

**Los Angeles Water Board Response to Specific Written Comments by Joyce Dillard,
dated August 30, 2015 on the Draft Santa Monica Bay J2/J3 EWMP**

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1	<p align="center">MODELING</p> <p>ES-2 Water Quality Priorities states:</p> <p><i>Subwatersheds in SMB were further modeled into compliance monitoring location (CML) regions. These modeled CML subwatersheds, and these are herein referred to "CML analysis regions" and were used in the RAA modeling</i></p> <p align="center">COMMENTS</p> <p>The geology of the area including petroleum deposits and earthquake faults should be reviewed in more depth before any substantial planning. Santa Monica Fault is being studied by the state.</p> <p>Aspects of the Southern California Bight should be addressed.</p>	<p>Comment considered.</p> <p>Regarding considerations of geology in modeling, the watershed model utilized by the Santa Monica Bay J2/J3 EWMP Group includes inputs related to soils, land cover, and runoff coefficients among other parameters, which affect the timing and amount of runoff versus infiltration of stormwater.</p> <p>Regarding considerations of geology in project planning and implementation, stormwater structural BMPs that may be implemented as a result of the Santa Monica Bay J2/J3 EWMP may require discretionary approval subject to review under CEQA. Public agencies responsible for carrying out or approving stormwater structural BMPs are identified as the lead agency. The environmental review required imposes both procedural and substantive requirements. At a minimum, the lead agency must adhere to the consultation and public notice requirements set forth in the CEQA Guidelines, make determinations whether the proposed stormwater structural BMP is a "project", and if so, conduct an initial review of the project and its environmental effects, including impacts related to the geology and coastline of the area. The lead agency must identify and document the potential environmental impacts of the proposed project in accordance with CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14 of the California Code of Regulations, Section 15000, et seq.).</p>
2	<p align="center">RAINWATER HARVESTING</p> <p>5.4.2. Public Retrofit Incentives for BMPs states:</p>	<p>Comment considered.</p> <p>Regarding point sources, runoff that enters the Group's MS4</p>

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	<p><i>These programs are directed at incentivizing the public to decrease the amount of stormwater runoff from their property. Permittees are responsible for continued development, execution, enforcement, and reporting of the progress of these programs in their annual reports.</i></p> <p style="text-align: center;">COMMENTS</p> <p>This is incorrectly identified. Private property is not a Source Point for this permit and the description is about Rainwater Harvesting. California Building and Plumbing Codes cover this aspect for property owners. Consequently, it is unclear how Outfall Monitoring data is incorporated</p>	<p>from private property and is then discharged into receiving waters is a point source discharge regulated under the federal NPDES permitting program.</p> <p>Rainwater harvesting is an effective practice to employ, at an individual site level, on properties throughout a watershed to retain runoff that would otherwise flow freely into the MS4 and subsequently into receiving waters. Rainwater harvesting is a sound and established practice used to improve downstream water quality.</p> <p>Requirements of the California Building and Plumbing Code are outside the scope of the review of the draft EWMP. Permittees, however, are expected to comply with all state and local laws in EWMP implementation.</p> <p>Monitoring will be conducted in accordance with the Group's CIMP, which establishes receiving water and outfall monitoring locations.</p>
3	<p style="text-align: center;">FINANCIAL STRATEGIES</p> <p>7.4. Financial Strategies states:</p> <p><i>The financial strategy described in this section is focused on developing a set of options to address the expected additional costs associated with compliance with the new MS4 Permit. It is not intended to incorporate the costs associated with existing stormwater activities identified previously. Just as the engineering and strategic solutions for watershed management rely upon a coordinated regional approach, so too does the financial strategy. Capital and operating costs for</i></p>	<p>Comment considered.</p> <p>Comments were included in the Los Angeles Water Board's October 26, 2015 Review Letter on the Santa Monica Bay J2/J3 draft EWMP, directing the Santa Monica Bay J2/J3 EWMP Group to provide additional information regarding their financial strategy. Specifically, the Los Angeles Regional Board required the following of the Santa Monica J2/J3 EWMP Group:</p> <ul style="list-style-type: none"> • Document existing sources of funding more precisely at the Permittee level (see Table 7-4). • Include data/information for El Segundo, which is currently missing from Table 7-4. • Clarify the column "Existing Utility" in Table 7-4. • Provide a timeframe(s) for developing a more detailed

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	<p><i>watershed programs are large and span decades. As such, there is no single "right" way to finance these programs. Instead, the financial strategy presented herein outlines a set of multiple approaches, allowing each jurisdiction to select those strategies that best fit their specific circumstances.</i></p> <p style="text-align: center;">COMMENTS</p> <p>There is no Financial Strategy. Cities are not in the position to be speculators. They have requirements of solvency.</p> <p>As a sample, the City of Los Angeles CONSOLIDATED ANNUAL FINANCIAL REPORT (FY June 30, 2015) requires disclosure under NOTES TO BASIC FINANCIAL STATEMENT:</p> <p>Total Maximum Daily Loads (TMDLs)</p> <p><i>The USEPA and the LARWQCB are required to develop TMDLs for impaired water bodies. Various watersheds in the Los Angeles area have water body segments that are listed as impaired due to a variety of pollutants. Although some TMDLs have already been released, additional TMDLs will be under development and compliance with both existing and new TMDLs will continue into the next decade. At this time, it is difficult to predict the full impact of TMDLs on the National Pollutant Discharge Elimination System (NPDES) effluent limits at the City's four water reclamation and wastewater treatment plants. In addition, the proposed Greater</i></p>	<p>financial plan to implement the EWMP.</p> <p>The Santa Monica Bay J2/J3 Group has adequately addressed these comments in its revised EWMP. Overall, Section 7 of the Santa Monica Bay J2/J3 EWMP adequately discusses the Group's financial strategy and meets the permit requirement.</p> <p>Part VI.C.1.g.ix of the Los Angeles County MS4 Permit requires EWMP groups to "ensure that a financial strategy is in place." The permit does not require that each element of the financial strategy is fully developed before the Board can approve an EWMP.</p> <p>Further, it must be noted that the Los Angeles Water Board recognizes the sizable investment that Permittees will need to comply with the EWMPs and has committed to supporting, as it is able, Permittees' efforts to secure funding. Since submittal of the draft EWMPs, and in response to concerns raised regarding the cost of EWMP implementation, the Board has held and invited Permittees and other stakeholders to attend two additional workshops on the proposed EWMPs on November 5, 2015 and March 3, 2016. The costs of EWMP implementation were a central topic of both workshops. In particular, the November 2015 workshop included a staff presentation on cost considerations and a focused "funding strategies panel" that included presentations from the authors of the <i>Stormwater Funding Options</i> report prepared for the California Contract Cities Association and the League of California Cities (Los Angeles County Division); the City of Los Angeles; Heal the Bay; and the State Water Board Office of Chief Counsel. Public comments were also heard during this workshop. The Los Angeles Water Board also coordinated with USEPA Region IX to host an "East Coast/West Coast Knowledge Exchange" on local stormwater financing strategies in February 2015, which</p>

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