoring Program to determine whether any categories of non-storm water discharges are a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations (RWLs) or Water Quality Based Effluent Limitations (WQBELs). If the Permittee determines that a category of non-storm water discharges is a source of pollutants that causes or contributes to an exceedance of applicable RWL or WQBELs, the Permittee shall report its findings to the Regional Water Board in the annual report, and either prohibit the discharge from either entering the MS4 or the receiving waters, impose conditions in addition to those set forth in Table X or require the discharger to require coverage under a separate "state or Regional Water Board permit prior to discharge to the MS4."</p> <p>It is difficult to provide comments on any activities related to the monitoring program, RWLs, or WQBELs when the definitions and specifics of these programs have not been provided. At minimum, the Permittees should not be responsible for evaluating the monitoring data for discharges covered under another NPDES Permit, as explained earlier in Comment 5. Permittees can assist the Regional Board in making such evaluations by providing available information. If a discharge is found to be a source of pollutants, the Regional Board should prohibit the discharge, impose additional conditions, or require coverage under another Permit.</p> <p><u>Recommendation</u> Remove Section Ill.A.7, with the understanding that the integrated monitoring program and an adaptive management approach will result in prioritized investigations of exceedances.</p>

County of Los Angeles and Los Angeles County Flood Control District
Regional Board Staff Working Proposal on Discharge Prohibitions

Discharge Prohibitions		Comment #	Permit Element/ Issue/ Concern	Location in Draft Permit	Comment/Recommendation
	Regulatory relief	12		III.A.8. [Page 7]	<p>The proposed language provides that if a Permittee demonstrates that a specific non-storm water discharge from a potable water supply or distribution system not otherwise regulated by a separate NPDES permit, but required by state or federal statute and regulation, caused [to be defined] a short-term exceedance of applicable RWLs and/or WQBELs during a specific sampling event, the Permittee shall not be found in violation for that specific sampling event. Demonstration must be based on monitoring data from the specific discharge, other relevant information (refer to Table X), and documentation of the statutes/regulations requiring such discharges, and the conditions under which the discharge was required.</p> <p>It is difficult to provide comments when the definition of "caused" and the specifics of "RWLs", "WQBELs", and the burden of proof are not provided. It is also possible that multiple discharges could occur concurrently that could cumulatively cause or contribute to an exceedance. Permittees are also concerned about the extensive and widespread monitoring that may be required to provide that burden of proof.</p> <p><u>Recommendation</u> Revise the regulatory relief language so the burden of proof is not put on MS4 permittees.</p>
	Table X	13		Table X	<p>The working proposal would add tremendous burden on MS4 permittees to address authorized nonstormwater discharges which are generally perceived to be low risk. Specifically, Section III.A.5 combined with Table X, would require permittees to develop and implement procedures to ensure discharges meet very prescriptive and often highly resource intensive BMPs. For example, to address dewatering of lakes, swimming pools, and decorative fountains, permittees must ensure that MS4 inlets and outlets are inspected and cleaned immediately prior to discharge. This and many other similar requirements in Table X are not feasible in practice and not necessary.</p> <p><u>Recommendation</u> See Comments 1 and 5. We welcome the opportunity to meet with staff to discuss how to revise Table X so that it is more implementable.</p>



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

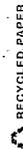
Meeting Attendance Sheet

Meeting Subject: Los Angeles County-wide draft MS4 Permit			
Meeting Location: LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343			
Meeting Date and Time: April 26, 2012 @ 1300			
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS
1. Ivar K. Ridgeway	RWQCB-hA	6131620-2150	iridge@waterboards.ca.gov
2. Valero Alcon	CONTECH	310-850-1736	vallen@conteches.com
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

RB-AR3093

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles





April 13, 2012

Renee A. Purdy; Chief
Regional Programs Section
Los Angeles Regional Water Quality Control Board

Subject: Comments on Staff Working Proposal – Los Angeles Region MS4 Permit

Dear Ms. Purdy,

Thank you for the opportunity to comment on the staff working proposal of the minimum control measure section of the Greater Los Angeles County MS4 Permit. As written, the proposal does incorporate key components of a low impact development based approach to stormwater management, but could be improved significantly in ways that more directly speak to the local needs of Los Angeles County. This letter contains specific recommendations for improving the draft permit in four areas:

- Treat rainwater as a resource by making BMPs that retain rainwater for future use within the watershed and within a reasonable time frame the most preferred post construction stormwater management approach
- Provide incentives for retrofit of the built environment to accelerate TMDL compliance
- Lower feasibility thresholds for Green Infrastructure BMPs to encourage their use
- Remove prescriptive post construction BMP design guidance from the permit and replace with clear performance standards

Treat Stormwater as a Resource

Los Angeles County is a net importer of water from as far away as the Sacramento Bay Delta and the Colorado River. This reliance on external sources of potable water is unsustainable and expensive compared to tapping local supplies. Conservation is a crucial component of our local water security plan, but thriving landscapes of native plants are also important for habitat, temperature buffering, recreation and aesthetics. Landscapes do require water as do buildings, cooling systems, fire suppression systems. The Los Angeles County permit should drive project proponents toward designs that capture rainwater and use it within the watershed as the top priority. Such an approach is consistent with the EPA definition of LID which states that "LID employs principles... that treat stormwater as a resource rather than a waste product."¹

Recommendation:

The current hierarchy of management approaches should be revised as follows:

1. **Most Preferred: Rainwater capture for beneficial use (i.e. rainwater harvest for indoor non-potable use, irrigation and other uses that offset potable water demand) or infiltration to groundwater where that water will be recovered in a reasonable amount of time (<5 years) either on site or in regional facilities within the same watershed**
2. **Second Tier – Retention of water on site or off site through infiltration where that water will not be available for extraction within a reasonable time frame (>5 years)**
3. **Third tier – Biofiltration through amended soils designed to produce at least a 90% reduction in TSS, 50% Phosphorus reduction, 50% reduction in soluble Zinc and 40% reduction in soluble copper. Where feasible these systems should allow incidental infiltration and should incorporate an anoxic subsurface storage zone for nitrogen removal.**

¹ From: <http://www.epa.gov/owow/NPS/lid/>



The current proposal does include the first tier option of discharging treated water from a site to a regional collection facility which is commendable. Operation and maintenance can be much more reliable and economical at regional facilities compared to on-site LID facilities which have been documented to have very high (~50%) failure rates within the first few years of operation due to improper construction and/or maintenance. In Los Angeles where nearly all developable land is already developed, regional facilities can typically retain runoff at a much lower cost. Recovery and distribution of captured water, through groundwater extraction or direct treatment and use of stormwater runoff can also be more cost effective per gallon recovered compared to small scale decentralized facilities.

Onsite infiltration of water also makes sense where it does not cause structural or pollutant transport issues. However, infiltrating water onsite where that infiltrated water has no connection to larger groundwater tables squanders our rainfall resources. It would be better to capture and store that water for later use to offset potable water demand.

Retrofit of built environment

With approximately 1% of the Los Angeles County area being developed annually, even the most stringent regulation of new development and redevelopment during the permit term will probably not make significant progress toward restoring beneficial uses of our rivers, streams and bays. The numerous TMDLs set to be incorporated into the permit are evidence that the region has significant unresolved problems that are the result of existing development. Understandably, retrofit of the built environment is a difficult proposition financially and politically. Retroactive requirements for existing land owners would be extremely unpopular especially in the current climate of depreciating real estate values. However, the owners and operators of MS4s in the County will be responsible for ultimately meeting load allocations set in those TMDLs. This permit should provide clear requirements for identification, prioritization and initiation of municipal redevelopment projects that compliment current efforts like Los Angeles River revitalization planning and Integrated Regional Water Management Planning. It should also incentivize redevelopment of private property. The alternative mitigation program is one opportunity to do this.

Recommendation:

Within each watershed, retrofit projects should be initiated that preferably harvest and use rainwater either through cistern type systems or through recharge of recoverable groundwater systems. At a minimum these projects should retain water on site. These projects should be initiated as soon as possible, with ongoing monitoring of the actual water harvest and runoff reduction amounts. Where projects in the same watershed enroll in the alternative compliance program due to infeasibility of on-site retention, an alternative compliance fee paid by the developer would be applied toward constructed project costs as a rebate to the funders of those projects. Projects enrolling in the alternative mitigation program must still provide adequate treatment for the portion of the design storm that leaves the project site. The permit should specify a minimum number of new redevelopment projects or a minimum retention volume per watershed to be completed within the permit term.

Eliminate prescriptive BMP design requirements and strengthen performance standards

Government and private industry work together best when clear, progressive performance standards are set by government and private industry is challenged to innovate to create the most cost effective and desirable means of achieving those standards. This permit clearly establishes retention of the 85th percentile design storm as the top tier performance standard. Where that is infeasible, biofiltration is allowed. However, there are no performance objectives given for biofiltration in terms of a pollutant load reduction required or a volume of annual runoff to be reduced. Presumably these are exactly the benefits that prescriptive design requirements regarding storage volume, incidental infiltration, media depth are intended to produce. The lack of a clear performance standard in combination with design requirements virtually eliminates the opportunity for innovation. These design details should be given in a technical



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manual to accompany the permit, but as suggested, not required methods of satisfying permit requirements. Engineers must also be given the option to select a different design that has been demonstrated to provide equivalent performance. There are several nationally recognized stormwater BMP verification programs that can serve as independent auditors of system performance.

Recommendation:

Prescriptive BMP design requirements should be stripped from the permit and should be collected in a technical guidance manual to be completed after permit adoption. For each tier of preference, the permit must articulate specific, measurable performance standards relating to pollutant load reduction and runoff reduction.

Lower feasibility thresholds for Green Infrastructure BMPs to encourage their use

Green infrastructure BMPs are a subset of BMPs that infiltrate, evapotranspire or harvest stormwater on-site. In Los Angeles, there are many sites where retention of the entire water quality volume will not be feasible. The current draft appears to set a feasibility threshold of 100% capture of the SWQDV for each technology which is far too high. Setting the feasibility threshold at 40% annual capture for infiltration and rainwater harvest would encourage more widespread implementation of these BMPs. The rainwater harvest feasibility threshold should be modeled after the Orange County Technical Guidance Document² guidance which requires consideration of the 30 day demand on site and allows water to be applied to the landscape at the native soil infiltration rate instead of the agronomic demand of the landscape vegetation. Feasibility criteria for the various BMPs do not need to be included in the Permit, but should be detailed in an accompanying technical manual.

Recommendation:

Set the feasibility threshold for green infrastructure BMPs at 40% annual runoff capture. Require consideration of the 30 day non-potable water demand on site for rainwater harvesting system feasibility assessment. Allow captured rainwater to be delivered to the landscape at up to the native soil infiltration rate.

With these changes, the proposal will be more protective and more tailored to the unique conditions of Los Angeles County. I would welcome the opportunity to review them in more detail at your convenience. In addition, attached is a summary of specific language change recommendations that address other important issues. I look forward to reviewing the draft permit in its entirety.

Sincerely,

A handwritten signature in black ink, appearing to read "Vaikko", written over a dotted grid background.

Vaikko Allen, CPSWQ, LEED-AP
Regulatory Manager- Stormwater
CONTECH Construction Products Inc.
allenv@contech-cpi.com

² Available at: <http://www.ocwatersheds.com/WOMP.aspx>

Suggested Changes Staff Working Proposal Los Angeles County Areawide Urban Stormwater Runoff Permit		
Submitted by Vaikko Allen, CPSWQ, Regulatory Manager - Southwest CONTECH Stormwater Solutions, Inc. Phone:310-850-1736, e-mail: vallenv@conteches.com Address:2550 Bonmark Drive, Ojai, CA 93023		
Section	Proposed Change or Comment	Justification
C.1.c.ii	Change biofiltration definition to allow incidental infiltration where feasible instead of requiring that all biofiltration systems include a means for infiltration. Planter boxes should also be added to the definition of biofiltration.	Biofiltration should only be applicable where the lower infiltration rate threshold is not met. That threshold is currently 0.15"/hr. Therefore incidental infiltration during the storm event will be minimal. As written, aside from rainwater harvest and evapotranspiration, there are no allowable options for sites where there are technical reasons that infiltration is not suitable, for example close proximity to groundwater, wells or contaminated soils. This permit should make it clear that biofiltration without an underdrain is a suitable treatment technology in such circumstances without requiring enrollment in the alternative compliance track
C.1.c.iii	No change needed	The elimination of an underdrain in bioretention facilities is a good idea since it will result in prolonged pooling of water where the infiltration rate of native soils is compromised. This is a good indicator that corrective action is needed.
C.1.c.iv	Remove Bioswale from this section	Bioswales and filter strips are not acceptable as stand alone treatment systems. According to the International BMP Database, they are comparatively ineffective in removing important pollutants like bacteria, nutrients, sediment and metals.
C.8.a.i.(7)	Amend the order of preference to the following: (a) BMPs that retain water for subsequent use or evapotranspiration; (b) BMPs that retain water on site or in regional facilities where it is not recoverable within 5 years; (c) On site biofiltration (including planter boxes)	Given the persistent drought conditions in Southern California and our reliance on water from Northern California and the Colorado river, stormwater is a valuable resource that should be harvested and used to offset potable water demand. This can be done either on site or off site within the watershed with the same water supply and water quality benefit.
C.8.c.i.(2)	Add subsection (c): the volume of runoff required to be stored to reduce runoff by at least 80% on an annual basis given the BMP drawdown time	Rainwater harvest systems and infiltration systems over low permeability soils may take greater than 48 hours to drain down completely. When drawdown times are longer, it may be necessary to increase the storage volume of the BMP to achieve performance on par with systems retaining the 85th percentile storm with a drawdown time of 48 hours or less.

Section	Proposed Change or Comment	Justification
C.8.c.i.(3)	Change lower infiltration rate threshold to 0.5" per hour.	The lower infiltration rate threshold of 0.15 inches per hour is extremely low. A 0.5 inch per hour lower rate would be more consistent with other permits in Southern California. Typically, factors of safety between 2 and 8 are applied to the measured infiltration rate to produce a design infiltration that is used to size the infiltration BMP. This factor of safety combined with a target infiltration rate of 48 hours could result in very large systems with allowable effective depths of as little as one inch.
C.8.c.i.(5)	Remove "worse case scenario" language with requirement that estimate of effectiveness be based on the average annual runoff reduction as demonstrated through daily continuous simulation modeling.	Section XII.B.4 contains water quality design storm requirements. It does not specify any level of treatment that is required by BMPs treating this design storm. This addition is needed to ensure that BMPs are effective in controlling the pollutants that are expected on site.



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		April 27, 2012 @ 1030		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Ivar K. Ridgeway	RWPQB-HA	(213) 620-2150	iridgeway@waterboards.ca.gov	
2. Janet Bell	MWD SC	(213) 217-5516	jbell@mwdh2o.com	
3. Daniel Swilley	MWD SC	(213) 217-5507	dswilley@mwdh2o.com	
4. Bart Koch	"	213-217-5646	bkoch@mwdh2o.com	
5. Michael Hanson	LADDP	213-327-0634	michael.hanson@ladwp.com	
6. Katherine Rubin	LADWP	213-367-0436	krubin@ladwp.com	
7. Joyce Clark	MWD	(213) 217-5593	jtruhqn@mwdh2o.com	
8. R. Aubrey	RWQCB	(213) 576-6622		
9. Samuel Unger	RWQCB	(213) 576-6605	sunger@waterboards.ca.gov	
10.				

RB-AR3099



LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

KEY TO MARKUP/COMMENTS

- A. Language in black font is from the 3/28/12 Staff Working Proposal
- B. Language in blue font is from the current Ventura County MS4 Permit
- C. Revisions in reddish brown/strikeouts are comments provided by MWD & LADWP (4/18/12)

STAFF WORKING PROPOSAL

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

FINDINGS

F. Implementation

This Order references industry standard incorporates BMPs guidance to documents to ensure that Conditionally Exempt Essential authorized Non-Storm Water Discharges are not a source of pollutants to the MS4, Table 1 (Required Conditions for Non-Storm Water Discharges). The BMPs referenced in the guidance documents included are for the purpose of dechlorination and/or for prevention of erosion and sediment loss, or to reduce other harmful pollutants during the discharge of conditionally exempt essential authorized non-storm water discharges to the MS4. The referenced BMPs guidance documents for potable water discharges include listed in part 1.A of the Order were selected from the American Water Works Association A WWA Guidelines For The Development Of Your Best Management Practices (BMP) Manual For Drinking Water System Releases Developed by the CA -NV A WWA Environmental Compliance Committee (2005) which serves as an industry standard for California, from the results of studies directed by the Los Angeles Water Board, - Evaluation of Non-Storm Water Discharges to California Storm Drains and Potential Policies for Effective Prohibition Methods, Final Report, University of California, Los Angeles, Contract No. 5-104-140-0 (1997), and Water Quality Concerns and Regulatory Controls for Non Storm Water Discharges to Storm Drains, Duke, L.D. and M. Kihara, Journal of the American Water Resources Association, Vol. 34: 661-676, (1998), and from the Water Boards' experience of controlling authorized non-storm discharges to the MS4 since 1990. The referenced BMP guidance documents for flows from fire fighting activities include (insert reference to State Fire Fighting BMP Guidance Manual). The BMPs guidance documents identified in the Table are include technically feasible, practicable, and cost-effective BMPs. Where an identified BMP maybe impracticable, this Order includes a provision to select and implement an alternative BMP; through the BMP substitution provisions in subpart 4.A.2. The implementation of measures set forth in this Order are reasonably expected to reduce the discharge of minimal pollutants to the maximum extent practicable from conditionally exempt essential non-storm water discharges. At this time it is impractical and economically infeasible for Conditionally Exempt Essential Non-Storm Water Discharges including fire fighting and potable water discharges from conveyance and distribution systems to provide treatment methods beyond appropriate industry standard BMPs and control measures.

Red - revision
Blue - existing

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

Part III. DISCHARGE PROHIBITIONS

A. Non-Storm Water Discharges

1. General Definitions

- a. **Non-Storm Water Discharge:** Any discharge into the MS4 or from the MS4 into a receiving water that is not composed entirely of storm water.
- b. **Storm Water:** Storm water runoff, snow melt runoff, and surface runoff and drainage related to precipitation events (pursuant to 40 CFR § 122.26(b)(13); 55 Fed. Reg. 47990, 47995 (16 November 1990)).
- c. **Illicit Discharge:** Any discharge into the MS4 or from the MS4 into a receiving water that is prohibited under local, state, or federal statutes, ordinances, codes, or regulations. The term illicit discharge includes any non-storm water discharge, except authorized these non-storm water discharges regulated by an individual or general separate NPDES permit; conditionally authorized the non-storm water discharges specifically identified in Part III.A.3 of this Order; and essential non-storm water discharges specifically identified in Part III.A.4 resulting from emergency fire fighting activities (pursuant to 40 CFR § 122.26(b)(2)).
- d. **Authorized Non-Storm Water Discharge:** Authorized non-storm water discharges include all discharges that are regulated by an individual or general NPDES permit and are allowed by the LARWQCB to discharge to the MS4 when in compliance with all NPDES permit conditions.
- e. **Conditionally Authorized Non-Storm Water Discharge:** Conditionally authorized non-storm water discharges are certain categories of discharges that are either not sources of pollutants or may contain only minimal amounts of pollutants and when in compliance with specified BMPs that are not composed entirely of storm water but contain only minimal amounts of pollutants and therefore do not result in significant environmental effects. (See 55 Fed. Reg. 47990, 47995 (16 November 1990)).
- f. **Conditionally Exempt Essential Non-Storm Water Discharge:** Conditionally exempt essential non-storm water discharges include the following categories of discharges that are allowed by the Regional Water Board to discharge to the MS4, if in compliance with all specified requirements, are not otherwise regulated by an individual or general NPDES permit, and are essential public services and/or are directly or indirectly required by other State or Federal statute and/or regulation. Conditionally exempt essential non-storm water discharges may contain

Comment [u1]: New Category of discharges for all NPDES Permitted sources discharging to the MS4.

Comment [u2]: Separate category for discharges related to incidental urban activities.

Comment [u3]: New Category of exempt discharges for essential public services discharges (fire fighting and drinking water providers)

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

* only minimal amounts of pollutants, however, when in compliance with industry standard BMPs and control measures do not result in significant environmental effects. (See 55 Fed. Reg. 47990, 47995 (16 November 1990)).

- Discharges from Fire Fighting Activities¹ provided appropriate BMPs are implementation based on the (insert reference to State Fire Fighting BMP Guidance Manual); and
- * Discharges from Potable Water Sources², where not otherwise regulated by an individual or general NPDES permit, provided appropriate BMPs are implemented based on the AWWA Guidelines for the Development of Your Best Management Practices Manual for Drinking Water System Releases

a. **Receiving Water:** A "water of the United States" into which waste and/or pollutants are or may be discharged.

2. ~~Effective Prohibition of Non-Storm Water Discharges.~~ Each Permittee shall, within its respective jurisdiction, effectively prohibit non-storm water discharges into the MS4 and from the MS4 to receiving waters except where such discharges are either specifically: 1) authorized non-storm water discharges that are regulated by an individual or general NPDES permit as identified in section A.3.a; authorized by a separate individual or general National Pollutant Discharge Elimination System (NPDES) permit or 2) conditionally authorized non-storm water discharges in accordance with sections A.3.b through A.6 below; or 3) conditionally exempt essential non-storm water discharges in accordance with section A.3.c.

3. Exemptions from Effective Prohibition of Non-Storm Water Discharges.

~~The following categories of non-storm water discharges are conditionally authorized allowed by the Regional Water Board as specified below provided they meet all required conditions specified below, or as otherwise approved by the Regional Water Board Executive Officer. -in all areas regulated by this Order with the exception of direct discharges to Areas of Special Biological~~

¹ This includes emergency fire fighting and fire fighting training activities, which simulate emergency responses.

² The required larger volume periodic releases from the wholesale and/or larger water purveyors are included until such time as a General Permit or other compliance measures are established that specifically addresses these types of releases.

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

Significance (ASBS) within Los Angeles County. Exemptions from the effective prohibition on non-storm water discharges into the MS4 and from the MS4 directly to an ASBS are identified in section A.4 below. Additionally, these dischargers must explore and consider alternative methods of disposal, such as water conservation, reuse of water and groundwater recharge, and determine prior to discharge that no feasible or economical alternative method of disposal exists. Pursuant to Section 2 of Article X of the California Constitution, water resources of the State shall be put to beneficial use to the fullest extent of which they are capable.

2.

a. **Authorized Non-Storm Water Discharges:** Those that are regulated by an separate individual or general NPDES permit for non-storm water discharges, including, but not limited to:

i. Discharges of non-process waste water regulated by NPDES Permit No. CAG994003, including, but not limited to:

(a) Air conditioning condensate;

(b) Swimming pool filter backwash water;

(c) Swimming pool drainage, where the discharge is not authorized below or is otherwise prohibited by a Permittee; and

(d) Groundwater seepage.

ii. Discharges of low threat hydrostatic test water³ regulated by NPDES Permit No. CAG674001;

iii. Discharges of ground water from construction and project dewatering⁴ regulated by NPDES Permit No. CAG994004;

³ Low threat hydrostatic test water means discharges resulting from the hydrostatic testing or structural integrity testing of pipes, tanks, or any storage vessels using domestic water or from the repair and maintenance of pipes, tanks, or reservoirs.

⁴ Discharges of ground water from construction and project dewatering include treated or untreated waste water from permanent or temporary construction dewatering operations; ground water pumped as an aid in the containment and/or cleanup of a contaminant plume; ground water extracted during short-term and long-term pumping/aquifer tests; ground water generated from well drilling, construction or development and purging of wells; equipment decontamination water; subterranean seepage dewatering; incidental collected storm water from basements; and other process and non-process waste water discharges that meet the eligibility criteria and could not be covered under another specific general NPDES permit.

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LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

- iv. Discharges of ground water from potable water supply wells⁵ regulated by NPDES Permit No. CAG994005;
 - v. Discharges of treated ground water from investigation and/or cleanup of volatile organic compound (VOC) contaminated sites regulated by NPDES Permit No. CAG914001;
 - vi. Discharges of treated ground water and other waste waters from investigation and/or cleanup of petroleum fuel contaminated sites regulated by NPDES Permit No. CAG834001;
 - vii. Short-term, intermittent discharges from utility vaults and underground structures regulated by NPDES Permit No. CAG990002; ~~or~~
- b. Conditionally Authorized Non-Storm Water Discharges:** Those that fall within one of the categories below, ~~provided they are not a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations in Part V. and/or Water Quality Based Effluent Limitations in Part VI.D., and meet all required conditions specified in Table X, or as otherwise specified or approved by the Regional Water Board Executive Officer:~~
- i. Natural springs;
 - ii. Flows from riparian habitats and wetlands;
 - iii. Diverted stream flows, authorized by the State or Regional Water Board;
 - iv. Dewatering of lakes; *— Not reservoirs*
 - v. Rising ground waters, where ground water seepage is not otherwise regulated by a separate NPDES permit⁶;
 - vi. Uncontaminated ground water infiltration⁷;

⁵ Discharges covered by this permit include ground water from potable water supply wells generated during the following activities: ground water generated during well purging for data collection purposes; ground water extracted from major well rehabilitation and redevelopment activities; and ground water generated from well drilling, construction, and development.

⁶ A NPDES permit for discharges associated with ground water dewatering is required within the Los Angeles Region.

⁷ Uncontaminated ground water infiltration is water other than waste water that enters the MS4 (including foundation drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow. (See 40 CFR § 35.2005(20).)

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

- vii. Uncontaminated pumped ground water, where not otherwise regulated by a separate NPDES permit⁸;
- viii. Landscape irrigation;
- ~~ix. Discharges from potable water sources, including water line flushing (supply and distribution system releases), where not otherwise regulated by a separate NPDES permit⁹;~~
- ~~x-ix. Gravity flow from foundation drains, footing drains, and crawl space pumps, where ground water seepage is not otherwise regulated by a separate NPDES permit;~~
- ~~xi-x. Air conditioning condensate, where not otherwise regulated by a separate NPDES permit;~~
- ~~xii-xi. Dechlorinated/debrominated swimming pool/spa discharges,¹⁰ where not otherwise regulated by a separate NPDES permit;~~
- ~~xiii-xii. _____ Dewatering of decorative fountains;~~
- ~~xiv-xiii. _____ Non-commercial car washing by residents or by non-profit organizations;~~
- ~~xv-xiv. _____ Street/sidewalk wash water¹¹; and~~

⁸ Ibid.

⁹ ~~Potable water distribution system releases means sources of flows from drinking water storage, supply and distribution systems (including flows from system failures), pressure releases, system maintenance, distribution line testing, fire hydrant flow testing, and flushing and dewatering of pipes, reservoirs, vaults, and minor non-invasive well maintenance activities not involving chemical addition(s) where not otherwise regulated by NPDES Permit No. CAG674001 or NPDES Permit No. CAG994005. Releases from potable water supplies or distribution systems not otherwise regulated by an existing NPDES permit shall be allowed with the implementation of appropriate and effective BMPs (as specified in Table X and consistent with American Water Works Association guidelines, and/or as required by the Regional Water Board Executive Officer) until such time as a general NPDES permit is adopted that addresses these types of releases.~~

¹⁰ Authorized dechlorinated/debrominated swimming pool/spa discharges do not include swimming pool/spa filter backwash or swimming pool/spa water containing bacteria, detergents, wastes, algaecides, or cyanuric acid in excess of 50 parts per million, or any other chemicals including salts from pools commonly referred to as "salt water pools" in excess of applicable water quality objectives.

¹¹ Authorized non-storm water discharges of street/sidewalk wash water only include those discharges resulting from use of high pressure, low volume spray washing using only potable water with no cleaning agents at an average usage of 0.006 gallons per square feet of sidewalk area in accordance with Regional Water Board Resolution No. 98-08. Authorized non-storm water discharges of street/sidewalk wash water do not include hosing of any sidewalk or street with a garden hose with a pressure nozzle.

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~~xvi.xv. Flows from emergency fire fighting activities (i.e., flows necessary for the protection of life or property).¹²~~

- ~~c. **Conditionally Exempt Essential Non-Storm Water Discharges:** Those that fall within one of the categories below, meet all required BMPs as specified, are essential public services discharge activities, and/or are otherwise required by other state or federal statute and/or regulation, including:~~

~~i. Discharges from Fire Fighting Activities provided appropriate BMPs are implemented based on the (insert reference to State Fire Fighting BMP Guidance Manual) and;~~

~~i.ii. Discharges from Potable Water Sources, where not otherwise regulated by an individual or general NPDES permit, provided appropriate BMPs are implemented based on the AWWA Guidelines for the Development of Your Best Management Practices Manual for Drinking Water System Releases.~~

- 4. Exemptions from Effective Prohibition within an ASBS.** The following non-storm water discharges to the MS4 and from the MS4 directly to an ASBS are conditionally authorized pursuant to the California Ocean Plan as specified below, provided that:

- a. The discharges are for essential public service, or for emergency response purposes, structural stability, slope stability or occur naturally, including the following discharges:

~~a. Discharges associated with emergency fire fighting activities (i.e., flows necessary for the protection of life or property)¹³;~~

~~b.a. Foundation and footing drains;~~

~~c.b. Water from crawl space or basement pumps;~~

~~d.c. Hillside dewatering;~~

~~e.d. Naturally occurring groundwater seepage via a storm drain; and~~

¹² Discharges from vehicle washing, building fire suppression system maintenance (e.g., sprinkler line flushing), and other routine maintenance activities are not authorized to be discharged to the MS4.

¹³ *Ibid.*

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

- ~~f.e.~~ Non-anthropogenic flows from a naturally occurring stream via a culvert or storm drain, as long as there are no contributions of anthropogenic runoff.
- b. The discharges fall within one of the specified categories in sub-part A.3.a and are ~~specifically authorized by the Los Angeles Water Board.~~
- c. Authorized non-storm water discharges shall not cause or contribute to an exceedance violation of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations in this Order of the water quality objectives in Chapter II of the Ocean Plan or alter natural ocean water quality in an ASBS.
5. **Permittee Requirements.** Each Permittee shall ~~develop and implement procedures to ensure all conditionally authorized non-storm water discharges into the MS4 and from the MS4 into receiving waters identified in sections A.3 and A.4 above comply with the applicable conditions specified in Table X. These procedures shall include, at a minimum, the following:~~

~~Procedures for ensuring that all necessary permits and water quality certifications are obtained by a discharger prior to discharge to the MS4 as specified in Table X.~~

~~Procedures for ensuring a discharger has explored and considered alternatives to discharge to the MS4, including for example, water conservation, reuse of water and ground water recharge, and has determined no feasible or economical alternative to discharge to the MS4 exists.~~

- a. Promote measures that minimize runoff and pollutant loading from excess irrigation by promoting and/or working with potable water purveyors to promote conservation programs ~~Procedures to minimize the discharge of landscape irrigation water into the MS4. For landscape irrigation water to be discharged, each Permittee shall, within its respective jurisdiction:~~
- i. Enact a municipal ordinance that specifies landscape irrigation standards to minimize irrigation runoff and eliminate irrigation overspray. The Permittee shall have legal authority to enforce the ordinance and levy fines. In addition, the Permittee may coordinate with the local water purveyor(s), where applicable, to promote/enforce landscape water use efficiency requirements for existing landscaping, use of drought tolerant, native vegetation, and the use of less toxic options for pest control and landscape management.

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ii.

~~Coordinate with the water purveyor(s) within its jurisdiction to develop and implement a work plan that results in a coordinated outreach and education program to minimize the discharge of irrigation water and pollutants associated with irrigation water consistent with Part VI.C. of this Order (Public Information and Participation Program).~~

b.

If the discharger¹⁴ of the conditionally exempt essential non-storm water discharge is not a named Permittee in this Order, the Regional Water Board Permittee shall require the discharger to provide advanced notification to the Permittee of the discharge, ~~obtain local permits, conduct appropriate monitoring, and/or implement additional BMPs and/or control measures as a condition of the approval to discharge into the Permittee's MS4, according to its local authorities.~~

c. ~~The Regional Water Board~~ Each Permittee shall evaluate the monitoring data collected pursuant to Attachment X (Monitoring and Reporting Program - Non-Storm Water Outfall Based Monitoring), and any other relevant information, and determine whether any of the conditionally authorized categories of non-storm water discharges identified in sections A.3.b and A.4 above ~~is~~ are a source of pollutants that maybe causing an exceedance of an applicable water quality objective for the receiving water.

~~6. causes or contributes to an exceedance of applicable Receiving Water Limitations in Part V. and/or Water Quality Based Effluent Limitations in Part VI.D:~~

d. If the Regional Water Board Permittee determines that any one of the categories of conditionally authorized non-storm water discharges identified in sections A.3.b and A.4 above are a source of pollutants that maybe causing an exceedance of an applicable water quality objective for the receiving water ~~is a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations, the Permittee shall report its findings to~~

¹⁴ Dischargers not named a Permittee in this Order may include, but are not limited to, potable water supply and distribution agencies, wastewater treatment agencies/sanitation districts, and other Federal, State, and local governmental entities.

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

the Regional Water Board in its annual report. Based on this determination, the Regional Water Board Permittee may also either:

- d. ~~Prohibit the non-storm water discharge category from entering the MS4 or receiving waters; or~~
 - i. ~~Impose conditions in addition to those in Table X, subject to approval by the Regional Water Board Executive Officer, on the conditionally authorized non-storm water discharge category such that the discharge category will not be a source of pollutants that causes or contributes to an exceedance of applicable for the receiving water Receiving Water Limitations and/or Water Quality Based Effluent Limitations; or~~
 - ii. ~~Require the conditionally authorized non-storm water discharger to obtain coverage under a separate individual or general State or Regional Water Board NPDES permit prior to discharge to the MS4.~~

7. ~~If a Permittee demonstrates that a specific non-storm water discharge from a potable water supply or distribution system not otherwise regulated by a separate NPDES permit, but required by state or federal statute and/or regulation, caused [further definition to be provided] a short-term exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations during a specific sampling event, the Permittee shall not be found in violation of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations for that specific sampling event. Such demonstration must be based on monitoring data from the specific non-storm water discharge, other relevant information regarding the specific non-storm water discharge as identified in Table X, and documentation of the state or federal statute and/or regulation requiring such non-storm water discharge, including the conditions under which the specific discharge was required.~~

d. ~~Upon a demonstration that such a discharge has caused a short-term exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations during a specific sampling event, the Permittee shall immediately take actions to:~~

- a. ~~Evaluate the potential long-term effects of such continued discharges on the receiving water;~~
- b. ~~Identify alternative discharge pathways to less sensitive receiving waters in coordination with the discharger;~~
- c. ~~Impose conditions in addition to those identified in Table X, subject to approval by the Regional Water Board Executive Officer, on the~~

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

~~discharge such that it will not be a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations; and/or~~

- ~~d. Require the discharger to obtain coverage under a separate State or Regional Water Board permit prior to discharge to the MS4.~~
- ~~e. The Permittee shall provide the results of its evaluation and follow-up actions to the Regional Water Board in its annual report.~~
- ~~8. If a Permittee demonstrates that a specific non-storm water discharge from emergency fire fighting activities caused [further definition to be provided] a short term exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations during a specific sampling event, the Permittee shall not be found in violation of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations for that specific sampling event. Such demonstration must be based on relevant information regarding the location, date, time and duration of the emergency fire fighting activity, the discharge pathway and receiving water(s) of the fire fighting flows, and an estimate of the volume of the non-storm water discharge.~~
- ~~9.6. Notwithstanding the above, the Regional Water Board Executive Officer, based on a comprehensive analysis or her own and evaluation of monitoring data and other relevant information for specific categories of discharges, may modify a category or remove categories of conditionally authorized non-storm water discharges from sections A.3.b and A.4 above in consideration of antidegradation policies and/or TMDLs, or if the Executive Officer determines that a discharge category is a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations. The Executive Officer may also require that a discharger obtain coverage under a separate individual or general State or Regional Water Board permit for non-storm water discharges, to the MS4 or from the MS4 to receiving waters.~~

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

Table X. Required Conditions for Authorized and Conditionally Authorized Non-Storm Water Discharges

Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 ¹⁵ and/or Receiving Waters	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
All Discharge Categories	See discharge specific conditions below.		<p>Explore and Evaluate alternative means of disposal (e.g., sanitary sewer land disposal) or opportunities for water conservation, capture, reclamation, groundwater recharge, and reuse to determine if any feasible or economical alternative methods of disposal exist. Pursuant to Section 2 of Article X of the California Constitution, water resources of the State shall be put to beneficial use to the fullest extent of which they are capable.</p> <p>Segregate authorized non-storm water discharges from potential sources of pollutants to prevent introduction of pollutants to the MS4 and receiving water.</p> <p>Whenever there is a discharge of 500,000 gallons or more into the MS4, the discharger shall contact the appropriate Permittee(s) with jurisdiction over the MS4, including but not limited to the Los Angeles County Flood Control District, within 24 hours of the discharge.</p>
Natural Springs	N/A	N/A	Segregate authorized non-stormwater discharges from potential sources of pollutants to prevent introduction of pollutants to the MS4 and receiving water.

¹⁵ The general orders/NPDES permits identified are those currently available to dischargers under which authorization to discharge could be provided. Alternatively, a discharger could seek authorization for the non-storm water discharge under an individual NPDES permit.

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters ¹⁵	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
Flows from riparian habitats and wetlands	Discharge allowed only if all necessary permits/water quality certifications for water diversions are obtained prior to discharge.	N/A	All necessary permits and water quality certifications must be obtained prior to diverting flows to the MS4. Discharges shall comply with all conditions specified in permits and water quality certifications.
Diverted stream flows	Discharge allowed only if authorized by the State or Regional Water Board.	N/A	Discharges shall comply with all conditions specified by the State or Regional Water Board.

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LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
<p>Dewatering of lakes (this does not include discharges from potable or raw water reservoirs and tanks)</p>	<p>Discharge allowed only if all necessary permit/water quality certifications for dredge and fill activities, including water diversions, are obtained prior to discharge.</p>	<p>N/A</p>	<p>All necessary permits and water quality certifications must be obtained prior to dewatering.</p> <p>Provide <u>Ensure procedures for advanced notification by the lake owner / operator to the Permittee(s) within 72 hours of planned discharge.</u></p> <p>Immediately prior to discharge, visible trash on the shoreline or on the surface of the lake shall be removed and disposed of in a legal manner.</p> <p>Immediately prior to discharge, the MS4 inlet to which the discharge is directed, and the MS4 outlet from which the water will be discharged to the receiving water, shall be inspected and cleaned out.</p> <p>Discharges shall be volumetrically and velocity controlled to prevent resuspension of sediments.</p> <p>Measures shall be taken to stabilize lake bottom sediments.</p> <p><u>Ensure procedures for water quality. As applicable, monitoring for pollutants of concern¹⁶ that may be mobilized by in the lake dewatering through the MS4 to a receiving water.</u></p> <p><u>Ensure record-keeping of lake dewatering shall be maintained by the lake owner / operator.</u>¹⁷</p>

¹⁶ Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, and any pollutant for which there is a Water Quality Based Effluent Limitation in Part VI. for the lake and/or receiving water.

¹⁷ Permittees shall require that the following information is maintained by the lake owner / operator: name of discharger, date of notification, method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
Rising ground waters	Discharge from ground water seepage allowed only if authorized under a separate NPDES permit.	NPDES Permit No. CAG994003 – Discharges of Nonprocess Wastewater to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties	Discharges shall comply with all NPDES permit conditions for the discharge.
Uncontaminated ground water infiltration	N/A	N/A	None
Uncontaminated pumped ground water	Discharge is allowed only if authorized under a separate NPDES permit.	NPDES Permit No. CAG994003 – Discharges of Nonprocess Wastewater to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties NPDES Permit No. CAG994004 – Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties NPDES Permit No. CAG990002 – Discharges from Utility Vaults and Underground Structures to Surface Waters	Discharges shall comply with all NPDES permit conditions for the discharge. Pursuant to NPDES Permit No. CAG990002, whenever there is a discharge of 50,000 gallons or more from utility vaults and underground structures to the MS4, the discharger (i.e., utility company) shall contact the appropriate Permittee(s) with jurisdiction over the MS4, including but not limited to the Los Angeles County Flood Control District, within 24 hours of the discharge.

Comment [u4]: Deleted because this is a permit condition of the Vault Dewatering General NPDES Permit (CAG990002) so it does not need to be repeated here, which is consistent with the rest of Table X.

discharge, duration of the discharge, flow rate or velocity, total number of gallons discharged, type(s) of sediment controls used, pH of discharge, type(s) of volumetric and velocity controls used, and field monitoring data. Records shall be made available upon request by the Permittee or Regional Water Board.

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
Landscape irrigation using potable water	Discharge allowed if potable landscape irrigation due to runoff is minimized through the implementation of an ordinance-specifying water efficient landscaping standards, as well as an outreach and education program focusing on water conservation and landscape water use efficiency.	N/A	Implement BMPs, including Integrated Pest Management (IPM), to minimize runoff and prevent introduction of pollutants to the MS4 and receiving water. Implement water conservation programs/methods to minimize discharge by using less water. Utilize water delivery rates that do not exceed the infiltration rate of the soil. Promote erosion repair (i.e., cover or repair areas of exposed soils in yards/landscaping).
Landscape irrigation using reclaimed or recycled water	Discharge of reclaimed or recycled water runoff from landscape irrigation is allowed if the discharge is in compliance with the producer and distributor operations and management (O&M) plan, and all relevant portions thereof, including the Irrigation Management Plan.	N/A	Discharges must comply with applicable O&M Plans, and all relevant portions thereof, including the Irrigation Management Plan.

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Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters ¹⁵	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
Potable drinking water supply and distribution system releases	<p>Discharge of ground water from potable water supply wells is allowed only if authorized under a separate NPDES permit (see below).</p> <p>Discharge of other potable drinking water, supply and distribution releases allowed after implementation of specified BMPs.</p>	N/A	<p>Implement BMPs to prevent introduction of pollutants to potable water supply or distribution system release prior to discharge to the MS4 and receiving water. BMPs shall be consistent with CA-NV American Water Works Association BMP Manual for Drinking Water System Releases and other applicable guidelines.¹⁸</p> <p>Ensure procedures for advanced notification by the water supplier to the Permittee(s) within 72 hours of planned discharge and as soon as possible after an unplanned discharge.</p> <p>Ensure procedures for monitoring of pollutants of concern¹⁹ that may be mobilized by the potable water supply release through the MS4 to a receiving water.</p> <p>Ensure record keeping by water supplier(s) for all discharges greater than [volume to be determined].²⁰</p>

Comment [u5]: All these BMPs and more are included in the AWWA Guidance Manual for Potable Water Discharges so it is more appropriate to reference the AWWA Manual in its entirety.

¹⁸ See, for example, Awwa Research Foundation and U.S. EPA, Environmental Impacts of Non-Treatment Discharges from Drinking Water Utilities, Prepared by Narasimham Consulting, Inc. (2007); Golden State Water Company Water Pollution Control Program – Potable Water Distribution System Releases for Unincorporated Areas of Los Angeles County (last updated June 2007) and City of Los Angeles Department of Water and Power Pollution Prevention Plan for Water System Discharges (last updated April 2008).

¹⁹ Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, and any pollutant for which there is a Water Quality Based Effluent Limitation in Part VI for the receiving water.

²⁰ Permittees shall require that the following information is maintained by the water supplier(s) for all discharges (planned and unplanned) greater than [volume to be determined]: name of discharger, date of notification (for planned discharges), method of notification, alternatives to discharge considered and justification for finding of infeasibility of capture and reuse or ground water infiltration, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, total number of gallons discharged, total number of gallons captured for reuse or infiltrated to ground water, type of dechlorination equipment used, type of

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
		<p>NPDES No. CAG674001 – Discharges From Hydrostatic Test Water to Surface Waters in</p>	<p>To be discharged, this type of water shall be dechlorinated using aeration and/or sodium thiosulfate and/or other appropriate means. Chlorine residual in the discharge shall not exceed 0.1 mg/L.</p> <p>Discharges from water lines and potable water sources shall be pH adjusted if necessary and be within the range of 6.5 and 8.5.</p> <p>Discharges from water lines and potable water sources shall be volumetrically and velocity controlled to prevent resuspension of sediments.</p> <p>BMPs such as sand bags or gravel bags, or other appropriate means, shall be utilized to prevent sediment transport.</p> <p>Immediately prior to discharge, the MS4 inlet to which the discharge is directed, and the MS4 outlet from which the water will be discharged to the receiving water, shall be inspected and cleaned out.</p> <p>All debris and sediments in the flow path that are trapped by the BMPs shall be collected and disposed of in a legal and appropriate manner.</p>
	<p>Discharge of potable water used in hydrostatic testing allowed only if: 1)</p>		<p>Discharges shall comply with all NPDES permit conditions for the discharge.</p>

dechlorination chemicals used, concentration of residual chlorine, type(s) of sediment controls used, pH of discharge, type(s) of volumetric and velocity controls used, and monitoring data. Records shall be made available upon request by the Permittee or Regional Water Board.

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Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters ¹⁶	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
	<p>the discharger documents in its record-keeping that potential uses of the hydrostatic test water and potable water were considered to ensure use to the fullest extent possible and in compliance with Article 10, Section 2 of the California Constitution, and 2) authorized by a separate NPDES permit.</p>	<p>Coastal Watersheds of Los Angeles and Ventura Counties</p>	<p>Discharges shall comply with all NPDES permit conditions for the discharge.</p>
	<p>Discharges from activities that occur at wellheads, such as well construction, well development (e.g., aquifer pumping tests, well purging), or major well maintenance are allowed only if authorized by a separate NPDES permit.</p>	<p>NPDES Permit No. CAG094004 – Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties NPDES Permit No. CAG094005 – Discharges of Ground Water from Potable Water Supply Wells to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties</p>	<p>Discharges shall comply with all NPDES permit conditions for the discharge.</p>

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Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters ¹⁶	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
Hydrostatic test water	Discharge of hydrostatic test water is allowed only if: 1) the discharger documents in its record-keeping that potential uses of the hydrostatic test water and potable water were considered to ensure use to the fullest extent possible and in compliance with Article 10, Section 2 of the California Constitution, and 2) authorized by a separate NPDES permit.	NPDES No. CAG674001 - Discharges From Hydrostatic Test Water to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties	Discharges shall comply with all NPDES permit conditions for the discharge.
Discharges from wellhead activities, such as well construction, well development (e.g., aquifer pumping tests, well purging), or major maintenance	Discharges from activities that occur at wellheads, such as well construction, well development (e.g., aquifer pumping tests, well purging), or major well maintenance are allowed only if authorized by a separate NPDES permit.	NPDES Permit No. CAG994004 - Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties NPDES Permit No. CAG994005 - Discharges of Ground Water from Potable Water Supply Wells to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties	Discharges shall comply with all NPDES permit conditions for the discharge.

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Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters ¹⁵	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
Gravity flow from foundation drains, footing drains, and crawl space pumps	Discharge is allowed only if authorized by a separate NPDES permit.	NPDES Permit No. CAG994003 – Discharges of Nonprocess Wastewater to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties NPDES Permit No. CAG994004 – Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties NPDES Permit No. CAG990002 – Discharges from Utility Vaults and Underground Structures to Surface Waters	Discharges shall comply with all NPDES permit conditions for the discharge.
Air conditioning condensate	Discharge is allowed only if authorized by a separate NPDES permit.	NPDES Permit No. CAG994003 – Discharges of Nonprocess Wastewater to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties	Discharges shall comply with all NPDES permit conditions for the discharge.
Dechlorinated/debrominated swimming pool/spa discharges	Discharges allowed after implementation of specified BMPs Pool or spa water containing copper-based algaecides is not allowed to be discharged to the MS4.	N/A	Implement BMPs and segregate discharge from potential sources of pollutants controls to prevent introduction of pollutants prior to discharge to the MS4 and receiving water. Swimming pool water must be dechlorinated or debrominated using holding time, aeration, and/or sodium thiosulfate. Chlorine residual in the discharge shall not exceed 0.1 mg/L.

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Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters ¹⁵	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
			<p>Swimming pool water shall not contain any detergents, wastes, algaecides, or cyanuric acid in excess of 50 parts per million, or any other chemicals including salts from pools commonly referred to as "salt water pools" in excess of applicable water quality objectives.²¹</p> <p>Swimming pool discharges are to be pH adjusted, if necessary, and be within the range of 6.5 and 8.5 standard units.</p> <p>Swimming pool discharges shall be volumetrically and velocity controlled to promote evaporation and/or infiltration and prevent resuspension of sediments.</p> <p>Whenever there is a discharge of 500,000 gallons or more into the MS4, the discharger shall contact the appropriate Permittee(s) with jurisdiction over the MS4, including but not limited to the Los Angeles County Flood Control District, within 24 hours of the discharge.</p> <p>Ensure procedures for advanced notification by the pool owner to the Permittee(s) within 72 hours of planned discharge.</p> <p>Immediately prior to discharge, the MS4 inlet to which the discharge is directed, and the MS4 outlet from which the water will be discharged to the receiving water, shall be inspected and cleaned out.</p>

²¹ Applicable mineral water quality objectives for surface waters are contained in Chapter 3 of the Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties

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Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
		<p>NPDES Permit No. CAG994003 – Discharges of Nonprocess Wastewater to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties</p>	<p>Discharges shall comply with all NPDES permit conditions for the discharge.</p>
Dewatering of decorative fountains	<p>Discharges allowed after implementation of specified BMPs. Fountain water containing copper-based algaecides is not allowed to be discharged to the MS4. Fountain water containing dyes is not allowed to be discharged to the MS4.</p>	<p>N/A</p>	<p>Implement BMPs and segregate discharge from potential sources of pollutants to prevent introduction of pollutants prior to discharge to the MS4 and receiving water. Fountain water must be dechlorinated or debrominated using holding time, aeration, and/or sodium thiosulfate. Chlorine residual in the discharge shall not exceed 0.1 mg/L. Fountain discharges are to be pH adjusted, if necessary, and be within the range of 6.5 and 8.5 standard units. Fountain discharges shall be volumetrically and velocity controlled to prevent resuspension of sediments. Whenever there is a discharge of 500,000 gallons or</p>

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
			<p>more into the MS4, the discharger shall contact the appropriate Permittee(s) with jurisdiction over the MS4, including but not limited to the Los Angeles County Flood Control District, within 24 hours of the discharge.</p> <p>Immediately prior to discharge, the MS4 inlet to which the discharge is directed, and the MS4 outlet from which the water will be discharged to the receiving water, shall be inspected and cleaned out.</p>
<p>Non-commercial car washing by residents or by non-profit organizations</p>	<p>Discharges allowed after implementation of specified BMPs.</p>	<p>N/A</p>	<p>Implement BMPs to prevent introduction of pollutants prior to discharge to the MS4 and receiving water.</p> <p>Minimize the amount of water used by turning off nozzles or kinking the hose when not spraying a car, and by using a low volume pressure washer.</p> <p>Use biodegradable, phosphate free detergents and non-toxic cleaning products.</p> <p>Where possible, wash cars on a permeable surface where wash water can percolate into the ground (e.g. gravel or grassy areas).</p> <p>Create temporary berms or block off the storm drains. Use pumps or vacuums to direct water to pervious areas.</p> <p>Empty buckets of soapy or rinse water into the sanitary sewer system (e.g., sinks or toilets).</p>
<p>Street/sidewalk wash water</p>	<p>Discharges allowed after implementation of specified BMPs.</p>	<p>N/A</p>	<p>Implement BMPs to prevent introduction of pollutants prior to discharge to the MS4 and receiving water.</p> <p>Sweeping should be used as an alternate BMP</p>

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Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
			<p>whenever possible, and sweepings, should be disposed of in the trash.</p> <p>BMPs shall be in accordance with Regional Water Board Resolution No. 98-08 that requires: 1) removal of trash, debris, and free standing oil/grease spills/leaks (use absorbent material if necessary) from the area before washing, 2) use of high pressure, low volume spray washing using only potable water with no cleaning agents at an average usage of 0.006 gallons per square feet of sidewalk area, and 3) in areas of unsanitary conditions, collection and diversion of street and alley wash water to the sanitary sewer. Each Permittee is required to implement (3) in areas where the congregation of transient populations can reasonably be expected to result in a significant threat to water quality.</p>
	Discharge-allowed only when necessary for the protection of life or property.	N/A	Flows resulting from emergency fire-fighting necessary for the protection of life or property do not require implementation of specific BMPs.
Flows from fire fighting activities	Discharges resulting from training activities, which simulate emergency responses, are allowed after implementation of specified BMPs.	N/A	<p>Live and simulated fire training should be conducted, where feasible, in facilities where runoff controls protecting the MS4 have been engineered and built into the facility.</p> <p>Direct water flows to landscaped, greenway or green belt areas whenever possible.</p> <p>Survey the area prior to the training exercise to</p>

Comment [u6]: All these BMPs and more are included in the Fire Fighters BMP Manual so it is more appropriate to reference the manual in its entirety.

LA County MS4 Permit – Non-Storm Water Discharge Prohibitions

Discharge Category	General Conditions Under Which Discharge to the MS4 is Allowed	Applicable NPDES Permit for Which Coverage is Required Prior to Discharge to the MS4 and/or Receiving Waters ¹⁵	Conditions/BMPs that are Required to be Implemented Prior to Discharge to the MS4 and Receiving Waters
			<p>ensure that debris will not enter the MS4 and receiving water as a result of the flows generated during the drill.</p> <p>When practicable, divert flows to the sanitary sewer with the permission of the local sewer agency.</p> <p>Use fog streams or straight streams for short durations when practicable.</p> <p>Use low volume nozzle settings.</p> <p>If training activities involve the use of foam, block off all potentially affected MS4 inlets with plastic sheeting and sandbags or temporary berms to prevent discharge of foam or other additives to the MS4 and receiving water.</p>

N/A – Not Applicable

STAFF WORKING



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		May 9, 2012 @ 1300		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Juvet K. Ridgeway	RWQCB-LA	213 1620-2150	iridgeway@waterboards.ca.gov	
2. Shahram Kharghanian	CITY OF LA	213-485-0587	shahram.kharghanian@city.org	
3. Donna Toy Chen	"	213-485-3928	donna.chen@city.org	
4. Kosta Kaporis	"	213-485-0586	kosta.kaporis@city.org	
5. Charlie Yu	"	213-485-3929	charlie.yu@city.org	
6. Karen Cowden	Lamy Walker Assoc.	310-394-1036	krcan@lwa.com	
7.				
8.				
9.				
10.				

RB-AR3127

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles



Individual and Coordinated Options

Provision for Integrated Approach

- The Monitoring Program provides flexibility to allow Permittees to develop an integrated monitoring plan to address all of the requirements of this Order and other monitoring obligations or requirements in a cost efficient and effective manner.

Provision for a Coordinated Integrated Approach

- The Monitoring Program provides flexibility to allow Co-Permittees to coordinate monitoring efforts to leverage monitoring resources in an effort to increase cost-efficiency and effectiveness.

Individual or Coordinated Options

Integrated Monitoring Program (IMP)

- Each Permittee may develop an Integrated Monitoring Plan designed to satisfy the requirements of this Order.
- The monitoring requirements contained in TMDL CMPs approved by the Executive Officer of the Regional Water Board are incorporated into this MRP (See Table X for a list of approved TMDL CMPs).
- The Integrated Monitoring Plan may leverage monitoring resources by selecting monitoring locations, parameters, or monitoring techniques that will satisfy multiple monitoring requirements.
- The requirements of an approved TMDL CMP may be modified by an IMP that is subsequently approved by the Executive Officer of the Regional Water Board.
- At a minimum, the IMP must address all TMDL and Non-TMDL monitoring requirements of this Order, including receiving water monitoring, storm water outfall based monitoring, non-storm water outfall based monitoring, and regional water monitoring studies

Coordinated Integrated Monitoring Program (CIMP)

- Permittees are encouraged to coordinate their monitoring programs with other Co-Permittees to develop and implement a CIMP.
- A CIMP may be developed to address one or more of the required monitoring elements (i.e., receiving water monitoring, outfall based monitoring, regional monitoring or special studies) and may be county-wide or limited to a single watershed or sub-watershed.
- The requirements of an approved TMDL CMP, may be modified by an CIMP, that is subsequently approved by the Executive Officer of the Regional Water Board.
- The Permittee shall not be required to submit an IMP if all of the applicable monitoring requirements in this Order are addressed in the CIMP, to which the Permittee is a participant.
- If the CIMP addresses some but not all of the applicable monitoring requirements required under this Order, then each Permittee shall submit an IMP that references the CIMP. The Permittees must describe how together, the IMP and CIMP, fulfill all of the applicable monitoring requirements contained in this Order.

Schedule

- Within 3 months after the effective date of the Order, each Permittee shall submit a letter of intent to the Executive Officer of the Regional Water Board describing whether it intends to follow an IMP or CIMP approach for each of the required monitoring plan elements.
- Each Permittee shall submit an IMP addressing monitoring requirements that the Permittee intends to implement individually, to the Executive Officer of the Regional Water Board within 6 months after the effective date of the Order.
- The participating Permittees shall submit a CIMP and a letter of intent, signed by each of the participating Permittees, to the Executive Officer of the Regional Water Board within 12 months after the effective date of the Order.
- Monitoring shall commence within 30 days after the Executive Officer of the Regional Water Board approved the IMP or CIMP.
- Monitoring requirements pursuant to Order 01-182 and any TMDL compliance monitoring requirements shall remain in effect until the Executive Officer of the Regional Water Board approves the Permittee(s) IMP and/or CIMP.
- Outfall screening shall commence immediately after the effective date of the Order, as information gathered regarding the outfall locations, configurations, and characteristics will assist in the completion of the IMP or CIMP.

Monitoring Program Elements

The Monitoring Program shall include the following elements:

- **Receiving water monitoring** to be performed at previously designated mass emission stations and/or at TMDL receiving water compliance points, as designated in TMDL Coordinated Monitoring Plans (CMPs) (see Table X for a list of approved TMDL CMPs).

The objectives of the receiving water monitoring include the following:

- Determine whether the applicable receiving water limitations are being achieved,
- Assess trends in pollutant concentrations over time, or during specified conditions,
- Determine whether the designated beneficial uses are fully supported as determined by aquatic toxicity and bioassessment monitoring.

- **Storm water outfall based monitoring**; including TMDL monitoring requirements specified in approved TMDL CMPs (see Table X for a list of approved TMDL CMPs). The objectives of the storm water outfall based monitoring program include the following:

- Determine whether the Permittee's discharge is meeting interim or final WQBELs,
- Determine whether the Permittee's discharge causes or contributes to an exceedance of receiving water limitations.

- **Non-storm water outfall based monitoring**; including TMDL CMP monitoring requirements specified in approved TMDL (see Table X for a list of approved TMDL CMPs). The objectives of the non-storm water outfall based monitoring program include the following:

- Determine whether the Permittee's MS4 discharge is in compliance with applicable dry weather WQBELs,
- Assist the Permittee in identifying Illicit Discharges that may be a source of pollutants.

CIMP Receiving Water Monitoring Requirements

- The CIMP must contain the following information for receiving water monitoring:
 - A list of the participating Permittees.
 - A map (preferably GIS) delineating the geographic boundaries of the monitoring plan including the receiving waters, the MS4 catchment drainages and major outfalls, subwatershed boundaries, political boundaries, land use, and the proposed receiving water monitoring stations for both dry weather and wet weather receiving water monitoring.
 - An explanation of how and why monitoring at the proposed locations will provide representative measurement of the effects of the MS4 discharges on the receiving water.
- TMDLs
 - A list and description of applicable TMDLs, receiving water limitations, and TMDL compliance points.
 - Identification of the proposed receiving water monitoring stations that fulfill the TMDL CMP requirements.
- Mass Emission Stations
 - Location of mass emission stations,
 - Description of monitoring at mass emission stations or justification of why monitoring at the mass emission stations will be discontinued,
 - Discussion of the value of trends analysis using the historical mass emission station monitoring data.

IMP Receiving Water Monitoring Requirements

The IMP must contain the following information for receiving water monitoring:

- A map (preferably GIS) identifying the proposed receiving water monitoring stations.
- An explanation of how and why monitoring at the proposed locations will provide representative measurement of the effects of the Permittee's MS4 discharges on the receiving water.
- Identification of applicable TMDLs, applicable receiving water limitations and TMDL compliance points.
- A description of how the Permittee is fulfilling its obligations for TMDL receiving water monitoring under this IMP, CIMP or other monitoring plans.
- A description of how the Permittee is contributing to the monitoring of mass emission stations or discuss why monitoring at mass emission stations is not being supported.

Minimum Wet Weather Receiving Water Monitoring Requirements

- The receiving water shall be monitored a minimum of three times per year for all parameters except aquatic toxicity which must be monitored at least twice per year, or more frequently if required by applicable TMDL CMP plans.
- At a minimum, the following parameters shall be monitored:
 - Flow
 - Pollutants assigned a receiving water limitation derived from TMDL WLAs,
 - CWA Section 303(d) listed pollutants for the receiving water or downstream receiving waters,
 - Total Suspended Solids (TSS),
 - Field measurements applicable to inland freshwater bodies only: hardness, pH, dissolved oxygen, temperature, and specific conductivity,
 - Aquatic Toxicity.

Minimum Dry Weather Receiving Water Monitoring

- The receiving water shall be monitored a minimum of twice per year, or more frequently if required by applicable TMDL CMPs.
- At a minimum the following parameters shall be monitored during dry weather conditions:
 - Flow
 - Pollutants assigned receiving water limitations derived from TMDL dry weather WLAs,
 - CWA Section 303(d) listed pollutants for the receiving water or downstream receiving waters,
 - Pollutants assigned non-storm water action levels,
 - TSS and hardness, when metals are monitored,
 - Field measurements for monitoring of inland freshwater bodies: dissolved oxygen, pH, temperature, and specific conductivity
 - Aquatic Toxicity.

STORM WATER OUTFALL BASED MONITORING

- Storm water discharges to the MS4 shall be monitored at outfalls, manholes or in channels at the Permittee's jurisdictional boundary.
- Storm water discharges shall be monitored a minimum of three times per year for all parameters except aquatic toxicity which must be monitored at least twice per year.
- The Permittee shall consider the following criteria when selecting outfalls for storm water discharge monitoring:
 - The storm water outfall based monitoring program shall include monitoring from at least one major outfall per subwatershed (HUC 12) drainage area, within the Permittee's jurisdiction.
 - The drainages to the selected outfalls shall be representative of the land use within the Permittee's jurisdiction.
 - To the extent possible, the selected outfalls shall not receive drainage from another jurisdiction. If this is not possible, and a Permittee is pursuing an individual outfall based IMP program, the Permittee shall conduct "upstream and "downstream" monitoring as the system enters and exits the Permittee's jurisdiction.

NON-STORM WATER OUTFALL BASED MONITORING

Screening of Outfalls with Non-Storm Water Flow

- Based on the inventory of MS4 outfalls required under Part VI.D.9 of the Order (IC/ID Program), each Permittee shall conduct field screening to identify MS4 outfalls with persistent non-storm water flows. Persistent non-storm water flows may be determined by one or more of the following characteristics:
 - Observed flow
 - Ponded water
 - Vegetative or algal growth
 - Staining
 - Odor
 - Other outfall-specific indicators (e.g., institutional knowledge, outfall condition, etc.).

NON-STORM WATER OUTFALL BASED MONITORING

Screening of Outfalls with Non-Storm Water Flow (cont.)

- The field screening shall be conducted during the summer months or during days that receive less than 0.1 inch of rain and those days not less than three days after a rain event of greater than or equal to 0.1 inch of rain, as determined by the closest rain gauge to the catchment area draining to the outfall.
- The field screening shall include all major outfalls and other outfalls that discharge to a receiving water subject to a TMDL.
- The Permittee shall screen at least 25% of its jurisdictional area each year beginning on the effective date of this Order.
- Screening of outfalls shall be prioritized according to TMDL implementation schedules.
- Outfalls discharging directly to receiving waters with WQBELs or receiving water limitations derived from TMDL provisions for which compliance deadlines have passed, shall be screened during the first year after the effective date of the Order.

Characterization and Field Screening

- As a component of the field screening, each Permittee shall record the physical attributes of those MS4 outfalls *determined to have persistent non-storm water flows*. Attributes to be obtained shall, at a minimum, include:
 - Date and time of survey
 - Outfall alpha-numeric identifier
 - Description of outfall structure including size (e.g., diameter and shape)
 - Receiving water
 - Latitude/longitude coordinates
 - Nearest street address
 - Photographs of outfall condition
 - Photographs of persistent dry weather flow (or indicators of flow)
 - Estimation of flow rate
 - Observations regarding flow characteristics such as turbidity, odor, color, presence of debris, floatables, or characteristics that could aid in source identification.
- If any flow is observed, a grab sample shall be collected. For all such samples, a narrative description of the color, odor, turbidity, the presence of oil sheen or surface scum as well as any other relevant observations regarding the potential presence of non-storm water discharges or illegal dumping shall be provided.

Determination of Significant Non-Storm Water Flows

- Using the following criteria, each Permittee shall determine those MS4 outfalls requiring further investigation and/or monitoring:
 - Where dry weather flow is diverted, and the Permittee can demonstrate that there is no overtopping of the diversion, no further monitoring upstream from the diversion is required.
 - Non-storm water flows that have caused or have the potential to cause overtopping of downstream diversions shall be characterized as significant.
 - Flows from major outfalls subject to dry weather TMDLs shall be characterized as significant.
 - Flows exceeding non-storm water action levels (where a grab sample is collected during field screening).
 - An inventory of MS4 outfalls not requiring further investigation and/or monitoring shall be maintained on the storm drain outfall map and associated database.

Identify Source(s) of Significant Non-Storm Water Flow

- Using procedures identified in IC/ID Part VI.D.9. of the Order and Determination of Significant Non-Storm Water Flows of this MRP, each Permittee shall determine the source(s) of the significant non-storm water flow.
- If the source is determined to be an illicit discharge, each Permittee shall implement procedures to eliminate the discharge consistent with IC/ID requirements and document the actions in the next annual report.
- If the source is either unknown or conditionally exempt non-storm water discharge, each Permittee shall conduct monitoring program as required in Part IX.F (next slide).
- If the source is determined to be an NPDES permitted discharge (based on Regional Water Board records) or a conditionally exempt "essential" non-storm water discharge, document the source and report to the Regional Water Board within 30 days of determination and in the next annual report.
- If the flow is comprised of more than one source, the Permittee shall attempt to quantify the relative contribution from the different sources.
- If the source of non-storm water flow is unknown, the Permittee shall describe the efforts undertaken to identify the source. Methods for identifying the source of non-storm water flow may include inspection and/or surveillance, flow monitoring and data loggers, video or physical inspection, monitoring for indicator parameters (e.g., surfactants, chlorine, Pyrethroids), or other means.
- If a source originates within an upstream jurisdiction, the Permittee shall inform in writing both the upstream jurisdiction and the Regional Water Board within 30 days of determination of the presence of the flow, characterization and field screening data collected as a component of the field survey, contribution determination efforts, and efforts taken to identify its source.

Monitor Non-Stormwater Discharges Contributing to Significant Dry Weather Flow

- Each Permittee shall monitor outfalls that have been screened and determined to convey significant flows comprised of either unknown or conditionally exempt non-stormwater discharges
- For outfalls subject to dry weather TMDL, monitoring frequency shall be per the approved CMP or as otherwise specified in the TMDL, or as specified in an IMP or CIMP approved by the Executive Officer of the Regional Water Board.
- For outfalls not subject to dry weather TMDLs, monitoring frequency shall be two times during the first year.
- Except as required by an applicable TMDL CMP, IMP, or CIMP approved by the Executive Officer of the Regional Water Board, monitoring frequency may be reduced or eliminated beginning in the second year of monitoring, if pollutant concentrations measured during the first year do not exceed WQBELs, non-storm water action levels or water quality standards for CWA Section 303(d) listed pollutants.
- Unless required by a TMDL, aquatic toxicity monitoring of significant non-storm water discharges shall only be required when the downstream receiving water has exhibited toxicity at least once during the preceding three years. When required, aquatic toxicity monitoring shall be performed twice during the first year of monitoring and may be reduced or eliminated, if monitoring conducted during the first year indicates that the discharge was not toxic.

TMDL Special Studies

- Each Permittee shall be responsible for conducting special studies required in an effective TMDL or an approved TMDL CMP applicable to a watershed that transects its political boundary.

REGIONAL STUDIES

- **Pyrethroid Insecticides Study Requirements**
 - Same as in Ventura County MS4 Permit
 - The Co-Permittee shall perform a Pyrethroid Insecticides study to accomplish the following objectives:
 - Establish baseline data for major watersheds
 - Evaluate whether Pyrethroid Insecticide concentrations are at or approaching levels known to be toxic to sediment-dwelling aquatic organisms.
 - Determine if Pyrethroids discovered are from urban sources.
 - Assess any trends over the permit term.
 - No later than the second year after the effective date of this Order, monitoring shall begin.
 - Establish at least two stations along the main stems of each major watershed river that are influenced by urban discharges.
 - The Co-Permittees shall monitor one sampling event per station per monitoring year.

REGIONAL STUDIES

Southern California Stormwater Monitoring Coalition Watershed Monitoring Program

- Regional assessment utilizing the following indicators: benthic macroinvertebrate community bioassessment, benthic algal community bioassessment (soft algae and diatoms), riparian wetland evaluation (using California Rapid Assessment Methodology), water chemistry (nutrients and certain pesticides), water toxicity (using *Ceriodaphnia*), and physical habitat.
- To continue to implement the SMC design, the Co-Permittees shall be responsible for conducting the monitoring at
 - Six random sites annually in the Santa Monica Bay Watershed Management area and
 - Three random sites annually in the Santa Clara River Watershed (the other three sites are funded by the Ventura MS4 program).
 - The Co-Permittees shall continue to contribute monitoring resources to the San Gabriel River and Los Angeles River Regional Watershed Monitoring Programs (overall, both of these programs fund six sites per year to contribute to the SMC Program).

Reporting Monitoring Results

- Results of monitoring from each receiving water or outfall based monitoring station shall be sent electronically to the Regional Water Board, no later than 90 days from sample collection date, highlighting exceedances of receiving water limitations.
- The sample data transmitted shall be in the most recent update of the Southern California Municipal Storm Water Monitoring Coalition's (SMC) Standardized Data Transfer Formats (SDTFs).
- When monitoring data provides evidence that a storm water or non-storm water discharge has contributed to an exceedance of a WQBEL, a non-storm water action level, or exhibits aquatic toxicity, the Permittee shall notify the Regional Water Board in writing within 30 days of the determination and no later than 60 days after receipt of the monitoring data.



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:				Los Angeles County-wide draft MS4 Permit			
Meeting Location:				LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343			
Meeting Date and Time:				May 14, 2012 @ 1230			
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS				
1. Iver K. Ridgeway	RWQCB-HA	(213) 620-2150	iridgeway@waterboards.ca.gov				
2. Samuel Unger	RWQCB-HA	(213) 576-6605	sunger@waterboards.ca.gov				
3. Deb Smith	"	213-576-6609	dsmith@waterboards.ca.gov				
4. Angela George	LACDPW	626-458-4325	ageorge@dpw.lacounty.gov				
5. Gary Hildebrand	LACDPW	626-458-4300	ghildeb@dpw.lacounty.gov				
6. Frank Wu	LACDPW	626 458 4358	fwu@dpw.lacounty.gov				
7.							
8.							
9.							
10.							

RB-AR3147



Renewal of the Los Angeles County Municipal Stormwater NPDES Permit

Los Angeles Regional Water Quality Control Board

Los Angeles County Flood Control District and County of Los Angeles

May 14, 2012

AGENDA

- I. Receiving Water Limitation
- II. TMDLs
 - a. Options for EPA TMDLs
 - b. Final WLAs
- III. Watershed Management Program
- IV. Monitoring Program
- V. Meeting with NGOs

LOS ANGELES COUNTY FLOOD CONTROL DISTRICTA. Findings

LACFCD will provide findings specific to the LACFCD.

A.B. Special Provisions**1. Public Information and Participation Program (PIPP)****a. General**

- ~~i. Each Permittee~~The LACFCD shall participate in a regional ~~implement a~~ Public Information and Participation Program (PIPP) sponsored by the ~~Permittees or alternatively, shall implement its own PIPP that includes, but~~ is not limited to, the requirements listed in this part. ~~Each Permittee~~The LACFCD shall be responsible for developing and implementing ~~collaborate, as necessary, with other Permittees to implement specific~~ PIPP requirements. The objectives of the PIPP are as follows:
- (1) To ~~measurably~~ increase the knowledge of the target audience about the MS4, the adverse impacts of storm water pollution on receiving waters and potential solutions to mitigate the impacts
 - (2) To ~~measurably~~ change the waste disposal and storm water pollution generation behavior of target audiences by ~~developing and~~ encouraging implementation of appropriate solutions
 - (3) To involve and engage a diversity of socio-economic groups and ethnic communities in Los Angeles County to participate in mitigating the impacts of stormwater pollution.

a. PIPP Implementation

This subsection was deleted.

b. Public Participation

- ~~i. The LACFCD, in collaboration with the County of Los Angeles, whether participating in a County or Watershed Group sponsored PIPP, or acting individually, shall continue to maintain the countywide hotline (888-CLEAN-LA) provide a means for public reporting of clogged catch basin inlets and illicit discharges/dumping, faded or missing catch basin labels, and general stormwater management information.~~
- ~~(1) Permittees may elect to use the 888-CLEAN-LA hotline as the general public reporting contact or each Permittee or Watershed Group may establish its own hotline, if preferred.~~

~~(2)(1) Each Permittee~~The LACFCD shall include the reporting information, updated when necessary, in public information, and the government pages of the telephone book, as they are developed or published.

(2) The LACFCD, in collaboration with the County of Los Angeles, shall continue to maintain the www.888cleanla.com website.

~~(1)(2) Each Permittee shall identify staff or departments who will serve as the contact person(s) and shall make this information available on its website.~~

~~(1)(2) Each Permittee is responsible for providing current, updated hotline contact information to the general public within its jurisdiction.~~

e-c. Residential Outreach Program

i. Working in conjunction with a ~~County regional~~ or Watershed Group sponsored PIPP or individually, ~~each Permittee~~ the LACFCD shall implement the following activities:

(1) ~~Conduct s~~Stormwater pollution prevention public service announcements and advertising campaigns

(2) Public education materials shall ~~including, e~~ but are not limited to at a minimum, information on the proper handling (i.e., disposal, storage and/or use) of:

- (a) Vehicle waste fluids
- (b) Household waste materials (i.e., trash and household hazardous waste, ~~including personal care products and pharmaceuticals~~)
- (c) Construction waste materials
- (d) Pesticides and fertilizers (including integrated pest management practices [IPM] to promote reduced use of pesticides),
- (e) Green waste (including lawn clippings and leaves)
- (f) Animal wastes

~~(3) Distribute activity~~ Activity specific stormwater pollution prevention public education materials, at a minimum, ~~but not limited to, for~~ the following points of purchase:

- (a) Automotive parts stores
- (b) Home improvement centers / lumber yards / hardware stores
- (c) Landscaping / gardening centers
- ~~(d)(a)~~ Pharmacies
- ~~(e)(d)~~ Pet shops / feed stores

~~(4)(1) Maintain stormwater websites or provide links to stormwater websites via the Permittee's website, which shall include educational~~

~~material and opportunities for the public to participate in stormwater pollution prevention and clean-up activities listed in Part [TBD—this part].~~

~~(5)(1) Provide independent, parochial, and public schools within in each Permittee's jurisdiction with materials to educate school children (K-12) on stormwater pollution. Material may include videos, live presentations, and other information. Permittees are encouraged to work with, or leverage, materials produced by other statewide agencies and associations such as the State Water Board's "Erase the Waste" educational program and the California Environmental Education Interagency Network (CEEIN) to implement this requirement.~~

~~(6)(4) When implementing coordinating activities in (1)-(43), Permittees the LACFCD shall use effective strategies to educate and involve ethnic communities in stormwater pollution prevention through culturally effective methods.~~

~~1. Industrial/Commercial Facilities Program~~

~~*This section was deleted in its entirety.*~~

~~1. Planning and Land Development Program~~

~~*This section was deleted in its entirety.*~~

~~1. Development Construction Program~~

~~*This section was deleted in its entirety.*~~

2. Public Agency Activities Program

~~Each Permittee~~The LACFCD shall implement a Public Agency Activities Program to minimize stormwater pollution impacts from LAFCD-owned or operated facilities and activities ~~and to identify opportunities to reduce stormwater pollution impacts from areas of existing development.~~ Requirements for Public Agency Facilities and Activities consist of the following components:

- a. Public Construction Activities Management.
- b. Public Facility Inventory
- ~~c.a. Inventory of Existing Development for Retrofitting Opportunities~~
- ~~d.c. Public Facility and Activity Management~~
- ~~e.d. Vehicle and Equipment Washing~~
- ~~f.e. Landscape, Park and Recreational Facilities Management~~
- ~~g.f. Storm Drain Operation and Maintenance~~

~~h.g. Streets, Roads, and Parking Facilities Management~~

~~i.h. Emergency Procedures~~

~~j.i. Municipal Employee and Contractor Training~~

a. Public Construction Activities Management

- ~~i. Each Permittee~~The LACFCD shall implement and comply with the Planning and Land Development Program requirements in Part TBD of this Order at ~~Permittee~~LACFCD owned or operated (i.e., public or ~~Permittee sponsored~~) construction projects that are categorized under the project types identified in Part [TBD] of this Order.
- ~~ii. Each Permittee~~The LACFCD shall implement and comply with the appropriate Development Construction Program requirements in Part [TBD] of this Order at ~~Permittee~~LACFCD owned or operated construction projects as applicable.
- ~~iii.i. For Permittee-owned or operated projects (including those under a capital improvement project plan) that disturb less than one acre of soil, each Permittee shall require the development and implementation of an ESCP. The ESCP shall include an effective combination of erosion and sediment control BMPs from Table [TBD] (see Construction Development Program).~~
- ~~iv.iii. Each Permittee~~The LACFCD shall obtain separate coverage under the Construction General Permit for all ~~Permittee~~LACFCD-owned or operated construction sites that require coverage.

b. Public Facility Inventory

- ~~i. Each Permittee~~The LACFCD shall maintain an updated watershed-based inventory and map of all ~~Permittee~~LACFCD-owned or operated (i.e. public) facilities within its jurisdiction that are potential sources of stormwater pollution. The incorporation of facility information into a GIS is recommended. Sources to be tracked include but are not limited to the following:
 - ~~(1) Animal control facilities~~
 - ~~(2)(1) Chemical storage facilities~~
 - ~~(3)(1) Composting facilities~~
 - ~~(4)(2) Equipment storage and maintenance facilities (including landscape maintenance-related operations)~~
 - ~~(5)(3) Fueling or fuel storage facilities (including municipal airports)~~
 - ~~(6)(1) Hazardous waste disposal facilities~~
 - ~~(7)(1) Hazardous waste handling and transfer facilities~~
 - ~~(8)(1) Incinerators~~

- ~~(9)(1) Landfills~~
- ~~(10)(4) Materials storage yards~~
- ~~(11)(5) Pesticide storage facilities~~
- ~~(12)(6) Public LACFCD buildings, including schools, libraries, police stations, fire stations, Permittee (municipal) buildings, restrooms, and similar buildings~~
- ~~(13)(1) Public parking lots~~
- ~~(14)(1) Public golf courses~~
- ~~(15)(1) Public swimming pools~~
- ~~(16)(1) Public parks~~
- ~~(17)(7) Public works LACFCD maintenance yards~~
- ~~(0)(1) Public marinas~~
- ~~(0)(1) Recycling facilities~~
- ~~(0)(1) Solid waste handling and transfer facilities~~
- ~~(0)(1) Vehicle storage and maintenance yards~~
- ~~(0)(1) Flood control facilities (e.g. debris basins, sediment placement sites)~~
- ~~(0)(1) All other Permittee owned or operated facilities tributary to a waterbody segment subject to a TMDL, where the facility generates pollutants for which the waterbody segment is impaired.~~
- ~~(0)(1) All other Permittee owned or operated facilities or activities that each Permittee determines may contribute a substantial pollutant load to the MS4.~~

~~ix.ii.~~ The LACFCD shall include the following minimum fields of information for each LACFCD-owned or operated facility in its watershed-based inventory and map.

- (1) Name of facility
- (2) Name of facility manager and contact information
- (3) Address of facility (physical and mailing)
- (4) A narrative description of activities performed and principal products used at each facility and status of exposure to stormwater.
- ~~(10)(1) MS4 outfalls that receive, or potentially receive discharges from the facility, and corresponding receiving water(s).~~
- ~~(11)(1) Identification of whether the facility is tributary to a waterbody segment subject to a TMDL, where the facility generates pollutants for which the waterbody segment is impaired.~~

~~(12)(1) Coverage under the Industrial General Permit or other individual or general NPDES permits or any applicable waiver issued by the Regional or State Water Board pertaining to stormwater discharges.~~

~~xiii.iii. Each Permittee~~The LACFCD shall update its inventory and map at least ~~annually~~once during the Permit term. The update shall be accomplished through a collection of new information obtained through field activities, and through other readily available inter and intra-agency informational databases (e.g. property management, land-use approvals, and similar information).

b.a. Inventory of Existing Development for Retrofitting Opportunities

This subsection was deleted.

c. Public Agency Facility and Activity Management

~~i. Each Permittee shall obtain separate coverage under the Industrial General Permit for all Permittee-owned or operated facilities where industrial activities are conducted that require coverage under the Industrial General Permit.~~

~~ii.i. Each Permittee~~The LACFCD shall implement the following measures for flood management projects:

- (1) Develop procedures to assess the impacts of flood management projects on the water quality of receiving waterbodies; and
- (2) Evaluate existing structural flood control facilities during the planning phases of major maintenance or rehabilitation projects to determine if retrofitting the facility to provide additional pollutant removal from stormwater is feasible; and.

~~(2)(1) For the Los Angeles County Flood Control District, ensure that maintenance of earth-bottom flood control channels is conducted in accordance with Regional Water Board Order No. R4-2010-0021.~~

~~iv.ii. Each Permittee~~The LACFCD shall implement and maintain the general and activity specific BMPs listed in Table [TBD] (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs when such activities occur at LACFCD-owned or operated facilities and field activities (e.g., project sites) including but not limited to the facility types listed in Part [TBD] above, and at any area that includes the activities described in Table [TBD], or that have the potential to discharge pollutants in stormwater.

~~v.iii. Any contractors hired by the LACFCD to conduct Public Agency Activities (e.g., municipal maintenance) shall be contractually required to implement and maintain the general and activity specific BMPs listed in Table [TBD]~~ or an equivalent set of BMPs. The LACFCD shall conduct oversight of

contractor activities to ensure these BMPs are implemented and maintained.

