



Los Angeles Regional Water Quality Control Board

February 25, 2022

Santa Monica Bay J2/J3 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 Santa Monica Bay J2/J3 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 Santa Monica Bay Jurisdictional Group 2 and 3 Group's (SMB J2&J3 Group) document(s) submitted on June 24, 2021, to assess the SMB J2&J3 Group's demonstration of completion of all work associated with current

¹ (Permittees of the Santa Monica Bay J2/J3 Watershed Management Group include the County of Los Angeles, City of Los Angeles, City of Santa Monica, City of El Segundo, and the Los Angeles County Flood Control District.)

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.)

and prior milestones according to the requirements set forth by the 2020 SB Order and to determine the SMB J2&J3 Group’s deemed compliance status.⁴

The Los Angeles Water Board Approval Letter dated April 21, 2016, outlined the actions and milestones that the SMB J2&J3 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: SMB J2&J3 Group Required Actions

Required Actions	Implementation Update
Implementation of Minimum Control Measures (MCMs) per Section 4.1 of the 2018 SMB J2&J3 EWMP. ⁵	Insufficient information provided regarding the implementation of MCMs.
Implementation of Regional BMP capacity (acre-feet) required by per Table 5-3 on p. 82 of the 2018 SBM J2&J3 EWMP: 2019 <ul style="list-style-type: none"> • City of Los Angeles –14.1 • City of Santa Monica – 5 • City of El Segundo – 1.4 2020 <ul style="list-style-type: none"> • City of Los Angeles – 27.0 	This task was not met. The following update was provided regarding implemented Regional BMP capacity (acre-feet) per Table ES-6 on p. xxii of the June 2021 Revised Draft SMB J2&J3 EWMP. <ul style="list-style-type: none"> • City of Los Angeles – 23.9 • City of Santa Monica – 9.6 • City of El Segundo - 0.01
Implementation of the following Green Street BMP milestones identified in Table 5-4 of the 2018 SMB J2&J3 EWMP: <ul style="list-style-type: none"> • Completion of Green Street Master Plan by 2019 (County of Los Angeles) • Completion of Green Street Master Plan by 2019 (City of Los Angeles) 	It is unclear if the Group completed this task. No information was submitted regarding the status of completion.

⁴ (Revised Draft Santa Monica Bay Jurisdictional Group 2 and 3 Enhanced Watershed Management Program [June 2021 Revised Draft SMB J2&J3 EWMP] and corresponding document(s), June 2021.)

⁵ (The original approved SMB EWMP, dated April 13, 2016, was revised on November 2, 2018, as part of the Adaptive Management Process. The actions and milestones outlined in the April 21, 2016, approval still apply.)

Based on the Los Angeles Water Board's review of the SMB J2&J3 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 SMB J2&J3 Group that it has lost deemed compliance status for the water body-pollutant combinations intended to be addressed via the Group's EWMP. The SMB J2&J3 Group submitted a revised draft EWMP on June 24, 2021. Deemed compliance status may be regained upon approval of a revised WMP.⁶

If the SMB J2&J3 Group disagrees with the Los Angeles Water Board's findings, the SMB J2&J3 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 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

⁶ (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".)