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## Los Angeles Regional Water Quality Control Board

April 28, 2023

Via Email Only

Permittees of the Beach Cities Watershed Management Group<sup>1</sup>

**APPROVAL, WITH CONDITIONS, OF THE BEACH CITIES WATERSHED MANAGEMENT GROUP'S WATERSHED MANAGEMENT PROGRAM (WMP) PURSUANT TO THE REGIONAL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) WASTE DISCHARGE REQUIREMENTS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR THE LOS ANGELES REGION (NPDES PERMIT NO. CAS004004; ORDER NO. R4-2021-0105)**

Dear Permittees of the Beach Cities Watershed Management Group:

This letter (1) conditionally approves the Watershed Management Program (WMP) submitted by the Beach Cities Watershed Management Group (Group) subject to additional revisions of the WMP, (2) reviews compliance metrics for Waterbody-pollutant combinations (WBPC) and (3) specifies additional requirements including requirements for an updated adaptive management process.

### *1) Review of the Watershed Management Program*

The Regional MS4 Permit (Order No. R4-2021-0105) authorizes discharges from the MS4 operated by 99 municipal Permittees within the coastal watersheds of Los Angeles and Ventura Counties (hereafter, Regional MS4 Permit or Order). The Regional MS4 Permit became effective on September 11, 2021. The Regional MS4 Permit allows the Permittee(s) the option to use a Watershed Management Program (WMP) to implement many of the permit's requirements through customized strategies, control measures, and best management practices (BMPs).

Pursuant to the State Water Resources Control Board (State Water Board) WQ Order No. 2020-0038 and the Los Angeles County MS4 Permit Order No. R4-2012-0175, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board), received the Group's revised draft WMP dated June 30, 2021.

Because the Regional MS4 Permit carries over many of the provisions from Order No. R4-2012-0175 and incorporates the required elements of Order No. 2020-0038, and because it is the currently effective permit, the WMP has been reviewed per Part IX of the Regional MS4 Permit.

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<sup>1</sup> Permittees of the Beach Cities Watershed Management Group EWMP include the Cities of Redondo Beach, Hermosa Beach, Manhattan Beach, Torrance, and the Los Angeles County Flood Control District.  
NORMA CAMACHO, CHAIR | RENEE PURDY, EXECUTIVE OFFICER

## Public Review and Comment

On December 21, 2021, the Los Angeles Water Board provided public notice and a 76-day period to allow for public review and comment on the WMPs submitted by June 30, 2021. The Board received one joint comment letter from Heal the Bay, the Los Angeles Waterkeeper, and the Natural Resources Defense Council, which generally applied to all WMPs. These comments were considered during staff's review of the WMPs.

## Board's Review

Pursuant to Part IX.G.3.a of the Order, the Watershed Management Program and Reasonable Assurance Analysis (RAA) are required to be consistent with the requirements of the Regional MS4 Permit. An email was sent to the Group on April 15, 2022 to obtain more information regarding copper load reductions in the WMP. Subsequently, there was a meeting with the Group on May 3, 2022 to discuss potential revisions to the WMP. On May 13, 2022, the Group submitted a technical memorandum of a preliminary copper brake pad reduction implementation and benefit assessment. The Los Angeles Water Board hereby approves the Group's WMP, dated June 2021, subject to the following conditions and revisions to the WMP:

1. Identify the Group lead, as required per Part IX.A.4.I of the Order.
2. Update the WMP to reference the 2020-2022 303(d) list of impaired waterbodies and associated pollutants.
3. Update Table 12 (Project Completion Date and 24-Hour Runoff Management Capacity in SMB WMA) of the WMP so that all projects are constructed and operational by the Santa Monica Bay Beaches Bacteria TMDL final compliance deadline for wet weather, (i.e., July 15, 2024). Also, revise the "Milestone Completion" column to include at minimum, the expected completion month.
4. Demonstrate progress toward copper load reduction in comparison to the assumed load reduction from the 2013 study by TDC Environmental for the California Stormwater Quality Association and the non-structural load reductions per Table 8 (Beach Cities Dominguez Channel WMA RAA Summary) of the WMP as part of the adaptive management process. Update the adaptive management section (Section 6, Assessment and Adaptive Management Framework) of the WMP to be reflective of the Group's May 13, 2022 technical memorandum and approach that will be used to demonstrate attainment of the copper load reductions and any other applicable sections.
5. As it relates to sections discussing copper brake pad reductions, including Section 4.3.2 (Copper Brake Pad Reduction), Section 6 (Assessment and Adaptive Management Framework), and Appendix D (RAA Report), the WMP must identify the unavailable but necessary information needed to support the analysis in the WMP and provide a discussion of any missing information and assumptions made in lieu of the missing information, and include milestones for acquiring and incorporating that information into the WMP or RAA as appropriate per Part IX.B.7.g of the Regional MS4 Permit.