Insert Table [TBD] – BMPs for Public Agency Facilities and Activities (from the Caltrans Stormwater Quality Handbook Maintenance Staff Guide Appendix B)

d. Vehicle and Equipment Washing

- i. ~~Each Permittee~~The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs for all fixed vehicle and equipment washing areas; including fire fighting and emergency response vehicles.
- ii. ~~Each Permittee~~The LACFCD shall prevent discharges of wash waters from vehicle and equipment washing by implementing any of the following measures at existing facilities with vehicle or equipment wash areas:
 - (1) Self-contain, and haul off for disposal; or
 - (2) Equip with a clarifier or an alternative pre-treatment device and plumb to the sanitary sewer in accordance with applicable waste water provider regulations
- iii. ~~Each Permittee~~The LACFCD shall ensure that any ~~municipal~~LACFCD facilities constructed, redeveloped, or replaced shall not discharge wastewater from vehicle and equipment wash areas to the MS4 by plumbing all areas to the sanitary sewer in accordance with applicable waste water provider regulations, or self-containing all waste water/ wash water and hauling to a point of legal disposal.

e. Landscape, Park and Recreational Facilities Management

- i. ~~Each Permittee~~The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs for all its public right-of-ways, flood control facilities and open channels, lakes and reservoirs, and landscape, park and recreational facilities and activities.
- ii. Integrated pest Management (IPM) is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. The LACFCD shall implement an IPM program that includes the following:
 - (1) Pesticides are used only if monitoring indicates they are needed, and pesticides are applied according to applicable permits and established guidelines.

- (2) Treatments are made with the goal of removing only the target organism.
 - (3) Pest controls are selected and applied in a manner that minimizes risks to human health, beneficial non-target organisms, and the environment.
 - (4) The use of pesticides, including Organophosphates and Pyrethroids, does not threaten water quality.
 - (5) Partner, as appropriate, with other agencies and organizations to encourage the use of IPM.
 - (6) Adopt and verifiably implement policies, procedures, and/ or ordinances requiring the minimization of pesticide use and encouraging the use of IPM techniques (including beneficial insects) for Public Agency Facilities and Activities.
 - (7) Policies, procedures, and ordinances shall include ~~commitments and~~ a schedule to reduce the use of pesticides that cause impairment of surface waters by implementing the following procedures:
 - ~~(f)~~(e) Prepare and annually update an inventory of pesticides used by all internal departments, divisions, and other operational units.
 - ~~(g)~~(f) Quantify pesticide use by staff and hired contractors.
 - ~~(a)~~ Demonstrate measurable reductions in pesticide use.
- iii. ~~Each Permittee~~The LACFCD shall implement the following requirements:
- (1) Comply with the provisions and the monitoring requirements for application of aquatic pesticides to surface waters (WQ Order No. 2011-003-DWQ) (**Aquatic Animal Invasive Species Control**), WQ Order No. 2011-0002-DWQ (**Vector Control**), and WQ Order No. 2004-0009-DWQ (**Weed Control**).
 - (2) Use a standardized protocol for the routine and non-routine application of pesticides (including pre-emergents), and fertilizers.
 - (3) Ensure ~~there is no~~ application of pesticides or fertilizers ~~(1) when two or more consecutive days with greater than 50% chance of rainfall are predicted by NOAA, (2) within 48 hours of a 1/2 inch rain event or (3) when water is flowing off the area where the application is to occur. This requirement does not apply to the application of aquatic pesticides described in Part [TBD] above.~~ are applied to an area immediately prior to, during or immediately after a rain event, or when water is flowing off the area.
 - (4) Ensure that no banned or unregistered pesticides are stored or applied.

¹ www.srh.noaa.gov/forecast

- (5) Ensure that all staff applying pesticides are certified in the appropriate category by the California Department of Pesticide Regulation, or are under the direct supervision of a pesticide applicator certified in the appropriate category.
- (6) Implement procedures to encourage the retention and planting of native vegetation to reduce water, pesticide and fertilizer needs; and
- (7) Store pesticides and fertilizers indoors or under cover on paved surfaces, or use secondary containment.
 - (a) Reduce the use, storage, and handling of hazardous materials to reduce the potential for spills.
 - (b) Regularly inspect storage areas.

f. Storm Drain Operation and Management

- i. ~~Each Permittee~~The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] or equivalent set of BMPs for storm drain operation and maintenance.
- ii. Ensure that all the material removed from the MS4 does not reenter the system. Solid material shall be dewatered in a contained area and liquid material shall be disposed in accordance with any of the following measures:
 - (1) Self-contain, and haul off for legal disposal; or
 - (2) Equip with a clarifier or an alternative pre-treatment device; and plumb to the sanitary sewer in accordance with applicable waste water provider regulations.
- iii. Catch Basin Cleaning
 - (1) In areas that are not subject to a trash TMDL, the LACFCD shall determine priority areas and shall update its map or list of Catch Basins with their GPS coordinates and priority:

Priority A: Catch basins that are designated as consistently generating the highest volumes of trash and/or debris.

Priority B: Catch basins that are designated as consistently generating moderate volumes of trash and/or debris.

Priority C: Catch basins that are designated as generating low volumes of trash and/or debris.

The map or list shall contain the rationale or data to support priority designations.
 - (2) In areas not subject to a trash TMDL, the LACFCD shall inspect its catch basins according to the following schedule:

Priority A: A minimum of 3 times during the wet season (October 1 through April 15) and once during the dry season every year.

Priority B: A minimum of once during the wet season and once during the dry season every year.

Priority C: A minimum of once per year.

Catch basins shall be cleaned as necessary on the basis of inspections. At a minimum, LACFCD shall ensure that any catch basin that is determined to be at least 25% full of trash shall be cleaned out. LACFCD shall maintain inspection and cleaning records for Regional Water Board review.

- (3) In areas that are subject to a trash TMDL, the subject Permittees shall implement the applicable provisions in Part 7.

~~iii.i. Trash Management at Public Events~~

~~*This subsection was deleted.*~~

~~iii.i. Trash Receptacles~~

~~*This subsection was deleted.*~~

iv. Catch Basin Labels and Open Channel Signage

- (1) LACFCD shall label all catch basin ~~storm drain~~ inlets that they own with a legible "no dumping" message.
- (2) The LACFCD shall inspect the legibility of the catch basin stencil or label nearest the inlet prior to the wet season every year.
- (3) The LACFCD shall record all catch basins with illegible stencils and re-stencil or re-label within ~~45~~90 days of inspection.
- (4) The LACFCD shall post signs, referencing local code(s) that prohibit littering and illegal dumping, at designated public access points to open channels, creeks, urban lakes, and other relevant waterbodies.

~~iv.i. Additional Trash Management Practices~~

~~*This subsection was deleted.*~~

v. ~~Storm Drain~~Open Channel Maintenance

~~Each Permittee~~The LACFCD shall implement a program for ~~Storm Drain~~Open Channel Maintenance that includes the following:

- (1) Visual monitoring of LACFCD owned open channels and other drainage structures, ~~including debris basins~~, for debris at least annually;
- (2) Remove trash and debris from open channels ~~and debris basins~~ a minimum of once per year before the wet season;

- (3) Eliminate the discharge of contaminants ~~during-produced by storm drain~~ MS4-maintenance and clean outs; and
- (4) Quantify the amount of materials removed using techniques appropriate for quantifying solid waste and ensure the materials are properly disposed of.
- vi. Infiltration from Sanitary Sewer to MS4/Preventive Maintenance
- (1) ~~Each Permittee~~The LACFCD shall implement controls and measures to prevent and eliminate infiltration of seepage from sanitary sewers to MS4s ~~its storm drains~~ through thorough, routine preventive maintenance of the MS4 ~~its storm drains~~.
- ~~(2)(1) Each Permittee that operates both a municipal sanitary sewer system and a MS4 must implement controls and measures to prevent and eliminate infiltration of seepage from the sanitary sewers to the MS4s that must include overall sanitary sewer and MS4 surveys and thorough, routine preventive maintenance of both.~~
- ~~(3)(2) Each Permittee~~The LACFCD shall implement controls to limit infiltration of seepage from sanitary sewers to the MS4 ~~its storm drains~~ where necessary. Such controls must include:
- i. Adequate plan checking for construction and new development;
 - ii. Incident response training for its ~~municipal~~ employees that identify sanitary sewer spills;
 - iii. Code enforcement inspections;
 - iv. MS4 maintenance and inspections;
 - v. Interagency coordination with sewer agencies; and
 - vi. Proper education of its ~~municipal~~ staff and contractors conducting field operations on the MS4 ~~its storm drains~~ or its ~~municipal sanitary sewer~~ (if applicable).
- ~~(0)(1) Each Permittee which owns and /or operates a sanitary sewer system that requires coverage under the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Order No. 2006-0003-DWQ), shall comply with the provisions and the monitoring requirements associated with this Order.~~
- vii.vii. ~~Permittee~~LACFCD-Owned Treatment Control BMPs
- (1) ~~Each Permittee~~The LACFCD shall implement an inspection and maintenance program for all ~~Permittee~~-LACFCD-owned treatment control BMPs, including post-construction treatment control BMPs.
- (2) ~~Each Permittee~~The LACFCD shall ensure proper operation of all ~~its~~ treatment control BMPs and maintain them as necessary for proper operation, including all post-construction treatment control BMPs.

- (3) Any residual water produced by a treatment control BMP and not being internal to the BMP performance when being maintained shall be:
- Hauled away and legally disposed of; or
 - Applied to the land without runoff; or
 - Discharged to the sanitary sewer system (with permits or authorization); or
 - Treated or filtered to remove bacteria, sediments, nutrients, and meet the limitations set in Table TBD (Discharge Limitations for Dewatering Treatment BMPs), prior to discharge to the MS4.

Table TBD - Discharge Limitations for Dewatering Treatment BMPs¹

Parameter	Units	Limitation
Total Suspended Solids	mg/L	100
Turbidity	NTU	50
Oil and Grease	mg/L	10

g. Streets, Roads, and Parking Facilities Management

~~i. Each Permittee shall designate streets and/or street segments within its jurisdiction as one of the following:~~

~~Priority A: Streets and/or street segments that are designated as consistently generating the highest volumes of trash and/or debris.~~

~~Priority B: Streets and/or street segments that are designated as consistently generating moderate volumes of trash and/or debris.~~

~~Priority C: Streets and/or street segments that are designated as generating low volumes of trash and/or debris.~~

~~i.ii. Each Permittee shall perform street sweeping of curbed streets according to the following schedule:~~

~~Priority A: Streets and/or street segments that are designated as Priority A shall be swept at least two times per month.~~

~~Priority B: Streets and/or street segments that are designated as Priority B shall be swept at least once per month.~~

~~Priority C: Streets and/or street segments that are designated as Priority C shall be swept as necessary but in no case less than once per year.~~

~~ii.iii. Road Reconstruction~~

~~*This subsection was deleted.*~~

¹ Technology based effluent limits.

~~Permittee~~LACFCD-owned parking lots exposed to stormwater shall be kept clear of debris and excessive oil buildup and cleaned ~~using street sweeping equipment~~ no less than 2 times per month and/or inspected no less than 2 times per month to determine if cleaning is necessary. In no case shall a ~~Permittee~~LACFCD-owned parking lot be cleaned less than once a month.

h. Emergency Procedures

Each ~~Permittee~~The LACFCD may conduct repairs and rehabilitation of essential public service systems and infrastructure in emergency situations with a self-waiver of the provisions of this Order as follows:

- i. The ~~Permittee~~LACFCD shall abide by all other regulatory requirements, including notification to other agencies as appropriate.
- ii. Where the self-waiver has been invoked, the ~~Permittee~~LACFCD shall ~~submit to~~notify the Regional Water Board Executive Officer a statement of the occurrence of the emergency, ~~an explanation of the circumstances and the measures that were implemented to reduce the threat to water quality,~~ no later than 30 business days after the situation of emergency has passed.
- iii. Minor repairs of essential public service systems and infrastructure in emergency situations (that can be completed in less than one ~~day~~week) are not subject to the notification provisions. Appropriate BMPs to reduce the threat to water quality shall be implemented.

i. Municipal Employee and Contractor Training

- i. ~~Each Permittee~~The LACFCD shall, no later than ~~X one~~ year after Order adoption and annually thereafter before ~~June 30~~ October 15, train all of their employees and ~~contractors~~ in targeted positions (whose interactions, jobs, and activities affect stormwater quality) on the requirements of the overall stormwater management program to:
 - (a) Promote a clear understanding of the potential for activities to pollute storm water.
 - (b) Identify opportunities to require, implement, and maintain appropriate BMPs in their line of work.
- ii. The LACFCD shall, no later than ~~X one~~ year after Order adoption and annually thereafter before ~~June 30~~ October 15, train all of their employees and ~~contractors~~ who use or have the potential to use pesticides or fertilizers (whether or not they normally apply these as part of their work). Training programs shall address:
 - (a) The potential for pesticide-related surface water toxicity.
 - (b) Proper use, handling, and disposal of pesticides.
 - (c) Least toxic methods of pest prevention and control, including IPM.

(d) Reduction of pesticide use.

iii. The LACFCD shall require its contractors to train their employees in targeted positions as described above.

3. Illicit Connections and Illicit Discharge (IC/ID) Elimination Program

a. General

i. ~~Each Permittee~~The LACFCD shall continue to implement an Illicit Connection and Illicit Discharge (IC/ID) Program to detect, investigate, and eliminate IC/IDs to its open channels and underground storm drain system.~~the MS4.~~ The IC/ID Program must be implemented in accordance with the requirements and performance measures specified in the following subsection~~this Order.~~

~~ii.i. As stated in Part [TBD] of this Order, each Permittee must have adequate legal authority to prohibit IC/IDs to the MS4 and enable enforcement capabilities to eliminate the source of IC/IDs.~~

~~iii.ii. Each Permittee's~~LACFCD's IC/ID Program shall consist of at least the following major program components:

- (1) An up-to-date map of LACFCD owned and maintained municipal separate storm sewer system (MS4) map
- (2) Procedures for systematic visual inspection of LACFCD owned and maintained open channels and underground storm drains~~conducting a non-stormwater outfall based monitoring program to detect IC/IDs~~
- (3) Procedures for conducting source investigations for IC/IDs
- (4) Procedures for eliminating the source of IC/IDs
- (5) Procedures for public reporting of illicit discharges
- (6) Spill response plan
- (7) IC/IDs education and training for ~~Permittee~~LACFCD staff

b. MS4 Mapping

i. ~~Each Permittee~~The LACFCD shall maintain and up-to-date and accurate electronic MS4 map of its open channels and underground storm drain system. If possible, the map should be maintained within a GIS. The MS4 map must show the following, at a minimum:

- (1) Within one year of Permit adoption, the location of all MS4 outfalls¹ within the Permittee's LACFCD's jurisdictional boundary owned and

¹ Outfall (as defined by 40 CFR § 122.26) means a *point source* (as defined by 40 CFR § 122.2) at the point where a municipal separate storm sewer discharges to waters of the United States (as defined by 33 CFR § 328.3) and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other

~~maintained by the LACFCD. The contributing drainage area for each outfall should be clearly discernible. Each MS4 outfall shall be given an alphanumeric identifier, which must be noted on the map. If an outfall is owned by another public entity, the name of the entity shall be recorded on the map. Each mapped MS4 outfall shall be located using a geographic positioning system (GPS), and photographs of the major outfalls¹ shall be taken to provide baseline information to track operation and maintenance needs over time. Per Part [TBD] (non-stormwater monitoring), additional attribute data are required for those outfalls determined to have persistent dry weather flows.~~

- (2) ~~The location and length of open channels and underground storm drain pipes 18-36 inches in diameter or and greater in diameter, that are owned and operated by the LACFCD.~~
- (3) ~~The location and name of all waterbodies receiving discharges from those MS4 major outfalls identified in (1).~~
- (4) ~~All LACFCD's dry weather diversions installed within the MS4 to direct flows from the MS4 to the sanitary sewer system, including the owner and operator of each diversion.~~
- (5) ~~Priority areas identified under [Part TBD], below. By the end of the Permit term, map all known permitted and documented connections to its storm drain system.~~

ii. ~~The MS4 map shall be updated annually as necessary to reflect current conditions within the MS4.~~

c. ~~Implementation of Non-Stormwater Outfall-Based Monitoring Program to Detect IC/IDs~~

- i. ~~The LACFCD shall provide available information in support of the non-stormwater outfall-based monitoring program to be developed and implemented by the Permittees with land use jurisdiction in accordance to the Outfall Monitoring Section. Each Permittee shall develop and implement a non-stormwater outfall-based monitoring program consistent with Part [TBD] (non-stormwater outfall-based monitoring program) to detect and eliminate illicit connections and illicit discharges to the MS4. The non-stormwater outfall-based monitoring program shall consist of (1)~~

waters of the United States and are used to convey waters of the United States. For the LACFCD, this is equivalent to the point where an underground storm drain outlets into an open channel.

¹ Major outfall (as defined by CFR § 122.26) means a municipal separate storm sewer outfall that discharges from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive storm water from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more).

~~identification of outfalls with persistent dry weather flows, (2) determination of significant dry weather flows through characterization and field screening, (3) identification of sources of significant dry weather flows, (4) monitoring of unknown or authorized non-stormwater discharges, and (5) annual re-assessment and reporting.~~

- ~~iv.i. The non-stormwater outfall-based monitoring program shall be documented with written procedures that provide an explanation of how the program is to be implemented and the procedures must be updated as needed to reflect the Permittee's program.~~
- ~~v.i. Observations and data collected during the implementation of the non-stormwater outfall-based monitoring program shall be maintained in a database or electronic format. The use of a GIS to record observations and data is preferred but not required.~~
- ~~vi.i. Each Permittee shall conduct an annual re-assessment of its non-stormwater outfall-based monitoring program to determine whether changes or updates are needed. Where changes are needed, the Permittee shall make the changes in its written program documents and implement these changes in practice.~~

~~h.d.~~ **Illicit Discharge Source Investigation and Elimination**

- ~~i. Each Permittee~~The LACFCD shall develop written procedures for conducting investigations to prioritize and identify the source of all illicit discharges to its open channels and underground storm drain system, including procedures to eliminate the discharge once the source is located.
- ~~ii. At a minimum, each Permittee~~the LACFCD shall ~~conduct~~initiate¹ an investigation(s) to identify and locate the source within ~~48 hours~~one business day of becoming aware of the illicit discharge.
- ~~iii. When conducting investigations, each Permittee~~the LACFCD shall comply with the following:
 - ~~(1)~~ Illicit discharges suspected of being sanitary sewage and/or significantly contaminated shall be investigated first.
 - ~~(2)~~ ~~Each Permittee~~The LACFCD shall track all investigations to document at a minimum the date(s) the illicit discharge was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed.

¹ Permittees may comply with the Permit by taking initial steps (such as logging, prioritizing, and tasking) to "initiate" the investigation within that one business day. However, the Regional Water Board would expect that the initial investigation, including a site visit, to occur within two business days.

- (3) The LACFCD Each Permittee shall prioritize and investigate the source of all observed illicit discharges to its open channels and underground storm drain system.
- (4) If the source of the illicit discharge is found to be a discharge authorized under an NPDES permit the LACFCD Permittee shall document the source and report to the Regional Water Board within 30 days of determination. No further action is required.
- (5) If the source of the illicit discharge has been determined to originate from within the jurisdiction of other Permittee(s) with land use authority over the suspected responsible party/parties, the LACFCD shall immediately alert the appropriate Permittee(s) of the problem for further action by the Permittee(s).
- iv. When taking corrective action to eliminate illicit discharges, ~~each Permittee~~ the LACFCD shall comply with the following:
- (1) If the source of the illicit discharge has been determined or suspected by the LACFCD to originate within an upstream jurisdiction(s), the LACFCD the Permittee shall immediately notify inform in writing both the upstream jurisdiction(s), and notify the Regional Water Board within 30 days of such determination and provide all characterization and field screening data collected as a component of the field survey the information collected and efforts taken to identify its source.
- (2) Once If the source of the illicit discharge has been determined to originate within the Permittee with land use authority over the suspected responsible party/parties has been alerted s jurisdiction, the LACFCD Permittee shall immediately notify themay continue to work in cooperation with the Permittee(s) to notify the responsible party/parties of the problem, and require the responsible party/parties to conduct immediately initiate all necessary corrective actions to eliminate the non-stormwater illicit discharge within 48 hours of notificaiton. Upon being notified that the discharge has been eliminated, the LACFCD may, in conjunction with the Permittee(s) shall conduct a follow-up investigation to verify that the discharge has been eliminated and cleaned up to the satisfaction of the LACFCD. Each PermitteeThe LACFCD shall document its follow-up investigation. The LACFCD Each Permittee may seek recovery and remediation costs from responsible parties or require compensation for the cost of field screening, monitoring and all inspection and investigations activities. Resulting enforcement actions shall follow the program's Progressive Enforcement Policy.
- (3) If the source of the illicit discharge cannot be traced to a suspected responsible party, the LACFCD, in conjunction with other affected Permittees, shall continue implementing the illicit discharge/spill response plan.

~~(5)(1) If the source of the illicit discharge has been determined to originate within an upstream jurisdiction, the Permittee shall inform in writing both the upstream jurisdiction and the Regional Water Board within 30 days of such determination and provide all characterization and field screening data collected as a component of the field survey and efforts taken to identify its source.~~

~~vi.v. In the event the LACFCD and/or other Permittees is/are unable to eliminate an ongoing illicit discharge following full execution of its legal authority and in accordance with its Progressive Enforcement Policy, including the inability to find the responsible party/parties, or other circumstances prevent the full elimination of an ongoing illicit discharge, the LACFCD and/or other Permittees shall notify/work with the Regional Water Board to provide for diversion of the entire flow to the sanitary sewer or provide treatment. In either instance, the Permittee shall notify the Regional Water Board in writing within 30 days of such determination and provide available information to the Regional Water Board shall provide a written plan for review and comment that describes the efforts that have been undertaken to eliminate the illicit discharge, a description of the actions to be undertaken, anticipated costs, and a schedule for completion.~~

i.e. Identification and Response to Illicit Connections

i. Systematic Visual Inspections for Illicit Connections

The LACFCD shall continue the systematic field visual inspections of its storm drain systems for illicit connections in accordance with the following schedule:

- (1) Open channels: No later than one year after Order adoption date (XXX), and annually thereafter.
- (2) Underground storm drains identified by the LACFCD as high priority: No later than three years after Order adoption date (XXX).
- (3) Underground storm drains with a diameter of 36 inches or greater: No later than by the end of the Permit term.

i.ii. Investigation

~~Each Permittee~~ The LACFCD, upon discovery or upon receiving a report of a suspected illicit connection, shall initiate ~~complete~~ an investigation within 21 days, to determine the following: (1) source of the connection, (2) nature and volume of discharge through the connection, and (3) responsible party for the connection.

ii.iii. Elimination

~~Each Permittee~~ The LACFCD, upon confirmation of an illicit MS4 connection to its open channel or underground storm drain, shall ensure that the connection is:

(1) Permitted or documented, provided the connection will only discharge stormwater and non-stormwater allowable under this Order or other individual or general NPDES Permits/WDRs, or

~~(4)(2)~~ Eliminated within 90-180 days of completion of the investigation, using its formal enforcement authority, if necessary, to eliminate the illicit connection.

~~iii.~~ iv. Documentation

Formal records must be maintained for all illicit connection investigations and the formal enforcement taken to eliminate illicit connections.

~~j.f.~~ Public Reporting of Non-Stormwater Discharges and Spills

~~i.~~ Each Permittee The LACFCD shall, in collaboration with the County, continue to maintain the 888-CLEAN-LA hotline internet site to promote, publicize, and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from MS4s, through a central contact point, including phone numbers and an internet site for complaints and spill reporting. Each Permittee shall also provide the reporting hotline to Permittee staff to leverage the field staff that has direct contact with the MS4 in detecting and eliminating illicit discharges.

~~ii.i.~~ Each Permittee shall implement the central point of contact and reporting hotline requirements listed in this part in one or more of the following methods:

~~(3)(1)~~ By participating in a County sponsored PIPP

~~(4)(1)~~ By participating in one or more Watershed Group sponsored PIPPs

~~(5)(1)~~ Or individually within its own jurisdiction.

~~vi.ii.~~ The LACFCD Each Permittee shall include information regarding public reporting of illicit discharges or improper disposal on the signage adjacent to open channels as required in Part [TBD].

~~vii.iii.~~ The LACFCD Each Permittee shall develop and maintain written procedures that document how complaint calls are received, documented, and tracked to ensure that all complaints are adequately addressed. The procedures shall be evaluated annually to determine whether changes or updates are needed to ensure that the procedures accurately document the methods employed by the Permittee LACFCD. Any identified changes shall be made to the procedures subsequent to the annual evaluation.

~~viii.iv.~~ The LACFCD shall maintain documentation of the complaint calls and record the location of the reported spill or IC/ ID and the actions undertaken, including referrals to other agencies, in response to all IC/ID complaints. .

~~k.g.~~ Illicit Discharge and Spill Response Plan

- i. ~~The LACFCD Each Permittee~~ shall implement an ID and spill response plan for all ~~sewage and other spills that may discharge into the MS4its system from any source (including private laterals and failing on-site wastewater treatment systems)~~. The ID and spill response plan shall clearly identify agencies responsible for ID and spill response and cleanup, ~~telephone numbers and e-mail address for contacts~~contact information, and shall contain at a minimum the following requirements:
- (1) Coordination with spill response teams throughout all appropriate departments, programs and agencies so that maximum water quality protection is provided.
 - (2) Initiation of investigation of all public and employee ID and spill complaints within 24 hoursone business day of receiving the complaint to assess validity.
 - (3) Response to ID and spills ~~for containment~~ within 2-4 hours of becoming aware of the ID or spill, except where such IDs or spills occur on private property, in which case the response should be within 2 hours of gaining legal access to the property.
 - (4) IDs or spills that may endanger health or the environment shall be reported to appropriate public health agencies and the Office of Emergency Services (OES).

h. Illicit Connection and Illicit Discharge Education and Training

- i. ~~Each Permittee~~The LACFCD must continue to implement a training program regarding the identification of IC/IDs for all ~~municipal~~LACFCD field staff ~~and contractors~~, who, as part of their normal job responsibilities (e.g., ~~street sweeping, storm drain inspection and maintenance, collection system maintenance, road maintenance~~), may come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system. Contact information, including the procedure for reporting an illicit discharge, must be included in the ~~Permittee's~~LACFCD's fleet vehicles that are used by field staff. Training program documents must be available for review by the permitting authority.
- ii. ~~The LACFCD~~Each Permittee's training program should address, at a minimum, the following:
- (1) IC/ID identification, including definitions and numerous examples,
 - (2) investigation,
 - (3) elimination,
 - (4) cleanup,
 - (5) reporting, and
 - (6) documentation.

- iii. The LACFCD Each Permittee must create a list of applicable staff positions which require IC/ID training and ensure that training is provided at least twice during the term of the Order. The LACFCD Each Permittee must maintain documentation of the training activities.
- iv. New LACFCD Permittee staff members must be provided with IC/ID training within six months of starting employment.
- v. The LACFCD shall require its contractors to train their employees in targeted positions as described above.

The following is intended to be included as part of the Monitoring Section within the LACFCD chapter.

A. Outfall Monitoring

1. The LACFCD shall provide available, pertinent information on its MS4 to Permittees to assist them in the development of the outfall monitoring plan.
2. The LACFCD shall visually inspect its outfalls in conjunction with its systematic inspection program for open channels, and provide results to the Permittees with land use authority upon request.

Agenda
Reconciling Superfund Clean-up Discharges and NPDES requirements
Meeting with LA Regional Water Quality Control Board and US EPA Superfund
LARWQCB offices
320 W 4th Street, Los Angeles, CA 90013
May 15, 2012
10-12:15

Attendees:

Regional Board: Sam Unger, Executive Officer
Deb Smith, Chief Deputy Executive Officer
Paula Rasmussen, Assistant Executive Officer
Dr. Arthur Heath, Chief, Remediation Section
Renee Purdy, Chief, Regional Programs Section
David Hung, Chief, Watershed Regulatory Section
Frances McChesney, OCC

US EPA:

Jane Diamond, Division Director, Superfund
Kathleen Salyer, Assistant Director, Superfund
John Kemmerer, Los Angeles Office

10:00	Welcome and Introductions
10:10	Orientation to the overarching issue
10:30	Overview of historic process and current OUs which are discharging, or might need to discharge to waters of the state
11:00	Overview of the nexus with the upcoming LA County MS4 permit renewal
11:30	Consolidated Slip Clean-up
12:00	Wrap up and next steps;

Outline: Surface Water Discharges and Applicable or Relevant and Appropriate Requirements (ARARs)

Superfund Operable Units (OU in San Gabriel Valley - Some Key Points to Consider

1. Operable Units (OUs)
 - a. Alhambra
 - b. Baldwin Park
 - c. El Monte
 - d. Puente
 - e. South El Monte
 - f. Whittier Narrows
2. Surface Water Discharges relating to OU activities:
 - a. Groundwater well development, aquifer testing, sampling
 - b. Testing of treatment systems
 - c. On-going routine maintenance on treatment systems and wells
 - d. Timeframe – 20+ years
3. Regional Board: ARARs (Basin Plan) must be met for surface water discharges as mentioned in the Record of Decision (ROD) for each OU
4. USEPA: Standards Applicable to CERCLA Section 104(b) Discharges to Surface Waters (RODs)
 - a. Compliance with chemical-specific ARARs may not be possible for temporary high flow, high volumes discharges – problem is cost, storage, and treatment
5. Past Surface Water Discharge Practices in relation to ARARs
 - a. Sampling and monitoring – volatilization of solvents in concrete-lined channels
 - b. Limited treatment – primarily the solvents
 - c. Treatment of solvents – depends on flow rate and volume of pumped groundwater
 - d. No treatment due to temporary high flow rate and volume of pumped groundwater
 - e. Disposal off-site for low volumes or into sanitary sewer
6. Determine mechanism or approaches to address high flow, high volume discharges or any discharge

Temporary High-Flow and High-Volume Discharges Containing Contaminants – Some Issues for Discussion

(May 2012)

1. Short and Long-terms environmental impacts to:
 - a. Receiving water-bodies
 - i. Water quality, aquatic plants, fish, aquatic micro-organisms, invertebrates, etc.
 - ii. Especially, from discharged salts (i.e., perchlorate), solvents, semi-volatiles, metals, etc.
 - iii. Capacity of the water-bodies to adjust to additional to temporary high waste loads
2. Are the discharges monitored and sampled – up and down-stream at what frequency? For which constituents? Are background samples (e.g., soil and water) collected?
3. Any case studies regarding the short and long-term impacts of temporary high-flow and high-volume discharges?
4. Is there support to assist with identifying\ modeling potential risks associated with the discharges?

Table 1: San Gabriel Valley Investigation Summary

(May 2012)

Operable Unit	Regional Board Role	Record of Decision	Remedy – End use of treated groundwater	Receiving Waterbody for Discharge
Area 3 (Alhambra Area)	Active investigations	None to data	Not Applicable (NA)	NA
Baldwin Park	Active soil cleanups	Basin Plan is included	Potable Water.	San Gabriel River
El Monte – West and Eastside Treatment Systems	Open Investigations but not active	Basin Plan is included	Discharge, re-injection, and potable water	Eaton Wash
Puente	Active investigations	Basin Plan and Resolution 98-015 are included	Proposed for discharge, conservation, and potable	San Jose Creek & San Gabriel River
South El Monte	Open but not active investigations	Basin Plan is included	Potable Water	Rio Hondo & Spreading Grounds
Whittier Narrows	Active investigations	Basin Plan is included	Potable Water & discharge	Legg Lakes



Table 2: San Gabriel Valley Investigation: Existing Impairments

(May 2012)

Operable Unit	Receiving Water-body for Discharge	Immediate Down-Stream Water-bodies	Existing Impairments in Receiving Water-bodies	Comments
Area 3 (Alhambra Area)	Not Applicable (NA)	NA	Not Applicable (NA)	
Baldwin Park	San Gabriel River	San Gabriel River (Reach #?)	Metals?	
El Monte – West and Eastside Treatment Systems	Eaton Wash	Rio Hondo and Whittier Narrows Flood Control Basin (Reach #3?)	?	
Puente	San Jose Creek & San Gabriel River	Whittier Narrows Flood Control Basin (Reach #3?)	?	
South El Monte	Rio Hondo & Spreading Grounds	Rio Hondo Spreading Grounds (Reach #1)?	?	
Whittier Narrows	Legg Lakes	Lower Rio Hondo & Los Angeles River (Reach #2?)	?	



San Gabriel Valley Superfund Sites

U.S. Environmental Protection Agency

Region 9

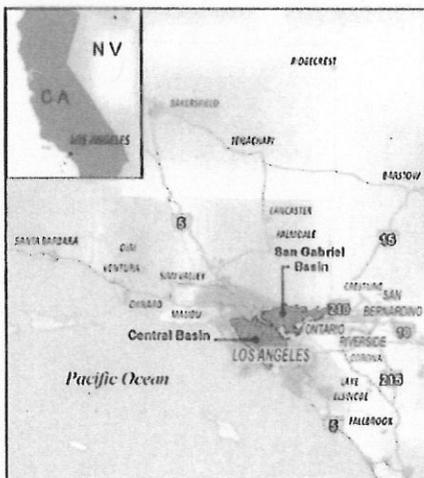
San Francisco, California

December 2011

Progress Report on San Gabriel Valley Ground Water Cleanup

Ground Water Cleanup Underway

The United States Environmental Protection Agency (EPA) is working with State agencies, local water agencies, and others to address contamination in the San Gabriel Basin in Southern California. This fact sheet is a progress report on efforts to clean up six regions of ground water contamination at four Superfund sites (San Gabriel Valley Areas 1 to 4) in the 170-square mile San Gabriel Valley. These six regions, referred to as **Operable Units**, underlie significant portions of Alhambra, Arcadia, Azusa, Baldwin Park, City of Industry, Irwindale, El Monte, La Puente, Monrovia, Rosemead, Temple City, South El Monte, West Covina, Whittier Narrows, and unincorporated Los Angeles County.



The San Gabriel Basin aquifer is a critical source of drinking water for Southern California. The valley's ground water provides approximately 90 percent of the drinking water used by San Gabriel Valley businesses and residents. The cost of cleaning up ground water in the San Gabriel Basin will run into the hundreds of millions of dollars, mostly paid by **Potentially Responsible Parties (PRPs)**, the EPA Superfund Trust Fund and other federal funds, the State of California, and local assessment fees. Additional information on the history of the San Gabriel Valley Superfund Sites is available in the June 2006 fact sheet *Update on Groundwater Cleanup in the San Gabriel Valley* available at: <http://www.epa.gov/region9/SanGabriel>.

Since the 2006 fact sheet update, the EPA has made significant progress on ground water treatment projects in the San Gabriel Basin. The following pages describe recent, ongoing and planned activities at each of the six OUs.

Esta es una hoja informativa sobre la limpieza del agua subterránea contaminada en el Valle de San Gabriel. Si usted quiere pedir que la información sea traducida al español, llame al número gratuito que se indica a continuación.

這是有關聖蓋博谷區(San Gabriel Valley)被污染地下水現階段清理情況的說明書。如果您需要繁體中文版本，請撥以下免費電話聯絡以獲取相關資料。

Đây là tờ thông tin về việc làm sạch nước ngầm bị ô nhiễm ở thung lũng San Gabriel. Nếu quý vị muốn yêu cầu dịch thông tin sang tiếng Việt, hãy gọi tới số điện thoại miễn phí được nêu dưới đây.

Toll Free Message Line: (800) 231-3075

San Gabriel Valley Superfund Sites Status

Superfund is EPA's program to identify, investigate, and clean up abandoned or uncontrolled hazardous waste sites throughout the nation.

Operable Unit	Site Listing	Remedial Investigation (RI)	Feasibility Study (FS)	Proposed Plan and Public Comment Period	Record of Decision	Remedial Design	Remedial Action	Long-term Operation and Maintenance
El Monte (Area 1)								
South El Monte (Area 1)								
Whittier Narrows (Area 1)								
Baldwin Park (Area 2)								
Area 3								
Puente Valley (Area 4)								

Terms in bold are defined in the Glossary on page 6

Explanation

- X Well where groundwater contamination was not detected
- O Well last tested before 3/1/2008
- Well where groundwater contamination was detected
- VOC Contamination Potentially Ranging from Laboratory Detection Limits to < MCLs
- VOC Contamination Potentially Ranging from MCLs to < 10X MCLs
- VOC Contamination Potentially Ranging from 10X MCLs to 20X MCLs
- VOC Contamination Potentially Ranging from 20X MCLs to 100X MCLs
- VOC Contamination Potentially Ranging from 100X MCLs to 1000X MCLs
- VOC Contamination Potentially Exceeding 1000X MCLs
- San Gabriel Groundwater Basin Boundary
- ▨ Spreading Grounds
- ▩ Bedrock
- Operable Unit

The areas of contamination are approximate. They are based on the most recently measured concentration (through 3/1/08) of any volatile organic compound (VOC). Because contamination concentrations vary with time and depth, a well may at times produce water with different contaminant levels than those indicated.



**San Gabriel Valley
Composite VOC Contamination
Combination of Shallow and
Deep Well Measurements**



El Monte Operable Unit (Area 1)

Where is it?

The El Monte OU is approximately 10 square miles of ground water contamination underlying portions of the cities of El Monte, Rosemead, and Temple City (see map on page 2). The cleanup is divided into the East Side and West Side subprojects. Contamination is in both the **shallow ground water zone** (to about 150 feet below ground surface [bgs]) and the **deep ground water zone** (about 150 feet bgs to 400 feet bgs).

What are the contaminants of concern?

The primary contaminants are two chlorinated industrial solvents – tetrachloroethene (PCE) and trichloroethene (TCE). Other less widespread contaminants include 1,4-dioxane, perchlorate, and hexavalent chromium (Cr+6).

What is being done to address the contamination?

EPA will be overseeing construction of 11 **extraction and injection** wells, four sections of pipelines, and three ground water treatment plants to supplement eight existing extraction wells and an existing treatment plant. When completed, there will be four cleanup systems to remove and treat contamination from the Eastern Shallow Zone, Southern Deep Zone, Western Shallow Zone, and Northwestern Deep Zone. Treated deep ground water will be used as drinking water and

treated shallow ground water will be discharged to surface water or re-injected back into the aquifer.

Who is paying for cleanup?

EPA is overseeing the work of two PRPs that are required to complete the ground water cleanup. The East Side Performing Settling Defendants will complete ground water cleanup of the Eastern Shallow Zone and Southern Deep Zone. The West Side Performing Settling Defendant will complete ground water cleanup of the Western Shallow Zone and the Northwestern Deep Zone. The total project cost is estimated to be \$44 million.

What is planned in the near future?

Construction to complete the cleanup systems began in mid-2011 and is ongoing. Operations are expected to start in spring 2012.

South El Monte Operable Unit (Area 1)

Where is it?

The South El Monte OU is approximately 8 square miles of ground water contamination underlying portions of the cities of South El Monte, El Monte, and Rosemead (see map on page 2). Contamination is found in the shallow ground water zone (to about 100 feet bgs) and the **intermediate ground water zone** (from about 100–400 feet bgs).

What are the contaminants of concern?

The primary contaminants in ground water are TCE and PCE, which have both been detected above drinking standards in the shallow and intermediate aquifers. In addition, 1,4-dioxane and low levels of perchlorate have been detected.

What is being done to address the contamination?

Contaminated ground water from the intermediate ground water zone is being extracted and treated to remove **volatile organic compounds (VOCs)** as well as to prevent the contaminated ground water from spreading further. Treatment for perchlorate was required in the past but is currently not necessary. EPA has a Cooperative Agreement with the San Gabriel Water Quality Authority to work with three local water utilities to implement the remedy using eight of their wells. These wells and their treatment systems have the

capacity to treat over 14 million gallons per day (mgd), enough water to supply approximately 56,000 homes.

Who is paying for cleanup?

The **remedy** currently is funded by PRPs, EPA and the California Department of Toxic Substances Control (DTSC). The total project cost is estimated to be \$75 million, with approximately \$38 million spent so far. EPA has negotiated settlements with many PRPs and is currently in negotiations with others.

What is planned in the near future?

EPA is installing new **monitoring wells** to determine if the extraction system is meeting the goals of the Interim **Record of Decision (ROD)**. EPA is also beginning a supplemental **remedial investigation and feasibility study (RI/FS)** for a better understanding of the contamination and to evaluate additional cleanup options. These options will be discussed with the public and formalized in a final ROD.

Whittier Narrows Operable Unit (Area 1)

Where is it?

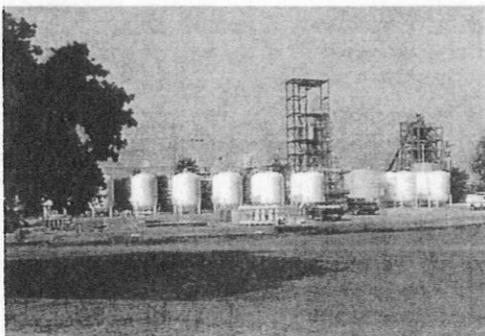
The Whittier Narrows OU is approximately 4 square miles of ground water contamination in the southernmost part of the San Gabriel Valley, where ground water and surface water flow from the San Gabriel Basin to the Central Basin (see map on page 2). Contamination is in the shallow ground water zone (to about 100 feet bgs) and intermediate ground water zone (from about 100 to >400 feet bgs).

What are the contaminants of concern?

The primary contaminants are TCE and PCE. In addition, low levels of 1,4-dioxane, N-nitrosodimethylamine (NDMA), and perchlorate are present.

What is being done to address the contamination?

EPA completed construction of the Whittier Narrows Ground Water Extraction and Treatment Facility in 2002. From 2002 to 2010, more than 17 billion gallons of water were treated. The facility consists of seven ground water extraction wells, conveyance pipelines, and 20 pairs of **granular activated carbon (GAC) filter** vessels to remove VOCs.



EPA has entered into an agreement with the City of Whittier (City) to operate and maintain the treatment facility. The system is designed to pump and treat 16 mgd of contaminated water. In 2005, the City began providing clean treated water from the intermediate zone potable water supply. The treated water from the shallow zone is discharged into Legg Lakes.

Who is paying for cleanup?

EPA and the California DTSC are currently funding the cleanup. The total project cost is estimated to be \$46 million. \$22 million has been spent to date.

What is planned in the near future?

EPA currently is implementing recommendations for improvements to the interim remedy that were identified by reviews conducted in 2006 and 2008. EPA completed a second **Five-Year Review** of the remedy in September 2011. EPA will transfer the Whittier Narrows OU remedy to the California DTSC in May 2013 to continue operations and maintenance of the remedy.

Baldwin Park Operable Unit (Area 2)

Where is it?

The Baldwin Park OU addresses ground water contamination underlying portions of the cities of Azusa, Irwindale, Baldwin Park, West Covina, La Puente, and City of Industry (see map on page 2). The area of contamination is more than 8 miles long, 1 mile wide, and in places extends to more than 1,000 feet deep.

What are the contaminants of concern?

The primary contaminants are TCE, PCE, carbon tetrachloride, perchlorate, NDMA, 1,2,3-trichloropropane (1,2,3-TCP), and 1,4-dioxane.

What is being done to address the contamination?

Four large ground water extraction and treatment projects were completed between 2000 and 2006. Each system is owned and operated by a local water supplier, and the projects provide clean treated water to local homes and businesses. Designed as joint cleanup and water supply projects, the systems consist of ground water extraction wells, monitoring wells, pipelines, and multiple water treatment processes for removal of contaminants. The projects have a combined treatment capacity of 37 mgd, capable of supplying water to approximately 150,000 homes. From 2002 to 2010, more than 49 billion gallons of water were treated and 42,000 pounds of contamination removed from the ground water.

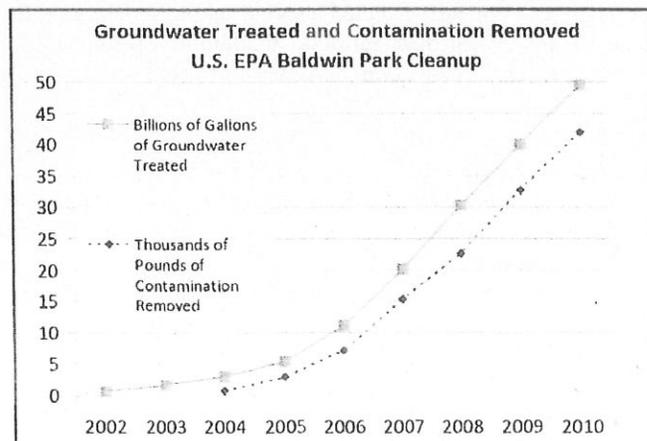
Who is paying for cleanup?

PRPs are funding a majority of the work in compliance with a June 2000 **Unilateral Administrative Order** (a document issued by EPA to try to compel potentially responsible parties to

investigate or clean up contamination pursuant to the Superfund law). More than \$205 million has been spent on the four cleanup projects to date, with this year's and future operation and maintenance costs estimated at \$12 million per year. Federal and state grants have contributed more than \$38 million to the cleanup. The estimated total project cost is \$500 million.

What is planned in the near future?

EPA is overseeing upgrades to some of the water treatment systems, and directing and overseeing a comprehensive performance evaluation program to ensure that the remedy meets EPA's cleanup goals. Performance evaluation reports are published on an annual basis.



Area 3 Operable Unit

Where is it?

The Area 3 investigation area comprises 19 square miles containing regions of ground water contamination in Los Angeles County, California. Cities within Area 3 include Alhambra, Rosemead, San Gabriel, San Marino, South Pasadena, and Temple City (see map on page 2). Ground water contamination is localized and is found in the shallow ground water zone (to about 200 feet bgs) and the intermediate ground water zone (from about 200–400 feet bgs).

What are the contaminants of concern?

TCE and PCE are the most prevalent contaminants in Area 3 ground water, having been detected at relatively higher concentrations than other contaminants tested. In addition, cis-1,2-dichloroethene, 1,2,3-trichloropropane, carbon tetrachloride, perchlorate, and nitrates are present at low concentrations.

What is being done to address the contamination?

EPA conducted a RI to investigate potential sources of contamination and a human health risk assessment to evaluate

the potential for harm from possible exposure to contaminants. Completed in 2009, the RI included installation of eight new ground water monitoring wells and testing of more than 70 wells for over 300 contaminants. EPA currently is performing a FS to evaluate cleanup options.

Who is paying for cleanup?

EPA is working with the California Regional Water Quality Control Board, Los Angeles Region; and the California DTSC to identify PRPs. EPA has paid for all ground water investigation activities to date. The FS will include estimated costs for cleanup.

What is planned in the near future?

EPA plans to complete the FS by 2012 and issue a proposed plan that identifies the preferred cleanup option and summarizes all alternatives considered. EPA will hold a public meeting to take comments and hear community concerns on the proposed plan.

Puente Valley Operable Unit (Area 4)

Where is it?

The Puente Valley Operable Unit of the San Gabriel Valley Superfund Site is located in eastern Los Angeles County, California (see map on page 2). The Puente Valley OU is an approximately 23-square mile sub-basin of the Main San Gabriel Basin, located primarily within the City of Industry; in the City of La Puente; and in unincorporated areas of Los Angeles County. Groundwater contamination occurs primarily in the shallow and intermediate groundwater zones of the aquifer, with most of the contaminant mass found in the shallow groundwater zone. VOCs concentrations exceed drinking water standards in both the shallow and intermediate zones.

What are the contaminants of concern?

VOCs are the primary contaminants, with PCE, TCE, 1,1-dichloroethene (1,1-DCE), and 1,4-dioxane comprising the most commonly detected contaminants.

What is being done to address the contamination?

Three ground water extraction and treatment systems are planned as part of the interim remedy to protect the water supply in the “mouth of the valley” portion of the Puente Valley and prevent further contaminant movement. Sixteen extraction wells in the shallow and intermediate ground water zones were installed in 2006 and 2007; additional components were completed in 2009. To address environmental concerns, completion of the systems has been delayed to identify and evaluate additional options for discharge and conservation of treated water.

Who is paying for cleanup?

Over 60 PRPs have contributed to pay for the interim remedy, which will be carried out by two PRP work parties. Carrier Corporation will implement groundwater cleanup actions for the shallow zone north of Puente Creek, while the Northrop Grumman Corporation will implement groundwater cleanup actions for the intermediate zone and the shallow zone south of Puente Creek. The total cost of the interim remedy is estimated to be \$80 million, with \$20 million spent to date.

What is planned in the near future?

EPA is currently re-evaluating the Remedial Design for the Puente Valley OU to include additional discharge options for treated water. Carrier and Northrop Grumman are required to implement the shallow zone cleanup north of Puente Creek, and the intermediate zone clean up, respectively, under **consent decrees** and will submit revised design documents in 2013. Northrop Grumman will be conducting the shallow zone cleanup south of Puente Creek under a Unilateral Administrative Order issued in 2011 and will also submit design documents in 2013. Upon EPA approval, construction to complete all three cleanup systems is expected to take approximately one year and conclude in the 2014-15 timeframe.

Glossary

Aquifer is an underground geological formation, or group of formations, containing water. Aquifers are sources of ground water for wells and springs.

Below ground surface (bgs) is used to describe the depth to ground water.

Consent decree is a legal document often used for agreements negotiated between EPA and one or more potentially responsible parties, and is subject to approval by a federal court.

Extraction wells are used to pump ground water to the surface for cleanup or water supply purposes.

Five-year reviews provide an opportunity to evaluate the implementation and performance of a cleanup.

Granular Activated Carbon filters are used to purify air, water and waste water.

Ground water is the water found beneath the earth's surface that supplies wells and springs.

Injection wells are used to pump clean treated ground water back into the aquifer.

Long-term Operation and Maintenance is cleanup by remediation system.

Maximum contaminant level (MCL) is a federal or state standard for the maximum permissible level of a contaminant in water delivered to any user of a public drinking water system.

Monitoring wells are ground water wells used to measure water levels and collect samples to evaluate the amounts, types, and distribution of contaminants in a ground water aquifer.

Operable Unit (OU) is a project or project area at an EPA Superfund site.

Potentially Responsible Parties (PRPs) are individuals or companies responsible for conducting or paying for cleanup at a Superfund site pursuant to the Superfund law.

Record of Decision (ROD) is a document issued by EPA to formally adopt a cleanup plan at a Superfund site. Most of the San Gabriel Valley ground water cleanup projects are "interim" remedies, indicating that EPA will formally consider modifying the remedies at a future date.

Remedial Action is implementation of the selected cleanup option or "remedy".

Remedial Design is the development of detailed design for the selected cleanup option.

Remedial Investigation and Feasibility Study (RI/FS) is a process in which information is obtained on the sources, nature, extent, and risks posed by contamination. Cleanup options are identified and evaluated in the FS.

Shallow ground water zone, intermediate ground water zone, and deep ground water zone are terms used to describe the relative depth of water-bearing zones in portions of the San Gabriel Valley aquifer.

Site Listing refers to placement of a Site, or Operating Unit, on the National Priorities List (NPL). Sites on the NPL are eligible for federal funding to implement clean up under Superfund.

Volatile organic compounds (VOCs) include solvents used in dry cleaning, machinery degreasing, and metal plating industries.

What about drinking water?

Ground water underlying the San Gabriel Basin is used for local water supplies. Water suppliers ensure that water delivered to the public meets federal and state drinking water standards. No untreated ground water in the San Gabriel Basin is supplied for drinking water.

Key Contaminants in Ground Water in the San Gabriel Basin

Contaminant	Common Uses / Sources
carbon tetrachloride	Cleaning fluid
1,1-dichloroethene (1,1-DCE)	Adhesives, food packaging, semiconductor manufacture
cis-1,2-dichloroethene	Solvent, component in medicine and perfumes
1,4-dioxane	Stabilizer in solvents
hexavalent chromium (Cr ⁺⁶)	Occurs naturally, used in chrome plating and other industries
nitrate	Component in agricultural fertilizers
N-nitrosodimethylamine (NDMA)	Liquid-fuel rockets, byproduct of wastewater treatment
perchlorate	Solid-fuel rockets, highway flares
perchloroethylene (PCE)	Dry cleaning solution, degreaser
trichloroethylene (TCE)	Industrial solvent, degreaser
1,2,3-trichloropropane (TCP)	Solvent, soil fumigant, sealant

FOR MORE INFORMATION

Contact, Document Repository*, and Website Information

EPA Community Involvement Office		
EPA Community Involvement Coordinator Alejandro Diaz (415) 972-3242 diaz.alejandro@epa.gov		
You can also leave a message on EPA's Community Involvement Office line toll-free at (800) 231-3075 and someone will return your call.		
EPA Operable Unit Project Managers		
EL MONTE (Area 1) Project Manager: Bella Dizon (415) 972-3190 Dizon.bella@epa.gov	BALDWIN PARK (Area 2) Project Manager: Wayne Praskins (415) 972-3181 Praskins.wayne@epa.gov	
SOUTH EL MONTE (Area 1) Project Manager: Rachele Thompson (415) 972-3962 Thompson.rachele@epa.gov	AREA 3 Project Manager: Lisa Hanusiak (415) 972-3152 Hanusiak.lisa@epa.gov	
WHITTIER NARROWS (Area 1) Project Manager: Bella Dizon (415) 972-3190 Dizon.bella@epa.gov	PUENTE VALLEY (Area 4) Project Manager: Raymond Chavira (415) 947-4218 Chavira.raymond@epa.gov	
EPA Region 9 Superfund Records Center*		
EPA Region 9 Superfund Records Center 95 Hawthorne Street, Room 403 (SFD-7C) San Francisco, CA 94105 (415) 820-4700		
Local Public Library Information Repositories*		
Alhambra Public Library 101 South First Street Alhambra, CA 91801 (626) 570-5008	Rosemead Public Library 8800 Valley Boulevard Rosemead, CA 91770-1788 (626) 573-5220	West Covina Public Library 1601 West Covina Parkway West Covina, CA 91790-2786 (626) 962-3541
EPA Websites		
Documents and web pages are available in English, and are sometimes translated into other languages.		
San Gabriel Valley Superfund Site (All Areas): http://www.epa.gov/region9/SanGabrielAll		
El Monte OU, South El Monte OU, Whittier Narrows OU (Area 1): http://www.epa.gov/region9/SanGabrielElMonte		
Baldwin Park OU (Area 2): http://www.epa.gov/region9/SanGabrielBaldwinPark		
Area 3 OU: http://www.epa.gov/region9/SanGabrielArea3		
Puente Valley OU (Area 4): http://www.epa.gov/region9/SanGabrielPuenteValley		

* Local library information repositories may maintain limited document collections. A comprehensive collection of site documents is maintained at the EPA Region 9 Superfund Records Center.



San Gabriel Valley Superfund Sites: 2011 Progress Report Now Available

Cleanup and investigation of contaminated ground water continues in six regions in the San Gabriel Valley (SGV) under the U.S. Environmental Protection Agency's Superfund Cleanup Program. Ground water in the San Gabriel basin is an important source for local drinking water. Water suppliers make sure water delivered to the public meets drinking water standards.

Whittier Narrows Operable Unit (OU)

Completed second review of the remedy in 2011

El Monte OU

Completing the installation of treatment systems in 2012

South El Monte OU

Installing new monitoring wells to evaluate performance of the cleanup

Baldwin Park OU

Upgrading some of the systems & conducting performance reviews

Area 3 (Western SGV) OU

Evaluation of cleanup alternatives underway as part of a feasibility study

Puente Valley OU

Re-design of treatment systems continues; construction set for 2014-15

Progress Report Also
Available Online at
EPA's Website:



www.epa.gov/region9/SanGabriel

Scan Quick Response Code to Web Address

SGV Site Mailing List to be reduced in 2012



To receive a paper copy of the progress report by mail in the future, please sign up at EPA's website listed above. Also for more information, please contact Alejandro Díaz, Community Involvement Coordinator, 415-972-3242, diaz.alejandro@epa.gov

United States Environmental Protection Agency, Region 9
75 Hawthorne Street (SFD-6-3)
San Francisco, CA 94105
Attn: Alejandro Díaz (SGV 12/11)

*Official Business
Penalty for Private Use, \$300*

Address Service Requested



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

July 29, 2010

Mark Pestrella
Deputy Director
Department of Public Works
County of Los Angeles
900 South Fremont Street
Alhambra, CA 91803-1331

Re: San Gabriel Valley Area 2 Superfund Site, Baldwin Park Operable Unit;
Temporary Discharge from Two California Domestic Water Company Wells

Dear Mr. Pestrella:

We are writing to direct the Los Angeles County Flood Control District to permit a proposed discharge to the San Gabriel River of groundwater from two wells operated by California Domestic Water Company ("Cal Domestic") in the San Gabriel Valley. As we have previously discussed with the Flood Control District, Cal Domestic's Well No. 10, a replacement well, requires development and Cal Domestic's Well No. 14 requires redevelopment due to excessive sand production. During development and redevelopment, the two wells will be pumped for a period of up to five days each at flow rates of 6,000 and 5,700 gallons per minute (gpm), respectively. The estimated total volume of water to be produced as part of this one-time effort is approximately 50 million gallons.

The two wells fall within the Baldwin Park Operable Unit of the San Gabriel Valley Superfund Site ("Baldwin Park Superfund Site") and their operation contributes to the remedy for the Baldwin Park Superfund Site. Cal Domestic has indicated that it needs to develop or redevelop these two wells in order to ensure the adequate supply of domestic drinking water to its customers. Cal Domestic seeks to perform the work on these wells this summer, and EPA has determined that this work is needed in connection with the remedial action being implemented at the Baldwin Park Superfund Site.

Pursuant to Section 104(e)(3) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e)(3), EPA has authority to obtain access to certain property to effectuate a response action under CERCLA. If the Flood Control District does not permit this discharge as set forth in this letter, EPA intends to issue a formal order to the District requiring it to do so under Section 104(e)(5)(A) of CERCLA.

Contaminant levels in the water to be pumped will exceed water quality standards for certain chemicals. The table summarizes contaminant levels in Cal Domestic Well No. 14 when sampled in February 2008, and applicable standards and criteria:

Chemical	Measured Concentration in Well No. 14 (ug/L)	Federal MCL, State MCL, or CA Notification Level (ug/L, whichever is lower)	California Toxics Rule (ug/L)
1,2 DCA	0.65	0.5	0.38
TCE	5.3	5	2.7
carbon tetrachloride	1.5	0.5	0.25
PCE	2.2	5	0.8
perchlorate	13	6	-
NDMA	0.041	0.010	0.00069

Due to the high discharge rates and total volume of water to be produced, EPA has concluded that the only practicable option is to discharge the untreated water to the San Gabriel River channel. The volume is too large to containerize (at 20,000 gallons per tank, it would require approximately 2,500 temporary storage tanks to containerize the water). It is impracticable to install a temporary water treatment system, which would require an effort of similar scale to the installation of the permanent treatment systems (hundreds of thousands to millions of dollars, many months to a year or more to design and install). The discharge rates are too high to discharge the water to a sanitary sewer and there are various logistical and other issues that make discharge to an existing spreading basin or re-injection impracticable. These well development activities need to proceed so that the Cal Domestic's wells can begin, or resume, pumping and treating contaminated groundwater, which is necessary to implement the cleanup remedy that EPA has selected for the Baldwin Park Superfund Site.

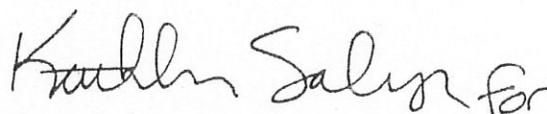
The Flood Control District's Valley Blvd. rubber dams will be deployed across the receiving water (the San Gabriel River channel). This will ensure that the discharged water will be fully contained within the boundaries of the Baldwin Park Superfund Site. The inflatable dams, located downstream of Valley Blvd., will allow the discharge to infiltrate into groundwater and will prevent the discharge from reaching any other portion of the river located within the Flood Control District's municipal separate storm sewer system.

The portion of the San Gabriel River channel that is within the boundaries of the Baldwin Park Superfund Site is subject to the control of the Flood Control District. Pursuant to Section 104(e)(3) of CERCLA, EPA has authority to obtain access to property that is part of, or adjacent to, a Superfund Site where such action is needed to effectuate a response action under CERCLA. As described above, EPA has made a determination under Section 104(e)(3) that access to the San Gabriel River channel for a limited period of time is necessary in order to discharge water from the two Cal Domestic wells that are undergoing development or redevelopment.

The discharge from the two Cal Domestic wells will also be governed by 40 C.F.R. Section 122.3(d), which exempts certain categories of discharges from NPDES permit requirements. Specifically, 40 C.F.R. Section 122.3(d) exempts "any discharge in compliance with the instructions of an On-Scene Coordinator pursuant to 40 C.F.R. Part 300 (The National Oil and Hazardous Substances Pollution Contingency Plan..." EPA has determined that the discharge is necessary in order to effectuate the response actions addressing groundwater contamination at the Baldwin Park Superfund Site. EPA, through its On-Scene Coordinator authority, will provide instructions to Cal Domestic on the manner in which the discharge is to be conducted. EPA anticipates that the duration of the discharge will be no more than five days per well.

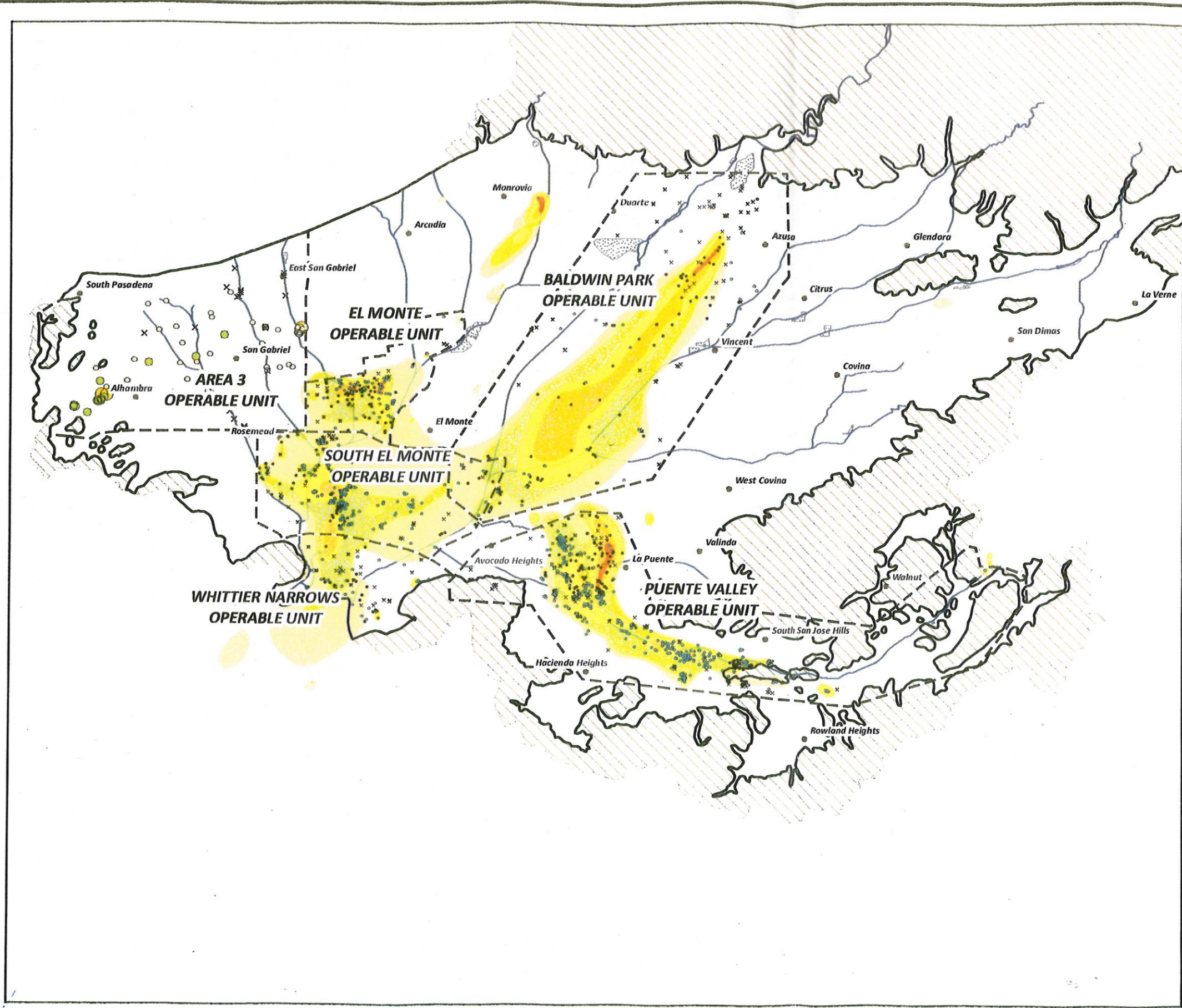
In accordance with the authorities discussed above, EPA is directing that the Los Angeles County Flood Control District provide access for the Cal Domestic discharge. If the Flood Control District does not provide access, EPA may exercise its discretion to issue a formal order pursuant to CERCLA section 104(e)(5)(A).

Sincerely,



Jane Diamond, Director
Superfund Division

cc : Jim Byerrum, California Domestic Water Co. (via PDF)
Samuel Unger, California Regional Water Quality Control Board, Los Angeles Region (via PDF)
John Kemmerer, EPA Region 9 Water Division (via PDF)
Carol Williams, Main San Gabriel Basin Watermaster (via PDF)
Grace Burgess, San Gabriel Basin Water Quality Authority (via PDF)
Norm Dupont, BPOU Cooperating Respondents (via PDF)



- Explanation**
- x Well where groundwater contamination was not detected
 - Well last tested before 3/1/2008
 - Well where groundwater contamination was detected
 - Light Yellow VOC Contamination Potentially Ranging from Laboratory Detection Limits to <math>< MCLs</math>
 - Yellow VOC Contamination Potentially Ranging from $MCLs$ to $10X MCLs$
 - Orange VOC Contamination Potentially Ranging from $10X MCLs$ to $20X MCLs$
 - Dark Orange VOC Contamination Potentially Ranging from $20X MCLs$ to $100X MCLs$
 - Red VOC Contamination Potentially Ranging from $100X MCLs$ to $1000X MCLs$
 - Purple VOC Contamination Potentially Exceeding $1000X MCLs$
 - Dashed Line Groundwater Basin Boundary
 - Stippled Spreading Grounds
 - Hatched Bedrock

The areas of contamination are approximate. They are based on the most recently measured concentration (through 3/1/08) of any volatile organic compound (VOC). Because contamination concentrations vary with time and depth, a well may at times produce water with different contaminant levels than those indicated.



San Gabriel Valley
 Composite VOC Contamination
 Combination of Shallow and Deep Well Measurements

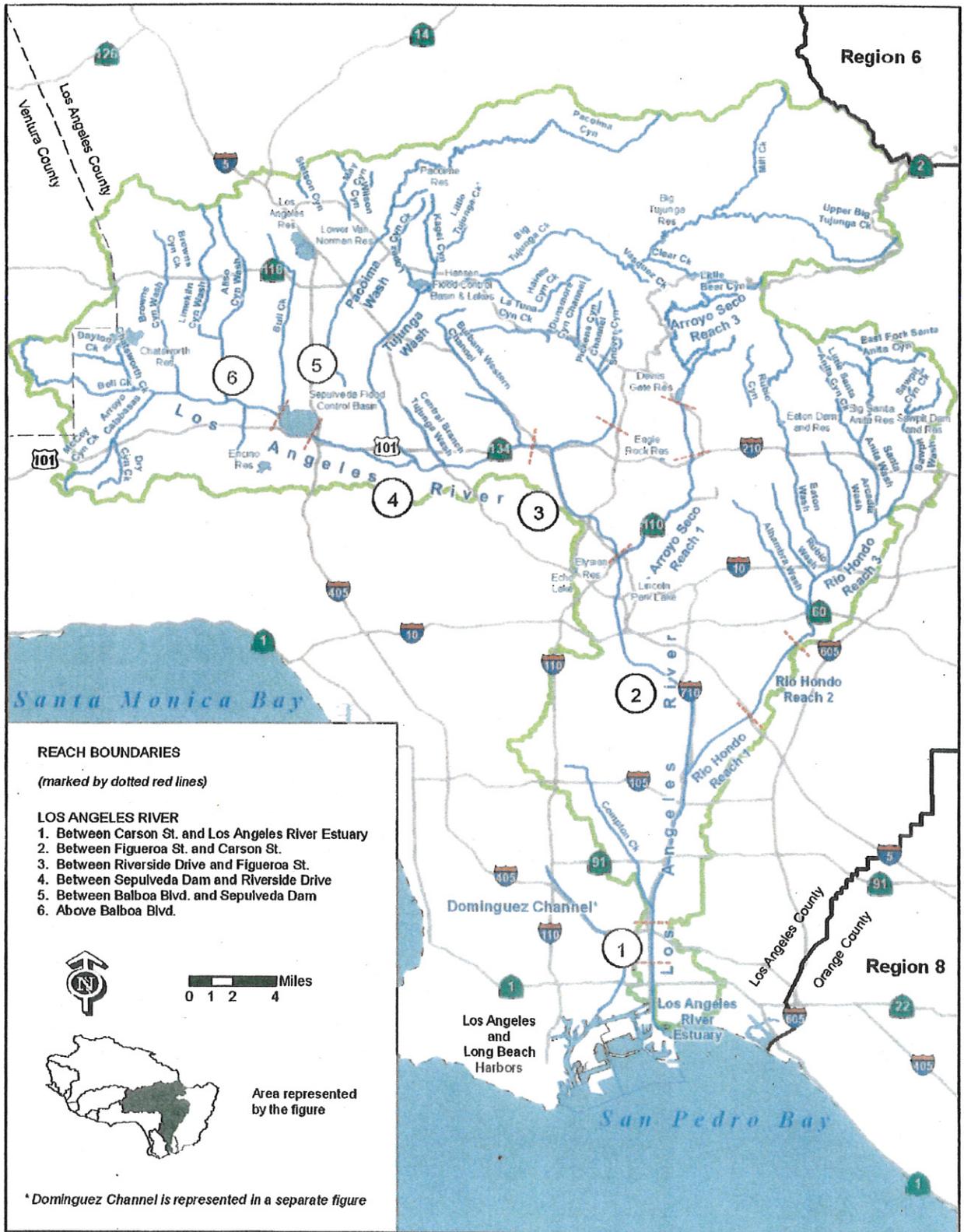


Figure 2-8. Major surface waters of the Los Angeles River watershed.

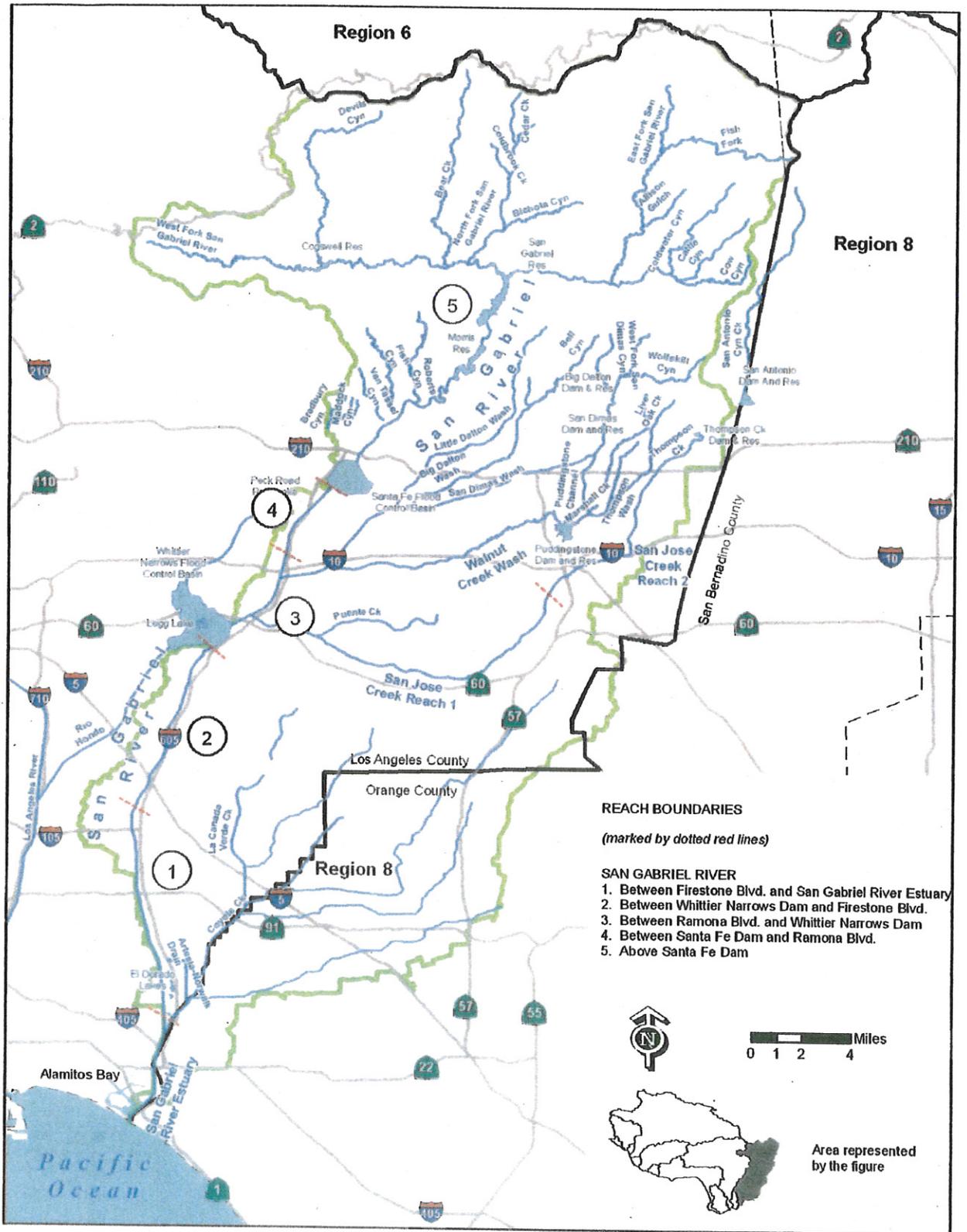


Figure 2-9. Major surface waters of the San Gabriel River watershed.

Frances McChesney - Working Proposal language re. Superfund sites in LA County MS4 Permit

From: Renee Purdy
To: maldonado.lewis@epa.gov
Date: 5/15/2012 4:35 PM
Subject: Working Proposal language re. Superfund sites in LA County MS4 Permit
CC: McChesney, Frances; Smith, Deborah; Unger, Samuel; kemmerer.john@epa.gov
Attachments: LA MS4 Discharge Prohibitions and IC-IDE sections_051512.DOCX

Lewis,

Please see the attached internal working proposal for our current proposed permit conditions related to discharges from Superfund sites through the LA County MS4 to receiving waters. See in particular Parts A.1.b and A.4.e.

Please let us know if you have any questions. We look forward to your suggestions regarding language as we discussed in our meeting today.

Regards,
Renee

Renee A. Purdy
Section Chief | Regional Programs
Los Angeles Regional Water Quality Control Board
320 W 4th St, Suite 200
Los Angeles, CA 90013-2343
(213) 576-6622 (TEL)
(213) 576-6686 (FAX)
rpurdy@waterboards.ca.gov

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DISCHARGE PROHIBITIONS

A. Prohibitions – Non-Storm Water Discharges

1. Prohibition of Non-Storm Water Discharges. Each Permittee shall, for the portion of the MS4 for which it is an owner and/or operator, prohibit non-storm water discharges through the MS4 to receiving waters except where such discharges are either:

- a. Authorized non-storm water discharges separately regulated by an individual or general National Pollutant Discharge Elimination System (NPDES) permit;
- b. Authorized non-storm water discharges subject to a Record of Decision approved by USEPA pursuant to section 121 of CERCLA that requires compliance with water quality standards;
- c. Authorized non-storm water discharges from emergency fire fighting activities (i.e., flows necessary for the protection of life or property);
- d. Natural flows, including:
 - i. Natural springs;
 - ii. Flows from riparian habitats and wetlands;
 - iii. Diverted stream flows, authorized by the State or Regional Water Board;
 - iv. Uncontaminated ground water infiltration²;
 - v. Rising ground waters, where ground water seepage is not otherwise covered by a NPDES permit³; or
- e. Conditionally exempt non-storm water discharges in accordance with sections III.A.2 and III.A.3 below.

2. Conditional Exemptions from Non-Storm Water Discharge Prohibition. The following categories of non-storm water discharges are conditionally exempt from the non-storm water discharge prohibition, provided they meet all required conditions specified below, or as otherwise approved by the Regional Water Board Executive Officer, in all areas regulated by this Order with the exception of direct discharges to Areas of Special Biological Significance (ASBS) within Los Angeles County. Conditional exemptions from the prohibition on non-storm water discharges through the MS4 directly to an ASBS are identified in section III.A.3 below.

¹ Discharges from vehicle washing, building fire suppression system maintenance and testing (e.g., sprinkler line flushing), fire hydrant maintenance and testing, and other routine maintenance activities are not considered emergency fire fighting activities.

² Uncontaminated ground water infiltration is water other than waste water that enters the MS4 (including foundation drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow. (See 40 CFR § 35.2005(20).)

³ A NPDES permit for discharges associated with ground water dewatering is required within the Los Angeles Region.

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Comment [RAP429121]: Need definition from State Board re what constitutes a direct discharge to an ASBS

- a. Conditionally Exempt Essential Non-Storm Water Discharges: Those that fall within one of the categories below, meet all required BMPs as specified, are essential public services discharge activities, and are directly or indirectly required by other state or federal statute and/or regulation including:
- i. Discharges from essential *non-emergency* fire fighting activities⁴ provided appropriate BMPs are implemented based on the CAL FIRE, Office of the State Fire Marshal's *Water-Based Fire Protection Systems Discharge Best Management Practices Manual* (September 2011) for water-based fire protection system discharges, and based on Riverside County's *Best Management Practices Plan for Urban Runoff Management* (May 1, 2004) or equivalent BMP manual for fire training activities and post-emergency fire fighting activities;
 - ii. Discharges from potable water sources where not otherwise regulated by an individual or general NPDES permit⁵, provided appropriate BMPs are implemented based on the AWWA (California-Nevada Section) *Guidelines for the Development of Your Best Management Practices (BMP) Manual for Drinking Water System Releases* (2005) or equivalent industry standard BMP manual. Additionally, each Permittee shall work with potable water suppliers that may discharge to the Permittee's MS4 to ensure: (1) notification at least 72 hours prior to a planned discharge and as soon as possible after an unplanned discharge; (2) monitoring of any pollutants of concern⁶ in the potable water supply release; and (3) record keeping by the potable water supplier for all discharges greater than one acre-foot.⁷
- b. Those that fall within one of the categories below, provided that the discharge itself is not a source of pollutants and meets all required conditions specified in Table III-A or as otherwise specified or approved by the Regional Water Board Executive Officer:
- i. Dewatering of lakes⁸;
 - ii. Landscape irrigation;

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⁴ This includes fire fighting training activities, which simulate emergency responses, and routine maintenance and testing activities necessary for the protection of life and property, including building fire suppression system maintenance and testing (e.g. sprinkler line flushing) and fire hydrant testing and maintenance. Discharges from vehicle washing are not considered essential and as such are not conditionally exempt from the non-storm water discharge prohibition.

⁵ Potable water distribution system releases means sources of flows from drinking water storage, supply and distribution systems (including flows from system failures), pressure releases, system maintenance, distribution line testing, and flushing and dewatering of pipes, reservoirs, and vaults, and minor non-invasive well maintenance activities not involving chemical addition(s) where not otherwise regulated by NPDES Permit No. CAG674001, NPDES Permit No. CAG994005 or other separate NPDES permit.

⁶ Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, and any pollutant for which there is a Water Quality Based Effluent Limitation in Part VI.E applicable to discharges from the MS4 to the receiving water.

⁷ Permittees shall require that the following information is maintained by the water supplier(s) for all discharges (planned and unplanned) greater than 100,000 gallons: name of discharger, date and time of notification (for planned discharges), method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, total number of gallons discharged, type of dechlorination equipment used, type of dechlorination chemicals used, concentration of residual chlorine, type(s) of sediment controls used, pH of discharge, type(s) of volumetric and velocity controls used, and field and laboratory monitoring data. Records shall be made available upon request by the Permittee or Regional Water Board.

⁸ Dewatering of lakes does not include dewatering of drinking water reservoirs. Dewatering of drinking water reservoirs is addressed in Section III.A.2.a.ii.

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- iii. Dechlorinated/debrominated swimming pool/spa discharges⁹, where not otherwise regulated by a separate NPDES permit;
- iv. Dewatering of decorative fountains¹⁰;
- v. Non-commercial car washing by residents or by non-profit organizations;
- vi. Street/sidewalk wash water¹¹.

3. Conditional Exemptions from Non-Storm Water Discharge Prohibition within an ASBS. The following non-storm water discharges through the MS4 directly to an ASBS are conditionally exempt pursuant to the California Ocean Plan as specified below, provided that:

- a. The discharges are essential for emergency response purposes, structural stability, slope stability or occur naturally, including the following discharges:
 - i. Discharges associated with emergency fire fighting activities (i.e., flows necessary for the protection of life or property)¹²;
 - ii. Foundation and footing drains;
 - iii. Water from crawl space or basement pumps;
 - iv. Hillside dewatering;
 - v. Naturally occurring ground water seepage via a MS4; and
 - vi. Non-anthropogenic flows from a naturally occurring stream via a culvert or MS4, as long as there are no contributions of anthropogenic runoff.
- b. The discharges fall within one of the conditionally exempt essential non-storm water discharge categories in section III.A.2.a.
- c. Conditionally exempt non-storm water discharges shall not cause or contribute¹³ to a violation of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations in this Order or the water quality objectives in Chapter II of the Ocean Plan, or alter natural ocean water quality in an ASBS.

Comment [s2]: Need to align with State Water Board language. Once finalized (incorporating changes made at State Water Board meeting)

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⁹ Conditionally exempt dechlorinated/debrominated swimming pool/spa discharges do not include swimming pool/spa filter backwash or swimming pool/spa water containing bacteria, detergents, wastes, algacides, or cyanuric acid in excess of 50 parts per million, or any other chemicals including salts from pools commonly referred to as "salt water pools" in excess of applicable water quality objectives.

¹⁰ Conditionally exempt discharges from dewatering of decorative fountains do not include fountain water containing bacteria, detergents, wastes, algacides, or cyanuric acid in excess of 50 parts per million, or any other chemicals in excess of applicable water quality objectives.

¹¹ Conditionally exempt non-storm water discharges of street/sidewalk wash water only include those discharges resulting from use of high pressure, low volume spray washing using only potable water with no cleaning agents at an average usage of 0.006 gallons per square feet of sidewalk area in accordance with Regional Water Board Resolution No. 98-08. Conditionally exempt non-storm water discharges of street/sidewalk wash water do not include hosing of any sidewalk or street with a garden hose with a pressure nozzle.

¹² Ibid.

¹³ Based on the water quality characteristics of the conditionally exempt non-storm water discharge itself.

