



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

OCT 17 2016

OFFICE OF THE
REGIONAL ADMINISTRATOR

Gary Belan
Senior Director, Clean Water Supply Program
American Rivers
1101 14th Street NW, Suite 1400
Washington, DC 20005

Rebecca Hammer
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, DC 20005

Bruce Reznik
Executive Director
Los Angeles Waterkeeper
120 Broadway
Santa Monica, California 90401

Re: Petition for a Determination that Stormwater Discharges from Commercial, Industrial, and Institutional Sites Contribute to Water Quality Standards Violations in Dominguez Channel and Los Angeles/Long Beach Inner Harbor and Require Clean Water Act Permits

Dear Mr. Belan, Ms. Hammer, and Mr. Reznik:

This letter is in response to your September 17, 2015 Petition to the Regional Administrator of EPA Region 9 to make “a determination that currently unpermitted stormwater discharges from privately-owned commercial, industrial, and institutional [CII] sites are contributing to violations of water quality standards in the Dominguez Channel and the Los Angeles/Long Beach Inner Harbor, and therefore require National Pollutant Discharge Elimination System (NPDES) permits pursuant to section 402(p) of the Clean Water Act (CWA).”

As described in the enclosed analysis, I conclude that effective programs are already in place to address the water quality impairments in the watershed, and that these programs should be afforded adequate time for implementation before pursuing a new, resource-intensive program. These programs require a rigorous analysis showing that water quality goals will be met when projects are completed and EPA Region 9 will continue to evaluate progress to ensure the programs are effective. California has indicated that it will consider issuance of separate MS4

permits for the Ports of Los Angeles and Long Beach to tailor permit conditions in order to more effectively control pollutant discharges from the Ports. California is also considering the addition of provisions to require specific stormwater management and pollutant control by public education institutions when the Small MS4 General Permit is reissued.

EPA Region 9 therefore declines to make a categorical designation for NPDES permitting of privately-owned commercial, industrial, and institutional sites in the Dominguez Channel and Los Angeles/Long Beach Inner Harbor watersheds. We will continue to monitor progress towards restoring and maintaining water quality in the watershed, including contributions from commercial, industrial and institutional sources. As circumstances change, we will evaluate whether designation of specific sources is warranted.

Thank you for your interest and support in advancing the goals of the Clean Water Act. If you have any questions, please contact Tomás Torres, Water Division Director at (415) 972-3337 or Ellen Blake of the Office of Regional Counsel at (415) 972-3496.

Sincerely yours,



Deborah Jordan
Acting Deputy Regional Administrator

Enclosure

cc: Joel Beauvais, Deputy Assistant Administrator for Office of Water