



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION IX**

**75 Hawthorne Street  
San Francisco, CA 94105-3901**

**OCT 16 2015**

Mr. Samuel Unger  
Executive Officer  
Los Angeles Regional Water Quality Control Board  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, California 90013

Dear Mr. Unger:

Thank you for submitting the complete Los Angeles Regional Water Quality Control Board (Regional Board) Basin Plan Amendment (Amendment) package for the revised Marina del Rey Harbor Toxic Pollutants Total Maximum Daily Load (TMDL) on May 9, 2015 for approval by the U.S. Environmental Protection Agency (EPA). We find that all the federal required elements are adequately addressed, and we approve the toxics TMDL pursuant to CWA section 303(d)(2). The TMDL, upon complete implementation, will result in attainment of the applicable water quality standards in the Marina del Rey Harbor.

The Regional Board, State Water Resources Control Board (State Board), and Office of Administrative Law (OAL) took action on the BPA on the following dates:

- Regional Board adoption on February 6, 2014 (Resolution No. R14-004);
- State Board adoption on September 9, 2014 (Resolution No. 2014-0049);
- Regional Board signed submittal letter, dated March 9, 2015, to EPA requesting approval of the Basin Plan Amendment.
- OAL approval on May 4, 2015 (File No. 2015-0320-02S);

The State has provided adequate opportunities for public review and comment on the Amendment and demonstrated how public comments were considered in the final TMDL.

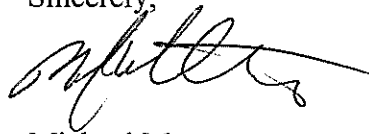
The Amendment appropriately uses numeric targets and load and waste load allocations to protect beneficial uses of the Marina del Rey Harbor. The 2005 TMDL initially included sediment numeric targets for copper, lead, zinc, chlordane, and total PCBs in the back basins (Basins D, E and F). This revised TMDL includes the following additions: (1) extends the toxic pollutant listing to include numeric targets for copper, zinc, chlordane and total PCBs in the front basins (Basins A, B, C, G, and H) of Marina del Rey Harbor; (2) includes new numeric targets for total DDT and p,p'-DDE in all Marina del Rey Harbor sediments; and (3) includes new numeric targets for dissolved copper in the water column. The TMDL appropriately considers seasonal variation and critical conditions, and provides an adequate margin of safety.

The TMDL submittal contains the State's implementation strategy and schedule for the TMDL which informed EPA's approval of the TMDL. Implementation of the TMDL is a critical next step to realize improvements in water quality in the watershed. While EPA is not taking action on the implementation

strategy specifically, as we are not required by section 303(d) or its implementing regulations to approve or disapprove implementation plans submitted with TMDLs, we support the State's proposed implementation approaches, including use of regulatory authorities, to protect and restore water quality. We encourage the Regional Board to continue its work with stakeholders to implement these strategies consistent with California's Nonpoint Source Management Plan as approved by EPA under the Clean Water Act Section 319, when appropriate. We remain available to provide support where possible to assist both the regulated community and the Regional Board in fostering ongoing watershed stewardship to achieve the TMDL.

If you have any questions concerning this approval, please call me at (415) 972-3438 or Cindy Lin at (213) 244-1803.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Montgomery", with a long horizontal flourish extending to the right.

Michael Montgomery  
Acting Director, Water Division

cc: Rik Rasmussen, SWRCB  
Renee Purdy, LARWQCB