
Los Angeles Regional Water Quality Control Board

February 25, 2022

Upper Los Angeles River Watershed Management Group¹

Via Email

STATUS OF COMPLIANCE DEMONSTRATION SUBMITTED BY JUNE 30, 2021 PER THE STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2020-0038; NOTICE OF LOSS OF DEEMED COMPLIANCE STATUS

Dear Upper Los Angeles River Watershed Management Group:

State Water Resources Control Board (State Water Board) Order WQ 2020-0038 (2020 SB Order), directed Permittees to submit documentation by June 30, 2021, demonstrating that all work associated with current and prior milestones had been completed to retain deemed compliance with the receiving water limitations, water quality-based effluent limitations, and other TMDL-specific limitations addressed by the Watershed Management Program (WMP) or Enhanced Watershed Management Program (EWMP).²

On May 26, 2021, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) issued a letter via email to all Permittees participating in WMPs and EWMPs with direction on how to submit the aforementioned information.³

The Los Angeles Water Board reviewed the Upper Los Angeles River Watershed Management Group's (ULAR Group) document(s) submitted on June 29, 2021, to assess the ULAR Group's demonstration of completion of all work associated with

¹ (Permittees of the Upper Los Angeles River Watershed Management Group include the Los Angeles County Flood Control District; the County of Los Angeles; and the cities of Alhambra, Burbank, Calabasas, Glendale, Hidden Hills, La Canada Flintridge, Los Angeles, Montebello, Monterey Park, Pasadena, Rosemead, San Fernando, San Gabriel, San Marino, South El Monte, South Pasadena, and Temple City.)

² (2020 SB Order, at p. 167 available at https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2020/wqo2020_0038.pdf [as of August 31, 2021].)

³ (Letter from Executive Officer Renee Purdy, Los Angeles Water Board, to Los Angeles County MS4 Permittees Participating in WMPs and EWMPs (May 26, 2021), at p. 2.)

current and prior milestones according to the requirements set forth by the 2020 SB Order and to determine the ULAR Group’s deemed compliance status.⁴

The Los Angeles Water Board Approval Letter dated April 20, 2016, outlined the actions and milestones that the ULAR Group needed to complete to maintain deemed compliance status. The tasks listed in Table 1 below, have been identified as past due obligations and milestones occurring after EWMP approval that should have been completed prior to June 30, 2021.

Table 1: ULAR Group Required Actions

Required Actions	Implementation Update
Implementation of default Minimum Control Measures (MCMs) per Section 5.6 of the Jan. 2018 ULAR EWMP. ⁵	Insufficient information provided regarding the implementation of this task.
<p>Implementation of the following enhanced MCMs per Table 7-4 of the Jan. 2018 ULAR EWMP.</p> <p>Ongoing:</p> <ul style="list-style-type: none"> • Enhanced street sweeping (Burbank) • Small site LID (Temple City) • Train staff to facilitate LID & green streets (Temple City, S. Pasadena, Glendale) • Incentives for irrigation reduction practices (South Pasadena) • Downspout retrofitting (South Pasadena) • Refocused outreach to target audiences & water quality priorities (South Pasadena) 	This task was met. Table 7-4 of the Jan. 2018 ULAR EWMP shows that the enhanced MCMs are in effect or have been completed. Table 7-6 in the June 2021 Revised Draft ULAR EWMP provides an updated table of enhanced MCMs, which are all in effect.
Submission of the following Load Reduction Strategies (LRS) per Table 7-1 of the Jan. 2018 ULAR EWMP.	This task was completed per Attachment E, Table E-10 of the Regional MS4 Permit. ⁶

⁴ (Revised Draft Upper Los Angeles River Watershed Enhanced Watershed Management Program [June 2021 Revised Draft ULAR EWMP] and corresponding document(s), June 2021.)

⁵ (The original approved ULAR EWMP, dated March 29, 2016, was revised January 2018, as part of the Adaptive Management Process. The actions and milestones outlined in the April 20, 2016, approval still apply.)

⁶ (NPDES PERMIT NO. CAS004004; ORDER NO. R4-2021-0105)

