Public Comment
LA River Trash - TMDL
Deadline: 3/5/08 by 12 p.m.

CITY OF CLAREMONT

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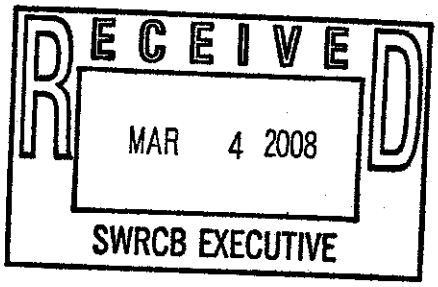

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Dear Ms. Townsend and Members of the Board:

Los Angeles River Trash TMDL

I am writing on behalf of the City of Claremont to provide comments regarding the Los Angeles River Trash TMDL. Our city is not in the Los Angeles River Watershed, but we continue to be concerned about this TMDL because of the technical and procedural flaws of a permit that could set precedents for other Trash TMDLs in our region, across California, and elsewhere in the country. We appreciate the opportunity to provide these comments.

One significant concern that we have with the Trash TMDL adopted by the Los Angeles Regional Water Board is that it continues to include a numeric target of zero trash in the water. Zero is an impossible target to achieve, as there are many sources of trash that municipalities do not – and cannot reasonably be expected to – control. Interestingly, a statement in Attachment A to Resolution No. 2007-012 appears to indicate that the L.A. Regional Water Board does recognize the impossibility of achieving a zero target: "Nonpoint sources, i.e., direct deposition of trash by people or wind into the water body, is a de minimus source of trash loading to the LA River."

A second major concern that we have with the TMDL as adopted is that it appears to punish municipalities that exercised their rights to challenge a TMDL that they thought to be flawed. The adopted TMDL requires a 40% reduction in one year. This requirement appears to be based on a presumption that cities should have implemented the TMDL even though it had been set aside.

In the months preceding the Regional Board's re-adoption of the Trash TMDL, cities in the Los Angeles River Watershed developed a Catch Basin Prioritization and Protection Plan (CBPPP) as an alternative to the Trash TMDL. We understand that, although

representatives from those cities met multiple times with L.A. Regional Water Board staff and made revisions based on their input, the CBPPP alternative to the Trash TMDL was not included in the Substitute Environmental Document (SED) prepared for the TMDL adoption process.

Our city supports the Catch Basin Prioritization and Protection Plan as a sound, practicable method for cities to begin to tackle the tough problem of trash. Cities would complete litter surveys and submit preliminary Plans to the L.A. Regional Water Board within 180 days of final TMDL approval by the State Water Board and USEPA. The cities would then work with L.A. Regional Water Board staff and other stakeholders to develop a protocol for estimating trash removed from catch basins to improve accuracy of estimates.

According to the way the CBPPP is structured, fifteen percent (15%) of catch basins with the highest trash generation rates, starting with commercial areas, would be protected within one year following L.A. Regional Water Board approval of the CBPPP. Thirty percent (30%) of catch basins with the highest trash generation rates would be protected within three years following approval of the CBPPP. The expected results from implementation of the CBPPP include:

- Protecting the top 15% of a jurisdiction's catch basins with the highest trash generation rates would result in an estimated 50% reduction in water-borne trash.
- Protecting the top 30% of a jurisdiction's catch basins with the highest trash generation rates would result in an estimated 65-70% reduction in water-borne trash.

In light of these anticipated results, we view the CBPPP as a focused, cost-effective way to address trash and strongly support its inclusion as an alternative in the Substitute Environmental Document for the Los Angeles River Watershed Trash TMDL.

The City of Claremont supports the request of cities in the Los Angeles River Watershed that they be granted the opportunity to work with the L.A. Regional Water Board to create a workable Trash TMDL. We request that the State Water Board remand the draft TMDL back to the L.A. Regional Water Board with directions to work with cities on the CBPPP and to re-notice the Draft Substitute Environmental Document (SED) to solve the problem we understand was created by substantial last-minute changes in the July 27, 2008 Revised Draft SED.

Thank you again for the opportunity to provide these comments.

Sincerely,

Andrea Harrington

Andrea Harrington, P.E.
Associate Civil Engineer