6. Update Table 8 (Beach Cities Dominguez Channel WMA RAA Summary) to include the 24-hour management volume to follow the format of Table 5 (Beach Cities Santa Monica Bay WMA RAA Summary).
7. Submit an updated RAA to model the copper reduction due to brake pad phaseout, per the Group's May 13, 2022 technical memorandum.
8. Update the Legal Authority for each Permittee in the Group to reference the Regional MS4 Permit.
9. Update the entire WMP to conform to the requirements in the Regional MS4 Permit and update all references to previous permits.

The Board may rescind this approval if any of the conditions in this letter are not met to the satisfaction of the Board within the timeframe provided below. Pursuant to Part IX.G.4 of the Order, if the necessary revisions are not appropriately made, the Group shall be subject to all requirements in the Order except those requirements pertaining to Watershed Management Programs upon disapproval by the Los Angeles Water Board.

The Group shall submit a final WMP and RAA to the Los Angeles Water Board that satisfies all of the above conditions no later than July 31, 2023. The final WMP and RAA must be submitted electronically by uploading the files in a Folder with the name of the Group to the FTP site using the following credentials:

FTP site: <https://ftp.waterboards.ca.gov>

Username: RB4MS4-Upload

Password: RB4-bmBb3Z

Pursuant to Parts IX.C.1 and IX.G.3.c of the Order, **the Group shall implement their approved WMP immediately**. The Group is subject to all applicable compliance schedules in Part IV.B and Attachments K through S of the Order, and approved Time Schedule Order (TSO) if applicable. To the extent that any statements intended to make implementation of actions contingent on funding or information-gathering remain in the WMP, the Los Angeles Water Board gives them no effect.

## *2) Compliance Determinations*

### **2.1 Compliance Determination for WBPCs other than Trash**

**2.1.1 Compliance Metric:** Pursuant to Part IX.B.7.h of the Order, the WMP is required to specify the expected volume capture, load reductions, or other compliance metric(s) at regular milestones, and the methods by which these reductions will be measured and demonstrated for each WBPC and supported via the RAA. Based on the information provided in the WMP, and pending revision of the WMP to address the conditions of this approval letter, the Board will determine deemed compliance with the Group's WMP based on the following compliance metric(s) with the approved compliance schedule:

- Target Load Reduction/ 24-Hour Volume per Table 5 (Beach Cities Santa Monica Bay WMA RAA Summary) of the WMP for SMB WMA and Table 8 (Beach Cities Dominguez Channel WMA RAA Summary) of the WMP for the DC WMA, or
- Table 12 (Project Completion Date and 24-Hour Runoff Management Capacity in SMB WMA) and Table 13 (Project Completion Date and 24-Hour Runoff Management Capacity in DC WMA) in the SMB WMA and DC WMA, respectively.

### **2.1.2 WBPCs Eligible for Deemed Compliance Through Alternative Demonstration**

**of Compliance:** The following WBPCs will receive deemed compliance through the WMP if the actions and schedules specified in the WMP are attained as outlined in Parts X.B.1.b and X.B.2.b of the Order and pending revision of the WMP to address the conditions of this approval letter:

- Total Coliform, Fecal Coliform, and Enterococcus – Wet Weather (Santa Monica Bay Watershed Management Area, Analysis Region SMB-5-02 and SMB-6-01) per Table 5 (Beach Cities Santa Monica Bay WMA RAA Summary) of the WMP.
- WBPCs in the Dominguez Channel listed in Table 6 (Water Body Pollutant Combinations – Dominguez Channel) of the WMP for which reasonable assurance has been achieved per Table 8 (Beach Cities Dominguez Channel WMA RAA Summary) and Table 9 (Dry Weather RAA Results – Dominguez Channel WMA) of the WMP.

