

## Los Angeles Regional Water Quality Control Board

December 23, 2015

Permittees of the Los Angeles River Upper Reach 2 Watershed Management Group<sup>1</sup>  
(See Distribution List)

**APPROVAL, WITH CONDITIONS, OF THE LOS ANGELES RIVER UPPER REACH 2 WATERSHED MANAGEMENT GROUP COORDINATED INTEGRATED MONITORING PROGRAM, PURSUANT TO ATTACHMENT E, PART IV.B OF THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175)**

Dear Permittees of the Los Angeles River Upper Reach 2 Watershed Management Group:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the revised monitoring program submitted on February 20, 2015 by the Los Angeles River Upper Reach 2 Watershed Management Group (Group). This monitoring program was submitted pursuant to the provisions of NPDES Permit No. CAS004001 (Order No. R4-2012-0175), which authorizes discharges from the municipal separate storm sewer system (MS4) operated by 86 municipal Permittees within Los Angeles County (hereafter, LA County MS4 Permit). The LA County MS4 Permit allows Permittees the option to develop and implement a coordinated integrated monitoring program (CIMP) that achieves the five Primary Objectives set forth in Part II.A of Attachment E and includes the elements set forth in Part II.E of Attachment E. These programs must be approved by the Executive Officer of the Los Angeles Water Board.

The Los Angeles Water Board has reviewed the Group's revised CIMP and has determined that the CIMP includes the elements set forth in Part II.E of Attachment E and will achieve the Primary Objectives set forth in Part II.A of Attachment E of the LA County MS4 Permit.

### Public Review and Comment

On July 3, 2014, the Board provided public notice and a 46-day period to allow for public review and comment on the Group's draft CIMP. A separate notice of availability regarding the draft CIMPs, including the Group's CIMP, was directed to State Senators and Assembly Members within the Coastal Watersheds of Los Angeles County. The Board received three comment letters that had comments applicable to the Group's draft CIMP. One joint letter was from the Natural Resources Defense Council (NRDC), Heal the Bay, and Los Angeles Waterkeeper, and the other letters were from the Construction Industry Coalition on Water Quality (CICWQ) and Ventura Countywide Stormwater Quality Management Program. During the review of the draft

<sup>1</sup> Permittees of the Los Angeles River Upper Reach 2 Watershed Management Group CIMP include the City of Bell, City of Bell Gardens, City of Commerce, City of Cudahy, City of Huntington Park, City of Maywood, City of Vernon, and the Los Angeles County Flood Control District.

and revised CIMP, the Los Angeles Water Board considered those comments applicable to the Group's proposed CIMP.

### **Los Angeles Water Board Review**

Concurrent with the public review, the Los Angeles Water Board, along with U.S. EPA Region IX staff, reviewed the draft CIMPs. On November 21, 2014, the Los Angeles Water Board sent a letter to the Group detailing the Board's comments on the draft CIMP and identifying the revisions that needed to be addressed prior to the Board's approval of the Group's CIMP. The letter directed the Group to submit a revised CIMP addressing the Los Angeles Water Board's comments. Prior to the Group's submittal of its revised CIMP, the Los Angeles Water Board staff had a meeting on December 03, 2014 and email exchanges with the Group's representatives and consultants to discuss the Board's remaining comments and necessary revisions to the draft CIMP. The Group submitted its revised CIMP on February 20, 2015 for Los Angeles Water Board review and approval.

### **Los Angeles River Nitrogen Compounds TMDL**

In March 2005, the County of Los Angeles and the Cities of Los Angeles and Calabasas submitted a Monitoring Work Plan on behalf of MS4 Permittees in the Los Angeles River watershed, which addressed the requirement for MS4 Permittees to submit a Monitoring Work Plan per the Los Angeles River Nitrogen Compounds and Related Effects TMDL (LAR Nitrogen TMDL). For MS4 discharges in the Upper Los Angeles River Watershed, the Group's revised CIMP will now address MS4 monitoring requirements for the LAR Nitrogen TMDL.

### **Approval of Revised CIMP with Conditions**

The Los Angeles Water Board hereby approves, subject to the following conditions, the Group's February 20, 2015 revised CIMP. The Board may rescind this approval if all of the following conditions are not met to the satisfaction of the Board within the timeframe provided below.

1. Note that the Harbors Toxics TMDL monitoring requires, "[a]s analytical methods and detection limits continue to improve (i.e., development of lower detection limits) and become more environmentally relevant, responsible parties shall incorporate new method detection limits in the MRP and QAPP." Tables 4-17 and 5-3 of the CIMP indicates that Table E-2 pollutants will be monitored in stormwater if detected above the relevant objectives, but the Method 608 detection limits supported by Eurofins Calscience (0.025 - 0.059 ug/L for individual Aroclors) are not environmentally relevant to the PCB objectives for protection of aquatic life and human health per CTR and Harbors Toxics TMDL. At a minimum, a sufficiently sensitive analytical method for PCBs must be used at the receiving water site (LARUR2-RW) during the first wet and dry weather sample events conducted under the approved CIMP. If results indicate that a less sensitive method will provide definitive and interpretable PCB results under each condition, a less costly method may be used for subsequent sample events. Notification of a change in analytical methods must be provided to the Regional Water Board in advance.
2. Additionally, monitoring for mercury appears to be conducted per EPA Method 245.1, which is appropriate for sediment but not for monitoring in water. The CIMP should be revised to specify EPA Method 1631E for monitoring mercury in water.

