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16 City of Artesia, and City of La Mirada

17 STATE OF CALIFORNIA
18 CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
19 LOS ANGELES REGION

20 In the Matter of Petition for Review of the Los
Angeles Regional Water Quality Control Board
21 Executive Officer's Action to Approve, with
Conditions, Nine Watershed Management
22 Programs Pursuant to the Los Angeles County
Municipal Separate Storm Sewer System (MS4)
23 Permit (Order No. R4-2012-0175; NPDES
24 Permit No. CAS004001)

**RESPONDENTS' REQUEST FOR
OFFICIAL NOTICE IN SUPPORT OF
OPPOSITION TO PETITION BY
NATURAL RESOURCES DEFENSE
COUNCIL AND OTHERS CHALLENGING
WATER MANAGEMENT PROGRAM
APPROVALS**

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**RESPONDENTS' REQUEST FOR OFFICIAL NOTICE IN SUPPORT OF OPPOSITION TO
PETITION BY NATURAL RESOURCES DEFENSE COUNCIL AND OTHERS CHALLENGING
WATER MANAGEMENT PROGRAM APPROVALS**



1 **I. INTRODUCTION**

2 The Cities of Norwalk¹ and Signal Hill² (“Cities” or “Respondents”), in conjunction with their
3 Comments on the Petition for Review of the Los Angeles Regional Water Quality Control Board
4 Executive Officer’s Action to Approve, with Conditions, Nine Watershed Management Programs
5 Pursuant to the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit (Order
6 No. R4-2012-0175; NPDES Permit No. CAS004001) (“Petition”), hereby request that the California
7 Regional Water Quality Control Board, Los Angeles Region (“Regional Board”), take official notice
8 of the following documents described below. This request is made pursuant to Government Code
9 section 11515, Evidence Code sections 452 and 453, and section 648.2 of Title 23 of the California
10 Code of Regulations. Each of the documents that are part of this request are copies of original
11 documents produced by a State agency, specifically the Los Angeles Regional Water Quality Control
12 Board, and constitute official documents of that agency.

- 13 1. Attached as **Exhibit “A”** is a true and correct copy of a letter from Samuel Unger,
14 Executive Officer of the Los Angeles Regional Water Quality Control Board, to the
15 Permittees of the Lower Los Angeles River Watershed Management Group, Re:
16 FINAL APPROVED LOWER LOS ANGELES RIVER WATERSHED
17 MANAGEMENT PROGRAM (WMP), PURSUANT TO THE LOS ANGELES
18 COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT
19 (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175) AND THE CITY
20 OF LONG BEACH MS4 PERMIT (NPDES PERMIT NO. CAS004003; ORDER NO.
21 R4-2014-0024), dated July 21, 2015, and available on the Regional Board’s website at
22 http://www.swrcb.ca.gov/rwqcb4/water_issues/programs/stormwater/municipal/watershed_management/los_angeles/lower_losanangeles/index.shtml (“**Lower LA River**
23 **WMP Final Approval Letter**”).
24

25 ///

27 ¹ The City of Norwalk is lead Permittee for the Lower San Gabriel River Watershed Management Program.

28 ² The City of Signal Hill is lead Permittee for the Lower Los Angeles River Watershed Management Program.



- 1 2. Attached as **Exhibit “B”** is a true and correct copy of a letter from Samuel Unger,
2 Executive Officer of the Los Angeles Regional Water Quality Control Board, to the
3 Permittees of the Lower San Gabriel River Watershed Management Group, Re:
4 FINAL APPROVED LOWER SAN GABRIEL RIVER WATERSHED
5 MANAGEMENT PROGRAM (WMP), PURSUANT TO THE LOS ANGELES
6 COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT
7 (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175) AND THE CITY
8 OF LONG BEACH MS4 PERMIT (NPDES PERMIT NO. CAS004003; ORDER NO.
9 R4-2014-0024), dated July 21, 2015, and available on the Regional Board’s website at
10 http://www.swrcb.ca.gov/rwqcb4/water_issues/programs/stormwater/municipal/watershed_management/san_gabriel/lower_sangabriel/index.shtml (“**Lower San Gabriel River WMP Final Approval Letter**”).
11
12
13 3. Attached as **Exhibit “C”** are true and correct copies of five letters from Samuel Unger,
14 Executive Office of the Los Angeles Regional Water Quality Control Board, to the
15 Permittees of the Alamitos Bay/Los Cerritos Channel, Lower Los Angeles River,
16 Upper Santa Clara River, Santa Monica Bay (EWMP Jurisdictional Groups 2-3), and
17 Upper San Gabriel River Watershed Management Groups approving with conditions
18 the submittals of their respective Coordinated Integrated Management Plans (“**CIMP Approval Letters**”).
19
20 4. Based upon the documents contained in Request No. 3, the Respondents request that
21 the Regional Board take notice of the following **undisputed fact**:
22 That it is the custom and practice of this Board (and other Regional Boards) to issue
23 approval documents which often contain conditions as part of the approval document.

