

Los Angeles Regional Water Quality Control Board

[DATE]

Permittees of the Rio Hondo / San Gabriel River Water Quality Group¹

CONDITIONAL APPROVAL OF THE RIO HONDO / SAN GABRIEL RIVER WATER QUALITY GROUP WATERSHED MANAGEMENT PROGRAM, PURSUANT TO PART VI.C OF THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175 AS AMENDED BY STATE WATER BOARD ORDER WQ 2015-0075 AND ORDER NO. R4-2012-0175-A01) (THE “LA COUNTY MS4 PERMIT”)

Dear Permittees of the Rio Hondo / San Gabriel River Water Quality Group:

On March 30, 2018, the Rio Hondo / San Gabriel River Water Quality Group (Group) submitted proposed modifications to its EWMP in the form of a Revised Enhanced Watershed Management Program or rEWMP (hereinafter referred to as Proposed Revised EWMP). The Proposed Revised EWMP entails extensive and significant modifications to the Group’s existing EWMP, including an updated Reasonable Assurance Analysis, changes to watershed control measures, and changes to compliance schedules. Furthermore, and unlike the EWMP that the Group is currently implementing, this Proposed Revised EWMP does not include the City of Azusa as a participating Permittee.

Public Review and Comment

On May 23, 2018, the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) provided public notice and a 30-day period to allow for public review and written comment on the Proposed Revised EWMP. The Los Angeles Water Board received two written comment letters during this review period. These comments letters were from the Natural Resources Defense Council, Heal the Bay, and Los Angeles Waterkeeper (jointly); and the City of Duarte. Los Angeles Water Board staff considered the written comments that were received during its review of the Proposed Revised EWMP.

¹ Permittees of the Rio Hondo/San Gabriel River Watershed Management Group include the Cities of Arcadia, Azusa, Bradbury, Duarte, Monrovia, and Sierra Madre, the County of Los Angeles, and the Los Angeles County Flood Control District (LACFCD). See attached distribution list.

Los Angeles Water Board Review

Concurrent with the public review, Los Angeles Water Board staff reviewed the Proposed Revised EWMP. On October 17, 2018, the Los Angeles Water Board sent a letter to the Group which detailed Board staff's comments on the Proposed Revised EWMP and identified issues that needed to be addressed prior to the Los Angeles Water Board's approval of the EWMP. Where appropriate, the written public comments were incorporated into the Los Angeles Water Board's review letter on the draft EWMP to ensure that the public's comments were addressed appropriately in the revised EWMP.

On November 14, 2018, the Group's representatives and consultants met with Board staff to discuss the Board staff's comments on the Proposed Revised EWMP before their resubmittal.

On December 17, 2018, the Group submitted a revised version of its Proposed Revised EWMP along with responses to Board staff's comments.

Approval of Modifications to the EWMP

The Los Angeles Water Board hereby approves, subject to the following conditions, the modifications to the Group's EWMP proposed in the December 17, 2018 Proposed Revised EWMP:

1. Under Part VI.C.8.b.i of the LA County MS4 Permit, the Group is required to submit an updated EWMP with an updated Reasonable Assurance Analysis (RAA) by **June 30, 2021**. For this submittal, the Group must re-evaluate the critical condition and validation used in its RAA.
 - For metals analyses, the baseline pollutant loading estimated from the critical condition should be expressed on a basis consistent with the averaging periods used in the Los Angeles River Metals TMDL and San Gabriel River Metals TMDL.
 - For metals analyses, the Group should use the definition of "wet day" used in the Los Angeles River Metals TMDL and San Gabriel River Metals TMDL, where appropriate; or a suitable alternative definition.
2. After completing the control measures identified in its WMP, the Group must demonstrate, through monitoring, compliance with all applicable final water quality-based effluent limitations and receiving water limitations.

3. Under Part VI.C of the LA County MS4 Permit, the Group's program, as revised, is considered a Watershed Management Program based on the nature of the control measures (rather than an Enhanced Watershed Management Program). The Group must submit a new version of its Watershed Management Program by **DATE** that accounts for this change in program designation.

The Los Angeles Water Board may rescind this approval if any of the above conditions are not met to the satisfaction of the Los Angeles Water Board.

Determination of Compliance with Revised Watershed Management Program

Pursuant to Part VI.C.6 of the LA County MS4 Permit, the Permittees of the Rio Hondo/San Gabriel River Watershed Management Group shall begin implementation of the WMP, set forth in the Proposed Revised EWMP and in accordance with the conditions of this letter, immediately. To continue to be afforded the opportunity to implement permit provisions within the framework of the WMP, Permittees must fully and timely implement all actions per associated schedules set forth in the approved WMP regardless of any contingencies indicated in the approved WMP (e.g., funding) unless a modification to the approved WMP, including any extension of deadlines where allowed, is approved by the Los Angeles Water Board pursuant to Part VI.C.6.a or Part VI.C.8.a.ii-iii of the LA County MS4 Permit. The Los Angeles Water Board will determine the Permittees' compliance with the WMP on the basis of the compliance actions and milestones included in the WMP including, but not limited to, the following:

- Section 6 "Compliance Story"
- Table 1 Participating Agencies for Each Multi-Benefit Regional Project and the Proportion within the Drainage Area Contributing to the Project
- Page 27 Rio Hondo Clean Water Strategy
- Page 28 San Gabriel River Clean Water Strategy
- Page 29 Big Dalton Wash Clean Water Strategy
- Attachment C, Table 4-5 Recommended Green Street opportunities in County Islands within the Big Dalton Wash drainage area
- Attachment C, Table 4-7 Recommended Green Street opportunities in County Islands draining downstream from Rio Hondo Compliance Point (via Eaton Wash).
- Attachment A, Section: Attachment P

Pursuant to Part VI.E.2.d of the LA County MS4 Permit, "A permittee shall be considered in compliance with an applicable interim water quality-based effluent limitation and interim receiving water limitation for a pollutant associated with a specific TMDL if...the Permittee has submitted and is fully implementing an approved Watershed Management Program or EWMP pursuant to

Part VI.C. If the Permittees fail to meet any requirement or date for its achievement in the approved WMP, which will be demonstrated through the Group's Annual Reports and program audits (when conducted), the Permittees shall be subject to the baseline requirements of the LA County MS4 Permit, including but not limited to demonstrating compliance with applicable receiving water limitations and TMDL-based WQBELs/WLAs through outfall and receiving water monitoring. See Parts VI.C.2.c and VI.E.2.d.i.(4).(c) of the LA County MS4 Permit.

The Los Angeles Water Board appreciates the participation and cooperation of the Permittees in the Rio Hondo / San Gabriel River Watershed Quality Group in the implementation of the LA County MS4 Permit. If you have any questions, please contact Chris Lopez of the Storm Water Permitting Unit at Chris.Lopez@waterboards.ca.gov or by phone at (213) 576-6674. Alternatively, you may also contact Ivar Ridgeway at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,

Deborah J. Smith
Executive Officer

Enclosures: Rio Hondo/San Gabriel River Water Quality Group Distribution List