

Responsiveness Summary – Trash TMDL for the Revolon Slough and Beardsley Wash
Comment Due Date: May 4, 2007

2-1 County of Ventura, Public Work Agency
2-2 City of Camarillo
2-3 Heal the Bay
2-4 United States Environmental Protection Agency (USEPA)
2-5 City of Oxnard
2-6 California Department of Transportation (Caltrans) (Received 5/7 via email)
2-7 Ventura County Watershed Protection District (Received 5/7 via email)

No.	Author	Date	Comment	Response
2-1.1	County of Ventura, Public Work Agency	May 3	The baseline allocations included in the TMDL for all entities except Caltrans are based on the amount of trash collected in a full capture device in the City of Calabasas. The Draft staff report states that the City of Calabasas data are appropriate for Revolon Slough and Beardsley Wash because the land use characteristics are similar in that only a small portion of the watershed is urban, and the rest is open space. However, the watershed characteristics of the Revolon Slough/Beardsley Wash watershed are significantly different from the City of Calabasas study. Point sources surrounding the waterbodies include a very small urban component from the City of Camarillo and the City of Oxnard and the remaining land use is primarily agriculture. Additionally, as stated in the Draft Staff Report nonpoint sources are considered to be the most significant source of trash to the watershed.	Staff finds that there are few datasets available on which to base a reference approach. Staff continues to find that the City of Calabasas data are the most relevant data for the Revolon Slough/Beardsley Wash subwatershed. However, staff agrees that Revolon Slough is significantly different from City of Calabasas.
2-1.2	County of Ventura, Public Work Agency	May 3	To address this issue, the stakeholders request that the baseline waste load and load allocations be removed from the Draft Staff Report and Tentative BPA and a requirement to determine an appropriate trash baseline figure over the two-year period following the effective date of the TMDL be included instead. As part of the required Trash Monitoring and Reporting Plan, the stakeholders should be required to submit a plan to develop a	Staff agrees. Revised language is included in the BPA.

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			<p>trash baseline. The results of the study should be submitted to the Regional Board along with a recommended trash baseline value for incorporation into the TMDL.</p> <p>Precedent for including a study to determine a baseline when sufficient data are not available to establish a baseline as part of the TMDL exists in the Calleguas Creek Siltation TMDL. In that TMDL, the allocations are a reduction from a baseline that is determined through a required study in the TMDL. A similar approach is requested for the Revolon Slough and Beardsley Wash Trash TMDL.</p>	
2-1.3	County of Ventura, Public Work Agency	May 3	The draft TMDL authorizes two compliance options for point sources and one compliance option for non-point sources. Point sources can either progressively install full capture systems on storm drains or implement MFAC programs and non-point sources may only implement MFAC programs. The included compliance options both represent significant burdens to the stakeholders, do not account for existing programs, and do not allow the responsible parties the option to develop cost effective implementation strategies to meet the TMDL allocations.	Staff disagrees with the comment. The program of MFAC allows responsible jurisdictions to propose feasible implementation strategies with consideration given to the existing practices or the cost effectiveness, for Executive Officer's approval.
2-1.4	County of Ventura, Public Work Agency	May 3	Some areas of the Revolon Slough and Beardsley Wash are inaccessible or unsafe to access. The Underline/Strikeout Draft Staff Report and Tentative BPA proposes language to clarify that trash does not have to be collected in areas posing a hazard during the baseline determination period and during MFAC implementation on page 20. Specifically, responsible jurisdictions should not have to collect trash from dense thickets of vegetation and where water depth may preclude a safe crossing. This includes land islands within the channel where water depth is more than 18 inches deep at the time of trash collection.	Staff agrees that trash collection should not pose safety hazards to personnel. Language revising the BPA to indicate that trash collection should not pose safety hazards is included. Specific parameters shall be included in the work plan.
2-1.5	County of	May 3	The responsible parties may have limited jurisdiction or authority	Staff agrees and has revised the

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	Ventura, Public Work Agency		to access Revolon Slough and Beardsley Wash. Additionally, Cities may not have the local authority to spend resources to clean up areas outside of the City limits and the County has limited regulatory authority over private property holders within unincorporated areas. We suggest that language acknowledging these limitations and ensuring that compliance is achieved if the MFAC program is implemented in the areas for which the responsible parties have authority. Suggested changes are included on page 20.	tentative BPA accordingly
2-1.6	County of Ventura, Public Work Agency	May 3	While we recognize that the waterbodies will benefit from trash cleanup events, we believe such frequent cleanup is unwarranted. Instead, the stakeholders propose that minimum trash collection frequency for the MFAC program implementation be as follows: 1. Within one week after each storm event with one inch of rain or greater downstream of the City of Camarillo and the City of Oxnard. 2. Twice per year for other areas of Revolon Slough and Beardsley Wash.	Staff does not agree that a frequency of twice per year is effective.
2-1.7	County of Ventura, Public Work Agency	May 3	In addition, responsible jurisdictions should be authorized to modify the above schedule based upon future assessments of the effectiveness of MFAC programs and the trash problem itself. Suggested language has been added to the Underline/Strikeout Draft Staff Report, to clarify that a jurisdictions may resubmit the Trash Monitoring and Reporting Plan to (1) request a change to the proposed trash collection frequency and strategy, (2) implement strategies with emphasis on problem areas, (3) change to the trash metric(s), and (4) other areas upon request, including trash reduction strategies after major rain events. This language is intended to authorize jurisdictions to focus trash cleanup efforts on problem areas after careful program analysis.	Staff agrees. The BPA includes a provision that the Executive Officer can approve revisions of the trash collection frequency.
2-1.8	County of Ventura,	May 3	The stakeholders would like to request that if a MFAC program is the chosen implementation program, that the program be	Staff agrees that MFAC can be implemented through a conditional

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	Public Work Agency		implemented solely through the conditional waiver and not an NPDES permit.	waiver.
2-1.9	County of Ventura, Public Work Agency	May 3	The Staff Report is unclear on the responsibilities of the agricultural land owners in regard to MFAC programs and baseline application and as to whether the trash TMDL will be enforced through the existing Conditional Waiver for Irrigated Agriculture or through a new Conditional Waiver. The current language is inconsistent as to whether the Calabasas derived baseline applies to agricultural landowners, although it is clear they are not exempt from MFAC program implementation. To clarify these issues, the Underline/Strikeout Draft Staff Report and Tentative BPA include suggested language stating that a baseline determination will apply separately as part of the existing Conditional Waiver for Irrigated Agriculture.	The BPA has been revised to clarify that the MFAC program will be implemented through the existing Agricultural Waiver. The existing waiver allows revisions of the monitoring plan to include trash monitoring and collection administratively. These requirements are applicable to Agricultural land owners.
2-1.10	County of Ventura, Public Work Agency	May 3	The Staff Report requires an enhanced MFAC program or implementation of structural or nonstructural BMPs if trash assessments do not meet the specified milestones (10%, 30%, and 50% reductions from baseline in program years one, two, and three). The language is unclear and could result in requirements that are not consistent with the implementation program being pursued by the responsible parties. Suggested edits to this language are provided in the Draft Staff Report so that if any of the milestones are not met, the responsible jurisdiction will respond by making program improvements. We believe given the safeguards built into the Executive Officer's discretion over program shortfalls, this response should be adequate.	The MFAC program allows responsible jurisdictions to propose BMPs for Executive Officer approval. However, staff agrees and has revised the BPA to clarify responsible jurisdiction's responsibility in making Program improvement, should any of the milestone is not met.
2-1.11	County of Ventura, Public Work Agency	May 3	This comment is intended to address the apparent paradox in the Staff Report, which, while stating that MFAC programs are an "alternative" for point sources (along with a full capture program), nonetheless requires MFAC programs for jurisdictions that have nonpoint sources. Thus, jurisdictions that have both	Staff agrees.