24 **II. ARGUMENT**

25 Government Code section 11515 establishes that, in formal hearings for administrative
26 adjudications, State agencies may take official notice “of any fact which may be judicially noticed by
27 the courts of this State.” Section 648.2 of Title 23 of the California Code of Regulations similarly
28 provides that, for adjudicative proceedings, the Regional Board or presiding officer “may take official



1 notice of such facts as may be judicially noticed by the courts of this state.” (See also Order WQ
2 2015-0075, 2015 WL 4071332 (Cal.St.Wat.Res.Bd.) at 3, fn. 14 [State Water Resources Control
3 Board discussing basis for granting requests for official notice].) Therefore, the Regional Board may
4 take official notice of facts that are properly the subject of judicial notice.

5 Evidence Code section 452(c) allows for judicial notice of the “[o]fficial acts of the legislative,
6 executive, and judicial departments of the United States and of any state of the United States.” Courts
7 have found that “official acts” under Evidence Code section 452(c) “include records, reports and
8 orders of administrative agencies.” (*Rodas v. Spiegel* (2001) 87 Cal.App.4th 513, 518; see also *Hogen*
9 *v. Valley Hospital* (1983) 147 Cal.App.3d 119, 125; *McGlothlen v. Department of Motor Vehicles*
10 (1977) 71 Cal.App.3d 1005, 1015; *Agostini v. Strycula* (1965) 231 Cal.App.2d 804, 806.) The
11 attached Final Approval Letters are official acts and records of the Regional Board, an administrative
12 agency of this State. Pursuant to Evidence Code section 452(c), the Regional Board or presiding
13 officer should take official notice of these documents for the administrative hearing on the Petition
14 and include these materials in the record of decision. Each of the attached exhibits are relevant to the
15 Petition, this matter, and the hearing because they are letters from the Executive Officer of the
16 Regional Board providing notice to the Permittees of the final approval of their respective WMP.
17 These Final Approval Letters are directly relevant to the issues raised in the Petition because they
18 address the adequacy of the WMPs and the Executive Officer’s process for approval of the WMPs.
19 Thus, they will “materially aid in [the Regional Board’s] review of the issues in the proceedings.”
20 (Order WQ 2015-0075, 2015 WL 4071332 (Cal.St.Wat.Res.Bd.) at 3 [State Water Resources Control
21 Board discussing standard for evaluating requests for official notice].)

22 The conditional approval letters contained in Exhibit C demonstrate that the Board, acting
23 through its Executive Officer, commonly issues approvals of various plans or documents submitted to
24 it, including plans related to the LA Permit with “conditions” attached to the approval letter. They
25 therefore support request No. 4, for a recognition of a specific fact: That approval with conditions
26 letters are a common practice and procedure for the Los Angeles Regional Board (and for other
27 Regional Boards).

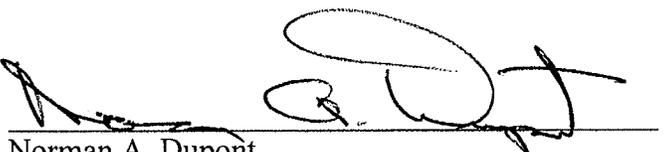
1 Moreover, Evidence Code section 453 provides that a court shall take judicial notice “of any
2 matter specified in Section 452 if a party requests it and: (a) Gives each adverse party sufficient notice
3 of the request, through the pleadings or otherwise, to enable such adverse party to prepare to meet the
4 request; and (b) Furnishes the court with sufficient information to enable it to take judicial notice of
5 the matter.” By submitting this Request with the attached exhibits, the Cities are giving sufficient
6 notice of this request to Petitioner and to the Regional Board. Therefore, since these approval letters
7 are properly the subject of official notice pursuant to Evidence Code section 452(c), the Regional
8 Board shall take official notice of these approval letters and include them in its record of decision
9 pursuant to Evidence Code section 453.

10 **III. CONCLUSION**

11 For the foregoing reasons, the Cities respectfully request that the Regional Board or the
12 administrative hearing officer take official notice of these documents for the hearing on the Petition.

14 DATED: August 3, 2015

RICHARDS WATSON GERSHON,
A Professional Corporation

16
17 By: 
18 Norman A. Dupont
19 Attorneys for CITY OF NORWALK

20 DATED: August 3, 2015

ALESHIRE & WYNDER, LLP

23 By: _____
24 MILES P. HOGAN
25 Attorneys for CITY OF SIGNAL HILL



1 Moreover, Evidence Code section 453 provides that a court shall take judicial notice “of any
2 matter specified in Section 452 if a party requests it and: (a) Gives each adverse party sufficient notice
3 of the request, through the pleadings or otherwise, to enable such adverse party to prepare to meet the
4 request; and (b) Furnishes the court with sufficient information to enable it to take judicial notice of
5 the matter.” By submitting this Request with the attached exhibits, the Cities are giving sufficient
6 notice of this request to Petitioner and to the Regional Board. Therefore, since these approval letters
7 are properly the subject of official notice pursuant to Evidence Code section 452(c), the Regional
8 Board shall take official notice of these approval letters and include them in its record of decision
9 pursuant to Evidence Code section 453.

