



MS4 Storm Water Permit

A discussion of
Watershed Management Program Options

Gateway Water Management Authority

February 26, 2013

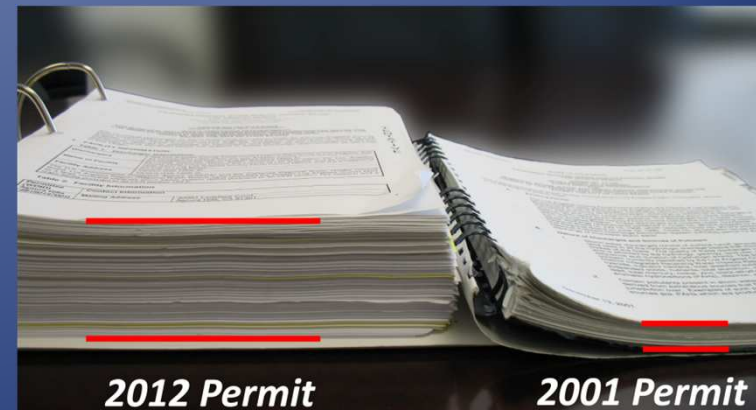
By: John L. Hunter



A Significant Departure from previous permits

(MS4- Municipal Separate Storm Sewer System)

- The previous three permits (1991, 96 and 2001) all required incremental efforts toward implementation as proof of compliance (“we’re working on it”).
- This permit requires the hard proof at the outfall (numerical effluent limits)



2012 Permit

2001 Permit

The MS4 system includes:

- Curbs
- Catch basins
- Storm Drain Lines
- Roads with gutters
- Any man-made channel

Stormwater Permit Timeline

November
1, 2012



Adopted
November 8, 2012

Permit valid
for 5 years



John L. Hunter
AND ASSOCIATES, INC.

NPDES Stormwater Permit

November
1, 2012

Adopted
November 8, 2012

Effective
December 28, 2012

NPDES Stormwater Permit

November
1, 2012

Adopted
November 8, 2012

Effective
December 28, 2012

37 cities filed administrative appeals
citing excessive costs, confusingly written, etc.
Most cities requested their appeal go into abeyance, which was denied.

Environmental Groups appealed too, requesting removal of the
so called "safe harbor" and reinstatement of numerical discharge limits



Despite the appeals and petitions,
the Permit went into effect as
written on December 28th 2012



What to look forward to

The New MS4 Permit:

- I. Introduces **Numerical Effluent Limitations** as ultimate standard
- II. Establishes **new monitoring** requirements
- III. Introduces the Concept of **Watershed Management Programs (WMP)**



I. Numerical Effluent Limitations

TMDLs

(Known Numerical Limits)