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			point and nonpoint sources do not have the option not to implement an MFAC program. In order for the MFAC program to be a true “alternative” to a full capture program, parties that implement a full capture system should not be required to also implement an MFAC program. Therefore, we request compliance with a full capture program suffice for nonpoint contributions as well as point sources.	
2-1.12	County of Ventura, Public Work Agency	May 3	Table 7-25.1 in the Tentative Basin Plan Amendment authorizes responsible jurisdictions to comply with Waste Load Allocations by progressively implementing full capture systems on storm drains. Point sources that comply using this option must demonstrate a phased reduction from the baseline over an eight-year period. The responsible jurisdictions do not see the need to demonstrate a phased reduction from the trash baseline.	Prioritization of full capture system installation according to trash loading requires to be validated by the actual trash quantity collected, although responsible jurisdictions are deemed in compliance by implementing full capture system.
2-1.13	County of Ventura, Public Work Agency	May 3	The Draft Staff Report and Tentative BPA define the waterbodies as including the “adjacent land areas.” The definition of “adjacent land areas” is unclear and could be considered to include areas outside the applicability of the TMDL. As a result, we request that the language be changed to be “within the channels of Revolon Slough and Beardsley Wash.”	Staff agrees that this language is appropriate for Revolon Slough and Beardsley Channel.
2-1.14	County of Ventura, Public Work Agency	May 3	<p>The source analysis included in the Draft Staff Report is incomplete and does not accurately represent the sources to the Revolon Slough and Beardsley Wash. Additional information has been provided to make the source analysis accurate for the creeks.</p> <p>The Calleguas staff report points out that the primary sources of trash are nonpoint sources in the Revolon Slough and Beardsley Wash reaches. Agricultural operations are mentioned, but the staff report should do more to characterize the significant role that agriculture operations play in contributing trash to Revolon</p>	Staff appreciates the work to characterize trash by the County. The Staff Report has been revised to include a discussion of the study as it relates to agricultural sources.

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			Slough.	
2-1.15	County of Ventura, Public Work Agency	May 3	We disagree with the cost estimate on page 42 of the Staff Report for MFAC program implementation. The estimate assumes a single person can complete trash assessment and collection in four hours. Initial monitoring and assessment conducted in the three waterbodies required three to four hours with two people to pick up all trash found in a 100 foot stretch of the waterbodies. Revolon Slough and Beardsley Wash are 13 miles long. As a result, the cost estimate is not sufficient to represent the actual costs of implementing the MFAC program as written in the TMDL. A reduced frequency of monitoring has been included in the Underline/Strikeout versions of the documents and the cost analysis has been updated in the revised documents to represent the suggested revised monitoring frequency.	The cost section contains cost estimate based on assumptions and is referenced for comparison purposes only since detail information is not available. Responsible jurisdictions may conduct site specific cost analysis with considerations of existing or proposed BMPs, frequency, and labor cost.
2-1.16	County of Ventura, Public Work Agency	May 3	The TMDL contains many references to lakes and Los Angeles County responsible parties, inconsistencies, and unclear definitions. The Underline/Strikeout versions of the documents provide suggestions for these inconsistencies and definition clarifications.	Comment noted.
2-1.17	County of Ventura, Public Work Agency	May 3	The Draft Staff Report should consistently state that MFAC programs are available as a compliance option for point sources. The Draft Staff Report is internally inconsistent on this point, as well as inconsistent with the Tentative BPA. Language in the Draft Staff Report suggests that MFAC programs may be implemented only to satisfy nonpoint source obligations. (See Sections VI, second paragraph, as well as Section IX on page 21). In contrast, language on page 2 of the public hearing notice and the Tentative BPA, as well as language on page 20, page 23, Figure 4, and Table 10 in the Draft Staff Report indicate MFAC programs can be implemented to meet the TMDL's declining allocations for point sources. The responsible jurisdictions request that the Draft Staff Report be revised to consistently state	Staff agrees.

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			that the MFAC program is an implementation option for point sources.	
2-1.18	County of Ventura, Public Work Agency	May 3	The Staff Report defines the term “collection” as “twice per week and after periods of high visitation during weekends and holidays from May 15 to October 15. (See pages 23, 25, and 36). Table 7-25.1 in the draft amended Basin Plan uses similar language, but includes “during and after weekends...” (emphasis added). Unlike lakes, Revolon Slough and Beardsley Wash do not have periods of high visitation. Requirements for additional cleanups during periods of high visitation should be removed.	Staff agrees.
2-1.19	County of Ventura, Public Work Agency	May 3	The staff report’s use of the terms Baseline Waste Load Allocation and Baseline Load Allocation is confusing. The term is used to describe the initial baseline based on the Calabasas research or any revised baseline founded on the results of the “Trash Monitoring and Reporting Plan.” The confusion arises because the term is capitalized in the staff report and is defined in Appendix A (for WLAs) in terms of existing data (i.e. the Calabasas study) and includes the word “Allocation.” The stakeholders request that the language be changed to “Trash Baseline” to clarify the distinction between allocations and the baseline.	Staff agrees that the terms used in the TMDL are confusing. Generally, Baseline Waste Load or Load Allocations refer to the existing trash loading according to data collected prior to the implementation of TMDL, and may be derived by using reference approach when preliminary data is not available. These Baseline WLA/LA shall not be confused with Waste Load or Load Allocations which are allowable discharges assigned to responsible jurisdictions each year until the numeric goal is achieved.
2-1.20	County of Ventura, Public Work Agency	May 3	The word “summer” should be removed from page 42 of the Staff Report. April, May, the first two thirds of June, and the last third of September do not occur in the “summer.”	Staff can not collaborate with this comment because the word “summer” is not found in page 42. The Staff Report will be revised if the suggestion is feasible.
2-1.21	County of Ventura,	May 3	Definitions for the term “collection” under an MFAC program should be consistent throughout the Staff Report and the Basin	BPA has been revised to be consistent with the Staff Report, which requires

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	Public Work Agency		Plan for both point and nonpoint sources. Language on page 23 of the Staff Report defines the term for point sources as “removing 100% of trash found at the...” (emphasis added). In contrast, language on page 25 defines the term for nonpoint sources as “picking up 100% of trash...” Similarly, language in the proposed amended Basin Plan describes an MFAC program as including “pickup of all visible trash in the water” (Table 7-25.1, emphasis added). We request the Regional Board consider the heavy burden and liability in having to remove 100% of all “visible” trash during collection events because even very small particles of trash must be removed under the definition of the term “trash.”	“picking up 100% of trash.”
2-2.1	City of Camarillo	May 3	The baseline allocations included in the TMDL for all entities except Caltrans are based on the amount of trash collected in a full capture device in the City of Calabasas. The Draft staff report states that the City of Calabasas data are appropriate for Revolon Slough and Beardsley Wash because the land use characteristics are similar in that only a small portion of the watershed is urban, and the rest is open space. However, the watershed characteristics of the Revolon Slough/Beardsley Wash watershed are significantly different from the City of Calabasas study. Point sources surrounding the waterbodies include a very small urban component from the City of Camarillo and the City of Oxnard and the remaining land use is primarily agriculture. Additionally, as stated in the Draft Staff Report nonpoint sources are considered to be the most significant source of trash to the watershed.	Please see 2-1.1 response.
2-2.2	City of Camarillo	May 3	To address this issue, the stakeholders request that the baseline wasteload and load allocations be removed from the Draft Staff Report and Tentative BPA and a requirement to determine an appropriate trash baseline figure over the two-year period following the effective date of the TMDL be included instead.	Please see 2-1.2 response.