10 **III. CONCLUSION**

11 For the foregoing reasons, the Cities respectfully request that the Regional Board or the
12 administrative hearing officer take official notice of these documents for the hearing on the Petition.

14 DATED: August 3, 2015

RICHARDS WATSON GERSHON,
A Professional Corporation

By: _____

Norman A. Dupont
Attorneys for CITY OF HUNTINGTON PARK

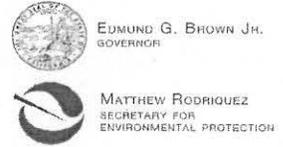
20 DATED: August 3, 2015

ALESHIRE & WYNDER, LLP

By: _____

Miles P. Hogan
MILES P. HOGAN
Attorneys for CITY OF SIGNAL HILL

Exhibit “A”



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

July 21, 2015

Permittees of the Lower Los Angeles River Watershed Management Group¹

FINAL APPROVED LOWER LOS ANGELES RIVER WATERSHED MANAGEMENT PROGRAM (WMP), PURSUANT TO THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175) AND THE CITY OF LONG BEACH MS4 PERMIT (NPDES PERMIT NO. CAS004003; ORDER NO. R4-2014-0024)

Dear Permittees of the Lower Los Angeles River Watershed Management Group:

On November 8, 2012, the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) adopted Order No. R4-2012-0175, *Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, except those Discharges Originating from the City of Long Beach MS4* (hereafter, LA County MS4 Permit). On February 6, 2014, the Board adopted Order No. R4-2014-0024, *Waste Discharge Requirements for Municipal Separate Storm Sewer System Discharges from the City of Long Beach* (hereafter, Long Beach MS4 Permit). The LA County MS4 Permit and the Long Beach MS4 Permit allow Permittees the option to develop either a Watershed Management Program (WMP) or an Enhanced Watershed Management Program (EWMP) to implement permit requirements on a watershed scale through customized strategies, control measures, and best management practices (BMPs). Development of a WMP or EWMP is voluntary and allows a Permittee to address the highest watershed priorities, including complying with the requirements of Part V.A (Receiving Water Limitations), Part VI.E and Attachments L through R (Total Maximum Daily Load Provisions), by customizing the control measures in Parts III.A (Prohibitions – Non-Storm Water Discharges) and VI.D (Minimum Control Measures), except the Planning and Land Development Program².

On April 28, 2015, on behalf of the Los Angeles Water Board, I approved, with conditions, the Lower Los Angeles River (LLAR) Group's WMP. My approval letter directed the LLAR Group to

¹ Permittees of the Lower Los Angeles River Watershed Management Group include the Los Angeles County Flood Control District; and the cities of Downey, Lakewood, Long Beach, Lynwood, Paramount, Pico Rivera, Signal Hill, and South Gate.

² The cited permit sections are from the LA County MS4 Permit. Equivalent requirements in the Long Beach MS4 Permit are as follows: Part VI.A (Receiving Water Limitations), Part VIII (Total Maximum Daily Load Provisions), Part IV.B (Prohibitions – Non-Storm Water Discharges), and Part VII.D-VII.M (Minimum Control Measures).

July 21, 2015

submit a final WMP that satisfies all the conditions listed in the letter no later than June 12, 2015. On June 12, 2015 the LLAR Group submitted its final WMP, as directed.

After review of the final LLAR WMP submitted on June 12, 2015, I have determined that the LLAR Group's WMP satisfies all of the conditions identified in my April 28, 2015 approval letter. The WMP dated June 12, 2015 hereby constitutes the final approved WMP for the LLAR Group.

The Los Angeles Water Board appreciates the participation and cooperation of the LLAR Group in the implementation of the LA County MS4 Permit and the Long Beach MS4 Permit. If you have any questions, please contact Ivar Ridgeway, Storm Water Permitting, at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

Exhibit “B”

Los Angeles Regional Water Quality Control Board

July 21, 2015

Permittees of the Lower San Gabriel River Watershed Management Group¹

FINAL APPROVED LOWER SAN GABRIEL RIVER WATERSHED MANAGEMENT PROGRAM (WMP), PURSUANT TO THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175) AND THE CITY OF LONG BEACH MS4 PERMIT (NPDES PERMIT NO. CAS004003; ORDER NO. R4-2014-0024)

Dear Permittees of the Lower San Gabriel River Watershed Management Group:

On November 8, 2012, the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) adopted Order No. R4-2012-0175, *Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, except those Discharges Originating from the City of Long Beach MS4* (hereafter, LA County MS4 Permit). On February 6, 2014, the Board adopted Order No. R4-2014-0024, *Waste Discharge Requirements for Municipal Separate Storm Sewer System Discharges from the City of Long Beach* (hereafter, Long Beach MS4 Permit). The LA County MS4 Permit and the Long Beach MS4 Permit allow Permittees the option to develop either a Watershed Management Program (WMP) or an Enhanced Watershed Management Program (EWMP) to implement permit requirements on a watershed scale through customized strategies, control measures, and best management practices (BMPs). Development of a WMP or EWMP is voluntary and allows a Permittee to address the highest watershed priorities, including complying with the requirements of Part V.A (Receiving Water Limitations), Part VI.E and Attachments L through R (Total Maximum Daily Load Provisions), by customizing the control measures in Parts III.A (Prohibitions – Non-Storm Water Discharges) and VI.D (Minimum Control Measures), except the Planning and Land Development Program².

