

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

320 W. 4th Street, Suite 200  
Los Angeles, California 90013  
(213) 576-6600

Public Notice No. 09-117  
NPDES No. CAS004001

**NOTICE OF PUBLIC HEARING**

**PROPOSED MODIFICATION TO THE COUNTY OF LOS ANGELES  
MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT**

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) proposes to narrowly reopen the waste discharge requirements (WDRs) for the Los Angeles County Municipal Separate Storm Sewer System Permit (NPDES No. CAS004001, Board Order No. 01-182 as amended by Order Nos. R4-2006-0074 and R4-2007-0042) (LA MS4 Permit) to incorporate provisions that are consistent with the Waste Load Allocations established in the Los Angeles River Watershed Trash Total Maximum Daily Load (Trash TMDL). The Trash TMDL is a regulation that was duly established in an amendment to the Regional Water Quality Control Plan (Basin Plan) and became effective on September 23, 2008.

This notice sets forth the procedures and processes the Regional Board will use at this hearing.

**I. HEARING DATE AND LOCATION**

The Regional Board is scheduled to hold a public hearing to consider this matter at its regularly scheduled board meeting on:

Date: December 10, 2009  
Time: 9:00 a.m.  
Place: Metropolitan Water District of Southern California  
700 North Alameda Street  
Los Angeles, CA 90012

Please check the Regional Board's website (<http://www.waterboards.ca.gov/losangeles/>) for the most up to date public hearing location as it is subject to change. If there should not be a quorum on the scheduled date of this hearing, all items will be automatically continued to the next scheduled meeting. A continuance of this item will not extend any deadlines set forth herein.

## II. SCOPE OF HEARING

The matter before the Regional Board is the incorporation into the LA MS4 Permit of provisions that implement the Trash TMDL. The validity of the Trash TMDL is not an issue before the Regional Board in this proceeding. Any evidence or argument attempting to challenge the validity of the Trash TMDL or any aspects of it will not be permitted.

## III. NATURE OF HEARING

This proceeding will be a formal adjudicatory proceeding pursuant to section 648 et seq. of title 23 of the California Code of Regulations. Chapter 5 of the California Administrative Procedure Act (commencing with section 11500 of the Government Code) relating to formal adjudicative hearings does not apply to adjudicative hearings before the Regional Board, except as otherwise specified in the above-referenced regulations.

## IV. AVAILABILITY OF DOCUMENTS

The proposed LA MS4 Permit modifications are posted on the Regional Board's website at [http://www.waterboards.ca.gov/losangeles/water\\_issues/programs/stormwater/municipal/index.shtml](http://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/index.shtml). The Administrative Record Index, which identifies the materials on which the modifications are based will be posted within one week of this notice. All existing materials identified in the Index will be available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. at the following address:

California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of documents in the Administrative Record may be made by calling the Los Angeles Regional Board at (213) 576-6600. Responses to comments and other subsequent relevant documents will be available online as they are generated.

All the materials identified in the Administrative Record Index will be included in the Administrative Record of this proceeding, irrespective of whether individual documents are specifically referenced during the hearing or contained in the agenda packet. However, the entire Administrative Record may not be present at the hearing. Should any parties or interested persons desire Regional Board staff to bring to the hearing any particular documents in the Administrative Record they must submit a written or electronic request to the Regional Board staff member identified in section X. below no later than **12:00 pm on November 30, 2009**. The request must identify the documents with enough specificity for Regional Board staff to locate them.



## V. PARTICIPANTS TO THIS HEARING

Participants in this proceeding are identified as either "Parties" or "Interested Persons." Designation as a Party is not necessary to participate in this proceeding. Both Interested Persons and Parties will have the opportunity to present written and/or oral comments about the proposed modifications to the LA MS4 Permit. Both Interested Persons and Parties may be asked to respond to clarifying questions from the Regional Board, staff or others, at the discretion of the Regional Board.

### A. Interested Persons

Interested persons include any person or organization that is interested in the outcome of the hearing, but who has not been designated as a party. Interested persons may present written and/or oral comments, as provided in Section VI, A., below, but they may not present evidence. Interested persons are not subject to cross-examination and may not cross-examine witnesses.

### B. Parties

Parties are those persons or organizations anticipated to have the greatest interest in the outcome of the hearing. They are generally expected to take a leadership role in presenting any evidence or argument about the nature of the matter under consideration. Parties to the hearing may request to present evidence or to cross-examine other parties' witnesses (if any are called). Parties are subject to cross-examination about any evidence they present.

**At the time of this notice, the only designated party to this proceeding is the Los Angeles County Flood Control District, which is the Principal Permittee of the LA MS4 Permit.** Any LA MS4 Co-Permittee may also request and will be granted party status. Requests must be made by submitting a written or electronic request to the Regional Board (as provided in Section X. below) no later than **12:00 pm on October 19, 2009**. Requests must be made by an authorized official of the Co-Permittee's jurisdiction, such as the Mayor, City Manager, Director of Public Works, or other appropriate official. The request shall include the name, phone number, and email address of the person who is designated to receive notices about this proceeding on behalf of the jurisdiction.

Any other persons or organizations who wish to participate in the hearing as a party shall request party status by submitting a written or electronic request to the Regional Board (as provided in Section X. below) no later than **12:00 pm on October 19, 2009**. Any such requests on behalf of an organization must be made by an authorized representative. All requests for designation as a party shall include the name, phone number, and email address of the person (and if an organization, the person who is designated to receive notices on behalf of the organization). The request shall include a statement explaining the reasons for their request (e.g., how the issues to be addressed in the hearing and the potential actions by the Regional Board affect the person), and a statement explaining why the parties designated above do not adequately represent the person's interest.

Determinations will be based on whether their participation as a party will further the development of the issues before the Regional Board.

Those submitting requests for party status will be notified before the hearing whether the request is granted or denied. All parties will be notified if other parties are designated.

**C. Regional Board Staff**

Regional Board staff is not a party to this proceeding. This is a proceeding to modify a permit, which does not involve investigative, prosecutorial, or advocacy functions. Staff's proposals, recommendations, and their participation in this proceeding exist for the purpose of advising and assisting the Regional Board. Likewise, attorneys for the Regional Board will advise and assist the Regional Board, which includes the board members and its entire staff. Given the nature of this proceeding and the limited facts in dispute, assigning a separate staff to "advocate" on behalf of a particular position would not further the development of the issues before the Regional Board.

**VI. PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE**

**A. Public Comments**

Comments include policy statements and/or arguments about the appropriateness, wisdom, or utility of the proposal before the Regional Board, including the manner of incorporating the Trash TMDL into the LA MS4 Permit. Public comments will be accepted in writing before the hearing, within the time specified in Paragraph C., below. Written comments submitted through email are requested to be transmitted in Microsoft Word format. Interested persons will also have the opportunity to address the Regional Board orally at the hearing (see Section VIII., below).

Public comments are not evidence.

**B. Requests to Submit Evidence**

"Evidence" includes witness testimony, documents, and tangible objects that tend to prove or disprove the existence of an alleged fact. "Relevant evidence" is evidence that relates to any fact in dispute in the proceeding. The primary evidence in this proceeding consists of the Trash TMDL, which is a duly adopted regulation of the Regional Board. As noted in Section II., above, the existence of the Trash TMDL is not a fact in dispute in this proceeding, and therefore evidence offered to dispute the facts on which the TMDL was based is not relevant evidence. Due to the nature of the Trash TMDL, it is not anticipated that significant amounts of additional evidence would be relevant to the Regional Board's decision about how to incorporate the Trash TMDL into the LA MS4 Permit.

Any requests to submit evidence that is not identified in the Administrative Record Index must be submitted within the time specified in Paragraph C., below. Requests to submit evidence must include a detailed description of the evidence and an explanation about why the evidence is relevant

evidence in this proceeding. Requests to submit documentary evidence must also be accompanied by a complete copy of the pertinent portions of the documentary evidence. Any party wishing to present testimonial evidence (i.e., witness testimony), shall submit their entire proposed testimony in writing pursuant to subdivision (c) of section 648.4 of title 23 of the California Code of Regulations, along with the information described in subdivision (b) of that section.

The Parties will be advised prior to the hearing if any additional evidence has been received into the administrative record.

### **C. Time to Submit Written Comments and Requests to Submit Evidence**

To be evaluated and responded to by Regional Board staff, included in the Regional Board's agenda packet, and fully considered by the Regional Board members in advance of the hearing, any written comments or requests to submit evidence must be submitted to the Regional Board, as provided in Section X. below, and received at the Regional Board office no later than **12:00 pm on November 9, 2009**.

Pursuant to section 648.4, title 23 of the California Code of Regulations, untimely written comments will not be accepted into the Administrative Record without a showing of good cause for the delay, and in no event if any party would be unduly prejudiced by the late submittal or if staff or the Regional Board would not have an adequate opportunity to review, consider, and respond to the comments.

## **VII. EX PARTE COMMUNICATIONS PROHIBITED**

Parties and interested persons are forbidden from engaging in *ex parte* communications regarding this matter with members of the Regional Board. An *ex parte* communication is a communication not authorized in the California Government Code, to a Regional Board member from any person, about a pending matter, that occurs in the absence of other parties and without notice and opportunity for the parties to respond. The California Government Code generally prohibits the board members from engaging in *ex parte* communications during permitting, enforcement, or other "quasi-adjudicatory" matters. As a permitting proceeding, Regional Board members may not discuss the subject of this hearing with any person, except during the public hearing itself, except in the limited circumstances and manner described in this notice.

## **VIII. HEARING PROCEDURES**

Adjudicative proceedings before the Regional Board generally will be conducted in the following order:

- Administration of oath to persons who intend to testify
- Regional Board staff presentation
- Interested persons' comments
- Designated parties' presentation

Questions from the Regional Board to parties  
Questions from the Regional Board to Staff  
Deliberations (in open or closed session)  
Regional Board decision

While this is a formal administrative proceeding, the Regional Board does not generally require the cross examination of witnesses, or other procedures not specified in this notice, that might typically be expected of parties in a courtroom.

Each party will be advised after the receipt of public comments, but prior to the date of the hearing, of the amount of time the party will be allocated for its presentations. That decision will be based upon the complexity and the number of issues under consideration, the extent to which the parties have coordinated, the number of parties and interested persons anticipated, and the time available for the hearing. The parties should contact the Regional Board staff, as provided in section X. below, not later than **12:00 pm on November 9, 2009** to state how much time they believe is necessary for their presentations. It is the Regional Board's intent that reasonable requests be accommodated.

Interested persons are invited to attend the hearing and present oral comments. Oral comments may be limited to 3 to 5 minutes each for their comments, in the discretion of the Chair, depending on the number of persons wishing to be heard.

Parties and interested persons with similar concerns or opinions are encouraged to choose one representative to speak, and are encouraged to coordinate their presentations with each other. Repetitive comments will not be allowed.

The Regional Board will include in the Administrative Record written transcriptions of oral testimony or comments that are made at the hearing.

#### **IX. OBJECTIONS TO MANNER OF HEARING**

Parties or interested persons with procedural requests different from or outside of the scope of this notice should contact the Regional Board staff member identified in section X. below no later than **12:00 pm on November 9, 2009**. The Regional Board will endeavor to accommodate reasonable requests.

Objections to (a) any procedure to be used or not used during the hearing, (b) any document or evidence in the administrative record, or (c) any other matter set forth in this notice, must be submitted in writing and received by the Regional Board staff member identified in section X. below no later than **12:00 pm on November 9, 2009**. Any objections related to the amount of time allocated for parties' presentations must be submitted within two business days of notice thereof.

**Untimely objections will be deemed waived. Procedural objections about the matters contained in this notice will be addressed prior to and will not be entertained at the hearing.**

Further, except as otherwise stipulated, any procedure not specified in this hearing notice will be deemed waived pursuant to section 648(d) of Title 23 of the California Code of Regulations, unless a timely objection is filed.

**X. REGIONAL BOARD STAFF CONTACTS**

Any communications with the Regional Board prior to the hearing should be directed to:

Mr. Ivar Ridgeway  
320 W. 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013  
(213) 620-2150  
iridgeway@waterboards.ca.gov

Please submit Public Comments to: [la\\_trash@waterboards.ca.gov](mailto:la_trash@waterboards.ca.gov).

Date: October 8, 2009

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION  
320 W. 4<sup>TH</sup> STREET  
SUITE 200  
LOS ANGELES, CA 90013

**FACT SHEET**

SUPPORTING AMENDMENTS TO THE LOS ANGELES COUNTY  
MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT  
(ORDER NO. 01-182; NPDES PERMIT NO. CAS004001) TO  
INCORPORATE WASTE LOAD  
ALLOCATIONS FOR TRASH PURSUANT TO THE  
LOS ANGELES RIVER WATERSHED TRASH TMDL

## Table of Contents

Summary of Proposed Action.....	Error! Bookmark not defined.
Background: Summary of Impairments and TMDL Elements.....	5
Statutory History and Requirements.....	10
State Regulatory Authority .....	14
Current Status and Basis for Action .....	19
Alternatives Considered.....	23
Recommended Action .....	26
Opportunity for Public Comment .....	27
References .....	28



## Introduction

The Los Angeles Regional Water Quality Control Board (Regional Board) staff proposes a limited reopening of the LA County Municipal Separate Storm Sewer System (MS4) Permit to incorporate the Los Angeles River Watershed Trash Total Maximum Daily Load (TMDL) Waste Load Allocations (WLAs) and associated provisions for discharges from the MS4 to the Los Angeles River and its tributaries as required by federal regulation and state law.<sup>1</sup>

### *Summary of LA River Trash TMDL*

The LA River Trash TMDL was established to address the documented impairments in the Los Angeles River Watershed due to trash that were identified on the State's Clean Water Act Section 303(d) List of impaired waters, and to ultimately achieve the narrative water quality objectives contained in the Basin Plan for both "Floating Material" and "Solid, Suspended, or Settleable Materials" that require:

*"Waters shall not contain floating materials, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses"; and*

*"Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses."*

The TMDL requires progressive annual reductions in discharges of trash from the MS4 from an established baseline for each permittee identified as a responsible jurisdiction in the TMDL, until the final numeric target of zero trash discharge is attained. The compliance deadlines for the interim waste load allocations are at the end of each storm period (October 1 to September 30). Compliance with the final waste load allocations is required by September 30, 2016. The proposed permit modifications rely upon the translation of Basin Plan Tables 7-2.2 into

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<sup>1</sup> Tributaries to the Los Angeles River include but are not limited to Pacoima Wash, Tujunga Wash, Burbank Western Channel, Verdugo Wash, Arroyo Seco, the Rio Hondo, and Compton Creek.

jurisdiction-specific waste load allocations (see Appendix-1 hereto). Appendix 1 has been translated into effluent limitations contained in Appendix 7-1 of the permit by calculating the corresponding three-year rolling average.

### *TMDL History*

The Los Angeles River Trash TMDL was initially adopted by the Regional Board on September 19, 2001. Twenty-two cities<sup>2</sup> ("Cities") sued the Regional Board and State Board to set aside the TMDL, stopping progress towards halting the thousands of tons of garbage that is discharged to the Los Angeles River and its tributaries. The trial court entered an order deciding some claims in favor of the Regional Board and State Board and some in favor of the Cities. Both sides appealed, and on January 26, 2006, the Court of Appeal decided every one of the Cities' claims in favor of the Boards, except with respect to CEQA compliance (*City of Arcadia et al. v. Los Angeles Regional Water Quality Control Board et al.* (2006) 135 Cal.App.4th 1392).<sup>3</sup>

The Court of Appeal rejected the following claims litigated by the Cities:

- a. The Court rejected the Cities' claim that the target of zero trash is unattainable and inordinately expensive. (135 Cal.App.4<sup>th</sup> at 1413 and 1427-1430.)
- b. The Court rejected the Cities' claim that an assimilative capacity study was required before the Boards could determine how much trash, a pollutant that does not assimilate, would violate the narrative objectives. (135 Cal.App.4<sup>th</sup> at 1409-1413.)

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<sup>2</sup> The cities include Arcadia, Baldwin Park, Bellflower, Cerritos, Commerce, Diamond Bar, Downey, Irwindale, Lawndale, Monrovia, Montebello, Monterey Park, Pico Rivera, Rosemead, San Gabriel, Santa Fe Springs, Sierra Madre, Signal Hill, South Pasadena, Vernon, West Covina, and Whittier.

