

Comments Energy & Environment Agenda No. 1-CF4-0994-Stormwater and Urban Runoff Pollution Control Ordinance

DRAFT:

Section 1. The first paragraph of **Subsection B of Section 64.70** of the Los Angeles Municipal Code is amended to read as follows:

B. Objectives. The Watershed Protection Program (Stormwater Program) for the City of Los Angeles is managed by the Bureau of Sanitation along with all City Flood Protection and Pollution Abatement (Water Quality) Programs including, but not limited to, regulatory compliance, implementation, operations, reporting and funding. This article sets forth uniform requirements and prohibitions for discharges and places of discharge into the storm drain system and receiving waters necessary to adequately enforce and administer all federal and state laws, legal standards, orders and/or special orders that provide for the protection, enhancement and restoration of water quality. Through a program employing watershed-based approaches that balance environmental and economic considerations, and under the jurisdiction of the Board of Public Works, the City seeks to protect and promote the public health, safety and general prosperity of its citizens with the implementation of the following objectives:

COMMENTS:

There is no economic analysis to justify this statements. In fact, the estimates are in the billions of dollars.

DRAFT:

Sec. 2. Subsection A of Section 64.70.01 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

- A. Definitions. For the purpose of this article, the following words and phrases are defined and shall be construed as set out here, unless it is apparent from the context that they have a different meaning:
1. "Basin Plan" means a Water Quality Control Plan adopted by the California Regional Water Quality Control Board for a specific watershed or designated area.

COMMENTS:

The Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties states the following:

Function of the Basin Plan

The Los Angeles Regional Board's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the

Basin Plan (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's antidegradation policy, and (iii) describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates (by reference) all applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. Major State and Regional Board plans and policies are summarized in Chapter 5. Those of other agencies are referenced in appropriate sections throughout the Basin Plan.

The Basin Plan is a resource for the Regional Board and others who use water and/or discharge wastewater in the Los Angeles Region. Other agencies and organizations involved in environmental permitting and resource management activities also use the Basin Plan. Finally, the Basin Plan provides valuable information to the public about local water quality issues.

The Basin Plan is reviewed and updated as necessary. Following adoption by the Regional Board, the Basin Plan and subsequent amendments are subject to approval by the State Board, the State Office of Administrative Law (OAL), and the United States Environmental Protection Agency (USEPA).

DRAFT:

2. "Best Management Practice (BMP)" means activities, practices, facilities and/or procedures that, when implemented, will reduce or prevent pollutants in discharges.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Best Management Practices (BMPs)

BMPs are practices or physical devices or systems designed to prevent or reduce pollutant loading from storm water or non-storm water discharges to receiving waters, or designed to reduce the volume of storm water or non-storm water discharged to the receiving water.

DRAFT:

"Construction Activity" means clearing, grading or excavating that results in soil disturbance. Construction activity does not include routine maintenance to maintain original line and grade, hydraulic capacity, or the original purpose of the facility, nor does it include emergency construction activities required to immediately protect public health and/or safety.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Construction Activity

Construction activity includes any construction or demolition activity, clearing, grading, grubbing, or excavation or any other activity that results in land disturbance. Construction does not include emergency construction activities required to immediately protect public health and safety or routine maintenance activities required to maintain the integrity of structures by performing minor repair and restoration work, maintain the original line and grade, hydraulic capacity, or original purposes of the facility. See “Routine Maintenance” definition for further explanation. Where clearing, grading or excavating of underlying soil takes place during a repaving operation, State General Construction Permit coverage is required if more than one acre is disturbed or the activities are part of a larger plan.

DRAFT:

10. “Development” means the construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and any other non-residential projects, including public agency projects; or mass grading for future construction.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Development

Any construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and other non-residential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

DRAFT:

13. "Discharge" means any release, spill, leak, pump, flow, escape, dumping, or disposal of any liquid, semi—solid or solid substance.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Discharge

When used without qualification the "discharge of a pollutant."

