
Los Angeles Regional Water Quality Control Board

February 25, 2022

City of Walnut

Via Email

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

Dear City of Walnut:

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).¹ The following water body-pollutant combinations are those that are eligible for deemed compliance in the City of Walnut WMP:

- Bacteria, pH, TDS, and toxicity

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.²

The Los Angeles Water Board reviewed the City of Walnut's (City) document(s) submitted on June 30, 2021,³ to assess the City'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 City's deemed compliance status.

¹ (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].)

² (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.)

³ (Revised Draft City of Walnut Watershed Management Plan and corresponding document(s), June 30, 2021. [June 2021 Revised Draft City of Walnut WMP])

The Los Angeles Water Board's conditional approval of the City's WMP, dated April 28, 2015, outlined the actions and milestones that the City 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: City of Walnut Required Actions

Required Actions	Implementation Update
Implementation of MCMs per Section 3 of the City of Walnut WMP.	Insufficient information provided regarding the implementation of MCMs.
Implementation of Enhanced MCMs per Table 5-1a and Table 5-1b on pp. 68-69 of the City of Walnut WMP.	Insufficient information provided regarding the implementation of Enhanced MCMs.
Implementation of Low Impact Development (LID) Ordinance per section 4.8 of the City of Walnut WMP.	This milestone was met. The City adopted an LID Ordinance on November 13, 2013, per p. 20 of the June 2021 Revised Draft City of Walnut WMP.
<p>Implementation of Green Street BMP schedule in Table 5-3, p. 71 of the City of Walnut WMP.</p> <ul style="list-style-type: none"> • Construction of Green Street "Project 1" by Dec. 31, 2019. • Construction of Green Street "Project No. 2" by December 31, 2020. • Design of Green Street "Project No. 3" by December 31, 2020. 	<p>It's unclear if the City accomplished the task. A status update was only provided for green streets Project 1 and 2. Per Table 5-3 on p. 66 of the June 2021 Revised Draft City of Walnut WMP:</p> <ul style="list-style-type: none"> • Project 1 was completed on November 27, 2019. • Project 2 was completed March 24, 2021. <p>However, insufficient information was provided regarding the status of "Project No. 3".</p>
Implementation of Dry Weather Flow Elimination program per schedule in Table 5-5 p. 72 of the City of Walnut WMP.	Insufficient information provided regarding the implementation of the Dry Weather Flow Elimination program.

Based on the Los Angeles Water Board's review of the City of Walnut's document(s) submitted, the City of Walnut has failed to provide the Los Angeles Water Board with sufficient information to evaluate compliance as demonstrated in Table 2.

Table 2: Supplemental Information Needed

Required Action	Missing Information
Implementation of MCMs per Section 3 of the City of Walnut WMP.	No information was provided regarding the City’s implementation of MCMs.
Implementation of Enhanced MCMs per Table 5-1a and Table 5-1b on pp. 68-69 of the City of Walnut WMP.	<p>No information was provided on the implementation status of the following Enhanced MCM milestones:</p> <p>Public Information and Participation Program:</p> <ul style="list-style-type: none"> • Make stormwater materials and staff available at 2 community events/year (December 28, 2017) • Make stormwater material available on City's "Go Green" page (December 28, 2017) <p>Commercial Tracking and Inspections:</p> <ul style="list-style-type: none"> • Random commercial inspections at least once/year (December 28, 2017) <p>Street, Roads and Parking Facilities Maintenance:</p> <ul style="list-style-type: none"> • bi-monthly street sweeping (December 28, 2017) <p>Landscape, Park, and Recreational Facilities Management:</p> <ul style="list-style-type: none"> • Install 10 Pet Waste Stations (December 28, 2017) <p>Other Non-Modeled Enhancements:</p> <ul style="list-style-type: none"> • Efforts to obtain funding for stream restoration project at Snow Creek and document any conceptual design/planning (December 28, 2017)
Implementation of Green Street BMP schedule in Table 5-3, p. 71 of the City of Walnut WMP.	No information was provided regarding the completion of design work for “Project No. 3”. (December 31, 2020)

<p>Implementation of Dry Weather Flow Elimination program per schedule in Table 5-5 p. 72 of the City of Walnut WMP.</p>	<p>No information was provided on the implementation status of the following Dry Weather Flow Elimination program tasks:</p> <ul style="list-style-type: none"> • Develop source tracking program (June 1, 2015) • Conduct field staff training (June 30, 2015) • Establish data gathering procedures (June 1, 2015) • Coordinate Integrated Monitoring Program dry weather flow data (30 days after start of dry weather monitoring) • Eliminate identified dry weather flow sources (ongoing) • Establish potential structural BMP locations for 2019 Green Streets (2019)
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The City must provide supplemental information demonstrating compliance with all milestones for which the Los Angeles Water Board lacked sufficient information to determine compliance **within 30 days**. Failure to submit this information within 30 days will result in automatic loss of deemed compliance status. Deemed compliance status may be regained upon approval of a revised WMP.

Submit supplemental 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