<sup>3</sup> The Cities filed a petition for review by the California Supreme Court, but on April 19, 2006, the Supreme Court declined to hear any of the Cities' claims.

- c. The Court rejected the Cities' claim that the Boards were required, but failed, to conduct a cost/benefit analysis and consideration of economic factors. (135 Cal.App.4<sup>th</sup> at 1415-1418.)
- d. The Court rejected the Cities' claim that the Boards were prohibited from establishing a TMDL for the Los Angeles River Estuary until it was formally listed on the 303(d) list. (135 Cal.App.4<sup>th</sup> at 1418-1420.)
- e. The Court rejected the Cities' claims that TMDLs for storm water may not require agencies to perform better than the "maximum extent practicable", and must allow compliance through best management practices. (135 Cal.App.4<sup>th</sup> at 1427-1430.)
- f. The Court rejected the Cities' claim that the Boards were required to implement load allocations for nonpoint sources of trash pollution. (135 Cal.App.4<sup>th</sup> at 1430-1432.)
- g. The Court rejected the Cities' claim that the Boards failed to adhere to the data collection and analysis required by federal and state law (135 Cal.App.4<sup>th</sup> at 1433-34.)
- h. The Court rejected the Cities' claim that the Boards relied on nonexistent, illegal, and irrational uses to be made of the Los Angeles River. (135 Cal.App.4<sup>th</sup> at 1432-33.)
- i. The Court rejected the Cities' claim that the Boards violated the Administrative Procedures Act (APA). (135 Cal.App.4<sup>th</sup> at 1434-35.)

The Court did find, however, that the Boards did not adequately complete the environmental checklist, and that evidence of a "fair argument" of significant impacts existed such that the Boards should have performed an EIR level of analysis. (135 Cal.App.4<sup>th</sup> at 1420-26.) The Court therefore declared the Trash TMDL void, and issued a writ of mandate that ordered the Boards to

set aside and not implement the TMDL, until it has been brought into compliance with California Environmental Quality Act.

As a result of the appellate court's decision, in 2006 the Regional Board set aside its 2001 action incorporating the TMDL into the Basin Plan (Resolution R06-013) (*City of Arcadia et al. v. Los Angeles Regional Water Quality Control Board et al.* (2006) 135 Cal.App.4<sup>th</sup> 1392). After conducting the required CEQA analysis, the Regional Board readopted the Los Angeles River Watershed Trash TMDL on August 9, 2007 (Resolution No. 2007-0012).<sup>4</sup> This TMDL was subsequently approved by the State Water Resources Control Board (Resolution No. 2008-0024), the Office of Administrative Law (File No. 2008-0519-02 S), and the United States Environmental Protection Agency, and became effective on September 23, 2008.

*Summary of Proposed Action* The Regional Board proposes to incorporate the interim and final WLAs, expressed as annual reductions in discharges of trash from individual jurisdictional areas within the Los Angeles River Watershed, into the LA County MS4 Permit. Additionally, the Regional Board proposes to incorporate provisions that specify alternative means of determining compliance with the interim and final WLAs. These include:

- (i) a technology based approach whereby BMPs meeting the design standard of "full capture" may be properly installed and maintained to demonstrate compliance with the WLAs,
- (ii) a numeric effluent limitation based approach whereby "partial capture" BMPs and institutional controls not meeting the design standard of "full capture" may be implemented in drainage areas, in which case

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<sup>4</sup> The Regional Board first adopted the Los Angeles River Trash TMDL in September 2001 (Resolution R01-013). As a result of a court decision, in 2006 the Regional Board set aside its 2001 action incorporating the TMDL into the Basin Plan (Resolution R06-013) (*City of Arcadia et al. v. Los Angeles Regional Water Quality Control Board et al.* (2006) 135 Cal.App.4<sup>th</sup> 1392). In 2007, the Regional Board readopted the TMDL with the revised CEQA analysis ordered by the court (Resolution R07-012).

compliance with the WLA shall be demonstrated by measuring actual reductions in trash discharges in these areas.

Either or both approaches may be used within a jurisdictional area.

The incorporation of the interim and final WLAs established in the TMDL is consistent with the iterative process of implementing BMPs employed in the current LA County MS4 Permit in that compliance with the final WLAs may be achieved over the course of nine years. However, because the waterbodies in the Los Angeles River Watershed are impaired due to trash discharges from the MS4, it is necessary to establish more specific provisions in order to (i) ensure measurable reductions in trash discharges resulting in progressive water quality improvements during the iterative process and (ii) establish a final date for completing implementation of BMPs and, ultimately, achieving WLAs and water quality standards.

The Los Angeles River Watershed Trash TMDL was lawfully adopted as an amendment to the Los Angeles Region's Basin Plan and required compliance with interim WLAs as of September 30, 2008. Most Basin Plan provisions, including TMDLs adopted as amendments to the Basin Plan, are not self-implementing. Therefore, this limited re-opener of the MS4 Permit to incorporate the WLAs allows the implementation and enforcement of these WLAs as required by federal and state laws and regulations.

#### **Background: Summary of Impairments and TMDL Elements**

Trash in waterways causes significant water quality problems. Small and large floatables inhibit the growth of aquatic vegetation, decreasing habitat and spawning areas for fish and other living organisms. Wildlife living in rivers and in riparian areas can be harmed by ingesting or becoming entangled in floating trash. Except for large items, settleables are not always obvious to the eye. They include glass, cigarette butts, rubber, and construction debris, among other

things. Settleables can be a problem for bottom feeders and can contribute to sediment contamination. Some debris (e.g. diapers, medical and household waste, and chemicals) are a source of bacteria and toxic substances. Floating debris that is not trapped and removed will eventually end up on the beaches or in the open ocean, keeping visitors away from our beaches and degrading coastal waters.

Trash is a serious and pervasive water quality problem in the Los Angeles River Watershed. The Regional Board has determined that current levels of trash exceed the existing water quality objectives contained in the Basin Plan that are necessary to protect the beneficial uses of the river. Regional Board staff regularly observes trash in the waterways of the Los Angeles River Watershed. Non-profit organizations such as Heal the Bay, Friends of the Los Angeles River (FoLAR) and others organize volunteer clean-ups periodically, and document the amount of trash collected. Data on quantities of trash removed from waterways and downstream beaches are provided in the Administrative Record for the Los Angeles River Trash TMDL.

Long Beach collects large amounts of trash at the mouth of the Los Angeles River, as much of the trash carried down the Los Angeles River ends up at the river's mouth in Long Beach. Debris tonnage at the mouth of the Los Angeles River is listed in Table 1.

Table 1. Storm Debris Collection Summary for Long Beach (tons)<sup>5</sup>

Storm Year	First Quarter (July-Sept.)	Second Quarter (Oct.-Dec.)	Third Quarter (Jan.-March)	Fourth Quarter (April-June)	Total
1994-95	436	509	3,576	702	5,224
1995-96	504	344	3,100	645	4,593

<sup>5</sup> City of Long Beach *L.A. River Debris Summary* (as of June 2006).

Storm Year	First Quarter (July-Sept.)	Second Quarter (Oct.-Dec.)	Third Quarter (Jan.-March)	Fourth Quarter (April-June)	Total
1996-97	350	2,361	601	681	3,993
1997-98	647	3,650	4,016	977	9,290
1998-99	565	720	532	1,274	3,091
1999-00	781	176	1,664	1,223	3,844
2000-01	757	581	2,625	474	4,437
2001-02	424	739	288	407	1,858
2002-03	430	752	2,564	884	4,630
2003-04	299	779	607	951	2,636
2004-05	273	4,390	6,176	1,416	12,255
2005-06	561	495	862	670	2,591

Trash discharged to waterbodies discourages recreational activity, degrades aquatic habitat, threatens wildlife through ingestion and entanglement, and also poses risks to human health. Existing beneficial uses impaired by trash in the Los Angeles River are contact recreation (REC-1) and non-contact recreation (REC-2); warm fresh water habitat (WARM); wildlife habitat (WILD); estuarine habitat (EST) and marine habitat (MAR); rare, threatened or endangered species (RARE); migration of aquatic organisms (MIGR) and spawning, reproduction and early development of fish (SPWN); commercial and sport fishing (COMM); wetland habitat (WET); and cold freshwater habitat (COLD).

The Regional Board adopted a trash TMDL for the Los Angeles River Watershed to eliminate the documented water quality impairment resulting from significant amounts of trash discharged to the Los Angeles River and its tributaries, and by doing so to restore the beneficial uses of the river. The TMDL establishes a numeric target of zero discharge of trash, and identifies discharges from the MS4 as the major source of trash to the Los Angeles River and its tributaries.



To achieve the numeric target of zero discharge of trash, the TMDL sets interim and final wasteload allocations (WLAs) for trash discharges in the Los Angeles River Watershed, expressed as progressive annual percentage reductions from a predetermined baseline WLA assigned to each responsible jurisdiction, until the final waste load allocation of zero discharge is allocated in 2014. The TMDL allows for compliance with these annual percentage reductions to be determined based on a two-year rolling average of the interim waste load allocations in the second year of implementation, and based on a three-year rolling average in subsequent years, resulting in a final compliance date of 2016.

Co-permittees under the LA County MS4 Permit that are identified as responsible jurisdictions in the Los Angeles River Trash TMDL include the County of Los Angeles, the County of Los Angeles Flood Control District, and the Cities of Alhambra, Arcadia, Bell, Bell Gardens, Bradbury, Burbank, Calabasas, Carson, Commerce, Compton, Cudahy, Downey, Duarte, El Monte, Glendale, Hidden Hills, Huntington Park, Irwindale, La Cañada Flintridge, Los Angeles, Lynwood, Maywood, Monrovia, Montebello, Monterey Park, Paramount, Pasadena, Pico Rivera, Rosemead, San Fernando, San Gabriel, San Marino, Santa Clarita, Sierra Madre, Signal Hill, Simi Valley, South El Monte, South Gate, South Pasadena, Temple City, and Vernon. The City of Long Beach and the California Department of Transportation (Caltrans) are also identified as responsible jurisdictions in the trash TMDL, but their MS4 discharges are regulated under separate permits.<sup>6</sup>

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<sup>6</sup> The City of Long Beach's MS4 permit (NPDES No. CAS004003) will be re-opened at a later date to include the trash TMDL provisions. A statewide permit (NPDES No. CAS000003) issued by the State Board covers MS4 discharges from areas under the jurisdiction of Caltrans. This permit will be renewed in the near future. The Regional Board will notify the State Board of the need to incorporate all TMDL WLAs in the Los Angeles Region that apply to Caltrans along with the provisions necessary to ensure compliance. Notwithstanding, the Storm Water Monitoring Plan for Caltrans District 7 already contains implementation measures for the purpose of complying with the trash TMDL requirements.

The Los Angeles River Trash TMDL specifies under "Implementation" that the WLAs will be implemented through MS4 permits. TMDLs are not self-executing, but instead rely upon further orders or actions to adjust pollutant restrictions on individual dischargers. Federal regulations require that NPDES permits must be consistent with the assumptions and requirements of any available waste load allocation (40 CFR 122.44(d)). Similarly, state law requires both that the Regional Board implement its Basin Plan when adopting waste discharge requirements (WDRs) and that NPDES permits apply "any more stringent effluent standards or limitations necessary to implement water quality control plans..." (Wat. Code §§ 13263, 13377).

## Statutory History and Requirements

### *Clean Water Act Section 303(d): Impaired Waters and TMDLs*

The CWA §303(d)(1)(A) requires each State to conduct a biennial assessment of its waters, and identify those waters for which technology based effluent limitations are not stringent enough to implement water quality standards. These waters are identified as impaired waters on the State's 303(d) list of water quality limited segments. The CWA also requires States to establish a priority ranking for waters on the 303(d) list and to develop and implement TMDLs for these waters.

"A TMDL defines the specified maximum amount of a pollutant which can be discharged or 'loaded' into [impaired waters] from all combined sources" and still allow the waterbody to meet water quality standards (*Dioxin/Organochlorine Center v. Clarke* (9<sup>th</sup> Cir. 1995) 57 F.3d 1517, 1520). A TMDL allocates the acceptable pollutant load to point and nonpoint sources. The elements of a TMDL are described in 40 CFR 130.2 and 130.7. A TMDL is defined as "the sum of the individual waste load allocations for point sources and load allocations for nonpoint sources and natural background" (40 CFR 130.2).

Upon establishment of TMDLs by the State or the U.S. EPA, the State is required to incorporate the TMDLs into the State Water Quality Management Plan (40 CFR 130.6 (c) (1), 130.7). The Water Quality Control Plan for the Los Angeles Region (Basin Plan), and applicable statewide plans, serves as the State Water Quality Management Plan governing the watersheds under the jurisdiction of the Regional Board. When adopting TMDLs as a part of its Basin Plan, the Regional Board includes, as part of the TMDL, a program for implementation of the wasteload allocations for point sources and load allocations for nonpoint sources.

Essentially, TMDLs serve as a backstop provision of the CWA designed to implement water quality standards when other provisions have failed to achieve water quality standards.

*Clean Water Act Section 402(p): NPDES Permits for MS4s*

The federal Clean Water Act (CWA) generally prohibits the “discharge of any pollutant,” 33 U.S.C. § 1311(a), from a “point source” into waters of the United States. 33 U.S.C. § 1362(12)(A). An entity can, however, obtain a National Pollutant Discharge Elimination System (NPDES) permit that allows conditionally for the discharge of some pollutants. 33 U.S.C. § 1342(a)(1). The CWA defines point sources as “discernible, confined and discrete conveyances, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure” such as a pipe, ditch, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. 33 U.S.C. § 1362; 40 CFR 122.2.

In 1987, the U.S. Congress enacted the Water Quality Act recognizing both the environmental threats posed by storm water runoff and the U.S. EPA's problems in implementing regulations for storm water discharges (NRDC II, 966 F.2d at 1296). These Amendments to the CWA established new statutory requirements to control industrial and municipal storm water discharges to waters of the United States (CWA § 402(p).) The amendments require NPDES permits for storm water discharges from Municipal Separate Storm Sewer Systems (MS4s) to waters of the United States, and classify MS4s as a “point source”.

The NPDES permits for MS4s (i) may be issued on a system- or jurisdiction-wide basis; (ii) shall include a requirement to effectively prohibit [unauthorized] non-storm water discharges into the storm sewers; and (iii) shall require controls to reduce the discharge of pollutants from storm water to the maximum extent

practicable (MEP), including management practices, control techniques and systems, design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants. (See CWA §402(p)(3)(B).)

On November 16, 1990, pursuant to CWA § 402(p), the U.S. EPA promulgated regulations at 40 CFR 122.26 which established requirements for MS4 discharges under the NPDES program.

Generally, discharges of pollutants that are covered under a NPDES permit must comply with (i) effluent limitations necessary to achieve compliance with technology based standards **as well as** (ii) **any more stringent effluent limitation “necessary to meet water quality standards”** (emphasis added) (33 U.S.C. § 1311(b)(1)(C)). In the case of MS4 NPDES discharge permits, federal courts have ruled that the CWA grants the permitting agency discretion to determine what pollutant controls are appropriate for discharges from MS4s. The federal courts held that the permitting agency has discretionary authority under “33 U.S.C. § 1342(p)(2)(E) to determine that ensuring strict compliance with state water-quality standards is necessary to control pollutants, or to require less than strict compliance with state water-quality standards, such as a BMP approach” (*Defenders of Wildlife v. Browner*, 191 F.3d 1159 (9<sup>th</sup> Cir., 1999)). Under 33 U.S.C. § 1342(p)(3)(B)(iii), the permitting authority has the choice to include either best management practices or numeric effluent limitations in the permits. NRDC II, 966 F.2d at 1308 (“Congress did not mandate a minimum standards approach or specify that [the] EPA develop minimal performance requirements.”).

Even early in the regulatory program for MS4s, the U.S. EPA stated that if the Permittee(s) fails to implement adequate BMPs to prevent exceedance of the receiving water objectives, the permitting authority “may have to consider other

approaches to water quality protection" (61 Fed. Reg. 43761; *Interim Permitting Approach*, Response #6, EPA 833-D-96-00, 1996; Order WQ 91-03).

### **State Regulatory Authority**

In California, trash that is discharged to waterbodies is regulated by Regional Boards through their Basin Plans. In the Basin Plans, trash is identified as both a "floatable material" and a "solid, suspended or settleable material." The Basin Plans establish narrative water quality objectives for both, stating in general terms that *waters shall not contain these materials in concentrations that cause nuisance or adversely affect beneficial uses*. These narrative objectives are consistent with water quality criteria recommended under CWA section 304(a) by the U.S. EPA (1986).