4. Permittee Requirements. Each Permittee shall:

- a. Develop and implement procedures to ensure that a discharger, if not a named Permittee in this Order, fulfills the following for non-storm water discharges to the Permittee's MS4:
- i. Notifies the Permittee of the planned discharge in advance, consistent with requirements in Table III-A or recommendations pursuant to the applicable BMP manual,
 - ii. Obtains any local permits required by the MS4 owner and/or operator,
 - iii. Provides documentation that it has obtained any other necessary permits or water quality certifications¹⁴ for the discharge,
 - iv. Conducts monitoring of the discharge, if required by the Permittee,
 - v. Implements BMPs and/or control measures as specified in Table III-A or in the applicable BMP manual^(S) as a condition of the approval to discharge into the Permittee's MS4, and
 - vi. Maintains records of its discharge to the MS4, consistent with requirements in Table III-A or recommendations pursuant to the applicable BMP manual.
- b. Develop and implement procedures that minimize the discharge of landscape irrigation water into the MS4 by promoting conservation programs.
- i. Coordinate with the local water purveyor(s), where applicable, to promote landscape water use efficiency requirements for existing landscaping, use of drought tolerant, native vegetation, and the use of less toxic options for pest control and landscape management.
 - ii. Develop and implement a coordinated outreach and education program to minimize the discharge of irrigation water and pollutants associated with irrigation water consistent with Part VI.D.1.c of this Order (Public Information and Participation Program).
- c. Evaluate monitoring data collected pursuant to Attachment X of this Order (Monitoring and Reporting Program), and any other associated data or information, and determine whether any of the authorized or conditionally exempt non-storm water discharges identified in sections III.A.1, III.A.2 and III.A.3 above are a source of pollutants that may be causing or contributing to an exceedance of applicable Receiving Water Limitations in Part V and/or Water Quality Based Effluent Limitations in Part VI.E. To evaluate monitoring data, the Permittee will apply Action Levels provided in Table XXX. Based on

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¹⁴ Pursuant to the Federal Clean Water Act § 401.

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non-storm water outfall-based monitoring as implemented through the MRP. If monitoring data shows exceedances of Action Levels, the Permittee shall take further action to verify whether the discharge exceeds Receiving Water Limitations in Part V and/or Water Quality Based Effluent Limitations.

- d.** If the Permittee determines that any of the conditionally exempt non-storm water discharges identified in section III.A.2.b above is a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations, the Permittee shall report its findings to the Regional Water Board in its annual report. Based on this determination, the Permittee shall also either:
- i.** Effectively prohibit¹⁵ the non-storm water discharge from the MS4; or
 - ii.** Impose conditions in addition to those in Table III-A, subject to approval by the Regional Water Board Executive Officer, on the non-storm water discharge such that it will not be a source of pollutants; or
 - iii.** Provide for diversion of the non-storm water discharge to the sanitary sewer; or
 - iv.** Provide treatment of the non-storm water discharge prior to discharge to the receiving water.
- e.** If the Permittee determines that any of the authorized or conditionally exempt essential non-storm water discharges identified in sections III.A.1.a through III.A.1.c, III.A.2.a or III.A.3 above is a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations, the Permittee shall notify the Regional Water Board within 30 days if the non-storm water discharge is an authorized discharge with coverage under a separate NPDES permit or subject to a ROD approved under section 121 of CERCLA, or a conditionally exempt essential non-storm water discharge or emergency non-storm water discharge.
- f.** If the Permittee prohibits the discharge from the MS4 as per section III.A.4.e.i, then the Permittee shall implement procedures developed under section VI.D.9 (Illicit Connections and Illicit Discharges Elimination Program) in order to eliminate the discharge to the MS4.
- 5.** If a Permittee demonstrates that the water quality characteristics of a specific authorized or conditionally exempt essential non-storm water discharge resulted in an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations during a specific sampling event, the Permittee shall not be found in violation of applicable Receiving Water Limitations and/or Water

¹⁵ To effectively prohibit means to not allow the non-storm water discharge to the MS4 unless the discharger obtains coverage under a separate State or Regional Water Board permit prior to discharge to the MS4.

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Quality Based Effluent Limitations for that specific sampling event. Such demonstration must be based on source specific water quality monitoring data from the authorized or conditionally exempt essential non-storm water discharge and other relevant information regarding the specific non-storm water discharge as identified in Table III-A.

- 6. Notwithstanding the above, the Regional Water Board Executive Officer, based on an evaluation of monitoring data and other relevant information for specific categories of non-storm water discharges, may modify a category or remove categories of conditionally exempt non-storm water discharges from sections III.A.2 and III.A.3 above if the Executive Officer determines that a discharge category is a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations, or may require that a discharger obtain coverage under a separate individual or general State or Regional Water Board permit for a non-storm water discharge.

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Table III-A. Required Conditions for Conditionally Exempt Non-Storm Water Discharges

Discharge Category	General Conditions Under Which Discharge Through the MS4 is Allowed	Conditions/BMPs that are Required to be Implemented Prior to Discharge Through the MS4
All Discharge Categories	See discharge specific conditions below.	Segregate conditionally exempt non-storm water discharges from potential sources of pollutants to prevent introduction of pollutants to the MS4 and receiving water. Whenever there is a discharge of one acre-foot or more into the MS4, the Los Angeles County Flood Control District shall require advance notification by the discharger to the potentially affected MS4 Permittees, including at a minimum the District and the Permittee with jurisdiction over the land area from which the discharge originates.
Dewatering of lakes	Discharge allowed only if all necessary permits/water quality certifications for dredge and fill activities, including water diversions, are obtained prior to discharge.	Ensure procedures for advanced notification by the lake owner / operator to the Permittee(s) no less than 72 hours prior to the planned discharge. Immediately prior to discharge, visible trash on the shoreline or on the surface of the lake shall be removed and disposed of in a legal manner. Immediately prior to discharge, the discharge pathway, the MS4 inlet to which the discharge is directed, and the MS4 outlet from which the water will be discharged to the receiving water, shall be inspected and cleaned out. Discharges shall be volumetrically and velocity controlled to minimize resuspension of sediments. Measures shall be taken to stabilize lake bottom sediments. Ensure procedures for water quality monitoring for pollutants of concern ¹ in the lake. Ensure record-keeping of lake dewatering by the lake owner / operator. ²

¹ Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, and any pollutant for which there is a Water Quality-based Effluent Limitation in Part V.I.E for the lake and/or receiving water.
² Permittees shall require that the following information is maintained by the lake owner / operator: name of discharger, date and time of notification, method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, total number of gallons discharged, type(s) of sediment controls used, pH of discharge, type(s) of volumetric and velocity controls used, and field and laboratory monitoring data. Records shall be made available upon request by the Permittee or Regional Water Board.

Limitations and Discharge Requirements

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Discharge Category	General Conditions Under Which Discharge Through the MS4 is Allowed	Conditions/BMPs that are Required to be Implemented Prior to Discharge Through the MS4
Landscape irrigation using potable water	Discharge allowed if runoff due to potable landscape irrigation is minimized through the implementation of an ordinance specifying water efficient landscaping standards, as well as an outreach and education program focusing on water conservation and landscape water use efficiency.	Implement BMPs to minimize runoff and prevent introduction of pollutants to the MS4 and receiving water. Implement water conservation programs to minimize discharge by using less water.
Landscape irrigation using reclaimed or recycled water	Discharge of reclaimed or recycled water runoff from landscape irrigation is allowed if the discharge is in compliance with the producer and distributor operations and management (O&M) plan, and all relevant portions thereof, including the Irrigation Management Plan.	Discharges must comply with applicable O&M Plans, and all relevant portions thereof, including the Irrigation Management Plan.

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Discharge Category	General Conditions Under Which Discharge Through the MS4 is Allowed	Conditions/BMPs that are Required to be Implemented Prior to Discharge Through the MS4
<p>Dechlorinated/debrominated swimming pool/spa discharges</p>	<p>Discharges allowed after implementation of specified BMPs.</p> <p>Pool or spa water containing copper-based algaecides is not allowed to be discharged to the MS4.</p> <p>Discharges of cleaning waste water and filter backwash allowed only if authorized by a separate NPDES permit.</p>	<p>Implement BMPs and segregate discharge from potential sources of pollutants to prevent introduction of pollutants prior to discharge to the MS4 and receiving water.</p> <p>Swimming pool water must be dechlorinated or debrominated using holding time, aeration, and/or sodium thiosulfate. Chlorine residual in the discharge shall not exceed 0.1 mg/L.</p> <p>Swimming pool water shall not contain any detergents, wastes, algaecides, or cyanuric acid in excess of 50 parts per million, or any other chemicals including salts from pools commonly referred to as "salt water pools" in excess of applicable water quality objectives.³</p> <p>Swimming pool discharges are to be pH adjusted, if necessary, and be within the range of 6.5 and 8.5 standard units.</p> <p>Swimming pool discharges shall be volumetrically and velocity controlled to promote evaporation and/or infiltration.</p> <p>Ensure procedures for advanced notification by the pool owner to the Permittee(s) at least 72 hours prior to planned discharge for discharges of one acre-foot or more.</p> <p>Immediately prior to discharge, the discharge pathway, the MS4 inlet to which the discharge is directed, and the MS4 outlet from which the water will be discharged to the receiving water, shall be inspected and cleaned out.</p>
<p>Dewatering of decorative fountains</p>	<p>Discharges allowed after implementation of specified BMPs.</p> <p>Fountain water containing copper-based algaecides may not be discharged to the MS4.</p> <p>Fountain water containing dyes may not be discharged to the MS4.</p>	<p>Implement BMPs and segregate discharge from potential sources of pollutants to prevent introduction of pollutants prior to discharge to the MS4 and receiving water.</p> <p>Fountain water must be dechlorinated or debrominated using holding time, aeration, and/or sodium thiosulfate. Chlorine residual in the discharge shall not exceed 0.1 mg/L.</p> <p>Fountain discharges are to be pH adjusted, if necessary, and be within the range of 6.5 and 8.5 standard units.</p> <p>Fountain discharges shall be volumetrically and velocity controlled to promote evaporation and/or infiltration.</p> <p>Ensure procedures for advanced notification by the fountain owner to the Permittee(s) at least 72 hours prior to planned discharge for discharges of one acre-foot or more.</p> <p>Immediately prior to discharge, the discharge pathway, the MS4 inlet to which the discharge is</p>

³ Applicable mineral water quality objectives for surface waters are contained in Chapter 3 of the Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties.

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Discharge Category	General Conditions Under Which Discharge Through the MS4 is Allowed	Conditions/BMPs that are Required to be Implemented Prior to Discharge Through the MS4
Non-commercial car washing by residents or by non-profit organizations	Discharges allowed after implementation of specified BMPs.	<p>directed, and the MS4 outlet from which the water will be discharged to the receiving water, shall be inspected and cleaned out.</p> <p>Implement BMPs and segregate discharge from potential sources of pollutants to prevent introduction of pollutants prior to discharge to the MS4 and receiving water.</p> <p>Minimize the amount of water used by employing water conservation practices such as turning off nozzles or kinking the hose when not spraying a car, and using a low volume pressure washer.</p> <p>Encourage use of biodegradable, phosphate free detergents and non-toxic cleaning products.</p> <p>Where possible, wash cars on a permeable surface where wash water can percolate into the ground (e.g. gravel or grassy areas).</p> <p>Empty buckets of soapy or rinse water into the sanitary sewer system (e.g., sinks or toilets).</p>
Street/sidewalk wash water	Discharges allowed after implementation of specified BMPs.	<p>Sweeping should be used as an alternate BMP whenever possible and sweepings should be disposed of in the trash.</p> <p>BMPs shall be in accordance with Regional Water Board Resolution No. 98-08 that requires: 1) removal of trash, debris, and free standing oil/grease spills/leaks (use absorbent material if necessary) from the area before washing and 2) use of high pressure, low volume spray washing using only potable water with no cleaning agents at an average usage of 0.006 gallons per square foot of sidewalk area. In areas of unsanitary conditions (e.g., areas where the congregation of transient populations can reasonably be expected to result in a significant threat to water quality), whenever practicable, Permittees shall collect and divert street and alley wash water from the Permittee's street and sidewalk cleaning public agency activities to the sanitary sewer.</p>

Limitations and Discharge Requirements

9. Illicit Connections and Illicit Discharges Elimination Program**a. General**

- i. Each Permittee shall continue to implement an Illicit Connection and Illicit Discharge Elimination (IC/ID) Program to detect, investigate, and eliminate IC/IDs to the MS4. The IC/ID Program must be implemented in accordance with the requirements and performance measures specified in this Order.
- ii. As stated in Part [TBD] of this Order, each Permittee must have adequate legal authority to prohibit IC/IDs to the MS4 and enable enforcement capabilities to eliminate the source of IC/IDs.
- iii. Each Permittee's IC/ID Program shall consist of at least the following major program components:
 - (1) An up-to-date municipal separate storm sewer system (MS4) map
 - (2) Procedures for conducting a non-storm water outfall-based monitoring program to detect IC/IDs
 - (3) ~~Procedures for comparing outfall-based monitoring data to Action levels provided in Attachment H as a screening mechanism to identify significant dry-weather flows that are not conditionally exempt non-storm water discharges~~
 - (4) Procedures for conducting source investigations for IC/IDs
 - (5) Procedures for eliminating the source of IC/IDs
 - (6) Procedures for public reporting of illicit discharges
 - (7) Spill response plan
 - (8) IC/IDs education and training for Permittee staff

b. MS4 Mapping

- i. Each Permittee shall maintain an up-to-date and accurate electronic MS4 map. If possible, the map should be maintained within a GIS. The MS4 map must show the following, at a minimum:
 - (1) The location of all MS4 outfalls 18 inches in diameter or greater within the Permittee's jurisdictional boundary. The associated watershed for each outfall should be clearly discernible. Each MS4 outfall shall be given an alphanumeric identifier, which must be noted on the map. If an outfall is owned by another public entity, the name of the entity shall be recorded on the map. Each mapped MS4 outfall shall have a coordinate and, if possible, photographs of the outfall shall be taken to provide baseline information to track operation and maintenance needs over time. Per Part VI.D.9.c (non-storm water monitoring), additional

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attribute data are required for those outfalls determined to have persistent dry weather flows.

- (2) The location and length of all open channels and underground MS4 pipes 18 inches in diameter or greater.
- (3) The name of all receiving water bodies from those major MS4 outfalls identified in (1).
- (4) All dry weather diversions installed within the MS4 to direct flows from the MS4 to the sanitary sewer system, including the owner and operator of each diversion.
- (5) Priority areas identified under Part VI.D.9.c.i., below.

- ii. The MS4 map shall be updated not less than twice during the term of the Order to reflect current conditions within the MS4.

c. Implementation of Non-Storm Water Outfall-Based Monitoring Program to Detect IC/IDs

- i. Each Permittee shall develop and implement a non-storm water outfall-based monitoring program consistent with Part [TBD] (non-storm water outfall-based monitoring program) to detect and eliminate illicit connections and illicit discharges to the MS4. The non-storm water outfall-based monitoring program shall consist of (1) identification of outfalls with persistent dry weather flows, (2) determination of significant dry weather flows through characterization and field screening, (3) identification of sources of significant dry weather flows, (4) monitoring of identified non-storm water discharges, and (5) annual re-assessment and reporting.
- ii. The non-storm water outfall-based monitoring program shall include procedures to compare non-storm water outfall-based monitoring results to Action Levels provided in Attachment H. The Permittee will establish significant dry-weather flows that are not conditionally exempt non-storm water discharges based on Action Level exceedances, as per section [TBD] of the MRP.
- iii. The non-storm water outfall-based monitoring program shall be documented with written procedures that provide an explanation of how the program is to be implemented and the procedures must be updated as needed to reflect the Permittee's program.
- iv. Observations and data collected during the implementation of the non-storm water outfall-based monitoring program shall be maintained in a database or electronic format. The use of a GIS to record observations and data is preferred but not required.
- v. Each Permittee shall conduct an annual re-assessment of its non-storm water outfall-based monitoring program to determine whether changes or updates are needed. Where changes are needed, the Permittee shall

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make the changes in its written program documents and implement these changes in practice.

d. Illicit Discharge Source Investigation and Elimination

- i. Each Permittee shall develop written procedures for conducting investigations to identify the source of all suspected illicit discharges, including procedures to eliminate the discharge once the source is located.
- ii. At a minimum, each Permittee shall initiate an investigation(s) to identify and locate the source within 72 hours of becoming aware of the illicit discharge.
- iii. When conducting investigations, each Permittee shall comply with the following:
 - (1) Illicit discharges suspected of being sanitary sewage and/or significantly contaminated shall be investigated first.
 - (2) Each Permittee shall track all investigations to document at a minimum the date(s) the illicit discharge was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed.
 - (3) Each Permittee shall investigate the source of all observed illicit discharges.
 - (4) If the source of the illicit discharge is found to be a discharge authorized under an NPDES permit, the Permittee shall document the source and report to the Regional Water Board within 30 days of determination. No further action is required.
- iv. When taking corrective action to eliminate illicit discharges, each Permittee shall comply with the following:
 - (1) If the source of the illicit discharge has been determined to originate within the Permittee's jurisdiction, the Permittee shall immediately notify the responsible party/parties of the problem, and require the responsible party to initiate all necessary corrective actions to eliminate the illicit discharge. Upon being notified that the discharge has been eliminated, the Permittee shall conduct a follow-up investigation to verify that the discharge has been eliminated and cleaned-up to the satisfaction of the Permittee(s). Each Permittee shall document its follow-up investigation. Each Permittee may seek recovery and remediation costs from responsible parties or require compensation for the cost of all inspection, investigation, cleanup and oversight activities. Resulting enforcement actions shall follow the program's Progressive Enforcement Policy, per Part TBD.
 - (2) ~~If the source of the illicit discharge is a formerly exempt discharge that the Permittee prohibited as per III.A.4.e., and the discharge originates~~

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within the Permittee's jurisdiction, the Permittee shall immediately notify the responsible party to initiate all necessary corrective actions to eliminate the illicit discharge. Upon being notified that the discharge has been eliminated, the Permittee shall conduct a follow-up investigation to verify that the discharge has been eliminated and cleaned-up to the satisfaction of the Permittee(s). Each Permittee shall document its follow-up investigation. Each Permittee may seek recovery and remediation costs from responsible parties or require compensation for the cost of all inspection, investigation, cleanup and oversight activities. Resulting enforcement actions shall follow the program's Progressive Enforcement Policy, per Part [TBD].

- (3) If the source of the illicit discharge has been determined to originate within an upstream jurisdiction, the Permittee shall notify the upstream jurisdiction and the Regional Water Board within 30 days of such determination and provide all of the information collected regarding efforts to identify its source. Each Permittee may seek recovery and remediation costs from responsible parties or require compensation for the cost of all inspection, investigation, cleanup and oversight activities. Resulting enforcement actions shall follow the program's Progressive Enforcement Policy, per Part TBD.
- (4) If the source of the illicit discharge cannot be traced to a suspected responsible party, affected Permittees shall implement the approved illicit discharge/spill response plan.

v. In the event the Permittee is unable to eliminate an ongoing illicit discharge following full execution of its legal authority and in accordance with its Progressive Enforcement Policy, or other circumstances prevent the full elimination of an ongoing illicit discharge, including the inability to find the responsible party/parties, the Permittee shall work with the Regional Water Board to provide for diversion of the entire flow to the sanitary sewer or provide treatment. In either instance, the Permittee shall notify the Regional Water Board in writing within 30 days of such determination and shall provide a written plan for review and comment that describes the efforts that have been undertaken to eliminate the illicit discharge, a description of the actions to be undertaken, anticipated costs, and a schedule for completion.

e. Identification and Response to Illicit Connections

i. Investigation

Each Permittee, upon discovery or upon receiving a report of a suspected illicit connection, shall initiate an investigation within 21 days, to determine the following: (1) source of the connection, (2) nature and volume of discharge through the connection, and (3) responsible party for the connection.

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ii. Elimination

Each Permittee, upon confirmation of an illicit MS4 connection, shall ensure that the connection is eliminated within 180 days of completion of the investigation, using its formal enforcement authority, if necessary, to eliminate the illicit connection.

iii. Documentation

Formal records must be maintained for all illicit connection investigations and the formal enforcement taken to eliminate illicit connections.

f. Public Reporting of Non-Storm Water Discharges and Spills

i. Each Permittee shall promote, publicize, and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from MS4s through a central contact point, including phone numbers and an internet site for complaints and spill reporting. Each Permittee shall also provide the reporting hotline to Permittee staff to leverage the field staff that has direct contact with the MS4 in detecting and eliminating illicit discharges.

ii. Each Permittee shall implement the central point of contact and reporting hotline requirements listed in this part in one or more of the following methods:

- (1) By participating in a County-wide sponsored hotline
- (2) By participating in one or more Watershed Group sponsored hotlines
- (3) Or individually within its own jurisdiction.

iii. Each Permittee shall ensure that signage adjacent to open channels, as required in Part [TBD], include information regarding dumping prohibitions and public reporting of illicit discharges.

iv. Each Permittee shall develop and maintain written procedures that document how complaint calls are received, documented, and tracked to ensure that all complaints are adequately addressed. The procedures shall be evaluated to determine whether changes or updates are needed to ensure that the procedures accurately document the methods employed by the Permittee. Any identified changes shall be made to the procedures subsequent to the evaluation.

v. Each Permittee shall maintain documentation of the complaint calls and record the location of the reported spill or IC/ ID and the actions undertaken in response to all IC/ID complaints.

g. Illicit Discharge and Spill Response Plan

i. Each Permittee shall implement an ID and spill response plan for all sewage and other spills that may discharge into the MS4 from any source (including private laterals and failing on-site wastewater treatment

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systems). The ID and spill response plan shall clearly identify agencies responsible for ID and spill response and cleanup, telephone numbers and e-mail address for contacts, and shall contain at a minimum the following requirements:

- (1) Coordination with spill response teams throughout all appropriate departments, programs and agencies so that maximum water quality protection is provided.
- (2) Initiate investigation of all public and employee ID and spill complaints within one business day of receiving the complaint to assess validity.
- (3) Response to ID and spills for containment within 4 hours of becoming aware of the ID or spill, except where such IDs or spills occur on private property, in which case the response should be within 2 hours of gaining legal access to the property.
- (4) IDs or spills that may endanger health or the environment shall be reported to appropriate public health agencies and the Office of Emergency Services (OES).

h. Illicit Connection and Illicit Discharge Education and Training

- i. Each Permittee must continue to implement a training program regarding the identification of IC/IDs for all municipal field staff, who, as part of their normal job responsibilities (e.g., street sweeping, storm drain maintenance, collection system maintenance, road maintenance), may come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system. Contact information, including the procedure for reporting an illicit discharge, must be readily available to field staff. Training program documents must be available for review by the permitting authority.
- ii. Each Permittee shall ensure contractors performing privatized/contracted municipal services such as, but not limited to, storm and/or sanitary sewer system inspection and repair, street sweeping, trash pick-up and disposal, and street and right-of-way construction and repair are trained regarding IC/ID identification and reporting. Permittees may provide training or include contractual requirements for IC/ID identification and reporting training.
- iii. Each Permittee's training program should address, at a minimum, the following:
 - (1) IC/ID identification, including definitions and numerous examples,
 - (2) investigation,
 - (3) elimination,
 - (4) cleanup,
 - (5) reporting, and

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(6) documentation.

- iv. Each Permittee must create a list of applicable staff and contractors which require IC/ID training and ensure that training is provided at least twice during the term of the Order. Each Permittee must maintain documentation of the training activities.
- v. New Permittee staff members must be provided with IC/ID training within six months of starting employment.

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Frances McChesney - Working Proposal language re. Superfund sites in LA County MS4 Permit / Part 2

From: Lewis Maldonado <Maldonado.Lewis@epamail.epa.gov>
To: rpurdy@waterboards.ca.gov
Date: 5/18/2012 1:55 PM
Subject: Working Proposal language re. Superfund sites in LA County MS4 Permit / Part 2.
CC: Minor.Dustin@epamail.epa.gov; Kermish.Laurie@epamail.epa.gov; Manheimer....

Renee and Frances -- Here's the proposed language for the related section (III.4.e.). I've inserted language that cross-references the more detailed section we drafted regarding authorized discharges under CERCLA. I thought a cross-reference would be the best way to handle this. Of course, we can discuss more next week if you have questions or comments.

III.

4.e. If the Permittee determines that any of the authorized or conditionally exempt essential non-storm water discharges identified in sections III.A.1.a through III.A.1.c, III.A.2.a or III.A.3 above is a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations, the Permittee shall notify the Regional Water Board within 30 days if the non-storm water discharge is an authorized discharge with coverage under a separate NPDES permit or ~~subject to a ROD approved under section 121 of CERCLA~~ authorized by USEPA under CERCLA in the manner provided in section III.A.1.b. above, or a conditionally exempt essential non-storm water discharge or emergency non-storm water discharge.

Lewis C. Maldonado
Senior Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street (ORC-3)
San Francisco, CA 94105
Phone: (415) 972-3926 Fax: (415) 947-3570

Frances McChesney - Fw: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

From: Lewis Maldonado <Maldonado.Lewis@epamail.epa.gov>
To: rpurdy@waterboards.ca.gov
Date: 5/18/2012 3:08 PM
Subject: Fw: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit
CC: Minor.Dustin@epamail.epa.gov; Kermish.Laurie@epamail.epa.gov; Manheimer....
Attachments: MS4 Permit Discharges Under CERCLA.doc

I'm resending the e-mail and attachment I sent last night at 6:55 p.m. because I have heard from both Renee and John that they did not receive it. I'm not sure what caused the problem with the transmission, perhaps something with our server. In any event, I apologize for the inconvenience.

I would appreciate it if Renee, Frances and John would confirm that they have received this retransmission, including the Word file attachment. Thanks.

Lewis C. Maldonado
Senior Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street (ORC-3)
San Francisco, CA 94105
Phone: (415) 972-3926 Fax: (415) 947-3570

-----Forwarded by Lewis Maldonado/R9/USEPA/US on 05/18/2012 03:03PM -----

To: Renee Purdy <rpurdy@waterboards.ca.gov>
From: Lewis Maldonado/R9/USEPA/US
Date: 05/17/2012 06:55PM
Cc: Deborah Smith <Dsmith@waterboards.ca.gov>, Frances McChesney <FMcChesney@waterboards.ca.gov>, John Kemmerer/R9/USEPA/US@EPA, Samuel Unger <sunger@waterboards.ca.gov>, Jane Diamond/R9/USEPA/US@EPA, Kathleen Salyer/R9/USEPA/US@EPA, Kelly Manheimer/R9/USEPA/US@EPA, Laurie Kermish/R9/USEPA/US@EPA, Dustin Minor/R9/USEPA/US@EPA
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

Renee and Frances -- I'm attaching a draft of proposed language that could be inserted in Part A.1.b of the draft MS4 permit. I'm just realizing that you also had a smaller reference to CERCLA language in A.4 e. of the permit. I would like to make a slight revision to that as well and will send you that as a separate Word document tomorrow morning.

If you have questions or comments about the proposed language, we can try to have a call with you next week. Thanks again.

(See attached file: MS4 Permit Discharges Under CERCLA.doc)

Lewis C. Maldonado
Senior Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street (ORC-3)
San Francisco, CA 94105

DISCHARGE PROHIBITIONS

A. Prohibitions -- Non-Storm Water Discharges

1. Prohibition of Non-Storm Water Discharges. Each Permittee shall, for the portion of the MS4 for which it is an owner and/or operator, prohibit non-storm water discharges through the MS4 to receiving waters except where such discharges are either:

.....

- b. Temporary Non-storm water discharges authorized by USEPA¹ pursuant to Sections 104(a) or 104(b) of CERCLA that either (i) will comply with water quality standards as applicable or relevant and appropriate requirements ("ARARs") under Section 121(d)(2) of CERCLA; or (ii) are subject to (a) a written waiver of ARARs by USEPA pursuant to Section 121(d)(4) or (b) a written determination by USEPA that compliance with ARARs is not practicable considering the exigencies of the situation, pursuant to 40 C.F.R. § 300.415(j). With respect to a discharge pursuant to this section, BMPs shall be implemented to minimize the rate and duration of the discharge, remove excessive solids, and promote infiltration of discharged water in locations that will prevent or minimize degradation of groundwater quality. The discharger also shall notify the Permittee and the Regional Water Board at least 72 hours prior to a planned discharge; monitor any pollutants of concern² in the discharge; and maintain records for all discharges greater than one acre-foot.³

¹ These typically include short-term, high volume discharges resulting from the development or redevelopment of groundwater extraction wells, or EPA or State-required compliance testing of potable water treatment plants, as part of an EPA-authorized groundwater remediation action under CERCLA.

² Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, and any pollutant for which there is a Water Quality Based Effluent Limitation in Part VI.E applicable to discharges from the MS4 to the receiving water.

³ Records shall be maintained, as appropriate, on the: name of discharger, date and time of notification (for planned discharges), method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, estimated total number of gallons discharged, type of contamination removal equipment used, type of dechlorination equipment used, type of dechlorination chemicals used, concentration of residual chlorine, type(s) of sediment controls used, and field and laboratory monitoring data. Records shall be made available upon request by the Permittee or Regional Water Board.

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¹ These typically include short-term, high volume discharges resulting from the development or redevelopment of groundwater extraction wells, or EPA or State-required compliance testing of potable water treatment plants, as part of an EPA-authorized groundwater remediation action under CERCLA.

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Frances McChesney - Re: Fw: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

From: John Kemmerer <Kemmerer.John@epamail.epa.gov>
To: Maldonado.Lewis@epamail.epa.gov
Date: 5/18/2012 4:13 PM
Subject: Re: Fw: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit
CC: Smith.DavidW@epamail.epa.gov; sunger@waterboards.ca.gov; rpurdy@waterboa...
Attachments: MS4 Permit Discharges Under CERCLA.doc

Thanks Lewis - A few thoughts on the expectations for BMPs and monitoring, primarily for the consideration of the folks at RB4 putting the finishing touches on this draft permit.

- In our meeting on Tuesday it sounded like there might be a desire to require EO approval for these discharges. This could be achieved by adding a requirement here that the discharger submit their plans, including the specific BMPs they'll be implementing, for review and approval.

- re: the expectation to "remove excessive solids," the RB4 folks may have more specific expectations along the lines of the BMPs specified elsewhere in this section of the permit. At a minimum, I'd suggest not limiting this to solids, and requiring that BMPs shall "remove pollutants of concern to the maximum extent practicable."

- I agree that the BMPs must promote infiltration. However, given the circumstances I don't know that there should be a requirement that infiltration must be "in locations that will prevent or minimize degradation of groundwater quality." Infiltration above a contaminant plume, in an area where underlying contaminated groundwater is being captured by an extraction well in a CERCLA remedy, would likely be preferable to surface water discharge regardless of whether this infiltration prevents or minimizes degradation of groundwater quality.

- It doesn't seem that 72 hours is adequate notice. If plans must be submitted for review and approval, presumably there will be notice more than 72 hours in advance of the discharge.

- Required monitoring should cover not just the discharge but receiving waters upstream and downstream of the discharge.

John Kemmerer
Associate Director, Water Division
U.S. EPA Region 9
600 Wilshire Blvd, Suite 1460
Los Angeles, CA 90017
213-244-1832 (phone)
213-244-1850 (fax)
kemmerer.john@epa.gov

From: Lewis Maldonado/R9/USEPA/US
To: Renee Purdy <rpurdy@waterboards.ca.gov>,
Cc: Deborah Smith <Dsmith@waterboards.ca.gov>, Frances McChesney <FMcChesney@waterboards.ca.gov>, John Kemmerer/R9/USEPA/US@EPA, Samuel Unger <sunger@waterboards.ca.gov>, Jane Diamond/R9/USEPA/US@EPA, Kathleen Salyer/R9/USEPA/US@EPA, Kelly Manheimer/R9/USEPA/US@EPA, Laurie Kermish/R9/USEPA/US@EPA, Dustin Minor/R9/USEPA/US@EPA
Date: 05/18/2012 03:08 PM

Subject: Fw: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

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San Francisco, CA 94105
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-----Forwarded by Lewis Maldonado/R9/USEPA/US on 05/18/2012 03:03PM -----

To: Renee Purdy <rpurdy@waterboards.ca.gov>

From: Lewis Maldonado/R9/USEPA/US

Date: 05/17/2012 06:55PM

Cc: Deborah Smith <Dsmith@waterboards.ca.gov>, Frances McChesney <FMcChesney@waterboards.ca.gov>, John Kemmerer/R9/USEPA/US@EPA, Samuel Unger <sunger@waterboards.ca.gov>, Jane Diamond/R9/USEPA/US@EPA, Kathleen Salyer/R9/USEPA/US@EPA, Kelly Manheimer/R9/USEPA/US@EPA, Laurie Kermish/R9/USEPA/US@EPA, Dustin Minor/R9/USEPA/US@EPA

Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

Renee and Frances -- I'm attaching a draft of proposed language that could be inserted in Part A.1.b of the draft MS4 permit. I'm just realizing that you also had a smaller reference to CERCLA language in A.4 e. of the permit. I would like to make a slight revision to that as well and will send you that as a separate Word document tomorrow morning.

If you have questions or comments about the proposed language, we can try to have a call with you next week. Thanks again.

(See attached file: MS4 Permit Discharges Under CERCLA.doc)

Lewis C. Maldonado
Senior Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street (ORC-3)
San Francisco, CA 94105
Phone: (415) 972-3926 Fax: (415) 947-3570

Renee Purdy ---05/15/2012 04:35:24 PM---Lewis,

From: Renee Purdy <rpurdy@waterboards.ca.gov>

To: Lewis Maldonado/R9/USEPA/US@EPA

Cc: John Kemmerer/R9/USEPA/US@EPA, Deborah Smith <Dsmith@waterboards.ca.gov>, Frances McChesney <FMcChesney@waterboards.ca.gov>, Samuel Unger <sunger@waterboards.ca.gov>

Date: 05/15/2012 04:35 PM

Subject: Working Proposal language re. Superfund sites in LA County MS4 Permit

Lewis,

Please see the attached internal working proposal for our current proposed permit conditions related to discharges from Superfund sites through the LA County MS4 to receiving waters. See in particular Parts A.1.b and A.4.e.

Please let us know if you have any questions. We look forward to your suggestions regarding language as we discussed in our meeting today.

Regards,
Renee

Renee A. Purdy
Section Chief | Regional Programs
Los Angeles Regional Water Quality Control Board
320 W 4th St, Suite 200
Los Angeles, CA 90013-2343
(213) 576-6622 (TEL)
(213) 576-6686 (FAX)

rpurdy@waterboards.ca.gov[attachment "LA MS4 Discharge Prohibitions and IC-IDE sections_051512.DOCX" deleted by Lewis Maldonado/R9/USEPA/US]

DISCHARGE PROHIBITIONS

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.....

b. ~~Authorized-Temporary~~ Non-storm water discharges authorized by USEPA¹ subject pursuant to a Record of Decision approved by USEPA pursuant to section 121 Sections 104(a) or 104(b) of CERCLA that requires compliance either (i) will comply with water quality standards as applicable or relevant and appropriate requirements ("ARARs") under Section 121(d)(2) of CERCLA; or (ii) are subject to (a) a written waiver of ARARs by USEPA pursuant to Section 121(d)(4) or (b) a written determination by USEPA that compliance with ARARs is not practicable considering the exigencies of the situation, pursuant to 40 C.F.R. § 300.415(j). With respect to a discharge pursuant to this section, BMPs shall be implemented to minimize the rate and duration of the discharge, remove excessive solids, and promote infiltration of discharged water in locations that will prevent or minimize degradation of groundwater quality. The discharger also shall notify the Permittee and the Regional Water Board at least 72 hours prior to a planned discharge; monitor any pollutants of concern² in the discharge; and maintain records for all discharges greater than one acre-foot.³

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Frances McChesney - Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

From: Lewis Maldonado <Maldonado.Lewis@epamail.epa.gov>
To: rpurdy@waterboards.ca.gov
Date: 5/21/2012 8:25 AM
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit
CC: Minor.Dustin@epamail.epa.gov; Kermish.Laurie@epamail.epa.gov; Manheimer....
Attachments: MS4 Permit Discharges Under CERCLA.doc

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If you have questions or comments about the proposed language, we can try to have a call with you next week. Thanks again.

Lewis C. Maldonado
Senior Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street (ORC-3)
San Francisco, CA 94105
Phone: (415) 972-3926 Fax: (415) 947-3570

From: Renee Purdy <rpurdy@waterboards.ca.gov>
To: Lewis Maldonado/R9/USEPA/US@EPA
Cc: John Kemmerer/R9/USEPA/US@EPA, Deborah Smith <Dsmith@waterboards.ca.gov>, Frances McChesney <FMcChesney@waterboards.ca.gov>, Samuel Unger <sunger@waterboards.ca.gov>
Date: 05/15/2012 04:35 PM
Subject: Working Proposal language re. Superfund sites in LA County MS4 Permit

Lewis,

Please see the attached internal working proposal for our current proposed permit conditions related to discharges from Superfund sites through the LA County MS4 to receiving waters. See in particular Parts A.1.b and A.4.e.

Please let us know if you have any questions. We look forward to your suggestions regarding language as we discussed in our meeting today.

Regards,
Renee

Renee A. Purdy
Section Chief | Regional Programs
Los Angeles Regional Water Quality Control Board
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(213) 576-6622 (TEL)
(213) 576-6686 (FAX)

rpurdy@waterboards.ca.gov[attachment "LA MS4 Discharge Prohibitions and IC-IDE sections 051512.DOCX" deleted by Lewis Maldonado/R9/USEPA/US]

DISCHARGE PROHIBITIONS

A. Prohibitions -- Non-Storm Water Discharges

1. Prohibition of Non-Storm Water Discharges. Each Permittee shall, for the portion of the MS4 for which it is an owner and/or operator, prohibit non-storm water discharges through the MS4 to receiving waters except where such discharges are either:

.....

b. Temporary Non-storm water discharges authorized by USEPA¹ pursuant to Sections 104(a) or 104(b) of CERCLA that either (i) will comply with water quality standards as applicable or relevant and appropriate requirements ("ARARs") under Section 121(d)(2) of CERCLA; or (ii) are subject to (a) a written waiver of ARARs by USEPA pursuant to Section 121(d)(4) or (b) a written determination by USEPA that compliance with ARARs is not practicable considering the exigencies of the situation, pursuant to 40 C.F.R. § 300.415(j). With respect to a discharge pursuant to this section, BMPs shall be implemented to minimize the rate and duration of the discharge, remove excessive solids, and promote infiltration of discharged water in locations that will prevent or minimize degradation of groundwater quality. The discharger also shall notify the Permittee and the Regional Water Board at least 72 hours prior to a planned discharge; monitor any pollutants of concern² in the discharge; and maintain records for all discharges greater than one acre-foot.³

¹ These typically include short-term, high volume discharges resulting from the development or redevelopment of groundwater extraction wells, or EPA or State-required compliance testing of potable water treatment plants, as part of an EPA-authorized groundwater remediation action under CERCLA.

² Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, and any pollutant for which there is a Water Quality Based Effluent Limitation in Part VI.E applicable to discharges from the MS4 to the receiving water.

³ Records shall be maintained, as appropriate, on the: name of discharger, date and time of notification (for planned discharges), method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, estimated total number of gallons discharged, type of contamination removal equipment used, type of dechlorination equipment used, type of dechlorination chemicals used, concentration of residual chlorine, type(s) of sediment controls used, and field and laboratory monitoring data. Records shall be made available upon request by the Permittee or Regional Water Board.

Frances McChesney - Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

From: Deborah Smith
To: Purdy, Renee; Maldonado.Lewis@epamail.epa.gov
Date: 5/21/2012 11:31 PM
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit
CC: Unger, Samuel; McChesney, Frances; Diamond.Jane@epamail.epa.gov; Kemmere...

Frances and Lewis et al.,

I do not have a way to save these changes on travel, but wanted to send my thoughts in an email format for consideration. I agree with Frances that the directive for monitoring and notification needs to come from EPA, but it can be referenced here.

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Dsmith@waterboards.ca.gov

>>> Lewis Maldonado 05/21/12 8:25 AM >>>

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Date: 05/15/2012 04:35 PM

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Frances McChesney - Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

From: Lewis Maldonado <Maldonado.Lewis@epamail.epa.gov>
To: FMcChesney@waterboards.ca.gov
Date: 5/21/2012 12:25 PM
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit
CC: sunger@waterboards.ca.gov; rpurdy@waterboards.ca.gov; Kermish.Laurie@epa...

Frances -- I tried to revise the last sentence of Section III.A.1.b. to address the issue you raise. (I've included it in both redline and as plain text.) I believe EPA is comfortable including the requirements for notice (as well as monitoring and record-keeping) in EPA's written authorization of the discharge under CERCLA.

John Kemmerer commented that the notice period should be longer than 72 hours. I increased it to seven days, with an exception for exigent circumstances. Most of these discharges will be planned well in advance, but there could be exigent circumstances that would require shorter notice, so I wanted to have some provision for that. I know John had some additional comments for the Board to consider, and I did not attempt to address those here.

Let me know if this language works for the Regional Board. If you would like to discuss these proposed revisions or any other language issues further, one option would be for a subset of us (perhaps you, Renee, Laurie Kermish, and I) to do a short call. Thanks.

Revised sentence in redline:

EPA's authorization of the discharge under CERCLA will require that the discharger also shall: notify the Permittee and the Regional Water Board at least ~~72 hours~~ seven days prior to a planned discharge (unless EPA determines in writing that exigent circumstances require a shorter notice period); monitor any pollutants of concern in the discharge; and maintain records for all discharges greater than one acre-foot.

Revised sentence without redline:

EPA's authorization of the discharge under CERCLA will require that the discharger shall: notify the Permittee and the Regional Water Board at least seven days prior to a planned discharge (unless EPA determines in writing that exigent circumstances require a shorter notice period); monitor any pollutants of concern in the discharge; and maintain records for all discharges greater than one acre-foot.

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From: Frances McChesney <FMcChesney@waterboards.ca.gov>
To: Lewis Maldonado/R9/USEPA/US@EPA, Renee Purdy <rpurdy@waterboards.ca.gov>
Cc: Jane Diamond/R9/USEPA/US@EPA, John Kemmerer/R9/USEPA/US@EPA, Laurie Kermish/R9/USEPA/US@EPA, Kelly

Manheimer/R9/USEPA/US@EPA, Dustin Minor/R9/USEPA/US@EPA, Kathleen Salyer/R9/USEPA/US@EPA, Deborah Smith
<Dsmith@waterboards.ca.gov>, Samuel Unger <sunger@waterboards.ca.gov>

Date: 05/21/2012 09:41 AM

Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

I do have a question that EPA may be able to help with. The last sentence states that discharger, meaning the CERCLA discharger, shall notify the permittees and the State 72 hours before the discharge. Since this is a permit issued to the MS4 entities, it does not apply directly to those dischargers. Any ideas how to address that. EPA would probably need to require the dischargers to make that notification, the state can issue directives to all of them, or the MS4 entities can require that to happen. I think we would prefer that EPA take care of that because you are the agency approving the remedies and issuing the RODs. Either way, it should be clarified in this language since the permit does not apply to those dischargers.

Any ideas?

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Office of the Chief Counsel
State Water Resources Control Board
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Sacramento, CA 95814-2828
Phone: (916)341-5174
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Email Address: fmcchesney@waterboards.ca.gov

>>> Lewis Maldonado <Maldonado.Lewis@epamail.epa.gov> 5/21/2012 8:24 AM >>>
Renee and Frances -- I'm attaching a draft of proposed language that could be inserted in Part A.1.b of the draft MS4 permit. I'm just realizing that you also had a smaller reference to CERCLA language in A.4 e. of the permit. I would like to make a slight revision to that as well and will send you that as a separate Word document tomorrow morning.

If you have questions or comments about the proposed language, we can try to have a call with you next week. Thanks again.

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From: Renee Purdy <rpurdy@waterboards.ca.gov>
To: Lewis Maldonado/R9/USEPA/US@EPA
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<Dsmith@waterboards.ca.gov>, Frances McChesney
<FMcChesney@waterboards.ca.gov>, Samuel Unger <sunger@waterboards.ca.gov>
Date: 05/15/2012 04:35 PM
Subject: Working Proposal language re. Superfund sites in LA County
MS4 Permit

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Frances McChesney - Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

From: Lewis Maldonado <Maldonado.Lewis@epamail.epa.gov>
To: rpurdy@waterboards.ca.gov
Date: 5/22/2012 5:40 PM
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit
CC: sunger@waterboards.ca.gov; Kermish.Laurie@epamail.epa.gov; Manheimer.Kel...
Attachments: MS4 Permit Discharges CERCLA rev2.docx

This generally looks good. We have just a few last comments/wording changes we would like you to consider. I have made the changes in your text below and have also attached the same text as a Word document in case the redline/strikeout does not come through properly in the e-mail text. The suggested edits (and one question) relate to the following:

- 1) We have modified the language to clarify that the decision to authorize a discharge through the MS4 to surface waters will be made by EPA regardless of whether it is a PRP-lead or Fund-lead CERCLA response action.
- 2) We changed "exploration" to "evaluation" because that better describes what EPA would conduct.
- 3) We changed the language regarding infiltration of discharged water because it is more accurate to say that EPA's authorization of a discharge under CERCLA would attempt to "prevent or minimize degradation of groundwater."
- 4) Although we don't have an edit here, we wanted to make sure we understood what you meant by the language "implement other physical treatment (e.g., volatilization) where feasible."

Thanks.

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Date: 05/22/2012 08:18 AM
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

All-

I suggest the following language be included in the fact sheet, since as others have pointed out the conditions placed on these CERCLA related discharges will need to be imposed by USEPA for the most part, and implemented by the CERCLA responsible party, not the MS4 Permittee. So, it seems better to explain all this in the fact sheet instead of putting it in the MS4 Order itself.

This Order also explicitly adds another category of authorized non-storm water discharge for discharges authorized by USEPA pursuant to Sections 104(a) or 104(b) of CERCLA. These discharges typically include short-term, high volume discharges resulting from the development or redevelopment of groundwater extraction wells, or USEPA or State-required compliance testing of potable water treatment plants, as part of an USEPA authorized groundwater remediation action under CERCLA. These discharges through the MS4 are only authorized if (i) the discharge will comply with water quality standards as applicable or relevant and appropriate requirements ("ARARs") under Section 121(d)(2) of CERCLA; or (ii) the discharge is subject to (a) a written waiver of ARARs by USEPA pursuant to Section 121(d)(4) or (b) a written determination by USEPA that compliance with ARARs is not practicable considering the exigencies of the situation, pursuant to 40 C.F.R. section 300.415(j). Additionally, a decision to authorize a discharge through the MS4 to surface waters will not be made by EPA CERCLA responsible parties, or by USEPA for fund lead sites, without first conducting a comprehensive exploration evaluation of containment, treatment, reinjection, or re-use options for the water generated from the subject wells. If a decision to discharge through the MS4 is made, USEPA's authorization of the discharge under CERCLA will require that the discharger shall:

- (1) Implement BMPs to minimize the rate and duration of the discharge and remove excessive solids, and implement other physical treatment (e.g., volatilization) where feasible.
- (2) ~~Infiltrate discharged water in locations that will not degrade groundwater quality.~~ Promote infiltration of discharged water in locations that will prevent or minimize degradation of groundwater quality.
- (3) Notify the affected MS4 Permittees, including the LACFCD and the MS4 Permittee with land use authority over the discharge location, and the Regional Water Board at least one week prior to a planned discharge (unless USEPA determines in writing that exigent circumstances require a shorter notice period) and as soon as possible (but no later than 24 hours after the discharge has occurred) for unplanned discharges;
- (4) Monitor any pollutants of concern in the discharge^[1]; and
- (5) Maintain records for all discharges greater than one acre-foot.^[2]

In addition to requiring NPDES permit coverage for applicable categories of non-storm water discharges, this Order contains language that specifies certain conditions, including implementation of BMPs, for each category of conditionally exempt non-storm water discharge that must be met in order for the non-storm water discharge to be allowed through the MS4.

^[1] Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, any pollutant being addressed by the groundwater remediation action under CERCLA, and any pollutant for which there is a Water Quality Based Effluent Limitation in Part VI.E applicable to discharges from the MS4 to the receiving water.

^[2] Records shall be maintained, as appropriate, on the: name of discharger, date and time of

notification (for planned discharges), method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, estimated total number of gallons discharged, type of contamination removal equipment used, type of dechlorination equipment used if applicable, type of dechlorination chemicals used if applicable, concentration of residual chlorine if applicable, type(s) of sediment controls used, and field and laboratory monitoring data. Records shall be made available upon request by the MS4 Permittee or Regional Water Board.

For the Order itself, here's what I suggest:

A. Prohibitions – Non-Storm Water Discharges

1. Prohibition of Non-Storm Water Discharges. Each Permittee shall, for the portion of the MS4 for which it is an owner or operator, prohibit non-storm water discharges through the MS4 to receiving waters except where such discharges are either:

- a. Authorized non-storm water discharges separately regulated by an individual or general National Pollutant Discharge Elimination System (NPDES) permit;
- b. Temporary non-storm water discharges authorized by USEPA^[1] pursuant to Sections 104 (a) or 104(b) of CERCLA that either (i) will comply with water quality standards as applicable or relevant and appropriate requirements (“ARARs”) under Section 121(d)(2) of CERCLA; or (ii) are subject to (a) a written waiver of ARARs by USEPA pursuant to Section 121(d)(4) of CERCLA or (b) a written determination by USEPA that compliance with ARARs is not practicable considering the exigencies of the situation, pursuant to 40 C.F.R. section 300.415 (j);

...

4. Permittee Requirements. Each Permittee shall:

- e. If the Permittee determines that any of the authorized or conditionally exempt essential non-storm water discharges identified in sections III.A.1.a through III.A.1.c, III.A.2.a or III.A.3 above is a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations, the Permittee shall notify the Regional Water Board within 30 days if the non-storm water discharge is an authorized discharge with coverage under a separate NPDES permit or authorized by USEPA under CERCLA in the manner provided in section III.A.1.b above, or a conditionally exempt essential non-storm water discharge or emergency non-storm water discharge.

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- (1) Implement BMPs to minimize the rate and duration of the discharge and remove excessive solids, and implement other physical treatment (e.g., volatilization) where feasible.
- (2) Promote infiltration of discharged water in locations that will prevent or minimize degradation of groundwater quality.
- (3) Notify the affected MS4 Permittees, including the LACFCD and the MS4 Permittee with land use authority over the discharge location, and the Regional Water Board at least one week prior to a planned discharge (unless USEPA determines in writing that exigent circumstances require a shorter notice period) and as soon as possible (but no later than 24 hours after the discharge has occurred) for unplanned discharges;
- (4) Monitor any pollutants of concern in the discharge^[1]; and
- (5) Maintain records for all discharges greater than one acre-foot.^[2]

In addition to requiring NPDES permit coverage for applicable categories of non-storm water discharges, this Order contains language that specifies certain conditions, including implementation of BMPs, for each category of conditionally exempt non-storm water discharge that must be met in order for the non-storm water discharge to be allowed through the MS4.

^[1] Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, any pollutant being addressed by the groundwater remediation action

under CERCLA, and any pollutant for which there is a Water Quality Based Effluent Limitation in Part VI.E applicable to discharges from the MS4 to the receiving water.

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Frances McChesney - Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

From: Renee Purdy
To: Maldonado.Lewis@epamail.epa.gov; Smith, Deborah
Date: 5/22/2012 8:18 AM
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit
CC: Diamond.Jane@epamail.epa.gov; Kemmerer.John@epamail.epa.gov; Kermish.L...

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I suggest the following language be included in the fact sheet, since as others have pointed out the conditions placed on these CERCLA related discharges will need to be imposed by USEPA for the most part, and implemented by the CERCLA responsible party, not the MS4 Permittee. So, it seems better to explain all this in the fact sheet instead of putting it in the MS4 Order itself.

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1. Prohibition of Non-Storm Water Discharges. Each Permittee shall, for the portion of the MS4 for which it is an owner or operator, prohibit non-storm water discharges through the MS4 to receiving waters except where such discharges are either:

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4. Permittee Requirements. Each Permittee shall:

- e. If the Permittee determines that any of the authorized or conditionally exempt essential non-storm water discharges identified in sections III.A.1.a through III.A.1.c, III.A.2.a or III.A.3 above is a source of pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations, the Permittee shall notify the Regional Water Board within 30 days if the non-storm water discharge is an authorized discharge with coverage under a separate NPDES permit or authorized by USEPA under CERCLA in the manner provided in section III.A.1.b above, or a conditionally exempt essential non-storm water discharge or emergency non-storm water discharge.

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Renee A. Purdy
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 (213) 576-6686 (FAX)
rpurdy@waterboards.ca.gov

>>> Deborah Smith 5/21/2012 11:31 PM >>>
 Frances and Lewis et al.,

I do not have a way to save these changes on travel, but wanted to send my thoughts in an email format for consideration. I agree with Frances that the directive for monitoring and notification needs to come from EPA, but it can be referenced here.

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 Chief Deputy Executive Officer
 CA Regional Water Quality Control Board
 Los Angeles Region
 phone 213-576-6609
 fax 213-576-6625
 Dsmith@waterboards.ca.gov

>>> Lewis Maldonado 05/21/12 8:25 AM >>>

Renee and Frances -- I'm attaching a draft of proposed language that could be inserted in Part A.1.b of the draft MS4 permit. I'm just realizing that you also had a smaller reference to CERCLA language in A.4 e. of the permit. I would like to make a slight revision to that as well and will send you that as a separate Word document tomorrow morning.

If you have questions or comments about the proposed language, we can try to have a call with you next week.
Thanks again.

Lewis C. Maldonado
Senior Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street (ORC-3)
San Francisco, CA 94105
Phone: (415) 972-3926 Fax: (415) 947-3570

From: Renee Purdy <rpurdy@waterboards.ca.gov>
To: Lewis Maldonado/R9/USEPA/US@EPA
Cc: John Kemmerer/R9/USEPA/US@EPA, Deborah Smith <Dsmith@waterboards.ca.gov>, Frances McChesney <FMcChesney@waterboards.ca.gov>, Samuel Unger <sunger@waterboards.ca.gov>
Date: 05/15/2012 04:35 PM
Subject: Working Proposal language re. Superfund sites in LA County MS4 Permit

Lewis,

Please see the attached internal working proposal for our current proposed permit conditions related to discharges from Superfund sites through the LA County MS4 to receiving waters. See in particular Parts A.1.b and A.4.e.

Please let us know if you have any questions. We look forward to your suggestions regarding language as we discussed in our meeting today.

Regards,
Renee

Renee A. Purdy
Section Chief | Regional Programs
Los Angeles Regional Water Quality Control Board
320 W 4th St, Suite 200
Los Angeles, CA 90013-2343
(213) 576-6622 (TEL)
(213) 576-6686 (FAX)

rpurdy@waterboards.ca.gov[attachment "LA MS4 Discharge Prohibitions and IC-IDE sections 051512.DOCX" deleted by Lewis Maldonado/R9/USEPA/US]

Frances McChesney - Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

From: Lewis Maldonado <Maldonado.Lewis@epamail.epa.gov>
To: FMcChesney@waterboards.ca.gov
Date: 5/24/2012 11:45 AM
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit
CC: sunger@waterboards.ca.gov; rpurdy@waterboards.ca.gov; Kermish.Laurie@epa...
Attachments: MS4 Permit Discharges CERCLA rev2 [FLM 5-23-12].DOCX

Frances -- Your last edits look fine. We don't have any further comments on the current draft. If the draft changes before or after public comment, let us know and we can provide further review. Thanks again.

Lewis C. Maldonado
Senior Counsel
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From: Frances McChesney <FMcChesney@waterboards.ca.gov>
To: Lewis Maldonado/R9/USEPA/US@EPA, Renee Purdy <rpurdy@waterboards.ca.gov>
Cc: Jane Diamond/R9/USEPA/US@EPA, John Kemmerer/R9/USEPA/US@EPA, Laurie Kermish/R9/USEPA/US@EPA, Kelly Manheimer/R9/USEPA/US@EPA, Dustin Minor/R9/USEPA/US@EPA, Kathleen Salyer/R9/USEPA/US@EPA, Deborah Smith <Dsmith@waterboards.ca.gov>, Samuel Unger <sunger@waterboards.ca.gov>
Date: 05/23/2012 08:37 AM
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

here are a few edits.

Frances L. McChesney
Staff Counsel IV
Office of the Chief Counsel
State Water Resources Control Board
1001 I Street, 22nd Floor
Sacramento, CA 95814-2828
Phone: (916) 341-5174
Facsimile: (916) 341-5199
Email Address: fmcchesney@waterboards.ca.gov

>>> Lewis Maldonado <Maldonado.Lewis@epamail.epa.gov> 5/22/2012 5:40 PM
>>>

This generally looks good. We have just a few last comments/wording changes we would like you to consider. I have made the changes in your text below and have also attached the same text as a Word document in

case

the redline/strikeout does not come through properly in the e-mail text.

The suggested edits (and one question) relate to the following:

1) We have modified the language to clarify that the decision to authorize a discharge through the MS4 to surface waters will be made by

EPA regardless of whether it is a PRP-lead or Fund-lead CERCLA response action.

2) We changed "exploration" to "evaluation" because that better describes what EPA would conduct.

3) We changed the language regarding infiltration of discharged water

because it is more accurate to say that EPA's authorization of a discharge under CERCLA would attempt to "prevent or minimize degradation of groundwater."

4) Although we don't have an edit here, we wanted to make sure we understood what you meant by the language "implement other physical treatment (e.g., volatilization) where feasible."

Thanks.

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Date: 05/22/2012 08:18 AM
Subject: Re: Working Proposal language re. Superfund sites in LA

County MS4 Permit

All-

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rpurdy@waterboards.ca.gov[attachment "LA MS4 Discharge Prohibitions and
IC-IDE sections_051512.DOCX" deleted by Lewis Maldonado/R9/USEPA/US]

This Order ~~also~~ explicitly adds another category of authorized non-storm water discharge for discharges authorized by USEPA pursuant to Sections 104(a) or 104(b) of federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). These discharges typically ~~include~~ consist of short-term, high volume discharges resulting from the development or redevelopment of groundwater extraction wells, or USEPA or State-required compliance testing of potable water treatment plants, as part of an USEPA authorized groundwater remediation action under CERCLA. These discharges through the MS4 are only authorized if (i) the discharge will comply with water quality standards identified as applicable or relevant and appropriate requirements ("ARARs") under Section 121(d)(2) of CERCLA; or (ii) the discharge is subject to (a) a written waiver of ARARs by USEPA pursuant to Section 121(d)(4) or (b) a written determination by USEPA that compliance with ARARs is not practicable considering the exigencies of the situation, pursuant to 40 C.F.R. section 300.415(j). Additionally, a decision to authorize a discharge through the MS4 to surface waters will not be made by USEPA CERCLA responsible parties, or by USEPA for fund lead sites, without first conducting a comprehensive exploration ~~evaluation~~ of containment, treatment, reinjection, or re-use options for the water generated from the subject wells. If a decision to discharge through the MS4 is made, USEPA's authorization of the discharge under CERCLA will require that the discharger shall:

- (1) Implement BMPs to minimize the rate and duration of the discharge and remove excessive solids, and implement other physical treatment (e.g., volatilization) where feasible.
- (2) ~~Infiltrate discharged water in locations that will not degrade groundwater quality.~~ Promote infiltration of discharged water in locations that will prevent or minimize degradation of groundwater quality.
- (3) Notify the affected MS4 Permittees, including the LACFCD and the MS4 Permittee with land use authority over the discharge location, and the Regional Water Board at least one week prior to a planned discharge (unless USEPA determines in writing that exigent circumstances require a shorter notice period) and as soon as possible (but no later than 24 hours after the discharge has occurred) for unplanned discharges;
- (4) Monitor any pollutants of concern in the discharge^[1]; and
- (5) Maintain records for all discharges greater than one acre-foot.^[2]

In addition to requiring NPDES permit coverage for applicable categories of non-storm water discharges, this Order contains language that specifies certain conditions, including implementation of BMPs, for each category of conditionally exempt non-storm water discharge that must be met in order for the non-storm water discharge to be allowed through the MS4.

Comment [FLM1]: Need to spell out if have not done so before

[1] Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, any pollutant being addressed by the groundwater remediation action under CERCLA, and any pollutant for which there is a Water Quality Based Effluent Limitation in Part VI.E applicable to discharges from the MS4 to the receiving water.

[2] Records shall be maintained, as appropriate, on the: name of CERCLA authorized discharger, date and time of notification (for planned discharges), method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, estimated total number of gallons discharged, type of ~~contamination-pollutant~~ removal equipment used, type of dechlorination equipment used if applicable, type of dechlorination chemicals used if applicable, concentration of residual chlorine if applicable, type(s) of sediment controls used, and field and laboratory monitoring data. Records shall be made available upon request by the MS4 Permittee or the Regional Water Board.

Frances McChesney - Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

From: Deborah Smith
To: Frances McChesney; Lewis Maldonado
Date: 5/24/2012 3:49 PM
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit
CC: Deborah Smith; Dustin Minor; Jane Diamond; John Kemmerer; Kathleen S...
Attachments: temp final MS4 Permit Discharges CERCLA djs 5-24-12.DOCX

Hi Lewis et al.!

I wanted to do a bit more clean-up after your questions during an earlier round of edits. Please let us know if you are ok with these.

Deb

Deborah Smith
Chief Deputy Executive Officer
CA Regional Water Quality Control Board
Los Angeles Region
phone 213-576-6609
fax 213-576-6625

Dsmith@waterboards.ca.gov >>> Lewis Maldonado <Maldonado.Lewis@epamail.epa.gov> 5/24/2012 11:45 AM >>>

Frances -- Your last edits look fine. We don't have any further comments on the current draft. If the draft changes before or after public comment, let us know and we can provide further review. Thanks again.

Lewis C. Maldonado
Senior Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street (ORC-3)
San Francisco, CA 94105
Phone: (415) 972-3926 Fax: (415) 947-3570

From: Frances McChesney <FMcChesney@waterboards.ca.gov>
To: Lewis Maldonado/R9/USEPA/US@EPA, Renee Purdy <rpurdy@waterboards.ca.gov>
Cc: Jane Diamond/R9/USEPA/US@EPA, John Kemmerer/R9/USEPA/US@EPA, Laurie Kermish/R9/USEPA/US@EPA, Kelly Manheimer/R9/USEPA/US@EPA, Dustin Minor/R9/USEPA/US@EPA, Kathleen Salyer/R9/USEPA/US@EPA, Deborah Smith <Dsmith@waterboards.ca.gov>, Samuel Unger <sunger@waterboards.ca.gov>
Date: 05/23/2012 08:37 AM
Subject: Re: Working Proposal language re. Superfund sites in LA County MS4 Permit

here are a few edits.

Frances L. McChesney

Staff Counsel IV
Office of the Chief Counsel
State Water Resources Control Board
1001 I Street, 22nd Floor
Sacramento, CA 95814-2828
Phone: (916)341-5174
Facsimile: (916)341-5199
Email Address: fmcchesney@waterboards.ca.gov

>>> Lewis Maldonado <Maldonado.Lewis@epamail.epa.gov> 5/22/2012 5:40 PM
>>>

This generally looks good. We have just a few last comments/wording changes we would like you to consider. I have made the changes in your

text below and have also attached the same text as a Word document in case the redline/strikeout does not come through properly in the e-mail text.

The suggested edits (and one question) relate to the following:

1) We have modified the language to clarify that the decision to authorize a discharge through the MS4 to surface waters will be made by

EPA regardless of whether it is a PRP-lead or Fund-lead CERCLA response action.

2) We changed "exploration" to "evaluation" because that better describes what EPA would conduct.

3) We changed the language regarding infiltration of discharged water

because it is more accurate to say that EPA's authorization of a discharge under CERCLA would attempt to "prevent or minimize degradation of groundwater."

4) Although we don't have an edit here, we wanted to make sure we understood what you meant by the language "implement other physical treatment (e.g., volatilization) where feasible."

Thanks.

Lewis C. Maldonado
Senior Counsel
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San Francisco, CA 94105
Phone: (415) 972-3926 Fax: (415) 947-3570

From: Renee Purdy <rpurdy@waterboards.ca.gov>
To: Lewis Maldonado/R9/USEPA/US@EPA, Deborah Smith
<Dsmith@waterboards.ca.gov>
Cc: Jane Diamond/R9/USEPA/US@EPA, John Kemmerer/R9/USEPA/US@EPA,

Laurie Kermish/R9/USEPA/US@EPA, Kelly Manheimer/R9/USEPA/US@EPA, Dustin
Minor/R9/USEPA/US@EPA, Kathleen Salyer/R9/USEPA/US@EPA, Frances
McChesney
<FMcChesney@waterboards.ca.gov>, Samuel Unger
<sunger@waterboards.ca.gov>
Date: 05/22/2012 08:18 AM
Subject: Re: Working Proposal language re. Superfund sites in LA
County MS4 Permit

All-

I suggest the following language be included in the fact sheet, since
as
others have pointed out the conditions placed on these CERCLA related
discharges will need to be imposed by USEPA for the most part, and
implemented by the CERCLA responsible party, not the MS4 Permittee. So,
it
seems better to explain all this in the fact sheet instead of putting
it
in the MS4 Order itself.

This Order also explicitly adds another category of authorized
non-storm
water discharge for discharges authorized by USEPA pursuant to Sections

104(a) or 104(b) of CERCLA. These discharges typically include
short-term,
high volume discharges resulting from the development or redevelopment
of

groundwater extraction wells, or USEPA or State-required compliance
testing of potable water treatment plants, as part of an USEPA
authorized
groundwater remediation action under CERCLA. These discharges through
the
MS4 are only authorized if (i) the discharge will comply with water
quality standards as applicable or relevant and appropriate
requirements

(?ARARs?) under Section 121(d)(2) of CERCLA; or (ii) the discharge is
subject to (a) a written waiver of ARARs by USEPA pursuant to Section
121(d)(4) or (b) a written determination by USEPA that compliance with

ARARs is not practicable considering the exigencies of the situation,
pursuant to 40 C.F.R. section 300.415(j). Additionally, a decision to
authorize a discharge through the MS4 to surface waters will not be
made

by EPA CERCLA responsible parties, or by USEPA for fund lead sites,
without first conducting a comprehensive exploration evaluation of
containment, treatment, reinjection, or re-use options for the water
generated from the subject wells. If a decision to discharge through
the

MS4 is made, USEPA's authorization of the discharge under CERCLA will
require that the discharger shall:

(1) Implement BMPs to minimize the rate and duration of the discharge
and
remove excessive solids, and implement other physical treatment (e.g.,

volatilization) where feasible.

(2) Infiltrate discharged water in locations that will not degrade groundwater quality. Promote infiltration of discharged water in locations that will prevent or minimize degradation of groundwater quality.

(3) Notify the affected MS4 Permittees, including the LACFCD and the MS4 Permittee with land use authority over the discharge location, and the

Regional Water Board at least one week prior to a planned discharge (unless USEPA determines in writing that exigent circumstances require a shorter notice period) and as soon as possible (but no later than 24 hours

after the discharge has occurred) for unplanned discharges;

(4) Monitor any pollutants of concern in the discharge[1]; and

(5) Maintain records for all discharges greater than one acre-foot.[2]

In addition to requiring NPDES permit coverage for applicable categories of non-storm water discharges, this Order contains language that specifies certain conditions, including implementation of BMPs, for each category of conditionally exempt non-storm water discharge that must be met in order for the non-storm water discharge to be allowed through the MS4.

[1] Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, any pollutant being addressed by the groundwater remediation action under CERCLA, and any pollutant for which

there is a Water Quality Based Effluent Limitation in Part VI.E applicable to discharges from the MS4 to the receiving water.

[2] Records shall be maintained, as appropriate, on the: name of discharger, date and time of notification (for planned discharges), method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, estimated total number of gallons discharged, type of contamination removal equipment used, type of dechlorination equipment used if applicable, type of dechlorination chemicals used if applicable, concentration of residual chlorine if applicable, type(s) of sediment controls used, and field and laboratory monitoring data. Records shall be made available upon request by the MS4 Permittee or Regional Water Board.

For the Order itself, here's what I suggest:

A. Prohibitions ? Non-Storm Water Discharges

1. Prohibition of Non-Storm Water Discharges. Each Permittee shall, for

the portion of the MS4 for which it is an owner or operator, prohibit non-storm water discharges through the MS4 to receiving waters except where such discharges are either:

a. Authorized non-storm water discharges separately regulated by an

individual or general National Pollutant Discharge Elimination System (NPDES) permit;

b. Temporary non-storm water discharges authorized by USEPA[1] pursuant

to Sections 104(a) or 104(b) of CERCLA that either (i) will comply with

water quality standards as applicable or relevant and appropriate requirements (?ARARs?) under Section 121(d)(2) of CERCLA; or (ii) are subject to (a) a written waiver of ARARs by USEPA pursuant to Section 121(d)(4) of CERCLA or (b) a written determination by USEPA that compliance with ARARs is not practicable considering the exigencies of the situation, pursuant to 40 C.F.R. section 300.415(j);

...

4. Permittee Requirements. Each Permittee shall:

e. If the Permittee determines that any of the authorized or conditionally

exempt essential non-storm water discharges identified in sections III.A.1.a through III.A.1.c, III.A.2.a or III.A.3 above is a source of

pollutants that causes or contributes to an exceedance of applicable Receiving Water Limitations and/or Water Quality Based Effluent Limitations, the Permittee shall notify the Regional Water Board within 30

days if the non-storm water discharge is an authorized discharge with coverage under a separate NPDES permit or authorized by USEPA under CERCLA

in the manner provided in section III.A.1.b above, or a conditionally exempt essential non-storm water discharge or emergency non-storm water

discharge.

[1] These typically include short-term, high volume discharges resulting from the development or redevelopment of groundwater extraction wells, or USEPA or State-required compliance testing of potable water treatment plants, as part of a USEPA authorized groundwater remediation action under CERCLA.

Renee A. Purdy
Section Chief | Regional Programs
Los Angeles Regional Water Quality Control Board
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Los Angeles, CA 90013-2343
(213) 576-6622 (TEL)
(213) 576-6686 (FAX)
rpurdy@waterboards.ca.gov
>>> Deborah Smith 5/21/2012 11:31 PM >>>
Frances and Lewis et al.,

I do not have a way to save these changes on travel, but wanted to send my thoughts in an email format for consideration. I agree with Frances that the directive for monitoring and notification needs to come from EPA, but it can be referenced here.

Deb

DISCHARGE PROHIBITIONS

A. Prohibitions -- Non-Storm Water Discharges

1. Prohibition of Non-Storm Water Discharges. Each Permittee shall, for the portion of the MS4 for which it is an owner and/or operator, prohibit non-storm water discharges through the MS4 to receiving waters except where such discharges are either:

???

b. Authorized Temporary Non-storm water discharges authorized by USEPA[1] subject pursuant to a Record of Decision approved by USEPA pursuant to section 121 Sections 104(a) or 104(b) of CERCLA that requires compliance either (i) will comply with water quality standards as applicable or relevant and appropriate requirements (?ARARs?) under Section 121(d)(2) of CERCLA; or (ii) are subject to (a) a written waiver of ARARs by USEPA pursuant to Section 121(d)(4) or (b) a written determination by USEPA that compliance with ARARs is not practicable considering the exigencies of the situation, pursuant to 40 C.F.R. § 300.415(j). This determination to discharge to surface waters shall not be made without first conducting a comprehensive exploration of containment, treatment, reinjection, or re-use options for the water generated from the subject wells. With respect to a discharge pursuant to this section, BMPs shall be implemented to minimize the rate and duration of the discharge, remove excessive solids, and other physical treatment (e.g., volatilization) where feasible. As stated above, full or partial treatment and re-use options should be promoted. Infiltration of discharged water should occur in locations that will not degrade groundwater quality. The discharger also shall notify the Permittee and the Regional Water Board at least one week prior to a planned discharge and as soon as possible (but no later than x hours after the discharge has occurred) for unplanned discharges; monitor any pollutants of concern[2]

in the discharge; and maintain records for all discharges greater than one acre-foot. [3]

[1] These typically include short-term, high volume discharges resulting from the development or redevelopment of groundwater extraction wells, or EPA or State-required compliance testing of potable water treatment plants, as part of an EPA-authorized groundwater remediation action under CERCLA.

[2] Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, and any pollutant for which there is a Water Quality Based Effluent Limitation in Part VI.E applicable to discharges from the MS4 to the receiving water.

[3] Records shall be maintained, as appropriate, on the: name of discharger, date and time of notification (for planned discharges), method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, estimated total number of gallons discharged, type of contamination removal equipment used, type of dechlorination equipment used, type of dechlorination chemicals used, concentration of residual chlorine, type(s) of sediment controls used, and field and laboratory monitoring data. Records shall be made available upon request by the Permittee or Regional Water Board.

Deborah Smith
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Los Angeles Region
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fax 213-576-6625
Dsmith@waterboards.ca.gov

>>> Lewis Maldonado 05/21/12 8:25 AM >>>
Renee and Frances -- I'm attaching a draft of proposed language that could be inserted in Part A.1.b of the draft MS4 permit. I'm just realizing that you also had a smaller reference to CERCLA language in A.4 e. of the permit. I would like to make a slight revision to that as well and will send you that as a separate Word document tomorrow morning.

If you have questions or comments about the proposed language, we can try to have a call with you next week. Thanks again.

Lewis C. Maldonado
Senior Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street (ORC-3)
San Francisco, CA 94105
Phone: (415) 972-3926 Fax: (415) 947-3570

From: Renee Purdy <rpurdy@waterboards.ca.gov>
To: Lewis Maldonado/R9/USEPA/US@EPA
Cc: John Kemmerer/R9/USEPA/US@EPA, Deborah Smith
<Dsmith@waterboards.ca.gov>, Frances McChesney
<FMcChesney@waterboards.ca.gov>, Samuel Unger
<sunger@waterboards.ca.gov>
Date: 05/15/2012 04:35 PM
Subject: Working Proposal language re. Superfund sites in LA
County
MS4 Permit

Lewis,

Please see the attached internal working proposal for our current
proposed
permit conditions related to discharges from Superfund sites through
the
LA County MS4 to receiving waters. See in particular Parts A.1.b and
A.4.e.

Please let us know if you have any questions. We look forward to your
suggestions regarding language as we discussed in our meeting today.

Regards,
Renee

Renee A. Purdy
Section Chief | Regional Programs
Los Angeles Regional Water Quality Control Board
320 W 4th St, Suite 200
Los Angeles, CA 90013-2343
(213) 576-6622 (TEL)
(213) 576-6686 (FAX)
rpurdy@waterboards.ca.gov[attachment "LA MS4 Discharge Prohibitions and
IC-IDE sections_051512.DOCX" deleted by Lewis Maldonado/R9/USEPA/US]

This Order also explicitly adds another category of authorized non-storm water discharge for discharges authorized by USEPA pursuant to Sections 104(a) or 104(b) of federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). These discharges typically ~~include~~ consist of short-term, high volume discharges resulting from the development or redevelopment of groundwater extraction wells, or USEPA or State-required compliance testing of potable water treatment plants, as part of an USEPA authorized groundwater remediation action under CERCLA. These discharges through the MS4 are only authorized if (i) the discharge will comply with water quality standards identified as applicable or relevant and appropriate requirements ("ARARs") under Section 121(d)(2) of CERCLA; or (ii) the discharge is subject to (a) a written waiver of ARARs by USEPA pursuant to Section 121(d)(4) or (b) a written determination by USEPA that compliance with ARARs is not practicable considering the exigencies of the situation, pursuant to 40 C.F.R. section 300.415(j). Additionally, a decision to authorize a discharge through the MS4 to surface waters will not be made by ~~USEPA CERCLA responsible parties, or by USEPA for fund lead sites,~~ without first conducting a comprehensive exploration ~~evaluation~~ of containment, treatment, reinjection, or re-use options for the water generated from the subject wells. If a decision to discharge through the MS4 is made, USEPA's authorization of the discharge under CERCLA will require that the discharger shall:

Comment [FLM1]: Need to spell out if have not done so before

- (1) Implement BMPs to minimize the rate and duration of the discharge and remove excessive solids, and implement other on-site physical treatment (e.g., volatilization) where feasible.
- (2) ~~Infiltrate discharged water in locations that will not degrade groundwater quality~~ Promote infiltration of discharged water in locations that will prevent or minimize degradation of groundwater quality.
- (3) Notify the affected MS4 Permittees, including the LACFCD or other owner/operator of the receiving water and the MS4 Permittee with land use authority over the discharge location, and the Regional Water Board at least one week prior to a planned discharge (unless USEPA determines in writing that exigent circumstances require a shorter notice period) and as soon as possible (but no later than 24 hours after the discharge has occurred) for unplanned discharges;
- (4) Monitor any pollutants of concern in the discharge^[1]; and
- (5) Maintain records for all discharges greater than one acre-foot.^[2]

In addition to requiring NPDES permit coverage for applicable categories of non-storm water discharges, this Order contains language that specifies certain conditions, including implementation of BMPs, for each category of

conditionally exempt non-storm water discharge that must be met in order for the non-storm water discharge to be allowed through the MS4.

[1] Pollutants of concern include, at a minimum, trash and debris, including organic matter, TSS, any pollutant being addressed by the groundwater remediation action under CERCLA, and any pollutant for which there is a Water Quality Based Effluent Limitation in Part VI.E applicable to discharges from the MS4 to the receiving water.

[2] Records shall be maintained, as appropriate, on the: name of CERCLA authorized discharger, date and time of notification (for planned discharges), method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, estimated total number of gallons discharged, type of ~~contamination-pollutant~~ removal equipment used, type of dechlorination equipment used if applicable, type of dechlorination chemicals used if applicable, concentration of residual chlorine if applicable, type(s) of sediment controls used, and field and laboratory monitoring data. Records shall be made available upon request by the MS4 Permittee or the Regional Water Board.

SIGN-IN SHEET

Meeting with City of Los Angeles to discuss MS4 TMDL Provisions
 May 16, 2012



Name	Company Name/Organization	E-Mail Address and Telephone Number
Rebecca Christmann	LA Regional Water Board	rchristmann@waterboards.ca.gov 213-576-6786
Charlie Yu	City of Los Angeles	charlie.yu@lacity.org
Chris Minion	LWA	chrismelw.com 310 743 6235
R PURDY	RWQCB	rpurdy@waterboards.ca.gov
Nick MARINO	LARWQCB	nmario@waterboards.ca.gov
Donna Chen	city of L.A.	donna.chen@lacity.org

FOLLOW-UP ON BOARD SUGGESTION FOR JOINT MEETING AMONG KEY MS4
INTEREST GROUPS

LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
MAY 17, 2012

Name	Representing	Address	Phone	E-mail Address
John Dettle	Torrance		310 618 3059	jdettle@torrance.ca.gov
Nash Garrison	NRDC		310 434 2300	ngarrison@NRDC.org
Kirsten James	Heal the Bay		310-451-1500	kjames@healthebay.org
Liz Crossen	Baykeeper		310 394 6162	liz@sinbaykeeper.org
Shanram Kharaghani	CLA-Bos-WPD		213-485-0587	shahram.kharaghani@city.org
Adel Hage Khalil	CLA-Bos		213-485-2210	Adel.Hagekhalil@city.org
Donna Chen	" - WPO		213-485-3928	donna.chen@city.org
Mack Walker	Larry Walker Assoc.		530.753.6400	Mackw@lwa.com
Kosta Kaporis	City of Los Angeles		213.485.0586	kosta.kaporis@city.org

FOLLOW-UP ON BOARD SUGGESTION FOR JOINT MEETING AMONG KEY MS4

INTEREST GROUPS

LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD

MAY 17, 2012

Name	Representing	Address	Phone	E-mail Address
Patricia Elkins	LA Permit Group Dominguez Channel	701 E. Carson St Carson, CA 90745	310 847-3529	pelkins@carson.ca.us
Heather Mezada	City of Santa Clarita - LASP	22920 Valencia 91355	661 289 1413	hmercede@ santa-clarita.ca.gov
Joe Bellomo	City of Westlake Village - LASP	31200 Oakcrest Dr. Westlake Village 91361	805 279 6856	jbellomo@willdow.com
Heather Maloney	City of Monrovia LA Permit Group	6005 Mountain Ave. Monrovia, CA 91016	626 458-4300	hmaloney@ci.monrovia.ca.us
Gregory Hildebrand	LACFD / LA County	960 S. Fremont Ave. Atherton 94033	626 458-4300	ghildebr@dpu.lacounty.gov
Frank Wu Ran Tallin	" VARIOUS CITIES	" 106 S. MENTON PAS 91116	626 458-4358 626 396-7424	fwu@dpu.lacounty.gov RanTallin@tescheid.com
Sam Unger	RWQCB			
Deborah Smith	"			
Renee Purdy	"			
Ivar Ridgeway	"			

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

JOINT MEETING AMONG KEY LOS ANGELES COUNTY MS4 PERMIT INTEREST GROUPS

MAY 17, 2012
10:00 AM – 12:00 NOON
LOS ANGELES WATER BOARD LIBRARY

AGENDA

WELCOME & INTRODUCTIONS	10:00 – 10:10
IDENTIFICATION OF ISSUES	10:10 – 10:20
DISCUSSION OF PERSPECTIVES & POTENTIAL MUTUALLY AGREEABLE OPTIONS	10:20-11:30
SUMMARY OF AREAS OF CONSENSUS	11:30-11:50
WRAP-UP & NEXT STEPS	11:50-12:00

PROPOSED TOPICS FOR DISCUSSION:

- Options for demonstrating compliance with final effluent limitations for TMDLs
 - Numeric effluent limitations and BMP-based requirements
- Options for addressing EPA TMDLs without an implementation schedule
- Options for addressing exceedances of receiving water limitations for non-TMDL waterbodies/pollutants
 - Potential modifications to iterative process
 - Timeframe for resolving RWL exceedances



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		May 24, 2012 @ 1600		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Juan K. Ridgeway	RwQCB-LA	(213) 626-2150	jridgeway@waterboards.ca.gov	
2. Heather Matney	APG			
3. Heather Mucenda (phone)	LA 4			
4. Joe Bellomo (phone)	LA 2			
5. John Hunter (phone)	LA 11			
6. Patricia Atkins (phone)	LA 10			
7. Mack Walker	CWA	530.753.6400	mackw@lwa.com	
8. Deb Smith	RwQCB	213-576-6609	dsmith@waterboards.ca.gov	
9. Sam Unger	RwQCB	713-576-6605	sunger@waterboards.ca.gov	
10.				

Name	Organization	Phone #	E-mail address
11. Shahram Kharaghani	CLA - DOS - WPD	813-485-0587	shahram.kharaghani@clacity.org
12. Kosta Kaperis	" "	" - 0586	kosta.kaperis@clacity.org
13. Mack Walker	Larry Walker Assoc.	530.753.6400	Mackw@lwa.com
14. Tatiyana Gaur	Santa Monica Baykeeper	310-394-6162	tgaur@smbaykeeper.org
15. Kirsten Jamies	Heal the Bay	310-451-1500	kjames@healthebay.org
16. R Purdy	RWQCB/LA	213-576-6622	rpurdy@waterboards.ca.gov
17. Sam Unger	"		
18. Deb Smith	"		
19.			
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24.			
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28.			

NON-STORM WATER OUTFALL BASED SCREENING AND MONITORING

A. Objectives of the Non-Storm Water Outfall Screening and Monitoring Program

The outfall screening process is intended to meet the following objectives.

1. Develop criteria or other means to ensure that all outfalls with significant non-storm water discharges are identified and assessed during the term of this Order.
2. For outfalls determined to have significant non-storm water flow, determine whether flows are the result of illicit connections/illicit discharges (IC/IDs), authorized or conditionally exempt non-storm water flows, or from unknown sources.
3. Refer information related to identified IC/IDs to the IC/ID Elimination Program (Part VI.D.9) for appropriate action.
4. Based on existing screening or monitoring data or other institutional knowledge, assess the impact of non-storm water discharges (other than identified IC/IDs) on the receiving water.
5. Prioritize monitoring of outfalls considering the potential threat to the receiving water and applicable TMDL compliance schedules.
6. Maximize the use of Permittee resources by integrating the screening and monitoring process into existing or planned Watershed Management Program, IMP and/or CIMP efforts.

