

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

July 23, 2014

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#2 BOS

Mayor Eric Garcetti
Room No. 305
City Hall
Attn: Mandy Morales

City Council
Room No. 395
City Hall

Subject: PROPOSED AMENDMENT TO ARTICLE 4.4 OF CHAPTER VI OF THE LOS ANGELES MUNICIPAL CODE TO MEET THE REQUIREMENTS OF THE MUNICIPAL SEPARATE STORM SEWER (MS4) PERMIT (NPDES PERMIT NO. CAS004001)

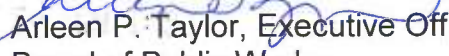
As recommended in the accompanying report of the Director of the Bureau of Sanitation, which this Board has adopted, the Board of Public Works hereby requests the City Council and Mayor to:

1. Approve this report and the amendments to Article 4.4 of Chapter VI of the Los Angeles Municipal Code (LAMC).
2. Concur that the adoption of this ordinance qualifies for exemption under the California Environmental Quality Act (CEQA) (Transmittal 2).
3. Instruct the City Attorney, in cooperation with the Director of the Bureau of Sanitation or his designee, prepare necessary amendments to the LAMC in final form, for approval by the Mayor and City Council.

FISCAL IMPACT

There will be no impact to the General Fund. Adoption of the proposed amendments to Article 4.4 of the Chapter VI of the LAMC are required in order for the City of Angeles to meet the mandates of the Stormwater Municipal Permit.

Respectfully submitted,


Arleen P. Taylor, Executive Officer
Board of Public Works


APT:mp

DEPARTMENT OF PUBLIC WORKS

BUREAU OF SANITATION
BOARD REPORT NO. 2
July 23, 2014

CD: All

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California
AND REFERRED TO THE MAYOR
JUL 23 2014
AND REFERRED TO THE CITY COUNCIL


Executive Officer

PROPOSED AMENDMENT TO ARTICLE 4.4 OF CHAPTER VI OF THE LOS ANGELES MUNICIPAL CODE (LAMC) TO MEET THE REQUIREMENTS OF THE MUNICIPAL SEPARATE STORM SEWER (MS4) PERMIT (NPDES PERMIT NO. CAS004001)

RECOMMENDATIONS

Approve and forward this report, with transmittals, requesting the Mayor and Council to:

1. Approve this report and the amendments to Article 4.4 of Chapter VI of the Los Angeles Municipal Code (LAMC).
2. Concur that the adoption of this ordinance qualifies for exemption under the California Environmental Quality Act (CEQA) (Transmittal 2)
3. Instruct the City Attorney, in cooperation with the Director of the Bureau of Sanitation or his designee; prepare necessary amendments to the Los Angeles Municipal Code (LAMC) in final form, for approval by the Mayor and City Council.

TRANSMITTALS

1. Draft Los Angeles Municipal Code (LAMC), Chapter VI, Article 4.4
2. CEQA Exemption

FISCAL IMPACT STATEMENT

There will be no impact to the General Fund. Adoption of the proposed amendments to Article 4.4 of Chapter VI of the Los Angeles Municipal Code (LAMC) are required in order for the City of Los Angeles to meet the mandates of the Stormwater Municipal Permit.

DISCUSSION

The City's Watershed Protection Program (Stormwater Program) is managed by the Bureau of Sanitation and is responsible for managing Flood Protection and Pollution Abatement (Water Quality) Programs - including but not limited to, regulatory compliance, implementation, operations, reporting and funding. The operation of the City of Los Angeles' (the City) Municipal Separate Storm Sewer System (MS4) is regulated by a National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit (Permit). The federal NPDES stormwater program came about as the result of the 1987 amendments to Clean Water Act (CWA). The City's current 5-year Permit was adopted by the Los Angeles Regional Water Quality Control Board (Regional Board) on November 8, 2012 for the County of Los Angeles and the incorporated cities. The City of Los Angeles, the other 83 Incorporated Cities in Los Angeles County (except Long Beach), and the County of Los Angeles are all considered permittees of this permit.