DRAFT:

15. "Environmentally Sensitive Areas (ESAs)" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would be easily disturbed or degraded by human activities and developments. ESAs include, but are not limited to, areas designated as Significant Ecological Areas by the County of Los Angeles (Los Angeles County Significant Areas Study, Los Angeles County Department of Regional Planning (1976) and amendments), areas designated as Significant Natural Areas by the California Department of Fish and Game's Significant Natural Areas Program and field verified by the Department of Fish and Game, and areas listed in the Basin Plan as supporting the "Rare, Threatened, or Endangered Species (RARE)" beneficial use.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Environmentally Sensitive Areas (ESAs)

An area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would be easily disturbed or degraded by human activities and developments (**California Public Resources Code § 30107.5**). Areas subject to storm water mitigation requirements are: areas designated as Significant Ecological Areas by the County of Los Angeles (Los Angeles County Significant Areas Study, Los Angeles County Department of Regional Planning (1976) and amendments); an area designated as a Significant Natural Area by the California Department of Fish and Game's Significant Natural Areas Program, provided that area has been field verified by the Department of Fish and Game; an area listed in the Basin Plan as supporting the "Rare, Threatened, or Endangered Species (RARE)" beneficial use; and an area identified by a Permittee as environmentally sensitive.

DRAFT:

17. "Illicit Connection" means any man-made conveyance that is connected directly to the storm drain system, excluding roof-drains, and any other similar connection that serves as a pathway for any illicit discharge.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Illicit Connection

Any man-made conveyance that is connected to the storm drain system without a permit, excluding roof drains and other similar type connections. Examples include channels, pipelines, conduits, inlets, or outlets that are connected directly to the storm drain system.

DRAFT:

18. "Illicit Discharge" means any discharge to the storm drain system that is prohibited under local, state or federal statutes, ordinances, codes or regulations. Illicit discharges include all non-stormwater discharges except discharges pursuant to an (sic) National Pollutant Discharge Elimination System (NPDES) permit or discharges that are exempted or conditionally exempted by the NPDES permit or granted as a special waiver or exemption by the Regional Board.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Illicit Discharge

Any discharge into the MS4 or from the MS4 into a receiving water that is prohibited under local, state, or federal statutes, ordinances, codes, or regulations. The term illicit discharge includes any non-storm water discharge, except authorized non-storm water discharges; conditionally exempt non-storm water discharges; and non-storm water discharges resulting from natural flows specifically identified in Part III.A.1.d.

DRAFT:

21. "Industrial/Commercial Facility" means any facility, public or private, involved and/or used in either the production, manufacture, storage, transportation, distribution, exchange or sale of goods and/or commodities, and any facility involved and/or used in providing professional and/or nonprofessional services. This category of facility includes, but is not limited to, any facility defined by the Standard Industrial Classifications (SIC).

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Industrial/Commercial Facility

Any facility involved and/or used in the production, manufacture, storage, transportation, distribution, exchange or sale of goods and/or commodities, and any facility involved and/or used in providing professional and non-professional services. This category of facilities includes, but is not limited to, any facility defined by either the Standard Industrial Classifications (SIC) or the North American Industry Classification System (NAICS). Facility ownership (federal, state, municipal, private) and profit motive of the facility are not factors in this definition.

DRAFT:

22. "LID" means Low Impact Development.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Low Impact Development (LID)

LID consists of building and landscape features designed to retain or filter storm water runoff.

DRAFT:

24. "Non-Stormwater Discharge" means any discharge to a municipal storm drain system that is not composed entirely of stormwater.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Non-Storm Water Discharge

Any discharge into the MS4 or from the MS4 into a receiving water that is not composed entirely of storm water.

DRAFT:

26. "Pollutant" means any "pollutant" defined in Section 502(6) of the Federal Clean Water Act or incorporated into Section 13373 of the California Water Code. Pollutants may include, but are not limited to, the following:

(a) Commercial and industrial waste (such as fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash and sludge);

(b) Metals (such as cadmium, lead, zinc, copper, silver, nickel, chromium, and non-metals such as phosphorus and arsenic);

(c) Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants and grease);

(d) Excessive eroded soil, sediment, and particulate materials in amounts that may adversely affect the beneficial use of the receiving waters, flora or fauna of the State;

(e) Animal wastes (such as discharge from confinement facilities, kennels, pens, recreational facilities, stables and show facilities); and

(f) Substances having characteristics such as pH less than six or greater than nine, or unusual coloration or turbidity, or excessive levels of fecal coliform, or fecal streptococcus or enterococcus.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Pollutants

Those "pollutants" defined in CWA §502(6) (33.U.S.C.§1362(6)), and incorporated by reference into California Water Code §13373

You define many conditions that may not be considered pollutants to US receiving waters.

