



# California Regional Water Quality Control Board

## Los Angeles Region



Linda S. Adams  
Cal/EPA Secretary

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Arnold Schwarzenegger  
Governor

May 11, 2007

Interested Parties

### PUBLIC HEARING ON PROPOSED REOPENING OF THE COUNTY OF LOS ANGELES MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT (NPDES PERMIT NO. CAS004001)

Dear Interested Parties:

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Los Angeles Region, proposes to narrowly reopen the waste discharge requirements (WDRs) for the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit (NPDES No. CAS004001, Board Order No. 01-182 as amended by Order No. R4-2006-0074) to incorporate a non-storm water discharge prohibition to be consistent with the summer dry weather Waste Load Allocations set in the Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria (MDR Bacteria) Total Maximum Daily Load (TMDL). The MDR Bacteria TMDL adopted by the Regional Board went into effect on March 18, 2004.

#### HEARING DATE AND LOCATION

The Regional Board is scheduled to hold a public hearing on:

July 12, 2007 at 9:00 AM  
Metropolitan Water District of Southern California  
Board Meeting Room  
700 North Alameda Street  
Los Angeles, CA 90012

Please check the website address for the most up to date public hearing location as it is subject to change.

#### SCOPE OF HEARING

NOTE: The validity of the MDR Bacteria TMDL is not an issue that is before the Regional Water Board in this proceeding. Any evidence or argument that challenges the validity of that TMDL or any aspects of it will not be permitted. The only matter before the Board is the adoption of provisions that incorporate the TMDL (and associated water quality objectives) into the MS4 Permit (Order # 01-182).

#### AVAILABILITY OF DOCUMENTS

The proposed language and other information and documents relied upon are available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. by appointment at the following address:

Los Angeles Regional Water Quality Control Board  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of the documents may be made by calling the Los Angeles Regional Board at (213) 576-6600. Additionally, the fact sheet, the summary of proposed

deletions, the proposed changes to order language except findings, and the proposed changes to findings are available online at <http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4.html>. Response to comments will be available online at a later date.

The entire file will become a part of the administrative record of this proceeding, irrespective of whether individual documents are specifically referenced during the hearing or contained in the agenda packet. The entire file will not be present in the hearing room. In addition to the materials generated for this proceeding, the file includes the administrative records for Orders 01-182 and R4-2006-0074, and Resolution No. 2003-012. Should any interested persons desire staff to bring to the hearing any particular documents that are not included in the agenda packet, they must submit a written or electronic request to staff during business hours, not later than five business days before the hearing. The request must identify the documents with enough specificity for staff to locate them.

#### PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment upon or object to the tentative revisions in the reopener, or submit evidence for the Board to consider, are invited to submit them in writing to Rebecca Christmann at the above address, or send them electronically to [July122007boardmeeting@waterboards.ca.gov](mailto:July122007boardmeeting@waterboards.ca.gov). To be evaluated and responded to by Regional Board staff, included in the Board's agenda folder, and fully considered by the Board, written comments or testimony regarding the tentative revisions must be received at the Regional Board office no later than close of business on June 25, 2007. Failure to comply with these requirements is grounds for the Regional Water Board to refuse to admit the proposed written comment or exhibit into evidence pursuant to section 648.4, title 23 of the California Code of Regulations.

#### NATURE OF HEARING

This proceeding will be a formal adjudicatory proceeding. For such proceedings, the Regional Board follows procedures established by the State Water Resources Control Board, which are set forth in regulations commencing with section 647 of title 23 of the California Code of Regulations, in particular, Article 2, commencing with section 648. While this proceeding is formal, as an administrative proceeding, the Board does not generally require the prior identification or cross examination of witnesses, or other procedures not specified in this notice, that might typically be expected of parties in a courtroom.

#### PARTIES TO THE HEARING

The following are the parties to this proceeding:

- County of Los Angeles
- Los Angeles County Flood Control District
- City of Los Angeles
- City of Culver City
- Regional Board Staff

Any other persons requesting party status must submit a written or electronic request to staff no later than 20 business days before the hearing. All parties will be notified if other persons are so designated.

#### HEARING PROCEDURE

The board meeting, of which this hearing is a part, will start at 9:00 a.m. Interested persons are invited to attend. When the agenda item is called, staff will present the matter under consideration, after which oral statements from parties or interested persons will be heard. For accuracy of the record, all important testimony should be in writing. The Board will include in the administrative record written transcriptions of

oral testimony that is actually presented at the hearing. Oral testimony may be limited to five minutes or less for each interested person, depending on the number of interested persons wishing to be heard. At the conclusion of testimony, the Board will deliberate in open or close session, and render a decision.

Parties or interested persons with similar concerns or opinions are encouraged to choose one representative to speak, and are encouraged to coordinate their presentations with each other. Parties will be advised after the receipt of public comments, but prior to the date of the hearing, of the amount of time each is allocated for presentations. That decision will be based upon the complexity and number of issues under consideration, the extent to which the parties have coordinated, the number of parties and interested persons anticipated, and the time available for the hearing. The parties are invited to contact staff not later than June 28, 2007 to discuss how much time they believe is necessary for their presentations, and staff will endeavor to accommodate reasonable requests.

Parties or persons with special procedural requests or requests for alternative hearing procedures should contact staff, who will endeavor to accommodate reasonable requests. Objections to any procedure to be used during this hearing must be submitted in writing no later than close of business 15 business days prior to the date of the hearing. (Any objections related to the amount of time allocated for parties' presentations must be submitted within two business days of notice thereof, if that date is less than 15 business days before the hearing.) Absent such objections, any procedure not specified in this hearing notice will be waived pursuant to section 648(d) of title 23 of the California Code of Regulations. Procedural objections will not be entertained at the hearing.

If there should not be a quorum on the scheduled date of this meeting, all cases will be automatically continued to the next scheduled meeting on August 9, 2007. A continuance will not extend any time set forth herein.

#### STAFF CONTACTS

If you have any question regarding this proposed action, please contact Rebecca Christmann at (213) 576-6757 or via email at [rchristmann@waterboards.ca.gov](mailto:rchristmann@waterboards.ca.gov). If you have general questions regarding the County of Los Angeles Municipal Storm Water Discharge Permit, please contact Carlos Urrunaga at (213) 620-2083 or via email at [currenaga@waterboards.ca.gov](mailto:currenaga@waterboards.ca.gov).

Sincerely,



Deborah J. Smith  
Interim Executive Officer

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11/2/2005 14:00	Gerhardt.Hubner@ventura.org	Gerhardt Hubner
2/11/2007 18:35	Give.Me.Your.Junk@hotmail.com	Junk Mail
12/1/2004 14:54	JEndicott@aei-casc.com	Jeff Endicott
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8/18/2004 15:31 jccarmody2002@yahoo.com	John Carmody
3/18/2005 12:58 jcowan@cityofalhambra.org	James Cowan
7/22/2005 12:08 jcrisolo@dhs.ca.gov	Joseph Crisologo
3/3/2005 11:08 joruz@ladpw.org	Jemellee Cruz
4/13/2007 16:56 jfordyce@waterboards.ca.gov	Jennifer Fordyce
3/1/2005 14:53 jgibson@torrnet.com	Jeffery W. Gibson
3/1/2005 15:11 jgregg@coastal.ca.gov	Jack H. Gregg
1/25/2006 7:47 jgully@lacs.org	Joseph R. Gully
3/1/2005 9:21 jhall@waterboards.ca.gov	Jessica Hall
3/1/2005 12:56 jharmon@weho.org	Jan Harmon
2/28/2005 14:44 jhuff@wpinc.com	John Huff
3/2/2005 16:53 jhunter@jlha.net	John Hunter
4/24/2004 16:38 jhussain@onyxes.com	Javed Hussain
4/12/2006 14:14 jim.lamm@ballonacreek.org	Jim Lamm
7/13/2005 13:30 jjensen@waterboards.ca.gov	Joanna Jensen
3/1/2005 10:54 jkelly@toaks.org	JoAnne Kelly
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3/4/2005 9:54 jmundy@lvmwd.com	John R. Mundy
7/21/2005 9:10 jnewman@waterboards.ca.gov	Jenny Newman
6/19/2006 15:58 jodi.l.clifford@usace.army.mil	Jodi Clifford
7/17/2006 13:22 jpereira@ladpw.org	Jason Pereira
3/1/2005 15:07 jranells@ci.la-verne.ca.us	JR Ranells
3/8/2005 10:51 jreinhardt@lvmwd.com	Jeff Reinhardt
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4/14/2005 12:52 jtruhan@mwdh2o.com	Joyce T. Clark
4/5/2007 16:20 justin@calcattlemen.org	Justin Oldfield
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10/23/2006 16:00 kfarfsing@cityofsignalhill.org	Kenneth C. Farfsing
3/8/2005 15:09 kharris@waterboards.ca.gov	Ken Harris
3/4/2005 10:03 kimberlycolbert@caaprofessionals.com	Kimberly Colbert
9/26/2006 23:35 kimo@pukashell.net	A. Kimo Morris Ph.D.
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3/3/2005 9:18 kkeeling@bonterraconsulting.com	Kristin Keeling

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4/28/2005 13:15 kozelka.peter@epa.gov  
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3/14/2007 16:53 krubin@ladwp.com  
10/11/2005 15:34 ksusilo@geosyntec.com  
6/14/2006 9:30 kthompson@mail.wqa.org  
3/20/2002 0:00 kwf@san.lacity.org  
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3/8/2005 7:43 lance.baroldi@claytonindustries.com  
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3/27/2007 15:01 lchipponeri@wineinstitute.org  
2/13/2007 9:52 leighanner@westbasin.org  
12/20/2006 15:37 leo@wecklabs.com  
1/23/2006 15:45 leoj@saic.com  
7/17/2002 0:00 lgallardo@waterboards.ca.gov  
9/20/2006 8:23 lhornik@tornet.com  
11/9/2004 14:20 liyingxia@hotmail.com  
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3/28/2005 15:37 mgold@healthebay.org  
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7/12/2006 16:21 mlevy@waterboards.ca.gov  
1/25/2006 18:01 mpestrel@ladpw.org  
3/26/2007 14:40 mpeterson@kpcc.org  
4/4/2007 9:11 mpf@stateside.com  
1/23/2007 13:12 mpole@nossaman.com  
3/4/2005 14:59 mnrnolan@socal.rr.com  
3/1/2005 9:27 msubbotin@newhall.com  
9/23/2004 12:04 mtaylor@bna.com  
11/30/2005 7:54 mtruong@ch2m.com  
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Leigh Ann Grabowsky  
Lance Baroldi  
laurie solis  
Lisa Austin  
Laura Behjan  
Lucinda Chipponeri  
Leighanne Reeser  
Leo Raab  
Jonathan S. Leo  
Laura Gallardo  
Loriana Hornik  
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Laura Larsen  
Lisa Martinez  
L. B. Nye  
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Melvin Oleson  
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Mitchell Goode  
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Michael Levy  
Mark Pestrella  
Molly Peterson  
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2/28/2005 17:29	shellis@lwa.com	Shelli St.Clair
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3/11/2005 12:43 vanessatubaces@caaprofessionals.com  
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2/15/2007 11:03 vhevener@lynwood.ca.us  
7/20/2001 0:00 vwatt@parks.ca.gov  
10/11/2006 14:13 wbotha@daley-heft.com  
11/18/2005 5:14 wfunderburk@sfcfirm.com  
3/1/2005 9:35 winter@theriverproject.org  
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Melanie Winter  
Wayne Grandin  
Sim, Youn  
Zora Baharians

