ORDER NO. R4-2026-XXXX

WASTE DISCHARGE REQUIREMENTS FOR STORMWATER DISCHARGES ASSOCIATED WITH COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL FACILITIES IN THE DOMINGUEZ CHANNEL/~~INNER~~ LOS ANGELES AND LONG BEACH INNER HARBOR WATERSHED AND THE LOS CERRITOS CHANNEL/ALAMITOS BAY WATERSHED

GENERAL NPDES PERMIT NO. XXXXXX

This Order was adopted on: **<DATE>**
This Order shall become effective on: **<DATE>**
This Order shall expire on: **<DATE>**

The US Environmental Protection Agency (USEPA) and the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) have classified discharges covered under this General National Pollutant Discharge Elimination System (NPDES) Permit as minor discharges.

IT IS HEREBY ORDERED that, in order to meet the provisions contained in division 7 of the California Water Code (CWC) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

I, Susana Arredondo, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on **<DATE>.**

_____

Susana Arredondo, Executive Officer

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1. FACILITY/DISCHARGE INFORMATION

This Order authorizes the discharge of stormwater runoff and authorized non-stormwater discharges (NSWDs) (collectively, discharges) from certain commercial, industrial, and institutional sites (hereinafter CII Sites or CII Facilities) within the Dominguez Channel/Los Angeles and Long Beach Inner Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed (receiving waters). This includes discharges from CII Sites to municipal separate storm sewer systems (MS4s) or private conveyance systems that ultimately convey these discharges to receiving waters. This order does not apply to residential facilities of any type. The U.S. Environmental Protection Agency (USEPA) has determined that stormwater discharges from certain CII ~~facilities~~ Facilities contribute to violations of water quality standards and has designated these discharges for NPDES permitting. References to the “Discharger”, “permittee”, or “co-permittee” in applicable state and federal laws, regulations, plans, or policies are equivalent to references to the Dischargers or Permittees herein. Discharges authorized under this General Permit are subject to all applicable conditions set forth in this Order. Attachment A lists definitions of terms, abbreviations, and acronyms used in this Order and all other attachments.

2. FINDINGS

The California Regional Water Quality Control Board, Los Angeles Region (hereinafter Los Angeles Water Board) finds:

2.1. Legal Authorities

This Order serves as waste discharge requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (CWC) (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the USEPA and chapter 5.5, division 7 of the CWC (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Dischargers to discharge stormwater and authorized NSWDs into waters of the United States within the Los Angeles Region subject to the WDRs in this Order.

2.2. **Rationale for Requirements**

The requirements in this Order are based on applicable State and federal laws and regulations, and available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in

this Order, is hereby incorporated into and constitutes Findings for the Order. Attachments A through E and G through K are also incorporated into this Order.

2.3. Background

Sections 402(p)(2)(E) and 402(p)(6) of the CWA, and sections 122.26(a)(9)(i)(C) and (D) of title 40 of the Code of Federal Regulations (40 CFR) provide that the USEPA Regional Administrator or authorized states may designate additional stormwater discharges as requiring NPDES permits where (a) it is determined that stormwater controls are needed for the discharge based on wasteload allocations (WLAs) that are part of total maximum daily loads (TMDLs) that address the pollutants of concern; or (b) the discharge, or category of discharges within a geographic area, contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States. This authority is commonly referred to as Residual Designation Authority (RDA). USEPA has exercised its RDA pursuant to 40 CFR section 122.26(a)(9)(i)(D) for certain CII Sites in the Dominguez Channel and Los Angeles/Long Beach Inner Harbor watershed and the Alamitos Bay/Los Cerritos Channel watershed. The Los Angeles Water Board issues this General Permit to provide permit coverage for the designated CII Sites.

2.4. Discharge Category Description

Discharges covered under this General Permit include stormwater runoff and authorized NSWDs from certain CII Sites in the Dominguez Channel/ Los Angeles and Long Beach Inner Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed (Discharges). Discharges from residential facilities of any type are not covered under this General Permit.

2.5. Notification of Interested Parties

In accordance with state and federal laws and regulations, the Los Angeles Water Board has notified interested agencies and persons of its intent to prescribe WDRs for the discharges authorized by this Order and has provided them with an opportunity to submit their written and oral comments. Details of the notification are provided in the Fact Sheet (Attachment F) of this General Permit.

2.6. Consideration of Public Comment

The Los Angeles Water Board, in a public meeting, heard and considered all oral and written comments pertaining to the discharges authorized by this Order and the requirements contained herein. The Los Angeles Water Board has prepared written responses to all timely comments on the draft permit, which

are included in the Administrative Record for this Order. Details of the public hearing are provided in the Fact Sheet (Attachment F) of this General Permit.

3. GENERAL PERMIT COVERAGE

3.1. Applicability

3.1.1. Discharges covered under this General Permit include stormwater runoff and authorized NSWDs from certain privately owned CII Sites, excluding residential facilities of any type, in the Dominguez Channel/Los Angeles and Long Beach Inner Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed. This includes:

3.1.2. CII Sites that are not covered by another NPDES stormwater permit with five (5) or more acres of impervious surface.

3.1.3. CII Sites that are covered by another NPDES stormwater permit with five (5) or more acres of total area, including:

3.1.3.1. Facilities that have submitted a no exposure certification (NEC) under the General Permit for Stormwater Discharges Associated with Industrial Activities (IGP) (NPDES No. CAS000001; Order 2014-0057-DWQ amended by Order 2015-0122-DWQ & Order 2018-0028-DWQ). These facilities must obtain coverage under this General Permit for the acreage covered by the NEC.

3.1.3.2. Facilities that have submitted a notice of non-applicability (NONA) under the IGP. These facilities must obtain coverage under this General Permit for the acreage not covered by the NONA.

3.1.3.3. Any facility where only a portion of the facility is covered by another NPDES stormwater permit. These facilities must obtain coverage under this General Permit for the remaining portion of the facility.

3.1.4. Facilities with an individual NPDES permit with requirements that are at least as stringent as those in this General Permit are not required to obtain coverage under this General Permit.

3.2. Permit Registration Documents

To be authorized to discharge under this General Permit, the Discharger shall certify and submit Permit Registration Documents, consisting of a Notice of Intent (NOI), a site-specific Stormwater Pollution Prevention Plan (SWPPP), laboratory analytical results obtained from the initial sampling requirements specified in section 2.1 of the Attachment E, and Compliance Option Documents for the applicable compliance option, as described in section 8 of

this Order, and the annual fee via the Stormwater Multiple Application and Report Tracking System (SMARTS).[1]

3.2.1. **Compliance Option 1 – Agreement with Local Watershed Management Group to Fund Regional Project(s)**

3.2.1.1. A completed NOI and Signed Electronic Authorization Form;

3.2.1.2. A site-specific SWPPP that meets the minimum requirements established in section 6 of this Order; and

3.2.1.3. Compliance Option Documents consisting of the following:

3.2.1.3.1. A copy of the agreement between the Discharger and the applicable local Watershed Management Group listed in Attachment H, Table H-1~~Table H-1~~. The agreement must be signed by both the Discharger and the authorized representative for each member of the Watershed Management Group or the group's Fiduciary Agent if the Fiduciary Agent is an authorized representative for each member of the Watershed Management Group, and meet the minimum requirements established in section 8.1 of this Order.

3.2.1.3.2. An updated SWPPP, as appropriate, that includes the selected compliance option, and any tasks associated with the selected option.

3.2.2. **Compliance Option 2 – Facility-Specific Design Standards to Reduce Stormwater Runoff**

3.2.2.1. A completed NOI and Signed Electronic Authorization Form;

3.2.2.2. A site-specific SWPPP that meets the minimum requirements established in section 6 of this Order; and

3.2.2.3. Compliance Option Documents consisting of the following:

3.2.2.3.1. Verification of design standards for stormwater treatment control as described in section 8.2 of this Order and Attachment I.

[1] SMARTS provides a platform where dischargers, regulators, and the public can enter, manage, and view stormwater data including permit applications and compliance and monitoring data associated with NPDES permits for stormwater discharges issued by the State of California. SMARTS is compliant with USEPA's Cross-Media Electronic Reporting Rule, which sets requirements for electronic reporting of NPDES permit-related submittals.

3.2.2.3.2. An updated SWPPP that includes the selected compliance option, and the tasks required under this Order associated with the selected option as described in Attachment I.

3.2.3. **Compliance Option 3 – Direct Demonstration of Compliance with Effluent Limitations**

3.2.3.1. A completed NOI and signed certification statement;

3.2.3.2. A site-specific SWPPP that meets the minimum requirements established in section 6 of this Order; and

3.2.3.3. Compliance Option Documents consisting of the following:

3.2.3.3.1. A site-specific Monitoring and Reporting Plan that meets the requirements established in section 9.3 of this Order.

3.2.3.3.2. An updated SWPPP that includes the selected compliance option, and the tasks required under the Order associated with the selected option as described in Attachment E.

3.3. **Annual Fee**

The Discharger shall pay the appropriate annual fee in accordance with the California Code of Regulations, title 23, section 2200 et seq. Annual fees must be mailed or sent electronically using the State Water Boards' Electronic Funds Transfer (EFT) system: https://www.waterboards.ca.gov/make_a_payment/.

3.4. **Timing for Submittal of Permit Registration Documents**

3.4.1. Existing Dischargers ~~applying for~~seeking coverage under this Order ~~must~~shall submit:

A~~an~~ complete ~~-~~NOI~~,~~ and a SWPPP within twelve (12) months of the effective date of this Order, ~~and I~~

Laboratory analytical results ~~obtained~~ from the initial sampling requirements ~~specified in~~pursuant to ~~s~~Section 2.1 of ~~the~~ Attachment E within ~~one (1) year~~eighteen (18) months of the effective date of this Order, and ~~and~~

Compliance Option Documents within ~~three (3) years of the effective date of this Order~~six (6) months after all Compliance Options identified under section 8 of this General Order become available.

3.4.2. New Dischargers applying for coverage under this Order must submit an NOI, SWPPP, laboratory analytical results obtained from the initial sampling

requirements specified in section 2.1 of the Attachment E, and Compliance Option Documents at least forty-five (45) days prior to commencement of the authorized discharge.

3.5. Notice of Termination (NOT)

Dischargers shall request termination of coverage under this General Permit if either (a) ownership or operation of the facility has been transferred to another entity, (b) the facility has ceased operations, (c) the facility's operations have changed and are no longer subject to the General Permit, or (d) a facility enrolls in an individual permit with requirements that are at least as stringent as those in this General Permit. Dischargers shall submit a Notice of Termination (NOT) via SMARTS. Until a valid NOT is received and approved, the Discharger remains responsible for compliance with this General Permit and payment of accrued annual fees.

Dischargers shall provide additional information supporting an NOT, or revise their Permit Registration Documents via SMARTS, upon any such direction by the Los Angeles Water Board.

Dischargers that are denied approval of a submitted NOT shall continue to comply with this General Permit under the terms of their enrollment.

Reduction of impervious areas is not an acceptable basis for termination of coverage. Reduction of parcel size by subdivision is not an acceptable basis for permit termination unless the reduction in size is due to a change in ownership.

Conversion to residential use (full or partial) of an existing permitted parcel with commercial land use is an acceptable basis for termination of coverage under this Order.

3.6. Change of Facility Location or Ownership

Whenever there is a change to the facility location within the area covered by this General Permit, the Discharger shall certify and submit updated Permit Registration Documents via SMARTS. When ownership changes, the prior Discharger (seller) shall submit an NOT in accordance with section 3.5 of this Order and inform the new Discharger (buyer) in writing of the General Permit application and regulatory coverage requirements. The new Discharger shall apply for coverage under this Order by submitting an NOI and Permit Registration Documents via SMARTS in accordance with sections 3.2, and 3.4.2 of this Order. The Los Angeles Water Board may require modification or

revocation and reissuance of coverage under the Order to incorporate other requirements as may be necessary under the CWA and the CWC.

4. DISCHARGE PROHIBITIONS.

4.1. Discharges Inconsistent with Eligibility

All discharges of stormwater to receiving waters are prohibited except as specifically authorized by this General Permit or another NPDES permit.

4.2. Non-Stormwater and Dry Weather Discharges

Except for non-stormwater discharges (NSWDs) authorized in section 5 of this Order, discharges of liquids or materials other than stormwater, either directly or indirectly to receiving waters, are prohibited unless authorized by another NPDES permit. Unauthorized NSWDs must be either eliminated or authorized by a separate NPDES permit.

4.3. Discharges of Trash

The discharge of trash to receiving waters or the deposition of trash where it may be discharged into receiving waters is prohibited. Permittees may comply with the trash prohibition using any lawful means, including the implementation of certified full capture systems. If implementing full capture system, a Permittee shall comply with the prohibition if all drainage areas on the facility property are addressed by appropriate certified full capture systems.

4.4. Discharge of Radiological, Chemical, or Biological Warfare Agent

Discharges of any radiological, chemical, or biological warfare agent or high-level radiological waste are prohibited.

5. NON-STORMWATER DISCHARGES (NSWDS)

5.1. Authorized NSWDs

The following NSWDs are authorized under this Order provided they meet the conditions of section 5.2 below:

5.1.1. NSWDs separately regulated by an individual or general NPDES permit;

5.1.2. Fire-hydrant and fire prevention or response system flushing;

5.1.3. Potable water sources including potable water related to the operations, maintenance, or testing of potable water systems;

5.1.4. Drinking fountain water and atmospheric condensate including refrigeration, air conditioning, and compressor condensate;

5.1.5. Uncontaminated natural springs, groundwater, foundation drainage, and footing drainage;

5.1.6. Seawater infiltration where the seawater is discharged back into the source; and

5.1.7. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g., piped cooling tower blowdown or drains).

5.2. Authorized NSWD Requirements

The NSWDs identified in section 5.1 above are authorized by this Order if the following conditions are met:

5.2.1. Best Management Practices (BMPs) are implemented to:

5.2.1.1. Reduce or prevent the contact of authorized NSWDs with materials or equipment that are potential sources of pollutants;

5.2.1.2. Reduce, to the extent practicable, the flow or volume of authorized NSWDs;

5.2.1.3. Ensure that authorized NSWDs do not contain quantities of pollutants that cause or contribute to an exceedance of a water quality standard; and

5.2.1.4. Reduce or prevent discharges of pollutants in authorized NSWDs in a manner that reflects best industry practice considering technological availability and economic practicability and achievability.

5.2.2. The Discharger identifies all NSWDs in the site-specific Stormwater Pollution Prevention Plan.

5.3. Emergency Firefighting-related Discharges

NSWDs from emergency firefighting activities (i.e., discharges resulting from water use necessary for the protection of life or property from fire) are not subject to this General Permit. These discharges, however, may be subject to Los Angeles Water Board enforcement actions under other sections of CWC. Firefighting-related discharges that are contained and later discharged may be subjected to municipal agency ordinances and/or other Los Angeles Water Board requirements.

6. REQUIREMENTS FOR STORMWATER POLLUTION PREVENTION PLANS

Dischargers shall (1) develop and (2) implement a site-specific stormwater pollution prevention plan (SWPPP) for each CII site covered under this General Permit that shall contain the following elements:

6.1. **Facility Name and Contact Information**

Each SWPPP shall have a cover page that identifies the applicable facility, hours of operation, and facility contact information, including address, primary contact staff (name, position, phone number, and email address), and staff in charge during hours of operation (name, position, phone number, and email address).

6.2. **Stormwater Pollution Prevention Team**

Each facility must have a Stormwater Pollution Prevention Team established and responsible for assisting with the implementation of the requirements in this General Permit. The Discharger shall include in the SWPPP detailed information about its Stormwater Pollution Prevention Team including:

6.2.1. The positions within the organization who assist in implementing the SWPPP; and

6.2.2. The responsibilities, duties, and activities of each of the team members.

6.3. **Site Map**

The Discharger shall prepare a site map that includes notes, legends, a north arrow, and other data as appropriate to ensure the map is clear, legible, and understandable.

6.3.1. The Discharger shall include the following information on the site map.

6.3.1.1. Facility boundary and stormwater drainage areas within the facility boundary. Include flow direction of each drainage area, on-facility surface waterbodies, areas of soil erosion, and location(s) or nearby waterbodies or municipal storm drain inlets that may receive the facility's stormwater discharges and authorized NSWDs.

6.3.1.2. Locations of stormwater collection and conveyance systems, associated discharge locations, and direction of flow. Include any sampling locations if different than the identified discharge locations.

6.3.1.3. Locations and descriptions of structural control measures that treat or reduce stormwater discharges and/or authorized NSWDs. Examples of structural control measures are catch basins, berms, detention ponds, secondary

containment, oil/water separators, diversion barriers, or forms of green infrastructure.

6.3.1.4. Identification of all impervious areas of the facility, including paved areas, buildings, covered storage areas, or other roofed structures.

6.3.1.5. Clearly marked locations of industrial and non-industrial areas of the facility.

6.3.1.6. Locations where materials are directly exposed to precipitation and the locations where identified significant spills or leaks have occurred.

6.3.1.7. Identification of all areas that may have potential pollutant sources, including impervious areas such as rooftops, parking lots, and driveways, storage areas, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, vehicle washing areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, and cleaning and material reuse areas.

6.4. **Description of Potential Pollution Sources**

The Discharger shall include a list of materials handled at the facility, and the locations where each material is stored, received, shipped, and handled, as well as the typical quantities and handling frequency. A narrative assessment of all areas where potential pollutant sources are identified shall be provided. The assessment shall include:

6.4.1. Identification of all potential NSWDs, both those authorized pursuant to section 5.1 and those that are prohibited;

6.4.2. Identification of pollutants that may be mobilized in stormwater or NSWDs and are likely to contaminate stormwater or NSWDs; and

6.4.3. The direct and indirect pathways by which pollutants may be exposed to stormwater and authorized NSWDs.

6.5. **Minimum BMPs**

The Discharger shall (1) include in its SWPPP and (2) implement and maintain, all of the following minimum BMPs to reduce or prevent pollutants in stormwater discharges and authorized NSWDs to the extent feasible.

6.5.1. <u>Good Housekeeping.</u> The Discharger shall:

6.5.1.1. Observe all outdoor areas, including stormwater discharge locations, drainage areas, conveyance systems, waste handling/disposal areas, and perimeter areas impacted by off-site materials or stormwater run-on to

determine housekeeping needs. Any identified debris, waste, spills, tracked materials, or leaked materials shall be cleaned and disposed of properly;

6.5.1.2. Prevent materials tracking;

6.5.1.3. Prevent dust generated from materials or activities;

6.5.1.4. Prevent erosion and sediment discharges;

6.5.1.5. Ensure that all areas impacted by rinse/wash water are properly cleaned and prevent the discharge of pollutants from rinse/wash water;

6.5.1.6. Cover all stored materials that can be readily mobilized by contact with stormwater;

6.5.1.7. Contain all stored non-solid materials or wastes (e.g., particulates, powders, shredded paper, plastic pellets/nurdles, etc.) that can be transported or dispersed by the wind or contact with stormwater;

6.5.1.8. Prevent disposal of any rinse/wash water or materials into the stormwater conveyance system;

6.5.1.9. Prevent stormwater discharges and NSWDs from contacting potential pollutant sources;

6.5.1.10. Identify equipment that may spill or leak pollutants and establish procedures for routine observation of the identified equipment to detect leaks; and

6.5.1.11. Establish procedures for regular maintenance of equipment, and prompt repair of equipment when conditions exist that may result in the development of spills or leaks.

6.5.2. Exposure Minimization. The Discharger shall:

6.5.2.1. Establish and implement procedures and/or controls to minimize spills and leaks;

6.5.2.2. Establish and implement procedures and/or controls to prevent or minimize accumulation of pollutants on impervious areas exposed to stormwater including but not limited to regular sweeping;

6.5.2.3. Prevent or minimize handling of materials or wastes that can be readily mobilized by contact with stormwater during a storm event;

6.5.2.4. Cover or contain materials that can be mobilized by contact with stormwater;

6.5.2.5. Divert run-on, stormwater generated from within the facility, and authorized NSWDs away from stored materials that can be mobilized by stormwater or NSWDs; and

6.5.2.6. Promptly clean and properly dispose of all spills of materials that can be mobilized by stormwater or authorized NSWDs.

6.5.3. Employee Training Program. The Discharger shall:

6.5.3.1. Ensure that all team members implementing the various compliance activities of this General Permit are properly trained to implement the requirements of this General Permit, including but not limited to: BMP implementation, BMP effectiveness, visual observations of discharge and minimum BMPs, visual inspections of installed BMPs (if applicable), erosion and sediment controls, and monitoring activities;

6.5.3.2. Prepare or acquire appropriate training manuals or training materials;

6.5.3.3. Identify which personnel need to be trained, including at a minimum all members of the Stormwater Pollution Prevention Team in section 6.1.2, their responsibilities, and the type of training they shall receive;

6.5.3.4. Provide a training schedule; and

6.5.3.5. Document all completed training and the personnel that received training in the implementation of the Stormwater Pollution Prevention Plan.

6.6. **Full Capture System**

The Discharger may include implementing a full capture system to comply with section 4.3 of this Order, which prohibits the discharge of trash to receiving waters or the placement of trash in locations where it may be discharged into receiving waters.

6.6.1. Design Criteria

The Discharger shall design the full capture system to have a treatment capacity that meets one of the following criteria:

a) A flow rate equal to or greater than the peak runoff rate (Q), generated by a one-year, one-hour storm event within the contributing subdrainage area, or

b) A capacity sufficient to accommodate the peak flow of the corresponding storm drain to which it is connected.

The peak flow rate (Q) shall be calculated using the rational method equation:

Q = C x I x A

where,

Q = design flow rate (cubic feet per second);

C = runoff coefficient (dimensionless);

I = design rainfall intensity (inches per hour, as determined per the rainfall isohyetal map specific to each region; and

A = subdrainage area (acres).

6.6.2. Certification Requirement

Prior to installation, the Discharger shall obtain certification for the full capture system from the Executive Director of the State Water Resources Control Board or their authorized designee.

Full capture systems that have not received such certification shall not be considered compliant with the trash-related provisions of this Order. Full capture systems previously certified by the Los Angeles Water Board Executive Officer may also be used. There are nine Los Angeles Water Board Executive Officer-certified full capture systems, including Vortex Separation Systems (VSS), specific types or designs of trash nets; two gross solids removal devices (GSRDs); catch basin brush inserts and mesh screens; vertical and horizontal trash capture screen inserts; a connector pipe screen device; and a nutrient separating baffle box;

6.6.3. Documentation

The Discharger shall maintain documentation demonstrating the full capture system's design, certification by the Executive Director of the State Water Board, or their designee, and proper installation of the full capture system.

6.6.4. Operation and Maintenance

The Discharger shall, at all times, properly operate and maintain the full capture system. All maintenance and operational activities shall be documented and made available for inspection upon request by the Los Angeles Water Board.

6.7. **BMP Summary Table**

The Discharger shall summarize all the structural BMPs, including Low Impact

Development (LID) for stormwater runoff volume reduction, for the facility in a summary table. The summary table shall contain:

6.7.1. A brief description and photographic documentation (or other Executive Officer approved documentation) of the BMP;

6.7.2. The location of the BMP;

6.7.3. The capacity of the BMP

~~6.7.1.1.~~6.7.3.1. The stormwater runoff volume reduced by the LID

~~6.7.2.~~6.7.4. The drainage area for the BMP; and

~~6.7.3.~~6.7.5. Frequency for inspection of the BMP.

~~6.7.4.~~6.7.6. Non-structural BMPs. The Discharger shall summarize the non-structural BMPs (e.g., site observations and inspections) in a summary table. The summary table shall contain:

~~6.7.4.1.~~6.7.6.1. A brief description of the BMP;

~~6.7.4.2.~~6.7.6.2. The frequency, time(s) of day, or conditions when the BMP is scheduled for implementation;

~~6.7.4.3.~~6.7.6.3. The locations where the BMP shall be implemented;

~~6.7.4.4.~~6.7.6.4. The individual and/or position responsible for implementing the BMP; and

~~6.7.4.5.~~6.7.6.5. Corrective actions the Discharger will take if a BMP is determined, or presumed to be, ineffective. Corrective actions will, at a minimum, include the requirements listed in section 10.2.6 of this Order.

7. EFFLUENT LIMITATIONS

7.1. Technology-Based Effluent Limitations

Regardless of the compliance option selected for water quality-based effluent limitations in section 7.2, all Dischargers shall implement BMPs that comply with the best conventional pollutant control technology (BCT) and best available technology economically achievable (BAT) requirements of this Order to reduce or prevent discharges of pollutants in their stormwater discharge in a manner that reflects best industry practice considering technological availability and economic practicability and achievability. Compliance with technology-based effluent limitations shall be determined through implementation of the SWPPP described in section 6 of this Order.

7.2. Water Quality-Based Effluent Limitations

The effluent limitations set forth in Table 1~~Table 1~~ and Table 2~~Table 2~~ shall become effective immediately ~~upon the effective date of this order~~ after all Compliance Options identified under section 8 of this General Order become available. The effluent limitations specified in Table 3~~Table 3~~ shall become effective upon the compliance deadlines identified therein. Compliance with these limitations in Tables 1, 2 and 3 shall be determined pursuant to one of the three compliance options discussed in section 8 of this Order.

Table 1. Effluent Limitations Applicable to Specific Waterbodies

Alamitos Bay[2]	Enterococcus	cfu/ 100 mL	110	STV[3]
Los Angeles Harbor – Inner Cabrillo Beach Area	Enterococcus	cfu/ 100 mL	110	STV[3]
Dominguez Channel or Torrance Lateral Channel	Copper, Total Recoverable	mg/L	0.208	Instantaneous Maximum
Dominguez Channel or Torrance Lateral Channel	Lead, Total Recoverable	mg/L	0.123	Instantaneous Maximum
Dominguez Channel or Torrance Lateral Channel	Zinc, Total Recoverable	mg/L	0.899	Instantaneous Maximum
Dominguez Channel or Torrance Lateral Channel	Toxicity	TUc	2.0[4]	Instantaneous Maximum
Dominguez Channel	E. Coli	cfu/ 100 mL	320	STV[3]

[2] Effluent limitation is applicable upon the effective date of the Los Cerritos Channel and Estuary, Alamitos Bay, and Colorado Lagoon Indicator Bacteria TMDL.
[3] The statistical threshold value (STV) shall not be exceeded by more than 10 percent of samples collected in a calendar month, calculated in a static manner.
[4] The effluent limit of 2 TUc is implemented as a trigger requiring initiation and implementation of the TRE/TIE process as outlined in US EPA's "Understanding and Accounting for Method Variability in Whole Effluent Toxicity Applications Under the National Pollutant Discharge Elimination System Program" (2000) in accordance with TMDL implementation language.

Waterbody	Parameter	Units	Value	Averaging Period
Dominguez Channel Estuary	Enterococcus	cfu/ 100 mL	110	STV[3]
Los Cerritos Channel (Above Atherton Street)	Ammonia, Total (as N)	mg/L	0.233	Instantaneous Maximum
Los Cerritos Channel (Above Atherton Street)	pH	-	6/8.5	Minimum/ Maximum
Los Cerritos Channel (Above Atherton Street)	Bis (2-ethylhexyl) Phthalate	µg/L	5.9	Instantaneous Maximum
Los Cerritos Channel (Above Atherton Street)	Chlordane	µg/L	0.00059	Instantaneous Maximum
Los Cerritos Channel (Above Atherton Street)	E. Coli	cfu/ 100 mL	320	STV[3]
Los Cerritos Channel (Anaheim Rd. to Atherton St.)	Enterococcus	cfu/ 100 mL	110	STV[3]
Los Cerritos Channel Estuary	Enterococcus	cfu/ 100 mL	110	STV[3]
Machado Lake	Nitrogen, Total (as N)	mg/L	1.0	Monthly
Machado Lake	Phosphorus, Total (as P)	mg/L	0.1	Monthly
Machado Lake	Total PCBs	µg/kg dry weight	59.8	Three-year
Machado Lake	Total DDT	µg/kg dry weight	5.28	Three-year
Machado Lake	Chlordane	µg/kg dry weight	3.24	Three-year
Machado Lake	Dieldrin	µg/kg dry weight	1.9	Three-year
Colorado Lagoon	Chlordane	µg/kg dry weight	0.50	Monthly

Waterbody	Parameter	Units	Value	Averaging Period
Colorado Lagoon	Dieldrin	µg/kg dry weight	0.02	Monthly
Colorado Lagoon	Lead	µg/kg dry weight	46,700.00	Monthly
Colorado Lagoon	Zinc	µg/kg dry weight	150,000.00	Monthly
Colorado Lagoon	PAHs[5]	µg/kg dry weight	4,022.00	Monthly
Colorado Lagoon	PCBs	µg/kg dry weight	22.70	Monthly
Colorado Lagoon	DDT	µg/kg dry weight	1.58	Monthly
Colorado Lagoon[2]	Enterococcus	cfu/ 100 mL	110	STV[3]

Table 2. Sediment-Associated Effluent Limitations Applicable to the Dominguez Channel Estuary and Los Angeles and Long Beach Inner Harbor Waters

Water Body	Three-year Average (mg/kg sediment)[6]					
	Copper	Lead	Zinc	Total DDTs	Total PAHs	Total PCBs
Dominguez Channel Estuary (below Vermont Avenue)	220.0	510.0	789.0	1.727	31.60	1.490
Long Beach Inner Harbor	142.3	50.4	240.6	0.070	4.58	0.060
Los Angeles Inner Harbor	154.1	145.5	362.0	0.341	90.30	2.107

[5] PAHs: Polycyclic aromatic hydrocarbons (sum of acenaphthylene, anthracene, benz(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, benzo(a)pyrene, chrysene, dibenz(a,h)anthracene, fluorene, indeno(l ,2,3-c,d)pyrene, phenanthrene, and pyrene).
[6] See section 3.2.2.2.6 of Attachment E – Monitoring and Reporting Program for an alternative procedure where collection of suspended sediment from stormwater samples with sufficient yields to perform analysis required is not feasible.

Water Body	Three-year Average (mg/kg sediment)[6]					
	Copper	Lead	Zinc	Total DDTs	Total PAHs	Total PCBs
Los Angeles Harbor – Cabrillo Marina	367.6	72.6	281.8	0.186	36.12	0.199
Los Angeles Harbor – Consolidated Slip	1470	1100	1705	1.724	386	1.920
Los Angeles Harbor – Inner Cabrillo Beach Area	129.7	46.7	163.1	0.145	4.022	0.033

Table 3. Effluent Limitations Applicable to Specific Waterbodies by the Compliance Deadline Noted in the Table

Waterbody	Copper (µg/L)	Lead (µg/L)	Zinc (µg/L)	PAHs (µg/L)	Chlordane (µg/L)	4,4'-DDT (µg/L)	Dieldrin (µg/L)	Total PCBs (µg/L)	Toxicity (TUc)	Compliance Date
Averaging Period	Instantaneous Maximum								Monthly Median	
Los Cerritos Channel (Above Atherton)	7.6	43.4	74.4	--	--	--	--	--	--	September 30, 2026
Dominguez Channel (above Vermont Avenue)	9.7	42.7	69.7	--	--	--	--	--	1.0[7]	March 23, 2032
Dominguez Channel Estuary (below Vermont Avenue)	3.73	8.52	85.6	0.049	0.00059	0.00059	0.00014	0.00017		March 23, 2032

[7] Freshwater toxicity target: This TMDL also establishes a numeric toxicity target of 1.0 toxicity unit, chronic (1.0 TUc) to address toxicity.
TUc = Toxicity Unit,
Chronic = 100/NOEC (no observable effects concentration)
Targets based on new toxicity criteria that achieve the narrative Toxicity objective of Chapter 3 of this Basin Plan may substitute for the TUc of 1, when those new criteria are adopted and in effect.

Waterbody	Copper (µg/L)	Lead (µg/L)	Zinc (µg/L)	PAHs (µg/L)	Chlordane (µg/L)	4,4'-DDT (µg/L)	Dieldrin (µg/L)	Total PCBs (µg/L)	Toxicity (TUc)	Compliance Date
Averaging Period	Instantaneous Maximum								Monthly Median	
Inner Los Angeles and Long Beach Harbor Waters[8]	3.73	8.52	85.6	N/A	N/A	0.00059	N/A	0.00017		March 23, 2032

8. COMPLIANCE OPTIONS FOR WATER QUALITY-BASED EFFLUENT LIMITATIONS

In complying with the water quality-based effluent limitations in section 7.2, the Discharger must choose one of the following three options:

8.1. Compliance Option 1 – Agreement with Local Watershed Management Group to Fund Regional Project(s)

Dischargers shall enter into a legally binding agreement with the local Watershed Management Group or its Fiduciary Agent to fund, or partially fund, an existing or planned downstream regional project(s)[9] included in the group's Watershed Management Program (WMP), which has been developed to implement requirements of the Regional MS4 Permit and approved by the Los Angeles Water Board. A Discharger may only participate in Compliance Option 1 if the CII ~~facility~~Facility is included in the area modeled by the reasonable assurance analysis supporting the group's ~~Watershed Management Program~~WMP. If there is no existing or planned downstream regional project(s) in the ~~Watershed Management Program~~WMP, the Watershed Management Group shall identify an upstream project(s) for funding. The determination of availability of a downstream regional project(s) shall not consider the cost. Specific details related to the funded project(s) shall be documented in the agreement as specified in this section and submitted as described in section 9.1 of this Order. At a minimum, the regional project(s) shall be adequately sized to address the NSWD and stormwater volume that would otherwise need to be

[8] ELs for the Los Angeles and Long Beach Inner/Outer Harbor Waters are sourced from the Dominguez Channel and Inner Los Angeles and Long Beach Waters Toxic Pollutants TMDL.
[9] A downstream stormwater project is located within the MS4 between the CII facility and the point where the MS4 discharges to the receiving water.

addressed onsite under Compliance Options 2 or 3. ~~The funding level or regional project participation fee structure for participation under Compliance Option 1 may be determined on a project basis or a larger scale (e.g., watershed or subwatershed basis), consistent with the estimated pollution reduction from regional projects in the Watershed Management Programs.~~

The required funding level must be ~~proportional~~ equal to the sum of the onsite CII NSWD ~~volume~~ and ~~onsite~~ stormwater volume relative to the total ~~regional project(s),~~ watershed NSWD and stormwater volume~~, or subwatershed stormwater capacity~~, ~~modified~~ multiplied by ~~pollutant level potential based on activity type~~the total cost to implement the WMP, ~~and can be~~calculated using ~~expressed as~~ the following formula:

$$\sim\sim Funding\ Level \propto \frac{Volume_{NSWD} + Volume_{SWD}}{Volume_{Total\ \ stormwater\ capacity}} \times Pollutant\ level\ factor\sim\sim$$

$$= \frac{CII\ Facility}{Total\ Watershed}$$

~~[10], [11]~~

Where:

~~$Volume_{NSWD}$ = Authorized non-stormwater discharge volume~~

~~$Volume_{SWD}$~~ $Volume_{CII\ Facility}$ = Onsite NSWD volume plus stormwater runoff volume ~~produced~~generated up to and during an 85th percentile, 24-hour storm event minus the volume reduced by onsite Low Impact Development (LID) implementation. The volume reduced can be directly proportional to impervious area addressed by onsite LID.

$Volume_{Total\ Watershed}$ = Total watershed NSWD plus stormwater runoff volume from the applicable WMP

Total WMP Cost = Total cost to implement the Watershed Management Group's WMP

Since the volume of runoff is proportional to the extent of imperviousness

~~[10] Total stormwater capacity could be a regional BMP project capacity, or total regional BMP stormwater capacity for multiple drainage areas or the entire watershed.~~

~~[11] The pollutant level factor is a value characterizing a given CII facility's site-specific conditions relative to the larger watershed management area. This value must be consistent with model inputs to the reasonable assurance analysis for that watershed or subwatershed. Further information regarding reasonable assurance analyses can be found in Los Angeles Water Board guidance: RevisedRAAModelingCriteriaFinal-withAtts.pdf~~

surface area, imperviousness area or another equivalent metric, which is easily determined, may be used in lieu of calculated runoff volume.

8.1.1. See Attachment H for a list of current Watershed Management ProgramWMPs.[12]

8.1.1.8.1.2. Funding of regional project(s) includes entering into a signed, legally binding agreement with the Watershed Management Group or its Fiduciary Agent. The Discharger shall comply with the signed agreement, which shall include, but may not be limited to, the following terms:

8.1.1.1.8.1.2.1. Payments of any applicable fees and/or alternative means of compensation (easements or property exchanges);

8.1.1.2.8.1.2.2. Identification of project(s) funded;

8.1.1.3.8.1.2.3. The specified timeframe for the agreement;

8.1.1.4.8.1.2.4. For participation in upstream regional projects, an attestation signed by all signatories that no downstream regional project(s) is/are available; and

8.1.1.5.8.1.2.5. Any other provisions agreed upon by the Watershed Management Group and the Discharger as specified in the agreement.

8.1.2.8.1.3. Dischargers selecting and in compliance with Compliance Option 1 shall be deemed in compliance with the water quality-based effluent limitations established in section 7.2 of this Order. However, a Discharger's participation in Compliance Option 1 does not exempt the Discharger from complying with any other laws, regulations, or ordinances which may be applicable.

8.1.3.8.1.4. Dischargers intending to prematurely terminate the legally binding agreement with a Watershed Management Group shall provide written notification to the Executive Officer at least 30 days prior to the proposed termination date. The notification shall include a justification for the early termination and shall be accompanied by replacement Compliance Option

[12] Additional information regarding these Watershed Management Programs can be obtained at the Los Angeles Water Board's Program website (https://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/watershed_management/)

documentation, consistent with the requirements of Compliance Option 2 or 3, as applicable.

8.2. Compliance Option 2 - Facility-Specific Design Standard to Reduce Stormwater Runoff

8.2.1. The Discharger shall design, implement, and properly operate and maintain stormwater controls (structural and/or non-structural BMPs) with the effective capacity to capture and use, infiltrate, divert to the sanitary sewer, and/or evapotranspire all NSWDs and the volume of runoff produced up to and during an 85th percentile 24-hour storm event.

8.2.1.1. The volume of runoff produced by an 85th percentile 24-hour storm event, determined as the maximized capture runoff volume for the facility, shall be calculated using the formula recommended in Water Environment Federation's Manual of Practice No. 23/ASCE Manual of Practice No. 87, cited in Chapter 5 of the 1998 Edition and Chapter 3 of the 2012 Edition and setting the stormwater volume to exactly the 85th percentile 24-hour storm runoff volume (Straight Calc)[13]:

$V = i*A$

Where:
V= Design Volume,
i= Rainfall intensity during 85^{th} percentile 24 hour storm
A= Total Impervious area subject to this General Permit

8.2.2. The Discharger shall comply with the requirements specified in Attachment I.

8.2.3. Dischargers selecting and in compliance with Compliance Option 2 shall be deemed in compliance with the water quality based effluent limitations established in section 7.2 of this Order.

8.2.4. Dischargers choosing Compliance Option 2 will not be permitted to change options for two (2) years unless approved by the Executive Officer.

8.2.5. Dischargers intending to terminate participation under Compliance Option 2 shall submit written notification to the Executive Officer at least 30 days prior to the proposed termination date. The notification shall include a justification for the termination and shall be accompanied by replacement Compliance Option

[13] General Permit for Storm Water Discharges Associated with Industrial Activities, Order 2014-0057-DWQ amended by Order 2015-0122-DWQ & Order 20XX-XXXX-DWQ

documentation, consistent with the requirements of Compliance Option 1 or 3, as applicable.

8.3. Compliance Option 3 - Direct Demonstration of Compliance with Water Quality Based Effluent Limitations

8.3.1. The Discharger shall demonstrate direct compliance with the water quality-based effluent limitations established in section 7.2 of this Order by implementing the monitoring and reporting requirements described in section 9.3 of this Order and according to the compliance determination in section 11 of this Order.

8.3.2. Dischargers intending to terminate participation under Compliance Option 3 shall submit written notification to the Executive Officer at least 30 days prior to the proposed termination date. The notification shall include a justification for the termination and shall be accompanied by replacement Compliance Option documentation, consistent with the requirements of Compliance Option 1 or 2, as applicable.

9. MONITORING AND REPORTING REQUIREMENTS

Regardless of the Compliance Option selected, the Discharger shall submit an annual report via SMARTS each reporting year by December 15th, demonstrating compliance with section 6 of this Order, including visual observations of discharges, identification and assessment of minimum BMPs implemented, and any corrective action performed. In addition, ~~prior to selecting a Compliance Option,~~ the Discharger shall conduct an initial sampling and analysis of discharge to evaluate reasonable potential for exceedance of water quality objectives as described in Attachment E.

Additional reporting requirements for each Compliance Option identified in section 8 of this Order are described below.

9.1. Compliance Option 1 – Agreement with Local Watershed Management Group to Fund Regional Project(s)

9.1.1. The Discharger shall contribute to the funding of regional project(s) that has been approved by the local Watershed Management Group, as described in section 8.1 of this Order.

9.1.2. By December 15th of each reporting year, the Discharger shall submit an annual report via SMARTS documenting its agreement with the local Watershed Management Group. The report shall include the project(s) funded through the previous year, the amount of fees paid, and confirmation of the Discharger's compliance with the terms of its agreement with the Watershed Management Group, including the requirements specified in section 8.1 of this Order.

9.1.3. By December 15th of each reporting year, the Discharger is required to report any update to their agreement with the Watershed Management Group.

9.1.4. The Discharger shall conduct visual observations of stormwater leaving the site from all discharge locations for two Qualifying Storm Events (QSEs) as defined in section 9.3.2.1. One (1) QSE shall occur within the first half of each reporting period (July 1 to December 31 of the preceding year) and one (1) QSE within the second half of each reporting period (January 1 to June 30). The Discharger shall visually observe and provide photographic documentation (or other Executive Officer approved documentation) of the following:

9.1.4.1. The presence or indications of prior, current, or potential unauthorized NSWDs and their sources;

9.1.4.2. Authorized NSWDs, sources, and associated BMPs to ensure compliance with section 5 of this Order;

9.1.4.3. Outdoor commercial and/or industrial equipment and storage areas, outdoor industrial activities areas, BMPs, and all other potential sources of industrial pollutants; and

~~9.1.4.4.~~ The presence or absence of floating and suspended materials, oil and grease, discolorations, turbidity, odors, trash/debris, and source(s) of any discharged pollutants~~; and~~

~~9.1.4.5.~~9.1.4.4. Date and time that the visual observation was conducted. The date and time of any photographic documentation (or other Executive Officer approved documentation) shall match the date and time that the visual observation was conducted, and any photographs, when used, shall be timestamped with the date and time that the visual observation was conducted.

