

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

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