

## Los Angeles Regional Water Quality Control Board

February 25, 2022

Lower Los Angeles River Watershed Management Group<sup>1</sup>

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 Lower 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).<sup>2</sup> The following water body-pollutant combinations are those that are eligible for deemed compliance in the Lower Los Angeles River WMP:

- Metals, pesticides, bacteria, and semi-volatile organic compounds

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.<sup>3</sup>

The Los Angeles Water Board reviewed the Lower Los Angeles River Group's (LLAR Group) document(s) submitted on June 30, 2021,<sup>4</sup> to assess the LLAR Group's demonstration of completion of all work associated with current and prior milestones

---

<sup>1</sup> (Permittees of the Lower Los Angeles River Watershed Management Group include the Los Angeles County Flood Control District and the cities of Downey, Lakewood, Long Beach, Lynwood, Paramount, Pico Rivera, Signal Hill, and South Gate.)

<sup>2</sup> (2020 SB Order, at p. 167 available at [https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2020/wqo2020\\_0038.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2020/wqo2020_0038.pdf) [as of August 31, 2021].)

<sup>3</sup> (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.)

<sup>4</sup> (Revised Draft Lower Los Angeles River Watershed Management Program and corresponding document(s), June 30, 2021 [June 2021 Revised Draft LLAR WMP].)

according to the requirements set forth by the 2020 SB Order and to determine the LLAR Group’s deemed compliance status.

The Los Angeles Water Board’s conditional approval of the LLAR WMP, dated April 28, 2015, outlined the actions and milestones that the LLAR Group needed to complete to maintain deemed compliance status. The tasks listed in Table 1 have been identified as past due obligations and milestones occurring after WMP approval that should have been completed prior to June 30, 2021.

Table 1: LLAR Group Required Actions

Required Actions	Implementation Update
August 2017 LLAR WMP, <sup>5</sup> Section 3.2, pp. 3-3 to 3-19: Order-required MCMs (as modified, where applicable).	The LLAR Group continues to implement these actions per Appendix B of the June 2021 Revised Draft LLAR WMP.
August 2017 LLAR WMP, Section 3.3, pp. 3-20 to 3-21 & Section 5.1.2, p. 5-2: Non-stormwater Discharge Measures.	The LLAR Group continues to implement these actions per Appendix B of the June 2021 Revised Draft LLAR WMP.
<p>August 2017 LLAR WMP, Section 3.4.1, pp. 3-22 to 3-31: TMDL Implementation Plans.</p> <p>Specifically:</p> <ul style="list-style-type: none"> <li>• To comply with the Los Angeles River Estuary Bacteria TMDL (US EPA established), the LLAR Group committed to submission of a load reduction strategy for the Estuary by April 28, 2017, (August 2017 LLAR WMP, Table 3-8).</li> <li>• To comply with the Los Angeles River Bacteria TMDL, the LLAR Group committed to submission of a load reduction strategy for Segment A of the Los Angeles River, Rio Hondo, and Compton Creek by September 2016, March 23, 2016, and March 23,</li> </ul>	<p>The listed tasks were completed.</p> <ul style="list-style-type: none"> <li>• The load reduction strategy for the Lower Los Angeles River Estuary Bacteria TMDL was submitted on April 28, 2017, per Table 5-8 of the June 2021 Revised Draft LLAR WMP.</li> <li>• The load reduction strategy was submitted on August 8, 2016, for Los Angeles River Segment A, March 23, 2016, for Rio Hondo, and March 23, 2018, for Compton Creek per Table 5-7 of the June 2021 Revised Draft LLAR WMP.</li> </ul>

<sup>5</sup> (The original approved LLAR WMP, dated June 12, 2015, was revised on August 25, 2017, as part of the Adaptive Management Process. The actions and milestones outlined in the April 28, 2015, conditional approval still apply.)

