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August 3, 2015

VIA EMAIL [losangeles@waterboards.ca.gov]

Sam Unger, Executive Officer
c/o Renee Purdy, Chief, Regional Programs Section
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

**Re: LA County MS4 Permit – Response to Petition for Review of
WMP Approvals**

Dear Ms. Purdy,

The East San Gabriel Valley Watershed Management Group (“ESGV”) respectfully submits this Response to the Petition of NRDC, Los Angeles Waterkeeper, and Heal the Bay (collectively, “Environmental Groups”) for Review of the Regional Board Executive Officer’s Action to Conditionally Approve Nine Watershed Management Programs pursuant to the Los Angeles County Municipal Separate Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (“Permit”). In their Petition, the Environmental Groups request that the Los Angeles Regional Water Quality Control Board (“Regional Water Board”) review and invalidate the Executive Officer’s conditional approvals of nine Watershed Management Programs (“WMPs”) and deny all nine WMPs. (Petition, pp. 1-2.)¹ The Petition should be denied, as conditional approval of the nine WMPs is within the scope of authority delegated to the Executive Officer and within the procedural requirements of the Permit. Further, the evidence in the record demonstrates that the ESGV watershed management group revised the WMP to address all comments and conditions and the ESGV WMP is fully compliant with all permit requirements.

I. INTRODUCTION

The East San Gabriel Valley watershed management group, consisting of the cities of Claremont, La Verne, Pomona and San Dimas, submitted a draft ESGV WMP to the Regional Water Board in June 2014. On October 27, 2014, the Regional Water Board

¹ The Environmental Groups also petitioned the State Water Resources Control Board (“State Board”) seeking the same action.

provided fewer than twenty comments on the draft ESGV WMP. (See Petition, Exhibit A.) The group revised the WMP to address all comments, submitted a revised WMP and, on April 28, 2015, received conditional approval of the ESGV WMP. (See Petition, Exhibit B.) The conditional approval imposed eight conditions on the ESGV WMP and required the watershed management group to address the conditions by June 12, 2015. (*Ibid.*) The watershed management group modified the WMP to address all eight comments and submitted the final ESGV WMP on June 12, 2015.²

The Environmental Groups challenge the Executive Officer's conditional approval of all nine WMPs on three grounds: 1) that the Executive Officer acted outside the scope of authority delegated to the Executive Officer by conditionally approving the WMPs because the only authority explicitly delegated to the Executive Officer was to approve or deny the WMPs; 2) that the Executive Officer improperly modified the Permit by failing to comply with substantive and procedural requirements and exceeded statutory limits on delegation; and 3) that the Executive Officer improperly imposed conditions on the approvals that are inconsistent with Permit requirements and the Clean Water Act.

The Executive Officer's action to conditionally approve the nine WMPs was an action within the broad scope of authority delegated to the Executive Officer by the Regional Water Board by Resolution No. R10-009 and specified further by the Permit. As a result, the Executive Officer's conditional approval of the WMPs was within the scope of delegated authority and complied with the procedural requirements of the Permit. Finally, to the extent the Petition asserts that the ESGV WMP did not address the comments provided in the initial comment letter or in the conditional approval, the evidence in the record demonstrates that the ESGV watershed management group revised the WMP to address all comments and conditions.

II. FACTUAL BACKGROUND

The Regional Water Board approved the Permit on November 8, 2012. The Permit regulates discharges to and from municipal separate storm sewer systems ("MS4"), in part, by prohibiting non-stormwater discharges through the MS4 to receiving waters, with limited exceptions (Permit, § III.A.4), prohibiting discharges from the MS4 that cause or contribute to a violation of receiving water limitations (Permit, § V.A) ("Receiving Water Limitations"), and requiring compliance with water quality-based effluent limitations and receiving water limitations, consistent with applicable total maximum daily loads ("TMDL") (Permit, § VI.E) ("TMDL Provisions").

