



Enforcement News

Los Angeles Regional Water Quality Control Board
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Los Angeles County Flood Control District receives \$99,000 Penalty for Violating Clean Water Act

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LOS ANGELES – The Los Angeles Regional Water Quality Control Board’s assistant executive officer has proposed a penalty of \$99,000 to the Los Angeles County Flood Control District (Flood Control District) for violation of its Water Quality Certification (401 Certification), a requirement of Section 401 of the Clean Water Act certifying that project activities will comply with State water quality standards.

The proposed Administrative Civil Liability Order alleges the Flood Control District violated terms of its 401 Certification requirements by conducting unauthorized construction activities on a section of the levee on the San Gabriel River in Long Beach. The Order alleges the Flood Control District failed to report noncompliance; keep the project area free of trash and debris; implement adequate best management practices downstream; and failed to obtain a 401 Certification amendment for grouting activities along a portion of the soft-bottom channel of the San Gabriel River. The Flood Control District also failed to submit an adequate surface water diversion plan as required by the 401 Certification.

The San Gabriel River is a freshwater habitat for aquatic life and vegetation. It is also designated a habitat for the survival of rare, threatened or endangered animal and plant species. The river is also identified as a municipal, domestic and agricultural water supply, as well as a recreation area by the Regional Board.

The Flood Control District conducts routine maintenance on flood control channels throughout Los Angeles County. These channels move storm water from open spaces and urban areas within the tributary watershed. This work is done to protect communities from potential flooding and fire hazards and allows these facilities to function as designed.

During a site inspection on Nov. 14, 2012, Regional Board staff discovered that the Flood Control District had injected grout underneath a concrete-lined channel without authorization from the Regional Board. The Flood Control District also diverted water without an approved surface water diversion plan.

“The San Gabriel River is a vital resource and protecting the river and the beneficial uses it provides has become more and more critical in this extended drought” says Paula Rasmussen, the Regional Board’s assistant executive officer.

As part of the settlement agreement, in addition to payment of administrative civil liability, the Flood Control District will develop a Water Diversion Manual for all Flood Control District channel maintenance projects that require a 401 Certification. This manual will set methods and standard operating procedures to follow when deploying water or stream diversions when doing projects permitted under a 401 Certification.

The Flood Control District has also agreed to create a Sampling Plan Guide that will set methods and standard operating procedures when conducting water quality testing in compliance with a 401 Certification. The Water Diversion Manual and Sampling Plan Guide will be submitted for the Regional Board executive officer’s approval within six months of the settlement agreement. The Flood Control District will provide the Regional Board with an annual report describing the application of the Water Diversion Manual and Sampling Plan Guide to LACFCD projects.

For more information on the settlement agreement, view it here. http://www.waterboards.ca.gov/losangeles/water_issues/programs/enforcement/EnforcementActions.shtml

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