A. Outfall Screening and Monitoring Plan

1. Within one year of Order adoption or consistent with the development of a Watershed Management Program, IMP, or CMP, each Permittee shall develop a non-storm water outfall-based screening and monitoring program plan. The plan may be a separate stand-alone document or may be part of an approved WMPP, IMP, or CMP.

B. Identification of Outfalls with Significant with Non-Storm Water Discharge

1. Each Permittee shall identify MS4 outfalls with significant non-storm water discharges. Significant non-storm water discharges may be determined by one or more of the following characteristics:
 - a. Discharges from major outfalls subject to dry weather TMDLs.
 - b. Discharges for which existing monitoring data exceeds non-storm water Action Levels identified in Attachment G.

- c. Non-storm water discharges that have caused or have the potential to cause overtopping of downstream diversions.
- d. Discharges exceeding a proposed threshold discharge rate as determined by the Permittee.
- e. Other characteristics as determined by the Permittee and incorporated within their screening program plan.

D. Inventory of MS4 Outfalls with Non-Storm Water Discharges

1. Each Permittee shall develop and maintain an inventory of MS4 outfalls and identify those with known significant non-storm water discharges and those requiring no further assessment.
2. As a component of the inventory, each Permittee shall record existing data from past outfall screening and monitoring and initiate data collection efforts as warranted.

E. Prioritized Source Identification

1. Outfalls within the inventory shall be prioritized in the following order for source identification activities:
 - a. Outfalls discharging directly to receiving waters with WQBELs or receiving water limitations in the TMDL provisions for which final compliance deadlines have passed.
 - b. All major outfalls and other outfalls that discharge to a receiving water subject to a TMDL shall be prioritized according to TMDL compliance schedules.
 - c. Outfalls for which monitoring data exists exceeding one or more of the Action Levels identified in Attachment G.
 - d. All other major outfalls identified to have significant non-storm water discharges.
2. Each Permittee shall develop a source identification schedule based on the prioritized list of outfalls exhibiting significant non-storm water discharges.

F. Identify Source(s) of Significant Non-Storm Water Discharge

1. If the source is determined to be an illicit discharge, each Permittee shall implement procedures to eliminate the discharge consistent with IC/ID requirements and document the actions in the next annual report.
2. If the source is determined to be an NPDES permitted discharge, a discharge subject to a Record of Decision approved by USEPA pursuant to section 121 of CERCLA, a conditionally exempt essential non-storm water discharge, document the source and report to the Regional Water Board.
3. If the source is either unknown or a conditionally exempt, but non-essential, non-storm water discharge, each Permittee shall conduct monitoring.
4. If the source of non-storm water discharge is unknown, the Permittee shall describe the efforts undertaken to identify the source. Methods for identifying the source of non-storm water discharge may include inspection and/or surveillance, discharge monitoring, video or physical inspection, monitoring for indicator parameters (e.g., surfactants, chlorine, Pyrethroids), or other means.
5. If a source originates within an upstream jurisdiction, the Permittee shall inform in writing both the upstream jurisdiction and the Regional Water Board.

G. Monitor Non-Stormwater Discharges Exceeding Criteria

1. After completing the source identification or after the Executive Officer of the Regional Water Board approves the IMP or CIMP, whichever is later, each Permittee shall monitor outfalls that have been determined to convey significant discharges comprised of either unknown or conditionally exempt non-storm water discharges, or continuing discharges attributed to illicit discharges.
2. For outfalls subject to a dry weather TMDL, monitoring frequency shall be per the approved CMP or as otherwise specified in the TMDL, or as specified in an IMP or CIMP approved by the Executive Officer of the Regional Water Board.
3. For outfalls not subject to dry weather TMDLs, monitoring frequency shall be four times during the first year following source identification, distributed approximately quarterly, during dry weather conditions.

4. Except as required by an applicable TMDL CMP, IMP, or CIMP approved by the Executive Officer of the Regional Water Board, monitoring frequency may be reduced to once per year, beginning in the second year of monitoring, if pollutant concentrations measured during the first year do not exceed WQBELs, non-storm water Action Levels or water quality standards for CWA Section 303(d) listed pollutants.
5. Following two years of monitoring, the Permittee may petition the Executive Officer of the Regional Water Board to reduce or eliminate monitoring of specified pollutants, based on the results.



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB	320 W. 4 th St., # 200	Los Angeles, CA 90013-2343
Meeting Date and Time:		May 30, 2012 @ 1430		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Ivor K Ridgeway	RWQCB-WA	(213) 620-2150	iridgeway@waterboards.ca.gov	
2. Mark Coreu	FIA/SC-CICWQ	909-525-0623	mgrey@BIAASC.org	
3. Holly Schroeder	BLAKAV	818-565-1888	h.schroeder@biolav.org	
4. Deb Smith	Rwqcb	213-576-6609	dsmith@waterboards.ca.gov	
5. Sam Unger	RWQCB	213-576-6605	sunger@waterboards.ca.gov	
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Los Angeles Regional Water Quality Control Board

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Los Angeles County-wide draft MS4 Permit			
Meeting Subject:		Los Angeles County-wide draft MS4 Permit	
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343	
Meeting Date and Time:		May 31, 2012 @ 0830	
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS
1. Iver K. Ridgeway	RWQCB - LA	(213) 620-2150	iridge@waterboards.ca.gov
2. Frank Wu	LACDPW	(626) 458-4358	fwu@dpw.lacounty.gov
3. Armond Ghazarian	LACDPW	(626) 458-7149	aghazar@dpw.lacounty.gov
4. Angela George	LACDPW	(626) 458-4325	ageorge@dpw.lacounty.gov
5. R Purdy			
6. N Martorano		213-576-6694	nmartorano@waterboards.ca.gov
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NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Iver K. Ridgeway	RWQCB - HA	(213) 620-2150	iridgeway@waterboards.ca.gov	
2. John Dettie	Torrance	(310) 618-3059	jdettie@torranceca.gov	
3. ANGEA GEORGE	LACDPW	(626) 458-4325	ageorge@dpw.lacounty.gov	
4. FRANK WU	"	(626) 458-4358	fwu@dpw.lacounty.gov	
5. Heather Maloney	AP Permit Group / City of Malibu	(818) 938-5577	hmaloney@ci.malibu.ca.us	
6. Heather Neenan	City of Santa Clarita	(661) 871-1413	hneenan@santaclarita.com	
7. ROBERT VEGA	L.A. City PW-SAN	213-485-3991	Robert.Vega@lacounty.org	
8. Patricia Elkins	L.A. Permit Group / Carson Dominguez Channel Watershed	310 849-3529	Pelkins@carson.ca.us	
9. Donna Chen	L.A. City. PW-SAN	213-485-3928	donna.chen@lacounty.org	
10. Joe Bellomo	City & Westlake	(310) 279-8855	jbellomo@willdn.com	

3RD JOINT MTG. OF KEY INTERESTS

MS4 MEETING

LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
JUNE 14, 2012

Name	Representing	Address	Phone	E-mail Address
Renee Purdy	RWQCB/LA		- 6622	
Frank Wu	LACDPW		626 458-4358	fwu@dpw.lacounty.gov
Gary Hildebrand	LACDPW		626-458-4300	ghildeb@dpw.lacounty.gov
ANGELA GEORGE	LACDPW		626-458-4325	ageorge@dpw.lacounty.gov
Heather Maloney	LA Permit Group/ Monrovia		626 9326571	hmaloney@ci.monrovia.ca.us
Patricia Elkins	LA Permit Group/ Dominguez Watershed		310 847-3529	pelkins@carson.ca.us
Donna Chen	city of L.A.		213-485-3928	donna.chen@cityofla.org
Robert Vega	LA City PW-SAN		213-485-3991	Robert.Vega@cityofla.org
Kosta Kaporis	" "		" " 0586	kosta.kaporis@ " "
Heather Maloney	ASFP Esoto Clark		626-264-0918	hmaloney@esoto.com

MS4 MEETING
 LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
 JUNE 14, 2012

Name	Representing	Address	Phone	E-mail Address
Joe Bellomo	LA Permit Group/ Westlake Village		8352796856	jbellomo@w.village.com
Mack Walker	Lenny Walker Assoc.		530.753.6400	Mackw@lwa.com
John Dettle	Torrance		310 618 3059	jdettle@torranceca.gov
Shahram Kharaghani	CLA - Bos	1149 S. Broadway LA, CA 90015	213 485-0587	shahram.kharaghani@ lacity.org
Kirsten James	Heal the Bay			Kjames@healthebay.org
Deb Smith	RWQCB		213 576-6609	dsmith@waterboards. ca.gov
Sam Singer	"		213-576 6605	sungens@waterboards. ca.gov

**Joint Meeting of Key LA MS4 Permit Stakeholders – June 14, 2012
Meeting Notes**

GH: Issue of consistency between TMDL water bodies and non-TMDL water bodies: Non-TMDL water bodies are not offered same RWL language; issue of consistency and fairness. Need to put them on equal footing wrt developing WMP

Ex. Ballona (TMDL water body) vs. Dominguez Channel (non-TMDL water body) bacteria exceedances

MW: Exposure from 9th Cir. Decision. MS4 Permittees are being sued in other areas of the state, even though pollutant-specific plans are in place. If a Permittee is going through the “iterative process”, they shouldn’t be vulnerable.

Possible solution: Maintain integrity of iterative process-provide exceptions to cause or contribute language if doing iterative process. 4 MS4 permits going through process-none with the same RWL language- Caltrans, Phase II, SD, LA

KJ: Language upheld by courts- think that should remain as-is. Don’t see that it is open for discussion. Not a lot of confidence in iterative process- see it as a failure.

MW: In CASQA proposal, added more rigor-if you have an exceedance, you must do X, Y, and Z. Agree that there needs to be a better tool.

Following language should be included: “except for provided under Prov. 3”

Permittees’ attorneys say it is a policy decision regarding how to address cause or contribute language

KJ: If permittee is implementing iterative process and showing active effort and progress then HTB will support and collaborate. Having more rigorous language will be valuable. Some would say TMDL water bodies should be s.t. RWL language the same as non-TMDL waters.

FWu: Important to have a permit that permittees can comply with.

HMal: “

KJ: Chance was since 2001 through iterative process. When not seeing a lot of action, can’t see a lot of support.

GH- Board needs to determine whether permittees are making adequate efforts through iterative process

SU- Generally, in response to Regional Board inquiries, process has resulted in Permittees stating that MS4 did not c/c and no further action was needed. Think some actions should have been taken.

JD- Had a situation like that, but there was no discharge

HMer.: City of SC didn’t ignore-diazinon. Recent investigation by EPA- changed program as a result. Iterative processes are happening all the time that work.

Hmal: Let’s integrate it into WMP- all laid out. See it as an appropriate process for all pollutants. The number one issue.

KJ: The No. 1 issues for environmental organizations too.

HMer: It is a tough issue, but one we need to deal with.

FWU: Seems to be not a lot of communication between RB and Permittees. Permittees want to understand what RB wants.

KJ: Did permittees submit comments on 303(d)?

FWu: It is a funny situation where having more TMDLs may be good

PE: Dominguez Channel trash would be a good TMDL because so much funding is tied to TMDL implementation now

MW: But, if there is no protection don't want to commit to rigorous iterative process

HMal: Has RB communicated with SB regarding RWL language and consistency?

GH: Historically sense that iterative process has not been used- monitoring at MES, tributary made it difficult.

Permittees have considered this monitoring data for characterization- not to make a determination regarding whether an MS4 discharge caused or contributed to a RWL exceedance

SU: Sounds like gap is very big

Hmal: That's why we are asking for detail and clear expectations

JD: Always been focused on achieving TMDLs

FWU: Ex. "We may be c/c to exceedances at MES... need money to investigate"

RB is expecting permittees to be more proactive than is reasonable.

HMer: Santa Barbara was being proactive (source ID) but still got sued. (Stockton example, too)

SU: Next step is to get language to discuss

DJS: Strawman

JD: All group resources went to developing plan- not other things. If push forward on MCMs- trade-offs between planning and implementation

KJ: Some common ground and room for flexibility. Want strong LID within context of broader MCMs

SK: Some MCMs that would be early actions while planning

KK: Some increased inspections- monitoring general construction sites- industrial IGP sites

PE: Develop, issue RFP- award contract- 4 mo. minimum process time

KJ: Didn't imagine that there would be need/request for more time on both WMP and implementation

JB: Existing MCMs would continue. They are ongoing.

KJ: Idea was that we could enhance LID and then consider timelines- in spirit of give and take. Make LID more broadly applicable.

JB: What are we talking about specifically?

KJ: Page 80.

GH: What can we do during period of WMPP development-early actions?

KJ: We are concerned about significant progress early in permit term- green streets, etc.

GH: We'll go back to MCMs and ID things that can be done early.

HMal: Are there interim milestones for plan submittal that would provide some assurance that plan is developing as expected? (Data compilation, model review, BMP identification)

DJS: What new requirements could be implemented faster?

SK: Think that group could come up with proposal for new requirements that could be implemented faster.

HMal: What do environmental organizations think are the valuable programs that should be implemented early?

KJ: LID- applicability- more projects (pg. 67-68)

Green streets- City of LA stds. Santa Monica, Westlake Village- Medians

Concern: Flow-through biofiltration

JB: Easier to do public projects than private- need an ordinance

KJ: Beef up retrofit program (Use multiplier for offsite mitigation. Take priority retrofit projects to the next level- implement some.)

PE: Do some advanced planning and checklist about what a local ordinance needs to include so RB doesn't have as much work to review- "minimum requirements checklist"

HMal: If city goes above and beyond- or has justification for not doing- consistency in reporting information

KJ: Some dates are pretty close already- so not sure how much give is there

(MW- counter proposal- may be time schedule for implementation of MCMs)

Having LID on pg. 80 as an element that can be customized is a concern. Not as open to flexibility on MCM side.

HMer: What if a city has a large amount of open space and it will significantly increase perviousness (old industrial park acquired as open space)

KJ: Maybe that could be a retrofit opportunity

Green streets- Santa Monica- project (monetary) threshold- make green streets more of a common practice

SK: City of LA is going even further

JB: Westlake Village

Next Meeting

July 9, 2012

9:30-11:30 AM

LA Regional Board Library

**Tentative Order
Greater LA County MS4 NPDES Permit**

June 28, 2012
8:30 am to 9:30 am
Regional Board Office

Meeting Agenda

1. LACFCD boundary
2. Discharge Prohibitions
 - a. Threshold for notification/record keeping
 - b. LACFCD requiring advanced notification
3. Implementation Date for MCMs
4. Development Construction - Permits Database
5. Public Agency Activities
 - a. Flood Management Projects
 - b. Trash Management at Public Events
 - c. Storm Drain Maintenance
 - d. Contractor Training
6. Maps – Marina del Rey
7. Monitoring and Reporting Program
 - a. Major Outfalls vs. Outfalls
 - b. USEPA methods for estimated flow



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		June 28, 2012 @ 0830		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Ivor K. Ridgeway	RWQCB-LA	(213) 620-2150	iridgeway@waterboards.ca.gov	
2. Frank Wu	LACDPW	(626) 458-4358	fwu@dpw.lacounty.gov	
3. Aracely Lasso	LACDPW	(626) 458-7146	alasso@dpw.lacounty.gov	
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RB-AR3283





Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		June 28, 2012 @ 1300		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Iver K. Ridgeway	RWQCB - LA	213/620-2150	iridgeway@waterboards.ca.gov	
2. Karen Cowan	LWA	310-394-1036	KarenC@lwa.com	
3. Donna Chen	city LA	213-485-3970	donna.chen@lacity.org	
4. Jon Ball	city LA	323-342-1557	jon.ball@lacity.org	
5. Vivian Marquez	City of LA	323 342-1556	vivian.marquez@lacity.org	
6. Renee Purdy	RWQCB	213 576-6622		
7. Deb Smith	RWQCB	213-576-6609	dsmith@waterboards.ca.gov	
8. Robert Vega	L.A. City SAN	213.485.3991	Robert.Vega@lacity.org	
9. Kosta Kaporis	" "	213.485.0586	Kosta.Kaporis@lacity.org	
10. Shahram Kharaghani	L.A. City SAN	213.485.0587	Shahram.Kharaghani@lacity.org	

RB-AR3284

Coordinated Integrated Monitoring Program (CIMP) for the Los Angeles River

LAR CIMP Approach Overview

- Primary drivers of approach
- Approach for monitoring elements:
 - Receiving Water
 - Stormwater Outfall
 - Non-Stormwater Outfall
 - Regional Studies

CIMP Approach Drivers

- Priorities of Watershed Management Program
 - TMDLs and 303(d) Listings
- Primary objectives of MRP
 - Assess impacts in RWs
 - Assess compliance with RWLs and WQBELs
 - Load characterization
 - Source identification
 - Measure and improve program effectiveness

3

CIMP Drivers – WMP Priorities

- Existing TMDLs in the Los Angeles River
 - Trash, Nitrogen, Metals, Bacteria, and Toxics (Harbors)
- 303(d) Listings
 - Benthic-Macroinvertebrate (multiple tribes)
 - Cn (LAR R1, BWC, RH R2)
 - Se (BWC)
 - Diazinon (LAR R1)
 - Oil (LAR R2 and 5)
 - Toxicity (RH R1)

4

CIMP Drivers – MRP Objectives

MRP Objective	Potential Monitoring Type
1. Assess impacts in RWs	RW Monitoring
2. Assess compliance with RWs and WQBELs	RW and OF Monitoring
3. Load characterization	OF Monitoring
4. Source ID	OF Monitoring
5. Measure and improve program effectiveness	RW and OF Monitoring

5

RW Monitoring Objectives

- Primary Objectives from Pg. E-3 (1, 2, and 5)
 1. Assess RW
 2. Assess compliance w/ RWL
 5. Measure and improve program effectiveness

6

RW Monitoring – CIMP Approach

- Overall Assessment
 - Site = Mass Emission Station (MES) at Wardlow
 - Frequency = 3 wet (composite) + 2 dry (grab)
 - Constituents = Current list
- Will review all RW stations to assess spatial coverage (potential to reduce sites to be more efficient/reduce redundancy)
- TMDLs utilizing MES as site and frequency
 - Nitrogen = MES as RWLs met
 - Harbors Toxics = MES to assess loading

7

RW Monitoring – CIMP Approach

- Metals TMDL (current CMP)
 - Dry = 13 sites monthly (grab)
 - Wet = 5 sites monthly (composite)
- Bacteria TMDL (coordinated with Metals)
 - Dry = 17 sites (grab)
 - Wet = 5 sites (grab)
- General parameters
 - All receiving water stations
 - Temp, DO, pH, ... at all sites
 - TSS and hardness as appropriate

8

SW Outfall Monitoring Objectives

- Primary Objectives (2, 3, 4 and 5)
 2. Assess compliance w/ WQBELs
 3. Characterize pollutant loads
 4. Identify sources
 5. Measure and improve program effectiveness
- Additional Objectives
 - Support special studies as appropriate

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SW Outfall – CIMP Approach

- Models are used to
 - Characterize loads
 - Identify wet weather management actions
 - Evaluate and optimize effectiveness
- Land use data needed to support modeling
- CIMP approach focused on supporting
 - Model development/ calibration/ validation
 - Identification and evaluation of actions
 - Refinement of actions

10

SW Outfall – CIMP Approach

- Special Study focused on land uses
- Sites:
 - Still need to determine
 - Appropriately characterize (i.e., multiple SFR) or refine categories of sites (i.e., SFR and HDR)
 - Represent comingled sites (i.e., SFR+COMM+IND)
- Duration:
 - Initially for permit term
 - Dependent on results and actions
 - may be shorter or longer

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SW Outfall – CIMP Approach

- Frequency
 - 3 storms/year with MES and TMDLs (composite)
- Constituents (based on RW issues)
 - TMDL = Metals and Bacteria
 - 303(d) Listings = Cn, Se, Diazinon
 - Special Studies = Pyrethroids
 - General parameters (flow, TSS, pH, etc.)
 - Toxicity = None
 - Focus on determining causes in RW and collecting appropriate constituent discharge data

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NSW Outfall Monitoring Objectives

- Primary Objectives (2, 3, 4 and 5)
 2. Assess compliance w/ WQBELs
 3. Characterize pollutant loads
 4. Identify sources
 5. Measure and improve program effectiveness

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NSW Outfall Monitoring

- Watershed priorities are driven by receiving water issues (TMDLs and 303(d))
- Monitoring everywhere makes everything a priority for action regardless of RW impact and is not consistent with WMPs
- LA River RW issues are limited and do not require significant NSW monitoring data for all constituents at all locations

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NSW Outfall Approach

- Break out NSW outfall monitoring to focus on
 - Watershed priorities = TMDLs and 303(d)
 - Effective prohibition of NSW discharges
- Need an approach that
 - Supports effective actions
 - Results in an achievable level of actions

15

NSW Outfall – Approach to Support Effective Prohibition

- Visual inspection and flow measurements
 - All major outfalls that are flowing
 - Mainstem (within 12 months of approval of CIMP)
 - Tribs (within 12 months after mainstem)
- Follow up on significant NSW discharges
 - Define “significant” based (potentially based on discharge rate using BSI data)
 - Utilize ID/IC program to investigate source and utilize source control approach
 - If source control not effective – address as appropriate based on WMP priorities

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NSW Outfall WQ Monitoring

- Focus on WMP Priorities
 - TMDLs and 303(d) listings
- Not all TMDLs require additional data to evaluate impacts to RW
 - Nitrogen TMDL = RWLs met
 - Metals TMDL = RWLs met
 - Harbors Toxics TMDL = Wet weather transport issue
- Bacteria TMDL snapshot special study(ies)
 - Arroyo Seco – 2013/14 to support LRS (grab)
 - Segment A – 2015/16 to support LRS (grab)

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NSW Outfall WQ Monitoring

- 303(d) investigation (snapshot special study(ies) as necessary)
 - LAR R1 = CN and diazinon
 - BWC = CN and Se
 - RH = CN and toxicity
- CIMP will have process for investigation/ snapshot study(ies) if conditions change
 - Triggered based on frequency of exceedance
- Toxicity = None
 - Focus on determining causes in RW and collecting appropriate constituent discharge data

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Regional Studies

- Consistent with Tentative Order proposed studies
- Pyrethroids
 - Watershed approach
 - Incorporate SW outfall monitoring during study period
- SMC
 - Consistent with current support

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Summary

- MRP has the right structure and components, but limits flexibility in the design and implementation of monitoring to support WMPs
- Flexibility needed in the following areas related to outfall monitoring (SW and NSW)
 - Number of sites/coverage
 - Constituents
 - Timing and frequency of collection
- Technical approaches needing revision
 - Toxicity (outfall, TRE/TIE process)
 - Dry weather composite samples

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Summary

- Presentation provides an example of a CIMP and the how/why flexibility is needed to support WMPs
- Request:
 - Modify MRP to specifically provide flexibility for CIMPs based on WMP priorities, similar in approach and concept to language that provides flexibility for MCMs
 - Modify toxicity and sample collection provisions in the MRP

NON-STORM WATER OUTFALL BASED SCREENING AND MONITORING

A. Objectives of the Non-Storm Water Outfall Screening and Monitoring Program

The outfall screening process is intended to meet the following objectives.

1. Develop criteria or other means to ensure that all outfalls with significant non-storm water discharges are identified and assessed during the term of this Order.
2. For outfalls determined to have significant non-storm water flow, determine whether flows are the result of illicit connections/illicit discharges (IC/IDs), authorized or conditionally exempt non-storm water flows, or from unknown sources.
3. Refer information related to identified IC/IDs to the IC/ID Elimination Program (Part VI.D.9) for appropriate action.
4. Based on existing screening or monitoring data or other institutional knowledge, assess the impact of non-storm water discharges (other than identified IC/IDs) on the receiving water.
5. Prioritize monitoring of outfalls considering the potential threat to the receiving water and applicable TMDL compliance schedules.
6. Maximize the use of Permittee resources by integrating the screening and monitoring process into existing or planned Watershed Management Program, IMP and/or CIMP efforts.

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2. Each Permittee shall develop a source identification schedule based on the prioritized list of outfalls exhibiting significant non-storm water discharges.

F. Identify Source(s) of Significant Non-Storm Water Discharge

1. If the source is determined to be an illicit discharge, each Permittee shall implement procedures to eliminate the discharge consistent with IC/ID requirements and document the actions in the next annual report.
2. If the source is determined to be an NPDES permitted discharge, a discharge subject to a Record of Decision approved by USEPA pursuant to section 121 of CERCLA, a conditionally exempt essential non-storm water discharge, document the source and report to the Regional Water Board.
3. If the source is either unknown or a conditionally exempt, but non-essential, non-storm water discharge, each Permittee shall conduct monitoring.
4. If the source of non-storm water discharge is unknown, the Permittee shall describe the efforts undertaken to identify the source. Methods for identifying the source of non-storm water discharge may include inspection and/or surveillance, discharge monitoring, video or physical inspection, monitoring for indicator parameters (e.g., surfactants, chlorine, Pyrethroids); or other means.
5. If a source originates within an upstream jurisdiction, the Permittee shall inform in writing both the upstream jurisdiction and the Regional Water Board.

G. Monitor Non-Stormwater Discharges Exceeding Criteria

1. After completing the source identification or after the Executive Officer of the Regional Water Board approves the IMP or CIMP, whichever is later, each Permittee shall monitor outfalls that have been determined to convey significant discharges comprised of either unknown or conditionally exempt non-storm water discharges, or continuing discharges attributed to illicit discharges.
2. For outfalls subject to a dry weather TMDL, monitoring frequency shall be per the approved CMP or as otherwise specified in the TMDL, or as specified in an IMP or CIMP approved by the Executive Officer of the Regional Water Board.
3. For outfalls not subject to dry weather TMDLs, monitoring frequency shall be four times during the first year following source identification, distributed approximately quarterly, during dry weather conditions.

4. Except as required by an applicable TMDL CMP, IMP, or CIMP approved by the Executive Officer of the Regional Water Board, monitoring frequency may be reduced to once per year, beginning in the second year of monitoring, if pollutant concentrations measured during the first year do not exceed WQBELs, non-storm water Action Levels or water quality standards for CWA Section 303(d) listed pollutants.
5. Following two years of monitoring, the Permittee may petition the Executive Officer of the Regional Water Board to reduce or eliminate monitoring of specified pollutants, based on the results.

Individual and Coordinated Options

Provision for Integrated Approach

- The Monitoring Program provides flexibility to allow Permittees to develop an integrated monitoring plan to address all of the requirements of this Order and other monitoring obligations or requirements in a cost efficient and effective manner.

Provision for a Coordinated Integrated Approach

- The Monitoring Program provides flexibility to allow Co-Permittees to coordinate monitoring efforts to leverage monitoring resources in an effort to increase cost-efficiency and effectiveness.

Schedule

- Within 3 months after the effective date of the Order, each Permittee shall submit a letter of intent to the Executive Officer of the Regional Water Board describing whether it intends to follow an IMP or CIMP approach for each of the required monitoring plan elements.
- Each Permittee shall submit an IMP addressing monitoring requirements that the Permittee intends to implement individually, to the Executive Officer of the Regional Water Board within 6 months after the effective date of the Order.
- The participating Permittees shall submit a CIMP and a letter of intent, signed by each of the participating Permittees, to the Executive Officer of the Regional Water Board within 12 months after the effective date of the Order.
- Monitoring shall commence within 30 days after the Executive Officer of the Regional Water Board approved the IMP or CIMP.
- Monitoring requirements pursuant to Order 01-182 and any TMDL compliance monitoring requirements shall remain in effect until the Executive Officer of the Regional Water Board approves the Permittee(s) IMP and/or CIMP.
- Outfall screening shall commence immediately after the effective date of the Order, as information gathered regarding the outfall locations, configurations, and characteristics will assist in the completion of the IMP or CIMP.

CIMP Receiving Water Monitoring Requirements

- The CIMP must contain the following information for receiving water monitoring:
 - A list of the participating Permittees.
 - A map (preferably GIS) delineating the geographic boundaries of the monitoring plan including the receiving waters, the MS4 catchment drainages and major outfalls, subwatershed boundaries, political boundaries, land use, and the proposed receiving water monitoring stations for both dry weather and wet weather receiving water monitoring.
 - An explanation of how and why monitoring at the proposed locations will provide representative measurement of the effects of the MS4 discharges on the receiving water.
- TMDLs
 - A list and description of applicable TMDLs, receiving water limitations, and TMDL compliance points.
 - Identification of the proposed receiving water monitoring stations that fulfill the TMDL CMP requirements.
- Mass Emission Stations
 - Location of mass emission stations,
 - Description of monitoring at mass emission stations or justification of why monitoring at the mass emission stations will be discontinued,
 - Discussion of the value of trends analysis using the historical mass emission station monitoring data.

Minimum Wet Weather Receiving Water Monitoring Requirements

- The receiving water shall be monitored a minimum of three times per year for all parameters except aquatic toxicity which must be monitored at least twice per year, or more frequently if required by applicable TMDL CMP plans.
- At a minimum, the following parameters shall be monitored:
 - Flow
 - Pollutants assigned a receiving water limitation derived from TMDL WLAs,
 - CWA Section 303(d) listed pollutants for the receiving water or downstream receiving waters,
 - Total Suspended Solids (TSS),
 - Field measurements applicable to inland freshwater bodies only: hardness, pH, dissolved oxygen, temperature, and specific conductivity,
 - Aquatic Toxicity.

STORM WATER OUTFALL BASED MONITORING

- Storm water discharges to the MS4 shall be monitored at outfalls, manholes or in channels at the Permittee's jurisdictional boundary.
- Storm water discharges shall be monitored a minimum of three times per year for all parameters except aquatic toxicity which must be monitored at least twice per year.
- The Permittee shall consider the following criteria when selecting outfalls for storm water discharge monitoring:
 - The storm water outfall based monitoring program shall include monitoring from at least one major outfall per subwatershed (HUC 12) drainage area, within the Permittee's jurisdiction.
 - The drainages to the selected outfalls shall be representative of the land use within the Permittee's jurisdiction.
 - To the extent possible, the selected outfalls shall not receive drainage from another jurisdiction. If this is not possible, and a Permittee is pursuing an individual outfall based IMP program, the Permittee shall conduct "upstream and "downstream" monitoring as the system enters and exits the Permittee's jurisdiction.

NON-STORM WATER OUTFALL BASED MONITORING

Screening of Outfalls with Non-Storm Water Flow (cont.)

- The field screening shall be conducted during the summer months or during days that receive less than 0.1 inch of rain and those days not less than three days after a rain event of greater than or equal to 0.1 inch of rain, as determined by the closest rain gauge to the catchment area draining to the outfall.
- The field screening shall include all major outfalls and other outfalls that discharge to a receiving water subject to a TMDL.
- The Permittee shall screen at least 25% of its jurisdictional area each year beginning on the effective date of this Order.
- Screening of outfalls shall be prioritized according to TMDL implementation schedules.
- Outfalls discharging directly to receiving waters with WQBELs or receiving water limitations derived from TMDL provisions for which compliance deadlines have passed, shall be screened during the first year after the effective date of the Order.

Determination of Significant Non-Storm Water Flows

- Using the following criteria, each Permittee shall determine those MS4 outfalls requiring further investigation and/or monitoring:
 - Where dry weather flow is diverted, and the Permittee can demonstrate that there is no overtopping of the diversion, no further monitoring upstream from the diversion is required.
 - Non-storm water flows that have caused or have the potential to cause overtopping of downstream diversions shall be characterized as significant.
 - Flows from major outfalls subject to dry weather TMDLs shall be characterized as significant.
 - Flows exceeding non-storm water action levels (where a grab sample is collected during field screening).
 - An inventory of MS4 outfalls not requiring further investigation and/or monitoring shall be maintained on the storm drain outfall map and associated database.

Monitor Non-Stormwater Discharges Contributing to Significant Dry Weather Flow

- Each Permittee shall monitor outfalls that have been screened and determined to convey significant flows comprised of either unknown or conditionally exempt non-stormwater discharges
- For outfalls subject to dry weather TMDL, monitoring frequency shall be per the approved CMP or as otherwise specified in the TMDL, or as specified in an IMP or CIMP approved by the Executive Officer of the Regional Water Board.
- For outfalls not subject to dry weather TMDLs, monitoring frequency shall be two times during the first year.
- Except as required by an applicable TMDL CMP, IMP, or CIMP approved by the Executive Officer of the Regional Water Board, monitoring frequency may be reduced or eliminated beginning in the second year of monitoring, if pollutant concentrations measured during the first year do not exceed WQBELs, non-storm water action levels or water quality standards for CWA Section 303(d) listed pollutants.
- Unless required by a TMDL, aquatic toxicity monitoring of significant non-storm water discharges shall only be required when the downstream receiving water has exhibited toxicity at least once during the preceding three years. When required, aquatic toxicity monitoring shall be performed twice during the first year of monitoring and may be reduced or eliminated, if monitoring conducted during the first year indicates that the discharge was not toxic.

REGIONAL STUDIES

- **Pyrethroid Insecticides Study Requirements**
 - Same as in Ventura County MS4 Permit
 - The Co-Permittee shall perform a Pyrethroid Insecticides study to accomplish the following objectives:
 - Establish baseline data for major watersheds
 - Evaluate whether Pyrethroid Insecticide concentrations are at or approaching levels known to be toxic to sediment-dwelling aquatic organisms.
 - Determine if Pyrethroids discovered are from urban sources.
 - Assess any trends over the permit term.
 - No later than the second year after the effective date of this Order, monitoring shall begin.
 - Establish at least two stations along the main stems of each major watershed river that are influenced by urban discharges.
 - The Co-Permittees shall monitor one sampling event per station per monitoring year.

Reporting Monitoring Results

- Results of monitoring from each receiving water or outfall based monitoring station shall be sent electronically to the Regional Water Board, no later than 90 days from sample collection date, highlighting exceedances of receiving water limitations.
- The sample data transmitted shall be in the most recent update of the Southern California Municipal Storm Water Monitoring Coalition's (SMC) Standardized Data Transfer Formats (SDTFs).
- When monitoring data provides evidence that a storm water or non-storm water discharge has contributed to an exceedance of a WQBEL, a non-storm water action level, or exhibits aquatic toxicity, the Permittee shall notify the Regional Water Board in writing within 30 days of the determination and no later than 60 days after receipt of the monitoring data.

**Renee Purdy - Re: Reminder of next joint meeting among key MS4 interest groups
- Revised action items**

From: Renee Purdy
To: Bellomo(jbellomo@willdan.com), Joe; Crosson, Liz; Dettle(jdettle@Torra...
Date: 7/6/2012 4:18 PM
Subject: Re: Reminder of next joint meeting among key MS4 interest groups - Revised action items
CC: Fordyce, Jennifer; McChesney, Frances; Ridgeway, Ivar; Smith, Deborah...
Attachments: June 14 2012 Joint MS4 Meeting Notes.docx; June 14, 2012 Joint MS4 Meeting Sign-in Sheet.pdf

All -

This is a reminder that our fourth joint meeting among key MS4 interest groups is scheduled for **Monday, July 9, from 9:30 - 11:30 AM**, at the Regional Board's office (in the library again).

I noted the following follow-up items from the last meeting, held on June 14, 2012:

- 1) LA Permit Group, including City of LA and County of LA to prepare a "strawman" related to the Receiving Water Limitations provisions;
- 2) LA Permit Group, including City of LA and County of LA to develop a list of early actions that could be taken by Permittees during development of Watershed Management Program plans;
- 3) LA Permit Group, including City of LA and County of LA to identify potential enhancements to LID actions that could be taken (e.g., lower project thresholds, green street requirements, based on local LID ordinances and initiatives); and
- 4) Environmental Organizations to develop a list of programs that should be implemented early in the permit term.

Also included as attachments are the notes I took during the last meeting, and the sign-in sheet.

Regards,

Renee

Renee A. Purdy
Section Chief | Regional Programs
Los Angeles Regional Water Quality Control Board
320 W 4th St, Suite 200
Los Angeles, CA 90013-2343
(213) 576-6622 (TEL)
(213) 576-6686 (FAX)
rpurdy@waterboards.ca.gov



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		July 9, 2012 @ 0930		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Iver K. Ridgeway	RWQCB - LA Region	(213) 620-2150	iridgeway@waterboards.ca.gov	
2. Kirsten James	Heal the Bay	310-451-1500	Kjames@healthebay.org	
3. Liz Crosson	LA Waterkeeper	310 394 6162	liz@lawaterkeeper.org	
4. Joe Bellomo	LA Permit Group	805 279 6856	jbellomo@willdan.com	
5. Noah Garis	NRDC	310 434 2300	ngarris@nrdc.org	
6. Robert Vega	LA City PW-SAN	213-485-3991	Robert.Vega@lacity.org	
7. Kosta Kaporis	"	213-485-0586	kosta.kaporis@lacity.org	
8. Gary Hildebrand	LACDPW	626-458-4300	ghildeb@dpw.lacounty.gov	
9. Frank Wu	"	626-458-4358	fwu@dpw.lacounty.gov	
10.				

RB-AR3311

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

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MS4 WORK SHOP
 LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
 JULY 9TH 2012 LIBRARY 9:30

Name	Representing	Address	Phone	E-mail Address
Patricia Elkins	Dominguez Watershed Carson		310 847-3529	pelkins@carson.ca.us
Ray Tahir	TEES		626 396 9424	rtahir@teesv.com
R Purdy	RWQCB		213 576-6622	
John Dettie	Torrance	Torrance	310 618 3059	jdettle@torranceca.gov
Heather Maloney	LA Permit Group/ City of Monrovia		626 932-5577	hmaloney@ci.monrovia.ca.us
Mack Walker	Lany Walker Assn.		530.753.6900	Mackw@lwa.com
Shahram Kharaghani	CLA - Bas-WPD	1149 S. Broadway LA, CA 90015	213 485-0587	shahram.kharaghani@lacity.org
Deb Smith	RWQCB	320 w 4th	213 576 6609	dsmith@waterboards.ca.gov

CASQA Proposal for Receiving Water Limitation Provision (02-14-12)

D. RECEIVING WATER LIMITATIONS

1. Except as provided in Parts D.3, D.4, and D.5 below, discharges from the MS4 for which a Permittee is responsible shall not cause or contribute to an exceedance of any applicable water quality standard.
2. Except as provided in Parts D.3, D.4 and D.5, discharges from the MS4 of storm water, or non-storm water, for which a Permittee is responsible, shall not cause a condition of nuisance.
3. In instances where discharges from the MS4 for which the permittee is responsible (1) causes or contributes to an exceedance of any applicable water quality standard or causes a condition of nuisance in the receiving water; (2) the receiving water is not subject to an approved TMDL that is in effect for the constituent(s) involved; and (3) the constituent(s) associated with the discharge is otherwise not specifically addressed by a provision of this Order, the Permittee shall comply with the following iterative procedure:
 - a. Submit a report to the State or Regional Water Board (as applicable) that:
 - i. Summarizes and evaluates water quality data associated with the pollutant of concern in the context of applicable water quality objectives including the magnitude and frequency of the exceedances.
 - ii. Includes a work plan to identify the sources of the constituents of concern (including those not associated with the MS4 such that non-MS4s sources can be pursued).
 - iii. Describes the strategy and schedule for implementing best management practices (BMPs) and other controls (including those that are currently being implemented) that will address the Permittee's sources of constituents that are causing or contributing to the exceedances of any applicable water quality standard or causing a condition of nuisance, and are reflective of the severity of the exceedances. The strategy shall demonstrate that the selection of BMPs will address the Permittee's sources of constituents and include a mechanism for tracking BMP implementation. The strategy shall provide for future refinement pending the results of the source identification work plan noted in D.3. ii above.
 - iv. Outlines, if necessary, additional monitoring to evaluate improvement in water quality and, if appropriate, special studies that will be undertaken to support future management decisions.
 - v. Includes a methodology(ies) that will assess the effectiveness of the BMPs to address the exceedances.
 - vi. This report may be submitted in conjunction with the Annual Report unless the State or Regional Water Board directs an earlier submittal.

- b. Submit any modifications to the report required by the State of Regional Water Board within 60 days of notification. The report is deemed approved within 60 days of its submission if no response is received from the State or Regional Water Board.
 - c. Implement the actions specified in the report in accordance with the acceptance or approval, including the implementation schedule and any modifications to this Order.
 - d. As long as the Permittee has complied with the procedure set forth above and is implementing the actions, the Permittee does not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by the State Water Board or the Regional Water Board to develop additional BMPs.
4. For Receiving Water Limitations associated with waterbody-pollutant combinations addressed in an adopted TMDL that is in effect and that has been incorporated in this Order, the Permittees shall achieve compliance as outlined in Part XX (Total Maximum Daily Load Provisions) of this Order. For Receiving Water Limitations associated with waterbody-pollutant combinations on the CWA 303(d) list, which are not otherwise addressed by an applicable pollutant-specific provision of this Order, the Permittees shall achieve compliance as outlined in Part D.3 of this Order.
5. If a Permittee is found to have discharges from its MS4 causing or contributing to an exceedance of any applicable water quality standard or causing a condition of nuisance in the receiving water, the Permittee shall be deemed in compliance with Parts D.1 and D.2 above, unless it fails to implement the requirements provided in Parts D.3 and D.4 or as otherwise covered by a provision of this order specifically addressing the constituent in question, as applicable.



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB	320 W. 4 th St., # 200	Los Angeles, CA 90013-2343
Meeting Date and Time:		July 1 st 2012 @ 1300		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Juv K. Ridgeway	RWQCB - LA	(213) 620-2150	j.ridgeway@waterboards.ca.gov	
2. Donna Chen	City LA, WPD	213-485-3928	donna.chen@kitf.org	
3. Vivian Marquer	City of LA, WPD	323 3421556	Vivian.marquer@lacity.org	
4. Mack Walker	Larry Walker Assoc.	530.753.6400	Mack.w@lwa.com	
5. Jon Ball	City of LA, WPD	323-342-1557	jon.ball@lacity.org	
6. Karla Loman	Larry Walker Assoc.	310-394-1036	Kloman@lwa.com	
7. Shahram Kharaghani	CLA - BOS - WPD	213-485-0587	Shahram.Kharaghani@lacity.org	
8. R Purdy	RWQCB			
9.				
10.				

RB-AR3315



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		July 17, 2012 @ 1000		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Aracely Lasso	LA County DPW	626-458-7146	alasso@dpw.lacounty.gov	
2. IRAJ NASSERI	LA Comj DPW	126-458-6124	IRAJNASSERI@LADPW.ORG	
3. RANDALL SANCHE	" " "	626.458.3164	RASANCHE@ " "	
4. Maged Soliman	" " "	626.458.7163	masoliman@dpw.lacounty.gov	
5. Amir Ibrahim	" " "	626-458-4921	a.abraham@ " "	
6. Tuer Ku Ridgeway	RWQCB- LA	(818) 620-2150	iridgeway@waterboards.ca.gov	
7.				
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RB-AR3316

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles



Meeting July 19, 2012

Meeting Attendees:

Renee Purdy, LARWQCB

John Kemmemer, U.S. EPA

Eugene Bromley, U.S. EPA

Topics:

MDL Provisions/Numeric WQBELs

RWLs Provisions

Monitoring (outfalls and receiving water)

Non storm water discharge provisions

LID

Superfund discharges to MS4

WMP Provisions (public review)



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		August 22, 2012 @ 1300		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Juv. K. Ridgeway	RWQCB-LA	(213) 620-2150	ridgeway@waterboards.ca.gov	
2. Rebecca Christman	RWQCB-LA	(213) 576-6786	rchristman@waterboards.ca.gov	
3. R Purdy	"	213-576-6622		
4. Kosta Kaporis	City of L.A.	213-485-0586	kosta.kaporis@lacity.org	
5. Shahram Kharaghani	"	" - 0576	shahram.kharaghani@lacity.org	
6. ROBERT VEGA	City of L.A.	213-485-3991	Robert.Vega@lacity.org	
7. DONNA CHEN	City of L.A.	213-485-3928	donna.chen@lacity.org	
8. Karen Cowan	Long Valley Assoc.	310-394-1036	KarenC@lva.com	
9.				
10.				

RB-AR3318

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

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Renewal of the Los Angeles County Municipal Stormwater NPDES Permit
Los Angeles Regional Water Quality Control Board
Los Angeles County Flood Control District and County of Los Angeles

320 West Fourth Street, Suite 200
Los Angeles, CA 90013
Thursday, August 23, 2012; 1 – 3 PM

AGENDA

- I. Introduction / Purpose
- II. Critical Issues
 - a. LACFCD Permit
 - b. RWL
 - c. Final TMDL WLA
- III. Timing

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Findings

1. In 1915, the California Legislature established the Los Angeles County Flood Control District (LACFCD). The LACFCD is charged, among other things, with providing flood protection, water conservation, recreation and aesthetic enhancement within its boundaries. This includes the control and conservation of flood, storm and other waters for the protection of life and property. The LACFCD is governed, as a separate entity, by the County of Los Angeles Board of Supervisors.
2. The LACFCD's system encompasses more than 3,000 square miles, 85 cities and approximately 2.1 million land parcels. It includes the vast majority of drainage infrastructure within incorporated and unincorporated areas in every watershed, including 500 miles of open channel, 2,800 miles of underground drains, and an estimated 120,000 catch basins, and several dams. Portions of the LACFCD's current system were originally unmodified water courses.
3. The LACFCD's system conveys both storm and non-storm waters throughout the Los Angeles basin. Other Permittees' MS4s connect and discharge to the LACFCD's system.
4. The waters and pollutants discharged from the LACFCD's system come from various sources. These sources can include storm water and non-storm water from the Permittees under this permit and other NPDES permittees discharging into the LACFCD's system, including industrial waste water dischargers, waste water treatment facilities, industrial and construction stormwater permittees, and Caltrans. Sources can also include discharges from school districts that do not operate large or medium-sized municipal storm sewers and discharges from entities that have waste discharge requirements or waivers of waste discharge requirements. Other sources can include discharges from natural springs and runoff from fields, national forests, state parks and undeveloped land, and aerial deposition; *Sources internal to the MS4*
5. Unlike other permittees, the LACFCD does not currently own or operate any municipal sanitary sewer systems, public streets, roads, or highways.
6. Aside from LACFCD properties and facilities, the LACFCD also currently has no planning, zoning, development permitting or other land use authority over industrial or commercial facilities, new developments or re-development projects, or development construction sites located in any incorporated or unincorporated areas within its boundaries. The

Permittees that have such land use authority are responsible for implementing a storm water management program to inspect and control pollutants from industrial and commercial facilities, new development and re-development projects, and development construction sites within their jurisdictional boundaries.

7. A permit issued to more than one permittee for MS4 discharges may contain separate storm water management programs for particular permittees or groups of permittees. 40 CFR § 122.26(d)(2)(iv). Given the LACFCD's limited land use authority, it is appropriate for the LACFCD to have a separate and uniquely-tailored storm water management program. Accordingly, the storm water management program minimum control measures imposed on the LACFCD in this Part VI.D of this Order differ in some ways from the minimum control measures imposed on other Permittees. Namely, aside from its own properties and facilities, the LACFCD is not subject to the Industrial/Commercial Facilities Program, the Planning and Land Development Program, and the Development Construction Program. However, as a conveyer of storm and non-storm waters containing pollutants, the LACFCD remains subject to the Public Information and Participation Program and the Illicit Connections and Illicit Discharges Elimination Program. Further, as the owner of certain properties, facilities and infrastructure, the LACFCD remains subject to requirements of a Public Agency Activities Program.

- (1) To measurably increase the knowledge of the target audience about the MS4, the adverse impacts of storm water pollution on receiving waters and potential solutions to mitigate the impacts.
- (2) To measurably change the waste disposal and storm water pollution generation behavior of target audiences by encouraging the implementation of appropriate solutions/alternatives by providing information to the public.
- (3) To involve and engage a diversity of socio-economic groups and ethnic communities in Los Angeles County to participate in mitigating the impacts of stormwater pollution.

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b. PIPP Implementation

i. The LACFCD shall implement the PIPP requirements listed in this Part VI.D.4 using one or more of the following approaches:

- (1) By participating in a County-wide PIPP,
- (2) By participating in one or more Watershed Group sponsored PIPPs, and/or
- (3) Or individually within the LACFCD Los Angeles County Flood Control District.

ii. If the LACFCD participates in a County-wide or Watershed Group PIPP, the LACFCD shall provide the contact information for their appropriate staff responsible for storm water public education activities to the designated PIPP coordinator and contact information changes no later than 30 days after a change occurs. ~~This subsection was deleted.~~

b.c. Public Participation

- i. The LACFCD, in collaboration with the County of Los Angeles, shall continue to maintain the countywide hotline (888-CLEAN-LA) for public reporting of clogged catch basin inlets and illicit discharges/dumping, faded or missing catch basin labels, and general stormwater management information.
 - (1) The LACFCD shall include the reporting information, updated when necessary, in public information, and the government pages of the telephone book, as they are developed or published.
 - (2) The LACFCD, in collaboration with the County of Los Angeles, shall continue to maintain the www.888cleanla.com website.

c.d. Residential Outreach Program

- i. Working in conjunction with a regional/Countywide or Watershed Group sponsored PIPP or individually, the LACFCD shall implement the following activities:

- (1) ~~Stormwater~~ Conduct stormwater pollution prevention public service announcements and advertising campaigns
- (2) ~~Facilitate the distribution~~ dissemination of ~~Public~~ public education materials including, at a minimum, information on the proper handling (i.e., disposal, storage and/or use) of:
 - (a) Vehicle waste fluids
 - (b) Household waste materials (i.e., trash and household hazardous waste, including personal care products and pharmaceuticals)
 - (c) Construction waste materials
 - (d) Pesticides and fertilizers (including integrated pest management practices [IPM] to promote reduced use of pesticides),
 - (e) Green waste (including lawn clippings and leaves)
 - (f) Animal wastes
- (3) ~~Activity~~ Facilitate the ~~distribution~~ dissemination of specific stormwater pollution prevention public education materials, at a minimum, for the following points of purchase:
 - (a) Automotive parts stores
 - (b) Home improvement centers / lumber yards / hardware stores
 - (c) Landscaping / gardening centers
 - (d) Pet shops / feed stores
- (4) Maintain a storm water website, which shall include educational material and opportunities for the public to participate in storm water pollution prevention and clean-up activities listed in Part VI.D.4.
- (4)(5) When coordinating activities in (1)-(34), the LACFCD shall use effective strategies to educate and involve ethnic communities in stormwater pollution prevention through culturally effective methods.

This section was deleted in its entirety.

This section was deleted in its entirety.

This section was deleted in its entirety.

3. Industrial/Commercial Facilities Program

If the LACFCD Los Angeles County Flood Control District operates, or has authority over, any facility(ies) identified in Part VI.D.5.b, LACFCD shall comply for those sites, they are subject with o-the requirements in Part VI.D.5.

4. Planning and Land Development Program

If the LACFCD Los Angeles County Flood Control District develops constructs or redevelops any projects, or has authority over any such project, identified in Part VI.D.6.b, LACFCD shall comply with for those projects they are subject to the requirements in Part VI.D.6.e.

5. Development Construction Program

If the LACFCD Los Angeles County Flood Control District conducts any activities, or has authority over any such activities, identified in Part VI.D.7, LACFCD shall comply with the requirements in Part VI.D.7 of that Section.

2.6. Public Agency Activities Program

The LACFCD shall implement a Public Agency Activities Program to minimize stormwater pollution impacts from LAFCD-owned or operated facilities and activities. Requirements for Public Agency Facilities and Activities consist of the following components:

- a. Public Construction Activities Management.
- b. Public Facility Inventory
- c. Public Facility and Activity Management
- d. Vehicle and Equipment Washing
- e. Landscape and Recreational Facilities Management
- f. Storm Drain Operation and Maintenance
- g. Parking Facilities Management
- h. Emergency Procedures
- i. Employee and Contractor Training

a. Public Construction Activities Management

- i. The LACFCD shall implement and comply with the Planning and Land Development Program requirements in Part TBD of this Order at LACFCD-owned or operated public construction projects that are categorized under the project types identified in Part [TBD] of this Order.
- ii. The LACFCD shall implement and comply with the appropriate Development Construction Program requirements in Part [TBD] of this Order at LACFCD-owned or operated construction projects as applicable.

- iii. For LACFD-owned or operated projects -that disturb less than one acre of soil, the LACFD shall require the implementation of an effective combination of erosion and sediment control BMPs from Table 13 (see Construction Development Program).
- iv. The LACFCD shall obtain separate coverage under the Construction General Permit for all LACFCD-owned or operated construction sites that require coverage.

b. Public Facility Inventory

- i. The LACFCD shall maintain an updated watershed-based inventory and map of all LACFCD-owned or operated facilities within its jurisdiction that are potential sources of stormwater pollution. The incorporation of facility information into a GIS is recommended. Sources to be tracked include but are not limited to the following:
 - (1) Chemical storage facilities
 - (2) Equipment storage and maintenance facilities (including landscape maintenance-related operations)
 - (3) Fueling or fuel storage facilities
 - (4) Materials storage yards
 - (5) Pesticide storage facilities
 - (6) LACFCD buildings,
 - (7) LACFCD maintenance yards
- ii. The LACFCD shall include the following minimum fields of information for each LACFCD-owned or operated facility in its watershed-based inventory and map.
 - (1) Name of facility
 - (2) Name of facility manager and contact information
 - (3) Address of facility (physical and mailing)
 - (4) A narrative description of activities performed and principal products used at each facility and status of exposure to stormwater.
 - (5) MS4 outfalls that receive, or potentially receive discharges from the facility, and corresponding receiving water(s).
 - (6) Identification of whether the facility is tributary to a waterbody segment subject to a TMDL, where the facility generates pollutants for which the waterbody segment is impaired.
 - (7) Coverage under the Industrial General Permit or other individual or general NPDES permits or any applicable waiver issued by the Regional or State Water Board pertaining to stormwater discharges.

- iii. The LACFCD shall update its inventory and map once during the Permit term. The update shall be accomplished through a collection of new information obtained through field activities.

This subsection was deleted.

c. Public Agency Facility and Activity Management

- i. The LACFCD shall obtain separate coverage under the Industrial General Permit for all Permittee-owned or operated facilities where industrial activities are conducted that require coverage under the Industrial General Permit. The LACFCD shall implement the following measures for flood management projects:
 - (1) Develop procedures to assess the impacts of flood management projects on the water quality of receiving waterbodies; and
 - (2) Evaluate existing structural flood control facilities during the planning phases of major maintenance or rehabilitation projects to determine if retrofitting the facility to provide additional pollutant removal from stormwater is feasible.
- ii. The LACFCD shall implement and maintain the general and activity-specific BMPs listed in Table [TBD]18 (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs when such activities occur at LACFCD-owned or operated facilities and field activities (e.g., project sites) including but not limited to the facility types listed in Part [TBD] above, and at any area that includes the activities described in Table [TBD], or that have the potential to discharge pollutants in stormwater.
- iii. Any contractors hired by the LACFCD to conduct Public Agency Activities (e.g., municipal maintenance) shall be contractually required to implement and maintain the general and activity specific BMPs listed in Table [TBD]18 or an equivalent set of BMPs. The LACFCD shall conduct oversight of contractor activities to ensure these BMPs are implemented and maintained.

Insert Table [TBD]18 – BMPs for Public Agency Facilities and Activities (from the Caltrans Stormwater Quality Handbook Maintenance Staff Guide Appendix B)

d. Vehicle and Equipment Washing

- i. The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs for all ~~fixed~~ vehicle and equipment washing areas;

Comment [JF14]: LACFCD?

- ii. The LACFCD shall prevent discharges of wash waters from vehicle and equipment washing to the MS4 by implementing any of the following measures at existing facilities with vehicle or equipment wash areas:
 - (1) Self-contain, and haul off for disposal; or
 - (2) Equip with a clarifier or an alternative pre-treatment device and plumb to the sanitary sewer in accordance with applicable waste water provider regulations
- iii. The LACFCD shall ensure that any LACFCD facilities constructed, redeveloped, or replaced shall not discharge wastewater from vehicle and equipment wash areas to the MS4 by plumbing all areas to the sanitary sewer in accordance with applicable waste water provider regulations, or self-containing all waste water/ wash water and hauling to a point of legal disposal.

e. Landscape and Recreational Facilities Management

- i. The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD]18 (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs for all its public right-of-ways, flood control facilities and open channels and reservoirs, and landscape and recreational facilities and activities.
- ii. Integrated Pest Management (IPM) is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. The LACFCD shall implement an IPM program that includes the following:
 - (1) Pesticides are used only if monitoring indicates they are needed, and pesticides are applied according to applicable permits and established guidelines.
 - (2) Treatments are made with the goal of removing only the target organism.
 - (3) Pest controls are selected and applied in a manner that minimizes risks to human health, beneficial non-target organisms, and the environment.
 - (4) The use of pesticides, including Organophosphates and Pyrethroids, does not threaten water quality.
 - (5) Partner, as appropriate, with other agencies and organizations to encourage the use of IPM.
 - (6) Adopt and verifiably implement policies, procedures, and/ or ordinances requiring the minimization of pesticide use and encouraging the use of IPM techniques (including beneficial insects) for Public Agency Facilities and Activities.

- (7) Policies, procedures, and ordinances shall include a schedule to reduce the use of pesticides that cause impairment of surface waters by implementing the following procedures:
 - (e) Prepare and annually update an inventory of pesticides used by all internal departments, divisions, and other operational units.
 - (f) Quantify pesticide use by staff and hired contractors.
- iii. The LACFCD shall implement the following requirements:
 - (1) Comply with the provisions and the monitoring and reporting requirements for application of aquatic pesticides to surface waters; (WQ Order No. 2011-003-DWQ) (Aquatic Animal Invasive Species Control), WQ Order No. 2011-0002-DWQ (Vector Control), and WQ Order No. 2004-0009-DWQ (Weed Control).
 - (2) Use a standardized protocol for the routine and non-routine application of pesticides (including pre-emergents), and fertilizers.
 - (3) Ensure no application of pesticides or fertilizers are applied to an area immediately prior to, during or immediately after a rain event, or when water is flowing off the area.
 - (4) Ensure that no banned or unregistered pesticides are stored or applied.
 - (5) Ensure that all staff applying pesticides are certified in the appropriate category by the California Department of Pesticide Regulation, or are under the direct supervision of a pesticide applicator certified in the appropriate category.
 - (6) Implement procedures to encourage the retention and planting of native vegetation to reduce water, pesticide and fertilizer needs; and
 - (7) Store pesticides and fertilizers indoors or under cover on paved surfaces, or use secondary containment.
 - (a) Reduce the use, storage, and handling of hazardous materials to reduce the potential for spills.
 - (b) Regularly inspect storage areas.

f. Storm Drain Operation and Management

- i. The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] or equivalent set of BMPs for storm drain operation and maintenance.
- ii. Ensure that all the material removed from the MS4 does not reenter the system. Solid material shall be dewatered in a contained area and liquid material shall be disposed in accordance with any of the following measures:

- (1) Self-contain, and haul off for legal disposal; or
- (2) Equip with a clarifier or an alternative pre-treatment device; and plumb to the sanitary sewer in accordance with applicable waste water provider regulations.

iii. Catch Basin Cleaning

- (1) In areas that are not subject to a trash TMDL, the LACFCD shall determine priority areas and shall update its map or list of cCatch bBasins with their GPS coordinates and priority:

Priority A: Catch basins that are designated as consistently generating the highest volumes of trash and/or debris.

Priority B: Catch basins that are designated as consistently generating moderate volumes of trash and/or debris.

Priority C: Catch basins that are designated as generating low volumes of trash and/or debris.

The map or list shall contain the rationale or data to support priority designations.

- (2) In areas not subject to a trash TMDL, the LACFCD shall inspect its catch basins according to the following schedule:

Priority A: A minimum of 3 times during the wet season (October 1 through April 15) and once during the dry season every year.

Priority B: A minimum of once during the wet season and once during the dry season every year.

Priority C: A minimum of once per year.

Catch basins shall be cleaned as necessary on the basis of inspections. At a minimum, LACFCD shall ensure that any catch basin that is determined to be at least 25% full of trash shall be cleaned out. LACFCD shall maintain inspection and cleaning records for Regional Water Board review.

- (3) In areas that are subject to a trash TMDL, the subject Permittees shall implement the applicable provisions in Part 7VI.E.

~~This subsection was deleted.~~

~~This subsection was deleted.~~

iv. Catch Basin Labels and Open Channel Signage

- (1) LACFCD shall label all catch basin inlets that they own with a legible "no dumping" message.
- (2) The LACFCD shall inspect the legibility of the catch basin stencil or label nearest the inlet prior to the wet season every year.

- (3) The LACFCD shall record all catch basins with illegible stencils and re-stencil or re-label within 90 days of inspection.
- (4) The LACFCD shall post signs, referencing local code(s) that prohibit littering and illegal dumping, at designated public access points to open channels, creeks, urban lakes, and other relevant waterbodies.

This subsection was deleted.

v. Open Channel Maintenance

The LACFCD shall implement a program for Open Channel Maintenance that includes the following:

- (1) Visual monitoring of LACFCD owned open channels and other drainage structures for debris at least annually;
- (2) Remove trash and debris from open channels a minimum of once per year before the wet season;
- (3) Eliminate the discharge of contaminants produced by storm drain maintenance and clean outs; and
- (4) Quantify the amount of materials removed using techniques appropriate for quantifying solid waste and ensure the materials are properly disposed of.

vi. Infiltration from Sanitary Sewer to MS4/Preventive Maintenance

- (1) The LACFCD shall implement controls and measures to prevent and eliminate infiltration of seepage from sanitary sewers to its MS4 storm drains through thorough, routine preventive maintenance of its MS4 storm drains.
- (2) The LACFCD shall implement controls to limit infiltration of seepage from sanitary sewers to its storm drains MS4 where necessary. Such controls must include:
 - i. Adequate plan checking for construction and new development;
 - ii. Incident response training for its employees that identify sanitary sewer spills;
 - iii. Code enforcement inspections;
 - iv. MS4 maintenance and inspections;
 - v. Interagency coordination with sewer agencies; and
 - vi. Proper education of its staff and contractors conducting field operations on its MS4 storm drains.

vii. LACFCD-Owned Treatment Control BMPs

- (1) The LACFCD shall implement an inspection and maintenance program for all LACFCD-owned treatment control BMPs, including post-construction treatment control BMPs.

- (2) The LACFCD shall ensure proper operation of all its treatment control BMPs and maintain them as necessary for proper operation, including all post-construction treatment control BMPs.
- (3) Any residual water produced by a treatment control BMP and not being internal to the BMP performance when being maintained shall be:
 - (a) Hauled away and legally disposed of; or
 - (b) Applied to the land without runoff; or
 - (c) Discharged to the sanitary sewer system (with permits or authorization); or
 - (d) Treated or filtered to remove bacteria, sediments, nutrients, and meet the limitations set in Table TBD (Discharge Limitations for Dewatering Treatment BMPs), prior to discharge to the MS4.

Table TBD - Discharge Limitations for Dewatering Treatment BMPs¹

Parameter	Units	Limitation
Total Suspended Solids	mg/L	100
Turbidity	NTU	50
Oil and Grease	mg/L	10

g. Parking Facilities Management

~~This subsection was deleted.~~

LACFCD-owned parking lots exposed to stormwater shall be kept clear of debris and excessive oil buildup and cleaned no less than 2 times per month and/or inspected no less than 2 times per month to determine if cleaning is necessary. In no case shall a LACFCD-owned parking lot be cleaned less than once a month.

h. Emergency Procedures

The LACFCD may conduct repairs and rehabilitation of essential public service systems and infrastructure in emergency situations with a self-waiver of the provisions of this Order as follows:

- i. The LACFCD shall abide by all other regulatory requirements, including notification to other agencies as appropriate.
- ii. Where the self-waiver has been invoked, the LACFCD shall notify the Regional Water Board Executive Officer of the occurrence of the emergency no later than 30 business days after the situation of emergency has passed.
- iii. Minor repairs of essential public service systems and infrastructure in emergency situations (that can be completed in less than one week) are

¹ Technology based effluent limits.

not subject to the notification provisions. Appropriate BMPs to reduce the threat to water quality shall be implemented.

i. Employee and Contractor Training

- i. The LACFCD shall, no later than one year after Order adoption and annually thereafter before ~~October 15~~ June 30, train all of their employees and contractors in targeted positions (whose interactions, jobs, and activities affect stormwater quality) on the requirements of the overall stormwater management program to:
 - (a) Promote a clear understanding of the potential for activities to pollute storm water.
 - (b) Identify opportunities to require, implement, and maintain appropriate BMPs in their line of work.
- ii. The LACFCD shall, no later than one year after Order adoption and annually thereafter before October 15, train all of their employees and contractors who use or have the potential to use pesticides or fertilizers (whether or not they normally apply these as part of their work). Training programs shall address:
 - (a) The potential for pesticide-related surface water toxicity.
 - (b) Proper use, handling, and disposal of pesticides.
 - (c) Least toxic methods of pest prevention and control, including IPM.
 - (d) Reduction of pesticide use.
- iii. The LACFCD shall require ~~its contractors to train their~~ appropriate training of contractor employees in targeted positions as described above.

3.7. Illicit Connections and Illicit Discharge (IC/ID) Elimination Program

a. General

- i. The LACFCD shall continue to implement an Illicit Connection and Illicit Discharge (IC/ID) Program to detect, investigate, and eliminate IC/IDs to ~~its open channels and underground storm drain system~~ MS4. The IC/ID Program must be implemented in accordance with the requirements and performance measures specified in the following subsections.
- ii. As stated in Part [TBD] of this Order, each Permittee must have adequate legal authority to prohibit IC/IDs to the MS4 and enable enforcement capabilities to eliminate the source of IC/IDs. LACFCD's IC/ID Program shall consist of at least the following major program components:
 - (1) An up-to-date map of LACFCD's ~~owned and maintained municipal separate storm sewer system (MS4)~~
 - (2) Procedures for systematic visual inspection of LACFCD's MS4 ~~owned and maintained open channels and underground storm drains~~

- (3) Procedures for conducting source investigations for IC/IDs
- (4) Procedures for eliminating the source of IC/IDs
- (5) Procedures for public reporting of illicit discharges
- (6) Spill response plan
- (7) IC/IDs education and training for LACFCD staff

b. MS4 Mapping

- i. The LACFCD shall maintain and up-to-date and accurate electronic map of its ~~MS4 open channels and underground storm drain system~~. If possible, the map should be maintained within a GIS. The map must show the following, at a minimum:
 - (1) Within one year of Permit adoption, the location of outfalls¹ owned and maintained by the LACFCD. Each outfall shall be given an alphanumeric identifier, which must be noted on the map. Each mapped outfall shall be located using a geographic positioning system (GPS). Photographs of the major outfalls² shall be taken to provide baseline information to track operation and maintenance needs over time.
 - (2) The location and length of open channels and underground storm drain pipes ~~with a diameter of 36 inches and greater in diameter,~~ that are owned and operated by the LACFCD.
 - (3) The location and name of all waterbodies receiving discharges from those MS4 major outfalls identified in (1).
 - (4) All LACFCD's dry weather diversions installed within the MS4 to direct flows from the MS4 to the sanitary sewer system, including the owner and operator of each diversion.
 - (5) By the end of the Permit term, map all known permitted and documented connections to its ~~storm drain~~MS4 system.

Comment [JF15]: I don't think we should define this here. Let's add the definition to Attachment A instead as the definition is applicable to all permittees.

Comment [JF16]: Same comment as above

¹ Outfall (as defined by 40 CFR § 122.26(b)(9)) means a *point source* (as defined by 40 CFR § 122.2) at the point where a municipal separate storm sewer discharges to waters of the United States (as defined by ~~33~~40 CFR § 122.2328-3) and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States. ~~For the LACFCD, this is equivalent to the point where an underground storm drain outlets into an open channel.~~

² Major outfall (as defined by 40 CFR -§ 122.26(b)(6)) means a major municipal separate storm sewer outfall (as defined by 40 CFR § 122.2(b)(5)) means a municipal separate storm sewer outfall that discharges from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive storm water from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more).

- ii. The MS4 map shall be updated as necessary.

c. Non-Stormwater Outfall-Based Monitoring Program to Detect IC/IDs

- i. The LACFCD shall provide available information in support of the non-stormwater outfall-based monitoring program to be developed and implemented by the Permittees with land use jurisdiction in accordance with the Outfall Monitoring Section.

d. Illicit Discharge Source Investigation and Elimination

- i. The LACFCD shall develop written procedures for conducting investigations to prioritize and identify the source of all illicit discharges to its MS4 open channels and underground storm drain system, including procedures to eliminate the discharge once the source is located.
- ii. At a minimum, the LACFCD shall initiate¹ an investigation(s) to identify and locate the source within one business day of becoming aware of the illicit discharge.
- iii. When conducting investigations, the LACFCD shall comply with the following:
 - (1) Illicit discharges suspected of being sanitary sewage and/or significantly contaminated shall be investigated first.
 - (2) The LACFCD shall track all investigations to document, at a minimum, the date(s) the illicit discharge was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed.
 - (3) The LACFCD shall prioritize and investigate the source of all observed illicit discharges to its open channels and underground storm drain system MS4.
 - (4) If the source of the illicit discharge is found to be a discharge authorized under an NPDES permit, the LACFCD shall document the source and report to the Regional Water Board within 30 days of determination. No further action is required.
 - (5) If the source of the illicit discharge has been determined to originate from within the jurisdiction of other Permittee(s) with land use authority over the suspected responsible party/parties, the LACFCD shall immediately alert the appropriate Permittee(s) of the problem for further action by the Permittee(s).

¹ Permittees may comply with the Permit by taking initial steps (such as logging, prioritizing, and tasking) to "initiate" the investigation within that one business day. However, the Regional Water Board would expect that the initial investigation, including a site visit, to occur within two business days of becoming aware of the illicit discharge.

- iv. When taking corrective action to eliminate illicit discharges, the LACFCD shall comply with the following:
- (1) If the source of the illicit discharge has been determined or suspected by the LACFCD to originate within an upstream jurisdiction(s), the LACFCD shall immediately notify the upstream jurisdiction(s), and notify the Regional Water Board within 30 days of such determination and provide all the information collected and efforts taken.
 - (2) Once the Permittee with land use authority over the suspected responsible party/parties has been alerted, the LACFCD may continue to work in cooperation with the Permittee(s) to notify the responsible party/parties of the problem, and require the responsible party/parties to immediately initiate necessary corrective actions to eliminate the illicit discharge. Upon being notified that the discharge has been eliminated, the LACFCD may, in conjunction with the Permittee(s) conduct a follow-up investigation to verify that the discharge has been eliminated and cleaned up to the satisfaction of the LACFCD. The LACFCD shall document its follow-up investigation. The LACFCD may seek recovery and remediation costs from responsible parties or require compensation for the cost of all inspection and investigation activities. Resulting enforcement actions shall follow the program's Progressive Enforcement Policy.
 - (3) If the source of the illicit discharge cannot be traced to a suspected responsible party, the LACFCD, in conjunction with other affected Permittees, shall continue implementing the illicit discharge/spill response plan.
- v. In the event the LACFCD and/or other Permittees are unable to eliminate an ongoing illicit discharge following full execution of its legal authority and in accordance with its Progressive Enforcement Policy, including the inability to find the responsible party/parties, or other circumstances prevent the full elimination of an ongoing illicit discharge, the LACFCD and/or other Permittees shall notify the Regional Water Board within 30 days of such determination and provide available information to the Regional Water Board

e. Identification and Response to Illicit Connections

i. Systematic Visual Inspections for Illicit Connections

The LACFCD shall continue the systematic field visual inspections of its MS4 storm drain systems for illicit connections in accordance with the following schedule:

- (1) Open channels: No later than one year after Order adoption date (XXX), and annually thereafter.
- (2) Underground storm drains identified by the LACFCD as high priority: No later than three years after Order adoption date (XXX).

- (3) Underground storm drains with a diameter of 36 inches or greater:
No later than by the end of the Permit term.

ii. Investigation

-The LACFCD, upon discovery or upon receiving a report of a suspected illicit connection, shall initiate an investigation within 21 days, to determine the following: (1) source of the connection, (2) nature and volume of discharge through the connection, and (3) responsible party for the connection.

iii. Elimination

The LACFCD, upon confirmation of an illicit connection to its ~~open channel or underground storm drain~~MS4, shall ensure that the connection is:

- (1) Permitted or documented, provided the connection will only discharge stormwater and non-stormwater allowable under this Order or other individual or general NPDES Permits/WDRs, or
- (2) Eliminated within 180 days of completion of the investigation, using its formal enforcement authority, if necessary, to eliminate the illicit connection.

iv. Documentation

Formal records must be maintained for all illicit connection investigations and the formal enforcement taken to eliminate illicit connections.

f. **Public Reporting of Non-Stormwater Discharges and Spills**

- i. The LACFCD shall, in collaboration with the County, continue to maintain the 888-CLEAN-LA hotline internet site to promote, publicize, and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from MS4s.
- ii. The LACFCD shall include information regarding public reporting of illicit discharges or improper disposal on the signage adjacent to open channels as required in Part [TBD].
- iii. The LACFCD shall develop and maintain written procedures that document how complaint calls are received, documented, and tracked to ensure that all complaints are adequately addressed. The procedures shall be evaluated annually to determine whether changes or updates are needed to ensure that the procedures accurately document the methods employed by the LACFCD. Any identified changes shall be made to the procedures subsequent to the annual evaluation.
- iv. The LACFCD shall maintain documentation of the complaint calls and record the location of the reported spill or IC/ ID and the actions undertaken, including referrals to other agencies, in response to all IC/ID complaints.

Comment [JF17]: Should we put in an internet address here?

Comment [JF18]: Just open channels? Not storm drains? Can we just say MS4?

g. **Illicit Discharge and Spill Response Plan**

- i. The LACFCD shall implement an ID and spill response plan for all spills that may discharge into its system. The ID and spill response plan shall clearly identify agencies responsible for ID and spill response and cleanup, contact information, and shall contain at a minimum the following requirements:
 - (1) Coordination with spill response teams throughout all appropriate departments, programs and agencies so that maximum water quality protection is provided.
 - (2) Initiation of investigation of all public and employee ID and spill complaints within one business day of receiving the complaint to assess validity.
 - (3) Response to ID and spills within 4 hours of becoming aware of the ID or spill, except where such IDs or spills occur on private property, in which case the response should be within 2 hours of gaining legal access to the property.
 - (4) IDs or spills that may endanger health or the environment shall be reported to appropriate public health agencies and the Office of Emergency Services (OES).

h. Illicit Connection and Illicit Discharge Education and Training

- i. The LACFCD must continue to implement a training program regarding the identification of IC/IDs for all LACFCD field staff, who, as part of their normal job responsibilities (e.g., storm drain inspection and maintenance), may come into contact with or otherwise observe an illicit discharge or illicit connection to ~~its the storm sewer system~~MS4. Contact information, including the procedure for reporting an illicit discharge, must be included in the LACFCD's fleet vehicles that are used by field staff. Training program documents must be available for review by the ~~permitting authority~~Regional Water Board.
- ii. The LACFCD's training program should address, at a minimum, the following:
 - (1) IC/ID identification, including definitions and numerous examples,
 - (2) investigation,
 - (3) elimination,
 - (4) cleanup,
 - (5) reporting, and
 - (6) documentation.
- iii. The LACFCD must create a list of applicable positions which require IC/ID training and ensure that training is provided at least twice during the term of this Order. The LACFCD must maintain documentation of the training activities.

- iv. New LACFCD staff members must be provided with IC/ID training within six months of starting employment.
- v. The LACFCD shall require its contractors to train their employees in targeted positions as described above.

vi. v.

The following is intended to be included as part of the Monitoring Section within the LACFCD chapter.

A. Outfall Monitoring

- 1. The LACFCD shall provide available, pertinent information on its MS4 to Permittees to assist them in the development of the outfall monitoring plan.
- 2. The LACFCD shall visually inspect its outfalls in conjunction with its systematic inspection program for open channels, and provide results to the Permittees with land use authority upon request.

LACFCD Proposal



EDMUND G. BROWN, JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		September 4, 2012 @ 1100		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. TIA K. RIDGEMAN	RWQCB-LA	(213) 620-2150	iridgeman@waterboards.ca.gov	
2. SUNGER	RWQCB-LA	(213) 576-6605	sunger@waterboards.ca.gov	
3. TRACY EGOSUE	ELG	562 988 5978	tracy@egoscue.com	
4. FRANKLIN	LACoDPW	626 458-4358	frank@dpw.lacounty.gov	
5. ANGELA GEORGE	LACoDPW	626 458-4325	ageorge@dpw.lacounty.gov	
6. GARY HILDEBRAND	LACoDPW	626 458-4300	ghildeb@dpw.lacounty.gov	
7. R PURDY	RWQCB			
8. Deb Smith	RWQCB	213-576-6609	dsmith@waterboards.ca.gov	
9. MARK LOMBOS	LACoDPW	(626) 458-7143	mlombos@dpw.lacounty.gov	
10.				

RB-AR3339



Renewal of the Los Angeles County Municipal Stormwater NPDES Permit
Los Angeles Regional Water Quality Control Board
Los Angeles County Flood Control District and County of Los Angeles

320 West Fourth Street, Suite 200
Los Angeles, CA 90013
Tuesday, September 4, 2012; 11 – 1

AGENDA

- I. Introduction / Purpose
- II. Regional Multiuse Projects
- III. Critical Issues Follow Up
 - a. LACFCD Chapter
 - b. RWL
 - c. Final TMDL WLA
- IV. Other

Permittees shall incorporate compliance schedules in Attachments L through R into the plan and, where necessary develop interim milestones and dates for their achievement. Compliance schedules and interim milestones and dates for their achievement shall be used to measure progress towards addressing the highest water quality priorities and achieving applicable water quality-based effluent limitations and/or receiving water limitations.

- i. Schedules must be adequate for measuring progress on a watershed scale twice during the permit term.
- ii. Schedules must be developed for both the strategies, control measures and BMPs implemented by each Permittee within its jurisdiction and for those that will be implemented by multiple Permittees on a watershed scale.
- iii. Schedules shall incorporate the following:
 - (1) Compliance deadlines occurring within the permit term for all applicable interim and/or final water quality-based effluent limitations and/or receiving water limitations in Part VI.E and Attachments L through R of this Order,
 - (2) Interim milestones and dates for their achievement within the permit term for any applicable final water quality-based effluent limitation and/or receiving water limitation in Part VI.E and Attachments L through R, where deadlines within the permit term are not

otherwise specified.

- (3) For watershed priorities related to addressing exceedances of receiving water limitations in Part V.A and not otherwise addressed by Part VI.E:
 - (a) Milestones based on measureable criteria or indicators, to be achieved in the receiving waters and/or MS4 discharges,
 - (b) A schedule with dates for achieving the milestones as soon as possible, and
 - (c) A final date for achieving the receiving water limitations within the permit term.
 - (d) The milestones and implementation schedule in (a)-(c) fulfill the requirements in Part V.A.3.a to prepare an Integrated Monitoring Compliance Report.

Upon the Permittees' request, the Board shall hold a hearing to determine if there is sufficient scientific, technical, or other evidence to support a modification of the compliance schedule based upon the Permittees' implementation of the highest water quality priorities, and if so, this Order shall be reopened to reconsider the compliance schedule, water quality-based effluent limitations and/or receiving water limitations established in this Order pursuant to these TMDLs.

otherwise specified.

- (3) For watershed priorities related to addressing exceedances of receiving water limitations in Part V.A and not otherwise addressed by Part VI.E:
 - (a) Milestones based on measureable criteria or indicators, to be achieved in the receiving waters and/or MS4 discharges,
 - (b) A schedule with dates for achieving the milestones as soon as possible, and
 - (c) A final date for achieving the receiving water limitations within the permit term.
 - (d) The milestones and implementation schedule in (a)-(c) fulfill the requirements in Part V.A.3.a to prepare an Integrated Monitoring Compliance Report.

Upon the Permittees' request, the Board shall hold a hearing to determine if there is sufficient scientific, technical, or other evidence to support a modification of the compliance schedule based upon the Permittees' implementation of the highest water quality priorities, and if so, this Order shall be reopened to reconsider the compliance schedule, water quality-based effluent limitations and/or receiving water limitations established in this Order pursuant to these TMDLs.

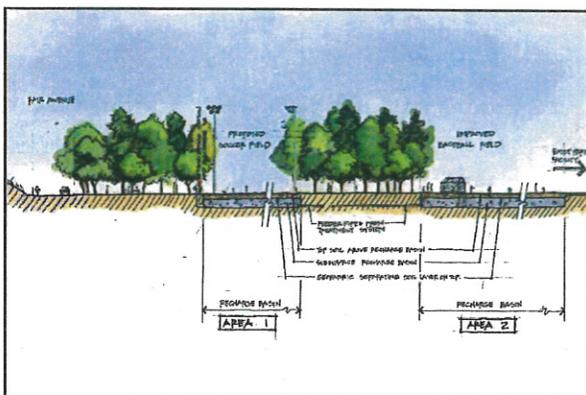
SUN VALLEY WATERSHED SUN VALLEY PARK DRAIN AND INFILTRATION SYSTEM PROJECT



The Sun Valley Watershed—Sun Valley Park Drain and Infiltration System Project is identified as a major component of the Sun Valley Watershed Management Plan, a plan developed by the Los Angeles County Flood Control District to solve the major flooding problem, while retaining all stormwater runoff from the watershed, increasing water conservation, recreational opportunities, and wildlife habitat, and reducing stormwater pollution.

Project Description

The Sun Valley Watershed – Sun Valley Park Drain and Infiltration System Project converted an existing municipal park into a flood mitigation, water quality treatment, and water conservation multi-use site. Localized flooding is alleviated in the area as stormwater runoff from the 21-acre drainage area is collected through a constructed storm drain system to the Sun Valley Park. Runoff is routed through a water quality treatment system at the park to remove suspended solids and heavy metals. The treated runoff is then directed into two underground infiltration basins where the water is naturally filtered and recharged into the groundwater aquifer. The water conservation benefit is estimated to be 30 acre-feet per year. The infiltration basins are buried beneath the soccer and baseball fields to maintain the park's functionality. Vegetated swales with California native plants were also strategically placed throughout the park to treat runoff from the surrounding areas. In addition, the project also included enhancements to the park's recreational amenities, such as new soccer and baseball fields, bleachers, sports lighting, and interpretive signage.



Construction of the project was completed in 2006 with total project cost of approximately \$7 million. The project was funded by the Department of Water Resources (Local Groundwater Assistance) grant, a Proposition 12 (Murray-Hayden) grant received by TreePeople, and the Los Angeles County Flood Control District.

Designed By: CH2MHill

Constructed by: Southwest Engineering, Inc.

Operated and Maintained By: Los Angeles County Flood Control District, City of Los Angeles Bureau of Sanitation, and City of Los Angeles Department of Recreation and Parks

SUN VALLEY WATERSHED TUXFORD GREEN MULTIUSE PROJECT



The Sun Valley Watershed—Tuxford Green Multiuse Project is identified as a major component of the Sun Valley Watershed Management Plan, a plan developed by the Los Angeles County Flood Control District to solve the major flooding problem, while retaining all stormwater runoff from the watershed, increasing water conservation, recreational opportunities, and wildlife habitat, and reducing stormwater pollution.

