



September 13, 2010

Mr. Sam Unger, Executive Officer
Los Angeles Regional Water Quality Control Board
320 W. 4th Street, Ste. 200
Los Angeles, CA 90013

Re: Comments on the Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate a Total Maximum Daily Load for Marine Debris in the Santa Monica Bay

Dear Mr. Unger:

Thank you for the opportunity to comment on the proposed incorporation of the Santa Monica Bay Marine Debris Total Maximum Daily Load (“Marine Debris TMDL”) into the Water Quality Control Plan for the Los Angeles Region (“Basin Plan”). Federal law requires each state to identify waters within its boundaries that do not meet water quality standards and to establish the Total Maximum Daily Load (“TMDL”) of each pollutant impairing the water quality standards in each impaired waterway. In addition, pursuant to the Consent Decree between the U.S. EPA, Heal the Bay, and Santa Monica Baykeeper, approved on March 22, 1999, TMDLs such as the Marine Debris TMDL must be approved or established by U.S. EPA by March 2012. Santa Monica Baykeeper (“Baykeeper”) thus supports the Los Angeles Region Water Quality Control Board (“Regional Board”) Staff in proposing this amendment to the Basin Plan.

The Regional Board proposes the Marine Debris TMDL amendment to the Basin Plan to protect water contact recreation, non-contact recreation, navigation, commercial and sport fishing, marine habitat, and rare, threatened or endangered species in addition to several other beneficial uses. Baykeeper supports this action to protect the public health of southern California residents and visitors and the viability of marine organisms. This Basin Plan amendment follows several other important TMDLs including the Santa Monica Bay Beaches Bacteria TMDL (“SMBBB TMDL”), the Ballona Creek Trash TMDL, and the Malibu Creek Trash TMDL. Because debris has proven a serious threat to water quality and ecological integrity at our beaches and in our rivers, these are all extremely critical actions taken by the Regional Board.

Specifically, Baykeeper supports the Regional Board’s strategy to reduce trash and plastic pellets in the marine environment through further regulation and monitoring of the storm drain system. Several studies have concluded that urban runoff conveyed through the storm drain system is a dominant source of trash. It is imperative that responsible jurisdictions prevent trash from reaching our beaches and ocean and that industrial facilities cease all discharges of plastic pellets into the storm drain system.

However, Baykeeper has a few concerns with the proposed Marine Debris TMDL. First, one gap identified by Baykeeper in the Marine Debris TMDL includes the lack of attention to discharges of plastic pellets during transport, loading, and unloading at railway stations and from ships. This gap may interfere with the projected reduction of marine debris in the Bay. Second, the Benchmark for Load Allocations at Beaches and Harbors is not an accurate measurement since it is merely a linear measurement and does not consider the width of the beach. The Regional Board should consider applying a “lbs/square foot/per day” metric or another mechanism that would more accurately reflect the actual trash density. This would provide a better means of measuring trash reduction at each specific beach location.



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However, once implemented, the health of thousands of people visiting the area beaches will be better protected as a result of the Marine Debris TMDL. In addition, this Basin Plan amendment will significantly reduce the impact that trash and plastic pellets have on marine organisms in the Bay. Baykeeper commends the Regional Board Staff for proposing this Basin Plan amendment to address the problem with marine debris in the region.

Santa Monica Baykeeper thanks the Regional Board Staff for its hard work in preparation of this amendment and urges that the comments and concerns included above are considered and incorporated into the final amendment. This is an important step in improving the water quality of Santa Monica Bay.

Sincerely,

Liz Crosson, Esq.
Executive Director
Santa Monica Baykeeper