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3/2/2005 9:56	Citymanager@hiddenhillscity.org	Cherie L. Paglia
10/21/2005 6:54	Gary_Garofalo@dot.ca.gov	Gary Garofalo
11/2/2005 14:00	Gerhardt.Hubner@ventura.org	Gerhardt Hubner
2/11/2007 18:35	Give.Me.Your.Junk@hotmail.com	Junk Mail
12/30/2004 1:29	Joemamabush@netzero.com	Joe Bell
3/10/2006 11:22	John.Bullington@sbcglobal.net	John Bullington
1/15/2003 0:00	JohnB648@AOL.com	John Bullington
3/1/2005 10:40	RWPearson@aol.com	Roger W. Pearson
2/3/2001 0:00	Will@Chico.com	William Harris
2/22/2005 9:27	aahlering@ladpw.org	Andrew Ahlering
12/13/2005 9:31	adavis@rbf.com	Anne G. Davis
12/19/2005 11:22	adorablesam_4@yahoo.co.in	sam
1/3/2001 0:00	aharrington@ci.claremont.ca.us	Andrea Harrington
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9/27/2005 13:12	akeller@hnpc.com	Andrew Keller
9/8/2005 10:08	allen.camp@sfcoc.com	Allen F. Camp
12/28/2004 7:34	asaponara@treadwellrollo.com	Anthony Saponara
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3/7/2005 13:11	barry.snyder@amec.com	Barry J. Snyder
2/22/2007 14:38	barvai@fuscoe.com	Bryan Arvai
2/28/2005 16:44	baykeeper@smbaykeeper.org	Tracy Egoscue
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7/18/2006 19:43	bscheiwe@lacorps.org	Brent Scheiwe
9/20/2006 14:25	ca3@imsinfo.com	Cory R. Espinoza
3/2/2005 7:13	canderson@ci.azusa.ca.us	Chet F. Anderson
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7/20/2006 15:30	charlie.yu@lacity.org	Charlie Yu
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6/24/2004 16:23	cyavas@akmce.com	Cenk Yavas
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7/22/2005 12:08 jcrisolo@dhs.ca.gov  
3/3/2005 11:08 jcruz@ladpw.org  
4/13/2007 16:56 jfordyce@waterboards.ca.gov  
3/1/2005 14:53 jgibson@torrnet.com  
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1/25/2006 7:47 jgully@lacsds.org  
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4/16/2003 0:00 kae@jmbm.com  
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10/30/2003 0:00 kathleen.enve@verizon.net  
10/23/2006 16:00 kfarsing@cityofsignalhill.org  
9/26/2006 23:35 kimo@pukashell.net  
6/22/2004 12:29 kjones@dot.ca.gov  
3/24/2005 14:34 kprickett@portla.org  
4/8/2003 0:00 kragland@portla.org  
3/14/2007 16:53 krubin@ladwp.com  
4/16/2002 0:00 kruffell@lacsds.org  
3/3/2005 14:26 ksnow@csulb.edu  
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2/12/2007 10:18 laurie\_solis@urscorp.com  
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2/28/2005 11:12 lorettac@ci.irwindale.ca.us  
10/25/2004 9:10 macariaf@hotmail.com  
3/1/2005 13:14 mad@san.lacity.org  
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Joseph R. Gully  
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Jim Marchese  
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Julie Van Wagner  
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Kat Prickett  
Kenneth Ragland  
Katherine Rubin  
Kristen Ruffell  
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2/24/2006 12:06 powerskj@yahoo.com  
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3/2/2005 10:27 rprieto@cla.lacity.org  
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2/27/2001 0:00 thughes@opw-fc.com  
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4/22/2003 0:00 vconway@lacsds.org  
11/19/2001 0:00 waterman4u2@hotmail.com  
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1/24/2006 16:33 wetlandact@earthlink.net  
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Rafael Prieto  
Robert Sams  
Susan Bawden  
Steven R. Chambers  
Scott Morris  
Dan Maze  
Shawna Hilgert  
Susana Nasserie  
Stephanie Parent  
Steve Vogel  
Tracy Duffey  
Tim Hughes  
TJ Kim  
Thomas Klinger  
Thomas Moorhouse  
Tom Leary  
Theresa Rodgers  
Thomas Sullivan  
Victoria O. Conway  
David DuVarney  
Wentzelee Botha  
Wayne Ishimoto  
Marcia Hanscom  
Youn Sim  
Yvette M. Lama  
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2/11/2007 18:35	Give.Me.Your.Junk@hotmail.com	Junk Mail
5/31/2005 14:57	Ivan.Karnezis@dot.ca.gov	Ivan Karnezis
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3/1/2005 15:07 skennedy@enfact.net  
3/28/2005 15:36 smith.davidw@epa.gov  
10/5/2000 0:00 snasserie@waterboards.ca.gov  
2/28/2005 10:33 spaulsen@flowscience.com  
2/22/2001 0:00 srubalcava@wbccounsel.com  
4/12/2007 11:02 sschaless@ladpw.org  
3/2/2005 9:44 susanstar10@sbcglobal.net  
1/6/2005 15:15 tbilezikjian@rbf.com  
3/6/2007 8:05 tfung@dot.ca.gov  
10/5/2000 0:00 trodgers@waterboards.ca.gov  
3/3/2005 9:08 tsmith@bonterraconsulting.com  
3/11/2005 12:43 vanessatubaces@caaprofessionals.com  
10/3/2006 11:18 vbapna@ladpw.org  
4/22/2003 0:00 vconway@lacsds.org  
10/11/2006 14:13 wbotha@daley-heft.com  
12/18/2000 0:00 wcis@chevron.com  
11/18/2005 5:14 wfunderburk@sfcfirm.com  
4/4/2006 16:22 ysim@ladpw.org  
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Vik Bapna  
Victoria O. Conway  
Wentzelee Botha  
Wayne Ishimoto  
William Funderburk  
Youn Sim  
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4/11/2006 14:03	Edgar.Saenz@mail.house.gov	Edgar Saenz
4/12/2006 8:13	Elizabeth.Laskowska@lacity.org	Elizabeth Laskowska
10/21/2005 6:54	Gary_Garofalo@dot.ca.gov	Gary Garofalo
2/11/2007 18:35	Give.Me.Your.Junk@hotmail.com	Junk Mail
5/31/2005 14:57	Ivan.Karnezis@dot.ca.gov	Ivan Karnezis
12/1/2004 14:54	JEndicott@aei-casc.com	Jeff Endicott
10/26/2000 0:00	JHunter@JLHA.Net	John Hunter
2/28/2005 16:05	JVALENTINE@CITYOFPASADENA.NET	Jim Valentine
3/10/2006 11:22	John.Bullington@sbcglobal.net	John Bullington
1/15/2003 0:00	JohnB648@AOL.com	John Bullington
9/28/2006 10:58	Lee.Peterson@dailybreeze.com	Lee Peterson
12/1/2006 11:26	Leila.Barker@lacity.org	Leila Barker
3/1/2005 11:45	MLansdell@ci.gardena.ca.us	Mitchell Lansdell
3/4/2005 6:57	RKUBOMO@ladpw.org	Rod Kubomoto
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4/11/2006 14:14	Wing.Tam@lacity.org	Wing Tam
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3/30/2005 15:39	bradmilner@kennedyjenks.com	Brad Milner
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 3/14/2007 16:53 krubin@ladwp.com  
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 4/19/2007 9:52 kward@waterboards.ca.gov  
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 2/12/2007 10:18 laurie\_solis@urscorp.com  
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 Javed Hussain  
 Joanna Jensen  
 Judi Miller  
 Jess Morton  
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 John Craig  
 Jason Pereira  
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 Joseph Skelley  
 Jerrick Torres  
 Justin Oldfield  
 Jack Yoshino  
 Kathleen McDonnell  
 Kathleen McGowan  
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 Karly Katona  
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 Katherine Rubin  
 Ken Susilo  
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 Kim Ward  
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2/28/2005 11:12	lorettac@ci.irwindale.ca.us	Loretta Corpis
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4/4/2007 9:11	mpf@stateside.com	Melissa Patra Farmer
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3/2/2005 11:56	pfu@huntingtonpark.org	Patrick Fu
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2/28/2005 17:29 shellis@lwa.com  
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6/29/2006 13:34 suzanne@lasgrwc.org  
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3/6/2007 8:05 tfung@dot.ca.gov  
3/2/2005 11:01 toleary@longbeach.gov  
7/1/2004 11:22 trodgers@waterboards.ca.gov  
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3/11/2005 12:43 vanessatubaces@caaprofessionals.com  
4/22/2003 0:00 vconway@lacsds.org  
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10/11/2006 14:13 wbotha@daley-heft.com  
11/18/2005 5:14 wfunderburk@sfcfirm.com  
3/1/2005 9:35 winter@theriverproject.org  
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T Scott Schales  
Michael Stover  
Susannah Turney  
Susan Stark  
Suzanne Dallman  
Tanya Bilezikjian  
Tom Fung  
Tom Leary  
Theresa Rodgers  
Thomas E Smith Jr  
Vanessa Tubaces  
Victoria O. Conway  
Vanessa Hevener  
Vijay N. Desai  
Wentzelee Botha  
William Funderburk  
Melanie Winter  
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3/1/2005 7:20	cinciong@ladpw.org	Carrie Inciong
5/30/2006 12:12	clayton.yoshida@ladpw.com	Clayton Yoshida
2/28/2005 13:13	cleanwater@sfo.com	Daniel Cooper
10/4/2006 9:09	cmitchell@mbcnet.net	Charles T. Mitchell
10/1/2004 13:12	courtney.morgan@hydromail.com	Courtney Morgan
2/28/2005 15:13	cperez@newhall.com	Cris Perez
6/1/2006 8:25	csaylan@earthlink.net	charles saylan
4/5/2005 8:39	csjoberg@ladpw.org	Carl W. Sjoberg
7/17/2006 17:05	currenaga@waterboards.ca.gov	Carlos Urrunaga
3/11/2005 16:06	danflorescu@caaprofessionals.com	Dan Florescu
3/13/2007 14:10	dapt@rbf.com	Daniel Apt
3/6/2006 10:57	darrell.siegrist@ventura.org	Darrell Siegrist
1/20/2005 13:51	dave@integratedwater.com	Dave Parkinson
3/1/2005 8:57	david.thomas@ventura.org	David F. Thomas

