
Los Angeles Regional Water Quality Control Board

November 26, 2013

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REVIEW OF NOTIFICATION OF INTENT TO DEVELOP AN ENHANCED WATERSHED MANAGEMENT PROGRAM, PURSUANT TO THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175)

Dear Permittees participating in the Santa Monica Bay Subwatershed J2, J3 and part of J7:

On November 8, 2012, the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) adopted Order No. R4-2012-0175, *Waste Discharge Requirements for MS4 Discharges within the Coastal Watersheds of Los Angeles County, except those Discharges Originating from the City of Long Beach* (hereafter, Order). The Order allows Permittees the option to develop Watershed Management Programs (WMP) to implement the requirements of this Order on a watershed scale through customized strategies, control measures, and best management practices (BMPs). Participation in a Watershed Management Program 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

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

(Total Maximum Daily Load Provisions) and Attachments L through R, by customizing the control measures in Parts III.A (Prohibitions – Non-Storm Water Discharges) and VI.D (Minimum Control Measures) of the Order.

The Order also allows Permittees the option to elect to develop an enhanced Watershed Management Program (EWMP). An EWMP is a watershed based program that comprehensively evaluates opportunities, within the participating Permittees' collective jurisdictional area in a watershed management area, for collaboration among Permittees and other partners on multi-benefit regional stormwater retention projects. These projects will, wherever feasible, retain (i) all non-storm water runoff and (ii) all storm water runoff from the 85th percentile, 24-hour storm event for the drainage areas tributary to the projects, while also achieving other benefits including flood control and water supply, among others.

Pursuant to Part VI.C.4.b of the Order, Permittees electing to develop a WMP or EWMP were required to submit notification and supporting documentation to the Regional Board of their intent to develop a WMP or EWMP, and request a submittal date for their draft program plan, by June 28, 2013.

On June 27, 2013, the Regional Board received the Santa Monica Bay (SMB) Subwatershed Jurisdictional Groups 2 and 3 (J2 and J3) and the City of Los Angeles area within Jurisdictional Group 7 (J7) notification of intent (NOI) to develop an EWMP. The Permittees participating in the SMB Subwatershed J2 and J3 EWMP are the City of Los Angeles, City of El Segundo, City of Santa Monica, County of Los Angeles and the Los Angeles County Flood Control District. The Permittees participating in the City of Los Angeles area within Jurisdictional Group 7 are the City of Los Angeles and the Los Angeles County Flood Control District.

Regional Board Staff has reviewed Part A of the EWMP NOI covering the SMB Subwatersheds J2 and J3 for compliance with all notification requirements of Part VI.C of the Order. Staff has determined that the following additional information and documentation is required per Part VI.C. of the Order:

- The City of El Segundo did not identify any watershed control measures to be implemented during EWMP development to achieve compliance with the interim WQBELs for the SMB Debris TMDL or the final dry weather WQBELs and RWL for the SMB Beaches Bacteria TMDL.
- The map in Attachment A.1 needs to be updated because the Chevron El Segundo Refinery does not extend out to the coastline. West of the Chevron El Segundo Refinery is the El Segundo Generation Station and open beach, these areas need to be included in the geographical scope of the SMB Subwatershed J2 and J3 EWMP.
- The Cities of Los Angeles and Santa Monica need to quantify the water quality improvements to be achieved by implementing Phase II of the Penmar Water Quality Improvement Project (e.g., estimate the pollutant load reductions to be achieved by the proposed treatment system.)

Permittees participating in the SMB Subwatershed J2 and J3 EWMP are required to provide the information listed above as soon as possible and no later than **December 17, 2013**. An amended NOI and the other required supporting documentation must be submitted to losangeles@waterboards.ca.gov with the subject line "LA County MS4 Permit – Revised Notification of Intent" with copies to Ivar.Ridgeway@waterboards.ca.gov and Rebecca.Christmann@waterboards.ca.gov.

