

## Los Angeles Regional Water Quality Control Board

August 05, 2015

Permittees of the North Santa Monica Bay Coastal Watersheds EWMP Group<sup>1</sup>  
(See Distribution List)

**APPROVAL, WITH CONDITIONS, OF THE NORTH SANTA MONICA BAY COASTAL WATERSHEDS EWMP GROUP'S 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 North Santa Monica Bay Coastal Watersheds EWMP Group:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the revised monitoring program submitted on July 14, 2015 by the North Santa Monica Bay Coastal Watersheds EWMP 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 two 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 letter was from the Construction Industry Coalition on Water Quality (CICWQ). During the review of the draft and revised CIMP, the Los Angeles Water Board considered those comments applicable to the Group's proposed CIMP.

<sup>1</sup> Permittees of the North Santa Monica Bay Coastal Watersheds EWMP Group include County of Los Angeles, Los Angeles County Flood Control District, and the City of Malibu.

## **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 May 15, 2015, 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 by June 29, 2015. A letter by the Los Angeles Water Board dated June 19, 2015, granted the Group an extension to submit the revised CIMP on July 14, 2015. The Group submitted its revised CIMP on July 14, 2015 for Los Angeles Water Board review and approval.

## **Santa Monica Bay Nearshore Debris TMDL & Malibu Creek Watershed Trash TMDL**

Requirements for the Santa Monica Bay Nearshore and Offshore Debris TMDL (SMB Debris TMDL) can be satisfied through the submittal of a Trash Monitoring and Reporting Plan (TMRP) and Plastic Pellet Monitoring and Reporting Plan (PMRP) or via the CIMP. Note that a letter from the Los Angeles Water Board dated October 20, 2014 approved the City of Malibu's exemption request from a PMRP. The same letter also states that a TMRP submitted to satisfy requirements for the Malibu Creek Watershed Trash TMDL (Malibu Trash TMDL) will constitute compliance with the TMRP requirement for the SMB Debris TMDL. Pursuant to the Malibu Trash TMDL, the TMRP from the County of Los Angeles submitted on behalf of itself and the cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, and Westlake Village was approved on May 30, 2014.

The Los Angeles Water Board hereby approves, subject to the following conditions, the Group's July 14, 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. Revise Table 2-5 to fix a typographical error where "PCB Congeners/DDT (wet weather only)" is missing the footnote e superscript.
2. For consistency with Section 2.3 and Table 2-6, please revise Table 3-3 footnote c to say "At NSMBCW-RW1 (Trancas Creek) only." Also revise Section 3.3 and Table 3-4 to indicate monitoring for PCBs/DDT for NSMBCW-O1 instead of NSMBCW-O2.
3. Revise Section 4.3 of the CIMP to include more specificity on how a significant non-stormwater discharge will be determined. In particular, provide greater specificity on thresholds for field measurements, including flow and water quality data that will be used to determine whether the non-stormwater discharge is significant. The group should consider collecting bacteria samples and considering bacteriological water quality as a factor in determining whether a non-stormwater discharge is significant, given the Santa Monica Bay Beaches Bacteria TMDL requirements.
4. Table 3-1 states that "on average, at least one discharge event per year is expected" from NSMBCW-O2. Please provide justification/analysis (e.g. list of discharge events from previous years) explaining how at least one discharge event per year is expected at NSMBCW-O2.

In separate correspondence to all Permittees developing CIMPs and Integrated Monitoring Programs (IMPs), the Los Angeles Water Board will also be providing 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 **September 04, 2015**. 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 November 03, 2015). Please note that the Group is responsible for complying with all reporting provisions included in Attachment E, Part XIV – XVIII and Section B of Part XIX, “Reporting Requirements for Santa Monica Bay WMA TMDLs,” and Attachment D, Sections IV, V, and VII.A of the LA County MS4 Permit. Additionally, the Group is also responsible for complying with the following requirements under Annual Reporting and Adaptive Management.

### **Annual Reporting**

Within the reporting year, through its Annual Report per Attachment E, Part XVIII of the LA County MS4 Permit, the Group shall provide an Integrated Monitoring Report that summarizes all identified exceedances of:

- o outfall-based stormwater monitoring data,
- o wet weather receiving water monitoring data,
- o dry weather receiving water monitoring data, and
- o 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 Los Angeles 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 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 Los Angeles 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 Ms. Erum Razzak of the Storm Water Permitting Unit by electronic mail at [Erum.Razzak@waterboards.ca.gov](mailto:Erum.Razzak@waterboards.ca.gov) or by phone at (213) 620-2095. Alternatively, you may also 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: North Santa Monica Bay Coastal Watersheds EWMP Group Distribution List

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