The Regional Boards implement these narrative objectives for trash through a variety of mechanisms depending upon the primary source of the trash discharges. Until recently, attempts were made to implement these narrative objectives for trash primarily through standard provisions in NPDES permits for discharges from MS4s (discussed below). Where an individual waterbody is identified as impaired due to trash, *additional* regulatory requirements are established in a TMDL and incorporated into the Basin Plan, as described earlier.

The State of California is one of forty-five States that have been granted authority under the CWA to implement the NPDES permitting program in lieu of US EPA. The Porter-Cologne Act (California Water Code) authorizes the State Board, through the nine regional boards, to issue NPDES permits, and regulate and control the discharge of pollutants into waters of the State. Regional Board-issued NPDES permits must contain provisions consistent with the State Water Quality Management Plan (Wat. Code § 13263).

#### *Related State Administrative Actions*

The State Board has affirmed that NPDES MS4 permits must prohibit discharges that cause or contribute to violations of water quality standards contained in Basin Plans or Statewide Water Quality Control Plans (See WQ 98-01, at p. 8).



In 1999, the State Board issued standard receiving water limitations language to be included in municipal storm water permits across the State consistent with this affirmation (Order WQO 99-05, which amended Order WQO 98-01).

The State Water Board had ruled earlier that municipal storm water permits must include effluent limitations necessary to achieve water quality standards (State Board Orders WQ 91-03 and WQ 91-04)<sup>7</sup>. The State Board concluded that these may be non-numerical, but also pointed out that if the Permittee(s) fails to implement adequate BMPs to prevent exceedance of the receiving water objectives, the regional boards may have to consider other approaches to water quality protection (Order WQ 91-03).

Later, the State Board in Order WQ 2001-15 stated that “where urban runoff is causing or contributing to exceedances of water quality standards, it is appropriate to require improvements to BMPs that address those exceedances” (Order WQ 2001-15, p. 8). Recently, the State Board concluded that the regional boards should determine the most appropriate approach to implementing WLAs for MS4 discharges in the form of **either numeric or non-numeric** effluent limitations and should support their determination in the permit findings (Order WQ 2009-0008).

#### *LA County MS4 Permit History*

To comply with the CWA, the Regional Board issued the first storm water permit (“predecessor permit”) on June 18, 1990, to the municipalities (Permittees) in Los Angeles County (Order No. 90-079; NPDES Permit No. CA0061654).

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<sup>7</sup> In Order WQ 91-04, the State Board reviewed a complaint brought by the environmental community that the 1990 LA County MS4 Permit lacked numerical effluent limits and violated federal law.

The LA County MS4 Permit was reissued in 1996, and the current iteration of the permit was adopted on December 13, 2001 (Order No. 01-182; NPDES Permit No. CAS004001). The LA County MS4 Permit (Order No. 01-182) was amended by Order No. R4-2006-0074 on September 14, 2006. Another amendment to the Los Angeles County MS4 permit was made on August 9, 2007 by Order No. R4-2007-0042. Currently, Order No. 01-182 as amended by Order R4-2007-0042 is the Los Angeles County MS4 permit in effect.

Because of the complexity and networking of the municipal separate storm sewer system and drainage facilities within and tributary to the County of Los Angeles, the Regional Board adopted a countywide approach in permitting discharges from the MS4. The permit requires Permittees to implement timely and comprehensive programs in the areas of public involvement and participation, industrial/commercial inspection, development planning, development construction, public agency activities, and to reduce the discharge of pollutants from the MS4 to the maximum extent practicable (MEP) from the permitted areas in the County of Los Angeles to the waters of the U.S. In addition, it states that discharges from the MS4 to waters of the U.S., including Los Angeles River and its tributaries, may not cause or contribute to exceedances of water quality objectives.

*Regulatory Scheme for Control of Trash Discharges*

Consistent with U.S. EPA expectations, the trash control requirements in the first municipal stormwater permit were general and included documenting existing best management practices (BMPs), designing a stormwater monitoring program, and developing plans to optimize existing BMPs and implement additional BMPs. With each subsequent permit, there has been an increasing level of specificity in requirements to control trash, as shown in Table 2.

Table 2. Evolution of Permit Requirements for Control of Trash Discharges

<b>Requirements</b>	<b>Early Permits (Pre-TMDL)</b>	<b>2<sup>nd</sup> Generation Permits (Pre-TMDL)</b>	<b>Recent Permits</b>
Catch Basin (CB) Prioritization	None	None	Based on trash generation
CB Cleanout Frequency	1x during summer season	1x prior to storm season	1-4x per year based on prioritization
Additional CB Cleanouts	As necessary	When 40% full	When 25% full
Other CB Requirements	None	None	Trash excluders or equivalent at high priority CBs
Street Sweeping Prioritization	None	None	Based on trash generation
Street Sweeping Frequency	1x per month; where feasible, more frequently in high trash areas	Based on traffic volume	Based on trash generation
Open Channel Maintenance	1x per year prior to storm season	1x per year prior to storm season	1x per year prior to storm season
Parking Lot Sweeping	1x per month	1x per month	2x per month
TMDL requirements for impaired waterbodies	None	None	Yes

This evolution in requirements is linked to the identification of waterbodies as impaired due to trash. The “second generation” municipal stormwater permits, which were developed around the same time as the first determination of trash impairments, reflected an increase in specificity beyond what was done in the earlier stormwater permits. Those developed later, in conjunction with the first trash TMDLs, have been further refined in terms of their requirements to control discharges of trash.

The current LA County MS4 permit contains standard provisions for controlling trash discharges from the storm drain system, including but not limited to:

- Public Information and Participation Program (PIPP) in Part 4.B, including requirements for pollutant-specific outreach on trash in the Los Angeles River Watershed beginning in February 2003;
- Industrial/Commercial Facilities Control Program in Part 4.C, including requirements for permittees to (i) inspect critical sources and (ii) require operators to implement additional controls to reduce pollutants in runoff to CWA section 303(d) impaired waters; and
- Public Agency Activities Program in Part 4.F, including requirements for storm drain operation and management, streets and roads maintenance, and parking facilities management.

In drainage areas subject to the Los Angeles River Trash TMDL, the current permit requires permittees to continue the implementation of specified catch basin inspections and cleaning until trash TMDL implementation measures are adopted. Additionally, for any special event that can be reasonably expected to generate substantial quantities of trash and litter, permittees are still required to properly manage trash and litter generated, as a condition of the special use permit issued for that event. At a minimum, the municipality who issues the permit for the special event shall arrange for either temporary screens to be placed on catch basins or for catch basins in that area to be cleaned out subsequent to the event and prior to any rain event.

Permittees were required to place trash receptacles at all transit stops within their jurisdiction that have shelters by August 1, 2002, and at all other transit stops within their jurisdiction by February 3, 2003. Permittees are required to maintain all trash receptacles as necessary. The Principal Permittee, in cooperation with Permittees, is also required to continue coordinating outreach programs that focus on trash in the Los Angeles River.

## **Current Status and Basis for Action**

While the Los Angeles County Department of Public Works reported a "30% decrease in roadway trash on unincorporated County roads and a 50% decrease in trash entering catchbasins since adoption of the current National Pollutant Discharge Elimination System (NPDES) Permit"<sup>8</sup>, these standard provisions described above have not adequately controlled trash discharges to the Los Angeles River. As a result, trash in the Los Angeles River continues to be a serious problem, causing continued impairments to recreational and aquatic life beneficial uses of the river.

Nineteen years have passed since adoption of the first MS4 permit for Los Angeles County, while eight years have passed since adoption of the current MS4 permit. There has been ample time for Permittees to implement the standard provisions of the permit to control trash discharges to the Los Angeles River and to apply the iterative approach set forth in the Part I.B. of the 2001 Permit in order to address the trash impairments in the Los Angeles River watershed. Yet, water quality impairments due to trash discharges from the MS4 to the Los Angeles River and its tributaries remain a serious public health and environmental problem.

Additionally, over the last 19 years, much has been learned about the nature of urban runoff and stormwater and BMP performance, both nationally and regionally. During the early years of the stormwater regulatory program, the State Board recognized that a prudent approach was one that implemented BMPs to reduce sources and control pollutants from MS4 and continued to collect monitoring data on the characteristics of urban runoff and stormwater (Order WQ 91-03). However, with extensive data on the characteristics of stormwater and BMP performance, numeric effluent limitations for discharges of trash have

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<sup>8</sup>Comment letter from County of Los Angeles, Department of Public Works, May 15, 2000, p. 1.

become feasible since it is possible to determine a BMP equivalent of the numeric target.<sup>9</sup>

As noted above, the TMDL requires progressive annual reductions in the amount of trash that may be discharged from a jurisdiction in the watershed. Section 122.44(d)(1)(vii)(B) requires that NPDES permits include conditions that are “consistent with the assumptions and requirements” of available waste load allocations. Therefore, Staff reviewed the structure of the WLAs and the requirements of the Trash TMDL before crafting the proposal for incorporation. Based on the TMDL and the manner in which the waste load allocations are expressed, staff concluded that the most obvious and logical manner of incorporating the Trash WLAs would involve the adoption of conditions in the permit that require annual reductions in the amount of trash that may be discharged by each jurisdiction. By definition the specification of a limit on the quantity of a pollutant that may be discharged from a specific location is in fact a numerically expressed “effluent limitation”, as that term is defined in Water Code section 13385.1. While a variety of mechanisms might be considered to maneuver around the result, staff considers that the effect of any of those efforts would be to essentially water down the salient provisions of the TMDL to render them less- or unenforceable, beyond the current receiving water limitations and iterative approach that has not achieved compliance with water quality standards. Staff also considers the vast resources the Regional Board has devoted to this particular TMDL over the last 8 years with the intent of finally signaling the start to the end of the significant trash water quality problems that have been unresolved since the 1998 placement of the Los Angeles River on the 303(d) list. In view of the above, Regional Board staff concludes that it is necessary and feasible to include the interim and final WLAs contained in the Los Angeles River Watershed Trash TMDL into the permit as numeric effluent limitations to ensure

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<sup>9</sup> For example, installation of full capture BMPs in forty percent of a responsible jurisdiction’s drainage area translates to a forty-percent reduction in the pre-assigned baseline waste load allocations. Since the

timely and measurable reductions in trash discharges to eliminate the existing water quality impairment. This is consistent with the recent State Board Order that concluded that, “whether a future municipal storm water permit requirement appropriately implements a storm water wasteload allocation will need to be decided based on the regional water quality control board’s findings supporting either the numeric or non-numeric effluent limitations contained in the permit” (Order WQ 2009-0008).

#### *Potential Options for Trash WLA Compliance*

The Regional Board has determined that these WLAs may be achieved in several ways. Compliance approaches for the trash TMDLs can be broadly classified into the “full capture” approach, “institutional controls,” and the “partial capture” approach. These approaches can be applied individually or in combination throughout the watershed to meet TMDL requirements.

The full capture approach involves the installation of “full-capture”<sup>10</sup> trash control systems in drainage areas of the affected watershed. All drainage areas where such an approach is employed are considered to be in compliance with the zero numeric target. This means that no further implementation actions are necessary, provided the system or device is appropriately sized for the subwatershed in which it is implemented and that it is properly maintained. This approach is consistent with the traditional storm water approach where dischargers are authorized to rely upon the use of best management practices. Full capture systems are specific structural best management practices that have been determined to meet the requirements of the TMDL. The use of such systems obviates the obligation on the part of the permittee to determine the actual amount of trash loading that the permittee may be causing, as compliance with

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waste load allocations are assigned as percent reductions, they can be directly translated from BMP implementation.

<sup>10</sup> For the purpose of the trash TMDLs, a full capture device is defined as “any single device or series of devices that traps all particles retained by a 5mm mesh screen with a design treatment capacity of  $\geq$  the peak flow rate resulting from a one-year, one-hour storm in the sub-drainage area.”



the effluent limitations is determined by the fact of the installation and maintenance of the systems, not by the actual effluent quality.

Institutional controls are trash control measures taken by jurisdictional agencies that do not require any construction or installations. These are more typically referred to as “non-structural best management practices.” Examples include street sweeping, public education, and clean out of catch basins that discharge to storm drains. Since the efficacy of institutional controls cannot be accurately assessed with an measure of certainty, where compliance with the effluent limitations relies upon institutional controls it must be determined by a method that assesses the trash discharges and reductions that are actually occurring in the watershed. The TMDL specifies that this may be achieved by comparing the allowable discharge against the total estimated discharge of trash from storm events, using a mass-based equation.<sup>11</sup> Compliance is deemed to have been attained when the estimated discharge is equal to or less than the allowable load.

The partial capture approach involves the use of other structural trash control devices (best management practices) that do not meet the “full-capture” performance requirements. For the partial capture approach, the degree of compliance with the zero target is determined by the demonstrated performance of the devices in question. Alternatively, where a device’s performance is not known, compliance can be determined in the same manner as that used for institutional controls.

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<sup>11</sup> The discharge is estimated using a mass balance equation. Discharge = [DGR x Days since last street sweeping] - [trash obtained from catch basin cleanouts]. The DGR (daily generation rate) is the average amount of trash deposited within a specified drainage area over a 24-hour period. Annual re-calculation of the DGR is intended to serve as a measure of the effectiveness of institutional controls or source reduction measures.

## **Alternatives Considered**

The Regional Board staff considered the following alternatives for making enforceable the Los Angeles River Trash TMDL WLAs.

a. No Action Option – Given the limited scope of the action, which is to progressively reduce the discharge of trash from the MS4 to the Los Angeles River and its tributaries, and the costs associated with non-action or non-enforcement of the Los Angeles River Trash WLAs, the proposed action is reasonable and necessary. Furthermore, the Los Angeles River Trash TMDL required compliance with the interim WLAs beginning in September 2008. The Regional Board is obligated by federal regulation (40 CFR 122.44(d)) to ensure that NPDES permits are consistent with the assumptions and requirements of any available waste load allocation and by state law to ensure that the provisions of the Basin Plan, including TMDLs, are implemented in waste discharge requirements (WDRs) (Wat. Code § 13263). Failing to incorporate the waste load allocations into the permit at this time would be contrary to the federal goal of making surface waters ‘fishable and swimmable’ and the legislative intent of the Porter-Cologne Water Quality Control Act to attain the highest water quality that is reasonable.

b. MS4 Storm Water Quality Management Program (SQMP) – An MS4 Storm Water Permittee’s SQMP is its primary documentation for utilizing the iterative adaptive approach using BMPs or other methods to manage the quality of storm water discharges in order to comply with receiving water limitations. MS4 Permittees in the Los Angeles River Watershed have had more than a decade and a half to effectively implement provisions of the permit to control trash discharges. The fact that discharges of trash to the Los Angeles River and its tributaries still cause or contribute to exceedances of water quality standards and impair beneficial uses, and that the Los Angeles River was first listed as impaired for trash on the 1998 303(d) list, that the Regional Board originally adopted WLAs for trash discharges in 2001, and re-adopted WLAs for trash discharges in

2007, demonstrates the need for greater action and strict enforcement of the WLAs. Permittees have not consistently submitted Receiving Water Limits Compliance Reports as required by the permit when there has been a determination of a violation of receiving water limitations (e.g., reported exceedances at permit monitoring stations), despite recurring exceedances of water quality standards. As noted earlier, few Permittees have documented revisions to the SQMP to address chronic exceedances of water quality standards. The existing iterative approach in the permit, which lacks enforceable milestones, would be inconsistent with the provisions and intent of the TMDL. Therefore this approach, which allows iterative yet enforceable compliance over a specific period of time is more appropriate

c. Incorporate TMDL Provisions at Permit Reissuance – Waiting until permit reissuance would prevent full implementation of the TMDL’s regulatory requirements for several years after compliance is required. Therefore, the Regional Board is reopening the existing permit during its administrative extension, instead of reissuing the permit at this time.

d. (Proposed Alternative) Limited Reopener to Incorporate WLAs as Numeric Effluent Limitations with Alternative Compliance Approaches – Federal regulation requires that NPDES permits must be consistent with the assumptions and requirements of any available waste load allocation (40 CFR 122.44(d)(1)(vii)(B)). State law requires both that the Regional Board implement its Basin Plan when adopting waste discharge requirements (WDRs) and that NPDES permits apply “any more stringent effluent standards or limitations necessary to implement water quality control plans...” (Wat. Code §§ 13263, 13377). The Ninth Circuit Court of Appeals in *Defenders of Wildlife v. Browner* ruled that the Clean Water Act grants the permitting agency discretion either to require “strict compliance” with water quality standards through the imposition of numeric effluent limitations, or to employ an iterative approach toward compliance with water quality standards, by requiring improved BMPs over time (*Defenders of Wildlife v. Browner* (9<sup>th</sup> Cir. 1999) 191 F.3d 1159). In a precedential decision, the State Board acknowledged that the holding in *Browner*

allows the issuance of MS4 permits that limit their provisions to BMPs that control pollutants to the MEP, and which do not require compliance with water quality standards. However, the State Board has concluded and the Regional Board agrees that "where urban runoff is causing or contributing to exceedances of water quality standards, it is appropriate to require improvements to BMPs that address those exceedances" (Order WQ 2001-15, p. 8). In a recent decision, the State Board concluded that TMDLs should not be academic exercises, should be given substantive effect, and the regional boards should determine the most appropriate approach to implementing WLAs for MS4 discharges in the form of either numeric or non-numeric effluent limitations and should support their determination in the permit findings (Order WQ 2009-0008).

