

Los Angeles MS4 Permit: Reissuance Kick-off Meeting

Los Angeles Regional Board

May 25, 2011

Outline

- Background
- Permit Structure
- Permit Requirements
 - Standard Provisions
 - Monitoring Program Considerations
 - Reporting Program Considerations
 - TMDL Provisions
- Tentative Schedule
 - Opportunities for input
- Q & A / Discussion

Background

- Last issued in 2001
- Reopened in 2006, 2007 and 2009 to incorporate TMDL provisions
- Amended in April 2011 to void and set aside 2006 provisions in response to writ of mandate
- Reissuance scheduled for 2012

Permit Structure: Background

- Single permit for 84 cities, LA County & LACFCD
 - Los Angeles County Flood Control District role (LA County Flood Control Act)
 - Highly interconnected system across jurisdictional boundaries
 - Commingled discharges to receiving waters
 - Opportunities for cooperation
 - Efficiencies gained in public outreach, monitoring & reporting

Permit Structure: Alternatives

- Single unified permit
 - Standard program requirements
 - Watershed-based (TMDL) requirements
- Watershed permits
- Other multiple-permit approaches
 - Individual permits
 - Permits based on 2006 ROWDs

Single Permit Alternative

- Continued/new opportunities for coordination
- Potential for more efficient monitoring, reporting & implementation of other requirements (TMDL, PIPP)
- Standard provisions applicable to all Permittees
- Watershed-based (TMDL) requirements in separate chapters
 - Regional Board Watershed Management Areas
 - AB 2554 watershed authority groups

Watershed Permits Alternative

- Options
 - Regional Board Watershed Management Areas
 - AB 2554 watershed authority groups
- Standard Provisions similar across permits
- Opportunities for coordination
- Potential for more efficient monitoring, reporting & implementation of other requirements (TMDL, PIPP)
- Some Permittees may be covered under multiple permits

Other Multiple Permit Alternatives

■ Individual Permits

- Fewer opportunities for coordination
- Less efficient program implementation
- Permittee retains exclusive control of permit implementation, but potentially more burdensome
 - Each Permittee solely responsible for implementation, public information, monitoring and reporting requirements

■ Other Grouped Permits

Standard Permit Provisions: Core Elements

- IC/IDE Program
- Construction Activities
- Industrial / Commercial Facilities
- Public Agency Activities
- Public Information & Participation
- New/Redevelopment

New Development/ Redevelopment Alternatives

- **Ventura MS4 Requirements**
- **Modified current RB approach**
 - Incorporation of elements of local LID ordinances
- **Incorporation of other requirements**
 - Other Regional Boards' LID approaches
 - Other states' approaches

New/Redevelopment: Key Areas for Discussion

- LID implementation metrics
 - Effective Impervious Area (EIA) limitation
 - Volume based on-site retention standard
- Biofiltration allowance
- Infeasibility criteria
- Offsite mitigation requirements
 - Location, mitigation ratios, project types
- Alternative post-construction regional plan
 - Substitutes for part or all of on-site post-construction BMPs
 - Possible revision of Ventura RPAMP requirements
- Existing local LID ordinances

Standard Permit Provisions: Other Key Requirements

- Discharge Prohibitions
 - Clear guidance for authorized non-stormwater discharges
 - Potential re-evaluation of some Category C exceptions
- Receiving Water Limitations
 - Standard Language from State Board Precedential Orders
- SQMP
 - Consistent With Permit Requirements
 - Continued Demonstration of Adequate Legal Authority

Monitoring Program Considerations

- Receiving water & outfall monitoring
- Watershed/subwatershed-based design
- Coordination with TMDL compliance monitoring requirements

Reporting Program Considerations

- Receiving Water Limitations compliance reporting criteria
 - Targeted, specific program revisions
 - Detailed implementation schedule
- BMP performance demonstrations
 - Collectively for outfall drainage
 - Individually
- CASQA Program Effectiveness Assessment Guidance
- USEPA MS4 program effectiveness guidance
- State Board MS4 program effectiveness guidance

TMDL Provisions: Background

- 23 TMDLs with MS4 WLAs in effect for LA County
 - 2007 & 2009 amendments
 - MDR Bacteria TMDL – Summer WLAs
 - LA River Watershed Trash TMDL WLAs
- 6 other TMDLs in approval process

TMDL Provisions: Considerations

- Provisions consistent with assumptions and requirements of WLAs
 - Focus on WLA deadlines within permit term
- Numeric water quality based effluent limitations (WQBELs) vs. BMP based requirements

TMDL Provisions: LA River Trash WLAs Example

■ BMP based requirements

- TMDL design/
performance standard
to achieve WLAs = full
capture systems
- Compliance measure =
% drainage area
addressed by full
capture systems

■ Numeric water quality based effluent limitations

- Equivalent to WLAs
- Compliance measure if
partial capture and/or
institutional strategies
are used
- Necessary absent “up-
front” demonstration
that controls will
achieve TMDL
design/performance
standard

TMDL Provisions: Considerations

- Not one-approach-fits-all
 - Stormwater vs. non-stormwater discharges
 - TMDL implementation plans
 - Other robust demonstrations that BMP performance will achieve WLAs

Tentative Schedule

- May 2011: Kick-off meeting
- Aug.-Oct.: 1-2 issue-based workshops
- Nov.-Jan.: 1-2 issue/general workshops
- Jan. 2012: Draft permit
- April 2012: Board hearing

Opportunities for Input

- Today's meeting
- Issue-based workshops
 - New / Redevelopment Provisions
 - TMDL Provisions
 - Monitoring & Reporting Program
 - Others?
- Watershed-based meetings upon request
- Individual meetings upon request

Questions?

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