9.1.5. In the event that there is no discharge from a discharge location during the QSE, the Discharger shall photograph (or provide other Executive Officer approved documentation of) the discharge location demonstrating no discharge at that date and time. The date and time of any photographic documentation, when used, shall match the date and time that the visual observation was conducted.

9.1.6. The Discharger shall provide an explanation via SMARTS for uncompleted visual observations.

9.2. **Compliance Option 2 – Facility-Specific Design Standard to Reduce Stormwater Runoff**

9.2.1. The Discharger shall submit via SMARTS all documentation, studies, and engineering reports confirming that the design capacity of the stormwater controls will comply with the requirements of section 8.2 and Attachment I.

9.2.2. Upon completion of installation of the approved stormwater controls, the Discharger shall report via SMARTS that the installation is complete and complies with the approved design standard.

9.2.3. The Discharger shall photograph (or provide other Executive Officer approved documentation of) any bypass in excess of the design volume that occurs. Photographs (or other Executive Officer approved documentation) shall record the presence or absence of floating and suspended materials, oil and grease, discolorations, turbidity, odors, trash/debris, and source(s) of any discharged pollutants. When used, ~~P~~photographs shall be timestamped with the date and time that the visual observation was conducted.

9.2.3.1. In the event that a bypass is not visually observed, the Discharger shall provide an explanation via SMARTS for uncompleted visual observations.

9.2.4. The Discharger shall inspect and evaluate all installed stormwater controls annually to verify proper operation and confirm that required maintenance activities are being performed. A report summarizing the evaluation shall be submitted via SMARTS no later than December 15th of each reporting year.

9.3. **Compliance Option 3 – Direct Demonstration of Compliance with Effluent Limitations**

9.3.1. **Site-Specific Monitoring and Reporting Plan**

9.3.1.1. The Discharger shall develop and implement a site-specific Monitoring and Reporting Plan in accordance with the requirements of this General Permit. The Monitoring and Reporting Plan shall include the following items:

9.3.1.1.1. An identification of team members assigned to conduct the monitoring requirements and

9.3.1.1.2. A description of the following, in accordance with the Monitoring and Reporting Program (MRP) (Attachment E):

9.3.1.1.2.1. Discharge locations (including latitude and longitude);

9.3.1.1.2.2. A list of the pollutants from section 7.2 that the Discharger is required to monitor;

9.3.1.1.2.3. Sampling and analysis procedures;

9.3.1.1.2.4. Visual observation procedures;

9.3.1.1.2.5. Procedures for field instrument calibration instructions, including calibration intervals specified by the manufacturer; and

9.3.1.1.2.6. An example Chain of Custody form used when handling and shipping water quality samples to the lab.

9.3.2. **Sampling and Analysis**

9.3.2.1. A Qualifying Storm Event (QSE) is a precipitation event that:

9.3.2.1.1. Produces a discharge for at least one drainage area; and

9.3.2.1.2. Is preceded by 48 hours with no discharge from any drainage area.

9.3.2.2. The Discharger shall collect and analyze discharge samples from two (2) QSEs within the first half of each reporting period (July 1 through December 31 of the preceding year), and from two (2) QSEs during the second half of each reporting period (January 1 through June 30).

9.3.2.3. Samples shall be collected from each drainage area at all discharge locations. The samples must be:

9.3.2.3.1. Representative of stormwater associated with the Discharger's activities and any commingled authorized NSWDs; or

9.3.2.3.2. Associated with the discharge of contained stormwater.

9.3.2.4. Samples from each discharge location shall be collected within four (4) hours of:

9.3.2.4.1. The start of the discharge; or

9.3.2.4.2. The start of facility operations if the QSE occurs within the preceding 12-hour period (e.g., for discharges beginning overnight at facilities with daytime operating hours). Sample collection shall occur during scheduled facility operating hours and only when sampling conditions are safe in accordance with section 2.2.5.1 of the MRP, provided in Attachment E.

9.3.2.5. The Discharger shall analyze all collected samples for each parameter with an established effluent limitation in section 7 of this Order.

9.3.2.6. The Discharger shall select applicable analytical methods and reporting units as specified in 40 CFR Part 136. The SMARTS will be periodically updated to

include additional acceptable analytical methods. Dischargers may propose an analytical method for a parameter or pollutant that does not have an analytical test method specified at 40 CFR Part 136 or in SMARTS. Dischargers may also propose an alternate analytical method with substantially similar or more stringent method detection limits (MDLs) than existing approved analytical methods. Upon approval by the Los Angeles Water Board, the analytical method will be added to the SMARTS.

9.3.2.7. The Discharger shall ensure that the collection, preservation, and handling of all samples are in accordance with section 2 of the MRP (Attachment E).

9.3.2.8. Samples from different discharge locations shall not be combined or composited.

9.3.2.9. The Discharger shall identify, when practicable, alternative discharge locations for any discharge locations identified pursuant to Sections 9.3.2.1.1. and 9.3.2.3 that are difficult to access or sample (e.g., submerged outlets or locations posing safety hazards). The Discharger shall submit and certify any proposed alternative discharge locations or any subsequent revisions in the Monitoring Plan via SMARTS.

9.3.2.10. The Discharger shall ensure that all laboratory analyses are conducted using sufficiently sensitive and appropriate test procedures consistent with the requirements of 40 CFR part 136. All analyses shall adhere to specified holding times and quality assurance protocols unless alternative procedures have been authorized under this General Permit, approved by the Los Angeles Water Board, or required pursuant to 40 CFR Chapter I Subchapter N.

9.3.3. **Sampling Event Visual Observations.**

9.3.3.1. The Discharger shall conduct visual observations of stormwater at the time that the discharge is sampled.

9.3.3.2. The Discharger shall visually observe and provide photographic documentation (or other Executive Officer approved documentation) of the following:

9.3.3.2.1. The presence or indications of prior, current, or potential unauthorized NSWDs and their sources;

9.3.3.2.2. Authorized NSWDs, sources, and associated BMPs to ensure compliance with section 5 of this Order;

9.3.3.2.3. Outdoor commercial and/or industrial equipment and storage areas, outdoor industrial activities areas, BMPs, and all other potential sources of industrial pollutants;

9.3.3.2.4. The date and time of the presence or absence of floating and suspended materials, oil and grease, discolorations, turbidity, odors, trash/debris, and source(s) of any discharged pollutants; and

9.3.3.2.5. Date and time that the visual observation was conducted.

9.3.3.3. In the event that there is no discharge from a discharge location during the sampling event, the Discharger shall photograph the discharge location (or provide other Executive Officer approved documentation) demonstrating no discharge at that date and time. When used, ~~P~~photographs shall be timestamped with the date and time that the visual observation was conducted.

9.3.3.4. The Discharger shall provide an explanation via SMARTS for uncompleted sampling events and visual observations.

9.3.4. **Reporting.**

9.3.4.1. By December 15th of each reporting year, the Discharger shall submit an annual report via SMARTS detailing the results of visual observation and evaluation of the minimum BMPs and any corrective actions taken, as appropriate.

9.3.4.2. The Discharger shall submit all visual observation records, and sampling and analytical results via SMARTS within 45 days from the end of the reporting period.

9.3.4.3. The Discharger shall provide the MDL when an analytical result from samples taken is reported by the laboratory as a “non-detect" or less than the MDL. A value of zero shall not be reported.

9.3.4.4. The Discharger shall provide the analytical result from samples taken that is reported by the laboratory as below the minimum level (ML), often referred to as the reporting limit (RL), but above the MDL.

10. PROVISIONS

Standard provisions, which apply to all NPDES permits in accordance with 40 CFR sections 122.41 and 122.42, are included in this Order. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under 40 CFR section 122.42. The Los Angeles Water Board has also provided in this Order special provisions applicable to the Dischargers covered by this Order. A

rationale for the special provisions contained in this Order is provided in the Fact Sheet (Attachment F).

10.1. **Standard Provisions**

10.1.1. The Discharger shall comply with all Standard Provisions included in Attachment D of this General Permit. If there is any conflict, duplication, or overlap between provisions stated herein and the Standard Provisions in Attachment D, the provisions stated herein prevail.

10.1.2. The Discharger shall comply with the following provisions:

10.1.2.1. The Executive Officer may require any Discharger authorized to discharge stormwater and authorized NSWDs under this Order to apply for and obtain an individual permit with more specific requirements for the discharges. Any such requirement and related direction will be communicated by the Los Angeles Water Board to the Discharger.

10.1.2.2. Prior to use, the Discharger shall submit for Executive Officer's approval the list of chemicals and proprietary additives that may affect the discharge, including rates/quantities of application, compositions, characteristics, and material safety data sheets, if any.

10.1.2.3. Oil or oily materials, chemicals, refuse, or other materials that may cause pollution in stormwater and/or NSWDs shall not be stored or deposited in areas where they may be picked up by rainfall/NSWDs and discharged to surface waters. Any spill of such materials shall be contained, removed and cleaned immediately.

10.1.2.4. This Order does not exempt the Discharger from compliance with any other laws, regulations, permits, or ordinances that may be applicable.

10.1.2.5. The site shall be protected to reduce infrastructure vulnerability to extreme wet weather events, flooding, storm surges, and projected sea level rise resulting from current and future impacts associated with climate change.

10.1.2.6. The Discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.

10.1.2.7. The Discharger may request that any discharge authorized under this Order is, instead, covered under an individual NPDES permit by applying for an individual NPDES permit for the discharge to the Los Angeles Water Board.

10.1.2.8. Failure to comply with provisions or requirements of this Order, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain

violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.

10.2. **Enforcement**

10.2.1. Violation of any of the provisions of this Order may subject the Discharger to any of the penalties described herein at the discretion of the prosecuting authority.

10.2.2. Failure to comply with provisions or requirements of this Order, may subject the Discharger to administrative or judicial civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.

10.2.3. Section 13385(h)(1) of the CWC requires the Los Angeles Water Board to assess a mandatory minimum penalty of three thousand dollars ($3,000) for each serious violation. Pursuant to CWC section 13385(h)(2), a “serious violation” is defined as any waste discharge that violates the effluent limitations contained in the applicable WDRs for a Group II pollutant by 20 percent or more, or for a Group I pollutant by 40 percent or more. Appendix A of 40 CFR section 123.45 specifies the Group I and II pollutants. Pursuant to CWC section 13385.1(a)(1), a “serious violation” is also defined as “a failure to file a discharge monitoring report required pursuant to CWC section 13383 for each complete period of 30 days following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in WDRs that contain effluent limitations.”

10.2.4. Section 13385(i) of the CWC requires the Los Angeles Water Board to assess a mandatory minimum penalty of three thousand dollars ($3,000) for each violation whenever a person violates a WDR effluent limitation in any period of six consecutive months, except that the requirement to assess the mandatory minimum penalty shall not be applicable to the first three violations within that time period.

10.2.5. Pursuant to CWC section 13385.1(d), for the purposes of section 13385.1 and subdivisions (h), (i), and (j) of section 13385, “effluent limitation” means a numeric restriction or a numerically expressed narrative restriction on the quantity, discharge rate, concentration, or toxicity units of a pollutant or pollutants that may be discharged from an authorized location. An effluent limitation may be final or interim and may be expressed as a prohibition. An effluent limitation, for these purposes, does not include a receiving water limitation, a compliance schedule, or a BMP.

10.2.6. **Corrective Actions.**

If there is an exceedance, or presumed exceedance, of an effluent limitation listed in section 7 of this Order, the Discharger shall perform the following actions: (1) initiate an investigation for the cause of the exceedance, (2) implement appropriate BMPs to reduce the pollutant concentration below the applicable limitation, and (3) evaluate the appropriateness of using alternative or additional BMPs. These corrective actions do not absolve the Discharger of liability for any violation of this General Permit related to the exceedance. However, failure to comply with these corrective actions will constitute an additional violation of this General Permit.

10.3. Special Provisions

10.3.1. Reopener Provisions

Pursuant to 40 CFR sections 122.62 and 122.63, this Order may be modified, revoked and reissued, or terminated for cause. Grounds for modification may include but are not limited to: new information regarding the impact of discharges regulated under this Order; promulgation of new or revised effluent limitations, standards, or regulations; adoption of new or revised water quality objectives, policies, or guidance by the State or Regional Water Board; and judicial decisions that affect the applicability or requirements of this Order. In addition, if discharges authorized under this Order are determined to pose a threat to receiving water quality, this Order may be reopened to incorporate more stringent effluent limitations and/or discharge prohibitions to protect beneficial uses. TMDLs have not been developed for all pollutants and receiving waters listed on the CWA section 303(d) list. As TMDLs are adopted or revised, this Order may be reopened to include pollutant-specific effluent limitations or other requirements consistent with the assumptions and allocations contained within applicable TMDLs.

10.4. Electronic Signature and Certification Requirements

10.4.1. The NOI and all Permit Registration Documents for coverage shall be certified and submitted via SMARTS by the Discharger's Legally Responsible Person. All other reports, including those in sections 3 and 4 of Attachment E, may be certified and submitted via SMARTS by the Legally Responsible Person or by their designated Duly Authorized Representative. (Attachment D, Section 5.2)

10.4.2. When a new Legally Responsible Person or Duly Authorized Representative is designated, the Discharger shall ensure that the appropriate revisions are made via SMARTS.

10.4.3. Documents certified and submitted via SMARTS by an unauthorized or ineligible Legally Responsible Person or Duly Authorized Representative are invalid.

10.5. **Other Special Provisions**

10.5.1. **Expiration and Continuation of this Order**

This Order expires on **<DATE>**; however, for those Dischargers authorized to discharge under this Order, it shall continue in full force and effect until a new order is adopted.

10.5.2. **Reauthorization**

Upon reissuance of a new order, Dischargers authorized under this Order shall file an NOI or a new Report of Waste Discharge within 60 days of notification by the Executive Officer.

11. COMPLIANCE DETERMINATION FOR COMPLIANCE OPTION 3

Compliance with the applicable effluent limitations, as described in section 8.3 of this Order, will be determined as specified below:

11.1. **Single Constituent Effluent Limitations**

If the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported ML, then the Discharger is out of compliance.

11.2. **Effluent Limitations Expressed as a Sum of Several Constituents**

If the sum of the individual pollutant concentrations is greater than the effluent limitation, then the Discharger is out of compliance. In calculating the sum of the concentrations of a group of pollutants, consider constituents reported as “Not Detected” (ND) or “Detected, but Not Quantified” (DNQ) to have concentrations equal to zero, provided that the applicable ML is used.

11.3. **Instantaneous Minimum Effluent Limitations**

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

11.4. **Instantaneous Maximum Effluent Limitations**

If the analytical result of a single grab sample is higher than the instantaneous

maximum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

11.5. **Monthly Average Effluent Limitations**

If the average (or when applicable, the median determined by section 11.7. below for multiple sample data) of daily discharges over a calendar month exceeds the Monthly Average Effluent Limitation for a given parameter, this will represent a single violation. If only a single sample is collected during the calendar month and the analytical result for that sample exceeds the Monthly Average Effluent Limitation, the Discharger may be considered out of compliance for that calendar month.

11.6. **Three-Year Average Effluent Limitations**

If the average of discharge samples over any three water year period exceeds the three-year average effluent limitation for a given parameter, this will represent a single violation. If only a single sample is collected during a given three water year period and the analytical result for that sample exceeds the three-year average, this will represent a single violation for each effluent limitation at issue. For any three-year period during which no sample is collected due to no discharge occurring, no compliance determination can be made for the three-year average effluent limitation. The water year starts on October 1 of the previous year and ends on September 30 of the following year.

11.7. **Multiple Sample Data**

When determining compliance with an effluent limitation and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of DNQ or ND. In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure.

The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in

which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

11.8. **Bacterial Standards and Analyses**

11.8.1. The STV shall not be exceeded by more than 10 percent of samples collected in a calendar month, calculated in a static manner.

11.8.2. For bacterial analyses, sample dilutions should be performed, so the expected range of values is bracketed (for example, with multiple tube fermentation method or membrane filtration method, 2 to 16,000 per 100 mL for total, and *E. coli*, at a minimum, and 1 to 1,000 per 100 mL for enterococcus). The detection methods used for each analysis shall be reported with the results of the analyses.

11.8.3. Detection methods used for coliforms (total and fecal) shall be those presented in Table 1A of 40 CFR part 136 or 40 CFR part 141 when approved by this Los Angeles Water Board and the State Water Board, unless alternate methods have been approved by USEPA pursuant to 40 CFR part 136, or improved methods have been determined by the Executive Officer and/or USEPA.

11.8.4. Detection methods used for *E. coli* shall be those presented in Table 1A of 40 CFR part 136 or 40 CFR part 141 when approved by this Los Angeles Water Board and the State Water Board, or in the USEPA publication EPA 600/4-85/076, *Test Methods for Escherichia coli and Enterococci in Water By Membrane Filter Procedure* or any improved method determined by the Executive Officer and/or USEPA to be appropriate.

ATTACHMENT A — ACRONYMS AND DEFINITIONS

1. ACRONYMS

Acronym	Definition
40 CFR	Title 40 of the Code of Federal Regulations
ARARs	Applicable or Relevant and Appropriate Requirements
Basin Plan	*Water Quality Control Plan: Los Angeles Region Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties*
BAT	Best Available Technology
BCT	Best Control Technology
BMPs	Best Management Practices
BPT	Best Practicable Technology
California Ocean Plan	*Water Quality Control Plan for Ocean Waters of California, California Ocean Plan*
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CFU	Colony Forming Units
CII	Commercial, Industrial, and Institutional
COMM	Commercial and Sport Fishing
Court	United States District Court Central District of California
CTR	California Toxics Rule
CWA	Clean Water Act
CWC	California Water Code
DDT	Dichlorodiphenyltrichloroethane
DNQ	Detected, But Not Quantified
E. coli	*Escherichia coli*
EFT	Electronic Funds Transfer
EST	Estuarine Habitat
HUC	Hydrologic Unit Code
IND	Industrial Service Supply
LID	Low Impact Development
Los Angeles Water Board	California Regional Water Quality Control Board, Los Angeles Region

Acronym	Definition
LRP	Legally Responsible Person
MAR	Marine Habitat
MCL	Maximum Contaminant Level
MDL	Method Detection Limit
mg/L	Milligram per Liter
MIGR	Migration of Aquatic Organisms
ML	Minimum Level
mL	Milliliter
MRP	Monitoring and Reporting Program
MS4	Municipal Separate Storm Sewer System
µS/cm	Microsiemens per Centimeter
MUN	Municipal and Domestic Supply
NAV	Navigation
ND	Not Detected
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
NSWDs	Non-Stormwater Discharges
NTR	National Toxics Rule
O&M	Operation and Maintenance
PAHs	Polynuclear Aromatic Hydrocarbons
PCBs	Polychlorinated Biphenyls
POTW	Publicly Owned Treatment Works
ppth	Parts per Thousand
QSE	Qualifying Storm Event
RARE	Rare, Threatened, or Endangered Species
REC-1	Contact Water Recreation
REC-2	Non-Contact Water Recreation
Receiving Waters	Waterbodies within the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed
SHELL	Shellfish Harvesting
SIC	Standard Industrial Classification

Acronym	Definition
SIP	State Implementation Policy
SMARTS	Stormwater Multiple Application and Report Tracking System
SOCs	Synthetic Organic Contaminants
SPAWN	Spawning, Reproduction, and/or Early Development
State Water Board	State Water Resources Control Board
STV	Statistical Threshold Value
SWPPP	Stormwater Pollution Prevention Plan
TBELs	Technology-Based Effluent Limitations
Thermal Plan	*Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California*
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids
USC	United States Code
USCA	United States Code Annotated
USEPA	United States Environmental Protection Agency
US	United States
VOCs	Volatile Organic ~~Carbons~~Compounds
WARM	Warm Freshwater Habitat
WET	Wetland Habitat
WDID	Waste Discharge Identification
WDRs	Waste Discharge Requirements
WILD	Wildlife Habitat
WLA	Wasteload Allocation
WQBELs	Water Quality-Based Effluent Limitations

2. DEFINITIONS

85th Percentile 24-Hour Storm Event
The 85th percentile 24-hour storm event is a statistical design storm defined through a hydrologic analysis of long-term rainfall records for a particular geographic area. At the most basic level, the design storm represents the 85th percentile 24-hour rainfall depth (typically measured in inches of rain) among all 24-hour rainfall depths evaluated in the historical record. Analyses that define this storm event often express the 85th percentile 24-hour storm event

as an “isohyetal” or “isopluvial” map with contour lines connecting areas with the same 85th percentile 24-hour rainfall depth. In some situations (e.g. in storm hydrographs), the temporal distribution of rainfall during the 85th percentile 24-hour storm event may be assumed. The current 85th Percentile 24-hour rainfall map for Los Angeles County is located at the following website: LA County Hydrology Map (ladpw.org)

Antidegradation Policies
State and federal laws, regulations and policies established to protect waters from degradation. These requirements are set forth in Statement of Policy with Respect to Maintaining High Quality of Waters in California, State Water Board Resolution No. 68-16 and 40 CFR section 131.12.

Applicable Standards and Limitations
All State, interstate, and federal standards and limitations to which a “discharge” or a related activity is subject under the CWA, including effluent limitations, water quality standards, standards of performance, toxic effluent standards or prohibitions, and pretreatment standards under CWA sections 301, 302, 303, 304, 306, 307, 308, 403 and 404.

Arithmetic Mean
Also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

Arithmetic mean = $\Sigma \overline{x} / n$ where:

$\Sigma \overline{x}$ is the sum of the measured ambient water concentrations, and
n is the number of samples.

Authorized Discharge
Any discharge that is authorized pursuant to an NPDES permit or meets the conditions set forth in the Order. Any discharge that is authorized pursuant to an NPDES permit, waste discharge requirements, a conditional waiver of waste discharge requirements, or other appropriate order issued by the State or Los Angeles Water Board or complies with the requirements set forth in the Order.

Authorized Non-Stormwater Discharge (NSWD)
Authorized non-stormwater discharges are discharges that are not composed entirely of stormwater and that are either: (1) separately regulated by an individual or general NPDES permit and allowed to discharge into the MS4 when in compliance with all NPDES permit conditions; (2) separately regulated by a conditional waiver of WDRs or WDRs for agricultural lands; (2) authorized by USEPA pursuant to sections 104(a) or 104(b) of the Comprehensive Environmental Response, Compensation, and Liability Act that either (i) will

comply with water quality standards as ARARs under section 121(d)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act or (ii) are subject to (a) a written waiver of ARARs by USEPA pursuant to section 121(d)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act or (b) a written determination by USEPA that compliance with ARARs is not practicable considering the exigencies of the situation, pursuant to 40 CFR section 300.415(j); or (3) necessary for emergency responses purposes, including discharges from emergency firefighting activities.

Basin Plan
The Water Quality Control Plan, Los Angeles Region, otherwise known as the Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties.

Beneficial Uses
As defined in the CWC, beneficial uses that may be protected against quality degradation, include but are not limited to, domestic, municipal, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.

Best Available Technology Economically Achievable (BAT)
As defined by United States Environmental Protection Agency (U.S. EPA), BAT is a technology-based standard established by the Clean Water Act (CWA) as the most appropriate means available on a national basis for controlling the direct discharge of toxic and nonconventional pollutants to navigable waters. The BAT effluent limitations guidelines, in general, represent the best existing performance of treatment technologies that are economically achievable within an industrial point source category or subcategory.

Best Management Practices (BMPs)
BMPs are practices or physical devices or systems designed to prevent or reduce pollutant loading from stormwater or non-stormwater discharges to receiving waters.

Biofiltration
A Low Impact Development (LID) BMP that reduces stormwater pollutant discharges by intercepting rainfall on vegetative canopy, and through incidental infiltration and/or evapotranspiration, and filtration. Planning level analyses described in the Ventura County Technical Guidance Manual estimate that biofiltration of 1.5 times the stormwater quality design volume provides approximately equivalent or greater reductions in pollutant loading when compared to bioretention or infiltration of the stormwater quality design volume. Incidental infiltration is an important factor in achieving the required pollutant load reduction. Therefore, the term “biofiltration” as used in the Order is defined to include only systems designed to facilitate incidental infiltration or achieve the equivalent pollutant reduction as biofiltration BMPs with an underdrain.

Biofiltration BMPs include bioretention systems with an underdrain and bioswales.

Bioretention
A LID BMP reduces stormwater runoff by intercepting rainfall on vegetative canopy, and through evapotranspiration and infiltration. The bioretention system typically includes a minimum 2-foot top layer of a specified soil and compost mixture underlain by a gravel-filled temporary storage pit dug into the in-situ soil. As defined in the Order, a bioretention BMP may be designed with an overflow drain but may not include an underdrain. When a bioretention BMP is designed or constructed with an underdrain it is regulated in the Order as a biofiltration BMP.

Bioswale
A LID BMP consisting of a shallow channel lined with grass or other dense, low-growing vegetation. Bioswales are designed to collect stormwater runoff and to achieve a uniform sheet flow through the dense vegetation for a period of several minutes.

Bypass
The intentional diversion of waste streams from any portion of a treatment facility. (40 CFR section 122.41(m)(1)(i))

Chain of Custody
Form used to track sample handling as samples progress from sample collection to the laboratory. The chain of custody is also used to track the resulting analytical data from the laboratory to the client. Chain of custody forms can be obtained from an analytical laboratory upon request.

Commercial, Industrial, and Institutional Discharges (CII Discharges)
The term CII Discharges as used in this Order mean unpermitted stormwater discharges from a privately owned parcel or contiguous parcels of land that are commercial, industrial, or institutional based on Los Angeles County Tax Assessor land use codes 1000 through 2900, 3000 through 3920, 6000 through 6910, 7000 through 7710, and 8100 through 8400. (https://portal.assessor.lacounty.gov).

Commercial, Industrial, and Institutional Site (CII Site)
The term CII Site as used in this Order means a privately owned parcel or contiguous parcels of land that are commercial, industrial or institutional based on Los Angeles County Tax Assessor land use codes 1000 through 2900, 3000 through 3920, 6000 through 6910, 7000 through 7710, and 8100 through 8400. (https://portal.assessor.lacounty.gov). ~~For parcels with land use code 1210 (mixed use commercial and residential) and 1720 (mixed use office and residential), the term CII Site only applies to the commercial, institutional, or industrial portion of the mixed land use parcel.~~

This Order does not apply to residential facilities of any type, including those located within a parcel assigned the land use category of mixed use. For parcels with land use code 1210 (mixed use commercial and residential) and 1720 (mixed use office and residential), the term CII Site only applies to the commercial, institutional, or industrial portion of the mixed land use parcel. If a building within a mixed use parcel contains any residential use, the entire building footprint is excluded from CII Permit coverage. For common areas within a mixed use parcel (e.g., sidewalks, transit stops, plazas, courtyards, and other hardscape features) serving both residential and non-residential uses, if 50% or more of the buildings in the parcel are non-residential by area, the common areas are included under CII Permit coverage. For shared parking lots within a mixed use parcel, if 50% or more of the buildings in the parcel are non-residential by area, the parking lots are included under CII Permit coverage.

Contained Stormwater
Stormwater discharges or runoff from NSWDs or QSEs that have been contained and/or prevented from entering drainage systems.

Debris
Litter, rubble, discarded refuse, and remains of destroyed inorganic anthropogenic waste.

Detected, but Not Quantified (DNQ)
A sample result is considered "Detected, but Not Quantified (DNQ)" when the reported concentration is less than the laboratory's established Method Reporting Limit (ML), but greater than or equal to the Method Detection Limit (MDL). DNQ results represent estimated concentrations and should be interpreted accordingly.

Development
Any construction, rehabilitation, redevelopment, or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and other non-residential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

Discharge
When used without qualification, the release of a pollutant or pollutants from the facility.

Discharge Location
A location where the stormwater leaves a drainage area.

Discharger
The Discharger is either the owner or operator of the CII Site, whoever has the authority and operational control to comply with all conditions of this General Permit, including preparing and implementing the SWPPP, and either (1) entering into a legally binding agreement with a local Watershed Management Group or its fiduciary agent, (2) operating and maintaining stormwater controls to address the volume of runoff produced by an 85th percentile 24-hour storm event, or (3) implementing monitoring and reporting requirements and stormwater controls to directly demonstrate compliance with water quality based effluent limitations. The owner is the owner of the parcel subject to this General Permit. The operator is the lessee of the parcel subject to this General Permit.

~~When a parcel is leased to multiple lessees, the owner of the parcel shall serve as the Discharger.~~

1) Where a campus of multiple qualifying parcels are owned by one entity, the owner may obtain one permit to cover all qualifying parcels. A campus consists of contiguous parcels or parcels separated by easement, right of way, or public street.

2) Where ~~multiple~~ qualifying parcels owned by different entities form a common development, the owner ~~and/or operator~~ of each parcel that is subject to this General Permit ~~must~~ may obtain separate permit coverage or may obtain consolidated permit coverage.

Drainage Area
The area of land that drains water, sediment, pollutants, and dissolved materials to common discharge location.

Dry Well
Dry wells are gravity-fed excavated pits lined with perforated casing and backfilled with gravel or stone. Dry wells assist in reaching more permeable layers of soil, allowing for more rapid infiltration of stormwater. They are used to reduce pollutants in stormwater via infiltration. Dry wells not only aid in stormwater runoff reduction, but they can also increase groundwater recharge. Also referred to as stormwater infiltration drywells.

Effluent
Any discharge of water either to the receiving water or beyond the property boundary controlled by the Discharger.

Effluent Limitation
Any restriction imposed on quantities, discharge rates, and concentrations of pollutants, which are discharged from point sources to waters of the U.S. (40 CFR § 122.2).

Erosion
The process by which soil particles are detached and transported by the actions of wind, water or gravity.

Estimated Chemical Concentrations
The estimated chemical concentration results from the confirmed detection of the substance by an analytical method which results in a value below the ML.

Existing Discharger
A CII Site, that commenced the discharge prior to the effective date of this Order, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR section 122.2. An existing Discharger includes an “increasing Discharger” (i.e., any existing facility with treatment systems in place for its current discharge that is or will be expanding, upgrading, or modifying its permitted discharge after the effective date of the Order).

Fiduciary Agent
The person or authorized representative acting for the benefit of another party as a bona fide trustee, executor, or administrator.

Freshwater
All waters where the salinity is equal to or less than 1 ppt (one part per thousand) 95 percent or more of the time during the water year.

Full Capture System
A treatment control, or series of treatment controls, including but not limited to, a multi-benefit project or a low impact development control that traps all particles that are 5 mm or greater, and has a design treatment capacity that is either: a) of not less than the peak flow rate, Q, resulting from a one-year, one-hour, storm in the subdrainage area, or b) appropriately sized to, and designed to carry at least the same flows as, the corresponding storm drain.

The rational equation is used to compute the peak flow rate: $Q = C \times I \times A$, where Q = design flow rate (cubic feet per second); C = runoff coefficient (dimensionless); I = design rainfall intensity (inches per hour, as determined per the rainfall isohyetal map specific to each region, and A = subdrainage area (acres).

Prior to installation, full capture systems must be certified by the Executive Director of the State Water Board, or their designee. Uncertified full capture systems will not satisfy the requirements in the Order pertaining to trash. Full capture systems previously certified by the Los Angeles Water Board Executive Officer may also be used. There are nine Los Angeles Water Board Executive Officer-certified full capture systems, including Vortex Separation Systems (VSS), specific types or designs of trash nets; two gross solids

removal devices (GSRDs); catch basin brush inserts and mesh screens; vertical and horizontal trash capture screen inserts; a connector pipe screen device; and a nutrient separating baffle box.

Good Housekeeping BMPs
BMPs designed to reduce or eliminate the addition of pollutants through analysis of pollutant sources, implementation of proper handling/disposal practices, employee education, and other actions.

Groundwater
The water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water.

Hydrologic Unit Code (HUC)
A standardized watershed classification system in which each hydrologic unit is identified by a unique HUC. The HUC may consist of an eight (8) to twelve (12) digit number. The 8-digit HUC identifies an area based on four levels of classification: region, sub-region, hydrologic basin, and hydrologic sub-basin. The Watershed Boundary Dataset includes the 12-digit HUC delineation, which further divides each hydrologic unit into watersheds and sub-watersheds based on scientific information and not administrative boundaries. The Watershed Boundary Dataset is the highest resolution and the most detailed delineation of the watershed boundaries. The mapping precision has been improved to a scale of 1:24,000.

Impervious Surface
An impervious surface is any surface that prevents or significantly impedes the infiltration of precipitation into the underlying soil or groundwater. Examples include, but are not limited to, rooftops, driveways, sidewalks, walkways, patios, storage areas, roads (including compacted gravel roads that inhibit percolation), compacted soils, asphalt, concrete, and parking lots.

Surfaces designed to allow infiltration, such as landscaped soil and pervious pavement systems (e.g., interlocking pavers with permeable joints or seams), railroad track ballast, underlain by pervious soil or engineered storage media like gravel layers, are not considered impervious surfaces. Semi-pervious surfaces, such as gravel and similar land stabilization, shall not be considered impervious unless compacted specifically for the purpose of preventing infiltration.

Imperviousness
The percentage of impervious surface by area within a development site or watershed. Maps and aerial photographs can be used to assist in determining the actual impervious nature of the property.

Industrial General Permit
General Permit for Stormwater Discharges Associated with Industrial Activities. General NPDES permit issued by the State Water Board, which authorizes the discharge of stormwater from certain industrial activities under certain conditions.

Industrial Materials
Includes, but is not limited to: raw materials, recyclable materials, intermediate products, final products, by product, waste products, fuels, materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERLCA; any chemical the facility is required to report pursuant to section 313 of title III of Superfund Amendments and Reauthorization Act; fertilizers; pesticides; and waste products such as ashes, slag, and sludge and that are used, handled, stored, or disposed in relation to a facility's industrial activity.

Infiltration BMP
A LID BMP that reduces stormwater runoff by capturing and infiltrating the runoff into in-situ soils or amended on-site soils. Examples of infiltration BMPs include infiltration basins, dry wells, and pervious pavement.

Instantaneous Maximum Effluent Limitation
The highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation
The lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Legally Responsible Person
Legally Responsible Person is defined as set forth in Attachment D section 5.2.2.

Low Impact Development (LID)
Low Impact Development refers to the implementation of systems and practices that use or mimic natural hydrologic processes to manage stormwater. LID strategies are designed to: 1) promote infiltration and groundwater recharge; 2) facilitate evapotranspiration; and/or 3) harvest and use precipitation near the point of origin. These practices aim to reduce runoff volume and improve water quality by maintaining or restoring the site's pre-development hydrology.

Los Angeles Region
Los Angeles Region comprises all basins draining into the Pacific Ocean between the southeasterly boundary, located in the westerly part of Ventura County, of the watershed of Rincon Creek and a line which coincides with the southeasterly boundary of Los Angeles County from the ocean to San Antonio Peak and follows thence the divide between San Gabriel River and Lytle Creek drainages to the divide between Sheep Creek and San Gabriel River drainages. (CWC section 13200(d).) The Los Angeles Region does not include the cities of Lancaster and Palmdale, which are within the jurisdiction of the Lahontan Region (also known as Region 6).

Marine Waters
Marine waters are defined as all waters with a salinity greater than 1 part per thousand (ppth) for more than 5 percent of the time during the water year. This includes ocean waters as well as saline, non-ocean waters such as enclosed bays, estuaries, and coastal lagoons.

Method Detection Limit (MDL)
The minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero (0), as defined in 40 CFR part 136, Attachment B, revised as of July 3, 1999.

Minimum Level (ML)
The concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

Municipal Separate Storm Sewer System (MS4)
A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) (40 CFR § 122.26(b)(8)):

1) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;

2) Designed or used for collecting or conveying stormwater;

3) Which is not part of a POTW as defined at 40 CFR section 122.2.

National Pollutant Discharge Elimination System (NPDES)
The National Pollutant Discharge Elimination System (NPDES) is the national program authorized under the Clean Water Act (CWA) for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits. It also includes the implementation and enforcement of pretreatment requirements under CWA Sections 307, 402, 318, and 405. The term encompasses both the federal program and any state or tribal "approved program" authorized to administer the NPDES program.

New Discharger
A facility that did not commence the discharge at a particular site prior to the effective date of this Order and which has never received a finally effective NPDES permit for discharges at that site.

Non-Stormwater Discharge (NSWD)
Any discharge into the MS4 that is not composed entirely of stormwater. NSWDs authorized by this General Permit are listed in section 5.1 of the Order.

Not Detected (ND)
Those sample results less than the laboratory's MDL.

Numeric Effluent Limitation (NEL)
A Numeric Effluent Limitation (NEL) is a specific, quantifiable limit on the concentration or mass of a pollutant in a discharge. Exceedance of an NEL constitutes a violation of this General Permit.

pH
pH is a standard unit of measurement used to express the intensity of the acidic or alkaline condition of a water sample. It is measured on a scale of 0 to 14, with 7.0 considered neutral. Values below 7.0 indicate increasing acidity, while values above 7.0 indicate increasing alkalinity. The pH of natural waters typically ranges between 6.0 and 9.0.

Point Source
Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff. (40 CFR § 122.2)

Publicly Owned Treatment Works (POTW)
A treatment works as defined in CWA section 212, which is owned by a government agency as defined by CWA section 502(4). Section 502(4) of the

CWA defines a municipality as a city, town, borough, county, parish, district, association, or other public body created by or pursuant to state law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes. This definition includes any devices and systems used in the storage, treatment, recycling, and recycling of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW. The term also means the municipality as defined in CWA section 502(4), which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.

Qualifying Storm Event (QSE)
A Qualifying Storm Event (QSE) is a precipitation event that meets both of the following criteria: a) It results in a measurable discharge from at least one drainage area; and b) It is preceded by a minimum of 48 consecutive hours with no discharge from any drainage area.

Rain Event
Any rain event greater than 0.1 inch in 24 hours except where specifically stated otherwise.

Receiving Water
A water into which waste and/or pollutants are, or may be, discharged.

Regional Administrator
The Regional Administrator of the Regional Office of the USEPA or the authorized representative of the Regional Administrator.

Runoff
Any runoff including stormwater and non-stormwater from a drainage area that reaches a receiving waterbody.

Run-on
Discharges that originate offsite and flow onto the property of a separate facility or property or, discharges that originate onsite from areas not related to the CII facility and flow onto areas on the property with CII facility.

Sediment
Solid particulate matter, both mineral and organic, that is in suspension, is being transported, or has been moved from its origin by air, water, gravity, or ice and has come to rest on the earth's surface either above or below sea level.

Site
The land or water area where any “facility or activity” is physically located or conducted, including adjacent land managed in connection with the facility or activity.

Source Control BMP
Any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices or operational practices that aim to prevent stormwater pollution by reducing the potential for contamination at the source of pollution.

Statistical Threshold Value (STV)
The Statistical Threshold Value (STV) represents a concentration threshold that approximates the 90th percentile of the distribution of a bacterial population in a water body. For bacterial water quality objectives, the STV for Enterococci is set at 110 colony-forming units (CFU) per 100 milliliters (mL) of water.

Stormwater
Stormwater runoff, snow melt runoff, and surface runoff and drainage related to precipitation events (pursuant to 40 CFR § 122.26(b)(13); 55 Fed. Reg. 47990, 47995 (Nov. 16, 1990)).

Stormwater Pollution Prevention Plan (SWPPP)
A plan required by this General Permit identifying potential pollutant sources and describing the design, placement and implementation of BMPs, to effectively prevent non-stormwater discharges and reduce pollutants in stormwater discharges from activities covered by this General Permit.

Structural BMP
Any structural facility designed and constructed to mitigate the adverse impacts of stormwater and non-stormwater pollution (e.g., Treatment Control BMPs).

Technology-Based Effluent Limitation (TBELs)
Technology-Based Effluent Limitations (TBELs) are pollutant discharge limits established based on the performance of treatment and control technologies. TBELs are designed to reflect the degree of pollutant reduction achievable using available, economically achievable, and demonstrated treatment technologies, irrespective of receiving water quality conditions. These limitations are set to ensure a baseline level of pollutant control consistent with the Clean Water Act.

Total Maximum Daily Load (TMDL)
The sum of the individual waste load allocations for point sources and load allocations for nonpoint sources and natural background such that the cumulative pollutant load from all sources does not exceed the loading (assimilative) capacity of the waterbody. TMDLs are commonly referred to as “pollution budgets”.

Toxicity
The adverse response(s) of organisms to chemicals or physical agents ranging from mortality to physiological responses, such as impaired reproduction or growth anomalies

Trash
All improperly discarded solid material from any production, manufacturing, or processing operation including, but not limited to, products, product packaging, or containers constructed of plastic, steel, aluminum, glass, paper, or other synthetic or natural materials.

Treatment
The application of engineered systems that use physical, chemical, or biological processes to remove pollutants. Such processes include, but are not limited to, filtration, gravity settling, media absorption, biodegradation, biological uptake, chemical oxidation and ultraviolet radiation.

Treatment Control BMP
Any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media absorption or any other physical, biological, or chemical process.

Waste
Sewage and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purpose of, disposal.

Waste Load Allocation (WLA)
A Waste Load Allocation (WLA) is the portion of a receiving water body's total loading capacity that is assigned to an existing or future point source of pollution. WLAs are established as part of a Total Maximum Daily Load (TMDL) to ensure that water quality standards are achieved and maintained.

Water Quality-Based Effluent Limitation (WQBEL)
A Water Quality-Based Effluent Limitation (WQBEL) is a restriction on the quantity, discharge rate, or concentration of pollutants discharged from point sources to waters of the United States, established as necessary to achieve compliance with applicable water quality standards. WQBELs are developed when technology-based effluent limitations are insufficient to ensure the protection of designated uses and attainment of water quality objectives.

Waters of the United States (Waters of the US)
Waters of the United States is defined by the federal Environmental Protection Agency in 40 C.F.R. § 122.2

Watershed Management Program
A voluntary, alternative compliance pathway where a MS4 or group of MS4s develops a comprehensive program on a watershed or subwatershed scale to achieve compliance with the requirements of the MS4 NPDES Permit in a collaborative and holistic manner. Through a Watershed Management Program, MS4 Permittees can identify and implement customized, cost-effective strategies and BMPs based on the unique characteristics and water quality priorities of the watershed.

Water Quality Objectives
Defined in the CWC as limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area.

Water Quality Standards
Water Quality Standards consists of beneficial uses, water quality objectives to protect those uses, an antidegradation policy, and policies for implementation. Water quality standards are established in Regional Water Quality Control Plans (Basin Plans) and statewide Water Quality Control Plans. USEPA has also adopted water quality criteria (the same as objectives) for California in the National Toxics Rule (NTR) and California Toxics Rule (CTR).