Los Angeles River

Metals

Bacteria

Trash

Nutrients

Los Cerritos Channel

Metals

San Gabriel River

Metals

And Everyone

Toxics draining to the
Greater Harbor area



Other Potential Numerical limitations

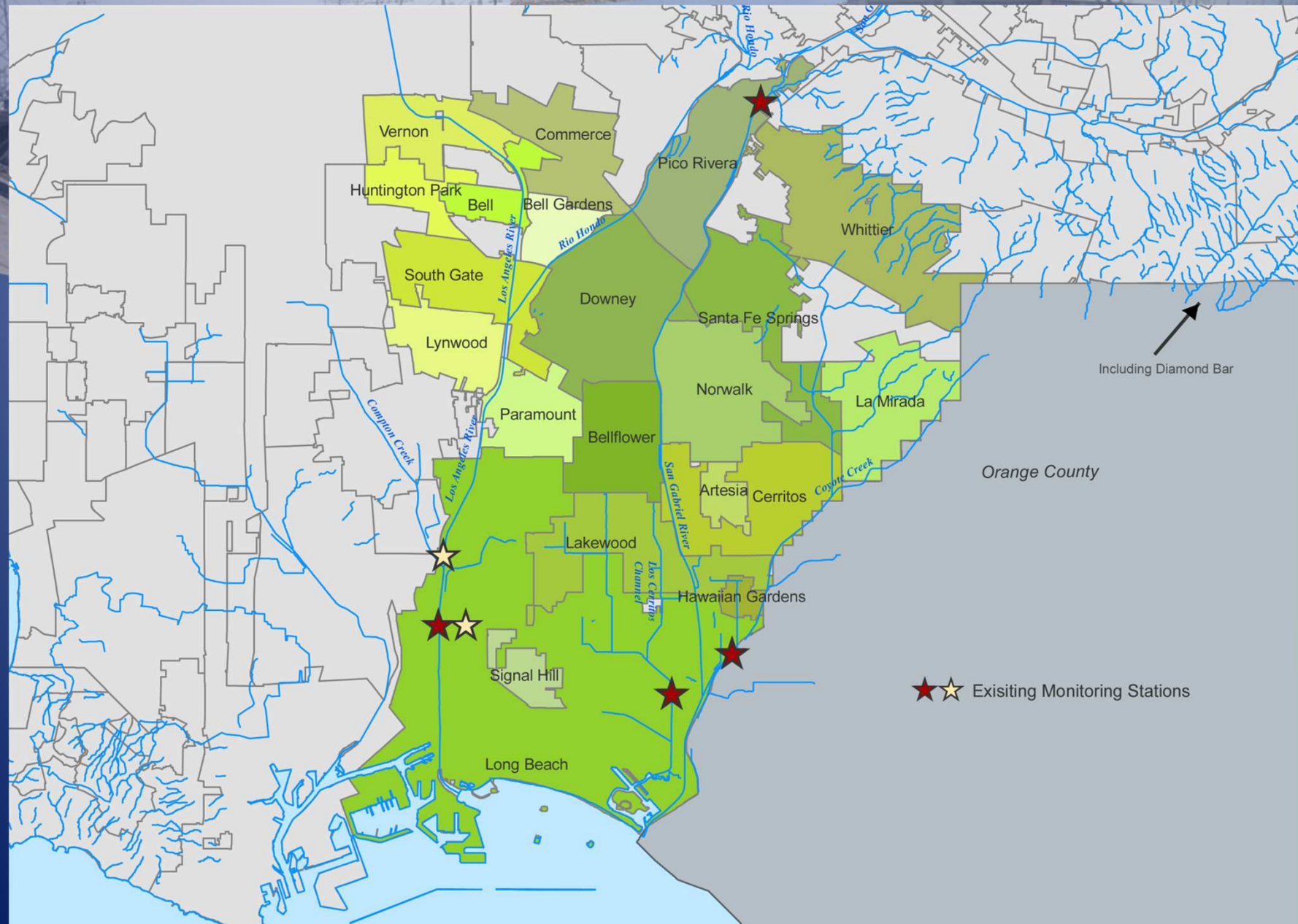
- other priority pollutant limitations could include:
 - Dissolved Oxygen
 - Cyanide
 - pH
 - Sulfates
 - Aluminum
 - and many more



II. Monitoring

- Receiving Water Monitoring shall continue at existing Mass Emission Stations (by County Flood Control) and TMDL monitoring along LA River (By City of LA)
- New Wet-Weather **Outfall Monitoring** – by city
- New **Non-Storm water Outfall Monitoring** – by city
- Monitoring Plans must be submitted within 12-18 months

Current Monitoring Locations



Deadlines for Monitoring Plans

Depends upon which program and whether you work together or individually

December 28,
2012

June 28
2013

Due December 28,
2013

or

Due June 28,
2014

Notification
Deadline

Due June 28,
2014



Watershed Management Alternatives

3 Options for Permit Compliance

- I. Increase the BMP (or MCMs) Implementation
- II. A Watershed Management Program
- III. An Enhanced Watershed Management Program



Option 1. Increase BMPs

- Requires the least work initially
- No need to conduct computer modeling (a big cost savings)
- Numerical effluent limits become effective retroactively to Dec 28, 2012
- Immediate exposure to violations (fines)



Option 2. The Watershed Management Program (WMP)

The WMP is a plan that agencies develop to make a serious effort to reduce pollutants

- Cities can prepare a watershed management program either individually or in a group.
- Delays deadline to comply by 12 or 18 months by agreeing to a planned process to gain compliance
- Inclusion of Low Impact Development and green streets policies qualifies you for the 18 month deadline

--and--



(WMP) Continued

- The WMP will look at City characteristics to identify efficient source reduction and treatment systems,
- Requires **computer modeling** to prove cities will meet its pollutant reduction goals.
- Numerical effluent limits are delayed until final TMDLs deadlines (so called safe harbor).

Writing the WMP will likely cost
hundreds of thousands of dollars



Option 3. Enhanced Watershed Management Program

- Offers extended deadlines
- Requires multi-city efforts
- Requires infiltration be seriously considered
- Alternative to infiltration is water reuse projects
- One major structural project will need to be selected by June 28, 2013.
- Areas where runoff from the 85th percentile storm is captured, compliance is assured.
- A Memorandum of Understanding is required between participants by June 28th!

WMP 3 PATHS

December 28,
2012

June 28
2013

WMP

Due December 28,
2013

or

Notification
Deadline

*WMP With LID and
Green Streets Policy

Due June 28,
2014

Multiple tasks

*EWMP

Due June 28,
2015

*Development of a City Green Street Policy must
begin no later than February 26th 2013!