DRAFT:

27. "Receiving Waters" means creeks, streams, rivers, lakes, estuaries, groundwater formations or other bodies of water into which surface water, treated waste or untreated waste are or may be discharged.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Receiving Water

A "water of the United States" into which waste and/or pollutants are or may be discharged.

The term is in relationship to the Clean Water Act and the NPDES permitting. You have distorted the meaning entirely and outside the legal authority. For the California, there is an Antidegradation Policy (Resolution 68-16) with the term "existing high quality waters") which is included in the MS4 permit.

DRAFT:

28. "Redevelopment" means land-disturbing activity that results in the creation, addition, or replacement of 500 square feet or more of impervious surface area on an already developed Site. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of routine maintenance activity; and land disturbing activity related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Redevelopment

Land-disturbing activity that results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site. Redevelopment includes, but is not limited to: the expansion of a building footprint;

addition or replacement of a structure; replacement of impervious surface area that is not part of a routine maintenance activity; and land disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

There is quite a difference between 500 square feet and 5,000 square feet.

DRAFT:

30. "Routine Maintenance" includes, but is not limited to, projects conducted to:

- (a) Maintain the original line and grade, hydraulic capacity or original purpose of the facility.
- (b) Perform as needed restoration work to preserve the original design grade, integrity and hydraulic capacity of flood control facilities.
- (c) Repair, regrade or maintain road shoulder, dirt or gravel roadways and shoulders or road ditches.
- (d) Update existing facilities or lines, including replacing existing lines with new materials or pipes, to comply with applicable codes, standards and regulations regardless if such project results in increased capacity.
- (e) Repair leaks.

Routine maintenance does not include construction of: (1) new lines not associated with existing facilities and are not part of a project to update or replace existing lines; or (2) new facilities resulting from compliance with applicable codes, standards and regulations.

COMMENTS:

LA Regional Water Quality Control Board ORDER NO. R4-2012-0175 NPDES NO. CAS004001 ATTACHMENT A – DEFINITIONS states the following:

The following are definitions for terms in this Order:

Routine Maintenance

Routine maintenance projects include, but are not limited to projects conducted to:

1. Maintain the original line and grade, hydraulic capacity, or original purpose of the facility.
2. Perform as needed restoration work to preserve the original design grade, integrity and hydraulic capacity of flood control facilities.

3. Includes road shoulder work, regrading dirt or gravel roadways and shoulders and performing ditch cleanouts.
4. Update existing lines* and facilities to comply with applicable codes, standards, and regulations regardless if such projects result in increased capacity.
5. Repair leaks

Routine maintenance does not include construction of new** lines or facilities resulting from compliance with applicable codes, standards and regulations.

* Update existing lines includes replacing existing lines with new materials or pipes.

** New lines are those that are not associated with existing facilities and are not part of a project to update or replace existing lines.

DRAFT:

31. "Rules and Regulations" shall mean "Rules and Regulations Governing Pollution Control of Discharges into the Storm Drain System" adopted by the Board of Public Works.

COMMENTS:

You do not indicate when these rules were approved.

DRAFT:

37. "Untreated" means non-stormwater runoff, wastewater or wash waters that have not been subjected to any applicable Treatment Control, Best Management Practices or are not in compliance with conditions of a separate or general NPDES permit.

38. "Urban Runoff" means surface water flow produced by storm and non-storm events. Non-storm events include flow from residential, commercial or industrial activities involving the use of potable and nonpotable water.

COMMENTS:

There are no such definitions in the LA County MS4 permit.

DRAFT:

Sec. 6. Subsection A of Section 64.70.03 of the Los Angeles Municipal Code is amended to read as follows:

A. Prohibition of Non-Stormwater Discharges. No person shall discharge non-storm water to the storm drain system, unless authorized by a separate or general NPDES Permit, or if the discharge is exempted or conditionally exempted by the NPDES Municipal Separate Storm Sewer Permit (MS4) for Los Angeles County, as provided or

as subsequently amended, or if granted as a special waiver or exemption by the Regional Board.

COMMENTS:

The former definition was titled **PROHIBITION OF ILLICIT DISCHARGES. ILLICIT DISCHARGES** is the proper term and one used for the public to identify a violation, a integral part of the NPDES permitting.