<p>2018, respectively (August 2017 LLAR WMP, Table 3-7).</p>	
<p>August 2017 LLAR WMP, Section 3.4.2, pp. 3-31 to 3-43 &amp; Section 5.1, pp. 5-2 to 5-4: Non-structural Targeted Control Measures (TCMs).</p> <p>Every non-structural TCM should have been underway or completed in accordance with the compliance schedule in Table 5-1 of the LLAR WMP.</p>	<p>This task was completed. The LLAR Group provided a description of the implementation status of all TCMs in Appendix C of the June 2021 Revised Draft LLAR WMP.</p>
<p>June 2015 LLAR WMP, Section 5.3.1, p. 5-6: Structural Minimum Control Measure Schedule.<sup>6</sup></p>	<p>The Planning and Land Development Program was implemented by June 28, 2014 per the August 2017 LLAR WMP.</p>
<p>June 2015 LLAR WMP, Section 5.2: Proposition 84 Project.<sup>7</sup></p>	<p>The LLAR Group completed this project and associated milestones per Table 5-3 per the August 2017 LLAR WMP.</p>
<p>August 2017 LLAR WMP, Section 5.3.2, pp. 5-6 to 5-8: Structural Targeted Control Measures.</p> <p>The LLAR Group committed to completion of preliminary site assessments and feasibility studies by March 2016, with field analysis at the selected sites by December 2016.</p>	<p>The LLAR Group completed this exercise in 2016 per Appendix B of the June 2021 Revised Draft LLAR WMP.</p>
<p>August 2017 LLAR WMP, Section 5.4, pp. 5-9 to 5-18; January 2015 LLAR/LSGR/LCC RAA, Att. B, Section B2, pp. 9-13.</p> <p>Implementation of structural capture/treatment best management practices (BMPs) with the following volume capacity by September 30, 2017:</p> <ul style="list-style-type: none"> <li>• Downey – 20 acre-feet in subwatershed 6102</li> <li>• Lakewood – 1.1 acre-feet in subwatershed 6014</li> </ul>	<p>These milestones were not met. Per Appendix B of the June 2021 Revised Draft LLAR WMP, the LLAR Group only implemented BMPs providing the following total structural control storage capacity (acre-feet):</p> <ul style="list-style-type: none"> <li>• Downey – 1.24</li> <li>• Lakewood - 0</li> <li>• Long Beach – 12.65</li> <li>• Lynwood – 0.77</li> <li>• Paramount - 0.56</li> <li>• Pico Rivera - 0.37</li> </ul>

<sup>6</sup> (The Los Angeles Water Board evaluated compliance with this task using the 2015 version of the WMP because this section was updated in the August 2017 LLAR WMP to reflect completion of these tasks.)

<sup>7</sup> (Ibid.)

<ul style="list-style-type: none"><li>• Long Beach – 1 acre-foot in subwatershed 6005</li><li>• Lynwood – 1.7 acre-feet in subwatershed 6028, 19.4 acre-feet in subwatershed 6031, and 13.2 acre-feet in subwatershed 6080</li><li>• Paramount – 20.9 acre-feet in subwatershed 6075</li><li>• Pico Rivera – 6.5 acre-feet in subwatershed 6106, 0.2 acre-feet in subwatershed 6112, and 32.7 acre-feet in subwatershed 6113</li><li>• Signal Hill – 1.1 acre-feet in subwatershed 6011 and 0.2 acre-feet in subwatershed 6012</li><li>• South Gate – 22.9 acre-feet in subwatershed 6031, 8.3 acre-feet in subwatershed 6080, 0.1 acre-feet in subwatershed 6096, 0.1 acre-feet in subwatershed 6098, 3.3 acre-feet in subwatershed 6101, and 0.8 acre-feet in subwatershed 6102</li></ul>	<ul style="list-style-type: none"><li>• Signal Hill - 0.44</li><li>• South Gate – 5.45</li></ul>
---	--

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

Accordingly, this letter serves to inform the LLAR Group that it has lost deemed compliance status for the water body pollutant combinations intended to be addressed via the Group’s WMP. The LLAR Group submitted a Revised Draft WMP on June 30, 2021. Deemed compliance status may be regained upon approval of a revised WMP.

If the LLAR Group disagrees with any of the Los Angeles Water Board’s findings, the LLAR 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**.

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](mailto: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](mailto:Ivar.Ridgeway@waterboards.ca.gov).

Sincerely,

Renee Purdy  
Executive Officer