Green Streets and Low Impact Development

Low Impact Development

Encourages infiltration and
water re-use for New Development

Not well defined in the Permit,

Must be an ordinance,

Several agencies already have this

Los Angeles County,

Los Angeles City,

South Gate,

Downey,

Long Beach,

Signal Hill (pending)

Green Streets

For Transportation Corridors

Also not well defined

Only needed as a policy



Green Streets and Low Impact Development (cont.)

In order to qualify for the extended WMP and EWMP deadlines, agencies must be able to show development of these two items has been begun in 50% of the watershed area no later than February 26, 2013 (see [blue](#)/[green](#) handouts)

(Long Beach's area doesn't count)

Authorization can be at the high-ranking staff level or by a high level Technical Committee.*

*Per the Regional Board 2/19/13 Workshop



Low Impact Development

See Handout

Note: This example supplements, but does not replace the Post-Construction Permit Requirements



Green Streets

See Handout



Enhanced Watershed Project

This option offers the most extended deadlines, But:

Requires one agency or group of agencies commitment by June 28, 2013 to at least one new Structural BMP

This project must be

- **New,**
- **Initial feasibility study (or equivalent) completed, and**
- **“have demonstrable improvement to water (runoff) quality”.**

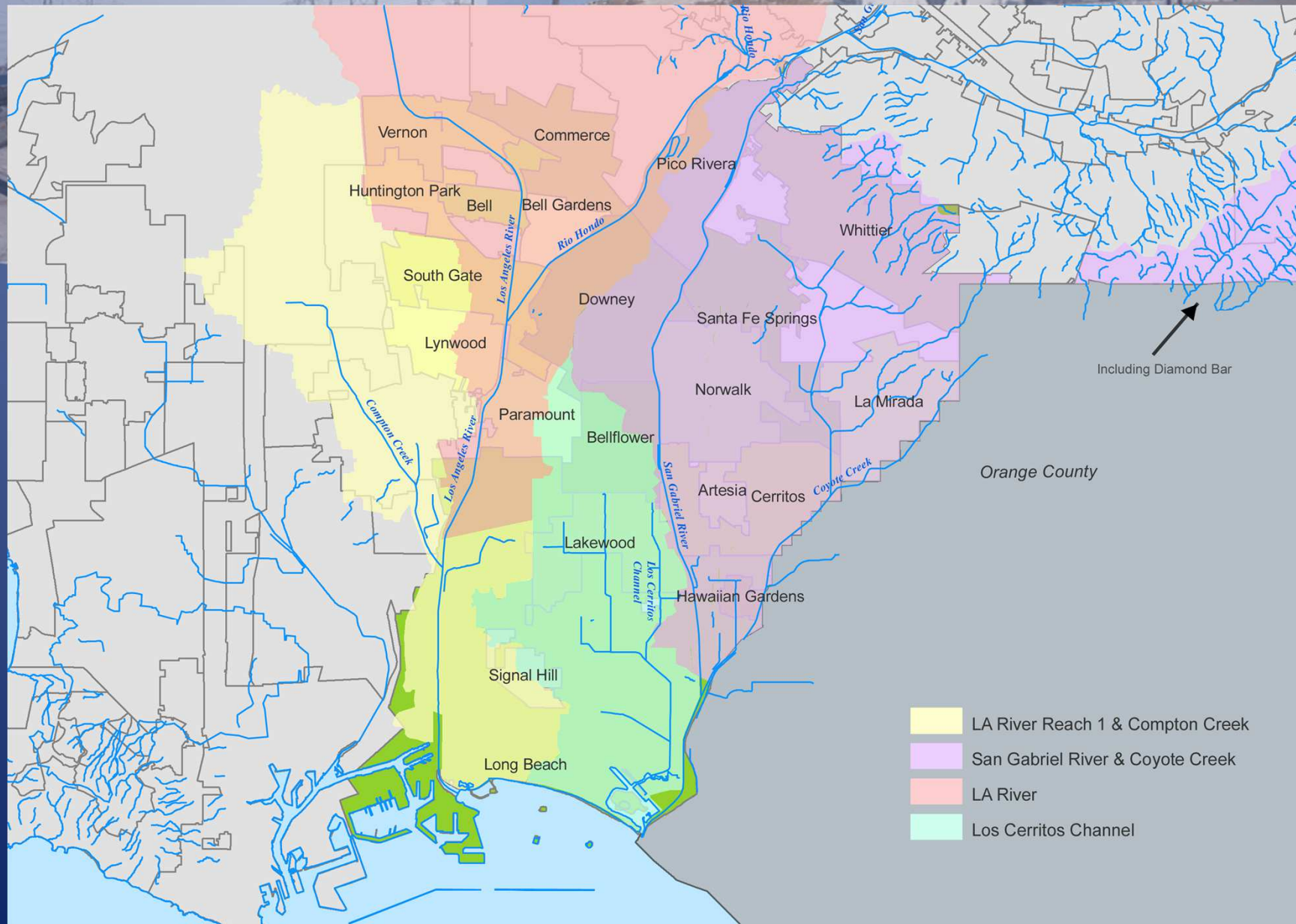
The project will have to be approved by the Regional Board. Infiltration or a capture and re-use projects will certainly qualify, not clear if projects using treatment will qualify.