ATTACHMENT B — WATERSHED MANAGEMENT AREA MAPS

Figure B-1. Los Cerritos Channel and Alamitos Bay Watershed Management Area Hydrologic Units

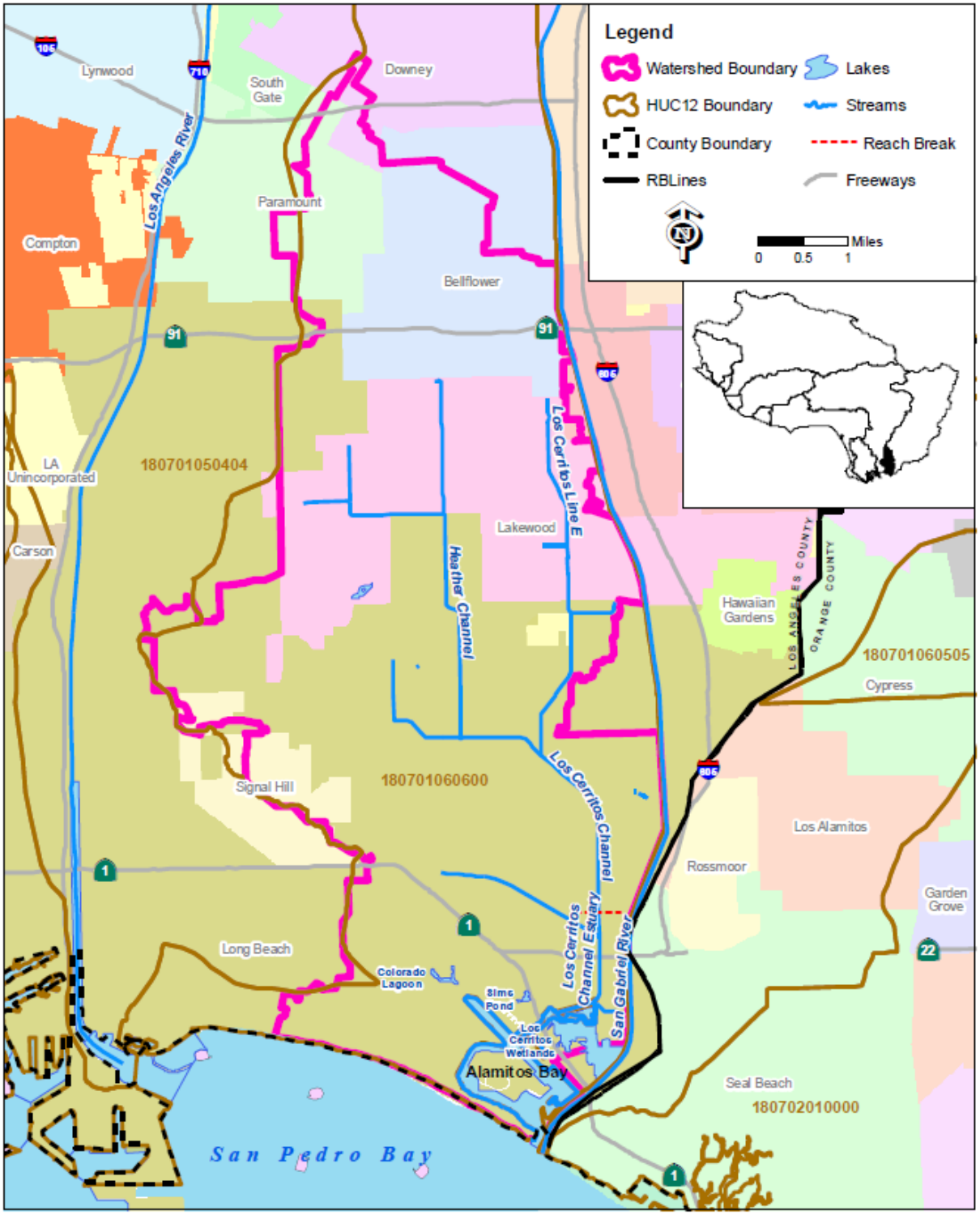


Figure B-2. Dominguez Channel and Los Angeles/Long Beach Harbors Watershed Management Area Hydrologic Units

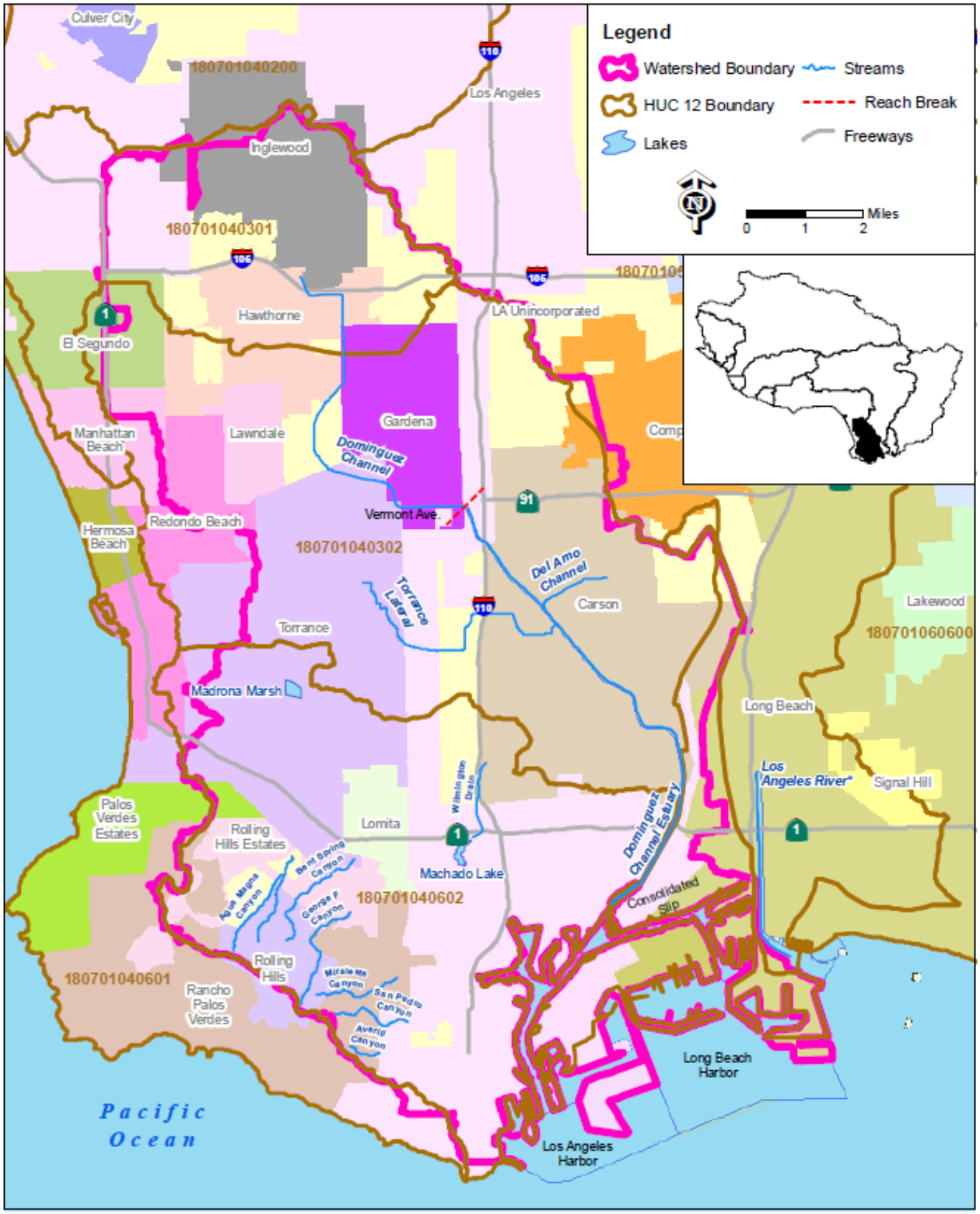
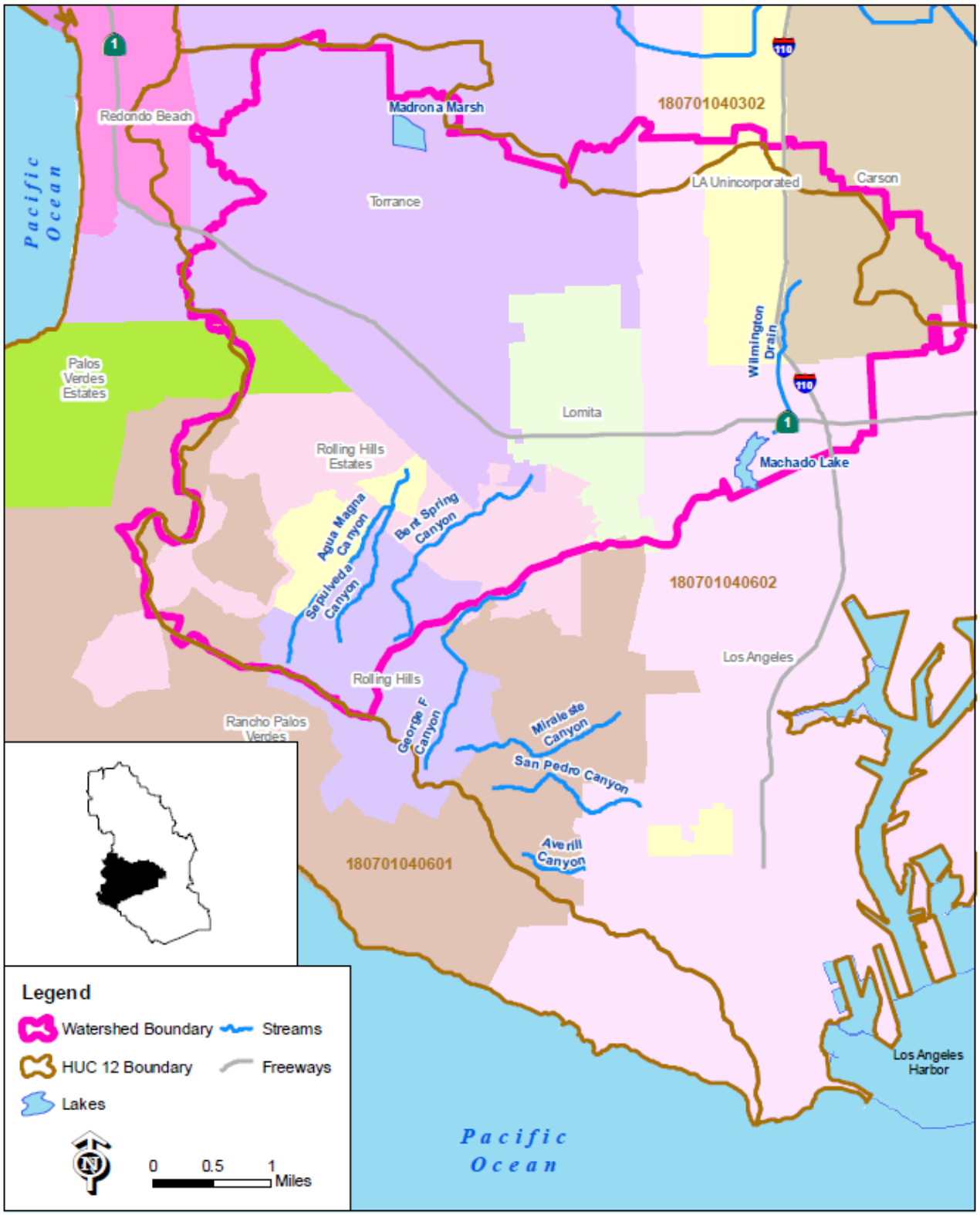


Figure B-3. Machado Lake Subwatershed Hydrologic Unit (Dominguez Channel and Los Angeles/Long Beach Harbors Watershed Management Area)



ATTACHMENT C — LOS ANGELES REGION STORM DRAIN SYSTEM MAPS

Figure C-1. Los Cerritos Channel and Alamitos Bay Watershed Management Area Storm Drain System

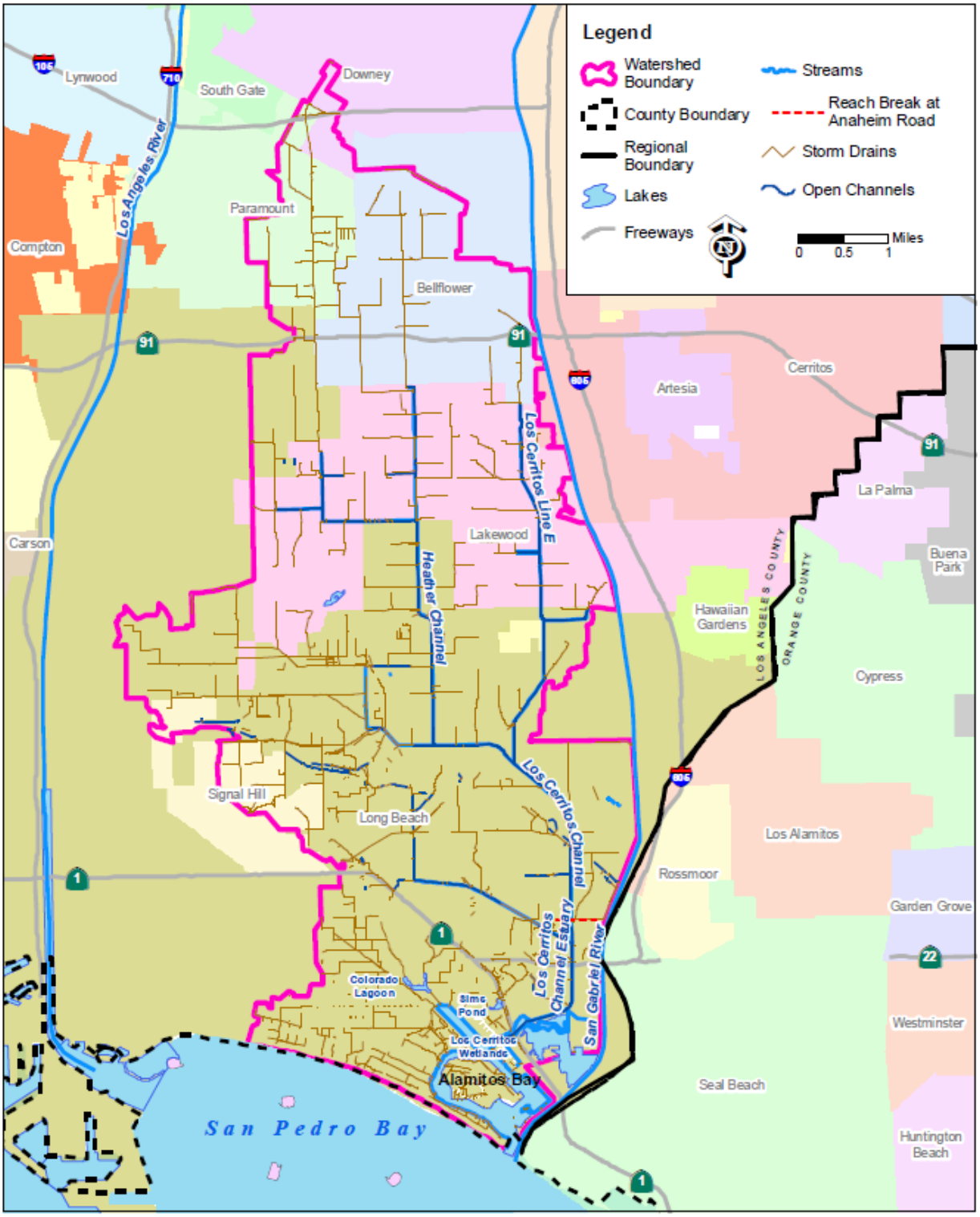


Figure C-2. Dominguez Channel and Los Angeles/Long Beach Harbors Watershed Management Area Storm Drain System

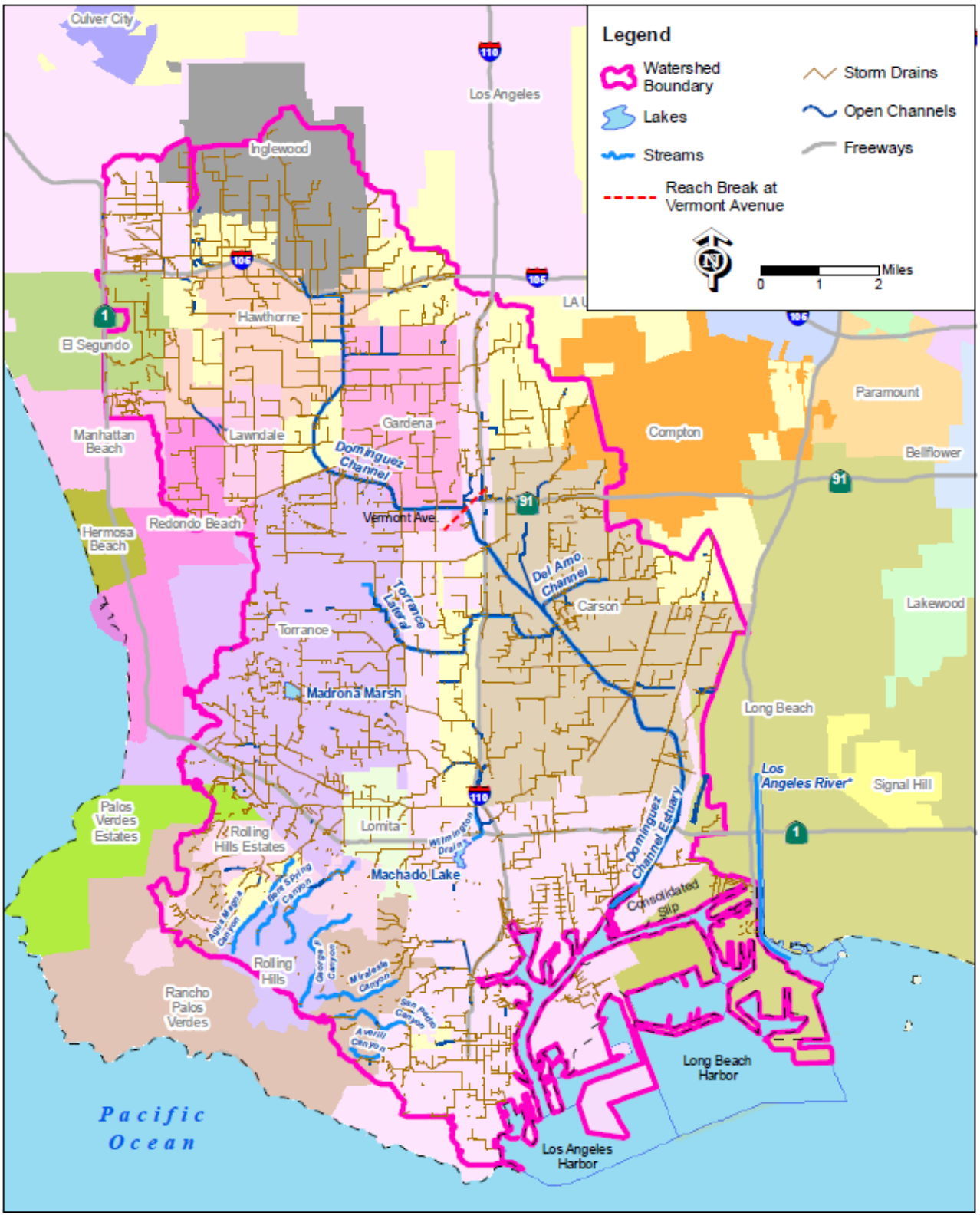
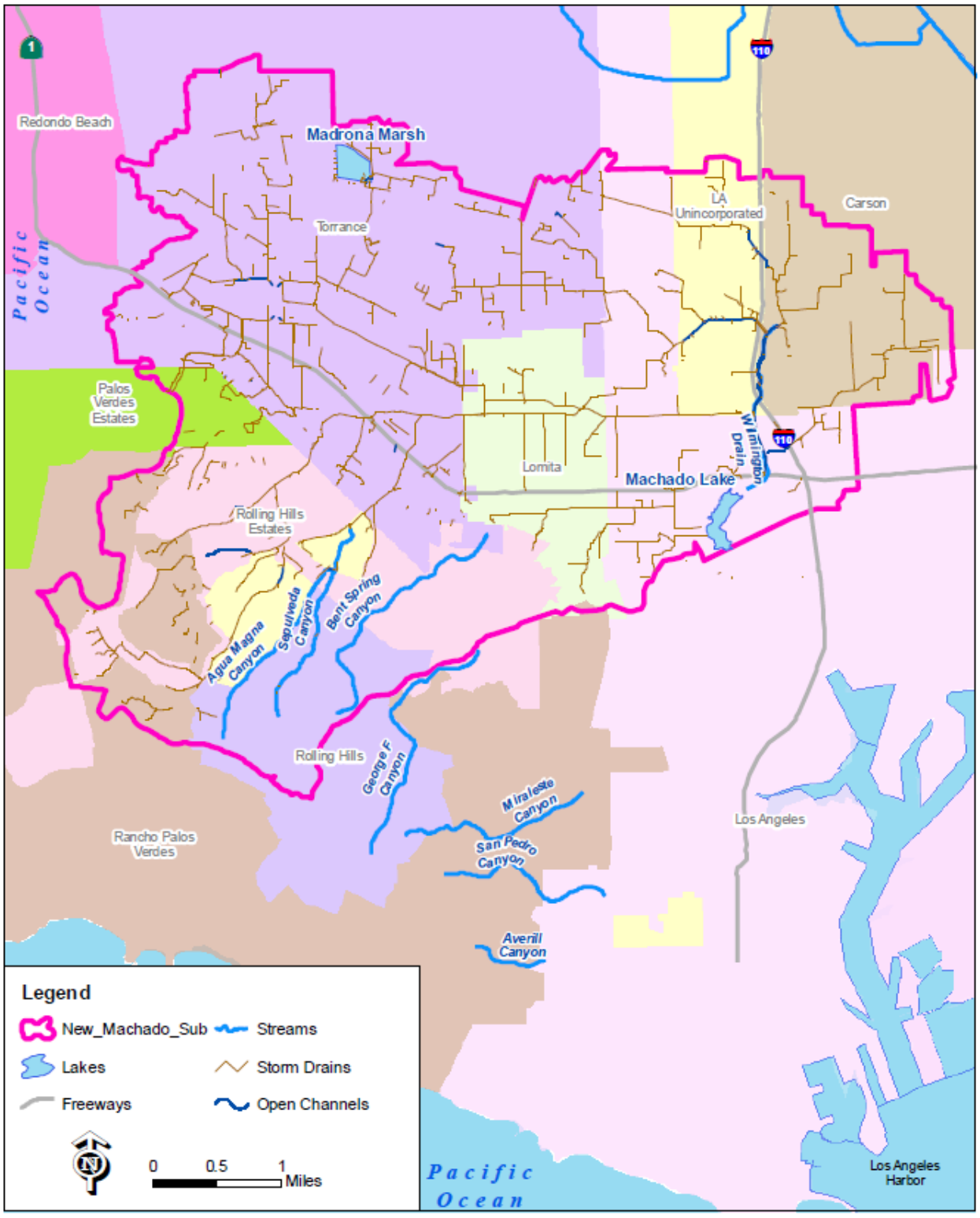


Figure C-3. Machado Lake Subwatershed Storm Drain System (Dominguez Channel and Los Angeles/Long Beach Harbors Watershed Management Area)



ATTACHMENT D — STANDARD PROVISIONS

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1. PERMIT COMPLIANCE

1.1. Duty to Comply

1.1.1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (CWC) and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (40 CFR § 122.41(a); CWC §§ 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385)

1.1.2. The Discharger shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 CFR § 122.41(a)(1))

1.2. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 CFR § 122.41(c))

1.3. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR § 122.41(d))

1.4. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 CFR § 122.41(e))

1.5. Property Rights

1.5.1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 CFR § 122.41(g))

1.5.2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 CFR § 122.5(c))

1.6. **Inspection and Entry**

The Discharger shall allow the Los Angeles Water Board, State Water Board, USEPA, and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (33 USC § 1318(a)(4)(B); 40 CFR § 122.41(i); CWC §§ 13267, 13383):

1.6.1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (33 USC § 1318(a)(4)(B)(i); 40 CFR § 122.41(i)(1); CWC §§ 13267, 13383);

1.6.2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 USC § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(2); CWC §§ 13267, 13383);

1.6.3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 USC § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(3); CWC §§ 13267, 13383); and

1.6.4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the CWC, any substances or parameters at any location. (33 USC § 1318(a)(4)(B); 40 CFR § 122.41(i)(4); CWC §§ 13267, 13383)

1.7. **Bypass**

The Los Angeles Water Board may approve an anticipated bypass, after considering its adverse effects, if the Los Angeles Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance section 1.7.3 below. (40 CFR § 122.41(m)(4)(ii))

1.7.1. **Definitions**

1.7.1.1. “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR § 122.41(m)(1)(i))

1.7.1.2. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably

be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 CFR § 122.41(m)(1)(ii))

1.7.2. **Bypass not exceeding limitations**

The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance sections 1.7.3, 1.7.4, and 1.7.5 below. (40 CFR § 122.41(m)(2))

1.7.3. **Prohibition of bypass**

Bypass is prohibited, and the Los Angeles Water Board may take enforcement action against a Discharger for bypass, unless (40 CFR § 122.41(m)(4)(i)):

1.7.3.1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 CFR § 122.41(m)(4)(i)(A));

1.7.3.2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 CFR § 122.41(m)(4)(i)(B)); and

1.7.3.3. The Discharger submitted notice to the Los Angeles Water Board as required under Standard Provisions – Permit Compliance section 1.7.6 below. (40 CFR § 122.41(m)(4)(i)(C))

1.7.4. **Burden of Proof**

In any enforcement proceeding, the Discharger seeking to establish the bypass defense has the burden of proof.

1.7.5. **Notice**

1.7.5.1. **Anticipated bypass**

If the Discharger knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass. Notices shall comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. (40 CFR § 122.41(m)(3)(i))

1.7.5.2. **Unanticipated bypass**

The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting section 5.5 below (24-hour notice). Notices shall comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. (40 CFR § 122.41(m)(3)(ii))

1.8. **Upset**

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 CFR § 122.41(n)(1))

1.8.1. **Effect of an upset**

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance section 1.8.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 CFR § 122.41(n)(2))

1.8.2. **Conditions necessary for a demonstration of upset**

A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 CFR § 122.41(n)(3)):

1.8.2.1. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 CFR § 122.41(n)(3)(i));

1.8.2.2. The Facility was, at the time, being properly operated (40 CFR § 122.41(n)(3)(ii));

1.8.2.3. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting section 5.5.2.2 below (24-hour notice) (40 CFR § 122.41(n)(3)(iii)); and

1.8.2.4. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance section 1.3 above. (40 CFR § 122.41(n)(3)(iv))

1.8.3. **Burden of proof**

In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 CFR § 122.41(n)(4))

2. PERMIT ACTION

2.1. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 CFR § 122.41(f))

2.2. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 CFR § 122.41(b))

2.3. Transfers

This Order is not transferable to any person except after notice to the Los Angeles Water Board. The Los Angeles Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the CWC. (40 CFR §§ 122.41(l)(3), 122.61)

3. MONITORING

3.1. Samples and measurements

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 CFR § 122.41(j)(1))

3.2. Monitoring

Monitoring must be conducted according to test procedures approved under 40 CFR part 136 for the analyses of pollutants unless another method is required under 40 CFR Chapter 1, Subchapters N or O. Monitoring must be conducted according to sufficiently sensitive test methods approved under 40 CFR part 136 for the analysis of pollutants or pollutant parameters or as required under

40 CFR Chapter 1, Subchapters N or O. For the purposes of this paragraph, a method is sufficiently sensitive when:

3.2.1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant parameter, and either the method ML is at or below the level of the most stringent applicable water quality criterion for the measured pollutant or pollutant parameter or the method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in the facility's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge; or

3.2.2. The method has the lowest ML of the analytical methods approved under 40 CFR part 136 or required under 40 CFR Chapter 1, Subchapters N or O for the measured pollutant or pollutant parameter.

3.2.2.1. In the case of pollutants or pollutant parameters for which there are no approved methods under 40 CFR part 136 or otherwise required under 40 CFR Chapter 1, Subchapters N or O, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 CFR §§ 122.21(e)(3),122.41(j)(4), 122.44(i)(1)(iv))

3.2.2.2. In the case of sludge use or disposal approved under 40 CFR part 136, monitoring must be conducted according to test procedures in 40 CFR part 503 unless otherwise specified in 40 CFR or other test procedures have been specified in this Order.

4. RECORDS

The Discharger shall retain records of all best management practice and monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Los Angeles Water Board Executive Officer at any time. (40 CFR § 122.41(j)(2))

4.1. Monitoring Information Record Requirements

Records of monitoring information shall include:

4.1.1. The date, exact place, and time of sampling or measurements (40 CFR § 122.41(j)(3)(i));

4.1.2. The individual(s) who performed the sampling or measurements (40 CFR § 122.41(j)(3)(ii));

4.1.3. The date(s) analyses were performed (40 CFR § 122.41(j)(3)(iii));

4.1.4. The individual(s) who performed the analyses (40 CFR § 122.41(j)(3)(iv));

4.1.5. The analytical techniques or methods used (40 CFR § 122.41(j)(3)(v)); and

4.1.6. The results of such analyses. (40 CFR § 122.41(j)(3)(vi))

4.2. Best Management Practice Record Requirements

Records of best management practices shall include:

4.2.1. The date and time of inspections and evaluations for proper operation and maintenance for BMPs used to comply with this Order;

4.2.2. The individual(s) who performed the inspections and evaluations; and

4.2.3. The results of the evaluations.

4.3. Claims of Confidentiality

Claims of confidentiality for the following information will be denied (40 CFR § 122.7(b)):

4.3.1. The name and address of any permit applicant or Discharger (40 CFR § 122.7(b)(1)); and

4.3.2. Permit applications and attachments, permits and effluent data. (40 CFR § 122.7(b)(2))

5. REPORTING

5.1. Duty to Provide Information

The Discharger shall furnish to the Los Angeles Water Board, State Water Board, or USEPA within a reasonable time, any information which the Los Angeles Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Los Angeles Water Board, State Water Board, or USEPA copies of records required to be kept by this Order. (40 CFR § 122.41(h); CWC §§ 13267, 13383)

5.2. Signatory and Certification Requirements

5.2.1. All applications, reports, or information submitted to the Los Angeles Water Board, State Water Board, and/or USEPA shall be signed and certified in

accordance with Standard Provisions – Reporting sections 5.2.2, 5.2.3, 5.2.4, 5.2.5, and 5.2.6 below. (40 CFR § 122.41(k))

5.2.2. All permit applications (i.e., NOI and Permit Registration Documents) shall be signed by a Legally Responsible Person. (40 CFR § 122.22(a)(1)). Any third party (i.e., contractor or consultant) who does not satisfy the requirements of any of the categories below is not qualified to be a Legally Responsible Person. The following persons or entities may serve as a Legally Responsible Person:

5.2.2.1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means either: a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; or the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

5.2.2.2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

5.2.2.3. For private institutions (e.g., universities, hospitals, churches): by a person with authority to enter into a contract with a third party; or

5.2.2.4. For an individual: the individual; or

5.2.2.5. For any type of entity not listed above (e.g., trusts, estates, receivers): an authorized person with managerial authority over the discharge or operation of the CII activity.

5.2.3. All reports required by this Order and other information requested by the Los Angeles Water Board, State Water Board, or USEPA shall be signed by a person described in Standard Provisions – Reporting section 5.2.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

5.2.3.1. The authorization is made in writing by a person described in Standard Provisions – Reporting section 5.2.2 above (40 CFR § 122.22(b)(1));

5.2.3.2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position) (40 CFR § 122.22(b)(2)); and

5.2.3.3. The written authorization is submitted to the Los Angeles Water Board and State Water Board via SMARTS. (40 CFR § 122.22(b)(3))

5.2.4. If an authorization under Standard Provisions – Reporting section 5.2.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting section 5.2.3 above must be submitted to the Los Angeles Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 CFR § 122.22(c))

5.2.5. Any person signing a document under Standard Provisions – Reporting sections 5.2.2 or 5.2.3 above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." (40 CFR § 122.22(d))

5.2.6. Any person providing the electronic signature for documents described in Standard Provisions – sections 5.2.1, 5.2.2, or 5.2.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting section 5.2, and shall ensure that all relevant requirements of 40 CFR part 3 (Cross-Media Electronic Reporting) and 40 CFR part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R § 122.22(e))

5.3. **Monitoring Reports**

5.3.1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 CFR § 122.41(l)(4))

5.3.2. Monitoring results must be reported on a Discharge Monitoring Report form or forms provided or specified by the Los Angeles Water Board or State Water Board for reporting results of monitoring. As of December 21, 2016, all reports and forms must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting section 5.10 and comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. (40 CFR § 122.41(l)(4)(i))

5.3.3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR part 136, or another method required for an industry-specific waste stream under 40 CFR Chapter 1, Subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report or sludge reporting form specified by the Los Angeles Water Board or State Water Board. (40 CFR § 122.41(l)(4)(ii))

5.3.4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 CFR § 122.41(l)(4)(iii))

5.4. **Compliance Schedules**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. (40 CFR § 122.41(l)(5))

5.5. **Twenty-Four Hour Reporting**

5.5.1. The Discharger shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

5.5.1.1. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (i.e., combined sewer overflow, sanitary sewer overflow, or bypass event), type of overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volume untreated by the treatment works treating domestic

sewage, types of human health and environmental impacts of the event, and whether the noncompliance was related to wet weather.

5.5.1.2. As of December 21, 2023, all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting section 5.10. The reports shall comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. The Los Angeles Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 CFR § 122.41(l)(6)(i))

5.5.2. The following shall be included as information that must be reported within 24 hours under this paragraph (40 CFR § 122.41(l)(6)(ii)):

5.5.2.1. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(A))

5.5.2.2. Any upset that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(B))

5.5.3. The Los Angeles Water Board may waive the above required written report on a case-by-case basis if an oral report has been received within 24 hours. (40 CFR § 122.41(l)(6)(ii)(B))

5.6. Planned Changes

The Discharger shall give notice to the Los Angeles Water Board as soon as possible of any planned physical alterations or additions to the Facility. Notice is required under this provision only when (40 CFR § 122.41(l)(1)):

5.6.1. The alteration or addition to a Facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR section 122.29(b) (40 CFR § 122.41(l)(1)(i)); or

5.6.2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 CFR § 122.41(l)(1)(ii))

5.7. Anticipated Noncompliance

The Discharger shall give advance notice to the Los Angeles Water Board of

any planned changes in the Facility or activity that may result in noncompliance with this Order's requirements. (40 CFR § 122.41(l)(2))

5.8. **Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting sections 5.3, 5.4, and 5.5 above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting section 5.5 above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting section 5.5 and the applicable required data in Appendix A to 40 CFR part 127. The Los Angeles Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 CFR § 122.41(l)(7))

5.9. **Other Information**

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Los Angeles Water Board, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information. (40 CFR § 122.41(l)(8))

6. ENFORCEMENT

6.1. The Los Angeles Water Board is authorized to enforce the terms of this permit under several provisions of the CWC, including, but not limited to, sections 13268, 13350, 13385, 13386, and 13387.

6.2. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the CWA is subject to a civil penalty not to exceed $25,000 per day for each violation.

6.3. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the CWA, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the CWA, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who

knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions. (40 CFR § 122.41(a)(2); CWC §§ 13385 and 13387)

Any person may be assessed an administrative penalty by the Los Angeles Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000. (40 CFR § 122.41(a)(3))

6.4. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than two (2) years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or both. (40 CFR § 122.41(j)(5))

6.5. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or by both. (40 CFR § 122.41(k)(2))

7. ADDITIONAL STANDARD CONDITIONS APPLICABLE TO SPECIFIC CATEGORIES OF NPDES PERMITS (40 CFR SECTION 122.42)

7.1. Stormwater Discharges

The initial permits for discharges composed entirely of stormwater issued pursuant to 40 CFR section 122.26(e)(7) shall require compliance with the conditions of the permit as expeditiously as practicable, but in no event later than three years after the date of issuance of the permit.

ATTACHMENT E — MONITORING AND REPORTING PROGRAM

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1. PURPOSE

1.1. General Objectives

The general objectives of the MRP are to:

1.1.1. Assess the chemical, physical, and biological impacts of discharges from the Discharger's facility on the receiving waters.

1.1.2. Assess compliance with discharge prohibitions and effluent limitations and the requirements of the Discharger's selected compliance option.

1.1.3. Characterize pollutant loads from the permitted discharges.

1.1.4. Identify sources of pollutants in the permitted discharges.

1.1.5. Assess the overall health and evaluate long-term trends in receiving water quality.

1.1.6. Measure and improve the effectiveness of pollutant controls implemented under this General Permit.

2. MONITORING REQUIREMENTS – ALL COMPLIANCE OPTIONS

2.1. ~~Prior to selecting a Compliance Option~~ Within eighteen (18) months of the effective date of this Order, the Discharger shall conduct an initial sampling and analysis of a stormwater discharge and any NSWD. The results of the analysis will be used by the Los Angeles Water Board to evaluate reasonable potential to cause or contribute to an exceedance of water quality objectives and, if necessary, to set new permit requirements in future CII permits based on the results of the Board's reasonable potential analysis. As required in the section 3.2 of the Attachment D Standard Provisions, the Discharger shall collect a representative

samples from a representative discharge location[1] and conduct analyses in accordance with approved methods under 40 CFR Part 136. In the case of pollutants or pollutant parameters for which there are no approved methods under 40 CFR Part 136 or otherwise required under 40 CFR Chapter 1, subchapter N, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. The following parameters shall be included in the sampling and analysis for comparison with water quality objectives:

Water Quality Parameters	Ammonia, Biochemical Oxygen Demand, Indicator Bacteria, Methylene Blue Activated Substances (MBAS), Nitrogen/Biostimulatory Substances, Oil and Grease, PAHs, Pesticides, pH, Temperature, Total Residual Chlorine, Total Suspended or Settleable Solids, toxicity, Zinc and Copper.

2.2. The Permit Registration Documents shall include an NOI, a site-specific SWPPP, laboratory analytical results obtained from the initial sampling requirements specified in section 2.1., and all applicable Compliance Option Documentation corresponding to the selected Compliance Option. These documents shall be submitted as part of the permit registration process and shall demonstrate the Discharger's understanding and intent to comply with the applicable requirements.

3. MONITORING REQUIREMENTS – COMPLIANCE OPTIONS 2 AND 3

Dischargers that choose to implement Compliance Options 2 or 3 are required to complete the following monitoring activities to demonstrate compliance with the applicable effluent limitations and other requirements in the Order.

3.1. Compliance Option 2 – Facility-Specific Design Standard to Reduce Stormwater Runoff

3.1.1. The Discharger shall photograph (or provide other Executive Officer approved documentation of) any bypass in excess of the design volume that occurs.

[1] A representative discharge location is one that reflects runoff from an area of the CII Facility expected to generate the most pollution, such as an area with a large amount of impervious surfaces.

Photographs (or other Executive Officer approved documentation) shall record the presence or absence of floating and suspended materials, oil and grease, discolorations, turbidity, odors, trash/debris, and source(s) of any discharged pollutants. When used, ~~P~~photographs shall be timestamped with the date and time that the visual observation was conducted.

3.1.1.1. In the event that a bypass is not visually observed, the Discharger shall provide an explanation via SMARTS for uncompleted visual observations.

3.1.2. The Discharger shall visually inspect and evaluate the installed stormwater controls every reporting year to ensure that the control is operating effectively and consistently with the design standard(s), and that necessary and appropriate maintenance is being performed.

3.2. Compliance Option 3 – Direct Demonstration of Compliance with Effluent Limitations

3.2.1. Site-Specific Monitoring Implementation Plan

3.2.1.1. The Discharger shall develop and implement a site-specific Monitoring Implementation Plan. The Monitoring Implementation Plan shall be included in the Discharger's site-specific Stormwater Pollution Prevention Plan, and shall include the following items:

3.2.1.1.1. Identification of personnel assigned to conduct the monitoring requirements.

3.2.1.1.2. A detailed description of the following:

3.2.1.1.2.1. Discharge location(s) (including latitude and longitude);

3.2.1.1.2.2. A list of the pollutants the Discharger is required to monitor, including the reason for the required monitoring (i.e., Tables 1-4 of the Order and Table I-1~~Table I-1~~.);

3.2.1.1.2.3. Sampling and analysis procedures;

3.2.1.1.2.4. Visual observation procedures;

3.2.1.1.2.5. Procedures for field instrument calibration instructions, including calibration intervals specified by the manufacturer; and,

3.2.1.1.2.6. An example Chain of Custody form used when handling and shipping water quality samples to the lab.

3.2.2. Sampling and Analysis

3.2.2.1. The Discharger shall collect and analyze discharge samples from two (2) Qualifying Storm Events (QSEs)[2] within the first half of each reporting period (July 1 to December 31 of the preceding year), and two (2) QSEs within the second half of each reporting period (January 1 to June 30).

3.2.2.2. Samples shall be collected from each drainage area at all discharge locations. The samples must be:

3.2.2.2.1. Representative of stormwater associated with the Discharger's activities and any commingled authorized NSWDs; or,

3.2.2.2.2. Associated with the discharge of contained stormwater.

3.2.2.2.3. Samples from each discharge location shall be collected within four (4) hours of:

3.2.2.2.3.1. The start of the discharge; or

3.2.2.2.3.2. The start of facility operations if the QSE occurs within the previous 12-hour period (e.g., for storms with discharges that begin during the night for facilities with daytime operating hours). Sample collection is required during scheduled facility operating hours and when sampling conditions are safe in accordance with section 2.2.5.1 below.

3.2.2.2.4. The Discharger shall analyze all collected samples for each parameter with an effluent limitation in section 7 of this Order with a compliance deadline that has passed.

3.2.2.2.5. The Discharger shall select corresponding analytical test methods and reporting units from 40 CFR Part 136. SMARTS will be updated over time to add additional acceptable analytical test methods. Dischargers may propose an analytical test method for any parameter or pollutant that does not have an analytical test method specified in 40 CFR Part 136 or in SMARTS. Dischargers may also propose analytical test methods with substantially similar or more stringent method detection limits (MDLs) than existing approved analytical test methods. Upon approval, the analytical test method will be added to SMARTS.