3/4/2005 14:24	dburhenn@burhenngest.com	Dave Burhenn
2/13/2007 9:57	deana@aquabiocleanup.com	Deana Vitela
6/6/2006 15:12	deborah.weinstein@lacity.org	Deborah Weinstein
7/6/2006 13:30	dfox@treepeople.org	Debbie Edgar Fox
5/17/2001 0:00	djwri@hotmail.com	Dan Wright
7/28/2004 14:39	dlippman@lvmwd.com	David Lippman
3/17/2006 14:34	donna.chen@lacity.org	Donna Chen
11/26/2003 0:00	dwebster@calrestrats.com	Debbie Webster
2/28/2005 9:05	earl.lapensee@rcslade.com	Earl LaPensee
9/12/2006 14:36	ewu@waterboards.ca.gov	Eric Wu
4/5/2005 9:52	fchin@ladpw.org	Frank Chin
3/3/2005 15:51	fleming.terrence@epa.gov	Terrence Fleming
8/6/2002 0:00	gary.wortham@tetrattech.com	Gary Wortham
8/15/2005 13:54	gfrantz@waterboards.ca.gov	Greg Frantz
10/5/2006 10:00	ggreene@downeyca.org	Gerald Greene
3/9/2005 10:45	ghildeb@ladpw.org	Gary Hildebrand
10/12/2005 15:50	gmarsh@waterboards.ca.gov	Glenda Marsh
12/22/2006 8:49	gregory.savitske@tetrattech-ffx.com	Gregory Savitske
1/16/2007 8:05	gvillarreal@rbf.com	Gian Villarreal
10/24/2005 11:59	gwlaforge@aei-casc.com	Gary W. LaForge
3/2/2005 16:00	hashimoto.janet@epa.gov	Janet Hashimoto
4/25/2006 14:31	hgallardy@ladpw.org	Heather Gallardy
11/17/2005 11:07	houstgrp@pacbell.net	Laura Cottrell
12/7/2006 17:28	jbell@mwdh2o.com	Janet Bell
5/9/2006 12:33	jcox@waterboards.ca.gov	Joanne Cox
7/22/2005 12:09	jcrisolo@dhs.ca.gov	Joseph Crisologo
3/3/2005 11:08	jcruz@ladpw.org	Jemellee Cruz
3/2/2005 10:56	jdeakin@simivalley.org	Joe Deakin
3/4/2005 10:31	jeff.mack@smgov.net	Jeff Mack
4/13/2007 16:56	jfordyce@waterboards.ca.gov	Jennifer Fordyce
1/25/2006 7:47	kgully@lacsdsd.org	Joseph R. Gully
4/13/2001 0:00	jharris@rwglaw.com	John J. Harris
4/24/2004 16:38	jhussain@onyxes.com	Javed Hussain
7/13/2005 13:27	jjensen@waterboards.ca.gov	Joanna Jensen
3/1/2005 10:55	jkelly@toaks.org	JoAnne Kelly
3/4/2005 9:54	jmundy@lvmwd.com	John R. Mundy
7/21/2005 9:10	jnewman@waterboards.ca.gov	Jenny Newman
6/19/2006 15:58	jodi.l.clifford@usace.army.mil	Jodi Clifford
7/17/2006 13:22	jpereira@ladpw.org	Jason Pereira
3/8/2005 10:51	jreinhardt@lvmwd.com	Jeff Reinhardt
1/24/2006 16:50	jtobel@waterboards.ca.gov	Jack Topel
4/5/2007 16:20	justin@calcattlemen.org	Justin Oldfield
3/1/2005 16:51	kamcdonnell@mactec.com	Kathleen McDonnell
3/15/2005 14:42	kathleen.enve@verizon.net	Kathleen McGowan
6/15/2006 16:08	ken.franklin@lacity.org	Kenneth Franklin
10/23/2006 16:00	kfarfsing@cityofsignalhill.org	Kenneth C. Farfsing
3/8/2005 15:09	kharris@waterboards.ca.gov	Ken Harris
3/4/2005 10:03	kimberlycolbert@caaprofessionals.com	Kimberly Colbert
9/26/2006 23:35	kimo@pukashell.net	A. Kimo Morris Ph.D.
2/15/2006 16:17	kjames@healthebay.org	Kirsten James
6/22/2004 12:29	kjones@dot.ca.gov	Keith Jones
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4/28/2005 13:15 kozelka.peter@epa.gov	Peter Kozelka
3/24/2005 14:34 kprickett@portla.org	Kat Prickett
3/14/2007 16:53 krubin@ladwp.com	Katherine Rubin
10/11/2005 15:34 ksusilo@geosyntec.com	Ken Susilo
5/22/2006 12:45 kthompson@mail.wqa.org	Kelley Thompson
4/19/2007 9:52 kward@waterboards.ca.gov	Kim Ward
3/20/2002 0:00 kwf@san.lacity.org	Kris Flaig
2/12/2007 10:18 laurie_solis@urscorp.com	laurie solis
9/29/2005 10:09 laustin@geosyntec.com	Lisa Austin
2/13/2007 9:52 leighanner@westbasin.org	Leighanne Reeser
12/20/2006 15:37 leo@wecklabs.com	Leo Raab
2/7/2001 0:00 lisa.williams@isa-assoc.com	Lisa Williams
11/9/2004 14:20 liyingxia@hotmail.com	sunny li
3/24/2004 11:19 llarsen@rbf.com	Laura Larsen
1/19/2005 10:42 lmartinez@biasec.org	Lisa Martinez
10/4/2006 15:48 lnye@waterboards.ca.gov	L. B. Nye
2/28/2005 11:12 lorettac@ci.irwindale.ca.us	Loretta Corpis
6/27/2005 14:56 louise.rishoff@asm.ca.gov	Louise Rishoff
4/14/2006 8:03 mailbugrants@aol.com	Barbara A. Cameron
3/17/2005 14:19 mariki@ladpw.org	Menerva Ariki
3/1/2005 9:12 mark.davis@ventura.org	Mark Davis
1/18/2002 0:00 marym@water.ca.gov	Mary M. Miller
10/18/2005 9:54 mbaker@crglabs.com	Mark D. Baker
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3/28/2005 15:37 mgold@healthebay.org	Mark Gold
3/3/2005 10:09 mlcoffee@nossaman.com	Mary Lynn Coffee
7/12/2006 16:22 mlevy@waterboards.ca.gov	Michael Levy
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3/26/2007 14:40 mpeterson@kpcc.org	Molly Peterson
4/4/2007 9:11 mpf@stateside.com	Melissa Patra Farmer
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9/23/2004 12:04 mtaylor@bna.com	Matthew Taylor
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2/8/2007 9:35 nadadora79@hotmail.com	Laurel Fink
5/7/2007 16:55 nancyf@rinconconsultants.com	Nancy Fox-Fernandez
10/25/2006 11:03 oac06_07@yahoo.com	Dillon Henry
4/18/2007 11:41 ogalang@dpw.lacounty.gov	Oliver Galang
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10/24/2005 11:14 pgouveia@waterboards.ca.gov	Patricia Gouveia
8/16/2005 14:27 pmcgaw@archernorris.com	Peter W. McGaw
2/24/2006 12:06 powerskj@yahoo.com	Kevin Powers
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5/15/2006 15:56 rovinco@aol.com	Corky Roche Roche Vineyard Consulting
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8/20/2002 0:00	sgood@parks.ca.gov	Suzanne Goode
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3/28/2005 15:36	smith.davidw@epa.gov	David W. Smith
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11/19/2001 0:00	waterman4u2@hotmail.com	David DuVarney
10/11/2006 14:13	wbotha@daley-heft.com	Wentzelee Botha
11/18/2005 5:14	wfunderburk@sfcfirm.com	William Funderburk
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4/12/2006 8:13	Elizabeth.Laskowska@lacity.org	Elizabeth Laskowska
10/21/2005 6:54	Gary_Garofalo@dot.ca.gov	Gary Garofalo
2/11/2007 18:35	Give.Me.Your.Junk@hotmail.com	Junk Mail
5/31/2005 14:57	Ivan.Karnezis@dot.ca.gov	Ivan Karnezis
12/1/2004 14:54	JEndicott@aei-casc.com	Jeff Endicott
3/10/2006 11:22	John.Bullington@sbcglobal.net	John Bullington
1/15/2003 0:00	JohnB648@AOL.com	John Bullington
9/28/2006 10:58	Lee.Peterson@dailybreeze.com	Lee Peterson
12/1/2006 11:26	Leila.Barker@lacity.org	Leila Barker
3/17/2005 20:27	RES00CNI@VERIZON.NET	Irma Gallegos
3/4/2005 6:57	RKUBOMO@ladpw.org	Rod Kubomoto
3/1/2005 10:40	RWPearson@adl.com	Roger W. Pearson
4/11/2006 14:14	Wing.Tam@lacity.org	Wing Tam
5/24/2006 11:56	acor@ucla.edu	Alina Corcoran
12/13/2005 9:31	adavis@rbf.com	Anne G. Davis
12/19/2005 11:22	adorablesam_4@yahoo.co.in	sam
1/3/2001 0:00	aharrington@ci.claremont.ca.us	Andrea Harrington
12/17/2005 8:28	aheil@lacs.org	Ann Heil
3/28/2005 13:31	amarsh@pirnie.com	Anita Marsh
4/19/2006 4:26	annadbrat@yahoo.com	A Bee
8/24/2006 15:29	arri@mtaonline.net	Jeffrey Davis
12/28/2004 7:34	asaponara@treadwellrollo.com	Anthony Saponara
11/15/2005 12:22	ashlic@lwa.com	Ashli Desai
3/2/2005 13:11	barbara_klos@urscorp.com	Barbara A. Klos
3/7/2005 13:11	barry.snyder@amec.com	Barry J. Snyder
2/22/2007 14:38	barvai@fuscoe.com	Bryan Arvai
2/28/2005 16:44	baykeeper@smbaykeeper.org	Tracy Egoscue
3/28/2005 15:13	boylehm@cdm.com	Heather Boyle
3/2/2005 20:04	brader@popsound.com	Brian Rader
3/16/2005 9:48	bteaford@ci.burbank.ca.us	Bonnie Teaford
9/20/2006 14:25	ca3@imsinfo.com	Cory R. Espinoza
5/4/2006 16:09	carla.cummings@westonsolutions.com	Carla Cummings
1/25/2006 7:05	cathy.chang@culvercity.org	Cathy Chang
7/1/2004 11:26	cgschultz@waterboards.ca.gov	Catrina Schultz
7/20/2006 15:30	charlie.yu@lacity.org	Charlie Yu
3/1/2005 7:20	cinciong@ladpw.org	Carrie Inciong
5/30/2006 12:12	clayton.yoshida@ladpw.com	Clayton Yoshida
2/28/2005 13:13	cleanwater@sfo.com	Daniel Cooper
10/4/2006 9:09	cmitchell@mbcnet.net	Charles T. Mitchell
10/1/2004 13:12	courtney.morgan@hydromail.com	Courtney Morgan
6/1/2006 8:25	csayan@earthlink.net	charles saylan
4/5/2005 8:39	csjoberg@ladpw.org	Carl W. Sjoberg
7/17/2006 17:05	currunaga@waterboards.ca.gov	Carlos Urrunaga
3/11/2005 16:06	danflorescu@caaprofessionals.com	Dan Florescu
3/13/2007 14:10	dapt@rbf.com	Daniel Apt
1/20/2005 13:51	dave@integratedwater.com	Dave Parkinson
3/4/2005 14:24	dburhenn@burhennegest.com	Dave Burhenn
2/13/2007 9:57	deana@aquabiocleanup.com	Deana Vitela
7/6/2006 13:30	dfox@treepeople.org	Debbie Edgar Fox
5/17/2001 0:00	djwri@hotmail.com	Dan Wright

3/17/2006 14:34 donna.chen@lacity.org	Donna Chen.
11/26/2003 0:00 dwebster@calrestrats.com	Debbie Webster
2/28/2005 9:05 earl.lapensee@rcslade.com	Earl LaPensee
9/12/2006 14:36 ewu@waterboards.ca.gov	Eric Wu
4/5/2005 9:52 fchin@ladpw.org	Frank Chin
3/3/2005 15:51 fleming.terrence@epa.gov	Terrence Fleming
8/6/2002 0:00 gary.wortham@tetrattech.com	Gary Wortham
10/5/2006 10:00 ggrene@downeyca.org	Gerald Greene
10/12/2005 15:50 gmarsh@waterboards.ca.gov	Glenda Marsh
12/22/2006 8:49 gregory.savitske@tetrattech-ffx.com	Gregory Savitske
10/9/2002 0:00 griset@scag.ca.gov	Daniel E. Griset
1/16/2007 8:05 gvillarreal@rbf.com	Gian Villarreal
10/24/2005 11:59 gwlaforge@aei-casc.com	Gary W. LaForge
3/2/2005 16:00 hashimoto.janet@epa.gov	Janet Hashimoto
4/25/2006 14:31 hgallardy@ladpw.org	Heather Gallardy
8/14/2006 17:08 hiiho@sbcglobal.net	Barry Silver
11/17/2005 11:07 houstgrp@pacbell.net	Laura Cottrell
3/1/2005 14:16 jbeller@san.lacity.org	Jeffrey Beller
5/9/2006 12:33 jcox@waterboards.ca.gov	Joanne Cox
7/22/2005 12:09 jcrisol@dhs.ca.gov	Joseph Crisologo
3/3/2005 11:08 jacruz@ladpw.org	Jemellee Cruz
4/13/2007 16:56 jfordyce@waterboards.ca.gov	Jennifer Fordyce
1/25/2006 7:47 jgully@lacsds.org	Joseph R. Gully
4/24/2004 16:38 jhussain@onyxes.com	Javed Hussain
7/13/2005 13:28 jjensen@waterboards.ca.gov	Joanna Jensen
7/21/2005 9:10 jnewman@waterboards.ca.gov	Jenny Newman
7/17/2006 13:22 jpereira@ladpw.org	Jason Pereira
3/4/2005 12:40 jskelley@socal.rr.com	Joseph Skelley
4/5/2007 16:20 justin@calcattlemen.org	Justin Oldfield
3/1/2005 16:51 kamcdonnell@mactec.com	Kathleen McDonnell
3/15/2005 14:42 kathleen.enve@verizon.net	Kathleen McGowan
6/15/2006 16:08 ken.franklin@lacity.org	Kenneth Franklin
10/23/2006 16:00 kfarfsing@cityofsignalhill.org	Kenneth C. Farfsing
3/8/2005 15:09 kharris@waterboards.ca.gov	Ken Harris
2/15/2006 16:17 kjames@healthebay.org	Kirsten James
6/22/2004 12:29 kjones@dot.ca.gov	Keith Jones
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3/24/2005 14:34 kprickett@portla.org	Kat Prickett
3/14/2007 16:53 krubin@ladwp.com	Katherine Rubin
10/11/2005 15:34 ksusilo@geosyntec.com	Ken Susilo
5/22/2006 12:45 kthompson@mail.wqa.org	Kelley Thompson
4/19/2007 9:52 kward@waterboards.ca.gov	Kim Ward
3/20/2002 0:00 kwf@san.lacity.org	Kris Flaig
2/12/2007 10:18 laurie_solis@urscorp.com	laurie solis
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12/20/2006 15:37 leo@wecklabs.com	Leo Raab
2/7/2001 0:00 lisa.williams@lsa-assoc.com	Lisa Williams
4/2/2004 13:13 llarsen@rbf.com	Laura Larsen
1/19/2005 10:42 lmartinez@bjasc.org	Lisa Martinez
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1/18/2002 0:00	marym@water.ca.gov	Mary M. Miller
10/18/2005 9:54	mbaker@crglabs.com	Mark D. Baker
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7/11/2006 16:12	mcohen@rwglaw.com	Matthew Cohen
3/28/2005 15:37	mgold@healthebay.org	Mark Gold
3/3/2005 10:09	mlcoffee@nossaman.com	Mary Lynn Coffee
7/12/2006 16:22	mlevy@waterboards.ca.gov	Michael Levy
1/25/2006 18:01	mpestrel@ladpw.org	Mark Pestrella
3/26/2007 14:40	mpeterson@kpsc.org	Molly Peterson
4/4/2007 9:11	mpf@stateside.com	Melissa Patra Farmer
3/4/2005 14:59	mrnolan@socal.rr.com	Nolan Farkas
9/23/2004 12:04	mtaylor@bna.com	Matthew Taylor
10/25/2006 11:03	oac06_07@yahoo.com	Dillon Henry
10/24/2005 11:14	pgouveia@waterboards.ca.gov	Patricia Gouveia
8/16/2005 14:27	pmcgaw@archernorris.com	Peter W. McGaw
2/24/2006 12:06	powerskj@yahoo.com	Kevin Powers
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9/23/2005 9:31	rez1@earthlink.net	David Reznick
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8/15/2002 0:00	robert_wu@dot.ca.gov	Bob Wu
2/28/2005 12:43	rreinhard@mofa.com	Robert Reinhard
7/11/2006 15:55	rsams@waterboards.ca.gov	Robert Sams
8/23/2006 23:14	service@popeyespumpout.com	Dan Maze
1/3/2006 11:39	sewers@dslextreme.com	Anna Sklar
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7/19/2006 17:36	shanda.beltran@lw.com	shanda beltra.
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2/28/2005 17:29	shellis@lwa.com	Shelli St.Clair
3/1/2005 15:07	skennedy@enfact.net	Sheila Kennedy
3/28/2005 15:36	smith.davidw@epa.gov	David W. Smith
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1/6/2005 15:15	tbilezikjian@rbf.com	Tanya Bilezikjian
3/6/2007 8:05	tfung@dot.ca.gov	Tom Fung
7/1/2004 11:26	trodgers@waterboards.ca.gov	Theresa Rodgers
3/11/2005 12:43	vanessatubaces@caaprofessionals.com	Vanessa Tubaces
4/22/2003 0:00	vconway@lacs.d.org	Victoria O. Conway
10/19/2005 14:45	vndesai@san.lacity.org	Vijay N. Desai
10/11/2006 14:13	wbotha@daley-heft.com	Wentzelee Botha
12/18/2000 0:00	wcis@chevron.com	Wayne Ishimoto
11/18/2005 5:14	wfunderburk@sfcfirm.com	William Funderburk
4/4/2006 16:22	ysim@ladpw.org	Youn Sim
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3/10/2005 10:12	DLaff@ladpw.org	Daniel J. Lafferty
10/21/2005 6:54	Gary_Garofalo@dot.ca.gov	Gary Garofalo
2/11/2007 18:35	Give.Me.Your.Junk@hotmail.com	Junk Mail
5/31/2005 14:57	Ivan.Karnezis@dot.ca.gov	Ivan Karnezis
12/1/2004 14:54	JEndicott@aei-casc.com	Jeff Endicott
3/10/2006 11:22	John.Bullington@sbcglobal.net	John Bullington
1/15/2003 0:00	JohnB648@AOL.com	John Bullington
2/16/2006 15:14	JohnH@ci.brea.ca.us	John Hogan
12/1/2006 11:26	Leila.Barker@lacity.org	Leila Barker
2/16/2006 15:14	Npaproski@anaheim.net	Nicole Paproski
3/4/2005 6:57	RKUBOMO@ladpw.org	Rod Kubomoto
3/1/2005 10:40	RWPearson@aol.com	Roger W. Pearson
2/16/2006 15:18	RonB@ci.fullerton.ca.us	Ron Bowers
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12/13/2005 9:31	adavis@rbf.com	Anne G. Davis
12/19/2005 11:22	adorablesam_4@yahoo.co.in	sam
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2/22/2007 14:38	barvai@fuscoe.com	Bryan Arvai
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3/1/2005 14:50	biniguez@bellflower.org	Bernardo Iniguez
2/16/2006 15:16	bkelly@buenapark.com	Brian Kelly
3/1/2005 11:07	bmichaelis@ci.san-dimas.ca.us	Blaine Michaelis
6/14/2006 10:23	bogorman@gswater.com	Brandy O'Gorman
3/28/2005 15:13	boylehm@cdm.com	Heather Boyle
3/16/2005 9:48	bteaford@ci.burbank.ca.us	Bonnie Teaford
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3/2/2005 7:13	canderson@ci.azusa.ca.us	Chet F. Anderson
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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,