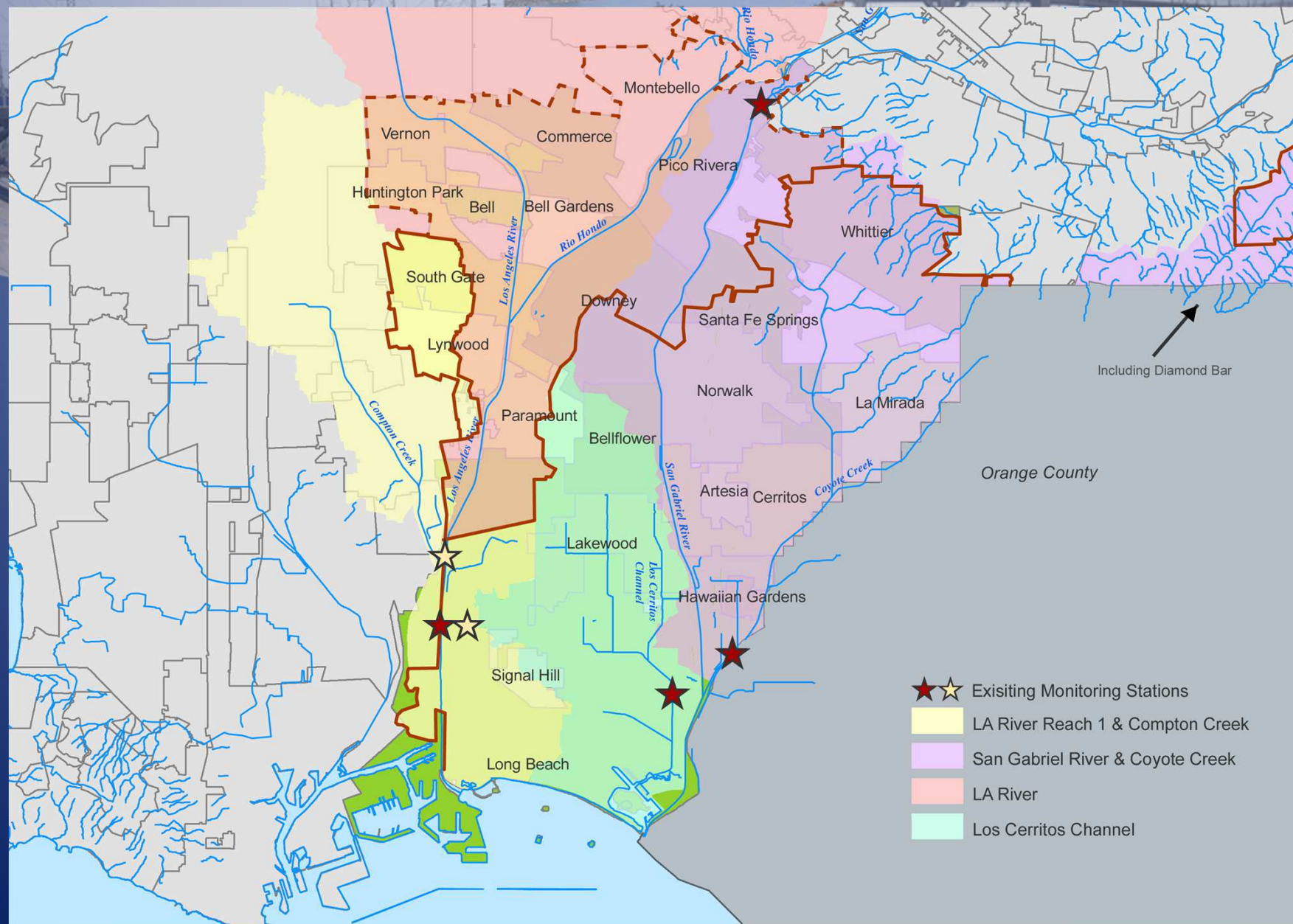
What Now?

- February 26th Letter
- GWMA authorization letter
- Individual city intent to participate letter

What Now - Existing programs



What next?





What Next?

- Decisions must be reported by June 28th



Cities discharging into more than one sub-watershed

Will have to have two plans or two chapters in one plan.



Conclusions

- This will be a complex and costly program
- A coordinated group effort has many benefits
- Thank you for your time.

Questions?