3. Page 12 of the revised QAPP includes SSC analytical details in addition to TSS analytical details. SSC is still not listed as one of the constituents sampled for at outfall and receiving water monitoring sites. The final CIMP must include monitoring for SSC consistent with the revised QAPP, or the QAPP must be revised to align with the main body of the CIMP. If the QAPP is revised to eliminate SSC, justification must be provided.
4. The revised CIMP proposes an alternative criterion for prioritizing outfalls for non-storm water pollutant source investigation. Table 5-1 must provide greater clarity regarding data collection if the alternative approach will be used.
5. The final CIMP must identify the specific parameters that will be analyzed during the non-stormwater outfall screening and which parameters will be used to determine outfalls with significant non-storm water discharges, as described in Table 5-1.

In separate correspondence to all Permittees developing CIMPs and Integrated Monitoring Programs (IMPs), the Los Angeles Water Board provided clarification of requirements for toxicity monitoring – specifically regarding additional toxicity monitoring upstream and at outfalls where toxicity is identified during a sampling event at a receiving water monitoring site.

The Group shall submit a final CIMP to the Los Angeles Water Board that satisfies all of the above conditions no later than **January 22, 2016**. Pursuant to Attachment E, Part IV.C.6 of the LA County MS4 Permit, the Group must commence implementing its monitoring program within 90 days after this approval of the final CIMP (**i.e. no later than March 22, 2016**). Please note that the Group is responsible for complying with all reporting provisions included in Attachment E, Part XIV – XVIII and Section D of Part XIX, “Reporting Requirements for Los Angeles River WMA TMDLs,” and Attachment D, Sections IV, V, and VII.A of the LA County MS4 Permit. The Group is also responsible for complying with applicable provisions included in Section C of Part XIX, “Reporting Requirements for Dominguez Channel and Greater Harbor Waters WMA TMDLs.” Finally, the Group is responsible for complying with the following requirements under Annual Reporting and Adaptive Management.

### **Annual Reporting**

The Annual Report shall provide an Integrated Monitoring Report that summarizes all identified exceedances of:

- outfall-based stormwater monitoring data,
- wet weather receiving water monitoring data,
- dry weather receiving water monitoring data, and
- non-storm water outfall monitoring data

against all applicable receiving water limitations, water quality-based effluent limitations, non-storm water action levels, and aquatic toxicity thresholds as defined in Sections XII.F and G of this MRP. All sample results that exceeded one or more applicable thresholds shall be readily identified.

The Annual Report shall also include a Municipal Action Level (MAL) Assessment Report, which shall present the stormwater outfall monitoring data in comparison to the applicable MALs, and identify those subwatersheds with a running average of twenty percent or greater of exceedances of the MALs in discharges of stormwater from the MS4. Please note that beginning in Year 3 after the effective date of the LA County MS4 Permit, each Permittee or group of Permittees shall submit a MAL Action Plan with the Annual Report (first MAL Action Plan due with December 15, 2015 Annual Report) to the Regional Water Board Executive

Officer, for those subwatersheds with a running average of twenty percent or greater of exceedances of the MALs in any discharge of storm water from the MS4. Please note that implementation of an approved Watershed Management Program (WMP) or Enhanced Watershed Management Program (EWMP) per Part VI.C of the LA County MS4 Permit fulfills all requirements related to the development and implementation of the MAL Action Plan, as per Attachment G of the LA County MS4 Permit, for those pollutants addressed by the WMP or EWMP.

### **Adaptive Management**

The Regional Water Board or its Executive Officer, consistent with 40 CFR section 122.41, may approve changes to the Monitoring and Reporting Program, after providing the opportunity for public comment, either:

1. By request of the Group or by an interested person after submittal of the Monitoring Report. Such request shall be in writing and filed not later than 60 days after the Monitoring Report submittal date, or
2. As deemed necessary by the Regional Water Board Executive Officer, following notice to the Group.

As part of the adaptive management process, any modifications to the CIMP must be submitted to the Los Angeles Water Board for review and approval. The Group must implement any modifications to the CIMP upon approval by the Los Angeles Water Board or its Executive Officer, or within 60 days of submittal of modifications if the Los Angeles Water Board or its Executive Officer expresses no objections. Note that the Group's Report of Waste Discharge (ROWD) is due no later than July 1, 2017. To align any modifications to the CIMP proposed through the adaptive management process with permit reissuance, results of the first adaptive management cycle should be submitted in conjunction with the Group's ROWD.

If you have any questions, please contact Mr. Ivar Ridgeway, Chief of the Storm Water Permitting Unit, by electronic mail at [Ivar.Ridgeway@waterboards.ca.gov](mailto:Ivar.Ridgeway@waterboards.ca.gov) or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.  
Executive Officer

Enclosures: Los Angeles River Upper Reach 2 Watershed Management Group Distribution List

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