The Permit's WMP Provision provides an alternative pathway to strict compliance with

² See Final ESGV WMP, available at: http://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/watershed_management/san_gabriel/east_san_gabriel/EastSanGabrielRiverValley_FinalWMP.pdf.

specific Permit requirements. Provision VI.C provides that participation in a WMP or Enhanced WMP (“EWMP”) allows a Permittee to comply with the Receiving Water Limitations, TMDL Provisions, and other Permit provisions. The purpose of the WMP/EWMP is “to allow Permittees the flexibility ... to implement the requirements of this Order on a watershed scale through customized strategies, control measures, and BMPs.” (Permit, § VI.C.1.a.) Each WMP must prioritize MS4-related water quality issues, identify strategies to comply with Permit requirements, include an integrated monitoring and assessment program to determine progress towards meeting Permit requirements, include an adaptive management strategy and include input from the public and Regional Water Board. (Permit, § VI.C.1.f.)

The timeline for developing, approving and implementing WMPs/EWMPs is set out in Table 9 of the Permit and is further described in the provisions following the table. (Permit, § VI.C.4.b-g.) Once a WMP/EWMP is approved, Permittees begin implementing the approved plan. (Permit, § VI.C.6.)

The Permit grants the Executive Officer broad authority to modify the deadlines established in the Permit and to require modifications to WMP/EWMPs. The Executive Officer is authorized to extend the deadlines in Table 9, including the deadline for submission of a final WMP/EWMP. (Permit, § VI.C.4.g.) The Executive Officer may also extend deadlines set out within a WMP/EWMP (Permit, § VI.C.6.a), require Permittees to update approved WMP/EWMPs (Permit, § VI.C.8.b.i) and review and approve the modifications to WMP/EWMPs (Permit, § VI.C.8.b.iii).

The Permit itself was challenged by thirty-seven petitions to the State Water Board. On June 16, 2015, the State Water Board adopted an order generally upholding the Permit, but with a number revisions. Revisions to the Watershed Management Program Provision include, in part, the following: (1) clarification that the final date for achieving Receiving Water Limitations incorporated into a WMP/EWMP must be consistent with Provisions VI.C.2.a.ii.(4) and VI.C.2.a.iii.(2)(c), which require establishment of the compliance date by “taking into account the technological, operation, and economic factors that affect the design, development, and implementation of the control measures that are necessary” (State Water Board Order No. WQ 2015-0075, pp. 34-35); (2) clarification that Permittees may not request extensions to final compliance deadlines established in a TMDL but may seek a Time Schedule Order pursuant to Water Code section 13300 (*Id.* at pp. 32, 37); and (3) requirement that Permittees comprehensively update the reasonable assurance analysis and the WMP/EWMP as part of the adaptive management process and undertake additional reporting (*Id.* at pp. 37-40). With the exception of clarifying that the Permittees cannot seek an extension to final compliance dates established in a TMDL, the State Water Board did not restrict the Executive Officer’s broad discretion to modify the deadlines and require modifications to WMPs/EWMPs.

As a result, the Executive Officer remains authorized to extend the deadlines in Table 9, including the deadline for submission of a final WMP/EWMP (Permit, § VI.C.4.g), to extend deadlines set out within a WMP/EWMP, except for deadlines established in a TMDL (Permit, § VI.C.6.a), to require Permittees to update approved WMP/EWMPs

(Permit, § VI.C.8.b.i) and to review and approve the modifications to WMP/EWMPs (Permit, § VI.C.8.b.iii).

III. COMMENTS

THE EXECUTIVE OFFICER'S DELEGATED AUTHORITY INCLUDES THE AUTHORITY TO ISSUE A CONDITIONAL APPROVAL

The Regional Water Board delegated nearly all of its powers to the Executive Officer when it authorized the Executive Officer to “exercise[e] any powers and duties of the Regional Board.” (Resolution R10-009.) This comprehensive delegation of authority has been limited in specific ways, including the limitations required by Water Code section 13223(a).³ Nowhere in the Regional Water Board’s extensive delegation of authority to the Executive Officer has the Regional Water Board limited the delegated authority to those powers specifically enumerated by the Regional Water Board. For this reason, the Executive Officer retains the broad authority “to do everything necessary or proper and usual, in the ordinary course of business, for effecting the purpose of [the] agency[.]” (Civ. Code, § 2319.) Delegated authority is not limited to those “specifically delegated” powers.