3.2.2.2.6. Where the analysis of stormborne suspended sediments in stormwater samples is required to determine compliance with the established effluent

[2] A QSE is defined as a precipitation event that produces a discharge for at least one drainage area and is preceded by 48 hours with no discharge from any drainage area.

limitations in section 7 of this Order and collection of suspended sediment from stormwater samples with sufficient yields to perform analysis required is not feasible, the following may be submitted for compliance determination:

For each parameter, a measured concentration in the total (CT) and dissolved (CD) fractions of the stormwater sample. Methods used to measure the total and dissolved fractions shall be analytical method promulgated in 40 CFR 136 or as otherwise directed by the State Board. Concentration of the constituents in the suspended sediment will be determined based on the difference between the concentrations of the constituent measured in the total fraction and the concentrations of the constituent measured in the dissolved fraction.

$$C_A = C_T - C_D$$

C_T = Concentration of analyte in total fraction, µg/L
C_D = Concentration of analyte in dissolved fraction, µg/L
C_A = Concentration of analyte in suspended sediment fraction, µg/L

A separate analysis of suspended sediment concentration (SSC) using ASTM D3977-97 (19) Test Method B-Filtration) shall be performed to determine the net weight of sediment and net sample volume parameters necessary for unit conversion.

The following equation should be used to convert CA, µg/L to CS, mg/kg:

$$C_S = \frac{C_A}{SSC} \times 1{,}000$$

C_A = Concentration of analyte in suspended sediment fraction, µg/L
C_S = Concentration of analyte in suspended sediment fraction, mg/kg
SSC = Suspended sediment concentration, measured by ASTM D3977-97 (19), mg/L

When using the above formulas, the following values shall be included with the report: C_S, C_T, C_D and SSC.

3.2.2.2.7. Samples from different discharge locations shall not be combined or composited.

3.2.2.2.8. The Discharger shall ensure that all laboratory analyses are performed according to sufficiently sensitive test procedures and conducted according to test procedures under 40 CFR Part 136, including the observation of holding times, unless other test procedures have been specified in this

General Permit, by the Los Angeles Water Board, or are required under 40 CFR Chapter I Subchapter N.

3.2.3. **Sample Collection and Handling**

The Discharger shall ensure that the collection, preservation, and handling of all samples are in accordance with the following:

3.2.3.1. Identify the sampling parameters required to be tested and the number of stormwater discharge points that will be sampled. Request the analytical testing laboratory to provide the appropriate number and type of sample containers, sample container labels, blank chain of custody forms, and sample preservation instructions.

3.2.3.1.1. Laboratories analyzing monitoring samples shall be certified by the State Water Resources Control Board (State Water Board) in accordance with the provisions of CWC section 13176 and must include quality assurance / quality control data with their analytical reports.

3.2.3.2. Determine how samples will be transported to the laboratory. The testing laboratory should receive samples within 48 hours of the physical sampling (unless otherwise required by the laboratory). The Discharger may either deliver the samples to the laboratory, arrange for the laboratory to pick up the samples, or overnight ship the samples to the laboratory. All sample analysis shall be done in accordance with 40 CFR Part 136 unless an alternative method is approved as specified in section 3.2.2.2.6. Samples for pH have a holding time of 15 minutes.[3]

3.2.3.3. For grab samples, use only the sample containers provided by the laboratory to collect and store samples. Use of any other type of containers may contaminate samples.

3.2.3.4. For automatic samplers that are not compatible with bottles provided by the laboratory, the Discharger is required to send the sample container included with the automatic sampler to the laboratory for analysis.

3.2.3.4.1. The Discharger can only use an automatic sampling device to collect samples for parameters that the device is designed to collect samples for. For pH, Dischargers can only use automatic sampling devices with the ability to read pH within 15 minutes of sample collection.

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[3] 40 CFR section 136.3, Table II – Required Container, Preservation Techniques, and Holding Times

3.2.3.4.2. The Discharger is prohibited from using an automatic sampling device for oil and grease unless the automatic sampling device is specifically designed to sample for oil and grease.

3.2.3.5. To prevent contamination, do not touch the inside of sample container or cap or put anything into the sample containers before collecting stormwater samples.

3.2.3.6. Do not overfill sample containers. Overfilling can change the analytical results.

3.2.3.7. Tightly screw on the cap of each sample container without stripping the threads of the cap.

3.2.3.8. Complete and attach a label for each sample container. The label shall identify the date and time of sample collection, the person taking the sample, and the sample collection location or discharge point. The label should also identify any sample containers that have been preserved.

3.2.3.9. Carefully pack sample containers into an ice chest or refrigerator to prevent breakage and maintain temperature during shipment. Remember to place frozen ice packs into shipping containers. Samples should be kept as close to 4 degrees Celsius (39 degrees Fahrenheit) as possible until arriving to the laboratory. Do not freeze samples.

3.2.3.10. Complete a Chain of Custody form for each set of samples. The Chain of Custody form shall include the Discharger's name, address, and phone number, identification of each sample container and sample collection point, person collecting the samples, the date and time each sample container was filled, and the analysis that is required for each sample container.

3.2.3.11. Upon shipping/delivering the sample containers, obtain both the signatures of the persons relinquishing and receiving the sample containers.

3.2.3.11.1. Dischargers shall designate and train personnel to collect, maintain, and ship samples in accordance with the sample protocols and laboratory practices.

3.2.3.12. All sampling and sample preservation shall be in accordance with 40 CFR Part 136 and the most recent edition of *Standard Methods for the Examination of Water and Wastewater* (American Public Health Association). All monitoring instruments and equipment (including Discharger field instruments for measuring pH or specific conductance if identified as an additional sampling parameter) shall be calibrated and maintained in accordance with manufacturers' specifications to ensure accurate measurements. All laboratory analyses shall be conducted according to

approved test procedures under 40 CFR Part 136 unless other test procedures have been specified by the Los Angeles Water Board. All metals shall be reported as total recoverable metals. Dischargers may conduct their own field analysis of pH (or specific conductance if identified as an additional sampling parameter) if the Discharger has sufficient capability (qualified and trained employees, properly calibrated and maintained field instruments, etc.) to adequately perform the field analysis. With the exception of field analysis conducted by Dischargers for pH (or specific conductance if identified as an additional sampling parameter), all analyses shall be sent to and conducted at a laboratory certified for such analyses by the State Water Resources Control Board's Environmental Laboratory Accreditation Program (ELAP). Dischargers are required to report to the Los Angeles Water Board any sampling data collected more frequently than required in this General Permit.

3.2.4. **Sampling Event Visual Observations**

3.2.4.1. Visual observations of stormwater discharges shall be conducted at the time that the discharge is sampled.

3.2.4.2. The Discharger shall visually observe and provide photographic documentation (or other Executive Officer approved documentation) of the following:

3.2.4.2.1. The presence or indications of prior, current, or potential unauthorized NSWDs and their sources;

3.2.4.2.2. Authorized NSWDs, sources, and associated BMPs to ensure compliance with section 5 of the Order;

3.2.4.2.3. Outdoor commercial and/or industrial equipment and storage areas, outdoor industrial activities areas, BMPs, and all other potential sources of industrial pollutants;

3.2.4.2.4. The presence or absence of floating and suspended materials, oil and grease, discolorations, turbidity, odors, trash/debris, and source(s) of any discharged pollutants; and

3.2.4.2.5. Date and time that the visual observation was conducted.

3.2.4.3. In the event that there is no discharge from a discharge location during the sampling event, the Discharger shall photograph (or provide other Executive Officer approved documentation of) the discharge location(s) demonstrating no discharge at that date and time. When used, ~~P~~photographs shall be timestamped with the date and time that the visual observation was conducted.

3.2.4.4. The Discharger shall provide an explanation via SMARTS for uncompleted sampling event visual observations.

3.2.5. **Sample Collection and Visual Observation Exceptions**

3.2.5.1. Sample collection and visual observations are not required under the following conditions:

3.2.5.1.1. During dangerous weather conditions such as flooding or electrical storms; or,

3.2.5.1.2. Outside of scheduled facility operating hours. The Discharger is not precluded from collecting samples or conducting visual observations outside of scheduled facility operating hours.

3.2.5.2. In the event that samples are not collected, or visual observations are not conducted in accordance with section 2.2.4 above due to these exceptions, an explanation shall be included in the monitoring report.

4. REPORTING REQUIREMENTS – COMPLIANCE OPTIONS 1, 2, AND 3

4.1. Compliance Option 1 – Agreement with Local Watershed Management Group to Fund Regional Project(s)

4.1.1. The Discharger shall submit an annual report detailing their participation in the legally binding agreement with the Watershed Management Group through SMARTS by December 15th of each reporting year. The annual report shall include the following:

4.1.1.1. The activities funded during the previous reporting year in support of the Watershed Management Program;

4.1.1.2. Confirmation that the Discharger has complied with the requirements of their agreement with the Watershed Management Group, including updated agreement with the Watershed Management Group, if necessary and payment of applicable fees;

4.1.1.3. Description of visual observation and photograph (or other Executive Officer approved documentation) of discharges from the site and description and photographic documentation (or other Executive Officer approved documentation) of any corrective actions taken, as appropriate. When used, ~~P~~photographs shall be timestamped with the date and time that the visual observation was conducted; and

4.1.1.4. Visual observations and evaluation of the minimum BMPs and any corrective actions taken, as appropriate.

4.2. **Compliance Option 2 – Facility-Specific Design Standard to Reduce Stormwater Runoff**

The Discharger shall submit an annual report detailing the results of the visual inspection and evaluation of the installed BMPs as required in Attachment I, in addition to visual observations of minimum BMPs, and visual observation including photographs (or other Executive Officer approved documentation) of stormwater and non-stormwater discharge and any corrective actions taken, as appropriate, via SMARTS by December 15th of each reporting year that the inspection was performed. When used, ~~P~~photographs shall be timestamped with the date and time that the visual observation was conducted.

4.3. **Compliance Option 3 – Direct Demonstration of Compliance with Effluent Limitations**

4.3.1. The Discharger shall submit an annual report detailing the results of the visual observation and evaluation of the minimum BMPs and any corrective actions taken, as appropriate, via SMARTS by December 15th of each reporting year.

4.3.2. The Discharger shall submit all sampling and analytical results, and visual observation records via SMARTS within 45 days from the end of the reporting period.

4.3.3. The Discharger shall provide the MDL when an analytical result from samples taken is reported by the laboratory as a “non-detect" or less than the MDL. A value of zero (0) shall not be reported.

4.3.4. The Discharger shall provide the analytical result from samples taken that is reported by the laboratory as below the minimum level (ML), often referred to as the reporting limit (RL), but above the MDL.

5. ADDITIONAL REPORTING REQUIREMENTS

5.1. **General Monitoring and Reporting Requirements**

The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.

5.2. **Stormwater Multiple Application and Report Tracking System (SMARTS)**

5.2.1. The Discharger shall submit all required reports and analytical results using the State Water Board’s SMARTS website at:(https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml).

5.2.2. All monitoring results reported shall be supported by the inclusion of the complete analytical report from the laboratory that conducted the analyses.

5.2.3. Reporting for each Compliance Option shall be completed according to the following schedule (e.g., a Visual Observation Report due on December 15, 2026 must cover the monitoring period from July 1, 2025 to June 30, 2026):

Table E-1. Reporting Schedule

Compliance Option	Item(s) to Submit	Reporting Frequency	Reporting Period	Item Due Date
Compliance Option 1	Annual Report: Updated agreement with local Watershed Management Group, if necessary Visual Observations of Minimum BMPs Visual Observation and Photographs (or other Executive Officer approved documentation) of Discharges	Annually	July 1 through June 30	December 15th
Compliance Option 2	Sampling and Analytical Results	Semiannually	July 1 through December 31	February 14th
	Sampling and Analytical Results	Semiannually	January 1 through June 30	August 14th
	Annual Report: Visual Inspection of Installed BMPs Visual Observations of Minimum BMPs Visual Observation and Photographs (or other Executive Officer approved documentation) of Discharges	Annually	July 1 through June 30	December 15th

Compliance Option	Item(s) to Submit	Reporting Frequency	Reporting Period	Item Due Date
Compliance Option 3	Sampling and Analytical Results Visual Observations and Photographs (or other Executive Officer approved documentation) of Discharges	Semiannually	July 1 through December 31	February 14th
	Sampling and Analytical Results Visual Observations and Photographs (or other Executive Officer approved documentation) of Discharges	Semiannually	January 1 through June 30	August 14th
	Annual Report: Visual Observations of Minimum BMPs	Annually	July 1 through December 31	December 15th

5.3. **Reporting Protocols for Sampling Results**

The Discharger shall report each sample result with the applicable reported ML (also known as the RL) and the current MDL, as determined by the procedure in 40 CFR Part 136 or by the approved alternative method where applicable.

The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

5.3.1. Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

5.3.2. Sample results less than the reported ML, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words “Estimated Concentration” (may be shortened to “Est. Conc.”). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (± a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

5.3.3. Sample results less than the laboratory’s MDL shall be reported as “Not Detected,” or ND.

5.3.4. The Discharger is to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

5.4. Protocol for Submitting Self-Monitoring Reports (SMRs)

The Discharger shall submit SMRs in accordance with the following requirements:

5.4.1. The Discharger shall attach a cover letter to the report submission. The information contained in the cover letter shall clearly identify:

5.4.1.1. Facility name and address;

5.4.1.2. WDID number;

5.4.1.3. Applicable period of monitoring and reporting; and

5.4.1.4. Violations of the requirements of the General Permit (identified violations must include a description of the requirement that was violated and a description of the violation).

6. CHRONIC WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

6.1. Discharge In-stream Waste Concentration (IWC) for Chronic Toxicity

The chronic toxicity IWC for this discharge is 100 percent effluent.

6.2. Sample Volume and Holding Time

The total sample volume shall be determined by the specific toxicity test method used. Sufficient sample volume shall be collected to perform the required toxicity test. Sufficient sample volume shall also be collected for subsequent TIE

studies, if necessary, at each sampling event. All toxicity tests shall be conducted as soon as possible following sample collection. No more than 36 hours shall elapse before the conclusion of sample collection and test initiation.

6.3. Chronic Toxicity Effluent Monitoring Program

For this General Permit, samples are collected from outfalls discharging to receiving waters. The Discharger shall conduct the following chronic toxicity tests on effluent samples at the in-stream waste concentration for the discharge in accordance with species and test methods in *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA/821/R-02/013, 2002; Table IA, 40 CFR part 136). In no case shall these species be substituted with another test species unless written authorization from the Executive Officer is received.

6.3.1. A static renewal toxicity test with the fathead minnow, *Pimephales promelas* (Larval Survival and Growth Test Method 1000.0).

6.3.2. A static renewal toxicity test with the daphnid, *Ceriodaphnia dubia* (Survival and Reproduction Test Method 1002.01).

6.3.3. A static toxicity test with the green alga, *Selenastrum capricornutum* (also named *Raphidocelis subcapitata*) (Growth Test Method 1003.0).

6.4. Species Sensitivity Screening

Species sensitivity screening shall be conducted during this permit's first required sample collection. The Discharger shall collect a single effluent sample to initiate and concurrently conduct three toxicity tests using the fish, an invertebrate, and the alga species previously referenced. If the result of all three species is "Pass", then the species that exhibits the highest "Percent Effect" at the discharge IWC during species sensitivity screening shall be used for routine monitoring during the permit cycle. If only one species fails, then that species shall be used for routine monitoring during the permit cycle. If two or more species result in "Fail," then the species that exhibits the highest "Percent Effect" at the discharge IWC during the suite of species sensitivity screening shall be used for routine monitoring during the permit cycle, until a rescreening is required.

Species sensitivity screening is required every five (5) years. The Discharger shall rescreen the three species listed above and continue to monitor with the most sensitive species. If the first suite of rescreening tests demonstrates that the same species is the most sensitive, then the rescreening does not need to include more than one suite of tests. If a different species is the most sensitive or if there is ambiguity, then the Discharger may proceed with suites of screening tests for a minimum of three, but not to exceed five suites.

Toxicity tests used to determine the most sensitive test species shall be reported as effluent compliance monitoring results for the chronic toxicity effluent limits.

6.5. Preparation of Initial Investigation Toxicity Reduction Evaluation (TRE) Work Plan

The Discharger shall prepare and submit a generic Initial Investigation TRE Work Plan within 90 days of the permit effective date to be ready to respond to toxicity events. The Discharger shall review and update this work plan as necessary, so it remains current and applicable to the discharge. At a minimum, the work plan shall include:

6.5.1. A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.

6.5.2. A description of methods for maximizing in-house treatment system efficiency, good housekeeping practices, and a list of all chemicals used in operations at the CII Sites.

6.5.3. If a Toxicity Identification Evaluation (TIE) is necessary, an indication of who would conduct the TIEs (i.e., in-house expert or outside contractor).

6.6. Toxicity Identification Evaluation and Toxicity Reduction Evaluation Process

6.6.1. Toxicity Identification Evaluation (TIE)

A toxicity test sample is immediately subject to TIE procedures to identify the toxic chemical(s), if a chronic toxicity test shows “Fail and % Effect value ≥50”. The Discharger shall initiate a TIE using, as guidance, EPA manuals: Methods for Aquatic Toxicity Identification Evaluations:, Phase I Toxicity Characterization Procedures (EPA/600/6-91/003, 1991); Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity (EPA/600/R-92/080, 1993); Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity (EPA/600/R-92/081, 1993); and Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document (EPA/600/R-96-054, 1996). The TIE should be conducted on the species demonstrating the most sensitive toxicity response.

6.6.2. Toxicity Reduction Evaluation (TRE)

When a toxicant or class of toxicants is identified, a TRE shall be performed for

that toxicant. The TRE shall include all reasonable steps to identify the source(s) of toxicity and discuss appropriate BMPs to eliminate the causes of toxicity. No later than 30 days after the source of toxicity and appropriate BMPs and/or treatment are identified, the Discharger shall submit a TRE Corrective Action Plan to the Executive Officer for approval. At minimum, the plan shall include:

6.6.2.1. The potential sources of pollutant(s) causing toxicity.

6.6.2.2. Recommended BMPs and/or treatment to reduce the pollutant(s) causing toxicity.

6.6.2.3. Follow-up monitoring to demonstrate that toxicity has been removed.

6.6.2.4. Actions the Discharger will take to mitigate the effects of the discharge and prevent the recurrence of toxicity.

6.6.2.5. A schedule for these actions, progress reports, and the final report.

6.6.3. Many recommended TRE elements parallel required or recommended efforts for source control, pollution prevention, and storm water control programs. TRE efforts should be coordinated with such efforts. As toxic substances are identified or characterized, the Discharger shall continue the TRE by determining the sources and evaluating alternative strategies for reducing or eliminating the substances from the discharge. All reasonable steps shall be taken to reduce toxicity to levels consistent with toxicity evaluation parameters.

6.6.4. The Discharger shall conduct routine effluent monitoring for the duration of the TIE/TRE process.

6.6.5. The Regional Water Board recognizes that toxicity may be episodic and identification of causes and reduction of sources of toxicity may not be successful in all cases. The TRE may be terminated at any stage if monitoring finds there is no longer toxicity.

6.7. **Reporting**

The Discharger shall submit all toxicity test results via SMARTS within 30 days of obtaining all results for each sampling event. The Discharger shall include the following:

6.7.1. A summary of water quality measurements for each toxicity test (e.g., pH, dissolved oxygen, temperature, conductivity, hardness, salinity, chlorine, ammonia).

6.7.2. TRE/TIE results. The Regional Water Board Executive Officer shall be notified no later than 30 days from completion of each aspect of TRE/TIE analyses.

6.7.3. Statistical program output results for each toxicity test.

6.7.4. Any additional QA/QC documentation or any additional chronic toxicity-related information, upon request from the Regional Water Board staff.

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As described in section 2 of the Order, the Los Angeles Water Board incorporates this Fact Sheet as findings of the Los Angeles Water Board supporting the issuance of this General Permit. This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this General Permit.

1. PERMIT INFORMATION

1.1. Facility Information

The following table summarizes administrative information related to the facilities and the Dischargers.

Table F-1. Summary of Administrative Information

Category	Administrative Information
WDID No.[1]	Various
Dischargers	Various
Discharger Contact Information	Available through the Stormwater Multiple Application and Report Tracking System (SMARTS)[2] (https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml)
Mailing Address	Refer to SMARTS
Billing Address	Refer to SMARTS
Type of Facilities	Unpermitted, privately owned commercial, industrial, and institutional (CII) facilities with greater than or equal to five (5) acres of impervious surface, and permitted CII Sites with five (5) or more acres of total area.

[1] WDID No. stands for "Waste Discharge Identification Number", which is a unique identifier given to a specific facility and regulatory measure (e.g., NPDES permit). In the case of the Order, each Discharger has a unique WDID number associated with its coverage under the Order.
[2] SMARTS provides a platform where dischargers, regulators, and the public can enter, manage, and view stormwater data including permit applications and compliance and monitoring data associated with NPDES permits for stormwater discharges issued by the State of California. SMARTS is compliant with USEPA's Cross-Media Electronic Reporting Rule, which sets requirements for electronic reporting of NPDES permit-related submittals.

Category	Administrative Information
Major or Minor Facilities	Minor
Discharge Points	Locations throughout the Dominguez Channel/Los Angeles and Long Beach Inner Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed
Discharge Description	Stormwater and Non-Stormwater Discharges (NSWDs)
Watershed(s)	Dominguez Channel/Los Angeles and Long Beach Inner Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed
Receiving Water(s)	Various (see section 3.2 of this Fact Sheet)
Receiving Water Type(s)	Inland surface waters, estuarine waters, and marine waters, including but not limited to lakes, rivers, estuaries, lagoons, harbors, bays, beaches, and the Pacific Ocean

1.2. Dischargers

The entities discussed in this Fact Sheet are hereinafter referred to as "Permittees" or "Dischargers." References to "discharger" or "permittee" in applicable State and federal laws, regulations, plans, or policy are held to be equivalent to references to the Permittees or Dischargers herein.

1.3. Discharges

Information about the Dischargers' stormwater and authorized NSWDs is summarized in Table F-1 above.

Attachment A of this General Permit lists acronyms and definitions of terms used in the General Permit and all other attachments. Attachment B of this General Permit provides a map depicting each major Watershed Management Area, its subwatersheds, and the major receiving waters therein to which the Permittees discharge. Attachment C of this General Permit depicts the major

municipal separate stormwater sewer system (MS4)-related infrastructure within the Los Angeles Region.

1.4. Permit Scope

This Order regulates stormwater runoff and authorized NSWDs from unpermitted, privately owned commercial, industrial, and institutional (CII) facilities with greater than or equal to five (5) acres of impervious surface, and from permitted CII Sites with five (5) or more acres of total area. This Order does not apply to residential facilities of any type.

Federal regulations define "stormwater" as "stormwater runoff, snow melt runoff, and surface runoff and drainage." (40 CFR § 122.26(b)(13)). While "surface runoff and drainage" is not defined in federal law, USEPA's preamble to its final stormwater regulations demonstrates that the term is related to precipitation events such as rain and/or snowmelt. (55 Federal Register 47990, 47995-96 (Nov. 16, 1990)). NSWDs consist of all discharges that do not originate from precipitation events. NSWDs are prohibited unless authorized under a separate National Pollutant Discharge Elimination System (NPDES) permit; composed of natural flows; the result of emergency firefighting activities; or conditionally exempted as discussed in section 5 of the Order.

The Los Angeles Water Board estimates that approximately 600 Dischargers may be registering for coverage under this General Permit.

The majority of these CII Facilities have owners who are an individual or entity with both authority and operational control necessary to meet all requirements of the General Permit. Owners of the CII Facilities typically have responsibility and operational control and engage with local municipalities to secure building permits for the onsite stormwater infrastructure. Such permits are issued directly to the property owners, as tenants are typically not authorized to obtain these permits. Regarding parcels rights of way or easements where the operator may have operational control in these areas, the responsibility for these areas is often based on the easement/right of way agreement between the owner and operator.

For CII Facilities already covered by the General Permit for Stormwater Discharges Associated with Industrial Activities (IGP), the operators often have responsibility and operational control over the SWPPP and its specifications, including the ability to make modifications to those plans and specifications. The operators also have day-to-day operational control of activities at the

facility which are necessary to ensure compliance with a SWPPP for the facility or other permit conditions.

Several CII Facilities consist of a campus, with multiple qualifying parcels owned by one entity, or a different entity, or a combination of ownership and leasing of buildings across parcels. The parcels may be contiguous or separated by easement, right of way, or public street.

Based on the variability of CII Facilities who may enroll in this General Permit, the Discharger is therefore defined as the owner or operator of a CII Facility, whoever has the authority and operational control to comply with all conditions of this General Permit. Operational control includes preparing and implementing the SWPPP, and either (1) entering into a legally binding agreement with the local Watershed Management Group or its fiduciary agent, (2) operating and maintaining stormwater controls to address the volume of runoff produced by an 85th percentile 24-hour storm event, or (3) implementing monitoring, reporting requirements, and stormwater controls to directly demonstrate compliance with water quality based effluent limitations.

2. BACKGROUND ON RESIDUAL DESIGNATION OF CII FACILITIES AND NEED FOR GENERAL PERMIT; AUTHORITIES

2.1. Petitions for Residual Designation of CII Facilities

Pursuant to sections 402(p)(2)(E) and 402(p)(6) of the Clean Water Act (CWA), and 40 C.F.R. § 122.26(a)(1)(v) and 122.26(a)(9)(i)(D), the EPA Regional Administrator and authorized states may designate stormwater discharges as requiring NPDES permit coverage where the Regional Administrator determines that “the discharge, or category of discharges within a geographic area, contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States.” . This authority is commonly referred to as Residual Designation Authority (RDA).

On September 17, 2015, American Rivers, the Natural Resources Defense Council, and the Los Angeles Waterkeeper (Petitioners) petitioned the Regional Administrator of USEPA Region 9 to exercise its RDA and make "a determination that currently unpermitted stormwater discharges from privately-owned CII Sites are contributing to violations of water quality standards” in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed, and therefore require

NPDES permits pursuant to CWA section 402(p) (Petitions)[3].

In the Petitions, the Petitioners asserted the following: (1) portions of the watersheds are impaired by copper, zinc, and/or ammonia pollution, (2) stormwater discharges from CII Sites contain copper, zinc, and ammonia, contributing to water quality impairments in the watersheds, and (3) existing programs are not adequately addressing the contributions from CII Sites to impairments in the watersheds. In support, the Petitioners cited USEPA guidance and reports in which USEPA concluded that urban stormwater discharges are sources of pollutants. Petitioners also pointed to various reports and studies, including the National Stormwater Quality Database, to illustrate typical pollutant loads from different land uses, including CII Sites. Finally, the Petitioners cited TMDLs established by the State and USEPA to illustrate the specific sources of pollutants leading to impairments in the watersheds.

On October 17, 2016, the Regional Administrator declined to designate the CII Sites in the watersheds, concluding that other programs were already in place to adequately address the water quality impairments in the watersheds (2016 Response).[4] On May 8, 2017, the Petitioners filed a complaint in the US District Court Central District of California challenging USEPA Region 9's decision.[5] Plaintiffs brought suit on two grounds: (1) failure to perform a nondiscretionary duty under the CWA citizen-suit provision, 33 USC § 1365(a)(2); and (2) in the alternative, arbitrary and capricious agency action in violation of the Administrative Procedure Act (APA), 5 USC § 706(2). The United States District Court for the Central District of California dismissed the CWA claim, but allowed the APA claim to proceed.[6] In a published decision, the Court concluded that EPA acted arbitrarily and capriciously in leaving the CII stormwater discharges unregulated.[7] The Court explained that, "[w]here, as here, EPA has determined that a stormwater discharge contributes to a violation of a water quality standard, the [CWA] requires EPA to either (1) engage in the NPDES permitting process for the discharge at issue or (2) prohibit the discharge."[8] In addition, the

[3] Natural Resources Defense Council, American Rivers, and Los Angeles Waterkeeper. Petitions for a Determination That Stormwater Discharges from Commercial, Industrial and Institutional Sites Contribute to Water Quality Standards Violations in the Alamitos Bay/Los Cerritos Channel Watershed, Dominguez Channel and the Los Angeles/Long Beach Inner Harbor (Los Angeles County, California) and Require Clean Water Act Permits, September 17, 2015, at page 2.
[4] USEPA Region 9. 2016. Dominguez Petition Denial and Los Cerritos Petition Denial.
[5] *Los Angeles Waterkeeper et al. v. Pruitt* (2018) 320 F.Supp.3d 1115, 1120 (Pruitt I).
[6] *See, Pruitt I, supra,* at pp. 1120-1121*; see, also, Los Angeles Waterkeeper et al. v. Pruitt* (2018) 2018 WL 6071084.
[7] *Pruitt I, supra,* at pp. 1121-1122.
[8] Id.

Court found that EPA considered a factor "divorced from the text" of the CWA, namely, whether other federal, state, or local programs (such as the MS4) adequately address the known stormwater discharge contribution to a violation of water quality standards.[9] Based on its ruling and the facts before it, the Court gave EPA a choice: Either engage in the NPDES permitting process for stormwater discharges from the CII Facilities, or enforce the CWA's total prohibition on the discharge of such pollutants.[10]

2.2. U.S. EPA's Residual Designation of CII Facilities

On July 15, 2022, pursuant to the United States District Court for the Central District of California's instruction, USEPA reconsidered the 2015 Petitions and the data it possessed at the time of its 2016 Response and issued a Preliminary Designation of Certain Commercial, Industrial, and Institutional Stormwater Discharges in the Alamitos Bay/Los Cerritos Channel Watershed and the Dominguez Channel and Los Angeles/Long Beach Inner Harbor Watershed in Los Angeles County. [11] On October 2, 2023, USEPA released the Revised Preliminary Designation after considering comments submitted to USEPA for the first Preliminary Designation from July 15, 2022.

On November 5, 2024, after considering information obtained and gathered in response to comments received to its Revised Preliminary Designation, USEPA exercised its RDA for certain designated stormwater discharges in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed pursuant to 40 CFR section 122.26(a)(9)(i)(D). On November 20, 2024, USEPA published the Notice of Availability of Final Designation on Federal Registry. In its designation, USEPA concluded that CII Facilities subject to the designation are significant contributors of pollutants and water quality standards violations. The designation applies to approximately 600 privately-owned CII Facilities in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed.[12]

Part of the designation includes industrial facilities with five or more acres of total area that are already covered under the General Permit for Stormwater

[9] *Id.*, at p. 1125
[10] *Id.*, at p. 1126.
[11] los-cerritos-dominguez-prelim-designation-2022-07-15.pdf July 15, 2022
[12] EPA 2024 Final Designation Memorandum: Alamitos Bay/Los Cerritos Channel Watershed and the Dominguez Channel and Los Angeles/Long Beach Inner Harbor Watershed in Los Angeles County. November 5, 2024

Discharges Associated with Industrial Activities (NPDES No. CAS000001; Order 2014-0057-DWQ amended by Order 2015-0122-DWQ as amended in 2015 and 2018) (IGP). The U.S. EPA designation covers the portions of the facilities (e.g., parking lots, rooftops) that are not covered by the IGP. Of the 600 privately-owned CII Facilities in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed, there are approximately 155 industrial facilities already enrolled in the IGP with five or more acres of total area in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed that are affected by the designation.

2.3. Nature of Residual Designation Discharges (i.e., CII Sites) as a Source of Pollutants to Receiving Waters

Many CII Facilities contain significant amounts of impervious areas, such as parking lots and rooftops, that are exposed to a variety of pollutants. Because impervious surfaces allow for little or no infiltration pollutants can build up and run off CII Facilities during rain events and as a result of NSWDs.[13] The runoff then enters the MS4 or discharges directly to receiving waters in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed. Research shows that the volume of stormwater and associated pollutant discharge increases with increasing impervious area. Pollutants can come from tire and brake pad wear, leaking automotive fluids, litter, and air deposition, and include metals, indicator bacteria, nutrients, pH, trash, legacy pesticides, and other organic chemicals.[14,15,16]

As part of its residual designation of CII Facilities, U.S. EPA conducted stormwater modeling to estimate the contribution of pollutant loading from CII Facilities in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed. While there are other constituents of concern in these watersheds, including indicator bacteria, lead, trash, Polychlorinated Biphenyls (PCBs), Polynuclear Aromatic Hydrocarbons (PAHs), nutrients, and legacy pesticides, the model concentrated on copper and zinc because they are two of the main constituents of concern

[13] Los Angeles Waterkeeper v. Pruitt, et al. (2018) 320 F.Supp.3d 1115, 1118.
[14] National Research Council. 2008. Urban Stormwater Management in the United States, October 15, 2008.
[15] Natural Resources Defense Council (NRDC). 1999. Stormwater Strategies, Community Responses to Runoff Pollution.
[16] U.S. EPA. 1997. Urbanization and Streams: Studies of Hydrologic Impacts.

that cause impairments in both watersheds. In addition, zinc is commonly considered a "limiting pollutant" in watershed management programs developed pursuant to the MS4 permit, which means that zinc requires the greatest reduction of all pollutants to achieve water quality standards. If the discharge of zinc is controlled, then the discharge of other pollutants is controlled too, making zinc a useful surrogate to examine the discharge of all pollutants of concern from CII Facilities. The modeling predicted that CII Facilities with five or more acres of impervious surface area contribute a zinc load of 7,600 kg/year and approximately 22% of the total zinc load in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed. U.S. EPA used the Watershed Management Modeling System (WMMS) 2.0 model developed by the Los Angeles County Flood Control District, which uses the Los Angeles County Tax Assessor's parcel database. U.S. EPA used the County property use classification codes to "tag" the land use categories of all parcels within each watershed as commercial, institutional, or industrial.

In addition to national reports and U.S. EPA modeling, local studies demonstrate that CII Facilities are sources of pollutants. A survey of land use contributions of pollutants to the Southern California Bight found elevated concentrations of ammonia, metals, Dichlorodiphenyltrichloroethane (DDT), and Total Suspended Solids (TSS) at commercial (including institutional) and industrial sites.[17] Sampling at land use sites in the Los Angeles area showed elevated levels of metals, Total PAHs, TSS, and indicator bacteria at commercial (including institutional) and industrial sites.[18] A study of parking lot runoff at a college campus in the Los Cerritos Channel Watershed found elevated levels of TSS and Total PAHs.[19] A review of data from MS4 outfalls in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed, which drain areas comprised of at least 50% commercial, institutional, industrial, and transportation land uses, revealed elevated levels of PAHs, PCBs, pH, and indicator bacteria.[20]

[17] Ackerman, D. and Schiff, K. 2003. Modeling Storm Water Mass Emissions to the Southern California Bight. Journal of Environmental Engineering. April 2003.
[18] Stein, E., Tiefenthaler, L., and Schiff, K. 2008. Comparison of stormwater pollutant loading by land use type. Southern California Coastal Water Research Project 2008 Annual Report.
[19] Tiefenthaler, L., Schiff, K., and Bay, S. 2001. Characteristics of Parking Lot Runoff Produced by Simulated Rainfall. Southern California Coastal Water Research Project Technical Report No. 340.
[20] Los Cerritos Channel Watershed Management Group and Dominguez Channel Watershed Management Group 2016-2021 Annual Reports (Outfalls LCC-SB9-1, DOM-OF-001, DOM-OF-002, and DOM-OF-003).

2.4. Description of Receiving Waters and Watershed Management Areas

Discharges covered under this General Permit enter receiving waters in the Alamitos Bay/Los Cerritos Channel Watershed and the Dominguez Channel and Los Angeles/Long Beach Inner Harbor Watershed, including the Machado Lake subwatershed. The receiving waters within these Watershed Management Areas include those identified in Tables 2-1, 2-1a, 2- 3, 2-3a, 2-4, 2-4a, and Appendix 1 Table 1, Table A2-1, Table A2-3 and Table A2-4 of the *Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan), and other unidentified tributaries to these surface waters.

2.4.1. Alamitos Bay/Los Cerritos Channel Watershed Management Area

The Los Cerritos Channel drains a small but densely urbanized area of east Long Beach. The watershed covers an area of approximately 37 square miles (23,680 acres) and drains to Alamitos Bay.

The Los Cerritos Channel's tidal prism starts at Anaheim Road and connects with Alamitos Bay through the Marine Stadium. The Los Cerritos Channel wetlands connect to the Channel a short distance from the lower end of the Channel. The wetlands, and portion of the channel near the wetlands, is an overwintering site for a great diversity of birds despite its small size. An endangered bird species, the Belding's Savannah Sparrow, may nest there and an area adjacent to the wetlands is a historic California least tern colony site. A small marina is located in the channel, which is also used by rowing teams and is a popular fishing area. Alamitos Bay is composed of Marine Stadium, a recreation facility built in 1932; Long Beach Marina; a variety of public and private berths; and the Bay proper. A small bathing lagoon, Colorado Lagoon, has a tidal connection with the Bay and is used by overwintering migratory birds. The majority of land use in this Watershed Management Area is residential (59%), with the next highest percentage of land uses being commercial (15%), industrial (9%), and mixed urban (9%). Los Cerritos Channel is on the 2018 CWA section 303(d) list for metals (copper, zinc, and lead), trash, ammonia, pH, chlordane, bis(2-ethylhexyl) phthalate, and indicator bacteria. Alamitos Bay is on the 2018 CWA section 303(d) list for indicator bacteria and dissolved oxygen.

~~2.2.1.~~2.4.2. Dominguez Channel and Los Angeles/Long Beach Inner Harbor Watershed Management Area

The Dominguez Channel and Los Angeles/Long Beach Inner Harbors Watershed Management Area is in the southern portion of the Los Angeles Basin. It covers an area of approximately 121 square miles (77,440 acres). Los Angeles Harbor is 7,500 acres and Long Beach Harbor is 7,600 acres; together they have an open water area of approximately 8,128 acres. Along the northern portion of San Pedro Bay is a natural embayment formed by a westerly

extension of the coastline which contains both harbors, with the Palos Verdes Hills the dominant onshore feature. The 15-mile-long Dominguez Channel drains a densely urbanized area to Inner Los Angeles Harbor. Despite its industrial nature, contaminant sources, disrupted wetlands habitat, and low flushing ability, the inner harbor area supports diverse fish and benthic populations and provides a protected nursery area for juvenile fish. The California least tern, an endangered species, nests in one part of the harbor complex. Some wetlands persist in the Machado Lake area. The outer part of both harbors (the greater San Pedro Bay within the breakwaters) has been less disrupted and supports a great diversity of marine life and a large population of fish. It is also open to the ocean at its eastern end and receives much greater flushing than the inner harbors. The majority of the land use in this Watershed Management Area is residential (39.9%), with the next highest percentage of land uses being commercial (19.9%), and industrial (17.7%)[21]. Various waterbodies in the Dominguez Watershed Management Area are on the 2018 CWA section 303(d) list of impaired waterbodies due to metals, DDT, PCBs, PAHs, historic pesticides, indicator bacteria, toxicity, and sediment toxicity.

2.4.2.1. Machado Lake Subwatershed

Machado Lake is a subwatershed of the Dominguez Channel Watershed. Wilmington Drain discharges into Machado Lake from the north; the channel is concrete lined from its origin south of Sepulveda Boulevard (between Normandie and Vermont Avenues) to where it crosses under the Harbor Freeway north of Lomita Boulevard. South of this point it changes to a soft bottom with natural side banks to where it empties into Machado Lake. Habitat in this part of the drain includes mature riparian woodland, riparian scrub, freshwater marsh, and weedy vegetation. The area is well-utilized by birds.

Machado Lake is listed on the 2018 CWA section 303(d) list due to trash, nutrients, PCBs and historic pesticides.

3. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in this General Permit are based on the requirements and authorities described in this section. These include the federal CWA and

[21] Watershed Management Program for the Dominguez Channel Watershed Management Area Group Revised May 2023 (page 1-4, Table 1.2)

implementing regulations, the California Water Code (CWC), and applicable statewide and regional water quality control plans and policies.

3.1. Legal Authorities

This General Permit is issued pursuant to section 402 of the federal CWA and implementing regulations adopted by the USEPA and chapter 5.5, division 7 of the CWC (commencing with section 13370). It shall serve as a general NPDES permit for discharges of stormwater and authorized NSWDs from CII Facilities in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed (see section 2). This General Permit also serves as waste discharge requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the CWC (commencing with section 13260).

States may request authority to issue general NPDES permits pursuant to 40 CFR section 122.28. The State Water Board has been authorized by the USEPA to administer the NPDES program in California since 1973. The procedures for the State Water Board and the Los Angeles Water Board to issue NPDES permits pursuant to 40 CFR parts 122 and 123 were established through the NPDES Memorandum of Agreement between the USEPA and the State Water Board on September 22, 1989.

3.2. California Environmental Quality Act (CEQA)

Under CWC section 13389, this action to adopt a general NPDES permit is exempt from the provisions of chapter 3 of CEQA, (commencing with section 21100) of division 13 of the Public Resources Code.

3.3. Water Code Sections 189.7 and 13149.2 Public Outreach

Assembly Bill 2108, "Water policy: environmental justice: disadvantaged and tribal communities," has been signed into law as of September 2022. AB 2108 adds sections 189.7 and 13149.2 to the CWC. Effective January 1, 2023, this law requires the Water Boards to conduct equitable, culturally relevant outreach when considering proposed discharges of waste that may have disproportionate impacts on water quality in disadvantaged communities or tribal communities. Also, for certain actions, such as the adoption of a general order like this one, the Water Boards must adopt findings related to water quality impacts in disadvantaged or tribal communities and related to environmental justice concerns.

In accordance with CWC Sections 189.7 and 13149.2, the Los Angeles Water Board conducted a community profile assessment based on U.S. Census Bureau and CalEnviroScreen 4.0 data for the 358 Census Tracts (Nos. from 6037238000 through 6037980037) that overlap with the Los Cerritos

Channel/Alamitos Bay watershed and the Dominguez Channel/Inner Los Angeles and Long Beach Harbor watershed (subject Watersheds).

To identify racial and economic demographics, Decennial Census P2 Race and American Community Survey (ACS) Median Household Income (MHI) data at the census tracts level was referenced. 2020 Decennial Census P2 Race data, ACS 2017-2021 5-year estimates, and the 2020 Census Tract boundaries were used. Census tracts are small, relatively permanent statistical subdivisions of a county or equivalent entity and are reviewed and updated by local participants prior to each decennial census. The primary purpose of census tracts is to provide a stable set of geographic units for the presentation of decennial census data. Disadvantaged communities were identified by evaluating census tract MHI data against the statewide ACS MHI, which was $84,097 in 2021.

To identify pollution burden and linguistic isolation, CalEnviroScreen 4.0 indicator maps were referenced. CalEnviroScreen 4.0 is a mapping tool that quantifies socioeconomic and environmental impacts to communities throughout the state. A normalized score is then assigned to each census tract. In the pollution burden indicator map: an area with a high score is one that experiences a much higher pollution burden than areas with low scores. In the linguistic isolation indicator map: the 3 most common languages spoken by peoples who "do not speak English very well" are listed for each census tract.

