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GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

November 21, 2016

Dr. Shahram Kharaghani
City of Los Angeles
Department of Public Works, Bureau of
Sanitation
Watershed Protection Division
1149 South Broadway, 10th Floor
Los Angeles, CA 90015

Ms. Gail Farber, Chief Engineer
Los Angeles County Flood Control District
Department of Public Works
Watershed Management Division, 11th Floor
900 South Fremont Avenue
Alhambra, CA 91803

APPROVAL OF THE SANTA MONICA BAY JURISDICTIONAL GROUP 7 WATERSHED MANAGEMENT PLAN GROUP 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 AS AMENDED BY STATE WATER BOARD ORDER WQ 2015-0075)

Dear Dr. Kharaghani and Ms. Farber:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or Board) has reviewed the revised monitoring program submitted November 14, 2016 by the Santa Monica Bay Jurisdictional Group 7 Watershed Management Plan Group (SMB JG7 Group). This monitoring program was submitted pursuant to the provisions of NPDES Permit No. CAS004001 (Order No. R4-2012-0175 as Amended by State Water Board Order WQ 2015-0075), 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 SMB JG7 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 SMB JG7 Group's draft CIMP. A separate notice of availability regarding the draft CIMPs, including the SMB JG7 Group's CIMP, was directed to State Senators and Assembly Members within the Coastal Watersheds of Los Angeles County. The Board received three comment letters that had specific comments applicable to the SMB JG7 Group's draft CIMP and one letter that had comments on the CIMPs generally, which were in part applicable to the SMB JG7 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 letters were from the Construction Industry Coalition on Water Quality (CICWQ) and a private citizen, Joyce Dillard. During the review of the draft and revised CIMP, the Los Angeles Water Board considered those comments applicable to the SMB JG7 Group's proposed CIMP.

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 January 7, 2015, the Los Angeles Water Board sent a letter to the SMB JG7 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 SMB JG7 Group's CIMP. The letter directed the SMB JG7 Group to submit a revised CIMP addressing the Los Angeles Water Board's comments. Prior to the SMB JG7 Group's submittal of the revised CIMP, Los Angeles Water Board staff had teleconferences and e-mail exchanges with SMB JG7 Group representatives to discuss the Board's comments and revisions to the draft CIMP. The SMB JG7 Group submitted a revised CIMP on April 7, 2015, to the Los Angeles Water Board. On June 16, 2016, Los Angeles Water Board staff provided comments to the SMB JG7 Group on the revised CIMP. The SMB JG7 Group submitted a second revised CIMP on August 16, 2016. On October 13, 2016, Los Angeles Water Board staff provided additional comments to the SMB JG7 Group on the revised CIMP. The SMB JG7 Group submitted a third revised CIMP on November 14, 2016, for Los Angeles Water Board review and approval.

In separate correspondence to all Permittees developing CIMPs and Integrated Monitoring Programs (IMPs), the Los Angeles Water Board provided a Toxicity Testing Clarification memorandum, which specifically regarded additional toxicity monitoring upstream and at outfalls in response to observed toxicity at a receiving water monitoring site.

CIMP Approval

The Los Angeles Water Board hereby approves the SMB JG7 Group's November 14, 2016 revised CIMP. Pursuant to Attachment E, Part IV.C.6 of the LA County MS4 Permit, the SMB JG7 Group must commence implementing its monitoring program within 90 days of this approval letter (February 20, 2017).

Please note that the SMB JG7 Group is responsible for complying with all reporting provisions included in Attachment E, Part XIV – XVIII, and Attachment D, Sections IV, V, and VII.A of the LA County MS4 Permit. The SMB JG7 Group is also responsible for complying with applicable reporting provisions included in Attachment E Part XIX.B, “Reporting Requirements for Santa Monica Bay WMA TMDLs.” Additionally, the SMB JG7 Group is also responsible for complying with the following requirements under Annual Reporting and Adaptive Management.

Annual Reporting

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 implementation of the monitoring program, each Permittee or group of Permittees is required to submit a MAL Action Plan with the 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 G 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 SMB JG7 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 Regional Water Board Executive Officer, following notice to the SMB JG7 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 SMB JG7 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 SMB JG7 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 SMB JG7 Group's ROWD.

The Los Angeles Water Board appreciates the participation and cooperation of the SMB JG7 Group in the implementation of the LA County MS4 Permit. If you have any questions, please contact Ms. Rebecca Christmann of the Storm Water Permitting Unit at Rebecca.Christmann@waterboards.ca.gov or by phone at (213) 576-5734. Alternatively, you may also contact Mr. Ivar Ridgeway, Chief Storm Water Permitting Unit, at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Vivian Marquez, City of Los Angeles
Jon Ball, City of Los Angeles
Hubertus Cox, City of Los Angeles
Hamid Tadayon, City of Los Angeles
Angela George, Los Angeles County Flood Control District
Paul Alva, Los Angeles County Flood Control District