City of Compton SWMP

Presentation to LARWCB
City of Compton
Stormwater Management Program
Compliance with MS4 Permit

05/10/18

City of Compton SWMP

- Compton submitted an individual WMP (I-WMP) in 2014 but was rejected by the Executive Officer
  - Reason was not clear
  - The I-WMP did modeling in accordance with the MS4 Permit
  - Model (basically surrogate for monitoring) showed that the City met 77% of TMDLs (bacteria, metals, and nutrients)
  - Proposed six core programs (Planning/Land Development, Development Construction, ICID, Public Education, Public Agency, and industrial/commercial inspections (required by the SWMP per federal regulations)
  - Compton chose not to propose doing green streets or regional multi-benefit projects – the reason: water quality problems for Compton Creek were not validated

City of Compton SWMP

- Why Compton Did Not Propose Projects
  - Again, modeling indicated that the City already was meeting 77% of the interim TMDLs just by implementing the SWMP (SQMP under previous permit)
  - No outfall monitoring data to show that the City was persistently exceeding TMDLs or water quality standards (the reason of course is that outfall monitoring was not a requirement under the previous permit)
  - Plan was to do outfall monitoring during the term of 2012 MS4 Permit to develop a data base to determine outfall exceedances and, if necessary propose improvements to its SWMP through an iterative process
  - Proved to be the right call

City of Compton SWMP

- Monitoring Data During 2016-2017 Wet Season (copper, lead, and bacteria TMDLs for Compton Creek)
  - Copper and lead were not exceeded at the outfall
  - Bacteria frequently exceeded TMDL – but because of the high flow suspension provision of the basin plan, Compton could not be held responsible for the exceedance (high flow also applies to other engineered reaches of the Los Angeles River)
  - Further: 303(d) list for 2010 and 2016 indicate that the sources for bacteria, copper, lead, are not associated with urban runoff but instead with “other sources”

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2010-2012 303(d) List Compton Creek Pollutants and Sources

Coliform Bacteria: Unspecified Point Source
Copper: Unspecified Non-Point Source
Lead: Unspecified Point Source

Note: MS4 Sources on the 303(d) are listed as “urban runoff”

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- Bottom Line:
  - E/WMP-like infiltration projects would not have been necessary and are still not necessary to comply with TMDLs/WQS
  - The Stormwater Management Program governed by the iterative process worked!!! – contrary to what this Regional Board has asserted in 2012
  - Reminder: USEPA in 2016 sent letters to all water boards in the State saying that they had to include SWMPs in all MS4 Permit because they are federally mandated – but E/WMPs are not and are state unfunded mandates

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- Part V.A of the MS4 Permit provides for compliance with water quality standards, TMDLs, and other requirements through the SWMP iterative process
  - Based on several water quality orders (99-05 and 2001-15)
- State Board Order 2001-75 affirmed this but also said:

  *… we believe that the MS4 permits should incorporate a well-defined, transparent, and finite **alternative path** to permit compliance that allows MS4 dischargers that are willing to pursue significant undertakings beyond the iterative process to be deemed in compliance with the receiving water limitations.*

  - In other words, MS4 permit can go beyond the SWMP/iterative process as an option to be deemed in compliance with RWLs (WQS and TMDLS) -- but it deny it or replace it

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- Report of Waste Discharge
  - Compton submitted an ROWD proposing the SWMP/iterative process as the exclusive means of complying with water quality standards
  - Also proposed not being subject to any of the TMDLs because of their misapplication to Compton Creek and that their sources cannot attributed to Compton's MS4 discharges

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- Report of Waste Discharge
  - Questions?