The Environmental Groups assert that conditional approval creates “a new, unauthorized schedule that will only defer compliance with the Permit’s [Receiving Water Limitations] and TMDL-limitations [provisions].” (Petition, at p. 8.) As noted above, the Permit explicitly authorizes the Executive Officer to modify the WMP/EWMP deadlines. However, even if the Permit did not contain such explicit authorization, the power to conditionally approve is a necessary and proper exercise of the Executive Officer’s power to accomplish the purpose for which the Regional Water Board delegated its authority. (Civil Code, § 2319; see also *County of San Diego v. Bowen* (2008) 166 Cal.App.4th 501, 510 [a sweeping grant of authority that includes the power to determine certain procedural elements together with the authority to approve or deny particular applications, “includes the authority to condition approval”].) Where there is such a “broad delegation of powers ... it cannot seriously be disputed that the [agent] possesses sufficient ... authority to issue the [conditional approval].” (*Bowen, supra*, at p. 510.)

The Regional Water Board has granted the Executive Officer the authority to “exercise[e] any powers and duties of the Regional Board.” (Resolution R10-009.) This sweeping authority includes with it the power to conditionally approve WMPs/EWMPs,

³ Water Code 13223(a) states, “(a) Each regional board may delegate any of its powers and duties vested in it by this division to its executive officer excepting only the following: (1) the promulgation of any regulation; (2) the issuance, modification, or revocation of any water quality control plan, water quality objectives, or waste discharge requirement; (3) the issuance, modification, or revocation of any cease and desist order; (4) the holding of any hearing on water quality control plans; and (5) the application to the Attorney General for judicial enforcement but excluding cases of specific delegation in a cease and desist order and excluding the cases described in subdivision (c) of Section 13002 and Sections 13304 and 13340.” The Petition alleges that the Executive Officer’s conditional approval violates (2) above by modifying waste discharge requirements. (See Petition, p. 9.) These arguments are addressed in Section III.A.1 and 2 of this Response.

especially in light of the Executive Officer’s specific authority to approve and deny WMPs/EWMPs clarified in the Permit. Because the agency relationship established by the grant of authority from the Regional Water Board to the Executive Officer is broad, and specifically includes the power to approve and deny WMPs/EWMPs, to modify the approval schedule, and to require revisions to the WMPs/EWMPs, it cannot seriously be disputed that the Executive Officer possesses sufficient authority to issue a conditional approval.

A. The East San Gabriel Valley WMP Addressed All Comments from the Regional Board and is Fully Compliant with Permit requirements

The ESGV group fully revised its WMP to address all comments provided in the Regional Water Board’s October 27, 2014 comment letter and in the April 28, 2015 conditional approval. Specific changes are shown in the chart below. As a result of these changes, the substance of the ESGV WMP is not at issue and it remains largely unchanged from the version that was presented to the Regional Board in open session in April 2015.

IV.
CONCLUSION

The East San Gabriel Valley Watershed Management group respectfully requests that the Petition be denied on the grounds that the Executive Officer’s action to conditionally approve the nine WMPs was an action within the broad scope of authority delegated to the Executive Officer and within the procedural requirements of the Permit.

Comment	Regional Board Comment October 27, 2014	Response Comments/Notes
1	Greater detail on the water quality characterization, including (1) a map of the locations of the monitoring sites for each of the four sources of data identified on page 7 relative to the watershed management area, and (2) a tabular summary of the data should be provided.	Additional detail has been added to augment the WMP document. Figure 3-1 has been added to show monitoring site locations. Table 3-1 has been added to summarize the data collected during development of the WQPs.
2	In Section 5.1.4, the data used to establish existing concentrations should be described in more detail and presented in tabular form. Additionally, Table 5-2 appears to omit from the analysis San Jose Creek. Discharges to San Jose Creek are subject to a dry-weather water quality-based effluent limitation (WQBEL) for selenium; therefore, data on existing concentration should be included for San Jose Creek.	Selenium is a natural source. The discharge of the MS4 should be low Se (other than groundwater infiltration to the MS4) monitoring will confirm. Table 5-4 has been added to provide clarification. The section of “San Jose Creek” through the WMP area is called “Thompson Creek”

