

Los Angeles Regional Water Quality Control Board

February 25, 2022

East San Gabriel Valley 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 East San Gabriel Valley 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 The following water body-pollutant combinations are those that are currently eligible for deemed compliance in the East San Gabriel Valley WMP:

- Category 1, 2, and 3 water body-pollutant combinations

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 East San Gabriel Valley Group's (ESGV Group) document(s) submitted on June 30, 2021,⁴ to assess the ESGV Group's demonstration of completion of all work associated with current and prior milestones

¹ (Permittees of the East San Gabriel Valley Watershed Management Group include the cities of Claremont, La Verne, Pomona, and San Dimas.)

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.)

⁴ (Revised Draft East San Gabriel Valley Watershed Management Group Watershed Management Program (WMP) Plan – Update to June 2015 WMP, June 30, 2021 [June 2021 Revised Draft ESGV WMP].)

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

The Los Angeles Water Board's conditional approval of the ESGV WMP, dated April 28, 2015, outlined the actions and milestones that the ESGV 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 WMP approval that should have been completed prior to June 30, 2021.

Table 1: ESGV Group Required Actions

Required Actions	Implementation Update
<p>Completion of control measures to attain the 2017 milestone (ESGV WMP, Table 5-15, Table 5-16, and Table 5-17, Section 5.3.1).</p> <ul style="list-style-type: none"> • Implementation of Rooftop Runoff Reduction Program. <ul style="list-style-type: none"> ○ Develop draft Rooftop Runoff Program by July 2015. ○ Begin outreach for program by December 2015. ○ Revise draft Rooftop Runoff Program, if necessary, by July 2016. ○ Quantify and report estimated volume reduction from implemented downspout disconnects and rain barrel deployment by January 2017. • LID for new and redevelopment. • Increased construction site inspections. • Verification of post-construction BMPs. • Increased catch basin cleaning. 	<p>This task was completed per Section 1.1 of the June 2021 Revised Draft ESGV WMP.</p>
<p>The Permittees of the ESGV Group committed to implement best management practices (BMPs) to attain the stormwater volume capture targets specified below by 2020 in acre-feet per Table 5-15 of the ESGV WMP:</p>	<p>These milestones were not met. Table 5-18 to Table 5-21 in the EGSV Group's June 2021 Revised Draft ESGV WMP provided the following estimated stormwater runoff volume retained by existing BMPs in acre-feet:</p>

<ul style="list-style-type: none"> • Claremont – 0.6 (Puddingstone), 29.2 (San Jose Creek) • La Verne – 37.1 (Puddingstone), 2.9 (San Dimas Wash), 2.6 (San Jose Creek), 1.8 (Walnut Creek) • Pomona – 0.1 (Puddingstone), 71.6 (San Jose Creek) • San Dimas – 0.7 (Big Dalton Wash), 0.3 (Puddingstone), 7.4 (San Dimas Wash), 0.7 (San Jose Creek), 35.4 (Walnut Creek) 	<ul style="list-style-type: none"> • Claremont – No information provided for Puddingstone, 0 (San Jose Creek) • La Verne – No information provided for Puddingstone, 0.03 (San Dimas Wash), 0 (San Jose Creek), 0 (Walnut Creek) • Pomona – No information provided for Puddingstone, 1.55 (San Jose Creek) • San Dimas – 0 (Big Dalton Wash), no information provided for Puddingstone, 1.52 (San Dimas Wash), 0 (San Jose Creek), 2.01 (Walnut Creek)
---	---

In addition, on December 13, 2019, the ESGV Group submitted an addendum to the Group’s Adaptive Management Process in their 2018-19 Annual Report and proposed new projects and requested extensions for the deadlines for achieving interim and final milestones in the ESGV Group’s WMP. The ESGV Group proposed for the 2020, 35% interim milestone to be extended to 2028, along with other extensions. However, in a letter dated March 30, 2021, the Los Angeles Water Board disapproved the proposed extensions to the interim and final milestone deadlines.

Based on the Los Angeles Water Board’s review of the ESGV 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 ESGV Group that it has lost deemed compliance status for the water body-pollutant combinations intended to be addressed via the ESGV Group’s WMP. The ESGV Group submitted a Revised Draft WMP on June 30, 2021. Deemed compliance status may be regained upon approval of a revised WMP.

If the ESGV Group disagrees with the Los Angeles Water Board’s findings, the ESGV 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