Project Description

Previously, the intersection of Tuxford Street and San Fernando Road suffered from major flooding at the intersection, even during light rainfall and there were regular road closures due to flooding. The Tuxford Green Multiuse Project uses a series of catch basins and storm drains to collect runoff from the 2.2 square miles of urban watershed that drains to the intersection of Tuxford and San Fernando. Stormwater is conveyed under the intersection and hydraulic pressure “pushes” flows up to an existing culvert, where flows continue downstream. The project also included landscaping of a barren corner of the intersection with native plants which are irrigated with stormwater stored in a 45,000 gallon underground cistern. Water quality is also addressed by this project by providing treatment before smaller flows are discharged downstream.



Construction of the project was completed in 2007 with a total project cost of approximately \$3.7 million. The project was funded by the Los Angeles County Flood Control District.

Designed By: Los Angeles County Flood Control District

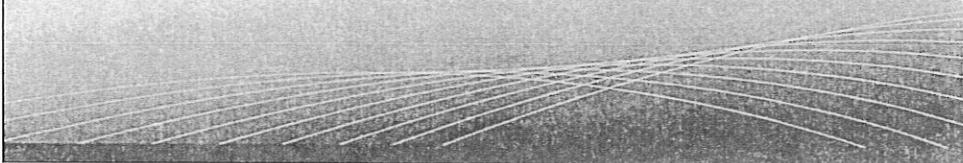
Constructed By: Mike Bubalo Construction Company, Inc.

Operated and Maintained By: Los Angeles County Flood Control District, City of Los Angeles Bureau of Sanitation, and City of Los Angeles Department of Recreation and Parks



Sun Valley Watershed Management Plan

**A Multi-Benefit Approach to Addressing
Urban Watershed Health Issues**



OBJECTIVES

- **OVERVIEW:**
 - Sun Valley Watershed
 - Multi-Benefit Approach

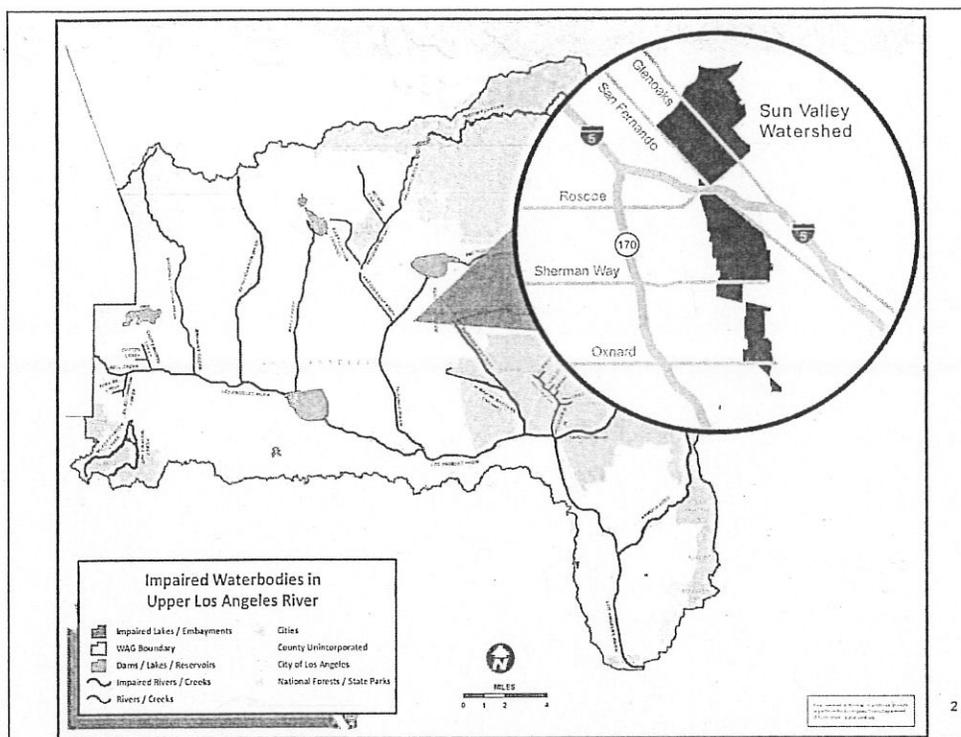
- **PROJECTS:**
 - Elmer Ave Retrofit
 - Tuxford Green
 - Sun Valley Park
 - Strathern Wetlands Park

1

Objectives

Through this presentation, we will provide you with background information on the Sun Valley Watershed, the watershed health issues impacting the area, and the approach taken by the Los Angeles County Flood Control District to address those issues.

We will also highlight projects that have been implemented or are currently underway in Sun Valley that incorporate the multi-benefit approach, namely the Elmer Ave Retrofit, Tuxford Green, Sun Valley Park, and the proposed Strathern Wetlands Park.



Los Angeles River Watershed and Sun Valley Watershed

As you already know, many of the waterbodies in Los Angeles County suffer impairments due to pollutants such as bacteria, metals, nutrients, trash and toxics...

This is a map of the Upper Los Angeles River watershed showing the Los Angeles River and its tributaries. The blue lines represent rivers and creeks that are not impaired. And as you can see, they are mostly located in the undeveloped portions of the watershed. The green area in the upper right hand corner of the map represents national forests and state parks. The red lines represent rivers and creeks that are impaired and they are mostly located in the heavily developed, heavily populated portions of the watershed.

Sun Valley is a 4.4-square mile watershed located in the San Fernando Valley in the City of Los Angeles. It is adjacent to the Tujunga Wash which itself is impaired due to bacteria, metals, nutrients, and trash. As a tributary of the Los Angeles River, runoff and pollutants generated from Sun Valley eventually make its way to the Los Angeles River.

The watershed is highly developed and historically, suffers from a variety of watershed health issues....



Poor stormwater quality

In terms of land use, almost 60 percent of the watershed is comprised of industrial areas and roadways.

- 43% - industrial
- 25% - residential
- 16% - roads
- 8% - other (agriculture, institutional, vacant, water)
- 4% - recreational/open space

The most common industries in Sun Valley are gravel mining operations and auto-dismantling facilities. There is also high truck traffic volume in the area because of those industries.

During rain events, runoff picks up pollutants generated from those areas and carries them to the streets, and ultimately to the Los Angeles River.

As you can see from this photo, the stormwater quality is poor – it contains trash, sediment, metals, and oil



Flooding

Currently, the watershed does not have a comprehensive storm drain system. During light to moderate rain events, the area suffers from chronic and severe flooding.

When it rains major intersections and roadways are flooded...making it difficult for residents to get to work or school.

This photo was taken in October 2011 along Tujunga Avenue – just outside of the Strathern property. As you can see, the road is completely flooded from one sidewalk to the other.



Dense urbanization

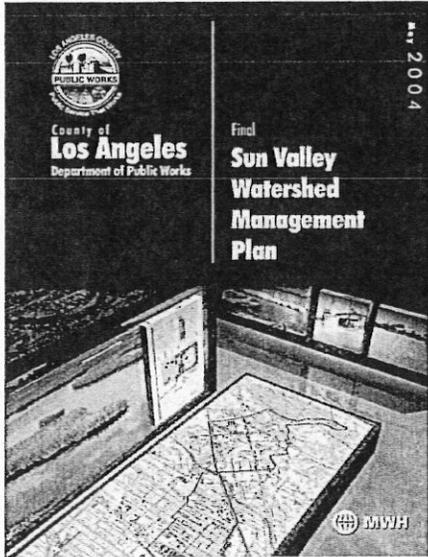
This is an aerial photo of the middle portion of the watershed...but it is representative of the entire Sun Valley. In a nutshell, the area is densely populated and highly urbanized – everything is built out. If you have the opportunity to drive around the watershed, what you will see are a lot of impervious surfaces.

In terms of land use, only 4 percent of the watershed is used for recreational and open space.

- 43% - industrial
- 25% - residential
- 16% - roads
- 8% - other (agriculture, institutional, vacant, water)
- 4% - recreational/open space

Considering the population for this area, there is not a lot of opportunities for parks, open spaces, and natural habitat.

MULTI-BENEFIT APPROACH



- Planning document
 - Flood Protection
 - Water Quality
 - Stormwater Capture
 - Habitat Restoration
 - Recreational Opportunities
- Existing watershed condition
- 15 pilot projects

6

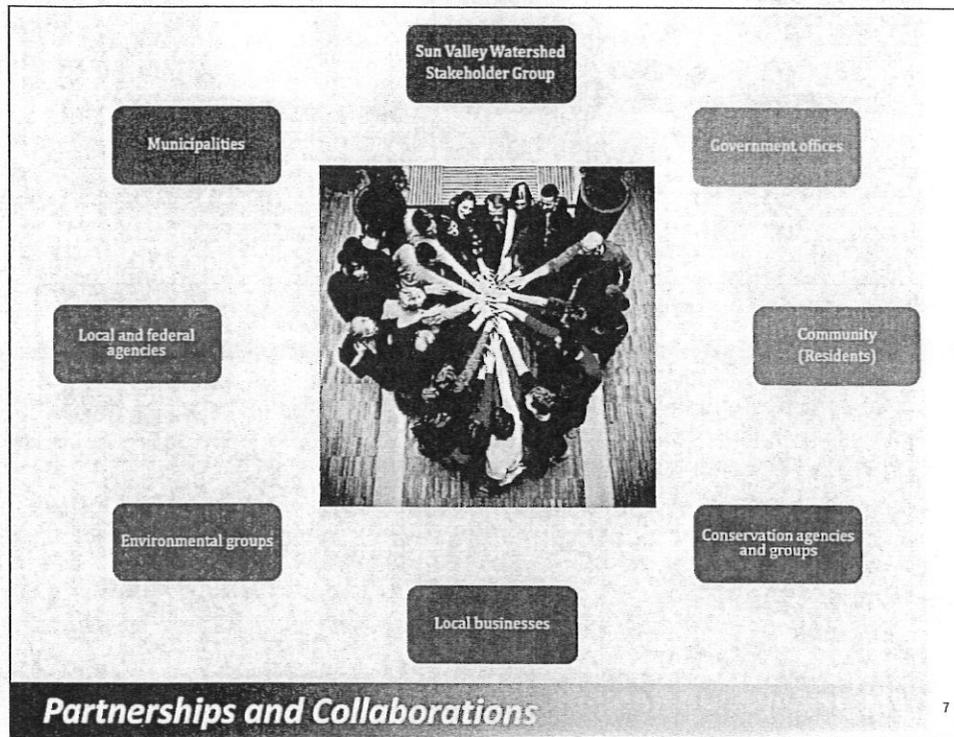
Multi-benefit approach

In the late 1990s the Los Angeles County Flood Control District began a new approach to stormwater management for this area. Rather than address the stormwater problem through a traditional storm drain, the Los Angeles County Flood Control District led an effort to address ALL the watershed health issues using a multi-benefit approach.

This led to the formation of the Sun Valley Watershed Stakeholder Group – a group comprised of residents, agencies, environmental groups, and local businesses that have a stake in the area. This group has been meeting quarterly to address watershed issues since 1998.

This led to the development of the Sun Valley Watershed Management Plan:

- Planning document with focus on:
 - Flood Protection
 - Water Quality
 - Stormwater Capture (for conservation and reuse)
 - Habitat Restoration
 - Recreational Opportunities
- Provided description of Existing Watershed Conditions
- Identified opportunities, including 15 pilot projects, for stormwater management using the multi-benefit approach



Partnerships and Collaborations

Work started in 2001 and was adopted by the County of Los Angeles Board of Supervisors in June 2004

The success of the development of the Sun Valley Watershed Management Plan was heavily dependent on the participation of the Sun Valley Watershed Stakeholder Group.

As you can imagine, the implementation of the Sun Valley Watershed Management Plan is just as dependent, if not more, on strong partnerships and collaborations by various agencies, environmental groups, political offices, and most importantly, the community...

These partnerships may involve the various phases of a project:

- Development of more detailed concept reports and studies
- Cost-sharing towards design and construction of capital improvement projects
- Sharing of operation, maintenance, and monitoring responsibilities



Elmer Ave Retrofit

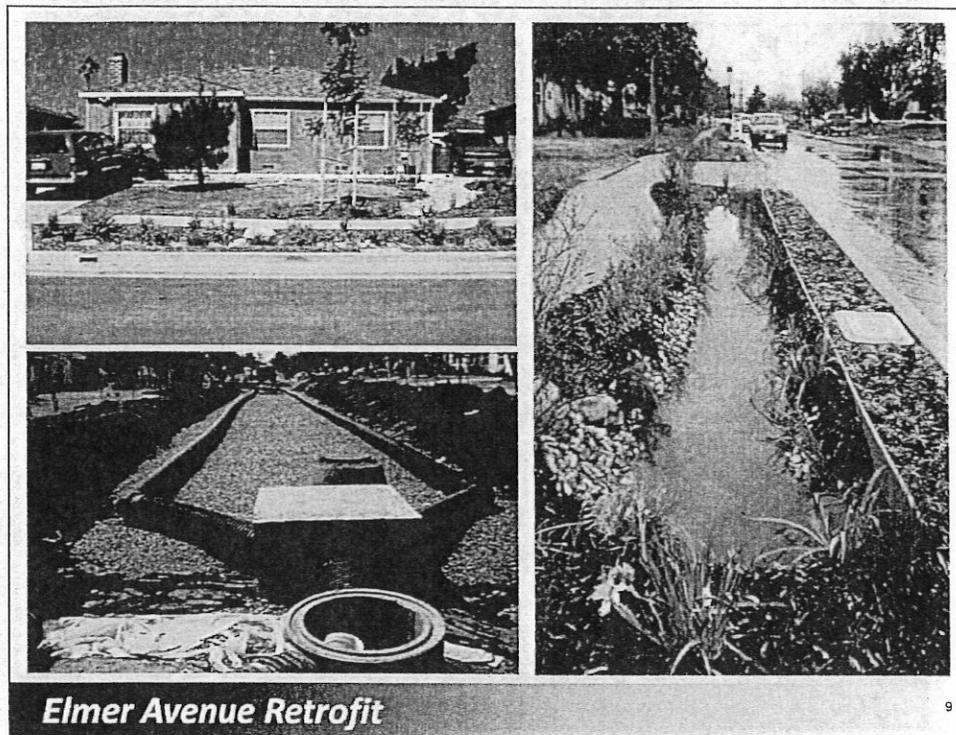
Constructed in 2010

The Sun Valley Watershed Management Plan identified opportunities in commercial and residential areas for distributed BMPs – smaller scale projects that address stormwater capture at a parcel level...coincided with Council for Watershed Health's effort to do a pilot green street through their Water Augmentation Study.

Partnership between:

- Council for Watershed Health
- City of Los Angeles
- Several agencies and groups

One block of Elmer Ave from Stagg St to Keswick St with goal of capturing runoff resulting from 2-year storm from the surrounding 40-acre tributary area



Comprised of:

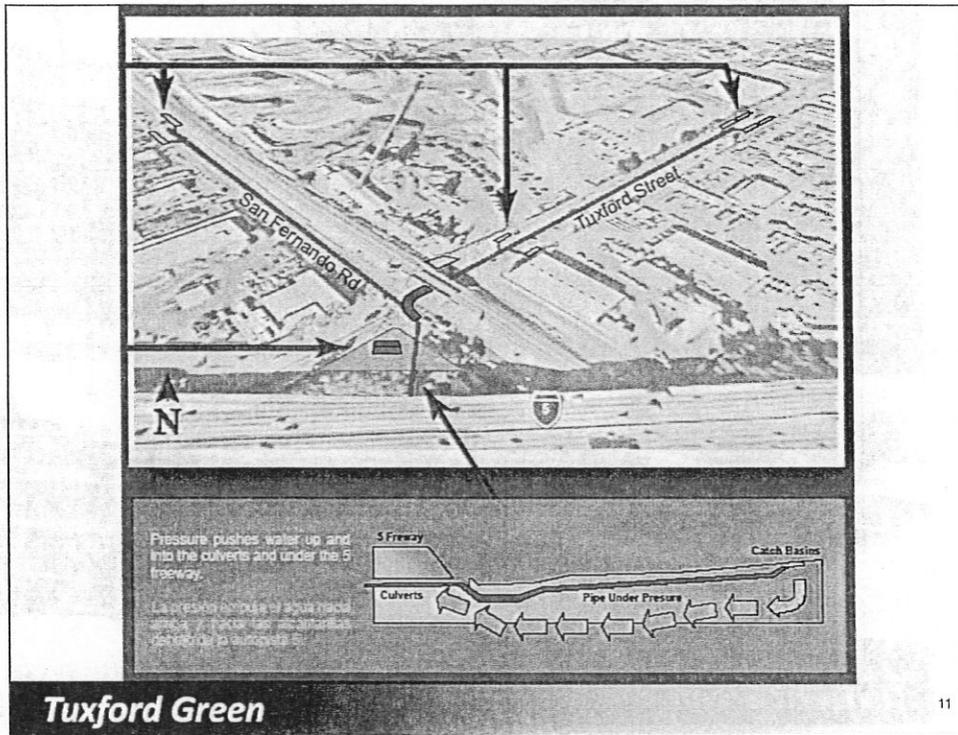
- LIDs on people's homes-- rain barrels, drought tolerant and native landscaping
 - 13 rain barrels at 55-gallon capacity each
- Infiltration trenches – catch basins capture runoff from streets to trenches for groundwater recharge
 - North Infiltration Trench 250' long, 36' wide, and 4' deep capable of holding 81,332 gallons and infiltrating 4,705 gallons every five minutes
 - South Infiltration Trench 100' long, 36' wide, and 4' deep capable of holding 32,315 gallons and infiltrating 1,870 gallons every five minutes
- Bioswales – capture runoff from properties, curb cuts to intercept runoff from streets
 - 27 swales averaging about 81 cubic feet of storage each
- Public outreach/education – Council for Watershed Health hosted workshops to educate residents on maintenance of LIDs



As I mentioned earlier, the Sun Valley Watershed Management Plan identified 15 pilot projects for centralized BMPs – larger scale projects that address stormwater capture at a regional level.

To date, the Los Angeles County Flood Control District has completed two projects:

- Tuxford Green
- Sun Valley Park Drain and Infiltration System



Tuxford Green (Park and Drain)

Constructed in 2007

Partnership between:

- Los Angeles County Flood Control District
- City of Los Angeles Department of Public Works (Bureau of Sanitation)

Comprised of

- Storm drain on San Fernando Blvd and Tuxford St to alleviate flooding at the intersection
- Cistern (underground tank) adjacent to storm drain that stores runoff for use to irrigate the pocket park
- Pocket park at the intersection

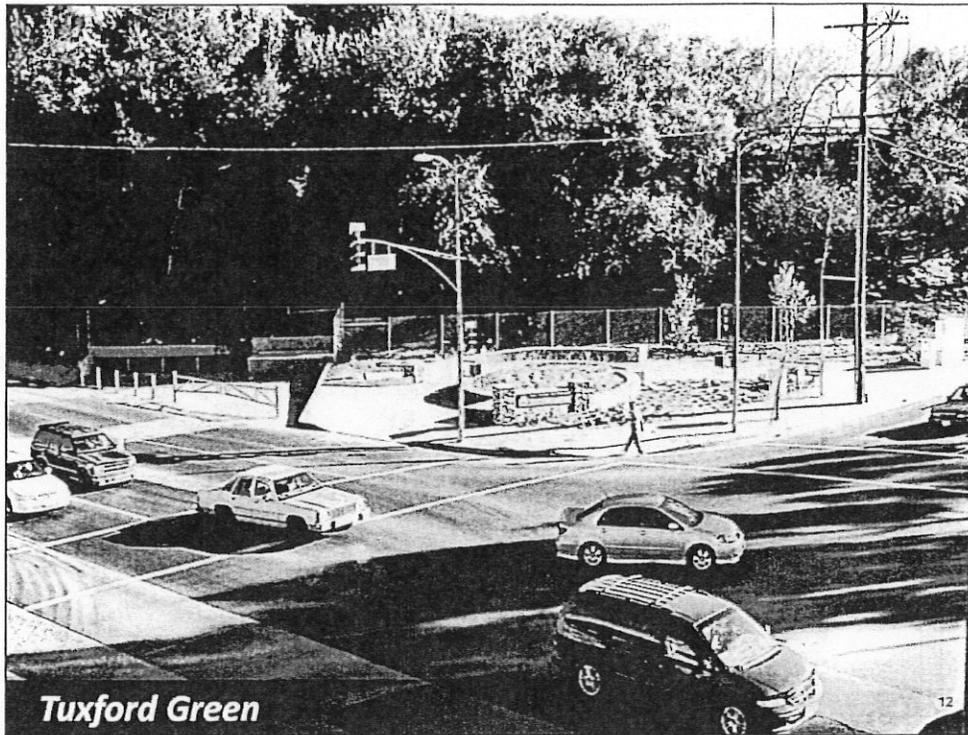
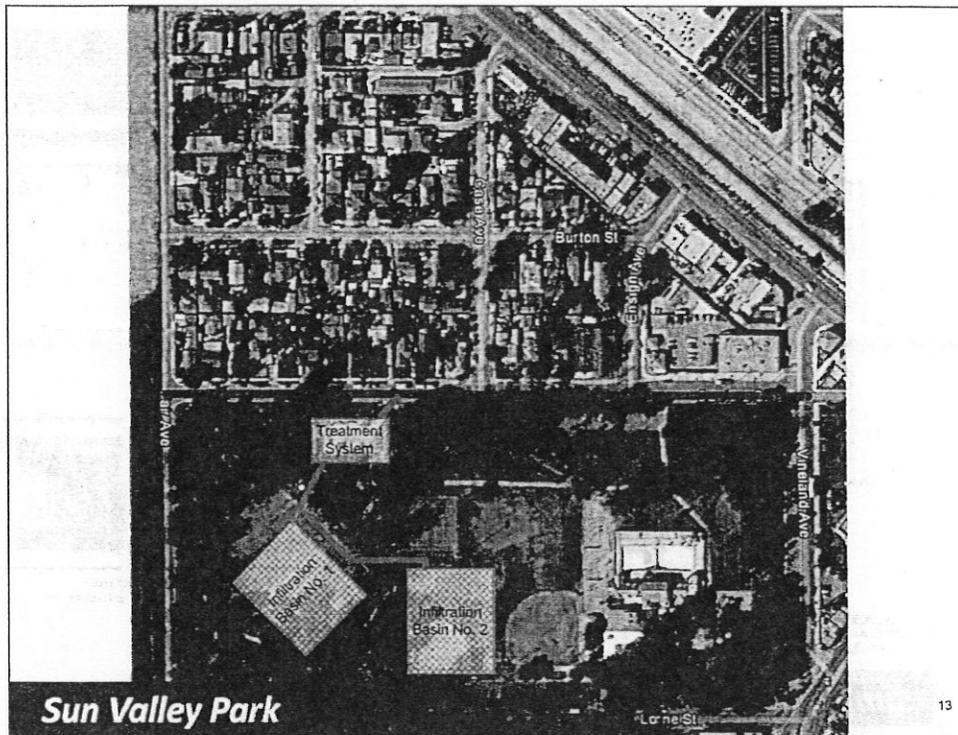


Photo of pocket park

Park was landscaped using drought tolerant and native plants



Sun Valley Park (Drain and Infiltration System)

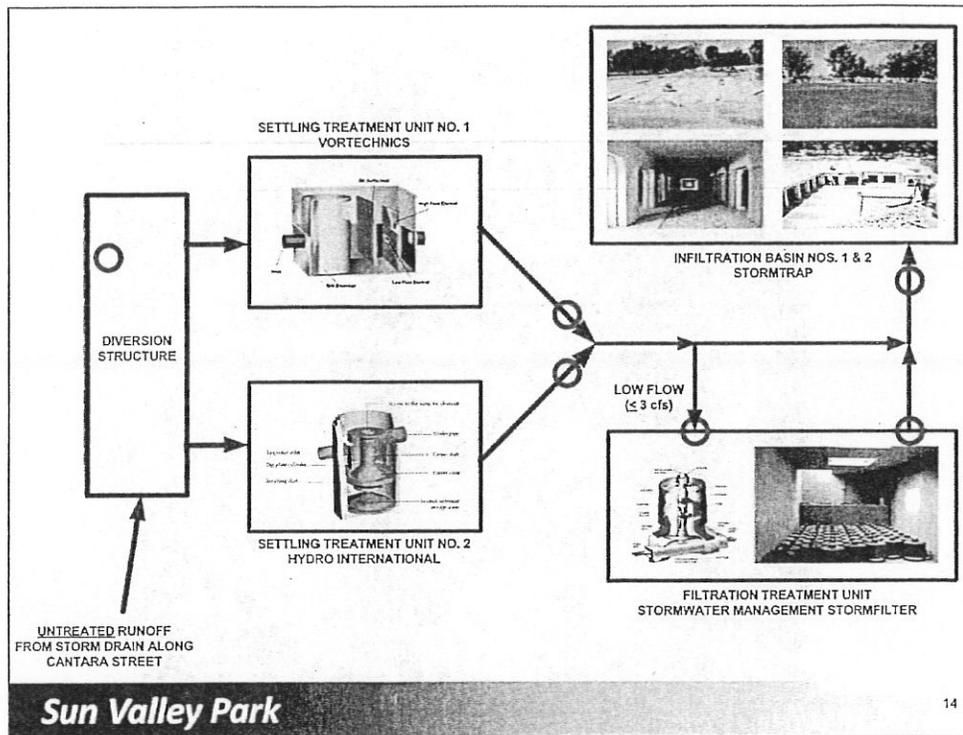
Constructed in 2006

Partnership between:

- Los Angeles County Flood Control District
- City of Los Angeles Department of Public Works (Bureau of Sanitation)
- City of Los Angeles Department of Recreation and Parks
- TreePeople (non-governmental organization)

Comprised of:

- Storm drain to capture runoff from 21 acre tributary area
- Water quality treatment system to treat the collected runoff for removal of trash, sediment, metals, grease, and oil
- Underground infiltration basins for groundwater recharge - facilities underground, no impact to park use
- Bioswales throughout the park to capture runoff from the streets and infiltrate them back to the ground
- Improved recreational lights and fields



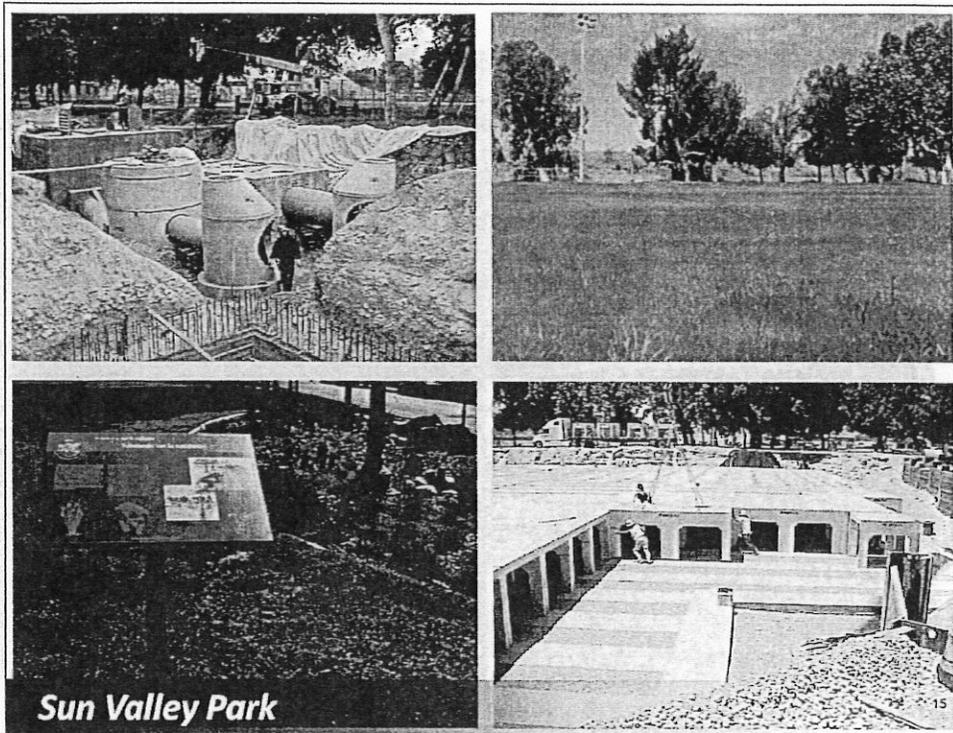
Schematic of water quality treatment

Red dots represent sampling locations – monitor water quality at each stage of treatment train

- Diversion structure – provides first opportunity for larger particles to settle out; split flows into two hydrodynamic separators
- Hydrodynamic separators – remove trash, sediment (TSS), metal, oil and grease
- Filter unit – additional removal of finer sediments and pollutants (low flows only) *< 3 cfs*

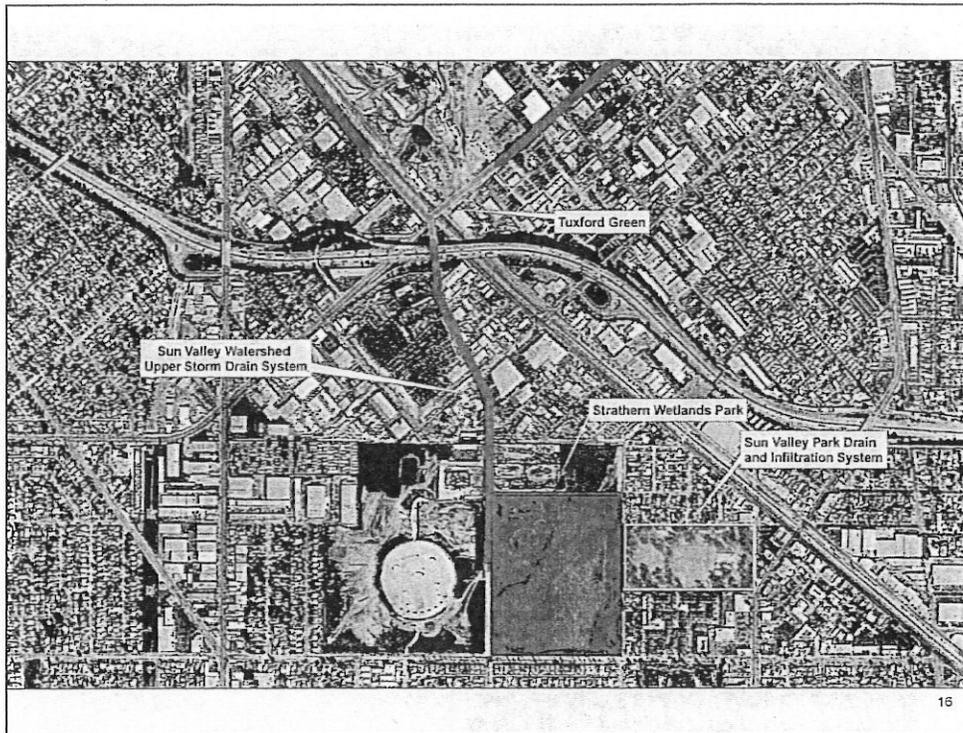
Average volume of water infiltrated = 20 acre-feet/year (dependent of amount of rainfall)

*1 acre-feet of water = serve two (2) families of four (4) for a year



Photos of constructed elements (starting from the upper left and going clockwise):

- Hydrodynamic separators
- Improved play fields, bleachers, and field lights
- Underground infiltration galleries
- Bioswales w/ interpretive signage



Next phase

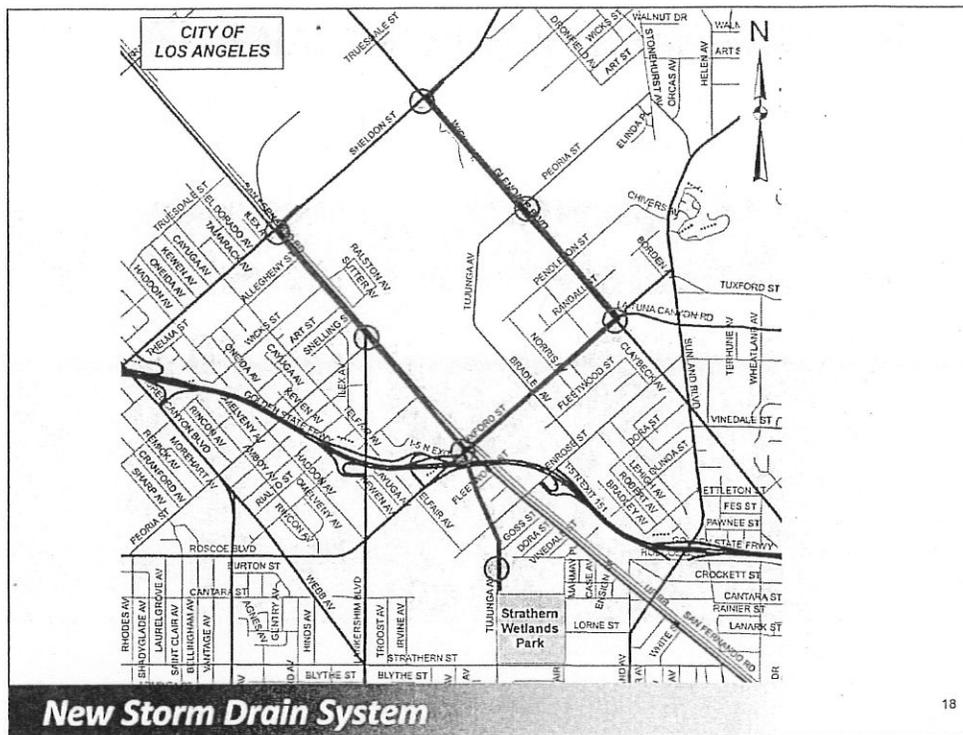
The next phase is to provide connectivity to the two completed projects through a new storm drain system and the Strathern Wetlands Park

This is a project that the Los Angeles County Flood Control District is currently working on with our project partners: City of Los Angeles and Sun Valley Watershed Stakeholder Group



Strathern Wetlands Park project

Embodies the objectives of the Sun Valley Watershed Management Plan...multi-benefit!



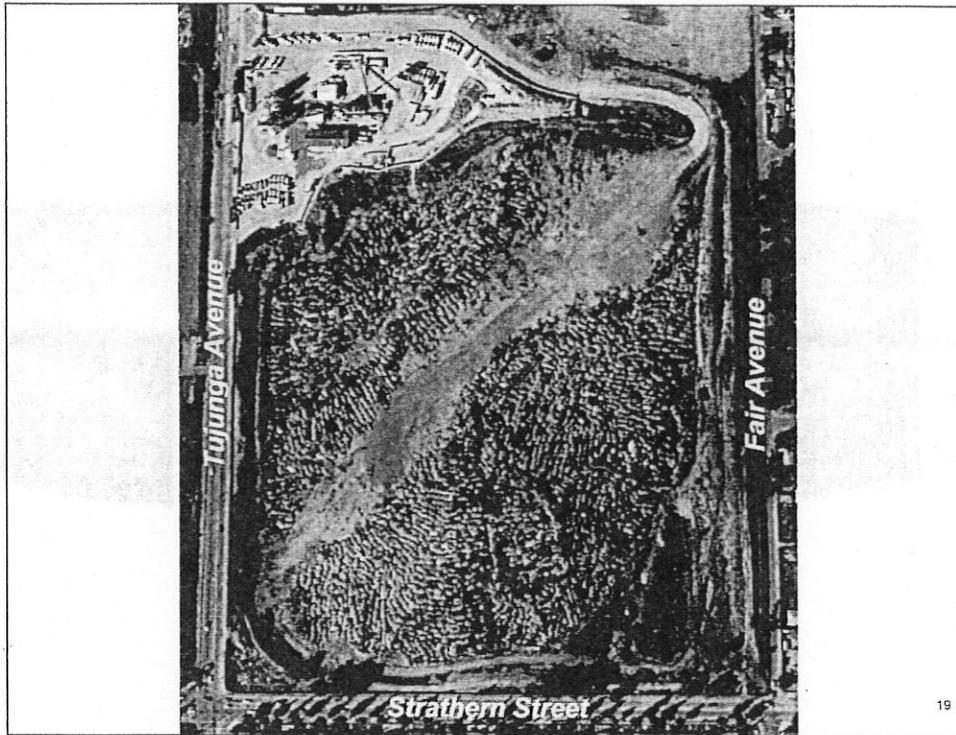
Storm drain system

A key component of the project is the construction of a new underground storm drain system. The drain will capture runoff from the 929-acre tributary area, convey them underground, and deliver them to the Strathern Wetlands Park.

The RED DOTS on the map represent hot spots – intersections that historically we have known to flood during rain storms. The BLUE LINE represents the storm drain alignment. The upstream end will be at the intersection of Sheldon St and Glenoaks Blvd and the downstream end at the Strathern Wetlands Park.

During the concept development for this project, we identified an opportunity to partner with the Los Angeles Department of Water and Power to construct a recycle water line along the storm drain alignment. Just to give everyone some background, LADWP has a Master Plan to construct a recycled water infrastructure throughout the City of Los Angeles to maximize the use of recycled water. This is an opportunity to basically “kill two birds with one stone...to construct both the storm drain and recycled water line at the same time....reducing construction costs and impacts to the community”.

The new recycled water line will allow for Title 22 recycled water to be delivered to the park for irrigation use.



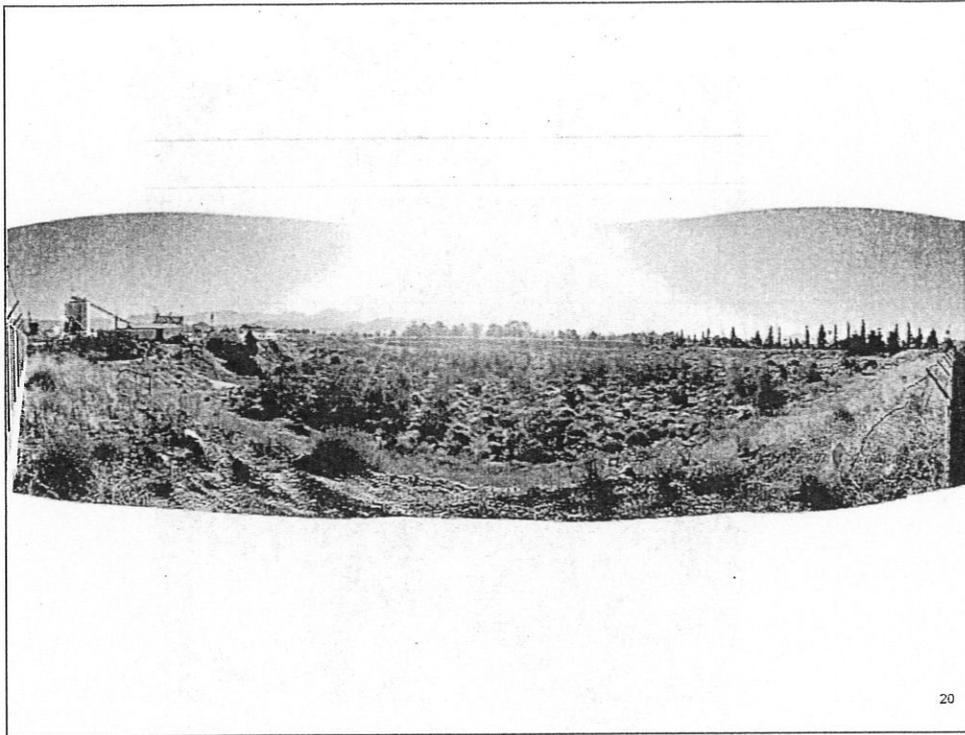
Project site – property formerly known as Strathern Pit

Our project site is a 46-acre property that was previously operated as a construction debris landfill.

The property was acquired by the Los Angeles County Flood Control District for \$28 million (\$10 million to be reimbursed by the City of Los Angeles Prop O Bond Measure)

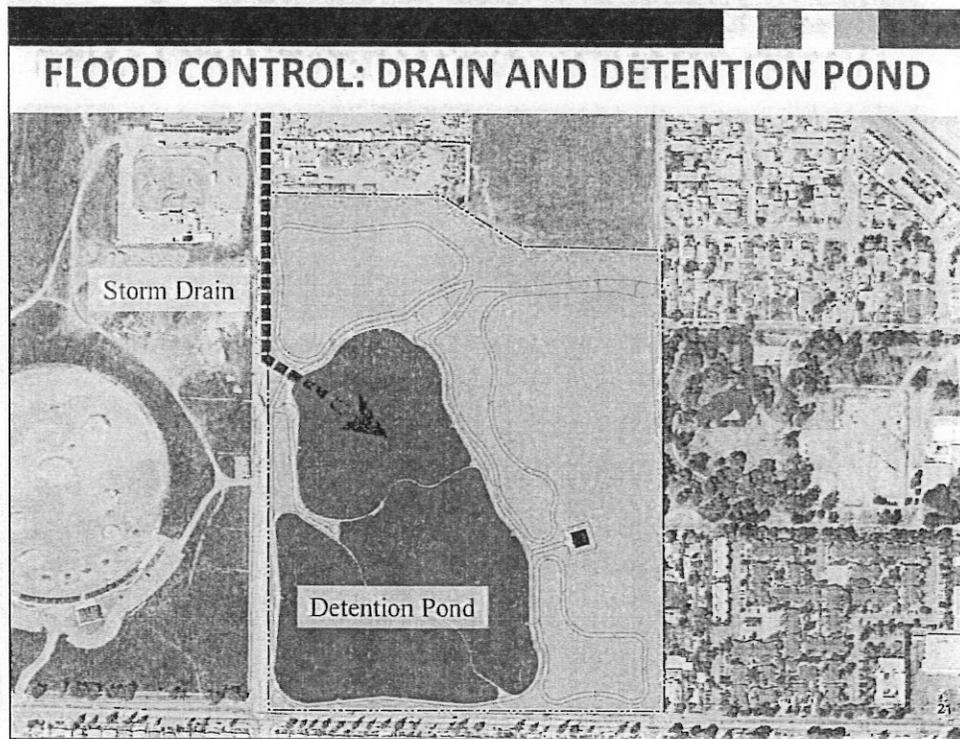
Los Angeles County Flood Control District took possession in February 2009 . Since the time we received the keys to the property, all landfill operations stopped. For the past 3.5 years, no additional material has been placed on the site.

Los Angeles County Flood Control District became fee owner in February 2012



Project site – property formerly known as Strathern Pit

Here is a view inside the property looking east from Tujunga Ave



Detention Pond

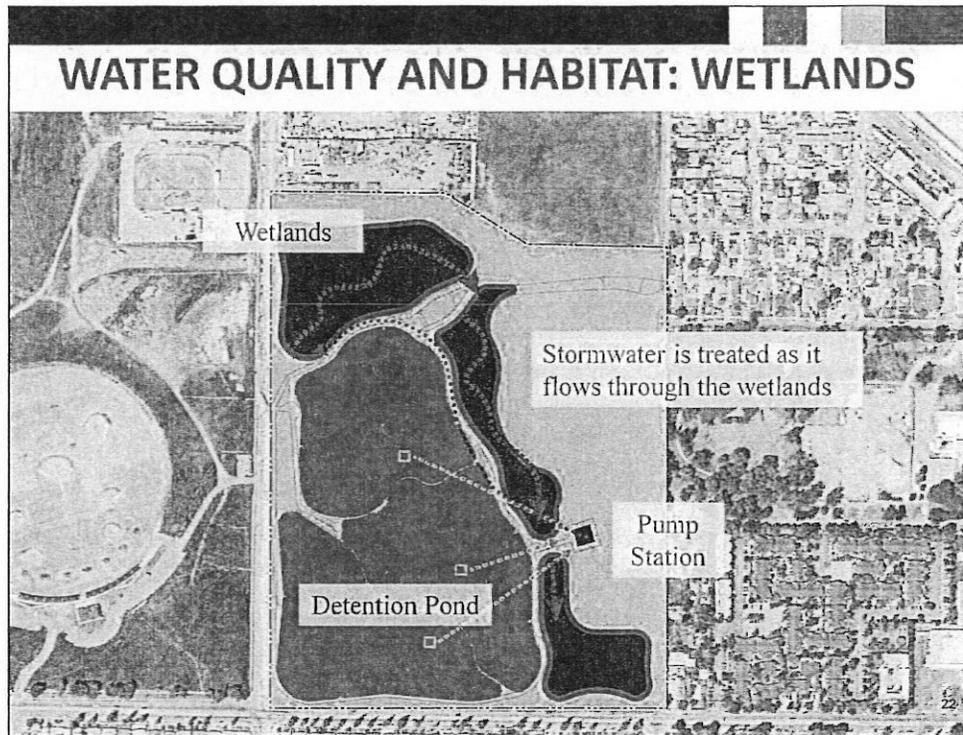
The centerpiece of this project is the conversion of the construction debris landfill into a multi-benefit wetlands park.

The stormwater runoff captured by the storm drain will outlet into a detention pond onsite. The pond will have a footprint of approximately 21 acres and a storage capacity of 400 acre-feet. Both the storm drain and detention pond are designed based on Los Angeles County standards so these are intended to handle large storms events and runoff from larger scale areas. *Designed for 50 yr. event.*

- Peak flow rate = 990 cfs (Capital Flood)
- * • Storage capacity = 400 acre/feet
- Footprint = 21 acres

(picking up from 929 residential acre

The combination of the storm drain and detention pond will provide much needed flood protection in the watershed.

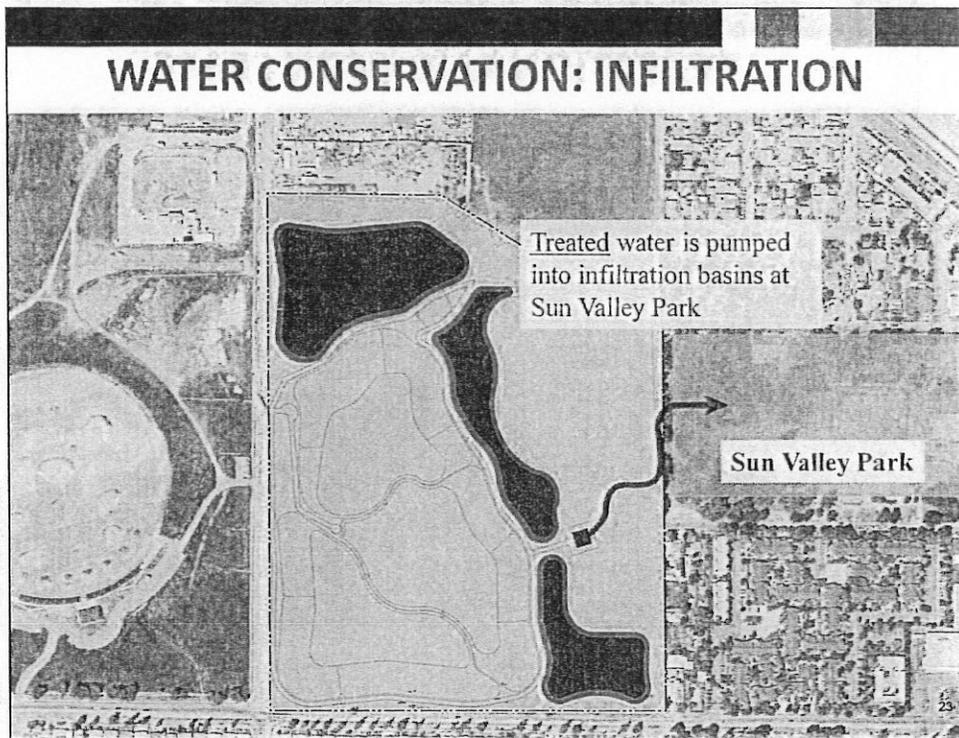


Wetland Areas

The runoff in the detention pond will then be pumped to the upstream part of the wetlands. Flows through the wetlands will be by gravitational flow...allowing for particles and sediment to settle out, and also for plants to naturally remove some of the pollutants from the stormwater.

- *Max flow rate = 2 cfs*
- *Footprint = 10 acres*

The 10 acres of wetland areas will provide for natural treatment of stormwater runoff, and a natural habitat for plants and small animals.



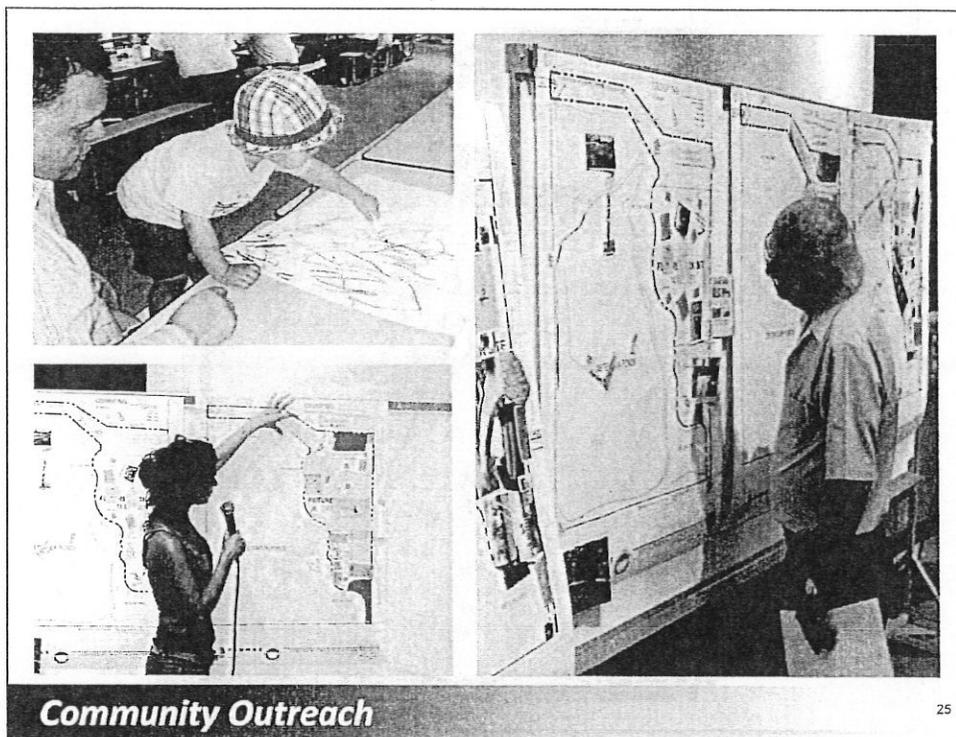
The treated water will then be pumped to existing underground infiltration basins at Sun Valley Park.

Based on simulations we have conducted, we are expecting, on average, the capture and infiltration of 560 acre-feet of stormwater each year. That's 560 acre-feet of runoff that's being diverted away from the Los Angeles River.



Recreational and open space

The project will also provide an additional 15 acres of recreational and open space....doubling the size of the adjacent Sun Valley Park.

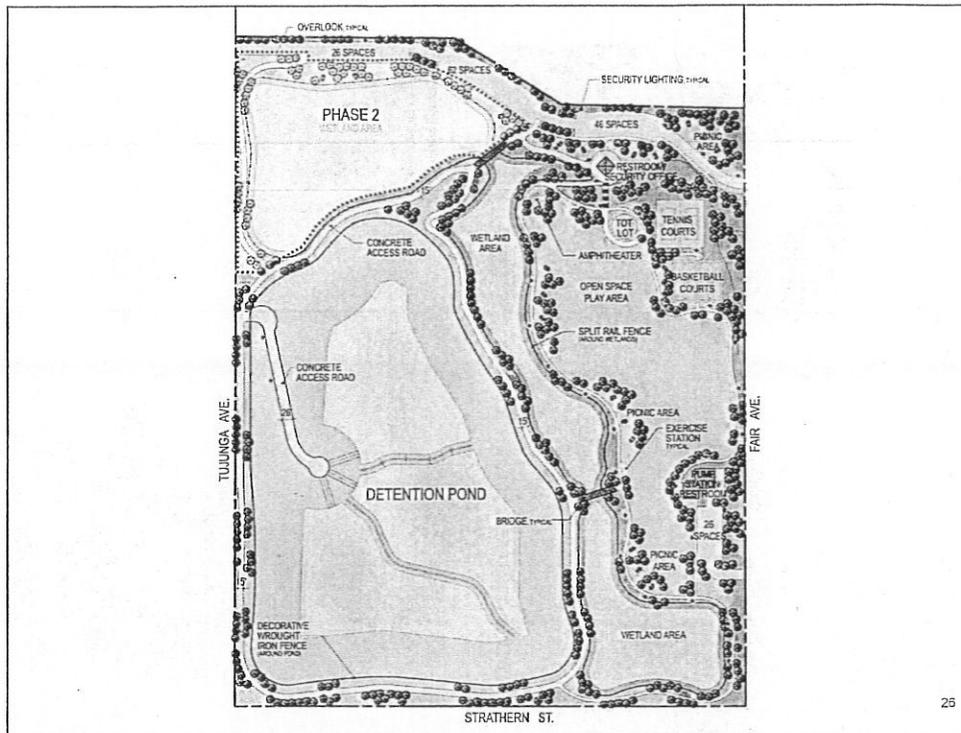


Community outreach

Through the course of this project, we have conducted significant outreach to the community.

In April 2011, we held community meeting to solicit input from the community as to what they want to see in the recreational areas. We hosted a workshop where residents had a chance to draw and cut and paste things they want to see at the park and then present them to the groups.

The input we received from the community helped us finalize the project concept.



Project concept

Project features:

- Detention pond – flood protection (LACFCD)
- Wetland areas – stormwater treatment, natural habitat (City of Los Angeles Bureau of Sanitation)
- Recreational and open space – park amenities (such as basketball courts, picnic tables, walking trails, etc...) requested by the community and City (City of Los Angeles Department of Recreation and Parks)

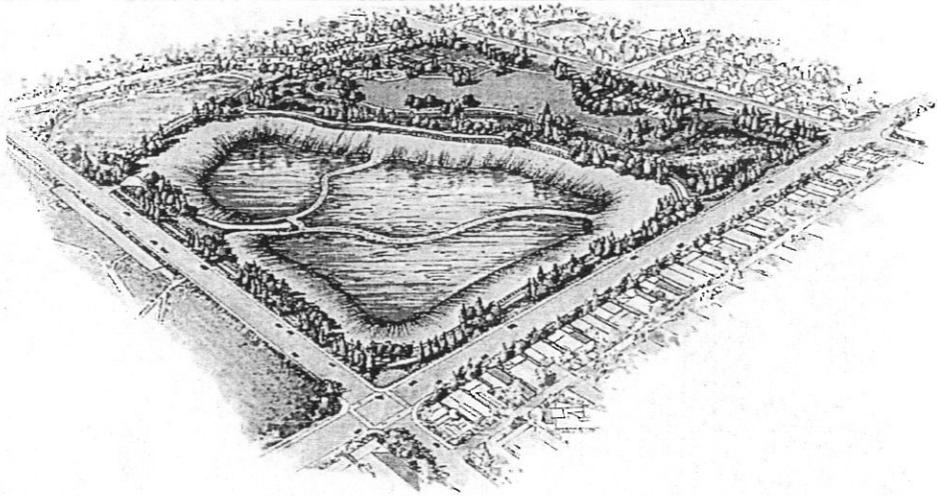
Emphasize project partnership...working closely with our project partners from the City as to what they want to see for the components that they will ultimately be responsible for...

STRATHERN PIT
(Facing northeast from Tujung Ave and Strathern St)



27

STRATHERN WETLANDS PARK
(Facing northeast from Tujunga Ave and Strathern St)



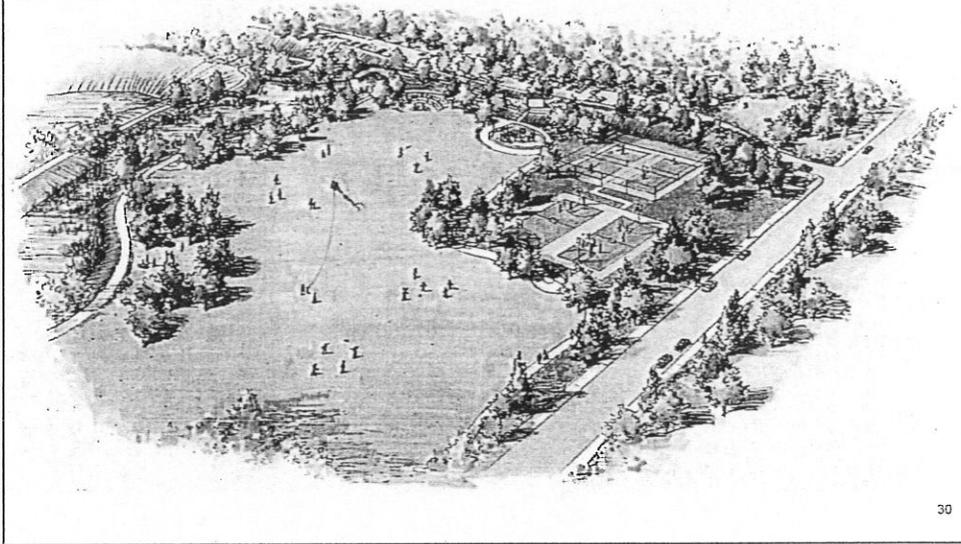
STRATHERN PIT
(Facing northwest from Fair Ave)



29

STRATHERN WETLANDS PARK

(Facing northwest from Fair Ave)



30

Next Steps

- Complete design plans and environmental documents by Summer 2013
- Begin construction in Summer 2014
- Construction estimated to take 3 years

QUESTIONS

For more information, on the project:

Mark A. Lombos, P.E.

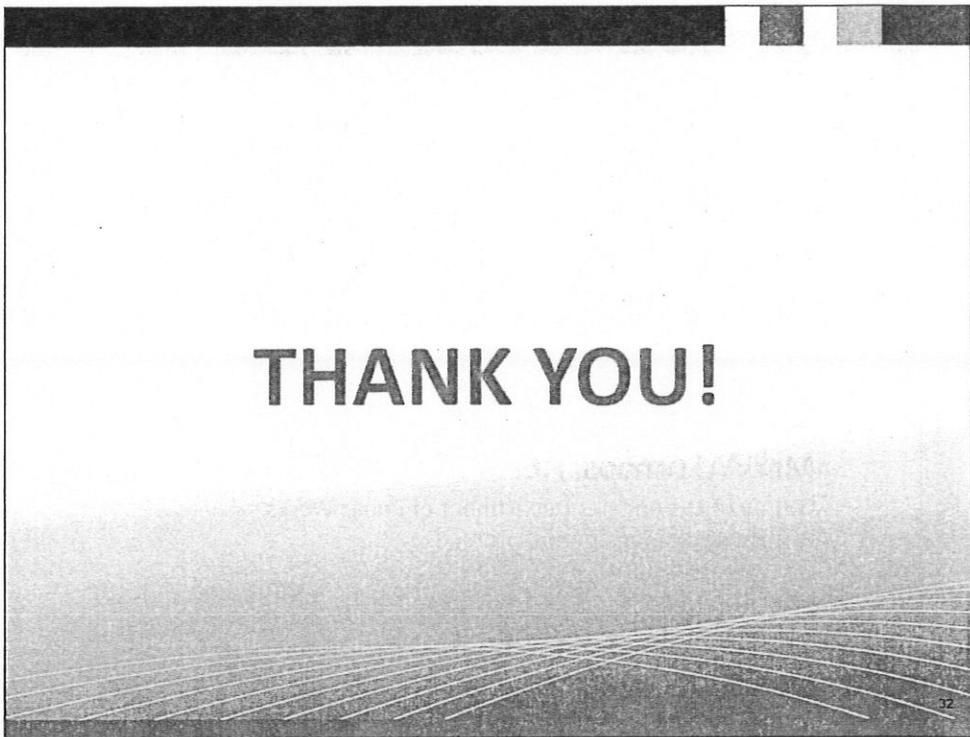
County of Los Angeles Department of Public Works

Watershed Management Division

Los Angeles River Watershed

(626) 458-7143

MLOMBOS@dpw.lacounty.gov





State of California
 Environmental Protection Agency
 State Water Resources Control Board
 Los Angeles Regional Water Quality Control Board

SIGN-IN SHEET

Cities of Claremont and Pomona- MS4 Renewal
 September 12, 2012

Name	Mail Address Company Name/Organization	E-Mail Address or Telephone Number
Shawn Hagerty	Best Best & Krieger representing City of Claremont	619-525-1327 shawn.hagerty@bbklaw.com
Julie Carver	City of Pomona	909-620-3628 julie_carver@ci.pomona.ca.us
Renee Purdy	LARWQCB	213-576-6620 rpurdy@waterboards.ca.gov
Rebecca Christmann	LARWQCB	213-576-6786 rchristmann@waterboards.ca.gov
On the phone: Jennifer Fordyce	OCC	916-324-6682 jfordyce@waterboards.ca.gov
On the phone: Nichole Johnson	OCC	916-322-4142 njohnson@waterboards.ca.gov



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shawn.hagerty@bbklaw.com
File No. 15341.00319

September 19, 2012

VIA E-MAIL [RPURDY@WATERBOARDS.CA.GOV]

Renee Purdy
Section Chief of Regional Programs
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Re: The Middle Santa Ana River Watershed Bacteria Indicator TMDL and the Los Angeles County MS4 Permit

Dear Ms. Purdy:

I want to thank you, Rebecca Christmann and your legal counsel for meeting with me (on behalf of the City of Claremont) and Julie Carver (on behalf of the City of Pomona) last Wednesday to discuss the Middle Santa Ana River Watershed Bacteria Indicator TMDL ("MSAR TMDL") and the Los Angeles County MS4 Permit ("MS4 Permit"). I greatly appreciate not only your willingness to hear our concerns about how the Tentative Order for the MS4 Permit incorporates the MSAR TMDL but also to discuss practical solutions to our concerns.

Specifically, at the meeting, we discussed the following three possible approaches to the MSAR TMDL: (1) the numeric approach taken in the Tentative Order for the MS4 Permit; (2) the Comprehensive Bacterial Reduction Plan ("CBRP") approach outlined in my May 14, 2012 letter to Ivar Ridgeway; and (3) the Water Code section 13228 "designation" approach, which would allow Region 8, rather than Region 4, to regulate the affected cities in connection with the MSAR TMDL. As we discussed at the meeting, the numeric approach is not acceptable to Claremont because it is not consistent with the MSAR TMDL and the manner in which Region 8 has incorporated the MSAR TMDL into the MS4 permits issued by Region 8. You similarly expressed concern about the CBRP approach because it is not consistent with Region 4's approach to TMDL incorporation and would not give Region 4 sufficient time to reach a "reasonable assurance" conclusion regarding the dry and wet season numeric targets.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Renee Purdy
Section Chief of Regional Board
September 19, 2012
Page 2

Therefore, this letter sets forth a proposed plan to pursue the Water Code section 13228 option. As such, please accept this letter as a Water Code section 13228(a)(1) request¹ to allow Region 8 to regulate the City of Claremont² in connection with the MSAR TMDL in the manner set forth in this letter and in the attached draft Water Code section 13228 Designation Agreement (“Designation Agreement”).

As more fully outlined in the Designation Agreement, Claremont proposes that Region 8 be designated as the appropriate regulatory entity to address the MSAR TMDL. Region 8 would make the wasteload allocation from the MSAR TMDL applicable to Claremont through the appropriate regulatory permit. The regulatory permit issued by Region 8 would address the wasteload allocation and would also cover all bacteria discharges from Claremont’s MS4 to receiving waters in Region 4 that are located within the Santa River Ana Watershed. This should address the “receiving water limitations” issue we discussed at our meeting. Region 8 would incorporate the MSAR TMDL into the appropriate regulatory permit in a manner consistent with the CBRP compliance approach taken in the Riverside and San Bernardino MS4 Permits.

At least initially, the Designation Agreement would only address these limited issues. However, the Designation Agreement includes language that would require continued discussions between the Boards and the affected cities regarding a broader designation that would address all discharges from the affected cities to the Santa Ana River Watershed. Given the limited time we have to resolve the MSAR TMDL issue, it does not appear possible to analyze and address all the potential pros and cons of a broader designation now. Nevertheless, a broader designation may be in the best interests of the parties and the Agreement would establish a process through which such a broader designation might be pursued.

As part of the Designation Agreement, Region 4 would not be required to address the MSAR TMDL or bacteria discharges to receiving waters within the Santa Ana River Watershed in the MS4 Permit. I assume that you would either remove references to the MSAR TMDL from the Tentative Order through a redline or through a change sheet prior to the upcoming hearing.

¹ Public Works staff at Claremont has authorized me to make this proposal. Additional approval of the final arrangement by Claremont will be required.

² It is my understanding that Pomona would like to join Claremont in this request. As I represent Claremont, this letter focuses on Claremont only. However, the Designation Agreement is drafted to cover both Claremont and Pomona.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Renee Purdy
Section Chief of Regional Board
September 19, 2012
Page 3

I look forward to hearing whether this approach is acceptable to you. Because of the upcoming Region 4 MS4 Permit hearings, I would appreciate a response to this proposal as quickly as is reasonably possible given your busy schedule.

Very truly yours,

A handwritten signature in black ink, appearing to read 'SHAWN HAGERTY'.

Shawn Hagerty
of BEST BEST & KRIEGER LLP

cc: Tony Ramos, City Manager (via e-mail)
Craig Bradshaw, City Engineer (via e-mail)
Hope Smythe, Region 8 (via e-mail)
Julie Carver, City of Pomona (via e-mail)
Jennifer Fordyce, Senior Staff Counsel, Region 4 (via e-mail)

WATER CODE SECTION 13228 DESIGNATION AGREEMENT

This Water Code Section 13228 Designation Agreement (“Designation Agreement”) is entered into by and among the California Regional Water Quality Control Board, Los Angeles Region (the “LA Regional Board”), the California Regional Water Quality Control Board, Santa Ana Region (the “Santa Ana Regional Board”), the City of Claremont (“Claremont”) and the City of Pomona (“Pomona”). The LA Regional Board, the Santa Ana Regional Board, Claremont and Pomona are sometimes collectively referred to in this Designation Agreement as the “Parties” and individually as a “Party.” The LA Regional Board and the Santa Ana Regional Board are sometimes collectively referred in this Designation Agreement as the “Regional Boards,” and Claremont and Pomona are sometimes collectively referred to in this Designation Agreement as the “Affected Cities.” The Parties make this Designation Agreement in light of the following recited facts (each a “Recital”).

RECITALS

A. On August 26, 2005, the Santa Ana Regional Board adopted Resolution No. R8-2005-0001, amending the Water Quality Control Plan for the Santa Ana River Basin (“Santa Ana Basin Plan”) to incorporate Bacterial Indicator Total Maximum Daily Loads for Middle Santa Ana River Watershed water bodies (the “MSAR TMDL”). The MSAR TMDL was subsequently approved by the State Water Resources Control Board, the Office of Administrative Law and the U.S. Environmental Protection Agency, and became effective on or about May 16, 2007.

B. The MSAR TMDL, amended the Santa Ana Basin Plan to, among other things, adopt dry season numeric targets for fecal coliform and *E. coli* in surface waters in the Middle Santa Ana River Watershed to be met by 2015, wet season numeric targets for fecal coliform and *E. coli* surface waters in the Middle Santa Ana River Watershed to be met by 2025, and an implementation plan requiring dischargers within the Middle Santa Ana River Watershed to meet certain compliance thresholds before the numeric target deadlines in the MSAR TMDL (the “MSAR TMDL Implementation Plan”). Water bodies addressed by the TMDL include, among others, Chino Creek, Reaches 1 and 2.

C. The Affected Cities are located entirely within the jurisdictional boundaries of the LA Regional Board. However, portions of the Affected Cities are located within the Santa Ana River Watershed and drain to water bodies regulated by the Santa Ana Regional Board, including the water bodies subject to the MSAR TMDL. Based upon the Santa Ana Regional Board’s assessment of these drainage patterns, the Santa Ana Regional Board named the Affected Cities as municipal dischargers subject to the wasteload allocations in the MSAR TMDL.

D. To implement the compliance requirements of the MSAR TMDL Implementation Plan, dischargers subject to the MSAR TMDL have established a TMDL Task Force. The Affected Cities have participated in the TMDL Task Force and have supported its efforts financially.

E. In or about 2010, the Santa Ana Regional Board amended the MS4 Permits for Riverside and San Bernardino County dischargers to incorporate the MSAR TMDL. Recognizing the inherent difficulty in achieving bacteria TMDLs and the need for adaptive implementation of BMPs sufficient to meet the wasteload allocations, the Permits include requirements to develop Comprehensive Bacteria Reduction Plans (“CBRPs”) to achieve the dry weather wasteload allocation. Once approved by the Santa Ana Regional Board, the CBRPs would become the final water quality-based effluent limitations for dry weather.

F. As contemplated by the MSAR TMDL and amended MS4 Permits, the municipal dischargers within the jurisdiction of the Santa Ana Regional Board have prepared CBRPs to implement the dry season components of the MSAR TMDL and to provide reasonable assurances that the dry season numeric targets will be achieved by December 31, 2015. CBRPs have been prepared, in cooperation with the TMDL Task Force, for municipal dischargers within Riverside County and San Bernardino County subject to the MSAR TMDL.

G. On or about February 10, 2012, the Santa Ana Regional Board approved the CBRPs. In approving the CBRPs, the Santa Ana Regional Board determined that if implemented appropriately and in a timely manner, the CBRPs provide reasonable assurances that the dry weather urban wasteload allocations will be achieved in accordance with the schedules identified in the MS4 Permit and the MSAR TMDL. The Santa Ana Board thus determined that the CBRPs will serve as the final water quality based effluent limitations for bacterial indicators during the dry season.

H. The LA Regional Board is currently processing a new municipal Separate Storm Sewer System Permit for Discharges within the County of Los Angeles (the “LA MS4 Permit”).

I. As part of its Tentative Order for the LA MS4 Permit, the LA Regional Board has, in Attachment R, included the wasteload allocations of the MSAR TMDL as numeric effluent limitations. The Affected Cities have objected to the manner in which the Tentative Order incorporates the wasteload allocations of the MSAR TMDL.

J. In order to allow the Santa Ana Regional Board to implement the MSAR TMDL as to the Affected Cities, and to resolve any disputes between the Affected Cities and the LA Regional Board regarding the manner in which the MSAR TMDL should be made applicable through a regulatory permit, the Parties wish to enter into this Designation Agreement.

NOW, THEREFORE, the Parties agree as follows:

1. The above Recitals are incorporated into this Designation Agreement by this reference.

2. In accordance with Water Code section 13228, the Parties designate the Santa Ana Regional Board as the Regional Board that will issue an appropriate regulatory permit to the Affected Cities to incorporate the wasteload allocations of the MSAR TMDL. The Santa Ana Regional Board shall incorporate the wasteload allocations of the MSAR TMDL through the CBRP process as used for the Riverside and San Bernardino dischargers pursuant to the requirements of the MSAR TMDL as adopted in the Santa Ana Basin Plan. This designation shall also cover all discharges of bacteria by the Affected Cities to surface waters that are part of

the Santa Ana River Watershed, but that are located within the jurisdiction of the LA Regional Board.

3. The LA Regional Board shall remove references to the MSAR TMDL from the LA MS4 Permit and will not address the MSAR TMDL in the final LA MS4 Permit. In addition, the LA Regional Board shall not include bacteria discharges from the Affected Cities to water bodies within the Santa Ana River Watershed in the receiving water limitations language of the LA MS4 Permit as applied to the Affected Cities.

4. The Parties shall meet and confer regarding the potential broadening of the Designation Agreement to cover other matters within the areas of the Affected Cities that are located within the Santa Ana River Watershed. The Parties may amend this Designation Agreement in the future based upon such meet and confer process.

5. Except as set forth in this Designation Agreement, or any amendment thereto, the regulatory authority and jurisdiction of the Regional Boards is not changed.

Dated: _____

LA REGIONAL BOARD

Dated: _____

SANTA ANA REGIONAL BOARD

Dated: _____

CLAREMONT

Dated: _____

POMONA

THE CITY OF
POMONA

Public Works Department
Business Service Division

September 20, 2012

VIA E-MAIL [RPURDY@WATERBOARDS.CA.GOV]



Ms. Renee Purdy
Section Chief of Regional Programs
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

RE: The Middle Santa Ana River Watershed Bacteria Indicator TMDL and the Los Angeles County MS4 Permit

Dear Ms. Purdy:

I would also like to thank you, Rebecca Christmann, and your legal counsel for meeting with Julie Carver (on behalf of City of Pomona) and Shawn Hagerty (on behalf of City of Claremont) last Wednesday to discuss the Middle Santa Ana River Watershed Bacteria Indicator TMDL ("MSAR TMDL") and the Los Angeles County MS4.

The City of Pomona would also like to pursue the Water Code section 13228 option requested by City of Claremont to allow Region 8 to regulate the Cities of Pomona and Claremont in connection with the MSAR TMDL in the manner set forth in the attached letter and draft Designation Agreement by Shawn Hagerty.

I look forward to hearing whether this approach is acceptable to you. Due to the upcoming Region 4 MS4 Permit hearings, I would appreciate a response to this proposal as quickly as is reasonably possible given your busy schedule.

Sincerely,

Daryl R. Grigsby
Public Works Director

Attachment: BB&K MSAR TMDL Letter and Agreement

cc: Linda Lowry, City Manager
Meg McWade, Utility Services Manager (via e-mail)
Julie Carver, Environmental Programs Coordinator (via e-mail)
Hope Smythe, Region 8 (via e-mail)
Craig Bradshaw, City Engineer (via e-mail)
Jennifer Fordyce, Senior Staff Counsel, Region 4 (via e-mail)
Shawn Hagerty, Best Best & Krieger LLP for City of Claremont (via e-mail)



BEST BEST & KRIEGER
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Sacramento
(916) 325-4000

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(925) 977-3300

Washington, DC
(202) 785-0600

Shawn Hagerty
(619) 525-1327
shawn.hagerty@bbklaw.com
File No. 15341.00319

September 19, 2012

VIA E-MAIL [RPURDY@WATERBOARDS.CA.GOV]

Renee Purdy
Section Chief of Regional Programs
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Re: The Middle Santa Ana River Watershed Bacteria Indicator TMDL and the Los Angeles County MS4 Permit

Dear Ms. Purdy:

I want to thank you, Rebecca Christmann and your legal counsel for meeting with me (on behalf of the City of Claremont) and Julie Carver (on behalf of the City of Pomona) last Wednesday to discuss the Middle Santa Ana River Watershed Bacteria Indicator TMDL ("MSAR TMDL") and the Los Angeles County MS4 Permit ("MS4 Permit"). I greatly appreciate not only your willingness to hear our concerns about how the Tentative Order for the MS4 Permit incorporates the MSAR TMDL but also to discuss practical solutions to our concerns.

Specifically, at the meeting, we discussed the following three possible approaches to the MSAR TMDL: (1) the numeric approach taken in the Tentative Order for the MS4 Permit; (2) the Comprehensive Bacterial Reduction Plan ("CBRP") approach outlined in my May 14, 2012 letter to Ivar Ridgeway; and (3) the Water Code section 13228 "designation" approach, which would allow Region 8, rather than Region 4, to regulate the affected cities in connection with the MSAR TMDL. As we discussed at the meeting, the numeric approach is not acceptable to Claremont because it is not consistent with the MSAR TMDL and the manner in which Region 8 has incorporated the MSAR TMDL into the MS4 permits issued by Region 8. You similarly expressed concern about the CBRP approach because it is not consistent with Region 4's approach to TMDL incorporation and would not give Region 4 sufficient time to reach a "reasonable assurance" conclusion regarding the dry and wet season numeric targets.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Renee Purdy
Section Chief of Regional Board
September 19, 2012
Page 2

Therefore, this letter sets forth a proposed plan to pursue the Water Code section 13228 option. As such, please accept this letter as a Water Code section 13228(a)(1) request¹ to allow Region 8 to regulate the City of Claremont² in connection with the MSAR TMDL in the manner set forth in this letter and in the attached draft Water Code section 13228 Designation Agreement (“Designation Agreement”).

As more fully outlined in the Designation Agreement, Claremont proposes that Region 8 be designated as the appropriate regulatory entity to address the MSAR TMDL. Region 8 would make the wasteload allocation from the MSAR TMDL applicable to Claremont through the appropriate regulatory permit. The regulatory permit issued by Region 8 would address the wasteload allocation and would also cover all bacteria discharges from Claremont’s MS4 to receiving waters in Region 4 that are located within the Santa River Ana Watershed. This should address the “receiving water limitations” issue we discussed at our meeting. Region 8 would incorporate the MSAR TMDL into the appropriate regulatory permit in a manner consistent with the CBRP compliance approach taken in the Riverside and San Bernardino MS4 Permits.

At least initially, the Designation Agreement would only address these limited issues. However, the Designation Agreement includes language that would require continued discussions between the Boards and the affected cities regarding a broader designation that would address all discharges from the affected cities to the Santa Ana River Watershed. Given the limited time we have to resolve the MSAR TMDL issue, it does not appear possible to analyze and address all the potential pros and cons of a broader designation now. Nevertheless, a broader designation may be in the best interests of the parties and the Agreement would establish a process through which such a broader designation might be pursued.

As part of the Designation Agreement, Region 4 would not be required to address the MSAR TMDL or bacteria discharges to receiving waters within the Santa Ana River Watershed in the MS4 Permit. I assume that you would either remove references to the MSAR TMDL from the Tentative Order through a redline or through a change sheet prior to the upcoming hearing.

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BEST BEST & KRIEGER
ATTORNEYS AT LAW

Renee Purdy
Section Chief of Regional Board
September 19, 2012
Page 3

I look forward to hearing whether this approach is acceptable to you. Because of the upcoming Region 4 MS4 Permit hearings, I would appreciate a response to this proposal as quickly as is reasonably possible given your busy schedule.

Very truly yours,

A handwritten signature in black ink, appearing to read 'SHAWN HAGERTY'.

Shawn Hagerty
of BEST BEST & KRIEGER LLP

cc: Tony Ramos, City Manager (via e-mail)
Craig Bradshaw, City Engineer (via e-mail)
Hope Smythe, Region 8 (via e-mail)
Julie Carver, City of Pomona (via e-mail)
Jennifer Fordyce, Senior Staff Counsel, Region 4 (via e-mail)

WATER CODE SECTION 13228 DESIGNATION AGREEMENT

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RECITALS

A. On August 26, 2005, the Santa Ana Regional Board adopted Resolution No. R8-2005-0001, amending the Water Quality Control Plan for the Santa Ana River Basin (“Santa Ana Basin Plan”) to Incorporate Bacterial Indicator Total Maximum Daily Loads for Middle Santa Ana River Watershed water bodies (the “MSAR TMDL”). The MSAR TMDL was subsequently approved by the State Water Resources Control Board, the Office of Administrative Law and the U.S. Environmental Protection Agency, and became effective on or about May 16, 2007.

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C. The Affected Cities are located entirely within the jurisdictional boundaries of the LA Regional Board. However, portions of the Affected Cities are located within the Santa Ana River Watershed and drain to water bodies regulated by the Santa Ana Regional Board, including the water bodies subject to the MSAR TMDL. Based upon the Santa Ana Regional Board’s assessment of these drainage patterns, the Santa Ana Regional Board named the Affected Cities as municipal dischargers subject to the wasteload allocations in the MSAR TMDL.

D. To implement the compliance requirements of the MSAR TMDL Implementation Plan, dischargers subject to the MSAR TMDL have established a TMDL Task Force. The Affected Cities have participated in the TMDL Task Force and have supported its efforts financially.

E. In or about 2010, the Santa Ana Regional Board amended the MS4 Permits for Riverside and San Bernardino County dischargers to incorporate the MSAR TMDL. Recognizing the inherent difficulty in achieving bacteria TMDLs and the need for adaptive implementation of BMPs sufficient to meet the wasteload allocations, the Permits include requirements to develop Comprehensive Bacteria Reduction Plans (“CBRPs”) to achieve the dry weather wasteload allocation. Once approved by the Santa Ana Regional Board, the CBRPs would become the final water quality-based effluent limitations for dry weather.

F. As contemplated by the MSAR TMDL and amended MS4 Permits, the municipal dischargers within the jurisdiction of the Santa Ana Regional Board have prepared CBRPs to implement the dry season components of the MSAR TMDL and to provide reasonable assurances that the dry season numeric targets will be achieved by December 31, 2015. CBRPs have been prepared, in cooperation with the TMDL Task Force, for municipal dischargers within Riverside County and San Bernardino County subject to the MSAR TMDL.

G. On or about February 10, 2012, the Santa Ana Regional Board approved the CBRPs. In approving the CBRPs, the Santa Ana Regional Board determined that if implemented appropriately and in a timely manner, the CBRPs provide reasonable assurances that the dry weather urban wasteload allocations will be achieved in accordance with the schedules identified in the MS4 Permit and the MSAR TMDL. The Santa Ana Board thus determined that the CBRPs will serve as the final water quality based effluent limitations for bacterial indicators during the dry season.

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I. As part of its Tentative Order for the LA MS4 Permit, the LA Regional Board has, in Attachment R, included the wasteload allocations of the MSAR TMDL as numeric effluent limitations. The Affected Cities have objected to the manner in which the Tentative Order incorporates the wasteload allocations of the MSAR TMDL.

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2. In accordance with Water Code section 13228, the Parties designate the Santa Ana Regional Board as the Regional Board that will issue an appropriate regulatory permit to the Affected Cities to incorporate the wasteload allocations of the MSAR TMDL. The Santa Ana Regional Board shall incorporate the wasteload allocations of the MSAR TMDL through the CBRP process as used for the Riverside and San Bernardino dischargers pursuant to the requirements of the MSAR TMDL as adopted in the Santa Ana Basin Plan. This designation shall also cover all discharges of bacteria by the Affected Cities to surface waters that are part of

the Santa Ana River Watershed, but that are located within the jurisdiction of the LA Regional Board.

3. The LA Regional Board shall remove references to the MSAR TMDL from the LA MS4 Permit and will not address the MSAR TMDL in the final LA MS4 Permit. In addition, the LA Regional Board shall not include bacteria discharges from the Affected Cities to water bodies within the Santa Ana River Watershed in the receiving water limitations language of the LA MS4 Permit as applied to the Affected Cities.

4. The Parties shall meet and confer regarding the potential broadening of the Designation Agreement to cover other matters within the areas of the Affected Cities that are located within the Santa Ana River Watershed. The Parties may amend this Designation Agreement in the future based upon such meet and confer process.

5. Except as set forth in this Designation Agreement, or any amendment thereto, the regulatory authority and jurisdiction of the Regional Boards is not changed.