Comment	Regional Board Comment October 27, 2014	Response Comments/Notes
3	The MS4 permit requires WMPs to include the applicable WQBELs for every approved TMDL within the WMA. The draft WMP does not include the WQBELs for Puddingstone Reservoir for total phosphorus and total nitrogen, total mercury, and PCBs, chlordane, dieldrin, total DDT and 4,4-DDT.	Table 5-5 and Appendix D have been added to provide clarification.
4	The WMP needs to address all applicable WQBELs to comply with provisions of Part VI.E and Attachment P related to the Los Angeles Lakes TMDLs (specifically, Puddingstone Reservoir for nitrogen, phosphorus, mercury, PCBs, chlordane, dieldrin and DDT compounds). Attachment P identifies wasteload allocations for each of the four municipalities in the ESGV WMG and states these are to be measured at the point of discharge into the receiving waters. Also, if implementation will take more than one year, then interim milestones and dates for their achievement must also be included. in the ESGV WMG and states these are to be measured at the point of discharge into the receiving waters. Also, if implementation will take more than one year, then interim milestones and dates for their achievement must also be included.	<p>The WMP is based on retention of the 85th percentile, 24-hour storm by 2026. Achievement of this implementation goal will address <u>all</u> Water Quality Priorities in the WMP area. See Section 5.3. Clear milestones are provided in Section 5.3, see Table 5-15, Table 5-16, and Figure 5-23. New clarifying language on the benefits of the design storm approach was added to the opening of Section 5 on page 30, as follows:</p> <p>“By using design storm retention as the basis for the RAA, it comprehensively addresses all Water Quality Priorities, as follows:</p> <ul style="list-style-type: none"> • Retention of the design storm addresses all Category 1, 2 and 3 pollutants • Retention of the design storm addresses any additional pollutants that may arise as Water Quality Priorities during EWMP implementation • Retention of the design storm addresses both wet and dry weather issues • The schedule for implementing BMPs to retain the design storm (Section 5.3) is the schedule for addressing all current and future Water Quality Priorities, including Puddingstone Reservoir.”
5	The WMP needs to specify the applicable receiving water limitations for Category 3 waterbody-pollutant combinations (WBPCs).	A Table of Applicable WQOs has been added as Appendix D.

Comment	Regional Board Comment October 27, 2014	Response Comments/Notes
6	<p>The WMP needs to provide a clear schedule that demonstrates implementation of the BMPs will achieve the required interim metal reductions by the compliance deadlines. Whereas Tables 5-6 through 5-9 present the type of structural BMPs to be implemented by each City, there are no specific dates for installation; the WMP schedule should describe timelines through 2022.</p>	<p>A clear schedule for retaining the design storm volume is presented in Table 5-15, Table 5-16, and Figure 5-23. The % capacity matches exactly the SGR Metals TMDL milestones. And because the RAA is based on the design storm. The schedule for interim pacing shown in Table 5-16 is the schedule for addressing all Water Quality Priorities in the WMP area. Many pollutants will likely be addressed well before full implementation of the design storm BMPs.</p>
7	<p>The WMP proposes to increase frequency of construction site inspections although this appears to apply only for City of San Dimas. The WMP should either increase such frequency for other Cities or provide rationale for no changes for the other cities of the ESGV WMG. The WMP also proposes to require inventory of existing developments for future BMP retrofits; however no timeframe is included.</p>	<p>Clarifying language has been added. The frequency of construction site inspections is not increasing; rather it would be aligned with frequency of San Dimas' building permit inspections.</p>
8	<p>The draft RAA addresses WBPCs for the San Gabriel Metals TMDLs; however the RAA does not address activities and control measures to address selenium in San Jose Creek Reach 2, nor pollutants in the Puddingstone Reservoir TMDLs. Greater clarity should be provided on the volume based approach taken by the ESGV WMG.</p>	<p>The WMP is based on retention of the 85th percentile, 24-hour storm by 2026. Achievement of this implementation goal will address <u>all</u> Water Quality Priorities. See Section 5.3. New clarifying language was added to the opening of Section 5 on page 30.</p>
9	<p>Activities and control measures for Category 3 WBPCs for Walnut Creek Wash and San Gabriel River Reach 2 and Reach 3 are not included. To the extent that the group intends to address these through the volume based approach, this should be more clearly stated in the WMP.</p>	<p>The WMP is based on retention of the 85th percentile, 24-hour storm by 2026. Achievement of this implementation goal will address <u>all</u> Water Quality Priorities. See Section 5.3. New clarifying language was added to the opening of Section 5 on page 30.</p>