LOS ANGELES REGION  
320 W. 4<sup>TH</sup> STREET  
SUITE 200  
LOS ANGELES, CA 90013

**FACT SHEET**

SUPPORTING THE  
AMENDMENTS TO THE LOS ANGELES COUNTY  
MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT  
(ORDER NO. 01-182 AS AMENDED BY ORDER NO. R4-2006-0074;  
NPDES PERMIT NO. CAS004001) TO  
INCORPORATE SUMMER DRY WEATHER WASTE LOAD  
ALLOCATIONS FOR BACTERIA PURSUANT TO THE  
MARINA DEL REY HARBOR MOTHERS' BEACH AND BACK BASINS  
BACTERIA TMDL

**Summary of Proposed Action**

The Los Angeles Regional Water Quality Control Board (LA Water Board) staff proposes a limited reopening of the LA County Municipal Separate Storm Sewer System (MS4) Permit to incorporate the Marina del Rey Harbor Mothers' Beach<sup>1</sup> and Back Basins Bacteria (MDR Bacteria) Total Maximum Daily Load (TMDL) Waste Load Allocations (WLAs) for summer dry weather discharges from MS4 outfalls to Marina del Rey Harbor (MDRH). The LA Water Board adopted the MDR Bacteria TMDL in 2003 Resolution No. 2003-012. This TMDL was subsequently approved by the State Water Resources Control Board Resolution No. 2003-0072, Office of Administrative Law, and the United States Environmental Protection Agency and became effective on March 18, 2004. This TMDL required compliance with the summer dry weather WLAs and winter dry weather WLAs by March 18, 2007. The compliance deadline for the wet weather

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<sup>1</sup> Mothers' Beach is referred to as Marina Beach in the *Marina del Rey Harbor Mothers' Beach and Back Basins Bacterial TMDL Coordinated Monitoring Plan* and the *Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria TMDL Dry- and Wet-Weather Implementation Plan*.

Water Board, which expired on July 15, 2004. The LA Water Board will notify the State Water Board that it will need to incorporate all adopted TMDL WLAs for the LA Region that apply to Caltrans when the storm water permit is reissued, and to include provisions to ensure compliance, including the prohibition against the discharge of bacteria in excess of water quality objectives for protection of REC-1 to Mothers' Beach and Basins D, E and F in Marina del Rey Harbor during summer dry weather.

On September 14, 2006, the LA Water Board amended the LA County MS4 Permit to incorporate the Santa Monica Bay (SMB) Beaches Bacteria TMDL WLAs for summer dry weather. Although the Marina del Rey Watershed is a subwatershed of the Santa Monica Bay Watershed, there are separate Bacteria TMDLs for each because of MDRH's unique characteristics as an enclosed bay. However, all of the responsible agencies under the MDR Bacteria TMDL are also responsible agencies under the SMB Beaches Bacteria TMDL. The proposed action is identical to the Board's previous action to incorporate the SMB Beaches Bacteria summer dry weather WLAs into the LA County MS4 Permit; it simply extends the provisions to the MDR Watershed.

The reopener provisions in Part 6.1.1 identify the authority and procedures for the Board to modify the permit. The proposed consideration by the LA Water Board to incorporate the MDR Bacteria TMDL summer dry weather WLAs complies with these provisions. The MDR Bacteria TMDL requires compliance with the summer dry weather WLAs by April 1, 2007. This limited reopener of the MS4 Permit to incorporate the summer dry weather WLAs allows the timely enforcement of these WLAs during the summer months, when beach usage is at its highest and the risk to public health from non-compliance with the WLAs is greatest.

The LA Water Board staff is proposing a limited reopener instead of reissuing the MS4 Permit at this time in order to expedite the inclusion of the MDR Bacteria summer dry weather WLAs, and ensure that the TMDL's terms are enforced as required by the Basin Plan's relevant provisions. Presently, the format of the LA Water Board's MS4 permit is being redesigned. The new format is being vetted in the Ventura County Municipal Storm Water NPDES Permit (Board Order No. 00-108; NPDES Permit No. CAS004002), which is currently in the process of reissuance. The Los Angeles MS4



be issued on a system- or jurisdiction-wide basis; (ii) shall include a requirement to effectively prohibit [unauthorized] non-storm water discharges into the storm sewers; and (iii) shall require controls to reduce the discharge of pollutants from storm water to the maximum extent practicable, including management practices, control techniques and systems, design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants. (See CWA §402(p) (3) (B)).

Ordinarily, an NPDES permit imposes [numerical] effluent limitations on such discharges. See 33 U.S.C. § 1342(a)(1) (incorporating effluent limitations found in 33 U.S.C. § 1311). First, a permit-holder "shall . . . achiev[e] . . . effluent limitations . . . which shall require the application of the best practicable control technology [BPT] currently available." 33 U.S.C. § 1311(b)(1)(A). Second, a permit-holder "shall . . . achiev[e] . . . any more stringent limitation, including those necessary to meet water quality standards, treatment standards or schedules of compliance, established pursuant to any State law or regulations (under authority preserved by section 1370 of this title)." 33 U.S.C. § 1311(b)(1)(C). In the case of MS4 NPDES discharge permits, federal courts have ruled that the U.S. EPA has the discretionary authority under "33 U.S.C. § 1342(p)(2)(E) to determine that ensuring strict compliance with state water-quality standards is necessary to control pollutants, or to require less than strict compliance with state water-quality standards, such as a BMP approach" (*Defenders of Wildlife v. Browner*, 191 F.3d 1159 (9<sup>th</sup> Cir., 1999)). Under 33 U.S.C. § 1342(p)(3)(B)(iii), the U.S. EPA has the choice to include either best management practices or numeric limitations in the permits. *NRDC II*, 966 F.2d at 1308 ("Congress did not mandate a minimum standards approach or specify that [the] EPA develop minimal performance requirements.").

### **Regulatory Scheme**

On November 16, 1990, pursuant to CWA § 402(p), the U.S. EPA promulgated regulations at 40 CFR 122.26 which established requirements for storm water discharges under the NPDES program. The U.S. EPA defines storm water at 40 CFR

a TMDL are described in 40 CFR 130.2 and 130.7. A TMDL is defined as "the sum of the individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2). Regulations further require that TMDLs must be set at "levels necessary to attain and maintain the applicable narrative and numeric water quality standards with seasonal variations and a margin of safety that takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality" (40 CFR 130.7 (c) (1)). The regulations at 40 CFR 130.7 also state that TMDLs shall take into account critical conditions for stream flow, loading and water quality parameters. The U.S. EPA has issued guidance for establishing WLAs for storm water discharges in TMDLs and their incorporation as numerical limitations in MS4 Storm Water Permits (U.S. EPA Office of Water Memo, *Establishing Total Maximum Daily Load Wasteload Allocations for Storm Water Sources and NPDES Permit Requirements Based on those WLAs*, Nov 22, 2002 Memo).

Since provisions in NPDES permits must reflect the assumptions and requirements of available TMDLs (40 CFR 122.44 (d)(1)(vii)(B)), the NPDES permit must incorporate the WLAs as either BMPs (reasonably expected to achieve the WLAs when implemented and properly maintained), under specified circumstances (40 CFR 122.44(k)(2) & (3)), or as a Water Quality Based Limitation (WQBEL) expressed numerically. Where a non-numeric effluent limitation is selected, the permit's administrative record must support the expectation that the BMPs are sufficient to achieve the WLAs. (40 CFR 124.8, 124.9, and 124.18.) The guidance, however, does not address non-storm water discharges from an MS4.

### **State Regulatory Authority and Permit History**

The State of California is one of forty-five States with duly delegated authority under the CWA to implement the NPDES permitting program. The Porter-Cologne Water Quality Control Act (California Water Code) authorizes the State Board, through the nine regional boards, to issue NPDES permits, and regulate and control the discharge of pollutants into waters of the State. To comply with the CWA, the Los Angeles Regional Water Board (LA Water Board) issued the first storm water permit ("predecessor

(Basin Plan), and applicable statewide plans, serves as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the LA Water Board. LA Water Board-issued NPDES permits must contain provisions consistent with the State Water Quality Management Plan.

### **TMDL History**

The LA Water Board adopted the MDR Bacteria TMDL, including WLAs, to address documented bacteriological water quality impairments at Mothers' Beach and Basins D, E, and F in Marina del Rey Harbor. The WLAs for bacteria during summer dry weather (April 1 to October 31) for the LA County MS4 Permittees that discharge to Marina del Rey Harbor are set at zero allowable exceedance days of the single sample bacteria objectives at each sampling location for the protection of public health. The WLAs, expressed as exceedance days of the single sample bacteria objectives, for each sampling location during winter dry weather (November 1 to March 31) are specified in Basin Plan Table 7-5.2. No exceedances of the geometric mean bacteria objectives are allowed during summer or winter dry weather under the MDR Bacteria TMDL. Winter dry weather bacteria WLAs are not considered for inclusion at this time because of the pending reconsideration of the MDR Bacteria TMDL, which is scheduled to take place in the fall of 2007. Dry weather is defined in the TMDL as those days with less than 0.1 inch of rainfall, and more than three days after a rain day (consistent with the 72-hour period used by the County Department of Health Services to post beaches with rain advisories). The TMDL defines rain days as those days with greater than or equal to 0.1 inch of rainfall. (One-tenth inch of rainfall is the minimum amount of rainfall that will produce runoff and is the smallest unit of measure on standard rain gauges operated by flood management agencies.) Flow from an MS4 outfall to Marina del Rey Harbor on a summer dry weather day is identified as a non-storm water discharge.

The MDR Bacteria TMDLs were adopted to reduce the risk of illness associated with swimming in marine waters contaminated with human sewage and other sources of bacteria. Approximately 200,000 beachgoers visit Mothers' Beach annually and is popular among mothers with children because of the absence of surf tides. In addition,

water quality standards in an iterative manner. The Water Boards have no affirmative obligation to notify MS4 Permittees that they are in violation of permit provisions, for them to initiate corrective action to remedy exceedances of water quality standards.