To identify pre-existing water quality inequalities, the Los Angeles Water Board's TMDL web page[22] and the State Water Board's 2023 Drinking Water Needs Assessment (Needs Assessment) dataset[23] were referenced. TMDL is a number that represents the assimilative capacity of a receiving water to absorb a pollutant. A TMDL is implemented by reallocating the total allowable pollution among the different pollutant sources (through the permitting process or other regulatory means) to ensure that the water quality objectives are achieved. The annual Needs Assessment is an analysis conducted by the State Water Board to help inform the implementation of the Safe and Affordable Funding for Equity and Resilience (SAFER) Program. The Needs Assessment consists of three core components: the Affordability Assessment, Risk Assessment, and Cost Assessment. The Needs Assessment is used by the State Water Board and the SAFER Advisory Group to inform prioritization of public water systems, tribal water systems, state small water systems, and domestic wells for funding in the Safe and Affordable Drinking Water Fund Expenditure Plan; inform direction for

[22] TMDLs | Los Angeles Regional Water Quality Control Board (ca.gov) (accessed April 4, 2023)
[23] Drinking Water Quality: Needs Assessment | California State Water Resources Control Board (accessed March 23, 2023)

State Water Board technical assistance; and to develop strategies for implementing interim and long-term solutions.

For the community profile which comprises racial demographics, pollution burden, income survey data, and linguistic isolation factors, the Los Angeles Water Board found that (1) this General Permit will impact Black, Indigenous, people of color (BIPOC) communities due to the community made up of 15.5% white, 77.21 % BIPOC (13.92% black, 0.28% American Indian and Alaska Native, 14.58% Asian, 42.68% Hispanic or Latinx), and 5.75% other ethnicities based on 2020 U.S. Census data; (2) the pollution burden percentile is 72.8 % based on CalEnviroScreen 4.0; (3) there are disadvantaged communities based on the 2021 ACS MHI 5-year estimates; (4) a majority of language spoken is English; and (5) based on the linguistic isolation indicator map:

9.8% of the population only speaks Spanish within the subject Watersheds. 3.2% of the population only speaks Arabic, Chinese including Mandarin and Cantonese, Tagalog including Filipino, Korean, French Haitian of Cajun, Other Asian Languages, Other Unspecified Languages, Russian Polish Other Slavic Languages, Other Indo-European Languages, or Vietnamese within the subject Watersheds.

From the State Water Board's 2023 Needs Assessment dataset, the Los Angeles Water Board found low water shortage risk and no saltwater intrusion points to groundwater for the Watershed Management Areas. However, water quality risk for the receiving waters associated with the subject Watersheds is medium to high. Further information about the receiving waters and associated TMDLs can be found in section 2.4 of the Fact Sheet (Attachment F). Socioeconomic risk ranges from low to high across the subject Watersheds, with a statistically significant positive correlation between socioeconomic risk and water quality risk. Based upon the combination of these factors, the overall SAFER Program Needs Assessment of the subject Watersheds is Potentially At-risk.

On December 7 and 16, 2021, the Los Angeles Water Board held a stakeholder meeting with potential owners and operators of commercial, industrial, and institutional facilities in the Watershed Management Areas of the regulatory background and the potential requirements and compliance options for stormwater runoff covered by this General Permit. A workshop was presented to potential owners and operators and agencies regarding this permit was conducted on August 30, 2022. Comments on this General Permit were due on October 24, 2022.

On January 17, 2023, the Los Angeles Water Board and U.S. EPA met with Communities for a Better Environment to learn each other's role and interest in the tentative CII Permit. The Los Angeles Water Board also presented

background information and requirements of the tentative CII Permit.

On November 2, 2023, the Los Angeles Water Board notified interested tribal communities of the regulatory requirements within the Watershed Management Areas. In this letter, a description of the regulatory background, overview of this General Permit, a map showing the area subject to this General Permit, and the Los Angles Water Board's point of contact was provided.

On May 31, 2024, the Los Angeles Water Board met with Del Amo Action Committee to learn each other's role and interest in the tentative revised CII Permit. The Los Angeles Water Board also presented background information and requirements of the tentative revised CII Permit.

In summary, disadvantaged communities are located within the Watershed Management Areas. The communities are made up of 15.5% white, 77.2 % BIPOC and 5.7% other ethnicities. The pollution burden percentile is 72.8 % based on CalEnviroScreen 4.0.

Based on the foregoing, the Los Angeles Water Board finds that; (1) This CII Permit regulates stormwater runoff and authorized NSWDs from CII Facilities that may impact disadvantaged and tribal communities; (2) The Los Angeles Water Board has satisfied the outreach requirements set forth in Water Code section 189.7 by conducting outreach in affected disadvantaged and tribal communities; (3) Pursuant to Water Code section 13149.2, the Los Angeles Water Board reviewed readily available information and information raised to the Los Angeles Water Board by interested persons concerning anticipated water quality impacts in disadvantaged and tribal communities resulting from adoption this CII Permit. The Los Angeles Water Board also considered environmental justice concerns within the Board's authority and raised by interested persons with regard to those impacts; and (4) The Los Angeles Water Board anticipates that the issuance of this CII Permit will result in improved water quality and help address environmental justice concerns. Specifically, the CII Permit establishes water quality controls that will help protect the beneficial uses of the waterbodies in these disadvantaged and tribal communities with a fairly high pollution burden percentile. By establishing waste discharge requirements for previously undesignated stormwater discharges, this CII Permit serves to address pre-existing water quality inequalities that disproportionately impact disadvantaged and tribal communities.

3.4. **Water Quality Control Plan – Los Angeles Region**

The Los Angeles Water Board's *Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives. The Basin Plan states that the beneficial

uses of any specifically identified waterbody apply to its tributaries if they are not specifically listed in Chapter 2 of the Basin Plan. In addition, the Basin Plan implements state policies, including State Water Resources Control Board (State Water Board) Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Beneficial uses applicable to the receiving waters are as follows:

Table F-2. Basin Plan Beneficial Uses

Receiving Water Name	Beneficial Use(s)
Dominguez Channel Watershed	Existing: Commercial and sport fishing (COMM), estuarine habitat (EST), marine habitat (MAR), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), migration of aquatic organisms (MIGR), spawning, reproduction, and/or early development (SPAWN), water contact recreation (REC-1), non-contact water recreation (REC-2), and/or high flow suspension. Potential: Municipal and domestic supply (MUN)[24], navigation (NAV), and/or warm freshwater habitat (WARM).
Los Angeles/Long Beach Harbor	Existing: Industrial service supply (IND), navigation (NAV), commercial and sport fishing (COMM), estuarine habitat (EST), marine habitat (MAR), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), migration of aquatic organisms (MIGR), and spawning, reproduction, and/or early development (SPAWN), shellfish harvesting (SHELL), wetland habitat (WET), water contact recreation (REC-1), and/or non-contact water recreation (REC-2).

[24] The potential municipal and domestic supply (p*MUN) beneficial use for the water body is consistent with the Sources of Drinking Water Policy (page 2-14 of the Basin Plan). However, the Los Angeles Water Board has only conditionally designated the MUN beneficial use. Therefore, the Los Angeles Water Board is not establishing effluent limitations based on MUN at this time.

Receiving Water Name	Beneficial Use(s)
Los Cerritos Channel Watershed	Existing: Industrial service supply (IND), navigation (NAV), commercial and sport fishing (COMM), estuarine habitat (EST), marine habitat (MAR), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), migration of aquatic organisms (MIGR), and spawning, reproduction, and/or early development (SPAWN), shellfish harvesting (SHELL), wetland habitat (WET), water contact recreation (REC-1), and/or non-contact water recreation (REC-2). Potential: Municipal and domestic supply (MUN)[23] and/or warm freshwater habitat (WARM).
Alamitos Bay	Existing: Industrial service supply (IND), navigation (NAV), commercial and sport fishing (COMM), estuarine habitat (EST), marine habitat (MAR), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), shellfish harvesting (SHELL), wetland habitat (WET), water contact recreation (REC-1), and/or non-contact water recreation (REC-2).

3.5. **Statewide Trash, Mercury and Bacteria Provisions**

The State Water Board has adopted various statewide water quality control provisions that are applicable to discharges subject to the Order.

The *Trash Provisions* were adopted by the State Water Board on April 7, 2015 through Resolution No. 2015-0019. The Office of Administrative Law approved them on December 2, 2015, and USEPA approved them on January 12, 2016.

The *Tribal Subsistence Beneficial Uses and Mercury Provisions* were adopted by the State Water Board on May 2, 2017, through Resolution No. 2017-0027. The Office of Administrative Law approved them on June 28, 2017, and USEPA approved them on July 14, 2017.

The *Bacteria Provisions and Variance Policy* (Bacteria Provisions) were adopted by the State Water Board on August 7, 2018, through Resolution No. 2018-0038. The Office of Administrative Law approved them on February 4, 2019, and USEPA approved them on March 22, 2019. The water quality

objectives in the Bacteria Provisions supersede any numeric water quality objectives for bacteria for the protection of the REC-1 beneficial use in basin plans prior to the effective date of the Bacteria Provisions, except in certain circumstances, such as where there are site-specific numeric water quality objectives for bacteria. TMDLs established before March 22, 2019 remain in effect.

3.6. Thermal Plan

The State Water Board adopted the Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan) on January 7, 1971, and amended this plan on September 18, 1975. This Plan contains temperature objectives for coastal waters.

3.7. Sediment Quality

The State Water Board adopted the *Sediment Quality Provisions* on September 16, 2008, and it became effective on August 25, 2009. The provisions supersede other narrative sediment quality objectives and establish new sediment quality objectives and related implementation provisions for specifically defined sediments in most bays and estuaries. The State Water Board amended the Plan in 2011 and 2018; the latest amendments became effective on March 11, 2019. Requirements of this Order implement sediment quality objectives of this Plan.

3.8. National Toxics Rule (NTR) and California Toxics Rule (CTR)

USEPA promulgated the NTR on December 22, 1992, and later revised it on May 4, 1995 and November 9, 1999. About forty water quality criteria in the NTR applied in California. On May 18, 2000, USEPA promulgated the CTR (40 CFR section 131.38). The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was revised on February 13, 2001. These rules contain water quality criteria for priority pollutants.

3.9. State Implementation Policy (SIP)

On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Los Angeles Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water

Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control.

3.10. Antidegradation Policy

Section 131.12 of 40 CFR requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Los Angeles Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. The permitted discharge is consistent with the antidegradation provision of 40 CFR section 131.12 and State Water Board Resolution No. 68-16.

3.11. Anti-Backsliding Requirements

Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at 40 CFR section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed. This Order complies with these anti-backsliding provisions. The anti-backsliding requirements of the CWA and federal regulations generally do not apply here, since this is a brand-new permit that regulates previously unregulated discharges from CII Facilities.

3.12. California Water Code Section 13241

California Water Code section 13263 requires the Board to take into consideration the provisions of section 13241 in prescribing waste discharge requirements, when such requirements are more stringent than what federal law requires. See, e.g., *City of Duarte v. State Water Resources Control Board* (2021) 60 Cal.App.5th 258, 276; *City of Burbank v. State Water Resources Control Board* (2005) 35 Cal.4th 613. The Los Angeles Water Board finds that each of the requirements in the Order are not more stringent than what federal law requires for the control of discharges of pollutants from CII Facilities in the Dominguez Channel/Los Angeles and Long Beach Inner Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed. The Los Angeles Water Board has nevertheless considered the factors set forth in California Water Code section 13241 in issuing the Order.

Importantly, "Section 13241 does not specify how a water board must go about considering the specified factors. Nor does it require the board to make specific findings on the factors." *City of Arcadia v. State Water Resources Control Bd.* (2010) 191 Cal.App.4th 156, 177, 119 Cal.Rptr.3d 232 (*Arcadia II*). Rather, the manner in which the Board considers and complies with Water Code Section 13241 is within its discretion. *Ibid.* The Board's consideration of each of the factors is based on extensive factual analysis, as provided below. The Board makes additional findings with respect to specific program areas throughout the Fact Sheet.

3.12.1. Past, Present, and Probable Future Beneficial Uses of Water

Section 3.3, Table F-2 identifies the beneficial uses in the Dominguez Channel/ Los Angeles and Long Beach Inner Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed. Beneficial uses of waters impacted by CII discharges covered by the Order are also discussed in section 2.3.2 "Description of Receiving Waters and Watershed Management Areas" of this Fact Sheet. As discussed in section 2.3.1, CII discharges convey pollutants such as bacteria, trash, metals, organic compounds (including various pesticides), and nutrients, among others. These pollutants have damaging effects on human health and aquatic and riparian ecosystems. Water quality assessments conducted by the Los Angeles Water Board and USEPA have identified impairment of beneficial uses of water bodies in the two watersheds caused or contributed by these pollutants in CII discharges. As a result of these impairments, there are beach postings, fish consumption advisories, ecosystem and recreational impacts from trash and debris, and toxic conditions for aquatic life, among others. The requirements of the Order will curtail such discharges on a watershed-wide basis, and therefore are necessary to protect and restore the past, present, and probable future beneficial uses of the receiving waters in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed impacted by these pollutants.

3.12.2. Environmental Characteristics of the Hydrographic Unit Under Consideration, Including the Quality of Water Available Thereto

The environmental characteristics of the Watershed Management Areas covered by the Order, including the quality of water, is discussed in section 2.4 of this Fact Sheet. Additional information can be found in the Los Angeles Region's Watershed Management Initiative Chapter and the State's Clean Water Act Section 303(d) List of impaired waters.

Watershed Management Initiative Chapter
(http://www.waterboards.ca.gov/losangeles/water_issues/programs/regional_program/watershed/index.shtml)

Clean Water Act Section 303(d) List of impaired waters (https://www.waterboards.ca.gov/losangeles/water_issues/programs/303d/index.html)

3.12.3. Water Quality Conditions that Could Reasonably be Achieved Through the Coordinated Control of All Factors Which Affect Water Quality in the Area

The water quality objectives implemented by the Order have already been established in the Basin Plan and other water quality control plans through a separate regulatory process, and those water quality objectives were deemed reasonable and achievable when they were promulgated in order to protect beneficial uses. The Los Angeles Water Board regulates different types of surface water discharges to attain water quality objectives, including publicly owned treatment works, dewatering activities, groundwater cleanup activities, MS4 discharges, agricultural discharges, and littering. These discharges are regulated through NPDES permits, waste discharge requirements, waivers of waste discharge requirements, and memorandums of understanding in accordance with State and federal law, regulation, and policy. The regulatory mechanisms are issued as part of a watershed management approach, often according to a TMDL program of implementation, to ensure coordinated implementation by all sources at the watershed scale to attain water quality objectives.

With respect to stormwater specifically, the Los Angeles Water Board and State Water Board regulate many types of stormwater discharges, including those of municipalities, universities and other non-traditional Phase II discharges, industrial sites, construction sites, and state agencies like Caltrans. As previously noted in section 2.3.1 of this Fact Sheet, CII Facilities are a significant source of pollutants to receiving waters and their regulation plays an important role in the achievement of water quality objectives. As an example, USEPA found that CII Facilities included in the designation are responsible for approximately 22% of the total zinc load in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed. The failure to regulate discharges from CII Facilities would place an undue burden on other types of discharges, particularly the MS4, to which CII Facilities discharge. Control of these discharges through this permit will relieve this burden and assist in the achievement of applicable water quality objectives in the affected watersheds.

Relatedly, the application of the established water quality objectives to the Permittees' discharges is reasonably achievable. Permittees can achieve permit requirements by reducing the volume of stormwater and non-stormwater discharged into receiving waters, reducing pollutant loads to stormwater and

non-stormwater through source control/pollution prevention, and removing pollutants that have been loaded into stormwater or non-stormwater before they enter receiving waters, through infiltration or treatment.

3.12.4. Economic Considerations

The cost of compliance with this Order, the cost of not addressing pollutants from CII discharges, and the benefits of addressing the discharges are evaluated here. This Order will have financial impacts on CII Permittees in the Dominguez Channel and Los Cerritos Channel Watersheds, as well as economic benefits for the environment and the public who live in and around these watersheds.

3.12.4.1. Cost of Compliance

The three compliance options included in the Order provide flexibility to Dischargers in determining how to achieve permit requirements. The costs of compliance with this Order will vary depending on which compliance option each Discharger selects and what kind of BMPs each Discharger chooses to employ. Dischargers may select the most cost-effective BMPs to control the discharge of pollutants from their facilities.

The cost of stormwater control technologies is well established and has been analyzed by USEPA and the California Stormwater Quality Association (CASQA) extensively. USEPA provides cost information in its National Menu of Best Management Practices for Stormwater-Pollution Prevention and Good Housekeeping[25] and for Stormwater-Post-Construction[26]. CASQA provides BMP handbooks with design standards and cost estimates for the types of BMPs that CII Facilities could employ to comply with the permit, including infiltration, detention, biofiltration, media filtration, and good housekeeping BMPs[27]. Additionally, the State Water Board also provided a report on the compliance costs for the 2013 IGP[28]. The costs of the BMPs will vary by facility and depend on the volume of runoff from the facility, the characteristics of the area generating the runoff, and the activities occurring in those areas.

Information in this section is based on (1) the CASQA Industrial and

[25] U.S. EPA. National Menu of Best Management Practices (BMPs) for Stormwater-Pollution Prevention and Good Housekeeping.
[26] U.S. EPA. National Menu of Best Management Practices (BMPs) for Stormwater-Post-Construction.
[27] CASQA. BMP Handbooks (accessed July 17, 2022)
[28] SWRCB. 2013 Update of Report on the Compliance Costs for the Final (2013) Draft Industrial General Permit (IGP), September 6, 2013.

Commercial BMP Handbook[29] for BMP effectiveness at pollutant control, (2) Los Angeles Water Board public records from Watershed Management Program (WMP) implementation[30] within the watersheds addressed in this Order, (3) the Water Research Foundation International Stormwater BMP Database[31], and (4) a review by Board staff of other municipalities' actual BMP costs and estimated average BMP costs on private properties similar to parcels subject to this order[32].

The following sections discuss costs estimated for the Minimum BMPs required by section 6.5 of this Order and the BMPs which could be used to comply with the three Compliance Options for water quality based effluent limitations provided in section 8 of this Order

3.12.4.1.1. Minimum BMPs required by section 6.5 of this Order include Good Housekeeping, Exposure Minimization, and an Employee Training Program.[33] These BMPs tend to have lower implementation costs than the costs for other BMPs and can help Dischargers reduce pollutant concentrations in all categories when performed alongside other BMPs.[34]

3.12.4.1.1.1. Good Housekeeping BMPs are dependent on staff availability for training and implementation, and costs will vary depending on staffing and size of facility.[35]

3.12.4.1.1.2. Employee Training Program BMPs include, but are not limited to, staff training and education, quality assurance, and record keeping. This management practice is dependent on staff availability for training, and costs will vary depending on the staffing and size of facility.[36]

3.12.4.1.1.3. Exposure Minimization BMPs include, but are not limited to, exposure minimization, material handling and storage, and waste management. Capital costs may range from a low of $16,000 (e.g., painting a protective coating over surfaces to reduce zinc exposure) to a high of $110,880 per

[29] *Id.*
[30] LARWQCB. Watershed Management Programs, accessed December 30, 2022.
[31] Water Research Foundation. International Stormwater BMP Database.
[32] For full analysis, see Kung, Megan. (2024) Costs and Implications of CII Permit Options. Los Angeles Regional Water Quality Control Board.
[33] CASQA. Industrial and Commercial BMP Handbook, chapter 3 Source Control BMPs.
[34] U.S. Federal Highway Administration. Stormwater Best Management Practices in an Ultra-Urban Setting: Selection and Monitoring, Section 6.5.1.
[35] *Id., Section 6.5 Table 57.*
[36] *Id.*

impervious acre treated depending on the facility's existing material and vehicle containment infrastructure.[37]

3.12.4.1.2. Prior to selecting a Compliance Option, the Discharger shall conduct an initial sampling and analysis of discharges for all applicable Water Quality Objectives, as specified in section 2.1 of the Attachment E. ~~The Discharger shall submit complete Permit Registration Documents, consisting of an NOI, a SWPPP, laboratory analytical results, and Compliance Option Documentation for the selected Compliance Option.~~The estimated cost for the one-time monitoring and analysis of Water Quality Objectives is approximately $~~2,741~~1,535.

3.12.4.1.3. Compliance Option 1 allows Dischargers to pay into multi-benefit regional project(s) identified in a Watershed Management Group's WMP. Watershed Management Groups in the Dominguez Channel/Los Angeles and Long Beach Inner Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed may develop a fee structure in order to streamline CII Facilities' participation in regional BMPs in the WMPs.[38,39,40,41,42,43,44] The fee structure must be ~~consistent with the requirements listed~~calculated using the equation in section 8.1 of this Order.

An approximate sample cost for Compliance Option 1 is estimated for the Dominguez Channel watershed using the equation in section 8.1 of this Order. To provide comparable cost estimates between Compliance Option 1 and 2, the total compliance cost from the 2021 Dominguez Channel Watershed Management Plan and Reasonable Assurance Analysis was first adjusted to 2025 dollars. The adjusted total cost was then annualized, assuming a 30-year BMP lifespan and a 2% discount rate, resulting in an estimated annualized cost of $115,178,000 for the total watershed. With a

[37] Projections obtained via interview with private industries complying with the revised requirements for Order WQ 2014-0057-DWQ, as amended by WQ 2015-0122-DWQ & WQ 2018-0028-DWQ.
[38] LARWQCB Regional Phase I MS4 Permit (Order No. R4-2021-0105).
[39] Dominguez Channel Watershed Management Group. Revised Enhanced Watershed Management Program. February 2016, section 4.
[40] Beach Cities Watershed Management Group. Revised Enhanced Watershed Management Program. March 2018, section 6.
[41] City of Torrance. Final Machado Lake Subwatershed Supplement. October 2016, section 7.
[42] Alamitos Bay/Los Cerritos Channel Watershed Management Group. Final Watershed Management Program. May 28, 2015, section 6.
[43] Los Cerritos Channel Watershed Management Group. Watershed Management Program. September 21, 2017, section 4.
[44] Long Beach Nearshore Watershed Management Group. Final Watershed Management Program. January 22, 2016, section 3.

total impervious area in the Dominguez Channel watershed of 1,350,509,000 square feet, assuming a 1-inch rain event, and a 10% adjustment for other potential costs, the annualized Compliance Option 1 cost is estimated to be $4,100 acre-inch in 2025 dollars. These estimates are based on the assumptions listed above and will be subject to change when there are updated WMPs and Reasonable Assurance Analyses. The purpose of providing the~~o~~is sample cost estimate for Compliance Option 1 is to illustrate how to use the equation in section 8.1 and to compare costs for the three compliance options.

The ~~Order allows three years for Permittees to submit~~ required timing for submittal of Permit Registration Documents~~, which will~~ allow~~s~~ Watershed Management Groups time to establish a fee structure for Compliance Option 1 and Permittees time to cost compare with Compliance Options 2 and 3. It can reasonably be expected that Permittees would choose the least costly option with the least administration and implementation effort. ~~With an estimate of Compliance Option 2 costs, as later discussed, it is possible to estimate potential annual revenues to Watershed Management Groups under Compliance Option 1 by multiplying the cost per acre-inch by the number of impervious acres under the CII Permit under their jurisdictions and the 85th percentile rainfall in inches applicable to the site. Assuming a theoretical scenario with no feasibility concerns at any CII Sites, if the Compliance Option 1 fee is set at the value of the average BMP cost, approximately half of Permittees would choose Compliance Option 1. However, real-life feasibility concerns would mean that for more than half of Permittees, they would choose Compliance Option 1 because it is either the least costly or conditions at their site would not allow them to install sufficient BMPs to comply with Compliance Options 2 or 3. For example, the combination of BMPs that will need to be installed in order to comply with Compliance Option 2 may need to include some infiltration, but not all CII Sites are suitable for infiltration. Furthermore, Watershed Management Groups may adjust Compliance Option 1 fees lower or higher based on variables such as availability of other sources of funding, administrative costs, or efficiencies that may encourage or discourage compliance through Compliance Option 1.~~

~~3.12.4.1.3.~~3.12.4.1.4. Compliance Option 2 requires Dischargers to implement capture and reuse, diversion, and/or infiltration BMPs. Capture and reuse refers to the practice of capturing stormwater runoff in a holding pond or vault and subsequently using the captured volume for irrigation of landscape or other uses. Dischargers must then infiltrate or divert the stored stormwater to a wastewater treatment facility. Infiltration reduces stormwater discharge volume and pollutant loadings to surface waters and can recharge groundwater aquifers, offsetting potable water consumption.

Pretreatment may be necessary to limit the amount of gross pollutants passed into the system, which can be damaged by sediment and oil.[45] Other permits or agreements may be necessary to negotiate the wastewater treatment or water reclamation facility's acceptance of a Discharger's stormwater volume.

Staff reviewed data submitted to the Water Board by industrial facilities and found that equipment capital costs incurred from installing stormwater capture infrastructure to fulfill Compliance Option 2 requirements may range from a low of $84,500 to a high of $90,909 per impervious acre treated, depending on a CII site's imperviousness and the applicable design storm standard.[46] However, the sample size for this estimate was only three facilities.

In order to provide another estimate of potential costs for combinations of BMPs that may be implemented under Compliance Options 2 or 3, staff reviewed BMP costs from various municipalities that have implemented public-private partnership programs to install stormwater BMPs on parcels similar to those included in this Order. In addition, staff reviewed average BMP costs estimated by municipalities that have implemented LID) in-lieu fee programs. Municipalities reviewed include Los Angeles County, Philadelphia, PA, New York, NY, Aspen, CO, Grand Rapids, MI, and Washington, D.C.

Staff's final cost estimate is provided in Table F-3. Due to other municipalities' varying estimates by surface area and volume, staff decided to convert and present estimates as acre-inches, the volume of water covering one acre, one inch deep. The available data allows for an estimate of capital costs of around $285,000 - $325,000/acre-inch in 2023 dollars. Estimates do not account for pretreatment BMPs. In addition, this estimate accounts for soft costs[47] but not Operation and Maintenance (O&M). The Dominguez Channel Watershed Management Group's 2021 WMP assumes annual operation and maintenance (O&M) costs are 1.5% of capital costs. Going by this assumption, annual O&M costs would be $4,275 - $4,875/acre-inch. Assuming BMP lifespans of about 20 years, or capital

[45] CASQA. *Supra*, TC-10 Infiltration Trench, TC-11 Infiltration Basin, TC-12 Harvest and Reuse.
[46] Projections obtained via interview with private industries complying with the revised requirements for Order WQ 2014-0057-DWQ, as amended by WQ 2015-0122-DWQ & WQ 2018-0028-DWQ.
[47] Soft costs are indirect costs associated with O&M that are not directly related to the physical O&M. They can include design, financing, legal, and other expenses.

costs plus 19 years of O&M, and a 2% discount rate[48], the annualized BMP cost is $21,107 - $24,069/acre-inch.[49]

Table F-3: Cost Estimate for Compliance Option 2

Final Option 2 Cost Estimate	Capital Cost (per acre-inch)	Annual O&M (per acre-inch)	Net Present Value (20 years, undiscounted)	Annualized (20 years, 2%, per acre-inch)
Low	$285,000	$4,275	$366,225	$21,107
High	$325,000	$4,875	$417,625	$24,069

3.12.4.1.5. Compliance Option 3 requires direct demonstration of compliance with water quality based effluent limitations through ~~visual observations,~~ sampling~~,~~ and analysis of discharges. This option may or may not require implementation of additional BMPs beyond the Minimum BMPs required by section 6.5 of this Order and thus there is a range of potential costs for Compliance Option 3. The lowest cost scenario for Compliance Option 3 assumes that the CII Facility can meet water quality based effluent limitations without implementation of additional BMPs. Under this low-cost assumption, the discharger would only incur monitoring and reporting costs. The highest cost scenario for Compliance Option 3 assumes that the ~~The~~ means of compliance would be similar to the types of projects implemented under Compliance Option 2, plus monitoring. A discussion of BMPs that could be used under Compliance Option 2 and/or Compliance Option 3 are discussed in this section. Pollutant reduction performance is compiled in

3.12.4.1.6.

[48] A discount rate of 2% was used according to guidance in the revised OMB Circular A-4 published in November 2023.
[49] For full analysis, see Kung, Megan. (2024) Costs and Implications of CII Permit Options. Los Angeles Regional Water Quality Control Board.

~~3.12.4.1.4.~~3.12.4.1.7. ~~Table F-4~~Table F-4 for each BMP type discussed in this section. The results are presented as the significance of differences between influent and effluent concentrations.[50]

[50] Water Research Foundation. International Stormwater BMP Database 2020 Summary Report.

Table F-4. BMP Performance Summary for Compliance Option 3

Category[51]	Bacteria[52]			Nutrients[53]			Metals[54]		
Infiltration[55]									
Detention	◇	▼	▼	◇/▼	◇/▼	▼	◇/▼	▼	▼
Filtration	◇	◇	▼	◇/▼	▼	▼	▼	▼	▼
Bioretention	◇	▼	▼	◇/▼	▼/△	▼/△	◇/▼	▼	▼
Vegetated Swale	◇	◇	◇	All	▼/△	All	◇/▼	▼	▼
Wetland	▼	▼	▼	◇/▼	◇/▼	◇/▼	▼	▼	◇/▼
Catch basin insert	◇	◇	◇	◇	◇/▼	◇/▼	◇/▼	◇/▼	◇/▼
Permeable pavement				▼	▼	▼	◇/▼	◇/▼	◇/▼

~~3.12.4.1.4.1.~~3.12.4.1.7.1. Infiltration BMPs are trenches or basins that store stormwater in the void space between media (e.g., rock, stones, soil) and slowly exfiltrate stormwater through the bottom and sides into the ground.[56] Infiltration reduces stormwater discharge volume and pollutant

[51] Each symbol represents an influent/effluent comparison test. Left position compares overlap of 95% confidence intervals around influent/effluent medians; computed using the BCa bootstrap method described by Efron and Tibishirani (1993). Middle position compares Mann-Whitney rank-sum hypothesis test P-value to a significance value of 0.05. Right position compares Wilcoxon signed-rank hypothesis test P-value to a significance value of 0.05.
◇ influent/effluent comparison test indicates no significant difference in concentrations.
▼ influent/effluent comparison test indicates significant reduction in concentrations.
△ influent/effluent comparison test indicates significant increase in concentrations.
All all three comparison test results indicated for the various constituents in this Order.
Blank not available or less than three studies for BMP/constituent.
[52] Bacteria surveyed include ~~e~~*E.coli* and *enterococcus*.
[53] Nutrients surveyed include phosphorus, nitrogen and ammonia.
[54] Metals surveyed include copper, lead, zinc, cadmium and chromium.
[55] Infiltration routes stormwater to underlying soils, which can be an effective removal mechanism for pollutants like sediment, phosphorus and metals. Because the "outlet" is the underlying soil, measuring effluent concentration is impractical and data are scarce on actual pollutant removal performance.
[56] CASQA. *Supra*, TC-10 Infiltration Trench and TC-11 Infiltration Basin.

loadings to surface waters and can recharge groundwater aquifers, offsetting potable water consumption. Pretreatment may be necessary to limit the amount of gross pollutants passed into the system, which can be damaged by sediment and oil. Infiltration can significantly reduce all pollutant concentrations in this Order. Fate and transport of all pollutants to groundwater should be evaluated for potential impact to drinking water beneficial uses.[57] Generalized capital cost is $8,834 per acre-inch treated over a 24-hour period for facilities located in the two watersheds. Generalized annual maintenance cost is $82 per tributary acre treated.[58]

~~3.12.4.1.4.2.~~3.12.4.1.7.2. Detention BMPs (dry extended detention ponds, dry ponds, extended detention basins, detention ponds, extended detention ponds) are basins that incorporate a specific stormwater draw down time (e.g. 24, 48, or 72 hours).[59] Stormwater runoff is detained for some minimum time (e.g., 48 hours) to allow particles and associated pollutants to settle before filtration and treatment. Temporary wet pools may form, dependent on the infiltration rate of the subsoil. Detention can significantly reduce most pollutant concentrations in this Order, except for highly soluble pollutants like salts and some metals.[60] Estimated capital costs are $64,589 per impervious acre treated, dependent on the design storm standards applicable to a CII site's imperviousness.[61] Annual maintenance cost is estimated to range from a low of $1,292 to a high of $3,875 per impervious acre treated.[62]

~~3.12.4.1.4.3.~~3.12.4.1.7.3. Filtration BMPs include either active or passive processes. In passive processes, gravity pulls stormwater down through treatment media. In active processes, stormwater flows through media via a mechanized system, such as a pump. Treatment media is usually a proprietary blend containing flocculants, coagulants, carbon, sand, organics. Active systems are chambered and may include pretreatment

[57] Water Research Foundation. International Stormwater BMP Database 2020 Summary Report, sections 2.4, 3.6, 4.6,4.6.1, 4.6.2, 5.5, 6.1.
[58] Water Research Foundation. Urban BMP Cost Database, v. 2.0 updated March 4, 2022. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.
[59] CASQA. *Supra*, TC-22 Extended Detention Basins.
[60] Water Research Foundation. International Stormwater BMP Database 2020 Summary Report, section 2.4, 3.6, 4.6,5.5, 6.1.
[61] Projections obtained via interview with private industries complying with the revised requirements for Order WQ 2014-0057-DWQ, as amended by WQ 2015-0122-DWQ & WQ 2018-0028-DWQ.
[62] U.S. EPA. National Menu of Best Management Practices (BMPs) for Stormwater-Post-Construction, Dry Detention Ponds. December 2021. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.

features to enhance the treatment process.[63] Media filtration can significantly reduce solid particles, fecal indicator bacteria, and phosphorus.[64] Cumulative cost varies with the number of unique pollutants treated and system sizing and design but can be mitigated by reducing stormwater source volume. Capital costs are estimated to range from ~~a low of~~ $75,961 to ~~a high of~~ $78,774 per impervious acre treated depending on the facility's structural limitations.[65] Annual maintenance cost will generally be a minimum of $3,681 per tributary acre treated.[66]

~~3.12.4.1.4.4.~~3.12.4.1.7.4. Bioretention or biofiltration BMPs are shallow vegetated basins with a variety of plants and filtration media that are specifically chosen to reduce runoff velocity and remove pollutants over time.[67] Bioretention can significantly reduce all pollutant concentrations in this Order except for nutrients like phosphorus or nitrogen. Bioretention is one of the most effective BMPs for pollutants like solid particles and fecal indicator bacteria.[68] Generalized capital cost is $26,789 per acre-inch treated over a 24-hour period for facilities located in the two watersheds. Generalized annual maintenance cost is $1,024 per tributary acre treated.[69]

~~3.12.4.1.4.5.~~3.12.4.1.7.5. Vegetated Swale BMPs are natural or manmade open and shallow channels with vegetation covering the side slopes and bottom that collect and slowly convey runoff flow to downstream discharge points. Vegetated swale BMPs slow down stormwater runoff and provide treatment through vegetative filtration into underlying soil matrices.[70] Vegetated swale BMPs can significantly reduce all pollutant

[63] CASQA. *Supra*, TC-40 Media Filter.
[64] Water Research Foundation. International Stormwater BMP Database 2020 Summary Report, section 2.4, 3.6, 4.6,5.5, 6.1.
[65] U.S. EPA. *Supra*, Sand and Organic Filters. December 2021. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.
[66] Water Research Foundation. Urban BMP Cost Database, v. 2.0 updated March 4, 2022. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.
[67] CASQA. *Supra*, TC-32 Bioretention.
[68] Water Research Foundation. International Stormwater BMP Database 2020 Summary Report, section 2.4, 3.6, 4.6,5.5, 6.1.
[69] Water Research Foundation. Urban BMP Cost Database, v. 2.0 updated March 4, 2022. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.
[70] CASQA. *Supra*, TC-30 Vegetated Swale.

concentrations in this Order except for phosphorus.[71] Generalized capital cost is $2,362 per acre-inch treated over a 24-hour period for facilities located in the two watersheds. Generally annual maintenance cost is $963 per tributary acre treated.[72]

~~3.12.4.1.4.6.~~3.12.4.1.7.6. Wetland BMPs are constructed basins with a permanent pool of water for most of the year, with vegetated pools that store stormwater. Saturated soils are selected to provide the necessary depth, frequency, and duration of inundation ~~in order to~~to support wetland vegetation. Pollutant removal is achieved through microbial transformation, plant uptake, settling, and adsorption. Constructed wetlands are among the most effective stormwater practices in terms of pollutant removal and they also offer aesthetic value. Pretreatment to reduce the amount of sediment and other solids influent to the wetlands is critical and can reduce the overall maintenance needs.[73] Wetlands can significantly reduce all pollutant concentrations in this Order and are particularly effective for nitrates and fecal indicator bacteria.[74] Capital costs are estimated to range from ~~a low of~~ $36,736 to ~~a high of~~ $92,838 per impervious acre treated depending on the facility's structural limitations.[75] Generalized annual maintenance cost is $121 per tributary acre treated.[76]

~~3.12.4.1.4.7.~~3.12.4.1.7.7. Catch Basin Inserts or Drain Inlet Inserts are used to remove pollutants at the point of entry to the storm drain system. There are a multitude of inserts of various shapes and configurations including baffles, baskets, boxes, fabrics, sorbent media, screens, and skimmers. The effectiveness of drain inlet inserts depends on their design, application, loading, and frequency of maintenance to remove accumulated sediment, trash, and debris. As a type of manufactured treatment control device, catch basin insert effectiveness at reducing pollutant concentration is

[71] Water Research Foundation. International Stormwater BMP Database 2020 Summary Report, sections 2.4, 3.6, 4.6,5.5, 6.1.
[72] Water Research Foundation. Urban BMP Cost Database, v. 2.0 updated March 4, 2022. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.
[73] CASQA. *Supra*, TC-21 Constructed Wetlands.
[74] Water Research Foundation. International Stormwater BMP Database 2020 Summary Report, sections 2.4, 3.6, 4.6,5.5, 6.1.
[75] U.S. EPA. *Supra*, Stormwater Wetland. December 2021. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.
[76] Water Research Foundation. Urban BMP Cost Database, v. 2.0 updated March 4, 2022. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.

unique to manufacturer design.[77] Capital costs are estimated to range from ~~a low of~~ $5,715 to ~~a high of~~ $114,309 per impervious acre treated.[78] Generalized annual maintenance cost is $2,164 per tributary acre treated.[79]

~~3.12.4.1.4.8.~~3.12.4.1.7.8. Permeable pavement treats stormwater while simultaneously functioning as structural site elements such as roadways, parking lots, and sidewalks. Runoff volume associated with site imperviousness can be reduced through allowing stormwater to percolate through the pavement and enter the soil below, facilitating groundwater recharge. Permeable pavements come in a variety of forms; they may be a modular paving system (concrete pavers, grass-pave, or gravel-pave) or poured in place pavement (porous concrete, permeable asphalt).[80] Available data indicates strong performance for multiple water quality constituents, and permeable pavement may be the only option for highly constrained locations in need of treatment.[81] Capital costs are estimated to range from ~~a low of~~ $61,275 to ~~a high of~~ $857,851 per impervious acre treated depending on the facility's structural limitations.[82] Generalized annual maintenance cost is $16,734 per tributary acre treated.[83]

~~3.12.4.1.4.9.~~3.12.4.1.7.9. Costs of Preparing an MRP. Staff also estimated costs to prepare an MRP under Compliance Option 3. Staff assumed plans would be prepared by a consultant who is an environmental scientist. The mean hourly wage for an environmental scientist in the Los Angeles-Long Beach-Anaheim, CA area is $48.39 in 2023 dollars[84]. Wages on average

[77] CASQA. *Supra*, MP-52 Drain Inlet Insert.
[78] U.S. EPA. *Supra*, Stormwater Inlet Controls. December 2021. Stormwater runoff volume estimated through rational method and 2006 Los Angeles County Hydrology Map. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.
[79] Water Research Foundation. Urban BMP Cost Database, v. 2.0 updated March 4, 2022. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.
[80] Palos Verdes Peninsula Watershed Management Group. Enhanced Watershed Management Program. April 2019, section 3.2.4.
[81] Water Research Foundation. International Stormwater BMP Database 2020 Summary Report, section 6.2.
[82] U.S. EPA. *Supra*, Permeable Pavements. December 2021. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.
[83] Water Research Foundation. Urban BMP Cost Database, v. 2.0 updated March 4, 2022. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data and Los Angeles County regional price parity.
[84] U.S. Bureau of Labor Statistics. *Occupational Employment and Wage Statistics: May 2022 Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates, Los Angeles-Long Beach-Anaheim, CA*. May 2022.

comprise about 70.5% of total compensation in the Pacific West Region, therefore the total assumed wage is $68.64[85]. In addition, based on an analysis by the Central Coast Water Board, staff assumed a multiplier of 2.97 to account for consultant's overhead, administrative costs, and profit, resulting in a wage of $203.84 per hour[86]. Assuming that it will take about 20-50 hours to create an MRP[87], the estimate cost range to prepare an MRP is $4,077 - $10,192.

~~3.12.4.1.4.10.~~3.12.4.1.7.10. Laboratory fees. Table F-5 presents estimated annual water quality monitoring laboratory costs as required under Compliance Option 3 by receiving waterbody. For waterbodies that require multiple tests for varying parameters, these costs were summed. Costs describe per-sample fees, but also account for the four required sampling events per year. Annual costs range from $6~~06~~0 to $~~6,787~~5,972.

Table F-5. Per-unit Annual Monitoring Costs by Receiving Waterbody

Waterbody	Annual Monitoring Cost[88]
Alamitos Bay[89]	$~~-~~660
Torrance Lateral Channel[89]	$~~-~~5,172
Dominguez Channel[89]	$~~-~~5,668
Dominguez Channel Estuary[89]	$~~-~~5,972
Los Cerritos Channel (Above Atherton Street)[89]	$~~-~~3,928
Los Cerritos Channel (Anaheim Rd. to Atherton St.)	$~~-~~660
Los Cerritos Channel Estuary[89]	$~~-~~660
Machado Lake[89]	$~~-~~4,340
Colorado Lagoon[89]	$~~-~~5,856
Long Beach Inner Harbor	$~~-~~5,312
Los Angeles Inner Harbor	$~~-~~5,312

[85] U.S. Bureau of Labor Statistics. *Employer Costs for Employee Compensation for the Regions – June 2022*. June 2022.
[86] PG Environmental and Eastern Research Group. "Attachment 4: A Cost Analysis for Amendment to the Water Quality Control Plan for the Central Coastal Basin to Adopt Total Maximum Daily Loads for Turbidity in the Gabilan Creek Watershed, Monterey County California (Resolution No. R3 -2022-0002)." September 2021. *Central Coast Regional Water Quality Control Board.*
[87] GSI Environmental. E-mail correspondence with staff. April 2023.
[88] Fees obtained via interview with Babcock Laboratories, Inc. Annual cost reflects the fees due from meeting minimum QSE requirements.
[89] Includes costs from: State Implementation Policy. Table 9-2, Summary of Aquatic Toxicity Costs for Tests Using Multiple-Concentration Test Design. Dollars adjusted to 2023 value per U.S. Bureau of Economic Analysis data.