Dated: _____

LA REGIONAL BOARD

Dated: _____

SANTA ANA REGIONAL BOARD

Dated: _____

CLAREMONT

Dated: _____

POMONA

Meeting September 14, 2012

Meeting Attendees:

Regional Board

City of Los Angeles

Topics:

Monitoring

Sign-In

RB-AR3394

September 18, 2012 1:00 PM
HACFD Monitoring Discussion

1. Ivar K. Ridgeway RWQCB-LA (213) 620-2150
2. Armond Ghazarian LACoDPW (626) 458-7149
3. Frank Wu LACoDPW (626) 458-4358
4. R Purdy

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Findings

1. In 1915, the California Legislature established the Los Angeles County Flood Control District (LACFCD). The LACFCD is charged, among other things, with providing flood protection, water conservation, recreation and aesthetic enhancement within its boundaries. This includes the control and conservation of flood, storm and other waters for the protection of life and property. The LACFCD is governed, as a separate entity, by the County of Los Angeles Board of Supervisors.
2. The LACFCD's system encompasses more than 3,000 square miles, 85 cities and approximately 2.1 million land parcels. It includes the vast majority of drainage infrastructure within incorporated and unincorporated areas in every watershed, including 500 miles of open channel, 2,800 miles of underground drains, and an estimated 120,000 catch basins, and several dams. Portions of the LACFCD's current system were originally unmodified water courses.
3. The LACFCD's system conveys both storm and non-storm waters throughout the Los Angeles basin. Other Permittees' MS4s connect and discharge to the LACFCD's system.
4. The waters and pollutants discharged from the LACFCD's system come from various sources. These sources can include storm water and non-storm water from the Permittees under this permit and other NPDES permittees discharging into the LACFCD's system, including industrial waste water dischargers, waste water treatment facilities, industrial and construction stormwater permittees, and Caltrans. Sources can also include discharges from school districts that do not operate large or medium-sized municipal storm sewers and discharges from entities that have waste discharge requirements or waivers of waste discharge requirements. Other sources can include sources internal to the MS4, discharges from natural springs and runoff from fields, national forests, state parks and undeveloped land, and aerial deposition.
5. Unlike other permittees, the LACFCD does not currently own or operate any municipal sanitary sewer systems, public streets, roads, or highways.
6. Aside from LACFCD properties and facilities, the LACFCD also currently has no planning, zoning, development permitting or other land use authority over industrial or commercial facilities, new developments or re-development projects, or development construction sites located in any incorporated or unincorporated areas within its boundaries. The

Permittees that have such land use authority are responsible for implementing a storm water management program to inspect and control pollutants from industrial and commercial facilities, new development and re-development projects, and development construction sites within their jurisdictional boundaries.

7. A permit issued to more than one permittee for MS4 discharges may contain separate storm water management programs for particular permittees or groups of permittees. 40 CFR § 122.26(d)(2)(iv). Given the LACFCD's limited land use authority, it is appropriate for the LACFCD to have a separate and uniquely-tailored storm water management program. Accordingly, the storm water management program minimum control measures imposed on the LACFCD in this Part VI.D of this Order differ in some ways from the minimum control measures imposed on other Permittees. Namely, aside from its own properties and facilities, the LACFCD is not subject to the Industrial/Commercial Facilities Program, the Planning and Land Development Program, and the Development Construction Program. However, as a conveyer of storm and non-storm waters containing pollutants, the LACFCD remains subject to the Public Information and Participation Program and the Illicit Connections and Illicit Discharges Elimination Program. Further, as the owner of certain properties, facilities and infrastructure, the LACFCD remains subject to requirements of a Public Agency Activities Program.

4. Requirements Applicable to the LACFCD (insert after VI.D.3)

5. Public Information and Participation Program (PIPP)

a. General

- i. The LACFCD shall participate in a regional Public Information and Participation Program (PIPP) or alternatively, shall implement its own PIPP that includes the requirements listed in this part. The LACFCD shall collaborate, as necessary, with other Permittees to implement PIPP requirements. The objectives of the PIPP are as follows:
 - (1) To measurably increase the knowledge of the target audience about the MS4, the adverse impacts of storm water pollution on receiving waters and potential solutions to mitigate the impacts.
 - (2) To measurably change the waste disposal and storm water pollution generation behavior of target audiences by encouraging the implementation of appropriate alternatives by providing information to the public.
 - (3) To involve and engage a diversity of socio-economic groups and ethnic communities in Los Angeles County to participate in mitigating the impacts of stormwater pollution.

b. PIPP Implementation

- i. The LACFCD shall implement the PIPP requirements listed in this Part VI.D.4 using one or more of the following approaches:
 - (1) By participating in a collaborative PIPP covering the entire area of the Los Angeles County Flood Control District,
 - (2) By participating in one or more Watershed Group sponsored PIPPs, and/or
 - (3) Individually within the area of the Los Angeles County Flood Control District.
- ii. If the LACFCD participates in a collaborative District-wide or Watershed Group PIPP, the LACFCD shall provide the contact information for their appropriate staff responsible for storm water public education activities to the designated PIPP coordinator and contact information changes no later than 30 days after a change occurs.

c. Public Participation

- i. The LACFCD, in collaboration with the County of Los Angeles, shall continue to maintain the countywide hotline (888-CLEAN-LA) for public reporting of clogged catch basin inlets and illicit discharges/dumping, faded or missing catch basin labels, and general storm water management information.
 - (1) The LACFCD shall include the reporting information, updated when necessary, in public information, and the government pages of the telephone book, as they are developed or published.
 - (2) The LACFCD, in collaboration with the County of Los Angeles, shall continue to maintain the www.888cleanla.com website.

d. Residential Outreach Program

- i. Working in conjunction with a District-wide or Watershed Group sponsored PIPP or individually, the LACFCD shall implement the following activities:
 - (1) Conduct storm water pollution prevention public service announcements and advertising campaigns
 - (2) Facilitate the dissemination of public education materials including, at a minimum, information on the proper handling (i.e., disposal, storage and/or use) of:
 - (a) Vehicle waste fluids
 - (b) Household waste materials (i.e., trash and household hazardous waste, including personal care products and pharmaceuticals)
 - (c) Construction waste materials
 - (d) Pesticides and fertilizers (including integrated pest management practices [IPM] to promote reduced use of pesticides),
 - (e) Green waste (including lawn clippings and leaves)
 - (f) Animal wastes
 - (3) Facilitate the dissemination of activity-specific storm water pollution prevention public education materials, at a minimum, for the following points of purchase:
 - (a) Automotive parts stores
 - (b) Home improvement centers / lumber yards / hardware stores / paint stores
 - (c) Landscaping / gardening centers
 - (d) Pet shops / feed stores

- (4) Maintain a storm water website, which shall include educational material and opportunities for the public to participate in storm water pollution prevention and clean-up activities listed in Part VI.D.4.
- (5) When coordinating activities in (1)-(4), the LACFCD shall use effective strategies to educate and involve ethnic communities in storm water pollution prevention through culturally effective methods.

6. Industrial/Commercial Facilities Program

If the LACFCD operates, or has authority over, any facility(ies) identified in Part VI.D.5.b, LACFCD shall comply with the requirements in Part VI.D.5. for those facilities.

7. Planning and Land Development Program

If the LACFCD develops or redevelops any project, or has authority over any such project, identified in Part VI.D.6.b, LACFCD shall comply with the requirements in Part VI.D.6 for the project.

8. Development Construction Program

If the LACFCD conducts any activities, or has authority over any such activities, identified in Part VI.D.7, LACFCD shall comply with the requirements in Part VI.D.7 for those activities.

9. Public Agency Activities Program

The LACFCD shall implement a Public Agency Activities Program to minimize storm water pollution impacts from LACFCD-owned or operated facilities and activities. Requirements for Public Agency Facilities and Activities consist of the following components:

- a. Public Construction Activities Management.
- b. Public Facility Inventory
- c. Public Facility and Activity Management
- d. Vehicle and Equipment Washing
- e. Landscape and Recreational Facilities Management
- f. Storm Drain Operation and Maintenance
- g. Parking Facilities Management
- h. Emergency Procedures
- i. Employee and Contractor Training

a. Public Construction Activities Management

- i. The LACFCD shall implement and comply with the Planning and Land Development Program requirements in Part VI.D.6 of this Order at LACFCD-owned or operated public construction projects that are categorized under the project types identified in Part VI.D.6 of this Order.
- ii. The LACFCD shall implement and comply with the appropriate Development Construction Program requirements in Part VI.D.7 of this Order at LACFCD-owned or operated construction projects as applicable.
- iii. For LACFD-owned or operated projects that disturb less than one acre of soil, the LACFD shall require the implementation of an effective combination of erosion and sediment control BMPs from Table 13 (see Construction Development Program).
- iv. The LACFCD shall obtain separate coverage under the Construction General Permit for all LACFCD-owned or operated construction sites that require coverage.

b. Public Facility Inventory

- i. The LACFCD shall maintain an updated watershed-based inventory and map of all LACFCD-owned or operated facilities that are potential sources of storm water pollution. The incorporation of facility information into a GIS is recommended. Sources to be tracked include but are not limited to the following:
 - (1) Chemical storage facilities
 - (2) Equipment storage and maintenance facilities (including landscape maintenance-related operations)
 - (3) Fueling or fuel storage facilities
 - (4) Materials storage yards
 - (5) Pesticide storage facilities
 - (6) LACFCD buildings
 - (7) LACFCD vehicle storage and maintenance yards
 - (8) Storm water management facilities (e.g., detention basins)
 - (9) All other LACFCD-owned or operated facilities or activities that the LACFCD determines may contribute a substantial pollutant load to the MS4.
- ii. The LACFCD shall include the following minimum fields of information for each LACFCD-owned or operated facility in its watershed-based inventory and map.

- (1) Name of facility
 - (2) Name of facility manager and contact information
 - (3) Address of facility (physical and mailing)
 - (4) A narrative description of activities performed and principal products used at each facility and status of exposure to storm water.
 - (5) MS4 outfalls that receive, or potentially receive discharges from the facility, and corresponding receiving water(s).
 - (6) Identification of whether the facility is tributary to a waterbody segment subject to a TMDL, where the facility generates pollutants for which the waterbody segment is impaired.
 - (7) Coverage under the Industrial General Permit or other individual or general NPDES permits or any applicable waiver issued by the Regional or State Water Board pertaining to storm water discharges.
- iii. The LACFCD shall update its inventory and map once during the Permit term. The update shall be accomplished through a collection of new information obtained through field activities.

c. Public Agency Facility and Activity Management

- i. The LACFCD shall obtain separate coverage under the Industrial General Permit for all LACFCD-owned or operated facilities where industrial activities are conducted that require coverage under the Industrial General Permit. The LACFCD shall implement the following measures for flood management projects:
 - (1) Develop procedures to assess the impacts of flood management projects on the water quality of receiving waterbodies; and
 - (2) Evaluate existing structural flood control facilities during the planning phases of major maintenance or rehabilitation projects to determine if retrofitting the facility to provide additional pollutant removal from storm water is feasible.
- ii. The LACFCD shall implement and maintain the general and activity-specific BMPs listed in Table 18 (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs when such activities occur at LACFCD-owned or operated facilities and field activities (e.g., project sites) including but not limited to the facility types listed in Part VI.D.8.c above, and at any area that includes the activities described in Table 18, or that have the potential to discharge pollutants in storm water.

Comment [RAP1]: Need confirmation that LACFCD does not own or operate any facilities where coverage under the Industrial General Storm Water Permit would be required. If confirmation cannot be provided, need to add requirements consistent with those for other Permittees.

- iii. Any contractors hired by the LACFCD to conduct Public Agency Activities shall be contractually required to implement and maintain the general and activity specific BMPs listed in Table 18 or an equivalent set of BMPs. The LACFCD shall conduct oversight of contractor activities to ensure these BMPs are implemented and maintained.
- iv. Effective source control BMPs for the activities listed in Table 18 shall be implemented at LACFCD-owned or operated facilities, unless the pollutant generating activity does not occur. The LACFCD shall require implementation of additional BMPs where storm water from the MS4 discharges to a significant ecological area (SEA, see Attachment A for definition), a water body subject to TMDL Provisions in Part VI.E, or a CWA section 303(d) listed water body (see Part VI.E below). Likewise, for those BMPs that are not adequately protective of water quality standards, the LACFCD shall implement additional site-specific controls.

d. Vehicle and Equipment Washing

- i. The LACFCD shall implement and maintain the activity specific BMPs listed in Table 18 (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs for all vehicle and equipment washing areas;
- ii. The LACFCD shall prevent discharges of wash waters from vehicle and equipment washing to the MS4 by implementing any of the following measures at existing facilities with vehicle or equipment wash areas:
 - (1) Self-contain, and haul off for disposal; or
 - (2) Equip with a clarifier or an alternative pre-treatment device and plumb to the sanitary sewer in accordance with applicable waste water provider regulations
- iii. The LACFCD shall ensure that any LACFCD facilities constructed, redeveloped, or replaced shall not discharge wastewater from vehicle and equipment wash areas to the MS4 by plumbing all areas to the sanitary sewer in accordance with applicable waste water provider regulations, or self-containing all waste water/ wash water and hauling to a point of legal disposal.

e. Landscape and Recreational Facilities Management

- i. The LACFCD shall implement and maintain the activity specific BMPs listed in Table 18 (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs for all its public right-of-

ways, flood control facilities and open channels and reservoirs, and landscape and recreational facilities and activities.

- ii. The LACFCD shall implement an IPM program that includes the following:
 - (1) Pesticides are used only if monitoring indicates they are needed, and pesticides are applied according to applicable permits and established guidelines.
 - (2) Treatments are made with the goal of removing only the target organism.
 - (3) Pest controls are selected and applied in a manner that minimizes risks to human health, beneficial non-target organisms, and the environment.
 - (4) The use of pesticides, including Organophosphates and Pyrethroids, does not threaten water quality.
 - (5) Partner, as appropriate, with other agencies and organizations to encourage the use of IPM.
 - (6) Adopt and verifiably implement policies, procedures, and/ or ordinances requiring the minimization of pesticide use and encouraging the use of IPM techniques (including beneficial insects) for Public Agency Facilities and Activities.
 - (7) Policies, procedures, and ordinances shall include a schedule to reduce the use of pesticides that cause impairment of surface waters by implementing the following procedures:
 - (a) Prepare and annually update an inventory of pesticides used by all internal departments, divisions, and other operational units.
 - (b) Quantify pesticide use by staff and hired contractors.
 - (c) Demonstrate implementation of IPM alternatives where feasible to reduce pesticide use.
- iii. The LACFCD shall implement the following requirements:
 - (1) Comply with the provisions and the monitoring and reporting requirements for application of aquatic pesticides to surface waters: WQ Order No. 2011-003-DWQ (Aquatic Animal Invasive Species Control), WQ Order No. 2011-0002-DWQ (Vector Control), and WQ Order No. 2004-0009-DWQ (Weed Control).
 - (2) Use a standardized protocol for the routine and non-routine application of pesticides (including pre-emergents), and fertilizers.

- (3) Ensure no application of pesticides or fertilizers are applied to an area immediately prior to, during or immediately after a rain event, or when water is flowing off the area.
- (4) Ensure that no banned or unregistered pesticides are stored or applied.
- (5) Ensure that all staff applying pesticides are certified in the appropriate category by the California Department of Pesticide Regulation, or are under the direct supervision of a pesticide applicator certified in the appropriate category.
- (6) Implement procedures to encourage the retention and planting of native vegetation to reduce water, pesticide and fertilizer needs; and
- (7) Store pesticides and fertilizers indoors or under cover on paved surfaces, or use secondary containment.
 - (a) Reduce the use, storage, and handling of hazardous materials to reduce the potential for spills.
 - (b) Regularly inspect storage areas.

f. Storm Drain Operation and Management

- i. The LACFCD shall implement and maintain the activity specific BMPs listed in Table 18 or equivalent set of BMPs for storm drain operation and maintenance.
- ii. Ensure that all the material removed from the MS4 does not reenter the system. Solid material shall be dewatered in a contained area and liquid material shall be disposed in accordance with any of the following measures:
 - (1) Self-contain, and haul off for legal disposal; or
 - (2) Equip with a clarifier or an alternative pre-treatment device; and plumb to the sanitary sewer in accordance with applicable waste water provider regulations.
- iii. Catch Basin Cleaning
 - (1) In areas that are not subject to a trash TMDL, the LACFCD shall determine priority areas and shall update its map or list of catch basins with their GPS coordinates and priority:

Priority A: Catch basins that are designated as consistently generating the highest volumes of trash and/or debris.

Priority B: Catch basins that are designated as consistently generating moderate volumes of trash and/or debris.

Priority C: Catch basins that are designated as generating low volumes of trash and/or debris.

The map or list shall contain the rationale or data to support priority designations.

- (2) In areas not subject to a trash TMDL, the LACFCD shall inspect its catch basins according to the following schedule:

Priority A: A minimum of 3 times during the wet season (October 1 through April 15) and once during the dry season every year.

Priority B: A minimum of once during the wet season and once during the dry season every year.

Priority C: A minimum of once per year.

Catch basins shall be cleaned as necessary on the basis of inspections. At a minimum, LACFCD shall ensure that any catch basin that is determined to be at least 25% full of trash shall be cleaned out. LACFCD shall maintain inspection and cleaning records for Regional Water Board review.

- (3) In areas that are subject to a trash TMDL, the subject Permittees shall implement the applicable provisions in Part VI.E.

iv. Catch Basin Labels and Open Channel Signage

- (1) LACFCD shall label all catch basin inlets that they own with a legible "no dumping" message.
- (2) The LACFCD shall inspect the legibility of the catch basin stencil or label nearest the inlet prior to the wet season every year.
- (3) The LACFCD shall record all catch basins with illegible stencils and re-stencil or re-label within 90 days of inspection.
- (4) The LACFCD shall post signs, referencing local code(s) that prohibit littering and illegal dumping, at designated public access points to open channels, creeks, urban lakes, and other relevant waterbodies.

v. Open Channel Maintenance

The LACFCD shall implement a program for Open Channel Maintenance that includes the following:

- (1) Visual monitoring of LACFCD owned open channels and other drainage structures for trash and debris at least annually;

- (2) Removal of trash and debris from open channels a minimum of once per year before the wet season;
 - (3) Elimination of the discharge of contaminants produced by storm drain maintenance and clean outs; (4) Quantification of the amount of materials removed using techniques appropriate for quantifying solid waste; and
 - (5) Proper disposal of debris and trash removed during open channel maintenance.
- vi. Infiltration from Sanitary Sewer to MS4/Preventive Maintenance
- (1) The LACFCD shall implement controls and measures to prevent and eliminate infiltration of seepage from sanitary sewers to its MS4 through routine preventive maintenance of its MS4.
 - (2) The LACFCD shall implement controls to limit infiltration of seepage from sanitary sewers to its MS4 where necessary. Such controls must include:
 - i. Adequate plan checking for construction and new development;
 - ii. Incident response training for its employees that identify sanitary sewer spills;
 - iii. Code enforcement inspections;
 - iv. MS4 maintenance and inspections;
 - v. Interagency coordination with sewer agencies; and
 - vi. Proper education of its staff and contractors conducting field operations on its MS4.
- vii. LACFCD-Owned Treatment Control BMPs
- (1) The LACFCD shall implement an inspection and maintenance program for all LACFCD-owned treatment control BMPs, including post-construction treatment control BMPs.
 - (2) The LACFCD shall ensure proper operation of all its treatment control BMPs and maintain them as necessary for proper operation, including all post-construction treatment control BMPs.
 - (3) Any residual water produced by a treatment control BMP and not being internal to the BMP performance when being maintained shall be:
 - (a) Hauled away and legally disposed of; or
 - (b) Applied to the land without runoff; or
 - (c) Discharged to the sanitary sewer system (with permits or authorization); or

- (d) Treated or filtered to remove bacteria, sediments, nutrients, and meet the limitations set in Table 19 (Discharge Limitations for Dewatering Treatment BMPs), prior to discharge to the MS4.

g. Parking Facilities Management

LACFCD-owned parking lots exposed to storm water shall be kept clear of debris and excessive oil buildup and cleaned no less than 2 times per month and/or inspected no less than 2 times per month to determine if cleaning is necessary. In no case shall a LACFCD-owned parking lot be cleaned less than once a month.

h. Emergency Procedures

The LACFCD may conduct repairs and rehabilitation of essential public service systems and infrastructure in emergency situations with a self-waiver of the provisions of this Order as follows:

- i. The LACFCD shall abide by all other regulatory requirements, including notification to other agencies as appropriate.
- ii. Where the self-waiver has been invoked, the LACFCD shall notify the Regional Water Board Executive Officer of the occurrence of the emergency no later than 30 business days after the situation of emergency has passed.
- iii. Minor repairs of essential public service systems and infrastructure in emergency situations (that can be completed in less than one week) are not subject to the notification provisions. Appropriate BMPs to reduce the threat to water quality shall be implemented.

i. Employee and Contractor Training

- i. The LACFCD shall, no later than one year after Order adoption and annually thereafter before June 30, train all of their employees and contractors in targeted positions (whose interactions, jobs, and activities affect storm water quality) on the requirements of the overall storm water management program to:
 - (a) Promote a clear understanding of the potential for activities to pollute storm water.
 - (b) Identify opportunities to require, implement, and maintain appropriate BMPs in their line of work.
- ii. The LACFCD shall, no later than one year after Order adoption and annually thereafter before June 30, train all of their employees and contractors who use or have the potential to use pesticides or fertilizers (whether or not they normally apply these as part of their work). Training programs shall address:

- (a) The potential for pesticide-related surface water toxicity.
 - (b) Proper use, handling, and disposal of pesticides.
 - (c) Least toxic methods of pest prevention and control, including IPM.
 - (d) Reduction of pesticide use.
- iii. The LACFCD shall require appropriate training of contractor employees in targeted positions as described above.

10. Illicit Connections and Illicit Discharge Elimination Program

a. General

- i. The LACFCD shall continue to implement an Illicit Connection and Illicit Discharge (IC/ID) Program to detect, investigate, and eliminate IC/IDs to its MS4. The IC/ID Program must be implemented in accordance with the requirements and performance measures specified in the following subsections.
- ii. As stated in Part VI.A.2 of this Order, each Permittee must have adequate legal authority to prohibit IC/IDs to the MS4 and enable enforcement capabilities to eliminate the source of IC/IDs.
- iii. The LACFCD's IC/ID Program shall consist of at least the following major program components:
 - (1) An up-to-date map of LACFCD's MS4
 - (2) Procedures for systematic visual inspection of LACFCD's MS4
 - (3) Procedures for conducting source investigations for IC/IDs
 - (4) Procedures for eliminating the source of IC/IDs
 - (5) Procedures for public reporting of illicit discharges
 - (6) Spill response plan
 - (7) IC/IDs education and training for LACFCD staff

b. MS4 Mapping

- i. The LACFCD shall maintain an up-to-date and accurate electronic map of its MS4. If possible, the map should be maintained within a GIS. The map must show the following, at a minimum:
 - (1) Within one year of Permit adoption, the location of outfalls¹ owned and maintained by the LACFCD. Each outfall shall be

Comment [RAP2]: Definition will be included in Attachment A

¹ Outfall (as defined by 40 CFR § 122.26(b)(9)) means a *point source* (as defined by 40 CFR § 122.2) at the point where a municipal separate storm sewer discharges to waters of the United States (as defined by 40 CFR § 122.2) and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect

given an alphanumeric identifier, which must be noted on the map. Each mapped outfall shall be located using a geographic positioning system (GPS). Photographs of the major outfalls² shall be taken to provide baseline information to track operation and maintenance needs over time.

Comment [RAP3]: Definition will be included in Attachment A

- (2) The location and length of open channels and underground storm drain pipes with a diameter of 36 inches or greater that are owned and operated by the LACFCD.
- (3) The location and name of all waterbodies receiving discharges from those MS4 major outfalls identified in (1).
- (4) All LACFCD's dry weather diversions installed within the MS4 to direct flows from the MS4 to the sanitary sewer system, including the owner and operator of each diversion.
- (5) By the end of the Permit term, map all known permitted and documented connections to its MS4 system.

ii. The MS4 map shall be updated as necessary.

c. Illicit Discharge Source Investigation and Elimination

- i. The LACFCD shall develop written procedures for conducting investigations to prioritize and identify the source of all illicit discharges to its MS4, including procedures to eliminate the discharge once the source is located.
- ii. At a minimum, the LACFCD shall initiate³ an investigation(s) to identify and locate the source within one business day of becoming aware of the illicit discharge.
- iii. When conducting investigations, the LACFCD shall comply with the following:
 - (1) Illicit discharges suspected of being sanitary sewage and/or significantly contaminated shall be investigated first.

segments of the same stream or other waters of the United States and are used to convey waters of the United States.

² Major outfall (as defined by 40 CFR § 122.26(b)(6)) means a major municipal separate storm sewer outfall. Major municipal separate storm sewer outfall (as defined by 40 CFR § 122.2(b)(5)) means a municipal separate storm sewer outfall that discharges from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive storm water from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more).

³ Permittees may comply with the Permit by taking initial steps (such as logging, prioritizing, and tasking) to "initiate" the investigation within one business day. However, the Regional Water Board would expect that the initial investigation, including a site visit, occur within two business days of becoming aware of the illicit discharge.

- (2) The LACFCD shall track all investigations to document, at a minimum, the date(s) the illicit discharge was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed.
 - (3) The LACFCD shall prioritize and investigate the source of all observed illicit discharges to its MS4.
 - (4) If the source of the illicit discharge is found to be a discharge authorized under an NPDES permit, the LACFCD shall document the source and report to the Regional Water Board within 30 days of determination. No further action is required.
 - (5) If the source of the illicit discharge has been determined to originate from within the jurisdiction of other Permittee(s) with land use authority over the suspected responsible party/parties, the LACFCD shall immediately alert the appropriate Permittee(s) of the problem for further action by the Permittee(s).
- iv. When taking corrective action to eliminate illicit discharges, the LACFCD shall comply with the following:
- (1) If the source of the illicit discharge has been determined or suspected by the LACFCD to originate within an upstream jurisdiction(s), the LACFCD shall immediately notify the upstream jurisdiction(s), and notify the Regional Water Board within 30 days of such determination and provide all the information collected and efforts taken.
 - (2) Once the Permittee with land use authority over the suspected responsible party/parties has been alerted, the LACFCD may continue to work in cooperation with the Permittee(s) to notify the responsible party/parties of the problem, and require the responsible party/parties to immediately initiate necessary corrective actions to eliminate the illicit discharge. Upon being notified that the discharge has been eliminated, the LACFCD may, in conjunction with the Permittee(s) conduct a follow-up investigation to verify that the discharge has been eliminated and cleaned up to the satisfaction of the LACFCD. The LACFCD shall document its follow-up investigation. The LACFCD may seek recovery and remediation costs from responsible parties or require compensation for the cost of all inspection and investigation activities. Resulting enforcement actions shall follow the program's Progressive Enforcement Policy.
 - (3) If the source of the illicit discharge cannot be traced to a suspected responsible party, the LACFCD, in conjunction with

other affected Permittees, shall continue implementing the illicit discharge/spill response plan.

- v. In the event the LACFCD and/or other Permittees are unable to eliminate an ongoing illicit discharge following full execution of its legal authority and in accordance with its Progressive Enforcement Policy, including the inability to find the responsible party/parties, or other circumstances prevent the full elimination of an ongoing illicit discharge, the LACFCD and/or other Permittees shall notify the Regional Water Board within 30 days of such determination and provide available information to the Regional Water Board.

d. Identification and Response to Illicit Connections

i. Systematic Visual Inspections for Illicit Connections

The LACFCD shall continue the systematic field visual inspections of its MS4 for illicit connections in accordance with the following schedule:

- (1) Open channels: No later than one year after Order adoption date, and annually thereafter.
- (2) Underground storm drains identified by the LACFCD as high priority: No later than three years after Order adoption date.
- (3) Underground storm drains with a diameter of 36 inches or greater: No later than by the end of the Permit term.

ii. Investigation

The LACFCD, upon discovery or upon receiving a report of a suspected illicit connection, shall initiate an investigation within 21 days, to determine the following: (1) source of the connection, (2) nature and volume of discharge through the connection, and (3) responsible party for the connection.

iii. Elimination

The LACFCD, upon confirmation of an illicit connection to its MS4, shall ensure that the connection is:

- (1) Permitted or documented, provided the connection will only discharge storm water and non-storm water allowable under this Order or other individual or general NPDES Permits/WDRs, or
- (2) Eliminated within 180 days of completion of the investigation, using its formal enforcement authority, if necessary, to eliminate the illicit connection.

iv. Documentation

Formal records must be maintained for all illicit connection investigations and the formal enforcement taken to eliminate illicit connections.

e. Public Reporting of Non-Stormwater Discharges and Spills

- i. The LACFCD shall, in collaboration with the County, continue to maintain the 888-CLEAN-LA hotline and corresponding internet site at www.888cleanla.org to promote, publicize, and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from MS4s.
- ii. The LACFCD shall include information regarding public reporting of illicit discharges or improper disposal on the signage adjacent to open channels as required in Part **VI.D.8.hvi.(4)**.
- iii. The LACFCD shall develop and maintain written procedures that document how complaint calls and internet submissions are received, documented, and tracked to ensure that all complaints are adequately addressed. The procedures shall be evaluated annually to determine whether changes or updates are needed to ensure that the procedures accurately document the methods employed by the LACFCD. Any identified changes shall be made to the procedures subsequent to the annual evaluation.
- iv. The LACFCD shall maintain documentation of the complaint calls and internet submissions and record the location of the reported spill or IC/ ID and the actions undertaken, including referrals to other agencies, in response to all IC/ID complaints.

f. Illicit Discharge and Spill Response Plan

- i. The LACFCD shall implement an ID and spill response plan for all spills that may discharge into its system. The ID and spill response plan shall clearly identify agencies responsible for ID and spill response and cleanup, contact information, and shall contain at a minimum the following requirements:
 - (1) Coordination with spill response teams throughout all appropriate departments, programs and agencies so that maximum water quality protection is provided.
 - (2) Initiation of investigation of all public and employee ID and spill complaints within one business day of receiving the complaint to assess validity.
 - (3) Response to ID and spills within 4 hours of becoming aware of the ID or spill, except where such IDs or spills occur on private property, in which case the response should be within 2 hours of gaining legal access to the property.

- (4) IDs or spills that may endanger health or the environment shall be reported to appropriate public health agencies and the Office of Emergency Services (OES).

g. Illicit Connection and Illicit Discharge Education and Training

- i. The LACFCD must continue to implement a training program regarding the identification of IC/IDs for all LACFCD field staff, who, as part of their normal job responsibilities (e.g., storm drain inspection and maintenance), may come into contact with or otherwise observe an illicit discharge or illicit connection to its MS4. Contact information, including the procedure for reporting an illicit discharge, must be included in the LACFCD's fleet vehicles that are used by field staff. Training program documents must be available for review by the Regional Water Board.
- ii. The LACFCD's training program should address, at a minimum, the following:
 - (1) IC/ID identification, including definitions and examples,
 - (2) investigation,
 - (3) elimination,
 - (4) cleanup,
 - (5) reporting, and
 - (6) documentation.
- iii. The LACFCD must create a list of applicable positions which require IC/ID training and ensure that training is provided at least twice during the term of this Order. The LACFCD must maintain documentation of the training activities.
- iv. New LACFCD staff members must be provided with IC/ID training within 180 days of starting employment.
- v. The LACFCD shall require its contractors to train their employees in targeted positions as described above.

Proposed LACFCD Findings or Fact Sheet language for 2012 MS4 permit:

1. The Los Angeles County Flood Control District (LACFCD) is an agency created by the Legislature and is charged, among other things, with the control and conservation of flood, storm and other waters of the District for the protection of property and the collection and conservation of water. CWC App. § 28-2.
2. The LACFCD's system consists of catch basins, underground drains, open channels, and dams. Portions of the system were originally natural water courses.
3. The LACFCD's flood control system serves as a conveyance for flood waters throughout the Los Angeles basin. Other permittees' MS4s connect and discharge to the LACFCD's catch basins, underground drains and open channels.
4. The waters flowing in the LACFCD's drains and channels come from point and nonpoint sources. Point sources can include the permittees under this permit and other NPDES permittees authorized by the Regional Board to discharge into the LACFCD's drains and channels, including industrial waste water dischargers, waste water treatment facilities, industrial and construction stormwater permittees, and Caltrans. Point sources can also include dischargers such as school districts that do not operate large or medium-sized municipal storm sewers and dischargers who hold waste discharge requirements or who have waivers of waste discharge requirements. Examples of nonpoint sources can include natural springs and runoff from fields, national forests, state parks and undeveloped land, and aerial deposition.
5. The LACFCD does not own or operate municipal sanitary sewer systems or public streets, roads or highways.
6. The LACFCD has no planning, zoning, development permitting or other land use authority over new or existing developments or properties located in any incorporated or unincorporated areas within its boundaries. The entity that has such land use authority has the primary responsibility for controlling the pollutants in waters discharged from the aforementioned areas.
7. A municipal stormwater permit issued to more than one permittee may contain separate stormwater management plans or programs for particular permittees or groups of permittees. 40 CFR § 122.26(d)(2)(iv). Given the unique nature of and statutory duties imposed on the LACFCD, it is appropriate for the LAFCD to have a stormwater management plan tailored to its unique obligations and authority. Accordingly, the requirements imposed on the LACFCD by this Order differ from the requirements imposed on other permittees.

LOS ANGELES COUNTY FLOOD CONTROL DISTRICTA. Findings

LACFCD will provide findings specific to the LACFCD.

A.B. Special Provisions**1. Public Information and Participation Program (PIPP)****a. General**

- ~~i. Each Permittee~~ The LACFCD shall participate in a regional implement a Public Information and Participation Program (PIPP) sponsored by the Permittees or alternatively, shall implement its own PIPP that includes, but is not limited to, the requirements listed in this part. Each Permittee The LACFCD shall be responsible for developing and implementing collaborate, as necessary, with other Permittees to implement specific PIPP requirements. The objectives of the PIPP are as follows:
- (1) ~~To measurably~~ increase the knowledge of the target audience about the MS4, the adverse impacts of storm water pollution on receiving waters and potential solutions to mitigate the impacts
 - (2) ~~To measurably~~ change the waste disposal and storm water pollution generation behavior of target audiences by developing and encouraging implementation of appropriate solutions
 - (3) To involve and engage a diversity of socio-economic groups and ethnic communities in Los Angeles County to participate in mitigating the impacts of stormwater pollution.

b. PIPP Implementation

This subsection was deleted.

c.b. Public Participation

- ~~i. The LACFCD, in collaboration with the County of Los Angeles, whether participating in a County or Watershed Group sponsored PIPP, or acting individually, shall continue to maintain the countywide hotline (888-CLEAN-LA) provide a means for public reporting of clogged catch basin inlets and illicit discharges/dumping, faded or missing catch basin labels, and general stormwater management information.~~
- ~~(1) Permittees may elect to use the 888-CLEAN-LA hotline as the general public reporting contact or each Permittee or Watershed Group may establish its own hotline, if preferred.~~

- ~~(2)(1) Each Permittee~~The LACFCD shall include the reporting information, updated when necessary, in public information, and the government pages of the telephone book, as they are developed or published.
- (2) The LACFCD, in collaboration with the County of Los Angeles, shall continue to maintain the www.888cleanla.com website.
- ~~(2) Each Permittee shall identify staff or departments who will serve as the contact person(s) and shall make this information available on its website.~~
- ~~(3) Each Permittee is responsible for providing current, updated hotline contact information to the general public within its jurisdiction.~~

d.c. Residential Outreach Program

- i. Working in conjunction with a ~~County regional~~ or Watershed Group sponsored PIPP or individually, each ~~Permittee~~ the LACFCD shall implement the following activities:
- (1) ~~Conduct s~~Stormwater pollution prevention public service announcements and advertising campaigns
- (2) Public education materials shall ~~including, e~~ but are not limited to at a minimum, information on the proper handling (i.e., disposal, storage and/or use) of:
- Vehicle waste fluids
 - Household waste materials (i.e., trash and household hazardous waste, ~~including personal care products and pharmaceuticals~~)
 - Construction waste materials
 - Pesticides and fertilizers (including integrated pest management practices [IPM] to promote reduced use of pesticides),
 - Green waste (including lawn clippings and leaves)
 - Animal wastes
- (3) ~~Distribute activity~~ Activity specific stormwater pollution prevention public education materials, at a minimum, but not limited to, for the following points of purchase:
- Automotive parts stores
 - Home improvement centers / lumber yards / hardware stores
 - Landscaping / gardening centers
 - ~~Pharmacies~~
 - ~~(e)~~(d) Pet shops / feed stores
- (4) ~~Maintain stormwater websites or provide links to stormwater websites via the Permittee's website, which shall include educational material~~

and opportunities for the public to participate in stormwater pollution prevention and clean-up activities listed in Part [TBD—this part].

(5) Provide independent, parochial, and public schools within in each Permittee's jurisdiction with materials to educate school children (K-12) on stormwater pollution. Material may include videos, live presentations, and other information. Permittees are encouraged to work with, or leverage, materials produced by other statewide agencies and associations such as the State Water Board's "Erase the Waste" educational program and the California Environmental Education Interagency Network (CEEIN) to implement this requirement.

(6)(4) When implementing coordinating activities in (1)-(43), Permittees the LACFCD shall use effective strategies to educate and involve ethnic communities in stormwater pollution prevention through culturally effective methods.

2. Industrial/Commercial Facilities Program

This section was deleted in its entirety.

3. Planning and Land Development Program

This section was deleted in its entirety.

4. Development Construction Program

This section was deleted in its entirety.

5.2. Public Agency Activities Program

Each Permittee The LACFCD shall implement a Public Agency Activities Program to minimize stormwater pollution impacts from LAFCD-owned or operated facilities and activities and to identify opportunities to reduce stormwater pollution impacts from areas of existing development. Requirements for Public Agency Facilities and Activities consist of the following components:

- a. Public Construction Activities Management.
- b. Public Facility Inventory
- c. Inventory of Existing Development for Retrofitting Opportunities
- d.c. Public Facility and Activity Management
- e.d. Vehicle and Equipment Washing
- f.e. Landscape, Park and Recreational Facilities Management
- g.f. Storm Drain Operation and Maintenance
- h.g. Streets, Roads, and Parking Facilities Management

~~i.h.~~ Emergency Procedures

~~j.i.~~ Municipal Employee and Contractor Training

a. Public Construction Activities Management

- ~~i.~~ Each ~~Permittee~~The LACFCD shall implement and comply with the Planning and Land Development Program requirements in Part TBD of this Order at ~~Permittee~~LACFCD owned or operated (i.e., public or ~~Permittee sponsored~~) construction projects that are categorized under the project types identified in Part [TBD] of this Order.
- ~~ii.~~ Each ~~Permittee~~The LACFCD shall implement and comply with the appropriate Development Construction Program requirements in Part [TBD] of this Order at ~~Permittee~~LACFCD owned or operated construction projects as applicable.
- ~~iii.~~ For ~~Permittee owned or operated projects (including those under a capital improvement project plan) that disturb less than one acre of soil, each Permittee shall require the development and implementation of an ESCP. The ESCP shall include an effective combination of erosion and sediment control BMPs from Table [TBD] (see Construction Development Program).~~
- ~~iv.iii.~~ Each ~~Permittee~~The LACFCD shall obtain separate coverage under the Construction General Permit for all ~~Permittee~~LACFCD-owned or operated construction sites that require coverage.

b. Public Facility Inventory

- ~~i.~~ Each ~~Permittee~~The LACFCD shall maintain an updated watershed-based inventory and map of all ~~Permittee~~LACFCD-owned or operated (i.e. public) facilities within its jurisdiction that are potential sources of stormwater pollution. The incorporation of facility information into a GIS is recommended. Sources to be tracked include but are not limited to the following:
 - ~~(1)~~ Animal control facilities
 - ~~(2)~~(1) Chemical storage facilities
 - ~~(3)~~ Composting facilities
 - ~~(4)~~(2) Equipment storage and maintenance facilities (including landscape maintenance-related operations)
 - ~~(5)~~(3) Fueling or fuel storage facilities (including municipal airports)
 - ~~(6)~~ Hazardous waste disposal facilities
 - ~~(7)~~ Hazardous waste handling and transfer facilities
 - ~~(8)~~ Incinerators
 - ~~(9)~~ Landfills

- (10)(4) _____ Materials storage yards
- (11)(5) _____ Pesticide storage facilities
- (12)(6) _____ Public LACFCD buildings, including schools, libraries, police stations, fire stations, Permittee (municipal) buildings, restrooms, and similar buildings
- (13) ~~Public parking lots~~
- (14) ~~Public golf courses~~
- (15) ~~Public swimming pools~~
- (16) ~~Public parks~~
- (17)(7) _____ Public works LACFCD maintenance yards
- (18) ~~Public marinas~~
- (19) ~~Recycling facilities~~
- (20) ~~Solid waste handling and transfer facilities~~
- (21) ~~Vehicle storage and maintenance yards~~
- (22) ~~Flood control facilities (e.g. debris basins, sediment placement sites)~~
- (23) ~~All other Permittee-owned or operated facilities tributary to a waterbody segment subject to a TMDL, where the facility generates pollutants for which the waterbody segment is impaired.~~
- (24) ~~All other Permittee-owned or operated facilities or activities that each Permittee determines may contribute a substantial pollutant load to the MS4.~~
- ii. ~~Each Permittee~~The LACFCD shall include the following minimum fields of information for each ~~Permittee~~LACFCD-owned or operated facility in its watershed-based inventory and map.
- (1) Name of facility
 - (2) Name of facility manager and contact information
 - (3) Address of facility (physical and mailing)
 - (4) A narrative description of activities performed and principal products used at each facility and status of exposure to stormwater.
 - (5) ~~MS4 outfalls that receive, or potentially receive discharges from the facility, and corresponding receiving water(s).~~
 - (6) ~~Identification of whether the facility is tributary to a waterbody segment subject to a TMDL, where the facility generates pollutants for which the waterbody segment is impaired.~~
 - (7) ~~Coverage under the Industrial General Permit or other individual or general NPDES permits or any applicable waiver issued by the Regional or State Water Board pertaining to stormwater discharges.~~

- iii. ~~Each Permittee~~The LACFCD shall update its inventory and map at least ~~annually~~once during the Permit term. The update shall be accomplished through a collection of new information obtained through field activities, and through other readily available inter and intra-agency informational databases (e.g. property management, land-use approvals, and similar information).

~~c. Inventory of Existing Development for Retrofitting Opportunities~~

This subsection was deleted.

~~d.c. Public Agency Facility and Activity Management~~

- i. ~~Each Permittee~~ shall obtain separate coverage under the Industrial General Permit for all ~~Permittee-owned or operated facilities where industrial activities are conducted that require coverage under the Industrial General Permit.~~
- ii. ~~Each Permittee~~The LACFCD shall implement the following measures for flood management projects:
- (1) Develop procedures to assess the impacts of flood management projects on the water quality of receiving waterbodies; and
 - (2) Evaluate existing structural flood control facilities during the planning phases of major maintenance or rehabilitation projects to determine if retrofitting the facility to provide additional pollutant removal from stormwater is feasible; and.
 - (3) ~~For the Los Angeles County Flood Control District, ensure that maintenance of earth-bottom flood control channels is conducted in accordance with Regional Water Board Order No. R4-2010-0021.~~
- iii. ~~Each Permittee~~The LACFCD shall implement and maintain the general and activity specific BMPs listed in Table [TBD] (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs when such activities occur at LACFCD-owned or operated facilities and field activities (e.g., project sites) including but not limited to the facility types listed in Part [TBD] above, and at any area that includes the activities described in Table [TBD], or that have the potential to discharge pollutants in stormwater.
- iv. ~~Any contractors hired by the LACFCD to conduct Public Agency Activities (e.g., municipal maintenance) shall be contractually required to implement and maintain the general and activity specific BMPs listed in Table [TBD] or an equivalent set of BMPs. The LACFCD shall conduct oversight of contractor activities to ensure these BMPs are implemented and maintained.~~

*Insert Table [TBD] – BMPs for Public Agency Facilities and Activities
(from the Caltrans Stormwater Quality Handbook Maintenance Staff Guide
Appendix B)*

e.d. Vehicle and Equipment Washing

- i. ~~Each Permittee~~The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs for all fixed vehicle and equipment washing areas; including fire fighting and emergency response vehicles.
- ii. ~~Each Permittee~~The LACFCD shall prevent discharges of wash waters from vehicle and equipment washing by implementing any of the following measures at existing facilities with vehicle or equipment wash areas:
 - (1) Self-contain, and haul off for disposal; or
 - (2) Equip with a clarifier or an alternative pre-treatment device and plumb to the sanitary sewer in accordance with applicable waste water provider regulations
- iii. ~~Each Permittee~~The LACFCD shall ensure that any ~~municipal~~LACFCD facilities constructed, redeveloped, or replaced shall not discharge wastewater from vehicle and equipment wash areas to the MS4 by plumbing all areas to the sanitary sewer in accordance with applicable waste water provider regulations, or self-containing all waste water/ wash water and hauling to a point of legal disposal.

f.e. Landscape, Park and Recreational Facilities Management

- i. ~~Each Permittee~~The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] (BMPs for Public Agency Facilities and Activities) or an equivalent set of BMPs for all its public right-of-ways, flood control facilities and open channels, lakes and reservoirs, and landscape, park and recreational facilities and activities.
- ii. Integrated pest Management (IPM) is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. The LACFCD shall implement an IPM program that includes the following:
 - (1) Pesticides are used only if monitoring indicates they are needed, and pesticides are applied according to applicable permits and established guidelines.
 - (2) Treatments are made with the goal of removing only the target organism.

- (3) Pest controls are selected and applied in a manner that minimizes risks to human health, beneficial non-target organisms, and the environment.
- (4) The use of pesticides, including Organophosphates and Pyrethroids, does not threaten water quality.
- (5) Partner, as appropriate, with other agencies and organizations to encourage the use of IPM.
- (6) Adopt and verifiably implement policies, procedures, and/ or ordinances requiring the minimization of pesticide use and encouraging the use of IPM techniques (including beneficial insects) for Public Agency Facilities and Activities.
- (7) Policies, procedures, and ordinances shall include ~~commitments and~~ a schedule to reduce the use of pesticides that cause impairment of surface waters by implementing the following procedures:
 - ~~(f)~~(e) Prepare and annually update an inventory of pesticides used by all internal departments, divisions, and other operational units.
 - ~~(g)~~(f) Quantify pesticide use by staff and hired contractors.
 - ~~(h)~~ Demonstrate measurable reductions in pesticide use.

iii. ~~Each Permittee~~The LACFCD shall implement the following requirements:

- (1) Comply with the provisions and the monitoring requirements for application of aquatic pesticides to surface waters (WQ Order No. 2011-003-DWQ) (**Aquatic Animal Invasive Species Control**), WQ Order No. 2011-0002-DWQ (**Vector Control**), and WQ Order No. 2004-0009-DWQ (**Weed Control**).
- (2) Use a standardized protocol for the routine and non-routine application of pesticides (including pre-emergents), and fertilizers.
- (3) ~~Ensure there is no application of pesticides or fertilizers (1) when two or more consecutive days with greater than 50% chance of rainfall are predicted by NOAA¹, (2) within 48 hours of a 1/2 inch rain event or (3) when water is flowing off the area where the application is to occur. This requirement does not apply to the application of aquatic pesticides described in Part [TBD] above.~~ are applied to an area immediately prior to, during or immediately after a rain event, or when water is flowing off the area.
- (4) Ensure that no banned or unregistered pesticides are stored or applied.
- (5) Ensure that all staff applying pesticides are certified in the appropriate category by the California Department of Pesticide

¹ www.srh.noaa.gov/forecast

Regulation, or are under the direct supervision of a pesticide applicator certified in the appropriate category.

- (6) Implement procedures to encourage the retention and planting of native vegetation to reduce water, pesticide and fertilizer needs; and
- (7) Store pesticides and fertilizers indoors or under cover on paved surfaces, or use secondary containment.
 - (a) Reduce the use, storage, and handling of hazardous materials to reduce the potential for spills.
 - (b) Regularly inspect storage areas.

g.f. Storm Drain Operation and Management

- i. ~~Each Permittee~~The LACFCD shall implement and maintain the activity specific BMPs listed in Table [TBD] or equivalent set of BMPs for storm drain operation and maintenance.
- ii. Ensure that all the material removed from the MS4 does not reenter the system. Solid material shall be dewatered in a contained area and liquid material shall be disposed in accordance with any of the following measures:
 - (1) Self-contain, and haul off for legal disposal; or
 - (2) Equip with a clarifier or an alternative pre-treatment device; and plumb to the sanitary sewer in accordance with applicable waste water provider regulations.
- iii. Catch Basin Cleaning
 - (1) In areas that are not subject to a trash TMDL, the LACFCD shall determine priority areas and shall update its map or list of Catch Basins with their GPS coordinates and priority:
 - Priority A: Catch basins that are designated as consistently generating the highest volumes of trash and/or debris.
 - Priority B: Catch basins that are designated as consistently generating moderate volumes of trash and/or debris.
 - Priority C: Catch basins that are designated as generating low volumes of trash and/or debris.

The map or list shall contain the rationale or data to support priority designations.
 - (2) In areas not subject to a trash TMDL, the LACFCD shall inspect its catch basins according to the following schedule:
 - Priority A: A minimum of 3 times during the wet season (October 1 through April 15) and once during the dry season every year.

Priority B: A minimum of once during the wet season and once during the dry season every year.

Priority C: A minimum of once per year.

Catch basins shall be cleaned as necessary on the basis of inspections. At a minimum, LACFCD shall ensure that any catch basin that is determined to be at least 25% full of trash shall be cleaned out. LACFCD shall maintain inspection and cleaning records for Regional Water Board review.

- (3) In areas that are subject to a trash TMDL, the subject Permittees shall implement the applicable provisions in Part 7.

~~iv. Trash Management at Public Events~~

~~*This subsection was deleted.*~~

~~v. Trash Receptacles~~

~~*This subsection was deleted.*~~

~~vi.~~ iv. Catch Basin Labels and Open Channel Signage

- (1) LACFCD shall label all catch basin storm drain inlets that they own with a legible "no dumping" message.
- (2) The LACFCD shall inspect the legibility of the catch basin stencil or label nearest the inlet prior to the wet season every year.
- (3) The LACFCD shall record all catch basins with illegible stencils and re-stencil or re-label within 4590 days of inspection.
- (4) The LACFCD shall post signs, referencing local code(s) that prohibit littering and illegal dumping, at designated public access points to open channels, creeks, urban lakes, and other relevant waterbodies.

~~vii. Additional Trash Management Practices~~

~~*This subsection was deleted.*~~

~~viii.~~ v. Storm Drain Open Channel Maintenance

~~Each Permittee~~ The LACFCD shall implement a program for Storm Drain Open Channel Maintenance that includes the following:

- (1) Visual monitoring of LACFCD owned open channels and other drainage structures, ~~including debris basins,~~ for debris at least annually;
- (2) Remove trash and debris from open channels and ~~debris basins~~ a minimum of once per year before the wet season;
- (3) Eliminate the discharge of contaminants during produced by storm drain MS4 maintenance and clean outs; and

- (4) Quantify the amount of materials removed using techniques appropriate for quantifying solid waste and ensure the materials are properly disposed of.

~~ix.vi.~~ Infiltration from Sanitary Sewer to MS4/Preventive Maintenance

- (1) ~~Each Permittee~~The LACFCD shall implement controls and measures to prevent and eliminate infiltration of seepage from sanitary sewers to ~~MS4s~~its storm drains through thorough, routine preventive maintenance of the ~~MS4~~its storm drains.
- (2) ~~Each Permittee that operates both a municipal sanitary sewer system and a MS4 must implement controls and measures to prevent and eliminate infiltration of seepage from the sanitary sewers to the MS4s that must include overall sanitary sewer and MS4 surveys and thorough, routine preventive maintenance of both.~~
- (3)(2) ~~Each Permittee~~The LACFCD shall implement controls to limit infiltration of seepage from sanitary sewers to the ~~MS4~~its storm drains where necessary. Such controls must include:
- i. Adequate plan checking for construction and new development;
 - ii. Incident response training for its municipal-employees that identify sanitary sewer spills;
 - iii. Code enforcement inspections;
 - iv. MS4 maintenance and inspections;
 - v. Interagency coordination with sewer agencies; and
 - vi. Proper education of its municipal staff and contractors conducting field operations on the ~~MS4~~its storm drains or its municipal sanitary sewer (if applicable).
- (4) ~~Each Permittee which owns and /or operates a sanitary sewer system that requires coverage under the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Order No. 2006-0003-DWQ), shall comply with the provisions and the monitoring requirements associated with this Order.~~

~~x.vii.~~ PermitteeLACFCD-Owned Treatment Control BMPs

- (1) ~~Each Permittee~~The LACFCD shall implement an inspection and maintenance program for all ~~Permittee~~LACFCD-owned treatment control BMPs, including post-construction treatment control BMPs.
- (2) ~~Each Permittee~~The LACFCD shall ensure proper operation of all its treatment control BMPs and maintain them as necessary for proper operation, including all post-construction treatment control BMPs.
- (3) Any residual water produced by a treatment control BMP and not being internal to the BMP performance when being maintained shall be:

- (a) Hauled away and legally disposed of; or
- (b) Applied to the land without runoff; or
- (c) Discharged to the sanitary sewer system (with permits or authorization); or
- (d) Treated or filtered to remove bacteria, sediments, nutrients, and meet the limitations set in Table TBD (Discharge Limitations for Dewatering Treatment BMPs), prior to discharge to the MS4.

Table TBD - Discharge Limitations for Dewatering Treatment BMPs¹

Parameter	Units	Limitation
Total Suspended Solids	mg/L	100
Turbidity	NTU	50
Oil and Grease	mg/L	10

h.g. Streets, Roads, and Parking Facilities Management

- ~~i. Each Permittee shall designate streets and/or street segments within its jurisdiction as one of the following:

 - Priority A: Streets and/or street segments that are designated as consistently generating the highest volumes of trash and/or debris.
 - Priority B: Streets and/or street segments that are designated as consistently generating moderate volumes of trash and/or debris.
 - Priority C: Streets and/or street segments that are designated as generating low volumes of trash and/or debris.~~
- ~~ii. Each Permittee shall perform street sweeping of curbed streets according to the following schedule:

 - Priority A: Streets and/or street segments that are designated as Priority A shall be swept at least two times per month.
 - Priority B: Streets and/or street segments that are designated as Priority B shall be swept at least once per month.
 - Priority C: Streets and/or street segments that are designated as Priority C shall be swept as necessary but in no case less than once per year.~~
- ~~iii. Road Reconstruction~~

This subsection was deleted.

Permittee LACFCD-owned parking lots exposed to stormwater shall be kept clear of debris and excessive oil buildup and cleaned using street sweeping equipment no less than 2 times per month and/or inspected no less than 2

¹ Technology based effluent limits.

times per month to determine if cleaning is necessary. In no case shall a Permittee LACFCD-owned parking lot be cleaned less than once a month.

h. Emergency Procedures

Each Permittee The LACFCD may conduct repairs and rehabilitation of essential public service systems and infrastructure in emergency situations with a self-waiver of the provisions of this Order as follows:

- i. The Permittee LACFCD shall abide by all other regulatory requirements, including notification to other agencies as appropriate.
- ii. Where the self-waiver has been invoked, the Permittee LACFCD shall ~~submit to~~ notify the Regional Water Board Executive Officer ~~a statement of the occurrence of the emergency, an explanation of the circumstances and the measures that were implemented to reduce the threat to water quality,~~ no later than 30 business days after the situation of emergency has passed.
- iii. Minor repairs of essential public service systems and infrastructure in emergency situations (that can be completed in less than one day/week) are not subject to the notification provisions. Appropriate BMPs to reduce the threat to water quality shall be implemented.

i. Municipal Employee and Contractor Training

- i. Each Permittee The LACFCD shall, no later than ~~X~~ one year after Order adoption and annually thereafter before ~~June 30~~ October 15, train all of their employees ~~and contractors in~~ targeted positions (whose interactions, jobs, and activities affect stormwater quality) on the requirements of the overall stormwater management program to:
 - (a) Promote a clear understanding of the potential for activities to pollute storm water.
 - (b) Identify opportunities to require, implement, and maintain appropriate BMPs in their line of work.
- ii. The LACFCD shall, no later than ~~X~~ one year after Order adoption and annually thereafter before ~~June 30~~ October 15, train all of their employees ~~and contractors who use or have the potential to use pesticides or fertilizers (whether or not they normally apply these as part of their work).~~ Training programs shall address:
 - (a) The potential for pesticide-related surface water toxicity.
 - (b) Proper use, handling, and disposal of pesticides.
 - (c) Least toxic methods of pest prevention and control, including IPM.
 - (d) Reduction of pesticide use.

- iii. The LACFCD shall require its contractors to train their employees in targeted positions as described above.

6-3. Illicit Connections and Illicit Discharge (IC/ID) Elimination Program

a. General

- i. ~~Each Permittee~~The LACFCD shall continue to implement an Illicit Connection and Illicit Discharge (IC/ID) Program to detect, investigate, and eliminate IC/IDs to its open channels and underground storm drain system.~~the MS4_~~The IC/ID Program must be implemented in accordance with the requirements and performance measures specified in the following subsection~~this Order.~~
- ii. ~~As stated in Part [TBD] of this Order, each Permittee must have adequate legal authority to prohibit IC/IDs to the MS4 and enable enforcement capabilities to eliminate the source of IC/IDs.~~
- iii. ~~ii.~~ Each Permittee's LACFCD's IC/ID Program shall consist of at least the following major program components:
 - (1) An up-to-date map of LACFCD owned and maintained municipal separate storm sewer system (MS4) map
 - (2) Procedures for systematic visual inspection of LACFCD owned and maintained open channels and underground storm drains~~conducting a non-stormwater outfall based monitoring program to detect IC/IDs~~
 - (3) Procedures for conducting source investigations for IC/IDs
 - (4) Procedures for eliminating the source of IC/IDs
 - (5) Procedures for public reporting of illicit discharges
 - (6) Spill response plan
 - (7) IC/IDs education and training for Permittee LACFCD staff

b. MS4 Mapping

- i. ~~Each Permittee~~The LACFCD shall maintain and up-to-date and accurate electronic MS4 map of its open channels and underground storm drain system. If possible, the map should be maintained within a GIS. The MS4 map must show the following, at a minimum:
 - (1) Within one year of Permit adoption, the location of all MS4 outfalls¹ within the Permittee's LACFCD's jurisdictional boundary owned and

¹ Outfall (as defined by 40 CFR § 122.26) means a *point source* (as defined by 40 CFR § 122.2) at the point where a municipal separate storm sewer discharges to waters of the United States (as defined by 33 CFR § 328.3) and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States. For the LACFCD, this is equivalent to the point where an underground storm drain outlets into an open channel.

~~maintained by the LACFCD. The contributing drainage area for each outfall should be clearly discernible. Each MS4 outfall shall be given an alphanumeric identifier, which must be noted on the map. If an outfall is owned by another public entity, the name of the entity shall be recorded on the map. Each mapped MS4 outfall shall be located using a geographic positioning system (GPS), and photographs of the major outfalls¹ shall be taken to provide baseline information to track operation and maintenance needs over time. Per Part [TBD] (non-stormwater monitoring), additional attribute data are required for those outfalls determined to have persistent dry weather flows.~~

- (2) ~~The location and length of open channels and underground storm drain pipes 18-36 inches in diameter or and greater in diameter, that are owned and operated by the LACFCD.~~
- (3) ~~The location and name of all waterbodies receiving discharges from those MS4 major outfalls identified in (1).~~
- (4) ~~All LACFCD's dry weather diversions installed within the MS4 to direct flows from the MS4 to the sanitary sewer system, including the owner and operator of each diversion.~~
- (5) ~~Priority areas identified under [Part TBD], below. By the end of the Permit term, map all known permitted and documented connections to its storm drain system.~~

- ii. ~~The MS4 map shall be updated annually as necessary to reflect current conditions within the MS4.~~

c. ~~Implementation of Non-Stormwater Outfall-Based Monitoring Program to Detect IC/IDs~~

- i. ~~The LACFCD shall provide available information in support of the non-stormwater outfall-based monitoring program to be developed and implemented by the Permittees with land use jurisdiction in accordance to the Outfall Monitoring Section. Each Permittee shall develop and implement a non-stormwater outfall-based monitoring program consistent with Part [TBD] (non-stormwater outfall-based monitoring program) to detect and eliminate illicit connections and illicit discharges to the MS4. The non-stormwater outfall-based monitoring program shall consist of (1) identification of outfalls with persistent dry weather flows, (2) determination of significant dry weather flows through characterization and field~~

¹ Major outfall (as defined by CFR § 122.26) means a municipal separate storm sewer outfall that discharges from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive storm water from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more).

screening, (3) identification of sources of significant dry weather flows, (4) monitoring of unknown or authorized non-stormwater discharges, and (5) annual re-assessment and reporting.

- ii. ~~The non-stormwater outfall-based monitoring program shall be documented with written procedures that provide an explanation of how the program is to be implemented and the procedures must be updated as needed to reflect the Permittee's program.~~
- iii. ~~Observations and data collected during the implementation of the non-stormwater outfall-based monitoring program shall be maintained in a database or electronic format. The use of a GIS to record observations and data is preferred but not required.~~
- iv. ~~Each Permittee shall conduct an annual re-assessment of its non-stormwater outfall-based monitoring program to determine whether changes or updates are needed. Where changes are needed, the Permittee shall make the changes in its written program documents and implement these changes in practice.~~

d. Illicit Discharge Source Investigation and Elimination

- i. ~~Each Permittee~~The LACFCD shall develop written procedures for conducting investigations to prioritize and identify the source of all illicit discharges to its open channels and underground storm drain system, including procedures to eliminate the discharge once the source is located.
- ii. At a minimum, each ~~Permittee~~the LACFCD shall conduct¹ initiate an investigation(s) to identify and locate the source within 48 hoursone business day of becoming aware of the illicit discharge.
- iii. When conducting investigations, each ~~Permittee~~the LACFCD shall comply with the following:
 - (1) Illicit discharges suspected of being sanitary sewage and/or significantly contaminated shall be investigated first.
 - (2) ~~Each Permittee~~The LACFCD shall track all investigations to document at a minimum the date(s) the illicit discharge was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed.
 - (3) The LACFCD ~~Each Permittee~~ shall prioritize and investigate the source of all observed illicit discharges to its open channels and underground storm drain system.

¹ Permittees may comply with the Permit by taking initial steps (such as logging, prioritizing, and tasking) to "initiate" the investigation within that one business day. However, the Regional Water Board would expect that the initial investigation, including a site visit, to occur within two business days.

- (4) If the source of the illicit discharge is found to be a discharge authorized under an NPDES permit the LACFCD Permittee shall document the source and report to the Regional Water Board within 30 days of determination. No further action is required.
- (5) If the source of the illicit discharge has been determined to originate from within the jurisdiction of other Permittee(s) with land use authority over the suspected responsible party/parties, the LACFCD shall immediately alert the appropriate Permittee(s) of the problem for further action by the Permittee(s).
- iv. When taking corrective action to eliminate illicit discharges, each ~~Permittee~~ the LACFCD shall comply with the following:
- (1) If the source of the illicit discharge has been determined or suspected by the LACFCD to originate within an upstream jurisdiction(s), ~~the LACFCD the Permittee~~ shall immediately notify ~~inform~~ in writing both the upstream jurisdiction(s), and notify the Regional Water Board within 30 days of such determination and provide all characterization and field screening data collected as a component of the field survey ~~the information collected and efforts taken to identify its source.~~
- (2) ~~Once If the source of the illicit discharge has been determined to originate within the Permittee with land use authority over the suspected responsible party/parties has been alerted s jurisdiction, the LACFCD Permittee shall immediately notify them~~ may continue to work in cooperation with the Permittee(s) to notify the responsible party/parties of the problem, and require the responsible party/parties to conduct immediately initiate all necessary corrective actions to eliminate the non-stormwater illicit discharge within 48 hours of notification. Upon being notified that the discharge has been eliminated, ~~the LACFCD may, in conjunction with the Permittee(s) shall conduct a follow-up investigation to verify that the discharge has been eliminated and cleaned up to the satisfaction of the LACFCD.~~ Each Permittee ~~The LACFCD~~ shall document its follow-up investigation. ~~The LACFCD~~ Each Permittee may seek recovery and remediation costs from responsible parties or require compensation for the cost of field screening, monitoring and ~~all inspection and investigations activities.~~ Resulting enforcement actions shall follow the program's Progressive Enforcement Policy.
- (3) If the source of the illicit discharge cannot be traced to a suspected responsible party, the LACFCD, in conjunction with other affected Permittees, shall continue implementing the illicit discharge/spill response plan.
- (3) ~~If the source of the illicit discharge has been determined to originate within an upstream jurisdiction, the Permittee shall inform in writing both the upstream jurisdiction and the Regional Water Board within~~

~~30 days of such determination and provide all characterization and field screening data collected as a component of the field survey and efforts taken to identify its source.~~

- v. In the event the LACFCD and/or other Permittees ~~is-are~~ unable to eliminate an ongoing illicit discharge following full execution of its legal authority and in accordance with its Progressive Enforcement Policy, including the inability to find the responsible party/parties, or other circumstances prevent the full elimination of an ongoing illicit discharge, the LACFCD and/or other Permittees shall ~~notify~~work with the Regional Water Board to provide for diversion of the entire flow to the sanitary sewer or provide treatment. In either instance, the Permittee shall notify the Regional Water Board in writing within 30 days of such determination and provide available information to the Regional Water Board shall provide a written plan for review and comment that describes the efforts that have been undertaken to eliminate the illicit discharge, a description of the actions to be undertaken, anticipated costs, and a schedule for completion.

e. Identification and Response to Illicit Connections

i. Systematic Visual Inspections for Illicit Connections

The LACFCD shall continue the systematic field visual inspections of its storm drain systems for illicit connections in accordance with the following schedule:

- (1) Open channels: No later than one year after Order adoption date (XXX), and annually thereafter.
- (2) Underground storm drains identified by the LACFCD as high priority: No later than three years after Order adoption date (XXX).
- (3) Underground storm drains with a diameter of 36 inches or greater: No later than by the end of the Permit term.

ii. Investigation

~~Each Permittee~~ The LACFCD, upon discovery or upon receiving a report of a suspected illicit connection, shall ~~initiate~~ complete an investigation within 21 days, to determine the following: (1) source of the connection, (2) nature and volume of discharge through the connection, and (3) responsible party for the connection.

iii. Elimination

~~Each Permittee~~ The LACFCD, upon confirmation of an illicit MS4 connection to its open channel or underground storm drain, shall ensure that the connection is:

- (1) Permitted or documented, provided the connection will only discharge stormwater and non-stormwater allowable under this Order or other individual or general NPDES Permits/WDRs, or

~~(1)(2)~~ Eliminated within 90-180 days of completion of the investigation, using its formal enforcement authority, if necessary, to eliminate the illicit connection.

~~iii-iv.~~ Documentation

Formal records must be maintained for all illicit connection investigations and the formal enforcement taken to eliminate illicit connections.

f. ~~Public Reporting of Non-Stormwater Discharges and Spills~~

- ~~i.~~ The LACFCD shall, in collaboration with the County, continue to maintain the 888-CLEAN-LA hotline internet site to promote, publicize, and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from MS4s. through a central contact point, including phone numbers and an internet site for complaints and spill reporting. Each Permittee shall also provide the reporting hotline to Permittee staff to leverage the field staff that has direct contact with the MS4 in detecting and eliminating illicit discharges.
- ~~ii.~~ Each Permittee shall implement the central point of contact and reporting hotline requirements listed in this part in one or more of the following methods:
- ~~(1)~~ By participating in a County sponsored PIPP
 - ~~(2)~~ By participating in one or more Watershed Group sponsored PIPPs
 - ~~(3)~~ Or individually within its own jurisdiction.
- ~~iii-ii.~~ The LACFCD Each Permittee shall include information regarding public reporting of illicit discharges or improper disposal on the signage adjacent to open channels as required in Part [TBD].
- ~~iv-iii.~~ The LACFCD Each Permittee shall develop and maintain written procedures that document how complaint calls are received, documented, and tracked to ensure that all complaints are adequately addressed. The procedures shall be evaluated annually to determine whether changes or updates are needed to ensure that the procedures accurately document the methods employed by the Permittee LACFCD. Any identified changes shall be made to the procedures subsequent to the annual evaluation.
- ~~v-iv.~~ The LACFCD shall maintain documentation of the complaint calls and record the location of the reported spill or IC/ ID and the actions undertaken, including referrals to other agencies, in response to all IC/ID complaints. .

g. ~~Illicit Discharge and Spill Response Plan~~

- ~~i.~~ The LACFCD Each Permittee shall implement an ID and spill response plan for all sewage and other spills that may discharge into the MS4 its system from any source (including private laterals and failing on site wastewater treatment systems). The ID and spill response plan shall clearly identify agencies responsible for ID and spill response and

cleanup, telephone numbers and e-mail address for contacts contact information, and shall contain at a minimum the following requirements:

- (1) Coordination with spill response teams throughout all appropriate departments, programs and agencies so that maximum water quality protection is provided.
- (2) Initiation of investigation of all public and employee ID and spill complaints within 24 hours one business day of receiving the complaint to assess validity.
- (3) Response to ID and spills for ~~containment~~ within 2-4 hours of becoming aware of the ID or spill, except where such IDs or spills occur on private property, in which case the response should be within 2 hours of gaining legal access to the property.
- (4) IDs or spills that may endanger health or the environment shall be reported to appropriate public health agencies and the Office of Emergency Services (OES).

h. Illicit Connection and Illicit Discharge Education and Training

- i. ~~Each Permittee~~ The LACFCD must continue to implement a training program regarding the identification of IC/IDs for all ~~municipal~~ LACFCD field staff and contractors, who, as part of their normal job responsibilities (e.g., ~~street sweeping, storm drain inspection and maintenance, collection system maintenance, road maintenance~~), may come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system. Contact information, including the procedure for reporting an illicit discharge, must be included in the ~~Permittee's~~ LACFCD's fleet vehicles that are used by field staff. Training program documents must be available for review by the permitting authority.
- ii. The LACFCD ~~Each Permittee's~~ training program should address, at a minimum, the following:
 - (1) IC/ID identification, including definitions and numerous examples,
 - (2) investigation,
 - (3) elimination,
 - (4) cleanup,
 - (5) reporting, and
 - (6) documentation.
- iii. The LACFCD ~~Each Permittee~~ must create a list of applicable staff positions which require IC/ID training and ensure that training is provided at least twice during the term of the Order. The LACFCD ~~Each Permittee~~ must maintain documentation of the training activities.
- iv. New LACFCD ~~Permittee~~ staff members must be provided with IC/ID training within six months of starting employment.

- v. The LACFCD shall require its contractors to train their employees in targeted positions as described above.

The following is intended to be included as part of the Monitoring Section within the LACFCD chapter.

A. Outfall Monitoring

1. The LACFCD shall provide available, pertinent information on its MS4 to Permittees to assist them in the development of the outfall monitoring plan.
2. The LACFCD shall visually inspect its outfalls in conjunction with its systematic inspection program for open channels, and provide results to the Permittees with land use authority upon request.



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		September 21, 2012 @ 0930		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Tyler K. Bridgeway	RWQCB - LA	(213) 620-2150	iridgeway@waterboards.ca.gov	
2. Mike Carey	BIHSC-CWA-SWC	909-525-0623	mfcarey@bihs.org	
3. Richard Watson	RWA	949-855-6272	r.watson@rwa-planning.com	
4. Michael Drennan	Weston Solutions	310/384 8240	michael.drennan@westonsolutions.com	
5.				
6.				
7.				
8.				
9.				
10.				

RB-AR3436

Meeting September 27, 2012

Meeting Attendees:

Regional Board

Los Angeles County Department of Public Works

Los Angeles County Flood Control District

Topics:

WMP Provisions

Proposed Integrated Water Management Plan

A Permittee shall not be considered in violation of Part V.A of this Order if it is in compliance with an Integrated Water Management plan. An Integrated Water Management Plan would focus on addressing urban runoff and storm water through the implementation of regional projects that include groundwater recharge and infiltration wherever feasible in conjunction with other Best Management Practices and processes to reduce pollutants from reaching/impacting receiving waters.

Participation in an Integrated Water Management Plan is voluntary, and may involve one or more Permittees. Any Permittee that intends to participate in an Integrated Water Management Plan shall notify the Executive Officer of its intent within 6 months after the adoption of this Order.

Permittees that have elected to participate in the IWMP would follow the milestones and timeline in the table below for development of the IWMP.

Timeline	Milestone/Action	Description of Activities
Within 6 months of adoption of order	Provide Commitment of Intent to Employ Alternate Approach	<ul style="list-style-type: none"> • Develop plan concept • Estimate cost to develop the plan • Execution of MOU/agreement to fund plan • Establishment of cost sharing scheme • Notification of RB on intent
Within 12 months of adoption of order	Finalize Scope of Work for Plan Development	<ul style="list-style-type: none"> • Establish stakeholder group and partners based on watershed needs and health • Active outreach toward community groups, NGOs, water purveyors, city agencies • Solicit input on scope and planned intent

<p>Within 18 months of adoption of order</p>	<p>Secure Consultant Services</p>	<ul style="list-style-type: none"> • Solicit bids (if necessary) • Execute agreement with consultant
<p>Within 30 months of adoption of order</p>	<p>Develop Detail Plan</p>	<ul style="list-style-type: none"> • Research/inventory current planning efforts • Analyze data on current monitoring efforts • Identify opportunities and constraints (needs of watershed) • Hydraulic and quantitative modeling of watershed/sub-watershed • Establish prioritized list of projects (Preliminary Concept Report Level) • Preliminary soils testing of proposed project sites • Perform Environmental (Initial Study) for all proposed projects • Perform Economic analysis of plan implementation • Perform reasonable assurance/quantitative analysis of plan • Establish schedule for project implementation • Identify potential funding sources • 45 day review/comment period
<p>Within 36 months of adoption of the order</p>	<p>Submit Draft Plan for Public and Regional Board Staff Level Comments</p>	
<p>Within 40 months of adoption of the order</p>	<p>Finalize Plan/Commit to Implement</p>	<ul style="list-style-type: none"> • Address all comments received from draft plan • Acquisition of City Council and County Board of Supervisor approval/commitment to implement and fund • Submittal to RB for approval

<u>Name</u>	<u>Org.</u>	<u>Email</u>
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Shahram Kharaghani

MEETING REGARDING TENTATIVE LA COUNTY MS4 PERMIT
 WATERSHED MANAGEMENT PROGRAM AND RELATIONSHIP TO
 RECEIVING WATER LIMITATIONS PROVISIONS

October 9, 2012

AGENDA

TOPIC	ISSUES
<p><i>WMP and RWL for Non-TMDL Waterbody-Pollutant Combinations</i></p>	<p>Three Category Approach:</p> <ul style="list-style-type: none"> • 303d listed WB-poll combinations similar to those addressed by existing TMDL • 303d listed WB-poll combinations dissimilar to those addressed by existing TMDL • Other RWL exceedances, not 303d listed
	<p>Requirements:</p> <ul style="list-style-type: none"> • During WMP Development <ul style="list-style-type: none"> ○ Existing SWMP ○ Early actions ○ TMDL requirements • WMP Content, including interim milestones/deadlines • WMP Evaluation/Modification Process
	<p>Compliance Determination:</p> <ul style="list-style-type: none"> • Relationship to Part V.A. • Prior to WMP approval • After WMP approval • Consequences of failure to implement WMP
	<p>Timing</p>
	<p>Review & Approval Process</p>
<p><i>Relationship between WMP and regional multi-benefit program(s)</i></p>	<ul style="list-style-type: none"> • Additional requirements • Compliance Determination • Timing • Review & Approval Process

Revised Tentative LA County MS4 Order

Draft - For Discussion Only

10/9/12

C. Watershed Management Program**1. General...****2. Compliance with Receiving Water Limitations Not Otherwise Addressed by a TMDL**

- a. For receiving water limitations in Part V.A. associated with water body-pollutant combinations not addressed through a TMDL, but which a Permittee elects to address through a Watershed Management Program as set forth in this Part VI.C., a Permittee shall comply as follows:
 - i. **For pollutants that are in the same class¹ as those addressed in a TMDL for the watershed and for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:**
 - (1) Permittees shall demonstrate that the Watershed Control Measures to achieve the applicable TMDL provisions identified pursuant to Part VI.C.3.b.iv.(3) will also adequately address contributions of the pollutant(s) within the same class from MS4 discharges to receiving waters, consistent with the assumptions and requirements of the corresponding TMDL provisions, including interim and final requirements and deadlines for their achievement, such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
 - (2) Permittees shall include the water body-pollutant combination(s) in the Reasonable Assurance Analysis in Part VI.C.3.b.iv.(5).
 - ii. **For pollutants that are not in the same class as those addressed in a TMDL for the watershed, but for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:**
 - (1) Permittees shall identify Watershed Control Measures pursuant to Part VI.C.3.b.iii that will adequately address contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
 - (2) Permittees shall include the water body-pollutant in the Reasonable Assurance Analysis in Part VI.C.3.b.iv.(5).
 - (3) Permittees shall identify interim milestones and dates for their achievement within the permit term pursuant to Part

¹ Pollutants are considered in a similar class if they have similar fate and transport mechanisms.

Revised Tentative LA County MS4 Order

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10/9/12

VI.C.3.c.iii.(2)-(3). The time between interim dates shall not exceed one year.

iii. For pollutants for which there are exceedances of receiving water limitations in Part V.A., but for which the water body is not identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

- (1) Upon an exceedance of a receiving water limitation, based on data collected pursuant to the MRP and approved IMPs and CIMPs, Permittees shall assess contributions of the pollutant(s) from MS4 discharges to the receiving waters and sources of the pollutant(s) within the drainage area of the MS4 pursuant to Part VI.C.6.a.i.(4).
 - (2) If MS4 discharges are identified as a source of the pollutant(s) that has caused or contributed to, or has the potential to cause or contribute to, the exceedance(s) of receiving water limitations in Part V.A., Permittees shall address contributions of the pollutant(s) from MS4 discharges through modifications to the WMP pursuant to Part VI.C.6.a.ii.
 - (a) In a modified WMP, Permittees shall identify Watershed Control Measures pursuant to Part VI.C.3.b.iii that will adequately address contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
 - (b) Permittees shall modify the Reasonable Assurance Analysis pursuant to Part VI.C.3.b.iv.(5) to address the pollutant(s).
 - (c) Permittees shall identify interim milestones and deadlines for their achievement to address the pollutant(s) within the remainder of the permit term pursuant to Part VI.C.3.c.iii.(2)-(3). The time between interim dates shall not exceed one year.
- b.** A Permittee shall not be considered in violation of the receiving water limitations in Part V.A. of this Order for the specific water body-pollutant combinations addressed by an approved Watershed Management Program, if the Permittee is in full compliance with all milestones and deadlines for their achievement in the Watershed Management Program.
- c.** No later than 5 years after the effective date of this Order, the Regional Water Board will evaluate whether development of a TMDL or revision of an existing TMDL is warranted to address water body-pollutant combinations in Part VI.C.2.a.