In September 2005, the State Water Board convened an expert panel to make findings and recommendations on the feasibility of including numerical effluent limitations in storm water discharge permits, including MS4 permits. The panel issued a report titled, *The Feasibility of Numeric Effluent Limits Applicable to Discharges of Storm Water Associated with Municipal, Industrial and Construction Activities* (June 2006). The panel concluded that it was not feasible to set enforceable numeric effluent criteria for municipal storm water discharges or storm water BMPs at this time. Nevertheless, the panel recommends an interim approach using action levels based either on consensus, or ranked percentile distributions, or statistically derived population parametrics. The panel neither deliberated nor made any determination on how non-storm water discharges from MS4s that adversely affect receiving waters are to be addressed in storm water permits. While the State Water Board has convened workshops to discuss the panel's report, the State Board has not yet taken any action on the report. Again, this panel's report does not address non-storm water discharges from point sources like the MS4.

### **Implementation under the MS4 Permit through the IC/IDE Program**

LA County MS4 Permittees have been implementing an illicit connections/illicit discharges elimination (IC/IDE) program over nearly three permit terms (1990 – present) and have been accorded ample opportunity to eliminate unauthorized non-storm water discharges from the MS4 that are causing or contributing to the exceedance of a water quality objective, or to require operators of such discharges to be permitted through the Water Board's NPDES program. In 2001, the LA Water Board revised its single sample and geometric mean water quality objectives for bacteria to reflect U.S. EPA recommended criteria and the findings of a peer-reviewed local

### **Implementation under the MDR Bacteria TMDL**

The MS4 permittees in the MDR Watershed have already begun taking actions to reduce bacteria impairments in MDRH, including at Mothers' Beach. Technical options for compliance with the dry weather WLAs for MDRH have been previously analyzed by the Permittees (Marina del Rey Harbor Mother's Beach and Back Basins Bacteria TMDL Dry- and Wet-Weather Implementation Plan (January 2007); Santa Monica Bay Beaches Bacteria TMDL Implementation Plan for Jurisdictional Groups 2 and 3, (Feb 2005)). Potential solutions include (i) institutional controls (non-structural source controls) such as public education and restaurant inspections; (ii) sub-regional (distributed or decentralized) controls such as small-scale infiltration and limited treatment; (iii) regional controls such as capture, storage and treatment systems or constructed wetlands; and (iv) low-flow diversion to waste water treatment plants. The LA County MS4 Permittees within the MDR Watershed have already submitted an Implementation Plan, to achieve the MDR Bacteria TMDL, for the LA Water Board's review. In April of 2006, the Board reviewed and acknowledged support for this plan under Resolution 2006-009.

### **State Grants and Bond Funds for Implementation**

The State Water Board and the LA Regional Water Board have funded a total of 27 projects costing \$18.7 million within the Santa Monica Bay Watershed, of which the MDR Watershed is a part, to address bacterial contamination. Accordingly, some of the monies granted to the SMB Watershed are directed toward MDRH projects. Six of these projects worth \$3.5 million dollars are for the treatment of bacteria or pathogens as the primary pollutant. In addition, there are twenty-one Clean Beach Initiative (CBI) Projects worth \$15.1 million, primarily dry-weather diversion projects, within the Santa Monica Bay. These projects are managed by the State Water Board and are for bacteria reduction. Most of the projects are underway and are at various stages of completion. Similarly, the Santa Monica Bay Restoration Commission (SMBRC) has issued grant funds of about \$5.8 million for 16 projects to treat dry weather flows to Santa Monica Bay, eight of which have been completed.

Rey Harbor in 2003 demonstrates the need for greater action and strict enforcement of the WLAs. Permittees have never taken the initiative to submit a Receiving Water Limits Compliance Report, despite recurring exceedances of water quality standards. As noted earlier, few Permittees have documented revisions to the SQMP to address chronic exceedances of water quality standards.

b. MS4 Unauthorized Non-Storm Water Discharge Prohibition – The LA MS4 Permit includes provisions to effectively prohibit unauthorized non-storm water discharges. Permittees may achieve the effective prohibition by implementing other source control measures or an IC/IDE program to remove unauthorized non-storm water discharges or to get them permitted through the Water Board's NPDES program. Given the fact that the proposed action is limited in scope in that it seeks to prohibit discharges during summer dry weather (non-storm water) from MS4s to Mothers' Beach and Basins D, E, and F in MDRH and that compliance is determined by receiving water limitations rather than end-of-pipe (i.e., effluent) limitations, it is a reasonable action by the LA Water Board to protect water quality and human health, while considering the burden it imposes on MS4 Permittees in the MDR Watershed. Thus, even if end-of-pipe concentrations exceed receiving water limitations, there is no exceedance unless the discharge causes or contributes to the exceedance of the Receiving Water Limits (RWLs). In essence, the prohibition option does not impose an end-of-pipe water quality based numeric effluent limitation, contrary to arguments raised by many Permittees. Rather, compliance with the bacteria WLAs is determined in the receiving water at the initial point of mixing. New language has been added to the RWLs section to clarify how compliance with the relevant limitations will be determined. Under federal law, when a non-numeric water quality based effluent limit is imposed, the permit's administrative record, and fact sheet needs to support the approach as sufficient to attain the WLA (See 40 CFR 124.8, 124.9 and 124.18). The LA Water Board's administrative record adequately supports the proposed approach as being sufficient to meet the MDR Bacteria TMDL summer dry weather WLAs.

c. Combined Non-Storm Water/Storm Water MS4 Permit – An MS4 storm water permit may also cover non-storm water discharges. In that case, both storm water discharges and non-storm water discharges can be included in the same permit (or in multiple

## **Recommended Action**

Given the narrow purpose of the amendments, which is to make the Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria TMDL summer dry weather WLAs enforceable for discharges from the MS4 staff recommends 'Option b'.

Option b amends the LA County MS4 permit in a limited manner with revisions to Findings; Part 1. Discharge Prohibitions Section; and Part 2. Receiving Water Limitations Section to incorporate the MDR Bacteria summer dry weather WLAs. The changes are the addition of new receiving water limitations for bacteria and a prohibition against non-storm water discharges from the MS4 to MDRH Basins D, E, and F that result in an exceedance of the bacteria receiving water limitations.

This action amending an NPDES permit is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (Cal. Public Resources Code § 21100 *et. seq*) in accordance with Cal. Water Code § 13389. Nevertheless, staff considered the environmental impacts that may result from this action by evaluating the fiscal burden associated with eliminating bacteria exceedances at Mothers' Beach and MDR Harbor through various control measures and engineering practices with the economic and health costs associated with continuing exceedance of the beach bacteria standards, and determined that the environmental and public health benefits far outweigh the fiscal burden.

Part 6.I.1 of the permit identifies the limited conditions under which the LA County MS4 permit may be reopened for modification and the procedures to be followed. The procedures for this hearing and the recommended action fully comply with the terms of those permit provisions.

**[PROPOSED ADDITIONS ARE UNDERLINED AND DELETIONS ARE IN STRIKETHROUGH]**

State Water Resources Control Board, P.O. Box 100, Sacramento, California, 95812, within 30 days of adoption of the Order by the Regional Board.

- 8. This Order may be modified or alternatively revoked or reissued prior to its expiration date, in accordance with the procedural requirements of the NPDES program, and the CWC for the issuance of waste discharge requirements.

**IT IS HEREBY ORDERED** that the Los Angeles County Flood Control District, Los Angeles County, and the Cities of Agoura Hills, Alhambra, Arcadia, Artesia, Azusa, Baldwin Park, Bell, Bellflower, Bell Gardens, Beverly Hills, Bradbury, Burbank, Calabasas, Carson, Cerritos, Claremont, Commerce, Compton, Covina, Cudahy, Culver City, Diamond Bar, Downey, Duarte, El Monte, El Segundo, Gardena, Glendale, Glendora, Hawaiian Gardens, Hawthorne, Hermosa Beach, Hidden Hills, Huntington Park, Industry, Inglewood, Irwindale, La Cañada Flintridge, La Habra Heights, Lakewood, La Mirada, La Puente, La Verne, Lawndale, Lomita, Los Angeles, Lynwood, Malibu, Manhattan Beach, Maywood, Monrovia, Montebello, Monterey Park, Norwalk, Palos Verdes Estates, Paramount, Pasadena, Pico Rivera, Pomona, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Rosemead, San Dimas, San Fernando, San Gabriel, San Marino, Santa Clarita, Santa Fe Springs, Santa Monica, Sierra Madre, Signal Hill, South El Monte, South Gate, South Pasadena, Temple City, Torrance, Vernon, Walnut, West Covina, West Hollywood, Westlake Village, and Whittier, in order to meet the provisions contained in Division 7 of the CWC and regulations adopted thereunder, and the provisions of the CWA, as amended, and regulations and guidelines adopted thereunder, shall comply with the following:

**Part 1. DISCHARGE PROHIBITIONS**

- Part 1. A. The Permittees shall effectively prohibit non-storm water discharges into the MS4 and watercourses, except where such discharges:
  - 1. Are covered by a separate individual or general NPDES permit for non-storm water discharges; or
  - 2. Fall within one of the categories below, and meet all conditions when specified by the Regional Board Executive Officer:
    - a) Category A - Natural flow:
      - (1) Natural springs and rising ground water;
      - (2) Flows from riparian habitats or wetlands;
      - (3) Stream diversions, permitted by the State Board; and
      - (4) Uncontaminated ground water infiltration [as defined by 40 CFR 35.2005(20)].
    - b) Category B - Flows from emergency fire fighting activity.

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- c) Category C - Flows incidental to urban activities:
- (1) Reclaimed and potable landscape irrigation runoff;
  - (2) Potable drinking water supply and distribution system releases (consistent with American Water Works Association guidelines for dechlorination and suspended solids reduction practices);
  - (3) Drains for foundations, footings, and crawl spaces;
  - (4) Air conditioning condensate;
  - (5) Dechlorinated/debrominated swimming pool discharges;
  - (6) Dewatering of lakes and decorative fountains;
  - (7) Non-commercial car washing by residents or by non-profit organizations; and
  - (8) Sidewalk rinsing.

The Regional Board Executive Officer may add or remove categories of non-storm water discharges above. Furthermore, in the event that any of the above categories of non-storm water discharges are determined to be a source of pollutants by the Regional Board Executive Officer, the discharge will no longer be exempt from this prohibition unless the Permittee implements conditions approved by the Regional Board Executive Officer to ensure that the discharge is not a source of pollutants. Notwithstanding the above, the Regional Board Executive Officer may impose additional prohibitions of non-storm water discharges in consideration of antidegradation policies and TMDLs.

Part 1. B. Discharges of Summer Dry Weather<sup>4</sup> flows from MS4s into Santa Monica Bay<sup>12</sup> or into Marina del Rey Harbor Basins D, E, or F, including Mothers' Beach, that cause or contribute to exceedances of the bacteria Receiving Water Limitations in Part 2.5 and 2.6 below, are prohibited.<sup>3</sup>

## Part 2. RECEIVING WATER LIMITATIONS

1. Except as provided in Part 2.5 and 2.6 below, discharges from the MS4 that cause or contribute to the violation of Water Quality Standards or water quality objectives are prohibited.

<sup>4</sup> Dry Weather shall be determined as set forth in the Santa Monica Bay Beaches Bacterial TMDLs Coordinated Shoreline Monitoring Plan dated April 7, 2004, or any amendments thereto.

<sup>12</sup> Santa Monica Bay encompasses the coastal waters from Point Dume to Point Fermin and seaward to the 500-meter depth contour. It includes all beaches from the Los Angeles/Ventura County line south to the Outer Cabrillo Beach located just south of the Palos Verdes Peninsula.

<sup>23</sup> Responsibility for such prohibited discharges is determined as indicated in Footnote 3 part (23) of Table 7-4.1 and Footnote 2 part (1) of Table 7-5.1 of the Basin Plan. All Permittees within a subwatershed of the Santa Monica Bay Watershed Management Area are jointly responsible for compliance with the limitations imposed in Tables 7-4.1 and 7-5.1 of the Basin Plan.

2. Discharges from the MS4 of storm water, or non-storm water, for which a Permittee is responsible for, shall not cause or contribute to a condition of nuisance.
3. The Permittees shall comply with Part 2.1. and 2.2. through timely implementation of control measures and other actions to reduce pollutants in the discharges in accordance with the SQMP and its components and other requirements of this Order including any modifications. The SQMP and its components shall be designed to achieve compliance with receiving water limitations. If exceedances of Water Quality Objectives or Water Quality Standards (collectively, Water Quality Standards) persist, notwithstanding implementation of the SQMP and its components and other requirements of this permit, the Permittee shall assure compliance with discharge prohibitions and receiving water limitations by complying with the following procedure:
  - a) Upon a determination by either the Permittee or the Regional Board that discharges are causing or contributing to an exceedance of an applicable Water Quality Standard, the Permittee shall promptly notify and thereafter submit a Receiving Water Limitations (RWL) Compliance Report (as described in the Program Reporting Requirements, Section I of the Monitoring and Reporting Program) to the Regional Board that describes BMPs that are currently being implemented and additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedances of Water Quality Standards. This RWL Compliance Report may be incorporated in the annual Storm Water Report and Assessment unless the Regional Board directs an earlier submittal. The RWL Compliance Report shall include an implementation schedule. The Regional Board may require modifications to the RWL Compliance Report.
  - b) Submit any modifications to the RWL Compliance Report required by the Regional Board within 30 days of notification.
  - c) Within 30 days following the approval of the RWL Compliance Report, the Permittee shall revise the SQMP and its components and monitoring program to incorporate the approved modified BMPs that have been approved and will be implemented, an implementation schedule, and any additional monitoring required.
  - d) Implement the revised SQMP and its components and monitoring program according to the approved schedule.
4. So long as the Permittee has complied with the procedures set forth above and implementing the revised SQMP and its components, 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 Regional Board to develop additional BMPs.