Regional Board staff concludes that in the case of the Trash TMDL, given its history, the resources devoted to its establishment, the continuing nature of the impairment, and the structure of the TMDL's waste load allocations, it is appropriate to establish effluent limitations that will result in measurable reductions in the pollutants discharged from the MS4 to receiving waters within a specified time frame, consistent with the TMDL's WLAs and implementation schedule.

### **Recommended Action**

Staff recommends (d.) reopening the LA County MS4 permit in a limited manner to make modifications, including a new section, Part 7. Total Maximum Daily Load Provisions, to incorporate the Los Angeles River Trash WLAs, and revisions to Parts 4.F.5(b) (Standard Provisions) and 5 (Definitions). The changes are the addition of waste load allocations, for responsible jurisdictions identified in the Los Angeles River Watershed Trash TMDL, to achieve a progressive reduction in trash discharges from the MS4 to the Los Angeles River and its tributaries. Compliance with these WLA will address the impairment of beneficial uses that occurs as a result of these discharges.

The proposed modifications herein contain more specific requirements in the form of measurable interim and final effluent limitations to eliminate discharges of trash from the MS4 to the Los Angeles River and its tributaries in order to achieve water quality standards. This Order incorporates applicable WLAs that have been adopted by the Regional Board and have been approved by the State Board, Office of Administrative Law and the U.S. EPA. The conditions that implement the TMDL WLAs in the Order are expressed as effluent limitations in a manner consistent with the assumptions and requirements of the TMDL from which they are derived.

The re-opener provisions in Part 6.I.1 identify the authority and procedures for the Board to modify the permit. The proposed consideration by the Regional Board to incorporate the Los Angeles River Trash TMDL interim and final TMDL WLAs complies with these provisions and, specifically, with subparagraph (b) "to incorporate ... amendments to the Basin Plan". Per 40 CFR 122.62(a)(7) the Regional Board may reopen a permit when required by the "reopener" conditions in a permit.

### **Opportunity for Public Comment**

Regional Board staff held a workshop on July 29, 2009, to inform Permittees and other interested persons how the Los Angeles River Trash TMDL will be incorporated into the LA MS4 Order. Comments were solicited during this workshop and up to two weeks following. These comments were considered by staff in formulating the draft permit modifications. Responses to these comments and comments received on the draft provisions, findings and fact sheet will be prepared prior to the Board hearing. In addition, the notice of the proposed Regional Board's proceedings to incorporate the Los Angeles River Watershed Trash TMDL's WLAs into the Los Angeles County MS4 Permit which was circulated on September 30, 2009, provided a 30-day comment period for interested parties. The Regional Board Hearing on this matter, which is scheduled for December 10, 2009, provides further opportunity for stakeholders to comment.

## APPENDIX 1

**Table 1a: Los Angeles River Watershed Trash TMDL Waste Load Allocations per Storm Year, expressed as allowable discharge relative to baseline Waste Load Allocations (gallons of uncompressed volume)**

Permittee	End of Storm Year – September 30				
	2010 (40%)	2011 (30%)	2012 (20%)	2013 (10%)	2014 (0%)
Alhambra	15961	11971	7981	3990	0
Arcadia	20043	15032	10022	5011	0
Bell	6410	4808	3205	1603	0
Bell Gardens	5400	4050	2700	1350	0
Bradbury	1711	1283	855	428	0
Burbank	37036	27777	18518	9259	0
Calabasas	9002	6752	4501	2251	0
Carson	2733	2050	1366	683	0
Commerce	23493	17620	11747	5873	0
Compton	21276	15957	10638	5319	0
Cudahy	2374	1781	1187	594	0
Downey	15625	11719	7813	3906	0
Duarte	4884	3663	2442	1221	0
El Monte	16883	12662	8442	4221	0
Glendale	56126	42094	28063	14031	0
Hidden Hills	1465	1099	733	366	0
Huntington Park	7664	5748	3832	1916	0
Irwindale	4941	3706	2470	1235	0
La Cañada Flintridge	13398	10049	6699	3350	0
Los Angeles	549938	412454	274969	137485	0
Los Angeles County	124089	93067	62045	31022	0
Lynwood	11280	8460	5640	2820	0
Maywood	2452	1839	1226	613	0
Monrovia	18675	14006	9337	4669	0
Montebello	20148	15111	10074	5037	0
Monterey Park	15560	11670	7780	3890	0
Paramount	10981	8236	5490	2745	0
Pasadena	44799	33599	22400	11200	0
Pico Rivera	5581	4186	2791	1395	0
Rosemead	10922	8192	5461	2731	0
San Fernando	5579	4184	2789	1395	0
San Gabriel	8137	6103	4069	2034	0
San Marino	5756	4317	2878	1439	0
Santa Clarita	360	270	180	90	0
Sierra Madre	4644	3483	2322	1161	0
Signal Hill	3774	2830	1887	943	0
Simi Valley	55	41	27	14	0
South El Monte	6400	4800	3200	1600	0
South Gate	17562	13171	8781	4390	0
South Pasadena	5963	4472	2981	1491	0
Temple City	7029	5272	3514	1757	0
Vernon	18881	14161	9441	4720	0



**Table 1b: Los Angeles River Watershed Trash TMDL Waste Load Allocations per Storm Year, expressed as allowable discharge relative to baseline Waste Load Allocations (pounds of drip-dry weight)**

Permittee	End of Storm Year – September 30				
	2010 (40%)	2011 (30%)	2012 (20%)	2013 (10%)	2014 (0%)
Alhambra	27504	20628	13752	6876	0
Arcadia	37214	27911	18607	9304	0
Bell	10135	7601	5067	2534	0
Bell Gardens	9348	7011	4674	2337	0
Bradbury	4864	3648	2432	1216	0
Burbank	68156	51117	34078	17039	0
Calabasas	20892	15669	10446	5223	0
Carson	4083	3062	2042	1021	0
Commerce	34192	25644	17096	8548	0
Compton	34542	25907	17271	8636	0
Cudahy	4024	3018	2012	1006	0
Downey	27403	20552	13701	6851	0
Duarte	9475	7106	4737	2369	0
El Monte	27307	20480	13653	6827	0
Glendale	117399	88049	58700	29350	0
Hidden Hills	4328	3246	2164	1082	0
Huntington Park	12372	9279	6186	3093	0
Irwindale	7164	5373	3582	1791	0
La Cañada Flintridge	29499	22124	14749	7375	0
Los Angeles	1029000	771750	514500	257250	0
Los Angeles County	260722	195542	130361	65181	0
Lynwood	18587	13940	9293	4647	0
Maywood	4220	3165	2110	1055	0
Monrovia	40395	30296	20198	10099	0
Montebello	33483	25112	16741	8371	0
Monterey Park	28182	21137	14091	7046	0
Paramount	17796	13347	8898	4449	0
Pasadena	83006	62254	41503	20751	0
Pico Rivera	9020	6765	4510	2255	0
Rosemead	18951	14213	9476	4738	0
San Fernando	9231	6923	4615	2308	0
San Gabriel	14575	10931	7287	3644	0
San Marino	11659	8744	5829	2915	0
Santa Clarita	930	698	465	233	0
Sierra Madre	10077	7558	5038	2519	0
Signal Hill	5688	4266	2844	1422	0
Simi Valley	138	103	69	34	0
South El Monte	9728	7296	4864	2432	0
South Gate	28933	21700	14467	7233	0
South Pasadena	11343	8507	5671	2836	0
Temple City	12728	9546	6364	3182	0
Vernon	26726	20044	13363	6681	0

## Findings

### Section E. Federal, State, and Regional Regulations

#### Revisions (Replace Existing Finding 14, with that below):

14. The Regional Board on September 19, 2001, adopted amendments to the Basin Plan, to incorporate TMDLs for trash in the Los Angeles River (Resolution No. R01-013) and Ballona Creek (Resolution No. R01-014). The amendments were subsequently approved by the State Board, the Office of Administrative Law, and the United States Environmental Protection Agency. Twenty-two cities<sup>1</sup> ("Cities") sued the Regional Board and State Board to set aside the Los Angeles River Trash TMDL. The trial court entered an order deciding some claims in favor of the Water Boards and some in favor of the Cities. Both sides appealed, and on January 26, 2006, the Court of Appeal decided every one of the Cities' claims in favor of the Water Boards, except with respect to California Environmental Quality Act (CEQA) compliance (*City of Arcadia et al. v. Los Angeles Regional Water Quality Control Board et al.* (2006) 135 Cal.App.4th 1392). The Court therefore declared the Los Angeles River Trash TMDL void, and issued a writ of mandate that ordered the Water Boards to set aside and not implement the TMDL, until it had been brought into compliance with CEQA. As a result of the appellate court's decision, in 2006, the Regional Board set aside its 2001 action incorporating the TMDL into the Basin Plan (Resolution R06-013) (*City of Arcadia et al. v. Los Angeles Regional Water Quality Control Board et al.* (2006) 135 Cal.App.4th 1392). After conducting the required CEQA analysis, the Regional Board readopted the Los Angeles River Watershed Trash TMDL on August 9, 2007 (Resolution No. R07-012). This TMDL was subsequently approved by the State Board (Resolution No. 2008-0024), the Office of Administrative Law (File No. 2008-0519-02 S), and the United States Environmental Protection Agency, and became effective on September 23, 2008. The Water Boards filed their final return to the writ of mandate on August 6, 2008, and on August 26, 2008, the superior court entered an order discharging the writ, and dismissing the case, thus concluding the legal challenges to the Trash TMDL.

#### Additions:

#### **Findings Related to the Incorporation of the Los Angeles River Watershed Trash TMDL**

40. The Regional Board adopted the Los Angeles River Trash Total Maximum Daily Load (TMDL) on August 9, 2007 as an amendment to the region's Water Quality Control Plan (Basin Plan) to address water quality impairments due to trash in the Los Angeles River Watershed that were identified in 1998 on the State's Clean Water Act Section 303(d) List. This TMDL was subsequently approved by the State Board, the Office of Administrative Law (OAL), and the USEPA, and it became effective on September 23, 2008.
41. By its adoption of the Trash TMDL, the Regional Board determined that trash discharged to the Los Angeles River and its tributaries discourages recreational activity, degrades aquatic habitat, threatens wildlife through ingestion and entanglement, and also poses risks to human health. Existing beneficial uses impaired by trash in the Los Angeles River are contact

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<sup>1</sup> The cities include Arcadia, Baldwin Park, Bellflower, Cerritos, Commerce, Diamond Bar, Downey, Irwindale, Lawndale, Monrovia, Montebello, Monterey Park, Pico Rivera, Rosemead, San Gabriel, Santa Fe Springs, Sierra Madre, Signal Hill, South Pasadena, Vernon, West Covina, and Whittier.

recreation (REC-1) and non-contact recreation (REC-2); warm fresh water habitat (WARM); wildlife habitat (WILD); estuarine habitat (EST) and marine habitat (MAR); rare, threatened or endangered species (RARE); migration of aquatic organisms (MIGR) and spawning, reproduction and early development of fish (SPWN); commercial and sport fishing (COMM); wetland habitat (WET); and cold freshwater habitat (COLD).

42. The Los Angeles River Trash TMDL identifies discharges from the municipal separate storm sewer system as the principal source of trash to the Los Angeles River and its tributaries. As such, WLAs were assigned to MS4 Permittees that discharge to the MS4 system in the watershed. The WLAs are expressed as progressively decreasing allowable amounts of trash discharges from jurisdictional areas within the watershed. The Trash TMDL requires MS4 Permittees to make annual reductions of their discharges of trash to the Los Angeles River Watershed over a 9-year period, until the numeric target of zero trash discharged from the MS4 is achieved for the 2013-2014 storm year. The Basin Plan assigns MS4 Permittees within the Los Angeles River Watershed baseline Waste Load Allocations from which annual reductions are to be made. (See Basin Plan, Table 7-2.2.) The Basin Plan also specifies interim and final Waste Load Allocations as decreasing percentages of the Table 7-2.2 baseline WLAs, and specifies the corresponding "Compliance Points". (See Basin Plan, Table 7-2.3.)
43. The Los Angeles River Trash TMDL specifies that the WLAs shall be implemented through MS4 permits. Federal regulations require that NPDES permits be consistent with the assumptions and requirements of any available waste load allocation. (40 CFR 122.44(d)(1)(vii)(B).) State law requires both that the Regional Board implement its Basin Plan when adopting waste discharge requirements (WDRs) and that NPDES permits apply "any more stringent effluent standards or limitations necessary to implement water quality control plans..." (Wat. Code §§ 13263, 13377).
44. The Ninth Circuit Court of Appeals in *Defenders of Wildlife v. Browner* ruled that the Clean Water Act grants the permitting agency discretion either to require "strict compliance" with water quality standards through the imposition of numeric effluent limitations, or to employ an iterative approach toward compliance with water quality standards, by requiring improved BMPs over time (*Defenders of Wildlife v. Browner* (9<sup>th</sup> Cir. 1999) 191 F.3d 1159). In a precedential decision, the State Board acknowledged that the holding in *Browner* allows the issuance of MS4 permits that limit their provisions to BMPs that control pollutants to the MEP, and which do not require compliance with water quality standards. However, the Water Boards have declined to adopt that approach in light of the impacts of discharges from MS4s on waters throughout the State and Los Angeles region (see Order WQ 2001-15 and Part 2 of the LA County MS4 Permit). The State Board concluded and the Regional Board agrees that "where urban runoff is causing or contributing to exceedances of water quality standards, it is appropriate to require improvements to BMPs that address those exceedances" (Order WQ 2001-15, p. 8).
45. In a recent decision, the State Board also concluded that incorporation of the provisions of TMDLs into MS4 permits requires extra consideration. Specifically, the State Board held: "TMDLs, which take significant resources to develop and finalize, are devised with specific implementation plans and compliance dates designed to bring impaired waters into compliance with water quality standards. It is our intent that federally mandated TMDLs be given substantive effect. Doing so can improve the efficacy of California's NPDES storm water permits." The State Board stated that TMDLs should not be an "academic exercise", and indicated that in some instances when implementing TMDLs, numeric effluent

limitations may be an appropriate means of controlling pollutants in storm water, provided the Regional Board's determination is adequately supported in the permit findings (Order WQ 2009-0008). The following paragraphs support the Regional Board's determination to implement the Trash TMDL with numeric effluent limitations.