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			<p>As part of the required Trash Monitoring and Reporting Plan, the stakeholders should be required to submit a plan to develop a trash baseline. The results of the study should be submitted to the Regional Board along with a recommended trash baseline value for incorporation into the TMDL.</p> <p>Precedent for including a study to determine a baseline when sufficient data are not available to establish a baseline as part of the TMDL exists in the Calleguas Creek Siltation TMDL. In that TMDL, the allocations are a reduction from a baseline that is determined through a required study in the TMDL. A similar approach is requested for the Revolon Slough and Beardsley Wash Trash TMDL.</p>	
2-2.3	City of Camarillo	May 3	<p>The draft TMDL authorizes two compliance options for point sources and one compliance option for non-point sources. Point sources can either progressively install full capture systems on storm drains or implement MFAC programs and non-point sources may only implement MFAC programs. The included compliance options both represent significant burdens to the stakeholders, do not account for existing programs, and do not allow the responsible parties the option to develop cost effective implementation strategies to meet the TMDL allocations.</p>	Please see 2-1.3 response.
2-2.4	City of Camarillo	May 3	<p>Some areas of the Revolon Slough and Beardsley Wash are inaccessible or unsafe to access. The Underline/Strikeout Draft Staff Report and Tentative BPA proposes language to clarify that trash does not have to be collected in areas posing a hazard during the baseline determination period and during MFAC implementation on page 20. Specifically, responsible jurisdictions should not have to collect trash from dense thickets of vegetation and where water depth may preclude a safe crossing. This includes land islands within the channel where water depth is more than 18 inches deep at the time of trash collection.</p>	Please see 2-1.4 response.

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2-2.5	City of Camarillo	May 3	The responsible parties may have limited jurisdiction or authority to access Revolon Slough and Beardsley Wash. Additionally, Cities may not have the local authority to spend resources to clean up areas outside of the City limits and the County has limited regulatory authority over private property holders within unincorporated areas. We suggest that language acknowledging these limitations and ensuring that compliance is achieved if the MFAC program is implemented in the areas for which the responsible parties have authority. Suggested changes are included on page 20.	Please see 2-1.5 response.
2-2.6	City of Camarillo	May 3	While we recognize that the waterbodies will benefit from trash cleanup events, we believe such frequent cleanup is unwarranted. Instead, the stakeholders propose that minimum trash collection frequency for the MFAC program implementation be as follows: <ol style="list-style-type: none"> 1. Within one week after each storm event with one inch of rain or greater downstream of the City of Camarillo and the City of Oxnard. 2. Twice per year for other areas of Revolon Slough and Beardsley Wash. 	Please see 2-1.6 response.
2-2.7	City of Camarillo	May 3	In addition, responsible jurisdictions should be authorized to modify the above schedule based upon future assessments of the effectiveness of MFAC programs and the trash problem itself. Suggested language has been added to the Underline/Strikeout Draft Staff Report, to clarify that a jurisdictions may resubmit the Trash Monitoring and Reporting Plan to (1) request a change to the proposed trash collection frequency and strategy, (2) implement strategies with emphasis on problem areas, (3) change to the trash metric(s), and (4) other areas upon request, including trash reduction strategies after major rain events. This language is intended to authorize jurisdictions to focus trash cleanup efforts on problem areas after careful program analysis.	Please see 2-1.7 response.
2-2.8	City of	May 3	The stakeholders would like to request that if a MFAC program	Please see 2-1.8 response.

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	Camarillo		is the chosen implementation program, that the program be implemented solely through the conditional waiver and not an NPDES permit.	
2-2.9	City of Camarillo	May 3	The Staff Report is unclear on the responsibilities of the agricultural land owners in regard to MFAC programs and baseline application and as to whether the trash TMDL will be enforced through the existing Conditional Waiver for Irrigated Agriculture or through a new Conditional Waiver. The current language is inconsistent as to whether the Calabasas derived baseline applies to agricultural landowners, although it is clear they are not exempt from MFAC program implementation. To clarify these issues, the Underline/Strikeout Draft Staff Report and Tentative BPA include suggested language stating that a baseline determination will apply separately as part of the existing Conditional Waiver for Irrigated Agriculture.	Please see 2-1.9 response.
2-2.10	City of Camarillo	May 3	The Staff Report requires an enhanced MFAC program or implementation of structural or nonstructural BMPs if trash assessments do not meet the specified milestones (10%, 30%, and 50% reductions from baseline in program years one, two, and three). The language is unclear and could result in requirements that are not consistent with the implementation program being pursued by the responsible parties. Suggested edits to this language are provided in the Draft Staff Report so that if any of the milestones are not met, the responsible jurisdiction will respond by making program improvements. We believe given the safeguards built into the Executive Officer's discretion over program shortfalls, this response should be adequate.	Please see 2-1.10 response.
2-2.11	City of Camarillo	May 3	This comment is intended to address the apparent paradox in the Staff Report, which, while stating that MFAC programs are an "alternative" for point sources (along with a full capture program), nonetheless requires MFAC programs for jurisdictions	Please see 2-1.11 response.

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			that have nonpoint sources. Thus, jurisdictions that have both point and nonpoint sources do not have the option not to implement an MFAC program. In order for the MFAC program to be a true “alternative” to a full capture program, parties that implement a full capture system should not be required to also implement an MFAC program. Therefore, we request compliance with a full capture program suffice for nonpoint contributions as well as point sources.	
2-2.12	City of Camarillo	May 3	Table 7-25.1 in the Tentative Basin Plan Amendment authorizes responsible jurisdictions to comply with Waste Load Allocations by progressively implementing full capture systems on storm drains. Point sources that comply using this option must demonstrate a phased reduction from the baseline over an eight-year period. The responsible jurisdictions do not see the need to demonstrate a phased reduction from the trash baseline. Because the final WLA of “zero” can be achieved by installing full capture systems on all storm drains discharging to Revolon Slough and/or Beardsley Wash, the responsible jurisdictions would prefer that compliance with phased reductions be met solely by demonstrating an agreed upon phase-in of full capture systems until all subject storm drains are retrofitted. [For example, as a preliminary proposal, the cities propose to retrofit 20%...etc.].	Please see 2-1.12 response.
2-2.13	City of Camarillo	May 3	The Draft Staff Report and Tentative BPA define the waterbodies as including the “adjacent land areas.” The definition of “adjacent land areas” is unclear and could be considered to include areas outside the applicability of the TMDL. As a result, we request that the language be changed to be “within the channels of Revolon Slough and Beardsley Wash.”	Please see 2-1.13 response.
2-2.14	City of Camarillo	May 3	The source analysis included in the Draft Staff Report is incomplete and does not accurately represent the sources to the	Please see 2-1.14 response.

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			<p>Revolon Slough and Beardsley Wash. Additional information has been provided to make the source analysis accurate for the creeks.</p> <p>The Calleguas staff report points out that the primary sources of trash are nonpoint sources in the Revolon Slough and Beardsley Wash reaches. Agricultural operations are mentioned, but the staff report should do more to characterize the significant role that agriculture operations play in contributing trash to Revolon Slough.</p>	
2-2.15	City of Camarillo	May 3	<p>We disagree with the cost estimate on page 42 of the Staff Report for MFAC program implementation. The estimate assumes a single person can complete trash assessment and collection in four hours. Initial monitoring and assessment conducted in the three waterbodies required three to four hours with two people to pick up all trash found in a 100 foot stretch of the waterbodies. Revolon Slough and Beardsley Wash are 13 miles long. As a result, the cost estimate is not sufficient to represent the actual costs of implementing the MFAC program as written in the TMDL. A reduced frequency of monitoring has been included in the Underline/Strikeout versions of the documents and the cost analysis has been updated in the revised documents to represent the suggested revised monitoring frequency.</p>	Please see 2-1.15 response.
2-2.16	City of Camarillo	May 3	<p>The TMDL contains many references to lakes and Los Angeles County responsible parties, inconsistencies, and unclear definitions. The Underline/Strikeout versions of the documents provide suggestions for these inconsistencies and definition clarifications.</p>	Please see 2-1.16 response.
2-2.17	City of Camarillo	May 3	<p>The Draft Staff Report should consistently state that MFAC programs are available as a compliance option for point sources. The Draft Staff Report is internally inconsistent on this point, as well as inconsistent with the Tentative BPA. Language in the Draft Staff Report suggests that MFAC programs may be</p>	Please see 2-1.17 response.