With each of four successive Permits, issued in 1990, 1996, 2001, and 2012, respectively, the mandates have become more stringent, progressing from a general emphasis on education to the imposition of very specific requirements. On November 8, 2012 the Los Angeles Regional Quality Control Board (RWQCB) adopted the latest Stormwater Municipal Permit also known as MS4 Permit (permit) for Los Angeles County and its incorporated cities (Order No. R4-2012-0175).

This permit replaces the December 2001 permit and is the fourth generation municipal stormwater permit in Los Angeles region. The first permit issued in 1990 followed the implementation of the 1987 stormwater amendments to the Clean Water Act (CWA). This latest permit incorporates water quality based effluent limitations via the adopted Total Maximum Daily Loads (TMDLs) provisions, as well as several new concepts and requirements that are designed to improve water quality through a cooperative process within the five major Watershed Management Areas of the Los Angeles County.

The 2012 Permit allows permittees to develop a set of actions towards fulfilling the goals of the permit. It expands previous permit provisions which:

- Includes a Discharge Prohibitions section that further restricts and adds conditions for non-stormwater discharges that are allowed.
- Requires State-regulated industrial and construction sites to be inspected and directed to comply through municipal inspections.
- Includes Land Development requirements to implement Low Impact Development (LID) strategies, technologies and techniques.
- Expands the Water Quality Monitoring Requirements.
- Incorporates the numerical limits language of 22 adopted TMDLs, applicable to the City, in the Receiving Water Limitation section the Permit.

A. LOS ANGELES MUNICIPAL CODE AMENDMENT

Chapter VI Article 4.4 of the Los Angeles Municipal Code, titled "Stormwater and Urban Runoff Pollution Control", applies to all dischargers and places of discharge located within the City of Los Angeles that discharge stormwater or non-stormwater into any storm drain system or receiving waters. Amendments will allow the City to comply with all Federal and State laws, lawful standards and orders applicable to, stormwater and urban runoff pollution control, as well as enforce the requirements and prohibitions for dischargers, and places of discharge to the storm drain system and the receiving waters by:

1. Prohibiting any discharge which may interfere with the operation of, or cause any damage to the storm drain system, or impair the beneficial use of the receiving waters;
2. Prohibiting illicit discharges to the storm drain system;
3. Reducing stormwater runoff pollution, and;
4. Reducing non-stormwater discharge to the storm drain system to the maximum extent practicable.

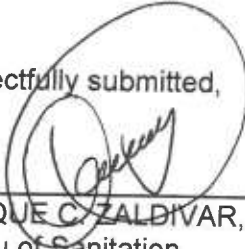
With the adoption of the new MS4 Permit (Nov 2012) there are a number of revisions that need to be made in order to bring our existing LAMC (Article 4.4 - Stormwater and Urban Runoff Pollution Control) in line with the Permit. They are as follows:

- Updates to definitions of terms to match those stipulated in the Permit;
- Updates to the exempt and conditionally exempt discharge requirements, thus authorizing the Board of Public Works to update and adopt the Rules and Regulations Governing Pollution Control of Discharges Into The Storm Drain System document
- Updates to the Planning and Land Development Program Section (also known as Low Impact Development (LID)) by:
 - Eliminating any reference to the previous mitigation plan known as Standard Urban Stormwater Mitigation Plan (SUSMP).
 - Requiring larger developments to use the larger of the two design storms that produce the most Stormwater Quality Design Volume (SWQDv).

- The existing fee for residential projects over 2,500 SF is currently at \$200. Chapter IX Article I Section 64.72.05 of the Los Angeles Municipal Code will be amended to increase plan check fees for residential projects that are 500 SF to 2,499 SF from \$20 to \$200 in order to collect to recover the Bureau of Sanitation's cost of providing Best Management Practices (BMPs) plan check to comply with Low Impact Development plan requirements.

Revisions to the LAMC are critical and are urgent, as they are mandated by the Permit. Upon adoption and approval by the City Council and Mayor, requirements of the LAMC will become effective. An urgency clause is placed as part of the LAMC.

Respectfully submitted,



ENRIQUE C. ZALDIVAR, Director
Bureau of Sanitation

Prepared by:
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