46. The Trash TMDL specified a specific formula for calculating and allocating annual reductions in trash discharges from each jurisdiction. The formula results in specified annual amounts of trash that may be discharged from each jurisdiction into the receiving waters. Translation of the compliance points described in the TMDL into jurisdiction-specific load reductions from the baseline levels, as specified in the TMDL, logically results in the articulation of an annual limit on the amount of a pollutant that may be discharged. The specification of allowable annual trash discharge amounts meets the definition of an "effluent limitation", as that term is defined in subdivision (c) of section 13385.1 of the California Water Code. Specifically, the trash discharge limitations constitute a "numeric restriction ... on the quantity [or] discharge rate ... of a pollutant or pollutants that may be discharged from an authorized location." While there may be other ways to incorporate the compliance points from the TMDL into permit conditions, the Regional Board is not aware of any other mechanisms that would result in actual compliance with the requirements of the TMDL as it was intended.
47. The process to establish the Trash TMDL was exceedingly lengthy, heavily litigated and scrutinized, and contained extensive analysis. The essence of this TMDL has been twice approved by the Regional Board, the State Board, OAL, the USEPA, and has been subject to considerable judicial review. Therefore, the assumptions underlying this TMDL have been thoroughly vetted by staff, stakeholders, other agencies, and the courts over a significant period of time.
48. In its resolution establishing the Trash TMDL, the Regional Board already determined that the implementation schedule was reasonable and feasible, and noted that the MS4 Permittees had notice of the trash impairment since at least 1998 (with its listing on the 1998 303(d) list) and had been required to attain water quality standards for trash in the receiving waters since this order was first adopted in December of 2001. (See e.g., Resolution R07-012, finding 14.) The Court of Appeal affirmed the Regional Board's determination that the final waste load allocations were attainable and not inordinately expensive. (*Cities of Arcadia*, 135 Cal.App.4<sup>th</sup> at 1413 and 1427-1430.) Full capture systems, partial capture devices, and institutional controls are presently available to feasibly and practicably attain the interim and final effluent limitations, and it is anticipated that this order will precipitate additional innovations in control strategies and technologies, just as the adoption of the Trash TMDL resulted in the proffering and certification of seven full capture systems.
49. The Trash TMDL and this order include provisions that allow Permittees to be deemed in compliance with their effluent limitations through the installation of certain best management practices (certified full capture systems). Any Permittee that is deemed in compliance through the use of certified full capture systems would not be in violation of the effluent limitations even if some trash is discharged in excess of the annual limitations.
50. The Trash TMDL includes provisions requiring its reconsideration after a trash reduction of 50% has been achieved and sustained in the watershed, which provides an opportunity to reexamine some of the assumptions of the TMDL after tangible and meaningful progress has been made in the watershed. (See Basin Plan, Table 7-2.3, fn. 2.)

51. Depending upon the compliance strategy selected by each Permittee, compliance with the effluent limitations set forth in Appendix 7-1 may require a demonstration that the Permittee is in strict compliance with water quality standards. It remains the Permittee's choice, however, to comply via full capture systems (which do not require a demonstration of strict compliance with water quality standards), or partial capture devices and/or institutional controls.
52. Section 402(p)(3)(B)(iii) of the Clean Water Act, requires MS4 Permittees to reduce the pollutants in their storm water discharges to the "maximum extent practicable" (MEP). As set forth herein, "practicable" options presently exist to achieve compliance with the effluent limitations. Since the effluent limitations can be practicably achieved, their imposition is within the federally mandated MEP standard, and no analysis contemplated by *City of Burbank v. SWRCB* (2005) 35 Cal.4th 613 pursuant to Water Code section 13241 is necessary to support these effluent limitations.
53. In its discretion, the Regional Board may administratively impose civil liability of up to \$10,000 for "each day in which the violation [of waste discharge requirements] occurs." (Wat. C. § 13385, subd (c).) The Los Angeles River Trash TMDL adopted by the Regional Board states that improperly deposited trash is mobilized during storm events of greater than 0.25 inches of precipitation. Violations of the effluent limitations, therefore, are limited to the days of a storm event of greater than 0.25 inches. Once a Permittee has violated the annual effluent limitation, any subsequent discharges of trash during any day of a storm event of greater than 0.25 inches during the same storm year constitutes an additional "day in which the violation [of the effluent limitation] occurs".
54. Unlike subdivision (c) of Water Code section 13385 where violations of effluent limitations are assessed on a per day basis, the mandatory minimum penalties subdivisions (Wat. Code § 13385, subd. (h) and (i)) require the Regional Board to assess mandatory minimum penalties for "each violation" of an effluent limitation. The effluent limitations in Appendix 7-1 are expressed as annual limitations. Therefore, there can be no more than one violation of each interim or final effluent limitation per year. Trash is considered a Group I pollutant, as specified in Appendix A to section 123.45 of Title 40 of the Code of Federal Regulations. Therefore, each annual violation of an effluent limitation in Appendix 7-1 by forty percent or more would be considered a "serious violation" under subdivision (h). With respect to the final effluent limitation of zero trash, any detectable discharge of trash necessarily is a serious violation, in accordance with the State Board's Enforcement Policy. Violations of the effluent limitations in Appendix 7-1 would not constitute "chronic" violations that would give rise to mandatory liability under subdivision (i) because four or more violations of the effluent limitations subject to a mandatory penalty cannot occur in a period of six consecutive months.
55. Therefore, the modifications to the Order include effluent limitations in a manner consistent with the assumptions and requirements of the WLAs from which they are derived as well as an allowance to comply with these effluent limitations [*i.e.* WLAs] through proper installation and maintenance of full capture systems.
56. Modifications consistent with the assumptions and requirements of the TMDL are therefore included in Parts 4 (Special Provisions) and 5 (Definitions) of this Order. Part 7 (Total Maximum Daily Load Provisions) is added to this Order and incorporates provisions to assure that Los Angeles County MS4 Permittees achieve the Waste Load Allocations (WLAs) and comply with other requirements of Total Maximum Daily Loads (TMDLs) covering impaired waters impacted by the Permittees' discharges. These modifications are



made pursuant to 40 CFR sections 122.41(f), 122.44.(d)(1)(vii)(B), and 122.62, and Part 6.I.1 of this Order. Tables 7-2.1, 7-2.2, and 7-2.3 of the Basin Plan set forth the pertinent provisions of the Los Angeles River Watershed Trash TMDL. The interim and final effluent limitations consistent with the assumptions and requirements of the waste load allocations, and related provisions required of Permittees within the watershed are provided in Part 7 of this Order.

57. Permittees identified as responsible agencies in the Trash TMDL may achieve compliance with interim and final effluent limitations through progressive installation of BMPs meeting the definition of "full capture" throughout their jurisdictions' drainage areas. Alternatively, Permittees may install "partial capture" devices and/or implement institutional controls to meet their respective interim and final effluent limitations. In the latter case, compliance shall be determined based on direct measurement of trash discharges or site-specific performance data.
58. The Executive Officer will develop a standard reporting form, consistent with these provisions, which shall be used by Permittees to report compliance with the effluent limitations on an annual basis.
60. Pursuant to federal regulations at 40 CFR sections 124.8 and 125.56, a Fact Sheet was prepared to provide the basis for incorporating the Los Angeles River Watershed Trash TMDL into this Order. This Fact Sheet is hereby incorporated by reference into these findings.

*Additions to Part 5, incorporated into existing Part 5 alphabetically:*

**PART 5 - DEFINITIONS**

**“Baseline Waste Load Allocation”** means the Waste Load Allocation assigned to a Permittee before reductions are required. The progressive reductions in the Waste Load Allocations are based on a percentage of the Baseline Waste Load Allocation. The Baseline Waste Load Allocation for each jurisdiction was calculated based on the annual average amount of trash discharged to the storm drain system from a representative sampling of land use areas, as determined during the Baseline Monitoring Program. The Baseline Waste Load Allocations are incorporated into the Basin Plan at Table 7-2.2.

**“Daily Generation Rate (DGR)”** means the estimated amount of trash deposited within a representative drainage area during a 24-hour period, derived from the amount of trash collected from streets and catch basins in the area over a 30-day period.

**“Drainage”** includes all drainage into the MS4, including urban runoff (non-storm water) and storm water.

**“Full Capture System”** means any single device or series of devices, certified by the Executive Officer, that traps all particles retained by a 5 mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. The Rational Equation is used to compute the peak flow rate:

$$Q = C \times I \times A,$$

Where:

Q = design flow rate (cubic feet per second, cfs);

C = runoff coefficient (dimensionless);

I = design rainfall intensity (inches per hour, as determined per the Los Angeles County rainfall isohyetal maps relevant to the Los Angeles River watershed),<sup>1</sup> and

A = sub-drainage area (acres).

**“Partial Capture Device”** means any structural trash control device that has not been certified by the Executive Officer as meeting the “full capture” performance requirements.

**“Institutional Controls”** means programmatic trash control measures that do not require construction or structural modifications to the MS4. Examples include street sweeping, public education, and clean out of catch basins that discharge to storm drains.

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<sup>1</sup> The isohyetal map may be updated annually by the Los Angeles County hydrologist to reflect additional rain data gathered during the previous year. Annual updates published by the Los Angeles County Department of Public Works are prospectively incorporated by reference into this Order.



*Addition of New Part 7:*

**PART 7 - TOTAL MAXIMUM DAILY LOAD PROVISIONS**

The provisions of this Part implement and are consistent with the assumptions and requirements of Waste Load Allocations from TMDLs for which some or all of the Permittees in this Order are responsible.

**1. TMDL for Trash in the Los Angeles River Watershed**

A. Waste Load Allocations: Each Permittee identified in Appendix 7-1 shall comply with the interim and final effluent limitations set forth in Appendix 7-1 hereto.<sup>2</sup>

B. Compliance:

(1) Permittees may comply with the effluent limitations using any lawful means. Such compliance options are broadly classified as *full capture*, *partial capture*, or *institutional controls*, as described below, and any combination of these may be employed to achieve compliance:

(a) Full Capture Systems:

- 1) The Basin Plan authorizes the Executive Officer to certify *full capture systems*, which are systems that meet the operating and performance requirements as described in this Order, and the procedures identified in "Procedures and Requirements for Certification of a Best Management Practice for Trash Control as a Full Capture System." (See Appendix 7-2.)<sup>3</sup>
- 2) Permittees are authorized to comply with their effluent limitations through certified *full capture systems* provided the requirements of paragraph 3), immediately below, and any conditions in the certification, continue to be met.
- 3) Permittees may comply with their effluent limitations through progressive installation of *full capture systems* throughout their jurisdiction until all areas draining to the Los Angeles River system are addressed. For purposes of this Permit, attainment of the effluent limitations shall be conclusively presumed for any drainage area to the Los Angeles River (or its tributaries) where

<sup>2</sup> The interim and final effluent limitations set forth in Appendix 7-1 are equivalent to the Compliance Points identified in Table 7-2.3 of the Basin Plan.

<sup>3</sup> The Regional Board currently recognizes eight *full capture systems*. These are: Vortex Separation Systems (VSS) and seven other Executive Officer certified *full capture systems*, including specific types or designs of trash nets; two gross solids removal devices (GSRDs); catch basin brush inserts and mesh screens; vertical and horizontal trash capture screen inserts; and a connector pipe screen device.

certified *full capture systems* treat all drainage from the area, provided that the *full capture systems* are adequately sized, maintained and maintenance records and performance data are maintained and available for inspection by the Regional Board.

i. A Permittee relying entirely on *full capture systems* shall be deemed in compliance with its final effluent limitation if it demonstrates that all drainage areas under its jurisdiction are serviced by appropriate certified *full capture systems* as described in paragraph (a)(3).

ii. A Permittee relying entirely on *full capture systems* shall be deemed in compliance with its interim effluent limitations:

1. By demonstrating that *full capture systems* treat the percentage of drainage areas in the watershed that corresponds to the required trash abatement.

2. Alternatively, a Permittee may propose a schedule for jurisdiction-wide installation of *full capture systems*, targeting first the areas of greatest trash generation ( based upon the information on drainage area and litter generation rates by land use provided in Appendices I and III of the Los Angeles River Trash TMDL Staff Report) for the Executive Officer's approval. The Executive Officer shall not approve any such schedule that does not result in timely compliance with the final effluent limitations. A Permittee shall be deemed in compliance with its interim effluent limitations provided it is fully in compliance with any such approved schedule.

(b) Partial Capture Devices and Institutional Controls:

Permittees may comply with their interim and final effluent limitations through the installation of *partial capture devices* and the application of *institutional controls*.

- 1) Trash discharges from areas serviced solely by *partial capture devices* may be estimated based on demonstrated performance of the device(s) in the jurisdictional area. That is, trash reduction is equivalent to the *partial capture devices*' trash removal efficiency multiplied by the percentage of drainage area serviced by the devices.
- 2) Except as provided in subdivision 3), below, trash discharges from areas addressed by *institutional controls* and/or *partial capture devices* (where site-specific performance data is not available) shall be calculated using a mass balance approach, based on the daily generation rate (DGR) for a representative area.<sup>4</sup> The DGR shall be determined from direct measurement of trash deposited in the drainage area during any thirty-day period between June 22<sup>nd</sup> and September 22<sup>nd</sup> exclusive of rain events<sup>5</sup>, and shall be re-calculated every year thereafter. The DGR shall be calculated as the total amount of trash collected during this period divided by 30 (the length of the collection period).

*DGR = (Amount of trash collected during a 30-day collection period<sup>6</sup>) / (30 days)*

The DGR for the applicable area of the jurisdiction shall be extrapolated from that of the representative drainage area. A mass balance equation shall be used to estimate the amount of trash discharged during a storm event.<sup>7</sup> The *Storm Event Trash Discharge* for a given rain event in a Permittee's drainage area shall be calculated by multiplying the number of days since the last street sweeping by the DGR and subtracting the amount of any trash recovered in the catch basins.<sup>8</sup> For each day of a storm event that generates precipitation greater than 0.25 inches, the Permittee shall calculate a *Storm Event Trash Discharge*.

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<sup>4</sup> The area should be representative of the land uses within the jurisdiction and shall be approved by the Executive Officer prior to the 30-day collection period.

<sup>5</sup> Provided no special events are scheduled that may affect the representative nature of that collection period.

<sup>6</sup> Between June 22<sup>nd</sup> and September 22<sup>nd</sup>

<sup>7</sup> Amount of trash shall refer to the uncompressed volume (in gallons) or drip-dry weight (in pounds) of trash collected.

<sup>8</sup> Any negative values shall be considered to represent a zero discharge.

*Storm Event Trash Discharge = [(Days since last street sweeping\*DGR)] - [Amount of trash recovered from catch basins]<sup>9</sup>*

The sum of the *Storm Event Trash Discharges* for the storm year shall be the Permittee's calculated annual trash discharge.

*Total Storm Year Trash Discharge = ∑Storm Event Trash Discharges from Drainage Area*

- 3) The Executive Officer may approve alternative compliance monitoring approaches for calculating total storm year trash discharge, upon finding that the program will provide a scientifically-based estimate of the amount of trash discharged from the MS4.
  - (c) Combined Compliance Approaches:

Permittees may comply with their interim and final effluent limitations through a combination of *full capture systems*, *partial capture devices*, and *institutional controls*. Permittees relying on a combination of approaches shall demonstrate compliance with the interim and final effluent limitations as specified in (a)(3) in areas where *full capture systems* are installed and as specified in (b)(2) in areas where *partial capture devices* and *institutional controls* are applied.
  - (2) Permittees that are not in compliance with the applicable interim and/or final effluent limitations as identified in Appendix 7-1 shall be in violation of this permit.
    - (a) Permittees relying on *partial capture devices* and/or *institutional controls* that have violated their interim or final effluent limitations as identified in Appendix 7-1 shall be presumed to have violated the applicable limitation for each day of each storm event that generated precipitation greater than 0.25 inches during the applicable storm year, except those storm days on which they establish that their cumulative Storm Event Trash Discharges have not exceeded the applicable effluent limitation.
    - (b) For Permittees relying on full capture systems who have failed to demonstrate that the *full capture systems* for any drainage are adequately sized, maintained and maintenance records and performance data are maintained and available

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<sup>9</sup> When more than one storm event occurs prior to the next street sweeping the discharge shall be calculated from the date of the last assessment.

for inspection by the Regional Board, and that they are in compliance with any conditions of their certification, shall be presumed to have discharged trash in an amount that corresponds to the percentage of the baseline waste load allocation represented by the drainage in question. A permittee may overcome this presumption by demonstrating (using any of the methods authorized in this Part 7.1.) the actual or calculated discharge for that drainage.

- (3) Any Permittee that fails to demonstrate that it is in compliance with the interim and final effluent limitations as specified in this Part 7.1 shall be presumed to have violated the applicable interim and/or final effluent limitations.
- (4) Any Permittee that establishes that it lacks authority over the MS4 physical infrastructure because it is under the authority of the Los Angeles County Flood Control District shall be held jointly and severally liable with the Los Angeles County Flood Control District for violations of the interim or final effluent limitations assigned to that jurisdiction unless the Permittee and the Flood Control District submit a duly executed agreement (the terms of which has been approved by the Executive Officer) that allocates between them all responsibility for compliance with these provisions, and further provided that the Permittee is in compliance with its respective obligations under the agreement.

