Total Maximum Daily Loads (TMDLs) for Trash

CEQA Scoping

Los Angeles Regional Water Quality Control Board

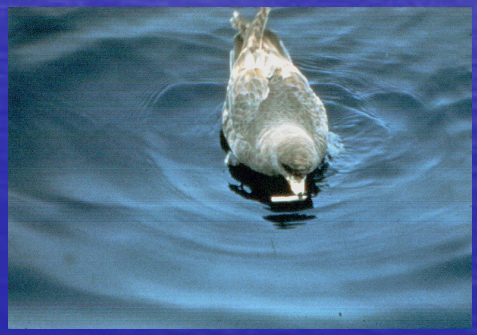
December 5, 2006

CEQA Scoping Agenda

- Legal Background
  - Clean Water Act 303(d) List
  - Consent Decree
- TMDL Program
  - Problem Statement
  - Numeric Target
  - Sources Analysis
  - Waste Load Allocation
  - Implementation
- CEQA Checklist

Impacts

- Wildlife
  - Ingesting or entangled in trash
  - Growth of aquatic vegetation
  - Spawning areas and habitats for fish
  - Sediment contamination
  - Sources of bacteria
- Aesthetics
  - Recreational activities



Water Quality Objectives

Basin Plan

- "*Waters shall not contain floating materials including solids, liquids, foams, and scum in concentrations that cause nuisance or adversely affect beneficial use.*"

- "*Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses.*"

Numeric Target

Numeric Target = "Zero" Trash

- Consistent with Basin Plan
- Consistent with other laws, municipal codes
- Regional Board precedent - East San Gabriel River and Ballona Creek Trash TMDLs
- State Board approval of zero trash TMDLs
- The Office of Administrative Law & EPA have approved zero trash TMDLs

Source of Trash

- Point Sources
  - CWA 502(14): *discharges or potential discharges from discernible, confined and discrete conveyance*
  - County or City storm drains
  - Caltrans
- Non-point Sources
  - *causes pollution by rainfall, or snowmelt which moves, picks up and carries pollutants resulting from human activities over and through the ground*
  - National Forests
  - Parks
  - Streets

Compliance Strategy

- Full capture systems
  - Trap all particles retained by a 5mm mesh screen
  - Treat not less than the peak flow rate resulting from a 1-yr, 1-hr storm
  - No Monitoring
  - Assumed 100% removal
- Partial capture systems
  - Calculate a daily generation rate
  - Monitor trash removed and trash discharged
- Institutional controls
  - Education
  - Enforcement of Litter Laws

Certified Full Capture Systems

- Trash Nets
- Gross Solids Removal Devices
  - California Department of Transportation
- Catch Basin Brush Inserts & Aluminum Mesh Screens

Gross Solids Removal Devices

Catch Basin Brush inserts & Aluminum Mesh Screen

Implementation

- Implementation schedule - 10 years
- Approximate 10% reduction each year from the baseline
- MS-4 Stormwater permit -- numeric limits

California Environmental Quality Act (CEQA) Background

- Substitute Environmental Document
  - A Written Report describing the proposed activity (Staff Report)
  - Environmental Checklist
  - An identification of mitigation measures
  - An Alternative Analysis
  - Response to Comments
- Programmatic Level Analysis
  - Allows flexibility

CEQA Scoping

- CEQA Requires an Environmental Analysis on:
  - Reasonably foreseeable methods of compliance
  - Reasonably foreseeable significant environmental impact
  - Specific evidence and magnitude
  - Reasonable alternative means of compliance which have less adverse impact
  - Reasonable mitigation measures

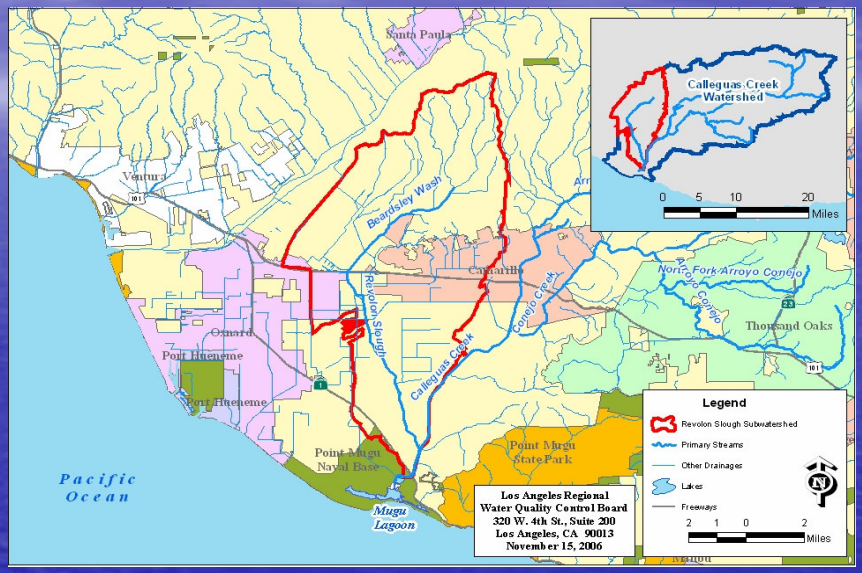
Trash

- Definition in California Government Code Section 68055.1(g):