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			implemented only to satisfy nonpoint source obligations. (See Sections VI, second paragraph, as well as Section IX on page 21). In contrast, language on page 2 of the public hearing notice and the Tentative BPA, as well as language on page 20, page 23, Figure 4, and Table 10 in the Draft Staff Report indicate MFAC programs can be implemented to meet the TMDL's declining allocations for point sources. The responsible jurisdictions request that the Draft Staff Report be revised to consistently state that the MFAC program is an implementation option for point sources.	
2-2.18	City of Camarillo	May 3	The Staff Report defines the term "collection" as "twice per week and after periods of high visitation during weekends and holidays from May 15 to October 15. (See pages 23, 25, and 36). Table 7-25.1 in the draft amended Basin Plan uses similar language, but includes "during and after weekends..." (emphasis added). Unlike lakes, Revolon Slough and Beardsley Wash do not have periods of high visitation. Requirements for additional cleanups during periods of high visitation should be removed.	Please see 2-1.18 response.
2-2.19	City of Camarillo	May 3	The staff report's use of the terms Baseline Waste Load Allocation and Baseline Load Allocation is confusing. The term is used to describe the initial baseline based on the Calabasas research or any revised baseline founded on the results of the "Trash Monitoring and Reporting Plan." The confusion arises because the term is capitalized in the staff report and is defined in Appendix A (for WLAs) in terms of existing data (i.e. the Calabasas study) and includes the word "Allocation." The stakeholders request that the language be changed to "Trash Baseline" to clarify the distinction between allocations and the baseline.	Please see 2-1.19 response.
2-2.20	City of Camarillo	May 3	The word "summer" should be removed from page 42 of the Staff Report. April, May, the first two thirds of June, and the last third of September do not occur in the "summer."	Please see 2-1.20 response.

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2-2.21	City of Camarillo	May 3	Definitions for the term “collection” under an MFAC program should be consistent throughout the Staff Report and the Basin Plan for both point and nonpoint sources. Language on page 23 of the Staff Report defines the term for point sources as “removing 100% of trash found at the...” (emphasis added). In contrast, language on page 25 defines the term for nonpoint sources as “picking up 100% of trash...” Similarly, language in the proposed amended Basin Plan describes an MFAC program as including “pickup of all visible trash in the water” (Table 7-25.1, emphasis added). We request the Regional Board consider the heavy burden and liability in having to remove 100% of all “visible” trash during collection events because even very small particles of trash must be removed under the definition of the term “trash.”	Please see 2-1.21 response.
2-3.1	Heal the Bay	May 4	We strongly support the Regional Board’s requirement of zero trash discharge in the Draft TMDLs. The Regional Board acknowledged that a zero trash discharge requirement was an appropriate piece of regulation with the adoption of the LA River Trash TMDL in 2001, and subsequent legal decisions regarding this Trash TMDL by the judicial system further validates this limit. In the same vein, zero trash limits in the Draft Trash TMDLs meet the threshold of attaining and maintaining water quality standards as set forth in the Clean Water Act.	Comment noted.
2-3.2	Heal the Bay	May 4	However, we have serious concerns that several requirements in the Draft TMDLs are in direct conflict with the zero trash waste load allocations, and thus do not pave the way for water quality standards attainment in these waterbodies. First, implementation of the Minimum Frequency and Collection Program as outlined in the Draft TMDLs is unlikely to lead to compliance with the zero trash limits. Also, the implementation schedule for nonpoint sources contradicts the established limits. These concerns and	Staff disagrees. Manual collection of trash in the receiving water bodies is essential to attaining the goal of zero trash. The minimum frequency program will achieve the zero waste load allocation as discussed below.

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			others are discussed in further detail below.	
2-3.3	Heal the Bay	May 4	<p>Staff correctly assigns a TMDL of zero trash.</p> <p>The Draft Trash TMDLs establish a numeric target of zero trash, a final Waste Load Allocation (“WLA”) of zero trash and a final Load Allocation (“LA”) of zero trash. We strongly support these requirements, as zero is the only appropriate TMDL for trash given the water quality standards for these waterbodies set forth in the Basin Plan and Clean Water Act requirements.</p> <p>The federal Clean Water Act requires states to establish TMDLs “...at levels necessary to obtain and maintain the applicable narrative and numerical WQS [water quality standards] with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality.”¹ The Basin Plan calls for no floatables or settleables that will cause a nuisance or adversely affect beneficial uses. Even small quantities of trash violate the Clean Water Act and Basin Plan. For instance, small amounts of trash can maim or kill wildlife that becomes entangled in, or ingests, the debris. Plainly, zero is the only fair interpretation of the Basin Plan water quality standards that will guarantee protection of the beneficial uses of these waterbodies with an appropriate margin of safety. Also after numerous legal challenges by the regulated community, the courts upheld the LA River Trash TMDL zero trash limit as an appropriate piece of legislation. Thus, the Regional Board staff’s proposal of zero trash discharge is, clearly, appropriate.</p>	Comment noted.
2-3.4	Heal the Bay	May 4	<p>While we support the idea of clean-up programs to handle trash, the MFAC as a stand-alone program is unlikely to compliance with final WLAs and LAs.</p> <p>The MFAC Program should be over and above the full capture device concept, not in lieu of this established concept. BMPs used to address nonpoint sources must be the functional</p>	The watersheds of this TMDL are different from that of the Los Angeles River where full capture devices are appropriate. The watersheds of this TMDL load a greater proportion of trash from nonpoint sources. In some

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			<p>equivalent of a full capture system at a minimum. Further, full capture devices may be appropriate for discharges other than storm drains, such as irrigation ditches. As seen in the field, by themselves, full capture devices do not fully address the problem of trash impairment. For instance there are thousands of full capture devices installed throughout Compton Creek Watershed; however, enormous volumes of trash still impair Compton Creek. Volunteer Creek clean-up efforts routinely remove over 10,000 pounds of trash in a two to three hour period. In fact the State Board recently listed Compton Creek as impaired by trash on the 2006 303(d) List of Impaired Waterbodies. Thus, the MFAC Program in addition to a full capture device concept is appropriate. If and only if there is no logical application of the full capture device concept to nonpoint sources should a MFAC Program alone be pursued. Under no circumstances should a MFAC Program be allowed as a functional equivalent for meeting the zero trash limit or as a full capture device on a point source.</p>	<p>cases, full capture devices provide minimal source reduction would not attain a zero trash target. Responsible jurisdictions require greater flexibility for a number of site specific reasons, including but not limited to flooding, extensive non-point source loading, potential for effectiveness of BMPs.</p>
2-3.5	Heal the Bay	May 4	<p>The Implementation Schedule should require a 100% reduction of trash from the baseline for point and nonpoint sources. The final compliance task included in the Draft TMDLs' Implementation Schedules for nonpoint sources is the installation of BMPs to achieve 50% reduction of trash from Baseline WLAs and LAs. This is inconsistent with the prescribed final WLAs and LAs of zero trash.</p> <p>In no shape or form does a 50% reduction of trash from the baseline lead to the zero trash target. Thus, a final WLA or LA of 50% reduction from baseline is in direct conflict with a zero trash limit. Instead, the Regional Board must require a 100% reduction of trash from the baseline in order to meet the zero trash target.</p>	<p>Staff has revised the BPA to remove the 50% reduction of trash from the Baseline. The MFAC implements zero trash numeric target by attaining a zero trash target on days of collection and a collection frequency that does not allow trash to accumulate in deleterious amounts.</p>
2-3.6	Heal the Bay	May 4	<p>The source analysis should consider trash from upstream discharges.</p>	<p>The TMDL does consider trash from upstream discharges for those</p>

