

## Los Angeles Regional Water Quality Control Board

August 5, 2015

Ms. Mary Rooney  
City of Walnut  
Community Services Division  
21201 La Puente Road  
Walnut, CA 91789

### **APPROVAL, WITH CONDITIONS, OF THE CITY OF WALNUT INTEGRATED MONITORING PROGRAM, PURSUANT TO ATTACHMENT E, PART IV.A OF THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175)**

Dear Ms. Rooney:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the revised monitoring program submitted on March 9, 2015 by the City of Walnut (City). 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 (IMP) 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 City's revised IMP and has determined that the IMP 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 City's draft IMP. A separate notice of availability regarding the draft monitoring programs, including the City's IMP, 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 City's draft IMP. 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 IMP, the Los Angeles Water Board considered those comments applicable to the City's proposed IMP.

### **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 monitoring programs. On December 8, 2014, the Los Angeles Water Board sent a letter to the City detailing the Board's comments on the draft IMP and identifying the revisions that needed to be addressed prior to the Board's approval of the City's IMP. The letter directed the City to submit a revised IMP addressing the Los Angeles Water Board's comments. The City submitted its revised IMP on March 9, 2015 for Los Angeles Water Board review and approval.

In separate correspondence to all Permittees developing IMPs and Coordinated Integrated Monitoring Programs (CIMPs), 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.

### **IMP Approval**

The Los Angeles Water Board hereby approves, subject to the following conditions, the City's March 9, 2015 revised IMP. 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 receiving water monitoring program:
  - a. Include a receiving water monitoring station on San Jose Creek downstream of the City's MS4 discharges. If the City chooses to share a monitoring site on San Jose Creek with other LA County MS4 Permittees, the revised final IMP must provide information on an agreement between the City and other Permittees.
  - b. Due to the small area of the City that drains to Walnut Creek Wash (i.e., 56 acres, or approximately 1%), the City may forego receiving water monitoring in Walnut Creek Wash. However, for stormwater outfall monitoring at the M3 station discharging to Walnut Creek Wash, the City must confirm that Table E-2 pollutant screening will be conducted at the M3 station (absent a corresponding receiving water station in Walnut Creek), and explain how monitoring of aquatic toxicity or TIE-identified parameters at the M3 station will be triggered based on receiving water monitoring.
  - c. Make any necessary changes to Sections 2.0-2.3 and Tables 2-2 and 2-3 of the IMP based on the change in monitoring location.
2. Revise Table 2-2 (page 12) and Table 3-6 (page 22) so that *E. coli* is monitored instead of (or in addition to) "coliform bacteria."

The City shall submit a final IMP to the Los Angeles Water Board that satisfies all of the above conditions no later than **September 4, 2015**. Pursuant to Attachment E, Part IV.C.6 of the LA County MS4 Permit, the City must commence implementing its monitoring program within 30 days after this approval of the final IMP (i.e. no later than September 4, 2015). Please note that the City 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, Sections 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 City 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 City 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 City 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 City.

As part of the adaptive management process, any modifications to the IMP must be submitted to the Los Angeles Water Board for review and approval. The City must implement any modifications to the IMP 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 City's Report of Waste Discharge (ROWD) is due no later than July 1, 2017. To align any modifications to the IMP proposed through the adaptive management process with permit reissuance, results of the first adaptive management cycle should be submitted in conjunction with the City's ROWD.

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](mailto: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](mailto:Ivar.Ridgeway@waterboards.ca.gov) or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.  
Executive Officer

cc: Alicia Jensen, City of Walnut  
Robert Wishner, City of Walnut  
Melissa Barcelo, City of Walnut  
Cody Howing, Assistant Engineer, RKA Consulting Group