	Water Quality Exceedances in 2009-2011 (Both WET and DRY)									
	Ballona Creek	Malibu Creek	LA River	Coyote Creek	San Gabriel River	Dominguez Channel	Santa Clara River			
Cyanide	1	1	3	2	2	1	0			
pH	5	1	7	3	2	4	1			
Fecal Coliform	0	0	2	7	2	5	10			
Chloride			0		1	0	3			
Nitrite-N	1			0		0				
Sulfate		8		0	1					
Total Dissolved Solids	0	1		0		0				
Dissolved Copper	2		2	1		6	0			
Dissolved Zinc	3	0	4	4	1	7	1			

REGION	WATER BODY NAME	WBID	CAL WATER WATERSHED	ESTIMATED SIZE AFFECTED	UNIT	POLLUTANT	POLLUTANT CATEGORY
4	Crystal Lake	CAL4054300019980918124349	40543000	4	Acres	Organic Enrichment/Low Dissolved Oxygen	Nutrients
4	San Gabriel River Reach 3 (Whittier Narrows to Ramona)	CAR4053100019980917153706	40531000	7	Miles	Indicator Bacteria	Pathogens
4	San Jose Creek Reach 1 (SG Confluence to Temple St.)	CAR4053100019980918090950	40531000	3	Miles	Coliform Bacteria	Pathogens
4	San Jose Creek Reach 1 (SG Confluence to Temple St.)	CAR4053100019980918090950	40531000	3	Miles	Total Dissolved Solids	Salinity
4	San Jose Creek Reach 1 (SG Confluence to Temple St.)	CAR4053100019980918090950	40531000	3	Miles	Toxicity	Toxicity
4	San Jose Creek Reach 1 (SG Confluence to Temple St.)	CAR4053100019980918090950	40531000	3	Miles	pH	Miscellaneous
4	San Jose Creek Reach 2 (Temple to I-10 at White Ave.)	CAR4055100019980918093038	40531000	17	Miles	Coliform Bacteria	Pathogens
4	Sawpit Creek	CAR4053100020050119104537	40531000	4	Miles	Bis(2ethylhexyl)phthalate (DEHP)	Other Organics
4	Sawpit Creek	CAR4053100020050119104537	40531000	4	Miles	Fecal Coliform	Pathogens
4	Walnut Creek Wash (Drains from Puddingstone Res)	CAR4053100019980918112433	40531000	12	Miles	Benthic-Macroinvertebrate Bioassessments	Miscellaneous
4	Walnut Creek Wash (Drains from Puddingstone Res)	CAR4053100019980918112433	40531000	12	Miles	Indicator Bacteria	Pathogens
4	Walnut Creek Wash (Drains from Puddingstone Res)	CAR4053100019980918112433	40531000	12	Miles	pH	Miscellaneous
4	Aliso Canyon Wash	CAR4052100019990201130918	40521000	10	Miles	Copper	Metals/Metalloids
4	Burbank Western Channel	CAR405210001999020134403	40521000	13	Miles	Cyanide	Other Inorganics
4	Los Angeles River Reach 5 (within Sepulveda Basin)	CAR4052100019990202093310	40521000	2	Miles	Oil	Nuisance
4	McCoy Canyon Creek	CAR4052100020020130141858	40521000	4	Miles	Fecal Coliform	Pathogens
4	McCoy Canyon Creek	CAR4052100020020130141858	40521000	4	Miles	Nitrate	Nutrients
4	McCoy Canyon Creek	CAR4052100020020130141858	40521000	4	Miles	Nitrogen, Nitrate	Nutrients
4	Verdugo Wash Reach 1 (LA River to Verdugo Rd.)	CAR4052100019990202133541	40521000	2	Miles	Copper	Metals/Metalloids
4	Marina del Rey Harbor - Back Basins	CAB4051700019990921120356	40517000	391	Acres	DDT (tissue)	Pesticides
4	Marina del Rey Harbor - Back Basins	CAB4051700019990921120356	40517000	391	Acres	Dieldrin (tissue)	Pesticides
4	San Gabriel River Estuary	CAR405160002000229163853	40516000	3	Miles	Dioxin	Other Organics
4	San Gabriel River Estuary	CAR405160002000229163853	40516000	3	Miles	Nickel	Metals/Metalloids
4	San Gabriel River Estuary	CAR405160002000229163853	40516000	3	Miles	Oxygen, Dissolved	Nutrients
4	Arroyo Seco Reach 1 (LA River to West Holly Ave.)	CAR4051501019990202132906	40515010	5	Miles	Benthic-Macroinvertebrate Bioassessments	Miscellaneous
4	Artesia-Norwalk Drain	CAR4051501020081010131508	40515010	3	Miles	Indicator Bacteria	Pathogens
4	Artesia-Norwalk Drain	CAR4051501020081010131508	40515010	3	Miles	Selenium	Metals/Metalloids
4	Compton Creek	CAR4051501019990202111430	40515010	9	Miles	Benthic-Macroinvertebrate Bioassessments	Miscellaneous
4	Coyote Creek	CAR4051501019980917123914	40515010	13	Miles	Diazinon	Pesticides
4	Coyote Creek	CAR4051501019980917123914	40515010	13	Miles	Indicator Bacteria	Pathogens
4	Coyote Creek	CAR4051501019980917123914	40515010	13	Miles	Toxicity	Toxicity
4	Coyote Creek	CAR4051501019980917123914	40515010	13	Miles	pH	Miscellaneous
4	Coyote Creek, North Fork	CAR4051501020081117111917	40515010	5	Miles	Indicator Bacteria	Pathogens
4	Coyote Creek, North Fork	CAR4051501020081117111917	40515010	5	Miles	Selenium	Metals/Metalloids
4	Los Angeles River Reach 2 (Carson to Figueroa Street)	CAR4051501019990202085021	40515010	19	Miles	Oil	Nuisance
4	Los Cerritos Channel	CAT4051501020000229140756	40515010	31	Acres	Ammonia	Nutrients
4	Los Cerritos Channel	CAT4051501020000229140756	40515010	31	Acres	Ammonia	Nutrients
4	Los Cerritos Channel	CAT4051501020000229140756	40515010	31	Acres	Bis(2ethylhexyl)phthalate (DEHP)	Other Organics
4	Los Cerritos Channel	CAT4051501020000229140756	40515010	31	Acres	Chlordane (sediment)	Pesticides
4	Los Cerritos Channel	CAT4051501020000229140756	40515010	31	Acres	Coliform Bacteria	Pathogens
4	Los Cerritos Channel	CAT4051501020000229140756	40515010	31	Acres	Trash	Trash
4	Los Cerritos Channel	CAT4051501020000229140756	40515010	31	Acres	pH	Miscellaneous

4	Puente Creek	CAR4053100020081117111726	40515010	6	Miles	Indicator Bacteria	Pathogens
4	Puente Creek	CAR4053100020081117111726	40515010	6	Miles	Selenium	Metals/Metalloids
4	Rio Hondo Reach 1 (Confl. LA River to Snt Ana Fwy)	CAR4051501019990202112624	40515010	5	Miles	Toxicity	Toxicity
4	Rio Hondo Reach 2 (At Spreading Grounds)	CAR4051501019990202114543	40515010	5	Miles	Cyanide	Other Inorganics
4	San Gabriel River Reach 1 (Estuary to Firestone)	CAR4051501019980917144356	40515010	6	Miles	Coliform Bacteria	Pathogens
4	San Gabriel River Reach 1 (Estuary to Firestone)	CAR4051501019980917144356	40515010	6	Miles	pH	Miscellaneous
4	San Gabriel River Reach 2 (Firestone to Whittier Narrows Dam)	CAR4051501019980917150749	40515010	12	Miles	Coliform Bacteria	Pathogens
4	San Gabriel River Reach 2 (Firestone to Whittier Narrows Dam)	CAR4051501019980917150749	40515010	12	Miles	Cyanide	Other Inorganics
4	Ballona Creek	CAR4051300019980918142302	40513000	6	Miles	Cadmium (sediment)	Metals/Metalloids
4	Ballona Creek	CAR4051300019980918142302	40513000	6	Miles	Cyanide	Other Inorganics
4	Ballona Creek Estuary	CAR4051300019990203132149	40513000	2	Miles	Shellfish Harvesting Advisory	Miscellaneous
4	Santa Monica Canyon	CAR4051300019980918150955	40513000	3	Miles	Lead	Metals/Metalloids
4	Sepulveda Canyon	CAR4051300019980918144753	40513000	1	Miles	Ammonia	Nutrients
4	Alamitos Bay	CAB4051200020070329124415	40512000	328	Acres	Indicator Bacteria	Pathogens
4	Colorado Lagoon	CAT4051200020000229133322	40512000	13	Acres	Indicator Bacteria	Pathogens
4	Dominguez Channel Estuary (unlined portion below Vermont Ave)	CAE4051200020050203154519	40512000	140	Acres	Ammonia	Nutrients
4	Los Angeles River Reach 1 (Estuary to Carson Street)	CAR4051200019990202083037	40512000	3	Miles	Cyanide	Other Inorganics
4	Los Angeles River Reach 1 (Estuary to Carson Street)	CAR4051200019990202083037	40512000	3	Miles	Diazinon	Pesticides
4	Torrance Carson Channel	CAR4051200020000229130309	40512000	3	Miles	Coliform Bacteria	Pathogens
4	Solstice Canyon Creek	CAR4043200020050623113649	40432000	5	Miles	Invasive Species	Miscellaneous
4	Lindero Creek Reach 2 (Above Lake)	CAR4042500019990201150614	40425000	4	Miles	Selenium	Metals/Metalloids
4	Westlake Lake	CAL4042500019990201153000	40425000	119	Acres	Lead	Metals/Metalloids
4	Medea Creek Reach 1 (Lake to Confl. with Lindero)	CAR4042400019990201134442	40424000	3	Miles	Sedimentation/Siltation	Sediment
4	Medea Creek Reach 1 (Lake to Confl. with Lindero)	CAR4042400019990201134442	40424000	3	Miles	Selenium	Metals/Metalloids
4	Triunfo Canyon Creek Reach 1	CAR4042400019990202081341	40424000	3	Miles	Lead	Metals/Metalloids
4	Triunfo Canyon Creek Reach 1	CAR4042400019990202081341	40424000	3	Miles	Mercury	Metals/Metalloids
4	Triunfo Canyon Creek Reach 1	CAR4042400019990202081341	40424000	3	Miles	Sedimentation/Siltation	Sediment
4	Triunfo Canyon Creek Reach 2	CAR4042400019990202082235	40424000	3	Miles	Benthic-Macroinvertebrate Bioassessments	Miscellaneous
4	Triunfo Canyon Creek Reach 2	CAR4042400019990202082235	40424000	3	Miles	Lead	Metals/Metalloids
4	Triunfo Canyon Creek Reach 2	CAR4042400019990202082235	40424000	3	Miles	Mercury	Metals/Metalloids
4	Triunfo Canyon Creek Reach 2	CAR4042400019990202082235	40424000	3	Miles	Sedimentation/Siltation	Sediment
4	Lake Lindero	CAL4042300019990201145528	40423000	15	Acres	Chloride	Salinity
4	Lake Lindero	CAL4042300019990201145528	40423000	15	Acres	Selenium	Metals/Metalloids
4	Lake Lindero	CAL4042300019990201145528	40423000	15	Acres	Specific Conductivity	Salinity
4	Lindero Creek Reach 1	CAR4042300019990201144612	40423000	3	Miles	Benthic-Macroinvertebrate Bioassessments	Miscellaneous
4	Lindero Creek Reach 1	CAR4042300019990201144612	40423000	3	Miles	Invasive Species	Miscellaneous
4	Lindero Creek Reach 1.	CAR4042300019990201144612	40423000	3	Miles	Selenium	Metals/Metalloids
4	Medea Creek Reach 2 (Abv Confl. with Lindero)	CAR4042300019990201140017	40423000	5	Miles	Benthic-Macroinvertebrate Bioassessments	Miscellaneous
4	Medea Creek Reach 2 (Abv Confl. with Lindero)	CAR4042300019990201140017	40423000	5	Miles	Invasive Species	Miscellaneous
4	Medea Creek Reach 2 (Abv Confl. with Lindero)	CAR4042300019990201140017	40423000	5	Miles	Sedimentation/Siltation	Sediment
4	Medea Creek Reach 2 (Abv Confl. with Lindero)	CAR4042300019990201140017	40423000	5	Miles	Selenium	Metals/Metalloids
4	Las Virgenes Creek	CAR4042201019990201141611	40422010	12	Miles	Benthic-Macroinvertebrate Bioassessments	Miscellaneous
4	Las Virgenes Creek	CAR4042201019990201141611	40422010	12	Miles	Invasive Species	Miscellaneous
4	Las Virgenes Creek	CAR4042201019990201141611	40422010	12	Miles	Sedimentation/Siltation	Sediment
4	Las Virgenes Creek	CAR4042201019990201141611	40422010	12	Miles	Selenium	Metals/Metalloids

4	Malibu Creek	CAR4042100019990201132825	40421000	11	Miles	Benthic-Macroinvertebrate Bioassessments	Miscellaneous
4	Malibu Creek	CAR4042100019990201132825	40421000	11	Miles	Fish Barriers (Fish Passage)	Hydromodification
4	Malibu Creek	CAR4042100019990201132825	40421000	11	Miles	Invasive Species	Miscellaneous
4	Malibu Creek	CAR4042100019990201132825	40421000	11	Miles	Sedimentation/Siltation	Sediment
4	Malibu Creek	CAR4042100019990201132825	40421000	11	Miles	Selenium	Metals/Metalloids
4	Malibu Creek	CAR4042100019990201132825	40421000	11	Miles	Sulfates	Other Inorganics
4	Malibu Lagoon	CAE4042100019990201160355	40421000	15	Acres	Benthic Community Effects	Miscellaneous
4	Malibu Lagoon	CAE4042100019990201160355	40421000	15	Acres	pH	Miscellaneous
4	Topanga Canyon Creek	CAR4041100019980918145717	40411000	9	Miles	Lead	Metals/Metalloids
4	Calleguas Creek Reach 7 (was Arroyo Simi Reaches 1 and 2 on 1998 303d list)	CAR4036200020000228103510	40367000	14	Miles	Indicator Bacteria	Pathogens
4	Calleguas Creek Reach 7 (was Arroyo Simi Reaches 1 and 2 on 1998 303d list)	CAR4036200020000228103510	40367000	14	Miles	Sedimentation/Siltation	Sediment
4	Calleguas Creek Reach 8 (was Tapo Canyon Reach 1)	CAR4036700020000228151947	40366000	7	Miles	Trash	Trash
4	Calleguas Creek Reach 11 (Arroyo Santa Rosa, was part of Conejo Creek Reach 3 on 1998 303d list)	CAR4036400020000229094459	40365000	9	Miles	Fecal Coliform	Pathogens
4	Calleguas Creek Reach 11 (Arroyo Santa Rosa, was part of Conejo Creek Reach 3 on 1998 303d list)	CAR4036400020000229094459	40365000	9	Miles	Sedimentation/Siltation	Sediment
4	Calleguas Creek Reach 10 (Conejo Creek (Hill Canyon)-was part of Conejo Crk Reaches 2 & 3, and lower Conejo Crk/Arroyo Conejo N Fk on 1998 303d list)	CAR4036400020020226083118	40364000	3	Miles	Fecal Coliform	Pathogens
4	Calleguas Creek Reach 10 (Conejo Creek (Hill Canyon)-was part of Conejo Crk Reaches 2 & 3, and lower Conejo Crk/Arroyo Conejo N Fk on 1998 303d list)	CAR4036400020020226083118	40364000	3	Miles	Trash	Trash
4	Calleguas Creek Reach 9B (was part of Conejo Creek Reaches 1 and 2 on 1998 303d list)	CAR4036300019990202145135	40363000	6	Miles	Indicator Bacteria	Pathogens
4	Calleguas Creek Reach 9B (was part of Conejo Creek Reaches 1 and 2 on 1998 303d list)	CAR4036300019990202145135	40363000	6	Miles	Trash	Trash
4	Calleguas Creek Reach 6 (was Arroyo Las Posas Reaches 1 and 2 on 1998 303d list)	CAR4036200020000228094015	40362000	15	Miles	Fecal Coliform	Pathogens
4	Calleguas Creek Reach 6 (was Arroyo Las Posas Reaches 1 and 2 on 1998 303d list)	CAR4036200020000228094015	40362000	15	Miles	Sedimentation/Siltation	Sediment
4	Dominguez Channel (lined portion above Vermont Ave)	CAR4051200019980918161017	40351000	7	Miles	Indicator Bacteria	Pathogens
4	Elizabeth Lake	CAL4035100019990202155114	40351000	123	Acres	Eutrophic	Nutrients
4	Elizabeth Lake	CAL4035100019990202155114	40351000	123	Acres	Organic Enrichment/Low Dissolved Oxygen	Nutrients
4	Elizabeth Lake	CAL4035100019990202155114	40351000	123	Acres	pH	Miscellaneous
4	Lake Hughes	CAL4035100019990202154623	40351000	21	Acres	Algae	Nutrients
4	Lake Hughes	CAL4035100019990202154623	40351000	21	Acres	Eutrophic	Nutrients
4	Lake Hughes	CAL4035100019990202154623	40351000	21	Acres	Fish Kills	Miscellaneous
4	Lake Hughes	CAL4035100019990202154623	40351000	21	Acres	Odor	Nuisance
4	Munz Lake	CAL4035100019990202154903	40351000	7	Acres	Eutrophic	Nutrients
4	Santa Clara River Reach 5 (Blue Cut gaging station to West Pier Hwy 99 Bridge) (was named Santa Clara River Reach 7 on 2002 303(d) list)	CAR4035100019990203102901	40351000	9	Miles	Iron	Metals/Metalloids
4	Santa Clara River Reach 6 (W Pier Hwy 99 to Bouquet Cyn Rd) (was named Santa Clara River Reach 8 on 2002 303(d) list)	CAR4035100019990204123459	40351000	5	Miles	Chlorpyrifos	Pesticides

4	Santa Clara River Reach 6 (W Pier Hwy 99 to Bouquet Cyn Rd) (was named Santa Clara River Reach 8 on 2002 303(d) list)	CAR4035100019990204123459	40351000	5	Miles	Copper	Metals/Metalloids
4	Santa Clara River Reach 6 (W Pier Hwy 99 to Bouquet Cyn Rd) (was named Santa Clara River Reach 8 on 2002 303(d) list)	CAR4035100019990204123459	40351000	5	Miles	Diazinon	Pesticides
4	Santa Clara River Reach 6 (W Pier Hwy 99 to Bouquet Cyn Rd) (was named Santa Clara River Reach 8 on 2002 303(d) list)	CAR4035100019990204123459	40351000	5	Miles	Iron	Metals/Metalloids
4	Santa Clara River Reach 6 (W Pier Hwy 99 to Bouquet Cyn Rd) (was named Santa Clara River Reach 8 on 2002 303(d) list)	CAR4035100019990204123459	40351000	5	Miles	Toxicity	Toxicity
4	Piru Creek (from gaging station below Santa Felicia Dam to headwaters)	CAR4034100020020131113814	40342000	67	Miles	Chloride	Salinity
4	Piru Creek (from gaging station below Santa Felicia Dam to headwaters)	CAR4034100020020131113814	40342000	67	Miles	pH	Miscellaneous
4	Pyramid Lake	CAL4034200020091208113257	40342000	1483	Acres	Mercury	Metals/Metalloids
4	Wilmington Drain	CAR4051200020020307110435	40342000	1	Miles	Coliform Bacteria	Pathogens
4	Hopper Creek	CAR4034100020020131112807	40341000	13	Miles	Sulfates	Other Inorganics
4	Hopper Creek	CAR4034100020020131112807	40341000	13	Miles	Total Dissolved Solids	Salinity
4	Santa Clara River Reach 11 (Piru Creek, from confluence with Santa Clara River Reach 4 to gaging station below Santa Felicia Dam)	CAR4034100020050918185447	40341000	6	Miles	Boron	Metals/Metalloids
4	Santa Clara River Reach 11 (Piru Creek, from confluence with Santa Clara River Reach 4 to gaging station below Santa Felicia Dam)	CAR4034100020050918185447	40341000	6	Miles	Specific Conductance	Salinity
4	Santa Clara River Reach 11 (Piru Creek, from confluence with Santa Clara River Reach 4 to gaging station below Santa Felicia Dam)	CAR4034100020050918185447	40341000	6	Miles	Sulfates	Other Inorganics
4	Santa Clara River Reach 11 (Piru Creek, from confluence with Santa Clara River Reach 4 to gaging station below Santa Felicia Dam)	CAR4034100020050918185447	40341000	6	Miles	Total Dissolved Solids	Salinity
4	Sespe Creek (from 500 ft below confluence with Little Sespe Cr. to headwaters)	CAR40331000200201311125908	40332020	54	Miles	Chloride	Salinity
4	Little Sespe Cr. to headwaters)	CAR40331000200201311125908	40332020	54	Miles	pH	Miscellaneous
4	Little Sespe Cr. to headwaters)	CAR4033100020020131115122	40331000	9	Miles	Sulfates	Other Inorganics
4	Pole Creek (trib to Santa Clara River Reach 3)	CAR4033100020020131115122	40331000	9	Miles	Total Dissolved Solids	Salinity
4	Pole Creek (trib to Santa Clara River Reach 3)	CAR4032100019990203101738	40331000	31	Miles	Total Dissolved Solids	Salinity
4	Santa Clara River Reach 3 (Freeman Diversion to A Street)	CAR4032100019990203101738	40331000	31	Miles	Toxicity	Toxicity
4	Santa Clara River Reach 3 (Freeman Diversion to A Street)	CAR4032100019990202154046	40321000	10	Miles	Sulfates	Other Inorganics
4	Wheeler Canyon/Todd Barranca	CAR4032100019990202154046	40321000	10	Miles	Total Dissolved Solids	Salinity
4	Wheeler Canyon/Todd Barranca	CAR4031200020000228111202	40312000	4	Miles	Fecal Coliform	Pathogens
4	Calleguas Creek Reach 2 (estuary to Potrero Rd- was Calleguas Creek Reaches 1 and 2 on 1998 303d list)	CAR4031200020000228111202	40312000	4	Miles	Sedimentation/Siltation	Sediment
4	Calleguas Creek Reach 2 (estuary to Potrero Rd- was Calleguas Creek Reaches 1 and 2 on 1998 303d list)	CAR4031200020000228111202	40312000	4	Miles	Trash	Trash
4	Calleguas Creek Reach 2 (estuary to Potrero Rd- was Calleguas Creek Reaches 1 and 2 on 1998 303d list)	CAR40312000200002281113723	40312000	3	Miles	Sedimentation/Siltation	Sediment

4	Calleguas Creek Reach 3 (Poirero Road upstream to confluence with Conejo Creek on 1998 303d list)	CAR4031200020000228113723	40312000	3	Miles	Trash	Trash	Trash
4	Calleguas Creek Reach 9A (was lower part of Conejo Creek Reach 1 on 1998 303d list)	CAR4031200019990202144636	40312000	2	Miles	Fecal Coliform	Fecal Coliform	Pathogens
4	Calleguas Creek Reach 9A (was lower part of Conejo Creek Reach 1 on 1998 303d list)	CAR4031200019990202144636	40312000	2	Miles	Trash	Trash	Trash
4	Calleguas Creek Reach 4 (was Revolon Slough Main Branch: Mugu Lagoon to Central Avenue on 1998 303d list)	CAR4031100019990202140512	40311000	7	Miles	Fecal Coliform	Fecal Coliform	Pathogens
4	Calleguas Creek Reach 4 (was Revolon Slough Main Branch: Mugu Lagoon to Central Avenue on 1998 303d list)	CAR4031100019990202140512	40311000	7	Miles	Sedimentation/Siltation	Sedimentation/Siltation	Sediment
4	Calleguas Creek Reach 5 (was Beardsley Channel on 1998 303d list)	CAR4036100019990202141016	40311000	4	Miles	Sedimentation/Siltation	Sedimentation/Siltation	Sediment
4	McGrath Lake	CAL4031100019990203110047	40311000	20	Acres	Sediment Toxicity	Sediment Toxicity	Toxicity
4	Ormond Beach	CAX4031100020020926125623	40311000	3	Miles	Indicator Bacteria	Indicator Bacteria	Pathogens
4	Peninsula Beach	CAX4031100020020311145033	40311000	0	Miles	Indicator Bacteria	Indicator Bacteria	Pathogens
4	Port Hueneme Pier	CAC4031100020050920160349	40311000	0	Miles	PCBs (Polychlorinated biphenyls)	PCBs (Polychlorinated biphenyls)	Other Organics
4	Santa Clara River Estuary	CAE4031100020000229171211	40311000	49	Acres	Nitrogen, Nitrate	Nitrogen, Nitrate	Nutrients
4	Santa Clara River Estuary	CAE4031100020000229171211	40311000	49	Acres	Toxicity	Toxicity	Toxicity
4	Santa Clara River Reach 1 (Estuary to Hwy 101 Bridge)	CAR4031100019980917095027	40311000	10	Miles	Toxicity	Toxicity	Toxicity
4	Ventura Harbor: Ventura Keys	CAB4031100019990922090257	40311000	179	Acres	Coliform Bacteria	Coliform Bacteria	Pathogens
4	Ventura Marina Jetties	CAC4031100020050916175043	40311000	1	Miles	DDT (Dichlorodiphenyltrichloroethane)	DDT (Dichlorodiphenyltrichloroethane)	Pesticides
4	Ventura Marina Jetties	CAC4031100020050916175043	40311000	1	Miles	PCBs (Polychlorinated biphenyls)	PCBs (Polychlorinated biphenyls)	Other Organics
4	Casitas, Lake	CAL4022003220091208111831	40220032	2069	Acres	Mercury	Mercury	Metals/Metalloids
4	San Antonio Creek (Tributary to Ventura River Reach 4)	CAR4022002320020131162536	40220023	10	Miles	Indicator Bacteria	Indicator Bacteria	Pathogens
4	San Antonio Creek (Tributary to Ventura River Reach 4)	CAR4022002320020131162536	40220023	10	Miles	Total Dissolved Solids	Total Dissolved Solids	Salinity
4	Ventura River Estuary	CAR4021001119990204110204	40210011	0	Miles	Total Coliform	Total Coliform	Pathogens
4	Ventura River Reach 3 (Weldon Canyon to Confl. w/ Coyote Cr)	CAR4021001119990203085715	40210011	3	Miles	Indicator Bacteria	Indicator Bacteria	Pathogens
4	Canada Larga (Ventura River Watershed)	CAR4021001020020131161119	40210010	8	Miles	Fecal Coliform	Fecal Coliform	Pathogens
4	Canada Larga (Ventura River Watershed)	CAR4021001020020131161119	40210010	8	Miles	Low Dissolved Oxygen	Low Dissolved Oxygen	Nutrients
4	Canada Larga (Ventura River Watershed)	CAR4021001020020131161119	40210010	8	Miles	Total Dissolved Solids	Total Dissolved Solids	Salinity
4	San Buenaventura Beach	CAC4021000020070614140217	40210000	2	Miles	Indicator Bacteria	Indicator Bacteria	Pathogens
4	Surfers Point at Seaside	CAX4021000020020131150607	40210000	0	Miles	Indicator Bacteria	Indicator Bacteria	Pathogens

TOTAL MAXIMUM DAILY LOADS (TMDL)	Final Compliance date has Passed
Santa Clara River Nitrogen Compounds TMDL	March 23, 2004
Upper Santa Clara River Chloride TMDL	April 6, 2010
Santa Monica Bay Beaches Bacteria TMDL Summer Dry Weather only	July 15, 2006
Santa Monica Bay Beaches Bacteria TMDL Winter Dry Weather only	July 15, 2009
Malibu Creek and Lagoon Bacteria TMDL Summer Dry Weather only	January 24, 2009
Malibu Creek and Lagoon Bacteria TMDL Winter Dry Weather only	January 24, 2012
Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria TMDL Dry Weather Year-round only	March 18, 2007
Los Angeles Harbor Bacteria TMDL	March 10, 2010
Los Angeles River Nitrogen Compounds and Related Effects TMDL	March 23, 2004
Ballona Creek, Ballona Estuary and Sepulveda Channel Bacteria TMDL Dry Weather	April 27, 2013*
Ballona Creek Metals TMDL Dry Weather	January 11, 2016*

	Final Compliance date has Passed	Interim Deadline date has Passed (prior to 12/28/2012)	Interim Deadline within 1st year of Permit term (12/28/2013)	Interim Deadline within 2nd year of permit term (12/28/2014)	Interim Deadline within 3rd year of Permit term (12/28/2015)	Interim Deadline within 4th year of permit term (12/28/2016)	Interim Deadline within 5th year of Permit term (12/28/2017)
TOTAL MAXIMUM DAILY LOADS (TMDL)							
Lake Elizabeth, Munz Lake, and Lake Hughes Trash TMDL (Lake Elizabeth only)		March 6, 2012	March 6, 2013	March 6, 2014	March 6, 2015	March 6, 2016*	March 20, 2017
Santa Monica Bay Nearshore and Offshore Debris TMDL							
Malibu Creek Watershed Trash TMDL		September 30, 2012	July 7, 2013	July 7, 2014	July 7, 2015	July 7, 2016	July 7, 2017*
Ballona Creek Watershed Trash TMDL		September 30, 2012	September 30, 2013	September 30, 2014	September 30, 2015*		
Machado Lake Trash TMDL		March 6, 2012	March 6, 2013	March 6, 2014	March 6, 2015	March 6, 2016*	
Los Angeles River Watershed Trash TMDL		September 30, 2012	September 30, 2013	September 30, 2014	September 30, 2015	September 30, 2016*	
Legg Lake Trash TMDL		March 6, 2012	March 6, 2013	March 6, 2014	March 6, 2015	March 6, 2016*	

TOTAL MAXIMUM DAILY LOADS (TMDL)	Effective Date
Santa Monica Bay TMDL for DDTs and PCBs (USEPA established)	March 26, 2012
Ballona Creek Wetlands TMDL for Sediment and Invasive Exotic Vegetation (USEPA established)	March 26, 2012
Long Beach City Beaches and Los Angeles River Estuary Bacteria TMDL (USEPA established)	March 26, 2012
Los Angeles Area Lakes TMDLs (USEPA established)	March 26, 2012
Los Cerritos Channel Metals TMDL (USEPA established)	March 17, 2010
San Gabriel River and Impaired Tributaries Metals and Selenium TMDL (USEPA established)	March 26, 2007
Malibu Creek Watershed Nutrients TMDL (USEPA established)	March 21, 2003

Proposed Integrated Water Management Plan

A Permittee shall not be considered in violation of Part V.A of this Order if it is in compliance with an Integrated Water Management plan. An Integrated Water Management Plan would focus on addressing urban runoff and storm water through the implementation of regional projects that include groundwater recharge and infiltration wherever feasible in conjunction with other Best Management Practices and processes to reduce pollutants from reaching/impacting receiving waters.

Participation in an Integrated Water Management Plan is voluntary, and may involve one or more Permittees. Any Permittee that intends to participate in an Integrated Water Management Plan shall notify the Executive Officer of its intent within 6 months after the adoption of this Order.

Permittees that have elected to participate in the IWMP would follow the milestones and timeline in the table below for development of the IWMP.

Timeline	Milestone/Action	Description of Activities
Within 6 months of adoption of order	Provide Commitment of Intent to Employ Alternate Approach	<ul style="list-style-type: none"> • Develop plan concept • Estimate cost to develop the plan • Execution of MOU/agreement to fund plan • Establishment of cost sharing scheme • Notification of RB on intent
Within 12 months of adoption of order	Finalize Scope of Work for Plan Development	<ul style="list-style-type: none"> • Establish stakeholder group and partners based on watershed needs and health • Active outreach toward community groups, NGOs, water purveyors, city agencies • Solicit input on scope and planned intent

<p>Within 18 months of adoption of order</p>	<p>Secure Consultant Services & Provide Final Workplan to Regional Board</p>	<ul style="list-style-type: none"> • Solicit bids (if necessary) • Execute agreement with consultant • Provide final work plan for integrated approach to RB describing actions that will be taken to (1)investigate the feasibility of infiltration within the proposed management area, (2)determine project sites, and (3) quantify resultant pollutant reductions
<p>Within 30 months of adoption of order</p>	<p>Develop Detail Plan</p>	<ul style="list-style-type: none"> • Research/inventory current planning efforts • Analyze data on current monitoring efforts • Identify opportunities and constraints (needs of watershed) • Hydraulic and quantitative modeling of watershed/sub-watershed • Establish prioritized list of projects (Preliminary Concept Report Level) • Preliminary soils testing of proposed project sites • Perform Environmental (Initial Study) for all proposed projects • Perform Economic analysis of plan implementation • Perform reasonable assurance/quantitative analysis of plan • Establish schedule for project implementation • Identify potential funding sources • 45 day review/comment period
<p>Within 36 months of adoption of the order</p>	<p>Submit Draft Plan for Public and Regional Board Staff Level Comments</p>	
<p>Within 40 months of adoption of the order</p>	<p>Finalize Plan/Commit to Implement</p>	<ul style="list-style-type: none"> • Address all comments received from draft plan • Acquisition of City Council and County Board of Supervisor approval/commitment to implement and fund • Submittal to RB for approval

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Permittees, other NPDES permittees) necessary to successfully implement the provisions of this Order.

5. Public Review

- a. All documents submitted to the Regional Water Board in compliance with the terms and conditions of this Order shall be made available to members of the public pursuant to the Freedom of Information Act (5 U.S.C. § 552 (as amended)) and the Public Records Act (Cal. Government Code § 6250 et seq.).
- b. All documents submitted to the Regional Water Board Executive Officer for approval shall be made available to the public for a 30-day period to allow for public comment.

6. Regional Water Board Review

Any formal determination or approval made by the Regional Water Board Executive Officer pursuant to the provisions of this Order may be reviewed by the Regional Water Board. A Permittee(s) or a member of the public may request such review upon petition within 30 days of the effective date of the notification of such decision to the Permittee(s) and interested parties on file at the Regional Water Board.

7. Reopener and Modification

- a. This Order may be modified, revoked, reissued, or terminated in accordance with the provisions of 40 CFR sections 122.44, 122.62, 122.63, 122.64, 124.5, 125.62, and 125.64. Causes for taking such actions include, but are not limited to:
 - i. Endangerment to human health or the environment resulting from the permitted activity, including information that the discharge(s) regulated by this Order may have the potential to cause or contribute to adverse impacts on water quality and/or beneficial uses;
 - ii. Acquisition of newly-obtained information that would have justified the application of different conditions if known at the time of Order adoption;
 - iii. To address changed conditions identified in required reports or other sources deemed significant by the Regional Water Board;
 - iv. To incorporate provisions as a result of future amendments to the Basin Plan, such as a new or revised water quality objective or the adoption or reconsideration of a TMDL. Within 18 months of the effective date of a revised TMDL, where the revisions warrant a change to the provisions of this Order, the Regional Water Board shall modify this Order consistent with the assumptions and requirements of the revised WLA(s), including the program of implementation;

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- v. To incorporate provisions as a result of new or amended statewide water quality control plans or policies adopted by the State Water Board, or in consideration of any State Water Board action regarding the precedential language of State Water Board Order WQ 99-05;
 - vi. To incorporate provisions as a result of the promulgation of new or amended federal or state laws or regulations, USEPA guidance concerning regulated activities, or judicial decisions that becomes effective after adoption of this Order.
 - vii. To incorporate effluent limitations for toxic constituents determined to be present in significant amount in the discharge through a more comprehensive monitoring program included as part of this Order and based on the results of the reasonable potential analysis; ~~and/or~~
 - viii. In accordance with the provisions set forth in 40 CFR Parts 122 and 124, to include requirements for the implementation of the watershed management approach or to include new Minimum Levels (MLs); and/or
 - viii-ix. No later than two years before the final compliance deadline for storm water discharges subject to WQBELs in Part VI.E. and Attachments L-R, the Regional Water Board will review relevant research on storm water quality and control technologies and determine whether there is adequate data to support the inclusion of provisions in this Order that would allow an action-based, BMP compliance demonstration approach with regard to final WQBELs for storm water discharges.
- b. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
 - i. Violation of any term or condition contained in this Order;
 - ii. Obtaining this Order by misrepresentation, or failure to disclose all relevant facts; or
 - iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
 - c. The filing of a request by a Permittee for a modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
 - d. This Order may be modified to make corrections or allowances for changes in the permitted activity, following the procedures at 40 CFR section 122.63, if processed as a minor modification. Minor modifications may only:
 - i. Correct typographical errors; or

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Attachments L through R of this Order for trash are expressed as annual effluent limitations. Therefore, for such limitations, there can be no more than one violation of each interim or final effluent limitation per year. Trash is considered a Group I pollutant, as specified in Appendix A to 40 CFR section 123.45. Therefore, each annual violation of a trash effluent limitation in Attachments L through R of this Order by forty percent or more would be considered a "serious violation" under California Water Code section 13385(h). With respect to the final effluent limitation of zero trash, any detectable discharge of trash necessarily is a serious violation, in accordance with the State Water Board's Enforcement Policy. Violations of the effluent limitations in Attachments L through R of this Order would not constitute "chronic" violations that would give rise to mandatory liability under California Water Code section 13385(i) because four or more violations of the effluent limitations subject to a mandatory penalty cannot occur in a period of six consecutive months.

- ii.—For the purposes of enforcement under California Water Code section 13385, subdivisions (a), (b), and (c), not every storm event may result in trash discharges. In trash TMDLs adopted by the Regional Water Board, the Regional Water Board states that improperly deposited trash is mobilized during storm events of greater than 0.25 inches of precipitation. Therefore, violations of the effluent limitations are limited to the days of a storm event of greater than 0.25 inches. Once a Permittee has violated the annual effluent limitation, any subsequent discharges of trash during any day of a storm event of greater than 0.25 inches during the same storm year constitutes an additional "day in which the violation [of the effluent limitation] occurs".

ii.

15. This Order does not exempt any Permittee from compliance with any other laws, regulations, or ordinances that may be applicable.
- ~~16.~~ The provisions of this Order are severable. If any provisions of this Order or the application of any provision of this Order to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Order shall not be affected.

16.

B. Monitoring and Reporting Program (MRP) Requirements

Dischargers shall comply with the MRP and future revisions thereto, in Attachment E of this Order or may, in lieu of the requirements in Attachment E, implement a customized monitoring program that achieves the five Primary Objectives set forth in Part II.A. of Attachment E and includes the elements set forth in Part II.E. of Attachment E in coordination with an approved Watershed Management Program per Part VI.C.

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- ii. Identify and implement strategies, control measures, and BMPs to achieve applicable water quality-based effluent limitations, ensure that MS4 discharges do not cause or contribute to exceedances of receiving water limitations, and/or ensure that MS4 discharges do not exceed non-storm water action levels contained in Attachment G for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E. and Attachments L through R consistent with corresponding compliance schedules in this Order,
- iii. Execute an integrated monitoring program and assessment program pursuant to the Attachment E – MRP, Part IV to determine progress towards achieving applicable limitations and/or action levels in Attachment G, and
- iv. Revise strategies, control measures, and BMPs as necessary to maintain progress towards achieving applicable water quality-based effluent limitations, receiving water limitations and/or non-storm water action levels in Attachment G.
- g. Alternatively, Permittees may elect to develop an Integrated Program that focuses on addressing non-storm water and storm water through the implementation of regional projects that include groundwater recharge and infiltration wherever feasible in conjunction with other Best Management Practices and processes to prevent or reduce pollutants from reaching or impacting receiving waters, while also achieving water supply and other environmental benefits. An Integrated Program shall:

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- i. Be consistent with the provisions in Part VI.C.1.a.-f;
- ii. Reflect State requirements and planning efforts and incorporate State input on priority setting and other key implementation issues;
- iii. Provide for meeting water quality standards and other CWA obligations by utilizing existing flexibilities in the CWA and its implementing regulations, policies and guidance;
- iv. Provide for retention through infiltration or capture and reuse of the volume from the 85th percentile, 24-hour storm within the area covered by the plan;
- v. Maximize the effectiveness of funds through analysis of alternatives and the selection and sequencing of actions needed to address human health and water quality related challenges and non-compliance.
- vi. Incorporate effective innovative technologies, approaches and practices, including green infrastructure.
- vii. Evaluate and address community impacts and consider disproportionate burdens resulting from current approaches as well as proposed options.
- viii. Ensure that existing requirements to comply with technology-based and core requirements (e.g., including elimination of non-storm water discharges of pollutants from the MS4, and storm water minimum control measures) are not delayed).
- ix. Ensure that a financial strategy is in place, including appropriate fee structures.
- iv.x. Provide appropriate opportunity for meaningful stakeholder input throughout the development of the plan.

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2. Process

a. Timelines for Implementation

- i. Each Permittee shall ensure implementation of the following requirements per the schedule specified in Table 9 below:**

Table 9. Watershed Management Program Implementation Requirements

Part	Provision	Due Date
VI.C.2.b	Notify Regional Water Board of intent to develop Watershed Management Program and request submittal date for draft	6 months after Order effective date

	<u>Watershed Management Program, or alternatively, an Integrated Program</u>	
<u>I. VI.C.2.bc</u>	<u>II. For Permittee(s) that elect not to implement the conditions of Part VI.C.2.c.i, and for Permittees submitting an individual Watershed Management Program Submit draft plan to Regional Water Board Executive Officer</u>	<u>1 year after Order effective date</u>
<u>VI.C.2.c</u>	<u>For Permittee(s) that elect to collaborate on a Watershed Management Program and that meet requirements of Part VI.C.2.c.i, submit draft plan to Regional Water Board Executive Officer</u>	<u>18 months after Order effective date</u>
<u>VI.C.2.c</u>	<u>For Permittees that elect to collaborate on an Integrated Program and that meet requirements of Part VI.C.2.c.iv, submit draft plan to Regional Water Board Executive Officer</u>	<u>30 months after Order effective date</u>
<u>VI.C.2.c</u>	<u>Submit final plan to Regional Water Board Executive Officer</u>	<u>3 months after receipt of Regional Water Board comments on draft plan</u>
<u>VI.C.4</u>	<u>Begin implementation of Watershed Management Program or Integrated Program</u>	<u>Upon submittal approval of final plan by Regional Water Board Executive Officer</u>
<u>VI.C.6.a.ii</u>	<u>Evaluation of Watershed Management Program or Integrated Program and submittal of revisions to plan</u>	<u>Annually, beginning in 2015 Every two years from date of approval</u>

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b. Permittees that elect to develop a Watershed Management Program or Integrated Program must notify the Regional Water Board no later than six months after the effective date of this Order.

i. Such notification shall specify if the Permittee(s) are requesting a 12-month or 18-month submittal date for the draft Watershed Management Program.

per Part VI.C.2.c.i – ii, or if the Permittees are requesting a 30-month submittal date for the draft Integrated Program per Part VI.C.2.c.iv.

ii. As part of their notification, Permittees electing to development an Integrated Program shall submit the following:

- (1) Plan concept and geographical scope,
- (2) Cost estimate for plan development,
- (3) Executed MOU/agreement among participating Permittees to fund the plan,
- (4) Interim milestones for plan development and deadlines for their achievement,
- (5) Identification of, and commitment to fully implement, two regional pilot projects within the plan area within 30 months of the effective date of this Order.

b.iii. Within 60 days of the receipt of the notification, the Regional Board Executive Officer shall notify the Permittee(s) of the required submittal date for the Watershed Management Program or Integrated Program.

c. Permittees that elect to develop a Watershed Management Program shall submit a draft plan to the Regional Water Board Executive Officer ~~no later than~~ 1 year after the effective date of this Order as follows:

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Management Program no later than 12 months after the effective date of this Order.

iv. For Permittees that elect to collaborate on the development of an Integrated Program, Permittees shall submit the draft Integrated Program no later than 30 months after the effective date of this Order if the following conditions are met in 75% of the land area in the watershed:

(1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.

(2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.

e.(3) Demonstrate in the notification of the intent to develop a Watershed Management Program that Parts VI.C.2.b.iv.(1) and (2) have been met.

d. Until the Watershed Management Program or Integrated Program is approved by the Regional Water Board Executive Officer, Permittees that elect to develop a Watershed Management Program or Integrated Program shall:

i. Continue to implement their existing storm water management programs, including actions within each of the six categories of minimum control measures consistent with 40 CFR section 122.26(d)(2)(iv),

ii. Implement watershed control measures necessary to achieve interim water quality-based effluent limitations and interim receiving water limitations set forth in Attachments L through R with deadlines occurring prior to program approval.

—Permittees that do not elect to develop a Watershed Management Program or Integrated Program shall be subject to the baseline requirements in Part VI.D and shall demonstrate compliance with applicable interim water quality-based effluent limitations in Part VI.E pursuant to subparts VI.E.2.d.i.(1)-(3).

e.

d.f. Permittees subject to the Middle Santa Ana River Watershed Bacteria Indicator TMDL shall submit a Comprehensive Bacteria Reduction Plan (CBRP) for dry weather to the Regional Water Board Executive Officer no later than six months

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Purdy, Renee@Waterboards

From: John Kemmerer <Kemmerer.John@epamail.epa.gov>
Sent: Tuesday, October 09, 2012 9:18 AM
To: Purdy, Renee@Waterboards
Cc: DavidW Smith
Subject: RE: LA MS4 language - Inter-agency draft - Please do not circulate
Attachments: RWLs Addressed by a WMP_take2.pdf

Hi Renee - I'm sorry I'll be unable to attend the meeting you're convening this afternoon to discuss this new receiving water limitations language. Perhaps we can talk on Wednesday or Thursday. We're very interested in staying in touch with you about the direction you're taking on this.

Here are some initial comments on the draft language you've provided:

- The fact sheet should make it clear that if a permittee does not submit a Watershed Management Plan (WMP), they will be held to strict compliance with section V.A. of the permit.
- If this is added to the permit, it's not clear what the status of compliance with section V.A. of the permit will be on the effective date of the renewed permit. This should be explicitly described in either the permit or the fact sheet. Pursuant to Table 9 of the draft permit, there could be a relatively lengthy period of time before a final WMP is submitted and WMP implementation begins. This period of time could be even longer if, as suggested by environmental groups and a couple Board members at Friday's hearing, the WMPs must go through a public hearing process and Board approval. Permittees have asserted that they will need more than one year to prepare WMPs, especially when they include multi-benefit projects. You've stated that the revised permit may allow for this extended period of time for WMP development on the condition that specific activities (e.g. LID ordinances, work on green street retrofits) are implemented in the interim. We'd suggest that the permit should not allow submittal of WMP provisions for achieving RWL compliance to be extended beyond one year. The permit should also require that the permittees begin work to address non-compliance with RWL exceedances upon submittal of the draft WMP. This work would need to be refined as necessary upon submittal of a final WMP.
- As currently drafted, section VI.C.3.c.iii.(3)(a) of the permit requires that compliance schedules include "milestones based on measurable criteria or indicators to be achieved in receiving waters and/or MS4 discharges." To be completely clear, this should be revised to "milestones based on measurable water quality concentrations to be achieved in receiving water and/or MS4 discharges which demonstrate progress towards achieving receiving water limitations within the permit term."
- The permit and fact sheet need to be explicit that these compliance schedule milestones and other requirements of the WMPs are enforceable and that not achieving these milestones or meeting these requirements is equivalent to not complying with section V.A. of the permit.

John Kemmerer
 Associate Director, Water Division
 U.S. EPA Region 9
 600 Wilshire Blvd, Suite 1460
 Los Angeles, CA 90017
 213-244-1832 (phone)
 213-244-1850 (fax)
 kemmerer.john@epa.gov

From: "Purdy, Renee@Waterboards" <Renee.Purdy@waterboards.ca.gov>
 To: John Kemmerer/R9/USEPA/US@EPA,
 Cc: DavidW Smith/R9/USEPA/US@EPA

Date: 09/29/2012 06:10 PM
Subject: RE: LA MS4 language - Inter-agency draft - Please do not circulate

John and Dave,

Please use this version for review instead. I realized that there were some parts of the language that needed clarification. Let me know if you have questions or comments.

Look forward to your input,
Renee

From: Purdy, Renee@Waterboards
Sent: Saturday, September 29, 2012 12:00 PM
To: John Kemmerer
Cc: David Smith
Subject: RE: LA MS4 language - Inter-agency draft - Please do not circulate

John and Dave,

See attached for my proposed language addressing the relationship between a Permittee's Watershed Management Program and the Receiving Water Limitations provisions in the Tentative LA MS4 Order.

I would appreciate it if you would please not circulate, beyond seeking input from your legal counsel, as we are still vetting this internally as well.

I look forward to your input. I am available to talk this weekend or early Monday. We are currently planning on issuing a revised Tentative Order by the end of the day on Monday, so would like your thoughts as soon as possible.

I can be reached at (213) 435-7036.

Renee

From: John Kemmerer [Kemmerer.John@epamail.epa.gov]
Sent: Friday, September 28, 2012 3:43 PM
To: Purdy, Renee@Waterboards
Subject: time to talk Tuesday morning?

Hi Renee - Do you have time to talk Tuesday morning about the LA MS4 permit and next week's hearing?

I've had a some discussions with few of our folks about the conversation we had the other day, and I also was interested in checking in with you about a few issues I've seen in the comments on the draft permit.

Tuesday morning would be best for me, but it's not out of the question that we could arrange another time the first part of next week.

FYI, it's looking like I'll be tied up most of the day Wednesday, beginning at around 1030am, so we should try to talk before then.

Please let me know what time works for you.

John Kemmerer
Associate Director, Water Division
U.S. EPA Region 9
600 Wilshire Blvd, Suite 1460
Los Angeles, CA 90017
213-244-1832 (phone)
213-244-1850 (fax)
kemmerer.john@epa.gov

Revised Tentative LA County MS4 Order

Draft - For Internal Discussion Only

9/29/12

C. Watershed Management Program**1. General...****2. Compliance with Receiving Water Limitations Not Otherwise Addressed by a TMDL**

- a. For receiving water limitations in Part V.A. associated with water body-pollutant combinations not addressed through a TMDL, but which a Permittee elects to address through a Watershed Management Program as set forth in this Part VI.C., a Permittee shall comply as follows:

i. For pollutants that are in the same class¹ as those addressed in a TMDL for the watershed and for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

- (1) Permittees shall demonstrate that the Watershed Control Measures to achieve the applicable TMDL provisions identified pursuant to Part VI.C.3.b.iv.(3) will also adequately address contributions of the pollutant(s) within the same class from MS4 discharges to receiving waters, consistent with the assumptions and requirements of the corresponding TMDL provisions, including interim and final requirements and deadlines for their achievement, such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
- (2) Permittees shall include the water body-pollutant combination(s) in the Reasonable Assurance Analysis in Part VI.C.3.b.iv.(5).

ii. For pollutants that are not in the same class as those addressed in a TMDL for the watershed, but for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

- (1) Permittees shall identify Watershed Control Measures pursuant to Part VI.C.3.b.iii that will adequately address contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
- (2) Permittees shall include the water body-pollutant in the Reasonable Assurance Analysis in Part VI.C.3.b.iv.(5).
- (3) Permittees shall identify interim milestones and dates for their achievement within the permit term pursuant to Part

¹ Pollutants are considered in a similar class if they have similar fate and transport mechanisms.

Revised Tentative LA County MS4 Order

Draft - For Internal Discussion Only

9/29/12

VI.C.3.c.iii.(2)-(3). The time between interim dates shall not exceed one year.

iii. For pollutants for which there are exceedances of receiving water limitations in Part V.A., but for which the water body is not identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

- (1) Upon an exceedance of a receiving water limitation, based on data collected pursuant to the MRP and approved IMPs and CIMPs, Permittees shall assess contributions of the pollutant(s) from MS4 discharges to the receiving waters and sources of the pollutant(s) within the drainage area of the MS4 pursuant to Part VI.C.6.a.i.(4).
 - (2) If MS4 discharges are identified as a source of the pollutant(s) that has caused or contributed to, or has the potential to cause or contribute to, the exceedance(s) of receiving water limitations in Part V.A., Permittees shall address contributions of the pollutant(s) from MS4 discharges through modifications to the WMP pursuant to Part VI.C.6.a.ii.
 - (a) In a modified WMP, Permittees shall identify Watershed Control Measures pursuant to Part VI.C.3.b.iii that will adequately address contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
 - (b) Permittees shall modify the Reasonable Assurance Analysis pursuant to Part VI.C.3.b.iv.(5) to address the pollutant(s).
 - (c) Permittees shall identify interim milestones and deadlines for their achievement to address the pollutant(s) within the remainder of the permit term pursuant to Part VI.C.3.c.iii.(2)-(3). The time between interim dates shall not exceed one year.
- b.** A Permittee shall not be considered in violation of the receiving water limitations in Part V.A. of this Order for the specific water body-pollutant combinations addressed by an approved Watershed Management Program, if the Permittee is in full compliance with all milestones and deadlines for their achievement in the Watershed Management Program.
- c.** No later than 5 years after the effective date of this Order, the Regional Water Board will evaluate whether development of a TMDL or revision of an existing TMDL is warranted to address water body-pollutant combinations in Part VI.C.2.a.

10-10-12
conf. call on MS4

Name

Kirsten James

Sam U.

Deb S.

Renee Purdy

Jennifer Fordyce

Gary H.

Frank W.

Tracy E.

Rich Horner

Shahram K.

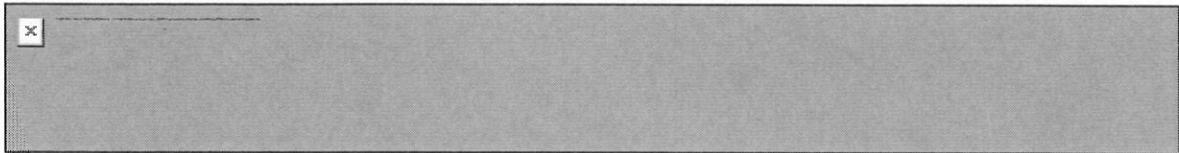
Liz Crossin

Noah G.

Daniel Cooper

Purdy, Renee@Waterboards

From: Conference Invitation Manager <accounts@freeconference.com>
Sent: Thursday, October 11, 2012 6:07 PM
To: Purdy, Renee@Waterboards
Subject: Conference Call Reminder for 10/12/2012 10:00 AM



DATE	FRIDAY, OCTOBER 12, 2012
START TIME	10:00 AM [PDT]
DIAL-IN NUMBER	1-312-340-6650
PARTICIPANT ACCESS CODE	1672431
WEB CONFERENCING	NOT SELECTED
RECORDING	NOT SELECTED

SUBJECT
LA County Follow-up Meeting

COMMENTS/AGENDA
The following people have been invited to participate:

- ✓ Angela George (ageorge@dpw.lacounty.gov)
- ✓ Daniel Cooper (daniel@lawyersforcleanwater.com) -
- ✓ Deb Smith (dsmith@waterboards.ca.gov)
- ✓ Donna Chen (donna.chen@lacity.org)
- ✓ Frank Wu (fwu@dpw.lacounty.gov)
- ✓ Gary Hildebrand (ghildeb@dpw.lacounty.gov)
- ✓ Kirsten James (kjames@healthebay.org)
- ✓ Liz Crosson (liz@lawwaterkeeper.org)
- ✓ Noah Garrison (ngarrison@nrdc.org)
- ✓ Renee Purdy (renee.purdy@waterboards.ca.gov)
- ✓ Richard Horner (rrhorner@msn.com)
- ✓ Robert Vega (robert.vega@lacity.org)
- ✓ Sam Unger (sunger@waterboards.ca.gov)
- ✓ Tracy Egoscue (tracy@egoscuelaw.com)

JENNIFER FORDYCE

IN ATTENDANCE

NEXT:
Tues 10-16
1 PM

*4

C. Watershed Management Programs

1. General

- a. The purpose of this Part VI.C is to allow Permittees the flexibility to develop Watershed Management Programs to implement the requirements of this Order on a watershed scale through customized strategies, control measures, and BMPs.
- b. Participation in a Watershed Management Program is voluntary and allows a Permittee to address the highest watershed priorities, including ~~achieving compliance~~ with the requirements of Part V.A. (Receiving Water Limitations), Part VI.E (Total Maximum Daily Load Provisions) and Attachments L through R, by customizing the control measures in Parts III.A.4 (Prohibitions – Non-Storm Water Discharges) and VI.D (Minimum Control Measures), and the monitoring requirements in Part IV.B (Monitoring and Reporting Requirements) ~~and Attachment E – Monitoring and Reporting Program~~. Implementation of an approved Watershed Management Program fulfills the requirements of these provisions.
- c. Customized strategies, control measures, and BMPs shall be implemented on a watershed basis, where applicable, through each Permittee's storm water management program and/or collectively by all participating Permittees through a Watershed Management Program.
- d. ~~The goal of the Watershed Management Programs is to~~shall ensure that discharges from the Permittees' MS4s: (i) achieve applicable water quality-based effluent limitations in Part VI.E and Attachments L through R pursuant to the corresponding compliance schedules, (ii) do not cause or contribute to exceedances of receiving water limitations in Parts V.A and VI.E and Attachments L through R, and (iii) do not include non-storm water discharges that are effectively prohibited per Part III.A. and (iv) The programs shall also ensure that controls are implemented to reduce the discharge of pollutants to the maximum extent practicable (MEP) per Part IV.A.1. do not cause exceedances of non-storm water action levels contained in Attachment C for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E. and Attachments L through R.
- e. Watershed Management Programs shall be developed either collaboratively or individually using the Regional Water Board's Watershed Management Areas (WMAs). Where appropriate, WMAs may be separated into subwatersheds to focus water quality prioritization and implementation efforts by receiving water.

For Discussion Purposes Only

Los Angeles County MS4 Permit – WMP Excerpt

- f. Each Watershed Management Program shall be consistent with Part VI.C.4-C.7 and shall:
- i. Prioritize water quality issues resulting from storm water and non-storm water discharges from the MS4 to receiving waters within each WMA,
 - ii. Identify and implement strategies, control measures, and BMPs to achieve applicable water quality-based effluent limitations and receiving water limitations to implement TMDL provisions in Part VI.E. and Attachments L through R consistent with corresponding compliance schedules, ensure that MS4 discharges do not cause or contribute to exceedances of receiving water limitations, and ensure that MS4 discharges do not exceed non-storm water action levels contained in Attachment G for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E. and Attachments L through R the outcomes specified in Part VI.C.1.d,
 - iii. Execute an integrated monitoring program and assessment program pursuant to the Attachment E – MRP, Part IV to determine progress towards achieving applicable limitations and/or action levels in Attachment G, and
 - iv. Revise/Modify strategies, control measures, and BMPs as necessary based on analysis of monitoring data collected pursuant to the MRP to ensure that to maintain progress towards achieving applicable water quality-based effluent limitations, and receiving water limitations and/or non-storm water action levels other milestones set forth in the Watershed Management Program will be achieved.
- g. Permittees may elect to develop an enhanced Watershed Management program ~~Program~~ that relies upon multi-benefit regional projects to address, in particular, storm water through the implementation of multi-benefit regional projects that include groundwater recharge and infiltration or storm water capture, storage and beneficial use wherever feasible, in conjunction with other Best Management Practices and processes to prevent or reduce pollutants from reaching or impacting receiving waters, while also achieving flood control, water supply, and other environmental benefits. An enhanced Watershed Management Program shall:
- i. Be consistent with the provisions in Part VI.C.1.a.-f and VI.C.4-C.7;
 - ii. Reflect applicable State agency requirements and planning efforts and incorporate applicable State agency input on priority setting and other key implementation issues;

For Discussion Purposes Only

Los Angeles County MS4 Permit – WMP Excerpt

- iii. Provide for meeting water quality standards and other CWA obligations by utilizing provisions in the CWA and its implementing regulations, policies and guidance;
- iv. Provide for retention through infiltration or capture and reuse of the storm water volume from the 85th percentile, 24-hour storm within the area covered by the plan enhanced Watershed Management Program;
- v. Maximize the effectiveness of funds through analysis of alternatives and the selection and sequencing of actions needed to address human health and water quality related challenges and non-compliance;
- vi. Incorporate effective innovative technologies, approaches and practices, including green infrastructure;
- vii. Ensure that existing requirements to comply with technology-based effluent limitations and core requirements (e.g., including elimination of non-storm water discharges of pollutants from through the MS4, and storm water minimum control measures controls to reduce the discharge of pollutants in storm water to the maximum extent practicable) are not delayed;
- viii. Ensure that a financial strategy is in place, including appropriate fee structures; and
- ix. Provide appropriate opportunity for meaningful stakeholder input throughout the development of the plan enhanced Watershed Management Program.

2. Compliance with Receiving Water Limitations Not Otherwise Addressed by a TMDL

- a. For receiving water limitations in Part V.A. associated with water body-pollutant combinations not addressed through a TMDL, but which a Permittee elects to address through a Watershed Management Program or enhanced Watershed Management Program as set forth in this Part VI.C., a Permittee shall comply as follows:
 - i. For pollutants that are in the same class¹ as those addressed in a TMDL for the watershed and for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

¹ Pollutants are considered in a similar class if they have similar fate and transport mechanisms, can be addressed via the same types of control measures, and within the same timeline already contemplated as part of the Watershed Management Program for the TMDL.

- (1) Permittees shall demonstrate that the Watershed Control Measures to achieve the applicable TMDL provisions identified pursuant to Part VI.C.4.b.iv.(3) will also adequately address contributions of the pollutant(s) within the same class from MS4 discharges to receiving waters, consistent with the assumptions and requirements of the corresponding TMDL provisions, including interim and final requirements and deadlines for their achievement, such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
- (2) Permittees shall include the water body-pollutant combination(s) in the Reasonable Assurance Analysis in Part VI.C.4.b.iv.(5).
- ~~(2)(3) Permittees shall identify enforceable requirements and milestones and dates for their achievement pursuant to Part VI.C.4.c.iii.(3).~~

ii. For pollutants that are not in the same class as those addressed in a TMDL for the watershed, but for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

- ~~(1) Permittees shall assess contributions of the pollutant(s) from MS4 discharges to the receiving waters and sources of the pollutant(s) within the drainage area of the MS4 pursuant to Part VI.C.4.a.iii.~~
- ~~(4)(2) Permittees shall identify Watershed Control Measures pursuant to Part VI.C.4.b.iii that will adequately address contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.~~
- ~~(2)(3) Permittees shall include the water body-pollutant in the Reasonable Assurance Analysis in Part VI.C.4.b.iv.(5).~~
- ~~(3)(4) Permittees shall identify enforceable interim requirements and milestones and dates for their achievement within a timeframe that is as short as possible, taking into account the technological, operation, and economic factors that affect the design, development, and implementation of the control measures that are necessary, the remainder of the permit term pursuant to Part VI.C.4.c.iii.(2)-(3). The time between interim dates shall not exceed one year. Interim milestones shall relate to a specific water quality endpoint (e.g., x% of the MS4 drainage area is meeting the receiving water limitations) and interim~~

dates shall relate either to taking a specific action or meeting an interim-a milestone.

iii. For pollutants for which there are exceedances of receiving water limitations in Part V.A., but for which the water body is not identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

- (1) Upon an exceedance of a receiving water limitation, based on data collected pursuant to the MRP and approved IMPs and CIMPs, Permittees shall assess contributions of the pollutant(s) from MS4 discharges to the receiving waters and sources of the pollutant(s) within the drainage area of the MS4 pursuant to Part VI.C.7.a.iii.(4).
- (2) If MS4 discharges are identified as a source of the pollutant(s) that has caused or contributed to, or has the potential to cause or contribute to, the exceedance(s) of receiving water limitations in Part V.A., Permittees shall address contributions of the pollutant(s) from MS4 discharges through modifications to the WMP or Integrated Program pursuant to Part VI.C.7.a.ii.
 - (a) In a modified WMP, Permittees shall identify Watershed Control Measures pursuant to Part VI.C.4.b.iii that will adequately address contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
 - (b) Permittees shall modify the Reasonable Assurance Analysis pursuant to Part VI.C.4.b.iv.(5) to address the pollutant(s).
 - (c) Permittees shall identify enforceable requirements and interim milestones and deadlines—dates for their achievement to address the pollutant(s) within a timeframe that is as short as possible, taking into account the technological, operation, and economic factors that affect the design, development, and implementation of the control measures that are necessary. ~~the remainder of the permit term pursuant to Part VI.C.4.c.iii.(2)-(3).~~ The time between interim dates shall not exceed one year. ~~Interim milestones~~ shall relate to a specific water quality endpoint (e.g., x% of the MS4 drainage area is meeting the receiving water limitations) and ~~interim dates~~ shall relate either to taking a specific action or meeting an ~~interim-a~~ milestone.

- ~~b. A Permittee's full compliance with all requirements and dates for their achievement in an approved Watershed Management Program or enhanced Watershed Management Program shall constitute Compliance compliance with receiving water limitations in Part V.A. of this Order for the specific water body-pollutant combinations addressed by an approved Watershed Management Program shall be determined by a Permittee's full compliance with all milestones and deadlines for their achievement in the Watershed Management Program or enhanced Watershed Management Program that relies upon multi-benefit regional projects.~~
- ~~b.c. If a Permittee fails to meet any requirement or date for its achievement in an approved Watershed Management Program or enhanced Watershed Management Program, the Permittee shall be subject to the provisions of Part V.A. for the waterbody-pollutant combination(s) that were to be addressed by the requirement.~~
- ~~c.d. No later than 5 years after the effective date of this Order, the Regional Water Board will evaluate whether development of a TMDL or revision of an existing TMDL is warranted to further address water body-pollutant combinations in Part VI.C.2.a.~~

3. Process

a. Timelines for Implementation

- i. Each Permittee shall ensure implementation of the following requirements per the schedule specified in Table 9 below:

Table 9. Watershed Management Program Implementation Requirements

Part	Provision	Due Date
VI.C.3.b	Notify Regional Water Board of intent to develop Watershed Management Program (including enhanced WMP that relies upon multi-benefit regional projects) and request submittal date for draft program plan	6 months after Order effective date
VI.C.3.c	For Permittee(s) that elect not to implement the conditions of Part VI.C.3.c.i, and for Permittees submitting an individual Watershed	1 year after Order effective date

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	Management Program submit draft plan to Regional Water Board Executive Officer	
VI.C.3.c	For Permittee(s) that elect to collaborate on a Watershed Management Program and that meet requirements of Part VI.C.3.c.i, submit draft plan to Regional Water Board Executive Officer	18 months after Order effective date
VI.C.3.c	For Permittees that elect to collaborate on an enhanced WMP that relies upon multi-benefit regional projects and that meet requirements of Part VI.C.3.c.iv, submit draft plan to Regional Water Board Executive Officer	18 months after Order effective date, provide <u>Part 1 of draft plan</u> ² , including final work plan for development of enhanced WMP using multi-benefit regional approach 30 months after Order effective date, submit <u>Part 2 of draft detailed-plan identifying multi-benefit regional projects</u>
VI.C.3.c	Submit final plan to Regional Water Board Executive Officer	3 months after receipt of Regional Water Board comments on draft plan
VI.C.54	Begin implementation of Watershed Management Program	Upon approval of final plan by Regional Water Board Executive Officer
VI.C.7.a.ii	<u>Comprehensive Evaluation</u> of Watershed Management Program and submittal of modifications to plan	Every two years from date of approval

- b. Permittees that elect to develop a Watershed Management Program must notify the Regional Water Board no later than six months after the effective date of this Order.

² Part 1 shall include early actions to achieve applicable interim or final water quality based effluent limitations and receiving water limitations pursuant to Part VI.E. and Attachments L through R with deadlines prior to final program approval and other early actions, including non-structural control measures and measures to address non-storm water discharges that are a source of pollutants to receiving waters.

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- i. Such notification shall specify if the Permittee(s) are requesting a 12-month or 18-month submittal date for the draft Watershed Management Program, per Part VI.C.3.c.i – ii, or if the Permittees are requesting an 18/-30-month submittal date for Parts 1 and 2 of the-a draft enhanced Watershed Management Program per Part VI.C.3.c.iv.
- ii. As part of their notification, Permittees electing to develop an enhanced Watershed Management Program that relies upon multi-benefit regional projects shall submit the following:
 - (1) Plan concept and geographical scope,
 - (2) Cost estimate for plan development,
 - (3) Executed MOU/agreement among participating Permittees to fund plan development,
 - (4) Interim milestones for plan development and deadlines for their achievement,
 - (5) Plan to conduct initial evaluation within 12 months after the effective date of this Order of subwatersheds where the retention of the 85th percentile, 24-hour storm is infeasible. Where infeasible, the Permittee(s) shall submit a complete Watershed Management Program for those subwatersheds for review and approval within 18 months after the effective date of this Order;
 - (6) Identification of, and commitment to fully implement, two multi-benefit regional pilot projects within each watershed covered by the plan within 30 months of the effective date of this Order;
 - (5)(7) Demonstration that the requirements in Parts VI.C.3.b.iv.(1) and (2) have been met.
- iii. ~~Within 60 days of the receipt of the notification, the Regional Board Executive Officer shall notify the Permittee(s) of the required submittal date for the Watershed Management Program.~~
- c. Permittees that elect to develop a Watershed Management Program shall submit a draft plan to the Regional Water Board Executive Officer as follows:
 - i. For Permittees that elect to collaborate on the development of a Watershed Management Program, Permittees shall submit the draft Watershed Management Program no later than 18 months after the

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Los Angeles County MS4 Permit – WMP Excerpt

effective date of this Order if the following conditions are met in ~~75~~50% of the land area in the watershed:

Comment [R1]: Consistent with previous comments, and provide incentives for participation.

- (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (3) Demonstrate in the notification of the intent to develop a Watershed Management Program that Parts VI.C.2.b.3.c.i(1) and (2) have been met in ~~75~~50% of the watershed area.
- ii. For Permittees that elect to develop an individual Watershed Management Program, Permittees shall submit the draft Watershed Management Program no later than 18 months after the effective date of this Order if the following conditions are met:
- (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (3) Demonstrate in the notification of the intent to develop a Watershed Management Program that Parts VI.C.3.b.ii.(1) and (2) have been met.
- iii. For Permittees that elect not to implement the conditions under Part VI.C.3.c.i. or Part VI.C.3.c.ii., Permittees shall submit the draft Watershed Management Program no later than 12 months after the effective date of this Order.

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- iv. For Permittees that elect to collaborate on the development of an enhanced Watershed Management Program that relies upon multi-benefit regional projects, Permittees shall submit the work plan for development of the enhanced Watershed Management Program no later than 18 months after the effective date of this Order, and shall submit the draft program no later than 30 months after the effective date of this Order if the following conditions are met in 75% of the land area in the watershed:
- (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (3) Demonstrate in the notification of the intent to develop an enhanced Watershed Management Program that Parts VI.C.3.b.iv.(1) and (2) have been met.
- d. Until the Watershed Management Program is approved by the Regional Water Board Executive Officer, Permittees that elect to develop a Watershed Management Program shall:
- i. Continue to implement their existing storm water management programs, including actions within each of the six categories of minimum control measures consistent with 40 CFR section 122.26(d)(2)(iv), and
 - ii. Implement watershed control measures sufficient to achieve water quality-based effluent limitations and receiving water limitations pursuant to Part VI.E and set forth in Attachments L through R with deadlines occurring prior to program approval. Development of the Watershed Management Program(s) and continued implementation of control measures shall constitute compliance with interim limitations that fall during the time period until the Watershed Management Program areis approved and effective.
- e. Permittees that elect to develop an enhanced Watershed Management Program shall, in addition, between submittal of a work plan at 18 months and final program approval:

Comment [R2]: In addition to...?

Comment [rap3]: Change to Part 1/Part 2

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- i. Implement source control, non-structural and institutional measures to address pollutant contributions from MS4 discharges to receiving waters that are or have the potential to cause or contribute to exceedances of receiving water limitations.

Permittees that do not elect to develop a Watershed Management Program shall be subject to the baseline requirements in Part VI.D and shall demonstrate compliance with applicable interim water quality-based effluent limitations in Part VI.E pursuant to subparts VI.E.2.d.i.(1)-(3).

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C. Watershed Management Programs

1. General

- a. The purpose of this Part VI.C is to allow Permittees the flexibility to develop Watershed Management Programs to implement the requirements of this Order on a watershed scale through customized strategies, control measures, and BMPs.
- b. Participation in a Watershed Management Program is voluntary and allows a Permittee prioritize program requirements, including the requirements of Part V.A. (Receiving Water Limitations), Part VI.E (Total Maximum Daily Load Provisions) and Attachments L through R, by customizing the control measures in Parts III.A.4 (Prohibitions – Non-Storm Water Discharges) and VI.D (Minimum Control Measures). Customized strategies, control measures, and BMPs shall be implemented on a watershed basis, where applicable, through each Permittee's storm water management program and/or collectively by all participating Permittees through a Watershed Management Program.
- c. The Watershed Management Programs shall ensure that discharges from the Permittees' MS4: (i) achieve applicable water quality-based effluent limitations in Part VI.E and Attachments L through R, (ii) do not cause or contribute to exceedances of receiving water limitations in Parts V.A and VI.E and Attachments L through R, (iii) do not include non-stormwater, as required by Section 402(p) of the Clean Water Act, and (iv) for non-prohibited non-stormwater discharges, do not cause exceedances of non-storm water action levels contained in Attachment G for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E. and Attachments L through R.
- d. Watershed Management Programs shall be developed either collaboratively or individually using the Regional Water Board's Watershed Management Areas (WMAs). Where appropriate, WMAs may be separated into subwatersheds to focus water quality prioritization and implementation efforts by receiving water.
- e. Each Watershed Management Program shall:
- i. Prioritize water quality issues resulting from storm water and non-storm water discharges from the MS4 to receiving waters within each WMA.
 - ii. Identify and implement strategies, control measures, and BMPs to achieve applicable water quality-based effluent limitations and receiving water limitations to implement TMDL provisions in Part VI.E. and Attachments L through R consistent with corresponding

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Comment [DI1]: Excluding any compliance schedule included for the LA River and San Gabriel River Metals TMDLs, as compliance schedules for achieving compliance with CTR-based limits are not authorized.

compliance schedules, ensure that MS4 discharges do not cause or contribute to exceedances of receiving water limitations, and ensure that MS4 discharges (iii) do not include non-stormwater, as required by Section 402(p) of the Clean Water Act, and (iv) for non-prohibited non-stormwater discharges, do not cause exceedances of non-storm water action levels contained in Attachment G for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E. and Attachments L through R.

Comment [DI2]: Excluding any compliance schedule included for the LA River and San Gabriel River Metals TMDLs, as compliance schedules for achieving compliance with CTR-based limits are not authorized.

iii. Execute an integrated monitoring program and assessment program pursuant to the Attachment E – MRP, Part IV to determine progress towards achieving applicable limitations and action levels in Attachment G, and

iv. Revise strategies, control measures, and BMPs annually based on analysis of the sampling data collected in the MRP, Attachment E-Part IV to both the meet interim deadlines and requirements set out in the Watershed Management Plan, and to ensure compliance with applicable water quality-based effluent limitations, receiving water limitations and non-storm water action levels.

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4.2. Enhanced Watershed Management Program

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- a. The purpose of this Part VI.C is to allow Permittees the flexibility to develop Watershed Management Programs to implement the requirements of this Order on a watershed scale through customized strategies, control measures, and BMPs.
- b. Participation in a Watershed Management Program is voluntary and allows a Permittee address the highest watershed priorities, including achieving compliance with the requirements of Part V.A. (Receiving Water Limitations), Part VI.E (Total Maximum Daily Load Provisions) and Attachments L through R, by customizing the control measures in Parts III.A.4 (Prohibitions – Non-Storm Water Discharges) and VI.D (Minimum Control Measures), and the monitoring requirements in Part IV.B (Monitoring and Reporting Requirements) and Attachment E – Monitoring and Reporting Program. Implementation of an approved Watershed Management Program fulfills the requirements of these provisions.
- c. Customized strategies, control measures, and BMPs shall be implemented on a watershed basis, where applicable, through each Permittee's storm water management program and/or collectively by all participating Permittees through a Watershed Management Program.

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- ~~d. The goal of the Watershed Management Programs is to ensure that discharges from the Permittees' MS4: (i) achieve applicable water quality-based effluent limitations in Part VI.E and Attachments L through R, (ii) do not cause or contribute to exceedances of receiving water limitations in Parts V.A and VI.E and Attachments L through R, and (iii) do not cause exceedances of non-storm water action levels contained in Attachment G for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E. and Attachments L through R.~~
- ~~e. Watershed Management Programs shall be developed either collaboratively or individually using the Regional Water Board's Watershed Management Areas (WMAs). Where appropriate, WMAs may be separated into subwatersheds to focus water quality prioritization and implementation efforts by receiving water.~~
- ~~f. Each Watershed Management Program shall:~~
- ~~i. Prioritize water quality issues resulting from storm water and non-storm water discharges from the MS4 to receiving waters within each WMA,~~
 - ~~ii. Identify and implement strategies, control measures, and BMPs to achieve applicable water quality-based effluent limitations and receiving water limitations to implement TMDL provisions in Part VI.E. and Attachments L through R consistent with corresponding compliance schedules, ensure that MS4 discharges do not cause or contribute to exceedances of receiving water limitations, and ensure that MS4 discharges do not exceed non-storm water action levels contained in Attachment G for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E. and Attachments L through R,~~
 - ~~iii. Execute an integrated monitoring program and assessment program pursuant to the Attachment E – MRP, Part IV to determine progress towards achieving applicable limitations and/or action levels in Attachment G, and~~

~~Revise strategies, control measures, and BMPs as necessary to maintain progress towards achieving applicable water quality-based effluent limitations, receiving water limitations and/or non-storm water action levels.~~

- ~~a. Permittees may elect to develop an Enhanced Watershed Management Program that relies upon multi-benefit regional projects to address, in particular, storm water and non-storm water through the implementation of multi-benefit regional projects that~~

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include groundwater recharge and infiltration or storm water capture, storage and beneficial use wherever feasible, in conjunction with other Best Management Practices and processes to prevent or reduce pollutants from reaching or impacting receiving waters, while also achieving flood control, water supply, and other environmental benefits. An Enhanced Watershed Management Program shall:

- iv.i. Be consistent with the provisions in Part VI.C.1.a.-f;
- v.ii. Reflect applicable State agency requirements and planning efforts and incorporate applicable State agency input on priority setting and other key implementation issues;
- vi.iii. Provide for meeting water quality standards and other CWA obligations by utilizing provisions in the CWA and its implementing regulations, policies and guidance;
- vii.iv. Provide for retention through infiltration or capture and reuse of the storm water volume from the 85th percentile, 24-hour storm within the area covered by the plan;
- viii.v. Maximize the effectiveness of funds through analysis of alternatives and the selection and sequencing of actions needed to address human health and water quality related challenges and non-compliance;
- ix.vi. Incorporate effective innovative technologies, approaches and practices, including green infrastructure;
- x.vii. Ensure that existing requirements to comply with technology-based effluent limits and core requirements (e.g., including elimination of non-storm water discharges of pollutants from the MS4, and storm water minimum control measures) are not delayed;
- xi.viii. Ensure that a financial strategy is in place, including appropriate fee structures; and
- xii.ix. Provide appropriate opportunity for meaningful stakeholder input throughout the development of the plan.
- x. Ensure, through monitoring required in Attachment E, that by the end of the 5-year life of the permit MS4 discharges do not cause or contribute to exceedances of receiving water limitations and that applicable water quality-based effluent limitations and receiving water limitations to implement TMDL provisions in Part VI.E. and Attachments L through R are achieved in the area covered by the plan.

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Comment [DI3]: Excluding any compliance schedule included for the LA River and San Gabriel River Metals TMDLs, as compliance schedules for achieving compliance with CTR-based limits are not authorized.

b. Compliance with Receiving Water Limitations Not Otherwise Addressed by a TMDL under an Enhanced Watershed Management Plan

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g.i. For receiving water limitations in Part V.A. associated with water-body-pollutant combinations not addressed through a TMDL, but which a Permittee elects to address through an ~~Watershed Management Program~~ or Enhanced Watershed Management Program as set forth in this Part VI.C.2., a Permittee shall comply as follows:

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ii. For pollutants that are in the same class¹ as those addressed in a TMDL for the watershed and for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

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(1) Permittees shall demonstrate that the Watershed Control Measures to achieve the applicable TMDL provisions identified pursuant to Part VI.C.4.b.iv.(3) will also adequately address contributions of the pollutant(s) within the same class from MS4 discharges to receiving waters, consistent with the assumptions and requirements of the corresponding TMDL provisions, including interim and final requirements and deadlines for their achievement, such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.

(2) Permittees shall include the water body-pollutant combination(s) in the Reasonable Assurance Analysis in Part VI.C.4.b.iv.(5).

(3) Permittees shall identify enforceable numeric interim and final milestones and dates for the achievement of the specified pollutant load reductions within the permit term pursuant to Part VI.C.4.c.iii.(2)-(3). The time between interim dates shall not exceed one year.

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ii.iii. For pollutants that are not in the same class as those addressed in a TMDL for the watershed, but for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

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(1) Permittees shall identify Watershed Control Measures pursuant to Part VI.C.4.b.iii that will adequately address contributions of the pollutant(s) from MS4 discharges to

¹ Pollutants are considered in a similar class if they have similar fate and transport mechanisms.

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receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.

- (2) Permittees shall include the water body-pollutant in the Reasonable Assurance Analysis in Part VI.C.4.b.iv.(5).
- (3) Permittees shall identify enforceable numeric interim and final milestones and dates for their ~~the~~ achievement of the specified pollutant load reductions within the permit term pursuant to Part VI.C.4.c.iii.(2)-(3). The time between interim dates shall not exceed one year.

~~iii.iv.~~ For pollutants for which there are exceedances of receiving water limitations in Part V.A., but for which the water body is not identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

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- (1) Upon an exceedance of a receiving water limitation, based on data collected pursuant to the MRP and approved IMPs and CIMPs, Permittees shall assess contributions of the pollutant(s) from MS4 discharges to the receiving waters and sources of the pollutant(s) within the drainage area of the MS4 pursuant to Part VI.C.7.a.i.(4).
- (2) If MS4 discharges are identified as a source of the pollutant(s) that has caused or contributed to, or has the potential to cause or contribute to, the exceedance(s) of receiving water limitations in Part V.A., Permittees shall address contributions of the pollutant(s) from MS4 discharges through modifications to the WMP or Integrated Program pursuant to Part VI.C.7.a.ii.
 - (a) In a modified WMP, Permittees shall identify Watershed Control Measures pursuant to Part VI.C.4.b.iii that will adequately address contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
 - (b) Permittees shall modify the Reasonable Assurance Analysis pursuant to Part VI.C.4.b.iv.(5) to address the pollutant(s).
 - (c) Permittees shall identify enforceable numeric interim and final milestones and deadlines for their ~~the~~ achievement of the specified pollutant load reductions to address the pollutant(s) within the remainder of the permit term pursuant to Part VI.C.4.c.iii.(2)-(3). The time between interim dates shall not exceed one year.

~~h.c.~~ Compliance with receiving water limitations in Part V.A. of this Order for the specific water body-pollutant combinations addressed

by an approved Enhanced Watershed Management Program shall be determined by a Permittee's full compliance with all numeric pollutant load reduction milestones and deadlines and/or volume retention requirements in Part C.24.f.iv for their achievement in the Watershed Management Program or Enhanced Watershed Management Program that relies upon multi-benefit regional projects. Failure to meet any milestone and/or deadline in a approved Enhanced Watershed Management Plan is a violation of the receiving water limitation for the pollutant(s) addressed by that milestone or deadline.

- i. ~~No later than 5 years after the effective date of this Order, the Regional Water Board will evaluate whether development of a TMDL or revision of an existing TMDL is warranted to further address water body-pollutant combinations in Part VI.C.2.a.~~

2.3. Process

a. Timelines for Implementation

- i. Each Permittee shall ensure implementation of the following requirements per the schedule specified in Table 9 below:

Table 9. Watershed Management Program Implementation Requirements

Part	Provision	Due Date
VI.C.3.b	Notify Regional Water Board of intent to develop Watershed Management Program <u>or Enhanced Watershed Management Program (including enhanced WMP that relies upon multi-benefit regional projects) and request submittal date for draft program plan</u>	6 months after Order effective date
VI.C.3.c	For Permittee(s) that elect not to implement the conditions of Part VI.C.3.c.i, and for Permittees submitting an individual Watershed Management Program submit draft plan to Regional Water Board Executive Officer	1 year after Order effective date

VI.C.3.c	For Permittee(s) that elect to collaborate on a Watershed Management Program and that meet requirements of Part VI.C.3.c.i, submit draft plan to Regional Water Board Executive Officer	18 months after Order effective date
VI.C.3.c	For Permittees that elect to collaborate on an enhanced WMP that relies upon multi-benefit regional projects and that meet requirements of Part VI.C.3.c.iv, submit draft plan to Regional Water Board Executive Officer	18 months after Order effective date, provide final work plan for development of enhanced WMP using multi-benefit regional approach 30 months after Order effective date, submit draft detailed plan
VI.C.3.c	Submit final plan to Regional Water Board Executive Officer	3 months after receipt of Regional Water Board comments on draft plan
VI.C.54	Begin implementation of Watershed Management Program	Upon approval of final plan by Regional Water Board Executive Officer
VI.C.7.a.ii	Evaluation of Watershed Management Program and submittal of modifications to plan	Every two years from date of approval

b. Permittees that elect to develop a Watershed Management Program or Enhanced Watershed Management Program must notify the Regional Water Board no later than six months after the effective date of this Order.

i. Such notification shall specify if the Permittee(s) are requesting a 12-month or 18-month submittal date for the draft Watershed Management Program, per Part VI.C.3.c.i – ii, or if the Permittees are requesting a 30-month submittal date for the draft enhanced Watershed Management Program per Part VI.C.3.c.iv.

ii. As part of their notification, Permittees electing to develop an Enhanced Watershed Management Program that relies upon multi-benefit regional projects shall submit the following:

- (1) Plan concept and geographical scope,

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- (2) Cost estimate for plan development,
- (3) Executed MOU/agreement among participating Permittees to fund plan development,
- (4) Interim milestones for plan development and deadlines for their achievement,
- (5) Identification of, and commitment to fully implement, two multi-benefit regional pilot projects that are sized to treat X volume within each subwatershed covered by the plan within 30 months of the effective date of this Order.

(5)(6) Plan to conduct a initial evaluation within the next 6 months (12 months after permit adoption) of subwatersheds where the retention of the 85th percentile, 24-hour storm is infeasible. Where infeasible, the Permittee shall submit a Watershed Management Plan for those subwatersheds for review and approval within 6 months (18 months after permit adoption).

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~~iii. Within 60 days of the receipt of the notification, the Regional Board Executive Officer shall notify the Permittee(s) of the required submittal date for the Watershed Management Program.~~

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- c. Permittees that elect to develop a Watershed Management Program shall submit a draft plan to the Regional Water Board Executive Officer as follows:

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- i. For Permittees that elect to collaborate on the development of a Watershed Management Program, Permittees shall submit the draft Watershed Management Program no later than 18 months after the effective date of this Order if the following conditions are met in 75% of the land area in the watershed:
 - (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (3) Demonstrate in the notification of the intent to develop a Watershed Management Program that Parts VI.C.2.b.i.(1) and (2) have been met in 75% of the watershed area.
- ii. For Permittees that elect to develop an individual Watershed Management Program, Permittees shall submit the draft Watershed Management Program no later than 18 months after the effective date of this Order if the following conditions are met:
 - (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (3) Demonstrate in the notification of the intent to develop a Watershed Management Program that Parts VI.C.3.b.ii.(1) and (2) have been met.
- iii. For Permittees that elect not to implement the conditions under Part VI.C.3.c.i. or Part VI.C.3.c.ii., Permittees shall submit the draft

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Watershed Management Program no later than 12 months after the effective date of this Order.