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			<p>The source analysis sections in the Draft TMDLs discuss three sources of trash to the impaired waterbodies: storm drains, wind action and direct disposal. However, this analysis is missing a critical source of trash. Streams and other drainages discharging into the impaired Lakes and Estuaries are major sources of trash. For instance, the Ventura River that runs through several urban areas discharges into the Ventura River Estuary and is a source of trash to the Estuary. As another example, the Wilmington Drain empties into Machado Lake and is the major source of trash to the Lake. In fact Proposition O funding was approved by the City of Los Angeles for a larger project (a \$117 million restoration and clean up project) that includes targeting trash from the Wilmington Drainage, a 12,800 acre drainage area. Final WLAs will never be met until streams and drainages are addressed as a source. The Regional Board should evaluate these major sources of trash and require full capture devices throughout the watersheds of streams and drainages that discharge to the impaired waterbodies.</p>	<p>watersheds where upstream sources are an issue. Upstream sources include MS4s, agricultural drainages, and tributaries to 303(d) listed water bodies.</p>
2-3.7	Heal the Bay	May 4	<p>Trash that is currently within the impaired waterbodies should be considered in the baseline calculations. The Draft TMDLs focus on trash that is visible on the shores and surface of the impaired waterbodies. However, the Draft TMDLs fail to address trash below the surface of the waterbody that also contributes to violations of water quality objectives and impairs beneficial uses. Maintenance dredging activities such as those conducted in Marina del Rey demonstrate the large volume of trash that can be located in the sediment of a waterbody. Trash within the waterbodies should be considered when developing appropriate baseline values and eventually in determining compliance with WLAs and LAs. For instance, there is likely an underestimation of the baseline load, as only trash around the waterbodies and on the surface was considered. The</p>	<p>Staff agrees and notes that the Marina del Rey example cited in the comment may not be applicable to Revolon Slough. Nevertheless, the Staff Report will be revised such that when channel cleaning and dredging operations are implemented, that recovered trash is disposed of properly.</p>

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			<p>Draft TMDLs did not consider that a significant portion of the load sinks to the bottom of the receiving water. To address this problem, the Regional Board could estimate that their current calculations do not account for 25% of the true baseline load. Additional assessment of this source could lead to a better estimate at a later date. The Regional Board should consider this source of trash in their development of the Draft TMDLs and appropriate baselines.</p>	
2-3.8	Heal the Bay	May 4	<p>The Regional Board should develop a definition for a major rain event.</p> <p>As part of the MFAC monitoring program, the Draft TMDLs require that the discharger develop a definition for a major rain event. This is an inappropriate task for a discharger and would facilitate varied definitions throughout the Region. Instead, the Regional Board should develop a definition. We propose that a major rain event for monitoring purposes be defined as 0.25” or more predicted rainfall based on the National Weather Service forecast. If the actual rain event is 0.1” or greater, the data would be kept.</p> <p>The MFAC Program in the Draft Lake Elizabeth, Munz Lake and Lake Hughes Trash TMDL sets a default minimum clean-up frequency as once per week and within 48 hours of critical conditions defined as major rain events and wind advisories. Again in this case, the Regional Board should define a major rain event.</p>	<p>Staff notes that a single rain event may not be appropriate across the Region. The widely different land uses, permeability, and topography are such that trash mobilization is different in precipitation events. The TMDL authorizes the Executive Officer to approve a rain event definition in the early stages of the TMDL, based on stakeholder input.</p>
2-3.9	Heal the Bay	May 4	<p>The Regional Board should encourage steady progress to final Waste Load Allocations.</p> <p>The Draft TMDLs specify that “compliance with percent reductions from the Baseline WLA will be assumed wherever full capture systems are installed in corresponding percentages of the storm drain system discharging to the lake.” The Regional Board should encourage dischargers to tackle point sources with</p>	<p>Staff agrees. The BPA has been revised to include language addressing the importance of prioritizing highest point source loading. The Wasteload reductions specified in the TMDL implementation schedule represent steady progress toward final Waste</p>

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			the highest loadings first so that major trash reductions are not back-loaded to the end of the compliance schedule.	Load Allocations.
2-3.10	Heal the Bay	May 4	The Baseline Load Allocation in the Draft Ventura River Trash TMDL appears to be incorrect. The Draft Ventura River Estuary Trash TMDL provides a default Baseline LA of 6,389 gallons of uncompressed trash per square mile per year. This appears to be a typographical error based on the figures provided in the Staff Report and other Draft Trash TMDLs. The Regional Board should modify this number accordingly.	The Staff Report will be revised to correct cited errors.
2-3.11	Heal the Bay	May 4	Datasets and calculations for the Baseline WLAs and LAs should be included in the Staff Reports. The Draft TMDLs establish Baseline WLAs and LAs based on several datasets such as data collected by the City of Calabasas for a Continuous Deflective Separator (CDS) installed in December of 1998 for runoff from Calabasas Park Hills to Las Virgenes Creek. However, these datasets are not included in the staff reports so it is impossible to review the appropriateness of the Baseline WLAs and LAs. The Regional Board should incorporate these datasets into the Staff Reports.	The Staff Report will be revised to include data for the Calabasas CDS study.
2-4.1	USEPA	May 4	My initial review suggests the six draft TMDL staff reports have reasonably defined impairment assessments, calculated waste load and load allocations, considered critical conditions and provided a margin of safety.	Comment noted.
2-4.2	USEPA	May 4	The TMDLs appropriately set the numeric target at zero trash, and included phased reduction tasks from defined baseline waste load and load allocations (WLA and LA).	Comment Noted.
2-4.3	USEPA	May 4	The critical portion of these TMDLs is the implementation plans, which define in detail the steps for achieving zero trash in a set time frame. In addressing non-point sources, each TMDL practically establishes a program of Minimum Frequency of Assessment and Collection (MFAC) and installation of Best	Staff has revised the BPA to remove the 50% reduction of trash from the Baseline. The MFAC implements zero trash numeric target by attaining a zero trash target on days of collection and a

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			Management Practices (BMPs) to address the trash impairment problem. However, at the end of the 5 year compliance schedule, final compliance achievement for non-point sources is defined as “progressive decline of trash by 50% from the baseline WLA and LA.” Please clarify how 100% reduction of trash from the baseline LA will be achieved.	collection frequency that does not allow trash to accumulate in deleterious amounts.
2-4.4	USEPA	May 4	The trash TMDLs for Legg Lake, Machado Lake, Ventura River Estuary, Revolon Slough and Beardsley Wash, and Santa Clara River included a final compliance schedule of eight years to achieve the final TMDL target of zero trash for WLA. However, the Los Angeles trash TMDL provided an additional year to responsible parties for achieving the final WLA, based on a 3 year rolling average. Please explain the basis for the differences between the compliance schedules and overall approach towards WLAs.	The difference is that the Los Angeles River trash TMDL addresses a larger watershed than any of the other trash TMDLs, where the waterbodies are both smaller and more homogeneous. Averaging is thereby appropriate for the Los Angeles River watershed.
2-5.1	City of Oxnard	May 3	The baseline allocations included in the TMDL for all entities except Caltrans are based on the amount of trash collected in a full capture device in the City of Calabasas. The Draft staff report states that the City of Calabasas data are appropriate for Revolon Slough and Beardsley Wash because the land use characteristics are similar in that only a small portion of the watershed is urban, and the rest is open space. However, the watershed characteristics of the Revolon Slough/Beardsley Wash watershed are significantly different from the City of Calabasas study. Point sources surrounding the waterbodies include a very small urban component from the City of Camarillo and the City of Oxnard and the remaining land use is primarily agriculture. Additionally, as stated in the Draft Staff Report nonpoint sources are considered to be the most significant source of trash to the watershed. The City of Calabasas study is exclusively based on point source discharges into a full capture device and does not	Please see 2-1.1 response.

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			have any information to accurately estimate nonpoint sources, especially agricultural sources. As a result, the available information is not sufficient and is not appropriate for determining baseline allocations for the TMDL.	
2-5.2	City of Oxnard	May 3	<p>To address this issue, the stakeholders request that the baseline waste load and load allocations be removed from the Draft Staff Report and Tentative BPA and a requirement to determine an appropriate trash baseline figure over the two-year period following the effective date of the TMDL be included instead. As part of the required Trash Monitoring and Reporting Plan, the stakeholders should be required to submit a plan to develop a trash baseline. The results of the study should be submitted to the Regional Board along with a recommended trash baseline value for incorporation into the TMDL.</p> <p>Precedent for including a study to determine a baseline when sufficient data are not available to establish a baseline as part of the TMDL exists in the Calleguas Creek Siltation TMDL. In that TMDL, the allocations are a reduction from a baseline that is determined through a required study in the TMDL. A similar approach is requested for the Revolon Slough and Beardsley Wash Trash TMDL.</p>	Please see 2-1.2 response.
2-5.3	City of Oxnard	May 3	The draft TMDL authorizes two compliance options for point sources and one compliance option for non-point sources. Point sources can either progressively install full capture systems on storm drains or implement MFAC programs and non-point sources may only implement MFAC programs. The included compliance options both represent significant burdens to the stakeholders, do not account for existing programs, and do not allow the responsible parties the option to develop cost effective implementation strategies to meet the TMDL allocations.	Please see 2-1.3 response.
2-5.4	City of	May 3	Some areas of the Revolon Slough and Beardsley Wash are	Please see 2-1.4 response.