DRAFT:

Sec. 9. Subsections A, B and C of Section 64.72 of the Los Angeles Municipal Code are amended to read as follows:

(A) Objective. The provisions of this section contain requirements for construction activities and facility operations of Development and Redevelopment projects to comply with the Land Development requirements of the MS4 permit though integrating LID practices and standards for stormwater pollution mitigation, and maximize open, green and pervious space on all Developments and Redevelopments consistent with the City's landscape ordinance and other related requirements in the Development Best Management Practices Handbook.

(B) Scope. This section contains requirements for stormwater pollution control measures in Development and Redevelopment projects and authorizes the Board to further define and adopt stormwater pollution control measures, develop LID principles and requirements, including, but not limited to, the objectives and specifications for integration of LID strategies, collect Best Management Practices compliance plan check fees, collect funds for projects that are granted waivers, conduct inspections, cite violators for infractions and impose fines. Except as otherwise provided herein, the Board shall administer, implement and enforce the provisions of this section.

(C) LID Requirements. All Developments and Redevelopments shall comply with the following:

1. Development or Redevelopment involving four or fewer units intended for residential use shall implement LID BMP alternatives identified in the Development Best Management Practices Handbook.

2. Development or Redevelopment Involving Nonresidential Use or Five or More Units Intended for Residential Use.

a. Development or Redevelopment resulting in an alteration of at least 50% or more of the impervious surfaces on an existing developed Site, the entire Site must comply with the standards and requirements of this article and with the Development Best Management Practices Handbook; and

b. Development or Redevelopment resulting in an alteration of less than 50% of the impervious surfaces of an existing developed Site, only such incremental Development shall comply with the standards and requirements of this article and with the Development Best Management Practices Handbook.

3. A Development or Redevelopment of any size that would create 2,500 square feet or more of impervious surface area and is located partly or wholly within an ESA shall comply with the standards and requirements of this article and with the Development Best Management Practices Handbook.

4. A Development or Redevelopment of any size that would create more than 10,000 square feet or more of impervious surface area and total one acre or more of disturbed area shall comply with the standards and requirements of this article and with the Development Best Management Practices Handbook.

5. Street and road construction of 10,000 square feet or more of impervious surface area shall comply with the standards and requirements of the Development Best Management Practices Handbook.

6. The Site for every Development or Redevelopment shall be designed to manage and capture stormwater runoff, to the maximum extent feasible, in priority order: infiltration, evapotranspiration, capture and use, treated through high removal efficiency biofiltration/biotreatment system of all of the runoff on site. High removal efficiency biofiltration/biotreatment systems shall comply with the standards and requirements of the Development Best Management Practices Handbook. A LID Plan shall be prepared to comply with the following:

a. Stormwater runoff will be infiltrated, evapotranspired, captured and used, treated through high removal efficiency Best Management Practices, onsite, through stormwater management techniques that comply with the provisions of the Development Best Management Practices Handbook. To the maximum extent feasible, onsite stormwater management techniques must be properly sized, at a minimum, to infiltrate, evapotranspire, store for use, treat through high removal efficiency biofiltration/biotreatment system, without any storm water runoff leaving the Site for at least the volume of water produced by the Stormwater Quality Design Volume (SWQDv) that results from the greater of:

- (i) The volume of runoff produced from a 0.75-inch storm event; or
- (ii) The 85th percentile, 24—hour runoff event, as determined from the Los Angeles County 85th percentile precipitation isohyetal map.

For purposes of compliance with the LID requirements, and without changing the priority order of design preferences identified in this section, all runoff from the SWQDv, as identified in Paragraph (a) of this subdivision, that has been treated through an onsite high removal efficiency biofiltration/biotreatment system shall be deemed to have achieved 100% infiltration regardless of the runoff leaving the Site from an onsite high

removal efficiency biofiltration/biotreatment system, and thus any runoff volume shall not be subject to the offsite mitigation requirement of this article.

b. Pollutants shall be prevented from leaving the Site for a SWQDv as defined in Paragraph (a) of this subdivision unless it has been treated through an onsite high removal efficiency biofiltration/biotreatment system.

c. Hydromodification impacts shall be minimized to natural drainage systems as defined in the M84 Permit.

7. When, as determined by the Director, the onsite LID requirements are technically infeasible, partially or fully, as defined in the Development Best Management Handbook, the infeasibility shall be demonstrated in the submitted LID Plan, shall be consistent with other City requirements and shall be reviewed in consultation with the Department of Building and Safety. The technical infeasibility may result from conditions that may include, but are not limited to:

a. Locations where seasonal high groundwater is within ten feet of surface grade;

b. Locations within 100 feet of a groundwater well used for drinking water;

c. Brownfield Development sites or other locations where pollutant mobilization is a documented concern;

d. Locations with potential geotechnical hazards;

e. Locations with impermeable soil type as indicated in applicable soils and geotechnical reports; and

f. Other site or implementation constraints identified in the Development Best Management Practices Handbook.