  "Litter Means all improperly discarded waste material, including, but not limited to, convenience food, beverage, and other product packages or containers constructed of steel, aluminum, glass, paper, plastic, and other natural and synthetic materials, thrown or deposited on the lands and waters of the state, but not including the properly discarded waste of the primary processing of agriculture, mining, logging, sawmilling or manufacturing."

Calleguas Creek

- Beardsley Wash
  - Approx. 4 miles in residential, agricultural areas
  - Beneficial Uses: MUN, FRSH, REC1, REC2, WARM, WILD
- Revolon Slough
  - Approx. 4 miles channelized in agricultural areas
  - Beneficial Uses: MUN, IND, AGR, GWR, REC1, REC2, WARM WILD, WET



Ventura River Estuary

- 30 acres, south of Main St. bridge
- Includes lagoon and wetland
- Beneficial Uses: NAV, REC1, REC2, COMM, WARM, EST, MAR, WILD, RARE, MIGR, SPWN, SHELL, WET

Problem Statement

- Sources of Trash
  - Residential, Commercial, Agricultural
- Parameters
  - Traffic
  - Rainfalls

Responsible Agencies

- Beardsley Wash and Revolon Slough
  - County of Ventura
  - City of Camarillo
  - City of Oxnard
  - CalTrans
- Ventura River Estuary
  - County of Ventura
  - City of San Buenaventura
  - CalTrans
  - California Department of Parks and Recreation

CEQA - Agriculture Resources

- Would the Implementation of Trash TMDLs:
  - Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?
  - Conflict with existing zoning for agricultural use, or a Williamson Act contract?
  - Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

CEQA - Air Quality

- Would the Implementation of Trash TMDLs:
  - Conflict with or obstruct implementation of the applicable air quality plan?
  - Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
  - Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?
  - Expose sensitive receptors to substantial pollutant concentrations?
  - Create objectionable odors affecting a substantial number of people?

CEQA – Biological Resource

- Would the Implementation of Trash TMDLs:
  - Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
  - Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

CEQA – Geology and Soils

- Would the Implementation of Trash TMDLs:
  - Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, and landslides
  - Result in substantial soil erosion or the loss of topsoil?

CEQA – Hazards and Hazardous Materials

- Would the Implementation of Trash TMDLs:
  - Create a significant hazard to the public
  - Emit hazardous emissions or handle hazardous or acutely hazardous materials within one-quarter mile of an existing or proposed school?
  - Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
  - Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

CEQA – Hydrology and Water Quality

- Would the Implementation of Trash TMDLs:
  - Violate any water quality standards or waste discharge requirements?
  - Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level
  - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

CEQA – Hydrology and Water Quality (continued)

- Would the Implementation of Trash TMDLs:
  - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
  - Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
  - Otherwise substantially degrade water quality?

CEQA – Hydrology and Water Quality (continued)

- Would the Implementation of Trash TMDLs:
  - Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
  - Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
  - Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
  - Inundation by seiche, tsunami, or mudflow?

CEQA – Land Use and Planning

- Would the Implementation of Trash TMDLs:
  - Physically divide an established community?
  - Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?
  - Conflict with any applicable habitat conservation plan or natural community conservation plan?

CEQA - Noise

- Would the Implementation of Trash TMDLs:
  - Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
  - Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
  - A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
  - A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

CEQA – Public Services

- Would the Implementation of Trash TMDLs result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services such as fire protection, police protection, school, park, and other public facilities?

CEQA - Recreation

- Would the Implementation of Trash TMDLs increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated
  - Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

CEQA – Transportation/Traffic

- Would the Implementation of Trash TMDLs:
  - Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?
  - Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
  - Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

CEQA – Transportation/Traffic (continued)

- Would the Implementation of Trash TMDLs:
  - Substantially increase hazards due to a design feature or incompatible uses?
  - Result in inadequate parking capacity and emergency access?
  - Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

CEQA – Utilities and Service Systems

- Would the Implementation of Trash TMDLs:
  - Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
  - Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
  - Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Questions?

- Staff Contacts:
  - Sam Unger
    (213) 576-6622
    sunger@waterboards.ca.gov
  - Eric Wu
    (213) 576-6683
    ewu@waterboards.ca.gov