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	Oxnard		inaccessible or unsafe to access. The Underline/Strikeout Draft Staff Report and Tentative BPA proposes language to clarify that trash does not have to be collected in areas posing a hazard during the baseline determination period and during MFAC implementation on page 20. Specifically, responsible jurisdictions should not have to collect trash from dense thickets of vegetation and where water depth may preclude a safe crossing. This includes land islands within the channel where water depth is more than 18 inches deep at the time of trash collection.	
2-5.5	City of Oxnard	May 3	The responsible parties may have limited jurisdiction or authority to access Revolon Slough and Beardsley Wash. Additionally, Cities may not have the local authority to spend resources to clean up areas outside of the City limits and the County has limited regulatory authority over private property holders within unincorporated areas. We suggest that language acknowledging these limitations and ensuring that compliance is achieved if the MFAC program is implemented in the areas for which the responsible parties have authority. Suggested changes are included on page 20.	Please see 2-1.5 response.
2-5.6	City of Oxnard	May 3	While we recognize that the waterbodies will benefit from trash cleanup events, we believe such frequent cleanup is unwarranted. Instead, the stakeholders propose that minimum trash collection frequency for the MFAC program implementation be as follows: <ol style="list-style-type: none"> 1. Within one week after each storm event with one inch of rain or greater downstream of the City of Camarillo and the City of Oxnard. 2. Twice per year for other areas of Revolon Slough and Beardsley Wash. 	Please see 2-1.6 response.
2-5.7	City of Oxnard	May 3	In addition, responsible jurisdictions should be authorized to modify the above schedule based upon future assessments of the effectiveness of MFAC programs and the trash problem itself.	Please see 2-1.7 response.

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			Suggested language has been added to the Underline/Strikeout Draft Staff Report, to clarify that a jurisdictions may resubmit the Trash Monitoring and Reporting Plan to (1) request a change to the proposed trash collection frequency and strategy, (2) implement strategies with emphasis on problem areas, (3) change to the trash metric(s), and (4) other areas upon request, including trash reduction strategies after major rain events. This language is intended to authorize jurisdictions to focus trash cleanup efforts on problem areas after careful program analysis.	
2-5.8	City of Oxnard	May 3	The stakeholders would like to request that if a MFAC program is the chosen implementation program, that the program be implemented solely through the conditional waiver and not an NPDES permit.	Please see 2-1.8 response.
2-5.9	City of Oxnard	May 3	The Staff Report is unclear on the responsibilities of the agricultural land owners in regard to MFAC programs and baseline application and as to whether the trash TMDL will be enforced through the existing Conditional Waiver for Irrigated Agriculture or through a new Conditional Waiver. The current language is inconsistent as to whether the Calabasas derived baseline applies to agricultural landowners, although it is clear they are not exempt from MFAC program implementation. To clarify these issues, the Underline/Strikeout Draft Staff Report and Tentative BPA include suggested language stating that a baseline determination will apply separately as part of the existing Conditional Waiver for Irrigated Agriculture.	Please see 2-1.9 response.
2-5.10	City of Oxnard	May 3	The Staff Report requires an enhanced MFAC program or implementation of structural or nonstructural BMPs if trash assessments do not meet the specified milestones (10%, 30%, and 50% reductions from baseline in program years one, two, and three). The language is unclear and could result in requirements that are not consistent with the implementation program being pursued by the responsible parties. Suggested	Please see 2-1.10 response.

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			edits to this language are provided in the Draft Staff Report so that if any of the milestones are not met, the responsible jurisdiction will respond by making program improvements. We believe given the safeguards built into the Executive Officer's discretion over program shortfalls, this response should be adequate.	
2-5.11	City of Oxnard	May 3	This comment is intended to address the apparent paradox in the Staff Report, which, while stating that MFAC programs are an "alternative" for point sources (along with a full capture program), nonetheless requires MFAC programs for jurisdictions that have nonpoint sources. Thus, jurisdictions that have both point and nonpoint sources do not have the option not to implement an MFAC program. In order for the MFAC program to be a true "alternative" to a full capture program, parties that implement a full capture system should not be required to also implement an MFAC program. Therefore, we request compliance with a full capture program suffice for nonpoint contributions as well as point sources.	Please see 2-1.11 response.
2-5.12	City of Oxnard	May 3	Table 7-25.1 in the Tentative Basin Plan Amendment authorizes responsible jurisdictions to comply with Waste Load Allocations by progressively implementing full capture systems on storm drains. Point sources that comply using this option must demonstrate a phased reduction from the baseline over an eight-year period. The responsible jurisdictions do not see the need to demonstrate a phased reduction from the trash baseline. Because the final WLA of "zero" can be achieved by installing full capture systems on all storm drains discharging to Revolon Slough and/or Beardsley Wash, the responsible jurisdictions would prefer that compliance with phased reductions be met solely by demonstrating an agreed upon phase-in of full capture systems until all subject storm drains are retrofitted.	Please see 2-1.12 response.
2-5.13	City of	May 3	The Draft Staff Report and Tentative BPA define the	Please see 2-1.13 response.

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	Oxnard		waterbodies as including the “adjacent land areas.” The definition of “adjacent land areas” is unclear and could be considered to include areas outside the applicability of the TMDL. As a result, we request that the language be changed to be “within the channels of Revolon Slough and Beardsley Wash.”	
2-5.14	City of Oxnard	May 3	<p>The source analysis included in the Draft Staff Report is incomplete and does not accurately represent the sources to the Revolon Slough and Beardsley Wash. Additional information has been provided to make the source analysis accurate for the creeks.</p> <p>The Calleguas staff report points out that the primary sources of trash are nonpoint sources in the Revolon Slough and Beardsley Wash reaches. Agricultural operations are mentioned, but the staff report should do more to characterize the significant role that agriculture operations play in contributing trash to Revolon Slough.</p>	Please see 2-1.14 response.
2-5.15	City of Oxnard	May 3	We disagree with the cost estimate on page 42 of the Staff Report for MFAC program implementation. The estimate assumes a single person can complete trash assessment and collection in four hours. Initial monitoring and assessment conducted in the three waterbodies required three to four hours with two people to pick up all trash found in a 100 foot stretch of the waterbodies. Revolon Slough and Beardsley Wash are 13 miles long. As a result, the cost estimate is not sufficient to represent the actual costs of implementing the MFAC program as written in the TMDL. A reduced frequency of monitoring has been included in the Underline/Strikeout versions of the documents and the cost analysis has been updated in the revised documents to represent the suggested revised monitoring frequency.	Please see 2-1.15 response.
2-5.16	City of Oxnard	May 3	The TMDL contains many references to lakes and Los Angeles County responsible parties, inconsistencies, and unclear	Please see 2-1.16 response.