Waterbody	Annual Monitoring Cost[88]
Los Angeles Harbor – Cabrillo Marina	$-5,312
Los Angeles Harbor – Consolidated Slip	$-5,312
Los Angeles Harbor – Inner Cabrillo Beach Area[89]	$-5,972

As stated above, there is a range of potential costs for Compliance Option 3, from the cost of monitoring only, to the cost of implementing BMPs similar to the BMPs implemented for Compliance Option 2, plus monitoring.

The costs of all three compliance options are presented in Table F-6. In order to include the monitoring costs under Compliance Option 3 in the comparison, it is assumed that there is one sample site per acre (which is an overestimate of the number of samples that would need to be collected per site).

Table F-6. Cost Comparison of Compliance Options

Compliance Option 1 (per impervious acre)	Compliance Option 2 (per impervious acre)*	Compliance Option 3 (per impervious acre)*
$4,100	$21,655 - $24,694	$660 - $30,666

3.12.4.2. **Characterization of Regulated Entities**

Staff assessed the size of businesses on parcels most likely to be subject to this Order. As compliance costs can fall on parcel owners or be passed onto tenants, staff reviewed parcel owner data from the LA County Assessor and data on tenants through SMARTS, Google Maps, and other publicly available information online. The U.S. Small Business Administration's definition of small business varies by industry. Small businesses can have annual revenues from $1 million to over $40 million and from 100 to over 1,500 employes.[90] Staff used the upper values of these ranges as thresholds to

[90] U.S. Census Bureau. *What is a Small Business?* January 2021.

determine whether parcel owners or tenants were small or large businesses regardless of industry, thus providing a conservative estimate. In other words, businesses with less than $40 million in annual revenue or less than 1,500 employees were considered small businesses, and businesses with annual revenues or employees above these thresholds were considered large businesses. Businesses that did not have this information publicly available were considered small businesses. For parcels with multiple tenants, the parcel would be categorized based on the size of businesses that occupied the majority of the area.

Staff's analysis found that a majority of parcels either have owners or a majority of tenants that are large businesses. The percentages of large business owners or tenants for commercial and industrial parcels are 74% and 57%, respectively. As the analysis was based on publicly available information, these values represent a lower bound, as many parcels, particularly industrial, did not have reliable information available online. As for institutional parcels or facilities, the owners are generally hospitals and religious institutions.

Staff also assessed the numbers of tenants on CII parcels, as compliance costs can be passed on and split by tenants. In general, there are more tenants on parcels where the owner or a majority of tenants (in terms of proportion of parcel area) are small businesses, and there are fewer tenants where the owner or a majority of tenants are large businesses. This was more pronounced with commercial parcels compared to industrial parcels. Commercial parcels that are owned or leased mostly by large businesses have an average of 4.9 tenants, whereas commercial parcels that are owned or leased mostly by small businesses have an average of 24.5 tenants. Histograms of tenant counts by parcels owned or leased mostly by large or small businesses are shown in Figure F-1. Most parcels owned or leased mostly by large businesses have just one tenant on the property. Many of these properties are big box stores such as Costco, Lowe's, Target, etc. As for parcels owned or mostly leased by small companies, the distribution of tenant counts is much flatter, with most parcels having more than one tenant. The two outlier parcels with high numbers of tenants, just under 100 and 200, are shopping malls that have many small businesses as tenants.

As for industrial parcels, those owned or leased mostly by large businesses have an average of 1.7 tenants, and those owned or leased mostly by small businesses have an average of 3.7 tenants. Histograms of tenant counts by parcels owned or leased mostly by large or small businesses are shown in Figure F-2~~Figure F-2~~. As with commercial parcels, most industrial parcels owned or leased mostly by large businesses have only one tenant. Many industrial parcels owned or leased mostly by small businesses also have only one tenant, but these parcels overall have a higher number of tenants.

Generally, most compliance costs will fall on large businesses. For parcels owned or leased mostly by small businesses, these are more likely to have more tenants. Furthermore, on parcels where tenants comprise a mix of large and small businesses, larger businesses are more likely to occupy larger portions of the parcel, meaning that they are responsible for more stormwater-generating impervious area.

Data are limited regarding the financial situations of most Permittees. However, in order to provide some reference regarding compliance costs, the average commercial rent in Los Angeles County in 2023 was roughly $36 per square foot[91]. Most commercial parcels in the CII watersheds are shopping centers that comprise mostly parking lots, and the estimated average rent is per retail square feet. Staff reviewed satellite imagery of CII parcels and assumed an average retail space percentage of 30% per commercial parcel for this illustrative example. Not accounting for common area maintenance fees that cover parking lot maintenance, as limited data are available, the average commercial rent for the entire parcel would be $470,448 per acre. As estimated by staff and discussed in Kung (2024), the average BMP cost per acre annualized over 20 years ($21,107-$24,069, Table F-3) would represent about 4.5%-5.1% of the average commercial rent. As for industrial parcels, the average rent in 2023 was about $20.42 per square foot[92]. Assuming an average industrial operating space of 80% per parcel and not accounting for common area maintenance fees, the average industrial rent for the entire parcel would be $711,597 per acre. The average BMP cost per acre annualized over 20 years would represent about 3.0%-3.4% of the average industrial rent.

[91] Matthews. *Market Report, Retail, Los Angeles and Orange County, CA*. 8 August 2023.
[92] Jozsa, Evelyn. *Commercial Edge National Industrial Report*. 26 January 2024.

Figure F-1: Histograms of tenants on commercial parcels by business size (based on size of parcel owner or majority of tenants on parcel)

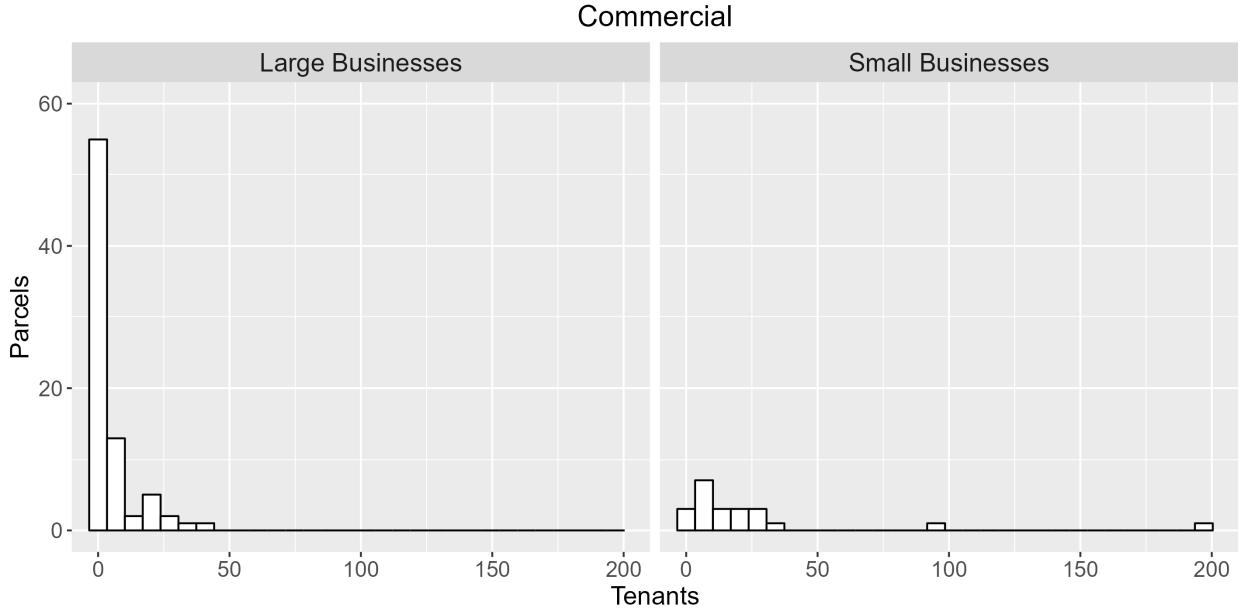
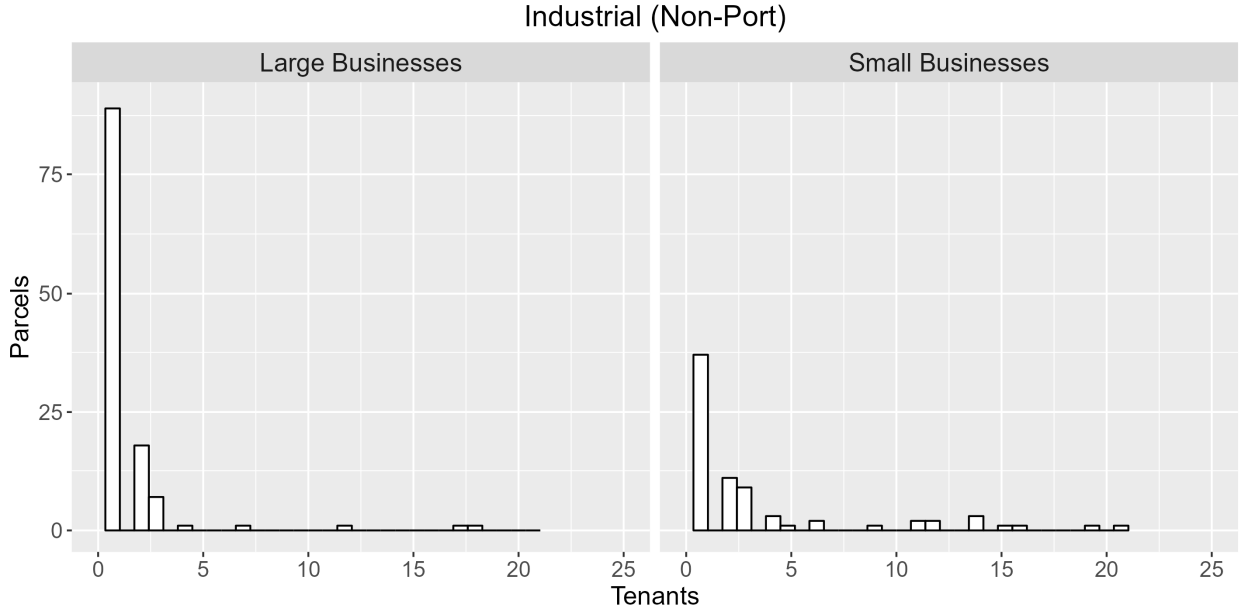


Figure F-2: Histograms of tenants on industrial parcels by business size (based on size of parcel owner or majority of tenants on parcel)



Cost of not Addressing CII Discharges

While it is important to consider the cost of compliance, it is also important to consider the costs of impairment; that is, the negative impact of pollution on the economy and the positive impact of improved water quality. Economic

benefits may result through program implementation, and both alternative costs and environmental impacts may be incurred by not fully implementing the program. Stormwater management programs cannot be considered solely in terms of their monetary costs to Dischargers. The programs must also be viewed in terms of their value to the public.[93] For example, household willingness to pay for improvements in freshwater quality for fishing and boating has been estimated by U.S. EPA to be $289-384, adjusted for inflation.[94] This estimate can be considered conservative, since it does not include important considerations such as marine waters benefits, wildlife benefits, or flood control benefits. The California State University, Sacramento study corroborates U.S. EPA's estimates, reporting annual household willingness to pay for statewide clean water to be $290, adjusted for inflation.

Though these costs may be assessed differently at the state level than at the regional level, the results indicate that there is public support for stormwater management programs that facilitate clean water.

It is also important to consider the cost of not implementing a stormwater management program. A study of south Huntington Beach and north Newport Beach found that an illness rate of about 0.8% among bathers at those beaches resulted in about $3 million annually in health-related expenses.[95] Urban runoff in southern California has been found to cause illness in people bathing near storm drains.[96] Extrapolation of such illness rates and associated health expenses to the beaches and other water contact recreation areas in the region would increase these costs significantly.

Stormwater runoff and its impact on receiving waters also negatively affects the tourism industry. The California Travel and Tourism Commission estimated that out-of-state visitors spent $168 per person per day (including transportation) in California in 2007. The Commission estimated total direct travel spending in California was $97.6 billion, directly supporting 924,000 jobs, with earnings of $30.6 billion. Effects on tourism from stormwater runoff (e.g., beach closures) can have a significant impact on the economy. The City of Long Beach has approximately 7 miles of public beach and bays attracting thousands of residents and visitors throughout the year, but all public access

[93] State Water Resources Control Board, 2000. Order WQ 2000-11.
[94] Federal Register / Vol. 64, No. 235 / Wednesday, December 8, 1999 / Rules and Regulations. P. 68793.
[95] Los Angeles Times, May 2, 2005. Here's What Ocean Germs Cost You: A UC Irvine Study Tallies the Cost of Treatment and Lost Wages for Beachgoers Who Get Sick.
[96] Haile, R.W., et al, 1996. An Epidemiological Study of Possible Adverse Health Effects of Swimming in Santa Monica Bay. Santa Monica Bay Restoration Project.

is routinely restricted for 72 hours after rainfall due to high levels of bacteria from storm drains, rivers, and polluted runoff, impacting beach visitation and the local economy.[97]

Finally, the benefits of stormwater management programs must be considered in conjunction with their costs. A study conducted by University of Southern California and the University of California, Los Angeles assessed the costs and benefits of implementing various approaches for achieving compliance with the MS4 permits in the Los Angeles Region. The study found that total costs would range from $9.24 to $11.99 billion, while benefits could reach $29.17 billion after adjusting for inflation.[98]

Failure to regulate discharges from CII Facilities will result in greater pollution of the waters in the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed. The compliance options allowed by this permit employ regional and structural approaches that will generate lasting positive impact to water quality. In addition, stormwater capture is an integral part of the compliance options for this permit. Stormwater capture and infiltration projects can enhance local communities by increasing green space, while promoting flood control, augmenting local water supply, and alleviating climate change effects by reducing urban heat islands.

3.12.5. **The Need for Developing Housing Within the Region**

This Order does not apply to residential facilities of any type and therefore has no impact on the development of housing in the watersheds subject to the Order. Nonetheless, the Order helps address the water needs associated with the need for housing by controlling the quality and quantity of stormwater discharges and providing compliance options that encourage the use of stormwater as a water resource. These approaches can reduce demand for potable water through beneficial use of stormwater, augment the supply of water for advanced treatment and recycling, and preserve and augment local groundwater resources thereby reducing imported water needs and increasing local water resiliency. Local water resiliency increases the region's capacity to support increases in population and the accompanying need for housing.

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[97] Long Beach Bureau of Environmental Health. Recreational Water Monitoring. (accessed January 3, 2023)

[98] Devinny, Joseph S., Sheldon Kamieniecki, and Michael Stenstrom. "Appendix H: Alternative Approaches to Stormwater Control." *NPDES Storm Water Cost Survey Final Report.* University of Southern California; University of California at Los Angeles, 2004.

This housing impact analysis focuses on the need for developing housing, as required by California Water Code section 13241, rather than the potential impacts on the cost of housing. Specifically with respect to housing impact, the Los Angeles Water Board finds that the Order controls will result in improved stormwater management, which, depending on the compliance option chosen, could augment water supply in the Los Angeles Region. To explain, according to the U.S. Census, between April 1, 2010, to July 1, 2018, Los Angeles County experienced an estimated population increase of 2.9%[99]. An increase in population creates a demand for more housing. Based on data from the California Department of Finance, Los Angeles County has been experiencing an increase in population and housing units since 2010[100]. An increase in population and housing creates a demand for more water use and supply. The Los Angeles Region has for over 100 years relied on imported water to meet many of our water resource needs. Imported water makes up approximately 70 to 75% of the Southern California region's water supply, with local ground water, local surface water, and reclaimed water making up the remaining 25 to 30%[101]. The CII Permit's compliance options will help increase the supply of water locally by contributing to stormwater capture and recycling projects and groundwater and surface water quality improvements in the Los Cerritos and Dominguez Channel Watersheds.

3.12.6. The Need to Develop and Use Recycled Water

In April 2019, Governor Newsom issued Executive Order N-10-19, ordering key agencies, including the California Environmental Protection Agency, to prepare a water resilience portfolio that meets the needs of California's communities, economy, and environment through the 21st century.[102] The draft portfolio includes a number of recommendations related to making stormwater capture a growing share of local water supply.[103] The Order helps address the need to develop and use recycled water by providing compliance options that encourage stormwater as a recycled water resource.

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[99] U.S. Census Bureau QuickFacts: Ventura County, California; Los Angeles County, California
[100] E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023 | Department of Finance (ca.gov)
[101] The State of the Region 2007 Report - Complete (ca.gov)
[102] Executive Department State of California Executive Order N-10-19. https://www.gov.ca.gov/wp-content/uploads/2019/04/4.29.19-EO-N-10-19-Attested.pdf.
[103] California Natural Resources Agency, California Environmental Protection Agency, and California Department of Food & Agriculture. 2020 Water Resilience Portfolio. Draft. January 3, 2020.

3.13. **Total Maximum Daily Loads (TMDLs)**

TMDLs are regulatory tools that provide the maximum amount of a pollutant that a water body can receive and still attain water quality standards. A TMDL is defined as the sum of the allowable loads of a pollutant from all contributing point sources (waste load allocations [WLAs]) and non-point sources (load allocations) in the watershed, plus the contribution from background sources. (40 C.F.R. § 130.2, subd. (i).) Discharges covered by this General Permit are considered to be point source discharges, and therefore must comply with effluent limitations that are "consistent with the assumptions and requirements of any available waste load allocation for the discharge prepared by the State and approved by EPA pursuant to 40 Code of Federal Regulations section 130.7." (40 CFR § 122.44, subd. (d)(1)(vii).) In addition, CWC section 13263, subdivision (a), requires that waste discharge requirements implement relevant water quality control plans.

There are currently two TMDLs for impaired waterbodies in the Alamitos Bay/Los Cerritos Channel Watershed and five TMDLs for impaired waterbodies in the Dominguez Channel/Greater Los Angeles and Long Beach Harbor Watershed. These TMDLs are for pollutants classified into the categories of bacteria, metals, nutrients, PAHs, PCBs, pesticides, toxicity, and trash. All applicable TMDL requirements are implemented in this General Permit as effluent limitations and permit conditions. The applicable TMDLs are described below and listed in Attachment J.

3.13.1. **Harbor Bacteria TMDL**

The Los Angeles Harbor Bacteria TMDL (Harbor Bacteria TMDL), included in Chapter 7-11 of the Basin Plan, became effective on March 10, 2005. The Harbor Bacteria TMDL assigns WLAs to the City of Los Angeles and the County of Los Angeles as MS4 sources, as well as any future enrollees under a general NPDES permit such as this one, general industrial stormwater permit, or general construction stormwater permit within the watershed draining to Inner Cabrillo Beach and the Main Ship Channel. The WLAs assigned to future sources are equal to zero day of allowable exceedances of the TMDL numeric targets. The WLAs apply as of March 10, 2010.

3.13.2. **Harbor Toxics TMDL**

The TMDL for Toxic Pollutants in Dominguez Channel and Greater Los Angeles and Long Beach Harbors Waters (Harbor Toxics TMDL), included in Chapter 7-40 of the Basin Plan, became effective on March 23, 2012. The Harbor Toxics TMDL includes WLAs for toxicity, metals, PAHs, total DDT, PCBs, chlordane, and dieldrin. The TMDL assigns interim and final WLAs to point source

discharges, including stormwater discharges (MS4, Caltrans, general construction and general industrial stormwater Dischargers), other NPDES Dischargers, and any future NPDES Dischargers such as the Dischargers regulated by this Order, to the freshwater portions of Dominguez Channel (above Vermont Avenue), Torrance Lateral, and the Dominguez Channel Estuary and Greater Los Angeles and Long Beach Harbor Waters. The interim WLAs apply as of March 23, 2012, and the final WLAs apply on March 23, 2032.

3.13.3. Machado Lake Trash TMDL

The Machado Lake Trash TMDL, included in Chapter 7-26 of the Basin Plan, became effective on March 6, 2008. The TMDL assigns a WLA equal to zero trash to MS4 permittees and any additional responsible jurisdictions in the future under Phase 2 of the US EPA Stormwater Permitting Program, or other applicable regulatory programs, such as the one established by this Order. WLAs may be attained through the implementation of certified full capture systems. The WLAs apply as of March 6, 2016.

3.13.4. Machado Lake Eutrophic, Algae, Ammonia, and Odors (Nutrient) TMDL

The Machado Lake Nutrient TMDL, included in Chapter 7-29 of the Basin Plan, became effective on March 11, 2009. The TMDL assigns WLAs to stormwater Dischargers (MS4, Caltrans, general construction, and general industrial Dischargers). The final WLAs apply as of September 11, 2018. Refer to Attachment F Section 4.6.3.1.

3.13.5. Machado Lake Pesticides and PCBs TMDL

The Machado Lake Pesticides and PCBs TMDL, included as Chapter 7-38 in the Basin Plan, became effective on March 12, 2012. The TMDL assigns WLAs to stormwater Dischargers (MS4, Caltrans, general construction, and general industrial Dischargers). The WLAs are for PCBs, Total DDT, chlordane, and dieldrin, with a 3-year averaging period. The final WLAs apply as of September 30, 2019. Refer to Attachment F Section 4.6.3.1.

3.13.6. Los Cerritos Channel Metals TMDL

The Los Cerritos Channel TMDL for Metals was adopted by U.S. EPA and became effective on March 17, 2010. The TMDL assigns mass-based WLAs to stormwater permittees (Los Angeles County MS4, City of Long Beach MS4, Caltrans, industrial general permit, and construction general permit) and concentration-based WLAs to existing and future minor NPDES permittees and

general non-stormwater NPDES permittees. The Los Angeles Water Board adopted an implementation plan for the TMDL, which became effective on October 13, 2014, and is included as Chapter 7-32 in the Basin Plan. The implementation plan requires that the final WLAs for general industrial and construction stormwater permits apply on September 30, 2017, the final WLAs for MS4 and Caltrans permits apply on September 30, 2026, and the WLAs for non-stormwater NPDES permits apply upon permit issuance, renewal, or reopener. The implementation plan also contemplates other general NPDES permits such as this one as a regulatory mechanism used to implement the WLAs assigned to point sources.

3.13.7. Los Cerritos Channel Bacteria TMDL

The Los Cerritos Channel and Estuary, Alamitos Bay, and Colorado Lagoon Indicator Bacteria TMDL, included as Chapter 7-44 in the Basin Plan, was adopted by the Los Angeles Water Board on March 10, 2022. Following approval by the State Water Board (December 6, 2022), the Office of Administrative Law (September 19, 2023), the TMDL became effective on September 10, 2024 when it was approved by U.S. EPA. The TMDL assigns WLAs for *E. coli* and *Enterococcus* to any future enrollees under the Phase II MS4 permit, an individual NPDES permit, a general NPDES permit such as this one, the general industrial stormwater permit, or the general construction stormwater permit. The WLAs are assigned as a geometric mean and a statistical threshold value (STV). However, if it is not possible to calculate a geometric mean due to lack of sufficient data, then attainment of the WLAs shall be determined based on the STV.

3.13.8. Colorado Lagoon Organochlorine (OC) Pesticides, PCBs, Sediment Toxicity, and Metals TMDL

The Colorado Lagoon TMDL, included as Chapter 7-30 in the Basin Plan, became effective on July 28, 2011. The TMDL assigns mass-based WLAs to the five major storm drain outfalls that currently discharge to the lagoon Long Beach MS4 and Caltrans. The TMDL assigns concentration-based waste load allocations to minor NPDES permits, other stormwater permits such as this one, and non-stormwater permittees. Any future minor NPDES permits or enrollees under a general non-stormwater NPDES permit, general industrial stormwater permit, or general construction permit will also be subject to the concentration-based waste load allocations. The WLAs are for PCBs, PAHs, DDT, chlordane, dieldrin, lead, and zinc. The WLAs apply as of July 28, 2018.

3.14. Endangered Species Act Requirements.

This Order does not authorize an act that results in the taking of a threatened or

endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 USCA sections 1531 to 1544). This Order requires compliance with receiving water limits and other requirements to protect beneficial uses. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

3.15. NPDES Electronic Reporting Rule (e-Rule)

Part 127 of 40 CFR requires NPDES permittees to electronically report information and also requires authorized states implementing the NPDES program to ensure that the required minimum set of data in 40 CFR part 127, Appendix A, is electronically transferred to USEPA in a “timely, accurate, complete and nationally consistent manner fully compatible with USEPA’s national NPDES data system.” The rule does not add new reporting requirements on NPDES regulated entities; rather it substitutes paper-based filings with electronic transmission.

3.16. Advancing Measures to Mitigate and Adapt to Climate Change

The predicted impacts of climate change in Southern California include an increase in temperatures, heightened frequency of extreme weather conditions including extreme precipitation events and drought, along with sea level rise. At the local scale, within urbanized areas, these changes may directly impact groundwater and surface water supply; drainage, flooding, and erosion patterns; economically distressed communities; and ecosystems and habitat.

In recognition of the challenges posed by climate change, the State Water Board adopted on March 7, 2017, a resolution that requires a proactive approach to climate change in all State Water Board actions, including drinking water regulation, water quality protection, and financial assistance (Resolution No. 2017-0012). In conjunction with the State Water Board’s Resolution, the Los Angeles Water Board adopted “A Resolution to Prioritize Actions to Adapt to and Mitigate the Impacts of Climate Change on the Los Angeles Region’s Water Resources and Associated Beneficial Uses” (Resolution No. R18-004) on May 10, 2018. The resolution lists potential regulatory adaptation and mitigation measures that could be implemented on a short-term and long-term basis by each of the Los Angeles Water Board’s programs to take into account, and assist in mitigating where possible, the effects of climate change on water resources and associated beneficial uses. In addition, Executive Order N-10-19, signed on April 29, 2019, directs the California Natural Resources Agency (CNRA), the California Environmental Protection Agency (CalEPA), and the California Department of Food and Agriculture (CDFA) to prepare a water resilience portfolio that meets the needs of California’s communities, economy,

and environment, and expand and/or reassess the priorities in the California Water Action Plan. The order directs agencies to prioritize multi-benefit approaches, natural infrastructure, innovation and new technologies, regional approaches, integration across state government, and partnerships across governments.

The Order follows the guiding principles of the State and Los Angeles Water Boards resolutions (No. 2017-0012 and No. R18-004) as well as Executive Order N-10-19 by contributing to an adaptive climate change and water resilience strategy. Through compliance options that encourage onsite and off-site infiltration and reuse projects, stormwater and non-stormwater runoff can be captured, infiltrated, and used to mitigate periodic drought conditions, reduce flood hazards and erosion rates, and recharge depleted groundwater aquifers and other water supply sources, all while reducing pollutant loads, maintaining beneficial uses in receiving waters and improving community health.

3.17. Advancing Racial Equity

In accordance with the Water Boards' Racial Equity Initiative, formally launched on August 18, 2020 (Racial Equity | California State Water Resources Control Board), the Order requires all Permittees to meet water quality standards to protect public health and the environment for persons living in this disadvantaged community, which also benefits all persons and communities within the Region. The Los Angeles Water Board is committed to developing and implementing policies and programs to advance racial equity and environmental justice so that race can no longer be used to predict life outcomes, and outcomes for all groups are improved.

3.18. Other Plans, Policies and Regulations

The Order implements all other applicable federal regulations and State plans, policies, and regulations.

4. RATIONALE FOR REQUIREMENTS IN THIS GENERAL PERMIT

4.1. General Permit Issuance

Concurrent with USEPA's designation[104] , the Los Angeles Water Board, pursuant to 40 CFR section 122.26(a)(9)(i)(C) and (D), is issuing this General

[104] EPA 2024 Final Designation Memorandum: Alamitos Bay/Los Cerritos Channel Watershed and the Dominguez Channel and Los Angeles/Long Beach Inner Harbor Watershed in Los Angeles County

Permit for applicable CII Facilities. 40 CFR section 122.28(a)(1)(vii) allows a General Permit to issue that covers one or more categories or subcategories of discharges in an area that corresponds with existing geographic or political boundaries, or any other appropriate division or combination of boundaries. The Los Cerritos/Alamitos Bay and Dominguez Channel/Los Angeles and Long Beach Inner Harbors watersheds are two appropriate divisions and boundaries. Similarly, California Water Code section 13263 subd. (i) allows the state board or a regional board may prescribe general waste discharge requirements for a category of discharges if the state board or that regional board finds or determines that all of the following criteria apply to the discharges in that category: (1) The discharges are produced by the same or similar operations; (2) The discharges involve the same or similar types of waste; (3) The discharges require the same or similar treatment standards; and (4) The discharges are more appropriately regulated under general discharge requirements than individual discharge requirements. The Los Angeles Water Board finds that a General Permit for stormwater discharges associated with commercial, industrial and institutional facilities is an appropriate permitting approach and determined that: (1) The General Permit provides coverage for discharges of stormwater and authorized NSWDs produced from certain CII Sites; (2) The discharges mainly consist of stormwater runoffs resulting from impervious surfaces; (3) The Dischargers are required to implement BMPs that comply with the BCT and BAT requirements of this General Permit to reduce or prevent discharges of pollutants in their stormwater discharges; and (4) The General Permit enables the Los Angeles Water Board to expediate the processing of requirements, simplify the application process for Dischargers, better utilize limited staff resources, and avoid the expense and time involved in repetitive public noticing, hearings, and permit adoptions.
Section 122.28(a)(2)(i) of 40 CFR provides for issuance of general NPDES permits to regulate stormwater point sources. Section 122.28(a)(2)(ii) pertains to point sources other than stormwater point sources. General NPDES permits enable the Los Angeles Water Board to expedite the processing of requirements, simplify the application process for Dischargers, better utilize limited staff resources, and avoid the expense and time involved in repetitive public noticing, hearings, and permit adoptions.

In accordance with 40 CFR section 123.25, the Los Angeles Water Board must meet general program requirements prior to the re-issuance and adoption of a general NPDES permit. General program requirements include preparing the draft General NPDES Permit, public noticing, allowing a public comment period, and conducting a public hearing. To meet these requirements, the Los Angeles Water Board prepared a draft General Permit. The draft General Permit was sent to interested parties on August 25, 2025 for comments. A public hearing to receive testimony from interested parties was scheduled for November 20, 2025. The Notice of Public Hearing was sent to the interested party list at the same time as the draft General Permit. The complete efforts of the Los Angeles

Water Board's outreach to the public are summarized in sections 5.1 through 5.3 of this Fact Sheet.

4.2. General Permit Coverage Requirements

This General Permit provides regulatory coverage for stormwater discharges and authorized NSWDs from unpermitted, privately owned commercial, industrial, and institutional (CII) facilities with greater than or equal to five (5) acres of impervious surface, and permitted CII Sites with five (5) or more acres of total area that have been directed by the Los Angeles Water Board to obtain coverage specifically under this General Permit per the authority in 40 CFR 122.26(a)(i)(C) and (D).

4.2.1. Obtaining General Permit Coverage

The Los Angeles Water Board will utilize the SMARTS online database system to handle registration and reporting under this General Permit. More information regarding SMARTS and access to the database is available online at. The Los Angeles Water Board has determined that all documents related to enrollment and compliance must be certified and submitted via SMARTS by Dischargers.

4.2.1.1. This General Permit requires all Dischargers to electronically certify and submit Permit Registration Documents via SMARTS to obtain regulatory coverage. The Los Angeles Water Board estimates that approximately 600 Dischargers may be registering for coverage under this General Permit.

4.2.1.2. Dischargers shall electronically certify and submit the Permit Registration Documents via SMARTS for each individual facility. This requirement is intended to establish a clear accounting of the name, address, and contact information for each Discharger, as well as a description of each Discharger's facility.

4.2.2. Changes to General Permit Coverage

Dischargers who no longer operate a facility required to be covered under this General Permit are required to electronically certify and submit via SMARTS a Notice of Termination (NOT). An NOT is required when there is a change in ownership of the activities subject to this General Permit or when such activities are permanently discontinued by the Discharger at the site. When terminating coverage, Dischargers may only submit an NOT once all exposure of commercial and/or industrial materials and equipment have been eliminated. Dischargers may not submit NOTs for temporary or seasonal facility closures.

4.3. Discharge Prohibitions

This General Permit covers stormwater discharges and authorized NSWDs as described in Table F-1 of this Fact Sheet and prohibits any discharge of materials other than stormwater and authorized NSWDs (section 5 of the Order). This includes any discharge of trash per the Trash Provisions. It is a violation of this General Permit to discharge hazardous substances in stormwater in excess of the reportable quantities established in 40 CFR sections 117.3 and 302.4.

4.4. Non-Stormwater Discharges (NSWDs)

Unauthorized NSWDs can be generated from various pollutant sources. Depending upon their quantity and location where generated, unauthorized NSWDs can discharge to the storm drain system during dry weather as well as during a storm event (comingled with stormwater discharge). These NSWDs can consist of but are not limited to; (1) waters generated by the rinsing or washing of vehicles, equipment, buildings, or pavement, or (2) fluid, particulate or solid materials that have spilled, leaked, or been disposed of improperly. Section 5 of the Order provides a limited list of NSWDs that are authorized if Dischargers implement BMPs to prevent contact with industrial materials prior to discharge. Emergency firefighting related discharges are not subject to this General Permit.

4.5. Requirements for Stormwater Pollution Prevention Plans

4.5.1. This General Permit requires that all Dischargers with coverage develop, implement, and retain onsite a site-specific Stormwater Pollution Prevention Plan. The Discharger is required to include in its Stormwater Pollution Prevention Plan (section 6 of the Order) a site map, authorized NSWDs at the facility, and an identification and assessment of potential pollutants sources resulting from exposure of the permitted activities to stormwater.

This General Permit also requires that Dischargers clearly describe the BMPs that are being implemented in the Stormwater Pollution Prevention Plan. In addition to providing descriptions, Dischargers must also describe who is responsible for the BMPs, where the BMPs will be installed, how often and when the BMPs will be implemented, identify any pollutants of concern, and, for Dischargers selecting Compliance Option 3, a site-specific monitoring plan.

Failure to develop or implement an adequate Stormwater Pollution Prevention Plan, or update or revise an existing Stormwater Pollution Prevention Plan as required, is a violation of this General Permit. Failure to maintain the Stormwater Pollution Prevention Plan on-site and have it available for inspection is also a violation of this General Permit.

4.5.2. The Los Angeles Water Board has selected minimum BMPs (section 6.5 of the Order) that are generally applicable at all facilities. Due to the diversity of CII

Sites covered by this General Permit, the development of a more comprehensive list of minimum BMPs is not currently feasible. The selection, applicability, and effectiveness of a given BMP is often related to facility-specific facts and circumstances.

4.6. Effluent Limitations

4.6.1. Authority

The CWA requires point source Dischargers to control the amount of conventional, nonconventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: technology-based and water quality-based effluent limitations. 40 CFR section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 CFR section 122.44(d) requires that permits include water quality-based effluent limitations where necessary to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

4.6.2. Basis for Technology-Based Effluent Limitations (TBELs)

Section 301(b) of the CWA and its implementing permit regulations at 40 CFR section 122.44(a) require permits to include conditions meeting applicable TBELs at a minimum. The CWA sets forth standards for TBELs based on the type of pollutant or the type of facility/source involved. The CWA establishes two levels of pollution control for existing sources. For the first level, existing sources that discharge pollutants directly to receiving waters were initially subject to effluent limitations based on the “best practicable control technology currently available” (BPT). (33 U.S.C. § 1314(b)(1)(B).) BPT applies to all pollutants. For the second level, existing sources that discharge conventional pollutants are subject to effluent limitations based on the “best conventional pollutant control technology” (BCT). (see 33 U.S.C. §1314(b)(4)(A) and 40 C.F.R. §401.16 (list of conventional pollutants).) Also, for the second level, other existing sources that discharge toxic pollutants or “nonconventional” pollutants (“nonconventional” pollutants are pollutants that are neither “toxic” nor “conventional”) are subject to effluent limitations based on “best available technology economically achievable” (BAT). (see 33 U.S.C. §1311(b)(2)(A) and 40 C.F.R. §401.15 (list of toxic pollutants).) The factors to be considered in establishing the levels of these pollutant control technologies are specified in section 304(b) of the CWA and in U.S. EPA’s regulations at 40 C.F.R. §125.3. In some cases, new sources of discharges are subject to heightened performance standards known as New Source Performance Standards (NSPS). NSPS represent the most stringent controls attainable through the

application of the best available demonstrated control technology for all pollutants (i.e., conventional, nonconventional, and toxic pollutants). (33 U.S.C. § 1316.) The CWA also requires U.S. EPA to develop national effluent limitations, guidelines and standards (ELGs) on an industry-by-industry basis. 40 Code of Federal Regulations, Chapter I, Subchapter N ("Subchapter N"), includes over 40 separate industrial categories where the U.S. EPA has established ELGs for new and existing industrial wastewater discharges to surface waters, discharges to publicly owned treatment works (pre-treatment standards), and stormwater discharges to surface waters. When establishing ELGs for an industrial category, U.S. EPA evaluates a wide variety of technical factors to determine BPT, BCT, BAT and/or NSPS. U.S. EPA considers the specific factors of an industry such as pollutant sources, industrial processes, and the size and scale of operations. U.S. EPA evaluates the specific treatment, structural, and operational source control BMPs available to reduce or prevent pollutants in the discharges. The costs of implementing BMPs to address these factors are weighed against their effectiveness and ability to protect water quality. Factors such as industry economic viability, economies of scale, and retrofit costs are also considered. In establishing NSPS, U.S. EPA considers the cost of achieving the effluent reduction and any non-water quality environmental impacts and energy requirements.

The TBELs in this Order represent the BCT (for conventional pollutants) and BAT (for toxic pollutants and non-conventional pollutants) levels of control for the applicable pollutants. While U.S. EPA has not promulgated ELGs for the discharges covered under this Order, this Order includes TBELs established on best professional judgment. TBELs in this Order are expressed as requirements for implementation of effective BMPs. (40 CFR §122.44(k)(2); see, also, State Water Resources Control Board Order WQ 2015-0075, *In re Order No. R4-2012-0175, NPDES Permit No. CAS004001, Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, Except those Discharges Originating from the City of Long Beach MS4,* at p. 57.)

Section 6 of ~~T~~this General Permit ~~(Section 6)~~ requires all Dischargers to develop and implement Stormwater Pollution Prevention Plans (SWPPPs), including minimum BMPs. In addition, this General Permit requires Dischargers to implement more advanced BMPs that are necessary to adequately reduce or prevent pollutants in discharges to achieve WQBELs. These requirements, together, ensure that the BCT/BAT standards are achieved consistently with the TBELs established in section 7.1.1 of the Order.

The minimum BMPs specified in this General Permit represent common practices that can be implemented by most CII Facilities. This General Permit generally does not prescribe the specific method of design, installation or implementation for the minimum BMPs. Rather, it is the responsibility of each

Discharger to determine and apply appropriate measures necessary to achieve compliance with the applicable effluent limits.

BMPs may include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "waters of the United States." BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. (40 C.F.R. § 122.2) Any practice or control that effectively prevents pollutants from entering the environment and supports compliance with the requirements of this General Permit may qualify as a BMP.

Under this General Permit, Dischargers are required to select, design, install, and implement facility-specific control measures to meet TBELs. Many CII Facilities may already have control measures in place for purposes such as product loss prevention, accident and fire prevention, worker health and safety, or compliance with other environmental regulations, that will also achieve TBELs. However, Dischargers must ensure that the minimum BMPs listed in this General Permit are tailored to the specific conditions of their facility and are updated or improved as necessary to maintain compliance with TBELs. The primary objective of BMPs may vary depending on the source and nature of potential pollutants. In some cases, BMPs will focus on pollution prevention, while in others, treatment may be necessary—particularly where a facility has the potential to cause or contribute to an exceedance of water quality standards.

~~4.6.2.~~4.6.3. Basis for Water Quality Based Effluent Limitations (WQBELs)

Section 402(p) of the CWA and 40 CFR section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards in the receiving water. Section 122.44(d)(1)(i) of 40 CFR mandates that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the for potential to cause or contribute to an exceedance of a water quality standard in the receiving water, including numeric and narrative objectives or criteria.

This Order includes WQBELs where the Los Angeles Water Board has determined that discharges from CII Facilities have the reasonable potential to cause or contribute to an excursion above water quality standards. Reasonable potential can be demonstrated in several ways. This Order determines reasonable potential through (1) the TMDL development process and (2) the presence of a 303(d) listing and a literature review showing that CII Facilities are a source of pollutants.

Where the literature review shows that CII Facilities are a source of pollutants, but there is no TMDL or 303(d) listing, this Order includes an initial sampling

requirements to inform the Board's reasonable potential analyses for future orders. This method is described in detail in sections 4.6.3.1, 4.6.3.2, and 4.6.3.3 of the Fact Sheet.

Where reasonable potential is established for a pollutant, but there is no numeric objective or criterion for the pollutant, WQBELs must be established using one or more of the following, as provided in 40 CFR section 122.44(d)(1)(vi): (1) USEPA water quality criteria guidance developed under CWA section 304(a), supplemented as necessary by other relevant information; (2) an appropriate indicator parameter representative of the pollutant of concern; or (3) a calculated numeric criterion based on a proposed state water quality objective or a policy interpreting a state-adopted narrative water quality objective, supplemented by other relevant information. In cases where a TMDL has been established and approved by USEPA, any applicable WQBELs must be consistent with the assumptions and requirements of the Waste Load Allocations (WLAs) set forth in the TMDL.

Furthermore, 40 CFR section 122.28(a)(3) provides that when Dischargers within a defined category or subcategory are subject to WQBELs under section 122.44, all Dischargers within that category or subcategory must be subject to the same WQBELs. As such, all CII Facilities covered under this General Permit are subject to the same applicable WQBELs established herein.