8. If partial or complete onsite compliance of any type is technically infeasible, the project Site and LID Plan shall be required to manage the flow from the SWQDv onsite in order to maximize onsite compliance. For the remaining runoff that cannot feasibly be managed onsite, the project shall implement offsite mitigation on public and/or private land within the same sub—watershed as defined by the M84 Permit. This shall include construction and perpetual maintenance of projects that will achieve at least the same level of runoff retention, infiltration and/or use, and water quality. All City Departments will assist the developer, when and where feasible, in the design, permitting and implementation of LID BMP projects within the public right-of—way, with a preference for utilizing the public right-of—way immediately adjacent to the subject development.

9. A Multi-Phased Project may comply with the standards and requirements of this section for all of its phases by: (a) designing a system acceptable to the Bureau of Sanitation to satisfy these standards and requirements for the entire Site during the first phase; and (b) implementing these standards and requirements for each phase of Development or Redevelopment of the Site during the first phase or prior to commencement of construction of a later phase, to the extent necessary to treat the

stormwater from such later phase. For purposes of this section, "Multi-Phased Project" shall mean any Development or Redevelopment implemented over more than one phase, and the Site of a Multi-Phased Project shall include any land and water area designed and used to store, treat or manage stormwater runoff in connection with the Development or Redevelopment, including any tracts, lots or parcels of real property, whether Developed or not, associated with, functionally connected to, or under common ownership or control with such Development or Redevelopment.

10. The Director shall prepare, maintain and update, as deemed necessary and appropriate, the Development Best Management Practices Handbook to set LID standards and practices and standards for stormwater pollution mitigation, including urban and stormwater runoff quantity and quality control development principles and technologies for achieving the LID standards. The Development Best Management Practices Handbook shall also include technical feasibility and implementation parameters, alternative compliance for technical infeasibility, as well as other rules, requirements and procedures as the Director deems necessary for implementing the provisions of this section of the Los Angeles Municipal Code. The Board of Public Works shall adopt the Development Best Management Practices Handbook no later than 90 days after the adoption of this ordinance by the City Council and the Mayor.

11. The Director of the Bureau of Sanitation shall develop as deemed necessary and appropriate, in cooperation with other City departments and stakeholders, informational bulletins, training manuals and educational materials to assist in the implementation of the LID requirements.

12. The applicant can appeal the Director's determination of compliance with the provisions of this article to the Board of Public Works within 30 days of the date of the determination.

13. Any Development or Redevelopment that is exempted from LID requirements under Section D has the option to voluntarily opt in and incorporate into the project the LID requirements set forth herein. In such case, the Best Management Practices plan check fee associated with the project shall be waived and all LID related plan check processes shall be expedited.

COMMENTS:

This section ignored State Water Board WQ 2000-11 LA County SUSMP. It places into effect the requirements of the voluntary program of ENHANCED WATERSHED MANAGEMENT PLANS. There has been a Programmatic EIR PEIR from the LA County Flood Control District and a CEQA Addendum from the City that has not been approved by the County Board of Supervisors. In other words, the City is hiding the fact that environmental documents and studies are needed to determine the applicability of this ordinance per property. By hiding under the PEIR, the City is allowing by-right development without consideration of the Public Health and Safety. We are HAZARDS

AND HAZARDOUS MATERIALS, GEOLOGY AND SOILS, and HYDROLOGY AND WATER QUALITY issues that should be addressed first.

There is NO state building code in place for this ordinance. California addressed grey water building and plumbing regulations. Stormwater is a POINT SOURCE issue. This ordinance makes it a non-point source issues, which is not the legal authority under the Clean Water Act NPDES permitting.

Stormwater capture is not a part of the Clean Water Act and the NPDES permitting

Natural Resources Defense Council etal has filed Writ over the MS4 permit, Case No. BS156962. Other cities have filed suit also.

Stormwater Capture Credit and a Cap and Trade Market is being created.

Re-think this ordinance with economic analyses as part of the process.

Joyce Dillard
P.O. Box 31377
Los Angeles, CA 90031