

## Los Angeles Regional Water Quality Control Board

February 25, 2022

Upper Santa Clara 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 Upper Santa Clara 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>

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 Upper Santa Clara River Group's (USCR Group) document(s) submitted on June 30, 2021, to assess the USCR Group's demonstration of completion of all work associated with current and prior milestones according to the requirements set forth by the 2020 SB Order and to determine the USCR Group's deemed compliance status.<sup>4</sup>

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<sup>1</sup> (Permittees of the Upper Santa Clara River Group EWMP include the City of Santa Clarita, County of Los Angeles, and Los Angeles County Flood Control District.)

<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 Upper Santa Clara River Watershed Enhanced Watershed Management Program [June 2021 Revised Draft USCR EWMP] and demonstration of compliance letter, June 2021.)

The Los Angeles Water Board Approval Letter dated April 7, 2016, outlined the actions and milestones that the USCR 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: USCR Group Required Actions

Required Actions	Implementation Update
<p>Implementation of minimum control measures (MCMs) per Section 5.3 and the enhanced MCMs identified in Table 7-2 of the Jan. 2021 USCR EWMP<sup>5</sup> as follows:</p> <ul style="list-style-type: none"> <li>• Update ordinance/design standards to conform with new MCM requirements by Jan. 2016.</li> <li>• Implement tracking and enforcement program for LID, treatment and hydromodification BMPs starting in June 2016.</li> </ul>	<p>Per the USCR Group’s June 2021 demonstration of compliance letter, each Permittee has implemented MCMs/enhanced MCMs.</p> <ul style="list-style-type: none"> <li>• Update ordinance/design standards to conform with MCM requirements: This task was completed January 1, 2016, per Table 7-2 on p. 7-17 of the January 2021 USCR EWMP.</li> <li>• Implement tracking and enforcement program for LID, treatment and hydromodification BMPs: This task is ongoing and began in June 2016 with the Acella database per Table 7-2 on p. 7-17 of the January 2021 USCR EWMP.</li> </ul>
<p>Achievement of the following structural BMP capacity targets (acre-feet) identified in Table 7-6 of the Jan. 2021 USCR EWMP:</p> <p>Santa Clarita:</p> <ul style="list-style-type: none"> <li>• 40.9</li> </ul> <p>Unincorporated Los Angeles County:</p> <ul style="list-style-type: none"> <li>• 60.7</li> </ul>	<p>The following information regarding the implementation of BMP capacity (acre-feet), was obtained from the USCR Group’s June 2021 demonstration of compliance letter:</p> <ul style="list-style-type: none"> <li>• This milestone was met: Santa Clarita total BMP capacity of 45.8</li> <li>• This milestone was not met: Unincorporated Los Angeles County total BMP capacity of 2.12</li> </ul>

<sup>5</sup> (The original approved USCR EWMP, dated February 23, 2016, was revised January 2021, as part of the Adaptive Management Process. The actions and milestones outlined in the April 7, 2016, approval still apply.)

Based on the Los Angeles Water Board's review of the USCR 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 USCR Group that it has lost deemed compliance status for the water body-pollutant combinations intended to be addressed via the USCR Group's EWMP. The USCR Group submitted a revised draft EWMP on June 30, 2021. Deemed compliance status may be regained upon approval of a revised WMP.<sup>6</sup>

If the USCR Group disagrees with the Los Angeles Water Board's findings, the USCR 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 Chief by email at [Ivar.Ridgeway@waterboards.ca.gov](mailto:Ivar.Ridgeway@waterboards.ca.gov).

Sincerely,

Renee Purdy  
Executive Officer

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<sup>6</sup> (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".)