Comment	Regional Board Comment October 27, 2014	Response Comments/Notes
10	<p>The RAA identifies potential areas for green street conversion and assumes a 30% conversion of the road length in the suitable areas; however, the specific locations and projects are not identified. Although it may not be possible to provide detailed information on specific projects at this time, the WMP should at least specify the number of projects needed to ensure timely compliance with permit requirements.</p>	<p>The locations for implementing green streets are presented in great detail in the WMP. Each subwatershed is prescribed a unique recipe for green streets implementation (as detailed in Table 5-11 to 5-14). See Figure 5-21. IN order words, the green street capacities to be implemented by WMP are detailed with a spatial resolution that matches the WMMS subwatersheds, approximately 1 to 2 square miles.</p>
11	<p>The draft WMP assumes a 10% pollutant reduction from new non-structural controls. Although 10% is a modest fraction of the overall controls necessary, additional support for this assumption should be provided, or as part of the adaptive management process, the Permittees could commit to evaluate this assumption during program implementation and develop alternate controls if it becomes apparent that the assumption is not warranted.</p>	<p>The Group committed to specific BMPs associated with the 10% reduction, including a Rainfall Runoff Reduction program (see Section 5.4) As stated in the revised WMP, "All of these control measures represent <i>enhanced BMP implementation</i> from the baseline condition that existed prior to the 2012 Permit." Table 5-17 details the institutional controls and discusses their status prior to the 2012 Permit. Language was also added to clarify the approach if the 10% milestone is not attained as expected "During adaptive management, if the 10% milestone is not attained in 2017, then the Group will develop alternate institutional controls or additional structural controls as necessary."</p>
12	<p>The draft WMP, including the RAA, excludes stormwater runoff from "non-MS4" facilities within the WMA from the stormwater treatment target. In particular, industrial facilities that are permitted by the Water Boards under the Industrial General Permit or an individual stormwater permit were identified and subtracted from the treatment target.</p> <p>Regional Water Board staff recognizes that this was done with the assumption that these industrial facilities will retain their runoff and/or eliminate their cause/contribution to receiving water exceedances, as required by their respective NPDES permit. However, it is important that the Group's actions under its Industrial/Commercial Facilities Program- including tracking critical industrial sources, educating industrial facilities regarding BMP requirements, and inspecting industrial facilities- ensure that all industrial facilities are implementing BMPs as required.</p>	<p>Noted. The following language was added to Section 5.2.2 page 58: "Note: the Group will continue to inspect industrial facilities under the Permit inspection programs."</p>

Comment	Regional Board Comment October 27, 2014	Response Comments/Notes
13	<p>The draft WMP, including the RAA, takes a similar approach for areas under the jurisdiction of the California Department of Transportation (Caltrans). Caltrans facilities that are permitted under the Caltrans MS4 permit (Order No. 2012-0011-DWQ) were also identified and subtracted from the treatment target.</p> <p>It should be noted that the Amendment to the Caltrans Permit (Order WQ 2014-0077-DWQ) includes provisions to address TMDL requirements throughout the state. Revisions to Attachment IV of the Caltrans Permit require that Caltrans prioritize all TMDLs for implementation of source control measures and BMPs, with prioritization being "consistent with the final TMDL deadlines to the extent feasible."</p> <p>Additionally, the Caltrans Permit also includes provisions for collaborative implementation through Cooperative Implementation Agreements between Caltrans and other responsible entities to conduct work to comply with a TMDL. By contributing funds to Cooperative Implementation Agreements and/or the Cooperative Implementation Grant Program, Caltrans may receive credit for compliance units, which are needed for compliance under the Caltrans Permit.</p> <p>In a similar manner, the LA County MS4 Permit includes provisions for Permittees to control the contribution of pollutants from one portion of the shared MS4 to another portion of the MS4 through interagency agreements with other MS4 owners-such as Caltrans-to successfully implement the provisions of the Order (see Parts VI.A.2.a .viii and VI.A.4.a.iii). Therefore, the Group should ensure that it is closely coordinating with appropriate Caltrans District staff regarding the identification and implementation of watershed control measures to achieve water quality requirements (i.e. applicable Receiving Water Limitations and WQBELs).</p>	<p>The Group has reached out to Caltrans (Robert Wu) to coordinate on BMPs that Caltrans has/will be installing on Caltrans property through the Group's jurisdiction. The following language was added to Section 5.2.2 page 58: "In addition, the Group will work with Caltrans on potential options for collaborating during WMP implementation."</p>
14	<p>The required reductions for dry weather were calculated based on the median and the 90th percentile existing concentrations in Section 5.1.4 of the WMP. Specific required reductions for Thompson Creek, San Dimas, and Puddingstone Reservoir were listed in Table 5-2 on page 42 of the draft WMP. However, the required reductions for dry weather for San Jose reek were not included in the table. The WMP should be revised to include the required reductions for identified priority pollutants for San Jose Creek.</p>	<p>San Jose Creek and Thompson Creek are the same watershed/waterbody for purposes of the WMP. The Thompson Creek watershed refers also to San Jose Creek.</p>