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			definitions. The Underline/Strikeout versions of the documents provide suggestions for these inconsistencies and definition clarifications.	
2-5.17	City of Oxnard	May 3	The Draft Staff Report should consistently state that MFAC programs are available as a compliance option for point sources. The Draft Staff Report is internally inconsistent on this point, as well as inconsistent with the Tentative BPA. Language in the Draft Staff Report suggests that MFAC programs may be implemented only to satisfy nonpoint source obligations. (See Sections VI, second paragraph, as well as Section IX on page 21). In contrast, language on page 2 of the public hearing notice and the Tentative BPA, as well as language on page 20, page 23, Figure 4, and Table 10 in the Draft Staff Report indicate MFAC programs can be implemented to meet the TMDL's declining allocations for point sources. The responsible jurisdictions request that the Draft Staff Report be revised to consistently state that the MFAC program is an implementation option for point sources.	Please see 2-1.17 response.
2-5.18	City of Oxnard	May 3	The Staff Report defines the term "collection" as "twice per week and after periods of high visitation during weekends and holidays from May 15 to October 15. (See pages 23, 25, and 36). Table 7-25.1 in the draft amended Basin Plan uses similar language, but includes "during and after weekends..." (emphasis added). Unlike lakes, Revolon Slough and Beardsley Wash do not have periods of high visitation. Requirements for additional cleanups during periods of high visitation should be removed.	Please see 2-1.18 response.
2-5.19	City of Oxnard	May 3	The staff report's use of the terms Baseline Waste Load Allocation and Baseline Load Allocation is confusing. The term is used to describe the initial baseline based on the Calabasas research or any revised baseline founded on the results of the "Trash Monitoring and Reporting Plan." The confusion arises	Please see 2-1.19 response.

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			because the term is capitalized in the staff report and is defined in Appendix A (for WLAs) in terms of existing data (i.e. the Calabaras study) and includes the word “Allocation.” The stakeholders request that the language be changed to “Trash Baseline” to clarify the distinction between allocations and the baseline.	
2-5.20	City of Oxnard	May 3	The word “summer” should be removed from page 42 of the Staff Report. April, May, the first two thirds of June, and the last third of September do not occur in the “summer.”	Please see 2-1.20 response.
2-5.21	City of Oxnard	May 3	Definitions for the term “collection” under an MFAC program should be consistent throughout the Staff Report and the Basin Plan for both point and nonpoint sources. Language on page 23 of the Staff Report defines the term for point sources as “removing 100% of trash found at the...” (emphasis added). In contrast, language on page 25 defines the term for nonpoint sources as “picking up 100% of trash...” Similarly, language in the proposed amended Basin Plan describes an MFAC program as including “pickup of all visible trash in the water” (Table 7-25.1, emphasis added). We request the Regional Board consider the heavy burden and liability in having to remove 100% of all “visible” trash during collection events because even very small particles of trash must be removed under the definition of the term “trash.”	Please see 2-1.21 response.
2-6.1	Caltrans	May 2 (Rec'd 5/7 via email)	The department is concerned with the implementation of full capture devices as recommended by the Regional Board staff for this TMDL. Our major concern is that these devices may not be compatible with the structural controls required for subsequent TMDLs developed for these waterbodies or the Calleguas Creek Watershed as a whole. The piecemeal issuance of TMDLs means that permittees such as the Department are required to implement controls prior to being aware of the total pollutant	Staff disagrees that the approach to the TMDL is piecemeal. Five TMDLs for the Calleguas Creek watershed have been developed. None of these TMDLs will require structural controls for trash. Further, with the eight year compliance schedule, the trash TMDL extends beyond the duration of many of the other TMDLs, so there should be

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			<p>control requirements for compliance with all TMDLs. The problems of incompatibility can manifest itself in several ways:</p> <ul style="list-style-type: none"> • Structural controls are often needed in constrained urban locations. Space may not be available to incorporate additional controls at the end of pre-existing controls. • Hydraulic constraints may make it difficult to add-on controls for subsequent TMDLs. <p>We encourage Regional Board staff to revisit the compliance schedule of the trash TMDL to be compatible with the other TMDLs that are adopted for this watershed.</p> <p>An assessment of the structural devices necessary to comply with all TMDLs for the watershed would be beneficial to the stakeholders and the watershed as a whole. We encourage Regional Board staff to coordinate the compliance schedule of the TMDL to be compatible with other upcoming TMDLs for this watershed. This would help provide time for the Department to appropriate public funds and install devices that would be effective for treatment of the various pollutants causing impairment to the waterbody.</p>	adequate schedule to plan for structural BMPs.
2-7.1	Ventura County Watershed Protection District t	May 4	The baseline allocations included in the TMDL for all entities except Caltrans are based on the amount of trash collected in a full capture device in the City of Calabasas. The Draft staff report states that the City of Calabasas data are appropriate for Revolon Slough and Beardsley Wash because the land use characteristics are similar in that only a small portion of the watershed is urban, and the rest is open space. However, the watershed characteristics of the Revolon Slough/Beardsley Wash watershed are significantly different from the City of Calabasas study. Point sources surrounding the waterbodies include a very small urban component from the City of Camarillo and the City	Please see 2-1.1 response.

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			of Oxnard and the remaining land use is primarily agriculture. Additionally, as stated in the Draft Staff Report nonpoint sources are considered to be the most significant source of trash to the watershed.	
2-7.2	Ventura County Watershed Protection District	May 4	<p>To address this issue, the stakeholders request that the baseline wasteload and load allocations be removed from the Draft Staff Report and Tentative BPA and a requirement to determine an appropriate trash baseline figure over the two-year period following the effective date of the TMDL be included instead. As part of the required Trash Monitoring and Reporting Plan, the stakeholders should be required to submit a plan to develop a trash baseline. The results of the study should be submitted to the Regional Board along with a recommended trash baseline value for incorporation into the TMDL.</p> <p>Precedent for including a study to determine a baseline when sufficient data are not available to establish a baseline as part of the TMDL exists in the Calleguas Creek Siltation TMDL. In that TMDL, the allocations are a reduction from a baseline that is determined through a required study in the TMDL. A similar approach is requested for the Revolon Slough and Beardsley Wash Trash TMDL.</p>	Please see 2-1.2 response.
2-7.3	Ventura County Watershed Protection District	May 4	The draft TMDL authorizes two compliance options for point sources and one compliance option for non-point sources. Point sources can either progressively install full capture systems on storm drains or implement MFAC programs and non-point sources may only implement MFAC programs. The included compliance options both represent significant burdens to the stakeholders, do not account for existing programs, and do not allow the responsible parties the option to develop cost effective implementation strategies to meet the TMDL allocations.	Please see 2-1.3 response.
2-7.4	Ventura	May 4	Some areas of the Revolon Slough and Beardsley Wash are	Please see 2-1.4 response.

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	County Watershed Protection District		inaccessible or unsafe to access. The Underline/Strikeout Draft Staff Report and Tentative BPA proposes language to clarify that trash does not have to be collected in areas posing a hazard during the baseline determination period and during MFAC implementation on page 20. Specifically, responsible jurisdictions should not have to collect trash from dense thickets of vegetation and where water depth may preclude a safe crossing. This includes land islands within the channel where water depth is more than 18 inches deep at the time of trash collection.	
2-7.5	Ventura County Watershed Protection District	May 4	The responsible parties may have limited jurisdiction or authority to access Revolon Slough and Beardsley Wash. Additionally, Cities may not have the local authority to spend resources to clean up areas outside of the City limits and the County has limited regulatory authority over private property holders within unincorporated areas. We suggest that language acknowledging these limitations and ensuring that compliance is achieved if the MFAC program is implemented in the areas for which the responsible parties have authority. Suggested changes are included on page 20.	Please see 2-1.5 response.
2-7.6	Ventura County Watershed Protection District	May 4	While we recognize that the waterbodies will benefit from trash cleanup events, we believe such frequent cleanup is unwarranted. Instead, the stakeholders propose that minimum trash collection frequency for the MFAC program implementation be as follows: <ol style="list-style-type: none"> 1. Within one week after each storm event with one inch of rain or greater downstream of the City of Camarillo and the City of Oxnard. 2. Twice per year for other areas of Revolon Slough and Beardsley Wash. 	Please see 2-1.6 response.
2-7.7	Ventura County	May 4	In addition, responsible jurisdictions should be authorized to modify the above schedule based upon future assessments of the	Please see 2-1.7 response.