On April 28, 2015, on behalf of the Los Angeles Water Board, I approved, with conditions, the Lower San Gabriel River (LSGR) Group's WMP. My approval letter directed the LSGR Group to

¹ Permittees of the Lower San Gabriel River Watershed Management Group include the Los Angeles County Flood Control District; and the cities of Artesia, Bellflower, Cerritos, Diamond Bar, Downey, Hawaiian Gardens, La Mirada, Lakewood, Long Beach, Norwalk, Pico Rivera, Santa Fe Springs, and Whittier.

² The cited permit sections are from the LA County MS4 Permit. Equivalent requirements in the Long Beach MS4 Permit are as follows: Part VI.A (Receiving Water Limitations), Part VIII (Total Maximum Daily Load Provisions), Part IV.B (Prohibitions – Non-Storm Water Discharges), and Part VII.D-VII.M (Minimum Control Measures).

July 21, 2015

submit a final WMP that satisfies all the conditions listed in the letter no later than June 12, 2015. On June 12, 2015 the LSGR Group submitted its final WMP, as directed.

After review of the final LSGR WMP submitted on June 12, 2015, I have determined that the LSGR Group's WMP satisfies all of the conditions identified in my April 28, 2015 approval letter. The WMP dated June 12, 2015 hereby constitutes the final approved WMP for the LSGR Group.

The Los Angeles Water Board appreciates the participation and cooperation of the LSGR Group in the implementation of the LA County MS4 Permit and the Long Beach MS4 Permit. If you have any questions, please contact Ivar Ridgeway, Storm Water Permitting, at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

Exhibit “C”

Los Angeles Regional Water Quality Control Board

June 24, 2015

Ms. Gail Farber, Director
County of Los Angeles
Department of Public Works
Watershed Management Division, 11th Floor
900 South Fremont Avenue
Alhambra, CA 91803

Ms. Gail Farber, Chief Engineer
Los Angeles County Flood Control District
Department of Public Works
Watershed Management Division, 11th Floor
900 South Fremont Avenue
Alhambra, CA 91803

APPROVAL, WITH CONDITIONS, OF THE ALAMITOS BAY/LOS CERRITOS CHANNEL WATERSHED MANAGEMENT AREA 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 Ms. Farber:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the revised monitoring program submitted on February 18, 2015 by the County of Los Angeles (County) and Los Angeles County Flood Control District (LACFCD) for the Alamitos Bay/Los Cerritos Channel (AB/LCC) Watershed Management Area (WMA). 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 County's and LACFCD'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 County's and LACFCD's draft CIMP. A separate notice of availability regarding the draft CIMPs, including the AB/LCC WMA CIMP, was directed to State Senators and Assembly Members within the Coastal Watersheds of Los Angeles County. The Board received four comment letters that had comments applicable to the County's and LACFCD'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); Ventura Countywide Stormwater Quality Management Program and a private citizen, Joyce Dillard. During the review of the draft and revised CIMP, the Los Angeles Water Board considered those comments applicable to the County's and LACFCD'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 20, 2014, the Los Angeles Water Board sent a letter to the County and LACFCD 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 County's and LACFCD's CIMP. The letter directed the County and LACFCD to submit a revised CIMP addressing the Los Angeles Water Board's comments. Prior to the County's and LACFCD's submittal of its revised CIMP, the Los Angeles Water Board staff had a meeting on January 15, 2015, teleconferences, and email exchanges with the County's representatives to discuss the Board's remaining comments and necessary revisions to the draft CIMP. The County and LACFCD submitted its revised CIMP on February 18, 2015, for Los Angeles Water Board review and approval.

Approval of CIMP, with Conditions

The Los Angeles Water Board hereby approves, subject to the following condition, the County's and LACFCD's February 18, 2015, revised CIMP for the AB/LLC. The Board may rescind this approval if the following condition is not met to the satisfaction of the Board within the timeframe provided below.