- iv. For Permittees that elect to collaborate on the development of an Enhanced Watershed Management Program that relies upon multi-benefit regional projects, Permittees shall submit the work plan for development of the enhanced Watershed Management Program no later than 18 months after the effective date of this Order, and shall submit the draft program no later than 30 months after the effective date of this Order if the following conditions are met in 75% of the land area in the watershed:
 - (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (3) Demonstrate in the notification of the intent to develop an enhanced Watershed Management Program that Parts VI.C.3.b.iv.(1) and (2) have been met.
- d. Until the Watershed Management Program or Enhanced Watershed Management Program is approved by the Regional Water Board Executive Officer, Permittees that elect to develop a Watershed Management Program or Enhanced Watershed Management Program shall:
 - i. Continue to implement their existing storm water management programs, including actions within each of the six categories of minimum control measures consistent with 40 CFR section 122.26(d)(2)(iv), and
 - ii. Implement watershed control measures sufficient to achieve water quality-based effluent limitations and receiving water limitations set forth in Attachments L through R with deadlines occurring prior to program approval.
- e. Permittees that elect to develop an Enhanced Watershed Management Program shall, in addition, between submittal of a work plan at 18 months and final program approval:

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- i. Implement source control, non-structural and institutional measures to address pollutant contributions from MS4 discharges to receiving waters that are or have the potential to cause or contribute to exceedances of receiving water limitations.

Permittees that do not elect to develop an Enhanced Watershed Management Program shall be subject to the baseline requirements in Part VI.D and shall demonstrate compliance with applicable interim water quality-based effluent limitations in Part VI.E pursuant to subparts VI.E.2.d.i.(1)-(3).

Comment [DI4]: Excluding any compliance schedule included for the LA River and San Gabriel River Metals TMDLs, as compliance schedules for achieving compliance with CTR-based limits are not authorized.

DRAFT

Purdy, Renee@Waterboards

From: Frank Wu <frankwu0827@gmail.com>
Sent: Thursday, October 11, 2012 11:22 PM
To: Purdy, Renee@Waterboards
Cc: ghildeb@dpw.lacounty.gov; ageorge@dpw.lacounty.gov; fwu@dpw.lacounty.gov; tracy@egoscuelaw.com; Unger, Samuel@Waterboards; Smith, Deborah@Waterboards; kjames@healthebay.org; liz@lawaterkeeper.org; ngarrison@nrdc.org; daniel@layersforcleanwater.com; shahram.kharaghani@lacity.org; robert.vega@lacity.org; donna.chen@lacity.org
Subject: Re: Draft Revised T.O. excerpt from WMP Part VI.C. -- For discussion purposes only
Attachments: Draft Revised TO excerpt of WMP 10-10-12 (LACDPW comments).docx

Renee,

Thanks for providing us the opportunity review. In addition to the attached redline edits, we want to re-emphasize the intent of the proposed enhanced WMP and the unique window of opportunity available to us. We strongly believe that this is the right thing to do for the region, and the Permit should provide real incentives to encourage it.

First, compliance with RWL. We need very clear language in the Permit recognizing the design storm standard (85% event) as compliance. This is a key incentive necessary to bring cities to the table.

Second, adequate time to do the planning and development. The enhanced WMP is an extremely ambitious effort which has never been done on the scale we propose. The schedule with milestones and tasks we prepared is already extremely aggressive. Any reduction in the planning time, accelerating certain deliverables, or inclusion of the pilot project requirement, would seriously hamper permittees' ability to do this.

Again thank you for taking the time to explore this approach. We look forward talking with you and the others tomorrow morning.

Frank

C. Watershed Management Programs

1. General

- a. The purpose of this Part VI.C is to allow Permittees the flexibility to develop Watershed Management Programs to implement the requirements of this Order on a watershed scale through customized strategies, control measures, and BMPs.
- b. Participation in a Watershed Management Program is voluntary and allows a Permittee address the highest watershed priorities, including achieving compliance with the requirements of Part V.A. (Receiving Water Limitations), Part VI.E (Total Maximum Daily Load Provisions) and Attachments L through R, by customizing the control measures in Parts III.A.4 (Prohibitions – Non-Storm Water Discharges) and VI.D (Minimum Control Measures), and the monitoring requirements in Part IV.B (Monitoring and Reporting Requirements) and Attachment E – Monitoring and Reporting Program. Implementation of an approved Watershed Management Program fulfills the requirements of these provisions.
- c. Customized strategies, control measures, and BMPs shall be implemented on a watershed basis, where applicable, through each Permittee's storm water management program and/or collectively by all participating Permittees through a Watershed Management Program.
- d. The goal of the Watershed Management Programs is to ensure that discharges from the Permittees' MS4: (i) achieve applicable water quality-based effluent limitations in Part VI.E and Attachments L through R, (ii) do not cause or contribute to exceedances of receiving water limitations in Parts V.A and VI.E and Attachments L through R, and (iii) do not cause exceedances of non-storm water action levels contained in Attachment G for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E. and Attachments L through R.
- e. Watershed Management Programs shall be developed either collaboratively or individually using the Regional Water Board's Watershed Management Areas (WMAs). Where appropriate, WMAs may be separated into subwatersheds to focus water quality prioritization and implementation efforts by receiving water.
- f. Each Watershed Management Program shall:
 - i. Prioritize water quality issues resulting from storm water and non-storm water discharges from the MS4 to receiving waters within each WMA,

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- ii. Identify and implement strategies, control measures, and BMPs to achieve applicable water quality-based effluent limitations and receiving water limitations to implement TMDL provisions in Part VI.E. and Attachments L through R consistent with corresponding compliance schedules, ensure that MS4 discharges do not cause or contribute to exceedances of receiving water limitations, and ensure that MS4 discharges do not exceed non-storm water action levels contained in Attachment G for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E. and Attachments L through R,
 - iii. Execute an integrated monitoring program and assessment program pursuant to the Attachment E – MRP, Part IV to determine progress towards achieving applicable limitations and/or action levels in Attachment G, and
 - iv. Revise strategies, control measures, and BMPs as necessary to maintain progress towards achieving applicable water quality-based effluent limitations, receiving water limitations and/or non-storm water action levels.
- g. Permittees may elect to develop an enhanced Watershed Management program that ~~relies upon~~includes multi-benefit regional projects to address, in particular, storm water through the implementation of multi-benefit regional projects that include groundwater recharge and infiltration or storm water capture, storage and beneficial use wherever feasible, in conjunction with other Best Management Practices and processes to prevent or reduce pollutants from reaching or impacting receiving waters, while also achieving flood control, water supply, and other environmental benefits. An enhanced Watershed Management Program shall:
- i. Be consistent with the provisions in Part VI.C.1.a.-f;
 - ii. Reflect applicable State agency requirements and planning efforts and incorporate applicable State agency input on priority setting and other key implementation issues;
 - iii. Provide for meeting water quality standards and other CWA obligations by utilizing provisions in the CWA and its implementing regulations, policies and guidance;
 - iv. Provide for retention through infiltration or capture and reuse of the storm water volume from the 85th percentile, 24-hour storm within the area covered by the plan;
 - v. Maximize the effectiveness of funds through analysis of alternatives and the selection and sequencing of actions needed to address

Comment [fwu1]: Please clarify.

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human health and water quality related challenges and non-compliance;

- vi. Incorporate effective innovative technologies, approaches and practices, including green infrastructure;
- vii. Ensure that existing requirements to comply with technology-based and core requirements (e.g., including elimination of non-storm water discharges of pollutants from the MS4, and storm water minimum control measures) are not delayed;
- viii. Ensure that a financial strategy is in place, including appropriate fee structures; and
- ix. Provide appropriate opportunity for meaningful stakeholder input throughout the development of the plan.

2. Compliance with Receiving Water Limitations Not Otherwise Addressed by a TMDL

- a. For receiving water limitations in Part V.A. associated with water body-pollutant combinations not addressed through a TMDL, but which a Permittee elects to address through a Watershed Management Program or enhanced Watershed Management Program as set forth in this Part VI.C., a Permittee shall comply as follows:
 - i. **For pollutants that are in the same class¹ as those addressed in a TMDL for the watershed and for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:**
 - (1) Permittees shall demonstrate that the Watershed Control Measures to achieve the applicable TMDL provisions identified pursuant to Part VI.C.4.b.iv.(3) will also adequately address contributions of the pollutant(s) within the same class from MS4 discharges to receiving waters, consistent with the assumptions and requirements of the corresponding TMDL provisions, including interim and final requirements and deadlines for their achievement, such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
 - (2) Permittees shall include the water body-pollutant combination(s) in the Reasonable Assurance Analysis in Part VI.C.4.b.iv.(5).

¹ Pollutants are considered in a similar class if they have similar fate and transport mechanisms.

ii. For pollutants that are not in the same class as those addressed in a TMDL for the watershed, but for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

- (1) ~~Permittees shall assess contributions of the pollutant(s) from MS4 discharges to the receiving waters and sources of the pollutant(s) within the drainage area of the MS4 pursuant to Part VI.C.4.a.iii.~~
- (4)(2) ~~If MS4 discharges are identified as a source of the pollutant(s), Permittees shall identify Watershed Control Measures pursuant to Part VI.C.4.b.iii that will adequately to address reduce contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.~~
- (2)(3) ~~Permittees shall include the water body-pollutant in the Reasonable Assurance Analysis in Part VI.C.4.b.iv.(5).~~
- (3)(4) ~~Permittees shall identify enforceable interim milestones and dates for their achievement within the permit term pursuant to Part VI.C.4.c.iii.(2)-(3). The time between interim dates shall not exceed one year.~~

Comment [fwu2]: First step should be source assessment and linkage analysis to determine MS4 contribution.

Comment [fwu3]: Redundant. This standard is already described in Part VI.C.4.b.ii.

iii. For pollutants for which there are exceedances of receiving water limitations in Part V.A., but for which the water body is not identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

- (1) ~~Upon an exceedance of a receiving water limitation, based on available data collected pursuant to the MRP and approved IMPs and CIMPs, Permittees shall assess contributions of the pollutant(s) from MS4 discharges to the receiving waters and sources of the pollutant(s) within the drainage area of the MS4 pursuant to Part VI.C.4.a.iiiPart VI.C.7.a.i.(4).~~
- (2) ~~If MS4 discharges are identified as a source of the pollutant(s) that has caused or contributed to, or has the potential to cause or contribute to, the exceedance(s) of receiving water limitations in Part V.A., Permittees shall address reduce contributions of the pollutant(s) from MS4 discharges through modifications to the WMP or Integratedenhanced WMPProgram pursuant to Part VI.C.7.a.ii.~~
- (a) ~~In a modified WMP, Permittees shall identify Watershed Control Measures pursuant to Part VI.C.4.b.iii that will adequately addressreduce contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not~~

Comment [fwu4]: Part VI.C.4.a.iii seems more appropriate. Maybe reference both sections.

- ~~cause or contribute to exceedances of receiving water limitations in Part V.A.~~
- (b) Permittees shall modify the Reasonable Assurance Analysis pursuant to Part VI.C.4.b.iv.(5) to address the pollutant(s).
 - (c) Permittees shall identify enforceable interim milestones and deadlines for their achievement to address the pollutant(s) within the remainder of the permit term pursuant to Part VI.C.4.c.iii.(2)-(3). The time between interim dates shall not exceed one year.
- b. A Permittee shall not be considered in violation of the Compliance with receiving water limitations in Part V.A. of this Order for the specific water body-pollutant combinations addressed by an approved Watershed Management Program or enhanced Watershed Management Program shall be determined by, if the a Permittee's is in full compliance with all milestones and deadlines for their achievement in the approved Watershed Management Program or enhanced Watershed Management Program that relies upon multi-benefit regional projects.
 - c. No later than 5 years after the effective date of this Order, the Regional Water Board will evaluate whether development of a TMDL or revision of an existing TMDL is warranted to further address water body-pollutant combinations in Part VI.C.2.a.

3. Process

a. Timelines for Implementation

- i. Each Permittee shall ensure implementation of the following requirements per the schedule specified in Table 9 below:

Table 9. Watershed Management Program Implementation Requirements

Part	Provision	Due Date
VI.C.3.b	Notify Regional Water Board of intent to develop Watershed Management Program <u>or</u> (including enhanced WMP that relies upon <u>includes</u> multi-benefit regional projects) and request submittal date for draft program plan	6 months after Order effective date

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VI.C.3.c	For Permittee(s) that elect not to implement the conditions of Part VI.C.3.c.i, and for Permittees submitting an individual Watershed Management Program submit draft plan to Regional Water Board Executive Officer	1 year after Order effective date
VI.C.3.c	For Permittee(s) that elect to collaborate on a Watershed Management Program and that meet requirements of Part VI.C.3.c.i, submit draft plan to Regional Water Board Executive Officer	18 months after Order effective date
VI.C.3.c	For Permittees that elect to collaborate on an enhanced WMP that relies upon includes multi-benefit regional projects and that meet requirements of Part VI.C.3.c.iv, submit draft plan to Regional Water Board Executive Officer	18 months after Order effective date, provide final work plan for development of enhanced WMP using multi-benefit regional approach 30 months after Order effective date, submit draft detailed enhanced WMP plan
VI.C.3.c	Submit final plan to Regional Water Board Executive Officer	3 months after receipt of Regional Water Board comments on draft plan
VI.C.54	Begin implementation of Watershed Management Program or enhanced Watershed Management Program	Upon approval of final plan by Regional Water Board Executive Officer
VI.C.7.a.ii	Evaluation of Watershed Management Program and submittal of modifications to plan	Every two years from date of approval

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- b. Permittees that elect to develop a Watershed Management Program must notify the Regional Water Board no later than six months after the effective date of this Order.

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- i. Such notification shall specify if the Permittee(s) are requesting a 12-month or 18-month submittal date for the draft Watershed Management Program, per Part VI.C.3.c.i – ii, or if the Permittees are requesting a 30-month submittal date for the draft enhanced Watershed Management Program per Part VI.C.3.c.iv.
- ii. As part of their notification, Permittees electing to develop an enhanced Watershed Management Program that ~~relies upon~~includes multi-benefit regional projects shall submit the following:
 - (1) Plan concept and geographical scope,
 - (2) Cost estimate for plan development,
 - (3) Executed MOU/agreement among participating Permittees to fund plan development,
 - (4) Interim milestones for plan development and deadlines for their achievement,
 - (5) Identification of, and commitment to fully implement, two multi-benefit regional pilot projects within each watershed covered by the plan within 30 months of the effective date of this Order.
- iii. Within 60 days of the receipt of the notification, the Regional Board Executive Officer shall notify the Permittee(s) of the required submittal date for the Watershed Management Program.
- c. Permittees that elect to develop a Watershed Management Program shall submit a draft plan to the Regional Water Board Executive Officer as follows:
 - i. For Permittees that elect to collaborate on the development of a Watershed Management Program, Permittees shall submit the draft Watershed Management Program no later than 18 months after the effective date of this Order if the following conditions are met in 75% of the land area in the watershed:
 - (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60

Comment [FW5]: DELETE. In light of the aggressive timeline for the multi-benefit projects and the size and scope of the intended final projects, these pilot projects run the risk of distracting from the mission and goal of this suggested alternative. The timeline is already very aggressive and all planning efforts should be focused on the multi-benefit projects. In addition, there are numerous requirements in this draft tentative that will apply to the permittees in the interim regardless of which Watershed Management Plan route they choose. We suggest that these other interim efforts could satisfy the intended purpose of this requirement.

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days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.

- (3) Demonstrate in the notification of the intent to develop a Watershed Management Program that Parts VI.C.23.b.c.i.(1) and (2) have been met in 75% of the watershed area.
- ii. For Permittees that elect to develop an individual Watershed Management Program, Permittees shall submit the draft Watershed Management Program no later than 18 months after the effective date of this Order if the following conditions are met:
 - (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (3) Demonstrate in the notification of the intent to develop a Watershed Management Program that Parts VI.C.3.b.c.ii.(1) and (2) have been met.
 - iii. For Permittees that elect not to implement the conditions under Part VI.C.3.c.i. or Part VI.C.3.c.ii., Permittees shall submit the draft Watershed Management Program no later than 12 months after the effective date of this Order.
 - iv. For Permittees that elect to collaborate on the development of an enhanced Watershed Management Program that relies upon multi-benefit regional projects, Permittees shall submit the work plan for development of the enhanced Watershed Management Program no later than 18 months after the effective date of this Order, and shall submit the draft program no later than 30 months after the effective date of this Order if the following conditions are met in 75% of the land area in the watershed:
 - (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading

before the Permittee's decision-making body within 6 months of the effective date of the Order.

(2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.

(3) Demonstrate in the notification of the intent to develop an enhanced Watershed Management Program that Parts VI.C.3.b.iv.(1) and (2) have been met.

d. Until the Watershed Management Program is approved by the Regional Water Board Executive Officer, Permittees that elect to develop a Watershed Management Program shall:

i. Continue to implement their existing storm water management programs, including actions within each of the six categories of minimum control measures consistent with 40 CFR section 122.26(d)(2)(iv), and

ii. Implement watershed control measures sufficient to achieve water quality-based effluent limitations and receiving water limitations set forth in Attachments L through R with deadlines occurring prior to program approval.

ii.

iii. During the development of the Watershed Management Program(s) from month 6-18, compliance with interim limits shall be determined by implementation of control measures intended to address interim limits applicable during the period until the Watershed Management Programs are approved and effective.

e. Permittees that elect to develop an enhanced Watershed Management Program shall, in addition, between submittal of a work plan at 18 months and final program approval:

i. Implement source control, non-structural and institutional measures to address pollutant contributions from MS4 discharges to receiving waters that are or have the potential to cause or contribute to exceedances of receiving water limitations.

ii. During the development of the enhanced Watershed Management Program(s) from month 6-30, compliance with interim limits shall be determined by implementation of control measures intended to

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address interim limits applicable during the period until the enhanced Watershed Management Programs are approved and effective.

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Permittees that do not elect to develop a Watershed Management Program shall be subject to the baseline requirements in Part VI.D and shall demonstrate compliance with applicable interim water quality-based effluent limitations in Part VI.E pursuant to subparts VI.E.2.d.i.(1)-(3).

DRAFT

C. Watershed Management Programs

1. General

- a. The purpose of this Part VI.C is to allow Permittees the flexibility to develop Watershed Management Programs to implement the requirements of this Order on a watershed scale through customized strategies, control measures, and BMPs.
- b. Participation in a Watershed Management Program is voluntary and allows a Permittee address the highest watershed priorities, including ~~achieving compliance~~ with the requirements of Part V.A. (Receiving Water Limitations), Part VI.E (Total Maximum Daily Load Provisions) and Attachments L through R, by customizing the control measures in Parts III.A.4 (Prohibitions – Non-Storm Water Discharges) and VI.D (Minimum Control Measures), and the monitoring requirements in Part IV.B (Monitoring and Reporting Requirements) and Attachment E – Monitoring and Reporting Program. Implementation of an approved Watershed Management Program fulfills the requirements of these provisions.
- c. Customized strategies, control measures, and BMPs shall be implemented on a watershed basis, where applicable, through each Permittee's storm water management program and/or collectively by all participating Permittees through a Watershed Management Program.
- d. The goal of the Watershed Management Programs is to ensure that discharges from the Permittees' MS4: (i) achieve applicable water quality-based effluent limitations in Part VI.E and Attachments L through R, (ii) do not cause or contribute to exceedances of receiving water limitations in Parts V.A and VI.E and Attachments L through R, and (iii) non-stormwater discharges are effectively prohibited per Part III.A and (iv) pollutants are reduced to the maximum extent practicable (MEP) per Part IV.A.1. ~~do not cause exceedances of non-storm water action levels contained in Attachment G for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E and Attachments L through R.~~
- e. Watershed Management Programs shall be developed either collaboratively or individually using the Regional Water Board's Watershed Management Areas (WMAs). Where appropriate, WMAs may be separated into subwatersheds to focus water quality prioritization and implementation efforts by receiving water.
- f. Each Watershed Management Program shall be consistent with Part VI.C.4-C.7 and shall:

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- i. Prioritize water quality issues resulting from storm water and non-storm water discharges from the MS4 to receiving waters within each WMA,
 - ii. Identify and implement strategies, control measures, and BMPs to achieve applicable water quality-based effluent limitations and receiving water limitations to implement TMDL provisions in Part VI.E. and Attachments L through R consistent with corresponding compliance schedules, ensure that MS4 discharges do not cause or contribute to exceedances of receiving water limitations, and ensure that MS4 discharges do not exceed non-storm water action levels contained in Attachment G for pollutants identified on the most recent CWA Section 303(d) List but not otherwise addressed by provisions in Part VI.E. and Attachments L through R the goals outlined in Part VI.C.1.d,
 - iii. Execute an integrated monitoring program and assessment program pursuant to the Attachment E – MRP, Part IV to determine progress towards achieving applicable limitations and/or action levels in Attachment G, and
 - iv. Revise strategies, control measures, and BMPs as necessary to maintain progress towards achieving applicable water quality-based effluent limitations, receiving water limitations and/or non-storm water action levels.
- g. Permittees may elect to develop an enhanced Watershed Management program that relies upon multi-benefit regional projects to address, in particular, storm water through the implementation of multi-benefit regional projects that include groundwater recharge and infiltration or storm water capture, storage and beneficial use wherever feasible, in conjunction with other Best Management Practices and processes to prevent or reduce pollutants from reaching or impacting receiving waters, while also achieving flood control, water supply, and other environmental benefits. An enhanced Watershed Management Program shall:
- i. Be consistent with the provisions in Part VI.C.1.a.-f and VI.C.4-C.7;
 - ii. Reflect applicable State agency requirements and planning efforts and incorporate applicable State agency input on priority setting and other key implementation issues;
 - iii. Provide for meeting water quality standards and other CWA obligations by utilizing provisions in the CWA and its implementing regulations, policies and guidance;

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- iv. Provide for retention through infiltration or capture and reuse of the storm water volume from the 85th percentile, 24-hour storm within the area covered by the plan;
- v. Maximize the effectiveness of funds through analysis of alternatives and the selection and sequencing of actions needed to address human health and water quality related challenges and non-compliance;
- vi. Incorporate effective innovative technologies, approaches and practices, including green infrastructure;
- vii. Ensure that existing requirements to comply with technology-based and core requirements (e.g., including elimination of non-storm water discharges of pollutants from the MS4, and storm water minimum control measures) are not delayed;
- viii. Ensure that a financial strategy is in place, including appropriate fee structures; and
- ix. Provide appropriate opportunity for meaningful stakeholder input throughout the development of the plan.

2. Compliance with Receiving Water Limitations Not Otherwise Addressed by a TMDL

- a. For receiving water limitations in Part V.A. associated with water body-pollutant combinations not addressed through a TMDL, but which a Permittee elects to address through a Watershed Management Program or enhanced Watershed Management Program as set forth in this Part VI.C., a Permittee shall comply as follows:

- i. **For pollutants that are in the same class¹ as those addressed in a TMDL for the watershed and for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:**

- (1) Permittees shall demonstrate that the Watershed Control Measures to achieve the applicable TMDL provisions identified pursuant to Part VI.C.4.b.iv.(3) will also adequately address contributions of the pollutant(s) within the same class from MS4 discharges to receiving waters, consistent with the assumptions and requirements of the corresponding TMDL provisions, including interim and final requirements

¹ Pollutants are considered in a similar class if they have similar fate and transport mechanisms, can be addressed via the same types of control measures, and within the same timeline already contemplated as part of the Watershed Management Program for the TMDL.

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and deadlines for their achievement, such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.

- (2) Permittees shall include the water body-pollutant combination(s) in the Reasonable Assurance Analysis in Part VI.C.4.b.iv.(5).

ii. For pollutants that are not in the same class as those addressed in a TMDL for the watershed, but for which the water body is identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

- (1) Permittees shall identify Watershed Control Measures pursuant to Part VI.C.4.b.iii that will adequately address contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
- (2) Permittees shall include the water body-pollutant in the Reasonable Assurance Analysis in Part VI.C.4.b.iv.(5).
- (3) Permittees shall identify enforceable interim milestones and dates for their achievement within a timeframe that is as short as possible, taking into account the technological, operation, and economic factors that affect the design, development, and implementation of the control measures that are necessary, the remainder of the permit term pursuant to Part VI.C.4.c.iii.(2)-(3). The time between interim dates shall not exceed one year. Interim milestones shall relate to a specific water quality endpoint (i.e., x% of the MS4 drainage area is meeting the receiving water limitations) and interim dates shall relate either to taking a specific action or meeting an interim milestone.

Comment [R1]: This change is necessary otherwise TMDLs are no longer a priority – the pollutants without TMDLs become the priority as they would be required to be addressed first.

iii. For pollutants for which there are exceedances of receiving water limitations in Part V.A., but for which the water body is not identified as impaired on the State's Clean Water Act Section 303(d) List as of the effective date of this Order:

- (1) Upon an exceedance of a receiving water limitation, based on data collected pursuant to the MRP and approved IMPs and CIMPs, Permittees shall assess contributions of the pollutant(s) from MS4 discharges to the receiving waters and sources of the pollutant(s) within the drainage area of the MS4 pursuant to Part VI.C.7.a.i.(4).
- (2) If MS4 discharges are identified as a source of the pollutant(s) that has caused or contributed to, or has the potential to cause or contribute to, the exceedance(s) of receiving water limitations in Part V.A., Permittees shall address contributions of the pollutant(s) from MS4

discharges through modifications to the WMP or Integrated Program pursuant to Part VI.C.7.a.ii.

- (a) In a modified WMP, Permittees shall identify Watershed Control Measures pursuant to Part VI.C.4.b.iii that will adequately address contributions of the pollutant(s) from MS4 discharges to receiving waters such that the MS4 discharges of the pollutant(s) will not cause or contribute to exceedances of receiving water limitations in Part V.A.
 - (b) Permittees shall modify the Reasonable Assurance Analysis pursuant to Part VI.C.4.b.iv.(5) to address the pollutant(s).
 - (c) Permittees shall identify enforceable interim milestones and deadlines for their achievement to address the pollutant(s) within a timeframe that is as short as possible, taking into account the technological, operation, and economic factors that affect the design, development, and implementation of the control measures that are necessary. the remainder of the permit term pursuant to Part VI.C.4.c.iii.(2)-(3). The time between interim dates shall not exceed one year. Interim milestones shall relate to a specific water quality endpoint (i.e., x% of the MS4 drainage area is meeting the receiving water limitations) and interim dates shall relate either to taking a specific action or meeting an interim milestone.
- b. Compliance with receiving water limitations in Part V.A. of this Order for the specific water body-pollutant combinations addressed by an approved Watershed Management Program shall be determined by a Permittee's full compliance with all milestones and deadlines for their achievement in the Watershed Management Program or enhanced Watershed Management Program that relies upon multi-benefit regional projects.
 - c. No later than 5 years after the effective date of this Order, the Regional Water Board will evaluate whether development of a TMDL or revision of an existing TMDL is warranted to further address water body-pollutant combinations in Part VI.C.2.a.

Comment [R2]: Language is a little unclear regarding intent. Prior language was understandable and clear regarding intent.

3. Process

a. Timelines for Implementation

- i. Each Permittee shall ensure implementation of the following requirements per the schedule specified in Table 9 below:

For Discussion Purposes Only

Los Angeles County MS4 Permit – WMP Excerpt

Table 9. Watershed Management Program Implementation Requirements

Part	Provision	Due Date
VI.C.3.b	Notify Regional Water Board of intent to develop Watershed Management Program (including enhanced WMP that relies upon multi-benefit regional projects) and request submittal date for draft program plan	6 months after Order effective date
VI.C.3.c	For Permittee(s) that elect not to implement the conditions of Part VI.C.3.c.i, and for Permittees submitting an individual Watershed Management Program submit draft plan to Regional Water Board Executive Officer	1 year after Order effective date
VI.C.3.c	For Permittee(s) that elect to collaborate on a Watershed Management Program and that meet requirements of Part VI.C.3.c.i, submit draft plan to Regional Water Board Executive Officer	18 months after Order effective date
VI.C.3.c	For Permittees that elect to collaborate on an enhanced WMP that relies upon multi-benefit regional projects and that meet requirements of Part VI.C.3.c.iv, submit draft plan to Regional Water Board Executive Officer	18 months after Order effective date, provide final work plan for development of enhanced WMP using multi-benefit regional approach 30 months after Order effective date, submit draft detailed plan
VI.C.3.c	Submit final plan to Regional Water Board Executive Officer	3 months after receipt of Regional Water Board comments on draft plan
VI.C.54	Begin implementation of Watershed Management	Upon approval of final plan by Regional Water Board

For Discussion Purposes Only

Los Angeles County MS4 Permit – WMP Excerpt

	Program	Executive Officer
VI.C.7.a.ii	Evaluation of Watershed Management Program and submittal of modifications to plan	Every two years from date of approval

- b.** Permittees that elect to develop a Watershed Management Program must notify the Regional Water Board no later than six months after the effective date of this Order.
- i.** Such notification shall specify if the Permittee(s) are requesting a 12-month or 18-month submittal date for the draft Watershed Management Program, per Part VI.C.3.c.i – ii, or if the Permittees are requesting a 30-month submittal date for the draft enhanced Watershed Management Program per Part VI.C.3.c.iv.
 - ii.** As part of their notification, Permittees electing to develop an enhanced Watershed Management Program that relies upon multi-benefit regional projects shall submit the following:
 - (1) Plan concept and geographical scope,
 - (2) Cost estimate for plan development,
 - (3) Executed MOU/agreement among participating Permittees to fund plan development,
 - (4) Interim milestones for plan development and deadlines for their achievement,
 - (5) Identification of, and commitment to fully implement, two multi-benefit regional pilot projects within each watershed covered by the plan within 30 months of the effective date of this Order;
 - (5)(6) Demonstration that the requirements in Parts VI.C.3.b.iv.(1) and (2) have been met.
 - iii.** Within 60 days of the receipt of the notification, the Regional Board Executive Officer shall notify the Permittee(s) of the required submittal date for the Watershed Management Program.
- c.** Permittees that elect to develop a Watershed Management Program shall submit a draft plan to the Regional Water Board Executive Officer as follows:

For Discussion Purposes Only

Los Angeles County MS4 Permit – WMP Excerpt

- i. For Permittees that elect to collaborate on the development of a Watershed Management Program, Permittees shall submit the draft Watershed Management Program no later than 18 months after the effective date of this Order if the following conditions are met in ~~75~~50% of the land area in the watershed:

Comment [R3]: Consistent with previous comments, and provide incentives for participation.

- (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (3) Demonstrate in the notification of the intent to develop a Watershed Management Program that Parts VI.C.2.b.3.c.i.(1) and (2) have been met in ~~75~~50% of the watershed area.
- ii. For Permittees that elect to develop an individual Watershed Management Program, Permittees shall submit the draft Watershed Management Program no later than 18 months after the effective date of this Order if the following conditions are met:
- (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
 - (3) Demonstrate in the notification of the intent to develop a Watershed Management Program that Parts VI.C.3.b.ii.(1) and (2) have been met.
- iii. For Permittees that elect not to implement the conditions under Part VI.C.3.c.i. or Part VI.C.3.c.ii., Permittees shall submit the draft

For Discussion Purposes Only

Los Angeles County MS4 Permit – WMP Excerpt

Watershed Management Program no later than 12 months after the effective date of this Order.

- iv. For Permittees that elect to collaborate on the development of an enhanced Watershed Management Program that relies upon multi-benefit regional projects, Permittees shall submit the work plan for development of the enhanced Watershed Management Program no later than 18 months after the effective date of this Order, and shall submit the draft program no later than 30 months after the effective date of this Order if the following conditions are met in 75% of the land area in the watershed:

- (1) Commence development of a Low Impact Development (LID) ordinance meeting the requirements of this Order's Planning and Land Development Program within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
- (2) Commence development of a policy that specifies the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have the first reading before the Permittee's decision-making body within 6 months of the effective date of the Order.
- (3) Demonstrate in the notification of the intent to develop an enhanced Watershed Management Program that Parts VI.C.3.b.iv.(1) and (2) have been met.

- d. Until the Watershed Management Program is approved by the Regional Water Board Executive Officer, Permittees that elect to develop a Watershed Management Program shall:

- i. Continue to implement their existing storm water management programs, including actions within each of the six categories of minimum control measures consistent with 40 CFR section 122.26(d)(2)(iv), and
- ii. Implement watershed control measures sufficient to achieve water quality-based effluent limitations and receiving water limitations set forth in Attachments L through R with deadlines occurring prior to program approval. Development of the Watershed Management Program(s) and continued implementation of control measures shall constitute compliance with interim limits that fall during the time period until the Watershed Management Program are approved and effective.

For Discussion Purposes Only

Los Angeles County MS4 Permit – WMP Excerpt

- e. Permittees that elect to develop an enhanced Watershed Management Program shall, in addition, between submittal of a work plan at 18 months and final program approval:
 - i. Implement source control, non-structural and institutional measures to address pollutant contributions from MS4 discharges to receiving waters that are or have the potential to cause or contribute to exceedances of receiving water limitations.

Comment [R4]: In addition to...?

Permittees that do not elect to develop a Watershed Management Program shall be subject to the baseline requirements in Part VI.D and shall demonstrate compliance with applicable interim water quality-based effluent limitations in Part VI.E pursuant to subparts VI.E.2.d.i.(1)-(3).

DRAFT



Los Angeles Regional Water Quality Control Board

Meeting Attendance Sheet with LA Permit Group and other Stakeholders

Meeting Subject:		Los Angeles County-wide draft MS4 Permit		
Meeting Location:		LARWQCB 320 W. 4 th St., # 200 Los Angeles, CA 90013-2343		
Meeting Date and Time:		October 15, 2012 @ 1000		
NAME	ORGANIZATION	PHONE #	E-MAIL ADDRESS	
1. Ivar K. Ridgeway	RWQCB-LA	(213) 620-2150	iridgeway@waterboards.ca.gov	
2. Rebecca Christmann	RWQCB-LA	(213) 576-6786	rchristmann@waterboards.ca.gov	
3. John Hunter	JLHA	562 802 7880	JHUNTER@JLHA.NET	
4. Heather Maloney	LA Permit Group / Manmnia	626 932-5577	hmaloney@ci.mannmnia.ca.us	
5. Ebrov Kiepke	Willdan Engr.	562 908-6278	ekiepke@willdan.com	
6. R Purdy	RWQCB	213-576-6022	rpurdy@waterboards.ca.gov	
7. Joe Bellomo	RWQCB	805 277 6856	jbellomo@willdan.com	
8. Deb Smith	"			
9. Sam Unger	"			
10.				



10-16-12
LA MS4 Permit

<u>Name</u>	<u>Org.</u>	<u>Email</u>
R PURDY	RWQCB	rpurdy@waterboards.ca.gov
D. Cooper	LCW	daniel@lawyersfor Cleanwater.com
Kirsten James	Heal the Bay	Kjames@healthubay.org
Liz Crosson	LA Waterkeeper	liz@lawaterkeeper.org
Tracy Egoscue	ELG	tracy@egoscuelaw.com
Gary Hildebrand	LACDPW	ghilde@dpw.lacounty.gov
Angela George	LACDPW	ageorge@dpw.lacounty.gov
Frank Wu	LACDPW	fwu@dpw.lacounty.gov
Shahram Kharaghani		shahram.kharaghani@lacity.org
Robert Vega	LA City	Robert.Vega@lacity.org
Deb Smith	RB	dsmith@waterboards.ca.gov
Sam Unger		sunger@waterboards.ca.gov

Purdy, Renee@Waterboards

From: Wu, Frank <FWU@dpw.lacounty.gov>
Sent: Wednesday, October 17, 2012 9:30 AM
To: Unger, Samuel@Waterboards; kjames@healthebay.org; liz@lawaterkeeper.org; daniel@layersforcleanwater.com; shahram.kharaghani@lacity.org; robert.vega@lacity.org; donna.chen@lacity.org; Smith, Deborah@Waterboards; Purdy, Renee@Waterboards
Cc: Hildebrand, Gary; George, Angela; tracy@egoscuelaw.com; Sim, Youn
Subject: 2 pm conference call
Attachments: WMMS and design storm presentation 10_2012.pptx

The number for this afternoon's call is 877-336-1828, code 8037482.

For the 3 pm discussion about the watershed model and design storm, we'll start by quickly walking through the attached Powerpoint presentation and then open it up for Q&A. Talk to you soon.

Frank

LA MS4 — 10-17-12 Conf. call

RB-AR3517

<u>Name</u>	<u>Org.</u>	<u>Email</u>
Frank W.	LACFCD	
Gary H.	(NOT PRESENT)	
Angela G.	LACFCD	
Tracy E.	Egoscue Law for County/FCD.	
Steve F.	NRDC	
Liz Crossin	LA Waterkeeper	
Daniel Cooper	Lawyers for Clean Water	
Kirsten	Heal the Bay	
Sam U.	RWACB	
Renee	RWACB	
Shahram K	City of LA	
Donna Chen	City of LA	
Robert Vega	City of LA	

10-17 MS4

Watershed Model - 9000 Sim

1. hydrological → addresses complete inputs + outflows
2. HSPF + LSPC linked to optimized BMP performance
3. Model calculated at high resolution; soil types vary over the County
4. BMPs customized to land uses.
BMPs sized to land areas
5. Results show compliance w/ WLAs at infiltration of 85th percentile storm
6. Have not yet field verified areas of contaminated soils
7. Richard Horner and CP Lai both approved of the model and approach.



record pause stop



jump



bookmark



0% jump to position 100%



playback speed



volume

Note from C. P. Hai

RB-AR3519

for 10/17/2012

telephone conference

1/19/2012

• NOI, NOA

• quantitative Microbia Atgae

• Customized BMP
• different type of Land Use

② Dr. Hone's Questions
Groundwater

• Ventura Estuary
• BMP
• Design Storm

A number of pollutants

Training
• Water Quality Goal
• Watershed Modeling Management

① ~~Mass~~ Annual Load
↓
What conditions the most difficult to consider pollutant to attain of TMDL attainment

10/17/2012

① A. presentations by county
• HSPF, LSPC

② Attainment Locations

• 3 year study of Model Development

Retain } Retention
 } Detention

• National Recognition Copy

What kind of BMP

• TMDL 75% kg/year
Copper

{ depend on location
soil condition

10/18/2012

Target

- cost-effective

BMP

- recognition feasible

BMP in Ground

Watershed

Dr. Honer

SUSTAIN

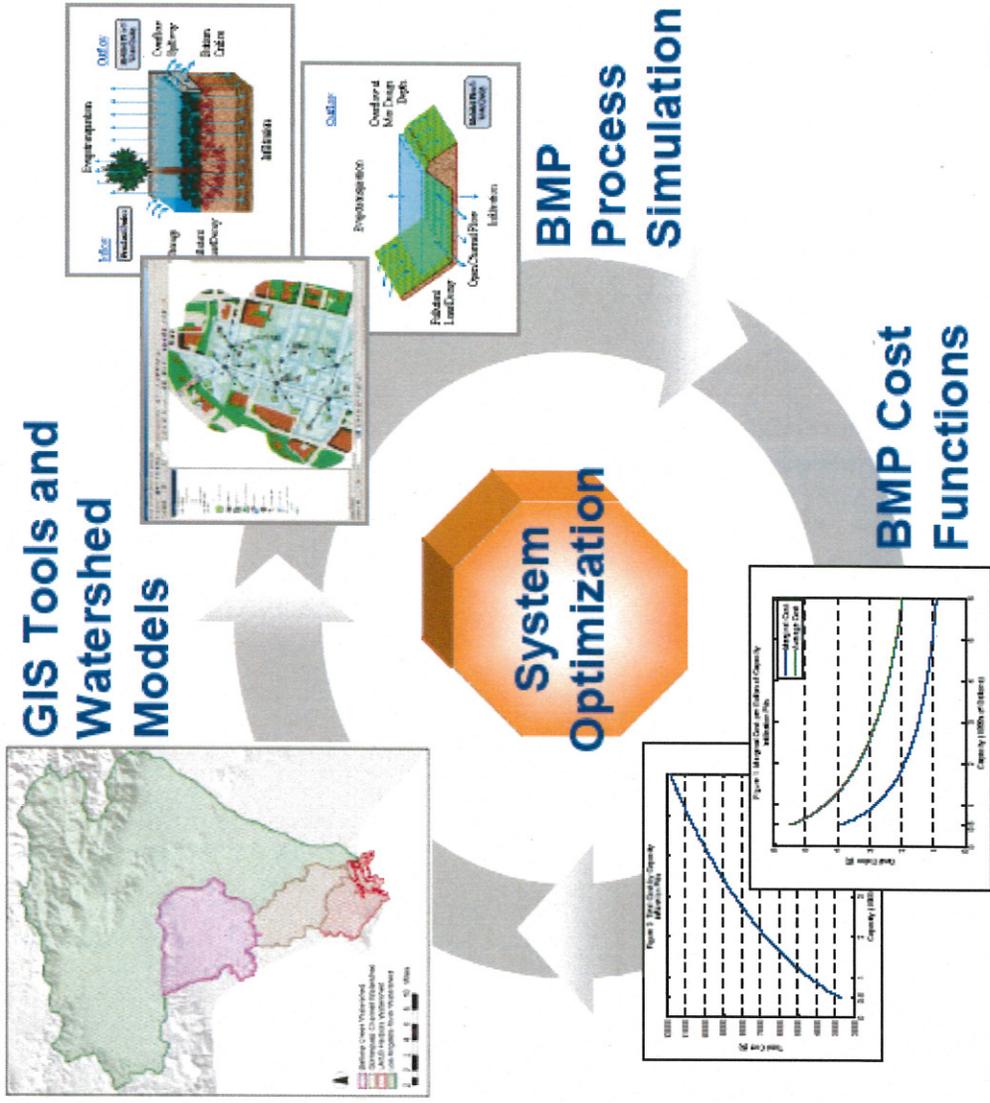
Sustain model

Why Not use

model
(4)

Watershed Management Modeling System (WMMS)

Countywide watershed management planning tool & Decision support system



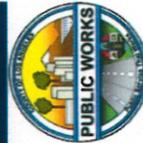
• LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Facts of WMMS

1. Developed based on USEPA's original watershed models
2. Partnership with USEPA: tech & funding support
3. Multi-sector Technical Advisory Committee
4. Nationwide Recognition
 - 2012 National Association of Counties (NACO) Achievement Award
 - Nationwide webcast presentation
 - *Stormwater Solutions* magazine
 - *Urban Coast* journal
 - Presented at numerous national conferences including ASCE, APWA, WEFTEC, CWEA, NAFSMA, CASQA, Flood Plain Management, and LID Conferences



• LOS ANGELES COUNTY FLOOD CONTROL DISTRICT





The Water Cycle

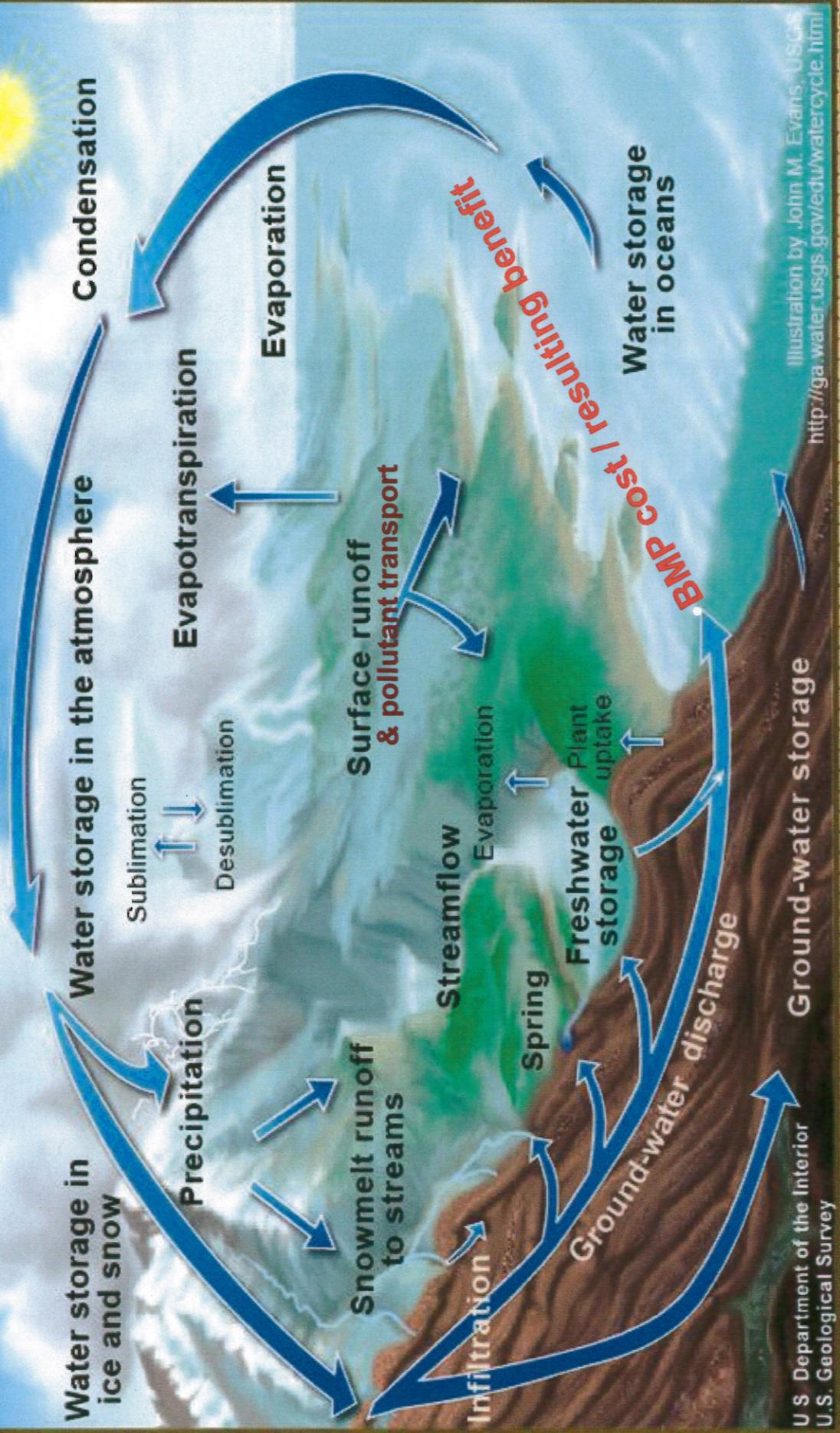


Illustration by John M. Evans, USGS
<http://ga.water.usgs.gov/edu/watercycle.html>

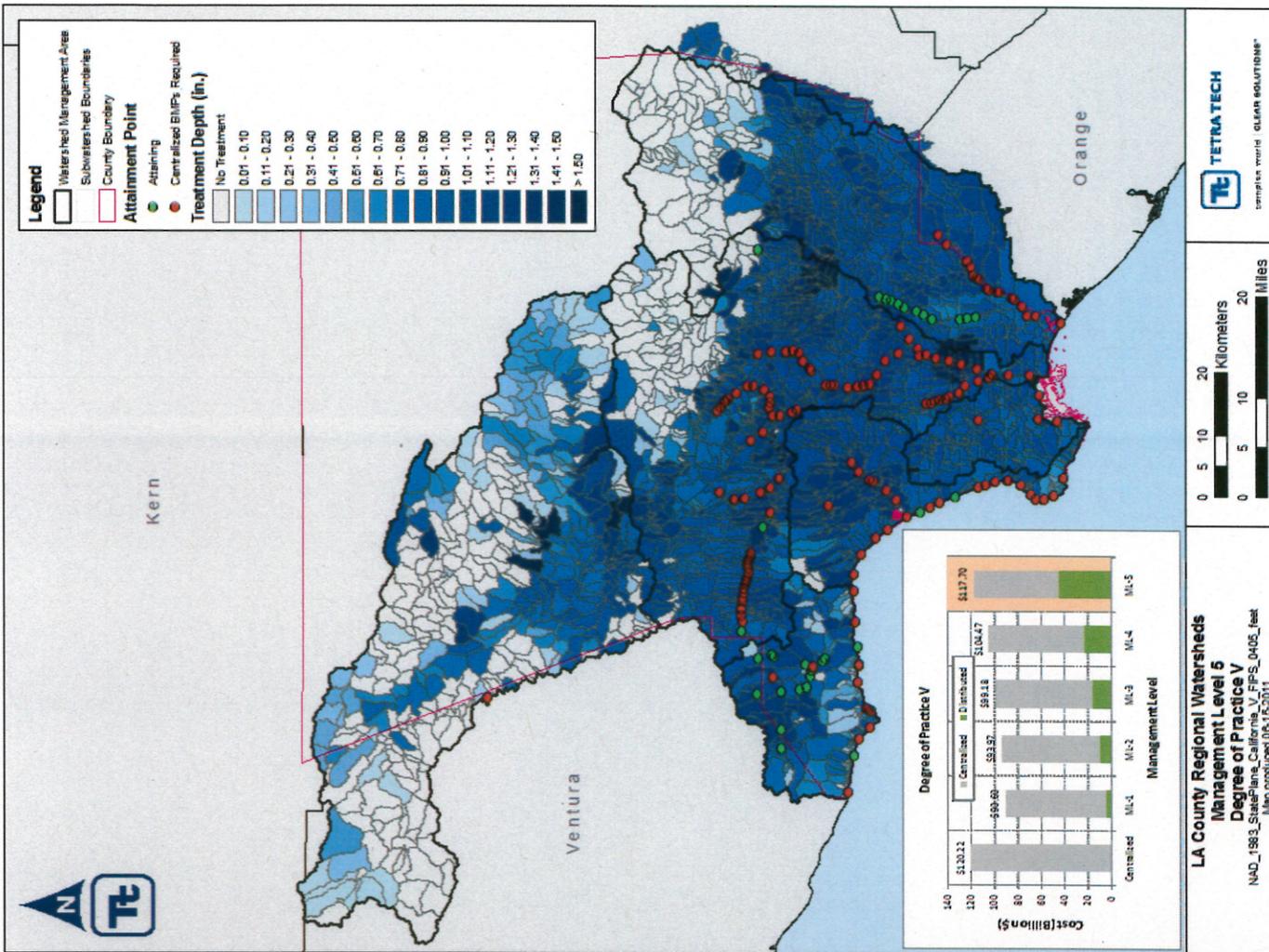
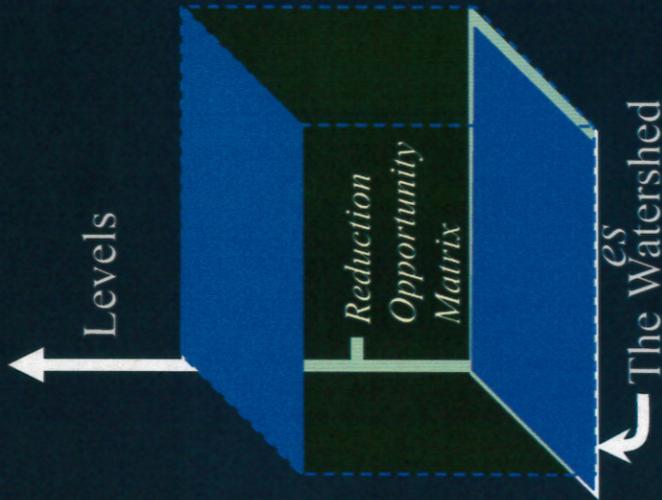
U.S. Department of the Interior
U.S. Geological Survey



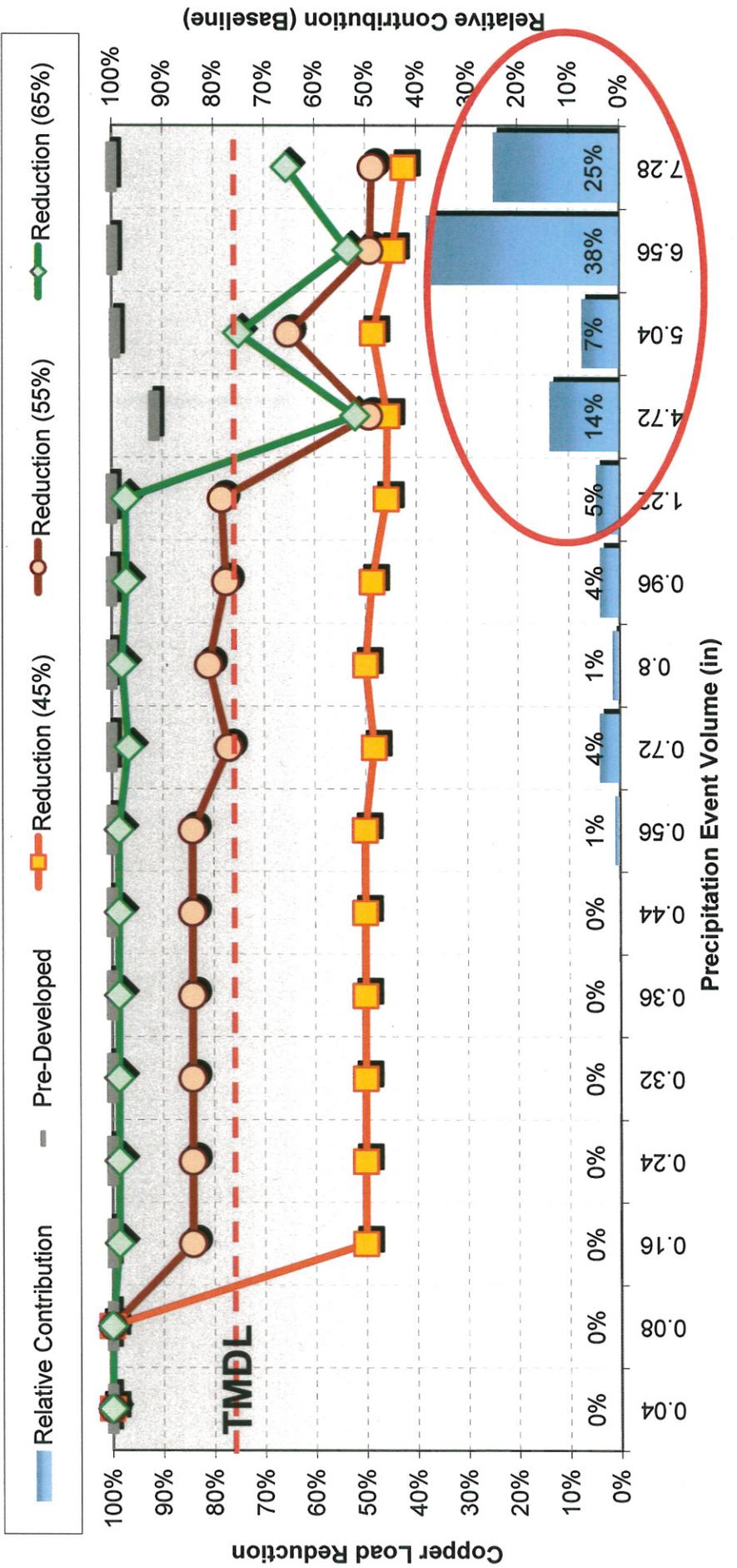
• LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Current Requirements

- All location to attain WQ standards
- **\$117.70 Billion** (construction + 20 yr O&M)



Most BMPs fail under rare and extreme storms

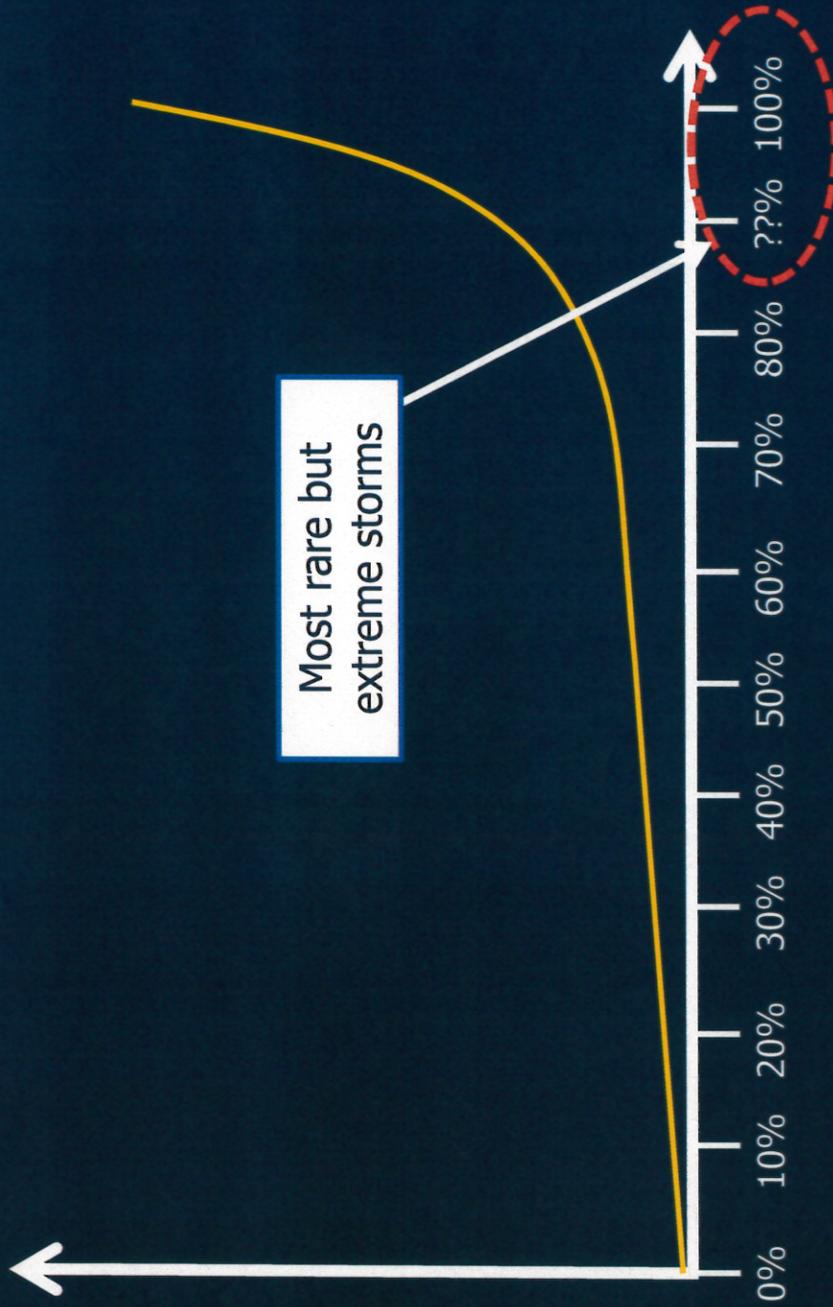




EPA says.....

Waiver of WQS at extreme high flow conditions for cost effectiveness

Rainfall depth



Percentile storm events

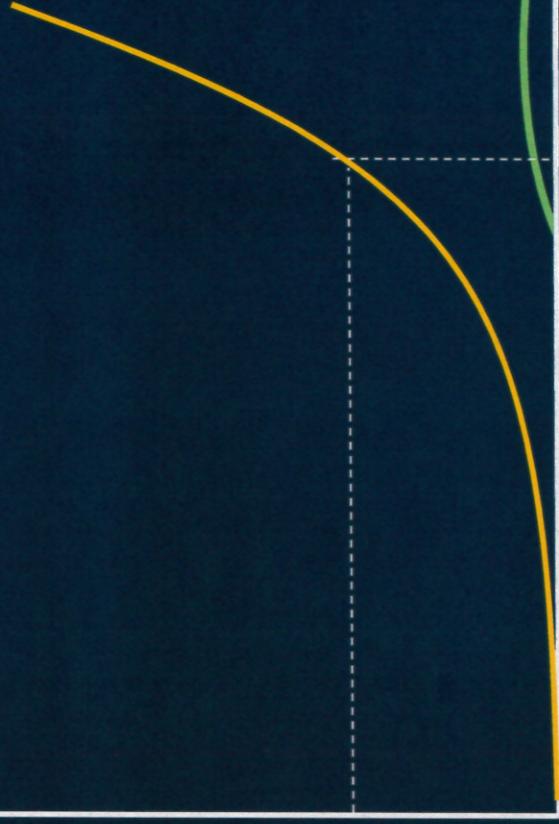
• LOS ANGELES COUNTY FLOOD CONTROL DISTRICT



Water Quality Design Storm: Key decision factors

- BMP Costs
- WQS attainment
- Storm size treated

BMP Costs



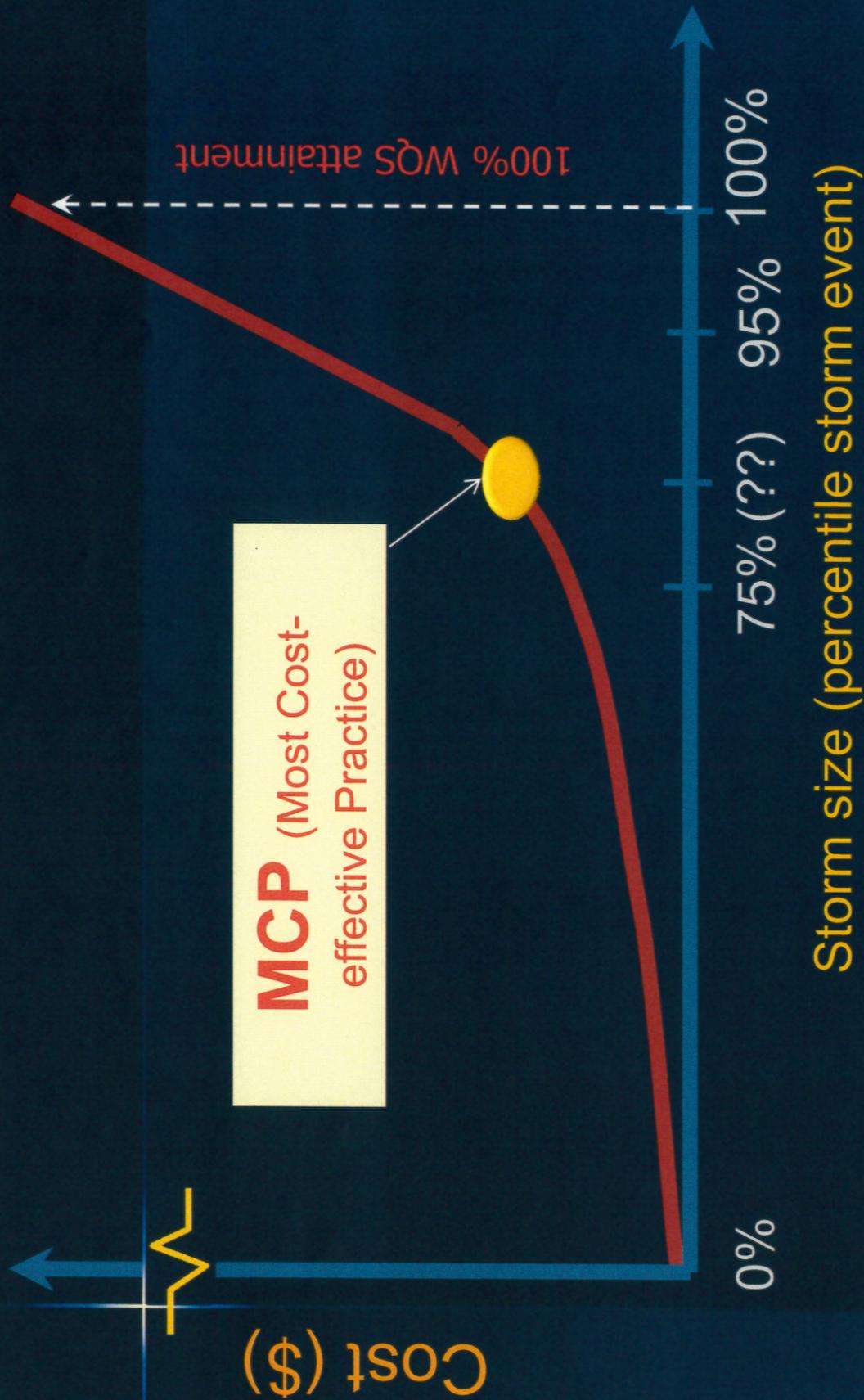
Attainment achieved
w/ storm size treated



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Risk-Cost Analysis



LOS ANGELES COUNTY FLOOD CONTROL DISTRICT



Continuity with previous effort by Regional Board

- Addressed Regional Board's (Wet Weather Task Force) recommendations
 1. All watersheds within the LA County
 2. All climatic data from the LACFCD and national sources
 3. All land uses
 4. A variety of pollutants
 5. Better estimation and simulation of BMP effectiveness
 - Deterministic approach for better field testing and parameter estimation
 6. Better estimation of BMP costs

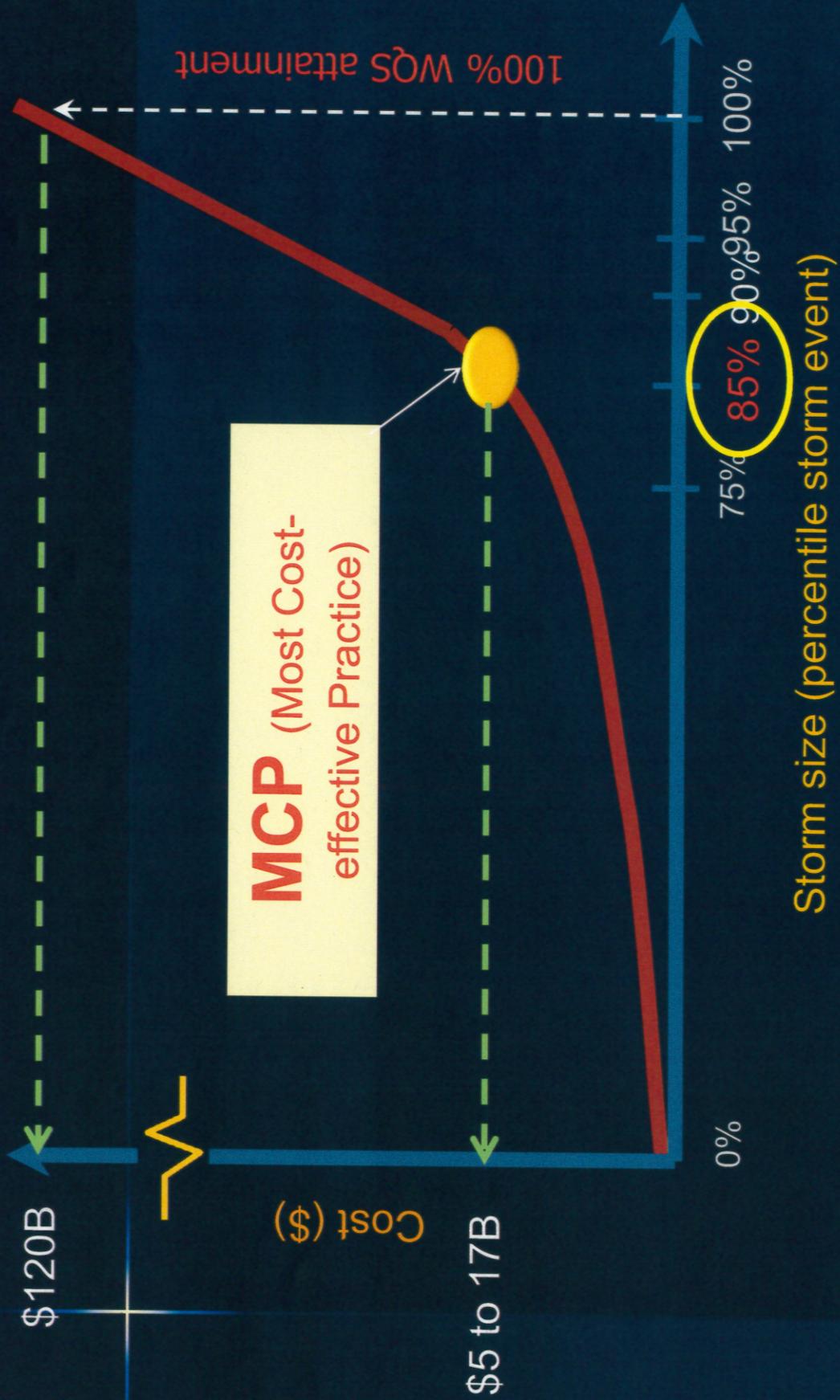


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Decision based on Risk-Cost



LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

MS4 PERMIT MEETING

LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
OCTOBER 25, 2012

Name	Representing	Address	Phone	E-mail Address
J. Bellomo	LA Permit Group		805 279 6856	jbellomo@willdan.com
Heather Mercedes	City of Santa Clarita		626 458-4325	hmercedes@scwrta-clark.ca.gov
ANGELA GEORGE	LACDPW		626 458-4325	ageorge@dpu.lacounty.gov
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Heather Maloney	WAP/ City of Monrovia		626 932 5577	hmaloney@ci.monrovia.ca.us
TRACY EGOSUE	ECG/County			tracy@egosewlab.com
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Liz Crosson	LA Waterkeeper			liz@lawaaterkeeper.org
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RB-AR3531

R Purdy
S Unger

RWQCB
" "

213-576-6622
213-576-6605

sunjore@waterboards.ca.gov

Name	Representing	Address	Phone	E-mail
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Kosta Kaporis	"	"	213-485-0586	Kosta.Kaporis@Lacity.org
Daniel Cooper	Wak-keeper	1004 O'Neil St	415 4406520	daniel@larpas-foundation.com
Robert Vega	CLA - BOS	1149 S Broadway Los Angeles, 90015	(213) 485-3991	Robert.Vega@Lacity.org

Meeting October 30, 2012

Meeting Attendees:

Regional Board

MWD

Topics:

Non-storm water discharge Provisions

Purdy, Renee@Waterboards

From: Clark, Joyce Truhan <jtruhan@mwdh2o.com>
Sent: Thursday, October 25, 2012 4:19 PM
To: Purdy, Renee@Waterboards
Cc: Koch, Bart; Guillory, Dan; Bell, Janet J; 'Katherine.Rubin@WATER.LADWP.com'; 'Hanson, Michael'
Subject: Conflicting Definitions In Revised Tentative MS4 Permit - Could Significantly Impact Potable Water Distribution System Releases
Attachments: Re Question on Definition of Potable Water Distribution Systems Releases
Importance: High

Hi Renee,

Below are the revised definitions in Attachment A of the Revised Tentative LA County MS4 Permit (issued on 10/18/12) that appear to conflict with the LARWQCB's intent to include raw water and treated drinking water in the definition for "Potable Water Distribution System Releases". The concern is that all of the descriptions highlighted in blue below could be interpreted to mean that "Conditionally Exempt Essential Non-Storm Water Discharges" and "Potable Water Distribution System Releases" strictly include only "Potable Water", which would mean that only water "that meets the drinking water standards of the US Environmental Protection Agency" can be released by drinking water suppliers under the MS4 Permit. This would thereby, inadvertently prohibit raw water releases from drinking water storage, supply and distribution systems. This appears to be unintended, but could be extremely problematic and present severe consequences for drinking water suppliers in LA County, such as Metropolitan Water District of Southern California and City of Los Angeles – Dept of Water and Power. Written comments regarding the inclusion of raw water in the definition of Potable Water Distribution System Releases were also submitted by MWD, DWP, and other water agencies.

Can you please confirm that this was not the intent of the LARWQCB? If so, can we help by sending you our recommendations to revise the definitions so that it is clear that Potable Water Distribution System Releases include raw water and treated drinking water?

Conditionally Exempt Essential Non-Storm Water Discharge (page A-4)

Conditionally exempt essential non-storm water discharges are certain categories of discharges that are not composed entirely of storm water and that are allowed by the Regional Water Board to discharge to the MS4, if in compliance with all specified requirements; are not otherwise regulated by an individual or general NPDES permit; and are essential public services that are directly or indirectly required by other State or federal statute and/or regulation. These include non-storm water discharges from potable water sources and nonemergency fire fighting activities. Conditionally exempt essential non-storm water discharges may contain minimal amounts of pollutants, however, when in compliance with industry standard BMPs and control measures, do not result in significant environmental effects. (See 55 Fed. Reg. 47990, 47995 (Nov. 16, 1990)).

Potable Water (page A-15)

Water that meets the drinking water standards of the US Environmental Protection Agency.

Potable Water Distribution Systems Releases (page A-15)

Sources of flows from drinking water storage, supply and distribution systems including flows from system failures, pressure releases, system maintenance, distribution line testing, fire hydrant flow testing; and flushing and dewatering of pipes, reservoirs, vaults, and minor noninvasive well maintenance activities not involving chemical addition(s). It does not include wastewater discharges from activities that occur at wellheads, such as well construction, well development (i.e., aquifer pumping tests, well purging, etc.), or major well maintenance.

Also, attached is the email you sent me back in June 2012, confirming that raw water is considered to be included in Potable Water Distribution System Releases. Thank you for your assistance with this matter. I look forward to hearing back from you.

Joyce T. Clark

Metropolitan Water District of So. Calif.
(213) 217-5593
jtruhan@mwdh2o.com

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Koch, Bart

From: Koch, Bart
Sent: Monday, October 29, 2012 4:25 PM
To: Sam Unger
Cc: Man, Debra C; Green, Jim
Subject: MS4 issues

Hi Sam

Per your conversation with Debra Man, I am enclosing some suggested changes to address two issues: 1) Raw Water discharges and 2) Pollutants of Concern. We appreciate your attention in this matter and look forward to discussing with you tomorrow.

RAW WATER

Below are the recommendations to revise the definitions that impact drinking water suppliers in the Revised Tentative LA County MS4 Permit – Attachment A (posted October 18, 2012 – refer to attached pdf):

Conditionally Exempt Essential Non-Storm Water Discharge (page A-4)

Conditionally exempt essential non-storm water discharges are certain categories of discharges that are not composed entirely of storm water and that are allowed by the Regional Water Board to discharge to the MS4, if in compliance with all specified requirements; are not otherwise regulated by an individual or general NPDES permit; and are essential public services that are directly or indirectly required by other State or federal statute and/or regulation. These include non-storm water discharges from drinking water supplier distribution system releases ~~potable water sources~~ and nonemergency fire fighting activities. Conditionally exempt essential non-storm water discharges may contain minimal amounts of pollutants, however, when in compliance with industry standard BMPs and control measures, do not result in significant environmental effects. (See 55 Fed. Reg. 47990, 47995 (Nov. 16, 1990)).

Potable Drinking Water Supplier Distribution Systems Releases (page A-15)

Sources of flows from drinking water storage, supply and distribution systems including flows from system failures, pressure releases, system maintenance, distribution line testing, fire hydrant flow testing; and flushing and dewatering of pipes, reservoirs, vaults, and minor noninvasive well maintenance activities not involving chemical addition(s). It does not include wastewater discharges from activities that occur at wellheads, such as well construction, well development (i.e., aquifer pumping tests, well purging, etc.), or major well maintenance. For the purposes of this Order, drinking water supplier distribution system releases include treated and raw water (from raw water pipelines, reservoirs, storage tanks, etc.) that are dedicated for drinking water supply.

Raw water: (add this new definition)

Water that is taken from the environment by drinking water suppliers with the intent to subsequently treat or purify to produce potable water (sources of flows from raw water pipelines, reservoirs, storage tanks, etc.). It does not include wastewater discharges from activities that occur at wellheads, such as well construction, well development (i.e., aquifer pumping tests, well purging, etc.), or major well maintenance.

POLLUTANTS OF CONCERN

Issue Regarding Pollutants of Concern (Excerpt from pages 30-31)

- ii. Discharges from drinking water supplier distribution system releases ~~potable water sources~~, where not otherwise regulated by an individual or general NPDES permits, provided appropriate BMPs are

implemented based on the American Water Works Association (California- Nevada Section) *Guidelines for the Development of Your Best Management Practices (BMP) Manual for Drinking Water System Releases* (2005) or equivalent industry standard BMP manual. Additionally, each Permittee shall work with potable drinking water suppliers that may discharge to the Permittee's MS4 to ensure for all discharges greater than 100,000 gallons: (1) notification at least 72 hours prior to a planned discharge and as soon as possible after an unplanned discharge; (2) monitoring of any pollutants of concern⁹ in the drinking water supplier distribution system release; and (3) record keeping by the potable water supplier for all discharges greater than one acre-foot.¹⁰ Permittees shall require that the following information is maintained by the water supplier(s) for all discharges to the MS4 (planned and unplanned) greater than 100,000 gallons: name of discharger, date and time of notification (for planned discharges), method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, total number of gallons discharged, type of dechlorination equipment used, type of dechlorination chemicals used, concentration of residual chlorine, type(s) of sediment controls used, pH of discharge, type(s) of volumetric and velocity controls used, and field and laboratory monitoring data. Records shall be retained for five years and made available upon request by the Permittee or Regional Water Board.

Footnotes: ***(Recommended revisions to footnotes)***

⁸ ~~Potable~~ drinking water supplier distribution system releases means sources of flows from drinking water storage, supply and distribution systems (including flows from system failures), pressure releases, system maintenance, distribution line testing, and flushing and dewatering of pipes, reservoirs, and vaults, and minor non-invasive well maintenance activities not involving chemical addition(s) where not otherwise regulated by NPDES Permit No. CAG674001, NPDES Permit No. CAG994005, or an other separate NPDES permit.

⁹ Pollutants of concern from drinking water supplier distribution system releases that could present a reasonable potential to impact water quality objectives applicable to discharges from the MS4 to the receiving water include ~~at a minimum, trash and debris, including organic matter, total suspended solids (TSS), residual chlorine, and pH, and any pollutant for which there is a water quality based effluent limitation in Part VI.E applicable to discharges from the MS4 to the receiving water.~~

Bart

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LA MS4 Permit Meeting
 LARWQCB
 October 30, 2012

RB-AR3538

Name	Representing	Address	Phone	E-mail
Sam Unger	RWQCB	320 W. 4th St LA, CA 90013	213 576-6605	waterboard.ca.gov
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Heather Maloney LAPG/Monivia
 Noah Garrison NRDC
 Kirskan James Heal the Bay
 Liz Crossan LA Waterkeeper
 Daniel Cooper LA Waterkeeper

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From: [Andre Monette](#)
To: Johnson, Nicole@Waterboards
Subject: Claremont Edits to Attachment R
Date: Monday, October 29, 2012 4:02:33 PM
Attachments: [Doc1.doc](#)

Hi Nicole,

Attached please find our minor edits to Attachment R. They are saved as track changes in word format. I researched the anti-backsliding issue we discussed and no longer have any concerns. The edits I have made are intended to allow flexibility on the type of order the Santa Ana Regional Board can issue, and to address the receiving water limitations issue. Please let me know if these are acceptable or if you have any additional revisions. I am available for the rest of today and tomorrow to discuss in advance of our call on Wednesday.

Thanks!

Andre Monette

J.G. Andre Monette
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ATTACHMENT R. TMDLs IN THE MIDDLE SANTA ANA RIVER WATERSHED MANAGEMENT AREA (SANTA ANA REGION TMDL)**A. Middle Santa Ana River Watershed Bacterial Indicator TMDLs**

1. Permittees subject to the provisions below are identified in Attachment K, Table K-8.
2. Permittees shall comply with the following final water quality-based effluent limitations for discharges to San Antonio Creek and Chino Creek during dry weather no later than December 31, 2015, and during wet weather no later than December 31, 2025:
 - a. Fecal coliform65: geometric mean less than 180 organisms/100 mL based on five or more samples during any 30-day period, and not more than 10% of the samples exceed 360 organisms/100 mL during any 30-day period.
 - b. E. coli: E. coli: geometric mean less than 113 organisms/100 mL based on five or more samples during any 30-day period, and not more than 10% of the samples exceed 212 organisms/100 mL during any 30-day period.
3. Permittees shall comply with the following receiving water limitations for discharges to San Antonio Creek and Chino Creek during dry weather no later than December 31, 2015, and during wet weather no later than December 31, 2025:
 - a. Fecal coliform66: geometric mean less than 200 organisms/100 mL based on 5 samples during any 30-day period, and not more than 10% of the samples exceed 400 organisms/100 mL during any 30-day period.
 - b. E. coli: geometric mean less than 126 organisms/100 mL based on 5 samples during any 30-day period, and not more than 10% of the samples exceed 235 organisms/100 mL during any 30-day period.

B. Section A of this Attachment R, and Sections V through VI of the Permit as they pertain to discharges of Bacteria by the Permittees identified in Attachment K, Table K-8 to the Santa Ana River Watershed, shall not be applicable during the effective dates of any NPDES permit, Waste Discharge Requirement, or other lawful order that:

1. Is issued by the Regional Water Quality Control Board, Santa Ana Region, pursuant to a valid and enforceable designation agreement between this Regional Board and the Santa Ana Regional Board under Water Code section 13228, that is applicable to MS4 discharges by the Permittees identified in Attachment K, Table K-8; and
2. The designation agreement delegates the Santa Ana Regional Board as the regulator MS4 of discharges by the Permittees identified in Attachment K, Table K-8, to ensure compliance with the Middle Santa Ana River Watershed Bacterial Indicator TMDLs, Resolution No. R8-2005-0001, in satisfaction of the requirements of 40 CFR section 122.44(d)(1)(vii)(B).

Teleconference Meeting October 31, 2012

Meeting Attendees:

Renee Purdy, LARWQCB

Deb Smith, LARWQCB

Nicole Johnson, SWRCB, OCC

Rebecca Christmann, LARWQCB

Andrew Jarod, City of Pomona

Julie Carver, City of Pomona

Craig Bradshaw, City of Claremont

Andre Monette, City of Claremont

Topics:

Receiving Water Language

Watershed Management Plan

Designation Agreement between RB8 and RB4

Appendix R

MS4 PERMIT MEETING

LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
 OCTOBER 31, 2012 @ 1530

RB-AR3542

Name	Representing	Address	Phone	E-mail Address
Ivan K. Ridgeway	RWQCB-LA	320 W. 4 th ST, HA 90013	(213) 620-2150	iridgeway@waterboards.ca.gov
Kirsten James	Heal the Bay			kjames@healthebay.org
R Purdy	RWQCB-LA		- 6622	rpurdy@waterboards.ca.gov
L Crosson	LA Waterkeeper			liz@lawaaterkeeper.org
Neah Garrison	NRDC			ngarrison@NRDC.org
Deb Smith	RWQCB		6609	dsmith@waterboards.ca.gov

MS4 WORK SHOP
 LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
 NOVEMBER 1, 2012 2:30P.M.

Name	Representing	Address	Phone	E-mail Address
Shahram. Khafaghani	CLA	LA, CA 90015	213	shahram.khafaghani@lacity.org
Gary Hildebrand	LACDPW	1149 S. Broadway St. 485-0587 900 S. Fremont Ave Alhambra, Ca. 91803 626-958-4300		ghilde@apw.lacounty.gov
TRACY EGOSUE	ELC/LACDPW			tracy@egocslaw.com
Ran TATIN	REOS	106 S. MENTON PAS. 91006	626 356.5724	rtatin@ecsen.com
Deb Smith	RWQCB		213 576 6609	dsn@tho waterboards.ca.gov
Robert Vega	L.A. City	1149 S. Broadway L.A. CA 90015	213 485.3991	Robert.Vega@lacity.org
R Purdy	RWQCB		.6622	
K James	phone			
S Flerschli	"			
J. Fordyce	"			
D. Cooper	"			

MS4 PERMIT MEETING

LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
 NOVEMBER 1, 2012 2:30P.M.

Name	Representing	Address	Phone	E-mail Address
Liz Crossin	LA Waterkeeper			
Noah Giamson	NRDC			
Heather Maloney	LAPG/ City of Monrovia			
Heather Merenda	City of Santa Clarita			
Joe Bellomo	LA Permit Group			
John Dettle				
Angela George	LAC DPW			
Frank Wu	LAC DPW			
Sam Unger	LARWQCB			