



August 4, 2014

Jeanine Townsend, Clerk to the Board
Electronically Transmitted to commentletters@waterboards.ca.gov
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

COMMENT LETTER – Trash Amendments

Dear Ms. Townsend:

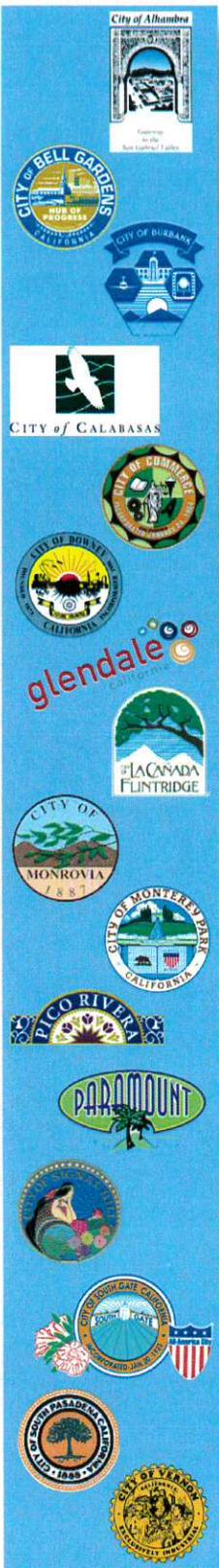
The proposed Amendments to the Statewide Water Quality Control Plans represent an opportunity for the State Water Resource Control Board to bring a measure of consistency and provide strong leadership and guidance to the numerous trash control programs throughout the State. The Los Angeles Regional Water Quality Control Board by itself has already established some 15 trash or debris TMDLs. All of the cities party to this letter are wholly or partially within the Los Angeles River drainage area and have developed the following primary comments:

1. The Los Angeles River Watershed Trash TMDL

As currently proposed, the Amendments would apply to all surface waters of the state “with the exception of those waters within the jurisdiction of the Los Angeles Water Board with trash or debris TMDLs that are in effect prior to the effective date of the Trash Amendments”. As mentioned above, all of the cities party to this letter are wholly or partially within the Los Angeles River drainage area and many of these cities will find themselves under multiple trash control plans.

The proposed Amendment makes an attempt to rectify this inconsistency, but specifically excludes those cities tributary to the Los Angeles River (emphasis added):

*“ While the proposed Trash Amendments do not apply to existing trash TMDLs in the Los Angeles Region, the proposed Trash Amendments direct the Los Angeles Water Board to reconsider the scope of its trash TMDLs within one year of the Trash Amendments’ effective date and focus its permittees’ trash control efforts on high trash generation areas rather than all areas within each permittee’s jurisdiction. The reconsideration would occur for all existing trash TMDLs, **except for the Los Angeles River Watershed** and Ballona Creek Trash TMDLs, because those two TMDLs are approaching final compliance deadlines of July 1, 2014 and 2015, respectively.” (ref: Draft Staff Report page 5)*



Please note there is a minor typographical error in the preceding reference; the Ballona Creek Trash TMDL deadline was established as 2014, the Los Angeles River TMDL deadline as 2015. the MS4 Permit's Attachment O – TMDL Provisions for Los Angeles River Watershed Management Area clarified the final compliance date for the Los Angeles River MS4 permit as “zero trash discharged to the Los Angeles River no later than September 30, 2016” (This letter limits its comments to the Los Angeles River and will not address any applicable clarifications of compliance schedules for Ballona Creek). Nonetheless, the discharge of zero trash is unattainable. In cases of non-standard catch basin designs, installing the “deemed approved” trash catching device is cost prohibitive and at times physically impossible for retrofit. Therefore, there should be a cost limit to the amount of retrofitting for non-standard catch basins with a fall back to screens only.

Numerous cities have already successfully demonstrated continual attainment of trash reduction well in excess of 80 percent from pre-TMDL levels, but have no guidance from the State or Regional Boards on what constitutes achievement of the final “zero” trash discharge. The proposed Amendments are an opportunity for the State Board to provide such guidance

We strongly request the “except for the Los Angeles River Watershed” wording be removed and (for cities with demonstrable trash reduction attainments) the Trash TMDL deadline be extended until after the Los Angeles Regional Board “reconsiders the scope of its Trash TMDL”.

2. Land Uses

The proposed Amendments identify 5 primary categories of land uses where trash capture systems would need to be installed:

- 1) **High-density residential:** *at least ten (10) developed dwelling units/acre.*
- 2) **Industrial:** *product manufacture, storage or distribution (e.g., manufacturing businesses, warehouses, equipment storage lots, junkyards, wholesale businesses, distribution centers, or building material sales yards).*
- 3) **Commercial:** *business or professional buildings, shops, restaurants, theaters, vehicle repair shops, etc.)*
- 4) **Mixed urban:** *where high-density residential, industrial and/or commercial land uses predominate*
- 5) **Public transportation stations:** *(e.g., bus stations and stops).*

The Amendments could be improved by allowing more flexibility on where BMPs (like catch basin screens and baskets) are installed. Trash surveys and Daily Generation Rate studies have been conducted over the past few years and have clearly shown trash generation of land uses varies from community to community and even within different areas of the same community. High priority trash areas such as all commercial and industrial areas are too broad a definition. The goal should be to install the trash catching devices where they are really needed – irrespective of land uses.

Using litter surveys (such as the Keep America Beautiful Survey) or Daily Generation Rate studies as described in the Los Angeles River Watershed Trash TMDL or the Minimum Frequency of Assessment and Collection (MFAC) should be used to identify land uses that are really generating trash. It may be beneficial to develop a standardized survey.

3. Preproduction Plastic Pellets

The Amendment proposes to:

“Use both the existing Industrial General Permit and an outright prohibition of discharge for preproduction plastic. In this option, the prohibition of discharge for preproduction plastic could continue to be implemented through the IGP, as well as directly through the enforcement of the prohibition of discharge on facilities and industrial activities that are not subject to the IGP. This provides the widest and most efficient approach to controlling the discharge of preproduction plastic, and is therefore recommended.”

The Amendments imply, but need to be made clearer that the burden for control of these plastic pellets is on the manufacturer and transporter. The cities within the Los Angeles River Watershed are already required to capture trash larger than ¼ inch, and any smaller would result in significant screen clogging issues which would in turn would result in flooding issues.

In summary, as the final compliance deadline of September 30, 2016 as clarified in the MS4 Permit is likely to allow the proposed Amendments to be considered prior to the deadline, there is no reason for excluding the Los Angeles River cities from reconsideration by the Regional Board. Therefore the cities party to this letter request the State Water Resources Control Board direct the Los Angeles Regional Water Quality Control Board to postpone the September 30, 2014, 2015 and 2016 MS4 Permit compliance deadlines of the Los Angeles River Trash TMDL. This postponement would allow the State Water Resource Control Board the opportunity to consider including the Los Angeles River in its direction to the Regional Board to: “reconsider the scope of its trash TMDLs”.

Thank you for the opportunity to provide comments.

Sincerely,



Steve Myrter
Director of Public Works
City of Signal Hill

On behalf of the participating cities:

- | | |
|-------------------------|--------------------|
| 1. Alhambra | 9. Monrovia |
| 2. Bell Gardens | 10. Monterey Park |
| 3. Burbank | 11. Paramount |
| 4. Calabasas | 12. Pico Rivera |
| 5. Commerce | 13. Signal Hill |
| 6. Downey | 14. South Gate |
| 7. Glendale | 15. South Pasadena |
| 8. La Canada Flintridge | 16. Vernon |