~~4.6.2.1.~~4.6.3.1. Pollutants in TMDLs and WLA Translation

Where a point source is assigned a WLA in a TMDL, the analysis conducted in the development of the TMDL provides the basis for determining that the discharge has the reasonable potential to cause or contribute to an exceedance of water quality standards in the receiving water. This approach is affirmed in USEPA's Permit Writer's Manual, which states, "[w]here there is a pollutant with a WLA from a TMDL, a permit writer must develop WQBELs." In this Order, WQBELs are included as numeric WQBELs in accordance with EPA guidance (US EPA Memorandum "Revisions to the November 22, 2002 Memorandum 'Establishing Total Maximum Daily Load (TMDL) Wasteload Allocations (WLAs) for Storm Water Sources and NPDES Permit Requirements Based on Those WLAs'" (November 26, 2014) (2014 Memo)). Specifically, the 2014 Memo recommends that the WQBELs be clear, specific, measurable, and numeric where feasible.

NPDES permits must contain effluent limits and conditions consistent with the requirements and assumptions of the WLAs in TMDLs. (40 CFR § 122.44(d)(1)(vii)(B).) In addition, CWC section 13263 requires that waste discharge requirements implement any relevant Water Quality Control Plans. (CWC § 13263, subd. (a).) The currently effective TMDLs for the two watersheds subject to this permit are listed in Attachment J and section 2.3.2 of

this Fact Sheet. The WLAs in these TMDLs were analyzed and translated into prohibitions or numeric WQBELs consistent with federal regulation and related guidance (40 CFR 122.44(d)(1); 2014 Memo). In general, for all the TMDLs, dry-weather WLAs are incorporated as discharge prohibitions, and wet-weather WLAs are incorporated as numeric WQBELs. The numeric WQBELs are feasible to calculate because in most cases they are direct incorporations of the WLAs. The numeric WQBELs are also clear, measurable, and will ensure that TMDL waterbodies are restored to their beneficial uses. In some cases, TMDL-specific WLA interpretations are necessary due to the variation of requirements in the TMDLs. For example, some TMDLs assign WLAs to all current and future point sources, thus specifically including CII Facilities. Other TMDLs do not specifically assign WLAs to future point sources such as CII Facilities, but do assign WLAs to stormwater discharges and, in particular, MS4 discharges. Since the designation of CII Facilities reflects their contribution to the overall pollutant loading within the MS4[105], the WLAs for MS4 discharges are applicable to CII Facilities and are incorporated into this Order for these TMDLs. The manner of WLA incorporation into this Order is discussed in the paragraphs below for each individual TMDL.

Los Angeles Harbor Bacteria TMDL

The WLAs assigned to "any future enrollees under a general NPDES permit" are incorporated into this Order as WQBELs. The WQOs used to develop the WLAs in the Bacteria TMDL were the multipart bacteria WQOs for total coliform, fecal coliform, and enterococcus in the Basin Plan at the time the TMDL was established. This Order includes bacteria WQBELs based on the updated multipart bacteria WQOs included in the Bacteria Provisions for discharges subject to the TMDL, in order to apply consistent bacteria WQBELs for all discharges covered by this Order. Both the WQOs that were in the Basin Plan at the time the TMDL was established and the updated WQOs in the Bacteria Provisions are based on indicator bacteria density thresholds, and both protect beneficial uses.

Dominguez Channel and Los Angeles and Greater Long Beach Harbor Waters Toxics TMDL

The WLAs assigned to "any future NPDES Dischargers" are incorporated into this Order as WQBELs. The interim WLAs are incorporated as WQBELs. The final WLAs are incorporated as WQBELs that apply on March 23, 2032. Final WLA deadlines are included in the permit even if

[105] U.S. EPA estimates that the designation of CII ~~facilities~~ Facilities greater than 5 acres would shift the zinc load reduction responsibility from the MS4 permittees to these CII ~~facilities~~ Facilities by 41.5%. (los-cerritos-dominguez-prelim-designation-2022-07-15.pdf)

they are beyond the permit term to ensure enforceability if the permit is not reissued within five years. For the freshwater portion of the Dominguez Channel and Torrance Lateral:

1) The interim WLA of 2 TUc is implemented as a trigger requiring initiation and implementation of the TRE/TIE process as outlined in US EPA's "Understanding and Accounting for Method Variability in Whole Effluent Toxicity Applications Under the National Pollutant Discharge Elimination System Program" (2000) in accordance with TMDL implementation language.

2) The final WLA of 1 TUc is incorporated as a numeric WQBEL as a monthly median in accordance with TMDL implementation language.

3) The interim concentration-based WLAs for metals are incorporated as concentration-based numeric WQBELs as instantaneous maximum values in accordance with TMDL implementation language and CWA implementing regulations and guidance.

For the Dominguez Channel Estuary and Greater Los Angeles and Long Beach Harbor Waters:

4) The final mass-based WLAs for metals are incorporated as concentration-based numeric WQBELs equal to CTR total metals criteria in accordance with TMDL implementation language (compliance option c on page 13 of the TMDL). A hardness of 50 mg/L as $CaCO_3$ is assumed.

5) The interim concentration-based sediment allocations for copper, lead, zinc, DDT, PAHs, and PCBs are incorporated as concentration-based numeric WQBELs in the storm-borne sediment discharge over a three-year averaging period in accordance with TMDL implementation language (compliance option c on page 11 of the TMDL).

6) The final WLAs assigned to non-MS4 sources for metals and PAHs are incorporated as concentration-based numeric WQBELs as instantaneous maximum values in accordance with TMDL implementation language and CWA implementing regulations and guidance. The TMDL states that the averaging period for the WLAs shall be consistent with the CTR and relevant implementation guidance. Rather than calculating a separate average monthly and daily maximum WQBEL for the CTR criteria, the WLAs are incorporated directly as instantaneous

maximum values, which is more practical given the nature of CII Facilities and the monitoring requirements in this Order.

7) The final concentration-based sediment WLAs for mercury in Consolidated Slip, cadmium in Dominguez Channel Estuary and Consolidated Slip, and chromium in Consolidated Slip are incorporated as concentration-based numeric WQBELs in the storm-borne sediment discharge in accordance with TMDL implementation language (compliance option a on page 17 of the TMDL).

Machado Lake Trash TMDL
The WLAs assigned to "any additional responsible jurisdictions in the future under Phase 2 of the US EPA Stormwater Permitting Program" are incorporated into this Order as WQBELs. The compliance date for the trash WLA has passed. The WLA is incorporated as a prohibition consistent with the assumptions and requirements of the wasteload allocations. Pursuant to California Water Code section 13360(a), Permittees may comply with the trash prohibition using any lawful means, including the implementation of certified full capture systems, in accordance with TMDL implementation language. If implementing full capture system, a Permittee shall be in compliance with the prohibition if all drainage areas on the facility property are serviced by appropriate certified full capture systems.

Machado Nutrients TMDL
The TMDL does not explicitly assign WLAs to CII Facilities. However, the TMDL assigns grouped WLAs to stormwater discharges (MS4, Caltrans, general construction, and general industrial). The MS4 WLAs are applicable to the CII Facilities because CII Facilities are within the footprint of the MS4 and contribute to the pollutant loading in the MS4. The WLAs are concentration-based and easily translated to WQBELs for CII Facilities. The compliance date for the final nutrient WLAs has passed. The final WLAs of 0.1 mg/L for total phosphorus and 1.0 mg/L for total nitrogen (TKN + NO_3 -N + NO_2 –N) are incorporated as numeric WQBELs as monthly averages in accordance with TMDL implementation language. Permittees may also comply with WQBELs by actively participating in the Lake Water Quality Management Plan (LWQMP) developed by the City of Los Angeles and memorialized in a Memorandum of Agreement with the Los Angeles Water Board to attain receiving water limitations in the Lake.

Machado Lake Pesticides and PCBs TMDL
The TMDL does not explicitly assign WLAs to CII Facilities. However, the TMDL assigns grouped WLAs to stormwater discharges (MS4, Caltrans, general construction, and general industrial). The MS4 WLAs are applicable to the CII Facilities because CII Facilities are within the footprint of the MS4 and contribute to the pollutant loading in the MS4. The WLAs

are concentration-based and easily translated to WQBELs for CII Facilities. The compliance date for the final pesticide WLAs has passed. The final WLAs for PCBs, Total DDT, chlordane, and dieldrin are incorporated as numeric WQBELs as a three-year average in accordance with TMDL implementation language. To determine compliance, Permittees shall monitor pollutant concentrations of the storm-borne sediment discharged from the facility. Sampling shall be designed to collect sufficient volumes of suspended solids to allow for analysis of pollutants in the bulk sediment.

Los Cerritos Channel Metals TMDL
The TMDL does not explicitly assign WLAs to CII Facilities. However, the TMDL assigns grouped WLAs to stormwater discharges that are apportioned between MS4 permittees, Caltrans, and general industrial and general construction permittees based on their relative areas in the watershed. Since the CII Facilities subject to this Order lie within the boundaries of the MS4, CII facility discharges are accounted for in the MS4 WLAs.

The final wet-weather mass-based WLAs assigned for copper, lead, and zinc are incorporated into this Order as numeric WQBELs that apply on September 30, 2026. Final WLA deadlines are included in permit even if they are beyond the permit term to ensure enforceability if the permit is not reissued within five years. For ease of implementation, the final mass-based WLAs are incorporated into the Order as concentration-based WQBELs. Demonstrating compliance with concentration-based values rather than mass-based values is more practical given the nature of monitoring requirements in the Order. The wet-weather mass-based WLAs are expressed as equations. In the Order, the terms of these equations have been rearranged to express WQBELs as an “effective concentration” of a metal that when multiplied by the volume of flow in the river for the assessed day (i.e., the daily volume in liters) gives the calculated effluent limitation as a load:

1) = ( ) ( )

As an example, the grouped wet-weather effluent limitation for copper in for the Los Angeles County MS4 permittees is a load expressed as grams per day:

2) = (4.709 10−6) ( )

Setting the two equations equal and rearranging the variables to solve for the “effective concentration” the equation becomes:

3) ( ) ( ) = (4.709 10−6) ( )

4) = (4.709 10−6) ( )( )

5) = 4.709 10−6

This equation results in an effective concentration for copper expressed as g/L; to convert to µg/L, apply the conversion factor 1 g = 1 x 106 µg:

6) ( )= 4.7

The same methodology is applied to the WLAs assigned to the Long Beach MS4 Permit and the results are added to obtain the concentration WQBELs for the Los Cerritos Channel Metals TMDL.

This methodology for determining effective concentrations is consistent with the assumptions and requirements of these TMDLs because the equations are the same as the WLA equations assigned by the TMDLs; the terms have merely been rearranged for ease of compliance determination.

Los Cerritos Channel and Estuary, Alamitos Bay, and Colorado Lagoon Indicator Bacteria TMDL
The WLAs assigned to "any future enrollees under the Phase II MS4 permit, an individual NPDES permit, a general NPDES permit, the general industrial stormwater permit, or the general construction stormwater permit" are incorporated into this Order as WQBELs. The WLAs and WQBELs are based on the updated multipart bacteria WQOs included in the Bacteria Provisions. Only the WLAs assigned as an STV are incorporated as WQBELs because there is insufficient sampling to demonstrate compliance with geometric mean WQBELs.

Colorado Lagoon Organochlorine (OC) Pesticides, PCBs, Sediment Toxicity, and Metals TMDL
The compliance date for the WLAs has passed. The WLAs assigned to "other stormwater permittees" are incorporated into this Order as WQBELs. The WQBELs are applied as average monthly limits in accordance with TMDL implementation language.

~~4.6.2.2.~~4.6.3.2. **Pollutants in 303(d) Listed Waterbodies**

Section 122.44(d)(1)(i) of 40 CFR requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard in the receiving water. Section 303(d) of the CWA requires

States to identify specific waterbodies that do not meet water quality standards. Certain receiving waters in the Dominguez Channel/Greater Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed are on the 2018 CWA 303(d) list of impaired waterbodies. Pollutants in these waterbodies for which TMDLs have not yet been developed include: (1) Indicator bacteria in the Dominguez Channel and Dominguez Channel Estuary; (2) Dissolved oxygen in Alamitos Bay; and (3) Bis (2-ethylhexyl) phthalate, chlordane, trash, ammonia, and pH in Los Cerritos Channel.

In U.S. EPA's residual designation, it determined that the CII Facilities subject to this Order contribute to violations of water quality standards. Because the 303(d) list reflects the standards that have been violated, U.S. EPA's residual designation implicitly applies to the specific pollutants on the 303(d) list.

In addition, as discussed in Section 2.2, both national and local land use studies demonstrate that CII Facilities are a source of pollutants, such as TSS, bacteria, ammonia, pH, pesticides, and PAHs, due to their high percentage of impervious surfaces.

Therefore, this Order determines that there is a reasonable potential for discharges from CII Facilities to contribute to violations of the standards for the following 303(d)-listed pollutants: indicator bacteria in the Dominguez Channel and Dominguez Channel Estuary; dissolved oxygen in Alamitos Bay; and bis (2-ethylhexyl) phthalate, chlordane, trash, ammonia, and pH in Los Cerritos Channel.

This Order assigns prohibitions or numeric WQBELs for the 303(d)-listed pollutants consistent with U.S. EPA guidance (2014 Memo). The numeric WQBELs are feasible to calculate because they are based on numeric water quality objectives and criteria. The numeric WQBELs are also clear, measurable, and will ensure that impaired waterbodies are restored to their beneficial uses.

This Order establishes numeric WQBELs for bis (2-ethylhexyl) phthalate and chlordane based on CTR water quality criteria for protection of human health (consumption of organisms). The Order establishes numeric WQBELs for ammonia based on the 1-hr water quality objectives for ammonia in the Basin Plan. The Order establishes numeric WQBELs for pH based on the water quality objective for pH in the Basin Plan; an instantaneous minimum limitation of 6.5 and an instantaneous maximum limitation of 8.5 for pH are included. The Order establishes numeric WQBELs for bacteria based on the water quality objectives in the Bacteria Provisions. The impairment for trash is addressed through a prohibition in accordance with the Trash Provisions.

An effluent limit is not established for dissolved oxygen to address the dissolved oxygen listing in Alamitos Bay. Dissolved oxygen is a response indicator and is not discharged by any source but is rather caused by the discharge of other pollutants and environmental conditions. Such pollutants include excessive organic matter, elevated temperature, and nutrients. Effluent limits are established for these causal pollutants where reasonable potential exists, either by establishment of WLAs in a TMDL or as described in section 4.6.3.3.

~~4.6.2.3.~~4.6.3.3. **Pollutants with Water Quality Objectives in Basin Plan, for which CII Facilities May Be A Source**

The Board conducted a comprehensive review of the remaining water quality objectives in the Basin Plan and other relevant plans and policies not otherwise discussed above in sections 4.6.3, 4.6.3.1 and 4.6.3.2 to ensure that the Order satisfies the Clean Water Act section 301(b)(1)(C) (33 U.S.C. § 1311(b)(1)(C)). As a result of this review, ~~monitoring~~ an initial sampling requirement has been added for certain pollutants that may be in the discharges from CII Facilities that discharge into particular waterbodies.

To identify these pollutants, the Board compared the list of narrative and numeric water quality objectives in the Basin Plan, including the criteria for toxic pollutants contained in the CTR, with the list of pollutants expected to be in the runoff from CII Facilities described in section 2.2 of the Fact Sheet.

Each pollutant found in both lists was further evaluated using available information, including monitoring data, receiving water quality data, data from similar facilities, and case studies from both local and nationwide research to determine if CII Sites are a potential source. Based on this analysis, the Board has determined that CII Facilities are a potential source of the following pollutants in addition to the pollutants described in section 2.2: biochemical oxygen demand, biostimulatory substances, oil and grease, temperature, pesticides, pH, PAHs, PCBs, ammonia, total residual chlorine, Methylene Blue Activated Substances, TSS, toxicity, and metals. However, although there are effluent limits established for some of these pollutants that apply to certain CII Facilities in this Order depending on its receiving waterbody, there is a lack of data supporting the imposition of effluent limitations for several of the pollutants on every Discharger. This is explained below.

For the metals, U.S. EPA's final designation included stormwater modeling which focused on reduction of zinc and copper loadings because they are two of the main constituents of concern that cause impairments in both watersheds. For this reason, the Board specifically evaluated zinc and copper for each waterbody and confirmed that effluent limitations for zinc and copper

are included for Dominguez Channel, Los Angeles and Long Beach Inner Harbors, and Los Cerritos Channel, and that an effluent limitation for zinc for Colorado Lagoon was included based on section 4.6.3.1 and 4.6.3.2. Effluent limitations have not been established at this time for Machado Lake and Alamitos Bay for zinc and copper, and Colorado Lagoon for copper, because they are not on the 303(d) list and there is not enough data available to conduct a reasonable potential analysis.

In reaching this conclusion, the Board considered incorporating the data available from the U.S. EPA's second stormwater modeling conducted in 2021 to establish effluent limitations in all water bodies in the Dominguez Channel and Los Cerritos watersheds for zinc and copper. The 2021 study provided predictions of total zinc loading discharged, the portion of the load anticipated to be addressed by the designation, and estimated zinc load reduction required from CII Facilities with five or more acres of impervious surface area across both the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed using land use data and inputs based on literature. However, the study did not use site-specific data or provide total loading or target load reduction requirements for individual receiving water bodies.

The Board also considered pollutant reduction estimates presented in the ~~Watershed Management Programs (~~WMPs~~)~~, which account for reductions expected from various watershed control measures, including regional projects. The WMPs did not provide total loading or required target load reductions for zinc and copper in Machado Lake and the Alamitos Bay area or copper in Colorado Lagoon because they were not determined to be priority pollutants in those areas. In the absence of such waterbody-specific data, it is premature to conclude that discharges from CII Sites have the reasonable potential to cause or contribute to exceedances of applicable water quality objectives for zinc and copper in Machado Lake and Alamitos Bay, and copper in Colorado Lagoon.

Therefore, except for CII Sites discharging to the waterbodies described in sections 4.6.3.1 and 4.6.3.2, supra, there is insufficient information to determine whether discharges from CII Sites have the reasonable potential to cause or contribute to exceedances of water quality objectives for the remaining pollutants based on currently available data. Accordingly, this Order requires ~~monitoring~~ an initial sampling event for biochemical oxygen demand, biostimulatory substances, oil and grease, temperature, pesticides, pH, PAHs, PCBs, ammonia, total residual chlorine, Methylene Blue Activated Substances, TSS, ~~toxicity,~~ and metals as specified in sections 2.1 of the Monitoring and Reporting Program and 4.10 of this Fact Sheet. The results of the initial sampling event are used for informational purposes. The results will not be utilized to assess the effectiveness of onsite BMPs or to determine

compliance with the effluent limitations in section 7 of the Order. The monitoring of these pollutants would provide useful real-time data for the Board to conduct a reasonable assurance analysis and establish additional effluent limitations in the future if necessary. The Board has included a reopener provision to allow for the inclusion of additional effluent limitations based on monitoring results.

4.7. Stringency of Requirements for Individual Pollutants

The Los Angeles Water Board has reviewed the permit requirements and concluded that the discharger's compliance with permit requirements will ensure that the discharge satisfies the requirements of Clean Water Act section 301(b)(1)(C) (33 U.S.C. § 1311(b)(1)(C)) that the permit include any more stringent limitation, including those necessary to meet water quality standards.

This Order includes both TBELs and WQBELs for individual pollutants. The TBELs reflect the minimum, applicable federal technology-based requirements. The WQBELs included in this Order are necessary to ensure compliance with water quality standards and to protect the beneficial uses of receiving waters. These effluent limitations are derived from water quality objectives set forth in the Los Angeles Region Basin Plan. Most beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to 40 CFR section 131.21(c)(1). The remaining water quality objectives and beneficial uses implemented by this Order were approved by USEPA and are applicable water quality standards pursuant to section 131.21(c)(2). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA**.**

4.8. Antidegradation Analysis

Federal regulations at 40 CFR section 131.12 require that state water quality standards include an antidegradation policy consistent with federal requirements. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California"). Where the federal antidegradation policy is applicable, the State Water Board has interpreted

Resolution No. 68-16 to incorporate the federal antidegradation policy.[106] The permitted discharge must be consistent with the antidegradation provision of 40 CFR section 131.12 and State Water Board Resolution No. 68-16. Resolution No. 68-16 and 40 CFR section 131.12 require that high quality waters be maintained unless degradation is justified based on specific findings. The Los Angeles Water Board finds that the permitted discharges authorized by this Order are consistent with the antidegradation provision of 40 CFR section 131.12 and State Water Board Resolution No. 68-16, as set forth herein.

In the context of this general NPDES permit, compliance with the federal antidegradation policy requires consideration of the following. First, the Los Angeles Water Board must ensure that "existing instream uses and the level of water quality necessary to protect the existing uses" are maintained and protected.[107] Second, if the baseline quality of a waterbody for a given constituent "exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water, that quality shall be maintained and protected" through the requirements of the Order unless the Los Angeles Water Board makes findings that: (1) any lowering of the water quality is "necessary to accommodate important economic or social development in the area in which the waters are located"; (2) "water quality adequate to protect existing uses fully" is ensured; and (3) "the highest statutory and regulatory requirements for all new and existing point sources and all cost-effective and reasonable best management practices for nonpoint source control" are achieved.[108] Before allowing any lowering of high quality water, the Board must conduct an analysis of alternatives that evaluates practicable alternatives that would prevent or lessen the degradation associated with the discharges permitted. In the context of 40 CFR § 131.12(a)(2)(ii), practicable means "technologically possible, able to be put into practice, and economically viable."[109]

The Order must also comply with any requirements of State Water Board Resolution No. 68-16 beyond those imposed through incorporation of the federal antidegradation policy.[110] Resolution No. 68-16 requires findings that

[106] State Water Board Order WQ 86-17 *(Fay)*, pp. 16-19.
[107] 40 CFR § 131.12(a)(1). This provision has been interpreted to mean that, "[i]f baseline water quality is equal to or less than the quality as defined by the water quality objective, water quality shall be maintained or improved to a level that achieves the objectives." (State Water Board, Administrative Procedures Update, Antidegradation Policy Implementation for NPDES Permitting, 90-004 (APU 90-004), p. 4.)
[108] 40 CFR § 131.12(a)(2).
[109] 40 CFR § 131.3(n).
[110] See State Water Board Order WQ 86-17 (*Fay)*, p. 23, fn. 11.

any lowering of water quality is "consistent with the maximum benefit to the people of the State" and "will not unreasonably affect present and anticipated beneficial use of such water and will not result in water quality less than that prescribed in the policies" and further that the discharge is subject to "waste discharge requirements which will result in the best practicable treatment or control of the discharge."[111] The baseline quality considered in making the appropriate findings is the best quality of the water since 1968, the year of adoption of Resolution No. 68-16, or a lower level if that lower level was allowed through a permitting or other regulatory action, such as establishing a water quality objective, that was consistent with the federal and state antidegradation policies.[112] The following analysis assumes, without deciding, that the baseline for antidegradation analysis is 1968.[113]

The Board Is Not Required to Make Waterbody by Waterbody and Pollutant by Pollutant Antidegradation Findings:
The Los Angeles Water Board finds that it is not required to conduct a waterbody by waterbody and pollutant by pollutant antidegradation analysis for this Order. The Los Angeles Water Board makes this finding for two reasons. First, the Administrative Procedures Update, Antidegradation Policy Implementation for NPDES Permitting, 90-004 (APU 90-004), which specifies a waterbody by waterbody and pollutant by pollutant analysis for some permitting actions, does not address permitting for diffuse stormwater discharges. Second, APU 90-004 itself indicates that a waterbody by waterbody and

[111] State Water Board Resolution No. 68-16, Resolve 2. Best practicable treatment or control is not defined in Resolution No. 68-16; however, the State Water Board has evaluated what level of treatment or control is technically achievable using "best efforts." (See State Water Board Orders WQ 81-5 (*City of Lompoc*), WQ 82-5 (*Chino Basin Municipal Water District)*, WQ 90-6 (*Environmental Resources Protection Council*).) A Questions and Answers document on Resolution No. 68-16 by the State Water Board states as follows: "To evaluate the best practicable treatment or control method, the discharger should compare the proposed method to existing proven technology; evaluate performance data, e.g. through treatability studies; compare alternative methods of treatment or control; and/or consider the method currently used by the discharger or similarly situated dischargers . . .The costs of the treatment or control should also be considered . . . ." (Questions and Answers, Resolution No. 68-16, State Water Board (Feb. 16, 1995), pp. 5-6.)

[112] APU 90-004, p. 4. The baseline for application of the federal antidegradation policy is 1975, which is the date used in 40 CFR § 131.3(e) to define existing uses of a waterbody. For state antidegradation requirements, see also *Asociacion de Gente Unida por el Agua (AGUA) v. Central Valley Water Board* (2012) 210 Cal.App.4th 1255,1270. The baseline for the application of the state antidegradation policy is generally the highest water quality achieved since 1968, the year the policy was adopted.

[113] The baseline may be later than 1968 because the appropriate baseline is determined by the date on which a policy establishing the level of water quality to protect was effective. (Resolution 68-16, Resolve 1.) The Region's Basin Plan and applicable statewide water quality control plans have been updated and amended several times since their original adoptions dates, as early as 1971 for the Region's Basin Plan, to include new or revised water quality objectives.

pollutant by pollutant analysis is only required when conducting a "complete" antidegradation analysis; a complete analysis, in turn, is not required where any "reduction in water quality is temporally limited and would not result in any long-term deleterious effects on water quality."[114] Here, the permit requires compliance with a non-stormwater discharge prohibition, and water quality-based effluent limits designed to bring discharges and receiving waters into compliance with water quality objectives. The discussion below elaborates on these two reasons.

APU 90-004 is a State Water Board internal guidance document establishing methods for implementing the federal and state antidegradation policies in NPDES permits. APU 90-004 suggests that an antidegradation analysis requires a pollutant by pollutant and waterbody by waterbody analysis in certain contexts, specifically where the discharge at issue is a discrete discharge from a singular facility, such as discharges from publicly owned treatment works. However, APU 90-004 has limited value when considering antidegradation in the context of stormwater discharges from diffuse sources, conveyed through multiple outfalls, with multiple pollutants impacting multiple water bodies.[115] This interpretation is sensible for this Order, given that reliable data on the baseline water quality is not readily available since 1968 for these two watersheds.

The Los Angeles Water Board additionally finds that, even if APU 90-004 applies to the issuance of this Order, it requires at most a "simple" antidegradation analysis. APU 90-004 contemplates that a "simple" antidegradation analysis is appropriate under specified circumstances. In particular, as stated above, APU 90-004 states that a simple antidegradation analysis is allowed when the "[Water] Board determines the reduction in water quality is temporally limited and will not result in any long-term deleterious effects on water quality; e.g., will cease after a storm event is over."[116]

APU 90-004 does not provide guidance on the scope and content of a simple antidegradation analysis. Nor does it define the terms "temporally limited" or "long term." Those terms must therefore be interpreted in the context of the

[114] APU 90-004, p. 2.
[115] The State Water Board held so in Order WQ 2015-0075 regarding discharges from municipal separate storm sewer systems (MS4s). Stormwater discharges from CII Facilities represent a subset of discharges from MS4s, so the comparison is reasonable. In *Natural Resources Defense Council v. State Water Resources Control Board*, the superior court did not invalidate this particular conclusion. (Super. Ct. Los Angeles County, No. BS156962, Order, March 29, 2021). See also State Water Board Order WQ 2018-0002, p. 77 (reaching the same conclusion for agricultural discharges).
[116] APU 90-004, p. 2.

types of discharges being permitted and with deference to the best professional judgment of the Los Angeles Water Board. CII stormwater discharges fit within the example provided by the APU and are temporal and inherently short-term. Therefore, any degradation would be temporally limited and would not result in long-term deleterious effects on water quality.

The Los Angeles Water Board determines that the findings made below meet the requirements of a simple antidegradation analysis and are also consistent with an antidegradation analysis done at a generalized level, as appropriate for this permit. With these findings, based on the information available to it and using its best professional judgment, the Los Angeles Water Board concludes that the discharge will not be adverse to the intent and purpose of the State and federal antidegradation policies. Regardless of APU 90-004's application, however, the below analysis is consistent with the generalized antidegradation analysis appropriate for this Order and complies with both the federal antidegradation regulations, and with the State antidegradation policy.

The Los Angeles Water Board Makes the Following Antidegradation Findings:

The discharges permitted by the permit are consistent with the antidegradation provisions of 40 CFR section 131.12 and Resolution No. 68-16. The Los Angeles Water Board's conclusion that the terms and conditions of the permit are consistent with the antidegradation policies is based on the following analysis.

Water bodies that do not meet water quality objectives (water bodies that are not high quality):
The Los Angeles Water Board finds that the water bodies at issue here in the Los Cerritos/Alamitos Bay and Dominguez Channel/Inner Los Angeles and Long Beach Harbors watersheds are not high quality. These two watersheds have been highly urbanized and industrialized since 1968. The land use in the watershed is primarily high density residential, industrial and commercial, and as a result, the watershed is highly impervious.[117] The cities of Los Angeles and Long Beach, which are the two largest cities in the watershed, are the largest and 7th largest in the state. In 1960, the populations of the cities of Los Angeles and Long Beach were already 2,479,015 and 344,168, respectively. These two cities also rank in the top

[117] LARWQCB (2008) "State of the Watershed – Report on Surface Water and Sediment Quality: The Dominguez Channel and Los Angeles/Long Beach Harbors Watershed Management Area," prepared by Shirley Birosik, October 2008, p. 4

10 for population density among large cities in the United States.[118] Analysis of historic land cover for 1960, 1964, and 1972 in the Long Beach area shows that by 1964, the area was already greater than 50 percent impervious. The Los Cerritos Channel/Alamitos Bay Watershed is adjacent to the Dominguez Channel/Los Angeles and Long Beach Inner Harbors Watershed and has similar land use characteristics, i.e., high density residential, commercial and industrial.[119] The watershed includes drainage from the eastern part of the City of Long Beach and the cities of Bellflower, Cerritos, Downey, Lakewood, Paramount, and Signal Hill.[120] Marine Stadium, which is part of Alamitos Bay, was built in 1932.

As of the date of this Order, all the water bodies in these two watersheds are listed on California's section 303(d) list of impaired waters[121], and they have applicable TMDLs developed by the Los Angeles Water Board or U.S. EPA. Data in the Los Angeles Water Board's files show that the waters here have been impaired since at least 1998. Notably, some of these water quality impairments are due to legacy pollutants that have not been in use since the 1970s such as DDT and PCBs. More details are provided in sections 2.3.2 and 4.6.3 of this Fact Sheet.

Therefore, under both federal and state antidegradation policies, the Los Angeles Water Board finds that these receiving waters are not considered "high quality" waters. For receiving waters that are not high-quality waters, the federal antidegradation policy requires that regulatory actions ensure that existing instream uses and the level of water quality necessary to protect the existing uses are maintained and protected. (40 CFR § 131.12(a)(1).) The General Order ensures that existing instream (beneficial) uses and the level of water quality necessary to protect the existing uses are maintained and protected through requirements to not cause or contribute to exceedances of water quality objectives in the receiving water and to restore impaired water bodies by requiring compliance with water quality-based effluent limits as set forth in section 7.2 of this Order and compliance with discharge prohibitions and

[118] "Top 100 Biggest California Cities By Population," https://www.biggestuscities.com/ca, accessed on July 20, 2022.
[119] LARWQCB (no date) "Los Cerritos Channel and Alamitos Bay WMA: Summary," prepared by Shirley Birosik, p. 2.
[120] Los Cerritos Channel Watershed Group (2022) "Los Cerritos Channel Watershed Management Program" (Updated June 2022), prepared by Richard Watson & Associates, Inc.
[121] Dominguez Channel, Torrance Lateral, Dominguez Channel Estuary, Consolidated Slip, Los Angeles Harbor, Long Beach Harbor, Machado Lake, Wilmington Drain, Los Cerritos Channel, Alamitos Bay, and Colorado Lagoon.

monitoring requirements set forth in the General Order, sections 4 and 9. These provisions are collectively designed to halt any further degradation of impaired water bodies and improve the quality of such waters to a level protective of existing uses over a time schedule that is as short as possible.

The antidegradation policies do not explicitly or implicitly override the authority and discretion the Clean Water Act and the Water Code grant to the Los Angeles Water Board as to how it structures a permit to ensure water quality necessary to protect beneficial uses. The law does not require immediate restoration of impaired water bodies, nor does it require an immediate prohibition of discharges that contribute to an exceedance in the waterbody. Rather, federal regulations at 40 CFR section 122.47 allow NPDES permits to have compliance schedules. Similarly, Water Code section 13263, subdivision (c), authorizes the Los Angeles Water Boards to include a time schedule for achieving water quality objectives in waste discharge requirements. Where a TMDL has been established, Water Code section 13242 states that the TMDL implementation plan, as incorporated into the water quality control plan, shall include a time schedule for actions to be taken. When issuing waste discharge requirements, Water Code section 13263 requires regional boards to implement any relevant water quality control plans that have been adopted. Certainly, water quality objectives must be achieved; but the law, as cited above, recognizes and allows for the fact that it can take time to restore or achieve the objectives. In this regard, some impaired water bodies may stagnate or, rarely, continue to degrade for a period of time before showing improvement. This period of time may be as long as multiple years. This is not contrary to the authorities for compliance schedules stated above and is not contrary to the antidegradation policies.

4.9. Compliance Options for Water Quality Based Effluent Limitations

4.9.1. Compliance Option 1 – Agreement with Local Watershed Management Group to Fund Regional Project(s)

4.9.1.1. The purpose of the Watershed Management Programs is to provide a framework for MS4 permittees to implement the requirements of the MS4 permit in an integrated and collaborative fashion to address water quality priorities on a watershed scale consistent with federal regulations (40 CFR §§ 122.26(a)(3)(ii), 122.26(a)(3)(v), and 122.26(d)(2)(iv)). The ultimate goal of the Watershed Management Programs is to ensure that MS4 discharges achieve applicable WQBELs that implement TMDLs and do not cause or contribute to exceedances of receiving water limitations. This compliance option incentivizes watershed-based approaches to address multiple contaminants and reduce pollutants entering surface waters. It also encourages the use of green infrastructure and low impact development to manage stormwater and enhance the health of watersheds. Finally, it

supports multi-benefit regional projects that capture, infiltrate, and reuse stormwater and support a sustainable local water supply.

4.9.1.2. This compliance option requires the Discharger to enter into a legally binding agreement with the local Watershed Management Group or its designated Fiduciary Agent. Under such agreement, ~~in which~~ the Discharger agrees to contribute funding to support ~~for~~ an existing or planned suite of regional project(s) in the ~~g~~Group's ~~Watershed Management Program~~WMP, for as long as the Discharger ~~chooses~~elects to ~~employ~~utilize Compliance Option 1.

To ensure accountability and transparency, the suite of regional project(s) to which the Discharger's funding will be allocated must be specifically identified in the legally binding agreements. The suite of regional project(s) must include a downstream project(s)[122] where available. The funding may include costs for initial construction, maintenance and operation, regional project(s) revision and enhancement, and administrative and other supplemental work performed by the Watershed Management Group.

The term of the agreement should be mutually determined by the Discharger and the WMG. The Los Angeles Water Board encourages both parties to consider an agreement duration that is long enough to minimize repeated negotiations, reduce administrative costs, and support sustained collaboration. The agreement shall require annual reporting, and additional reporting as necessary, to document the Discharger's compliance with this Compliance Option. The agreement may include, but is not limited to, the following terms and conditions:~~, which must be reported on annually and as needed, may include the following, among other terms and conditions:~~

~~4.9.1.1.1.~~4.9.1.2.1. Payments of any applicable fees; and

~~4.9.1.1.2.~~4.9.1.2.2. Cooperating with the owner of the MS4 as otherwise specified within the agreement.

4.9.1.2.3. The following requirement is necessary and must be included in the agreement: Verifying with the Watershed Management Group that an existing or planned regional project(s) is/are available to address the stormwater volume that would otherwise need to be addressed onsite under Compliance Options 2 or 3. ~~,and t~~The funding level must be ~~proportional~~ equal to the sum of the onsite NSWD ~~volume~~ and ~~onsite~~ stormwater volume

[122] A downstream stormwater project is located within the MS4 between the CII facility and the point where the MS4 discharges to the receiving water.

to be addressed relative to the total watershed NSWD and stormwater volume, ~~regional project(s) stormwater capacity, drainage area or watershed stormwater capacity modified~~ multiplied by ~~pollutant level potential based on activity type~~the total cost to implement the WMP, ~~and can be expressed as~~calculated using the following formula:

~~$$\text{Funding Level} \propto \frac{Volume_{NSWD} + Volume_{SWD}}{Volume_{Total\ stormwater\ capacity}} \text{ x Pollutant level factor}$$~~

$$= \frac{CII\ Facility}{Total\ Watershed}$$

[123]

Where:
~~$Volume_{NSWD}$ = Authorized non-stormwater discharge volume~~
Volume ~~$_{SWD}$~~CII Facility = Onsite NSWD volume plus stormwater runoff volume produced up to and during an 85th percentile 24-hour storm event minus the volume reduced by onsite Low Impact Development (LID) implementation

Volume $_{Total\ Watershed}$ = Total watershed NSWD volume plus stormwater runoff volume from the applicable WMP

Total WMP Cost = Total cost to implement the Watershed Management Group's WMP

4.9.1.3. According to the Watershed Management Program reporting websites for two of the Watershed Management Groups that have expressed a serious interest in participating in Compliance Option 1[124,125], there are plenty of projects with sufficient capacity to treat the volume or load from the 600 estimated CII Facilities in the two watersheds subject to the Order. The Watershed Management Groups are targeting to capture approximately 2,743 acre-feet of stormwater runoff in the two watersheds. There are approximately 240 completed regional projects which currently has~~s~~ve a capacity to capture approximately 1,582 acre-feet of stormwater runoff. ~~,~~As a result, ~~meaning more regional projects are needed to be completed to capture the~~

[123] Total stormwater capacity could be a regional BMP project capacity, or total regional BMP stormwater capacity for multiple drainage areas or the entire watershed.
[124] LA Stormwater Partners | Dominguez Channel
[125] WRAMPS2

~~remaining~~an additional 1,161 acre-feet of stormwater ~~runoff volume~~capture capacity is needed to achieve the WMG~~'~~s' overall target.

Based on 600 estimated CII Facilities in the two watersheds, the estimated volume of stormwater runoff is approximately 913 acre-feet, 33% of the Watershed Management Group's total ~~target~~ stormwater capture target. The LA Stormwater Partners webpage has information on the Dominguez Channel Watershed Management Group's current status on the target capture volume and the funding needed for current and future projects on LA Stormwater Partners | Dominguez Channel.

To support the administration of Compliance Option 1, the Order allows ~~three years from the effective date of this Order~~six (6) months after all Compliance Options identified under Section 8 of this General Order become available for a Discharger to obtain an agreement with the Watershed Management Group. To the extent Watershed Management Groups must cover the costs of administering the Compliance Option 1 programs before they can execute enough agreements with Dischargers, the Watershed Management Groups may include provisions in their agreements with Dischargers allowing for proportional reimbursement of such administrative costs, including costs retroactive to the date the permit was adopted.

4.9.2. Compliance Option 2 – Facility-Specific Design Standard to Reduce Stormwater Runoff

4.9.2.1. The intent of this compliance option is to minimize the regulatory uncertainty and costs concerning treatment control BMPs. Section 9.2 of the Order and Attachment I specify a design storm standard for use when stormwater capture and treatment BMPs are installed. This Order specifies a volume-based design storm standard for this compliance option based on the 85th percentile 24-hour storm event. Without a design storm standard, Dischargers may install treatment controls using a wide variety of designs that are either unnecessarily stringent/expensive, or deficient in complying with the requirements of this General Permit.

4.9.2.2. Discharge reduction/volume based BMPs have multiple benefits such as groundwater recharge, flood control, or supporting the local water supply system through the use of storm water instead of potable water for certain processes (e.g., irrigation). Volume-based BMPs can remove a significant portion of pollutants from discharging to the receiving waters. This Order sets a compliance storm standard at the daily volume of the 85th percentile 24-hour storm event as defined in Attachment I, Section 1.1.4. for storm water discharges and authorized NSWDs.

4.9.2.3. The design storm standard in this Order is the same as the statewide compliance storm standard at the 85th percentile 24-hour storm event (daily

volume) for Dischargers that choose to implement the on-site compliance option under the IGP. To arrive at this compliance storm standard, the State Water Board used a continuous simulation model (model) [126] to evaluate the pollutant removal efficiency associated with the use of the 85th percentile 24-hour storm event for BMP sizing for the Los Angeles River and Tributaries Metals TMDLs (Los Angeles River Metals TMDLs).[127] The State Water Board evaluated and found that the model findings and this compliance standard is applicable statewide.

Dischargers should be aware of the potential unintended public health concerns associated with treatment control BMPs. Extensive monitoring studies conducted by the California Department of Public Health have documented that mosquitoes opportunistically breed in structural BMPs, particularly those that hold standing water for over 96 hours. BMPs that produce mosquitoes create potential public health concerns and increase the burden on local vector control agencies that are mandated to inspect for and abate mosquitoes and other vectors within their jurisdictional boundaries. These unintended consequences can be lessened when BMPs incorporate design, construction, and maintenance principles developed specifically to minimize standing water available to mosquitoes[128] while having negligible effects on the capacity of the structures to provide water quality improvements. The California Health and Safety Code prohibits landowners from knowingly providing habitat for or allowing the production of mosquitoes and other vectors and gives local vector control agencies broad inspection and abatement powers.[129]

4.9.2.4. This Order includes groundwater protection standards for infiltration BMPs if installed for the Compliance Option 2 described in Attachment I. Storm water traveling across a CII facility into an infiltration BMP can pick up various pollutants and deliver them to the subsurface. Dischargers using infiltration BMPs must demonstrate compliance with MCLs for pollutants associated with CII activities in the influent of the infiltration BMP(s) to protect groundwater quality and is necessary to meet Basin Plan requirements.

4.9.3. Compliance Option 3 – Direct Demonstration of Compliance with Effluent Limitations

[126] TMDL Alternative Model [Microsoft Excel Spreadsheet], GSI Environmental (March 31, 2017)
[127] Los Angeles River Metals TMDL Staff Report
[128] California Department of Public Health. (2012). Best Management Practices for Mosquito Control in California.
[129] California Health and Safety Code, Division 3, Section 2060 and following.

This option consists of direct application of numeric effluent limitations and ensures compliance with applicable water quality standards for the pollutants of concern associated with discharges from CII Facilities. The intent of this compliance option is to allow the Discharger flexibility if they do not wish to participate in Compliance Options 1 or 2.