C. Monitoring and Reporting Requirements (pursuant to Water Code section 13383)

- (1) Within 60 days of adoption of Part 7, Section 1 (Los Angeles River Trash TMDL) and on October 31, 2010 and every year thereafter, each Permittee identified in Appendix 7-1 shall submit a TMDL Compliance Report detailing compliance with the interim and final effluent limitations. Reporting shall include the information specified below. The report shall be submitted on a reporting form to be specified by the Executive Officer. The report shall be signed under penalty of perjury by the Director of Public Works or other agency head (or their delegee) that is responsible for ensuring compliance with this permit. Permittees shall be charged with and shall demonstrate compliance with the relevant effluent limitations beginning with their October 31, 2010 TMDL Compliance Report.
  - (a) Reporting Compliance based on Full Capture Systems: Permittees identified in Appendix 7-1 shall provide information on the number and location of full capture installations, the sizing of each full capture installation, the drainage areas addressed by these installations, and compliance with the applicable interim or final effluent

limitation, in their TMDL Compliance Report. The Regional Board will periodically audit sizing, performance, and other data to validate that a system satisfies the criteria established for a *full capture system* and any conditions established by the Executive Officer in the certification.

(b) Reporting Compliance based on Partial Capture Systems and/or Institutional Controls:

(1) Using Site-Specific Performance Data:

Permittees identified in Appendix 7-1 shall provide (i) site-specific performance data for the applicable device(s), (ii) information on the number and location of such installations, and the drainage areas addressed by these installations, and (iii) calculated compliance with the applicable effluent limitations, in their TMDL Compliance Report.

(2) Using Direct Measurement of Trash Discharge:

Permittees identified in Appendix 7-1 shall provide an accounting of DGR and trash removal via street sweeping, catch basin clean outs, etc., in a database to facilitate the calculation of discharge for each rain event. The database shall be maintained and provided to the Regional Board for inspection upon request.

Permittees identified in Appendix 7-1 shall provide the annual DGR, calculated storm year discharge, and compliance with the applicable effluent limitation, in their TMDL Compliance Report.

(c) Reporting Compliance based on Combined Compliance Approaches:

Permittees identified in Appendix 7-1 shall provide the information specified in subsection (a) for areas where full capture systems are installed and that specified in subsection (b)(1) or (b)(2), as appropriate, for areas where partial capture devices and institutional controls are applied. Permittees shall also provide information on compliance with the applicable effluent limitation based on the combined compliance approaches, in their TMDL Compliance Report

- (2) Violation of the reporting requirements of this Part shall be punishable pursuant to inter alia Water Code subdivision (a)(1) of section 13385.1 and/or subdivision (a)(3) of section 13385.

Revisions to:

**Part 4. SPECIAL PROVISIONS, F. Public Agency Activities Programs**

5. Storm Drain Operation and Management

- a) Each Permittee shall designate catch basin inlets within its jurisdiction as one of the following:

Priority A: Catch basins that are designated as consistently generating the highest volumes of trash and/or debris.

Priority B: Catch basins that are designated as consistently generating moderate volumes of trash and/or debris.

Priority C: Catch basins that are designated as generating low volumes of trash and/or debris.

- b) Permittees subject to a trash TMDL (Los Angeles River and Ballona Creek WMAs) shall continue to implement the requirements listed below in subsection (c) immediately below in addition to the provisions in Part 7 (Total Maximum Daily Load Provisions) until trash implementation measures are adopted. Thereafter, the subject Permittees shall implement programs in conformance with the TMDL implementation schedule, which shall include an effective combination of measures such as street sweeping, catch basin cleaning, installation of treatment devices and trash receptacles, or other BMPs. Default requirements include:

- (1) Inspection and cleaning of catch basins between May 1 and September 30 of each year;
- (2) Additional cleaning of any catch basin that is at least 40% full of trash and/or debris;
- (3) Record keeping of catch basins cleaned; and
- (4) Recording of the overall quantity of catch basin waste collected.

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If the implementation phase for the Los Angeles River and Ballona Creek Trash TMDLs has not begun by October 2003, subject Permittees shall implement the requirements described below in subsection 5(c), until such time programs in conformance with the subject Trash TMDLs are being implemented.

- c) All Permittees not subject to a trash TMDL shall:

- (1) Clean catch basins according to the following schedule:



Priority A: A minimum of three times during the wet season and once during the dry season every year.

Priority B: A minimum of once during the wet season and once during the dry season every year.

Priority C: A minimum of once per year.

In addition to the schedule above, between February 1, 2002 and July 1, 2003, Permittees shall ensure that any catch basin that is at least 40% full of trash and/or debris shall be cleaned out. After July 1, 2003, Permittees shall ensure that any catch basin that is at least 25% full of trash and debris shall be cleaned out.

- (2) For any special event that can be reasonably expected to generate substantial quantities of trash and litter, include provisions that require for the proper management of trash and litter generated, as a condition of the special use permit issued for that event. At a minimum, the municipality who issues the permit for the special event shall arrange for either temporary screens to be placed on catch basins or for catch basins in that area to be cleaned out subsequent to the event and prior to any rain event.
- (3) Place trash receptacles at all transit stops within its jurisdiction that have shelters no later than August 1, 2002, and at all other transit stops within its jurisdiction no later than February 3, 2003. All trash receptacles shall be maintained as necessary.

**Appendix 7-1**

**Interim and Final Effluent Limitations for Trash for Permittees Identified as Responsible  
Jurisdictions in the Los Angeles River Watershed Trash TMDL**

**Table 1a: Los Angeles River Watershed Trash Effluent Limitations<sup>1</sup> per Storm Year<sup>2</sup>**  
(gallons of uncompressed trash)

Permittees	2010 (50%)	2011 (40%)	2012 (30%)	2013 (20%)	2014 (10%)	2015 (3.3%)	2016 <sup>3</sup> (0%)
Alhambra	19952	15961	11971	7981	3990	1317	0
Arcadia	25054	20043	15032	10022	5011	1654	0
Bell	8013	6410	4808	3205	1603	529	0
Bell Gardens	6750	5400	4050	2700	1350	446	0
Bradbury	2139	1711	1283	855	428	141	0
Burbank	46295	37036	27777	18518	9259	3055	0
Calabasas	11253	9002	6752	4501	2251	743	0
Carson	3416	2733	2050	1366	683	225	0
Commerce	29367	23493	17620	11747	5873	1938	0
Compton	26596	21276	15957	10638	5319	1755	0
Cudahy	2968	2374	1781	1187	594	196	0
Downey	19532	15625	11719	7813	3906	1289	0
Duarte	6105	4884	3663	2442	1221	403	0
El Monte	21104	16883	12662	8442	4221	1393	0
Glendale	70157	56126	42094	28063	14031	4630	0
Hidden Hills	1832	1465	1099	733	366	121	0
Huntington Park	9580	7664	5748	3832	1916	632	0
Irwindale	6176	4941	3706	2470	1235	408	0
La Cañada Flintridge	16748	13398	10049	6699	3350	1105	0
Los Angeles	687423	549938	412454	274969	137485	45370	0
Los Angeles County	155112	124089	93067	62045	31022	10237	0
Lynwood	14101	11280	8460	5640	2820	931	0
Maywood	3065	2452	1839	1226	613	202	0
Monrovia	23344	18675	14006	9337	4669	1541	0
Montebello	25185	20148	15111	10074	5037	1662	0
Monterey Park	19450	15560	11670	7780	3890	1284	0
Paramount	13726	10981	8236	5490	2745	906	0
Pasadena	55999	44799	33599	22400	11200	3696	0
Pico Rivera	6977	5581	4186	2791	1395	460	0
Rosemead	13653	10922	8192	5461	2731	901	0
San Fernando	6974	5579	4184	2789	1395	460	0
San Gabriel	10172	8137	6103	4069	2034	671	0
San Marino	7196	5756	4317	2878	1439	475	0
Santa Clarita	451	360	270	180	90	30	0
Sierra Madre	5806	4644	3483	2322	1161	383	0
Signal Hill	4717	3774	2830	1887	943	311	0
Simi Valley	69	55	41	27	14	5	0
South El Monte	8000	6400	4800	3200	1600	528	0
South Gate	21952	17562	13171	8781	4390	1449	0
South Pasadena	7454	5963	4472	2981	1491	492	0
Temple City	8786	7029	5272	3514	1757	580	0
Vernon	23602	18881	14161	9441	4720	1558	0

<sup>1</sup> Effluent limitations are expressed as allowable trash discharge relative to baseline Waste Load Allocations specified in Table 7-2.2 of the Basin Plan.

<sup>2</sup> Storm year is defined as October 1 to September 30 herein.

<sup>3</sup> Permittees shall achieve their final effluent limitation of zero trash discharge for the 2015-2016 storm year and every year thereafter.

**Table 1b: Los Angeles River Watershed Trash Effluent Limitations<sup>4</sup> per Storm Year<sup>5</sup>  
(pounds of drip-dry trash)**

Permittees	2010 (50%)	2011 (40%)	2012 (30%)	2013 (20%)	2014 (10%)	2015 (3.3%)	2016 <sup>6</sup> (0%)
Alhambra	34381	27504	20628	13752	6876	2269	0
Arcadia	46518	37214	27911	18607	9304	3070	0
Bell	12669	10135	7601	5067	2534	836	0
Bell Gardens	11686	9348	7011	4674	2337	771	0
Bradbury	6080	4864	3648	2432	1216	401	0
Burbank	85195	68156	51117	34078	17039	5623	0
Calabasas	26115	20892	15669	10446	5223	1724	0
Carson	5104	4083	3062	2042	1021	337	0
Commerce	42741	34192	25644	17096	8548	2821	0
Compton	43178	34542	25907	17271	8636	2850	0
Cudahy	5031	4024	3018	2012	1006	332	0
Downey	34254	27403	20552	13701	6851	2261	0
Duarte	11844	9475	7106	4737	2369	782	0
El Monte	34134	27307	20480	13653	6827	2253	0
Glendale	146749	117399	88049	58700	29350	9685	0
Hidden Hills	5411	4328	3246	2164	1082	357	0
Huntington Park	15465	12372	9279	6186	3093	1021	0
Irwindale	8956	7164	5373	3582	1791	591	0
La Cañada Flintridge	36874	29499	22124	14749	7375	2434	0
Los Angeles	1286250	1029000	771750	514500	257250	84893	0
Los Angeles County	325903	260722	195542	130361	65181	21510	0
Lynwood	23234	18587	13940	9293	4647	1533	0
Maywood	5275	4220	3165	2110	1055	348	0
Monrovia	50494	40395	30296	20198	10099	3333	0
Montebello	41854	33483	25112	16741	8371	2762	0
Monterey Park	35228	28182	21137	14091	7046	2325	0
Paramount	22245	17796	13347	8898	4449	1468	0
Pasadena	103757	83006	62254	41503	20751	6848	0
Pico Rivera	11275	9020	6765	4510	2255	744	0
Rosemead	23689	18951	14213	9476	4738	1563	0
San Fernando	11539	9231	6923	4615	2308	762	0
San Gabriel	18219	14575	10931	7287	3644	1202	0
San Marino	14574	11659	8744	5829	2915	962	0
Santa Clarita	1163	930	698	465	233	77	0
Sierra Madre	12596	10077	7558	5038	2519	831	0
Signal Hill	7110	5688	4266	2844	1422	469	0
Simi Valley	172	138	103	69	34	11	0
South El Monte	12160	9728	7296	4864	2432	803	0
South Gate	36167	28933	21700	14467	7233	2387	0
South Pasadena	14179	11343	8507	5671	2836	936	0
Temple City	15910	12728	9546	6364	3182	1050	0
Vernon	33407	26726	20044	13363	6681	2205	0

<sup>4</sup> Effluent limitations are expressed as allowable trash discharge relative to baseline Waste Load Allocations specified in Table 7-2.2 of the Basin Plan.

<sup>5</sup> Storm year is defined as October 1 to September 30 herein.

<sup>6</sup> Permittees shall achieve their final effluent limitation of zero trash discharge for the 2015-2016 storm year and every year thereafter.





**Terry Tamminen**  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## Los Angeles Region

Over 51 Years Serving Coastal Los Angeles and Ventura Counties

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful



**Arnold Schwarzenegger**  
Governor

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**TO:** Jonathan Bishop  
Interim Executive Officer

**FROM:** Michael Yang, P.E.  
**LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD**

**DATE:** August 3, 2004

**SUBJECT: PROCEDURES AND REQUIREMENTS FOR CERTIFICATION OF A BEST MANAGEMENT PRACTICE FOR TRASH CONTROL AS A FULL CAPTURE SYSTEM**

This memorandum describes Regional Board procedures and information required in order to perform a technical evaluation to certify a best management practices (BMP) as a "full capture system" for the control of trash.

### Background

The Los Angeles Regional Water Quality Control Board adopted the definition of "full capture system" for the Ballona Creek Trash TMDL per Resolution No. 04-023 on March 4, 2004. This definition will be considered applicable for all receiving waters in the Los Angeles Region identified as being impaired for Trash. The Regional Board staff will analyze all future proposed BMPs for certification as a "full capture system" based on the Ballona Creek Trash TMDL definition.

The definition of a "full capture system" as defined in the Resolution No. 04-023 is as follows:

" A full capture system is any single device or series of devices that traps all particles retained by a 5 mm mesh screen and has a design treatment capacity of not less than the peak flow rate (Q) resulting from a one-year, one-hour, storm in the subdrainage area. Rational equation is used to compute the peak flow rate:  $Q = C \times I \times A$ , where Q = design flow rate (cubic feet per second, cfs); C = runoff coefficient (dimensionless); I = design rainfall intensity (inches per hour, as determined per the rainfall isohyetal map), and A = subdrainage area (acres)."

### Essential Technical Information

In order to perform a technical analysis and consider for certification approval, the Regional Board staff requests the following information from dischargers for evaluation of their BMPs as a "full capture system" for trash:

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1. Subdrainage area, A that only drains into the pipe containing BMP.
2. Hydraulic capacity of the pipe containing BMP at cubic feet per second.
3. Average runoff coefficient , C where

$$C = (A1*C1 + A2*C2 + A3*C3 + .....An*Cn) / (A1 + A2 +A3 + ....An)$$

A1 through An represents subareas for each land use, and  
C1 through Cn represents runoff coefficients for each land use

4. The reported BMP treatment capacity at cubic feet per second.

Los Angeles County Department of Public Works (LACDPW) has already provided an isohyetal map for one-year, one- hour rainfall intensity per definition of a full capture system. For certification, BMP must trap all particles retained by a 5-mm mesh screen, and have a treatment capacity exceeding peak flow rate resulting from a one-year, one-hour, storm in the subdrainage area. In addition, the following requirements must be met:

- End-of-Pipe Configuration: Certain BMPs, which can create a pressure drop, must have an end-of-pipe configuration and not rely on diversion weirs.
- Adequate Pipe Sizing: The pipes carrying the flows from the subdrainage area should be able to handle peak flows.
- Regular Inspections and Maintenance: The full capture system must be regularly inspected and serviced to continually maintain adequate flow through capacity.

#### Conditional Transferability

The determination and certification that the BMP satisfies the "full capture system" definition of the trash TMDL will allow the system to be used elsewhere in the region. Dischargers will have an on-going obligation to demonstrate that the installation of a particular system is appropriately sized. Likewise, dischargers will be responsible for on-going maintenance to ensure the systems perform to design specifications. The Regional Board will review and consider performance data on continuing basis. In the event data demonstrate that the systems are not performing to the full capture design standard established by the trash TMDL, then the Regional Board reserves the ability to rescind the certification for subsequent installations.

#### Process for Submittal

A letter requesting "full capture system certification" along with supporting documentation must be submitted to the Regional Board Executive Officer to start the process. Within thirty (30) days of receipt of the letter and documentation, the Regional Board staff will contact the proponent, and schedule a time for a presentation to Regional Board staff and to perform a site survey if necessary. At the conclusion of the presentation, Regional Boards staff will

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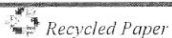
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communicate orally to the proponent any supplemental documentation or information that needs to be submitted to complete the evaluation of the proposed BMP as a "full capture system". A letter acknowledging the receipt of the certification request and identifying any supplemental documentation to be submitted will be sent within 15 days of the completion of the presentation. Regional Board staff will make a written determination on the certification of the proposed BMP as a full capture system within ninety (90) days after the receipt of all requested documentation.