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- 5. During Summer Dry Weather there shall be no discharges of bacteria from MS4s into the Santa Monica Bay that cause or contribute to exceedances in the Wave Wash, of the applicable bacteria objectives. The applicable bacteria objectives include both the single sample and geometric mean bacteria objectives set to protect the Water Contact Recreation (REC-1) beneficial use, as set forth in the Basin Plan.<sup>34</sup>
- 6. During Summer Dry Weather there shall be no discharges of bacteria from MS4s into Marina del Rey Harbor Basins D, E, or F, including Mothers' Beach that cause or contribute to exceedances of the applicable bacteria objectives. The applicable bacteria objectives include both the single sample and geometric mean bacteria objectives set to protect the Water Contact Recreation (REC-1) beneficial use, as set forth in the Basin Plan.<sup>45</sup>

**Part 3. STORM WATER QUALITY MANAGEMENT PROGRAM (SQMP) IMPLEMENTATION**

**A. General Requirements**

- 1. Each Permittee shall, at a minimum, implement the SQMP. The SQMP is an enforceable element of this Order. The SQMP shall be implemented no later than February 1, 2002, unless a later date has been specified for a particular provision in this Order.
- 2. The SQMP shall, at a minimum, comply with the applicable storm water program requirements of 40 CFR 122.26(d)(2). The SQMP and its components shall be implemented so as to reduce the discharges of pollutants in storm water to the MEP.
- 3. Each Permittee shall implement additional controls, where necessary, to reduce the discharges of pollutants in storm water to the MEP.
- 4. Permittees that modify the countywide SQMP (i.e., implement additional controls, implement different controls than described in the countywide SQMP, or determine that certain BMPs in the countywide SQMP are not applicable in the area under its jurisdiction), shall develop a local SQMP, no later than August 1, 2002. The local SQMP shall be customized to reflect the conditions in the area under the Permittee's jurisdiction and shall specify activities being implemented under the appropriate elements described in the countywide SQMP.

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**[PERMIT LANGUAGE CONTINUES AS ADOPTED IN ORDER 01-182 AS AMENDED BY ORDER NO. R4-2006-0074]**

<sup>34</sup> Samples collected for determining compliance with the receiving water limitations of Part 2.5 shall be processed in accordance with the sampling procedures and analytical methodology set forth in the *Santa Monica Bay Beaches Bacterial TMDLs Coordinated Shoreline Monitoring Plan* dated April 7, 2004 and the *Monitoring and Reporting Program* CI 6948.

<sup>45</sup> Samples collected for determining compliance with the receiving water limitations of Part 2.6 shall be processed in accordance with the sampling procedures and analytical methodology set forth in the *Marina del Rey Harbor Mothers' Beach and Back Basins Bacterial TMDL Coordinated Monitoring Plan* dated April 13, 2007 and the *Monitoring and Reporting Program* CI 6948.

**[PROPOSED ADDITIONS ARE UNDERLINED AND DELETIONS ARE IN STRIKETHROUGH]**Findings Related To The Incorporation Of The Santa Monica Bay Beaches Dry Weather Bacteria TMDL And The Marina Del Rey Harbor Mothers' Beach And Back Basins Bacteria TMDL

28. The Regional Board adopted the Santa Monica Bay Beaches Dry Weather TMDL for Bacteria (hereinafter "Dry Weather Bacteria TMDL") on January 24, 2002. The TMDL was subsequently approved by the SWRCB, the Office of Administrative Law (OAL), and the United States Environmental Protection Agency (USEPA) and became effective on July 15, 2003.
29. The Regional Board adopted the Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria TMDL (hereinafter "MDR Bacteria TMDL") on August 7, 2003. The TMDL was subsequently approved by the SWRCB, the OAL, and the USEPA and became effective on March 18, 2004.
30. The Waste Load Allocations in the Dry Weather Bacteria TMDL and the MDR Bacteria TMDL are expressed as the number of allowable days that the Santa Monica Bay beaches, Mothers' Beach and Basins D, E and F in Marina del Rey Harbor may exceed the Basin Plan water quality objectives for protection of Water Contact Recreation (REC-1) in marine waters, specifically the water quality objectives for bacteria. Appropriate modifications to this order are therefore included in Parts 1 (Discharge Prohibitions) and 2 (Receiving Water Limitations), pursuant to 40 CFR 122.41(f) and 122.62, and Part 6.1.1 of this Order. Additionally, 40 CFR section 122.44(d)(1)(vii)(B) requires that NPDES permits be consistent with the assumptions and requirements of any available waste load allocation. Tables 7-4.1, 7-4.2a, and 7-4.3 of the Basin Plan set forth the pertinent provisions of the Dry Weather Bacteria TMDL. Tables 7-5.1, 7-5.2, and 7-5.3 of the Basin Plan set forth the pertinent provisions of the MDR Bacteria TMDL. They require that during Summer Dry Weather there shall be no exceedances in the Wave Wash of the single sample or the geometric mean bacteria objectives set to protect the Water Contact Recreation (REC-1) beneficial use in marine waters. Accordingly, a prohibition is included in this order barring direct discharges from a MS4 to Santa Monica Bay or Marina del Rey Harbor that result in exceedance of these objectives. Since the TMDL and the waste load allocations contained therein are expressed as receiving water conditions, Receiving Water Limitations have been included in this order that are consistent with and implement the zero exceedance day waste load allocations.
31. Pursuant to Federal Regulations at 40 CFR 124.8, and 125.56, a Fact Sheets were was prepared to provide the bases basis for incorporating the Dry Weather Bacteria TMDL and the MDR Bacteria TMDL into this Order. These Fact Sheets are is hereby incorporated by reference into these findings.
32. The iterative approach to regulating municipal storm water is not an appropriate means of implementing the SMB or the MDR Summer Dry Weather WLAs for any and all of the following reasons: (a) The WLAs do not regulate the discharge of storm water; (b) The harm to the public from violating the WLAs is dramatic both in terms of health impacts to exposed beachgoers, and the economic cost to

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the region associated with related illnesses; (c) Despite the fact that more than a decade and a half has passed since MS4 permittees were required to eliminate illicit connections/discharges (IC/ID) into their MS4s, their programs have not eliminated standards violations at the beaches; and (d) Few permittees have ever documented revisions to their SQMP to address chronic exceedances of water quality standards.

33. The Receiving Water Limitations have been revised to implement the Summer Dry Weather waste load allocations set forth in Basin Plan Tables 7-4.1 (~~attached as Appendix A to this order~~) and 7-5.1. These Receiving Water Limitations apply at the compliance monitoring sites identified in the *Santa Monica Bay Beaches Bacterial TMDLs Coordinated Shoreline Monitoring Plan* dated April 7, 2004<sup>1</sup> and the *Marina del Rey Harbor Mothers' Beach and Back Basins Bacterial TMDL Coordinated Monitoring Plan* dated April 13, 2007. Compliance with the Receiving Water Limitations shall be determined using shoreline monitoring data obtained in conformance with the *Santa Monica Bay Beaches Bacterial TMDLs Coordinated Shoreline Monitoring Plan* dated April 7, 2004; the *Marina del Rey Harbor Mothers' Beach and Back Basins Bacterial TMDL Coordinated Monitoring Plan* dated April 13, 2007; and the Monitoring and Reporting Program CI 6948.
34. If the Receiving Water Limitations are exceeded at a compliance monitoring site, the Regional Board will generally issue an appropriate investigative order pursuant to Cal. Water Code § 13267 or § 13225 to the Permittees and other responsible agencies or jurisdictions within the relevant subwatershed to determine the source of the exceedance. Following these actions, Regional Board staff will generally evaluate the need for further enforcement as follows:
- a) If the Regional Board determines that the exceedance did not result from discharges from the MS4, then the MS4 Permittees would not be responsible for violations of these provisions.
  - b) If the Regional Board determines that Permittees in the relevant subwatershed have demonstrated that their MS4 does not discharge dry weather flow into Santa Monica Bay or Basins D, E, and F in Marina del Rey Harbor, those Permittees would not be responsible for violations of these provisions even if the Receiving Water Limitations are exceeded at an associated compliance monitoring site.
  - c) If the Regional Board determines that Permittees in the relevant subwatershed have demonstrated that their MS4 summer dry weather discharge into Santa Monica Bay or Basins D, E, and F in Marina del Rey Harbor is treated to a level that does not exceed either the single sample or the geometric mean bacteria objectives, those Permittees shall not be responsible for violations of these provisions even if the Receiving Water Limitations are exceeded at an associated compliance monitoring site.

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<sup>1</sup> If the Regional Board determines that publicly owned storm drains that flow during dry weather are situated at additional shoreline locations, the *Santa Monica Bay Beaches Bacterial TMDLs Coordinated Shoreline Monitoring Plan* may be revised by the Regional Board Executive Officer approval, after providing the opportunity for public comment, to include these locations as compliance monitoring sites.

- d) If the Regional Board determines that one or more Permittees have caused or contributed to violations of these Receiving Water Limitations, the Regional Board will consider appropriate enforcement action, including a cease and desist order with or without a time schedule for compliance, or other appropriate enforcement action depending upon the circumstances and the extent to which the Permittee(s) has endeavored to comply with these provisions.

35. A Permittee would not be responsible for violations of these provisions if the Executive Officer determines that the Permittee has adequately documented through a source investigation of the subwatershed, pursuant to protocols established under Cal. Water Code 13178, that bacterial sources originating within the jurisdiction of the Permittee have not caused or contributed to the exceedance of the Receiving Water Limitations.

36. Water Code section 13389 exempts the Regional Board from compliance with Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code prior to the adoption of waste discharge requirements. Therefore the Regional Board is not required to prepare environmental documents to evaluate this permit modification. Nevertheless, the Regional Board has considered the policies and requirements set forth in Chapters 1 through 2.6 of CEQA, and further, has considered the final substitute environmental documents for the Santa Monica Bay Beaches Bacteria TMDL and the MDR Bacteria TMDL.

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F. Implementation

1. The California Environmental Quality Act (CEQA) (Cal. Pub. Resources Code § 21000 *et seq.*) requires that public agencies consider the environmental impacts of the projects they approve for development. CEQA applies to projects that are considered discretionary and does not apply to ministerial projects, which involve the use of established standards or objective measurements. A ministerial project may be made discretionary by adopting local ordinance provisions or imposing conditions to create decision-making discretion in approving the project. In the alternative, Permittees may establish standards and objective criteria administratively for storm water mitigation for ministerial projects. For water quality purposes, the Regional Board considers that all new development and significant redevelopment activity in specified categories, that receive approval or permits from a municipality, are subject to storm water mitigation requirements.
2. The objective of this Order is to protect the beneficial uses of receiving waters in Los Angeles County. To meet this objective, this Order requires that the SQMP specify BMPs that will be implemented to reduce the discharge of pollutants in storm water to the maximum extent practicable. Further, Permittees are to assure that storm water discharges from the MS4 shall neither cause nor contribute to the exceedance of water quality standards and objectives nor create conditions of nuisance in the receiving waters, and that the discharge of non-storm water to the MS4 has been effectively prohibited.
3. The SQMP required in this Order builds upon the programs established in Order Nos. 90-079, and 96-054, consists of the components recommended in the

USEPA guidance manual, and was developed with the cooperation of representatives from the regulated community and environmental groups. The SQMP includes provisions that promote customized initiatives, both on a countywide and watershed basis, in developing and implementing cost-effective measures to minimize discharge of pollutants to the receiving water. The various components of the SQMP, taken as a whole rather than individually, are expected to reduce pollutants in storm water and urban runoff to the maximum extent practicable. Provisions of the SQMP are fully enforceable under provisions of this Order.

4. The emphasis of the SQMP is pollution prevention through education, public outreach, planning, and implementation as source control BMPs first and then Structural and Treatment Control BMPs next. Successful implementation of the provisions of the SQMP will require cooperation and coordination of all public agencies in each Permittee's organization, among Permittees, and with the regulated community.

[PERMIT LANGUAGE CONTINUES AS ADOPTED IN ORDER NO. 01-182 AS AMENDED BY ORDER NO. R4-2006-0074]

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## SUMMARY OF PROPOSED DELETIONS

(Proposed additional language is underlined.  
Proposed deleted language is shown in ~~strikethrough~~ format.)

### Proposed Deletion #1:

Delete the phrase "(attached as Appendix A to this order)" in Finding No. 32 on page 14 of the LA MS4 Permit.

Reason: The reference is redundant Table 7-4.1 is in the Basin Plan and does not need to be included as an attachment to this order.

### Proposed Deletion #2:

Delete the word "shoreline" in Finding No. 32 on page 14 of the LA MS4 Permit.