1. Revise Section 2.2 Dominguez Channel Toxics TMDL, 5th paragraph, last sentence of the CIMP to omit the strike out portion of the sentence: "Accordingly, no inference should be drawn from the submission of this CIMP or from any action or implementation taken pursuant to it that ~~the County or the LACFCD is obligated to implement the DC Toxics TMDL, including this CIMP or any of the DC Toxics TMDL's other obligations or plans, or that the County or the LACFCD have waived any rights under the Amended Consent Decree.~~"

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 County and LACFCD shall submit a final CIMP to the Los Angeles Water Board that satisfies the above condition no later than **July 8, 2015**. Pursuant to Attachment E, Part IV.C.6 of the LA County MS4 Permit, the County and LACFCD must commence implementing its monitoring program within 90 days after this approval of the final CIMP (i.e. no later than September 22, 2015). Please note that the County and LACFCD are responsible for complying with all reporting provisions included in Attachment E, Part XIV – XVIII and Section F of Part XIX, "Reporting Requirements for Los Cerritos Channel WMA TMDLs," and Attachment D, Sections IV, V, and VII.A of the LA County MS4 Permit. The County and LACFCD are also responsible for complying with applicable reporting provisions included in Section C of Part XIX,

“Reporting Requirements for Dominguez Channel and Greater Harbors Waters WMA TMDLs.” Additionally, the County and LACFCD are 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 County and LACFCD 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 County of LACFCD 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 County and LACFCD.

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 County and LACFCD 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 County’s and LACFCD’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 County's and LACFCD's ROWD.

The Regional Water Board appreciates the participation and cooperation of the County and LACFCD in the implementation of the LA County MS4 Permit. If you have any questions, please contact Ms. Rebecca Christmann of the Storm Water Permitting Unit by electronic mail at Rebecca.Christmann@waterboards.ca.gov or by phone at (213) 576-5734. Alternatively, you may also contact Mr. Ivar Ridgeway, Chief of the Storm Water Permitting Unit, by electronic mail at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Angela George, Los Angeles County Flood Control District
Jolene Guerrero, County of Los Angeles, Department of Public Works
William Johnson, County of Los Angeles, Department of Public Works

Los Angeles Regional Water Quality Control Board

June 18, 2015

Permittees of the Lower Los Angeles River Watershed Management Group¹
(See Distribution List)

APPROVAL, WITH CONDITIONS, OF THE LOWER LOS ANGELES RIVER 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) AND ATTACHMENT E, PART IV.B OF THE CITY OF LONG BEACH MS4 PERMIT (NPDES PERMIT NO. CAS004003; ORDER NO. R4-2014-0024)

Dear Permittees of the Lower Los Angeles River 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 23, 2015 by the Lower Los Angeles River 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), and NPDES Permit No. CAS004003 (Order No. R4-2014-0024), which authorizes MS4 discharges from the City of Long Beach (hereafter, Long Beach MS4 Permit). Both MS4 permits allow 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 E². 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 and the equivalent sections of the Long Beach 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

¹ Permittees of the Lower Los Angeles River Watershed Management Group CIMP include the Los Angeles County Flood Control District; and the cities of Downey, Lakewood, Long Beach, Lynwood, Paramount, Pico Rivera, Signal Hill, and South Gate.

² Equivalent sections in the Long Beach MS4 Permit are Attachment E, Parts II.A and II.D, respectively.

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 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 25, 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. Prior to the Group's submittal of its revised CIMP, the Los Angeles Water Board staff had a meeting on January 23, 2015 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 23, 2015 for Los Angeles Water Board review and approval.

Los Angeles River Nitrogen Compounds and Related Effects 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 Lower Los Angeles River Watershed, the Group's revised CIMP will now address MS4 monitoring requirements for the LAR Nitrogen TMDL.

CIMP Approval

The Los Angeles Water Board hereby approves, subject to the following conditions, the Group's February 23, 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. LA River Bacteria TMDL monitoring should be conducted monthly at the LARB1, LARB2, and LARB7 sites per the Basin Plan:
 - a. Amend Table 4-1 (page 26) and Section 8.3 (pages 54-57) to indicate that monitoring will be conducted monthly at these freshwater bacteria monitoring sites.
 - b. Include a note in Table 4-1, Table 5-1 (page 29), and Section 8.3 that bacteria monitoring frequency will increase to weekly after completion of the first segment or tributary-specific implementation phase.
2. Figure 3-3 on page 24 is entitled "HUC 12 equivalents within the LLAR," however it incorrectly shows the LAR Upper Reach 2 WMP Group and the location of its RW monitoring location. Revise the CIMP as follows:
 - a. Include a correct map of the LLAR HUC 12 equivalents;

- b. Keep the map showing the LAR Upper Reach 2 monitoring location and include a reference and description in Section 3.2; and
 - c. Correct any additional references to these figures.
3. Include a map with land uses for the entire LLAR watershed management group area. Figure 3-2 (page 23) only shows the land uses for the stormwater outfall monitoring site drainage areas.