*California Environmental Protection Agency*

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**From:** <lyris@swrcb18.waterboards.ca.gov>  
**To:** Theresa Rodgers <trodgers@waterboards.ca.gov>  
**Date:** 10/8/2009 4:57 PM  
**Subject:** LA County MS4 Permit - Re-opener to Incorporate Provisions consistent with LA River Trash TMDL  
**Attachments:** LA MS4 Trash Reopener Hearing Notice.pdf; LA MS4 Trash Reopener Findings.pdf; LA MS4 Trash Reopener Provisions\_Part I.pdf; LA MS4 Trash Reopener Provisions\_Part II.pdf; LA MS4 Trash Reopener Appendix 7-1.pdf; LA MS4 Trash Reopener Appendix 7-2.pdf; LAR Trash MS4 Fact Sheet.pdf; Part.008; Part.009

Attached are the hearing notice, draft provisions and supporting documents for the board's consideration of a re-opener of the LA County MS4 Permit to incorporate provisions, consistent with the assumptions and requirements of the Los Angeles River Watershed Trash TMDL.

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 6/12/2008 8:14 hugo.bermudez@nasscc Bermudez, Hugo  
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 3/24/2008 14:26 jchien@parks.lacounty.g Jui Ing chien  
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 12/17/2008 15:24 jdreher@rinconconsultar John Dreher  
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11/5/2008 17:07	kathleen.bullard@tetrattech.com	Kathleen Bullard
3/15/2005 14:42	kathleen.enve@verizon.net	Kathleen McGowan
3/2/2009 11:26	kbrophy@gswater.com	Katherine Brophy
2/16/2004 11:47	kcole@wm.com	Kit Cole
6/15/2006 16:08	ken.franklin@lacity.org	Kenneth Franklin
8/29/2008 12:59	kerickson@rmcwater.com	Kraig Erickson
6/19/2009 9:10	kevin@g4grp.com	kevin p. garrity
10/23/2006 16:00	kfarfsing@cityofsignalhill.org	Kenneth C. Farfsing
3/8/2005 15:09	kharris@waterboards.ca.gov	Ken Harris
4/28/2009 14:36	khoffman@lacs.d.org	Ken Hoffman
2/15/2006 16:17	kjames@healthebay.org	Kirsten James
6/22/2004 12:29	kjones@dot.ca.gov	Keith Jones
7/24/2006 11:31	kkatona@lacbos.org	Karly Katona
1/24/2008 13:07	kmcgowan@geosyntec.com	Kathleen McGowan
8/6/2009 9:54	kmoore@sunstarlabs.com	Kevin Moore
12/2/2008 16:27	kmorris@rmc.ca.gov	Katie Morris
11/28/2006 13:07	koletty@usc.edu	Stephen Koletty PhD
4/28/2005 13:15	kozelka.peter@epa.gov	Peter Kozelka
3/24/2005 14:34	kprickett@portla.org	Kat Prickett
3/14/2007 16:53	krubin@ladwp.com	Katherine Rubin
10/11/2005 15:34	ksusilo@geosyntec.com	Ken Susilo
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2/7/2001 0:00	lisa.williams@lsa-assoc.com	Lisa Williams
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5/23/2008 6:00	william_rea@yahoo.com	William John Rea Jr.
1/10/2009 11:09	wlaton@aol.com	William Laton
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7/6/2009 13:07	James.Destefano@ci.diamond-	James DeStefano
7/6/2009 13:35	John.Beshay@westcovina.org	John Beshay
7/6/2009 13:53	Kaden.Young@culvercity.org	Kaden Young
7/6/2009 13:51	Rhughes@WILLDAN.com	Roxanne Hughes
7/6/2009 13:57	Robert.Vega@lacity.org	Robert Vega
7/6/2009 13:04	Rwood@beverlyhills.org	Roderick J. Wood
7/6/2009 13:23	Shannon.Yauchzee@westcovin	Shannon Yauchzee
7/6/2009 13:49	Skennedy@enfact.net	Sheila Kennedy
7/6/2009 13:41	Steven.Finton@CulverCity.org	Steven Finton
7/6/2009 13:55	TLANGE@santa-clarita.com	Travis Lange
7/6/2009 13:18	acablay@pico-rivera.org	Al Cablay
7/6/2009 13:43	acecivil@aol.com	Carlos A. Alba
7/6/2009 13:19	adahlerbruch@cityofrh.net	Anton Dahlerbruch
7/9/2009 10:07	astrada@sogate.org	Alicia Estrada
7/6/2009 13:47	afarassati@cityofcalabasas.com	Alex Farassati
7/6/2009 13:54	aharrington@ci.claremont.ca.us	Andrea Harrington
7/28/2009 8:26	aibanezjr@gmail.com	alfred ibanez
7/6/2009 13:46	ajensen@ci.walnut.ca.us	Alicia Jensen
8/3/2009 8:54	alasso@dpw.lacounty.gov	Lasso, Aracely
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7/6/2009 13:18	arigg@pvestates.org	Allan Rigg
7/6/2009 13:41	ashadbehr@cityofhawthorne.org	Arnold Shadbehr
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7/6/2009 13:17	bbrager@ci.malibu.ca.us	Bob Brager
7/6/2009 13:56	bdedeaux@rkagroup.com	Barbara Dedeaux
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7/6/2009 13:19	bill.workman@redondo.org	Bill Workman
7/6/2009 13:44	biniguez@bellflower.org	Bernie Iniguez
7/6/2009 13:38	binman@ci.sierra-madre.ca.us	Bruce Inman
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7/6/2009 13:45	bmatter@sgch.org	Bruce Mattern
7/6/2009 13:20	bmichaelis@ci.san-dimas.ca.us	Blaine M. Michaelis
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7/30/2009 8:44	chris@athrone.com	Chris Rillamas
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7/6/2009 13:18	lbenedetti@paramountcity.com	Linda Benedetti-Leal
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7/6/2009 13:23	ljackson@torrnet.com	LeRoy Jackson
7/6/2009 13:20	lleblanc@cityofrosemead.org	Lou LeBlanc
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7/6/2009 13:36	lpyeatt@comptoncity.org	Leslie Alan Pyeatt
7/6/2009 13:47	lramirez@cityofbell.org	Luis Ramirez



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**To:** "Theresa L. Rodgers" <trodgers@waterboards.ca.gov>  
**Date:** 10/15/2009 4:11 PM  
**Subject:** Administrative Record Index for LA County MS4 Re-opener (Dec. 10, 2009)  
**Attachments:** Administrative Record Index - Documents Relied Upon.pdf, Part.002; Part.003

Attached is the Administrative Record Index for the Re-opening of the LA County MS4 Permit to incorporate provisions consistent with the assumptions and requirements of the Los Angeles River Watershed Trash TMDL Waste Load Allocations.

**Los Angeles County Municipal Storm Water Permit Reopener to  
Incorporate Provisions Consistent with the Assumptions and  
Requirements of the Los Angeles River Watershed Total Maximum Daily  
Load Waste Load Allocations for Trash**

**ADMINISTRATIVE RECORD INDEX**

December 10, 2009

The following list constitutes the documents, references, evidence, exhibits and materials relied upon by Regional Board staff in drafting the proposed amendments. The list of documents identified here is without prejudice to the addition of further materials as may be necessary, or to respond to comments and testimony, or inquiries prior to or at the hearing. The documents may be inspected and/or copied from the files of the Regional Board pertaining to this matter by contacting Sandra Kelley, during business hours, at (213) 576-6619 or [skelley@waterboards.ca.gov](mailto:skelley@waterboards.ca.gov). Relevant portions of these materials will be present at the hearing. If there are any specific materials that any party would like staff to bring to the hearing, the party should identify the documents with specificity and by the deadline specified in the Notice of Public Hearing for this matter. The documents identified on this list, whether present at the hearing or not, will be incorporated into the administrative record.<sup>1</sup>

1. California Regional Water Quality Control Board, Los Angeles Region (1990) Waste Discharge Requirements – Stormwater/Urban Runoff Discharge for Los Angeles County and Co-Permittees. Order No. 90-079 (NPDES No. CA0061654). June 18, 1990.
2. California Regional Water Quality Control Board, Los Angeles Region (1994) Water Quality Control Plan, Los Angeles Region, as amended.
3. California Regional Water Quality Control Board, Los Angeles Region (1996) Waste Discharge Requirements for Municipal Storm Water and Urban Runoff Discharges within the County of Los Angeles. Order No. 96-054 (NPDES No. CAS614001). July 15, 1996.
4. California Regional Water Quality Control Board, Los Angeles Region (2001) Waste Discharge Requirements for Municipal Storm Water and Urban Runoff Discharges within the County of Los Angeles, and the Incorporated Cities therein, except the City of Long Beach. Order No. 01-182 (NPDES No. CAS004001) as amended by Order Nos. R4-2006-0074 and R4-2007-0042.

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<sup>1</sup> The Administrative Record is deemed to include all legal authorities be they constitutional, statutory, or regulatory (including precedential decisions of the State Water Resources Control Board and State Policy for Water Quality Control) that are applicable to this proceeding without regard to whether they are identified on this index or specifically referenced prior to or during the hearing.

5. California Regional Water Quality Control Board, Los Angeles Region (2001) Fact Sheet/Staff Report for the County of Los Angeles Municipal Storm Water NPDES Permit (CAS004001) Order No. 01-182. December 13, 2001.
6. California Regional Water Quality Control Board, Los Angeles Region (2004) Letter to Donald L. Wolfe, Assistant Director, County of Los Angeles Department of Public Works and Ken Farfaring, City Manager, City of Signal Hill re: Certification of the Hamilton Bowl Trash Nets as Full Capture Systems. April 29, 2004.
7. California Regional Water Quality Control Board, Los Angeles Region (2004) Letter to Jai Paul Thakur, Chief, Department of Transportation, District 7, Office of Engineering Services re: Certification of the Gross Solids Removal Devices as Full Capture Systems. October 7, 2004.
8. California Regional Water Quality Control Board, Los Angeles Region (2005) Letter to Jim Valentine, Burbank Department of Public Works re: Certification of a Best Management Practice (BMP) for Trash Control as a Full Capture System – Four Cities Request. May 4, 2005.
9. California Regional Water Quality Control Board, Los Angeles Region (2006) Resolution R06-013 (June 8, 2006) to set aside action in adopting the Trash Total Maximum Daily Load for the Los Angeles River Watershed, dated September 19, 2001, and in adopting Resolution No. 01-013; and to direct staff to revise the California Environmental Quality Act documentation as required by the Court of Appeal and to submit for the Regional Board's reconsideration a total maximum daily load for trash in the Los Angeles River Watershed as early as practical.
10. California Regional Water Quality Control Board, Los Angeles Region (2006) Fact Sheet Supporting the Amendments to the Los Angeles County Municipal Separate Storm Sewer System Permit (Order #01-182; NPDES Permit #CAS004001) to Incorporate Summer Dry Weather Waste Load Allocations for Bacteria Pursuant to the Santa Monica Bay Beaches Bacteria TMDL. September 11, 2006 (Revised).
11. California Regional Water Quality Control Board, Los Angeles Region (2007) Fact Sheet Supporting the Amendments to the Los Angeles County Municipal Separate Storm Sewer System Permit (Order No. 01-182 as amended by Order No. R4-2006-0074; NPDES Permit No. CAS004001) to Incorporate Summer Dry Weather Waste Load Allocations for Bacteria Pursuant to the Marina del Rey Harbor Mothers' Beach and Back Basins Bacteria TMDL. May 11, 2007.

12. California Regional Water Quality Control Board, Los Angeles Region (2007) Letter to Shahram Kharaghani, City of Los Angeles Department of Public Works re: Certification of Catch Basin Insert Screen Devices as Full Capture Systems for Trash Removal. April 25, 2007.
13. California Regional Water Quality Control Board, Los Angeles Region (2007) Letter to Donald L. Wolfe, Director, County of Los Angeles Department of Public Works re: Certification of the Connector Pipe Screen Device as a Full Capture System for Trash Removal under the Ballona Creek and the Los Angeles River Trash Total Maximum Daily Loads. August 1, 2007.
14. California Regional Water Quality Control Board, Los Angeles Region (2007) Trash Total Maximum Daily Loads for the Los Angeles River Watershed (Staff Report). August 9, 2007.
15. California Regional Water Quality Control Board, Los Angeles Region (2007) Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate a Total Maximum Daily Load for Trash in the Los Angeles River Watershed. Resolution R07-012. August 9, 2007.
16. City of Alhambra (2009) Implementation Report for the Los Angeles River Trash TMDL. March 19, 2009.
17. City of Bell (2008) Los Angeles River Trash Total Maximum Daily Load (TMDL) Compliance. September 29, 2008.
18. City of Hidden Hills (2008) Los Angeles River Trash Total Maximum Daily Load (TMDL) Compliance. September 30, 2008.
19. City of La Cañada Flintridge (2009) Los Angeles River Trash TMDL Implementation Report. March 23, 2009.
20. City of Monterey Park (2009) Los Angeles River Trash Total Maximum Daily Load (TMDL) Implementation Report. March 20, 2009.
21. City of Paramount (2009) Los Angeles River Trash TMDL Implementation Report. March 23, 2009.
22. City of San Marino (2009) Los Angeles River Trash TMDL Implementation Report. March 23, 2009.
23. City of Signal Hill (2009) Los Angeles River Total Maximum Daily Load (TMDL) Implementation Report. March 20, 2009.

24. City of South Gate (2009) Los Angeles River Total Maximum Daily Load (TMDL) Implementation Report. March 20, 2009.
25. City of South Pasadena (2009) Los Angeles River Trash Total Maximum Daily Load (TMDL) Implementation Report. March 20, 2009.
26. City of Temple City (2009) Los Angeles River Trash Total Maximum Daily Load (TMDL) Implementation Report. March 23, 2009.
27. City of Vernon (2009) Los Angeles River Trash TMDL Implementation Report. March 2009.
28. County of Los Angeles (2009) The County of Los Angeles Trash Total Maximum Daily Load Implementation Report for the Los Angeles River Watershed. March 23, 2009.
29. State Office of Administrative Law (2008) Notice of Approval of Regulatory Action. File No. 2008-0519-02 S. July 1, 2008.
30. State Water Resources Control Board (1991) Order WQ 91-03.
31. State Water Resources Control Board (1991) Order WQ 91-04.
32. State Water Resources Control Board (1998) 1998 Clean Water Act Section 303(d) List of Water Quality Limited Segments.
33. State Water Resources Control Board (1998) Order WQ 98-01.
34. State Water Resources Control Board (1999) Order WQ 99-05.
35. State Water Resources Control Board (2001) Order WQ 2001-15.
36. State Water Resources Control Board (2008) Approving an Amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to Incorporate a Total Maximum Daily Load (TMDL) for Trash in the Los Angeles River Watershed. Resolution R08-0024. April 15, 2008.
37. State Water Resources Control Board (2009) Order WQ 2009-0008.
38. *City of Arcadia, et al., v. State Water Resources Control Board, et al.* (2006) 135 Cal.App.4<sup>th</sup> 1392.
39. Superior Court of California, County of San Diego (2008) *Cities of Arcadia et al. v. State Water Resources Control Board*. Case Number GIC803631. Dismissal. August 26, 2008.