Reason: Monitoring data collected by the Permittees must be consistent with the SMB Coordinated Monitoring Plan, the MDR Coordinated Monitoring Program, as well as the Monitoring and Reporting Program for this order.

32. The Receiving Water Limitations have been revised to implement the Summer Dry Weather waste load allocations set forth in Basin Plan Tables 7-4.1 (attached as Appendix A to this order) and 7-5.1. These Receiving Water Limitations apply at the compliance monitoring sites identified in the Santa Monica Bay Beaches Bacterial TMDLs Coordinated Shoreline Monitoring Plan dated April 7, 2004<sup>1</sup> and the Marina del Rey Harbor Mothers' Beach and Back Basins Bacterial TMDL Coordinated Monitoring Plan dated April 13, 2007. Compliance with the Receiving Water Limitations shall be determined using shoreline monitoring data obtained in conformance with the Santa Monica Bay Beaches Bacterial TMDLs Coordinated Shoreline Monitoring Plan dated April 7, 2004; the Marina del Rey Harbor Mothers' Beach and Back Basins Bacterial TMDL Coordinated Monitoring Plan dated April 13, 2007; and the Monitoring and Reporting Program CI 6948.

### Proposed Deletion #3:

Delete the Footnote #1 in Part 1.B. on page 17 of the LA MS4 Permit.

Reason: This footnote is duplicative because "Dry Weather" is defined under Part 5. Definitions on page 59 of the LA MS4 Permit.

<sup>1</sup> ~~Dry Weather shall be determined as set forth in the Santa Monica Bay Beaches Bacterial TMDLs Coordinated Shoreline Monitoring Plan dated April 7, 2004, or any amendments thereto.~~

### Proposed Deletion #4:

Delete the number "3" and replace it with the number "2" in Footnote #3 in Part 1.B. on page 17 of the LA MS4 Permit.

Reason: This deletion and addition is made to correct a typographical error.

<sup>3</sup> Responsibility for such prohibited discharges is determined as indicated in Footnote 3 part (2~~3~~) of Table 7-4.1 of the Basin Plan. All Permittees within a subwatershed of the Santa Monica Bay Watershed Management Area are jointly responsible for compliance with the limitations imposed in Table 7-4.



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**Date:** 5/11/2007 3:16:38 PM  
**Subject:** Narrow Reopening of the LA MS4 Storm Water Permit for Marina Del Rey Bacteria TMDL

To Interested Parties: The following link is to documents pertaining to the proposed reopening of the Los Angeles County Municipal Storm Water Permit during our July 12, 2007 Regional Board Meeting. [http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4\\_draft.html](http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4_draft.html) On the basis of preliminary staff review and application of lawful standards and regulations, the staff of the California Regional Water Quality Control Board, Los Angeles Region, proposes to narrowly reopen waste discharge requirements (WDRs) for the Los Angeles County Municipal Separate Storm Water Sewer System (MS4) Permit (NPDES No. CAS004001, Board Order No. 01-182 as amended by Order No. R4-2006-0074) to incorporate a non-storm water discharge prohibition to be consistent with the summer dry weather Waste Load Allocations set in the Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria (MDR Bacteria) Total Maximum Daily Load (TMDL). The MDR Bacteria TMDL adopted by the Regional Board went into effect on March 18, 2004. Persons wishing to comment upon or object to the tentative revisions in the reopener, or submit evidence for the Board to consider, are invited to submit them in writing to the above address or send them electronically to [July122007boardmeeting@waterboards.ca.gov](mailto:July122007boardmeeting@waterboards.ca.gov). To be evaluated and responded to by Board staff, included in the Board's agenda folder, and fully considered by the Board, written comments or testimony regarding the tentative revisions must be received at the Regional Board office by 5:00 p.m. on June 25, 2007. If you should have any questions on the Marina Del Rey TMDL, please feel free to contact Rebecca Christmann at 213-576-6757 or via email at [rchristmann@waterboards.ca.gov](mailto:rchristmann@waterboards.ca.gov). Alternatively, if you should have any questions on the LA MS4 Permit, please feel free to contact Carlos Urrunaga at (213) 620-2083 or via email at [currenaga@waterboards.ca.gov](mailto:currenaga@waterboards.ca.gov). Carlos Urrunaga, Environmental Scientist  
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**Subject:** Narrow Reopening of the LA MS4 Storm Water Permit for Marina Del Rey Bacteria TMDL

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**Date:** 5/11/2007 3:17:54 PM  
**Subject:** Narrow Reopening of the LA MS4 Storm Water Permit for Marina Del Rey Bacteria TMDL

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**Date:** 5/11/2007 3:17:57 PM  
**Subject:** Narrow Reopening of the LA MS4 Storm Water Permit for Marina Del Rey Bacteria TMDL

To Interested Parties: The following link is to documents pertaining to the proposed reopening of the Los Angeles County Municipal Storm Water Permit during our July 12, 2007 Regional Board Meeting. [http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4\\_draft.html](http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4_draft.html) On the basis of preliminary staff review and application of lawful standards and regulations, the staff of the California Regional Water Quality Control Board, Los Angeles Region, proposes to narrowly reopen waste discharge requirements (WDRs) for the Los Angeles County Municipal Separate Storm Water Sewer System (MS4) Permit (NPDES No. CAS004001, Board Order No. 01-182 as amended by Order No. R4-2006-0074) to incorporate a non-storm water discharge prohibition to be consistent with the summer dry weather Waste Load Allocations set in the Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria (MDR Bacteria) Total Maximum Daily Load (TMDL). The MDR Bacteria TMDL adopted by the Regional Board went into effect on March 18, 2004. Persons wishing to comment upon or object to the tentative revisions in the reopener, or submit evidence for the Board to consider, are invited to submit them in writing to the above address or send them electronically to [July122007boardmeeting@waterboards.ca.gov](mailto:July122007boardmeeting@waterboards.ca.gov). To be evaluated and responded to by Board staff, included in the Board's agenda folder, and fully considered by the Board, written comments or testimony regarding the tentative revisions must be received at the Regional Board office by 5:00 p.m. on June 25, 2007. If you should have any questions on the Marina Del Rey TMDL, please feel free to contact Rebecca Christmann at 213-576-6757 or via email at [rchristmann@waterboards.ca.gov](mailto:rchristmann@waterboards.ca.gov). Alternatively, if you should have any questions on the LA MS4 Permit, please feel free to contact Carlos Urrunaga at (213) 620-2083 or via email at [currunaga@waterboards.ca.gov](mailto:currunaga@waterboards.ca.gov). Carlos Urrunaga, Environmental Scientist  
Calif Regional Water Quality Control Board - LA Region  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
213-620-2083 phone  
213-576-6640 fax  
[currunaga@waterboards.ca.gov](mailto:currunaga@waterboards.ca.gov)

**From:** Carlos Urrunaga  
**To:** (E-mail), Algis Marciuska; (E-mail), Allan Rigg; (E-mail), Andrea Travis; (E-mail), Andrew G. Pasmant; (E-mail), Bonnie Teaford; (E-mail), Bruce Mattern; (E-mail), Cherie Paglia; (E-mail), Craig Perkins; (E-mail), Daniel Rynn; (E-mail), Delfino Chino Consunji; (E-mail), Douglas Prichard; (E-mail), Eric Escobar; (E-mail), Eric Ziegler; (E-mail), Fran Fulton; (E-mail), George Perez; (E-mail), Glenn D. Southard; (E-mail), Hector Torres Cacho; (E-mail), James E. Thorsen; (E-mail), James Ranells; (E-mail), Janice J. Stroud; (E-mail), Jeff Stewart; (E-mail), Jerrick Torres; (E-mail), Jose Pulido; (E-mail), Ken Rukavina; (E-mail), Kenneth R. Pulskamp; (E-mail), Kev Tcharkhoutian; (E-mail), Kevin Wilson; (E-mail), Krishna Patel; (E-mail), Kwok Tam; (E-mail), Lal Yugal; (E-mail), Linda Kay Olivieri; (E-mail), Lisa A. Rapp; (E-mail), Luis Ramirez; (E-mail), Mark F. Weinberg; (E-mail), Mark Scott; (E-mail), Martin Pastucha; (E-mail), Mary Rooney; (E-mail), P. Michael Paules; (E-mail), Patrick H. West; (E-mail), Paul J. Phillips; (E-mail), Paul Zwiep; (E-mail), Raymond B. Taylor; (E-mail), Richard Torres; (E-mail), Rob Beste; (E-mail), Robert A. Rizzo; (E-mail), Rodney Anderson; (E-mail), S. Perlstein; (E-mail), Sam Wise; (E-mail), Shad Rezai; (E-mail), Shannon Yauchzee; (E-mail), Stanley E. Schöll; (E-mail), Stanley Smalewitz; (E-mail), Stephen Zurn; (E-mail), Susannah Turney; (E-mail), Tom Tait; (E-mail), Valerie Shaw; (E-mail), Vangie Schock; (E-mail), William Woolard; (E-mail), Wing Tam (Mr.); (E-mail), Yazdan Emrani; Woods, Susan  
**Date:** 5/11/2007 3:18:17 PM  
**Subject:** Narrow Reopening of the LA MS4 Storm Water Permit for Marina Del Rey Bacteria TMDL

To Interested Parties: The following link is to documents pertaining to the proposed reopening of the Los Angeles County Municipal Storm Water Permit during our July 12, 2007 Regional Board Meeting. [http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4\\_draft.html](http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4_draft.html) On the basis of preliminary staff review and application of lawful standards and regulations, the staff of the California Regional Water Quality Control Board, Los Angeles Region, proposes to narrowly reopen waste discharge requirements (WDRs) for the Los Angeles County Municipal Separate Storm Water Sewer System (MS4) Permit (NPDES No. CAS004001, Board Order No. 01-182 as amended by Order No. R4-2006-0074) to incorporate a non-storm water discharge prohibition to be consistent with the summer dry weather Waste Load Allocations set in the Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria (MDR Bacteria) Total Maximum Daily Load (TMDL). The MDR Bacteria TMDL adopted by the Regional Board went into effect on March 18, 2004. Persons wishing to comment upon or object to the tentative revisions in the reopener, or submit evidence for the Board to consider, are invited to submit them in writing to the above address or send them electronically to [July122007boardmeeting@waterboards.ca.gov](mailto:July122007boardmeeting@waterboards.ca.gov). To be evaluated and responded to by Board staff, included in the Board's agenda folder, and fully considered by the Board, written comments or testimony regarding the tentative revisions must be received at the Regional Board office by 5:00 p.m. on June 25, 2007. If you should have any questions on the Marina Del Rey TMDL, please feel free to contact Rebecca Christmann at 213-576-6757 or via email at [rchristmann@waterboards.ca.gov](mailto:rchristmann@waterboards.ca.gov). Alternatively, if you should have any questions on the LA MS4 Permit, please feel free to contact Carlos Urrunaga at (213) 620-2083 or via email at [currenaga@waterboards.ca.gov](mailto:currenaga@waterboards.ca.gov). Carlos Urrunaga, Environmental Scientist  
Calif Regional Water Quality Control Board - LA Region  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
213-620-2083 phone  
213-576-6640 fax  
[currenaga@waterboards.ca.gov](mailto:currenaga@waterboards.ca.gov)

**From:** Carlos Urrunaga  
**To:** (E-mail), Alex Farassati PhD; (E-mail), Alma Bryant; (E-mail), Amy Alderfer; (E-mail), Blane Frandsen; (E-mail), Carlos A. Alba; (E-mail), Carlos Alvarado; (E-mail), Carmen Barsu; (E-mail), Charles Herbertson; (E-mail), Cory Roberts; (E-mail), DEnv Cathy Chang; (E-mail), Desi Alvarez; (E-mail), Donna Chen; (E-mail), Eric M. Alderete; (E-mail), Hal Arbogast; (E-mail), Hector Torres; (E-mail), Homayoun Behboodi; (E-mail), Jaime Badia; (E-mail), James Cowan; (E-mail), Jane Harmon; (E-mail), Jed Ireland; (E-mail), Jeff Gibson; (E-mail), Jennifer Voccola; (E-mail), Jim Isomoto; (E-mail), Joe Bellomo; (E-mail), John Alderson; (E-mail), John Dettle; (E-mail), John Harris Esq.; (E-mail), John Hunter; (E-mail), Kelly Fisher; (E-mail), Kevin Powers; (E-mail), Kimberly Colbert; (E-mail), Lindy Coe-Juell; (E-mail), Mark Christoffels; (E-mail), Mate Gaspar; (E-mail), Matthew Cohen; (E-mail), Mike Shay; (E-mail), Neil Miller; (E-mail), Oliver Cramer; (E-mail), Paige Donahoe; (E-mail), Rafael Casillas; (E-mail), Ramiro Adeva; (E-mail), Ray Holland; (E-mail), Rene Salas; (E-mail), Richard Chen; (E-mail), Ronald Bates; (E-mail), Steve Esbenshade; (E-mail), Steven Castellanos; (E-mail), Steven Finton; (E-mail), Tina Clark; (E-mail), Vicki Conway; (E-mail), Vincent Chee; DePoto, Bill; Swamikannu, Xavier; Woods, Susan  
**Date:** 5/11/2007 3:18:37 PM  
**Subject:** Narrow Reopening of the LA MS4 Storm Water Permit for Marina Del Rey Bacteria TMDL