<p>Segment A</p> <ul style="list-style-type: none"> Compton Creek by March 2018 <p>Segment E</p> <ul style="list-style-type: none"> Mainstem LA River by Sept. 2017 	<ul style="list-style-type: none"> The Compton Creek LRS was completed March 2018 The Segment E LRS was completed Sept. 2017.
<p>Completion of the following Segment B Control Strategies per Table 7-2 of the Jan. 2018 EWMP by March 2019.</p> <ul style="list-style-type: none"> Reuse and removal of urban flow systems at Outfall R2-02 (City of LA) Infiltration wetland at Outfall R2-04 (City of LA) Source Investigation & abatement at Outfall R2-G (City of LA) Source Investigation & abatement at Outfall R2-E (City of LA) Source Investigation & abatement at Outfall R2-New-14 (County of LA) Source Investigation & abatement at Outfall R2-T (County of LA) 	<p>This task was not met per the following updates provided in Table 7-3 of the June 2021 Revised Draft ULAR EWMP:</p> <ul style="list-style-type: none"> Reuse and removal of urban flow systems at Outfall R2-02: the project at Outfall R2-02 has not been completed. The project is in the design stage and the estimated completion date is September 2022. Infiltration wetland at Outfall R2-04: The project at Outfall R2-04 has not been completed. This project is in the pre-design stage and the estimated completion year is 2023. Source investigation & abatement at Outfall R2-G: It is unclear if this task was completed. No information on the status of this task was provided. Source investigation & abatement at Outfall R2-E: It is unclear if this task was completed. No information on the status of this task was provided. Source investigation & abatement at Outfall R2-New-14: It is unclear if this task was completed. No information on the status of this task was provided. Source Investigation & abatement at Outfall R2-T: It is unclear if this task was completed. No information on the status of this task was provided.
<p>Achievement of the following 2017 milestones through implementation of Structural BMPs per Appendix 7C of the Jan. 2018 ULAR EWMP.⁷</p> <ul style="list-style-type: none"> Aliso Wash – 17.4 	<p>This task was not met. The following implemented cumulative BMP capacity (acre-feet) was obtained from Tables 3-1 to 3-18 on pp. 7.F.122 to 7.F.146 in</p>

⁷ (To determine compliance with this milestone, the cumulative BMP capacity (acre-feet) was obtained from a jurisdictional and assessment area basis and combined to an assessment area basis.

<ul style="list-style-type: none"> • Arroyo Seco – 5.2 • Browns Canyon Wash – 12.8 • Bull Creek – 37.7 • Burbank Western Channel – 12.1 • Compton Creek – 62.1 • Los Angeles River - above Sepulveda Basin – 81.3 • Los Angeles River - below Sepulveda Basin – 41.2 • McCoy-Dry Canyon Creek – 23.6 • Rio Hondo – 127.1 • Tujunga Wash – 7.9 • Verdugo Wash - 2.1 	<p>Appendix 7 of the June 2021 Revised Draft ULAR EWMP.⁸</p> <ul style="list-style-type: none"> • Aliso Wash – 18.9 • Arroyo Seco – 30.5 • Browns Canyon Wash – 7.03 • Bull Creek – 39.3 • Burbank Western Channel – 15.5 • Compton Creek – 168.5 • Los Angeles River - above Sepulveda Basin – 51.1 • Los Angeles River - below Sepulveda Basin – 155.9 • McCoy-Dry Canyon Creek – 8.68 • Rio Hondo - 85.3 • Tujunga Wash – 80.1 • Verdugo Wash – 40.9
<p>Achievement of the following 2020 milestone through implementation of structural BMPs per Appendix 7C of the Jan. 2018 ULAR EWMP</p> <ul style="list-style-type: none"> • San Gabriel River – 1.6 	<p>This milestone pertained to the City of South El Monte. No information was provided regarding the status of completion of this milestone.</p>

Based on the Los Angeles Water Board’s review of the ULAR Group’s document(s) submitted, all work associated with prior and current milestones dated on or before June 30, 2021, as listed in Table 1, above, was not completed.

Accordingly, this letter serves to inform the ULAR Group that it has lost deemed compliance status for the water body-pollutant combinations intended to be addressed via the Group’s EWMP. The ULAR Group submitted a revised draft EWMP on June 29, 2021. Deemed compliance status may be regained upon approval of a revised WMP.⁹

If the ULAR Group disagrees with the Los Angeles Water Board’s findings, the ULAR Group must provide supplemental information demonstrating compliance with all missed milestones as well any milestones for which the Los Angeles Water Board lacked sufficient information to determine compliance **within 30 days**.

⁸ (Ibid.)

⁹ (The 2012 LA MS4 Permit (Order No. R4-2012-0175 as amended) allowed Permittees to develop a WMP or EWMP. The Regional MS4 Permit (Order No. R4-2021-0105) adopted on July 23, 2021 eliminated the distinction between a WMP and EWMP and all these programs are now all called “WMPs”.)

Submit the documents via the LA Water Board's FTP Site:

- FTP site link: <https://ftp.waterboards.ca.gov>
Username: RB4MS4-Upload
Password: RB4-bmBb3Z

Alternatively, please contact Ms. Susana Vargas via email at Susana.Vargas@waterboards.ca.gov for alternative accommodations for submittals.

If you have any questions, please contact Ms. Susana Vargas of the Municipal Stormwater Permitting Unit by email. Alternatively, you may also contact Mr. Ivar Ridgeway, Municipal Stormwater Permitting Unit Supervisor by email at Ivar.Ridgeway@waterboards.ca.gov.

Sincerely,

Renee Purdy
Executive Officer