Comment	Regional Board Comment October 27, 2014	Response Comments/Notes
15	The predicted runoff volumes presented in Figure 5-12 and Table 5-1 should be presented and explained in more detail to provide clarity on how those values were obtained from the hourly model output results of runoff volume over the 24-hour design event for each subwatershed or city-subwatershed.	The modeling files provided the Group show the 24-hour simulation used to estimate design storm volumes. See Section 5.1.4 for details on the hydrologic simulation. The assumed design storm characteristics (shape, duration, etc.) match the County hydrology manual.
16	The report did not describe how the model was calibrated, including calibration results compared to calibration criteria in Table 3.0 of the RAA Guidelines, and no historical hydrology data were used for comparison with the model results for the baseline prediction. According to Part G, pages 12-13 of the RAA Guidelines, model calibration is necessary to ensure that the model can properly assess all the variables and conditions in a watershed system. The hydrology calibration is particularly important in the case of the East San Gabriel Valley RAA, since the group is used a volume-based approach.	A new section 5.1.2 is added to report the hydrology calibration.
17	The report presents the existing runoff volumes and required volume reductions to achieve the 85th percentile, 24-hour volume retention standard for each watershed area. The report needs to present the same information, if available, for non-stormwater runoff. Alternatively, the report should include a commitment to collect the necessary data in each watershed area, through the non-stormwater outfall screening and monitoring program, so that the model can be re-calibrated during the adaptive management process to better characterize non-stormwater flow volumes and to demonstrate that proposed volume retention BMPs will capture 100 percent of nonstormwater that would otherwise be discharged through the MS4 in each watershed area.	Non-stormwater runoff will be controlled by stormwater BMPs. By 2023, the dry weather compliance date for the SGR metals TMDL, 65% of the design storm runoff will be captured in each subwatershed within the WMP area. That BMP capacity will easily address non-stormwater flows. See the paragraph at the bottom of page 66.

Comment	Regional Board Comment October 27, 2014	Response Comments/Notes
18	The index of subwatersheds shown in Figure 5-15 does not match that used in the model input file. The ID numbers for 67 subwatersheds from the model input file (and the correspondence of these 67 subwatersheds to the 98 city-subwatersheds) must be provided and be shown in the simulation domain to present the geographic relationship of these subwatersheds and city-subwatersheds that are simulated in the LSPC model.	To explain the subwatershed index, the following footnote was added to the end of Section 5.2, as follows: "The 67 LSPC subwatersheds within the WMP boundary were overlaid with the jurisdictional boundaries to create 98 city-subwatersheds. The city-subwatershed ID is composed of the jurisdictional identifier (the first two digits) and the original LSPC subwatershed ID (the last four digits). To identify the geographical relationship between the LSPC model subwatersheds and the city-subwatersheds shown in Figure 5-20, the last four digits of the city-subwatershed correspond to the LSPC Subwatershed IDs."
19	In the analysis of the required reduction for lead, zinc, selenium and E. coli under the dry weather condition, more detailed information about the baseline condition for 50th and 90th percentile existing concentration presented in Table 5-2 should be provided.	The design storm approach of the RAA comprehensively address all Water Quality Priorities during both dry and wet weather. By 2023, the dry weather compliance date for the SGR metals TMDL, 65% of the design storm runoff will be captured in each subwatershed within the WMP area. That BMP capacity will easily address non-stormwater flows. See the paragraph at the bottom of page 66.