4.10. **Monitoring and Reporting Requirements**

The Monitoring and Reporting Program (MRP), included as Attachment E to this Order, establishes monitoring, reporting, and recordkeeping requirements applicable to each compliance option under this General Permit. These requirements are consistent with federal and state laws and regulations, including the Clean Water Act and the California Water Code. Monitoring and reporting of the monitoring results, as well as documentation related to the implementation of permit requirements, are essential components of this General Permit. Monitoring is performed to determine compliance with the applicable requirements of the General Permit, identify sources of pollutants in the Permittee's discharge, assess and improve the effectiveness of BMPs and other pollutant control measures, and characterize pollutant loading in residual designation stormwater discharges and receiving water.

As described in section 4.6.3.3, this Fact Sheet, monitoring is required for the following pollutants that potentially discharge from CII Sites, to further characterize the pollutants and their associated loadings:

Biochemical Oxygen Demand (BOD): Stormwater runoff from urban and industrial areas can carry a variety of oxygen-demanding pollutants into receiving waters. Precipitation events can wash contaminants from leaking equipment, vehicles, and other exposed surfaces, introducing organic materials into the stormwater conveyance system. For example, water quality monitoring of untreated runoff from auto recycling facilities in the Los Angeles area has frequently shown exceedances of the USEPA benchmark for biochemical oxygen demand (BOD).[130] To address these impacts and protect the dissolved oxygen levels necessary to support aquatic life, this Order includes monitoring requirements for BOD. The 5-day BOD (BOD_5) test is used as an indirect indicator of the concentration of readily biodegradable organic material in water. The test measures the amount of dissolved oxygen consumed by microorganisms over a five-day incubation period at 20°C, providing an estimate

[130] Natural Resources Defense Council (NRDC). 1999. Stormwater Strategies, Community Responses to Runoff Pollution.

of the organic pollution load in the discharge. Therefore, this Order requires biochemical oxygen demand to be monitored at CII Sites that discharge to these receiving waterbodies: Inner Harbor, Dominguez Channel, Dominguez Channel Estuary, Torrance Lateral, Machado Lake, Alamitos Bay, Los Cerritos Channel, Los Cerritos Channel Estuary and Colorado Lagoon.

Oil and ~~g~~Grease (O&G): Oil, grease, and other petroleum hydrocarbons related to vehicle use and maintenance come from disposal of used oil and other fluids on the ground or into storm drains, spills of gasoline or oil, and leaks from transmissions or other parts of automobiles and trucks. The stormwater discharge from one square mile of impervious surface such as roads and parking lots can yield approximately 20,000 gallons of residual oil per year.[130] Therefore, this Order requires oil and grease to be monitored at CII Sites that discharge to these receiving waterbodies: Inner Harbor, Dominguez Channel, Dominguez Channel Estuary, Torrance Lateral, Machado Lake, Alamitos Bay, Los Cerritos Channel, Los Cerritos Channel Estuary and Colorado Lagoon.

Biostimulatory Ss~~s~~ubstances: Urban development is a major driver of increased surface runoff, which in turn leads to elevated loading of nutrients, primarily nitrogen and phosphorus, into receiving waters. Under natural, undisturbed conditions, nutrients tend to bind to soil particles and remain within the terrestrial environment. However, land disturbance and the replacement of natural landscapes with impervious surfaces disrupt these processes, mobilizing nutrient-laden particulates and facilitating their transport via stormwater runoff. For example, phosphorus export from a developed watershed in Maine was found to be approximately ten times greater than that from a comparable forested watershed. In highly urbanized areas, these elevated nutrient loads are typically persistent and long-term, contributing to the degradation of water quality through eutrophication and other biostimulatory effects.[130] To protect the beneficial uses of receiving waters and prevent the adverse effects of nutrient enrichment, this Order requires total nitrogen and total phosphorus to be monitored at CII Sites that discharge to these receiving waterbodies: Inner Harbor, Dominguez Channel, Dominguez Channel Estuary, Torrance Lateral, Machado Lake, Alamitos Bay, Los Cerritos Channel, Los Cerritos Channel Estuary and Colorado Lagoon..

Temperature: Urbanization and the resulting increase in impervious surfaces significantly influence stormwater runoff patterns and the thermal regime of receiving waters. Stormwater conveyed across heat-absorbing surfaces such as rooftops, roadways, and pavements can elevate ambient water temperatures during warmer months, while during cooler periods, runoff may exert a cooling effect. These alterations can disrupt the natural temperature equilibrium of waterbodies, adversely impacting aquatic life, particularly species with narrow temperature tolerance ranges. To protect temperature-sensitive aquatic organisms and support the designated beneficial uses of receiving waters, this

Order requires temperature to be monitored at CII Sites that discharge to these receiving waterbodies: Inner Harbor, Dominguez Channel, Dominguez Channel Estuary, Torrance Lateral, Machado Lake, Alamitos Bay, Los Cerritos Channel, Los Cerritos Channel Estuary and Colorado Lagoon..

Pesticides: Urban stormwater runoff frequently contains pesticides, which pose a significant risk to the quality of receiving waters. Urban development has resulted in the replacement of natural landscapes with impervious surfaces including buildings, roads, and pavement. During precipitation events, stormwater flows over these surfaces, collecting a range of pollutants, including current use and legacy pesticides. In addition, pesticides are often applied to landscaping at CII Sites, which can runoff to receiving waters in irrigation overflow and during rain events. To protect receiving waters from the adverse effects of pesticides, this Order requires pesticides to be monitored at CII Sites that discharge to these receiving waterbodies: Dominguez Channel, Torrance Lateral, Alamitos Bay, and Los Cerritos Channel Estuary. Pesticides for which monitoring shall occur include the following: DDT, chlordane, dieldrin, bifenthrin, cyfluthrin, cypermethrin, permethrin, and fipronil.

Polychlorinated Biphenyls (PCBs), Polycyclic Aromatic Hydrocarbons (PAHs), pH, and indicator bacteria: ~~Polychlorinated biphenyls (~~PCBs~~)~~ are a class of highly toxic, persistent organic pollutants that were historically released into the environment and continue to pose significant water quality concerns due to their long-term persistence and bioaccumulative nature. Legacy sources of PCBs remain prevalent in the environment and continue to contribute to water quality impairments. As noted in the USEPA's final designation and in section 2.2 of the Fact Sheet (Attachment F), monitoring data from MS4 outfalls within the Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed, as well as the Los Cerritos Channel/Alamitos Bay Watershed, areas characterized by a minimum of 50% commercial, institutional, industrial, and transportation land uses, showed elevated levels of PAHs, PCBs, pH, and indicator bacteria.[131] To protect receiving waters and to confirm whether CII Sites are a potential source, this Order requires effluent monitoring of the following pollutants for corresponding receiving waterbodies: (1) PAHs for CII Sites that discharge to the Dominguez Channel, Torrance Lateral, Machado Lake, Alamitos Bay, Los Cerritos Channel, and Los Cerritos Estuary; (2) PCBs for CII Sites that discharge

[131] Los Cerritos Channel Watershed Management Group and Dominguez Channel Watershed Management Group 2016-2021 Annual Reports (Outfalls LCC-SB9-1, DOM-OF-001, DOM-OF-002, and DOM-OF-003).

to Dominguez Channel, Torrance Lateral, Alamitos Bay, Los Cerritos Channel and Los Cerritos Estuary; and (3) pH at CII Sites that discharge to Inner Harbor, Dominguez Channel, Dominguez Channel Estuary, Torrance Lateral, Machado Lake, Alamitos Bay, Los Cerritos Channel Estuary and Colorado Lagoon; and (4) indicator bacteria at CII Sites that discharge to Torrance Lateral and Machado Lake.

Ammonia: Ammonia concentrations in surface waters are significantly influenced by anthropogenic activities within waterbodies and their surrounding watersheds. As the extent and intensity of these activities increase—particularly in urbanized areas—the likelihood of ammonia reaching levels that may adversely impact water quality and aquatic life correspondingly increases. Urban sources can contribute ammonia to aquatic systems through stormwater runoff from impervious surfaces, and atmospheric emissions followed by wet or dry deposition.[132] Given these potential sources, this Order finds that effluent monitoring for ammonia is needed for discharges to these receiving waterbodies to confirm whether CII Sites are a potential source for ammonia: Inner Harbor, Dominguez Channel, Dominguez Channel Estuary, Torrance Lateral, Machado Lake, Alamitos Bay, Los Cerritos Channel Estuary and Colorado Lagoon.

Total Rresidual cChlorine: Chlorine-based disinfectants are commonly used in a variety of CII facilities Facilities for sanitation and microbial control in both indoor and outdoor areas. The widespread use of these disinfectants can lead to the presence of total residual chlorine in stormwater discharges, particularly where cleaning activities occur near impervious surfaces connected to storm drain systems.[133] On the other hand, proper usage of chlorine-based disinfectants at recommended concentration should not cause any presence of total residual chlorine in stormwater discharges. Chlorine is also a volatile substance and will naturally evaporate into the air over time. Since these compounds are known to be toxic to aquatic organisms, even at low concentrations, and may impair water quality and aquatic habitat, this Order finds that effluent monitoring for total residual chlorine is required to further evaluate if CII Sites are a potential source of total residual chlorine to these receiving waterbodies: Inner Harbor, Dominguez Channel, Dominguez Channel Estuary, Torrance Lateral, Machado Lake, Alamitos Bay, Los Cerritos Channel, Los Cerritos Channel Estuary and Colorado Lagoon.

Methylene Blue Activated Substances (MBASs): Methylene Blue Active Substances (MBAS)s are a class of anionic surfactants commonly found in

[132] EPA: Ammonia
[133] Assessment of Residual Chlorine Interaction with Different Microelements in Stormwater Sediments

soaps, detergents, and cleaning agents. These substances facilitate the emulsification of oils and greases, allowing them to be more easily removed during washing activities. In urban and suburban environments, MBAS can enter stormwater runoff through common practices such as vehicle washing, building and window cleaning, and other outdoor maintenance activities involving detergent use. The presence of MBAS in runoff has been shown to correlate strongly with impervious surface coverage and the percentage of developed land area, which are common features of CII Sites.[134] Therefore, effluent monitoring is required to further characterize MBAS and the associated loadings potentially discharged from CII Sites to these receiving waterbodies: Inner Harbor, Dominguez Channel, Dominguez Channel Estuary, Torrance Lateral, Machado Lake, Alamitos Bay, Los Cerritos Channel, Los Cerritos Channel Estuary and Colorado Lagoon.

Total Suspended Solids (TSS) or Total Settleable Solids: Solids are among the most prevalent pollutants in urban stormwater runoff. Total Suspended Solids (TSS) and total settleable solids originate from a variety of sources, including the erosion of pervious surfaces, deposition of atmospheric dust, litter, vehicular emissions, and other particulate matter that accumulates on impervious surfaces as a result of human activity. Once mobilized by runoff, these solids can impair water quality, degrade aquatic and benthic habitats, and diminish the aesthetic value of receiving waters. Excessive solids can also transport other pollutants such as nutrients, metals, and hydrocarbons by adsorption.[135] Given their ubiquity and environmental impact, this Order finds that TSS or total settleable solids may be present in stormwater discharges from CII Sites. Therefore, effluent monitoring is required to further characterize TSS or total settleable solids and the associated loadings potentially discharged from CII Sites to these receiving waterbodies: Inner Harbor, Dominguez Channel, Dominguez Channel Estuary, Torrance Lateral, Machado Lake, Alamitos Bay, Los Cerritos Channel, Los Cerritos Channel Estuary and Colorado Lagoon.

Toxicity: Rooftop surfaces, particularly in industrial and commercial settings, represent a significant potential source of pollutants in urban stormwater runoff. A review of the scientific literature on rooftop runoff quality, including runoff from roofing materials and underlying subbase structures (e.g., pressure-treated wood), demonstrates that elevated concentrations of dissolved metals and associated toxicity are common in such discharges. In particular, runoff from weathered or corroded galvanized metal roofs has been shown to contain

[134] Comparative Impacts of Stormwater Runoff on Water Quality of Urban, a Suburban, and a Rural Stream
[135] EPA Preliminary Data Summary of Urban Storm Water Best Management Practices

persistently high levels of dissolved metals, with toxicity observed both during the first flush and several hours into storm events. These findings indicate that metal leaching can continue throughout precipitation events and may persist over multiple years.[136] In light of these findings, this Order requires monitoring of metals discharges from CII ~~facilities~~ Facilities ~~to further characterize the potential for~~ due to the association with toxicity in the literature~~to these receiving waterbodies: (1) Inner Harbor, Dominguez Channel Estuary, Machado Lake, Alamitos Bay, Los Cerritos Channel, Los Cerritos Channel Estuary and Colorado Lagoon; (2) copper, lead, and zinc to these receiving waterbodies: Machado Lake, Alamitos Bay, and Los Cerritos Channel Estuary; and (3) copper to Colorado Lagoon~~.

4.10.1. **Authorities Supporting Monitoring and Reporting**

4.10.1.1. Sections 308(a) and 402(a)(2) of the CWA, and 40 CFR sections 122.41(h), (j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements and establish substantive monitoring and reporting requirements. Section 13383 of the CWC further authorizes the Los Angeles Water Board to establish monitoring, reporting, and recordkeeping requirements. Use of analytical methods and other requirements in monitoring and reporting are set forth at 40 CFR Part 136.

4.10.1.2. Section 122.41(h) of 40 CFR, which applies to all NPDES permits, requires that the permittee furnish to the permitting agency any information that it requests to determine compliance with the permit. The costs of providing this information, including the costs of monitoring and reporting, has been considered by the Los Angeles Water Board in setting the monitoring and reporting requirements herein. Any costs incurred are reasonable, because the monitoring and reporting will result in appropriate data needed to evaluate water quality impacts of the discharges and ensure that beneficial uses are protected.[137]

4.11. **Provisions**

4.11.1. **Standard Provisions**

Standard provisions, which apply to all NPDES permits in accordance with 40

[136] National Research Council. 2008. Urban Stormwater Management in the United States, October 15, 2008.
[137] *See In the Matter of the Petitions of the City of Oceanside, Fallbrook Public Utilities Dist. and the Southern California Alliance of Publicly Owned Treatment Works*, State Water Board Order WQ 2021-0005 at pp. 12, 13.)

CFR section 122.41 and additional conditions applicable to specified categories of permits in accordance with 40 CFR section 122.42, are provided in Attachment D. Dischargers must comply with all standard provisions and with those additional conditions that are applicable under 40 CFR section 122.42.

4.11.2. Enforcement

This provision is based on CWC section 13385, which requires the Los Angeles Water Board to assess mandatory minimum penalties for serious violations of permit requirements.

4.11.3. Special Provisions

4.11.3.1. Reopener Provision

These provisions are based on 40 CFR sections 122.44, 122.62, 122.63, 122.64, 124.5, 125.62, and 125.64. The Los Angeles Water Board may reopen this General Permit to modify permit conditions and requirements, as well as revoke, reissue, or terminate in accordance with federal regulations. Causes for such actions include, but are not limited to, endangerment to human health or the environment; acquisition of newly obtained information that would have justified the application of different conditions if known at the time of Order adoption; to incorporate provisions as a result of new federal or State laws, regulations, plans, or policies (including TMDLs and other Basin Plan amendments); modification in toxicity requirements; violation of any term or condition in the Order; and/or minor modifications to correct typographical errors or require more frequent monitoring or reporting by the Dischargers. If USEPA designates stormwater discharges from additional CII Sites, the Los Angeles Water Board may reopen this General Permit.

4.11.4. Electronic Signature and Certification Requirements

This provision is required to ensure compliance with electronic reporting requirements at 40 CFR part 127.

4.11.5. Other Special Provisions

The other special provisions ensure that the Discharger will maintain coverage if the General Permit has not been reissued by the expiration date of this General permit.

4.12. Compliance Determination

Compliance with water quality standards is and remains the ultimate goal of this General Permit. To that end, the Order requires compliance with the requirements of the compliance option selected by the Discharger and other

general requirements applicable to all Dischargers covered under this General Permit. Pursuant to CWC section 13360, the State Water Board may not dictate the manner of compliance. Dischargers may comply with the discharge prohibitions, TBELs, and WQBELs in the Order in any lawful manner.

5. PUBLIC PARTICIPATION

The Los Angeles Water Board has considered the issuance of WDRs that will serve as a general NPDES permit for stormwater discharges subject to USEPA's residual designation within the Los Angeles Region. As a step in the permit issuance process, the Los Angeles Water Board staff developed a tentative permit, engaged in public outreach, and consistently encouraged public participation in the permit development process. The following sections detail the public outreach and participation efforts by the Los Angeles Water Board staff in advance of issuing the tentative permit.

5.1. Stakeholder Participation in Permit Issuance Process

5.1.1. Meetings with Potential CII Dischargers

On December 7 and 16, 2021, the Los Angeles Water Board held meetings to discuss potential regulatory requirements for CII Sites in the Dominguez Channel/Greater Los Angeles and Long Beach Harbor Watershed and the Los Cerritos Channel/Alamitos Bay Watershed.

5.1.2. ~~First~~ Tentative CII Permit and Workshop

On July 26, 2022, the Los Angeles Water Board released the ~~first~~ tentative CII Permit. The written comments were due by October 24, 2022. On August 30, 2022, Los Angeles Water Board staff conducted a workshop with potential CII Dischargers and stakeholders regarding the proposed requirements of the tentative CII Permit via video and teleconference.

5.1.3. ~~Second~~ Revised Tentative CII Permit

On November 2, 2023, the Los Angeles Water Board released a ~~the second~~ revised tentative CII Permit and response to comments to the ~~first~~ tentative CII Permit. The owners and operators of CII Sites and stakeholders were provided with an opportunity to submit written comments on the ~~second~~ revised tentative CII Permit. The written comments were due December 18, 2023.

5.1.4. Notification and Meeting with Interested Persons

In addition to the workshops described in section 5.1.2, the Los Angeles Water Board notified tribes and met with two community-based organizations prior to adoption of this CII Permit, set forth in section 3.3 of the Fact Sheet, supra. Los

Angeles Water Board staff also met multiple times with environmental organizations, watershed management groups, and business organizations prior to adoption of this CII Permit.

5.1.5. ~~Third~~Second Revised Tentative CII Permit

Between December 18, 2023, and August 25, 2025, the Los Angeles Water Board responded to written comments and prepared the ~~third~~second revised tentative CII Permit. On August 25, 2025, the Los Angeles Water Board notified all interested parties including the Dischargers and interested agencies and persons of its intent to prescribe WDRs for the discharge and provided an opportunity to submit written comments and recommendations. An adoption hearing was set for November 20, 2025. Notification was provided through posting on the Los Angeles Water Board's Internet site, sent out via GovDelivery mailing list and interested stakeholder email list on August 25, 2025.

5.1.6. Third and Fourth Revised Tentative CII Permit

On November 14, 2025, the Los Angeles Water Board noticed a third revised tentative CII Permit. Notification was provided through posting on the Los Angeles Water Board's Internet site, sent out via GovDelivery mailing list and interested stakeholder email list. On November 18, 2025, the Los Angeles Water Board provided public notice that the November 20, 2025 adoption hearing was being changed to a workshop to provide more opportunity for stakeholder comments and discussion.

Between November 20, 2025, and June 5, 2026, the Los Angeles Water Board considered comments received on previous tentative permits, including but not limited to the issues raised at the November 20, 2025 workshop, and prepared the fourth revised tentative CII Permit, which included revisions made as a logical outgrowth of the comments received. On June 5, 2026, the Los Angeles Water Board notified all interested parties including the Dischargers and interested agencies and persons of its intent to prescribe WDRs for the discharge. An adoption hearing was set for July 23, 2026. Notification was provided through posting on the Los Angeles Water Board's Internet site, sent out via GovDelivery mailing list and interested stakeholder email list.

5.2. **Written Comments**

Parties and interested persons were invited to submit written comments and evidence concerning the tentative WDRs as provided through the notification process. Comments and evidence were due either in person, or by mail or email to the Executive Officer at the Los Angeles Water Board at:

Los Angeles Regional Water Quality Control Board

320 W. 4th Street, Suite 200
Los Angeles, CA 90013-2343

To be fully responded to by staff and considered by the Los Angeles Water Board, the written comments were due at the Los Angeles Water Board office by 5:00 p.m. on October 24, 2022 and December 18, 2023.

The notification for the first written comments was provided on July 26, 2022. Subsequently, revised notification was provided on August 16, 2022 to submit written comments and evidence concerning the tentative CII Permit on October 24, 2022.

The notification for the second written comments was provided on November 2, 2023. Subsequently, revised notification was provided on November 15, 2023 to submit written comments and evidence concerning the second revised tentative CII Permit by 5:00 p.m. on December 18, 2023.

The notification for the third written comments was provided on August 25, 2025 to submit written comments and evidence concerning the third revised tentative CII Permit by 5:00 p.m. on September 24, 2025.

5.3. Public Hearing

The Los Angeles Water Board held a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: ~~November 20, 2025~~July 23, 2026
Time: ~~9:00~~ AM
Location: ~~320 West 4th Street, Los Angeles, California, 90013 (Carmel Room)~~
Long Beach City Council Chambers, Long Beach Civic Center
411 -West Ocean Boulevard, Long Beach, California 90802

Interested persons were invited to attend. At the public hearing, the Los Angeles Water Board heard testimony pertinent to the discharge, WDRs, and permit. For accuracy of the record, important testimony was requested in writing.

5.4. Reconsideration of Waste Discharge Requirements

Any person aggrieved by this action of the Los Angeles Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address,

except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

Or by email at waterqualitypetitions@waterboards.ca.gov

For instructions on how to file a petition for review, see the Water Quality Petitions Website (http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml)

5.5. **Information and Copying**

The NOI, other supporting documents, and comments received are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Los Angeles Water Board by calling (213) 576-6600.

5.6. **Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Los Angeles Water Board, reference this facility, and provide a name and e-mail address.

5.7. **Additional Information**

Requests for additional information or questions regarding this order should be directed to Andrew Choi at **mailto:** andrew.choi@waterboards.ca.gov.

ATTACHMENT G — PERMIT REGISTRATION DOCUMENTS

This Attachment provides an example of the information Dischargers are required to submit in the Permit Registration Documents via the Stormwater Multiple Application and Report Tracking System (SMARTS). The requirements for the NOI and Permit Registration Documents are in section 3 of the Order.

1. PERMIT REGISTRATION DOCUMENTS REQUIREMENTS

1.1. NOI and Signed Electronic Authorization Form.

1.2. Site Map (section 6.1.3 of the Order).

1.3. Stormwater Pollution Prevention Plan (see section 6 of the Order).

1.4. Laboratory analytical results obtained from the initial sampling requirements specified in section 2.1 in the Attachment E

2. DESCRIPTION OF PERMIT REGISTRATION DOCUMENTS

2.1. Notice of Intent

The NOI requires the following information:

2.1.1. Discharger Type

New
Existing

2.1.2. Compliance Option

Compliance Option 1- Agreement with Local Watershed Management Group to Fund Regional Project(s)
Compliance Option 2- Facility- Specific Design Standard to Reduce Stormwater Runoff
Compliance Option 3- Direct Demonstration of Compliance with Water Quality Based Effluent Limitations

2.1.3. Discharger Information

Discharger Role (Owner/Operator/Owner and Operator)
Owner/Operator Name
Street Address
Address Line 2
City/State/Zip
Phone (e.g. 999-999-9999)
E-mail (e.g. abc@xyz.com)
Federal Tax ID

2.1.4. **Facility Information**

Facility Contact Name
Facility Name
Street Address
Address Line 2
City/State/Zip
Latitude (Decimal degrees only, minimum 5 significant digits, e.g. 99.99999)
Longitude (Decimal degrees only, minimum 5 significant digits, e.g. 99.99999)
Total Parcel Site Size (Acres)
Coverage under the IGP? (Y/N)
Portion covered under the IGP (Acres)
Pervious Area (Acres)
Total Impervious CII Area (Acres)
Site Imperviousness Percentage
Discharge Start Date
Facility Use: Commercial/ Industrial/ Institutional

2.1.5. **Additional Facility Information**

County
Regional Board
Primary SIC Code 1
Primary SIC Code 2
Primary SIC Code 3
Prior NPDES permit coverage
Currently covered under another NPDES permit? If yes, list other NPDES permit WDID(s)

2.1.6. **Receiving Water Information**

Receiving Waterbody

2.1.7. **Document Submittal**

SWPPP
Facility/Site Map
Compliance Option 1: WMG Agreement
Compliance Option 2: On-Site Design Storm Standards
Compliance Option 3: Monitoring and Reporting Plan

2.1.8. **Billing Information**

Bill Month
Bill Hold Date
Billing Name

Street Address

City/State/Zip
Phone
Email

2.2. **Site Map**

The Site Map(s) shall include the following Information:

2.2.1. The facility boundary;

2.2.2. Stormwater drainage areas within the facility boundary;

2.2.3. Portions of any drainage area impacted by discharges from surrounding areas and flow direction of each drainage area;

2.2.4. On-facility surface waterbodies;

2.2.5. Areas of soil erosion;

2.2.6. Location(s) of nearby waterbodies (such as rivers, lakes, wetlands, etc.);

2.2.7. Location(s) of municipal storm drain inlets that may receive the facility's industrial stormwater discharges and authorized Non-Stormwater Discharges (NSWDs);

2.2.8. Locations of stormwater collection and conveyance systems and associated points of discharge, and direction of flow;

2.2.9. Any structural control measures (that affect industrial stormwater discharges, authorized NSWDs, and run-on);

2.2.10. All impervious areas of the facility, including paved areas, buildings, covered storage areas, or other roofed structures;

2.2.11. Locations where materials are directly exposed to precipitation;

2.2.12. Locations where significant spills or leaks have occurred;

2.2.13. Areas of activity subject to this General Permit;

2.2.14. All storage areas and storage tanks;

2.2.15. Shipping and receiving areas;

2.2.16. Fueling areas;

2.2.17. Vehicle and equipment storage/maintenance areas;

2.2.18. Vehicle washing areas;

2.2.19. Material handling and processing areas;

2.2.20. Waste treatment and disposal areas;

2.2.21. Dust or particulate generating areas;

2.2.22. Cleaning and material reuse areas; and,

2.2.23. Any other areas of commercial, institutional and/or industrial activity which may have potential pollutant sources.

2.3. **Stormwater Pollution Prevention Plan**

2.3.1. The Stormwater Pollution Prevention Plan must be prepared in accordance with section 6 of the Order.

2.3.2. A Certification by the Discharger that all Permit Registration Documents submitted are correct and true. (Attachment D, section 5.2)

2.3.3. SMARTS Electronic Authorization Form (Signed by any user authorized to certify and submit data electronically).

2.4. **Laboratory Analytical Results**

2.4.1. Laboratory Analytical Results obtained from initial sampling requirements as specified in the Attachment E Section 2.1.

ATTACHMENT H — WATERSHED MANAGEMENT PROGRAMS IN THE LOS CERRITOS CHANNEL AND DOMINGUEZ CHANNEL WATERSHEDS

The Watershed Management Programs below are available at the Los Angeles Water Board website (https://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/watershed_management/baseline_permittees/index.html).

Table H-1. Watershed Management Programs

Watershed Management Program Name	Watershed Management Group Name	Watershed
Los Cerritos Channel	Los Cerritos Channel Watershed Group	Los Cerritos Channel/Alamitos Bay Watershed
Alamitos Bay/Los Cerritos Channel	Alamitos Bay/Los Cerritos Channel Group	Los Cerritos Channel/ Alamitos Bay Watershed
Beach Cities	Beach Cities Watershed Management Group	Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed
Dominguez Channel	Dominguez Channel Watershed Management Area Group	Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed
Palos Verdes Peninsula	Palos Verdes Peninsula EWMP Agencies Group	Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed
Nearshore Watershed	Long Beach Near Shore Watershed Management Area Group	Dominguez Channel/Inner Los Angeles and Long Beach Harbor Watershed; Los Cerritos Channel/ Alamitos Bay Watershed

ATTACHMENT I — COMPLIANCE OPTION 2 FACILITY-SPECIFIC DESIGN STANDARD TO REDUCE STORMWATER RUNOFF REQUIREMENTS

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1. COMPLIANCE REQUIREMENTS

1.1. Best Management Practices (BMPs)

1.1.1. The Discharger shall implement on-site BMPs with design storm standard(s) for capture and use, infiltration, and/or evapotranspiration of stormwater and authorized non-stormwater discharges (NSWDs).

1.1.2. The Discharger may include BMPs that capture and divert the required stormwater runoff[1] volumes to a publicly-owned sanitary sewer treatment facility, to an on-site facility for on-site use, to a regional reclaimed water distribution system, or a combination thereof. Proposed discharges to a publicly-owned sanitary sewer or reclaimed water distribution system shall be supported by a permit or by authorization in writing from the system's agency that specifically allows the proposed stormwater flow rates. The minimum required BMP volume to be diverted shall be in accordance with the sections 1.1.4.1, 1.1.4.2 and 1.1.4.3 below. The diverted or used volume of stormwater is not authorized to discharge into a municipal separate storm sewer system (MS4) or receiving surface waterbody from the facility.

1.1.3. A California licensed civil engineer shall certify (with a stamp and wet signature) that all hydrologic analyses, hydraulic calculations, and design standard(s) operation parameters comply with sections 1.1.4 and 1.3 below.[2]

1.1.4. The BMPs implemented by the Discharger shall:

1.1.4.1. Maintain the effective capacity to capture, infiltrate and/or evapotranspire the volume of runoff produced up to and during the 85th percentile 24-hour precipitation event based upon local, historical precipitation data and records, using the Straight Calc method[3,4]:

---

[1] Including authorized NSWDs.
[2] All professional engineering documents shall be certified (signed and sealed) in accordance with the requirements of the Professional Engineers Act and any other laws related to the practice of professional engineering and shall be signed and sealed in a manner such that all work can be clearly attributed to the licensee(s) in responsible charge of the work. California licensed professional engineers are not required to certify documents outside of the scope of the Professional Engineers Act and any other laws related to the practice of professional engineering.
[3] Runoff volume shall be calculated using the Straight Calc method consistent with the onsite compliance option in the IGP (Order 2014-0057-DWQ amended by Order 2015-0122-DWQ & Order 20XX-XXXX-DWQ)
[4] Precipitation data shall be collected from the National Oceanic and Atmospheric Agency's website (or other nearby precipitation data available from other government agencies).

$$V = i*A$$

Where:
V= Design Volume,
i= Rainfall intensity during 85th percentile 24 hour storm
A= Total Impervious area subject to this General Permit

1.1.4.2. Be designed to capture, capture and divert, infiltrate, and/or evapotranspire drainage from all impervious areas of the facility from stormwater and authorized NSWDs listed in section 5 of the Order.

1.1.4.3. Be designed by a California licensed civil engineer with a 24-hour drawdown time[5] or with additional storage volume beyond the compliance storm standard to offset longer drawdown time[6].

1.1.4.4. The Discharger shall implement measures to ensure the design standards for the life of the BMP(s) are maintained, and as appropriate, include reliability and safety factor calculations.

1.1.4.5. A Discharger implementing infiltration BMP(s) shall include a shutoff mechanism[6] (e.g., a valve that diverts discharge from entering the BMP(s)) in the design and implementation of infiltration BMP(s).

1.1.4.6. The Discharger implementing infiltration BMP(s) shall address possible groundwater contamination from the BMP(s) operation by using one or more of the following methods:

1.1.4.6.1. The Discharger shall ensure that all influent[7] entering the infiltration BMP(s) meets applicable Maximum Contaminant Level (MCL) criteria for CII pollutants at the facility. If the influent concentrations do not meet applicable MCLs, the Discharger shall have a California licensed civil engineer:

1.1.4.6.1.1. Recommend and oversee the installation of the necessary pretreatment controls during the design of the infiltration design standard(s) to ensure all the pollutants in the influent of the infiltration BMP(s) meet MCL criteria

[5] The design standard(s) must drain from full to empty when no inflows are occurring, considering any relevant safety factor included by the California licensed civil engineer
[6] If including a shutoff mechanism is infeasible for the BMP(s), appropriate spill prevention and response, and training shall be implemented.
[7] For the purposes of this Compliance Option, “influent” means stormwater or authorized NSWDs (as specified in section 5 of the Order) flowing into a reservoir, basin, or treatment control.

and include maintenance of all pretreatment controls in the operation and maintenance plan required in section 1.4.1.2 below; or

1.1.4.6.1.2. Install monitoring devices (including, but not limited to, lysimeters) to collect monthly samples of the infiltrated water below the infiltration BMP(s) demonstrate compliance with MCLs for pollutants associated with CII activities in the influent of the infiltration BMP(s). The Discharger shall maintain proper calibration of the installed monitoring device(s). The monthly samples are only required when feasible sampling conditions exist (including, but not limited to, enough moisture in the monitoring device to collect a sample). When monthly samples are not collected, the Discharger shall document this information in an attachment to the annual report and update the Stormwater Pollution Prevention Plan if necessary.

1.1.4.6.2. The Discharger installing and operating stormwater capture and infiltration dry wells shall comply with the requirements in section 1.1.4.6.1.1 above and are not eligible to install monitoring devices in lieu of the pretreatment requirements.

1.1.4.6.3. For influent not meeting MCLs, the Discharger shall pretreat the infiltration BMP(s) influent[8] to comply with the State Water Board's Division of Drinking Water MCLs referenced in Table I-1~~Table I-1~~ below.

Table I-1. Applicable Constituents with Primary or Secondary MCLs

Parameter Category	MCL Criteria for CII Pollutant Pretreatment
Primary MCLs: • Primary MCLs: Inorganics • Primary MCLs: Volatile Organic C~~arbon~~ompounds (VOCs) • Primary MCLs: Synthetic Organic Contaminants (SOCs) • Primary MCLs: Disinfection Byproducts	See footnote[9]
Secondary MCLs: Total Dissolved Solids	Pollutants associated with CII activities in the influent of the infiltration BMP(s) shall not exceed 500 mg/L.

[8] "Maximum Contaminant Level" means the maximum permissible level of a contaminant in water. Title 23 of the California Code of Regulations, State Water Resources Control Board's Division of Drinking Water.
[9] https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html

Parameter Category	MCL Criteria for CII Pollutant Pretreatment
Secondary MCLs: Chloride	Pollutants associated with CII activities in the influent of the infiltration BMP(s) shall not exceed 250 mg/L.
Secondary MCLs: Specific Conductance	Pollutants associated with CII activities in the influent of the infiltration BMP(s) shall not exceed 500 µS/cm.
Secondary MCLs: Sulfate	Pollutants associated with CII activities in the influent of the infiltration BMP(s) shall not exceed 250 mg/L.

1.2. **Requirements for BMP Construction and Operational Timeline**

A Discharger complying with Compliance Option 2 shall design, construct, and have on-site BMP(s) operational and functioning within two (2) years from submittal of PRD documents.

1.3. **Reporting Requirements for BMP(s) Design**

A Discharger complying with Compliance Option 2 shall submit the following information via SMARTS seven (7) days prior to the initial operation of the stormwater control:

1.3.1. Type of BMP(s) being implemented;

1.3.2. A map with the BMP(s) location;

1.3.3. BMP(s) latitude and longitude;

1.3.4. Bypass mechanisms for the discharged volume that is above and beyond the 85th percentile 24-hour storm, into a receiving water; and~~,~~

1.3.5. Description of pretreatment system used for infiltration BMP(s).

1.4. **Monitoring and Reporting Requirements for a Discharger with Implemented and Operational BMP(s)**

The Discharger shall:

1.4.1. Comply with the Visual Observations and Inspection requirements of both the installed BMPs and discharges, in sections 2.1 and 2.2.4 of Attachment E, respectively;

1.4.2. Conduct representative sampling and analysis of the influent entering the infiltration BMP(s) in compliance with section1.1.4.6.1. Dischargers shall, at a minimum, collect and analyze samples of influent entering the infiltration

BMP(s) two times within the first half of the Reporting Year (July 1 – December 31) and two times within the second half of the Reporting Year (January 1 – June 30).

1.4.3. Submit all sampling and analysis information and results in SMARTS within 45 days from the end of the reporting period;

1.4.4. Comply with Reporting Schedules in Table E-1~~Table E-1~~ of Attachment E; and~~;~~

1.4.5. A Discharger complying with Compliance Option 2 must submit the following information in SMARTS within the visual inspection and evaluation report:

1.4.5.1. The size of each rain event, in inches of rain per hour, that discharges from the BMP(s);

1.4.5.2. The estimated volume of the corresponding discharge; and~~,~~

1.4.5.3. The date and estimated start and end time of all discharges.

1.5. **Stormwater Pollution Prevention Plan Requirements.**

1.5.1. A Discharger complying with Compliance Option 2 shall update their Stormwater Pollution Prevention Plan with the following documentation:

1.5.1.1. Description and photographs (or other Executive Officer approved documentation) of the facility-specific BMP(s);

1.5.1.2. Operation and maintenance plan certified by the California licensed civil engineer that includes, but is not limited to, the following items: 1) inspection frequency; 2) titles of personnel authorized to conduct the BMP(s) inspections; 3) maintenance procedures for BMP(s) and installed pretreatment (if applicable); and 4) a maintenance schedule;

1.5.1.3. BMP(s) safety factor and reliability calculations required in section 1.1.4.4 above; and,

1.5.1.4. Certification required in section 1.1.3 above provided by the California licensed civil engineer; and,

1.5.1.5. Applicable information on any preexisting contamination in the soil or groundwater for any industrial or non-industrial pollutants at the facility that may be discharged or mobilized through infiltration to meet the protections in section 3 below.

1.5.2. The updated Stormwater Pollution Prevention Plan shall be available at the facility seven (7) days prior to the initial operation of the BMP(s). The Discharger shall certify and submit the updated Stormwater Pollution

Prevention Plan via SMARTS seven (7) days prior to the initial operation of the BMP(s).

1.5.3. The Discharger implementing Compliance Option 2 shall, at a minimum, include the BMP(s) design information from section 1.2 above and the design information for any installed pretreatment systems/devices.

1.6. Additional Los Angeles Water Board Authorities for Dischargers Implementing Compliance Option 2

1.6.1. The Los Angeles Water Board Executive Officer has the authority to review site-specific information and disapprove any BMP(s) as a permissible compliance option for the Discharger to address groundwater concerns under their Los Angeles Water Board jurisdiction.

1.6.2. The Los Angeles Water Board Executive Officer may require the Discharger to modify the site-specific Stormwater Pollution Prevention Plan to demonstrate compliance with Compliance Option 2 or address other regional groundwater concerns. Upon written request of the Los Angeles Water Board Executive Officer, the Discharger shall submit the required Stormwater Pollution Prevention Plan modifications by the required due date, or no later than 90 days, whichever is shortest.

1.6.3. The Los Angeles Water Board may require additional information or modifications to the site-specific Stormwater Pollution Prevention Plan and/or BMP(s) to address:

1.6.3.1. Exceedances of applicable water quality objectives;

1.6.3.2. Impacts to groundwater beneficial uses; or,

1.6.3.3. Impacts to the groundwater quality due to the infiltration of the authorized NSWDs and/or stormwater discharges at the Discharger's facility.

1.6.4. The Los Angeles Water Board Executive Officer may authorize the discontinuation of monitoring for the infiltrated water if no threat to groundwater is determined.

2. ADDITIONAL REQUIREMENTS

2.1. Discharge Prohibitions

The following discharges are prohibited for any Discharger implementing Compliance Option 2:

2.1.1. Water related to the cleaning and maintenance of the BMP(s) is an unauthorized NSWD; and,

2.1.2. Stormwater occurring below the 85th percentile 24-hour storm event and/or NSWDs authorized by section 5 of the Order.

2.2. **Pollution Migration Prohibitions**

The migration of pollutants that cause or contribute to the exceedance of a water quality objective in any receiving waters is prohibited. The Discharger shall ensure infiltration BMP(s) implemented for compliance with Compliance Option 2 shall be designed and operated to:

2.2.1. Prevent captured and/or infiltrated stormwater from causing or contributing to the exceedance of a water quality objective;

2.2.2. Prevent captured and/or infiltrated stormwater from causing a threat to the attainment of the beneficial use(s) of any receiving water;

2.2.3. Prevent the migration of existing soil contamination and not interfere with any active remedial activities for existing groundwater contamination in the vicinity of the facility; and,

2.2.4. Address other similar factors which may degrade receiving waters.

2.3. **Infiltration and Water Quality Protection**

2.3.1. Infiltration BMP(s) must not cause or contribute to an exceedance of an applicable water quality objective.

2.3.2. Infiltration BMP(s) used for Compliance Option 2 implementation shall comply with applicable local municipal ordinances, stormwater requirements, and design standards for the infiltration of stormwater and authorized NSWDs as listed in section 5 of the Order.

2.3.3. The minimum BMP requirements (section 6.1.5 of the Order) shall be implemented to maximize pollution prevention and protection of receiving water quality and beneficial uses.

2.3.4. The soil through which infiltration occurs must have physical and chemical characteristics necessary to support infiltration rates and stormwater treatment to meet the compliance storm standards in this Attachment.

ATTACHMENT J — LIST OF EXISTING TOTAL MAXIMUM DAILY LOADS (TMDLS)

The following table contains a list of existing TMDLs that are applicable to CII stormwater discharges covered by this General Permit. The listed TMDLs became effective prior to the adoption date of this Order. This Order may be reopened to amend TMDL-specific permit requirements, or to incorporate new TMDLs adopted during the term of this Order that include requirements applicable to Permittees regulated by this Order.

Table J-1. List of Applicable TMDLs

Watershed Management Area	TMDLs	Pollutant(s)
Dominguez Channel and Los Angeles/Long Beach Harbor Watershed	Dominguez Channel and Los Angeles and Long Beach Inner Harbor Waters Toxic Pollutants TMDL	Chronic Toxicity, Chlordane, Dieldrin, DDTs, PAHs, PCBs, Copper, Lead, and Zinc
	Los Angeles Harbor (Inner Cabrillo Beach and Main Ship Channel) Bacteria TMDL	Total Coliform, Fecal Coliform, and Enterococcus
	Machado Lake Nutrient TMDL	Nitrogen and Phosphorus
	Machado Lake Trash TMDL	Trash
	Machado Lake Pesticides and PCBs TMDL	Chlordane, Dieldrin, DDTs, and PCBs
Alamitos Bay/Los Cerritos Channel Watershed	Colorado Lagoon Organochlorine (OC) Pesticides, PCBs, Sediment Toxicity, and Metals TMDL	Chlordane, DDTs, Dieldrin, PAHs, PCBs, Lead, and Zinc
	Los Cerritos Channel Metals TMDL	Copper, Lead, and Zinc
	Los Cerritos Channel and Estuary, Alamitos Bay and Colorado Lagoon Indicator Bacteria TMDL	Enterococcus and E. Coli