To Interested Parties: The following link is to documents pertaining to the proposed reopening of the Los Angeles County Municipal Storm Water Permit during our July 12, 2007 Regional Board Meeting. [http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4\\_draft.html](http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4_draft.html) On the basis of preliminary staff review and application of lawful standards and regulations, the staff of the California Regional Water Quality Control Board, Los Angeles Region, proposes to narrowly reopen waste discharge requirements (WDRs) for the Los Angeles County Municipal Separate Storm Water Sewer System (MS4) Permit (NPDES No. CAS004001, Board Order No. 01-182 as amended by Order No. R4-2006-0074) to incorporate a non-storm water discharge prohibition to be consistent with the summer dry weather Waste Load Allocations set in the Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria (MDR Bacteria) Total Maximum Daily Load (TMDL). The MDR Bacteria TMDL adopted by the Regional Board went into effect on March 18, 2004. Persons wishing to comment upon or object to the tentative revisions in the reopener, or submit evidence for the Board to consider, are invited to submit them in writing to the above address or send them electronically to [July122007boardmeeting@waterboards.ca.gov](mailto:July122007boardmeeting@waterboards.ca.gov). To be evaluated and responded to by Board staff, included in the Board's agenda folder, and fully considered by the Board, written comments or testimony regarding the tentative revisions must be received at the Regional Board office by 5:00 p.m. on June 25, 2007. If you should have any questions on the Marina Del Rey TMDL, please feel free to contact Rebecca Christmann at 213-576-6757 or via email at [rchristmann@waterboards.ca.gov](mailto:rchristmann@waterboards.ca.gov). Alternatively, if you should have any questions on the LA MS4 Permit, please feel free to contact Carlos Urrunaga at (213) 620-2083 or via email at [currenaga@waterboards.ca.gov](mailto:currenaga@waterboards.ca.gov). Carlos Urrunaga, Environmental Scientist  
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320 West 4th Street, Suite 200  
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213-620-2083 phone  
213-576-6640 fax  
[currenaga@waterboards.ca.gov](mailto:currenaga@waterboards.ca.gov)

THE DAILY BREEZE

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Telephone (310) 540-5511 / Fax (310) 543-9601

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California )  
County of LOS ANGELES ) ss.

Notice Type: HRG - NOTICE OF HEARING

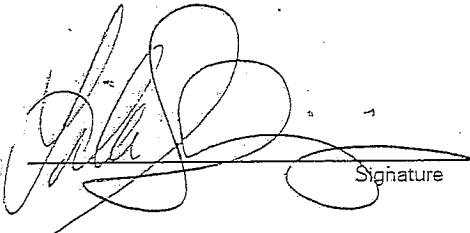
Ad Description: NOTICE OF PUBLIC HEARING - WASTE DISCHARGE  
REQUIREMENTS - MUNICIPAL STORM WATER  
DISCHARGE PERMIT

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the THE DAILY BREEZE, a newspaper published in the English language in the city of TORRANCE, county of LOS ANGELES, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of LOS ANGELES, State of California, under date 06/10/1974, Case No. SWC7146. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

05/16/2007

Executed on: 05/16/2007  
At TORRANCE, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

  
Signature

CNS#: 1135248

NOTICE OF  
PUBLIC HEARING

WASTE DISCHARGE REQUIREMENTS TO  
BE REOPENED

The following waste discharge requirements/NPDES Permit is being reopened:

NAME  
County of Los Angeles  
Municipal Storm Water  
Discharge Permit  
NPDES No. CAS004001  
ORDER NO.  
(Adoption Date)  
01-182  
December 18, 2001  
Reason for Reopener  
To amend permit in compliance  
with a stipulation entered into by  
the Regional Board

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Los Angeles Region, proposes to narrowly reopen waste discharge requirements (WDRs) for the Los Angeles County Municipal Separate Storm Water Sewer System (MS4) Permit (NPDES No. CAS004001, Board Order No. 01-182 as amended by Order No. R4-2006-0074) to incorporate a non-storm water discharge prohibition to be consistent with the summer dry weather Waste Load Allocations set in the Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria (MDR Bacteria) Total Maximum Daily Load (TMDL). The MDR Bacteria TMDL adopted by the Regional Board went into effect on March 18, 2004. Persons wishing to comment upon or object to the tentative revisions in the reopener, or submit evidence for the Board to consider, are invited to submit them in writing to the above address or send them electronically to July 12, 2007 boardmeeting@waterboards.ca.gov. To be evaluated and responded to by Board staff, included in the Board's agenda folder, and fully considered by the Board, written comments or testimony regarding the tentative revisions must be received at the Regional Board office by 5:00 p.m. on June 25, 2007.

The Board will hold a public hearing on July 12, 2007, at the Metropolitan Water District of Southern California, Board Meeting Room, 700 N. Alameda Street, Los Angeles. Interested persons are invited to attend. The Board will hear any testimony pertinent to the proposed reopener and revisions to the waste discharge requirements. Oral statements will be heard; however, for accuracy of the record, all testimony should be in writing. The board



\* A 0 0 0 0 0 0 0 4 0 2 0 4 \*

21221 OXNARD ST, WOODLAND HILLS, CA 91367  
Telephone (818) 713-3393 / Fax (818) 713-3377

**PROOF OF PUBLICATION**

(2015,5 C.C.P.)

State of California )  
County of LOS ANGELES ) ss

Notice Type: HRG - NOTICE OF HEARING

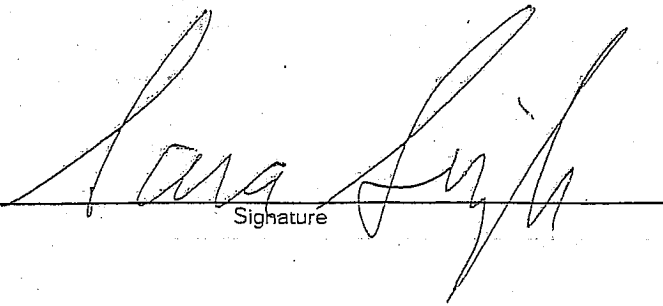
Ad Description: NOTICE OF PUBLIC HEARING - WASTE DISCHARGE REQUIREMENTS - MUNICIPAL STORM WATER DISCHARGE PERMIT

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the DAILY NEWS LOS ANGELES, a newspaper published in the English language in the city of LOS ANGELES, county of LOS ANGELES, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of LOS ANGELES, State of California, under date 05/26/1983, Case No. C349217. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

05/16/2007

Executed on: 05/16/2007  
At WOODLAND HILLS, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

  
Signature

CNS#: 1135229

**NOTICE OF PUBLIC HEARING**

**WASTE DISCHARGE REQUIREMENTS TO BE REOPENED**

The following waste discharge requirements/NPDES Permit is being reopened:

**NAME**  
County of Los Angeles  
Municipal Storm Water  
Discharge Permit  
NPDES No. CAS004001  
**ORDER NO.**  
(Adoption Date)  
01-182  
December 13, 2001  
**Reason for Reopener**  
To amend permit in compliance with a stipulation entered into by the Regional Board

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Los Angeles Region, proposes to narrowly reopen waste discharge requirements (WDRs) for the Los Angeles County Municipal Separate Storm Water Sewer System (MS4) Permit (NPDES No. CAS004001, Board Order No. 01-182 as amended by Order No. R4-2006-0074) to incorporate a non-storm water discharge prohibition to be consistent with the summer dry weather Waste Load Allocations set in the Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria (MDR Bacteria) Total Maximum Daily Load (TMDL). The MDR Bacteria TMDL adopted by the Regional Board went into effect on March 18, 2004. Persons wishing to comment upon or object to the tentative revisions in the reopener, or submit evidence for the Board to consider, are invited to submit them in writing to the above address or send them electronically to July 12, 2007 boardmeeting@waterboards.ca.gov. To be evaluated and responded to by Board staff, included in the Board's agenda folder, and fully considered by the Board, written comments or testimony regarding the tentative revisions must be received at the Regional Board office by 5:00 p.m. on June 25, 2007.

The Board will hold a public hearing on July 12, 2007, at the Metropolitan Water District of Southern California, Board Meeting Room, 700 N. Alameda Street, Los Angeles. Interested persons are invited to attend. The Board will hear any testimony pertinent to the proposed reopener and revisions to the waste discharge requirements. Oral statements will be heard; however, for accuracy of the record, all testimony should be in writing. The board meeting, of which this hearing is a part, will begin at 9:00 a.m. If there should not be a quorum on the scheduled date of this meeting, all cases will be automatically continued to the next regularly scheduled meeting on August 9, 2007. The proposed language and other information and documents relied upon are available for inspection and copying at 320 W. 4th Street, Suite 200, Los Angeles, California, 90013, between the hours of





SANTA MONICA DAILY PRESS

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Telephone (310) 458-7737 / Fax (310) 576-9913

CNS#: 1135254

NOTICE OF  
PUBLIC HEARING  
WASTE DISCHARGE  
REQUIREMENTS TO BE  
REOPENED

The following waste  
discharge  
requirements/NPDES  
Permit is being  
reopened:

NAME  
County of Los Angeles  
Municipal Storm Water  
Discharge Permit  
NPDES No. CAS004001  
ORDER NO.  
(Adoption Date)  
01-182  
December 13, 2001  
Reason for Reopener  
To amend permit in  
compliance with a  
stipulation entered  
into by the Regional Board

On the basis of preliminary  
staff review and  
application of lawful  
standards and regulations,  
the California Regional  
Water Quality Control  
Board, Los Angeles  
Region, proposes to  
narrowly reopen waste  
discharge requirements  
(WDRs) for the Los  
Angeles County Municipal  
Separate Storm Water  
Sewer System (MS4)  
Permit (NPDES No.  
CAS004001, Board Order  
No. 01-182 as amended  
by Order No. R4-2006-  
0074) to incorporate a  
non-storm water discharge  
prohibition to be consistent  
with the summer dry  
weather Waste Load  
Allocations set in the  
Marina del Rey Harbor  
Mothers Beach and Back  
Basins Bacteria (MDR  
Bacteria) Total Maximum  
Daily Load (TMDL). The  
MDR Bacteria TMDL  
adopted by the Regional  
Board went into effect on  
March 18, 2004. Persons  
wishing to comment upon  
or object to the tentative  
revisions in the reopener,  
or submit evidence for the  
Board to consider, are  
invited to submit them in  
writing to the above  
address or send them  
electronically to July 12,  
2007  
boardmeeting@waterboards.ca.gov. To be  
evaluated and responded  
to by Board staff, included  
in the Board's agenda  
folder, and fully considered  
by the Board, written  
comments or testimony  
regarding the tentative

revisions must be received  
at the Regional Board  
office by 5:00 p.m. on  
June 25, 2007.  
The Board will hold a  
public hearing on July 12,  
2007, at the Metropolitan  
Water District of Southern  
California, Board Meeting  
Room, 700 N. Alameda  
Street, Los Angeles.  
Interested persons are  
invited to attend. The  
Board will hear any  
testimony pertinent to the  
proposed reopener and  
revisions to the waste  
discharge requirements.  
Oral statements will be  
heard; however, for  
accuracy of the record, all  
testimony should be in  
writing. The board  
meeting, of which this  
hearing is a part, will begin  
at 9:00 a.m. If there should  
not be a quorum on the  
scheduled date of this  
meeting, all cases will be  
automatically continued to  
the next regularly  
scheduled meeting on  
August 9, 2007. The  
proposed language and  
other information and  
documents relied upon are  
available for inspection  
and copying at 520 W. 14  
Street, Suite 200, Los  
Angeles, California,  
90013, between the hours  
of 8:00 a.m. and 4:30 p.m.  
by appointment.  
Arrangements for file  
review and/or obtaining  
copies of the documents  
may be made by calling  
the number above.  
Additionally, the fact sheet,  
the summary of proposed  
changes, the proposed  
changes to order language  
except findings, and the  
proposed changes to  
findings are available  
online at  
<http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4.html>.

May 10, 2007

5/16/07  
CNS-1135254#  
SANTA MONICA DAILY  
PRESS

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California )  
County of LOS ANGELES ) ss

Notice Type: HRG - NOTICE OF HEARING

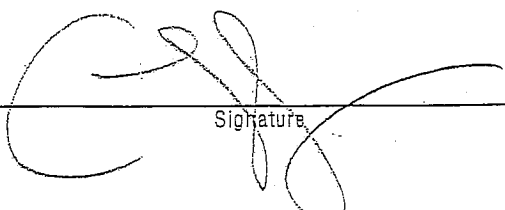
Ad Description: NOTICE OF PUBLIC HEARING - WASTE DISCHARGE  
REQUIREMENTS - MUNICIPAL STORM WATER  
DISCHARGE PERMIT

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SANTA MONICA DAILY PRESS, a newspaper published in the English language in the city of SANTA MONICA, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of LOS ANGELES, State of California, under date of 12/20/2005, Case No. BS096783. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

05/16/2007

Executed on: 05/16/2007  
At SANTA MONICA, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.



Signature



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Left Blank**