

## Los Angeles Regional Water Quality Control Board

February 25, 2022

Lower San Gabriel 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 CONTINUED DEEMED COMPLIANCE STATUS**

Dear Lower San Gabriel 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 San Gabriel River WMP:

- Metals, 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 San Gabriel River Group's (LSGR Group) document(s) submitted on June 30, 2021,<sup>4</sup> to assess the LSGR Group's

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<sup>1</sup> (Permittees of the Lower San Gabriel River Management Group include the Los Angeles County Flood Control District and the cities of Artesia, Bellflower, Cerritos, Diamond Bar, Downey, Hawaiian Gardens, La Mirada, Lakewood, Long Beach, Norwalk, Pico Rivera, Santa Fe Springs, and Whittier.)

<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 San Gabriel River Watershed Management Program and corresponding document(s), June 30, 2021. [June 2021 Revised Draft LSGR WMP])

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 LSGR Group’s deemed compliance status.

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

<b>Required Actions</b>	<b>Implementation Update</b>
Implementation of baseline Minimum Control Measures (MCMs) requirements per Section 3.2 of the August 2017 LSGR WMP. <sup>5</sup>	This task has been completed. The LSGR Group continues to implement MCMs per p. 3 of Appendix B of the June 2021 Revised Draft LSGR WMP.
Implementation of non-stormwater discharge measures per Section 3.3 and Section 5.1.2 of the August 2017 LSGR WMP.	This task has been completed. The LSGR Group continues to implement non-stormwater discharge measures per p. 3 of Appendix B of the June 2021 Revised Draft LSGR WMP.
Implementation of Non-structural Targeted Control Measures (TCMs) per Sections 3.4.1.2-3.4.1.3 and Section 5.1.3 of the August 2017 LSGR WMP.  Every Non-structural TCM should have been underway by the 2017 milestone, and TCM-MRP-1, -PLD-1, -PLD-2, -RET-1, -SWM-1, -TSS-1, -TSS-3, and -TSS-4 should be complete or have achieved an easily enforceable milestone.	This task has been completed. An update on the implementation efforts, including the TCMs listed, was provided in Appendix C of the June 2021 Revised Draft LSGR WMP.
Implementation of Proposition 84 Grant Award LID BMPs per Tables 5-2 & 5-3 in	This task has been completed per Tables 5-2 & 5-3 in Section 5.2 of the August 2017 LSGR WMP.

<sup>5</sup> (The original approved LSGR 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>Section 5.2 of the June 2015 LSGR WMP.<sup>6</sup></p>	
<p>Implementation of the following Structural Targeted Control Measures in Section 5.3.2 of the June 2015 LSGR WMP:<sup>7</sup></p> <ul style="list-style-type: none"> <li>• Complete preliminary site assessments and feasibility studies by March 2016.</li> <li>• Begin field analysis at the selected sites by December 2016.</li> </ul>	<p>This task has been completed.</p> <ul style="list-style-type: none"> <li>• Preliminary Site Assessment and Feasibility Study: completed in July 2015 per p. 4 of Appendix B of the June 2021 Revised Draft LSGR WMP and pp. 5-8 of the August 2017 LSGR WMP.</li> <li>• Field Analysis: began in November 2016 per pp. 5-8 of the August 2017 LSGR WMP.</li> </ul>
<p>Implementation of sufficient structural BMP storage capacity (acre-feet) needed to achieve the LSGR Group’s 2020 milestone for the San Gabriel River (2.8 acre-feet).</p> <p>Per section 5.4 of the August 2017 WMP, implementation of structural capture/treatment best management practices (BMPs) with the following volume capacity:</p> <ul style="list-style-type: none"> <li>• Artesia – 0.1</li> <li>• Bellflower – 0.2</li> <li>• Cerritos – 0</li> <li>• Diamond Bar – 0</li> <li>• Downey – 0</li> <li>• Lakewood – 0</li> <li>• Long Beach – 2.4</li> <li>• Norwalk – 0.1</li> <li>• Pico Rivera – 0</li> <li>• Santa Fe Springs – 0</li> <li>• Whittier – 0</li> </ul>	<p>This task has been completed. The following total structural control storage capacity (acre-feet) was implemented for the San Gabriel River as reported in Table 1 in Appendix B of the June 2021 Revised Draft LSGR WMP.</p> <ul style="list-style-type: none"> <li>• Bellflower – 0.95</li> <li>• Cerritos – 0.92</li> <li>• Diamond Bar – 1.05</li> <li>• Downey – 7.33</li> <li>• Lakewood – 0.01</li> <li>• Norwalk – 0.46</li> <li>• Pico Rivera – 1.09</li> <li>• Santa Fe Springs – 0.24</li> <li>• Whittier – 0.18</li> </ul> <p>Total BMP Capacity – 12.23</p>
<p>Implementation of sufficient structural BMP capacity (acre-feet) needed to achieve the LSGR Group’s 2020</p>	<p>This task has been completed. The following total structural control storage capacity (acre-feet) was implemented for</p>

<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 LSGR WMP to reflect completion of these tasks.)

<sup>7</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 LSGR WMP to reflect completion of these tasks.)

<p>milestone for Coyote Creek (5.0 acre-feet).</p> <p>Per section 5.4 of the August 2017 WMP, implementation of structural capture/treatment best management practices (BMPs) with the following volume capacity:</p> <ul style="list-style-type: none"> <li>• Artesia – 1.1</li> <li>• Cerritos – 0</li> <li>• Diamond Bar – 0.3</li> <li>• Downey – 0</li> <li>• Hawaiian Gardens - 1.8</li> <li>• La Mirada – 0</li> <li>• Lakewood -1.6</li> <li>• Long Beach – 0</li> <li>• Norwalk – 0.2</li> <li>• Santa Fe Springs – 0</li> <li>• Whittier – 0</li> </ul>	<p>Coyote Creek as reported in Table 2 in Appendix B of the June 2021 Revised Draft LSGR WMP.</p> <ul style="list-style-type: none"> <li>• Artesia – 0.28</li> <li>• Cerritos – 2.21</li> <li>• Diamond Bar – 0.09</li> <li>• Hawaiian Gardens – 1.38</li> <li>• La Mirada – 3.29</li> <li>• Lakewood – 0.1</li> <li>• Long Beach – 0.3</li> <li>• Norwalk – 0.73</li> <li>• Santa Fe Springs – 7.92</li> <li>• Whittier – 2.25</li> </ul> <p>Total BMP Capacity – 18.55</p>
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Based on the Los Angeles Water Board’s review of the LSGR Group’s document(s) submitted, the LSGR Group completed the tasks necessary to demonstrate compliance with all milestones in its WMP that were required to be completed after WMP approval and prior to June 30, 2021, as required by the 2020 SB Order.

Therefore, the LSGR Group has maintained deemed compliance status for the water body-pollutant combinations addressed by the WMP until June 30, 2022, while its existing or revised WMP undergoes review by the Los Angeles Water Board for consistency with the 2020 SB Order and the 2021 Regional MS4 Permit. To maintain deemed compliance status during this review period, the Group must continue to implement its existing WMP. After the WMP review period concludes (no later than June 30, 2022), the Group will only be allowed to maintain deemed compliance status if it is implementing an approved WMP that satisfies the requirements in the 2020 SB Order and the 2021 Regional MS4 Permit.

If you have any questions, please contact Ms. Susana Vargas of the Municipal Stormwater Permitting Unit by email at [Susana.Vargas@waterboards.ca.gov](mailto:Susana.Vargas@waterboards.ca.gov). 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