Regional Water Board Condition (April 28, 2015)	ESGV WMP Response
Correct Tables 3-3 and 5-5 of the revised draft WMP by removing reference to the dry-weather copper waste load allocations (WLAs). The East San Gabriel Valley Permittees' MS4 discharges are not subject to the dry-weather copper WLAs in the San Gabriel River and Impaired Tributaries Metals and Selenium TMDL (Attachment P of the LA County MS4 Permit) assigned to discharges to the San Gabriel River Reach 1 and San Gabriel River Estuary.	Corrected Tables 3-3 and 5-5 to remove reference to dry-weather copper WLAs.

Regional Water Board Condition (April 28, 2015)	ESGV WMP Response
<p>Revise Table 4-3 of the revised draft WMP to include "Interagency coordination," "Hydromodification Control Plan," and "Sewage system maintenance, overflow, and spill prevention," which are requirements of the LA County MS4 Permit. (See Parts VI.A.2.a.viii, VI.A.4.a.iii, and VI.D.2, among others, regarding "interagency coordination"; Part VI.D.7.c.iv regarding "Hydromodification Control Plan"; and Parts VI.D.9.h.ix and VI.D.10.c-e regarding "sewer system maintenance, overflow, and spill prevention.")</p>	<p>Revised Table to include "Interagency Coordination", Hydromodification Control Plan", and "Sewage System Maintenance, Overflow, and Spill Prevention".</p>
<p>Revise and separate Table 4-2 of the revised draft WMP, "Recently Constructed and Planned BMPs in the WMP Area," into two tables to clearly distinguish between: (a) those best management practices (BMPs) that are already constructed (providing the completion date for each), and (b) those BMPs that are planned (providing the scheduled completion date for each).</p>	<p>Revised and separated Table 4-2 into two tables as noted.</p>
<p>Clarify the responsibilities of each Permittee of the ESGV WMG for implementation of watershed control measures in Table 5-17 of the revised draft WMP, "Control Measures to be Implemented for Attainment of 10% Milestone" and Table 5-18, "Schedule for Implementation of the Rooftop Runoff Reduction Program" to attain the 10% interim milestone in the San Gabriel River and Impaired Tributaries Metals and Selenium TMDL.</p>	<p>Revised Table 5-17 to clarify responsibilities.</p>
<p>Correct inconsistencies between Table 5-4 and Table 5-6 of the revised draft WMP, including: (a) information on selenium, which indicates exceedances downstream in Table 5-4 of the revised draft WMP, but indicates that no reductions are necessary in Table 5-6, and (b) missing information on E. coli exceedances in Table 5-4.</p>	<p>Tables 5-4 and 5-6 have been revised to correct inconsistencies.</p>

Regional Water Board Condition (April 28, 2015)	ESGV WMP Response
<p>Revise Appendix D of the revised draft WMP to include: (a) both the geometric mean water quality objective (126/100 mL) and the single sample maximum water quality objective (235/100 mL) for E. coli density and (b) a table of the water quality-based effluent limitations (WQBELs) applicable to the ESGV WMG for lead, selenium, total nitrogen, total phosphorus, total mercury, total PCBs, total chlordane, dieldrin, total DDT, and 4,4-DDT as set forth in Attachment P of the LA County MS4 Permit.</p>	<p>Revised Appendix D to include all information requested.</p>
<p>Confirm in the revised draft WMP that Permittees of the ESGV WMG shall implement permit provisions in Part III Discharge Prohibitions and Part VI.D Stormwater Management Program Minimum Control Measures as set forth in the LA County MS4 Permit, unless noted otherwise in the revised draft WMP.</p>	<p>The WMP has been revised to confirm that the Permittees will implement the permit provisions cited.</p>
<p>Provide in an Appendix the comparison of the volume reductions required by the load-based and volume-based numeric goals conducted as the initial step in the WMP Reasonable Assurance Analysis (RAA).</p>	<p>The comparison of the volume reductions have been provided in Appendix A.</p>

Los Angeles Regional Water Quality Control Board
August 3, 2015
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Sincerely,



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City Manager
City of Claremont



Bob Russi
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City of La Verne



Mark Lazzaretto
Acting City Manager
City of Pomona



Blaine Michaelis
City Manager
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