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 **July 3, 2015**. Pursuant to Attachment E, Part IV.C.6 of the LA County MS4 Permit³, the Group must commence implementing its monitoring program within 90 days after this approval of the final CIMP (i.e. no later than September 16, 2015). 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 the Los Angeles River WMA TMDLs,” and Attachment D, Sections IV, V, and VII.A of the LA County MS4 Permit⁴. The Group is also responsible for complying with applicable reporting provisions included in Section C of Part XIX, “Reporting Requirements for Dominguez Channel and Greater Harbors Waters WMA TMDLs.”⁵ Finally, 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 Permit⁶, the Group shall report on the status of the phased initiation of stormwater outfall monitoring established in the revised CIMP and specified below.

- Table 4-1 “Schedule for Implementation of Monitoring Activities in the Lower Los Angeles River Watershed”: The CIMP establishes a phased approach to initiate monitoring with LLAR2 and LLAR4 to be added the first year and LLAR1 and LLAR3 to be added the second year.
- Table 8-6 “Schedule for Completion of LRS Outfall Monitoring for Bacterial Loads under the Los Angeles River Bacterial TMDL”

In addition, the Annual Report shall provide an Integrated Monitoring Report that summarizes all identified exceedances of:

- outfall-based stormwater monitoring data,

³ Equivalent requirement in the Long Beach MS4 Permit is Attachment E, Part IV.C.5

⁴ Equivalent requirements in the Long Beach MS4 Permit are: Attachment E, Parts XIV-XVIII; Attachment E, Part XIX.B, “Reporting Requirements for the Los Angeles River WMA TMDLs”; and Attachment D, Parts IV, V, and VII.A.

⁵ Equivalent requirement in the Long Beach MS4 Permit is Attachment E, Part XIX, Section A.

⁶ Equivalent requirement in the Long Beach MS4 Permit is Attachment E, Part XVIII.

- 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 Permit⁷, 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, 2017⁸. 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.

⁷ Equivalent sections in the Long Beach MS4 Permit are Part VII.C and Attachment G.

⁸ The ROWD for the Long Beach MS4 Permit is due September 29, 2018.

If you have any questions, please contact Mr. Chris Lopez of the Storm Water Permitting Unit by electronic mail at Chris.Lopez@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 or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

Enclosures: Lower Los Angeles River Watershed Management Group Distribution List

Lower Los Angeles River Watershed Management Group
Distribution List (via email)

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Los Angeles Regional Water Quality Control Board

June 04, 2015

Permittees of the Upper Santa Clara River Watershed Management Group¹
(See Distribution List)

APPROVAL, WITH CONDITIONS, OF THE UPPER SANTA CLARA RIVER 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 Upper Santa Clara River 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 April 30, 2015 by the Upper Santa Clara River 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

¹ Permittees of the Upper Santa Clara River Watershed Management Group CIMP include the city of Santa Clarita, County of Los Angeles, and 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 January 30, 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. Prior to the Group's submittal of its revised CIMP, the Los Angeles Water Board staff had a meeting on January 06, 2015 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 April 30, 2015 for Los Angeles Water Board review and approval.

Santa Clara River Nitrogen Compounds TMDL

In March 2006, the Ventura County Watershed Protection District submitted a comprehensive monitoring plan, titled "Comprehensive Water Quality Monitoring Plan for the Santa Clara River Watershed," which addressed the requirement for MS4 Permittees to submit a work plan per the Santa Clara River Nitrogen Compounds TMDL (SCR Nitrogen TMDL). For MS4 discharges in the Upper Santa Clara River Watershed within Los Angeles County, the Group's revised CIMP will now address MS4 monitoring requirements for the SCR Nitrogen TMDL.

The Los Angeles Water Board hereby approves, subject to the following conditions, the Group's April 30, 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. Constituents listed in Attachment C Table C-2 ("Constituents from Table E-2 That Were Not Detected in the Ten Year Dataset") of the CIMP must be added to Attachment C Table C-1 ("Constituents from Table E-2 to be Monitored During the First Year") of the CIMP, and hence monitored for, if the Method Detection Limit (MDL) of the analytical methods specified are higher than or equal to the current water quality objectives (WQOs).
2. If none of the MDLs in Attachment C Table C-2 of the CIMP are higher than or equal to WQOs, a footnote shall be added stating so.

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 **June 25, 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 September 23, 2015). Please note that the Group is responsible for complying with all reporting provisions included in Attachment E, Part XIV – XVIII and Section A of Part XIX, "Reporting Requirements for Santa Clara River 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 report on the status of the phased initiation of stormwater outfall monitoring established in the revised CIMP and specified below.

- Table 18 "CIMP Implementation Schedule"
- Section 5.2 "Monitoring Schedule": The CIMP establishes a phased approach to initiating monitoring at the selected stormwater outfall monitoring sites, with two outfalls being monitored the first year, an additional two outfalls added in the second year, and finally all remaining outfalls added in the third year. The outfalls to be monitored the first year are MTD 1510 and MTD 1643, the two additional outfalls to be added during the second year are PD 0717 and PD 2443, and the three remaining outfalls to be added during the third year are PD 0494, PD 2516, and Lake Elizabeth East.