40. U.S. EPA (1986) Quality Criteria for Water 1986 (Gold Book). EPA 440/5-86-001. Office of Water. May 1, 1986.
41. U.S. Environmental Protection Agency. 1996. Interim Permitting Approach. EPA 833-D-96-00.
42. U.S. Environmental Protection Agency, Region IX. 2008. Approval Letter for Los Angeles River Watershed Trash TMDL pursuant to Clean Water Act Section 303(d)(2) from Alexis Strauss, Director, Water Division to Dorothy Rice, Executive Director, State Water Resources Control Board. September 23, 2008.
43. All Receiving Water Limitations Compliance Reports and documented revisions to the SQMP.
44. All timely comment letters and evidence received by the Regional Board
45. Staff's Responses to Comments (when it becomes available)
46. Hearing transcript for the December 10, 2009 Regional Board meeting (when it becomes available), and any other Board Meetings during which the consideration of this matter may take place
47. Speaker cards and other similar materials recording presence or participation at the hearing



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 Farhana Mohamed  
 Frank Chin  
 Franklin D. Dryden  
 Fred Krieger  
 Terrence Fleming  
 Ginachi Amah  
 Geremew G. Amenu  
 Gary Wortham  
 Gerald Asare Bempong  
 Grissel Chavez  
 Geoff Brosseau  
 George Dayhuff  
 Greg Frantz  
 Gerry Greene  
 Gary Hildebrand  
 Gil Wheeler  
 Dr. George O. Linkletter  
 George W. Muse Jr.  
 Stefan Gogosha  
 Gregory Savitske  
 Daniel E. Griset  
 Gian Villarreal  
 Hagop Bedikian  
 Janet Hashimoto  
 Heather Gallardy  
 Howard Gest  
 Hillary Gross  
 Holly Lundborg  
 Heather Maloney  
 Laura Cottrell  
 Hal Schillinger  
 Bermudez, Hugo  
 Yvonne Yeh  
 Jackie Alarcon  
 James Phelan  
 jan andrew swift  
 Javed Hussain  
 Janet Bell  
 Jeff Berlin  
 Jui Ing chien

3/18/2005 12:58	jcowan@cityofalhambra.org	James Cowan
5/9/2006 12:33	jcox@waterboards.ca.gov	Joanne Cox
7/22/2005 12:09	jcrisolodhs.ca.gov	Joseph Crisologo
4/29/2008 8:08	jcruz@dpw.lacounty.gov	Jemellee Cruz
3/3/2005 11:08	jcruz@ladpw.org	Jemellee Cruz
4/29/2003 0:00	jdfrei@stormwatergroup.com	Jim Frei
4/30/2009 14:41	jdonatucci@kleinfelder.com	John Donatucci
12/17/2008 15:24	jdreher@rinconconsultants.com	John Dreher
4/13/2007 16:56	jfordyce@waterboards.ca.gov	Jennifer Fordyce
3/1/2005 14:53	kgibson@torrnet.com	Jeffery W. Gibson
1/25/2006 7:47	kgully@lacs.org	Joseph R. Gully
7/13/2005 10:08	jjensen@waterboards.ca.gov	Joanna Jensen
4/14/2003 0:00	jmiller3@ch2m.com	Judi Miller
12/19/2006 13:38	jmorton@igc.org	Jess Morton
3/4/2005 9:54	jmundy@lvmwd.com	John R. Mundy
7/21/2005 9:10	jnewman@waterboards.ca.gov	Jenny Newman
8/12/2008 14:54	job706sjamoroso@gmail.com	James Price
4/4/2005 9:43	joe.bellas@nbcuni.com	Joe Bellas
10/12/2005 12:51	john.craig@tetrattech-ffx.com	John Craig
7/16/2004 13:33	jprice@waterboards.ca.gov	Jack Price
3/8/2005 10:51	jreinhardt@lvmwd.com	Jeff Reinhardt
2/10/2003 0:00	jtorres@ci.vernon.ca.us	Jerrick Torres
4/5/2007 16:20	justin@calcattlemen.org	Justin Oldfield
11/5/2008 17:07	kathleen.bullard@tetrattech.com	Kathleen Bullard
3/15/2005 14:42	kathleen.enve@verizon.net	Kathleen McGowan
3/2/2009 11:26	kbrophy@gswater.com	Katherine Brophy
2/16/2004 11:47	kcole@wm.com	Kit Cole
6/15/2006 16:08	ken.franklin@lacity.org	Kenneth Franklin
8/29/2008 12:59	kerickson@rmcwater.com	Kraig Erickson
6/19/2009 9:10	kevin@g4grp.com	Kevin P. Garrity
10/23/2006 16:00	kfarfsing@cityofsignalhill.org	Kenneth C. Farfsing
3/8/2005 15:09	kharris@waterboards.ca.gov	Ken Harris
4/28/2009 14:36	khoffman@lacs.org	Ken Hoffman
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6/22/2004 12:29	kjones@dot.ca.gov	Keith Jones
7/24/2006 11:31	kkatona@lacbos.org	Karly Katona
1/24/2008 13:07	kmcgowan@geosyntec.com	Kathleen McGowan
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11/28/2006 13:07	koletty@usc.edu	Stephen Koletty PhD
4/28/2005 13:15	kozelka.peter@epa.gov	Peter Kozelka
3/24/2005 14:34	kprickett@portla.org	Kat Prickett
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10/11/2005 15:34	ksusilo@geosyntec.com	Ken Susilo
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9/29/2005 10:09	laustin@geosyntec.com	Lisa Austin
5/12/2009 14:13	lbond@rwglaw.com	Lisa Bond
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2/7/2001 0:00	lisa.williams@lsa-assoc.com	Lisa Williams
3/24/2004 11:19	llarsen@rbf.com	Laura Larsen
1/19/2005 10:42	lmartinez@biasec.org	Lisa Martinez
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5/12/2006 15:15	lois.miyashiro@pillsburylaw.com	Lois K. Miyashiro
12/12/2006 5:56	lokun@waterboards.ca.gov	Lori Okun
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1/18/2002 0:00	marym@water.ca.gov	Mary M. Miller
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1/19/2009 18:15	michael.a.beasley@boeing.com	Michael Beasley
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3/26/2007 14:40	mpeterson@kpcc.org	Molly Peterson
4/4/2007 9:11	mpf@stateside.com	Melissa Patra Farmer
3/4/2005 14:59	mrnolan@socal.rr.com	Nolan Farkas
12/1/2006 2:38	mstevens@kinneticlabs.com	Marty Stevenson
8/28/2008 8:50	mvelasco@dpw.lacounty.gov	Martha Velasco
6/9/2008 15:44	mvoong@waterboards.ca.gov	Man Voong
6/25/2001 0:00	mw@winefieldassoc.com	Matt Winefield
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5/1/2008 16:49	nancy@lasgrwc.org	Nancy Steele
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7/29/2009 13:55	ndupont@rwglaw.com	Norman Dupont
12/19/2006 12:43	neal.shapiro@smgov.net	Neal Shapiro
12/18/2008 8:10	nisheeth.kakarala@gmail.com	Nisheeth Kakarala
6/17/2008 13:55	nmartorano@waterboards.ca.gov	Nicholas Martorano
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5/20/2009 11:51	peter.gutierrez@lw.com	Peter J. Gutierrez
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3/2/2005 11:56	pfu@huntingtonpark.org	Patrick Fu
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3/11/2005 11:47	rbraden@sfcity.org	Robert M. Braden
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5/30/2007 21:16	saeedtabatabaepour@yahoo.com	Saeed Tabatabaepour
7/14/2008 10:47	samantha.yu@ladwp.com	Samantha Yu
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7/25/2006 15:49	scain@waterboards.ca.gov	Stephen Cain
4/24/2003 0:00	schroederdj@cdm.com	Donald Schroeder
1/3/2006 11:39	sewers@dslextreme.com	Anna Sklar
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11/5/2008 9:29	shawn.hagerty@bbklaw.com	Shawn Hagerty
2/17/2009 9:48	shemyra_powers@kindermorgan.com	Shemyra Powers
9/23/2008 11:21	skelley@waterboards.ca.gov	Sandra Kelley
3/1/2005 15:07	skennedy@enfact.net	Sheila Kennedy
3/28/2005 15:36	smith.davidw@epa.gov	David W. Smith
10/5/2000 0:00	snasserie@waterboards.ca.gov	Susana Nasserie
5/6/2009 18:08	sndworsky@gmail.com	Susan Dworsky
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9/29/2009 16:23	sofranko.anna@epa.gov	Anna Sofranko
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6/6/2005 15:06	spomrehn@lakewoodcity.org	Scott Pomrehn
4/12/2007 11:02	sschales@ladpw.org	T Scott Schales
1/9/2002 0:00	stovermw@ix.netcom.com	Michael Stover
3/2/2005 9:44	susanstark10@sbcglobal.net	Susan Stark
1/6/2005 15:15	tbilezikjian@rbf.com	Tanya Bilezikjian
11/1/2007 9:59	tegoscue@waterboards.ca.gov	Tracy Egoscue
5/8/2008 13:30	teresa.olmsted@itrmi.com	Teresa Olmsted
12/11/2008 12:04	terrabellalandscape@gmail.com	Paula Henson
8/23/2007 10:43	tgaur@smbaykeeper.org	Tatiana K. Gaur
8/13/2008 6:30	tmoon@dpw.lacounty.gov	TJ Moon
3/11/2009 12:21	tobymoore@gswater.com	Toby Moore
3/2/2005 11:01	toleary@longbeach.gov	Tom Leary
10/8/2008 11:29	tracyk@lwa.com	Tracy Krueger
7/1/2004 11:22	trodgers@waterboards.ca.gov	Theresa Rodgers
11/13/2007 11:28	tslifko@lacsds.org	Theresa Slifko
3/3/2005 9:08	tsmith@bonterraconsulting.com	Thomas E Smith Jr
10/21/2008 11:18	tthompson@entrinx.com	Tim Thompson
3/11/2009 10:00	tweiland@lacsds.org	Thomas E. Weiland
4/22/2003 0:00	vconway@lacsds.org	Victoria O. Conway
2/15/2007 11:03	vhevener@lynwood.ca.us	Vanessa Hevener
6/8/2009 11:39	vmuller@justiceassociates.com	Valerie Muller
11/18/2005 5:14	wfunderburk@sfcfirm.com	William Funderburk
5/23/2008 6:00	william_rea@yahoo.com	William John Rea Jr.
1/10/2009 11:09	wlaton@aol.com	William Laton
10/6/2002 0:00	wtgrandin@aol.com	Wayne Grandin
7/10/2008 9:55	ysim@dpw.lacounty.gov	Youn Sim
4/4/2006 16:22	ysim@ladpw.org	Youn Sim
10/5/2006 14:49	zora.baharians@lacity.org	zora Baharians



LYRIS MAILING

LIST NAME:

S.W. L.A. County

DATE MAILED:

10-15-09

DATE JOINED	EMAIL ADDR	DATE MAILED	FULL NAME
7/6/2009 13:38	City_manager@ci.glendora.ca.us		Chris Jeffers
7/6/2009 13:58	EKiepke@WILLDAN.com		E. Kiepke
7/6/2009 13:21	FredLatham@santafesprings.org		Frederick W. Latham
7/6/2009 13:07	James.Destefano@ci.diamond-bar.ca.		James DeStefano
7/6/2009 13:35	John.Beshay@westcovina.org		John Beshay
7/6/2009 13:53	Kaden.Young@culvercity.org		Kaden Young
7/6/2009 13:51	Rhughes@WILLDAN.com		Roxanne Hughes
7/6/2009 13:57	Robert.Vega@lacity.org		Robert Vega
7/6/2009 13:04	Rwood@beverlyhills.org		Roderick J. Wood
7/6/2009 13:23	Shannon.Yauchzee@westcovina.org		Shannon Yauchzee
7/6/2009 13:49	Skennedy@enfact.net		Sheila Kennedy
7/6/2009 13:41	Steven.Finton@CulverCity.org		Steven Finton
7/6/2009 13:55	TLANGE@santa-clarita.com		Travis Lange
7/6/2009 13:18	acablay@pico-rivera.org		Al Cablay
7/6/2009 13:43	acecivil@aol.com		Carlos A. Alba
7/6/2009 13:19	adahlerbruch@cityofrh.net		Anton Dahlerbruch
7/9/2009 10:07	astrada@sogate.org		Alicia Estrada
7/6/2009 13:47	afarassati@cityofcalabasas.com		Alex Farassati
7/6/2009 13:54	aharrington@ci.claremont.ca.us		Andrea Harrington
7/28/2009 8:26	aibanezjr@gmail.com		alfred ibanez
7/6/2009 13:46	ajensen@ci.walnut.ca.us		Alicia Jensen
8/3/2009 8:54	alasso@dpw.lacounty.gov		Lasso, Aracely
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7/6/2009 13:18	arigg@pvestates.org		Allan Rigg
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7/6/2009 13:17	bbrager@ci.malibu.ca.us		Bob Brager
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7/9/2009 10:00	bhruden@downeyca.gov		Barbara Hruden
7/6/2009 13:19	bill.workman@redondo.org		Bill Workman
7/6/2009 13:44	biniguez@bellflower.org		Bernie Iniguez
7/6/2009 13:38	binman@ci.sierra-madre.ca.us		Bruce Inman
7/8/2009 10:48	binman@cityofsierramadre.com		Bruce Inman
7/6/2009 13:45	bmatter@sgch.org		Bruce Mattern
7/6/2009 13:20	bmichaelis@ci.san-dimas.ca.us		Blaine M. Michaelis
10/14/2009 13:33	brian.valentine@kimley-horn.com		Brian Valentine
7/6/2009 13:04	bteaford@ci.burbank.ca.us		Bonnie Teaford
9/10/2009 16:41	callie.hurd@sen.ca.gov		Callie Hurd
7/6/2009 13:54	cammc@jlha.net		John Hunter     Cameron McCullough
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7/6/2009 13:43	ccash@paramountcity.com		Chris Cash
7/6/2009 13:21	ccollins@cityofsanmarino.org		Cindy Collins
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7/6/2009 13:06	cevans@comptoncity.org		Charles Evans
7/30/2009 8:44	chris@athrone.com		Chris Rillamas
7/6/2009 13:08	citymanager@hiddenhillscity.org		Cherie L. Paglia

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7/6/2009 13:07	dalvarez@downeyca.org	Desi Alvarez
7/6/2009 13:42	danflorescu@caaprofessionals.com	Dan Florescu
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8/21/2009 14:15	dduncan@fire.lacounty.gov	Dan Duncan
7/6/2009 13:10	dkeesey@ci.la-verne.ca.us	Daniel Keesey
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7/6/2009 13:34	dlopez@pico-rivera.org	Debbie Lopez
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7/6/2009 13:24	dpelser@cityofwhittier.org	David Pelser
7/6/2009 13:49	drynn@ci.burbank.ca.us	Daniel Rynn
8/18/2009 16:48	dtupa@rickengineering.com	Daniel Tupa
7/6/2009 13:22	eaguilar@ci.sierra-madre.ca.us	Elaine Aguilar
7/6/2009 13:09	ehitti@lcf.ca.gov	Edward Hitti
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7/6/2009 13:41	emansfield@aei-casc.com	Ernie Mansfield
7/6/2009 13:40	emarquez@hgcity.org	Ernesto Marquez
8/7/2009 14:49	emuniz@mailbbu.com	Elias Muniz
7/6/2009 13:46	esaikaly@lynwood.ca.us	Elias Saikaly
7/6/2009 13:17	esaykali@montereypark.ca.gov	Elias Saykali
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7/6/2009 13:01	fdelach@ci.azusa.ca.us	Francis M. Delach
7/6/2009 13:45	fwu@dpw.lacounty.gov	Frank Wu
8/22/2009 16:00	gamenu@dpw.lacounty.gov	Geremew Amenu
7/6/2009 13:37	gcaton@downeyca.org	Gerald Caton
7/6/2009 13:40	gdolan@citymb.info	Geoff Dolan
7/6/2009 13:07	georged@accessduarte.com	Darrell George
8/19/2009 14:20	ggearheart@waterboards.ca.gov	Greg Gearheart
7/6/2009 13:51	ggreene@downeyca.org	Gerry Greene
7/6/2009 13:09	gkau@cityofinglewood.org	Glen Kau
7/6/2009 13:09	gkorduner@huntingtonpark.org	Gregory Korduner
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7/6/2009 13:57	gregg@ci.rolling-hills-estates.ca.us	Gregg Grammer
7/6/2009 13:55	guy-welling@smgov.net	Gary Welling
7/6/2009 13:09	gw1763@aol.com	Stan Carroll
7/6/2009 13:10	gyamachika@lapuente.org	Gregg Yamachika
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7/6/2009 13:39	ideltoro@ci.azusa.ca.us	Israel Del Toro
7/6/2009 13:17	jarndt@citymb.info	Jim Arndt
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7/6/2009 13:08	jcolombo@hgcity.org	Joseph Colombo



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7/6/2009 13:47	jdescalzo@beverlyhills.org	Josette Descalzo
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7/6/2009 13:07	jerry.fulwood@culvercity.org	Jerry B. Fulwood
7/6/2009 13:19	jessie_powell@urscorp.com	Jessie Powell
7/6/2009 13:05	jpgrooms@carson.ca.us	Jerome Grooms
7/6/2009 13:51	jhunter@jlha.net	John L. Hunter
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