Any WBPCs that are not listed above are not eligible for deemed compliance for one or more of the following reasons: (a) for Category 1 WBPCs with interim deadlines, the WMP proposes watershed control measures for which there is no quantitative analysis that satisfies the RAA requirements, (b) the final TMDL deadline(s) have past and there is no approved Time Schedule Order (TSO) or retention of all non-stormwater runoff and the volume of stormwater runoff from the 85<sup>th</sup> percentile 24-hour storm event, (c) the WMP proposes implementing baseline Permit requirements only, and/or (d) the WMP does not propose implementing additional BMPs and proposes to demonstrate compliance through monitoring.

### **Compliance Determination for Trash WBPCs**

Trash WBPCs are not eligible for deemed compliance under the WMP. For Trash WBPCs, compliance shall be determined as outlined in Part X.C of the Order.

### *3) Other Requirements*

#### **Adaptive Management**

Pursuant to Part IX.E.1 of the Order, the Permittee(s) shall implement an adaptive management process for each approved WMP. An adaptive management process is a periodic, comprehensive program evaluation, including re-analysis of data and/or modeling, and modification process to determine progress toward achieving WQBELs

and receiving water limitations and to adapt the Watershed Management Program to become more effective at achieving WQBELs and receiving water limitations. Pursuant to Part IX.E.4 of the Order, Permittee(s) shall submit the results of the adaptive management process with the Permittees' Report of Waste Discharge (ROWD) to the Los Angeles Water Board no later than **March 15, 2026**.

Per Part IX.E.3 of the Order, the adaptive management process fulfills the requirements in Part V.D of the Order to address continuing exceedances of receiving water limitations.

### **WMP Modifications**

As indicated in Part IX.E.2 of the Order, based on the results of the adaptive management process, the Permittee(s) may propose WMP modifications necessary to improve the effectiveness of the WMP. The Permittee(s) shall clearly identify any WMP modification proposals in their submittal of the adaptive management results.

Additionally, per Part IX.C.2 of the Order, notwithstanding Part IX.E (Adaptive Management) of the Order, the Permittee(s) may propose WMP modifications at any time during the term of the Order, as necessary as a standalone request. As explained in Attachment H of the Order, the Permittee(s) cannot submit WMP modification requests as part of the Annual Report. The Permittee(s) shall provide separate written requests explaining the nature of the proposed modification and justification for consideration by the Los Angeles Water Board.

### **Receiving Water Limitations Compliance Report**

Per Part IX.B.9.c.iv of the Order and Part XIV.C.4 in Attachment E of the Order, implementation of actions to address water quality priorities in a Watershed Management Program related to addressing exceedances of receiving water limitations in Part V (Receiving Water Limitations) of the Order which is not otherwise addressed by TMDLs in Part IV of the Order and Attachments K through S, fulfills the requirements in Part V.C of the Order to prepare a Receiving Water Limitations Compliance Report.

If you have any questions, please contact Susana Vargas with the Municipal Stormwater Permitting Unit by email [Susana.Vargas@waterboards.ca.gov](mailto:Susana.Vargas@waterboards.ca.gov) or phone (213) 576-6688. Alternatively, you may also contact Ivar Ridgeway, Municipal Stormwater Permitting Unit Supervisor by email at [Ivar.Ridgeway@waterboards.ca.gov](mailto:Ivar.Ridgeway@waterboards.ca.gov) or by phone at (213) 620-2150.

Sincerely,

for Renee Purdy  
Executive Officer

cc: Geraldine Trivedi, City of Redondo Beach  
Andrew Winje, City of Redondo Beach  
Douglas Krauss, Hermosa Beach  
Katherine Doherty, Manhattan Beach  
Craig Bilezerian, City of Torrance  
Leslie Cortez, City of Torrance  
Mark Lombos, LACFCD  
Annelisa Ehret Moe, Heal the Bay  
Benjamin Harris, LA Waterkeeper  
Corinne Bell, Natural Resources Defense Council