In addition, 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 H 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 Ms. Erum Razzak of the Storm Water Permitting Unit by electronic mail at 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 or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

Enclosures: Upper Santa Clara River Watershed Management Group Distribution List

Upper Santa Clara River EWMP Group

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Los Angeles Regional Water Quality Control Board

July 10, 2015

Permittees of the Santa Monica Bay Jurisdictional Group 2 and 3 EWMP Group¹
(See Distribution List)

APPROVAL, WITH CONDITIONS, OF THE SANTA MONICA BAY JURISDICTIONAL GROUP 2 AND 3 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 Santa Monica Bay Jurisdictional Group 2 and 3 EWMP Group:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the revised monitoring program submitted on June 15, 2015 by the Santa Monica Bay Jurisdictional Group 2 and 3 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.

¹ Permittees of the Santa Monica Bay Jurisdictional Group 2 and 3 EWMP Group include County of Los Angeles, Los Angeles County Flood Control District, and the cities of El Segundo, Los Angeles, and Santa Monica.

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 March 16, 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. The Group submitted its revised CIMP on June 15, 2015 for Los Angeles Water Board review and approval.

Santa Monica Bay Nearshore Debris TMDL

Requirements for the Santa Monica Bay Nearshore and Offshore Debris TMDL (SMB Debris TMDL) can be satisfied through the submittal of the Trash Monitoring and Reporting Plan (TMRP) and Plastic Pellet Monitoring and Reporting Plan (PMRP) or via the CIMP. Section 2.2.4 of the CIMP notes which cities have submitted a TMRP, PMRP, and/or a demonstration that a PMRP is not required. Note that the TMRP and PMRP for the City of Santa Monica were approved by the Los Angeles Water Board on March 14, 2014.

The Board approves the TMRPs for the following Permittees and directs these Permittees to begin the implementation of the TMRP immediately:

1. City of El Segundo
2. Los Angeles County Flood Control District
3. County of Los Angeles

Likewise, the Board approves the PMRP for the following Permittees and directs these Permittees to begin the implementation of the PMRP immediately:

1. County of Los Angeles
2. Los Angeles County Flood Control District.

For all approved PMRPs of the Group, please annually report any new industrial facilities that have an SIC code that corresponds to the manufacturing, handling, or transportation of plastic pellets.

The City of Los Angeles submitted a request to the Los Angeles Water Board to be exempt from the SMB Debris TMDL requirement to submit and implement a PMRP. The Board has reviewed the documentation submitted and has determined that the City of Los Angeles does not have industrial facilities or activities related to the manufacturing, handling, or transportation of plastic pellets, with the exception of one facility located in the Ballona Creek subwatershed². Therefore, with the exception of the subdrainage area within the Ballona Creek subwatershed as described in footnote 2, the City of Los Angeles is not required to monitor for plastic pellets, but will implement its spill response plan as necessary.

² In the area covered by the Santa Monica Bay Nearshore and Offshore Debris TMDL, the City of Los Angeles has identified one facility within its jurisdiction that uses plastic pellets. This facility is located within the Ballona Creek subwatershed. Therefore, the City must develop a PMRP to monitor plastic pellet discharges, to establish triggers for increased industrial facility inspections and enforcement of SWPPP requirements, and to address possible plastic pellet spills within the drainage area in which the facility is located. This requirement shall be addressed through the CIMP for the Ballona Creek Watershed Management Group.

The Los Angeles Water Board hereby approves, subject to the following conditions, the Group's June 15, 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 Appendix C Table C-3 of the CIMP to correct typographical errors in the note for footnote 3 where text in footnote 4 can be moved up to footnote 3.
2. Revise the Table of Contents of the CIMP to correct the typographical error under List of Tables "Error! Bookmark not defined."
3. Revise Section 2.2.4 to state, "Additionally ~~and if necessary~~, the DDT/PCB data from Ballona Creek with 83% urbanized area ~~can~~ will be used (by way of extrapolation) to ensure the compliance with the waste load allocation for DDT/PCB storm born sediment is accurately determined and reported." Add a corresponding table note to Table 15 acknowledging the same.
4. Submit the geodatabase files referenced in the revised CIMP Section 3.2.
5. Revise Section 5.3 of the CIMP to indicate that outfalls would be considered to have significant non-stormwater discharges if E. coli is detected in more than one screening event, rather than requiring that E. coli is detected in all three screening events.
6. Revise Section 12 of the CIMP to:
 - a. Specify at which 2 sites monitoring will start upon approval of the CIMP and at which 5 sites monitoring will be phased in to accommodate time for the permitting and installation of fixed autosamplers.
 - b. Include language that composite grab samples will be collected every 20 minutes for three hours or for the duration of the storm (if less than three hours) for all the monitoring events until the autosampler installation and permitting is completed.
7. Revise Section 2.2.4 under LACFCD of the CIMP to note that the Los Angeles County Flood Control District submitted a TMRP to the Board on September 20, 2012.
8. Submit the following with the City of El Segundo's PMRP exemption request:
 - a. A list of SIC codes for industrial facilities that manufacture, handle, or transport plastic pellets.
 - b. The City of El Segundo's Emergency Spill Response Plan with the inclusion of plastic pellets.
9. The City of Los Angeles' TMRP must address how the MFAC implementation will be assessed to ensure compliance by including protocols for trash assessment immediately after each collection event.
10. Along with the PMRP exemption request submitted by the City of Los Angeles, submit an Emergency Spill Response Plan.