Pursuant to section VI.C.4.b.iii.(5) of the Order, the proposed suite of structural BMPs are subject to approval by the Regional Water Board Executive Officer. Review and approval of the proposed structural BMPs will be provided under separate cover, once the requested information regarding the proposed structural BMPs has been provided to the Regional Board.

Regional Board Staff has reviewed Part B of the EWMP NOI covering the City of Los Angeles area within SMB Subwatershed J7 for compliance with all notification requirements of Part VI.C of the Order. The City of Los Angeles area within J7 is approximately 977 acres or 9.4% of the total area of SMB Jurisdictional Group 7. This means that less than 10% of the subwatershed is included in the geographical scope of the City of Los Angeles area within the proposed J7 EWMP. Further, this area is not contiguous with the areas within Subwatersheds J2 and J3. The City of Los Angeles area within J7 does not meet the intent of an Enhanced Watershed Management Program. Regional Board staff has had multiple conversations with Dr. Shahram Kharaghani and other City of Los Angeles staff regarding the following options available to the City:

- Elect to develop an Individual Watershed Management Program. In which case the draft individual WMP is required to be submitted by June 28, 2014; or
- Elect to participate with another EWMP, which is geographically contiguous with the City of Los Angeles area within Subwatershed J7; or
- Comply with the baseline requirements in Part VI.D of the Order and demonstrate compliance with receiving water limitations pursuant to Part V.A and with applicable interim and final water quality-based effluent limitations (WQBELs) in Part VI.E pursuant to subparts VI.E.2.d.i.(1)-(3) and VI.E.2.e.i.(1)-(3), respectively.

On November 19, 2013, Dr. Shahram Kharaghani confirmed that the City of Los Angeles will develop a stand-alone WMP by June 28, 2014 for the City area within subwatershed J7.

Once all additional information and documentation have been provided and the Regional Board has determined that all of the notification requirements of Part VI.C of the Order have been met, Permittees participating in the SMB Subwatersheds J2 and J3 EWMP or the City of Los Angeles area within Subwatershed J7 WMP should continue working on the completion of their draft EWMP or WMP, respectively. Until the SMB Subwatershed J2 and J3 EWMP or the City of Los Angeles area within Subwatershed J7 Program is approved by the Regional Board, Permittees participating in the EWMP or WMP are required to:

- (a) Continue to implement all watershed control measures in their existing storm water management programs, including actions within each of the six categories of minimum control measures consistent with Title 40, Code of Federal Regulations, section 122.26(d)(2)(iv);
- (b) Continue to implement watershed control measures to eliminate non-storm water discharges through the MS4 that are a source of pollutants to receiving waters consistent with Clean Water Act section 402(p)(3)(B)(ii);
- (c) Target implementation of watershed control measures in (a) and (b) above to address known contributions of pollutants from MS4 discharges to receiving waters;
- (d) Implement watershed control measures, including those from existing TMDL implementation plans, to ensure that MS4 discharges achieve compliance with interim and final trash WQBELs and all other final WQBELs and receiving water limitations

pursuant to Part VI.E and set forth in Attachments L through Q of the Order by the applicable compliance deadlines occurring prior to approval of a EWMP or WMP; and
(e) Meet all interim and final deadlines for development of a EWMP or WMP.

If you have any questions, please contact Mr. Ivar Ridgeway, Storm Water Permitting, at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150 or Ms. Rebecca Christmann at Rebecca.Christmann@waterboards.ca.gov or by phone at (213) 576-6786.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Huub Cox, City of Los Angeles
Hamid Tadayon, City of Los Angeles
Lifan Xu, City of El Segundo
Rick Valte, City of Santa Monica
Angela George, County of Los Angeles, Department of Public Works
Gary Hildebrand, Los Angeles County Flood Control District
David Smith, NPDES Program, USEPA Region IX
Jennifer Fordyce, Office of Chief Counsel, State Water Board
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