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	Watershed Protection District		effectiveness of MFAC programs and the trash problem itself. Suggested language has been added to the Underline/Strikeout Draft Staff Report, to clarify that a jurisdictions may resubmit the Trash Monitoring and Reporting Plan to (1) request a change to the proposed trash collection frequency and strategy, (2) implement strategies with emphasis on problem areas, (3) change to the trash metric(s), and (4) other areas upon request, including trash reduction strategies after major rain events. This language is intended to authorize jurisdictions to focus trash cleanup efforts on problem areas after careful program analysis.	
2-7.8	Ventura County Watershed Protection District	May 4	The stakeholders would like to request that if a MFAC program is the chosen implementation program, that the program be implemented solely through the conditional waiver and not an NPDES permit.	Please see 2-1.8 response.
2-7.9	Ventura County Watershed Protection District	May 4	The Staff Report is unclear on the responsibilities of the agricultural land owners in regard to MFAC programs and baseline application and as to whether the trash TMDL will be enforced through the existing Conditional Waiver for Irrigated Agriculture or through a new Conditional Waiver. The current language is inconsistent as to whether the Calabasas derived baseline applies to agricultural landowners, although it is clear they are not exempt from MFAC program implementation. To clarify these issues, the Underline/Strikeout Draft Staff Report and Tentative BPA include suggested language stating that a baseline determination will apply separately as part of the existing Conditional Waiver for Irrigated Agriculture.	Please see 2-1.9 response.
2-7.10	Ventura County Watershed	May 4	The Staff Report requires an enhanced MFAC program or implementation of structural or nonstructural BMPs if trash assessments do not meet the specified milestones (10%, 30%,	Please see 2-1.10 response.

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	Protection District		and 50% reductions from baseline in program years one, two, and three). The language is unclear and could result in requirements that are not consistent with the implementation program being pursued by the responsible parties. Suggested edits to this language are provided in the Draft Staff Report so that if any of the milestones are not met, the responsible jurisdiction will respond by making program improvements. We believe given the safeguards built into the Executive Officer's discretion over program shortfalls, this response should be adequate.	
2-7.11	Ventura County Watershed Protection District	May 4	This comment is intended to address the apparent paradox in the Staff Report, which, while stating that MFAC programs are an "alternative" for point sources (along with a full capture program), nonetheless requires MFAC programs for jurisdictions that have nonpoint sources. Thus, jurisdictions that have both point and nonpoint sources do not have the option not to implement an MFAC program. In order for the MFAC program to be a true "alternative" to a full capture program, parties that implement a full capture system should not be required to also implement an MFAC program. Therefore, we request compliance with a full capture program suffice for nonpoint contributions as well as point sources.	Please see 2-1.11 response.
2-7.12	Ventura County Watershed Protection District	May 4	Table 7-25.1 in the Tentative Basin Plan Amendment authorizes responsible jurisdictions to comply with Waste Load Allocations by progressively implementing full capture systems on storm drains. Point sources that comply using this option must demonstrate a phased reduction from the baseline over an eight-year period. The responsible jurisdictions do not see the need to demonstrate a phased reduction from the trash baseline. Because the final WLA of "zero" can be achieved by installing full	Please see 2-1.12 response.

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			capture systems on all storm drains discharging to Revolon Slough and/or Beardsley Wash, the responsible jurisdictions would prefer that compliance with phased reductions be met solely by demonstrating an agreed upon phase-in of full capture systems until all subject storm drains are retrofitted.	
2-7.13	Ventura County Watershed Protection District	May 4	The Draft Staff Report and Tentative BPA define the waterbodies as including the “adjacent land areas.” The definition of “adjacent land areas” is unclear and could be considered to include areas outside the applicability of the TMDL. As a result, we request that the language be changed to be “within the channels of Revolon Slough and Beardsley Wash.”	Please see 2-1.13 response.
2-7.14	Ventura County Watershed Protection District	May 4	<p>The source analysis included in the Draft Staff Report is incomplete and does not accurately represent the sources to the Revolon Slough and Beardsley Wash. Additional information has been provided to make the source analysis accurate for the creeks.</p> <p>The Calleguas staff report points out that the primary sources of trash are nonpoint sources in the Revolon Slough and Beardsley Wash reaches. Agricultural operations are mentioned, but the staff report should do more to characterize the significant role that agriculture operations play in contributing trash to Revolon Slough.</p>	Please see 2-1.14 response.
2-7.15	Ventura County Watershed Protection District	May 4	We disagree with the cost estimate on page 42 of the Staff Report for MFAC program implementation. The estimate assumes a single person can complete trash assessment and collection in four hours. Initial monitoring and assessment conducted in the three waterbodies required three to four hours with two people to pick up all trash found in a 100 foot stretch of the waterbodies. Revolon Slough and Beardsley Wash are 13 miles long. As a	Please see 2-1.15 response.

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			result, the cost estimate is not sufficient to represent the actual costs of implementing the MFAC program as written in the TMDL. A reduced frequency of monitoring has been included in the Underline/Strikeout versions of the documents and the cost analysis has been updated in the revised documents to represent the suggested revised monitoring frequency.	
2-7.16	Ventura County Watershed Protection District	May 4	The TMDL contains many references to lakes and Los Angeles County responsible parties, inconsistencies, and unclear definitions. The Underline/Strikeout versions of the documents provide suggestions for these inconsistencies and definition clarifications.	Please see 2-1.16 response.
2-7.17	Ventura County Watershed Protection District	May 4	The Draft Staff Report should consistently state that MFAC programs are available as a compliance option for point sources. The Draft Staff Report is internally inconsistent on this point, as well as inconsistent with the Tentative BPA. Language in the Draft Staff Report suggests that MFAC programs may be implemented only to satisfy nonpoint source obligations. (See Sections VI, second paragraph, as well as Section IX on page 21). In contrast, language on page 2 of the public hearing notice and the Tentative BPA, as well as language on page 20, page 23, Figure 4, and Table 10 in the Draft Staff Report indicate MFAC programs can be implemented to meet the TMDL's declining allocations for point sources. The responsible jurisdictions request that the Draft Staff Report be revised to consistently state that the MFAC program is an implementation option for point sources.	Please see 2-1.17 response.
2-7.18	Ventura County Watershed Protection District	May 4	3. The Staff Report defines the term "collection" as "twice per week and after periods of high visitation during weekends and holidays from May 15 to October 15. (See pages 23, 25, and 36). Table 7-25.1 in the draft amended Basin Plan uses similar language, but includes "during and after weekends..." (emphasis	Please see 2-1.18 response.

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			added). Unlike lakes, Revolon Slough and Beardsley Wash do not have periods of high visitation. Requirements for additional cleanups during periods of high visitation should be removed.	
2-7.19	Ventura County Watershed Protection District	May 4	4. The staff report's use of the terms Baseline Waste Load Allocation and Baseline Load Allocation is confusing. The term is used to describe the initial baseline based on the Calabasas research or any revised baseline founded on the results of the "Trash Monitoring and Reporting Plan." The confusion arises because the term is capitalized in the staff report and is defined in Appendix A (for WLAs) in terms of existing data (i.e. the Calabasas study) and includes the word "Allocation." The stakeholders request that the language be changed to "Trash Baseline" to clarify the distinction between allocations and the baseline.	Please see 2-1.19 response.
2-7.20	Ventura County Watershed Protection District	May 4	5. The word "summer" should be removed from page 42 of the Staff Report. April, May, the first two thirds of June, and the last third of September do not occur in the "summer."	Please see 2-1.20 response.
2-7.21	Ventura County Watershed Protection District	May 4	6. Definitions for the term "collection" under an MFAC program should be consistent throughout the Staff Report and the Basin Plan for both point and nonpoint sources. Language on page 23 of the Staff Report defines the term for point sources as "removing 100% of trash found at the..." (emphasis added). In contrast, language on page 25 defines the term for nonpoint sources as "picking up 100% of trash..." Similarly, language in the proposed amended Basin Plan describes an MFAC program as including "pickup of all visible trash in the water" (Table 7-25.1, emphasis added). We request the Regional Board consider the heavy burden and liability in having to remove 100% of all "visible" trash during collection events because even very small	Please see 2-1.21 response.

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			particles of trash must be removed under the definition of the term “trash.”	