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 **August 10, 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 October 8, 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 report on the status of the phased initiation of receiving water and stormwater outfall-based monitoring established in the revised CIMP and specified below.

- Section 12 "Schedule for CIMP Implementation"

In addition, 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 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 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 or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

Enclosures: Santa Monica Bay Jurisdictional Group 2 and 3 EWMP Group Distribution List

Santa Monica Bay Jurisdiction 2 & 3 EWMP Group

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Los Angeles Regional Water Quality Control Board

June 19, 2015

Permittees of the Upper San Gabriel River Watershed Management Group¹
(See Distribution List)

APPROVAL, WITH CONDITIONS, OF THE UPPER SAN GABRIEL RIVER WATERSHED MANAGEMENT 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 Upper San Gabriel River 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 May 06, 2015 by the Upper San Gabriel River 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 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

¹ Permittees of the Upper San Gabriel River Watershed Management Group CIMP include the County of Los Angeles, Los Angeles County Flood Control District, and the cities of Baldwin Park, Covina, Glendora, Industry, La Puente, South El Monte, and West Covina.

review of the draft 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 February 06, 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. Prior to the Group's submittal of its revised CIMP, the Los Angeles Water Board staff had a meeting on March 02, 2015 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 May 06, 2015 for Los Angeles Water Board review and approval.

The Los Angeles Water Board hereby approves, subject to the following conditions, the Group's May 06, 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 the CIMP to include West Covina in the list of Permittees participating in the Upper San Gabriel River Watershed Management Group.
2. Revise the following tables and maps to include the City of South El Monte and the City of West Covina. A footnote may be added specifying that the City of South El Monte is participating in the CIMP only.
 - a. Figure 1-1 "Water Bodies and Geographic Boundary of the USGR EWMP Group"
 - b. Table 1-1 "List of Group Members with land use summaries within jurisdictional boundaries": Information in Table G-1 in Attachment G of the CIMP can be incorporated into this table with a footnote specifying that the numbers reflect only the land use of South El Monte within the San Gabriel River Watershed.
 - c. Table 1-2 "List of Group Members with land use summaries within MS4 service area"
 - d. Figure 2-1 "Overview of Receiving Water Monitoring Sites"
 - e. Figure 4-1 "Stormwater Outfall Monitoring Sites"
 - f. Attachment B "Monitoring Location Fact Sheets".
3. Revise the following Attachments of the CIMP to include West Covina:
 - a. Attachment E "Stormwater Outfall Selection" to include one stormwater outfall monitoring site.
 - b. Attachment F "Stormwater Outfall Sites (Including Potential Alternates)" if alternate stormwater outfall locations are proposed.
4. Revise Section 1.2, 3rd paragraph, last sentence of the CIMP to omit the strike out portion of the sentence: "Accordingly, no inference should be drawn from the submission of this CIMP or from any action or implementation taken pursuant to it that the Group Members are obligated to implement the Harbors Toxics TMDL, including this CIMP or any of the Harbors Toxics TMDL's other obligations or plans, or that the Group Members have waived any rights under the Amended Consent Decree."
5. Revise Section 12 and Table 12-1 of the CIMP if phasing is proposed for the stormwater outfall site in West Covina.

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 **August 31, 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 September 17, 2015). Please note that the Group is responsible for complying with all reporting provisions included in Attachment E, Part XIV – XVIII and Section E of Part XIX, "Reporting Requirements for San Gabriel River WMA TMDLs," and Attachment D, Part IV, V, and VII.A of the LA County MS4 Permit. The Group is also responsible for complying with applicable reporting provisions included in Section C of Part XIX, "Reporting Requirements for Dominguez Channel and Greater Harbors Waters WMA TMDLs." Finally, 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 report on the status of the phased initiation of receiving water and stormwater outfall monitoring established in the revised CIMP and specified below.

- Section 12 "Schedule for CIMP Implementation"
- Table 12-1 "Receiving Water and Outfall Phasing". Fiscal year 2015-2016 includes monitoring of 4 receiving water sites: San Gabriel River Reach 4, Walnut Creek Wash, San Jose Creek, and Puddingstone Reservoir. Stormwater outfall monitoring will start in fiscal year 2016-2017 (County of Los Angeles, and cities of Covina and Industry) and fiscal year 2017-2018 (cities of Baldwin Park, Glendora, and La Puente).

In addition, 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 Ms. Erum Razzak of the Storm Water Permitting Unit by electronic mail at 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 or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

Enclosures: Upper San Gabriel River Watershed Management Group Distribution List

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